

**CITY of LA GRANDE**  
**City Council Regular Session**  
**Wednesday, October 4, 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 October 4, 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
  - The City of La Grande City Council will meet in Executive Session pursuant to ORS 192.660(2)(i) to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

**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; September 6, 2023
- b. **Consider:** Awarding Contract for Police Department Facility Needs Assessment [Bell]
- c. **Consider:** Approving Application for Taxicab Business License; Riverside Taxi [Bell]
- d. **Consider:** Ratifying 2022-2023 City Manager Evaluation [Rock]

**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; Second Reading: Rezone Medium Density Residential to General Commercial [Boquist]
- b. **Consider:** Ordinance; Second Reading: Rezone Light Industrial to Commercial [Boquist]

**6. UNFINISHED BUSINESS**

**7. NEW BUSINESS**

- a. **Consider:** Resolution; Annexation Property; 1605 Gildcrest Drive, File Number 05-ANP-23 [Boquist]
- b. **Consider:** Ratifying Application: Technical Assistance Grant from Oregon Department of Land Conservation and Development (DLCD) [Boquist]
- c. **Consider:** Final Plat for MBM Estates Subdivision, Phase 1 [Boquist]
- d. **Consider:** Approving Purchase of Two New Chassis and One Wildland Engine Build and Upgrade 2003 Wildland Engine [Cornford]

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

**9. STAFF COMMENTS**

**10. CITY MANAGER COMMENTS**

**11. CITY COUNCIL COMMENTS**

**12. RECESS to URBAN RENEWAL AGENCY**

**13. RECONVENE REGULAR SESSION**

**14. ADJOURN to EXECUTIVE SESSION**

- a. The City Council will not reconvene

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Stacey M. Stockhoff  
City Recorder

*The City Council is currently scheduled to meet again in a Regular Session on Wednesday, November 1, 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: **October 4, 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

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**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; *September 6, 2023*
- b. **Consider:** Awarding Contract for Police Department Facility Needs Assessment
- c. **Consider:** Approving Application for Taxicab Business License; Riverside Taxi
- d. **Consider:** Ratifying 2022-2023 City Manager Evaluation

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**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**  
**September 6, 2023**

Council Chambers  
La Grande City Hall  
1000 Adams Avenue

***MINUTES***

**COUNCILORS PRESENT:**

Justin Rock, Mayor  
David Glabe, *Mayor Pro Tem*  
Corrine Dutto, *Councilor*  
Nicole Howard, *Councilor*  
Molly King, *Councilor (arrived at 6:03 p.m.)*  
Mary Ann Miesner, *Councilor*  
Denise Wheeler, *Councilor*

**COUNCILORS ABSENT EXCUSED:**

**STAFF PRESENT**

Robert Strobe, *City Manager*  
Stacey Stockhoff, *City Recorder*  
Gary Bell, *Police Chief*  
Michael Boquist, *Community Development Director*  
Carrie Bushman, *Library Director*  
Kyle Carpenter, *Public Works Director*  
Stu Spence, *Parks & Recreation Director*

**CALL TO ORDER/PLEDGE OF ALLEGIANCE/  
ROLL CALL/AGENDA APPROVAL**

Mayor ROCK called to order this Regular Session of the Council at 6:00 p.m. Roll Call was taken and a quorum was determined to be present.

STOCKHOFF stated that Union County Commissioner SCARFO was absent from tonight's meeting and that section of the agenda could be removed.

**CONSENT AGENDA**

- a. **Consider:** Approving Regular Session Minutes; *August 2, 2023*
- b. **Consider:** Awarding Bid 2023-2024 Sanitary Sewer Rehabilitation

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

**MOTION**

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

**VOTE**

**MSC:** 6-0 (Yes: ROCK, GLABE, DUTTO, HOWARD, MIESNER, and WHEELER; No: None)

**PUBLIC COMMENTS**

None.

**PUBLIC HEARINGS**

- a. **Consider:** Ordinance, First Reading;  
Rezoning Medium Density Residential  
to General Commercial

(Note: Councilor KING joined the meeting at 6:03 p.m.)

Mayor ROCK announced that the Public Hearing was open at 6:03 p.m. and asked City Recorder STOCKHOFF to read the Rules of Order in their entirety and that the Rules of Order would be applied to both Public Hearings.

**DECLARATIONS/CONFLICTS**

GLABE stated that he briefly spoke with Dan Beckner regarding the general use for the building, to which BOQUIST reminded GLABE that this hearing was for a different applicant and he would have to restate his comment at the beginning of the next hearing.

**CHALLENGES**

None.

**STAFF REPORT**

Mayor ROCK requested the Staff Report.

Michael BOQUIST, *Community Development Director*

BOQUIST stated this request was to rezone this subject property from medium density residential to general commercial. There was no pending development proposed at this time, although the application submittal included a conceptual development for an RV park. While this is a focus in the application, this request was limited to just rezoning the property to general commercial. A decision on this application would not result in any approvals or permissions to develop an RV park.

BOQUIST noted the Planning Commission held a Public Hearing on August 8, 2023, to consider this request and to formulate a recommendation to the City Council. Based on agency comments from Oregon Department of Transportation (ODOT), Island City, and discussions among the Commission and Staff, the Commission determined that review criteria for the rezoning were satisfied. The Commission voted to recommend that the request be forwarded to the City Council for approval, subject to two (2) conditions of approval to address comments received by ODOT and Island City.

GLABE asked if this property was rezoned and the owner wanted to move forward with an RV park, what would that process look like, to which BOQUIST stated the application would go through the Planning Commission review process. BOQUIST confirmed that community members would have

several different ways to engage by voicing their comments during the process.

Although the property being considered for rezone was located in La Grande, BOQUIST shared that the property would receive the sewer services from Island City and the water services from La Grande and an agreement would still need to be worked out. He also mentioned that this property was land locked on the La Grande side and the only access to this property was Walton Road.

WHEELER asked if the sewer system would be re-evaluated in the future, to which BOQUIST answered that he would think that effort would be coordinated through the development process.

BOQUIST recapped some of the concerns from ODOT and City of Island City that were addressed during the Public Hearing held with the Planning Commission on Tuesday, August 8, 2023. He mentioned that after discussing the traffic concern with both entities, it was decided to do a Traffic Analysis when the actual development was proposed.

DUTTO asked if the Planning Commission voted unanimously to approve the recommendation, to which BOQUIST stated there was one (1) Commissioner that either voted no or abstained.

In response to WHEELER's question regarding RV's and tiny homes, BOQUIST stated that if the property were to be developed as an RV park, it would not be considered as tiny homes because an RV park was not considered residential, but would have to wait to see what happens when the applicant decided to develop in order to be considered an option.

**PUBLIC TESTIMONY**

None.

**COUNCIL DISCUSSION**

WHEELER noted that ODOT mentioned in their comment letter (Exhibit B; a copy of which is now a permanent document in the master file for this Regular Session and by this reference incorporated herewith as if fully set forth), that the grade of the rail crossing had evidence of drag marks and wanted to know if that would be remedied somehow, to which BOQUIST answered that a solution to this issue could be part of the discussion during the traffic study.

DUTTO asked if the whole property was completely located within La Grande City limits, to which BOQUIST answered that it was not. Approximately just under 8 acres was located in La Grande and zoned residential and the remainder of this tax lot was in Island City with a business

park zoning. It was all reflected on the map that was provided in the Council packets.

Since some of the property was located in Island City, MIESNER asked if they would have to go through the same process with the section located in Island City, to which BOQUIST stated not for the rezone because it was already zoned commercial. The condition of approval was for the land use because there would be shared activity between the cities.

BOQUIST confirmed that a notice of the Public Hearing was mailed to the owners of record of property located within one hundred (100) feet of the subject property and he received zero (0) comments from any residential property owners.

In response to DUTTO's questions, BOQUIST confirmed that the only access to this property currently was Walton Road and that this property bordered the Greenway property and it would most likely complement the project, if the Greenway Project was approved to move forward with development.

GLABE expressed that if the owner's intent in the future would be to develop this property into an RV park, he hoped that the owner would consider the comments made tonight regarding short term and long-term housing needs.

Upon Mayor ROCK's request, City Recorder STOCKHOFF read the proposed Ordinance by Title Only.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, OREGON, REZONING PROPERTY FROM MEDIUM DENSITY RESIDENTIAL TO GENERAL COMMERCIAL ON THE ZONING MAP; FROM RESIDENTIAL TO COMMERCIAL ON THE COMPREHENSIVE PLAN MAP; AND DECLARING AN EFFECTIVE DATE**

Mayor ROCK announced that the Public Hearing would be continued to October 4, 2023, at which time the proposed Ordinance was scheduled to be read a Second Time by Title Only and considered for Adoption.

- b. Consider: Ordinance, First Reading;  
Rezoning Light Industrial to Commercial

Mayor ROCK announced that the Public Hearing was open at 6:27 p.m. and noted that the Rules of Order were already read in their entirety at the beginning of the previous hearing.

#### DECLARATIONS/CONFLICTS

GLABE declared that he briefly spoke with Dan Beckner regarding the general use for the building and the background on the project taking place within the building space.

**CHALLENGES**

None.

**STAFF REPORT**

Mayor ROCK requested the Staff Report.

Michael BOQUIST, *Community Development Director*

BOQUIST explained that there were several public comment letters that were received and included in the packet materials for tonight's meeting. If anyone would like to speak during public testimony who had already submitted a letter, they could choose to disregard the letter in the packet and speak freely for their three (3) minutes or they could choose to read their letter out loud as part of their public testimony, to which Mayor ROCK added that if there was anyone in the audience who wanted to speak on this matter that had new information to offer, to share that with the Council during public testimony.

BOQUIST stated this request was to rezone this subject property from light industrial to general commercial for the purposes of improving the property to support a commercial tenant, *Underground Oasis*, which provided an addiction recovery and support program. As discussed in the applicant's submittal, the proposed facility would include a commercial kitchen and offer public meeting space and educational meeting space. The subject property was located along the South side of Madison Avenue, bordering the Union Pacific Railroad. It was bordered to the North by properties zoned General Commercial, and to the West, East and South by properties zoned Light Industrial.

BOQUIST noted that the Planning Commission held a Public Hearing on August 8, 2023, to consider this request and formulate a recommendation to the City Council. Based on public testimony from thirteen (13) citizens, and discussions among the Commission and Staff, the Commission determined that review criteria for the rezone were satisfied, that there was a public need to support this rezone request and the Commission unanimously recommended that the request be forwarded to the City Council for approval.

In response to HOWARD's question, BOQUIST stated the assumption was if a business fits the rezoning category, there was a compatible use with all of the other uses that were in that zone. Compatibility issues and impacts were mitigated through the land use process to minimize them as much as possible.

Recalling past discussions held on compatibility with where certain businesses fit in locally, GLABE asked if it was correct that the City Council had local precedent for compatibility, to which BOQUIST answered that during the



discussion held on this topic, he suggested that they look at the impacts to come to their own conclusion.

DUTTO stated that the City of La Grande had a small inventory of light industrial zoned properties, to which BOQUIST noted that the only industrial zoned properties in the City were the La Grande Business and Technology Park and some heavy industrial out by the airport, which the owners of that land were not interested in developing. The only light industrial property available at this time was this redevelopable site and possibly one other vacant site.

WHEELER stated there were other buildings available that light industrial could locate to, to which BOQUIST stated that there were some however, that would depend on what their use was. She further asked about the vacant buildings on Adams Avenue and Fourth Street, to which BOQUIST answered that most of those buildings were zoned commercial and this applicant would be able to relocate in either of those areas. As part of the review to consider, the Council would need to determine if there a need for this rezone if there's opportunities for this business to relocate elsewhere.

Because Miller's Home Center used to be at this location which was a commercial business, GLABE asked what the history of this property was. He asked why that business was allowed to operate at that location as a commercial business but the Underground Oasis would not be able to, to which BOQUIST answered that he was not clear when Miller's was first located there, however looking at the size and scale of what Miller's was when they were located there, they were very industrial in their impact with a small retail element. He guessed that at the time they were permitted to locate at this property, they were probably viewed as an industrial type business. He felt the same happened with Ace Hardware.

Mayor ROCK asked for an example of what type of business would locate in a light industrial zoned property versus a commercial zoned property, to which BOQUIST explained that a light industrial type business, for example, would be a beer distributor where they would do packaging and distribution. Captain Hook, as another example, uses an area zoned light industrial to store impounded equipment. Commercial uses were typically office and retail elements which were generally located in higher traffic core areas.

GLABE asked if there was feedback from the surrounding property owners of this location, to which BOQUIST answered no. He confirmed that all property owners within one hundred (100) feet of this location were mailed a notification of the hearing.

**PUBLIC TESTIMONY**

The following community members spoke in favor of the proposed Ordinance:

Dan BECKNER stated that the community was in need of this type of rehabilitation and recovery facility which was why he aligned himself with Underground Oasis. By locating the facility at this location, he felt that it would be the best fit for the community because it was not in the downtown area.

Dale JOHNSTON, Co-Director of Underground Oasis, shared the story behind the inspiration to write a program that offered an alternative initiative for helping people who were in recovery by providing resources and support that were different from other groups, such as Alcoholics Anonymous (AA). They were currently seeing twenty (20) to thirty (30) people around four (4) nights a week, as well as offering a meal to the community on Saturday nights. Steven Colkitt, the owner of this building, reached out to Underground Oasis and offered the building to them for one (1) dollar because he believed they were making a difference in the community and wanted to help them find a place to facilitate their meetings.

Wally WALLER expressed that with the high addiction rate in Oregon and our community, with some of those addicts having a mental health disorder also, it was challenging for an addict to seek the help and guidance needed within a short time period. He believes that this group of people do amazing work for those in need. Recently he accompanied others from this group, and reached out to a house of addicts by knocking on their door and provided help to them.

Tami JOHNSTON shared that she was one of the owners of the building where Underground Oasis was located in Year 2014, when they received letters of concern from the City Council and the Granada Theatre, that stated that people were afraid to let their children out because of those people. She expressed that the location where they were housed currently was a perfect spot and felt it was compatible with their needs because it was not located in the downtown area.

Maxine HINES expressed that this location was a great fit for the Underground Oasis and the people they serve. People were sharing stories of how they were being helped with Underground Oasis and this location was giving them comfort and security.

Eric KELLER, community member, has been part of the Underground Oasis from the beginning and expressed that the program has made positive changes for so many people. This program gives people an opportunity to feel

free from the things that hold them down and he was seeing addicts benefit from the spiritual guidance provided to them.

Tami JOHNSTON shared that since the Underground Oasis has been open this past year, almost ninety (90) percent of the people that come to Underground Oasis were now gainfully employed.

Aaron STANDLEY expressed that the Underground Oasis offered life and hope to those that were seeking help and believed that this location was compatible for providing those needs to our community members.

Tom FORSYTHE stated he was a volunteer minister at the Union County Jail for the last ten (10) years and now he had a place to send people after they get out of jail. The need for this building was evident and expressed that to the City Council.

Dale CARDWELL, community member and pastor, explained that a sanitary location with pleasant visual effects that most people would say was nice would usually make a person in great need very uncomfortable. This location would offer a place of comfort because it did not have the nice visual effects and was more like a warehouse setting, which in his past experience helping others in Salem, Oregon, he felt had a bigger impact than a business using the location for a light industrial use. Location matters to those served by the Underground Oasis.

## COUNCIL DISCUSSION

KING felt there was a need for this program and was moved by Dale's explanation of the building. She felt that the location was ideal for meeting the applicant's needs.

WHEELER stated that by moving them to a different location would be anti-productive. By acquiring the building for one (1) dollar, the applicant was saving money which could be used to benefit the program in other ways. She also felt that there was a need for this program. Being a facilitator for an addiction recovery group, she had seen addicts forgetting their self-worth and she expressed support towards the volunteer group and the work they do.

MIESNER also agreed that there was a need for the program and wanted to know if the applicant had checked on the other possible locations for compatibility. She also asked what they would do if something moved in next to that location and the dynamics of that area changed.

BOQUIST stated there were four (4) to six (6) other sites that were available at the time this application was submitted. Applicant Dan Beckner identified in the application that either the square footage did not fit their expansion or

service needs that they plan to have or the location was not fitting.

BECKNER stated that since this location was mostly surrounded by industrial and commercial uses, he felt that this was an advantage and does not foresee a challenge of the dynamics changing.

GLABE voiced that the needs of the community need to be balanced as a whole and felt that this was a high priority need. This was a real issue with real economic impacts and agreed that this location was perfect for the applicant's needs and he supported the rezone, to which MIESNER, ROCK and DUTTO agreed.

BOQUIST confirmed that the conversation that the City Council just had was similar to that held by the Planning Commission during their Public Hearing held in August.

Upon Mayor ROCK's request, City Recorder STOCKHOFF read the proposed Ordinance by Title Only.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, OREGON, REZONING PROPERTY FROM LIGHT INDUSTRIAL TO GENERAL COMMERCIAL ON THE ZONING MAP; FROM INDUSTRIAL TO COMMERCIAL ON THE COMPREHENSIVE PLAN MAP; AND DECLARING AN EFFECTIVE DATE**

Mayor ROCK announced that the Public Hearing would be continued to October 4, 2023, at which time the proposed Ordinance was scheduled to be read a Second Time by Title Only and considered for Adoption.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

- a. **Consider:** Appointing Citizen to the Arts Commission

**STAFF REPORT**

*Justin ROCK, Mayor*

ROCK explained that the purpose of the Arts Commission was to encourage greater opportunities for and recognition of the arts in the La Grande area; provide coordination of events to showcase the abilities of area artists; provide development and promotion of the arts as a factor in the economic life of the community; pursue funding sources, projects and programs, including opportunities for children; and provide liaison and representation to the Eastern Oregon Regional Arts Council.

ROCK noted the seven-member Arts Commission currently had one (1) vacancy, which was the result of a resignation.

This vacancy was a remainder of a three-year term expiring on December 31, 2023. Mr. Avila has not previously served on any Commissions or Committees. The appointment of Mr. Avila would result in a full Commission.

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

**MOTION**

**MOTION:** I move that Nicholas Avila be appointed to the Arts Commission for the remainder of a three-year term, expiring December 31, 2023.

**COUNCIL DISCUSSION**

None.

**VOTE**

**MSC:** 7-0 (Yes: ROCK, GLABE, DUTTO, HOWARD, KING, MIESNER, and WHEELER; No: None)

**STAFF COMMENTS**

BOQUIST stated he would be applying for a technical assistance grant this month and he would be asking the Council to ratify the action at the next City Council meeting. He gave a brief explanation of what the grant opportunity would offer our City, if received.

WHEELER asked how many miles of sewer main lines have been replaced and how many more were there to replace, to which CARPENTER answered that an average of one (1) mile was replaced each year and this project would be on-going with no end and further explained how the process worked.

CARPENTER provided an update on the street projects that were currently being performed by the Public Works Department. He explained the process for the community pathway vision and he also explained the chip seal process performed on Gekeler Lane and the bike lane.

Because Adams Avenue was a state highway, CARPENTER stated the City of La Grande could only repair sections of the crosswalk. He confirmed that it was not currently on the list to be repaired by ODOT. With federal funding opportunities that do become available from time to time, it was possible in the future, that the City could try to apply for some of the grant funding to partner with ODOT for repairs.

ROCK asked what would need to occur as a safety issue for ODOT to repair this street, to which CARPENTER shared that he recently heard ODOT was projecting to be in a large deficit in the next ten (10) years and a cut back in services would likely happen, so he was not sure if ODOT would consider this roadway a safety issue according to data collected.

In regards to the American Rescue Plan Act (ARPA) funds issued to City of La Grande, GLABE asked if the timeline to complete all of the projects was still on track, to which CARPENTER expressed that he was not concerned at this time since they had until December, 2026, to expend all funds. If it comes down to a timing issue and the Public Works Department could not finish the projects, CARPENTER would look into hiring other contractors to finish the work, but only if necessary.

BUSHMAN expressed that Cook Memorial Library was featuring a traveling Dino Exhibit through September 19, 2023. She also thanked all sponsors who have signed up for the story walk located on the pathway by Riverside Park stating that almost all stories have been funded through 2024.

In response to GLABE's question, SPENCE stated that the current art project in front of Cook Memorial Library should be completed in about one (1) month and gave a brief summary of how the project was coming along.

SPENCE noted that seven (7) oak trees were found broken shortly after the Country Music Festival held at the Union County Fairgrounds held on August 26, 2023. There was currently an open police case on the matter and they were looking for any information to help solve the case. Donations were also welcome to help aid in replanting with new trees.

SPENCE stated that Morgan Lake dam was classified as a high hazard by the state, which means that it qualified for certain funding. By performing a dam breach exercise, which was scheduled next month with state inspectors and first responders, the City could qualify to receive Federal Emergency Management Agency (FEMA) funding to be used towards funding a diversion berm.

If there was a breach in the dam which caused flooding towards La Grande homes, WHEELER asked how residents would be warned, to which SPENCE explained that when they go through the exercise, all personnel would be trained through what steps to take to notify residents. He asked Chief BELL to help explain further.

A discussion was held regarding the repairs that were made to different portions of the dam over the last several years.

