

**CITY of LA GRANDE**  
**City Council Regular Session**  
**Wednesday, July 12, 2023**

**Council Chambers**  
**La Grande City Hall**  
**1000 Adams Avenue**

**AGENDA**

The meeting will be available for viewing via the City's scheduled Charter Communications channel 180 that will begin at 6:00 p.m. on July 12, 2023, on the EO Alive website at <https://eoa.tv> or on the EO Alive.TV Facebook page at <https://www.facebook.com/EOAliveTV>.

**1. WELCOME to this REGULAR SESSION of the LA GRANDE CITY COUNCIL**

- a. Call to Order
- b. Pledge of Allegiance
- c. Roll Call

**2. AGENDA APPROVAL**

**3. CONSENT AGENDA**

*The Consent Agenda includes routine items of business which may be approved by one Motion of the Council. Any Councilor so desiring may by request remove one or more items from the Consent Agenda for Individual consideration under the Unfinished or New Business portion of the Agenda.*

- a. **Consider:** Approving Regular Session Minutes; June 7, 2023
- b. **Consider:** Approving OLCC Liquor License; Merlyn's Catering, LLC

[Bell]

**4. PUBLIC COMMENTS**

*Those individuals who wish to address the Council in connection with any item which is printed on tonight's Agenda may do so during the time that item is under discussion by the Council. Individuals wishing to speak to the Council about non-Agenda items may do so during this Public Comments portion of the Agenda. Please print your name and address on the Public Comments Sign-in Sheet, located on the podium. When addressing the Council, speak loudly and clearly into the Podium microphone, and state your name. Persons interested in providing virtual public comments shall contact City Staff at [sstockhoff@cityoflagrande.org](mailto:sstockhoff@cityoflagrande.org) or by calling the City Recorder at (541) 962-1309 not later than 5:00 pm the day prior to meeting to make arrangements. In the event the Mayor does not announce a time limit for comments, each speaker is asked to confine their comments to three minutes in length, whether the comments are in-person or virtual.*

**5. PUBLIC HEARINGS**

- a. **Consider:** Ordinance; Extending Temporary Moratorium on Bed and Breakfast Inns and Declaring an Emergency
- b. **Consider:** Ordinance; First Reading: Amending Land Development Code

[Boquist]  
[Boquist]

**6. UNFINISHED BUSINESS**

**7. NEW BUSINESS**

- a. **Consider:** Authorizing Application for Technical Assistance Grant; Oregon Department of Land Conservation and Development (DLCD)
- b. **Consider:** Resolution; Establishing Lien on Real Property
- c. **Consider:** Resolution; Annexation Property; 2406 Watson Rd, File Number 04-ANP-23
- d. **Consider:** Authorizing City Manager to Negotiate for I.T. Services; Chaves Consulting

[Boquist]  
[Boquist]  
[Boquist]  
[Strope]

**8. UNION COUNTY COMMISSIONER'S UPDATE**

**9. STAFF COMMENTS**

**10. CITY MANAGER COMMENTS**

**11. CITY COUNCIL COMMENTS**

**12. ADJOURN TO URBAN RENEWAL AGENCY**

Stacey M. Stockhoff  
City Recorder

*The City Council is currently scheduled to meet again in a Regular Session on Wednesday, August 2, 2023 at 6:00 p.m. The City Council of the City of La Grande reserves the right to convene an Executive Session for any purpose authorized under ORS 192.660. Persons requiring special accommodations who wish to participate in the City Council Meeting 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.*

CITY of LA GRANDE

COUNCIL ACTION FORM

Council Meeting Date: **July 12, 2023**

PRESENTER: **Robert A. Strobe, City Manager**

COUNCIL ACTION: **CONSIDER CONSENT AGENDA**

- 1. MAYOR: Request Staff Report
- 2. MAYOR: Entertain Motion

**Suggested Motion:** I move we accept the Consent Agenda as presented.

OR

**Suggested Motion:** I move we accept the Consent Agenda as amended.

- 3. MAYOR: Invite Council Discussion
- 4. MAYOR: Ask for the Vote

\*\*\*\*\*

**EXPLANATION:** A Consent Agenda includes routine items of business with limited public interest, which may be approved by one Motion of the Council. Any Councilor may, by request, remove any item of business from the Consent Agenda.

- a. **Consider:** Approving Regular Session Minutes; June 7, 2023
- b. **Consider:** Approving OLCC Liquor License; Merlyn’s Catering, LLC

\*\*\*\*\*

**Reviewed By:** (Initial)

City Manager \_\_\_\_\_  
 City Recorder \_\_\_\_\_  
 Aquatics Division \_\_\_\_\_  
 Building Department \_\_\_\_\_  
 ED Department \_\_\_\_\_  
 Finance \_\_\_\_\_  
 Fire Department \_\_\_\_\_

Human Resources Dept \_\_\_\_\_  
 Library \_\_\_\_\_  
 Parks Department \_\_\_\_\_  
 Planning Department \_\_\_\_\_  
 Police Department \_\_\_\_\_  
 Public Works Department \_\_\_\_\_

**COUNCIL ACTION** (Office Use Only)

- Motion Passed
- Motion Failed; \_\_\_\_\_
- Action Tabled: \_\_\_\_\_  
Vote: \_\_\_\_\_
- Resolution Passed  
Effective Date: \_\_\_\_\_
- Ordinance Adopted  
First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

**CITY of LA GRANDE**  
**City Council Regular Session**

**June 7, 2023**

***Immediately following Urban Renewal Agency Regular Session***

**Council Chambers  
La Grande City Hall  
1000 Adams Avenue**

***MINUTES***

**COUNCILORS PRESENT:**

**Justin B. Rock, *Mayor***  
**David Glabe, *Mayor Pro Tem***  
**Nicole Howard, *Councilor***  
**Mary Ann Miesner, *Councilor***  
**Denise Wheeler, *Councilor***

**COUNCILORS ABSENT EXCUSED:**

**Corrine Dutto, *Councilor***  
**Molly King, *Councilor***

**STAFF PRESENT**

**Robert Strope, *District Manager***  
**Gary Bell, *Police Chief***  
**Michael Boquist, *Community Development Director***  
**Kayla Brainerd, *Finance Tech***  
**Carrie Bushman, *Library Director***  
**Kyle Carpenter, *Public Works Director***  
**Emmitt Cornford, *Fire Chief***  
**Joe Fisher, *Building Official***  
**Heather Rajkovich, *Finance Director***  
**Stu Spence, *Parks & Recreation Director***

**CALL TO ORDER/ROLL CALL/  
AGENDA APPROVAL**

Mayor ROCK called to order this Regular Session of the Council at 6:14 p.m. Roll Call was taken and a quorum was determined to be present.

Mayor ROCK announced that the City Council would recess towards the end of the meeting to meet in Executive Session pursuant to ORS 192.660 (2)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations. The City Council would reconvene back to Regular Session after the Executive Session.

STROPE informed the Council that a folder containing materials for the Executive Session was placed on the dais for each of them.

**CONSENT AGENDA**

- a. **Consider:** Approving Regular Session Minutes; May 3, 2023
- b. **Consider:** Accepting FY 2023-2024, "Exhibit A"; City/Urban Renewal Agency Intergovernmental Agreement

- c. Consider: Approving the Tourism Annual Program of Work and Budget; 2023-2024
- d. Consider: Renewing Tourism Promotion Services Agreement

The following Motion was introduced by HOWARD; MIESNER providing the Second:

**MOTION**

MOTION: I move that we accept the Consent Agenda as presented.

**VOTE**

MSC: 5-0 (Yes: ROCK, GLABE, HOWARD, MIESNER, and WHEELER; No: None)

**PUBLIC COMMENTS**

None

**PUBLIC HEARINGS**

- a. Consider: Resolutions: (1) Adopting Budget, Making Appropriations, Levying Taxes; Fiscal Year 2023-2024 (2) Declaring City's Election to Receive State Revenue Sharing; Fiscal Year 2023-2024

Mayor ROCK announced at 6:16 p.m. that the Public Hearing was open on the Fiscal Year 2023-2024, City of La Grande Budgets and State Revenue Sharing, as approved by the City of La Grande Budget Committee on May 16, 2023.

**DECLARATIONS**

Mayor ROCK declared a potential conflict of interest because the City of La Grande has competitively awarded contracts for towing services which might have included a business in which he has an interest that could receive payments from the City of La Grande's General Fund Budget or other City Budgets. Mayor ROCK would continue to officiate the meeting, but would not vote on the budget adoption.

**STAFF REPORT**

Mayor ROCK requested the Staff Report.

Robert STROPE, *City Manager/Budget Officer*  
Heather RAJKOVICK, *Finance Director*

STROPE stated the City of La Grande Budget Committee opened its Public Hearings on the proposed Fiscal Year 2023-2024, Budgets and State Revenue Sharing on Monday, May 15, 2023. On Tuesday, May 16, 2023, the Budget Committee Hearings were closed and the Committee voted to approve the General Fund Budget and the Enterprise and Other Funds Budgets as presented, and to forward them to the City Council for adoption on June 7, 2023.

STROPE explained that the first Resolution would adopt the City's General Fund and the Enterprise and Other Fund Budgets and levy taxes. It reflected the amounts considered and approved by the Budget Committee, which did not have any changes in appropriations from the

**Proposed Budgets.** The City Council may, at their discretion, decrease appropriations approved but the Budget Committee without limit, however, the Council could not increase appropriations by more than 10% without taking additional actions.

**STROPE** noted that as part of the budget adoption process, the City must also pass a Resolution to accept and receive State Shared Revenues, which were estimated to be \$150,000.

**PUBLIC TESTIMONY**

City of Union Chamber of Commerce President, Donna **BEVERAGE**, requested a \$2,000 contribution for the fireworks display at Thunder at the Peak which would take place on July 4, 2023, in Union, Oregon.

In regards to **WHEELER**'s question, **BEVERAGE** confirmed that if anyone wanted to make a donation to the fireworks fund, to contact the Union County Chamber or the City of Union for further details.

**MIESNER** asked if the City decided to donate to this event, which fund would the money come out of, to which **STROPE** answered that it would come out of the City Council/City Manager budget, which was part of the General Fund. The City would not be able to use any Transient Room Tax (TRT) funds or Urban Renewal funds. TRT funds could only be used for promoting the event, not for purchasing the fireworks.

**Steve CLEMENTS**, Chair of the Budget Committee, stated that he supported the three (3) new Fire Fighter positions. He also added that the City Council, to his knowledge, in the past eight (8) to sixteen (16) years, has never funded private requests, such as the request that Donna **BEVERAGE** was asking for. He explained that funding every request presented to the Council could get out of hand if there was not a process in place. If the Council were to consider donating funds to the fireworks event, he suggested that they only donate up to the maximum amount of what other communities were donating.

**MIESNER** stated that when the fireworks event was held in the City of La Grande in the past, it was all funded by the citizens, to which **STROPE** agreed that the City of La Grande did not aid in the funding of the event when it was held in La Grande.

**Mayor ROCK** closed the Public Hearing at 6:27 p.m. on the Fiscal Year 2023-2024, City of La Grande Budgets and State Revenue Sharing.

**COUNCIL DISCUSSION**

None

**MOTION**

The following Motion was introduced by HOWARD; MIESNER providing the Second:

**MOTION:** I move that the Proposed Resolution adopting the Fiscal Year 2023-2024, Budget and levying taxes be Read by Title Only, Put to a Vote, and Passed as presented.

**COUNCIL DISCUSSION**

MIESNER stated that because the City of La Grande has never donated funds to this type of event and that this was funded by private donations, she felt that it should stay that way.

Upon Mayor ROCK's request, BRAINERD read the proposed Resolution by Title Only.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, ADOPTING THE FISCAL YEAR 2023-2024 BUDGET; MAKING APPROPRIATIONS; AND LEVYING TAXES [4838]**

**VOTE**

**MSC: 4-0-1 (Yes: GLABE, HOWARD, MIESNER, and WHEELER; No: None; Abstain: ROCK)**

**MOTION**

The following Motion was introduced by GLABE; MIESNER providing the Second:

**MOTION:** I move that the Proposed Resolution electing to receive State Revenues be Read by Title Only, Put to a Vote, and Passed.

Upon Mayor ROCK's request, BRAINERD read the proposed Resolution by Title Only.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, DECLARING THE CITY'S INTENT TO RECEIVE STATE REVENUES [4839]**

**VOTE**

**MSC: 5-0 (Yes: ROCK, GLABE, HOWARD, MIESNER, and WHEELER; No: None)**

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

- a. **Consider:** Resolution: to Continue the General Reserve Fund

**STAFF REPORT**

Mayor ROCK requested the Staff Report.

Heather RAJKOVICK, *Finance Director*

RAJKOVICK shared that a Resolution passed by the City Council to establish a reserve fund states the purpose for which the money in the fund can be spent. At least every 10 (ten) years after the establishment of a reserve fund, the

City Council must review the fund to decide if it should be continued or abolished.

RAJKOVICK noted that it has been 10 (ten) years since the General Reserve Fund was created. The City currently uses this fund as a savings fund to accumulate revenues for future capital purchases and improvements for the City's General Fund departments and divisions. The use of this fund has been successful and should be continued.

**PUBLIC COMMENTS**

None

**COUNCIL DISCUSSION**

MIESNER voiced that this fund was a good thing to support, to which Mayor ROCK agreed.

**MOTION**

The following Motion was introduced by MIESNER; GLABE providing the Second:

**MOTION:** I move that the proposed Resolution Establishing the Need for the Continuation of a General Reserve Fund be Read by Title Only, Put to a Vote and Passed.

**COUNCIL DISCUSSION**

None

Upon Mayor ROCK's request, BRAINERD read the proposed Resolution by Title Only.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, ESTABLISHING THE NEED FOR THE CONTINUATION OF A GENERAL RESERVE FUND FOR THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, AND THE FURNISHING OF MUNICIPAL BUILDINGS; AND FOR THE PURCHASE AND REPAIRS OF EQUIPMENT AND FIXTURES IN MUNICIPAL BUILDINGS [4840]**

**VOTE**

**MSC: 5-0 (Yes: ROCK, GLABE, HOWARD, MIESNER, and WHEELER; No: None)**

**UNION COUNTY COMMISSIONER UPDATE**

Commissioner Matt SCARFO stated that currently the Senate was not reconvening for the Legislative Session, but heard that they could be in negotiations and would be meeting soon to finish the budget.

SCARFO noted that the County's budget would hopefully be finalized on June 28, 2023, and invited City Councilors to attend if interested.

SCARFO stated that if the City of La Grande was interested in doing a "Clean Up Day," the County had funds available to offer each City in the County, a match of funds up to \$2,000.

SCARFO mentioned that on Wednesday, June 14, 2023, there would be a Greater Idaho Meeting, held in the Misener

Room (editorial note: 1101 Fourth Street, La Grande) starting at 9 a.m.

**STAFF COMMENTS**

SPENCE stated that the Touch-a-Truck Event, which was a partnership with La Grande Main Street Downtown, would be held Saturday, June 10, 2023, in downtown La Grande. There would be many varieties of different trucks for everyone to come and enjoy and learn about what these trucks can do.

SPENCE gave a brief recap of the other summer activities that the Parks and Recreation Department was sponsoring, including Riverside Concerts, Morgan Lake Regatta, and a Bike Tour to Baker City and back to La Grande, to name a few.

WHEELER asked if a list of events would be handed out to businesses or patrons, to which SPENCE said that according to the Parks Master Plan survey, people were not interested in paper copies. He stated that all events were listed online on their website and the list could be downloaded to print and post, if desired.

GLABE brought up the question on what steps could be taken to see if there would be interest in continuing the Riverside Park Trail from La Grande all the way to Island City, to which Council consensus was reached regarding interest for further conversation on this matter. Commissioner SCARFO gave a brief background on the Greenway Project, stating that Island City was in support of the project a few years back, but they did not have the funding to complete it.

HOWARD stated that she was at that meeting, and from her recollection, she did not believe that Island City approved this project. STROPE further explained the routes for the project that were discussed at that meeting and the grants that were available, but he does not remember what the vote was at that time.

Mayor ROCK commented that he felt this was a good discussion to have but felt it would be best to continue this topic at a later time, and asked for the next Staff Report.

Chief BELL shared that Officer Garrett Jones graduated from the Basic Police Academy on May 12, 2023, and with his training completed, Officer Jones was now patrolling solo.

BELL noted that the Police Department currently has one Police Officer vacancy and he was hopeful that position would be filled soon. He also stated that two long-time 9-1-1 Dispatch employees would be retiring in July, so they were currently looking to fill those positions.



BELL shared that on May 15, 2023, the Police Department hosted the Law Enforcement Memorial Ceremony and gave a brief summary of the event details.

BELL mentioned that on May 23, 2023, Chief Cornford, himself, and other Staff were invited to be part of a Wildfire Simulation Exercise with other service agencies. The exercise trained on emergency alert and evacuation plans for the City of La Grande in the event of a wildfire emergency.

Chief CORNFORD shared that the three (3) most recent Fire Department hires all started the Paramedic program last month, and in approximately fifteen (15) months, all three (3) employees would be Paramedics.

In regards to BELL's comment on the Wildfire Simulation, CORNFORD agreed that it was a great drill.

#### CITY MANAGER COMMENTS

STROPE mentioned that the next meeting on the docket would be a Joint Session with the Urban Renewal Agency and the Urban Renewal Advisory Commission to consider projects for the Call for Projects program, which was scheduled for Monday, July 10, 2023. The next Regular Session of the City Council would be held on Wednesday, July 12, 2023.

#### CITY COUNCIL COMMENTS

WHEELER stated that she felt the City should have some sort of a plan in place to set aside funds to go towards the fireworks display each year and felt that everyone would benefit from the event. She was personally going to donate to the cause.

MIESNER attended a recent Northeast Oregon Housing Authority meeting and stated that three (3) buildings were going to open up at Timber Ridge around July 5, 2023, and the remaining buildings would open up in August. She also mentioned a discussion was held that they felt there was plenty of low-income housing in La Grande and they would not be considering any more complexes to be built for low-income housing at this time.

MIESNER also attended a recent Senior Council meeting and stated they were reorganizing their leadership. There was one comment made at the meeting regarding the ruts on Willow Street, to which MIESNER stated that she talked to Public Works to have the street ruts repaired.

GLABE thanked the City Staff for their on-going efforts to keep citizens informed of the activities and events that were taking place in their departments.

MIESNER asked when the artwork in front of the Library would be completed, to which SPENCE stated it would be around October, 2023.

Mayor ROCK mirrored what GLABE stated about the amazing job the City Staff was doing.

**RECESS TO EXECUTIVE SESSION**

Mayor ROCK recessed the City Council meeting at 6:50 p.m. to the Executive Session. STROPE stated that the Council would return to Regular Session.

**RECONVENE TO REGULAR SESSION**

Mayor ROCK reconvened the City Council meeting at 7:10 p.m.

- a. Consider: Ratifying Collective Bargaining Agreement for Police Association and Approving Executive Summary for Management and Non-Exempt Employees**

**STAFF REPORT**

Mayor ROCK requested the Staff Report.

Robert STROPE, *City Manager*

STROPE stated that earlier this year, labor negotiations commenced with the collective bargaining teams for all three (3) bargaining groups. The City Council was kept apprised of the progress of negotiations in Executive Session. As of this writing, the new Collective Bargaining Agreements for the Employees Association and Fire have been ratified and approved by the City Council. The City reached tentative agreement on a new agreement with the La Grande Police Association and their membership voted to ratify the new agreement. The final step in the process was for the City Council to vote to approve the three-year agreement, which would go in effect as of June 21, 2023.

