

CITY of LA GRANDE

Joint Work Session City Council and Planning Commission

Monday, May 22, 2023
6:00 p.m.

Council Chambers
La Grande City Hall
1000 Adams Avenue
La Grande, Oregon

You can view the Work Session on Facebook Live at the following link:
www.facebook.com/CityofLaGrande

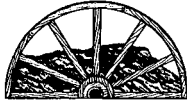
AGENDA

The purpose of a Work Session is to provide an opportunity to informally discuss topics of common concern and interest and to exchange ideas with Staff, not to make decisions or to direct Staff toward a specific action or conclusion beyond identifying additional information the Council and/or the Planning Commission would like to have presented at a later date. As no decisions are made, there will be no voting at the Work Session. The City Manager or members of the Staff may confirm any additional information required as part of any future discussions regarding the presented topic(s). If a Work Session topic subsequently requires official action, it will become an action (voting) item on a following Regular Session Agenda. In accordance with the Oregon Public Meetings Law, Council Work Sessions are open to the public; however, in order to make efficient use of time, public comments and questions generally are not entertained during the discussion segment of the Work Session. Time will not be designated for public comments at the conclusion of the discussion. Members of the public are routinely provided with an opportunity to address the Mayor and Council during the Public Comments portion of each Regular Session Agenda.

1. **CALL to ORDER** 6:00 p.m.
~ Justin B. Rock, Mayor
2. **DISCUSSION ON LAND DEVELOPMENT CODE UPDATES**
~Michael Boquist, Community Development Director
~Planning Commission Members
3. **ADJOURN** 7:30 p.m.

Stacey M. Stockhoff
City Recorder

Persons requiring special accommodations who wish to participate in the Work Session are encouraged to make arrangements prior to the meeting by calling 541-962-1309. The City of La Grande does not discriminate against individuals with disabilities



MEMORANDUM

TO: City Council and Planning Commission

Date: May 22, 2023

RE: Joint City Council and Planning Commission Work Session
to Discuss 2023 Land Development Code Amendments

As required by Oregon House Bill 2003, in 2020, the City of La Grande completed and adopted a Housing Needs Analysis (HNA), which identified a “need” for roughly 800 new dwelling units within the City over the next 20 years (by 2040).

Projected 20-year Net New Housing Need by Tenancy, La Grande UGB

Housing Type	Owner-Housing	Renter-Housing	Total
Single Family Detached	226	110	336
Townhomes / Plexes	19	96	115
Multi family (5+ units)	3	197	200
Mobile/manufactured housing	70	30	100
Group quarters	-	44	44
Total	318	477	795

Housing Type	Owner-Housing	Renter-Housing	Total
Low Density*	310	125	436
Medium Density**	6	153	159
High Density	2	198	200
Total	318	477	795

* includes mobile homes. ** Includes townhomes, plexes and group quarters.

** Includes multifamily structures with 5+ units.

Note: numbers may not add exactly due to rounding.

Source: FCS GROUP based on Task 2 and Task 4 analysis.

Also, in accordance with Oregon House Bill 2003, immediately following the adoption of the HNA, the City moved forward with preparing a Housing Production Strategy (HPS). This is a supporting document required under HB 2003 that provides guidance and recommendations (aka strategies) for how the City can achieve its housing goals over the next 20-year period. The City’s HPS was adopted by the City Council in 2021. The HPS includes four (4) strategy categories: (1) Land Use Code Changes; (2) Development Incentives; (3) Public Projects/Resources; and, (4) Partnerships. The proposed 2023 Code amendments, and the focus of this Work Session is on Strategy #1, which include seven (7) action items.

- Action Item 1.1: Allow small lot single-family houses
- Action Item 1.2: Allow townhouses in the R-2, R-3 and R-P zones
- Action Item 1.3: Reduce barriers to triplexes and quadplexes
- Action Item 1.4: Reduce barriers to apartment buildings in the R-3 zone
- Action Item 1.5: Reduce barriers to cottage housing developments
- Action Item 1.6: Reduce barriers to accessory dwelling units
- Action Item 1.7: Reduce barriers to conversions or additions to existing buildings that create new housing

MEMORANDUM

RE: Joint CC/PC Work Session on 2023 LDC Amendments

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In addition to the Code amendments identified and recommended in the HSP, we have a number of other Code amendments proposed in response to requests received from the public, contractors, local agencies/organizations, City Commissions, and others. (See attached Exhibit B)

The proposed Code amendments are schedule to move forward, with public hearings planned as follows:

- May 22, 2023.....Joint Work Session, before the Planning Commission & City Council
- June 13, 2023.....Public Hearing #1, before the Planning Commission
- July 12, 2023.....Public Hearing #2, before the City Council, and First Reading of the adopting Ordinance by Title Only.
- August 2, 2023.....Public Hearing #3, before the City Council, and Second Reading of the adopting Ordinance by Title Only.
- September, 2023.....Public Hearing #4, before the Union County Planning Commission for Co-Adoption.
- October, 2023.....Public Hearing #5, before the Union County Board of Commissioners, and First Reading of the co-adopting Ordinance by Title Only.
- November, 2023.....Public Hearing #6, before the Union County Board of Commissioners, and Second Reading of the co-adopting Ordinance by Title Only.

The Draft Decision Order that will be presented to the Planning Commission and City Council during the upcoming public hearings can be downloaded from the City's website at (<https://www.cityoflagrande.org/planning-commission/2023-proposed-code-amendments>).

The full Land Development Code, with proposed amendments in legislative format is also available for download from the City's website at (<https://www.cityoflagrande.org/planning-commission/2023-proposed-code-amendments>).

EXHIBIT A

Summary of Proposed Land Development Code Amendments

**PRESENTED IN ORDER BY TOPIC & AS CONSIDERED BY THE
PLANNING COMMISSION**

Amendments to Land Development Code Ordinance 3252, Series 2021

Housing Production Strategy – Action Items

Urban Forestry Amendments

Bed and Breakfast Inns (Short-Term Rentals)

La Grande Business and Technology Park

Small-Scale (Artisan) Manufacturing

Mobile Food Venting Trailers and Courts

Parking – Eastern Oregon University

Public Street Standards

Conditional Use Permit Review Criteria

Housekeeping and Other Code Amendments

Housing Production Strategy – Action Items

Proposed Code Amendment To LDC Ordinance 3252, Series 2021	Request/Need	Staff Comments
<p>SECTION 2.2.005 - MEDIUM DENSITY RESIDENTIAL (R-2) D. PROPERTY DEVELOPMENT STANDARDS: 1. Minimum Lot Area — Five Thousand (5,000) Three Thousand (3,000) Square Feet for Single-Family and Duplex Dwellings. Four Thousand Five Hundred (4,500) Square Feet for Triplex Dwellings. Lots Intended for Common Wall <u>Townhouse</u> Residences Shall be no Less Than Three Thousand (3,000) <u>One Thousand-Five Hundred (1,500)</u> Square Feet in Size per Unit.</p> <p>SECTION 2.2.006 - HIGH DENSITY RESIDENTIAL (R-3) D. PROPERTY DEVELOPMENT STANDARDS: 1. Minimum Lot Area - Five Thousand (5,000) Three Thousand (3,000) Square Feet for Single-Family and Duplex Dwellings. <u>Four Thousand-Five Hundred (4,500)</u> Square Feet for Triplex Dwellings. <u>Six Thousand (6,000)</u> Square Feet for <u>Quadplex Dwellings</u> — Seven Thousand (7,000) Square Feet for Apartments and Condominiums with Three (3) Dwelling Units, Plus One Thousand (1,000) Square Feet for Each Additional Unit. Lots Intended for Common Wall <u>Townhouse</u> Residences Shall be no Less Than Three Thousand (3,000) <u>One Thousand-Five Hundred (1,500)</u> Square Feet in Size per Unit.</p> <p>SECTION 2.2.007 – RESIDENTIAL-PROFESSIONAL (R-P) D. PROPERTY DEVELOPMENT STANDARDS: 1. Minimum Lot Area - Five Thousand (5,000) Three Thousand (3,000) Square Feet For <u>for</u> Single-Family and Duplex Dwellings. <u>Four</u></p>	<p>HPS – Action Item 1.1 – Allow small lot single-family houses</p> <ul style="list-style-type: none"> Reduce the minimum lot size in the R-2, R-3 and R-P zones from 5,000 to 3,000. [see yellow highlighted text] 	<p>This item was discussed by the Planning Commission during their February 8, 2022, Work Session, and a consensus was reached in support of this amendment.</p>