In further response to WHEELER's question with how residents would be notified in time to prepare for possible flooding, Chief BELL stated that the City of La Grande has an Emergency Alert Evacuation Plan in place which would trigger notification to go out through different venues, such

as radio, local media outlets, IPAWS, and/or sign up through the Police Department to receive emergency alerts to phone.

SPENCE expressed that the new design for the Riverside Playground would be revealed the following day at the Celebrate La Grande Event. He stated that the project cost was around \$650,000, with approximately 60% of the cost paid through grant funding efforts.

STOCKHOFF stated that there was one vacancy on the Budget Committee and that an application was recently received for appointment. She asked the City Council if they would prefer to process this application next month or wait to process at the end of the year since the Budget Committee would not meet again until May, 2024, to which Council reached consensus that this application would be processed at the end of the year when the other Committee and Commission applications were processed.

In response to MIESNER's question, BELL confirmed they recently orchestrated a Mass Casualty Incident (MCI) at the Grande Ronde Hospital (GRH) Regional Medical Clinic located on Fourth Street and gave a brief recap of the event. He felt it was a very successful training exercise.

WHEELER asked why the exercise was performed at that particular location, to which BELL confirmed that GRH wanted to use that facility for this type of exercise.

#### CITY MANAGER COMMENTS

STROPE reminded the Councilors that a Work Session was scheduled for Monday, September 11, 2023, to discuss proposed amendments to the City Charter.

In regards to the Work Session scheduled on September 11, 2023, WHEELER felt that they should not schedule any meetings on this day and that it should be observed for a day to remember those who lost their lives. Both HOWARD and GLABE spoke in favor of keeping the meeting on that day.

ROCK asked if the County Clerk was invited to the Work Session to answer questions, to which STROPE stated that she was not but she was welcome to come. He explained the timing of what needed to occur with the Rank Choice Voting discussion, which was going to the voters on a state level, before introducing this concept at a local level. He felt that having the County Clerk answer questions on Rank Choice Voting would be premature at this juncture. The main focus for this Work Session would be to discuss proposed amendments for language changes to Mayor's term limit, position numbers, and how votes would be tallied (top vote getters).

STROPE reminded the Councilors that a Work Session was scheduled for Monday, September 25, 2023, to discuss Housing Production Strategy implementations and incentives.

KING suggested they add a moment of silence sometime during the Work Session next Monday night in observance of September 11, 2023.

GLABE asked if efforts were being made to replace the Director positions with the Chamber of Commerce and the La Grande Main Street Downtown (LGMSD), to which STROPE explained that the City does not have an active role in finding those two (2) replacements. The Main Street Board was solely responsible for their recruitment for a new LGMSD Director, which Timothy Bishop, Economic Development Director, was a board member; and the Chamber Board was also responsible for their own recruitment for a new Chamber Director. Mayor ROCK confirmed that he was the City Representative on this board, however, had no voting power.

In response to GLABE's question, STROPE confirmed that the City helps with funding those positions. He also shared information with the Chamber Executive Committee that explains the City Council's willingness to consider further increases if there was data to support such increases to the Director's position moving forward.

#### CITY COUNCIL COMMENTS

MIESNER recently attended the Northeast Oregon Housing Authority Board Meeting and shared that on September 15, 2023, they were granted a temporary occupancy for Building One (1), Two (2) and Four, which was approximately thirty (30) units.

In regards to the Community Harvest Festival, MIESNER suggested the City Council should sign up as a team for the Chili Cook-off Event. She also encouraged the other City offices to sign up teams.

WHEELER was pleased with the productive meeting.

GLABE stated that on October 7, 2023, a cooperative effort between some local religious groups as well as the County Emergency Preparedness and Center for Human Development will be holding an Emergency Preparedness Seminar that was open to the public to attend, and to watch the community calendars for more information.

GLABE shared that tomorrow was the Celebrate La Grande Event from 5 p.m. to 7 p.m. at Riverside Park and encouraged everyone to attend.



GLABE thanked the local law enforcement in regards to the quick and professional response to the incident that occurred recently at his place of business.

Mayor ROCK recently attended the Eastern Oregon Economic Summit that was held in La Grande and shared that several different representatives who attended shared with him how wonderful the community was. He expressed his gratitude towards the City Staff for their hard work and dedication in making our thriving community beautiful.

There being no further business to come before this Regular Session of the Council, Mayor ROCK adjourned the meeting at 8:09 p.m. The Council is scheduled to meet again in Regular Session on Wednesday, October 4, 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: October 4, 2023

PRESENTER: Gary Bell, Police Chief

COUNCIL ACTION: **CONSIDER AWARDING CONTRACT FOR POLICE DEPARTMENT FACILITY NEEDS ASSESSMENT**

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

**Suggested Motion:** I move that we award the Police Department Facility Needs Assessment contract to Mackenzie Inc. and authorize the City Manager to finalize and sign all required documents.

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

\*\*\*\*\*

**EXPLANATION:** In response to Council discussion during our annual retreat and funding approval during the FY2023-24 budget process, we issued a Request for Proposal (RFP) in August for a comprehensive facility needs assessment for the Police Department. Three proposals were received and after thorough evaluation, the proposal from Mackenzie, Inc. is recommended for contract approval by the Council.

The contract will provide the following services:

- 1. A comprehensive needs assessment for our Police Department and Dispatch Center, a review of the existing facility and collaboration with Staff to outline staffing projections and the associated spaces to meet our long-term operational needs. From this, an itemized matrix will be developed that identifies the types of spaces, quantity of room types and required sizes. This will identify the size of facility required and the amount of developable land required, so that appropriate sites can be identified.
- 2. Using developed information, a determination of a high-level cost forecast for a new Police Department facility. The cost forecast will be for total project cost, inclusive of hard costs for a new facility (site and building) as well as anticipated soft costs (e.g. FF&E, Permit and SDC fees as well as consultant fees). An assumed allowance will be provided for site acquisition costs. The cost forecast will also include escalation factors and contingencies to tabulate the project for unknowns as well as provide for inflation that will occur from the study to when the project is anticipated to begin.
- 3. Funding options.

The results of the contracted services will be shared with the Council during a future Work Session.

The City Manager recommends awarding the contract 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

COUNCIL ACTION FORM

Council Meeting Date: October 4, 2023

PRESENTER: Gary Bell, Police Chief

COUNCIL ACTION: **CONSIDER APPROVING APPLICATION FOR TAXICAB BUSINESS LICENSE:  
RIVERSIDE TAXI**

- 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 application for Taxicab Business License, Riverside Taxi, by applicant Jeffrey Harmon, be approved and signed by the Mayor.

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

\*\*\*\*\*

**EXPLANATION:** Jeffrey Harmon, resident of La Grande, Oregon, has applied for a license to operate a taxicab business, Riverside Taxi. Jeffrey Harmon has provided the required vehicle and insurance information to the La Grande Police Department.

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: \_\_\_\_\_

# APPLICATION FOR TAXICAB BUSINESS LICENSE

The undersigned hereby applies to the City Manager, City of La Grande, Oregon, for a license to operate a taxicab business in the City of La Grande, Oregon.

Please complete entire application

1. NAME OF TAXI COMPANY:

NEW  RENEWAL  YEAR 2023

Business Name: Riverside Taxi  
Business Address: 1502 21<sup>st</sup> St D-7  
Business Phone Number: \_\_\_\_\_

2. APPLICANT INFORMATION:

Name of Applicant: Jeffrey A Hermon  
If not owner, position in the company: \_\_\_\_\_ Phone: 541-377-2246  
Street address: 1502 21<sup>st</sup> St D-7  
Oregon Driver's License number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_ Social Security Number: \_\_\_\_\_  
Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_ Race: \_\_\_\_\_

List any other states and years in which you have held a driver's license:

N/A

Give a short statement detailing any experience you have in the transportation of passengers and any details you feel important in the consideration of this application:

Drove for Blue Mt Taxi and Helped Robin Fox start Alpha Taxi

Do you have more than three convictions within the past twelve months for moving traffic violations?

YES \_\_\_\_\_ NO

Have you been convicted of a major traffic violation within the past 36 months?

YES \_\_\_\_\_ NO

Have you ever been arrested or given a citation for a criminal matter?

YES  NO \_\_\_\_\_

Have you ever been convicted of any crime?

YES  NO \_\_\_\_\_

Have you been convicted of any felony within the past 36 months?

YES \_\_\_\_\_ NO

If the answer to any of the previous questions is "yes" please explain below. Please include dates and disposition.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Information on owners or other persons of authority having the supervision and control of the business and vehicles:

Name: Jeffrey A Harmon Date of Birth: \_\_\_\_\_  
Address: 1502 21<sup>st</sup> St D-7 LaGrande OR. 97850

Name: Tanner J Harmon Date of Birth: \_\_\_\_\_  
Address: 2898 S 25th Ct Buckeye AZ 85326-2999

3. **VEHICLE INFORMATION:**

(Copies of registration of title for all vehicles used in the taxi service must be provided as well as proof of valid insurance coverage)

Number of Vehicles to be used in the business: \_\_\_\_\_

Year: 07 Make: Volkswagen Model: Jetta Vin: 3VWEF71K67MO License #: 738-PBN  
69468

Year: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_ Vin: \_\_\_\_\_ License #: \_\_\_\_\_

Year: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_ Vin: \_\_\_\_\_ License #: \_\_\_\_\_

Year: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_ Vin: \_\_\_\_\_ License #: \_\_\_\_\_

(Attach a separate sheet if necessary)

**CERTIFICATION:** I CERTIFY THAT ALL INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND ACCURATE. I UNDERSTAND THAT FALSIFICATION OR OMISSION OF ANY INFORMATION INCLUDED ON THIS APPLICATION MAY RESULT IN DENIAL OR REVOCATION OF THE LICENSE. I HEREBY AUTHORIZE THE CITY OF LA GRANDE TO CONDUCT A CRIMINAL HISTORY BACKGROUND CHECK AS PART OF THE APPLICATION PROCESS.

SIGNATURE: [Signature] DATE: 6.19.23

# FOR OFFICE USE ONLY

**RECOMMENDATIONS:**

**APPROVAL:**

Signature of Chief of Police: 

Date: 09-05-2023 Approved:  Disapproved:

*\*Orig. applied 6-19-23. Application was incomplete until 9-5-23.*

\*\*\*\*\*

Signature of City Manager (*new business only*): \_\_\_\_\_

Date: \_\_\_\_\_ Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_

Signature of Mayor (*new business only*): \_\_\_\_\_

Date: \_\_\_\_\_ Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_

**EXPIRATION DATE OF THE LICENSE:** December 31 of current year.

Receipt Number:	<u>602822</u>
Date Paid:	<u>10/19/23</u>
Amount Paid:	<u>\$60-</u>

\*\*APPLICATION FEE IS NON-REFUNDABLE.

CITY of LA GRANDE

COUNCIL ACTION FORM

Council Meeting Date: October 4, 2023

PRESENTERS:

Justin B. Rock, Mayor  
David Glabe, Mayor Pro Tem

COUNCIL ACTION:

**CONSIDER RATIFYING 2022-23 CITY MANAGER EVALUATION**

- 1. MAYOR: Provide Background Information and Summarize Process.
- 2. MAYOR: Entertain Motion:

**Suggested Motion:** I move that City Manager Robert A. Strope's performance evaluation be ratified for 2022-2023.

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

\*\*\*\*\*

**EXPLANATION:** The City Manager's evaluation process was conducted this year much as it was last year, with the evaluation forms distributed to the appropriate individuals by City Manager Strope. Mayor Pro Tem David Glabe compiled the Staff evaluations and provided them to the City Council to take into account when completing their assessment; Mayor Rock then assembled the information received from Councilors and provided Mr. Strope with his evaluation based on those combined assessments. A copy of the evaluation was also separately emailed to the City Councilors. Mr. Strope is scheduled to meet in Executive Session with the City Council on Wednesday, October 4, 2023, to discuss his performance. On a scale of 1-5, with 5 being Superior and 4 Outstanding, Mr. Strope's cumulative rating from the Council was 4.35, up from 4.30 from last year. The Staff overall rating was 4.27 on a similar scale.

Mr. Strope's wages are covered under the newly adopted wage structure outlined in the Management Exempt and Non-Exempt Employees Benefit and Compensation Plan. Under this plan, Mr. Strope will receive a Cost of Living increase effective June 21, 2024, but will not be eligible for an additional performance-based increase until December 21, 2024, which will be based on his 2023-2024 evaluation.

\*\*\*\*\*

**Reviewed By:** (Initial)

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

Human Resources Dept \_\_\_\_\_  
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 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

COUNCIL ACTION FORM

Council Meeting Date: October 4, 2023

PRESENTER:

Michael Boquist, Community Development Director

COUNCIL ACTION:

**PUBLIC HEARING AND SECOND READING BY TITLE ONLY OF PROPOSED ORDINANCE REZONING PROPERTY FROM MEDIUM DENSITY RESIDENTIAL TO GENERAL COMMERCIAL ON THE ZONING MAP; FROM RESIDENTIAL TO COMMERCIAL ON THE COMPREHENSIVE PLAN MAP**

1. MAYOR: Announce that the Public Hearing is still open for the Ordinance to be read a Second Time by Title Only and considered for Adoption; and that the Rules of Order for this Public Hearing were read in their entirety during the Regular Session of September 6, 2023.
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 rezoning property be read for the Second Time 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 for the Second Time by Title Only.
8. MAYOR: Ask for the Vote.

\*\*\*\*\*

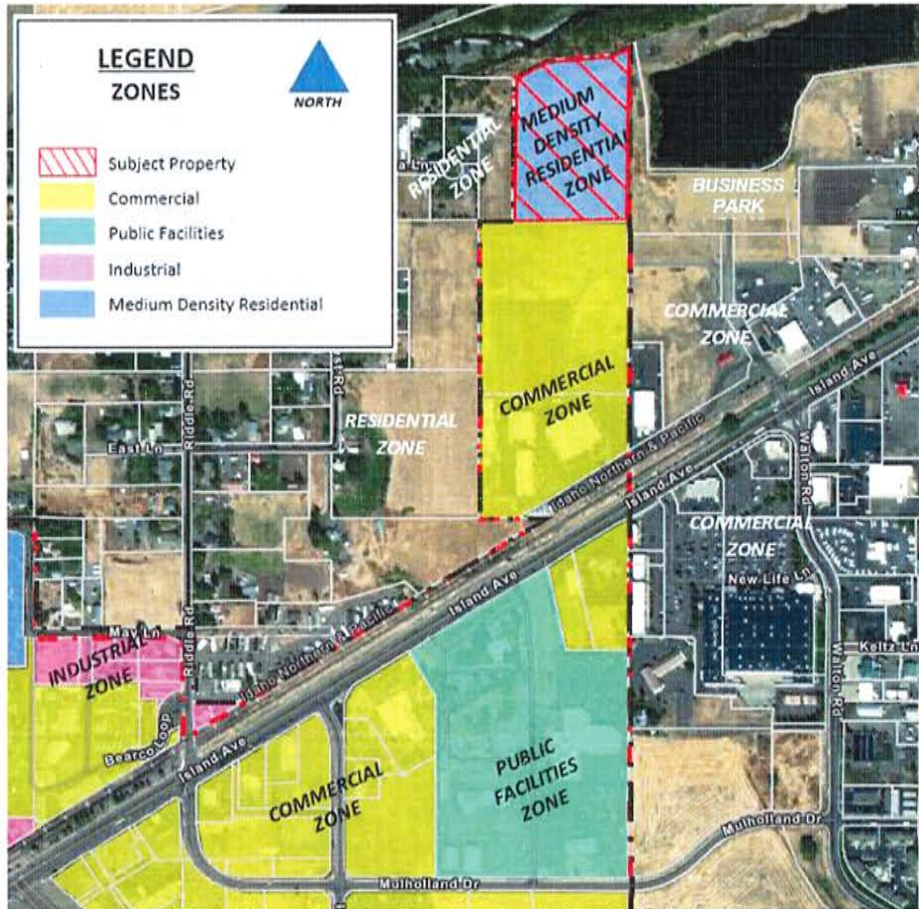
**EXPLANATION:** This request is to rezone the subject property from medium density residential to general commercial (see Figure 1 below). There is no pending development proposed at this time, although the application submittal includes a conceptual development for an RV park. While this is a focus in the application, this request is limited to just rezoning the property to general commercial. A decision on this application will not result in any approvals or permissions to develop an RV park. (Note: This was a confusing point in the agency comments received and some discussions at the Planning Commission.)

The Planning Commission held a public hearing on August 8, 2023, to consider this request and to formulate a recommendation to the City Council. Based on agency comments from ODOT, Island City, and discussions amongst the Commission and Staff, the Commission determined that review criteria for the rezone were satisfied. The Commission voted to recommend that the request be forwarded to the City Council for approval, subject to two (2) conditions of approval to address comments received by ODOT and Island City.

---



**Figure 1**



\*\* Note: Red and black dashed lines reflect the City of La Grande City Limits (red) and Urban Growth Boundary (black).

The City Council considered this request during a public hearing held on September 6, 2023. The applicant and the Mayor of Island City were present in the audience, but did not choose to provide public testimony when invited. Additionally, no other citizens or parties present offered testimony in support, neutral or opposition when invited. During the staff presentation and subsequent to Council deliberations, the Council inquired about the public notice process, whether residential property owners to the West were notified and submitted comments (which no comments were received), the Council discussed the adjacent zoning being commercial or business park. The public hearing was continued to October 4, 2023, and the proposed Ordinance was then read for the First Time by Title Only.

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

**Reviewed By:** (Initial)  
 City Manager \_\_\_\_\_  
 City Recorder \_\_\_\_\_  
 Aquatics Division \_\_\_\_\_  
 Building Department \_\_\_\_\_  
 ED Department \_\_\_\_\_  
 Finance \_\_\_\_\_  
 Fire Department \_\_\_\_\_

*MS*  
*SMS*

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

*14/13*

**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 PUBLIC HEARING

The following is a step-by-step description of the order of events necessary to hold a Public Hearing.

## CITY RECORDER READS TO THE PUBLIC:

- A. The City Council will conduct two (2) Quasi-Judicial Public Hearings. These Rules of Order are applicable to the Public Hearings to consider rezoning property from Residential Medium Density to General Commercial, File Number 02-ZON-23, Applicant: Mike Becker; and, rezoning property from Light Industrial to General Commercial, File Number 01-ZON-23, Applicant: Dan Beckner.
- B. Each Hearing will proceed as follows:
  1. The Mayor will request the Staff Report, which includes applicable criteria and standards for the issues under consideration in the application.
  2. Subsequent to opening each of the Public Hearings, the Mayor will accept testimony relating to the application. The Mayor may state a time limit for testimony. All testimony must be directed toward the applicable criteria. Oregon Land Use Law requires that all issues raised by a participant during the Hearing must be sufficiently clear and specific to allow the hearing body and other parties an opportunity to respond to those issues. Failure to raise the issues during the Hearing may invalidate future appeal.
  3. The proceedings are being electronically recorded, to be transcribed in written Minutes. When testifying, please step to the podium and state your name. Before leaving the podium, please complete the speaker sign-in sheet.
  4. The applicant will be invited to speak first, followed by proponents, then by opponents, and then by any parties neutral to the application. An opportunity will be provided to parties to clarify any issues raised or to rebut testimony. Proponents, then opponents, will be provided an opportunity to clarify any issues or to rebut testimony.
  5. If additional documents or new evidence is introduced during the Hearing, any participant may request a continuation of the Hearing. Any participant may request that the Hearing Record be kept open for seven (7) days to submit additional written evidence or testimony for the purpose of responding to new evidence. Unless waived, the applicant has seven (7) days to submit a written response.
  6. Members of the City Council may ask questions of the Staff or Hearing participants at any time. The Mayor may then close the Hearing or continue the Hearing at a specified time and place.
  7. All decisions must be based on findings of fact from the Staff Report or evidence and testimony received which relate to the criteria of the land use decision.
  8. An appeal of the City Council decision must be made in writing to the Oregon Land Use Board of Appeals, together with the required fee, within twenty-one (21) days from the date that the final decision is mailed to the applicant and interested participants.
- C. Before the Mayor requests the Staff Report for each of the Public Hearings, the City Councilors will be asked to make any Declarations or Challenges. A Councilor must declare any ex parte or pre-hearing contact, including the person's name and the nature of the discussion, as well as any site visitations to the area in question. Councilors should declare any personal or financial interests in this matter and may disqualify themselves from participation in the Hearing.
- D. The Mayor will then ask if anyone in the audience wishes to challenge the right of any Councilor to hear this matter.

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
LA GRANDE, OREGON, REZONING PROPERTY FROM MEDIUM DENSITY RESIDENTIAL TO  
GENERAL COMMERCIAL ON THE ZONING MAP; FROM RESIDENTIAL TO COMMERCIAL ON THE  
COMPREHENSIVE PLAN MAP; AND DECLARING AN EFFECTIVE DATE**

WHEREAS, the applicant, Kimmie Becker Gunderson (representing the property owner, Mike Becker), applied for a Zoning Change Designation, File Number 02-ZON-23, to rezone property located off Walton Road, North of the Union Pacific Railroad Joseph Branch, from Medium Density Residential (R-2) to General Commercial (GC); and,

WHEREAS, notice was provided electronically to the Oregon Department of Land Conservation and Development (DLCD) at least thirty-five (35) days in advance of the first Public Hearing using DLCD's electronic submittal process; and,

WHEREAS, the proper notices were published in *The Observer*, which is a local newspaper of general circulation; mailed to property owners within one hundred feet (100') of affected property; and, posted on the property and in City Hall, duly advertising the City Council Public Hearings to consider the application; and,

WHEREAS, the application was found to conform to the standards and procedures set forth in the City of La Grande Land Development Code Ordinance Number 3252, Series 2021, Article 8.6 – Zone Designation Change, and Article 8.7 – Comprehensive Plan Designation Change; and,

WHEREAS, the City of La Grande Planning Commission and City Council conducted Public Hearings to receive public testimony on the Ordinance rezoning said property.