STROPE highlighted the agreement changes such as increases to certain incentive pays, a new incentive pay for anyone speaking fluent Spanish, a process for training and certification in conjunction with responsibilities associated with evidence technicians to earn additional pay, a slight increase added for shift differentials for dispatchers, and a restructure of the salary model, to name a few.

MIESNER asked if the City currently employed a Police Officer that was fluent in Spanish and if the City offered a way for anyone to learn Spanish, to which STROPE answered that he was certain the department employed someone who could speak Spanish, but he did not know the answer to her second question.

In response to MIESNER's question, STROPE answered that the recruiting incentive was no longer available under the Equal Pay Act.

GLABE commented that he believed that this region housed more Marshallese speakers than Spanish speakers, to which STROPE explained that the City had access to an

interpreter service if needed, but this was a request from the Police Association to add this as an incentive and he would look into the demographics for other languages being used in the area.

The following Motion was introduced by MIESNER; GLABE providing the Second:

**MOTION:** I move that we accept and that the City Manager be authorized to execute the three-year Collective Bargaining Agreement between the City of La Grande and the La Grande Police Association, as presented.

**COUNCIL DISCUSSION**

None

**VOTE**

**MSC: 5-0 (Yes: ROCK, GLABE, HOWARD, MIESNER, and WHEELER; No: None)**

As has been historically customary, while the members of the City's Management Team were not under written contract, STROPE explained that those salaries and benefits were typically closely aligned with those of the City's bargaining units. He briefly explained the changes regarding COLA percentages for the next three (3) years and the increase in the retirement contribution.

The following Motion was introduced by GLABE; HOWARD providing the Second:

**MOTION:** I move that we accept the recommended changes to the Management Exempt and Non-Exempt Employees Benefit and Compensation Plan, as presented.

**COUNCIL DISCUSSION**

None

**VOTE**

**MSC: 5-0 (Yes: ROCK, GLABE, HOWARD, MIESNER, and WHEELER; No: None)**

There being no further business to come before this Regular Session of the Council, Mayor ROCK adjourned the meeting at 7:16 p.m. The Council is scheduled to meet again in Regular Session on Wednesday, July 12, 2023, at 6:00 p.m., in the Council Chambers of City Hall, 1000 Adams Avenue, La Grande, Oregon.

\_\_\_\_\_  
Stacey M. Stockhoff  
City Recorder

\_\_\_\_\_  
Justin B. Rock  
Mayor

**APPROVED:** \_\_\_\_\_

CITY of LA GRANDE

COUNCIL ACTION FORM

Council Meeting Date: July 12, 2023

PRESENTER: Gary Bell, Police Chief

COUNCIL ACTION: CONSIDER APPROVING OLCC LIQUOR LICENSE APPLICATION: MERLYN'S CATERING, LLC

- 1. MAYOR: Request Staff Report.
- 2. MAYOR: Invite Public Comments.
- 3. MAYOR: Invite Council Discussion.
- 4. MAYOR: Entertain Motion.

**Suggested Motion:** I move that the OLCC Liquor License Application for Full On-Premises, Caterer, New Outlet, for Merlyn's Catering, be approved and signed by the Mayor.

- 5. MAYOR: Invite Additional Council Discussion.
- 6. MAYOR: Ask for the Vote.

\*\*\*\*\*

**EXPLANATION:** Merlyn Baker, Merlyn's Catering, LLC, has applied for Full On-Premises, Caterer, New Outlet, doing business as Merlyn's Catering, located at 1204 Spring Street, La Grande, Oregon, 97850.

A Full On-Premises, Caterer license holder may not allow the consumption of alcoholic beverages on the annually license premises. A Full On-Premises, Caterer license allows the business to apply to get pre-approved to cater some events off of the annually licensed premises. They are eligible to apply for a "special event" license: Temporary Use of an Annual License (TUAL) to sell and serve alcoholic beverages at a special event off of the annually licenses premises.

The City Manager recommends approval of this Agenda item as presented by Staff.

\*\*\*\*\*

**Reviewed By:** (Initial)

City Manager \_\_\_\_\_  
 City Recorder \_\_\_\_\_  
 Aquatics Division \_\_\_\_\_  
 Building Department \_\_\_\_\_  
 ED Department \_\_\_\_\_  
 Finance \_\_\_\_\_  
 Fire Department \_\_\_\_\_

Human Resources Dept \_\_\_\_\_  
 Library \_\_\_\_\_  
 Parks Department \_\_\_\_\_  
 Planning Department \_\_\_\_\_  
 Police Department \_\_\_\_\_  
 Public Works Department \_\_\_\_\_

**COUNCIL ACTION** (Office Use Only)

- Motion Passed
- Motion Failed; \_\_\_\_\_
- Action Tabled: \_\_\_\_\_  
Vote: \_\_\_\_\_
- Resolution Passed  
Effective Date: \_\_\_\_\_
- Ordinance Adopted  
First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

# LIQUOR LICENSE APPLICATION

Page 1 of 4

Check the appropriate license request option:

New Outlet |  Change of Ownership |  Greater Privilege |  Lesser Privilege |  Additional Privilege

Select the license type you are applying for.

More information about all license types is available [online](#).

## Full On-Premises

- Commercial
- Caterer
- Public Passenger Carrier
- Other Public Location
- For Profit Private Club
- Nonprofit Private Club

## Winery

- Primary location
- Additional locations:  2nd  3rd  4th  5th

## Brewery

- Primary location
- Additional locations:  2nd  3rd

## Brewery-Public House

- Primary location
- Additional locations:  2nd  3rd

## Grower Sales Privilege

- Primary location
- Additional locations:  2nd  3rd

## Distillery

- Primary location
- Additional tasting locations:  2nd  3rd  4th  5th  6th

## Limited On-Premises

## Off Premises

## Warehouse

## Wholesale Malt Beverage and Wine

## INTERNAL USE ONLY

**Local Governing Body:** After providing your recommendation, return this application to the applicant.

## LOCAL GOVERNING BODY USE ONLY

**City/County name:**

Optional: Date Stamp

- Recommend this license be granted
- Recommend this license be denied

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

# LIQUOR LICENSE APPLICATION



paid \$100-fee

## APPLICANT INFORMATION

Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.

Name of entity or individual applicant #1: <b>MERLYN'S CATERING LLC</b>	Name of entity or individual applicant #2:
Name of entity or individual applicant #3:	Name of entity or individual applicant #4:

## BUSINESS INFORMATION

Trade Name of the Business (name customers will see):

~~Valley Venue & Summit Room~~ **MERLYN'S CATERING**

Premises street address (The physical location of the business and where the liquor license will be posted):

~~#5 DEPOT ST~~ **1204 SPRING**

City: <b>LA GRANDE</b>	Zip Code: <b>97850</b>	County: <b>UNION</b>
---------------------------	---------------------------	-------------------------

Business phone number: <b>541-786-0123</b>	Business email: <b>BIZ@MERLYNSCATERING.NET</b>
---	---

Business mailing address (where we will send any items by mail as described in OAR 845-004-0065[1]):

**60202 MORGAN LAKE ROAD**

City: <b>LA GRANDE</b>	State: <b>OR</b>	Zip Code: <b>97850</b>
---------------------------	---------------------	---------------------------

Does the business address currently have an OLCC liquor license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---

**AUTHORIZED REPRESENTATIVE** – A liquor applicant or licensee may give a representative authorization to make changes to the license or application on behalf of the licensee or to receive information about a license or application.

I give permission for the below named representative to:

- Make changes regarding this license/application on my behalf.
- Receive information about the status of this application, including information about pending compliance action or communications between OLCC and the licensee/applicant.

Representative Name: <b>MERLYN BAKER</b>		
Phone number: <b>541-786-0123</b>	Email: <b>BIZ@MERLYNSCATERING.NET</b>	
Mailing address: <b>60202 MORGAN LAKE ROAD</b>		
City: <b>LA GRANDE</b>	State: <b>OR</b>	Zip Code: <b>97850</b>

# LIQUOR LICENSE APPLICATION

Page 3 of 4

**APPLICATION CONTACT INFORMATION** – Provide the point of contact for this application. If this individual is not an applicant or licensee, the Authorized Representative section must be filled in and the appropriate permission(s) must be selected.

**Application Contact Name:**

MERLYN BAKER

**Phone number:**

541-986-0123

**Email:**

Biz@MerlynsCatering.net

## TERMS

- “Real property” means the real estate (land) and generally whatever is erected or affixed to the land (for example, the building) at the business address.
- “Common area” is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area’s designation as a “common area” is typically identified in the lease or rental agreement.

## ATTESTATION – OWNERSHIP AND CONTROL OF THE BUSINESS AND PREMISES

- Each applicant listed in the “Application Information” section of this form has read and understands OR 845-005-0311 and attests that:
  1. At least one applicant listed in the “Application Information” section of this form has the legal right to occupy and control the real property proposed to be licensed as shown by a property deed, lease, rental agreement, or similar document.
  2. No person not listed as an applicant in the “Application Information” section of this form has an ownership interest in the business proposed to be licensed, unless the person qualifies to have that ownership interest waived under OR 845-005-0311.
  3. The licensed premises at the premises street address proposed to be licensed either:
    - a. Does not include any common areas; or
    - b. Does include one or more common areas; however, only the applicant(s) have the exclusive right to engage in alcohol sales and service in the area to be included as part of the licensed premises.
      - In this circumstance, the applicant(s) acknowledges responsibility for ensuring compliance with liquor laws within and in the immediate vicinity of the licensed premises, including in portions of the premises that are situated in “common areas” and that this requirement applies at all times, even when the business is closed.
  4. The licensed premises at the premises street address either:
    - a. Has no area on property controlled by a public entity (like a city, county, or state); or
    - b. Has one or more areas on property controlled by a public entity (like a city, county, or state) and the public entity has given at least one of the applicant(s) permission to exercise the privileges of the license in the area.

# LIQUOR LICENSE APPLICATION

Page 4 of 4

• Each applicant listed in the "Application Information" section of this form has read and understands OAR 845-006-0362 and attests that:

1. Upon licensure, each licensee is responsible for the conduct of others on the licensed premises, including in outdoor areas.
2. The licensed premises will be controlled to promote public safety and prevent problems and violations, with particular emphasis on preventing minors from obtaining or consuming alcoholic beverages, preventing over-service of alcoholic beverages, preventing open containers of alcoholic beverages from leaving the licensed premises unless allowed by OLCC rules, and preventing noisy, disorderly, and unlawful activity on the licensed premises.

I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application, are true and complete.

Debra S. MacBaker  
Print name

DS MacBaker  
Signature

5/24/2023  
Date

\_\_\_\_\_  
Atty. Bar Info (if applicable)

\_\_\_\_\_  
Print name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Atty. Bar Info (if applicable)

\_\_\_\_\_  
Print name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Atty. Bar Info (if applicable)

\_\_\_\_\_  
Print name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Atty. Bar Info (if applicable)



CITY of LA GRANDE  
COUNCIL ACTION FORM

Council Meeting Date: July 12, 2023

PRESENTER: Michael Boquist, Community Development Director

COUNCIL ACTION: **CONSIDER ADOPTING ORDINANCE EXTENDING A TEMPORARY MORATORIUM ON BED AND BREAKFAST INNS**

1. MAYOR: Open the Public Hearing and ask the City Recorder to read the Rules of Order in their entirety.
2. MAYOR: Request Staff Report.
3. MAYOR: Invite Public Testimony from those in Favor, in Opposition, and ending with those Neutral to the proposed Ordinance.
4. MAYOR: Invite Council Discussion.
5. MAYOR: Close the Hearing and Entertain a Motion:

**Suggested Motion:** I move that the proposed Ordinance Declaring an Emergency and Extending a Temporary Moratorium on Bed and Breakfast Inns be Read by Title Only, Put to a Vote, and Adopted.

6. MAYOR: Invite Additional Council Discussion.
7. MAYOR: Ask the City Recorder to Read the proposed Ordinance by Title Only.
8. MAYOR: Ask for the Vote.

\*\*\*\*\*

**EXPLANATION:** The City Council and Planning Commission held a Joint Work Session on August 8, 2022, to discuss the possibility of pursuing a temporary moratorium on the acceptance of Conditional Use Permit applications for new Bed and Breakfast Inns (BnBs). As discussed during that Work Session, during the 2+ years beginning in early 2020, the Planning Commission had considered twenty-eight (28) Conditional Use Permit applications for BnBs, which has resulted in the conversion and removal/loss of twenty-four (24) full-time dwelling units from the City's housing stock or inventory (rentals and home ownerships). The frequency of applications being submitted and the loss of housing has been concerning to the Planning Commission.

**Background Provided to the City Council during the September 2022 and October 2022, Regular Sessions, in consideration of the BnB Moratorium:**

In 2019, the City of La Grande completed a Housing Needs Analysis (HNA), which was adopted by the City Council into the Goal 10 Chapter of the City's Comprehensive Plan Ordinance in 2020. The HNA identified 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.

The following shows annual targets or goals, based on housing types, inventory needed per HNA, quantities of new housing built, quantities of housing lost to BnBs, and overall gain/deficit:

- **Single-family dwellings**  
(16.8 needed/year = **50.4 needed over 2020, 2021 & 2022** = 336 total 20-year need)
  - Over 2020-2023 period, gained 26 new dwelling units
  - Lost 18 dwelling units to BnBs
  - Total: Gained 8 dwelling units towards HNA 2020-2022 goal.
    - Overall, the City is 42 units short of 3-year goal.
    - Amounts to approximately a 2+ year setback in housing production.
  
- **Duplexes**  
(5.75 needed/year = **17.25 needed over 2020, 2021 & 2022** = 115 total 20-year need)
  - Over 2020-2023 period, gained 6 new dwelling units (6 duplexes)
  - Lost 2 dwelling units to BnBs
  - Total: Gained 4 dwelling units towards HNA 2020-2022 goal.
    - Overall, the City is 13 units short of 3-year goal.
    - Amounts to approximately 2+ year setback in housing production.
  
- **Multi-Family** (10/year = **30 needed in 2020-2022** = 200 total 20-year need)
  - Gained 97 – 17 new completed MF units w/ 82 new MF units under construction
  - Lost 3 to BnBs
  - Total: Gained 64 dwelling units towards HNA 2020-2022 goal.
    - Overall, the City gained 34 additional units.
    - Puts the City approximately 2 years ahead of schedule.
  
- **Other: MH Parks & Group** (7.2/year = **21.6 needed in 2020-2022** = 144 total 20-year need)
  - No change.

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). The HPS provides a list of recommended strategies that the City can take to promote the development of needed housing in the City. The first seven (7) strategies require amendments to the City's Land Development Code Ordinance, which are intended to encourage the production of needed housing. Other strategies are policy or program related that involved developing incentives.

To further emphasize the City's commitment to address needed housing, during the Council 2022 goal setting retreat, the Council emphasized the importance of continuing to pursue solutions to the housing shortage in La Grande per the City's adopted HNA and HPS. It was noted that the lack of adequate housing has an adverse impact on the ability of local businesses to recruit staff.

As a result of the adoption of the HNA and HPS, and the City Council's emphasis on pursuing solutions to address the City's housing shortage, the Planning Commission requested the August 8, 2022, Work Session with the City Council to discuss the Commission's concerns 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. Such concerns have resulted in the Planning Commission raising the question of whether or not to establish a temporary moratorium on the permitting of new Bed and Breakfast Inns. As a result of Work Session discussions, by consensus of the City Council, Staff was directed to schedule a public hearing to consider this matter during the City Council's Regular Session on September 7, 2022, **limited to a temporary moratorium only on the conversion of entire dwelling units from full-time single-family dwellings to vacation rentals.**

With regards to process, to establish a moratorium, notice is required to be provided to the Oregon Department of Land Conservation and Development at least 45-days prior to the final public hearing, in accordance with ORS 197.520(1)(a). Notice was provided to the State on August 15, 2022, which put the final public hearing on the City Council's October 5, 2022, Regular Session agenda.

To provide the public an opportunity to learn about the proposed temporary moratorium and to participate in the public hearings to consider this matter, the City Council elected to hold two (2) public hearings to receive public input. The first public hearing and First Reading of the Ordinance was held on September 7, 2022. The second public hearing on the proposed Ordinance was held on October 5, 2022, at which time the Ordinance was read for the second time and considered for adoption.

The proposed Ordinance was drafted with an Emergency Clause, causing the Ordinance to go into effect immediately upon its passage on October 5, 2022. The purpose of this emergency clause was to minimize the additional loss of needed housing through new land use application submittals to convert dwellings to bed and breakfasts, should the City Council adopt the Ordinance. All land use applications submitted prior to the effective date of the Moratorium Ordinance were not subject to the moratorium and were considered for approval.

At the first public hearing held on September 7, 2022, the Ordinance was read for the first time, by Title only. No written testimony was submitted regarding this matter, but oral testimony was provided in both support and neutral to this request during the hearing. The City Council continued the hearing to October 5, 2022.

Following the first public hearing, the Ordinance was revised to remove the reference to "Air BnB" as this is the name of a private company. The Land Development Code refers to these types of properties as Bed and Breakfast Inns so all references to Air BnB were changed. There were no other revisions to the proposed Ordinance.

-----

During the October 5, 2022, Regular Session of the City Council, the Council passed the proposed moratorium Ordinance (Ord 3258, Series 2022), with the Emergency Clause. **The City Council's approval and passage of this Moratorium came with the direction that the Planning Commission and Staff propose amendments to the Land Development Code to address the permitting of BnB's, potential neighborhood impacts, and to minimize the adverse impacts on the City's housing inventory.** The first Moratorium was limited to 120-days from its adoption, which was scheduled to expire on February 2, 2023.

-----

The Planning Commission and Staff held several work sessions since the moratorium was established and developed proposed Land Development Code amendments to address the permitting of BnB's, potential neighborhood impacts, and to minimize the adverse impacts on the City's housing inventory as directed. These amendments were presented to the City Council during a Joint Work Session of the Planning Commission and City Council on January 30, 2023. These amendments will be included in a larger Land Development Code amendment proposal that addresses a variety of other needs, such as creating additional housing opportunities as recommended in the City's adopted Housing Production Strategy (HPS) report, and more.

During the February 1, 2023, Regular Session of the City Council, the Council found the conditions warranting the moratorium continued to exist and that Community Development Department and Planning Commission were making progress toward establishing land use codes governing the operation of bed and breakfast inns (aka short-term rentals) as directed by the City Council. As a result, the Council passed proposed Ordinance 3261, Series 2023, with an Emergency Clause, that extended the moratorium an additional six (6) months, expiring on August 1, 2023.

-----

In April, 2023, the Planning Commission completed their efforts on drafting the more comprehensive package of proposed Land Development Code Amendment, which includes new land use codes governing the operation of short-term rentals. The proposed amendments were presented to the City Council during a Joint Work Session of the Planning Commission and City Council on May 22, 2023, which were generally supported by the Council. The first Public Hearing scheduled before the Planning Commission for June 13, 2023, with Public Hearings and adoption scheduled before the City Council on July 12, 2023 and August 2, 2023. The adopting Ordinance is anticipated to be effective on September 2, 2023.