<p><u>Thousand-Five Hundred (4,500) Square Feet for Triplex Dwellings. Six Thousand (6,000) Square Feet for Quadplex Dwellings. Seven Thousand (7,000) Square Feet for Apartments and Condominiums with Three (3) Dwelling Units. Plus One Thousand (1,000) Square Feet for Each Additional Unit. Lots Intended for Common Wall <u>Townhouse</u> Residences Shall be no Less Than Three Thousand (3,000) <u>One Thousand-Five Hundred (1,500) Square Feet</u> in Size per Unit.</u></p>		
<p>SECTION 5.2.001 - LOT SIZE AND SHAPE A. Lot Width - Each lot shall have a minimum width of fifty feet (50) <u>thirty feet (30')</u>, with <u>forty feet (40')</u> required for corner lots, unless otherwise required by this Code.</p>	<p>HPS – Action Item 1.1 – Allow small lot single-family houses</p> <ul style="list-style-type: none"> Reduce the minimum lot width from 50' (60' on corners) to 30' (40' on corners). 	<p>This item was discussed by the Planning Commission during their February 8, 2022, Work Session, and a consensus was reached in support of this amendment.</p>
<p>SECTION 1.3.002 - DEFINITIONS INCLUDED BY REFERENCE <u>DWELLING, TOWNHOUSE – A one-family dwelling unit in a row of two (2) or more, with common walls, in which each unit is located on its own Lot or Parcel and with its own front and rear access to the outside. No unit is located over another unit, and each unit is separated from the other unit by fire-resistant walls as required by the building code. Each dwelling is served with separate water, sewer and utility services.</u></p> <p>SECTION 2.2.005 - MEDIUM DENSITY RESIDENTIAL (R-2) B. PERMITTED USES: 3. Dwellings - Limited to Single-Family, and Duplex, <u>Triplex, and Two-Three Unit Townhouse Dwellings.</u></p>	<p>HPS – Action Item 1.2 – Allow townhouses in the R-2, R-3 and R-P zones.</p> <p>HPS – Action Item 1.3 – Reduce barriers to triplexes and quadplexes.</p> <ul style="list-style-type: none"> Add a definition for townhouses in the LDC Allow up to 3 attached dwelling units within the R-2 zone (triplex apartments, townhouses) Each townhouse dwelling unit would sit on its own parcel with a minimum lot size of 1,500 square feet. [see yellow highlighted text] Reduce the minimum lot size for triplexes and quadplexes in applicable zones to be consistent 	<p>This item was discussed by the Planning Commission during their February 8, 2022, Work Session, and a consensus was reached in support of this amendment.</p>

<p>D. PROPERTY DEVELOPMENT STANDARDS: 1. Minimum Lot Area – Five Thousand (5,000) Three Thousand (3,000) Square Feet for Single-Family and Duplex Dwellings. Four Thousand Five Hundred (4,500) Square Feet for Triplex Dwellings. Lots Intended for Common Wall Townhouse Residences Shall be no Less Than Three Thousand (3,000) One Thousand Five Hundred (1,500) Square Feet in Size per Unit.</p>	<p>with other lot size reductions. (Triplex = 4,500 square feet; and Quadplex = 6,000 square feet) – [See yellow highlighted text]</p> <p>HPS – Action Item 1.4 – Reduce barriers to apartments within the R-3 zone by allowing reduced lot sizes.</p>	
<p>SECTION 2.2.006 - HIGH DENSITY RESIDENTIAL (R-3)</p>		
<p>D. PROPERTY DEVELOPMENT STANDARDS: 1. Minimum Lot Area - Five Thousand (5,000) Three Thousand (3,000) Square Feet for Single-Family and Duplex Dwellings. Four Thousand-Five Hundred (4,500) Square Feet for Triplex Dwellings. Six Thousand (6,000) Square Feet for Quadplex Dwellings. Seven Thousand (7,000) Square Feet for Apartments and Condominiums with Three (3) Dwelling Units, Plus One Thousand (1,000) Square Feet for Each Additional Unit. Lots Intended for Common Wall Townhouse Residences Shall be no Less Than Three Thousand (3,000) One Thousand-Five Hundred (1,500) Square Feet in Size per Unit.</p>		
<p>SECTION 2.2.007 – RESIDENTIAL-PROFESSIONAL (R-P)</p>		
<p>D. PROPERTY DEVELOPMENT STANDARDS: 1. Minimum Lot Area - Five Thousand (5,000) Three Thousand (3,000) Square Feet For Single-Family and Duplex Dwellings. Four Thousand-Five Hundred (4,500) Square Feet for Triplex Dwellings. Six Thousand (6,000) Square Feet for Quadplex Dwellings. Seven Thousand (7,000) Square Feet for Apartments and Condominiums with Three (3) Dwelling Units. Plus One Thousand (1,000) Square Feet for Each Additional Unit. Lots Intended for Common Wall Townhouse Residences Shall be no Less Than</p>		

<p>Three Thousand (3,000) <u>One Thousand-Five Hundred (1,500)</u> Square Feet in Size per Unit.</p>		
<p>SECTION 2.2.005 - MEDIUM DENSITY RESIDENTIAL (R-2) A. <u>PURPOSE</u>: The purpose of this zone is to establish areas for single-family and duplex residential dwelling units and necessary accessory uses. The Medium Density Residential Zone is intended to implement the Comprehensive Plan designation of a Medium Density Residential land use with a <u>minimum</u> density of five (5) to ten (10) dwelling units per acre.</p> <p>SECTION 2.2.007 – RESIDENTIAL-PROFESSIONAL (R-P) A. <u>PURPOSE</u>: The purpose of this zone is to provide for a desirable mixing of residential land uses with professional office uses in possible close proximity to adjacent residential areas. The professional office uses in possible close proximity to adjacent residential areas. The professional office uses permitted are intended to be comparable in terms of scale, bulk and building coverage, open space and other external factors with the residential uses permitted. The R-P Zone is intended to be consistent with commercial or <u>High Density Residential</u> residential designations in the La Grande Comprehensive Plan <u>with residential densities of eleven (11) or more dwelling units per acre.</u></p>	<p>HPS – Action Item 1.3 – Reduce barriers to triplexes and quadplexes.</p> <ul style="list-style-type: none"> Increase the maximum density allowance in the R-2 and R-P zones to support the smaller lot sizes. 	<p>This item was discussed by the Planning Commission during their February 8, 2022, Work Session, and a consensus was reached in support of this amendment.</p> <ul style="list-style-type: none"> The maximum density is proposed to be eliminated. Only a minimum density is proposed to be retained and required for new development. The existing Code did not include a specific density target for RP Zone. This zone is intended to be similar to the R-3 zone. As such, the “Purpose” statement is proposed to be amended to include similar density language as the R-3 zone, with no maximum limit.
<p>ARTICLE 4.4 – DUPLEX DIVISIONS; SECTION 4.4.002 - REVIEW CRITERIA D. The lot to be divided contains at least six thousand (6,000) square feet.</p> <p>E. The resulting lots will be relatively equal in size with the maximum difference equal to ten percent (10%) or</p>	<p>HPS – Action Item 1.3 – Reduce barriers to triplexes and quadplexes.</p> <ul style="list-style-type: none"> Amend the Duplex Division code section to align with and support townhouses with each dwelling unit on its own parcel (e.g. Tri-Plex Division) 	<p>This item was discussed by the Planning Commission during their February 8, 2022, Work Session, and a consensus was reached in support of this amendment.</p>