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

**Section 1.** That the City of La Grande Zoning Map be amended to change the zoning designation for the following described property from Medium Density Residential (R-2) to General Commercial (GC) on the Zone Designation Map, as depicted in Exhibit "A"; and the Comprehensive Plan Map be amended to change the zone designation from Medium Density Residential to Commercial, as depicted in Exhibit "B":

That portion of Parcel 1 of Major Partition Plat Number 20080028T, lying within the corporate limits of the City of La Grande, Union County, Oregon, as filed December 17, 2008, in Plat Cabinet D039 and D040, Plat Records of Union County, Oregon, according to the recorded plat of said addition in Plat Cabinet "D", Slides 039-040; Situated in the Northeast quarter of Section 4, Township 3 South, Range 38 East of the Willamette Meridian, Union County, Oregon.

Said tract containing approximately 7.8 acres.

Situated in the Southeast quarter of Section 2, Township 3 South, Range 38 East of the Willamette Meridian, Union County, Oregon.; and, also described as being a portion of T2S, R38E, Section 33, Tax Lot 5200, Union County Assessor Account No. 18345.

**Section 2.** That the City Council adopts the Findings of Fact and Conclusions set forth in the City Council Decision Order, dated October 4, 2023, which includes to the two (2) conditions of approval

**Section 3. EFFECTIVE DATE.** This Ordinance shall become effective thirty (30) days after its adoption by the City Council of the City of La Grande, Oregon, and its approval by the Mayor; specifically, November 3, 2023.

ADOPTED and APPROVED this Fourth (4<sup>th</sup>) day of October, 2023, by \_\_\_\_\_ (\_\_\_\_)  
of \_\_\_\_\_ (\_\_\_\_) Councilors present and voting in the affirmative.

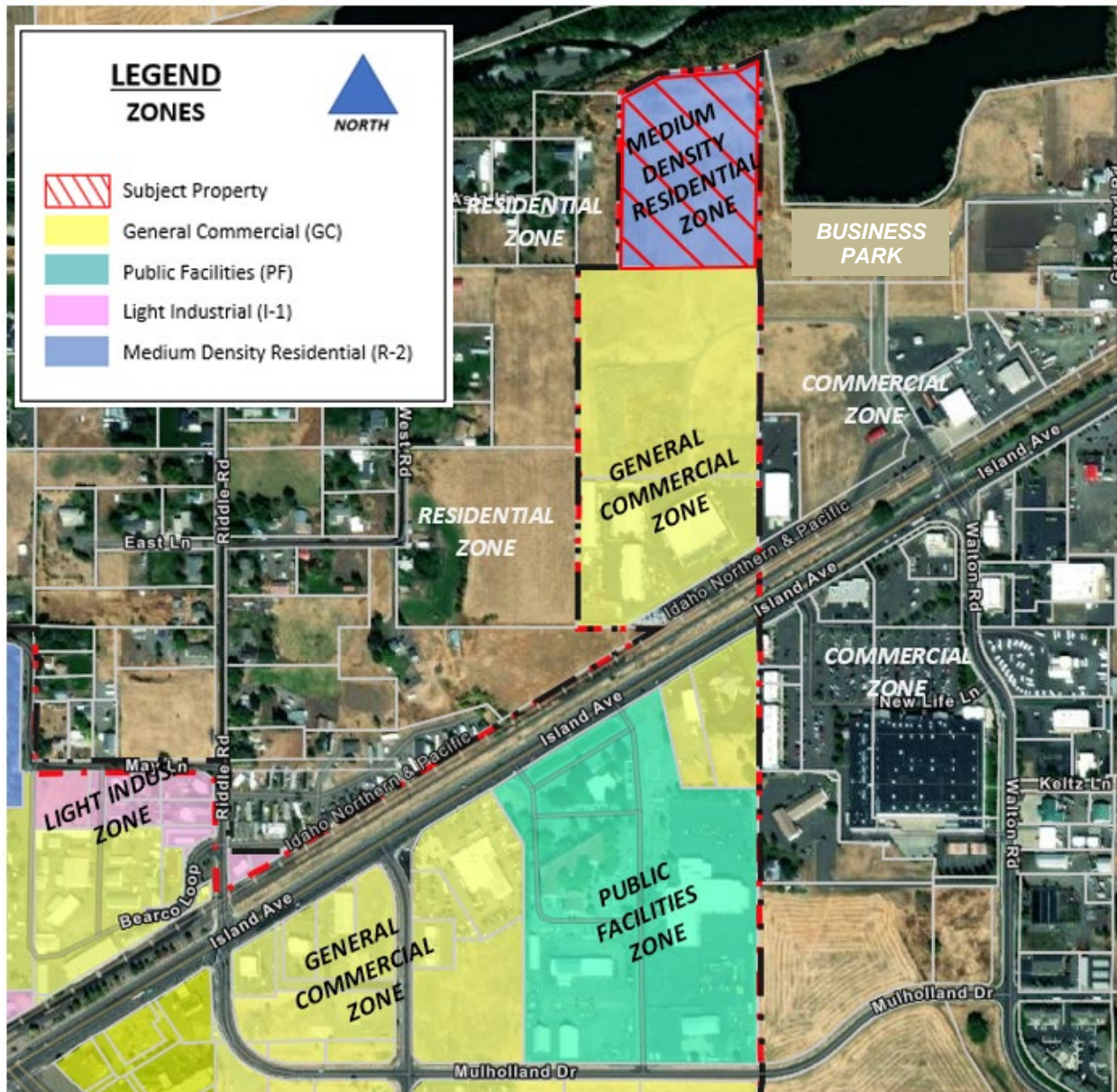
\_\_\_\_\_  
Justin B. Rock, Mayor

ATTEST:

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

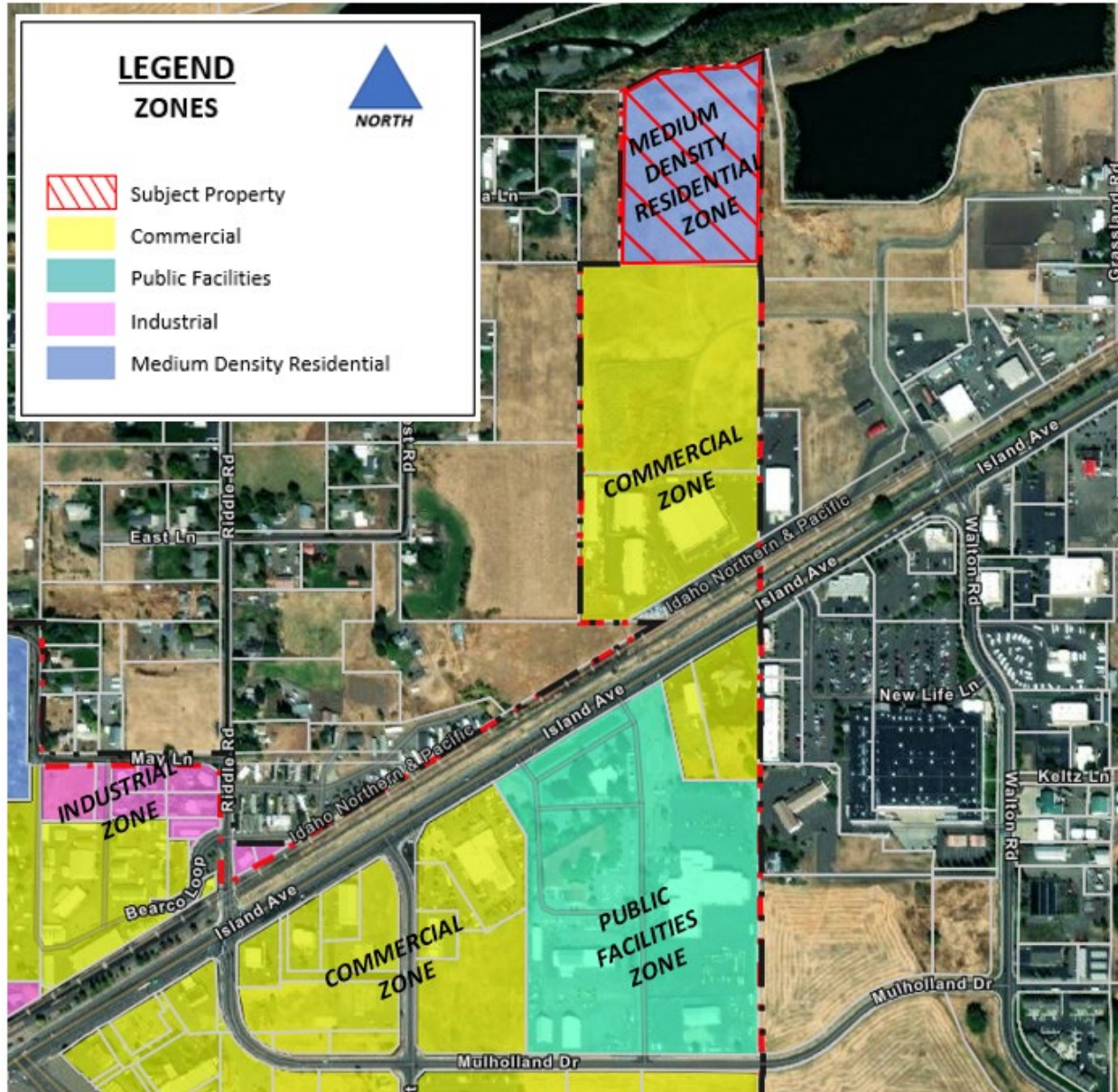
### EXHIBIT 'A'

Rezone From Medium Density Residential (R-2) to General Commercial (GC)  
On the Zoning Designation Map



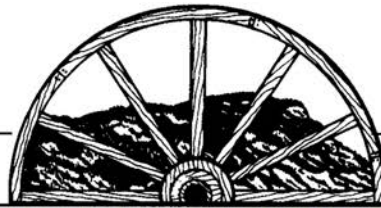
## EXHIBIT 'B'

### Rezone From Medium Density Residential to Commercial On the Comprehensive Plan Designation Map



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CITY OF



LA GRANDE

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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.planning.cityoflagrande.org](http://www.planning.cityoflagrande.org)

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

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HEARING BODY(IES):	Planning Commission (Recommendation)	City Council (Final Decision)
HEARING DATE(S):	Tuesday, August 8, 2023	Wednesday, September 6, 2023 Wednesday, October 4, 2023
HEARING TIME(S):	6:00 p.m.	
HEARING LOCATION:	City Hall Council Chambers, located at 1000 Adams Avenue, La Grande, Oregon. 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> .	

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### I. Application Information

File Number:	02-ZON-23
Proposal:	Request to Rezone Property from Medium Density Residential (R-2) to General Commercial (GC).
Applicant:	Kimmie Becker Gunderson (Owner: Mike Becker)
Address/Location:	Walton Road, T3S, R38E, Section 04AB, Tax Lot 100, La Grande, Union County, Oregon; Tax Assessor Account 6831.
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:

- June 12, 2023.....Application for Zone Change Designation received.
- June 22, 2023.....Application was deemed complete.
- July 3, 2023.....PAPA 35-Day Required Notice to the Oregon Department of Land Conservation and Development in accordance with ORS 197.610.
- July 7, 2023.....Public notice mailed to surrounding property owners within 100' and development review agencies in accordance with ORS 227.186.
- July 29, 2023.....Advertised notice was published in *The Observer*, advertising the public hearing before the Planning Commission for August 8, 2023.
- August 8, 2023.....Public Hearing before the Planning Commission (1<sup>st</sup> Evidentiary Hearing)
- September 6, 2023.....Public Hearing before the City Council and First Reading of Proposed Adopting Ordinance
- October 4, 2023.....Public Hearing before the City Council and Second Reading/Adoption of Proposed Adopting Ordinance
- October 5, 2023.....PAPA Notice to DLCD for Final Adoption
- November 3, 2023.....Expiration of 30-Day Appeal period. Decision becomes final.

## III. Public Notice Information

Public notice was issued in accordance with City and State laws. Notice was provided in accordance with Land Development Code Ordinance 3252, Series 2021, Article 9.6, Section 9.6.001(B). Notice of the public hearing was published in the local newspaper of general circulation, with mailed notice provided to the applicant and to the owners of record of property located within one hundred feet (100') of the subject property. Additionally, all public hearing materials, including the Draft Decision Order was published on the City of La Grande – Planning Division's webpage.

## IV. Review Process and Appeals

An application for a Zone Change Designation is a quasi-judicial land use action that is subject to the Planning Commission's and City Council's review and approval. The Planning Commission's review includes a public hearing where testimony is accepted from interested persons and which results in a recommendation being forwarded to the City Council in accordance with Chapter 9 of Land Development Code Ordinance 3252, Series 2021. Subsequently, the City Council holds two (2) public hearings where testimony is accepted from interested persons and which results in a final decision and the adoption of an Ordinance to rezone the subject properties.

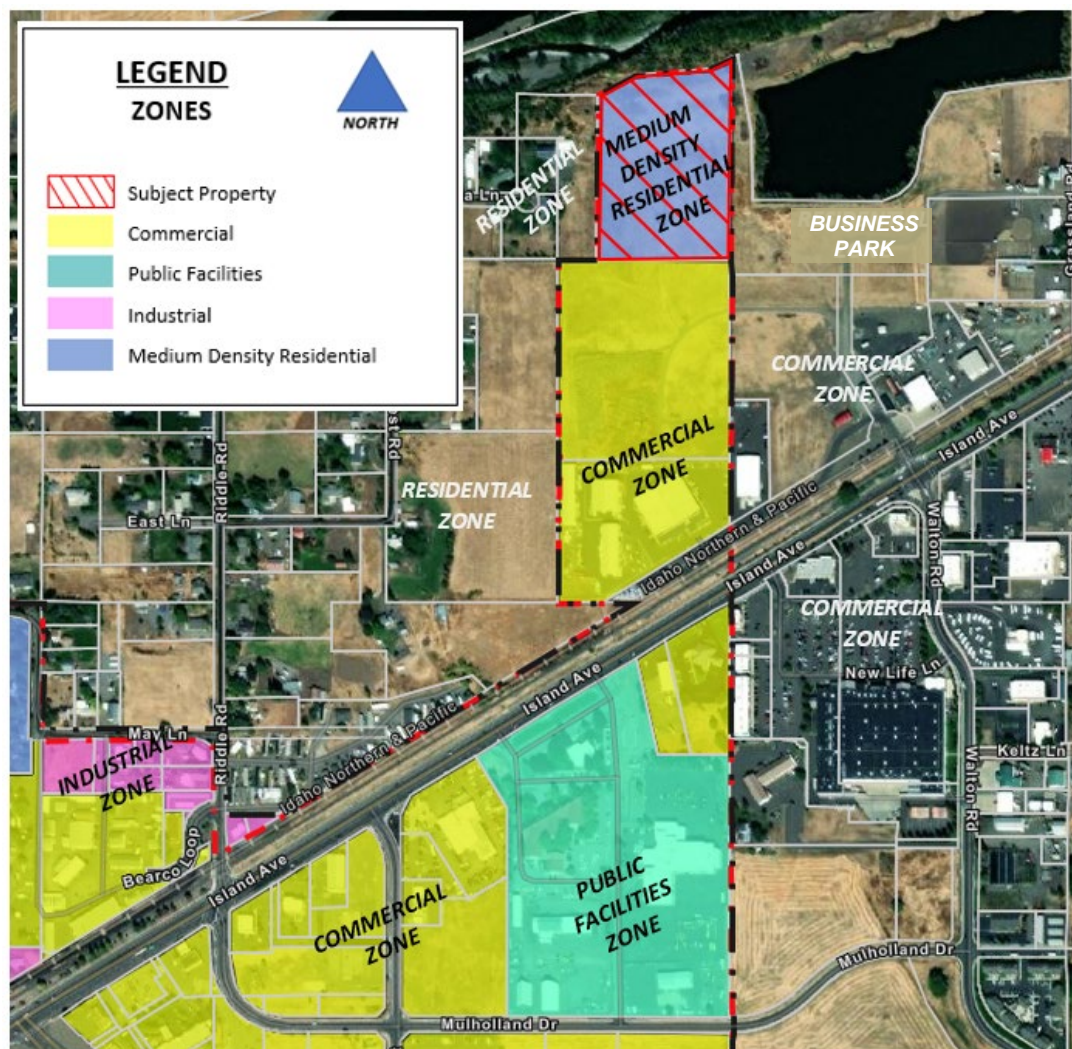
A decision of the City Council is final unless appealed to the Oregon Land Use Board of Appeals (LUBA) within twenty-one (21) days from the date the City Council decision.



## V. General Facts and Overview

1. The purpose of this rezone request is to expand the existing commercial area along Walton Road, North of the Union Pacific Railroad, rezoning the subject property from Medium Density Residential (R-2) to General Commercial (GC) on the City of La Grande Zoning map, and from Medium Density Residential to Commercial on the City of La Grande Comprehensive Plan map.
2. To address one of the required review criteria, which focuses on the feasibility of the property to support a commercial development if rezoned, the application included a conceptual development plan for a 100-space RV park. For this rezone application, this plan is only conceptual, and this decision order does not grant any permissions, approvals for any actual development.
3. The subject property is bordered to the North by the Grande Ronde River, to the West by lands within Union County and zoned residential, to the East by lands within the City of Island City and zoned business park, and to the South and Southeast by lands within the City of La Grande and Island City, zoned General Commercial.

**Figure 1**



4. The applicant has provided a written narrative with their application (see attached Exhibit A) that explains their justification in support of the rezone request (see attached). Keeping in mind that much of the justification refers to a “conceptual” RV park development, which is not formally under consideration as part of this rezone request. The applicant’s justification, along with Staff’s analysis and recommendations are included in the Findings of Fact within this Decision Order, below, in response to addressing each of the required review criteria for a Zone Designation Change and Comprehensive Plan Designation Change.
5. The Planning Commission held a public hearing on August 8, 2023, to consider this request and formulate a recommendation to the City Council. Based on testimony received from ODOT and Island City, and discussions amongst the Commission and Staff, the Commission determined that review criteria for the rezone were satisfied, provided two (2) conditions of approval were included to address the comments received. The Commission voted to recommend that the request be forwarded to the City Council for approval. The Findings of Fact in this Decision Order, below, reflect the Planning Commission conclusions and supports their recommendation to the City Council.
6. The City Council considered this request during a public hearing held on September 6, 2023. The applicant and the Mayor of Island City were present in the audience, but did not choose to provide public testimony when invited. Additionally, no other citizens or parties present offered testimony in support, neutral or opposition when invited. During the staff presentation and subsequent Council deliberations, the Council inquired about the public notice process, whether residential property owners to the West were notified and submitted comments (which no comments were received), the Council discussed the adjacent zoning being commercial or business park. The public hearing was continued to October 4, 2023, and the proposed Ordinance was then read for the First Time by Title Only.

## VI. Agency Comments

In accordance with City of La Grande Land Development Code Ordinance (LDC) 3252, Series 2021, Chapter 9, notice of the land use application was mailed to the following agencies: City of La Grande Building Department, City of La Grande Fire Department, City of La Grande Planning Department, City of La Grande Police Department, City of La Grande Public Works Department, Avista Utilities, Charter Communications, City Garbage Service, Frontier Communications, Oregon Department of Transportation, and Oregon Trail Electric Cooperative.

1. City of La Grande Community Development and Economic Development Department: City Staff has reviewed this request and finds that the proposed zone change request adequately satisfies the required review criteria of the City’s Land Development Code Ordinance, specifically with demonstrating a “need” for the proposed zone change, and that the City has a surplus of residentially zoned land and a limited supply (possibly shortage) of commercially zoned lands to accommodate a large acreage development such as the project proposed. As a result, City staff supports this request and recommends that this request be approved.
2. Oregon Department of Transportation (ODOT), see attached Exhibit B.
  - A. Comment letter dated July 25, 2023. ODOT has jurisdiction over Highway 82/Island Avenue, which includes managing access, infrastructure, etc. For projects that generate an increase in average daily trips, between 400 and 1000, the Oregon Highway Plan requires a Traffic Impact Analysis (TIA). The TIA would evaluate the capacity and function of the existing transportation system, and whether the existing infrastructure can support the proposed development.