-----

With the BnB moratorium scheduled to expire on August 1, 2023, the Planning Commission and Staff are asking the City Council for one (1) last and final extension of the moratorium. This extension will allow the Land Development Code amendments to be adopted before the moratorium is lifted. To accommodate this, the proposed Ordinance includes a six (6) month extension time frame as provided by State law, but also includes a termination date based on to the effective date of the proposed Land Development Code amendments, "*whichever is sooner.*"

As mentioned above, I anticipate the effective date of adopting the Land Development Code amendment to be on September 2, 2023, at which time the moratorium would be lifted.

The City Manager recommends that the Council proceed with the passage of the proposed Ordinance, with the Emergency Clause, as presented.

\*\*\*\*\*

**Reviewed By:** (Initial)

City Manager \_\_\_\_\_  
 City Recorder \_\_\_\_\_  
 Aquatics Division \_\_\_\_\_  
 Building Department \_\_\_\_\_  
 ED Department \_\_\_\_\_  
 Finance \_\_\_\_\_  
 Fire Department \_\_\_\_\_

Human Resources Dept \_\_\_\_\_  
 Library \_\_\_\_\_  
 Parks Department \_\_\_\_\_  
 Planning Department \_\_\_\_\_  
 Police Department \_\_\_\_\_  
 Public Works Department \_\_\_\_\_

**COUNCIL ACTION** (Office Use Only)

- Motion Passed
- Motion Failed; \_\_\_\_\_
- Action Tabled: \_\_\_\_\_  
Vote: \_\_\_\_\_
- Resolution Passed # \_\_\_\_\_  
Effective Date: \_\_\_\_\_
- Ordinance Adopted # \_\_\_\_\_  
First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

# RULES OF ORDER FOR A LEGISLATIVE PUBLIC HEARING

## CITY RECORDER READS TO THE PUBLIC:

- A. These Rules of Order are applicable to the Public Hearing for a proposed Ordinance extending a temporary moratorium on Bed and Breakfast Inns.
- B. This is a legislative hearing, therefore Councilor ex parte or pre-hearing contact does not apply.
- C. The Hearing will proceed as follows:
  - 1. The Mayor will open the Public Hearing and request the Staff Report.
  - 2. The Mayor will then accept public testimony relating to the matter. There is a three-minute time limit for testimony. The order of testimony this evening will begin with that of Proponents (those in favor), followed by Opponents (those opposed), and ending with those Neutral to the Ordinance being adopted.
  - 3. The proceedings are being electronically recorded, to be converted to written Minutes. When testifying, please step to the podium and **clearly print** your name and address on the speaker sign-in sheet. Please **state only** your name before addressing the Council.
  - 4. Members of the City Council may ask questions of the Staff at any time.
  - 5. Subsequent to deliberation, the Mayor will close the Hearing.

**CITY of LA GRANDE**  
**ORDINANCE NUMBER \_\_\_\_\_**  
**SERIES 2023**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY,  
OREGON, EXTENDING A TEMPORARY MORATORIUM ON BED AND BREAKFAST INNS; AND  
DECLARING AN EMERGENCY**

WHEREAS, on October 5, 2022, the City of La Grande City Council passed Ordinance 3258, Series 2022, establishing a temporary moratorium on Bed and Breakfast Inns within the City of La Grande; and,

WHEREAS, the compelling need for establishing the temporary moratorium was determined after the consideration of evidence, arguments and the development of findings per ORS 197.520(3)(a), which were presented and discussed during a Joint Work Session of the City Council and Planning Commission on August 8, 2022, and two (2) Public Hearings held before the City Council on September 7, 2022, and October 5, 2022; and,

WHEREAS, such compelling need was based on the City Council finding that the City's existing conditional use permit review criteria are inadequate to prevent irrevocable public harm, and that the City's Land Development Code and Bed and Breakfast Inn permitting requirement need to be amended to better address potential neighborhood impacts, and to minimize the adverse impacts on the City's housing inventory; and,

WHEREAS, Oregon Revised Statute ORS 197.520(4) authorizes cities to extend a moratorium upon holding a public hearing on the proposed extension and adopting written findings that the problems giving rise to the need for a moratorium to continue to exist and that the City is making reasonable progress towards alleviating the problems giving rise to the moratorium; and,

WHEREAS, on January 30, 2023, the City Council and Planning Commission held a Joint Work Session to consider proposed Land Development Code amendments and proposed permitting requirements for Bed and Breakfast Inns to address potential neighborhood impacts and to minimize the adverse impacts on the City's housing inventory as outlined in the finding provided in Ordinance 3258, Series, 2022, in accordance with ORS 197.520(3)(a); and,

WHEREAS, after considering the evidence and arguments presented during the January 30, 2023, Work Session and holding a public hearing on February 1, 2023, the City Council determined that a compelling need continued to exist, and that the Community Development Department and Planning Commission were making progress towards establishing land use codes governing the operation of Bed and Breakfast Inns (aka short-term rentals) as directed by the City Council, and thus extended the moratorium an additional six (6) months (expiring on August 1, 2023) based on the finding provided in Ordinance 3261, Series, 2023, in accordance with ORS 197.520(3)(a); and,

WHEREAS, in April, 2023, the Planning Commission completed their efforts on drafting the more comprehensive package of proposed Land Development Code Amendment, which includes new land use codes governing the operation of short-term rentals; and, on May 22, 2023, the City Council and Planning Commission held a Joint Work Session to consider proposed Land Development Code amendments and final proposed permitting requirements for Bed and Breakfast Inns to address potential neighborhood impacts and to minimize the adverse impacts on the City's housing inventory as outlined in the finding provided in Ordinance 3258, Series, 2022, and Ordinance 3261, Series 2023, and in accordance with ORS 197.520(3)(a); and,

WHEREAS, after considering the evidence presented during the May 22, 2023, Work Session and holding a public hearing, the City Council determined that a compelling need exists for extending the moratorium based on the following findings per ORS 197.520(4):

- (a) That the problems giving rise to the need for a temporary moratorium continue to exist as outlined in the findings provided in Ordinance 3258, Series 2022, and Ordinance 3261, Series 2022, which established and extended the moratorium halting the acceptance of Bed and Breakfast Inn land use applications, only in residential zones and only for requests that include the full conversion and use of a dwelling unit as a short-term rental (less than 30-days); and,
- (b) That the Planning Commission and Community Development Department/Planning Division staff has made reasonable progress towards alleviating the problem giving rise to the temporary moratorium, in that draft Land Development Code amendments have been prepared and are scheduled for public hearings and adoption; and,
- (c) Public hearings are scheduled before the Planning Commission for a recommendation to the City Council on June 13, 2023; and, before the City Council for adoption on July 12, 2023, and August 2, 2023, with an anticipated effective date of September 2, 2023; and,
- (d) That the moratorium needs to be extended for six (6) months to allow sufficient time to complete the required public hearing process and adoption of proposed Land Development Code Ordinance.

NOW, THEREFORE, THE CITY OF LA GRANDE ORDAINS AS FOLLOWS:

**Section 1. MORATORIUM.** The City shall extend the moratorium established by Ordinance 3258, Series 2022, and continue to halt the acceptance of Bed and Breakfast Inn land use applications, only in residential zones and only for requests that include the full conversion and use of a dwelling unit as a short-term rental (less than 30-days). Such use would otherwise be permissible only by the approval of a conditional use permit in residential zones pursuant to Land Development Code Sections 2.2.002, 2.2.003, 2.2.004, 2.2.005, 2.2.006, and 2.2.007, for properties that are not currently approved for such use.

**Section 2. SUNSET.** This moratorium extension shall expire automatically without further action of the City Council, six (6) months after the date of adoption, or upon the effective date of the proposed 2023 Land Development Code amendments, whichever is sooner, unless repealed sooner by the City Council.

**Section 3. EXTENSIONS.** The City Council may further extend the moratorium if, after holding a public hearing, it finds the issues necessitating a moratorium as described herein still exist and reasonable progress is being made to alleviate those issues. Such further extension may be for a period not to exceed six (6) months.

**Section 4. EMERGENCY.** In order to protect the public health, safety, and welfare by ensuring needed housing availability, and that the character of the City's residential neighborhoods is not compromised while the City reassesses its criteria for permitting bed and breakfast uses, an emergency is declared to exist, and this Ordinance is effective upon its adoption by the City Council.

**Section 4. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon its adoption by the City Council of the City of La Grande, Union County, Oregon, and its approval by the Mayor; specifically, July 12, 2023.

ADOPTED AND APPROVED on this Twelfth (12<sup>th</sup>) day of July, 2023, by \_\_\_\_\_ (\_\_\_\_)  
of \_\_\_\_\_ (\_\_\_\_) Councilors present and voting in the affirmative.

\_\_\_\_\_  
Justin B. Rock, Mayor

ATTEST:

\_\_\_\_\_  
Stacey M. Stockhoff  
City Recorder

PROPOSED



CITY of LA GRANDE  
COUNCIL ACTION FORM

Council Meeting Date: July 12, 2023

PRESENTER: Michael Boquist, Community Development Director

COUNCIL ACTION: PUBLIC HEARING AND FIRST READING BY TITLE ONLY FOR ORDINANCE AMENDING LAND DEVELOPMENT CODE

1. MAYOR: Open the Public Hearing and ask the City Recorder to read the Rules of Order in their entirety.
2. MAYOR: Request Staff Report.
3. MAYOR: Invite Public Testimony from those in Favor, in Opposition, and ending with those Neutral to the proposed Ordinance.
4. MAYOR: Invite Council Discussion.
5. MAYOR: Ask the City Recorder to Read the proposed Ordinance for the First Time by Title Only.
6. MAYOR: Announce that the Public Hearing is Continued to August 2, 2023, at which time the proposed Ordinance is scheduled to be read a Second Time by Title Only and considered for Adoption.

\*\*\*\*\*

**EXPLANATION:** The City of La Grande Land Development Code (LDC) Ordinance 3252, Series 2021, is proposed to be amended to provide additional housing development and affordability options as recommended in the City's Housing Production Strategy, adopted by City Council Resolution 4810, Series 2021. Additionally, other periodic amendments of the Land Development Code are included to address issues identified during the implementation and enforcement of the Code and to address citizen requests for changing circumstances in the community. Following is an executive summary list of proposed amendments. See attached Staff Report/Decision Order for a more comprehensive list and justification for adoption.

- 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

Twenty (20) work sessions have been held in the drafting of the proposed Code amendments since October 2021, with eighteen (18) of those before the Planning Commission and two (2) of those jointly with the Planning Commission and City Council. The last work session was held on May 22, 2023, jointly with the Planning Commission and City Council, where the proposed Code amendments in their final form were presented and discussed.

Between May 16, and May 18, 2023, public notice was mailed to the owners of all properties within the City of La Grande and the Urban Growth Boundary. The proposed Code amendments and all supporting information was made available to the public on the City's website, as well as copies of Exhibit A of the draft Decision Order were given to the public, upon request and free of charge. The first public hearing for adoption was held before the Planning Commission on June 13, 2023, where the Commission heard testimony from several residents in the community, and after discussions voted unanimously to recommend approval of the proposed Code amendments to the City Council, with one change to revise the proposed amendment to remove allowing Cottage Housing Developments within the Low Density Residential (R-1) Zone.

Summary of June 13, 2023, Planning Commission Hearing & Public Comments:

- Twenty-four (24) members of the public attended the Planning Commission meeting.
- Ten (10) residents provided public testimony, expressing concerns and/or objections regarding the proposed Code amendment to Article 3.22 – Cottage Home Developments, which will allow Cottage Home Developments within the City’s Low Density Residential (R-1) Zone.
  - This zoning is predominantly along the South hillside area of La Grande, in the vicinity of Ridge Drive, South 12<sup>th</sup> Street, South 18<sup>th</sup> Street and South 20<sup>th</sup> Street.
  - Within these areas, properties are typically larger with higher value custom homes.
  - Cottage home developments are very similar in function to multi-family housing. As such, allowing cottage home developments within R-1 areas would not be consistent with existing development patterns (density, parcel sizes, types of homes, traffic impacts, values, etc.) and would result in compatibility conflicts that would adversely impact the enjoyment of properties and resale values of existing homes.
  - Additionally, adding cottage home developments as an option in the R-1 zone would make such zoning nearly identical to the R-2 zoning, which does not make sense. A question was posed by one party (no answer expected) – *“Why have different zones if they are all the same?”*
- Three (3) residents provided public testimony expressing concerns about the proposed 3,000 square foot minimum lot size. They did not want to see the vacant lots next to them divided into small parcels such as this and developed with cottage homes or townhouses.
  - The Planning Commission recognized that some residents may not support this proposal to reduce the 5,000 square foot minimum lot size to 3,000; but, also recognized that these smaller lot sizes already exist throughout our community, they fit in well without creating conflict, and they provide an affordable housing choice for renters and entry level home buyers.
- One (1) resident inquired about the proposed short-term rental code and asked for confirmation that their existing short-term rentals would be allowed to continue after adoption of the new Code. Such confirmation was provided and Staff explained that any existing short-term rental that did not meet the new code would be grandfathered and allowed to continue until such time that the home reverted back to a residential dwelling and short-term rental use had been discontinued for a period greater than one (1) year.
- The June 13, 2023, Planning Commission concluded with the Commission voting unanimously to recommend approval of the proposed Code amendments to the City Council, with the exception of recommending that proposed amendment to allow cottage home developments within the R-1 zone be removed from the proposed code revisions.

This public hearing before the City Council is to hear and consider public testimony from property owners and community members, consider the Planning Commission’s recommendation, and proceed with the First Reading of the proposed Ordinance, by Title Only. This is also the time for the City Council (by consensus of the entire Council) to advise staff on any final changes the Council would like to make (e.g. removing the amendment to allow cottage home developments within the R-1 zone). Such changes will be made and provided to the City Council during the August 2, 2023, Regular Session, at which time the proposed Ordinance is scheduled for a Second Reading by Title Only and adoption.

The City Manager recommends that the Council proceed with the First Reading by Title Only of the proposed Ordinance.

\*\*\*\*\*

**Reviewed By:** (Initial)

City Manager \_\_\_\_\_  
 City Recorder \_\_\_\_\_  
 Aquatics Division \_\_\_\_\_  
 Building Department \_\_\_\_\_  
 ED Department \_\_\_\_\_  
 Finance \_\_\_\_\_  
 Fire Department \_\_\_\_\_

Human Resources Dept \_\_\_\_\_  
 Library \_\_\_\_\_  
 Parks Department \_\_\_\_\_  
 Planning Department \_\_\_\_\_  
 Police Department \_\_\_\_\_  
 Public Works Department \_\_\_\_\_

**COUNCIL ACTION** (Office Use Only)

- Motion Passed
- Motion Failed; \_\_\_\_\_
- Action Tabled: \_\_\_\_\_  
Vote: \_\_\_\_\_
- Resolution Passed # \_\_\_\_\_  
Effective Date: \_\_\_\_\_
- Ordinance Adopted # \_\_\_\_\_  
First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

# RULES OF ORDER FOR A LEGISLATIVE PUBLIC HEARING

## CITY RECORDER READS TO THE PUBLIC:

- A. These Rules of Order are applicable to the Public Hearing for considering amendments to the Land Development Code Ordinance 3252, Series 2021.
- B. This is a legislative hearing, therefore Councilor ex parte or pre-hearing contact does not apply.
- C. The Hearing will proceed as follows:
  - 1. The Mayor will open the Public Hearing and request the Staff Report.
  - 2. The Mayor will then accept public testimony relating to the matter. There is a three-minute time limit for testimony. The order of testimony this evening will begin with that of Proponents (those in favor), followed by Opponents (those opposed), and ending with those Neutral to the Ordinance being adopted.
  - 3. The proceedings are being electronically recorded, to be converted to written Minutes. When testifying, please step to the podium and **clearly print** your name and address on the speaker sign-in sheet. Please **state only** your name before addressing the Council.
  - 4. Members of the City Council may ask questions of the Staff at any time.
  - 5. Subsequent to deliberation, the Mayor will close the Hearing.

**CITY of LA GRANDE  
ORDINANCE NUMBER \_\_\_\_\_  
SERIES 2023**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, REPEALING ORDINANCE NUMBERS 3252, SERIES 2021, AND 3257, SERIES 2022; AND ADOPTING AN ORDINANCE OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, AMENDING VARIOUS ARTICLES, ADDING NEW LANGUAGE, AND RECODIFYING THE “LAND DEVELOPMENT CODE” ORDINANCE; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EFFECTIVE DATE**

WHEREAS, on July 7, 2021, the City Council of the City of La Grande passed Resolution Number 4810, Series 2021, adopting a Housing Production Strategy (HPS), pursuant to Oregon House Bill 2003 and Oregon Administrative Rule 660, Division 8; and,

WHEREAS, the City of La Grande HPS recommends amendments of Land Development Code to encourage and promote the development of new needed housing forecasted in the City of La Grande's Housing Needs Analysis, which is found in the Goal 10 Chapter of the City of La Grande Comprehensive Plan, adopted by Ordinance 3520, Series 2020; and,

WHEREAS, other periodic amendments of the Land Development Code are necessary to address issues identified during the implementation and enforcement of the Code and to address citizen requests for changing circumstances in the community; and,

WHEREAS, after proper public notice, the Planning Commission conducted a Public Hearing to consider proposed amendments and recommended that such amendments be adopted by the City Council of the City of La Grande, Union County, Oregon; and,

WHEREAS, the City Council of the City of La Grande, Union County, Oregon, has conducted the required public meetings and Public Hearings to consider the proposed amendments and finds that such amendments would be in the best interests of the community; and,

WHEREAS, the Land Development Code, as adopted by Ordinance 3252, Series 2021, has been amended, recodified and replaced with this Ordinance.

NOW, THEREFORE, THE CITY OF LA GRANDE ORDAINS AS FOLLOWS:

## **CHAPTER 1 - ENACTMENT AND PURPOSE**

### **ARTICLE 1.1 - ENACTMENT**

#### **SECTION 1.1.001 - TITLE**

This Ordinance shall be known as the Land Development Code of the City of La Grande, Union County, Oregon.

#### **SECTION 1.1.002 - PURPOSE**

The purpose of the Land Development Code is to coordinate the City of La Grande regulations governing the use and development of land, and more specifically:

- A. To implement the City of La Grande Comprehensive Plan and to guide and manage the future growth of the City in accordance with that plan.
- B. To promote and to protect the public health, safety, and general welfare of the citizens of the City of La Grande.
- C. To regulate land use in a manner that will encourage and support the orderly development and beneficial use of lands within the City.
- D. To assist the public in identifying and understanding regulations affecting the development and use of specific parcels of land.

#### **SECTION 1.1.003 - AUTHORITY**

The Land Development Code is enacted pursuant to Oregon Revised Statutes.

#### **SECTION 1.1.004 – REPLACEMENT OF OTHER ORDINANCES**

This Land Development Code replaces or supersedes all previous Land Development Code Ordinances of the City of La Grande.