<p>less of the total area of the original lot, <u>except for corner lots</u>.</p> <p>F. Average <u>Minimum</u> lot width is at least <u>not less than</u> thirty feet (30'), <u>or forty feet (40') for corner lots</u>.</p> <p>G. Minimum lot area is at least three thousand feet (3,000) <u>one thousand-five hundred (1,500)</u> square feet.</p>		
<p>ARTICLE 3.22 – COTTAGE HOME DEVELOPMENT; SECTION 3.22.001 – PURPOSE Cottage housing developments shall be applicable in <u>R-1, R-2, and R-3 and R-P zoning districts only</u>. The general purposes of the cottage housing development design standards are as follows:</p>	<p>HPS – Action Item 1.5 – Reduce barriers to cottage cluster housing.</p> <ul style="list-style-type: none"> Expand code to allow cottage housing in the R-1 and R-P zones. Current code allows cottage housing only in the R-2 and R-3 zones. 	<p>This item was discussed by the Planning Commission during their April 26, 2022, Work Session, and a consensus was reached in support of this amendment.</p>
<p>SECTION 3.22.002 – COTTAGE HOUSING APPLICATION REQUIREMENTS</p> <p>A. <u>Zoning Approval</u>: For the construction or placement of two (2) <u>up to three (3)</u> cottage homes on a parcel of land <u>within the R-2, R-3 and R-P zones</u>, and which meet the density, setbacks and other residential design requirements for the underlying zone, the Planning Director may administratively grant zoning approval to permit such homes, subject to single-family home design standards set forth in Article 3.2 of this Code. Such homes shall not be subject to the development standards of this Article.</p> <p>B. <u>Site Plan Approval</u>: <u>Within the R-3 and R-P zones</u>, For for cottage housing developments outside of an existing platted subdivision that include two (2) that include four (4) <u>or more dwelling units</u> and where the housing and land are under one common ownership, similar to an apartment complex, and which meet the density, setbacks and other residential design</p>	<p>HPS – Action Item 1.5 – Reduce barriers to cottage cluster housing.</p> <ul style="list-style-type: none"> Amend code requirement to allow for an administrative zoning approval and site plan approval process for all cottage development, whether “inside” or “outside” a platted subdivision when developing to an allowed density in a zone and meeting design standards. Current code requires a conditional use permit when “inside” a platted subdivision. 	<p>This item was discussed by the Planning Commission during their April 26, 2022, Work Session, and a consensus was reached in support of this amendment.</p> <ul style="list-style-type: none"> The Commission felt that all housing developments should follow the same land use review process whether inside or outside a platted subdivision. Zoning Approval Process: This administrative process is over the counter and applies to Single-Family, Duplexes and Tri-Plexes. The proposed code amendment would treat cottage housing similarly for developing 1-3 cottage homes. Site Plan Approval Process: This administrative process takes roughly 2-3

<p>requirements for the underlying zone, site plan approval shall be required pursuant to Article 8.2 of this Code, and the development shall adhere to the design and improvement standards set forth in this Article for cottage housing developments.</p> <p>C. <u>Conditional Use Permit Approval:</u> Due to the clustering of smaller than average home sizes, some properties may support a density that is greater than what is allowed in the underlying zone. To afford flexibility for a development to provide a higher density, such increased density shall only be permitted <u>as follows</u> by conditional use pursuant to Articles 8.5 of this Code.</p> <p>1. Infill Development within an Existing Platted Subdivision the R-1 and R-2 zones: Any cottage housing development considered for infilling a vacant lot(s) within an existing platted subdivision, which includes three (3) or more dwelling units <u>in the R-1 Zone, or four (4) or more units in the R-2 Zone</u> shall be subject to Site Plan Approval and a Conditional Use Permit Approval pursuant to Articles 8.2 and 8.5 of this Code, and the development shall adhere to the design and improvement standards set forth in Section 3.22.004 <u>this Article for cottage housing developments.</u></p>		<p>weeks for review and include public and agency notice. This is usually for larger developments that may have higher utility services needs, require infrastructure improvements, and may have some external/neighborhood impacts that require consideration. Current code requires Site Plan Approval for multi-family (apartment) developments of 4 units or greater. The proposed code amendment would treat cottage housing similarly.</p> <ul style="list-style-type: none"> • When a developer request permission to exceed the density permitted outright in the zone, a Conditional Use Permit would be required. This would only apply to the R-1 and R-2 Zone which has limits. <ul style="list-style-type: none"> ○ The R-1 zone allows single-family and duplexes. A third cottage housing unit would require a conditional use permit as proposed. ○ The R-2 zone allows single-family, duplexes and triplexes. A fourth cottage housing unit would require a conditional use permit as proposed.
<p><u>SECTION 3.22.003 – DENSITY STANDARDS FOR COTTAGE HOUSING DEVELOPMENTS</u></p> <p>A. Minimum Density: A cottage housing development shall include a minimum of six (6) cottages.</p> <p>B. —</p> <p>C. Minimum Development Area: A cottage housing development shall have a minimum development area of fifteen thousand (15,000) square feet.</p>	<p>HPS – Action Item 1.5 – Reduce barriers to cottage cluster housing.</p> <ul style="list-style-type: none"> • Reduce or eliminate the minimum density for cottage to encourage infill. The current code requires a minimum of 6 cottage homes. 	<p>This item was discussed by the Planning Commission during their April 26, 2022, Work Session, and a consensus was reached in support of this amendment.</p>

<p>D. <u>E.A. Maximum Density.</u> The maximum density of a cottage housing development shall not exceed one (1) dwelling unit for each one thousand five hundred (1,500) square feet of land area.</p> <p><u>F.B. Exception.</u> For cottage housing infill developments within an existing platted subdivision, the Planning Commission may reduce the minimum density and establish limits or a maximum density as a condition of approval to satisfy neighborhood compatibility issues.</p>	<ul style="list-style-type: none"> For cottage housing developments, remove the minimum development area requirement of 15,000 square feet to encourage infill development and additional housing opportunities. Clean up the Exception language. Within existing developed subdivisions, may establish limits on the maximum number of dwellings allowed, as a condition of approval, in order to mitigate and address neighborhood impacts. 	
<p><u>ARTICLE 5.9 – ACCESSORY BUILDINGS; SECTION 5.9.001 – STANDARDS</u> All accessory buildings shall meet the following requirements: A3. Be architecturally compatible with the main building, as determined by the Community Development Director/Planner. Similar<u>Have the same style of</u> siding and roofing materials and colors are required as the main building unless the owner can demonstrate support for an alternate treatment from a majority of the property owners within one hundred feet (100').</p> <p><u>SECTION 5.9.002 – STANDARDS FOR DETACHED ACCESSORY DWELLING UNITS</u> Detached accessory dwelling units, also called cottage homes or tiny homes, shall be permitted in all residential zones in accordance with the following standards: C. Design Standards 1. Setbacks: A detached accessory dwelling unit shall provide side and rear setbacks which comply with the applicable zone and a front yard setback which is at least ten feet (10') greater than<u>equal to that of</u> the existing primary single-family dwelling.</p>	<p>HPS – Action Item 1.6 – Reduce barriers to accessory dwelling units (ADUs).</p> <ul style="list-style-type: none"> Update the Accessory Building and ADU standards to remove the subjective, “architecturally compatible with” language and replace with clear and objective standards, such as the same style of materials as the main dwelling (e.g. horizontal lap siding, or composite roofing, other). Change ADU setback requirements to allow their placement in line with or behind the front face of the primary dwelling. Current standard requires placement entirely behind a dwelling. 	<p>This item was discussed by the Planning Commission during their April 26, 2022, Work Session, and a consensus was reached in support of this amendment.</p>