For the lands affected by this rezone, ODOT has identified elements of the existing transportation system that may be deficient, require analysis in the TIA, and which may

require mitigation improvements to support development. Some of these elements include (see attached letter for more detail):

- (1) Development of a planned road system between La Grande and Island City that is implemented as development occurs, consistent with Island City's adopted Transportation System Plan (2009 South Riverside Neighborhood Plan), which provides East-West connections in the area parallel with Highway 82/Island Avenue.
- (2) Evaluate safety and operational issues at the Walton Road/Hwy 82 intersection. The North leg should complement the improvements existing on the South leg to align travel lanes, additional lanes may be needed to support traffic volumes, etc.
- (3) Evaluate necessary improvements to the railroad crossing to meet rail crossing grade requirements, signalization, etc.

B. Follow-up in-person meeting on July 31, 2023. The City of La Grande planning department staff reached out to ODOT with questions regarding the need to conduct a TIA at the time of rezone vs. at the time of development. ODOT then scheduled an in-person meeting to discuss this timing. Following is a summary of the discussion points:

- (1) City staff – The area has been heavily studied already, which has resulted in a transportation system plan adopted by Island City to address transportation needs (access and circulation through the area), and by ODOT identifying known traffic issues at the intersection of Walton Road and Highway 82. Conducting a new TIA as part of the rezone will be based on assumptions and hypothetical development factors, and not based on a real project or development. As a result, City staff believes this could be addressed as a condition of approval and recommends requiring a detailed TIA prior to any new development to ensure that a TIA is based on that facts of an actual project.
- (2) ODOT staff and traffic engineer – ODOT agreed that the area has been previously evaluated and many of the traffic concerns are known, although require further review. Also, a TIA at this time would be very generalized and based on assumptions that may not be consistent with actual development proposed. ODOT did want to emphasize and have it recognized that rezoning from residential to commercial will result in a significant increase in traffic and adverse impacts to the transportation system, which need to be evaluated and mitigated as part of future development. While a transient RV park is conceptually proposed, the actual development is not proposed at this time and the commercial zoning would allow for a large commercial retail center or other large commercial use, which may be the highest and best use of the property. As a result, when a TIA is conducted, this must be considered as part of the TIA.

ODOT staff and traffic engineer were supportive of the City not requiring a detailed TIA at this time due to the results likely not providing much benefit, but asked for assurances in the decision via a condition of approval, that a TIA be required as part of and prior to any development to ensure that all transportation issued are adequately reviewed and mitigated as necessary.

3. City of Island City, see attached Exhibit C1 and C2.

Exhibit C1: Jesse Winterowd, contract planner for Island City, submitted a letter on behalf of Island City raising a number of concerns, most of which focus on transportation and utility infrastructure issues.

The applicant's property is 19.88 acres in total, with ~8 acres (40%) within La Grande and 12 acres (60%) within Island City. The subject property is somewhat landlocked in nature, with 100% of its access being provided through Island City's jurisdiction via Walton Road, but without public street frontage or access. Island City identified that additional street dedications and infrastructure improvement will be necessary to support the development of this property. Additionally, coordination will need to be made with ODOT, railroad, and Island City and be consistent with Island City's adopted Transportation System Plan (TSP).

Additional issues include the uncertainty of how water and sewer services will be provided to the site, or whether there are infrastructure capacity issues. For the surrounding area, the City of La Grande has water infrastructure extended to serve properties within La Grande's jurisdiction, but does not have sewer infrastructure in the area. Island City has limited water infrastructure in the area, with Island City sewer district offering sewer services. The availability and capacities of the Island City infrastructure needs to be evaluated.

A land use application has not been submitted to Island City as of this time, which raises additional concerns as Island City has been unable to review the development for conformance with Island City development codes.

Lastly, Island City does not feel that La Grande's zone change approval criteria have been satisfied.

Exhibit C2: After reviewing the City of La Grande's draft decision order of the Planning Commission, the Mayor of Island City submitted a second letter, as well as attended the Planning Commission public hearing to provide testimony.

Island City is not opposed to the proposed rezone application, but would like to emphasize that the subject property only has access through streets and intersections within Island City's jurisdiction. As such, all traffic impacts will occur with Island City and they would like to ensure that any proposed development is properly planned to provide a cohesive and functional transportation system.

Island City is supportive of the City approving the zone change request subject to the recommended condition for a traffic impact study to be conducted as part of and prior to any future development. But, also asked for a second condition to be added to that requires: *Prior to approval of building permits for development that relies on access and infrastructure in Island City, the applicant shall be required to receive land use approval from Island City for proposed infrastructure improvements in Island City.*

This requested condition of approval was supported by the Planning Commission and included in this decision order. However, staff recommended an amendment to be more restrictive and provide additional assurances to Island City. The building permit process is administrative and often over the counter and may not offer the guarantee of first obtaining land use approval from Island City. To ensure that Island City's interests are addressed, staff recommended adding additional language to require Island City's approval prior to La Grande issuing any land use or zoning approvals. This additional language should provide the guarantees Island City is requesting.

Both the Planning Commission and the Mayor of Island City supported staff's recommendation and such amended condition of approval was included in the decision order.

4. Fair Housing Council of Oregon. By email dated September 12, 2023, subsequent to the Planning Commission public hearing and the City Council public hearing and First Reading of the proposed Ordinance, Mr. Samuel Goldberg, Education & Outreach Specialist for the Fair Housing Council of Oregon, provided the following comments:

*I am the coordinator for a collaborative project between Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO) which reviews housing-related PAPAs. We found the Goal 10 findings for 02-ZON-23 to be well-argued and thoughtfully written, however there is one small passage which we believe should be amended before the City Council hearing.*

*On page 11 of the staff report, it is stated that, "the proposed rezone and development of an RV park would contribute towards satisfying a portion of the 100 mobile/manufactured housing units needed. Providing this housing option would contribute toward meeting City's affordable housing needs for middle and lower income households which is roughly 35% of the City's needed housing. This rezone request and RV park development would meet the intent and needs discussed in Goal 10 - Objective 1, and Policies 1 and 3."*

*While an RV park may relieve pressure on affordable housing, RVs are not considered needed housing under Oregon statute, and thus cannot be used to satisfy the City's housing needs. We believe eliminating this passage will still leave you with defensible findings.*

*To be clear, we are not opposed to this project specifically, or the creation of more RV parks in general, but they should not come at the expense of housing types which communities are statutorily required to plan for.*

Staff Comment: Mr. Goldberg's comments and recommended changes have been addressed in this decision Order under the Goal 10 findings. It is noted by Staff that RV parks and RVs are not recognized as a form of needed housing by City Code or by State law.

5. No written comments or concerns were received from other notified agencies.

## VII. Public Comments

In accordance with City of La Grande Land Development Code Ordinance (LDC) 3252, Series 2021, Chapter 9, public notice was mailed to the owners of properties located within one hundred feet (100') of the subject property.

1. No written comments or concerns were received from members of the public.

## VIII. Analysis of Applicable Standards

Changes to a Zoning map designation are required to satisfy the review criteria contained in the City of La Grande LDC 3252, Series 2021, Article 8.6, Section 8.6.003, and Article 8.7, Section 8.7.003. The Findings in Decision Order Section IX below addresses conformance with such criteria.

## IX. LDC Section 8.6.003 – Review Criteria (Zoning Map Change)

*A proposed Zone Designation Change shall meet the following criteria:*

- A. The Zone Designation Change is in conformance with the Comprehensive Plan (Criteria A<sup>1</sup>), and all other provisions of the Land Development Code (Criteria A<sup>2</sup>);**

**Criteria A<sup>1</sup> – The Zone Designation Change is in conformance with the Comprehensive Plan**

Following are the Comprehensive Plan Goals and Policies applicable to this request:  
(Current Comprehensive Plan adopted by Ordinance 3255, Series 2022)

**Goal 1: Citizen Involvement**

*Objective 1. Develop and implement a citizen involvement program that includes all six (6) components of Statewide Planning Goal #1.*

- (1) Citizen Involvement*
- (2) Communication*
- (3) Citizen Influence*
- (4) Technical Information*
- (5) Feedback Mechanisms*
- (6) Financial Support*

*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 shall strive to assure that technical information is available in an understandable form.*

*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.*

**Finding: This standard is met.** The City's land use process satisfies Goal 1. As outlined in Decision Order Section II above, the City provides many opportunities for citizens to become informed and participate in the land use process.

The City's land use review process includes the mailing of a public hearing notice to surrounding property owners within 100', advertised notice in *The Observer*, and all materials are posted on the City's website. City staff prepares written material,

using layman's terms and illustrations as much as possible to ensure that technical information is easily understood. The City holds a minimum of three (3) public hearings; one before the Planning Commission and two before the City Council. All public hearings are advertised and the public is invited to attend and participate in all phases of the process. At the conclusion of the hearing process, there is a 30-day appeal period by which any party with standing may challenge the decision.

**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*

*Objective 2. 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 be made on a factual base.*

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

*Policy 7. That commercial development be concentrated so as to strengthen existing commercial activities.*

*Policy 8. That compatibility with anticipated uses with surrounding area development will be evaluated in making planning related decisions.*

*Policy 9. That alternative sites and alternative uses will be considered in making land use plan decisions.*

*Policy 11. That uses with undesirable noise, smoke, visual, and other objectionable characteristics will be discouraged from locating in areas where such conditions are incompatible with surrounding area development.*

**Planning Commission Finding:** This standard is met. The applicant listed both Objectives above and Policy 3 in their application, but addressed all of the above within various areas of their application submittal.

**Following is the justification provided by the applicant:**

Related to the conceptual RV park plan, the application explains that La Grande has a shortage of both transient (short-term) housing and long term (permanent) housing. This request is focused on La Grande's "public need" (Policy 3) for addressing the regions short-term transient (lodging) housing needs, which includes RV/tiny home living that typically occurs within an RV park in close proximity to commercial areas and services that travelers rely on (e.g. restaurants, grocery, etc.)

The application explains that there are only two (2) RV parks within the vicinity of La Grande and Island City (w/in a 10-mile radius):

- Hot Lake RV Park – This park is located approximately 8 miles South of La Grande and Island City. It is open seasonally for travelers and consistently full during the summer months. During the winter, this RV park is closed to guests.
- Rendezvous RV Park – This park is centrally located in the City of La Grande near I-84 interchange #261. This park is consistently full with long-term guests, residing in the park year-round.

The applicant explains that the La Grande area “needs” a clean RV park that is available for travelers and short-term workers that are travelling through the area. Options for travelers to stay in a local RV park are very limited as they are booked out well in advance and rarely have last minute opening to accommodate travelers on short notice.

The site for the proposed rezone is immediately off Hwy 82 which is frequented by tourists/travelers heading to Wallowa County. The site is also in close proximity to I-84, interchange #261, and will cater to travelers traveling through the region via on I-84.

The site is immediately adjacent to a commercial center (Policy 7-8) which include Ace Hardware, Walmart, restaurants, fuel stations and other business that travelers may frequent. Other commercial businesses are also located in the vicinity that cater to local residents, but may attract travelers staying at the RV park and increase consumer activity in both La Grande and Island City.

The applicant did not address Policy 9 in their application, as there are no other reasonable sites to consider for alternatives. The project requires a commercially zoned property that is between 5-10 acres, which does not exist with the region without rezoning residential properties to commercial or expanding an Urban Growth boundary and rezoning agricultural lands to commercial.

While the subject property is residentially zoned, it is the only viable site for consideration as it is immediately adjacent to a commercial center, and is landlocked in the sense that its only accessible through the commercial center. All other residentially zoned property within the area that can be considered for rezoning to commercial are within or adjacent to residential neighborhoods, have limited infrastructure for supporting commercial development, they are accessed by low traffic “local” neighborhood streets, and do not have convenient and direct access to the City’s higher traffic “collector” and “arterial” streets. As such, other residentially zoned properties would not be reasonable to consider.

Relating to Policy 11, the rezoning is not expected to result in *undesirable noise, smoke, visual, and other objectionable characteristics that will be incompatible with surrounding area development*. The subject property will have no exposure to other uses to the North and East, as these areas are vacant open space that are or will be used for recreational purposes. To the South is existing commercial development, which has the same zoning as what is proposed, thus no adverse impacts are anticipated. The property to the West is within Union County and residentially zoned with large parcels. General commercial development types are often located adjacent to residential areas, so while some impacts may be expected, no significant impacts are anticipated. Additional, since the proposed commercial development is an RV park, which is much more compatible and similar in nature to residential and most other commercial uses that are common in commercial zones.

Following is the justification provided by the Planning Department staff:

Staff explained that this request is to rezone the subject property from residential to commercial, and emphasized that the proposed commercial zoning would support a variety of commercial uses, not just the conceptual RV park. Also, a favorable decision on this rezone would not grant any approvals



or guarantees for the development of an RV park as this request is limited to simply changing the zone from residential to commercial.

For justification specific to the rezone and “need” for additional commercially zone land, the City is in the process of conducting an economic needs analysis (EOA). For this analysis, the City hired Points Consulting, who have evaluated the City’s existing commercial land inventory and forecasted the City’s potential economic growth over the next 20-years. The draft final report submitted to the Planning Department for review on August 7, 2023, suggests that the City has a need for over 25 acres of new commercial lands, specifically in the 5 acre or larger category. The portion of the applicant’s property within La Grande is roughly 8 acres, and fits within this commercial land need.

**Goal 6: Air, Water and Land Resource Quality**

*Objective 1. To maintain and improve the quality of the air, water and land resources of La Grande. Achievement of a natural resource use pattern which gives as much importance to providing for tomorrow’s needs and the protection of the natural environment as to providing for the needs of today.*

*Policy 1. That those uses emitting noise and air pollution be located so as not to infringe upon the quality of residential living.*

*Policy 2. That buffer or transition areas be encouraged between industrial and residential uses.*

**Planning Commission Finding:** The applicant has identified the above Goal 6 Objective and Policies as being applicable to their request. The applicant explains in their application narrative that the RV park will be designed as a residential-like model with a quite “home-like” environment. The park will include an onsite manager that will be responsible for maintaining this home-like feeling.

Additionally, to minimize adverse impacts on the County residential area to the West, the applicant intends to construct a privacy buffer between the park and residents, as well as constructing a fence around the development for security.

Planning Division staff does not find Goal 6 applies to this rezone. This Goal is more applicable to an actual project or development, and not to just a rezone.

**Goal 9: Economic Development**

There are five (5) sub-goal in this Goal 9 chapter. Of these, only a couple may be applicable, which are implemented through a variety of policies. Following are the five (5) sub-goals, with the policies that the applicant has identified as being applicable to their request:

*Goal 1 – To Create High Quality Family Wage Jobs*

*Goal 2 – To Foster Growth and Expansion for Eastern Oregon University*

*Goal 3 – To Promote Retail Development*

*Goal 4 – To Revitalize Downtown*

*Goal 5 – To Establish Sufficient Capacity for Commercial and Industrial Development*

*Policy 8. The City shall take social, aesthetic, and environmental values into consideration when planning for commercial and industrial development.*

*Policy 10. The City shall encourage highway-oriented businesses to be located near intersections of major arterials.*

*Policy 11. The City shall encourage the grouping of commercial uses in such a manner as will facilitate customer involvement from one store to another.*

*Policy 12. The City shall locate commercial areas so as to provide good access between them and the trade area served.*

**Planning Commission Finding:** The application narrative explains that the site has been vacant/undeveloped and desolate for several years. Rezoning and developing the property will improve the aesthetics and adverse impacts that currently exist with debris and litter blown in from adjacent commercial properties. The proposed development will include trees and greenspace, which will be a significant improvement. Additionally, the development of the property as an RV park will be much more environmentally friendly than many other commercial alternatives.

As discussed previously in this Decision Order, the subject property will be accessed from the intersection of Walton Road and Island Avenue (Hwy 82), which is an arterial street (see Policy 10) and a direct highway route for travelers going North to Wallowa County. Additionally, the subject property is in close proximity to I-84 for serving travelers passing through.

The subject property is immediately adjacent to other commercial properties, where travelers staying at the RV park may visit (see Policies 11 and 12). Businesses in the immediate vicinity that may benefit from this rezone and the proposed development include Miller's Lumber (Ace Hardware), KIE, Walmart, Taco Bell, Panda Express, and other retailers and restaurants. The same would be true for other commercial development on the subject property.

#### **Goal 10: Housing**

There are four (4) objectives and several policies in the Goal 10 Chapter of the Comprehensive Plan that address the City's housing needs.

*Objective 1: To provide for the housing needs of the citizens of La Grande, and to support development of an adequate supply of housing in terms of quantity, quality, and availability especially to groups, such as low- and moderate-income households, elderly and handicapped households.*

*Objective 2: To assure environmental quality in residential areas, and to enhance the financial ability of households to obtain and retain decent dwelling units.*

*Objective 3: To assure an open housing market for all La Grande citizens, and to assure a balance of individual and community needs in residential areas.*

*Objective 4: To provide areas suitable and desirable for all types of single and multiple family residential uses which have or will need public water and sewage services, commercial and education support facilities and employment opportunities.*

*Policy 1: The City recognizes that public interest requires that every citizen be given the opportunity to provide themselves with safe, sanitary and adequate housing.*

*Policy 3: That all types of residential units, including mobile home, modular and manufactured units, are acceptable resources of housing and that recognition will be reflected in zoning, building codes and other regulatory means without compromising quality standards.*

**Planning Commission Finding:**

Following is the justification provided by the applicant:

The application narrative explains that RV living has increased in popularity, are mobile and benefits those telecommuting and those travelling for employment. There is a large group of people that travel in their RV vs. staying in hotels, which La Grande has a shortage of. The rezoning of the subject property to commercial and developing an RV park will satisfy a need in the community by providing a clean, quiet, and convenient location for travelers and short-term residents that is close to the amenities of the City.

The RV park will help fill a short-term housing void in the City, whether it be for travelers, or temporary or long-term guests seeking an affordable housing option while waiting for new housing projects to get constructed.

The proposed RV park will conform to all codes without compromising quality standards, all RV units will be safely connected to utilities and services (water/sewer).

Following is added justification provided by Planning Division staff:

The City's codes do not consider an RV park as a form of housing that satisfies the City's housing needs. The City does recognize that there is a growing population of residents choosing to live in RVs within RV parks, as there is a demand and need for this type of affordable housing option. However, should the property develop with a commercial use other than an RV park, the discussion above would not be relevant.

Note: As discussed in the Agency Comments section of this decision order, comments submitted from Samuel Goldberg, Education and Outreach Specialist for the Fair Housing Council of Oregon, support the staff's comments that RV parks and RV living is not a recognized form of housing. In response to the justification provided by the applicant, Mr. Goldberg advised that "*RVs are not considered needed housing under Oregon Statute, and thus cannot be used to satisfy the City's housing need. We believe eliminating this passage will leave you with defensible findings.*"

Staff Comment in response: With the added justification provided by Planning Division Staff above, which is consistent with and supported by the comments provided by Mr. Goldberg, Staff believes this issue has been adequately addressed, with RVs not being recognized as a form of needed housing.

Directly related to the rezoning from residential to commercial, the discussion needs to include impacts to the City's housing need and inventory vs. commercial need and inventory.

1. Housing Needs Analysis (HNA) – Housing Need: In December 2020, with support from the Oregon Department of Land Conservation and Development (DLCD) and technical assistance funding, the City of La Grande completed a HNA that included an inventory of the City's existing housing stock and forecasted the City's housing needs over the next 20-years. The HNA was adopted by City Council Resolution 3250, Series 2020.
  - To satisfy all of the City's forecasted housing needs (for all housing types) over the next 20-years, the City needs roughly 146 acres of land.
  - The City currently has 358 acres of buildable resident land within its jurisdictions, amounting to a residential land surplus 212 acres.

To break this down further, of the 358 acres of residentially zoned land in the City's existing inventory, 152 acres are zoned Medium Density residential. The HNA specifically identifies a need for only 23 acres of Medium Density Residential Zoned land, which results in the City having 129 acres of surplus land in this zone category.

Staff's conclusion based on the above, the City has a significant surplus of residential land, and rezoning 8+/- acres will have little to no impacts on the City's buildable lands inventory and will still result in a significant residential land surplus.

**Criteria A<sup>2</sup> – The Zone Designation Change is in conformance with all other provisions of the Land Development Code.**

**Planning Commission Finding:** No other provision of the Land Development Code appears to apply to this request. But, related, Review Criteria B and C below explains that the subject property is of suitable size and location, to support the development of the subject property with commercial uses, including the conceptual RV park if it is realized.

**B. The property affected by the Zone Designation Change is adequate in size and shape to facilitate those uses that are normally allowed in conjunction with such zoning;**

**Planning Commission Finding:** The applicant's total property is roughly 11+/- acres, with the portion within the City of La Grande being 7.8 acres. The applicant has provided a conceptual site plan in their submittal that demonstrates that the property is of sufficient size to development the proposed RV park, with additional/surplus land left over to accommodate an expansion or other commercial development. Also, the City of La Grande's Land Development Code Ordinance identifies a minimum lot size for commercially zoned land as being 2,500 square feet. With the subject property being 5-11 acres in size, it is clearly large enough to facilitate most uses that are normally allowed in such zoning.

**Island City Comments:** The comment letter submitted by Island City, dated July 25, 2023, suggest that this review criterion is not met. Island City's comments cite the applicant's submittal which states that the bordering Island City property *will not be affected by the zone change*. However, 60% of the applicant's property is located in Island City and is 100% reliant on Island City transportation infrastructure for ingress and egress, plus other utility infrastructure.