#### **SECTION 1.1.005 – ADOPTION AND REPEALING CLAUSE**

The City Council of the City of La Grande, Union County, Oregon, shall and hereby does adopt the Findings of Fact and Conclusions of Law in the City Council Decision Order, dated July 12, 2023, Land Use File Number01-ZON-22. Land Development Code Ordinance Number3252, Series 2021, Psilocybin Time, Place and Manner, Ordinance Number 3257, Series 2022, and all other Ordinances or Parts of Ordinances in conflict herewith shall be and hereby are repealed and replaced with this Ordinance, except Ordinance 3228, Series 2015, banning the establishment and operation of new medical marijuana processing sites, medical marijuana dispensaries, recreational marijuana producers, recreational marijuana processors, recreational marijuana wholesalers and recreational marijuana retailers which shall remain in full force and effect until such time as it is repealed. In spite of the repeal of previous editions of the Land Development Code and amendments thereto, all actions taken under said previous editions of the Land Development Code shall remain in effect subject to their original conditions of approval.

**ARTICLE 10.3 – GENERAL PROVISIONS**

**SECTION 10.3.001 - ENFORCEMENT**

In the event that there is no Community Development Director/Planner, the City Manager or designee shall have authority to enforce the provisions of this Ordinance.

**SECTION 10.3.002 - FILING FEE REFUNDS, WITHDRAWALS, AND WAIVERS**

- A. Filing fees are utilized to cover the cost of public hearings, mailings, postings, transcripts, and Staff time involved in processing applications. As such, refunds due to denials are not permitted.
  
- B. In case of withdrawal, the Community Development Department/Planning Division shall authorize a refund based on the pro-rata cost and determination of the status of the application at the time of withdrawal.
  
- C. It is the policy of the City of La Grande to not waive filing fees.

**SECTION 10.3.003 – ORDINANCE SEVERABILITY CLAUSE AND EFFECTIVE DATE**

If any court of competent jurisdiction declares any Section of this Ordinance invalid, such decision shall be deemed to apply to that Section only, and shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part declared invalid.

This Ordinance shall become effective thirty (30) days after its adoption by the City Council of the City of La Grande, Union County, Oregon and its approval by the Mayor; specifically, September 1, 2023.

APPROVED AND ADOPTED this Second (2<sup>nd</sup>) day of August, 2023, by \_\_\_\_\_ (\_\_\_\_)  
of \_\_\_\_\_ (\_\_\_\_) Councilors present and voting in the affirmative.

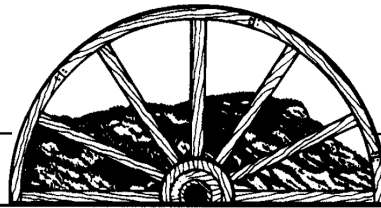
\_\_\_\_\_  
Justin B. Rock, Mayor

ATTEST:

\_\_\_\_\_  
Stacey M. Stockhoff  
City Recorder

---

CITY OF



LA GRANDE

---

THE HUB OF NORTHEASTERN OREGON

COMMUNITY DEVELOPMENT DEPARTMENT / PLANNING DIVISION • P.O. Box 670 • 1000 Adams Avenue • La Grande, OR 97850  
Phone: (541) 962-1307 • Fax: (541) 963-3333 • Web: [www.cityoflagrande.org](http://www.cityoflagrande.org)

---

## BEFORE THE CITY OF LA GRANDE DRAFT – DECISION ORDER

File Number: 01-ZON-22

July 12, 2023

---

HEARING BODY(IES):	Planning Commission (Recommendation)	City Council (Final Decision)
HEARING DATE(S):	Tuesday, June 13, 2023	Wednesday, July 12, 2023 Wednesday, August 2, 2023
HEARING TIME(S):	6:00 p.m.	6:00 p.m.
HEARING LOCATION:	Members of the public may provide testimony in person, or may participate virtually. To participate virtually, please contact the Planning Division not later than 5:00 p.m. the day prior to the meeting. Community members may submit comments or questions in writing in advance of the meeting(s). Written comments need to be received by 5:00 p.m. on date of the scheduled meeting(s), which will be read during the public comment section of the Public Hearing. Issues which may provide the basis for an appeal to the Land Use Board of Appeals must be raised in writing and with sufficient specificity to enable the Planning Commission or City Council to respond to the issues. Reading written and oral/virtual comments into the record will be subject to a three-minute time limit per community member. To submit written public comment, please email <a href="mailto:mboquist@cityoflagrande.org">mboquist@cityoflagrande.org</a> .	

---

### I. Application Information

Proposal:	The City of La Grande Land Development Code (LDC) Ordinance 3252, Series 2021, is proposed to be amended to provide additional housing development and affordability options as recommended in the City's Housing Production Strategy, adopted by City Council Resolution 4810, Series 2021. Additionally, other periodic amendments of the Land Development Code included to address issues identified during the implementation and enforcement of the Code and to address citizen requests for changing circumstances in the community.
Applicant:	City of La Grande, Community Development Department
Address/Location:	Not Applicable; The Land Development Code Amendments are not site specific.
Decision Order Prepared By:	Michael J. Boquist, Community Development Director



## II. Schedule of Procedural and Public Hearing Requirements

In accordance with Land Development Code Ordinance 3252, Series 2021, Articles 9.3 and 9.4, Land Development Code Amendments are subject to the City Council's review and decision authority, upon receiving a recommendation from the Planning Commission. In accordance with Article 9.5, Public Hearings for the consideration of the proposal were scheduled as follows:

- October 12, 2021.....Work Session, before the Planning Commission.
- November 9, 2021.....Work Session, before the Planning Commission.
- December 14, 2021.....Work Session, before the Planning Commission.
- February 8, 2022.....Work Session, before the Planning Commission.
- February 22, 2022.....Work Session, before the Planning Commission.
- March 8, 2022.....Work Session, before the Planning Commission.
- March 22, 2022.....Work Session, before the Planning Commission.
- April 26, 2022.....Work Session, before the Planning Commission.
- May 24, 2022.....Work Session, before the Planning Commission.
- July 12, 2022.....Work Session, before the Planning Commission.
- August 8, 2022.....Joint Work Session, before the Planning Commission & City Council.
- September 13, 2022.....Work Session, before the Planning Commission.
- October 4, 2022.....Work Session, before the Planning Commission.
- November 5, 2022.....Work Session, before the Planning Commission.
- December 13, 2022.....Work Session, before the Planning Commission.
- January 10, 2023.....Work Session, before the Planning Commission.
- January 30, 2023.....Joint Work Session, before the Planning Commission & City Council.
- February 23, 2023.....Work Session, before the Planning Commission.
- March 7, 2023.....Work Session, before the Planning Commission.
- May 9, 2023.....35-Day Required Notice to the DLCD.
- May 18, 2023.....Public Notice Mailed to all Property Owners (City and UGB), 21-Days Minimum Required; and, Code Amendment materials posted on the City's website.  
(<https://www.cityoflagrande.org/planning-commission/2023-proposed-code-amendments>)
- May 20, 2023.....Public Notice Advertised in *The Observer*, Local Newspaper.
- 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.
August 3, 2023.....	DLCD Notice of City Adoption - Post Acknowledgement Plan Amendment (PAPA).
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.
December, 2023.....	DLCD Notice of County Adoption - Post Acknowledgement Plan Amendment (PAPA).

### III. Public Notice Information

Public notice was issued in accordance with City and State laws. Notice was provided to the Oregon Department of Land Conservation and Development (DLCD) on November 2, 2020, at least 35-days before the first evidentiary hearing in accordance with OAR 660-018-0020. Public notice was mailed to all property owners with the City of La Grande and its Urban Growth Boundary (UGB) on November 17, 2020, at least 20-days in advance of the first evidentiary hearing in accordance with Land Development Code Ordinance 3242, Series 2018, Article 9.6, Section 9.6.001(A). All Public Hearing materials, including the Draft Decision Order was published on the City of La Grande – Planning Division’s webpage on November 17, 2020, which meets or exceeds the requirements to be made available to the public at least seven (7) days before the first evidentiary hearing.

### IV. Review Process and Appeals

Amendments to the Land Development Code Ordinance is a legislative review process that is subject to the Planning Commission’s and City Council’s review and approval. The process requires the Planning Commission to first hold a Public Hearing to consider the proposed amendments and make a recommendation(s) to the City Council. The Planning Commission’s recommendation(s) cannot be appealed. The City Council will hold a subsequent Public Hearing to consider the proposed amendments, along with the Planning Commission’s recommendation(s). The City Council will hold two (2) Public Hearings to consider the proposed amendments, with public comments typically considered during the first Public Hearing. After the closing of the second Public Hearing, the City Council will deliberate and may make a final decision. Upon receiving a final decision from the City Council, the City of La Grande Community Development Director will mail written notice of the decision to any parties entitled to such notice. Such decision can then be appealed to the Oregon Land Use Board of Appeals (LUBA) if a person with standing files a Notice of Intent to Appeal within twenty-one (21) days of the date the decision was mailed, or thirty (30) days from the date of Ordinance adoption, whichever is later.

Subsequent to the City Council’s decision, the proposed amendments will be forwarded to Union County for co-adoption and implementation within the City of La Grande Urban Growth Boundary. This will include Public Hearings before the Union County Planning Commission and Union County Board of Commissioners. A final decision of the Union County Board of Commissioners may be appealed to the Oregon Land Use Board of Appeals (LUBA).

## V. Recommended Conclusions and Order

Based on the analysis and Findings of Fact in this Decision Order, the proposed Land Development Code Amendments meet the requirements established in Land Development Code Ordinance 3252, Series 2021, Article 8.8, and are consistent with the City's Housing Production Strategy adopted by City Council Resolution 4810, Series 2021.

The Planning Commission has the following three (3) options with respect to issuing a decision on the proposed Land Development Code Amendments:

- Option 1: Recommend that the City Council approve the proposed amendments as presented; or,
- Option 2: Recommend the City Council approve the proposed amendments as modified by the Planning Commission; or,
- Option 3: Recommend that the City Council deny the proposed amendments.

Upon receiving a recommendation from the Planning Commission, the City Council has the following three (3) options with respect to issuing a decision on the proposed Land Development Code Amendments:

- Option 1: Approve the proposed amendments as presented; or,
- Option 2: Approve the proposed amendments with modifications recommended by the Planning Commission and/or made by the City Council; or,
- Option 3: Deny the proposed amendments.

## VI. General Facts and Overview

1. Pursuant to Oregon House Bill 2003, implemented through Oregon Administrative Rule (OAR) 660, Division 8, the City of La Grande adopted a Housing Production Strategy (HPS) by City Council Resolution 4810, Series 2021.
2. The HPS is an eight (8) year plan that recommends fifteen (15) action strategies which are intended to increase housing opportunities and promote the development of needed housing within the City of La Grande. The first seven (7) action strategies require amendments to the City's Land Development Code Ordinance for implementation. These areas listed as follows:

Action 1.1 – Allow small lot single-family houses. This recommendation is to reduce the minimum lot size to 3,000 square feet, with a minimum lot width of 30', or 40' for corner lots. This amendment is recommended for the Medium Density Residential (R-2), High Density Residential (R-3) and the Residential-Professional (RP) zones.

Action 1.2 – Allow townhouses in the R-2, R-3 and R-P zones. This recommendation would add a definition to the Code for "townhouses", as well as allow 3-unit townhouses in the R-2 zone.

Action 1.3 – Reduce barriers to triplexes and quadplexes. This recommendation is to reduce the minimum lots size for a triplex to 4,500 square feet and quadplexes to 6,000 square feet.

Action 1.4 – Reduce barriers to apartments in the R-3 Zone. This recommendation would reduce the minimum lot size for apartments with four (4) units to 6,000 square feet, plus 1,000 square feet for each additional unit.

Action 1.5 – Reduce barriers to cottage cluster housing. This recommendation would allow cottage cluster housing in the R-1 and R-P zones where they are currently not permitted, as well as reduce the minimum lot size for this type of development.

Action 1.6 – Reduce barriers to accessory dwelling units. The recommendation would reduce some setback requirements and modify the design standards to become more clear and specific.

Action 1.7 – Reduce barriers to conversions of existing buildings that create new housing. This action strategy does not include a specific recommendation, but involves a code analysis to identify barriers that would then be recommended to remove or lessen the barrier.

3. Other proposed Code amendments that are included in this Decision Order are intended to address issues that have been identified by the Planning Commission, City Council, local agencies (such as Eastern Oregon University), staff, developers and community members during the implementation and enforcement of the Code as a result of changes in our community and/or changes in State laws. Such as:
  - Parking requirement for the Eastern Oregon University campus
  - Private street standards
  - Short-term rental code
  - Small scale or artisan manufacturing in commercial zones
  - Others
4. Attached Exhibit A – A summary of all proposed Code amendments are outlined in Exhibit A, in legislative format, along with a brief discussion as to the source or justification for the change.
5. Attached Exhibit B – Land Development Code amendments are subject to the Planning Commission and City Council review procedures and are subject to the review criteria contained in the City of La Grande Land Development Code Ordinance 3252, Series 2021 (LDC), Article 8.8, Section 8.8.003, which requires *“That the proposed amendment is in compliance with Statewide Planning Goals and with the Comprehensive Plan Policies.”* This review criterion is addressed in Exhibit B.
6. Attached Exhibit C – This exhibit provides a summary of the public engagement opportunities, which includes work sessions and Public Hearings held to discuss and develop the proposed Code amendments. These public engagement opportunities are also outlined in Section II – Schedule of Procedural and Public Hearing Requirements, on page 2 of this Decision Order.

## **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

<b>Proposed Code Amendment To LDC Ordinance 3252, Series 2021</b>	<b>Request/Need</b>	<b>Staff Comments</b>
<p><b>SECTION 2.2.005 - MEDIUM DENSITY RESIDENTIAL (R-2)</b>                      D. PROPERTY DEVELOPMENT STANDARDS:                      1. Minimum Lot Area — <del>Five Thousand (5,000)</del> <u>Three Thousand (3,000)</u> Square Feet for Single-Family and Duplex Dwellings. <u>Four Thousand Five Hundred (4,500) Square Feet</u> for Triplex Dwellings. Lots Intended for Common Wall <u>Townhouse</u> Residences Shall be no Less Than <del>Three Thousand (3,000)</del> <u>One Thousand-Five Hundred (1,500)</u> Square Feet in Size per Unit.</p> <p><b>SECTION 2.2.006 - HIGH DENSITY RESIDENTIAL (R-3)</b>                      D. PROPERTY DEVELOPMENT STANDARDS:                      1. Minimum Lot Area - <del>Five Thousand (5,000)</del> <u>Three Thousand (3,000)</u> Square Feet for Single-Family and Duplex Dwellings. <u>Four Thousand-Five Hundred (4,500) Square Feet</u> for Triplex Dwellings. <u>Six Thousand (6,000) Square Feet</u> for <u>Quadplex Dwellings</u>—<del>Seven Thousand (7,000) Square Feet for Apartments and Condominiums with Three (3) Dwelling Units</del>, 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 <del>Three Thousand (3,000)</del> <u>One Thousand-Five Hundred (1,500)</u> Square Feet in Size per Unit.</p> <p><b>SECTION 2.2.007 – RESIDENTIAL-PROFESSIONAL (R-P)</b>                      D. PROPERTY DEVELOPMENT STANDARDS:                      1. Minimum Lot Area - <del>Five Thousand (5,000)</del> <u>Three Thousand (3,000)</u> Square Feet <del>For</del> Single-Family and Duplex Dwellings. <u>Four</u></p>	<p><b>HPS – Action Item 1.1 – Allow small lot single-family houses</b></p> <ul style="list-style-type: none"> <li>Reduce the minimum lot size in the R-2, R-3 and R-P zones from 5,000 to 3,000.  <span style="background-color: yellow;">[see yellow highlighted text]</span></li> </ul>	<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. <del>Seven Thousand (7,000) Square Feet for Apartments and Condominiums with Three (3) Dwelling Units.</del> 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 <del>Three Thousand (3,000)</del> <u>One Thousand-Five Hundred (1,500)</u> Square Feet in Size per Unit.</u></p>		
<p><b>SECTION 5.2.001 - LOT SIZE AND SHAPE</b>                  A. Lot Width - Each lot shall have a minimum width of <del> fifty feet (50') thirty feet (30'), with forty feet (40') required for corner lots,</del> unless otherwise required by this Code.</p>	<p><b>HPS – Action Item 1.1</b> – Allow small lot single-family houses</p> <ul style="list-style-type: none"> <li>Reduce the minimum lot width from 50' (60' on corners) to 30' (40' on corners).</li> </ul>	<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><b>SECTION 1.3.002 - DEFINITIONS INCLUDED BY REFERENCE</b>  <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><b>SECTION 2.2.005 - MEDIUM DENSITY RESIDENTIAL (R-2)</b>                  B. PERMITTED USES:                  3. Dwellings - Limited to Single-Family, <del>and Duplex, Triplex, and Two-Three Unit Townhouse Dwellings.</del></p>	<p><b>HPS – Action Item 1.2</b> – Allow townhouses in the R-2, R-3 and R-P zones.</p> <p><b>HPS – Action Item 1.3</b> – Reduce barriers to triplexes and quadplexes.</p> <ul style="list-style-type: none"> <li>Add a definition for townhouses in the LDC</li> <li>Allow up to 3 attached dwelling units within the R-2 zone (triplex apartments, townhouses)</li> <li>Each townhouse dwelling unit would sit on its own parcel with a minimum lot size of 1,500 square feet. [see yellow highlighted text]</li> <li>Reduce the minimum lot size for triplexes and quadplexes in applicable zones to be consistent</li> </ul>	<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 – <del>Five Thousand (5,000) Three Thousand (3,000)</del> Square Feet for Single-Family and Duplex Dwellings. <del>Four Thousand Five Hundred (4,500)</del> Square Feet for Triplex Dwellings. Lots Intended for Common Wall <del>Three Thousand (3,000) One Thousand Five Hundred (1,500)</del> 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><b>SECTION 2.2.006 - HIGH DENSITY RESIDENTIAL (R-3)</b></p>		
<p>D. PROPERTY DEVELOPMENT STANDARDS: 1. Minimum Lot Area - <del>Five Thousand (5,000) Three Thousand (3,000)</del> Square Feet for Single-Family and Duplex Dwellings. <del>Four Thousand-Five Hundred (4,500)</del> Square Feet for Triplex Dwellings. <del>Six Thousand (6,000)</del> Square Feet for Quadplex Dwellings. <del>Seven Thousand (7,000) Square Feet for Apartments and Condominiums with Three (3) Dwelling Units</del>, Plus One Thousand (1,000) Square Feet for Each Additional Unit. Lots Intended for Common Wall <del>Three Thousand (3,000) One Thousand-Five Hundred (1,500)</del> Square Feet in Size per Unit.</p>	<p>HPS – Action Item 1.4 – Reduce barriers to apartments within the R-3 zone by allowing reduced lot sizes.</p>	
<p><b>SECTION 2.2.007 – RESIDENTIAL-PROFESSIONAL (R-P)</b></p>		
<p>D. PROPERTY DEVELOPMENT STANDARDS: 1. Minimum Lot Area - <del>Five Thousand (5,000) Three Thousand (3,000)</del> Square Feet For Single-Family and Duplex Dwellings. <del>Four Thousand-Five Hundred (4,500)</del> Square Feet for Triplex Dwellings. <del>Six Thousand (6,000)</del> Square Feet for Quadplex Dwellings. <del>Seven Thousand (7,000) Square Feet for Apartments and Condominiums with Three (3) Dwelling Units</del>. Plus One Thousand (1,000) Square Feet for Each Additional Unit. Lots Intended for Common Wall <del>Three Thousand (3,000) One Thousand-Five Hundred (1,500)</del> Square Feet in Size per Unit.</p>		