<p>4. Building Design: Be architecturally compatible with the primary single-family dwelling, as determined by the Community Development Director/Planner. <u>A detached accessory dwelling shall have a covered porch entry measuring a minimum of eighteen inches (18") and shall have Similar the same style of siding and roofing materials and colors are required unless the owner can demonstrate that as</u> the primary single-family dwelling has both a unique architectural style and materials that cannot reasonably be matched.</p>		
<p><u>SECTION 3.16.008 - NONCONFORMING STRUCTURES</u> Any structure which does not conform to the development requirements specified in this Code may continue to be used provided that:</p> <p>A. Alterations and Expansions - The structure was established and has been maintained in a lawful manner and condition and is not altered or expanded except for minor alterations necessary to improve or maintain the health and/or safety of the occupants or if required by law or Ordinance. Should alterations or expansions exceed fifty percent (50%) or more of the assessed value of the improvements, according to the Union County Assessor's records, the entire structure and site shall be brought into compliance with this Code.</p> <p><u>1. Residential Uses – A residential structure may be altered and expanded and not subject to Subsection A of this Section only when increasing the number of dwelling units as allowed by this Code. Any alteration or expansion pursuant to this standard shall be in accordance with all applicable provisions of this Code and shall not result in an increase in any nonconforming elements.</u></p>	<p>HPS – Action Item 1.7 – Reduce barriers to the conversion or additions to existing buildings that create new housing.</p> <ul style="list-style-type: none"> Review the non-conforming use standards (grandfather provisions) for potential barriers. For example, the requirement to bring an entire structure into compliance with current code if the remodel or addition exceeds 50% of the County assessed value. 	<p>This item was discussed by the Planning Commission during their April 26, 2022, Work Session, and a consensus was reached in support of this amendment.</p>

Urban Forestry Amendments

Proposed Code Amendment To LDC Ordinance 3252, Series 2021	Request/Need	Staff Comments
<p>SECTION 3.2.003 - MANUFACTURED DWELLING, SINGLE-FAMILY, TWO-FAMILY, THREE-FAMILY AND APARTMENT BUILDING PLACEMENT STANDARDS ON INDIVIDUAL LOTS</p> <p>ED. A manufactured dwelling, single family, two-family, three-family or apartment building shall have all of the following design features when placed outside of a manufactured dwelling park.</p> <ol style="list-style-type: none"> 1. A roof pitch greater than or equal to a nominal three to twelve (3:12). (The only exception to this rule shall be triple-wide manufactured homes, where a roof pitch of 2½:12 or greater is allowed.) 2. Covered porch entries. (Only the main or front entrance must be covered. Secondary or rear entrances need not be covered. A covered, recessed entryway (see (F)(10) below) may be substituted for a covered porch to meet this standard.) 3. Pre-landscaped front yards; if bonding, the bond amount shall not exceed five hundred dollars (\$500) per lot. Building Site Plans shall specify front yard landscaping that will be in place (seeded or installed) prior to occupancy. At a minimum, such Plans shall provide for grass or decorative ground cover (bark, decorative rock or vegetative ground cover) <u>and a minimum of one (1) front yard tree in accordance with the standards provided in the Community Forestry Program Guide.</u> It is not necessary to locate shrubs and/or trees at this stage, except for street 	<p>This amendment was requested by the Community Landscape and Forestry Commission and the City's Urban Forester.</p>	<p>This item was discussed by the Planning Commission during their January 10, 2023, Work Session, which was a Joint Work Session held with the Community Landscape and Forestry Commission. A consensus was reached by the Planning Commission in support of this amendment.</p>

<p>trees required by the Subdivision or Partition Plat approval).</p> <p>3.4. Street trees as required by the Subdivision or Partition Plat approval, if applicable.</p> <p>4.5. At least one (1) covered parking space per dwelling unit.</p>		
<p>ARTICLE 5.6 – LANDSCAPING; SECTION 5.6.001 - PURPOSE</p> <p>The purposes of landscaping are to enhance the diversity and resilience of the built environment, to increase the tree canopy cover and the benefits that trees provide, to provide areas on sites which can absorb rainfall and reduce storm water runoff, to enhance the appearance of structures and properties, to provide visual privacy, to provide areas on sites which can absorb rainfall and reduce storm water runoff, and to improve the visual environment.</p>	<p>This amendment was requested by the Community Landscape and Forestry Commission and the City's Urban Forester.</p>	<p>This item was discussed by the Planning Commission during their January 10, 2023, Work Session, which was a Joint Work Session held with the Community Landscape and Forestry Commission. A consensus was reached by the Planning Commission in support of this amendment.</p>
<p>SECTION 5.6.004 - STANDARDS FOR LANDSCAPING MATERIALS</p> <p>Where landscaping is required by Section 5.6.002, the materials used are subject to the following provisions:</p> <p>A. Allowable Materials - Landscaping shall include some combination of the following materials, where appropriate, to achieve the intended or required purpose of the landscaping (e.g. tree canopy, screening, etc.): Treestrees, shrubs, ground cover, vines, flowers or lawns. Landscaping may also include art work, walls, structural features and fences. Trees adapted to the site willshall be incorporated into the landscape when there is adequate space as determined in the standards for tree planting in the Community Forestry Program Guide. Shade trees.Trees shall be a minimum of fifteen (15) gallons and/or one and one quarter inch</p>	<p>This amendment was requested by the Community Landscape and Forestry Commission and the City's Urban Forester.</p>	<p>This item was discussed by the Planning Commission during their January 10, 2023, Work Session, which was a Joint Work Session held with the Community Landscape and Forestry Commission. A consensus was reached by the Planning Commission in support of this amendment.</p>

<p>(1¼") caliper. Evergreen conifer trees shall be a minimum of five (5) feet in height. Landscaping areas shall include live plant coverage, at occupancy, equal to or greater than fifty percent (50%) of each landscape area.</p> <p>B. Trees within designated planting areas located in public rights-of-way shall conform the standards for tree planting in the City Community Forestry Program Guide.</p> <p>BC. Excluded Materials - Landscaping proposed to satisfy the requirements of this Code shall not include:</p> <ol style="list-style-type: none"> 1. Plant materials which have root structures or branching habits which in their mature state may damage or interfere with the normal use of existing public or private under- or above-ground electrical lines, cables, or conduits, pipes or other utilities; or public or private sidewalks, curbs, gutters or paved parking and turn-around areas, drainage improvements, or adjacent structures, foundations, or landscape materials. 2. Trees within designated planting areas located in public rights-of-way shall conform to the City Street Tree Planting GuideProhibited tree species as referenced in the standards of the Community Forestry Program Guide. 		
<p><u>SECTION 5.7.006 - PARKING LOT CONSTRUCTION</u></p> <p>F. <u>Landscaping</u> A minimum of five percent (5%) of the interior of all parking lots with four (4) or more spaces is to be landscaped, in addition to any perimeter landscaping required by Subsection G(2) of this Section. The total aggregate area of landscaping need not exceed the minimum requirements in Article 5.6, Section 5.6.005(B). One (1) appropriate shade tree, as</p>	<p>This amendment was requested by the Community Landscape and Forestry Commission and the City's Urban Forester.</p>	<p>This item was discussed by the Planning Commission during their January 10, 2023, Work Session, which was a Joint Work Session held with the Community Landscape and Forestry Commission. A consensus was reached by the Planning Commission in support of this amendment.</p>

<p>determined by the standards for tree planting in the City Community Forestry Program Guide, per each six (6) parking spaces is required in any parking lot to provide shade and visual relief to parking lots.</p>		
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Bed and Breakfast Inns (Short-Term Rentals)

<p>Proposed Code Amendment To LDC Ordinance 3252, Series 2021</p>	<p>Request/Need</p>	<p>Staff Comments</p>
<p><u>SECTION 1.3.002 - DEFINITIONS INCLUDED BY REFERENCE</u> BED AND BREAKFAST INN – A structure designed and occupied as a residence in which sleeping rooms are provided on a daily or a weekly basis for use by travelers or transients for a charge or fee paid or to be paid for the rental or use of the facility. The Bed and Breakfast Establishment has no more than five guest sleeping rooms provided on a daily or weekly basis for the use of no more than a total of ten (10) travelers or transients at any one timeSee definition of Short-Term Rental.</p> <p>SHORT-TERM RENTAL – Rental of a dwelling unit or portion of a dwelling unit for a period of less than thirty (30) consecutive days. The following are short-term rental use types:</p> <p>A. BED AND BREAKFAST INN OR HOSTED HOME SHARE –. A single-family dwelling, occupied by the owner or manager, in which no more than five (5) guest sleeping rooms are provided for short-term rental, with or without a meal. This includes the short-term rental of a portion of the primary dwelling (e.g. bedrooms) or an accessory dwelling unit on the same property.</p>	<p>This amendment was requested by the Planning Commission and Community Development Director.</p>	<p>This item was discussed during a Joint Works Session of the City Council and Planning Commission on January 30, 2023. A consensus was reached in support of this amendment.</p>