City of La Grande Community Development Department staff agrees with Island City's comments that properties within Island City will be impacted by the development of the subject property, whether as an RV park or other commercial use. La Grande staff believes that this criterion is still met, as it focuses on the property's size and shape being adequate to facilitate the uses allowed in the General Commercial zone, which it is. These other feasibility concerns are valid, but relate to other review criteria.

**C. The property affected by the proposed Zone Designation Change can adequately serve the uses that may be permitted therein; and such Change is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060)**

**Finding:** The Oregon Transportation Planning Rule requires that the rezone be evaluated to determine if it will have a significant adverse impact on the transportation system, resulting in capacity issues that brings the level of service for any street or intersection below acceptable levels (e.g., reduce the Level of Service from E to an F). If so, the Rule requires that a plan be prepared to mitigate such adverse impacts.

As part of reviewing potential traffic impacts in accordance with the Oregon Transportation Planning Rule, La Grande staff offers a couple scenarios for consideration:

1. Cursory Review Comparing Residential Development vs RV Park Development: La Grande staff has done a cursory review by comparing the predicted Average Daily Vehicle Trips (ADTs) that may be generated by a single-family and duplex development within the existing residential zone vs. the development of the conceptual Campground/RV park in the proposed commercial zone (see Figure 1 below). The general conclusions of this review suggest roughly a 50% reduction in traffic impacts as a result of this rezoning and the proposed RV park development. The existing residential zoning is predicted to generate 59-79 peak hour vehicle trips, whereas the proposed RV park is predicted to generate 22-41 vehicle trips, which is roughly 50% less.

Under this scenario, there would not be a significant adverse effect on transportation system that warrants further review and the preparation of a mitigation plan, based solely on Oregon Transportation Planning Rule.

**Figure 1**

Trip Generation Times	Residential Single-Family per DU		Commercial Campground/RV Park per Occupied Site	
	Trips	7.8 acres (78 DU max)	Trips	100 spaces
Average Daily Trips – Weekday	9.57	747/day	Not Avail.	Not Avail.
Peak Hour – Weekday AM	0.75	59 peak	.22	22 peak
Peak Hour – Weekday PM	1.01	79 peak	.41	41 peak

\* Trip Counts per Institute of Traffic Engineers Manual, 7<sup>th</sup> Edition

2. Cursory Review Comparing Residential Development Vs Other Commercial Development: During La Grande staff's recent follow up meeting with ODOT on July 31, 2023, the ODOT traffic engineer assisted with providing an alternative scenario that must also be considered as a possibly option.

As part of conducting a traffic analysis for a rezone, the study would generally look and the highest or greatest use of the property vs. the conceptual proposal provided by an applicant. In this case, the highest or greatest use of the property may be for a commercial shopping center, which is consistent with the existing development pattern of the area. In this case, a commercial shopping center

would generate over a 300% increase in traffic vs. a single-family residential development (see Figure 2 below). A commercial shopping center is predicted to generate 3,170 average daily trips vs. 747 for single-family residential development, which is roughly 325% +/- increase

Under this scenario, there would be a significant adverse effect on transportation system that warrants further review and the preparation of a mitigation plan, based solely on Oregon Transportation Planning Rule.

**Figure 2**

Trip Generation Times	Residential Single-Family per DU		Commercial Shopping Center	
	Trips	7.8 acres (78 DU max)	Trips	68 Comm. Units
Average Daily Trips – Weekday	9.57	747/day	<b>37.01</b>	<b>3170</b>
Peak Hour – Weekday AM	0.75	59 peak	0.84	57 peak
Peak Hour – Weekday PM	1.01	79 peak	3.4	231 peak

\* Trip Counts per Institute of Traffic Engineers Manual, 11<sup>th</sup> Edition

For this rezone request, City of La Grande staff did not require a traffic analysis as part of the rezoning application as the subject property and surrounding area has been evaluated in the past and the deficiencies, impacts and needed mitigation measures are generally known. These are discussed in both Island City’s and ODOT’s comment letters. La Grande Staff believes that conducting a new traffic study at this time would not provide considerably different information than what is currently known and would likely not influence the outcome of the zone change. Also, conducting a traffic study at this time would be based entirely on assumptions, hypothetical scenarios and predicted issues and impacts generated by the hypothetical scenarios. The study would not be based on factual information from an actual development proposal.

Since the subject property and surrounding area has already been studied and the transportation impacts and mitigations measures are generally known (see Island City’s and ODOT’s comment letter), rather than requiring a new traffic study at the time, City of La Grande staff believes such new study should be deferred and occur at the time of application for a new development. The results of such study would be more valuable and based on an actual project, provide factual information, and any mitigation measures identified would be directly relevant and attributable to the proposed development.

Also, deferment until the time of application for a development is consistent with the La Grande’s adopted land use code. Regardless of whether a study was conducted now, as part of this rezone, La Grande code will require a study at the time of development that is based on the actual development proposed. Then, the application would be required to address transportation issues that are directly attributable to a proposed development. Following is the City of La Grande land use code which requires a traffic study:

**Land Development Code Ordinance 3252, Series 2021, Article 6.2, Section 6.2.0020(D) – Traffic Study:**  
*“For proposed development which is anticipated to generate more than four hundred (400) average daily motor vehicle trips (ADTs), the City shall require the applicant to provide a Traffic Impact Study to demonstrate the level of impact to the surrounding street system. A traffic impact study may also be required at the discretion of the City where known traffic issues exist or where the existing transportation system may be at or near capacity. The applicant shall be required to mitigate all negative impacts attributable to the development as identified in the traffic impact study.”*

The deferment of the traffic study until the time of application for a development was discussed with ODOT during the follow up meeting with ODOT on July 31, 2023. ODOT supports La Grande staff’s recommendation on deferring the traffic study, but did want the staff report and decision order to recognize and emphasize that the zone change will result

in a significant change and that the transportation system currently has deficiencies and conflicts that need to be addressed as part of any development, whether it is the subject property of this rezone or the development of other commercial properties in the area.

To reinforce the need and requirement for a traffic study at the time of application for development, a condition of approval is included in this decision order.

**D. The proposed Zone Designation Change will have no adverse effect on the appropriate use and development of abutting properties.**

**Finding:** The applicant's submittal explains that there will be little to no adverse impacts of the development or use of abutting or nearby properties as a result of this rezone request.

Visual impacts will be limited due to the buffer planned as part of the conceptual RV park development. In fact, the applicant feels that impacts will be lessened as the buffer (fence, trees, other) they plan to construct will improve the aesthetic environment and will reduce the views that adjacent residences currently have into the back side of the existing commercial developments where outdoor storage is occurring.

**Island City Comments:** The comment letter submitted by Island City, dated July 25, 2023, suggest that this review criterion is not met, citing transportation issues, traffic study requirements, water and sewer infrastructure challenges, other.

City of La Grande Community Development Department staff agrees with Island City's comments. However, La Grande staff believes that such adverse impacts currently exist for the entire area and are not limited to or isolated to the subject property. The adverse impacts identified by Island City and ODOT are relevant for any development in the area, regardless of the property involved.

La Grande staff does not believe that the zone change by itself will result in an adverse impact on the development of the area, but rather such impacts will be realized at the time that an actual development is proposed. Based on this La Grande staff believes this criterion is met, but would like to recognize and emphasize that the issues identified by Island City and ODOT are relevant and need to be evaluated and addressed prior to or at the time of an application for new development.

Lastly, at the Planning Commission public hearing on August 8, 2023, the Mayor of Island City submitted a second letter consistent with La Grande staff's comments above. The Mayor of Island City asked for a condition of approval to be included in the decision order that required new developments that rely on access via Island City to receive Island City land use approval prior to receiving City of La Grande approval. This requested condition of approval has been included in this decision order.

## X. LDC Section 8.7.003 – Review Criteria (Comprehensive Plan Map Designation Change)

*A proposed Comprehensive Plan Designation Change shall meet the following criteria:*

### A. The proposed change is in compliance with the Statewide planning goals;

**Planning Commission Finding: This standard is met.** As discussed previously, the City of the La Grande's Comprehensive Plan was developed and structured to mirror the Statewide planning goals, but with policies that are more specific in order to help the City implement the various goals or direction specified in the Statewide Planning Goals.

The application was found to satisfy the City's Comprehensive Plan policies, and thus is also found to satisfy the Statewide planning goals.

### B. The proposed change is in conformance with all policies of the City of La Grande Comprehensive Plan;

**Planning Commission Finding: This standard is met.** See Zone Designation Change findings above, which also requires compliance with the City's Comprehensive Plan.

### C. The proposed change is supported by specific studies or other factual information which documents the need for the change.

**Planning Commission Finding: This standard is met.** As discussed above, there is a documented surplus of residentially zoned lands, with 129 surplus acres specific to lands zoned Medium Density Residential. The City also has a need (not documented) for additional employment lands, both commercial and industrial. This employment land need is well known locally by the City, real estate professional, developers and business owners. This has caused the City to allocate funding to address this need. The City is currently conducting a Goal 9 Economic Opportunities Analysis to determine the status of the City's existing commercial and industrial lands inventory, the City's 20-year forecasted employment land need, and whether the City has a surplus or deficit of needed land. The City is confident that the study will identify a deficit of large acreage commercial land, which has caused the City to budget additional funding conduct a Goal 14 Urban Growth Boundary expansion process. Both this Goal 9 and Goal 14 effort support this rezone.



## XI. Conclusions and Order

During the Regular Session of the Planning Commission held on August 8, 2023, based on the Findings of Fact above, the Planning Commission concluded that the Comprehensive Plan Designation Change and Zone Designation Change meets the requirements established in LDC Article 8.6 and 8.7, and hereby recommends approval of the zone change to the City of La Grande City Council, subject to the following condition of approval.

1. At the time of application for development, a traffic impact study (TIS) shall be prepared and submitted to the City of La Grande, Island City and the Oregon Department of Transportation, that meets the requirements and methodology as determined by such jurisdictions. The TIS shall evaluate the existing conditions of the surrounding street system and demonstrate the level of impact the proposed development will have on the surrounding street system. As part of the development, the applicant shall be required to mitigate all negative impacts attributable to the development as identified in the traffic impact study.
2. Prior to approval of any City of La Grande, land use, zoning and building permits for development that relies on access and infrastructure in Island City, the applicant shall be required to receive land use approval from Island City for proposed infrastructure improvements in Island City.

During the Regular Sessions of the City Council held on September 6, 2023, and October 4, 2023, based on the Findings of Fact above, the City Council agreed with the Planning Commission findings and recommendation, and concluded that the Comprehensive Plan Designation Change and Zone Designation Change meets the requirements established in LDC Article 8.6 and 8.7. The City Council hereby adopts the Planning Commission Findings as their own and approves of the zone change, subject to the condition of approval listed above.

# APPLICATION FOR LAND USE REVIEW

**COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT**  
**Planning Division**  
 1000 Adams Avenue, P.O. Box 670  
 La Grande, OR 97850  
 (541) 962-1307  
 Fax (541) 963-3333



### LAND USE APPLICATIONS

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Annexation Petition<br><input type="checkbox"/> Appeal of Planning Division Decision<br><input type="checkbox"/> Appeal of Planning Commission Decision<br><input type="checkbox"/> Appeal of Landmarks Commission Decision<br><input type="checkbox"/> Comprehensive Plan Document or Map Amendment<br><input type="checkbox"/> Conditional Use Permit<br><input type="checkbox"/> Duplex Division<br><input type="checkbox"/> Fence Height Waiver<br><input type="checkbox"/> Floodplain Development Permit <i>(Separate Applic. Required)</i><br><input type="checkbox"/> Geologic Hazard Site Plan<br><input type="checkbox"/> Historical Landmarks Review<br><input type="checkbox"/> Home Occupation Permit<br><input type="checkbox"/> | <input type="checkbox"/> Land Development Code Amendment<br><input type="checkbox"/> Land Use Approval Time Extension<br><input type="checkbox"/> Livestock Permit<br><input type="checkbox"/> Lot Line Adjustment<br><input type="checkbox"/> Major Land Partition<br><input type="checkbox"/> Minor Land Partition<br><input type="checkbox"/> Planned Unit Development<br><input type="checkbox"/> Preliminary Land Use Review<br><input type="checkbox"/> Public Right-of-Way Encroachment<br><input type="checkbox"/> Public Right-of-Way Dedication<br><input type="checkbox"/> Public ROW Vacation <i>(Separate Applic. Required)</i> | <input type="checkbox"/> Site Plan Review<br><input type="checkbox"/> Segregation of Tax Lot<br><input type="checkbox"/> Sign Permit<br><input type="checkbox"/> Subdivision<br><input type="checkbox"/> Temporary Use Permit<br><input type="checkbox"/> Variance - Administrative<br><input type="checkbox"/> Variance - Commission<br><input type="checkbox"/> Wetland Development Permit<br><input type="checkbox"/> Zoning Approval<br><input checked="" type="checkbox"/> Zone Change Designation<br><input type="checkbox"/> |
|--|--|---|

### OWNER/APPLICANT INFORMATION

Applicant/Agent: <u>Kimie Becker Gunderson</u>	Land Owner: <u>Mike Becker</u>
Mailing Address: <u>PO Box 1159</u>	Mailing Address: <u>PO Box 1159</u>
City/State/Zip: <u>La Grande, OR 97850</u>	City/State/Zip: <u>La Grande, OR 97850</u>
Telephone: <u>541-963-7096</u>	Telephone: <u>541-963-7096</u>
Fax: <u>541-963-6775</u>	Fax: <u>541-963-6775</u>
Email: <u>kbecker@mikebeckergc.com</u>	Email: <u>mbecker@mikebeckergc.com</u>

### PROJECT INFORMATION

Site Address: <u>Walton Road La Grande, OR 9785</u>	Description: <u>Underdeveloped R2 land bordered by CG</u>
Legal Desc.: T <u>03</u> S, R <u>38</u> E, Section <u>04AB</u> , Tax Lot <u>100</u>	<u>Walton Road Commercial District</u>
Project Value: _____ <i>(Based on contractors bid estimate.)</i>	_____

### APPLICANT/OWNER CERTIFICATION

**The applicant/owner understands and agrees that:**

- The applicant/owner assumes all legal and financial responsibilities for establishing and clearing marking the location of all necessary property lines as determined necessary by the City for the proposed development;
- Building setbacks shall be measured from an established property line, not from the street, curb, sidewalk, or other improvement that is not based on a recorded survey;
- Any approvals associated with this request may be revoked if found in conflict with information represented in this application;
- The approval of this request does not grant any right or privilege to erect any structure or use any premises described for any purposes or in any manner prohibited by City of La Grande ordinances, codes or regulations;
- The applicant hereby authorizes City officials of the City of La Grande to enter the property and inspect activity in conjunction with the proposed development project.
- **ASBESTOS:** If the project includes demolition, Oregon law may require an asbestos inspection by an accredited inspector. The applicant/owner hereby understands and agrees to have an asbestos inspection performed, if required by law, and to have a copy of the inspection report available on-site for the duration of the project.

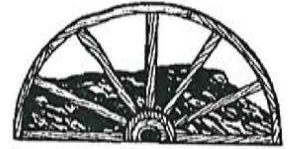
Applicant Signature: *Kimie Becker Gunderson* Owner Signature: *Mike Becker*

# APPLICATION FOR LAND USE REVIEW

PAGE 2

## COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division  
1000 Adams Avenue, P.O. Box 670  
La Grande, OR 97850  
(541) 962-1307  
Fax (541) 963-3333



CITY of LA GRANDE  
THE HUB OF NORTHEASTERN OREGON

### STAFF USE ONLY FOR ZONING APPROVAL

**Project Elements:**

- Demolition                       New Structure  
 Addition to Structure        Alterations/Repairs

**Demolition Defined:** "Any wrecking that that involves the removal of any load-supporting structural member or intentional burning."

Dwelling Standards: 1 2 3 4 5 6 7 8 9 10 11 12 N/A  
*Required for MH/SF/Duplex & Apartments [Section 3.2.003]*

Access. Bldg. Standards Met:  Yes  No  N/A *[Article 5.9]*

Setbacks Met:  Yes  No *[Article 5.3]*

Front: \_\_\_\_\_ Left: \_\_\_\_\_ Right: \_\_\_\_\_ Rear: \_\_\_\_\_

Livestock setbacks: \_\_\_\_\_

Floodplain:  Yes  No    Zone: \_\_\_\_\_ BFE: \_\_\_\_\_

*If yes, an Elevation Certificate may be required  
If yes, a Floodplain Development Permit may be required. [Article 3.12]*

Geologic Hazard Zone:  Yes  No

*If yes, a Geologic Hazard Waiver is required. [Article 3.4]*

Riparian Zone/Wetlands:  Yes  No

*If yes, a wetland delineation and DSL Permit may be required. [Articles 3.9 and 3.19]*

Fire Protect. Agrmt. Req.:  Yes  No *[Article 3.2]*

Parks & Recreation SDC:  Yes  No *[Article 7.1]*

ROW Improvement Req.:  Yes  No *[Article 6.3]*

LID Agreement Req.:  Yes  No *[Article 6.3]*

Zone: \_\_\_\_\_

Date Approved: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

File Number: \_\_\_\_\_

Application Fee: \_\_\_\_\_

Receipt Number: \_\_\_\_\_

**COMMENTS:**

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### Land Use Application Fee Schedule

Annexation Petition	\$1000	Minor Land Partition	\$250 + \$5/lot
Appeal of Planning Division Decision	\$75	Planned Unit Development	\$500 + \$5/lot + Actual Costs for Advertising and Public Notice
Appeal of Planning Commission/Landmarks Commission Decision	\$150	Public Right-of-Way Encroachment	\$50 + Document Recording Fees
Comprehensive Plan Designation Change	\$300 + Actual Costs for Advertising and Public Notice	Public Right-of-Way Dedication	\$0
Comprehensive Plan Document Amendment	Actual Costs	Public Right-of-Way Vacation	Actual Costs
Conditional Use Permit	\$375	Preliminary Land Use Review (Pre-Application Meeting)	\$0
Duplex Division	\$250 + \$5/lot	Segregation of Tax Lot	\$25
Fence Height Waiver	\$25	Sign Permit	\$75
Floodplain Development Permit	\$75	Site Plan Review – New/Expansion	\$75 (Projects \$0-\$50k) \$150 (Projects \$50k-\$100k) (+ \$0.50/\$1000 over \$100k)
Geologic Hazard Site Plans	\$75	Subdivision	\$500 + \$5/lot + Actual Costs for Advertising and Public Notice
Historical Landmarks Review	\$75	Temporary Use Permit	\$125
Home Occupation Permit	\$75	Variance Permit (Administrative)	\$175
Land Development Code Amendment	Actual Cost	Variance Permit (Planning Commission)	\$450
Land Use Approval Time Extension	\$25	Wetland Plan Review	\$75
Lot Line Adjustment	\$150	Zone Change/LDC Amendment	\$300 + Actual Costs for Advertising and Public Notice
Livestock Permit	\$25	Zoning Approval	\$25.00
Major Land Partition	\$500 + \$5/lot		

\*Applications based on actual costs require a deposit to cover the estimated fees. If there is a shortage of funds discovered during the review process, an additional deposit may be required to be paid. Any surplus or deficit of fees paid will be refunded or billed to the applicant.

\*Application fee for multiple planning actions is equal to the greatest single fee, not the sum of all fees.

\*Application fee may be increased to include third party engineering and/or consulting fees when required.  
S:\Community Development\PLANNING\FORMS\APPLICATIONS\Version 2021\Land Use Application.docx

## **Purpose**

### **Proposed RV Park Development and proposed re-zoning from R-2 to Commercial**

*Mike Becker plans to develop a RV Park on vacant land in the City of La Grande UGB that is currently zoned R-2. A zoning change from R-2 (approx. 7.8 acres) to commercial GC is necessary in order to meet our business venture goal of constructing a 100 space RV Park. This vacant land would be great location for such a development and also serve a need in our community providing temporary lodging and housing.*

*The RV Park development is bordered on the west by property that is located in Union County boundary and bordered on the east by property located in the City of Island City UGB. This project specifically is proposed to be constructed within the City of La Grande UGB as well as the Island City UGB.*

*Given this parcels location and designation is limiting business opportunities and development. Changing the zoning to GC offers more options for development/business opportunities.*

*See Attachment A- RV Park Conceptual Design Plan*

### **Section 8.6.003-Review Procedure**

#### **Review Criteria:**

##### **A: Comprehensive Plan & Land Development Code – related items**

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

##### **Objectives:**

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
2. 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:**

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.

*La Grande has a shortage of housing for transients as well as permanent residents. With the popularity of RV/Tiny home living and there is a need in our community for a RV park that is close to the stores/restaurants for those who are traveling through, recreating or those that are working in our area away from home. With the Hot Lake RV Park located out of town is full most of the summer and closed in the throughout the winter months and the Rendezvous RV Park is full with mostly long-term renters and in a run-down state. The two local RV Parks are predominantly full with long term residence who live there year round. La Grande needs a clean*

*option for travelers and short-term workers for RV Park living who want a stay and enjoy our area while traveling through. Hot Lake is a better option than Rendezvous is however they are booked out well in advance and rarely have last minute openings or openings for someone just passing through on short notice.*

7. That commercial development be concentrated so as to strengthen existing commercial activities.

*The proposed parcel is adjacent to a commercial business park. Having an RV Park located in La Grande that caters to travelers will bring consumer activity to local store, restaurants and other businesses in our community. This will also help strengthen La Grandes commercial activities from gas stations, bike rentals, retail and restaurants.*

11. That uses with undesirable noise, smoke, visual, and other objectionable characteristics will be discouraged from locating in areas where such conditions are incompatible with surrounding area development.