<p><del>Three Thousand (3,000)</del> <u>One Thousand-Five Hundred (1,500)</u> Square Feet in Size per Unit.</p>		
<p><b>SECTION 2.2.005 - MEDIUM DENSITY RESIDENTIAL (R-2)</b>                  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) <del>to ten (10) dwelling</del> units per acre.</p> <p><b>SECTION 2.2.007 – RESIDENTIAL-PROFESSIONAL (R-P)</b>                  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><del>residential</del> designations in the La Grande Comprehensive Plan <u>with residential densities of eleven (11) or more dwelling units per acre.</u></p>	<p><b>HPS – Action Item 1.3 – Reduce barriers to triplexes and quadplexes.</b></p> <ul style="list-style-type: none"> <li>Increase the maximum density allowance in the R-2 and R-P zones to support the smaller lot sizes.</li> </ul>	<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"> <li>The maximum density is proposed to be eliminated. Only a minimum density is proposed to be retained and required for new development.</li> <li>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.</li> </ul>
<p><b>ARTICLE 4.4 – DUPLEX DIVISIONS; SECTION 4.4.002 - REVIEW CRITERIA</b>                  D. <del>The lot to be divided contains at least six thousand (6,000) square feet.</del>                  E. The resulting lots will be relatively equal in size with the maximum difference equal to ten percent (10%) or</p>	<p><b>HPS – Action Item 1.3 – Reduce barriers to triplexes and quadplexes.</b></p> <ul style="list-style-type: none"> <li>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).</li> </ul>	<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. <del>Average</del> <u>Minimum</u> lot width is <del>at least</del> <u>not less than</u> thirty feet (30'), <u>or forty feet (40')</u> for corner lots.</p> <p>G. Minimum lot area is at least <del>three thousand feet (3,000')</del> <u>one thousand-five hundred (1,500)</u> square feet.</p>		
<p><b>ARTICLE 3.22 – COTTAGE HOME DEVELOPMENT;                  SECTION 3.22.001 – PURPOSE</b>                  Cottage housing developments shall be applicable in <u>R-1</u>, R-2, <del>and R-3</del> <u>and R-P</u> zoning districts <del>only</del>. The general purposes of the cottage housing development design standards are as follows:</p>	<p><b>HPS – Action Item 1.5 – Reduce barriers to cottage cluster housing.</b></p> <ul style="list-style-type: none"> <li>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.</li> </ul>	<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>During the June 13, 2023, Planning Commission Public Hearing, ten (10) residents provided public testimony, expressing concerns and/or objections regarding the proposed Code amendment to Article 3.22 – Cottage Home Developments, which will allow Cottage Home Developments within the City's Low Density Residential (R-1) Zone. After considering public testimony and having discussions, the Commission voted unanimously to recommend to the City Council that proposed amendments adding the R-1 Zone to Article 3.22, be removed from the 2023 Land Development Code Amendments. The yellow highlighted text in the left column reflect the results of the Planning Commission's recommendation.</p>
<p><b>SECTION 3.22.002 – COTTAGE HOUSING APPLICATION REQUIREMENTS</b></p> <p>A. <u>Zoning Approval</u>: For the construction or placement of <del>two (2)</del> <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 <del>density</del>, setbacks and other residential</p>	<p><b>HPS – Action Item 1.5 – Reduce barriers to cottage cluster housing.</b></p> <ul style="list-style-type: none"> <li>Amend code requirement to allow for an administrative zoning approval and site plan approval process for all</li> </ul>	<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>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> <del>For-for cottage housing developments outside of an existing platted subdivision that include two (2) that include four (4)</del> or more dwelling units and where the housing and land are under one common ownership, similar to an apartment complex, <del>and which meet the density, setbacks and other residential design requirements for the underlying zone,</del> 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. <del>Infill Development within an Existing Platted Subdivision the R-1 and R-2 zones:</del> Any cottage housing development <del>considered for infilling a vacant lot(s) within an existing platted subdivision,</del> which includes <del>three (3) or more dwelling units in the R-1 Zone, or four (4) or more units in the R-2 Zone</del> 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</p>	<p>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>	<ul style="list-style-type: none"><li>• The Commission felt that all housing developments should follow the same land use review process whether inside or outside a platted subdivision.</li><li>• 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.</li><li>• Site Plan Approval Process: This administrative process takes roughly 2-3 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.</li><li>• 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"><li>○ The R-1 zone allows single-family and duplexes. A third cottage housing unit would require a conditional use permit as proposed.</li></ul></li></ul>
--	---	---

<p>improvement standards set forth in <del>Section 3.22.004</del> <a href="#">this Article for cottage housing developments</a>.</p>		<ul style="list-style-type: none"> <li>o The R-2 zone allows single-family, duplexes and triplexes. A fourth cottage housing unit would require a conditional use permit as proposed.</li> </ul>
<p><b><u>SECTION 3.22.003 – DENSITY STANDARDS FOR COTTAGE HOUSING DEVELOPMENTS</u></b></p> <p><del>A. Minimum Density. A cottage housing development shall include a minimum of six (6) cottages.</del></p> <p><del>B. —</del></p> <p><del>C. Minimum Development Area: A cottage housing development shall have a minimum development area of fifteen thousand (15,000) square feet.</del></p> <p><del>D. —</del></p> <p><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 <del>reduce the minimum density and</del> establish limits or a maximum density as a condition of approval to satisfy neighborhood compatibility issues.</p>	<p><b>HPS – Action Item 1.5 – Reduce barriers to cottage cluster housing.</b></p> <ul style="list-style-type: none"> <li>• Reduce or eliminate the minimum density for cottage to encourage infill. The current code requires a minimum of 6 cottage homes.</li> <li>• For cottage housing developments, remove the minimum development area requirement of 15,000 square feet to encourage infill development and additional housing opportunities.</li> <li>• 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.</li> </ul>	<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>As mentioned above, following hearing public testimony during the June 13, 2023, Planning Commission Public Hearing, the Commission voted unanimously to recommend to the City Council that proposed amendments adding the R-1 Zone to Article 3.22, be removed from the 2023 Land Development Code Amendments. The yellow highlighted text in the left column reflect the results of the Planning Commission's recommendation.</p>
<p><b><u>ARTICLE 5.9 – ACCESSORY BUILDINGS; SECTION 5.9.001 - STANDARDS</u></b></p> <p>All accessory buildings shall meet the following requirements:</p> <p>A3. <del>Be architecturally compatible with the main building, as determined by the Community Development Director/Planner. Similar</del> <a href="#">Have the same style of</a> siding and roofing materials and colors <del>are required</del> <a href="#">as the main building</a> unless the owner can demonstrate support for</p>	<p><b>HPS – Action Item 1.6 – Reduce barriers to accessory dwelling units (ADUs).</b></p> <ul style="list-style-type: none"> <li>• 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.</li> </ul>	<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>an alternate treatment from a majority of the property owners within one hundred feet (100').</p> <p><b><u>SECTION 5.9.002 – STANDARDS FOR DETACHED ACCESSORY DWELLING UNITS</u></b></p> <p>Detached accessory dwelling units, also called cottage homes or tiny homes, shall be permitted in all residential zones in accordance with the following standards:</p> <p>C. Design Standards</p> <p>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 <del>ten feet (10')</del> <u>greater than equal to that of</u> the existing primary single-family dwelling.</p> <p>4. Building Design: <del>Be architecturally compatible with the primary single-family dwelling, as determined by the Community Development Director/Planner. 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</del> siding and roofing materials and colors <del>are required unless the owner can demonstrate that</del> <u>as</u> the primary single-family dwelling <del>has both a unique architectural style and materials that cannot reasonably be matched.</del></p>	<p>horizontal lap siding, or composite roofing, other).</p> <ul style="list-style-type: none"> <li>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.</li> </ul>	
<p><b><u>SECTION 3.16.008 - NONCONFORMING STRUCTURES</u></b></p> <p>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</p>	<p><b>HPS – Action Item 1.7 – Reduce barriers to the conversion or additions to existing buildings that create new housing.</b></p> <ul style="list-style-type: none"> <li>Review the non-conforming use standards (grandfather provisions) for potential barriers. For example, the requirement to bring an entire structure into compliance with</li> </ul>	<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>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><a href="#">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.</a></p>	<p>current code if the remodel or addition exceeds 50% of the County assessed value.</p>	
---	--	--

## Urban Forestry Amendments

<p><b>Proposed Code Amendment</b>                      To LDC Ordinance 3252, Series 2021</p>	<p><b>Request/Need</b></p>	<p><b>Staff Comments</b></p>
<p><b><u>SECTION 3.2.003 - MANUFACTURED DWELLING, SINGLE-FAMILY, TWO-FAMILY, <del>THREE-FAMILY</del> AND APARTMENT BUILDING PLACEMENT STANDARDS ON INDIVIDUAL LOTS</u></b></p> <p><b>ED.</b> A manufactured dwelling, single family, two-family, <a href="#">three-family</a> 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"> <li>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.)</li> <li>2. Covered porch entries. (Only the main or front entrance must be covered. Secondary or rear</li> </ol>	<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>entrances need not be covered. A covered, recessed entryway (see (F)(10) below) may be substituted for a covered porch to meet this standard.)</p> <p>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. <del>At a minimum, such</del> 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> <del>It is not necessary to locate shrubs and/or trees at this stage, except for street trees required by the Subdivision or Partition Plat approval).</del></p> <p><del>3.4.</del> <u>Street trees as required by the Subdivision or Partition Plat approval, if applicable.</u></p> <p><del>4.5.</del> At least one (1) covered parking space per dwelling unit.</p>		
<p><b>ARTICLE 5.6 – LANDSCAPING; SECTION 5.6.001 - PURPOSE</b></p> <p>The purposes of landscaping are to enhance <u>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</u> the appearance of structures and properties, to provide visual privacy, <del>to provide areas on sites which can absorb rainfall and reduce storm water runoff,</del> 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><b><u>SECTION 5.6.004 - STANDARDS FOR LANDSCAPING MATERIALS</u></b></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, <del>where appropriate,</del> to achieve the intended or required purpose of the landscaping (e.g. <a href="#">tree canopy</a>, screening, etc.): <del>Trees</del><a href="#">trees</a>, shrubs, ground cover, vines, flowers or lawns. Landscaping may also include art work, walls, structural features and fences. Trees adapted to the site <del>will</del><a href="#">shall</a> be incorporated into the landscape when there is adequate space <a href="#">as determined in the standards for tree planting in the Community Forestry Program Guide</a>. <del>Shade trees.</del><del>Trees</del> shall be a minimum of fifteen (15) gallons and/or one and one quarter inch (1¼") caliper. <a href="#">Evergreen conifer trees shall be a minimum of five (5) feet in height.</a> Landscaping areas shall include live plant coverage, at occupancy, equal to or greater than fifty percent (50%) of each landscape area.</p> <p>B. <a href="#">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.</a></p> <p><del>BC.</del> Excluded Materials - Landscaping proposed to satisfy the requirements of this Code shall not include:</p> <ol style="list-style-type: none"><li>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</li></ol>	<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>areas, drainage improvements, or adjacent structures, foundations, or landscape materials.</p> <p>2. <del>Trees within designated planting areas located in public rights-of-way shall conform to the City Street Tree Planting Guide</del><a href="#">Prohibited tree species as referenced in the standards of the Community Forestry Program Guide.</a></p>		
<p><b>SECTION 5.7.006 - PARKING LOT CONSTRUCTION</b></p> <p>F. <u>Landscaping</u></p> <p>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) <a href="#">appropriate shade tree, as determined by the standards for tree planting in the City Community Forestry Program Guide</a>, per each six (6) parking spaces is required in any parking lot to provide shade and visual relief to parking lots.</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>

### Bed and Breakfast Inns (Short-Term Rentals)

<p><b>Proposed Code Amendment To LDC Ordinance 3252, Series 2021</b></p>	<p><b>Request/Need</b></p>	<p><b>Staff Comments</b></p>
<p><b>SECTION 1.3.002 - DEFINITIONS INCLUDED BY REFERENCE</b></p> <p>BED AND BREAKFAST INN – <del>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</del></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><del>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 time</del> See definition of Short-Term Rental.</p> <p><u>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:</u></p> <p><u>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.</u></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><b><u>NEW PROPOSED CODE SECTION</u></b> (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"><li>• 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.</li><li>• 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.</li><li>• To retain the short-term rental business opportunity within the City.</li><li>• To provide a faster/expedited application process with predictable outcomes.</li><li>• 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.</li></ul> <p>Proposed Code Elements:</p> <ul style="list-style-type: none"><li>• Better define the 2 types of short-term rentals (owner occupied rentals vs. vacation home rentals).</li><li>• Establishing an administrative (over the counter) permitting process.</li><li>• Continue to allow short-term rentals in residential neighborhoods, but limit ownership to one short-term rental.</li></ul>
--	---

	<ul style="list-style-type: none"><li>• 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.</li><li>• Require the applicant/owner to obtain support (or no objection) from the majority of adjacent property owners.</li><li>• 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.</li><li>• Limit short-term rentals to single-family, accessory dwellings and duplexes only (no multi-family).</li><li>• Ensure that short-term rentals have adequate parking which is functional.</li><li>• 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.</li><li>• 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).</li></ul>
--	---

**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 (3<sup>rd</sup>) 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**

<p><b>Proposed Code Amendment To LDC Ordinance 3252, Series 2021</b></p>	<p><b>Request/Need</b></p>	<p><b>Staff Comments</b></p>
<p><b><u>SECTION 1.3.002 – DEFINITIONS INCLUDED BY REFERENCE</u></b></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</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</p>



<p><a href="#">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.</a></p> <p><b>SECTION 2.2.014 – BUSINESS PARK (BP)</b></p> <p><b>B. PERMITTED USES:</b></p> <p>9. Eating and Drinking Establishments – Only as an Incidental Use Built as an Integral Part of a Main Use <a href="#">or Corporate Headquarters/Campus.</a></p> <p>18. <a href="#">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.</a></p> <p><b>C. CONDITIONAL USES:</b></p> <p>2. <a href="#">Spectator Sports and Entertainment – only as an Incidental Use Built as an Integral Part of a Main Use or Corporate Headquarters/Campus.</a></p>		<p>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 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>
---	--	--

## Small Scale (Artisan) Manufacturing

<p><b>Proposed Code Amendment                      To LDC Ordinance 3252, Series 2021</b></p>	<p><b>Request/Need</b></p>	<p><b>Staff Comments</b></p>
<p><b>SECTION 1.3.002 – DEFINITIONS INCLUDED BY REFERENCE</b>  <a href="#">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.</a></p> <p><b>SECTION 2.2.008 - CENTRAL BUSINESS (CB)</b>                      B. PERMITTED USES:  <a href="#">5. Artisan Manufacturing Not to Exceed 5,000 Square Feet and Having a Retail Storefront.</a></p> <p>C. CONDITIONAL USES:  <a href="#">1. Artisan Manufacturing Exceeding 5,000 Square Feet and Having a Retail Storefront.</a></p> <p><b>SECTION 2.2.009 - GENERAL COMMERCIAL (GC)</b>                      B. PERMITTED USES:  <a href="#">7. Artisan Manufacturing Not to Exceed 5,000 Square Feet and Having a Retail Storefront.</a></p> <p>C. CONDITIONAL USES:  <del>1.</del><a href="#">2. Artisan Manufacturing Exceeding 5,000 Square Feet and Having a Retail Storefront.</a></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 fabrication/manufacturing with a retail storefront outlet).</p>

## Mobile Food Vending Trailers and Courts

<b>Proposed Code Amendment                      To LDC Ordinance 3252, Series 2021</b>	<b>Request/Need</b>	<b>Staff Comments</b>
<p><b><u>SECTION 1.3.002 – DEFINITIONS INCLUDED BY REFERENCE</u></b></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 (<u>fast foot</u>) eating places, bars, or brew pubs <u>and also includes mobile food units and mobile food courts which are defined as follows:-</u></p> <ul style="list-style-type: none"> <li>• <u>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.</u></li> <li>• <u>Mobile Food Court – Two (2) or more mobile food units located on the same site for the purpose of selling food and/or beverages.</u></li> </ul> <p><b><u>SECTION 2.2.008 - CENTRAL BUSINESS (CB)</u></b></p> <p>B. <u>PERMITTED USES:</u></p> <p>11. Eating and Drinking Establishments – Restaurants, Short-Order Eating Places, Taverns, Bars or Brew Pubs, <u>and Mobile Food Units Accessory to a Permitted Use.</u></p> <p>C. <u>CONDITIONAL USES:</u></p> <p>6. <u>Eating and Drinking Establishments – Mobile Food Courts.</u></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> <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 the 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"> <li>○ Compliance with any building code and Department of Health requirements.</li> <li>○ If outdoor seating is provided, then ADA accessibility, ADA parking and restrooms may be required.</li> </ul>

<p><b>SECTION 2.2.009 - GENERAL COMMERCIAL (GC)</b></p> <p>B. <u>PERMITTED USES:</u></p> <p>22. Eating and Drinking Establishments – Restaurants, Short-Order Eating Places, Taverns, Bars or Brew Pubs, <a href="#">Mobile Food Units Accessory to a Permitted Use.</a></p> <p>C. <u>CONDITIONAL USES:</u></p> <p>5. <a href="#">Eating and Drinking Establishments – Mobile Food Courts.</a></p>		
--	--	--

## Parking - Eastern Oregon University

<b>Proposed Code Amendment                      To LDC Ordinance 3252, Series 2021</b>	<b>Request/Need</b>	<b>Staff Comments</b>
<p><b><u>SECTION 5.7.001 - OFF-STREET PARKING SPACES AND LOADING FACILITIES</u></b></p> <p><b><u>A Eligibility of Street Parking Spaces</u></b></p> <ol style="list-style-type: none"> <li>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, <del>and</del> high school <del>and university use types</del> <u>campuses</u>.</li> <li>2. Eligible street parking shall only include those spaces that are immediately adjacent to the subject property, provided:                             <ol style="list-style-type: none"> <li>b. The furthest eligible parking space shall be no greater than five hundred feet (500') from the use or uses served, <u>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.</u></li> </ol> </li> </ol> <p><b><u>SECTION 5.7.005 - PARKING DESIGN STANDARDS</u></b></p> <p><b><u>C. Vehicle Parking and Loading Area Location</u></b></p> <ol style="list-style-type: none"> <li>2. Required parking and loading facilities for uses other than residential shall be located as follows:                             <ol style="list-style-type: none"> <li>c. On a lot or parcel of land within five hundred feet (500') of the use or uses served, <u>except for university campuses, within one-thousand three-hundred feet (1,300') from the use or uses served.</u></li> </ol> </li> </ol>	<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 6<sup>th</sup> 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>
--	--	--

## Public Street Standards

<p><b>Proposed Code Amendment                      To LDC Ordinance 3252, Series 2021</b></p>	<p><b>Request/Need</b></p>	<p><b>Staff Comments</b></p>
<p><b><u>SECTION 1.3.002 – DEFINITIONS INCLUDED BY REFERENCE</u></b></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"> <li>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>. <del>between large developed areas and which is designated in the La Grande/Island City Transportation System Plan.</del></li> <li>2. <u>COLLECTOR STREET</u> – A public street which connects individual land uses within neighborhood to an arterial street.</li> </ol>	<p>This amendment was requested by the Community Development Director, Fire Department, Public Works Department and Waste-Pro.</p>	<p><b><u>Street Classifications:</u></b>                      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><b><u>Private Streets:</u></b>                      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, &amp; other parking in no-parking zones).</p>