<p><u>B. VACATION HOME RENTAL – The short-term rental of an entire single-family dwelling unit, which may also include an accessory dwelling on the same property, in which no more than five (5) guest sleeping rooms are provided for short-term rental.</u></p>		
<p>NEW PROPOSED CODE SECTION (see below)</p>	<p>This amendment was requested by the Planning Commission and Community Development Director.</p>	<p>This item was discussed during a Joint Works Session of the City Council and Planning Commission on January 30, 2023. A consensus was reached in support of this amendment.</p>
	<p><u>SUMMARY:</u></p> <p>The City’s Housing Needs Analysis identifies that La Grande has a shortage of needed housing, with a need for seven hundred ninety-five (795) new dwelling units over the next twenty (20) years, by the year 2040. This includes a need for three hundred thirty-six (336) single-family dwelling units, one hundred fifteen (115) duplex dwelling units, two hundred (200) multi-family dwelling units, and one hundred forty-four (144) other group housing dwelling units.</p> <p>In early 2021, the Planning Commission and City Council expressed a commitment toward addressing needed housing through the adoption of a Housing Production Strategy (HPS) and focus on implementing the seven (7) strategies discussed above in this Decision Order, to encourage the production of needed housing. As part of this, concerns were discussed regarding how Bed and Breakfast Inns may compromise the residential character of neighborhoods, and more importantly, adversely impact the City’s needed housing inventory as a result of slower than anticipated residential growth due to various economic factors.</p> <p>Following is a summary of the Goals and outcomes of Proposed Code Elements that are intended to be achieved through this Code amendment process.</p> <p>Goals:</p> <ul style="list-style-type: none"> • To support the City’s adopted Housing Production Strategies and to reduce and minimize adverse impacts on the City’s needed housing inventory, such as loss of needed housing. 	

- To support the purpose and intent of residential zoning, which is to encourage new residential development at various densities; and, to preserve and protect existing residential uses and the residential character of neighborhoods.
- To retain the short-term rental business opportunity within the City.
- To provide a faster/expedited application process with predictable outcomes.
- Existing BnB's (short-term rentals) that were legally established through the City's Conditional Use Permit process would not be required to get a new Short-Term Rental Permit under this proposed Code revision. Their existing Conditional Use Permit would be recognized as being a valid Short-Term Rental Permit.

Proposed Code Elements:

- Better define the 2 types of short-term rentals (owner occupied rentals vs. vacation home rentals).
- Establishing an administrative (over the counter) permitting process
- Continue to allow short-term rentals in residential neighborhoods, but limit ownership to one short-term rental.
- Issue the permit to the current property owner, not transferrable with a property sale. A new owner would need to apply for their own permit as a new short-term rental business.
- Require the applicant/owner to obtain support (or no objection) from the majority of adjacent property owners.
- As part of communicating with neighbors, require the applicant/owner to share their contact information and short-term rental rules/operation plans with neighbors. Neighbors could then contact the owner to address issues, as needed.
- Limit short-term rentals to single-family, accessory dwellings and duplexes only (no multi-family)
- Ensure that short-term rentals have adequate parking which is functional.
- Ensure that improvements to support a short-term rental do not result in the permanent conversion and loss of a dwelling, rendering the property out of compliance with City code if/when converted back to a dwelling unit.
- Establish enforcement provisions that allow for permits to be revoked for any property owner who is not compliant with City Codes, including payment of

	required room taxes (via Lodging Operations Certificate issued and managed by the Finance Department).
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ARTICLE 3.23 – SHORT-TERM LODGING

SECTION 3.22.001 – PURPOSE

The Purpose of this article is to allow short-term rentals in the City of La Grande with the goal of minimizing impacts to the residential housing stock in the city and to ensure and maintain livable neighborhoods. Short-term rentals are permitted in all residential zones, in both owner-occupied and leased properties, provided that the short-term rental meets the definition as stated in Article 1.3 of this Code; the requirements of this Article; and all other applicable City, County or State laws and regulations.

SECTION 3.22.002 – SHORT-TERM RENTAL PERMIT

A. A Short-Term Rental Permit shall be required for operating a short-term rental in all Residential Zones within the City of La Grande. An application for a Permit shall be initiated by the property owner or long-term renter with the property owner as a co-applicant, on forms provided by the Community Development Director/Planner and shall include the following submittal information to demonstrate compliance with this Article:

1. Copy of property deed or other legal document showing proof of property ownership.
2. For applications initiated by a long-term renter, the property owner shall be a co-applicant.
3. A plot plan of the property showing the following:
 - a. The location and use of all buildings and structures on the property.
 - b. Identify the main entrance to the short-term rental dwelling on the property and the location of keypad or key lock box.
 - c. Identify the location and size of each required guest parking space.
4. A signed acknowledgement statement of “no objection” from a majority of property owners described in ‘a’ and ‘b’ below:
 - a. From the majority of the owners of property adjacent to the short-term rental property.
 - i. For the purposes of this requirement, “adjacent” means only those properties that share property lines and those across a public alley.
 - ii. Where only two (2) adjacent properties exist, a minimum of fifty percent (50%) shall be required; and,

b. From the majority of the owners of property within two hundred-fifty feet (250') of the short-term rental property.

c. The applicant shall prepare and present an "Acknowledgement Packet" to those neighbors described in 4.a. and b. above. The Acknowledgement Packet shall include the following:

i. The plot plan as required in Item #2 above.

ii. An operation plan that identified the number of rooms for rent, whether the rental includes the entire house to one party or by the room to separate parties, whether pets allowed, other? [specify "other" requirements].

iii. A copy of the House Rules for Guests staying at the short-term rental.

iv. Emergency contact information of the property owner or manager of the short-term rental.

v. The acknowledgment statement to be signed by property owners shall read as follows:

"I have reviewed and fully understand the plans, operations and house rules for the proposed short-term rental, and I have no objections to the City of La Grande approving a Short-Term Rental Permit for operation of a short-term rental on the subject property as described in the Acknowledgement Packet."

5. Copy of completed and approved Building Safety Inspection, signed by Building Inspector, City of La Grande Building Division.

6. Any other information deemed necessary by the Community Development Director/Planner to demonstrate compliance with this Article.

B. Property owner shall be limited to possessing only one (1) Short-Term Rental Permit and owning only one (1) short-term rental within a residential zone the City.

- "Owner" is defined as natural person or legal entity that owns and holds legal title to the subject property. If the owner is a business entity such as a partnership corporation Limited Liability Company, Limited Partnership, Limited Liability Partnership or similar entity, each person who owns an interest in that business entity is considered an owner.

C. The Short-Term Rental Permit is not transferrable and does not run with the land. The Permit is assigned exclusively to the property owner that is identified in the application and the use is subject to all terms and conditions of the initial permit. The Short-Term Rental Permit shall not grant any permanent land use rights that may later be interpreted or construed as being a legal nonconforming use or grandfather right attached to the property.

D. Upon receiving approval of a Short-Term Rental Permit, the property owner shall also obtain and maintain a Lodging Operation Certificate from the City of La Grande Finance Department.

E. The Short-Term Rental Permit will presumptively be renewed annually and the applicant may continue the short-term rental operation under the terms and conditions of the initial permit, unless the permit has been revoked as provided in Section 3.22.004.