*Proposed parcel has no exposure to other uses nearby on two sides north and east residence to the west approx. 400'. The proposed location is currently vacant and underdeveloped and a place where no undesirable activities occur except for the occasional homeless overnight stay. The proposed development will have an onsite manager and will not increase nor encourage or create objectionable characteristics. The R-2 to GC use in this case will not differ tremendously because most RV goers have home like connivences and will be treating the location as a residential residence.*

## **STATEWIDE PLANNING GOAL 6 – AIR, WATER, AND LAND RESOURCE QUALITY**

### **Objective:**

1. To maintain and improve the quality of the air, water and land resources of La Grande. Achievement of a natural resource use pattern which gives as much importance to providing for tomorrow's needs and the protection of the natural environment as to providing for the needs of today.

### **Policy:**

1. That those uses emitting noise and air pollution be located so as not to infringe upon the quality of residential living.

We do not intend nor do we anticipate an increase in noise or air pollution, the current property is located near Island Avenue which is very heavily traveled and carries it own noise level, as well as the INPRR Railroad Tracks. While there will be an increase of use the intention of the RV Park will be for a residential model with a quiet “home like” environment. The onsite manager will be responsible for maintaining that “home like” feeling.

2. That buffer or transition areas be encouraged between industrial and residential uses.

We plan on being mindful of the County Zone property to the west of the proposed RV Park, to the east there is open space that will be developed and there will be a buffer for privacy for the adjacent property as well as privacy for the RV Park guests. We plan to fence the park property for security on the park property that might be accessed by park guest.

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

### **I. Goal and Policies**

The following goals, objectives, policies and recommendations have been formulated by the City to direct the community's economic development program during the next five to ten years.

#### **A. Goals:**

1. **To Create High Quality Family Wage Jobs** - To promote industrial and commercial development that generates high quality family wage jobs and income for the community and creates sustainable and environmentally sound economic vitality.
2. **To Foster the Growth and Expansion of Eastern Oregon University** - To support the university in its efforts to grow and target educational programs to the region and the state. Provide sites and other infrastructure to businesses seeking to partner with the university.
3. **To Promote Retail Development** - To promote the development of the City as a Regional Shopping Center by providing a greater range of retail services for residents and visitors. As a Regional Center, allow residents to satisfy their shopping needs within the Community and provide a greater range of services for travelers on I-84.
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.
5. **To Establish Sufficient Capacity for Commercial and Industrial Development** - To amend the Urban Growth Boundary (UGB) and consider an Urban Reserve Area (URA) to provide for sufficient land to meet the City's long-term commercial and industrial economic development goals.

#### **B. Objectives:**

1. To provide public improvements and infrastructure to support job-creating development. Provide planning and funding for public improvements including streets, utilities, telecommunications and other facilities in support of development that will create a range of types of family wage jobs for residents of La Grande.
2. To provide appropriate sites for businesses creating family wage jobs. Assist in land assembly and infrastructure development for quality industrial districts and business parks to attract businesses that create family wage jobs. To manage the locations of the allowable uses to ensure that the land is properly utilized.

3. To coordinate the City's economic development program with the citizens of La Grande, community-based organizations, Union County, Union County Economic Development Corporation, the Chamber of Commerce, the Oregon Community and Economic Development Department (OCEDD), Northeast Oregon Economic Development District and other local, regional, state and federal agencies.
4. To continue and enhance the City's economic development program with EOU as a means of attracting and retaining businesses.
5. To provide public improvements to sites for retail development. To plan and develop infrastructure and public facilities to encourage retail and mixed-use projects.
6. To diversify and strengthen the mix of economic activity in City of La Grande and the surrounding region without diminishing the livability of the area.
7. To support and utilize regional and local partnerships for greater economic development opportunities.

### **C. POLICIES**

Policy 8. The City shall take social, aesthetic, and environmental values into consideration when planning for commercial and industrial development.

*The development of this site will be an improvement to aesthetics from the vacant land that currently sits most of the year desolate with litter from the neighboring retail locations. Adding trees and greenspace with other infrastructure will be a huge improvement. The addition of an RV Park next to the Grande Ronde River is a much more environmentally friendly development vs a typical commercial development. Today's RV travelers have a true "house on wheels" and want a*

### **Location of Uses**

Policy 10. The City shall encourage highway-oriented businesses to be located near intersections of major arterials.

*The proposed RV Park will be accessed off of the intersection of Island Avenue and Walton Road which is very close to the Interstate.*

Policy 11. The City shall encourage the grouping of commercial uses in such a manner as will facilitate customer involvement from one store to another.

*The proposed RV Park development will lend itself nicely to the surrounding businesses such as Wal-Mart, Millers Home Center, KIE, Taco Time & Panda Express not to mention the other nearby businesses.*

Policy 12. The City shall locate commercial areas so as to provide good access between them and the trade area served.

*This location is already accessed through commercial use property and has good access between the trade area that is being served.*

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

### Objective –

1. To provide for the housing needs of the citizens of La Grande, and to support development of an adequate supply of housing in terms of quantity, quality, and availability especially to groups, such as low- and moderate-income households, elderly and handicapped households
2. To assure environmental quality in residential areas, and to enhance the financial ability of households to obtain and retain decent dwelling units.
3. To assure an open housing market for all La Grande citizens, and to assure a balance of individual and community needs in residential areas.
4. To provide areas suitable and desirable for all types of single and multiple family residential uses which have or will need public water and sewage services, commercial and education support facilities and employment opportunities.

### Policies –

1. The City recognizes that public interest requires that every citizen be given the opportunity to provide themselves with safe, sanitary and adequate housing.

*RV living has increased in popularity over the last several years, most RV's have all the convenience and comforts of home which have made them very appealing. The fact that they are mobile is a huge plus for those who are telecommuting and for those who are traveling for employment. There is also a large following of people who travel with the RV to vs staying in hotels, which we have a shortage of in La Grande. This RV Park Development will bring an option for those traveling through who want a clean, quiet, convenient location close to the amenities of town. Whether it be a family coming to town to visit their EOU athlete, or a single person who is working in our area temporarily, a hunter or mountain biker staying for the weekend, or someone passing through for the night, this RV Park will serve our community well and help fill a housing void whether it be for the traveler, temporary short term or long term. The park will provide space while new residents can stay while there new housing projects get constructed.*

3. That all types of residential units, including mobile home. modular and manufactured units, are acceptable resources of housing and that recognition will be reflected in zoning, building codes and other regulatory means without compromising quality standards.

*The RV Park will meet all codes and regulatory means without compromising quality standards, all units will be safely connected to utilities. Those utilities will meet all standards set forth in the Oregon building codes.*



Review Criteria Continued –

**B: Property affected by the zone designation change**

*The bordering Island city property will not be affected by the zoning change, nor will the lot#1800 map 02S38E33D be negatively impacted due to the nature of the proposed development.*

**C: Property affected by the zone designation change-adequate service in conformance with Oregon Transportation Planning Rule**

*The property is currently accessible via Walton Road which is controlled via traffic signal, and Island Avenue/Hwy 82 which is a main thoroughfare and approx. 0.7miles/\* from the proposed RV Park. The surrounding businesses are well established and currently accessible and are being served by the same streets with ease. This is a high traffic area of La Grande and Island City and there are no current issues serving the amounts of traffic with room to handle fluctuations and additional traffic load. Considering the proposed development, a significant increase in vehicle traffic is not anticipated. The majority of the lots in this area are zoned GC, therefore it would be safe to assume that a change in zoning in the area, would have little to no impact on vehicle traffic. Examples of businesses and current lot zoning in this area are:*

*Millers Home Center, OXARC, Eastern Oregon Home Sales, KIE, Fastenal, Eastern Oregon Rental & Sales are all zoned GC.*

**D: Potential adverse effects on abutting properties:**

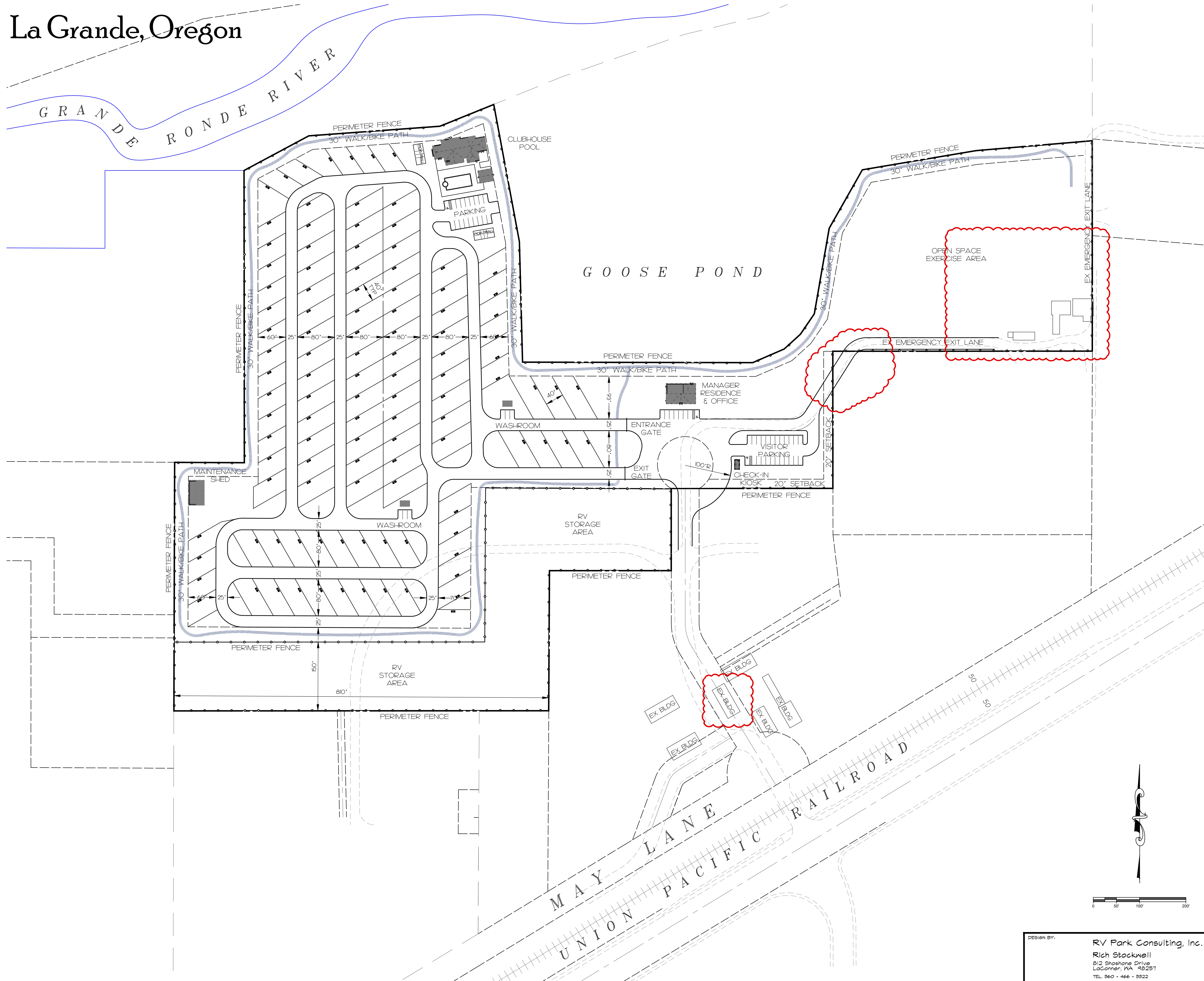
*Adverse effects will be minimal to none. The west abutting lot is zoned within Union County and is mostly a bare vacant field. Visual impacts will be limited and in actuality provide a buffer for the property owner from looking at the back of Millers Home Center and the Island City Strip/Hwy82 and Walmart. There will be fencing as well as trees that will buffer the development and serve as a great improvement from the current state of the bare lot that most days is littered with trash that has blown over from the retail stores. In this case adverse impacts of rezoning would be minimal to none as the proposed intent and changes will remain consistent with the current use and commercial nature of the surrounding area. Rezoning this piece from R2 to GC will provide a greater opportunity and a more fitting and feasible development for this area with very minimal to no impact on neighboring property and serve as a huge improvement for the City as well as our community. This will help fill a need in our community for future growth and commerce.*

# Attachment A – Rough Conceptual Design

# PROPOSED RV RESORT

PRELIMINARY

La Grande, Oregon



**RV PARK FEATURES**

- 110 RV SITES
- RV STORAGE
- CHECK-IN OFFICE
- CLUBHOUSE & POOL
- PICNIC PAVILIONS
- WASHROOM & LAUNDRY
- UNISEX WASHROOMS
- WALK/BIKE TRAILS
- PICKLEBALL COURTS

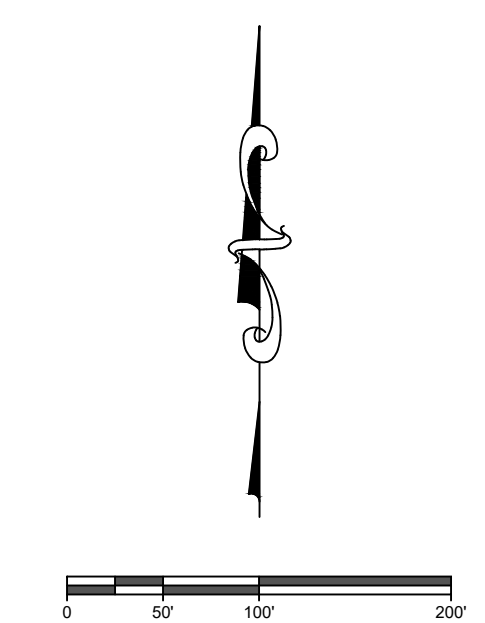
**PARK LEGEND**

- PROPOSED TRASH BIN
- ▣ PROPOSED PICNIC TABLE
- PROPOSED BENCH
- PROPOSED FOUNTAIN
- ⊙ PROPOSED FIRE PIT
- ⊞ PROPOSED PICNIC PAVILION
- 🌳 PROPOSED TREE
- 🌳 EXISTING TREE
- PROPOSED PATH

THIS CONCEPT SKETCH WAS CREATED BASED ON AVAILABLE PUBLIC RECORDS AND COUNTY GIS INFORMATION.

NO SURVEY WAS COMPLETED AND THE ACCURACY TOPOGRAPHIC INFORMATION AND PROPERTY DIMENSIONS HAS NOT BEEN VERIFIED.

THIS DOCUMENT NOT TO BE USED FOR CONSTRUCTION.



DESIGN BY: <b>RV Park Consulting, Inc.</b> Rich Stackwell 812 Shoshone Drive LaGrande, WA 98251 TEL. 360 - 466 - 9322 <a href="http://www.rvparkconsulting.com">http://www.rvparkconsulting.com</a> • rich@rvparkconsulting.com	PROJECT: <b>PROPOSED RV RESORT LA GRANDE, OR</b>	SCALE: <b>1" = 100'</b>
	<b>PRELIMINARY SKETCH</b>	DATE: <b>6/1/2023</b>
		SHEET: <b>1 of 1</b>



# Oregon

Tina Kotek, Governor

**Department of Transportation**

**District 13**

3014 Island Avenue

La Grande, OR 97850

(541) 963-8406

FAX (541) 963-0249

July 25, 2023

VIA EMAIL: [mboquist@cityoflagrande.org](mailto:mboquist@cityoflagrande.org)

Michael Boquist, Community Development Director

City of La Grande

1000 Adams Ave

P O Box 670

La Grande, OR 97850

Subject: 02-ZON-23 Applicant total property is approximately 11 acres, with the 8+/- acres portion within La Grande being Proposed for Rezone from Medium Density Residential (R-2) to General Commercial (GC) for 7.8 acre RV Park Resort with Caretaker House

The Oregon Department of Transportation (ODOT) has jurisdiction of Oregon Highway 10/OR 82, including responsibility for managing access within the corridor. ODOT is committed to preserving the function of the state highway system and public infrastructure investments as the area infills and redevelops.

At a minimum for a rezone, we recommend the city require the applicant to provide a Traffic Report which shows the before and after change in trip generation from M-1 to CMU. If the increase is over, between 400 and 1000, then following Oregon Highway Plan Action 1F.5, a Traffic Impact Analysis (TIA) would be needed. Similarly, if the increase is over 1000 ADT, there are different thresholds for Annual (ADT) and highway configurations that will need to be evaluated.

Ensuring the transportation system is managed effectively to support multi-modal choices in accordance with the City's Transportation System Plan is necessary to satisfy requirements of the ORS 660-012 Transportation Planning Rule.

Local improvement plans should also be recognized to assist the City in working collaboratively to link transportation facilities. City of Island City is guided by the 2009 South Riverside Neighborhood Plan, an acknowledged amendment to the Island City Transportation System Plan (TSP). The Plan was developed in partnership with the City of La Grande and identifies planned east-west connections in the area which parallel the highway and extend from Walton Road (see Figure on next page).

Figure: South Riverside Neighborhood Plan – Island City TSP Amendment (2009)



These future connections along with railroad crossing improvements are to be implemented as development occurs. The connections are meant to provide development certainty for all property owners in an area that has restricted access due to the railroad crossing. The improvements are critical to aid traffic circulation, street frontage for development and access to the railroad crossings.

Continued development in this area without any improvements has safety and operational issues. Movements on the north leg of Walton Road should complement the movements on the south leg of Walton Road. Modifications to the north leg would require full reconstruction to shift the north leg slightly to the east to line up with the south lanes.

The current railroad crossing order is for two 12' travel lanes and two 6' paved shoulders which would need to be improved to accommodate three 12' lanes plus paved shoulders. Meeting rail crossing grade requirements for this public crossing would require raising the grade on Highway 10/OR 82/Walton Road and impacting the entire signal. This was the case for the Riddle Road/Mulholland Drive intersection just west of this location. An updated railroad crossing order may be required as well.

In addition, the developer should be aware that the grade of the rail crossing may not allow any lowboy trailers or low clearance recreational vehicles (RVs) to access the property from Walton Road. There is evidence of drag marks in the pavement on the highway side of the crossing. Although this crossing does have appropriate warning devices, the possibility of increased low profile trailers and low clearance RVs getting stranded is of concern.

In short, the Oregon Highway 10/OR 82 and Walton Road intersection is likely exceeding the capacity of a single-lane approach to access the highway with the existing lane configuration. The proposed development has significant associated transportation improvement requirements related to Walton Road and future street connectivity for the area. Traffic impacts will increase as the development continues without improvements to the intersection and addressing the transportation infrastructure.

ODOT recommends the City of La Grande assign responsibility for the development to help mitigate impacts and share costs for financing the improvements consistent with the City's adopted TSP established for this area. City should consider the establishment of a Local Improvement District (LID) to finance transportation and other public facilities improvements in the area. In addition, the development could also finance necessary transportation improvements

to the area incrementally. This would help provide certainty for continued future development of this residential/commercial/business park area.

Affected parties need to work collaboratively and ODOT is committed to assuring coordinated transportation decisions efficiently preserve the public infrastructure investment.

Thank you for the opportunity to comment.



Ace Clark  
District 13 Manager

CJS

cc: Ken Patterson, ODOT Region 5 Manager  
Teresa Penninger, Region 5 Planning  
David Boyd, Region 5 Access Management Engineer  
Prescott Mann, ODOT Rail  
Jeff Short, Idaho Northern & Pacific Railroad  
Robert Tibbets, Idaho Northern & Pacific Railroad  
Karen Howton, City of Island City Recorder

July 25, 2023

Michael J. Boquist  
Community Development Director  
City of La Grande, City Hall  
1000 Adams Avenue  
P.O. Box 670  
La Grande, OR 97850  
541-962-1307

**Subject: City of Island City Comments on La Grande Land Use Application No. 02-ZON-23**

Dear Mr. Boquist:

The City of Island City received notice of a proposed zone change from Residential Medium Density (R2) to General Commercial (GC) in the City of La Grande's Urban Growth Boundary (UGB). We understand the proposal is intended to facilitate the eventual construction of a 100 space RV park. The subject site, tax lot 5200, is in total 19.88 acres. The site is contained in both the La Grande UGB and Island City's UGB. Of the total acreage, roughly 7.8 acres is within the City of La Grande (40%) and roughly 12 acres are within Island City (60%).

Figure 1 on the following page shows the site in blue, the Island City UGB is outlined in dotted white and shaded with orange, and the proposed site access for the property is circled in yellow. Any future development on the subject site will use the intersection of Walton Road and Island Avenue. This intersection also crosses the Idaho Northern and Pacific Railroad on the north side of Island Avenue. Island Avenue is an ODOT facility.

We understand the City of La Grande's priority to provide transient/recreational and additional permanent RV housing options, and that the proposed RV park may strengthen economic activity in both La Grande and Island City. However, development in this part of Island City is problematic without appropriate street dedications, intersection and roadway improvements, and adequate infrastructure to support the intended outcome of the proposed zone change – the development of a 100 space RV park.