<p>3. <a href="#">LOCAL STREET – A public street within neighborhoods that provides access to abutting properties.</a></p> <p>4. <a href="#">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.</a></p> <p><b>SECTION 6.2.005 - MINIMUM STREET IMPROVEMENTS</b> The following <a href="#">public</a> street improvements shall be required for development and shall be provided at the expense of the developer:</p> <p>D. <a href="#">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.</a></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>
--	--	---

## Conditional Use Permit Review Criteria

<p><b>Proposed Code Amendment To LDC Ordinance 3252, Series 2021</b></p>	<p><b>Request/Need</b></p>	<p><b>Staff Comments</b></p>
<p><b>SECTION 8.5.003 - REVIEW CRITERIA</b>                      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. <del>That the proposed development is timely, considering the availability and adequacy of the transportation system, and public facilities and services. That all</del> <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, <del>design,</del> <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> <del>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.</del></p> <p>D. That significant adverse impacts attributable to the <u>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.</u></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

<p><b>Proposed Code Amendment To LDC Ordinance 3252, Series 2021</b></p>	<p><b>Per HPS, State Law, or Other (if applicable)</b></p>	<p><b>Staff Comments</b></p>
<p><b><u>SECTION 1.3.002 – DEFINITIONS INCLUDED BY REFERENCE</u></b></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"> <li>• One (1) cottage home on a Lot or Parcel may also be considered a detached single-family dwelling.</li> <li>• Two (2) cottage homes on a Lot or Parcel, if one is not an accessory dwelling, shall be considered a detached duplex.</li> <li>• Three (3) cottage homes on a Lot or Parcel shall be considered similar to a triplex.</li> <li>• Four (4) or more cottage homes on a Lot or Parcel, shall be considered similar to multifamily apartments.</li> </ul>	<p><u>Housekeeping</u></p> <ul style="list-style-type: none"> <li>• Clarify the definition of a Cottage Home Dwelling(s) when use as a single-family, duplex, triplex or greater scenario.</li> </ul>	<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><b><u>SECTION 5.7.009 – OFF-STREET PKARING REQUIREMENTS:</u></b></p> <p><b>Residential Uses:</b> <u>Vehicle</u> - One <del>and one-half (1½)</del> (1) spaces per dwelling unit, <del>for multiple family (tri plex and greater) and one (1) space per each single family and duplex unit; one (1) space per dwelling unit</del> <u>which</u> 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"> <li>• Consider amending the parking quantity requirement for multi-family to be the same or less than that of single-family and duplexes.</li> </ul>	<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><b>ARTICLE 3.21 – MARIJUANA AND PSILOCYBIN FACILITIES</b></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><b>ARTICLE 6.6 – PUBLIC STREET STANDARDS</b></p> <p>The <del>attached</del> drawings <a href="#">set forth in the Public Works Engineering Standard Drawings and Specifications for Construction Manual, adopted by Resolution of the City Council.</a></p> <p><del>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.</del></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>

## **EXHIBIT B**

### **Article 8.8 – LAND DEVELOPMENT CODE AMENDMENT**

#### **SECTION 8.8.003 – REVIEW CRITERIA**

*A proposed Land Development Code Amendment shall meet the following criteria:*

*(A) That the proposed amendment is in compliance with the Statewide Planning Goals and with the Comprehensive Plan Policies.*

#### **I. Statewide Planning Goals**

The proposed Land Development Code amendments are specifically proposed to incorporate land use code amendments that were recommended in the City's Housing Production Strategy, adopted by City Council Resolution 4810, Series 2021, pursuant to Oregon House Bill 2003. The proposed amendments also recommended land use code changes that are intended to address issues identified by the Planning Commission, City Council, local agencies (such as Eastern Oregon University), staff, developers and community members during the implementation and enforcement of the City's land use code.

The City finds that only Statewide Planning Goal 1 and Goal 2 are directly applicable to the proposed amendments, as these goals address procedural requirement for the adoption process which provide citizens the opportunity to participate in the amendment process and requires that all decision shall be made on a factual basis. Statewide Planning Goal 9 and Goal 10 are more applicable to conducting studies and considering Comprehensive Plan amendments, and less about the implantation of a Goal, but were evaluated in this Decision order and included below.

#### **A. STATEWIDE PLANNING GOAL 1 – CITIZEN INVOLVEMENT**

*To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

The citizen involvement program shall incorporate the following components:

1. Citizen Involvement – To provide for widespread citizen involvement.
2. Communication – To assure effective two-way communication with citizens.
3. Citizen Influence – To provide the opportunity for citizens to be involved in all phases of the planning process.
4. Technical Information – To assure that technical information is available in an understandable form.
5. Feedback Mechanisms – To assure that citizens will receive a response from policy-makers.
6. Financial Support – To insure funding for the citizen involvement program.

**Finding:** The City of La Grande has an established and adopted citizen involvement program that includes providing mailed notice to the owners of every property within the City of La Grande and its Urban Growth Boundary. The City has held twenty-one (21) Work Sessions that were advertised and where citizens had the opportunity to participate in-person or virtually in the proposed Code amendment process. The process also includes six (6) Public Hearing; three (3) before the City of La Grande and three (3) before Union County. All City of La Grande meetings are open to the public for participation in-person or virtually. Additionally, all meetings are held via Zoom meetings and broadcast live on the City Manager's Facebook page. All

meeting materials have been and will continue to be made available for electronic download, free of charge, from the City of La Grande Planning Division website. Printed copies are and will continue to be available for viewing or purchase, upon request, at the Planning Division office. All interested citizens have the opportunity to participate in all phases of the process and submit written comments, up until 5:00 p.m. on the date of the meetings. Such comments are or will be read into the record during the public comment period of the meeting. The City of La Grande Planning Commission and/or City Council have or will respond to comments during their deliberations and decision making.

## **B. STATEWIDE PLANNING GOAL 2 – LAND USE PLANNING**

*To establish a land use planning process and policy frameworks as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

*All land-use plans and implementation ordinances shall be adopted by the governing body after Public Hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances, in accord with a schedule set forth in the plan. Opportunities shall be provided for review and comment by citizens and affected governmental units during preparation, review and revision of plans and implementation ordinances.*

*Implementation Measures -- are the means used to carry out the plan. These are of two (2) general types: (1) management implementation measures such as ordinances, regulations or project plans, and (2) site or area specific implementation measures such as permits and grants for construction, construction of public facilities or provision of services.*

**Finding:** For this Statewide Planning Goal, the proposed code amendments implement adopted plans, as well as amendments that address changes in the conditions or circumstances within the City of La Grande, as discussed in Goal 2, paragraph two (2), above.

First, for implementation, several of the code amendments implement strategies recommended in the City's recently adopted Housing Production Strategy (HPS). See Exhibit A summary of code amendments – Housing Production Strategy Action Items. Following the adoption of Oregon House Bill 2003, with funding through the Oregon Department of Land Conservation and Development (DLCD), the City of La Grande completed and adopted both a Housing Needs Analysis (HNA) and a Housing Production Strategy (HPS), in accordance with House Bill 2003 and consistent with Statewide Planning Goal 10. These plans were adopted by the City of La Grande City Council by Ordinance 3250, Series 2020, and Resolution 4810, Series 2021.

Second, several of the amendments address issues that have been identified by the Planning Commission, City Council, local agencies (such as Eastern Oregon University), staff, developers and community members during the implementation and enforcement of the Code as a result of changes in our community and/or changes in State laws. Such as:

- Parking requirement for the Eastern Oregon University campus.
- Private street standards.
- Short-term rental code.
- Small scale or artisan manufacturing in commercial zones.
- Others.

Based on the above, the Planning Commission and City Council's decision to amend the Land Development Code is being made on a factual basis, consistent with Statewide Planning Goal 2.

## **C. STATEWIDE PLANNING GOAL 9 – ECONOMIC DEVELOPMENT**

*To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

**Finding:** This Statewide Planning Goal establishes State guidelines for developing Comprehensive Plans, which includes longer range planning efforts to ensure that the City has evaluated the local economic patterns and other characteristics, has sufficient commercial and industrial lands to meet its current and future needs, and established policies to guide economic development decisions.

For the proposed Land Development Code amendments, the City Comprehensive Plan is not proposed to be amended. As a result, Statewide Planning Goal 9 is not applicable to this Code amendment process.

#### **D. STATEWIDE PLANNING GOAL 10 – HOUSING**

*To provide for the housing needs of the citizens of the state.*

**Finding:** This Statewide Planning Goal focuses on developing “plans” for addressing needed housing in the community. This includes conducting a buildable lands inventory and developing a strategy for addressing needed housing.

Following the adoption of Oregon House Bill 2003, with funding through the Oregon Department of Land Conservation and Development (DLCD), the City of La Grande completed and adopted both a Housing Needs Analysis (HNA) and a Housing Production Strategy (HPS), in accordance with House Bill 2003 and consistent with Statewide Planning Goal 10. These plans were adopted by the City of La Grande City Council by Ordinance 3250, Series 2020, and Resolution 4810, Series 2021.

The proposed code amendments in this Decision Order addresses part of the implementation by amending the City's land use codes as recommended in the adopted HPS. These amendments are intended to increase the opportunities for developing missing middle housing (affordable single-family homes, duplexes, townhouses, cottage homes, other) for both ownership and rental.

See Exhibit A summary of code amendments – Housing Production Strategy Action Items.

In the future, the City hopes to move forward with other implementation measures that may include incentive options.

## II. City of La Grande Comprehensive Plan

### A. **COMPREHENSIVE PLAN GOAL 1 – CITIZEN INVOLVEMENT**

*Goal Statement - To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

*Policy 1 – The City of La Grande shall strive to provide for widespread citizen involvement, especially in its land use planning process.*

*Policy 2 – The City of La Grande shall strive to assure effective two-way communication with citizens.*

*Policy 3 – The City of La Grande shall strive to provide the opportunity for citizens to be involved in all phases of the planning process.*

*Policy 4 – The City of La Grande shall strive to assure that technical information is available in an understandable form.*

*Policy 5 – The City of La Grande shall strive to assure that citizens will receive a response from policy-makers.*

*Policy 8 – That the City of La Grande continue efforts to upgrade its web site to include land use information including, but not limited to: Comprehensive Plan, implementation ordinances, meeting agendas, meeting minutes, staff reports, hearing notices, land use maps, special events and opportunities to serve on committees or commissions.*

*Policy 10 – That the City of La Grande produce printed materials that will enable citizens to understand technical aspects of the land use planning program and make such materials readily available to the public.*

*Policy 12 – That the City of La Grande continue to provide all citizens who participate in the land use process with a copy of the final decision and findings.*

**Finding:** The City of La Grande Comprehensive Plan, Goal 1, includes fourteen (14) policies that address citizen involvement. The policies listed above focus on public engagement and participation in the Public Hearing process. The remaining goals focus on the City's overall public involvement program and ensuring to ensure that it includes a Citizen Involvement Committee, the program is funded, and that the City consider additional outreach efforts.

The City of La Grande's adopted land use process, per Chapter 9 of the Land Development Code Ordinance 3252, Series 2021, establishes the procedural requirement that implement the City public involvement program. For the above listed policies, the City has held twenty-one (21) work sessions that were advertised and where citizens had the opportunity to participate in-person or virtually in the proposed Code amendment process.

As part of the formal Public Hearing process, this includes six (6) Public Hearing; three (3) before the City of La Grande and three (3) before Union County. In preparation for these hearings, the City Planning Department provided a City-wide public notice that was mailed to the owners of all properties within the City and Urban Growth Boundary. The public notice included a link to the City's Planning Division webpage, where all meeting materials and proposed amendments were published and made available for citizens to view and download electronically.

For each City Public Hearing, citizens are provided an opportunity to submit written comments, up until 5:00 p.m. on the public meeting date. If a citizen or commenter is not present during the hearing, their comments are read into the record during the public commenter period of the hearing. Each City hearing is live broadcasted via Facebook Live on the City Manager's Facebook page, and the Zoom meetings are electronically recorded with such recordings being available to the

public any time after the meeting upon request. Additionally, the City allows citizens to attend and participate in meetings virtually upon request.

## **B. COMPREHENSIVE PLAN GOAL 2 – LAND USE PLANNING**

*Objective 1 - The overall goal of the La Grande Comprehensive Plan is to provide direction for achieving a safe, healthful, attractive, and workable environment for the citizens of La Grande; and,*

*Objective2 – To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure and adequate factual base for such decisions and actions.*

*Policy 1 – That planning related decisions will be made on a factual base, and that such base will be updated as base information changes, or at least every two (2) years.*

*Policy 3 - That public need be established before plan changes or related requests are approved and that the burden of proof be borne by the requestor.*

**Finding:** The City of La Grande Comprehensive Plan, Goal 2, includes eleven (11) policies that address various planning related elements. Policies 1 and 3 are applicable to these proposed code amendments which focuses on establishing a “need” for the change and that such need is based on factual information.

For the proposed Land Development Code Amendments, the initial driver was the City’s adoption of the Housing Production Strategy (HPS) report, by City Council Resolution 4810, Series 2021. Based on the need and the factual basis established through the City’s recent Housing Needs Analysis (HNA), the HPS recommended a number of Land Development Code amendments that would help encourage needed housing at various household income levels. The greatest housing need identified was in the lower income household levels, which includes housing that the State commonly refers to as the missing middle. Code amendments that address this need include reducing the minimum allowed lot size to accommodate smaller home sizes, allowing townhouse development (up to 3-dwellings) in the medium density residential zone, eliminating maximum densities, and being more accommodating to cottage housing developments.

Other Code amendments proposed are based on needs that were identified by the Planning Commission, City Council, local agencies (such as Eastern Oregon University), staff, developers and community members during the implementation and/or enforcement of the Code as a result of changes in our community. Some of these include amendments to:

- Parking requirement for the Eastern Oregon University campus.
- Private street standards.
- Short-term rental code.
- Small scale or artisan manufacturing in commercial zones.
- Others.

## **C. COMPREHENSIVE PLAN GOAL 9 – ECONOMIC DEVELOPMENT**

*Goal 4 – To Revitalize the Downtown: To revitalize the Central Business District by building on its historic character, expanding the mix of goods and services offered and creating public spaces and amenities.*

*Policy 1 – The City shall undertake specific activities to encourage the growth of existing businesses, to encourage a diversity of businesses, and to attract new businesses to the community in industries that will provide local employment opportunities that are consistent with community needs and not detrimental to the quality of life in the community.*

**Finding:** The City of La Grande Comprehensive Plan, Goal 9, includes 29 policies that focus on economic development, ensuring that sufficient lands exist for future needs, encourage siting of certain industrial uses in the City's business park, encouraging upper floor residential downtown, and a number of other economic goals. The above policy is specific to the efforts currently underway in the La Grande downtown area and helping entrepreneurial businesses expand and grow.

The City's existing commercial zoning throughout the City does not adequately support small-scale manufacturing businesses that desire to locate in a commercial area and have a retail storefront and commercial presence. Manufacturing is currently not an allowed use in the City's commercial zoning, regardless of scale. The proposed amendment to allow artisan manufacturing (aka small-scale manufacturing) in the commercial zones is intended to accommodate the small entrepreneurial startup businesses that are ready to expand and need a commercial storefront. Many of these small businesses have not grown to the size that requires a larger industrial size for their manufacturing, but rather they are better suited for a smaller commercial site that includes a retail storefront, with some office space and manufacturing in the back.

This entrepreneurial need has sparked interest in the redevelopment of a portion of La Grande's downtown, along Jefferson Avenue which is one block off the main street or corridor. Along Jefferson Avenue, the North side of the street is industrially zones, where the South side of the street is commercially zoned but with businesses that are industrial in nature (auto repair, auto parts retail, cabinet shops, etc.). An effort is underway to revitalize this corridor with a strong desire to accommodate artisan manufacturing businesses with a commercial storefront.

In addition to helping existing small businesses in the community grow, this effort will also help revitalize the downtown by bringing in new businesses, expanding the mixture of goods and services, and result in a more vibrant and walkable downtown.

#### **D. COMPREHENSIVE PLAN GOAL 10 – HOUSING**

*The purpose of Statewide Planning Goal 10 is to ensure opportunity for the provision of adequate numbers of needed housing units, the efficient use of buildable land within urban growth boundaries, and to provide greater certainty in the development process so as to reduce housing costs.*

**Housing Goal:**

*To encourage the development of a variety of housing types to meet the needs and desires of the community, and assure that residents of La Grande have the opportunity to live in safe and sanitary housing at a reasonable cost.*

**Housing Strategies:**

*Strategy 1: Increase Opportunities for Multifamily Development.*

*Strategy 2: Develop Affordable Housing.*

*Strategy 3: Enhance Conditions of Existing Housing Stock.*

*Strategy 4: Support Measures that Increase Housing Capacity.*

**Finding:** In December 2020, The City of La Grande City Council adopted Ordinance 3250, Series 2020, adopted a Housing Needs Analysis (HNA). The development of this HNA was made possible through funding provided from the Oregon Department of Land Conservation and Development (DLCD). Immediately following the adoption of the HNA, the City of La Grande developed a Housing Production Strategy (HPS), as required by Oregon House Bill 2003, which was also made possible through funding provided from the DLCD. (Note: The HNA was later incorporated into the Goal 10 Chapter of the La Grande Comprehensive Plan in July 2022).



The Housing Goal and Housing Strategies above are policies set forth in the Goal 10 Chapter of the Comprehensive Plan. However, these 4 strategies have been further refined (expanded into 7 strategies) in the City's adopted HPS. These are as follows:

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

The above seven (7) strategies were the driver and focus of the proposed Code amendments discussed in Exhibit B of this Decision Order. These include a variety of residential land use code amendments throughout the City's Code that will result in the reduction of minimum lot sizes and creating additional opportunities for developing affordable housing (e.g. accessory dwelling units, cottage homes, multi-family dwellings) within the City of La Grande.

## EXHIBIT C

### Public Engagement Opportunities

### Summary of Work Sessions and Public Hearings

In accordance with Land Development Code Chapter 9, Articles 9.3, 9.4, 9.5 and 9.6, the adoption process includes a minimum of six (6) Public Hearings, with three (3) before City officials and three (3) before County officials. In advance of these Public Hearings, several Work Sessions were held to discuss and develop the proposed recommendations. For a list of meeting dates and public opportunities to participate in the process, see Section II – Schedule of Procedural and Public Hearing Requirements on page 2 of this Decision Order.

All Work Sessions and Public Hearings were and are open to the public for citizen involvement. Following is a summary of how public notice was provided to the public, followed by a summary of scheduled meetings.

For Public Hearing under Section II below, the City Planning Division circulated a City-wide public notice, which was mailed to the owners of all properties within the City of La Grande and its Urban Growth Boundary. The public notice included a link to the City's webpage, where meeting materials and other information was published and made available for citizens to be informed of the proposed Plan amendments and meeting dates where they can engage in the process.