SECTION 3.22.003 – SHORT-TERM RENTAL REQUIREMENTS AND USE RESTRICTIONS

A. Short-term rentals shall not include the use of a recreational vehicle, travel trailer, tent or other temporary shelter.

B. Multi-Family and Condominium Units Prohibited: Short-term rentals shall be limited to single-family or accessory dwelling units, and duplex dwellings. Short-term rentals shall be prohibited in all multi-family and condominium developments (three units or greater), as well as all cottage home developments.

C. Only one (1) Short-Term Rental Permit is permitted per parcel, limited to one (1) residential dwelling, which may include an accessory dwelling unit that is rented to the same party.

1. A single-family dwelling with an accessory dwelling unit shall not be rented separately to different parties, as this would be considered two (2) separate short-term rentals on the same parcel and not permitted under this Code.

2. A short-term rental within a duplex shall be limited to one (1) side or one (1) dwelling unit only.

D. The maximum occupancy for a dwelling used for a short-term rental shall be two (2) persons per guest bedroom, plus two (2) additional persons. For example, a two (2) bedroom dwelling would have a maximum occupancy of six (6) persons.

E. One (1) off-street (on-site) parking space shall be provided for every guest sleeping room. For Bed and Breakfast Inns and Hosted Home Shares, this requirement is in addition to the parking required for a single-family dwelling or duplex, whichever is applicable.

F. Each required off-street parking space shall be fully accessible at all times and not stacked or blocked by another parking space. Parking space dimensions and access shall be designed in conformance with Section 5.7.005 of this Code, and shall meet the following standards:

1. While meeting the 9'x18' required dimension, the parking area shall include two-feet (2') of minimum clearance on each side of the parking area for occupants to easily get in and out of a vehicle. If such clearance does not exist, the parking spaces within such area shall be deemed non-functional and invalid towards meeting minimum off-street parking requirements.

2. Each off-street parking space shall be an integral part of the short-term rental use, and include an improved walkway directly to and from the entrance where a key lockbox shall be mounted for accessing the short-term rental.

3. Required off-street parking shall be located and designed to be closer to an entrance of the short-term rental with a key lockbox, than the on-street parking within the public right-of-way. Such design shall encourage guests to use the required off-street parking as the primary parking space(s).

4. Signage shall be installed at each required off-street parking space or area that clearly identifies the reserved and designated off-street parking for the short-term rental.
- G. Enclosed parking areas (garages, gated fences, etc.) shall not be eligible for meeting the parking requirements. Required parking spaces shall be open and conveniently accessible to guests at all times.
- H. Conversion of Covered Parking to Living Space: The conversion of a covered parking space(s) to living space shall only be permitted when the removal of such parking space will not result in a future nonconforming situation, should the short-term lodging use revert back to a residential occupancy.
- I. Other Conversions of Space: The conversion of a dwelling to a short-term rental is considered temporary. No alterations or improvements shall be permitted that will prevent the short-term rental dwelling from its ability to be reverted back to a full-time residential dwelling (e.g., elimination of kitchen or other alterations that may result in a nonconforming situation).
- J. Good Neighbor Policies:
 1. House policies must be posted on-site for guests to easily see.
 2. The short-term rental shall include the posting of a business sign in a location that is clearly visible and easy to read from the public right-of-way. Such signage shall include the phone number of the emergency contact for the owner or manager of the short-term rental.
 3. One or more emergency contacts for the short-term rental shall reside within ten (10) miles of the short-term rental and shall be responsive to neighborhood questions, concerns or complaints within two (2) hours.

SECTION 3.22.004 – ENFORCEMENT OF SHORT-TERM RENTAL PROVISIONS

- A. Upon receiving a complaint of a possible violation of this Article or the provisions of any other applicable ordinance or law, City Staff will investigate to determine if a violation exists; and when appropriate, will provide the property owner with written notice of the required actions to correct the violation.
- B. Revocation of Short-Term Rental Permit:
 1. Failure to complete corrective action to resolve a violation of this Article shall result in the revocation of the Short-Term Rental Permit.
 2. A third (3rd) violation of this Article, even if corrected, within a twelve (12) month period shall result in the revocation of the Short-Term Rental Permit.
 3. The expiration or termination of a Lodging Operation Certificate shall result in the revocation of the Short-Term Rental Permit.

- 4. Submitting false information to the City shall result in the denial, suspension, or revocation of a Short-Term Rental Permit as determined by the City Manager in their sole discretion.
- C. Upon revocation of a Short-Term Rental Permit, a property owner shall not be permitted to submit a new application for a Short-Term Rental Permit for a period of two (2) years from the date the Permit was revoked.
- D. In the event that a tenant or property owner is found to be operating a Short-Term rental without the required Permit, the property owner shall immediately cease operating the Short-Term rental, submit an application for a Short-Term Rental Permit, obtain a Lodging Operation Certificate, and submit lodging taxes for all rents received while operating without a permit within 30 days of notice of the violation. Failure to comply with these provisions shall prohibit eligibility to submit an application for a Short-Term Rental Permit for a period of two (2) years.

La Grande Business and Technology Park

Proposed Code Amendment To LDC Ordinance 3252, Series 2021	Request/Need	Staff Comments
<p><u>SECTION 1.3.002 – DEFINITIONS INCLUDED BY REFERENCE</u></p> <p><u>CORPORATE HEADQUARTERS/CAMPUS – The development of a large-scale operation that serve as a corporate headquarters for a state, regional, or national corporation. The development may include a single principle structure and multiple secondary structures designed to accommodate a variety of services, such as administrative offices, research and development, training, manufacturing and logistics, marketing, and other ancillary activities associated with the corporation. Additional campus services and activities may include on-site child care, food service establishments, retail, assembly and recreation facilities, performance venue, and outdoor gathering spaces.</u></p> <p><u>SECTION 2.2.014 – BUSINESS PARK (BP)</u></p> <p>B. PERMITTED USES:</p> <p>9. Eating and Drinking Establishments – Only as an Incidental Use Built as an Integral Part of a Main Use <u>or Corporate Headquarters/Campus.</u></p>	<p>This amendment was requested by the Economic Development Director and the Community Development Director.</p>	<p>The City’s Business Park zoning supports the mixture of industrial and commercial uses in a “<i>park-like setting</i>,” but the standards limit the mixture of industrial and commercial uses to being within the same building. For example, an industrial manufacturing business with a small/incidental retail outlet store.</p> <p>The Business Park zoning does not easily support a corporate campus setting with multiple buildings, each with an individual/principal use (some industrial and some commercial), that collectively serve and support each other.</p> <p>For example: A campus setting may have specific buildings for corporate office uses; specific buildings for research/development and/or manufacturing; a separate building for a coffee shop, restaurant or food court; and potential some form of entertainment space.</p> <p>In recent months, the City has had inquiries to develop a corporate campus within the City’s</p>

<p>18. Retail Sales – Businesses Engaged in Retail Sale of Goods and Merchandise, only as an Incidental Use Built as an Integral Part of a Main Use or Corporate Campus; Excludes Medical Marijuana and Recreational Marijuana Facilities.</p> <p>C. CONDITIONAL USES:</p> <p>2. Spectator Sports and Entertainment – only as an Incidental Use Built as an Integral Part of a Main Use or Corporate Headquarters/Campus.</p>		<p>Business Park zoning, but the City's existing Code does not support the mixture of uses and design for the campus setting described in the inquiry. To support this proposed development, the City would need to rezone small portions of the Business Park to General Commercial to support the proposed campus setting with the mixture of commercial uses.</p> <p>Instead of rezoning several small pockets within the Business Park, it makes more sense for the City to expand the Business Park zoning to better allow for a mixture of industrial and commercial uses to co-exist within corporate headquarters/campus environment.</p>
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Small Scale (Artisan) Manufacturing