As of writing this letter, Island City has yet to receive a development application for the proposed RV park portions within the Island City UGB. Without a detailed application for the portion of the

project within Island City, Island City has several concerns regarding the proposed rezone application:

1. Main access within Island City is proposed from an underdeveloped intersection (Walton Road and Island Avenue)
  - a. Island City has not seen evidence of coordination with the railroad or ODOT, crossing agreements with the railroad or proposed intersection improvements.
  - b. The area proposed for development within Island City is within the South Riverside Neighborhood Plan area, adopted as part of Island City's TSP; Island City has not seen evidence of any findings or analysis related to any adopted plan. The conceptual development submitted with the proposed zone change appears to be inconsistent with the La Grande / Island City TSP.
2. Island City has not seen an application for or been able to evaluate infrastructure improvements required for the proposed project. Infrastructure needs include:
  - a. Transportation access to the site consistent with development code and TSP requirements, and railroad / ODOT requirements;
  - b. Water and sewer service.
3. As there has been no application submitted to Island City, Island City has not been able to evaluate the proposed development in relation to Island City development code requirements.

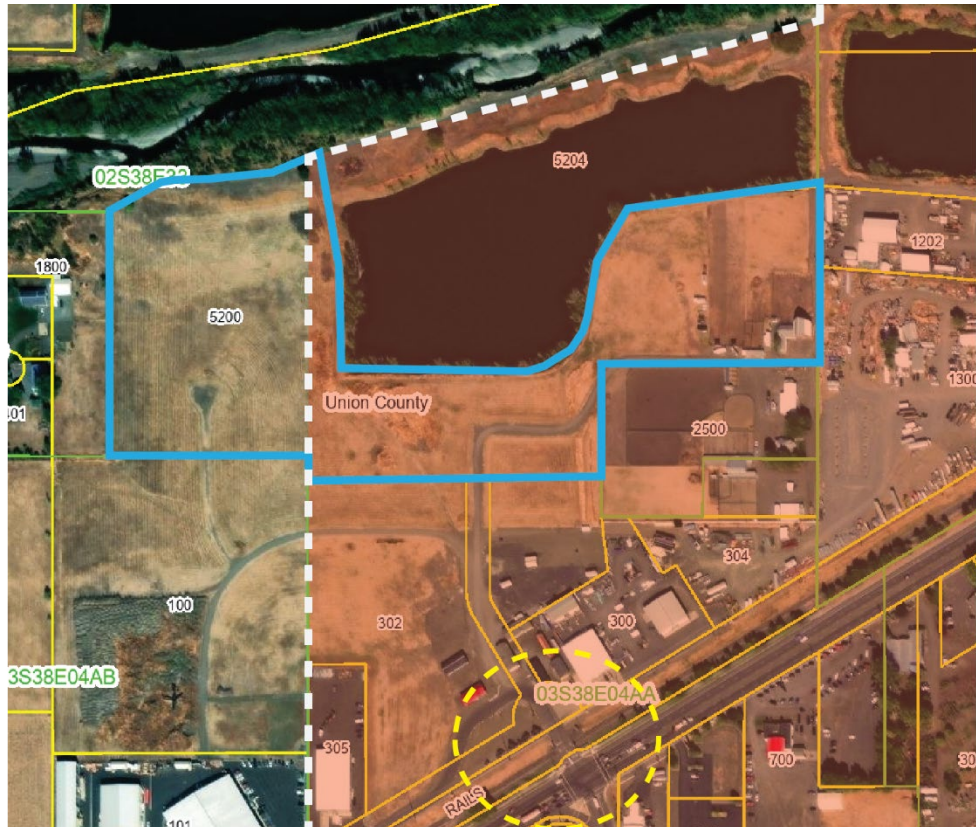


Figure 1 Site with Aerial Image



### **Main Access through Island City (Walton Road and Island Avenue Intersection)**

The Walton Road-Island Avenue intersection (circled with a dotted line in Figure 1), has long been a concern for Island City, ODOT, and the Idaho Northern and Pacific Railroad as development continues north of Island Avenue. During development of Mr. Becker's proposed partition to create a parcel for the OXARC facility in 2020, ODOT provided comments on the Walton/Island intersection. To reduce congestion and increase safety along state highways and collector streets that access state highways, the city is required to coordinate with ODOT officials on proposed land divisions and development applications that may impact state transportation facilities. Below are comments received from Lisa Hayes – ODOT's District 13 Operations Coordinator. These communications are dated May 11th, 2020, and they read in-part:

*Continued development in this area without any improvements to the north leg of Walton Road may cause safety and operational issues at the Walton Rd/Island Avenue intersection in the future. To negate any potential safety and operational issues, the City may need to rebuild the north Walton Road connection to accommodate an alternative lane configuration and signal reconstruction. ODOT is in the process of modifying the signal on the south side of the Walton Road/Island Avenue intersection to change the left lane to a left turn only and change the right turn only lane to a thru lane and right turn lane to accommodate left turn movements during a rail preemption. This work should be completed this summer. Movements on the north leg of Walton Road should complement the movements on the south leg of Walton Road. Modifications to the north leg would require full reconstruction to shift the north leg slightly to the east to line up with the south lanes. Meeting the rail crossing grade requirements for a public crossing will likely require raising the grade on Island Avenue and impacting the entire signal. This was the case for the Riddle Road/Mulholland Drive intersection just west of this location. It is likely that an updated crossing order will be required as well as the current crossing order is for two 12' travel lanes and two 6' paved shoulders and would need to be improved to accommodate three 12' lanes plus paved shoulders.*

*The above statements appear consistent with the South Riverside Plan Amendment to the TSP that was adopted by the City of Island City on 8/10/2009. Excerpts from that plan pertaining to this intersection and development area are below.*

**8. The City is committed to reducing traffic speed and enhancing pedestrian amenities in the Island City Town Center area. Island City will coordinate with ODOT towards this end.**

**ODOT was a partner in the transportation element of this plan. It was determined that traffic generated by development of this area may generate a need for a turn lane at the Walton Road/Island Avenue intersection, as well railroad crossing upgrades. The proposed collector street parallel to Island Avenue is critical. It will aid in traffic circulation and street frontage for development, access to a third railroad crossing and help mitigate the increase of local trips on Island Avenue.**

**6. The Capital Improvement Program will set priorities and guide transportation improvements and developments.**

**The Island City City Council will review and amend or approve any proposal for development of this area. If a phased development is necessary, the Council will set priorities for transportation improvements to ensure adequacy of street improvements and pedestrian amenities to meet the needs of each phase of development. Council will also determine that the future street connectivity will be provided for in the plan.**

In 2021, the city received additional comments from ODOT for a proposed development north of Island Avenue that sought to use the Walton/Island Intersection as a main access point. Ace Clark – ODOT’s District 13 Manager – provided the following comments on development of the Eastern Oregon Rental Store. The letter is dated October 15, 2021, and it reads in-part:

*In addition, the developer should be aware that the grade of the rail crossing likely will not allow any lowboy trailers to access the property from Walton Road. There is evidence of drag marks in the pavement on the highway side of the crossing. Although this crossing does have appropriate warning devices, the possibility of increased low profile trailers getting stranded is of concern.*

*In short, the Oregon Highway 10/OR 82 and Walton Road intersection is exceeding the capacity of a single-lane approach to access the highway with the existing lane configuration. The proposed development has significant associated transportation improvement requirements related to Walton Road and future street connectivity for the area. Traffic impacts will increase as the development continues without improvements to the intersection and addressing the transportation infrastructure.*

These communications, and subsequent verbal conversations with ODOT and railroad officials over the years, confirm that major improvements are necessary to the Walton/Island intersection in order to support any continued development north of Island Avenue. Development of a 100 space RV park will have a substantial impact on not only trips through this already congested and under-improved intersection, but also on the road and rail conditions as large RVs come and go through the intersection, and potentially drag their undercarriages.

**South Riverside Neighborhood Plan (2009)**

The *South Riverside Neighborhood Plan* map is shown in Figure 2. The existing intersection with Walton Road and Island Avenue is labeled as the “existing public railroad crossing” and circled at the maps western edge. This plan is a formal amendment to Island City’s Transportation System Plan (TSP), acknowledged by the state.

As shown, development of the site in Island City will require a publicly dedicated east/west connection along the site’s southern border, and additional public road dedications on the eastern side of the site, where the applicant proposes an emergency access road. Note that the current site plan configuration does not accommodate for these public rights-of-way.

The planned connections are meant to provide development certainty for all property owners, in an area that has restricted access due to the railroad crossing.



Figure 2 South Riverside Neighborhood Plan Map

City Engineering, Planning, and Administrative Staff have had multiple discussions with the applicant regarding transportation requirements for the area over the last five years, beginning with the late 2018 Miller’s Home Center development in La Grande – which similarly does not have any access other than the Walton Road intersection in Island City. The 2018 application was approved without confirming access and rail crossing requirements with the railroad or undergoing a development review process in Island City.

In order to accommodate the Miller Home Center’s sunk cost in La Grande, Island City, ODOT, and the railroad allowed access inconsistent with Island City’s development code and TSP. The Miller Home Center development does not pay taxes in Island City, did not pay for public roads or utilities in Island City, and did not pay any share of required improvements for the Walton Road / Island Avenue intersection.

Island City must require street dedication and improvements consistent with Island City requirements for development in this area. We encourage La Grande, the property owner, and the proposed developer to fully evaluate infrastructure requirements related to the proposal. If development of the project is not feasible considering infrastructure requirements, the project is not feasible.

### ***Adequate Water Service***

Currently customers north of Island Avenue near North Walton Road are being served with water from the City of La Grande’s 18” water transmission line to the Baum Industrial Park. **The Public Works Director for the City of La Grande has indicated that they will only serve development in the subject commercial property if they are requested to do so by Island City.**

Concern has also been expressed about the continued service additions along the transmission line potentially reducing the available capacity to serve the Baum Industrial Park. Considering this, Island City will need to provide water service to this area. The water system has plenty of supply and storage capacity to serve the area, but water distribution lines need to be extended north of Island Avenue. Island City’s 2011 Water System Master Plan recommends a looped 10-inch water

line be extended in this area to provide adequate fire protection capacity for commercial, business park, and industrial zoned properties in the area.

### ***Adequate Sewer Service***

Currently, one 8-inch gravity sewer line is extended from the Island City Area Sanitation District collection system north of Island Avenue to serve properties in the area. This sewer line then contributes sewer flows to Lift Station No. 3 located on the east side of Island City. If sewer service is to be provided to all of the proposed RV sites associated with the development, a capacity assessment of the existing facilities, including conveyance piping and both the existing Lift Station No. 3 and Lift Station No. 4 (which receives the wastewater discharged from Lift Station No. 3) would be requested of the developer.

A 2002 analysis of the system capacity to serve development in the area being considered for the RV park rezoning indicated that additional sewer line extensions may be needed. Two options that were identified in the 2002 analysis were tying into the existing gravity sewer system on South Walton Road or making capacity improvements to lift station No. 3. Further evaluation of the impacts to the existing system and alternatives to address these would be recommended. If a sewer dump station, rather than individual site services, is to be provided, accommodation for the limited contribution from the dump station could likely be more easily accommodated. Restrictions on types of waste discharged to the dump station would need to be coordinated with City of La Grande wastewater treatment operators to avoid any impacts on the City of La Grande's wastewater treatment process.

### ***Development Code Considerations in Island City***

As it stands, the City of Island City has yet to receive any land use proposals from the applicant, and so their intended land use path in Island City is unclear. Below are some general points regarding the subject site and Island City's Development Code requirements:

The Island City portion of the site is zoned Public (P) and Business Park (BP). The proposed RV park use is allowed in the P zone. The proposed RV park is not permitted in the BP zone, and conditional or similar uses typically require all activities to be indoors only. A proposed RV park would not be supported in this zone. Therefore, the proposal as currently presented to La Grande is not feasible in Island City.

A zone change application would need to be approved through a similar hearing process before Island City's City Council. This will, at minimum, require an application, appropriate notice, and a scheduled hearing.

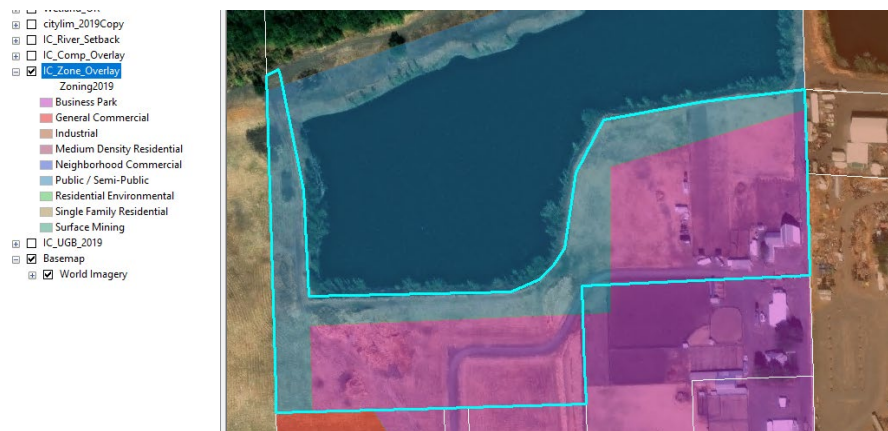


Figure 3 Subject Site – Island City Zoning Map

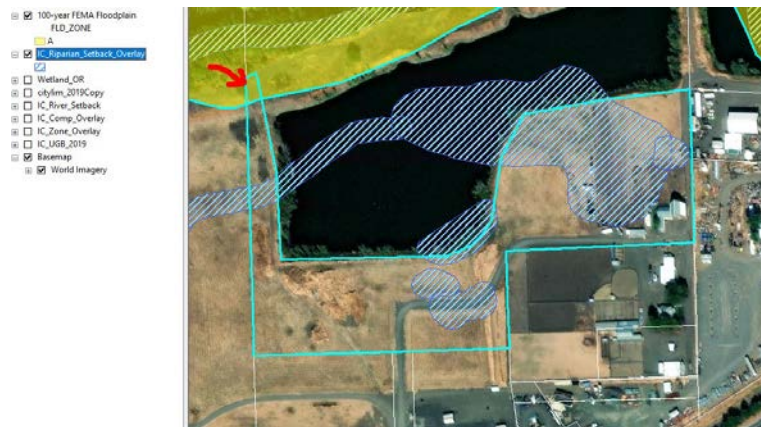


Figure 4 Subject Site – Island City Zoning Overlay Map

The site contains portions within the 100-year floodplain and portions of the Riparian Setback Overlay (RSO). If any development is proposed within the floodplain, a floodplain permit is required.

The RSO looks to clearly be outdated based on the location of the industrial pond. The City will need confirmation from DSL that indeed there are no portions of the site that are considered wetlands. With this confirmation, the City will remove these portions of the RSO from our inventory. This information will be necessary before any completeness review is finalized and the technical review begins.

### La Grande Approval Criteria (Section 8.06.003)

As noted in the La Grande staff report dated July 12, 2023, the zone change approval criteria of Section 8.06.003 are applicable. Island City has reviewed staff findings. We have the following select comments:

1. *B: Property affected by the zone designation change is adequate in size and shape to facilitate those uses that are normally allowed in conjunction with such zoning;*

- a. La Grande Response: *The bordering Island city property will not be affected by the zoning change, nor will the lot#1800 map 02S38E33D be negatively impacted due to the nature of the proposed development.*
  - b. **Island City Response: The development targeted by the proposed zone change is significantly larger than – over twice the size of – the area proposed for a zone change, and appears to be predominantly within Island City. The proposal very clearly affects Island City; other uses may well be appropriate for the size of the proposed zone change. However, our understanding is this property does not have access through La Grande, and therefore any use proposed will require access through the limited intersection at Island Avenue and Walton Road. This response is also related to Section 8.06.003 Review Criteria C and D below.**
2. *C: Property affected by the zone designation change can adequately serve the uses that may be permitted therein; and such Change is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060)*
    - a. La Grande Response: *The property is currently accessible via Walton Road which is controlled via traffic signal, and Island Avenue/Hwy 82 which is a main thoroughfare and approx. 0.7miles/\* from the proposed RV Park. The surrounding businesses are well established and currently accessible and are being served by the same streets with ease. This is a high traffic area of La Grande and Island City and there are no current issues serving the amounts of traffic with room to handle fluctuations and additional traffic load. Considering the proposed development, a significant increase in vehicle traffic is not anticipated. The majority of the lots in this area are zoned GC, therefore it would be safe to assume that a change in zoning in the area, would have little to no impact on vehicle traffic. Examples of businesses and current lot zoning in this area are: Millers Home Center, OXARC, Eastern Oregon Home Sales, KIE, Fastenal, Eastern Oregon Rental & Sales are all zoned GC.*
    - b. **Island City Response: The current proposal directly impacts Highway 82 / Island Avenue and does not include a transportation impact assessment/analysis supporting Transportation Planning Rule compliance; unless TPR compliance is confirmed by ODOT, the proposal is not consistent with this approval criterion on its face.**

Further, the testimony and references contained in this letter explain that the current intersection of Walton Rd. and Island Ave. is known to be inadequate to support further development on the northern side of the intersection.

A transportation study with ODOT and rail coordination is required for this application. The zone change does not meet this approval criterion.

3. *D: Potential adverse effects on abutting properties:*
- a. *La Grande Response: Adverse effects will be minimal to none. The west abutting lot is zoned within Union County and is mostly a bare vacant field. Visual impacts will be limited and in actuality provide a buffer for the property owner from looking at the back of Millers Home Center and the Island City Strip/Hwy82 and Walmart. There will be fencing as well as trees that will buffer the development and serve as a great improvement from the current state of the bare lot that most days is littered with trash that has blown over from the retail stores. In this case adverse impacts of rezoning would be minimal to none as the proposed intent and changes will remain consistent with the current use and commercial nature of the surrounding area. Rezoning this piece from R2 to GC will provide a greater opportunity and a more fitting and feasible development for this area with very minimal to no impact on neighboring property and serve as a huge improvement for the City as well as our community. This will help fill a need in our community for future growth and commerce.*
  - b. **Island City Response: As documented throughout this response, the proposal raises significant concerns related to provision of public facilities and roadways through Island City; none of these concerns are identified or addressed in the application or staff report.**

**The proposal does not contain any plan or approach for transportation connections/dedications consistent with the adopted transportation system plan, or consistent with ODOT / rail comments over the past several years. A reasonable approach to development in this area would start development from Walton Road and extend west, establishing adequate public facilities as a component of development and benefitting the entire area shared by La Grande and Island City.**

**Island City has yet to receive an application for either development or rezone, and so it is nearly impossible for either city to adequately address potential adverse impacts from the proposal, beyond identifying the clearly inadequate public utilities and transportation existing in the area.**

**Island City does not oppose the concept of commercial development in this area. However, without a plan for adequate public facilities to serve the proposed development, the proposal is inconsistent with this approval criterion and not feasible.**

## CONCLUSION

This letter is intended to express Island City's concerns regarding the proposed zone change. Without additional study of the impacts to Island City, railroad, and ODOT infrastructure and transportation networks at this time, the proposal is not feasible. We request the rezone

*July 25, 2023*

application be denied as presented until further information can be provided by the applicant to verify how the potential impacts to Island City and the Walton Road/Island Avenue intersection will be addressed..

Sincerely,

A handwritten signature in blue ink that reads "Jesse Winterowd". The signature is written in a cursive style with a large initial "J".

Jesse Winterowd, AICP  
Island City Contract Planner  
Winterbrook Planning  
503-827-4422x109



August 8, 2023

Michael J. Boquist  
Community Development Director  
City of La Grande  
1001 Adams Avenue  
PO Box 670  
La Grande, OR 97850

**Subject: City of Island City Comments on La Grande Land Use Application No. 02-ZONE-23**

Dear Mr. Boquist:

Island City sent a letter containing our comments relating to the proposed rezone on July 25, 2023 to the City of La Grande.

To be clear, Island City is not opposed to the concept of a zone change or development in this area. Island City's concern is primarily related to coordination between La Grande and Island City relating to infrastructure (transportation, water, sewer) and the underdeveloped rail crossing / intersection at Walton Road and Island Avenue.

Our understanding is that the proposed zone change site has no access through La Grande. The site also currently has no connection to public streets in Island City. Any development on the site in La Grande will require significant infrastructure improvements in Island City simply to access and serve the site.

ODOT and Idaho Northern and Pacific Railroad have repeatedly and consistently warned the intersection and rail crossing need improvements prior to additional development in this area. The rail crossing and intersection are critical to access existing commercial and industrial development and jobs in both La Grande and Island City.

We appreciate that La Grande planning staff has included and responded to our, and ODOT's concerns in the updated staff report.

To that end, Island City would like to request this one additional condition of approval:

*Prior to approval of building permits for development that relies on access and infrastructure in Island City, the applicant shall be required to receive land use approval from Island City for proposed infrastructure improvements in Island City.*

Neither City wants to be in a situation where a developer has invested in building out a site in La Grande, but cannot provide sufficient public infrastructure in Island City to serve that site.