#### I. Work Sessions

##### A. Notice of Work Sessions before the Planning Commission

1. City of La Grande Website: The City of La Grande's official website includes a page dedicated to business and activities conducted by the Planning Commission (<https://cityoflagrande.org/planningcommission>). Information published on this page includes, but is not limited to:
  - Planning Commission meeting calendar;
  - Agendas and meeting materials for all Work Sessions and Regular Sessions;
  - Sub-page dedicated to providing updated information on the proposed code amendments and process. (<https://www.cityoflagrande.org/planning-commission/2023-proposed-code-amendments>)
2. Advertising – Works Session Meeting Notices: Notice of all Planning Commission Work Sessions are provided to *The Observer* (local newspaper), and *Elkhorn Media* and *Brent Clapp/La Grande Alive*. *Elkhorn Media* typically reaches out to the Planning Division following each meeting and publishes a meeting summary on-line at <http://elkhornmediagroup.com/>.

3. Zoom Meetings and Facebook Live: All Planning Commission Work Sessions and Regular Sessions include an opportunity for the public to participate electronically via Zoom Meetings, upon request. All meetings are also broadcast and viewable on Facebook Live at <https://www.facebook.com/LaGrandeCityManager>.

**B. Work Sessions before the Planning Commission**

- October 12, 2021..... Discussion on developing short-term lodging codes (BnB).
- November 9, 2021..... Discussion on developing short-term lodging codes (BnB).
- December 14, 2021..... Complete discussion on developing short-term lodging codes (BnB) and begin discussion on Housing Production Strategy Action Items 1.1 – 1.4.
- February 8, 2022..... Discussion on Housing Production Strategy Action Items 1.1 – 1.4.
- February 22, 2022..... Discussion on Housing Production Strategy Action Items 1.1 – 1.4.
- March 8, 2022..... Discussion on Housing Production Strategy Action Items 1.5 – 1.7.
- March 22, 2022..... Discussion on Housing Production Strategy Action Items 1.5 – 1.7.
- April 26, 2022..... Complete discussion on Housing Production Strategy Action Items and begin other Code amendment discussions.
- May 24, 2022..... Discuss off-street parking, utility connections, definitions of cottage homes and townhouses, other.
- July 12, 2022..... Discussion on short-term lodging codes (BnB) and establishing a moratorium on new BnBs.
- August 8, 2022..... Joint Work Session, before the Planning Commission & City Council to discuss short-term lodging codes (BnB) and establishing a moratorium on new BnBs.
- September 13, 2022..... Discussion on developing short-term lodging codes (BnB).
- October 4, 2022..... Discussion on developing short-term lodging codes (BnB).
- November 5, 2022..... Discussion on developing short-term lodging codes (BnB).
- December 13, 2022..... Discussion on developing short-term lodging codes (BnB).
- January 10, 2023..... Joint Work Session, before the Planning Commission & Community Landscape and Forestry Commission to discuss street trees and landscaping standards.
- January 30, 2023..... Joint Work Session, before the Planning Commission & City Council to discuss short-term lodging codes (BnB) and extending the moratorium on BnBs.
- February 23, 2023..... Discussion on private street standards, mobile food vendors, EOU campus parking standards, and Business Park zoning and permitted uses.
- March 7, 2023..... Discussion on small scale manufacturing in commercial zones.
- May 22, 2023..... Joint Work Session, before the Planning Commission & City Council to discuss summary of all proposed code amendments.

## II. Public Hearings

### A. Notice of Public Hearings before the Planning Commission and City Council

In advance of holding Public Hearings for the adoption of the proposed code amendments, the following public notices were provided in accordance with City and/or State laws:

1. Notice to DLCD of Post-Acknowledgement Plan Amendment (PAPA). State law requires that proposed changes to local land use codes, along with supporting documents be submitted to DLCD for review a minimum of thirty-five (35) days in advance of the first evidentiary hearing. For this application, the first evidentiary hearing was scheduled before the City of La Grande Planning Commission on June 13, 2023. Notice was provided to DLCD via PAPA Online on May 9, 2023.
2. Mailed Notice (City-wide) of Proposed Land Development Code Amendments. In accordance with Land Development Code Article 9.6, Section 9.6.001(A), notices of Public Hearings on legislative matters shall be provided a minimum of twenty (20) days, but not more than forty (40) days before the first evidentiary hearing. With the first hearing before the Planning Commission scheduled for June 13, 2023, notice must be mailed by May 24, 2023 (20-days) but not earlier than May 4, 2023 (40 days). In this case, notice was mailed on May 18, 2023, which is 26-days in advance of the first Public Hearing. The city-wide public notice identified both the Planning Commission Public Hearing scheduled for June 13, 2023, and the City Council Public Hearing schedule for July 5, 2023.
3. Advertising – Works Session Meeting Notices: In addition to mailed notice, notice of all Planning Commission and City Council meetings are provided to *The Observer* (local newspaper), and *Elkhorn Media* and *Brent Clapp/La Grande Alive*. All meeting materials were made available for download from the City's website. Planning Commission meeting materials were made available at <https://cityoflagrande.org/planningcommission>. City Council meeting materials were made available at <https://www.cityoflagrande.org/city-council-mayor>.
4. Zoom Meetings and Facebook Live: All Planning Commission and City Council meetings include an opportunity for the public to participate electronically via Zoom Meetings or by teleconference, upon request. All meetings are also broadcast and viewable on Facebook Live at <https://www.facebook.com/LaGrandeCityManager>.

### B. Schedule of Public Hearings and Final Adoption

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.
August 3, 2023.....	DLCD Notice of City Adoption - Post Acknowledgement Plan Amendment (PAPA).
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.
- December, 2023.....DLCD Notice of County Adoption - Post Acknowledgement Plan Amendment (PAPA).

CITY of LA GRANDE

COUNCIL ACTION FORM

Council Meeting Date: July 12, 2023

PRESENTER: Michael Boquist, Community Development Director

COUNCIL ACTION: **CONSIDER AUTHORIZING APPLICATION FOR A TECHNICAL ASSISTANCE GRANT FROM THE OREGON DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT (DLCD)**

1. MAYOR: Request Staff Report.
2. MAYOR: Invite Public Comments.
3. MAYOR: Invite Council Discussion.
4. MAYOR: Entertain Motion.

**Suggested Motion:** I move that the Community Development Department be authorized to apply for a technical assistance grant from the Oregon Department of Land Conservation and Development, and, further, that City Manager Strope be authorized to sign grant documents if awarded.

5. MAYOR: Invite Additional Council Discussion.
6. MAYOR: Ask for the Vote.

\*\*\*\*\*

**EXPLANATION:** For the past several years, addressing the community’s housing needs has been a priority of the City of La Grande Planning Commission and City Council, as well as by the Oregon Legislature through the passage of House Bills (e.g. HB 2001 and HB 2003) that focus on creating and encouraging additional housing opportunities for households that are considered low-income, as well as allocating State funding to help cities meet the adopted House Bill requirements.

As a result of the State’s housing focus, the City has been successful at receiving technical assistance funding from the Oregon Department of Land Conservation and Development (DLCD) to hire consultants to conduct a Housing Needs Analysis (HNA) that evaluates and determines the City’s housing needs over the next 20-years, followed by developing a Housing Production Strategy (HPS) to recommend options for addressing the City’s housing needs.

- Within the City of La Grande, over half of the households are considered low-income, making 80% or less of the median family income for Union County. And, approximately 1 in 4 households are considered severely rent burdened, meaning that 50% or more of their household income goes towards monthly housing costs.
- In December 2020, the City adopted the Housing Needs Analysis (Ordinance 3250, Series 2020), that identified a community housing need for 795 new dwelling units over the next 20-years. This need consists of 42% single-family homes (336 units), 25% multifamily dwelling (200 units), 14% townhomes/plexes (115 units), 13% manufactured dwellings (100 units), and 6% group housing (44 units).
- In July 2021, the City adopted a Housing Production Strategy (Resolution 4810, Series 2021), which recommends amendments to the City’s Land Development Code to provide additional housing opportunities, recommends incentive options to consider to encourage development, and recommends partnership opportunities.

While preparing a HNA and HPS continues to be a requirement per Oregon House Bill 2003, and priority for allocating funding from State, the City of La Grande has completed these 2 requirements and an additional funding opportunity has just become available for hiring a consultant to conduct a land use code analysis to identify areas where City code may be inconsistent with State housing laws that have been passed over the past several years, and recommend code amendments for addressing these inconsistencies.

In a recent conversation with DLCD, the City of La Grande has been recognized for its commitment and successfully completing and adopting a HNA and HPS, ahead of many other cities in Oregon. Also, DLCD expressed their support for the proposed Land Development Code amendments and is encouraged by the City's efforts to address its housing need by providing additional housing opportunities within the community through the proposed Code amendments.

As a follow up to the City's HNA, HPS and current Land Development Code amendments, DLCD has asked the City of La Grande to consider applying for the current round of technical assistance funding to conduct a land use code analysis and draft proposed land development code amendments for subsequent adoption, if needed. While this grant is intended to focus on housing elements, DLCD advised that the consultant analysis may be expanded to address other code elements (e.g. such as the City's sign code which has been of interest to the City and placed on hold for the past 3+ years due to limited resources and other priorities). Also, this technical assistance grant does not require a funding match, and therefore would not have any City budgetary impacts.

Staff feels that this land use code analysis would be beneficial to the City and is timely with the planned adoption of our 2023 Land Development Code amendments. It is likely that this analysis will find some inconsistencies between City Code and State laws and this grant provides a great opportunity for the City to identify and address such inconsistencies, as well as move forward with the City's sign code amendment project.

As part of applying for this technical assistance grant, DLCD ask that the City provide a letter expressing the City Council support. As a result, Staff is requesting the City Council's consideration in supporting and authorizing Staff to apply for this grant, and authorizing the Mayor to sign the attached letter on behalf of the City Council expressing support.

The City Manager recommends approval of this agenda item as presented by Staff.

\*\*\*\*\*

**Reviewed By:** (Initial)

City Manager \_\_\_\_\_  
 City Recorder \_\_\_\_\_  
 Aquatics Division \_\_\_\_\_  
 Building Department \_\_\_\_\_  
 ED Department \_\_\_\_\_  
 Finance \_\_\_\_\_  
 Fire Department \_\_\_\_\_

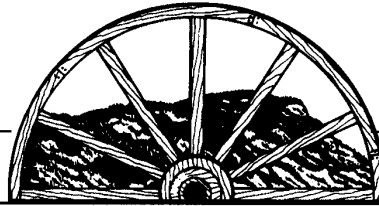
Human Resources Dept \_\_\_\_\_  
 Library \_\_\_\_\_  
 Parks Department \_\_\_\_\_  
 Planning Department \_\_\_\_\_  
 Police Department \_\_\_\_\_  
 Public Works Department \_\_\_\_\_

**COUNCIL ACTION** (Office Use Only)

Motion Passed  
 Motion Failed: \_\_\_\_\_  
 Action Tabled: \_\_\_\_\_  
 Vote: \_\_\_\_\_  
 Resolution Passed # \_\_\_\_\_  
 Effective Date: \_\_\_\_\_  
 Ordinance Adopted # \_\_\_\_\_  
 First Reading: \_\_\_\_\_  
 Second Reading: \_\_\_\_\_  
 Effective Date: \_\_\_\_\_

---

CITY OF



LA GRANDE

---

THE HUB OF NORTHEASTERN OREGON

---

OFFICE of the MAYOR and CITY COUNCIL

P.O. BOX 670

LA GRANDE, OREGON 97850

PHONE: (541)962-1309

July 12, 2023

Dawn Hert  
Eastern Oregon Regional Representative  
Oregon Department of Land Conservation and Development  
635 Capitol Street NE, Suite 150  
Salem, OR 97301-2540

RE: City of La Grande City Council Letter of Support for Housing Planning Assistance Grant & Consultant Support

Dear Ms. Hert:

I would like to thank you for the opportunity for the City of La Grande to submit a Planning Assistance grant application to DLCD to hire a consultant to conduct a land use code analysis and recommending development code amendments to comply with housing-related statutes and facilitate housing production, affordability and choice. The La Grande City Council fully supports this application.

We appreciate that a local match is not required as part of this grant application, but please know that we are committed to allocating staff time and materials as an in-kind match, as well as City budgeted funding for the subsequent adoption of proposed land use code amendments which includes notice, advertising and other public hearing costs.

The La Grande City Council is excited about this funding opportunity and asks for favorable consideration of our application. We look forward to hearing from DLCD regarding your grant award.

Sincerely,

Justin B. Rock  
Mayor



CITY of LA GRANDE

COUNCIL ACTION FORM

Council Meeting Date: July 12, 2023

PRESENTER: Michael Boquist, Community Development Director

COUNCIL ACTION: CONSIDER RESOLUTION ESTABLISHING A LIEN ON REAL PROPERTY

- 1. MAYOR: Request Staff Report.
- 2. MAYOR: Invite Public Comments.
- 3. MAYOR Invite Council Discussion.
- 4. MAYOR: Entertain Motion.

**Suggested Motion:** I move that the proposed Resolution establishing a lien for failure to pay the cost of abating a nuisance and land use violation on property located at 1325 T Avenue be read by Title Only, Put to a Vote and Passed.

- 5. MAYOR: Invite Additional Council Discussion.
- 6. MAYOR: Ask the City Recorder to Read the proposed Resolution by Title Only.
- 7. MAYOR: Ask for the Vote.

\*\*\*\*\*

**EXPLANATION:** Beginning in March 2022, the City of La Grande Police Department began receiving complaints regarding 1325 T Avenue, reporting excessive outdoor storage of garbage and people living in recreational vehicles. The City’s Code Enforcement Officer initiated Code enforcement action, notifying the property owner (and heirs) via certified letter and visiting the property on multiple occasions to speak with the owner’s sons about the violations and required actions to resolve the matter. Code enforcement action was continuous and ongoing though August 2022, during which time three (3) citations were issued and filed with Municipal Court.

By late August, the volume of outdoor storage had significantly grown, generating odors and other nuisances that were adversely affecting many residences in the neighborhood. Due to the lack of cooperation and resolution by the property owner (or heirs), the Police Department and Planning Division moved forward with the first (1<sup>st</sup>) City initiated nuisance abatement. This process is outlined in the City’s Enforcement Ordinance 3203, Series 2012, which includes notification to the property owner, posting the property with an abatement notice, the City hiring contractors to clean up the property, then billing the property owner for all costs incurred, then ultimately placing a lien on the property for any unpaid costs.

The first abatement was scheduled and occurred on September 27, 2022, resulting in a total cost of \$9,228.10, which the City Council placed as a lien against the property through Resolution 4832, Series 2023, on March 1, 2023.

In January 2023, the property had returned to a state of violation with excessive outdoor storage of garbage and people living in recreational vehicles. The City’s Code Enforcement Officer initiated Code enforcement action, notifying the property owner (and heirs) via certified letter. Due to the lack of cooperation and resolution by the property owner (or heirs), the Police Department and Planning Division moved forward with the second (2<sup>nd</sup>) City initiated nuisance abatement on January 31, 2023, in accordance with the City’s Enforcement Ordinance 3203, Series 2012, which ultimately may result in the City placing a lien on the property for any unpaid costs.

This second (2<sup>nd</sup>) abatement amounted to \$3,687.99 in costs. The property owner (Estate of Kelly Elliott) was provided an invoice for these abatement costs, on April 13, 2023, and asked to submit payment by May 14, 2023. *(Note – The property owner is deceased and the property is in probate).* On April 25, 2023, the City Attorney notified the probate attorney for the Estate of Kelly Elliott, submitting a claim against the estate for the abatement costs.

Staff is requesting that the City Council pass the proposed Resolution assessing the abatement costs of \$3,687.99 to the property as a lien. The cost for recording the lien with the Union County Clerk will be added to the total cost of the lien, as will the cost of releasing the lien. The lien shall bear interest at the current statutory interest rate of eight percent (8%) until paid in full.

The City Manager recommends that the Council pass the proposed Resolution as presented by Staff.



\*\*\*\*\*

**Reviewed By:** (Initial)

City Manager \_\_\_\_\_  
 City Recorder \_\_\_\_\_  
 Aquatics Division \_\_\_\_\_  
 Building Department \_\_\_\_\_  
 ED Department \_\_\_\_\_  
 Finance \_\_\_\_\_  
 Fire Department \_\_\_\_\_

Human Resources Dept \_\_\_\_\_  
 Library \_\_\_\_\_  
 Parks Department \_\_\_\_\_  
 Planning Department \_\_\_\_\_  
 Police Department \_\_\_\_\_  
 Public Works Department \_\_\_\_\_

**COUNCIL ACTION** (Office Use Only)

- Motion Passed
- Motion Failed; \_\_\_\_\_
- Action Tabled; \_\_\_\_\_  
 Vote: \_\_\_\_\_
- Resolution Passed  
 Effective Date: \_\_\_\_\_
- Ordinance Adopted  
 First Reading: \_\_\_\_\_  
 Second Reading: \_\_\_\_\_  
 Effective Date: \_\_\_\_\_

**CITY of LA GRANDE  
RESOLUTION NUMBER \_\_\_\_\_  
SERIES 2023**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY,  
OREGON, ESTABLISHING A LIEN ON REAL PROPERTY FOR FAILURE TO ABATE OUTDOOR  
STORAGE NUISANCES AND LAND USE VIOLATIONS**

**WHEREAS, in early January 2023, it was determined that a nuisance and land use violation existed on real property where the Union County Assessor's record identifies Kelly Elliott (Estate) as the property owner of record, said real property being situated in La Grande, Union County, State of Oregon, described as follows:**

**Township 3 South, Range 38 East W.M., Section 05CA, Tax Lot 7700, La Grande, Union County, Oregon**

**Union County Property Reference Number: 887**

**Physical Address: 1325 T Avenue, La Grande, Union County, Oregon**

**WHEREAS, said property owner failed to abate the nuisance and land use violation upon proper notification; and,**

**WHEREAS, the nuisance and land use violation on the property above described was abated by the City of La Grande on January 31, 2023, in accordance with the provisions of Enforcement Ordinance Number 3203, Series 2012; Public Nuisance Ordinance Number 3241, Series 2018, and Land Development Code Ordinance 3252, Series 2021.**

**NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of La Grande, Union County, Oregon, that the cost of abating the nuisance above described was \$3,687.99, plus recording costs in the Union County Clerk's Office of \$152. The Finance Director is now directed to enter in the Docket of City Liens and Union County Clerk Records, a statement that the sum of \$3,839.99, has been assessed against the property above described and owned by the Estate of Kelly Elliott, last known mailing address of 1325 T Avenue, La Grande, Oregon, 97850. Such assessment shall become due and payable immediately after entry of the same in the Docket of City Liens and Union County Clerk Records and delinquent thirty (30) days thereafter. Such assessment shall accrue interest at eight percent (8%) annually from the date this lien is entered into the Lien Docket until paid. A fee of \$76 will also be assessed to record the lien, as well as a fee of \$76 to release the lien with the Union County Clerk.**

**BE IT FURTHER RESOLVED by the City Council of the City of La Grande, Union County, Oregon, that when the Finance Director of the City of La Grande shall have completed entry of the assessment in the Docket of City Liens and Union County Clerk Records, in accordance with the provisions of this Resolution, they shall, by registered or certified mail, postage prepaid, forward to the Estate of Kelly Elliott, at the last known address, a copy of this Resolution, together with a notice stating when such assessment shall become delinquent.**

\_\_\_\_\_ (\_\_\_\_) of \_\_\_\_\_ (\_\_\_\_) Councilors present and voting in the affirmative. **PASSED and EFFECTIVE ON this Twelfth (12<sup>th</sup>) day of July, 2023, by**

\_\_\_\_\_  
**Justin B. Rock, Mayor**

\_\_\_\_\_  
**David Glabe, Mayor Pro Tem**

\_\_\_\_\_  
**Corrine Dutto, Councilor**

\_\_\_\_\_  
**Nicole Howard, Councilor**

\_\_\_\_\_  
**Molly King, Councilor**

\_\_\_\_\_  
**Mary Ann Miesner, Councilor**

\_\_\_\_\_  
**Denise Wheeler, Councilor**

**ATTEST:**

\_\_\_\_\_  
**Stacey M. Stockhoff**  
**City Recorder**

CITY of LA GRANDE  
COUNCIL ACTION FORM

Council Meeting Date: July 12, 2023

PRESENTER: Michael Boquist, Community Development Director

COUNCIL ACTION: CONSIDER RESOLUTION ANNEXING PROPERTY AT 2406 WATSON ROAD,  
FILE NUMBER 04-ANP-23

1. MAYOR: Request Staff Report.
2. MAYOR: Invite Public Comments.
3. MAYOR: Invite Council Discussion.
4. MAYOR: Entertain Motion:

**Suggested Motion:** I move that the proposed Resolution annexing properties located at 2406 Watson Road, be Read by Title Only, Put to a Vote, and Passed.