<p>Proposed Code Amendment To LDC Ordinance 3252, Series 2021</p>	<p>Request/Need</p>	<p>Staff Comments</p>
<p><u>SECTION 1.3.002 – DEFINITIONS INCLUDED BY REFERENCE</u></p> <p>ARTISAN MANUFACTURING – Small-scale consumer product businesses, roughly 10,000+/- square feet or less in size, that manufacture artisan goods or specialty foods, primarily focused on, consumer sales on site and online. Includes activities relating to small-scale production of consumer products, artisan crafts, and food and beverage production. Examples include but are not limited to small-batch bakeries; micro-distilleries; micro-breweries, and other small-scale food and beverage producers; small-scale production of textiles, and other artisan consumer goods including but not limited to small-scale welding, metalworking, leather, glass, cutlery, hand tools, wood, furniture, ceramic, and yarn or fabric products.</p>	<p>This amendment was requested by the Economic Development Director.</p>	<p>This is a request initiated by the Economic Development Director.</p> <p>City Code currently only allows limited small-scale manufacturing in the downtown Central Business Zone and the General Commercial Zone as a secondary or incidental use to a larger commercial use. (e.g. commercial retail soap shop as the primary/greater occupancy, which manufactures soap in a back room/lesser occupancy).</p> <p>This request will expand the allowed and conditionally allowed uses to include small scale manufacturing as a predominant use, but still require that a small retail storefront component exists. (e.g. brewery/bottling w/ tap room as the retail front; or other artisan</p>

<p>SECTION 2.2.008 - CENTRAL BUSINESS (CB)</p> <p>B. PERMITTED USES: 5. Artisan Manufacturing Not to Exceed 5,000 Square Feet and Having a Retail Storefront.</p> <p>C. CONDITIONAL USES: 1. Artisan Manufacturing Exceeding 5,000 Square Feet and Having a Retail Storefront.</p> <p>SECTION 2.2.009 - GENERAL COMMERCIAL (GC)</p> <p>B. PERMITTED USES: 7. Artisan Manufacturing Not to Exceed 5,000 Square Feet and Having a Retail Storefront.</p> <p>C. CONDITIONAL USES: 2. Artisan Manufacturing Exceeding 5,000 Square Feet and Having a Retail Storefront.</p>		<p>fabrication/manufacturing with a retail storefront outlet.)</p>
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Mobile Food Vending Trailers and Courts

<p>Proposed Code Amendment To LDC Ordinance 3252, Series 2021</p>	<p>Request/Need</p>	<p>Staff Comments</p>
<p>SECTION 1.3.002 – DEFINITIONS INCLUDED BY REFERENCE</p> <p>EATING AND DRINKING ESTABLISHMENTS - The Eating and Drinking Establishments use type refers to establishments or places of business primarily engaged in the sale of prepared food and beverages for on-premises consumption. Typical use includes restaurants, short-order (fast food) eating places, bars, or brew pubs and also includes mobile food units and mobile food courts which are defined as follows:-</p>	<p>This amendment was requested by property owners and businesses.</p>	<p>The City Code is currently silent on this use type. Under the closest fit, food vending trailers have been allowed in the same zones as “Eating and Drinking Establishments – Restaurants, Short-Order” (aka fast food). But, because they are using a mobile trailer and not a permanent structure, the City has historically only allowed these by Temporary Use Permit, limited to 6 months with the opportunity for a couple extensions.</p>

<ul style="list-style-type: none">• Mobile Food Unit – A vehicle or structure that is self-propelled or towed, in which food is cooked, prepared, processed, or converted, or which is used in selling and dispensing food or beverages.• Mobile Food Court – Two (2) or more mobile food units located on the same site for the purpose of selling food and/or beverages. <p>SECTION 2.2.008 - CENTRAL BUSINESS (CB)</p> <p>B. <u>PERMITTED USES:</u></p> <p>11. Eating and Drinking Establishments – Restaurants, Short-Order Eating Places, Taverns, Bars or Brew Pubs, and Mobile Food Units Accessory to a Permitted Use.</p> <p>C. <u>CONDITIONAL USES:</u></p> <p>6. Eating and Drinking Establishments – Mobile Food Courts.</p> <p>SECTION 2.2.009 - GENERAL COMMERCIAL (GC)</p> <p>B. <u>PERMITTED USES:</u></p> <p>22. Eating and Drinking Establishments – Restaurants, Short-Order Eating Places, Taverns, Bars or Brew Pubs, Mobile Food Units Accessory to a Permitted Use.</p> <p>C. <u>CONDITIONAL USES:</u></p> <p>5. Eating and Drinking Establishments – Mobile Food Courts.</p>		<p>This request is to consider establishing standards that specifically allow for mobile food vendors to remain on a property long-term (no time limit).</p> <p>Permitting would require the approval of a site plan that demonstrates that the placement of the vending trailer/vehicle will be in a location that does not obstruct traffic flow onto and through the site, required parking for the existing business or uses, or otherwise create a conflict with City code requirements.</p> <p>Typical Improvements Required:</p> <ul style="list-style-type: none">○ Compliance with any building code and Department of Health requirements.○ If outdoor seating is provided, then ADA accessibility, ADA parking and restrooms may be required.
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Parking - Eastern Oregon University

<p>Proposed Code Amendment To LDC Ordinance 3252, Series 2021</p>	<p>Request/Need</p>	<p>Staff Comments</p>
<p><u>SECTION 5.7.001 - OFF-STREET PARKING SPACES AND LOADING FACILITIES</u></p> <p><u>A Eligibility of Street Parking Spaces</u></p> <ol style="list-style-type: none"> 1. An exception may only be granted for the required vehicular parking for the assembly use types, or for bus parking for pre-elementary, elementary, junior high, and high school and university use types campuses. 2. Eligible street parking shall only include those spaces that are immediately adjacent to the subject property, provided: <ol style="list-style-type: none"> b. The furthest eligible parking space shall be no greater than five hundred feet (500') from the use or uses served, except for university campuses, the furthest eligible parking space shall be no greater than one-thousand three-hundred feet (1,300') from the use or uses served. <p><u>SECTION 5.7.005 - PARKING DESIGN STANDARDS</u></p> <p><u>C. Vehicle Parking and Loading Area Location</u></p> <ol style="list-style-type: none"> 2. Required parking and loading facilities for uses other than residential shall be located as follows: <ol style="list-style-type: none"> c. On a lot or parcel of land within five hundred feet (500') of the use or uses served, except for university campuses, within one-thousand three-hundred feet (1,300') from the use or uses served. 	<p>This amendment was requested by Eastern Oregon University.</p>	<p>Current City Code requires that all required parking be located within 500 feet of the use it is intended to serve.</p> <p>This not an issue for most development as required parking is typically constructed adjacent to the building and use it is serving. However, this is problematic in a University or campus environment.</p> <p>In a campus environment, parking is often spread out around the periphery of the campus and people expect to walk further to various buildings and facilities.</p> <p>For the new EOU fieldhouse construction, the parking in the vicinity of this new facility predominantly serves the student housing-dormitories. Some additional parking was construct around the fieldhouse, but there was insufficient space to construct all of the required parking for this facility without demolishing other campus facilities. There is, however, ample parking available to serve this facility near the football stadium and other parking lots near 6th Street, but they are outside of the required 500' distance and thus not eligible to count towards satisfying the City's parking requirements.</p> <p>EOU is requesting this distance standards in Sections 5.7.001 and 5.7.005 be increased to 1,300 feet for the EOU campus, which is maximum separation distance of the fieldhouse from the available parking areas that will reasonably accommodate this facility.</p>

		<p>Staff supports this amendment. Functionally, students, faculty and members of the public regularly park in these periphery parking lots and walk much further than 1,300 feet to the various facilities they are visiting. This is especially true for events on campus and the distance attendees are willing to park in relation to the event. Staff feels that increasing this standard to 1,300 feet for the EOU campus is a reasonable request and justified code amendment.</p>
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Public Street Standards