5. MAYOR: Invite Additional Council Discussion.
6. MAYOR: Ask the City Recorder to Read the Proposed Resolution by Title Only.
7. MAYOR: Ask for the Vote.

\*\*\*\*\*

**EXPLANATION:** The subject property, 2406 Watson Road, is located within the City of La Grande Urban Growth Boundary and the property owner has requested annexation into the City of La Grande, City Limits, in exchange for receiving City water and sewer services. City Ordinances require annexation prior to receiving the requested City services.

In accordance with Oregon Revised Statutes 222.125, this request may be approved by Resolution when the request includes 100% property owner consent(s) and consent from the majority of the electors. If these requirements are met, the legislative body (City Council) may "proclaim the annexation" by Resolution. In this case, the property owner has signed a Consent to Annex Agreement, which represents 100% of the property ownership. The property has a single-family dwelling which is occupied by the owner and is the only elector residing on that property. The applicable requirements are met to annex the properties by Resolution.

The City Manager recommends the City Council pass the Resolution as presented by Staff.

\*\*\*\*\*

**Reviewed By:** (Initial)

City Manager \_\_\_\_\_  
 City Recorder \_\_\_\_\_  
 Aquatics Division \_\_\_\_\_  
 Building Department \_\_\_\_\_  
 ED Department \_\_\_\_\_  
 Finance \_\_\_\_\_  
 Fire Department \_\_\_\_\_

Human Resources Dept \_\_\_\_\_  
 Library \_\_\_\_\_  
 Parks Department \_\_\_\_\_  
 Planning Department \_\_\_\_\_  
 Police Department \_\_\_\_\_  
 Public Works Department \_\_\_\_\_

**COUNCIL ACTION** (Office Use Only)

- Motion Passed  
 Motion Failed; \_\_\_\_\_  
 Action Tabled: \_\_\_\_\_  
 Vote: \_\_\_\_\_
- Resolution Passed # \_\_\_\_\_  
 Effective Date: \_\_\_\_\_
- Ordinance Adopted # \_\_\_\_\_  
 First Reading: \_\_\_\_\_  
 Second Reading: \_\_\_\_\_  
 Effective Date: \_\_\_\_\_

CITY OF LA GRANDE  
RESOLUTION NUMBER \_\_\_\_\_  
SERIES 2023

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, DECLARING CERTAIN TERRITORY ANNEXED TO THE CITY OF LA GRANDE, UNION COUNTY, OREGON; SPECIFICALLY, PROPERTY AT 2406 WATSON ROAD, T3S, R38E, SECTION 04BC, TAX LOT 1400; AND, ALL OF THE ADJACENT WATSON ROAD RIGHT-OF-WAY; AND, REMOVING SAID PROPERTY FROM THE LA GRANDE RURAL FIRE PROTECTION DISTRICT**

WHEREAS, pursuant to ORS 222.125, the City Council of the City of La Grande, Oregon, need not call nor hold an election nor hold the Public Hearing otherwise required under ORS 222.120, when all of the owners of land in the territory to be annexed and not less than fifty percent (50%) of the electors, if any, residing in the territory to be annexed, consent in writing to the annexation and file a statement of this consent with the legislative body; and,

WHEREAS, pursuant to ORS 222.125, the owners of all (100%) of the land in the territory to be annexed have consented in writing to the annexation and filed a statement of their consent with the City Council of the City of La Grande, Oregon; and,

WHEREAS, pursuant to ORS 222.125, 2406 Watson Road is developed with a single-family dwelling. There is only one elector residing in the territory which is the owner who has consented in writing to the annexation; and,

WHEREAS, said annexed area complies with ORS 222.111, in that it is contiguous to the existing City limits; and,

WHEREAS, pursuant to the Joint Management Agreement between the City of La Grande and Union County, Series 1983, Section 6(B), upon annexation the City shall request jurisdiction and maintenance responsibility of adjacent public streets or roads (Watson Road) under County maintenance at the time of annexation.

WHEREAS, the subject annexation complies with the Land Use Planning and Urbanization provisions of the acknowledged Comprehensive Plan of the City of La Grande, pursuant to Oregon Administrative Rule 660-014-0060; and,

WHEREAS, pursuant to ORS 222.125, the City Council of the City of La Grande, Union County, Oregon, may, by Resolution, establish the final boundaries of the area to be annexed;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of La Grande, Union County, Oregon, that:

**Section 1.** All of that portion of the territory(ies) described below and as depicted in Exhibit 'A', a copy of which is attached hereto, and by this reference incorporated herein as if fully set forth, that is located outside of the Corporate Limits of the City of La Grande shall and hereby is declared to be annexed to the City of La Grande:

**Subject Property:** A parcel of land located in the Southwest quarter of the Northwest quarter of Section 4, in Township 3 South, Range 38 East of the Willamette Meridian, in Union County, Oregon, more particularly described as follows:

Beginning at a point which is 822.5 feet North and 635.25 feet East of the southwest corner of the Northwest quarter of Section 4, in Township 3 South, Range 38 East of the Willamette Meridian, in Union County, Oregon; thence, South 0°14'39" West along the West right-of-way line of Watson Road, a distance of 113 feet; thence, North 89°45'21" West, a distance of 200 feet; thence, North 0°14'39" East, a distance of 113 feet; thence, South 89°45'21" East, a distance of 200 feet along the Powell

and Arbogast property as described in Union County survey number 005-2016, to the point of beginning.

PHYSICAL ADDRESS: 2406 Watson Road, T3S, R38E, Section 04BC, Tax Lot 1400, Union County Assessor Reference No. 5730.

Adjacent Public Right-of-Way: The entirety of Watson Road Right-of-Way lying adjacent to the Subject Property as described herein, and as depicted in Exhibit 'A', a copy of which is attached hereto, and by this reference incorporated herein as if fully set forth; all of which is located within the City of La Grande Urban Growth Boundary and measuring approximately 113' +/- in length.

Section 2. The territory(ies) described herein are declared to be and hereby are withdrawn from the La Grande Rural Fire Protection District.

Section 3. The City Manager or other designee of the City of La Grande, Oregon, shall be and hereby is directed to make and submit to the Secretary of State of the State of Oregon:

- a. A copy of this Resolution; and,
- b. A copy of the Union County Assessor Plat Maps depicting the annexation area described herein; and,
- c. A copy of Statutory Warranty Deed, Document Number 965426, File with the Union County Clerk on December 10, 1996.

PASSED and EFFECTIVE ON this Twelfth (12<sup>th</sup>) day of July, 2023, by \_\_\_\_\_ ( ) of \_\_\_\_\_ ( ) Councilors present and voting in the affirmative.

\_\_\_\_\_  
Justin B. Rock, Mayor

\_\_\_\_\_  
David Glabe, Mayor Pro Tem

\_\_\_\_\_  
Corrine Dutto, Councilor

\_\_\_\_\_  
Nicole Howard, Councilor

\_\_\_\_\_  
Molly King, Councilor

ATTEST:

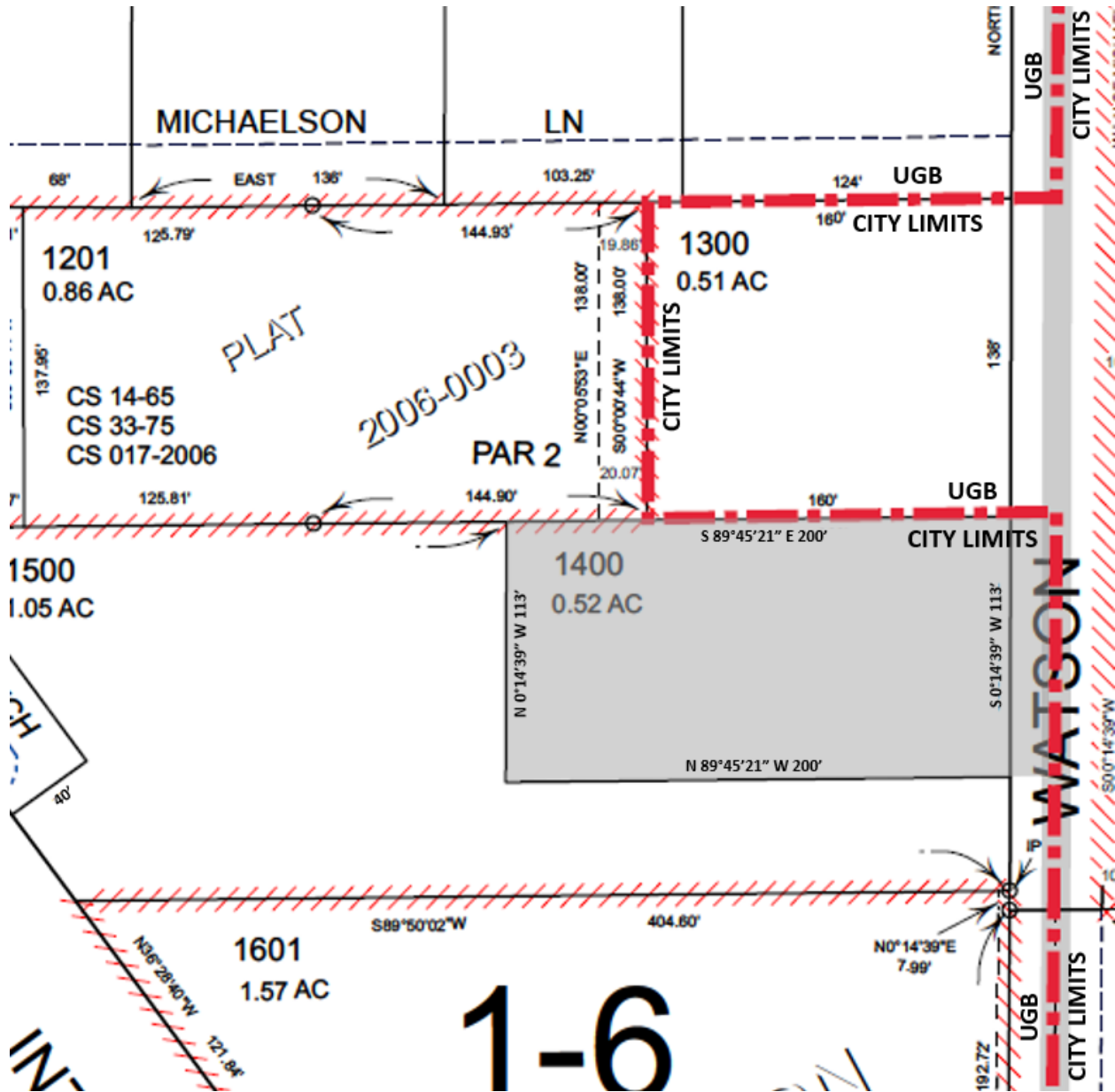
\_\_\_\_\_  
Mary Ann Miesner, Councilor

\_\_\_\_\_  
Stacey M. Stockhoff  
City Recorder

\_\_\_\_\_  
Denise Wheeler, Councilor

**EXHIBIT 'A'**

*Territory Includes: 2406 Watson Road, T3S, R38E, Section 04BC, Tax Lot 1400, Union County Assessor Reference No. 5730, and the adjacent Watson Road Public Right-of-Way.*





CITY of LA GRANDE  
COUNCIL ACTION FORM

Council Meeting Date: July 12, 2023

PRESENTER: Robert A. Strope, City Manager

COUNCIL ACTION: **CONSIDER AUTHORIZE CITY MANAGER TO NEGOTIATE FOR I.T. SERVICES**

1. MAYOR: Request Staff Report.
2. MAYOR: Invite Public Comments.
3. MAYOR: Invite Council Discussion.
4. MAYOR: Entertain Motion.

Suggested Motion: I move to authorize the City Manager to negotiate and sign an agreement for city-wide I.T. services with Chaves Consulting as presented.

5. MAYOR: Invite Additional Council Discussion.
6. MAYOR: Ask for the Vote.

\*\*\*\*\*

**EXPLANATION:** Earlier this year, the City was notified by InterMountain Education Service District (IMESD) that they would no longer be providing IT support for cities, including La Grande, effective July 1, 2023. In response, we formed a Committee to explore options, including contracting with another provider, hiring an in-house staff person, or a hybrid option. The adopted budget includes funds for contract services and for in-house staff. After advertising for and interviewing candidates for an in-house position, and comparing the responses for contract services, it became clear that the best option is to contract for the services with Chaves Consulting. Their attached proposal provides for dedicated staff as well as the other services currently provided by IMESD. The total cost is slightly higher than we had budgeted for contract services, but given we did also budget for a City employee, will can cover the added costs.

We discussed the options with IMESD and they concur with the Committee’s assessment that Chaves is the best choice. IMESD has agreement to assist with urgent IT needs during the transition and Chaves indicated they would also provide support for urgent issues at no cost during July in advance of the contract taking effect. Following Council approval, we will develop and sign an agreement.

The City Manager recommends approval as presented.

\*\*\*\*\*

**Reviewed By:** (Initial)

City Manager \_\_\_\_\_  
 City Recorder \_\_\_\_\_  
 Aquatics Division \_\_\_\_\_  
 Building Department \_\_\_\_\_  
 ED Department \_\_\_\_\_  
 Finance \_\_\_\_\_  
 Fire Department \_\_\_\_\_

Human Resources Dept \_\_\_\_\_  
 Library \_\_\_\_\_  
 Parks Department \_\_\_\_\_  
 Planning Department \_\_\_\_\_  
 Police Department \_\_\_\_\_  
 Public Works Department \_\_\_\_\_

**COUNCIL ACTION** (Office Use Only)

- Motion Passed  
 Motion Failed; \_\_\_\_\_  
 Action Tabled: \_\_\_\_\_  
 Vote: \_\_\_\_\_
- Resolution Passed  
 Effective Date: \_\_\_\_\_
- Ordinance Adopted  
 First Reading: \_\_\_\_\_  
 Second Reading: \_\_\_\_\_  
 Effective Date: \_\_\_\_\_

**Proposal Submitted in Response to:**  
Request for IT Support Services  
June 2023

**Prepared for:**



*Kyle Carpenter, PE*  
**Public Works Director**  
**City of La Grande**  
**Public Works**  
Ph: (541) 962-1325  
Fax: (541) 963-4844

**Presented by:**



Richard T. Chaves, President & Founder  
1650 Dewey Ave  
PO Box 886  
Baker City, OR 97814  
richard@chavesconsulting.com  
Telephone: 541.523.1029

---

## Summary Background and History of Chaves Consulting, Inc / Arikkan, Inc.

The company overview for Joint Venture Partners Chaves Consulting, Inc. (CCI) and Arikkan, Inc. (Arikkan) is the story of two extraordinary companies joined together through a common vision of delivering impeccable customer service, taking care of their employees and the community. CCI has been providing services to local government agencies in Oregon since 1984 and, over the past 17 years of working together on multiple statewide IT projects, CCI and Arikkan have created a flawless working relationship.

The leadership and staff of CCI/Arikkan create and maintain public-private *partnerships* with their government clients to provide innovative, cost-effective services that meet agency specifications and budgets. Through the years, we have successfully delivered products, projects, and services to various state, county, and local government agencies in 14 states.

**CCI Company History:** CCI is a software development and enterprise technology solutions and support provider to state and local government agencies for over 39 years. CCI has the reputation for delivering services that go “Beyond the Call”. Our approach to services has been to partner with state and local government agency clients to thoroughly understand their needs, then design and develop services solutions to meet them.

**CCI Leadership:** CCI President Richard Chaves founded his own company in 1984. He has a proven track record of effective business management practices and the proven ability to sustain long-term government contracts. CEO Kathleen Chaves joined the firm in 1993. Before joining CCI, Kathleen spent ten years with IBM which included leading teams to build public and private agency relationships that exceeded customer expectations. From 1990 – 1993, as a Business Process Improvement Consultant, she and her team designed and implemented processes to improve customer service within IBM and for their U.S. clients.

**Arikkan Company History:** Arikkan was founded by CEO and President Venkat Subramanian in 2010 and is a leading technology integrator known for delivering on-time, complex, innovative enterprise solutions and services for state and local government throughout the United States. Founded and led by successful former Saber/HP Statewide Elections Project and Product Designers and Implementers, Arikkan teams provide the highest quality Tier 2 and Tier 3 Infrastructure Support Services.

Arikkan’s Leadership:

- Venkat Subramanian, Founder, CEO and President
- Sri Ramachandran, Arikkan’s Chief Technical Officer (CTO)
- Kei Nishida, Director of Product Development and Services

### Summary of IT Services Proposed

CCI proposes providing end-user support, system administration, network administration, and cyber security advising. Additionally CCI Arikkan will work with the City of LaGrande on budget, project planning, lifecycle forecasting, equipment procurement, etc. The CCI / Arikkan team provides Tier 1, 2, and 3 service support levels.

Personnel allocated to this project include:

- One (1) CCI Tier 1 FTE located on site at the City of LaGrande
- 40% of One (1) CCI Tier 2 FTE remote and on site
- 25% of a CCI Tier 2/3 FTE remote and on site
- 25% of CCI's Justin Crego as Project Manager
- Infrastructure Support Services from Arikkan, Inc., as needed

In addition, over the course of the first year of services, CCI will cross train other CCI IT Support technicians to help insure ongoing quality services at levels needed by the City of LaGrande.

All personnel will be CJIS certified in order to provide onsite services for the City Police Department.

CCI agrees to provide support for urgent services during the month of July, 2023 at no charge for the City of LaGrande.

### Proposed Budget

CCi proposes an initial five year contract with ongoing one year renewals after that. Following is the budget for the first five years regarding the above mentioned services:

Given the month of July, 2023, services will be provided at no charge for the City of LaGrande and, in order to align with fiscal years of the City of LaGrande, the proposed budget for year one is for eleven months and includes minimal startup costs plus travel. The proposed budget amounts for year two forward are for the full twelve months.

Year One:	August 1, 2023 – June 30, 2024	\$208,850
Year Two:	July 1, 2024 – June 30, 2025	\$217,455

Years Three through Five will be the year two amount plus 2.5% per year.

NOTE: After year one of services, if the City of LaGrande and CCI determine that an additional Tier 1 FTE is needed on site, the cost for that would be added to the figures above.