<p>Proposed Code Amendment To LDC Ordinance 3252, Series 2021</p>	<p>Request/Need</p>	<p>Staff Comments</p>
<p><u>SECTION 1.3.002 – DEFINITIONS INCLUDED BY REFERENCE</u></p> <p>STREET – The portion or portions of street right-of-way developed for vehicular traffic.</p> <p>A. <u>Street Classifications:</u></p> <ol style="list-style-type: none"> 1. <u>ARTERIAL STREET</u> – A public street which provides primary access <u>into and through the City, and connects with County arterials and/or state highways</u>. between large developed areas and which is designated in the La Grande/Island City Transportation System Plan. 2. <u>COLLECTOR STREET</u> – A public street which connects individual land uses within neighborhood to an arterial street. 	<p>This amendment was requested by the Community Development Director, Fire Department, Public Works Department and Waste-Pro.</p>	<p><u>Street Classifications:</u> The City’s code defines the various classifications of City streets as Arterial, Collector and Local, with definitions alphabetically sorted in Section 1.3.002. This amendment will move all of the street type definitions, together, under the heading of “STREET” so they are easier to find.</p> <p><u>Private Streets:</u> Since ~2016. The City has allowed for private streets within a development to help encourage infill residential development and to help minimize costs for improvements.</p> <p>However, since the establishment of a private road option, the City has experience conflicts with such roads being fully or partially obstructed with parked vehicles (e.g. turn-around areas blocked for emergency services, Waste-Pro, & other parking in no-parking zones).</p>

<p>3. LOCAL STREET – A public street within neighborhoods that provides access to abutting properties.</p> <p>4. SEMI-PRIVATE LOCAL STREET – A public street that is within neighborhoods that provides access to abutting properties, but which includes private street improvements that are maintained entirely by the adjacent property owners and not by the City.</p> <p>SECTION 6.2.005 - MINIMUM STREET IMPROVEMENTS The following public street improvements shall be required for development and shall be provided at the expense of the developer:</p> <p>D. Semi-Private Local Streets -- Semi-Private local streets shall be located within a dedicated public street right-of-way and shall be improved to a minimum standard that includes a storm water collection system, gravel shoulders and a paved surface in accordance with Public Works Engineering Standard Drawings and Specifications for Construction Manual, adopted by Resolution of the City Council. A semi-private local street shall only be allowed when it is determined by the Planning Commission at the recommendation of the City Public Works Director, that a City standard Arterial, Collector or Local Street, as referenced above, cannot adequately be constructed to serve the development. The typical street section shall be approved by the Public Works Department Director or designee.</p>		<p>As a private street, these exist and function similar to private driveways and are owned and managed entirely by the property owners. As such, the City does not have any enforcement authority to police/enforce parking conflicts.</p> <p>The resolve this, the proposed amendment will require that private streets be constructed within Public Street rights-of-way. The City will still allow a private street option to help facilitate infill development, but by developing such street within a public street right-of-way, the City will have the enforcement authority to ticket and tow vehicles that block the street, turn-around and other no-parking zones.</p>
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Conditional Use Permit Review Criteria

<p>Proposed Code Amendment To LDC Ordinance 3252, Series 2021</p>	<p>Request/Need</p>	<p>Staff Comments</p>
<p>SECTION 8.5.003 - REVIEW CRITERIA A Conditional Use Permit shall be granted only if the reviewing authority shall find that it satisfies <u>all of</u> the following criteria, as well as all other criteria and standards of this Code and other applicable codes and Ordinances.</p> <p>A. That the use is <u>listed as being</u> conditionally permitted in the zone in which it is proposed to be located; <u>and,</u></p> <p>B. That the proposed development is timely, considering the availability and adequacy of the transportation system, and public facilities and services. That all <u>required public facilities, including water, sanitary sewer, and streets, have adequate capacity or are to be improved to serve the proposed development, consistent with City standards; and,</u></p> <p>C. That the <u>site</u> location, size, design, <u>access and existing improvements are adequate to support the proposed development and its</u> operating characteristics, <u>taking into consideration the proposed building mass, aesthetics, parking, traffic, safety noise, odors, dust, and other characteristics; and,</u> 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.</p> <p>D. That significant adverse impacts attributable to the proposed development, if any, on adjacent properties or on the public can be mitigated through additional development improvements permitted by this Code, or other reasonable conditions of approval.</p>	<p>This amendment was requested by the Community Development Director.</p>	<p>The existing review criteria is subjective, and as a result occasionally result in decisions based on opinion that may be difficult to defend if challenged.</p> <p>State law requires that land use codes be clear and objective to ensure that land use decisions are based on fact, and consistent over time and fair.</p> <p>Staff recommends these changes as they are “clear and objective” and based on examples use successfully in other cities in Oregon.</p>

Housekeeping and Other Code Amendments

Proposed Code Amendment To LDC Ordinance 3252, Series 2021	Per HPS, State Law, or Other (if applicable)	Staff Comments
<p><u>SECTION 1.3.002 – DEFINITIONS INCLUDED BY REFERENCE</u></p> <p>DWELLING, COTTAGE HOME – Any structure on a Lot or Parcel that is one thousand (1,000) square feet or less and designed for occupancy by one family and containing one (1) dwelling unit, either site built or a manufactured dwelling.</p> <ul style="list-style-type: none"> • One (1) cottage home on a Lot or Parcel may also be considered a detached single-family dwelling. • Two (2) cottage homes on a Lot or Parcel, if one is not an accessory dwelling, shall be considered a detached duplex. • Three (3) cottage homes on a Lot or Parcel shall be considered similar to a triplex. • Four (4) or more cottage homes on a Lot or Parcel, shall be considered similar to multifamily apartments. 	<p><u>Housekeeping</u></p> <ul style="list-style-type: none"> • Clarify the definition of a Cottage Home Dwelling(s) when use as a single-family, duplex, triplex or greater scenario. 	<p>This item was discussed by the Planning Commission during their May 24, 2022, Work Session, and a consensus was reached in support of this amendment.</p>
<p><u>SECTION 5.7.009 – OFF-STREET PKARING REQUIREMENTS:</u></p> <p>Residential Uses: Vehicle - One and one-half (1½) (1) spaces per dwelling unit, for multiple family (tri-plex and greater) and one (1) space per each single family and duplex unit; one (1) space per dwelling unit which must be covered.</p>	<p>This amendment is proposed in response to citizen inquiries and requests; and discussions of the Planning Commission and Community Development Director.</p> <ul style="list-style-type: none"> • Consider amending the parking quantity requirement for multi-family to be the same or less than that of single-family and duplexes. 	<p>This item was discussed by the Planning Commission during their May 24, 2022, Work Session, and a consensus was reached in support of this amendment, resulting in the parking quantity being the same for all housing development and consistent with Oregon House Bill 2001.</p>

<p>ARTICLE 3.21 – MARIJUANA AND PSILOCYBIN FACILITIES</p> <p>Incorporate Psilocybin Time, Place and Manner requirements into Code regulating Marijuana Facilities.</p>	<p>Housekeeping.</p>	<p>By Ordinance 3256, Series 2022, the City Council established Time, Place and Manner restrictions for psilocybin facilities. These restrictions were modeled after the City’s existing code and restrictions for marijuana facilities.</p> <p>At the time of adopting Ordinance 3256, it was intended that these restrictions would be incorporated into the Land Development Code at the time of its next update. This proposed amendment achieves this intent and will result in the repeal of Ordinance 3256 upon the adoption of these proposed code amendments.</p>
<p>ARTICLE 6.6 – PUBLIC STREET STANDARDS</p> <p>The attached drawings set forth in the Public Works Engineering Standard Drawings and Specifications for Construction Manual, adopted by Resolution of the City Council.</p> <p>Possible means of financing available for this Class shall be methods A, B, C, D, E, F, G, and H in Section 6.6.006.</p>	<p>Housekeeping</p>	<p>The existing code refers to the Public Works street design drawings as being attached to the Land Development Code. These are actually adopted as a separate document by Resolution of the City Council. This amendment cleans up old outdated language.</p> <p>Other housekeeping changes in this Article include removing references to possible financing methods. This is information provided in the City’s Comprehensive Plan – Transportation System Plan, which is where it belongs and will be retained in that document. The purpose of the Land Development Code is to identify and implement code standards. This financing language is not a standard and should not be included in this document.</p>