Again, Island City is not opposed to this zone change, we would like to see Island City and La Grande work together to help development happen in this area, that is beneficial to both Cities, the residents we all serve and to the developers. We look forward to maintaining a good working relationship with all parties involved.

Sincerely,

David A. Comfort  
Mayor  
City of Island City

cc: file

CITY of LA GRANDE  
COUNCIL ACTION FORM

Council Meeting Date: **October 4, 2023**

PRESENTER:

Michael Boquist, Community Development Director

COUNCIL ACTION:

**PUBLIC HEARING AND SECOND READING BY TITLE ONLY OF PROPOSED ORDINANCE REZONING PROPERTY FROM LIGHT INDUSTRIAL TO GENERAL COMMERCIAL ON THE ZONING MAP; FROM INDUSTRIAL TO COMMERCIAL ON THE COMPREHENSIVE PLAN MAP**

1. MAYOR: Announce that the Public Hearing is still open for the Ordinance to be read a Second Time by Title Only and considered for Adoption; and that the Rules of Order for this Public Hearing were read in their entirety during the Regular Session of September 6, 2023.
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 rezoning property be read for the Second Time 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 for the Second Time by Title Only.
8. MAYOR: Ask for the Vote.

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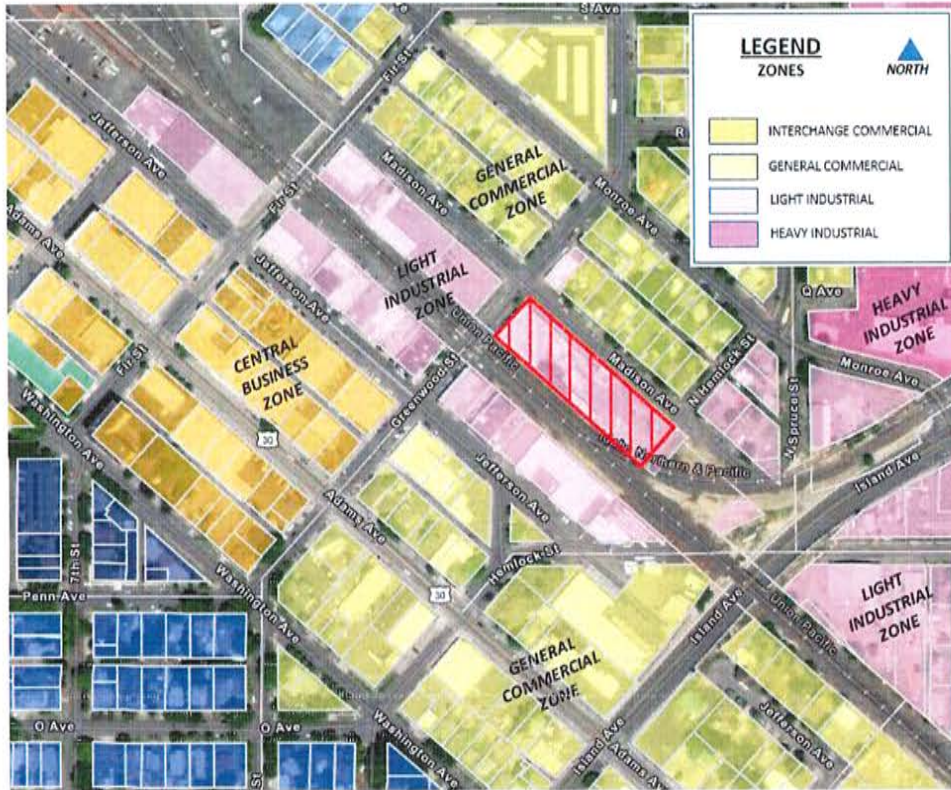
**EXPLANATION:** This request is to rezone the subject property from light industrial to general commercial for the purposes of improving the property to support a commercial tenant, *Underground Oasis*, which provides an addiction recovery and support program. As discussed in the applicant’s submittal, the proposed facility will include a commercial kitchen and offer public meeting space and educational meeting space.

The subject property is located along the South side of Madison Avenue, bordering the Union Pacific Railroad. It is bordered to the North by properties zoned General Commercial, and to the West, East and South by properties zoned Light Industrial (see Figure 1 below).

The Planning Commission held a public hearing on August 8, 2023, to consider this request and formulate a recommendation to the City Council. Based on public testimony from thirteen (13) citizens, and discussions amongst the Commission and Staff, the Commission determined that review criteria for the rezone were satisfied, that there is a public need to support this rezone request and the Commission unanimously recommended that the request be forwarded to the City Council for approval.

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Figure 1



The City Council considered this request during a public hearing held on September 6, 2023. Nine (9) members of the public presented oral testimony in support of the rezone, with seven (7) letters submitted in support of the rezone. The testimony presented discussed the importance and need for the services offered by the *Underground Oasis*, along with explaining some of the locational challenges their operation presents when locating near other commercial uses (e.g. retail). Council discussions and deliberations were very similar to Planning Commission's public hearing, which was supportive of the rezoning, and which Staff explained the decision order currently reflects. The public hearing was continued to October 4, 2023, and the proposed Ordinance was then read for the First Time by Title Only.

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

\*\*\*\*\*

**Reviewed By:** (Initial)  
 City Manager  
 City Recorder  
 Aquatics Division  
 Building Department  
 ED Department  
 Finance  
 Fire Department

*[Handwritten initials]*  
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Human Resources Dept  
 Library  
 Parks Department  
 Planning Department  
 Police Department  
 Public Works Department

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**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 PUBLIC HEARING

The following is a step-by-step description of the order of events necessary to hold a Public Hearing.

## CITY RECORDER READS TO THE PUBLIC:

- A. The City Council will conduct two (2) Quasi-Judicial Public Hearings. These Rules of Order are applicable to the Public Hearings to consider rezoning property from Residential Medium Density to General Commercial, File Number 02-ZON-23, Applicant: Mike Becker; and, rezoning property from Light Industrial to General Commercial, File Number 01-ZON-23, Applicant: Dan Beckner.
- B. Each Hearing will proceed as follows:
  1. The Mayor will request the Staff Report, which includes applicable criteria and standards for the issues under consideration in the application.
  2. Subsequent to opening each of the Public Hearings, the Mayor will accept testimony relating to the application. The Mayor may state a time limit for testimony. All testimony must be directed toward the applicable criteria. Oregon Land Use Law requires that all issues raised by a participant during the Hearing must be sufficiently clear and specific to allow the hearing body and other parties an opportunity to respond to those issues. Failure to raise the issues during the Hearing may invalidate future appeal.
  3. The proceedings are being electronically recorded, to be transcribed in written Minutes. When testifying, please step to the podium and state your name. Before leaving the podium, please complete the speaker sign-in sheet.
  4. The applicant will be invited to speak first, followed by proponents, then by opponents, and then by any parties neutral to the application. An opportunity will be provided to parties to clarify any issues raised or to rebut testimony. Proponents, then opponents, will be provided an opportunity to clarify any issues or to rebut testimony.
  5. If additional documents or new evidence is introduced during the Hearing, any participant may request a continuation of the Hearing. Any participant may request that the Hearing Record be kept open for seven (7) days to submit additional written evidence or testimony for the purpose of responding to new evidence. Unless waived, the applicant has seven (7) days to submit a written response.
  6. Members of the City Council may ask questions of the Staff or Hearing participants at any time. The Mayor may then close the Hearing or continue the Hearing at a specified time and place.
  7. All decisions must be based on findings of fact from the Staff Report or evidence and testimony received which relate to the criteria of the land use decision.
  8. An appeal of the City Council decision must be made in writing to the Oregon Land Use Board of Appeals, together with the required fee, within twenty-one (21) days from the date that the final decision is mailed to the applicant and interested participants.
- C. Before the Mayor requests the Staff Report for each of the Public Hearings, the City Councilors will be asked to make any Declarations or Challenges. A Councilor must declare any ex parte or pre-hearing contact, including the person's name and the nature of the discussion, as well as any site visitations to the area in question. Councilors should declare any personal or financial interests in this matter and may disqualify themselves from participation in the Hearing.
- D. The Mayor will then ask if anyone in the audience wishes to challenge the right of any Councilor to hear this matter.

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, OREGON, REZONING  
PROPERTY FROM LIGHT INDUSTRIAL TO GENERAL COMMERCIAL ON THE ZONING MAP; FROM  
INDUSTRIAL TO COMMERCIAL ON THE COMPREHENSIVE PLAN MAP; AND DECLARING AN  
EFFECTIVE DATE**

WHEREAS, the applicant, Daniel R. Beckner, applied for a Zoning Change Designation, File Number 01-ZON-23, to rezone property located at 307 Greenwood Street from Light Industrial (I-1) to General Commercial (GC); and,

WHEREAS, notice was provided electronically to the Oregon Department of Land Conservation and Development (DLCD) at least thirty-five (35) days in advance of the first Public Hearing using DLCD's electronic submittal process; and,

WHEREAS, the proper notices were published in *The Observer*, which is a local newspaper of general circulation; mailed to property owners within one hundred feet (100') of affected property; and, posted on the property and in City Hall, duly advertising the City Council Public Hearings to consider the application; and,

WHEREAS, the application was found to conform to the standards and procedures set forth in the City of La Grande Land Development Code Ordinance Number 3252, Series 2021, Article 8.6 – Zone Designation Change, and Article 8.7 – Comprehensive Plan Designation Change; and,

WHEREAS, the City of La Grande Planning Commission and City Council conducted Public Hearings to receive public testimony on the Ordinance rezoning said property.

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

**Section 1.** That the City of La Grande Zoning Map be amended to change the zoning designation for the following described property from Light Industrial (I-1) to General Commercial (GC), as depicted in Exhibit “A”; and the Comprehensive Plan Map be amended to change the zone designation from Industrial to Commercial, as depicted in Exhibit “B”:

Lots numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, in Block 120, of CHAPLIN'S ADDITION to La Grande, Union County, Oregon, according to the recorded plat of said addition.

Also, that portion of Hemlock Street adjacent to Lot 14 of Block 120, vacated by Ordinance No 2672, Series 1983, accruing to said Lot 14.

Also, the Southerly 15 feet of Madison Avenue vacated by Ordinance No. 2753, Series 1988, recorded as Microfilm Document No 126016, which accrues to the above described property.

Said tract containing approximately 1.38 acres.

Situated in the City of La Grande, Union County, Oregon; and, also described as being 307 Greenwood Street, T3S, R38E, Section 05CC, Tax Lot 6200.

**Section 2.** That the City Council adopts the Findings of Fact and conclusions set forth in the City Council Decision Order, dated October 4, 2023.

**Section 3. EFFECTIVE DATE.** This Ordinance shall become effective thirty (30) days after its adoption by the City Council of the City of La Grande, Oregon, and its approval by the Mayor; specifically, November 3, 2023.

ADOPTED and APPROVED on this Fourth (4<sup>th</sup>) day of October, 2023, by \_\_\_\_\_  
(\_\_\_\_) of \_\_\_\_\_ (\_\_\_\_) Councilors present and voting in the affirmative.

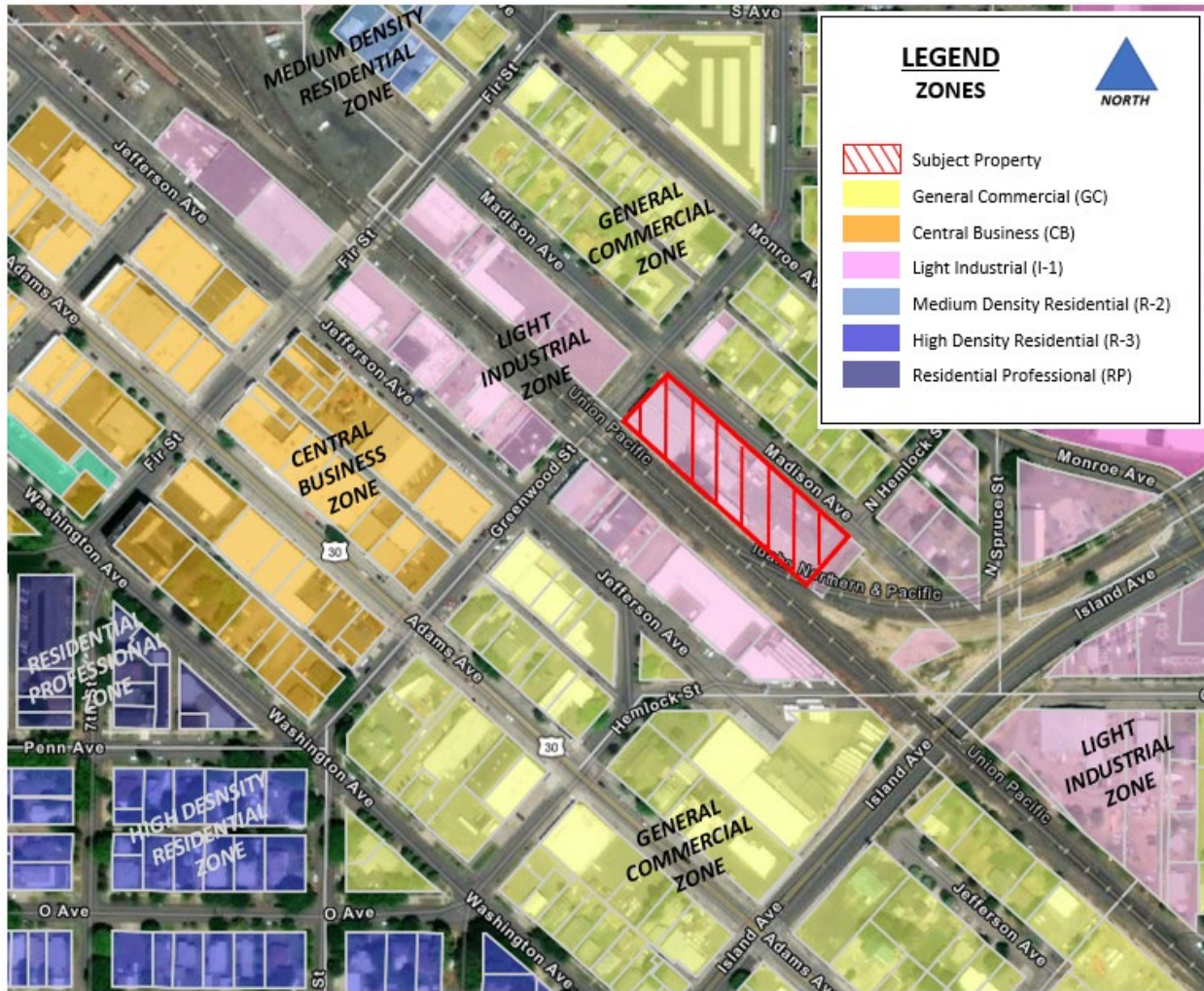
\_\_\_\_\_  
Justin B. Rock, Mayor

ATTEST:

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

## EXHIBIT 'A'

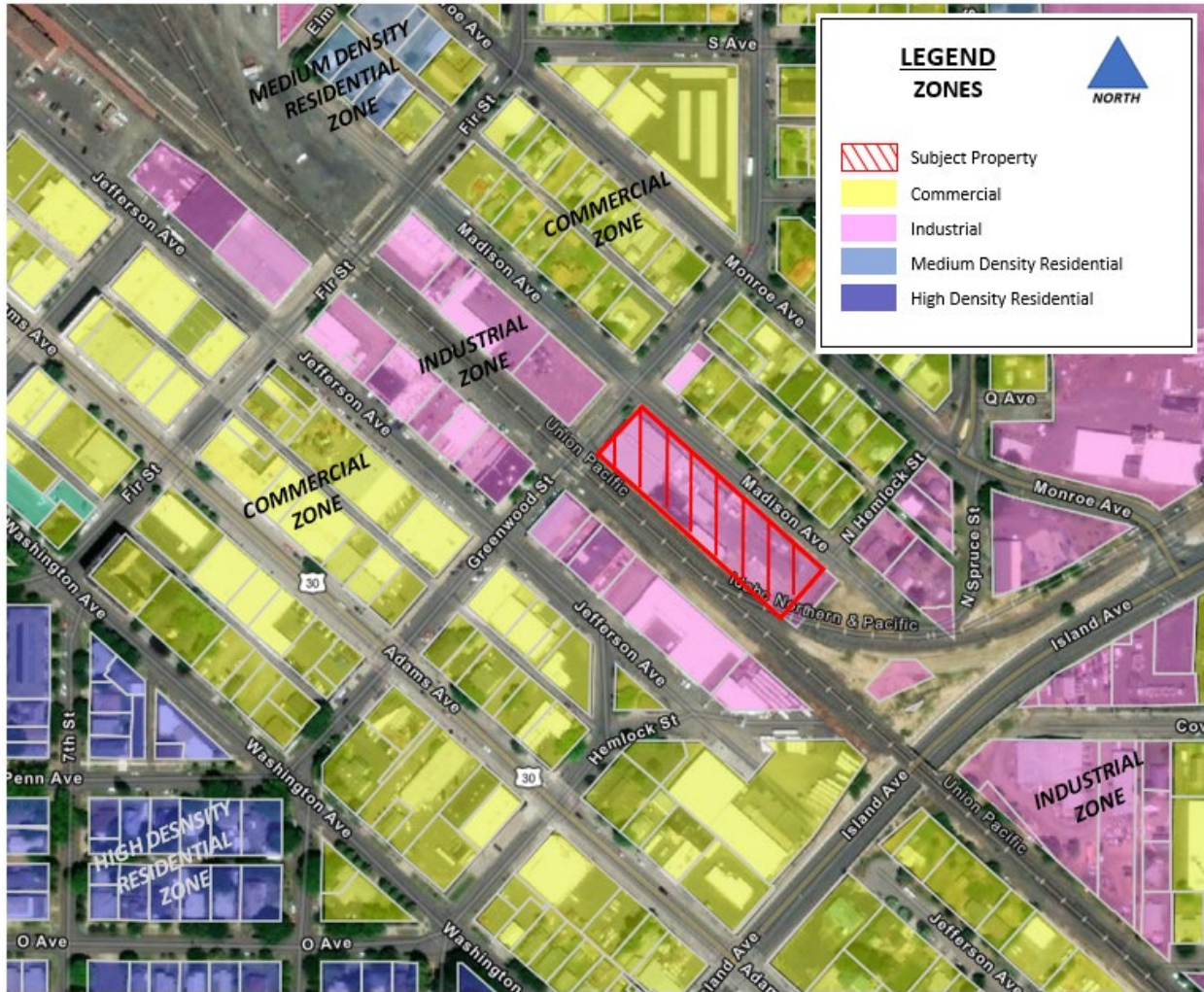
### Rezone From Light Industrial (I-1) to General Commercial (GC) On the Zoning Designation Map





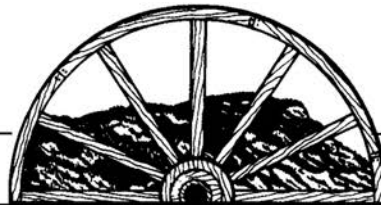
## EXHIBIT 'B'

### Rezone From Industrial to Commercial On the Comprehensive Plan Designation Map



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CITY OF



LA GRANDE

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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.planning.cityoflagrande.org](http://www.planning.cityoflagrande.org)

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

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HEARING BODY(IES):	Planning Commission (Recommendation)	City Council (Final Decision)
HEARING DATE(S):	Tuesday, August 8, 2023	Wednesday, September 6, 2023 Wednesday, October 4, 2023
HEARING TIME(S):	6:00 p.m.	
HEARING LOCATION:	City Hall Council Chambers, located at 1000 Adams Avenue, La Grande, Oregon. 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> .	

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### I. Application Information

File Number:	01-ZON-23
Proposal:	Request to Rezone Property from Light Industrial (I-1) to General Commercial (GC).
Applicant:	Dan Beckner
Address/Location:	307 Greenwood Street, T3S, R38E, Section 05CD, Tax Lot 6200, La Grande, Union County, Oregon; Tax Assessor Account 1186.
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:

May 24, 2023.....	Application for Zone Change Designation received.
June 12, 2023.....	Application was deemed complete.
July 3, 2023.....	PAPA 35-Day Required Notice to the Oregon Department of Land Conservation and Development in accordance with ORS 197.610.
July 7, 2023.....	Public notice mailed to surrounding property owners within 100' and development review agencies in accordance with ORS 227.186.
July 29, 2023.....	Advertised notice was published in <i>The Observer</i> , advertising the public hearing before the Planning Commission for August 8, 2023.
August 8, 2023.....	Public Hearing before the Planning Commission (1 <sup>st</sup> Evidentiary Hearing)
September 6, 2023.....	Public Hearing before the City Council and First Reading of Proposed Adopting Ordinance
October 4, 2023.....	Public Hearing before the City Council and Second Reading/Adoption of Proposed Adopting Ordinance
October 5, 2023.....	PAPA Notice to DLCD for Final Adoption
November 3, 2023.....	Expiration of 30-Day Appeal period. Decision becomes final.

## III. Public Notice Information

Public notice was issued in accordance with City and State laws. Notice was provided in accordance with Land Development Code Ordinance 3252, Series 2021, Article 9.6, Section 9.6.001(B). Notice of the public hearing was published in the local newspaper of general circulation, with mailed notice provided to the applicant and to the owners of record of property located within one hundred feet (100') of the subject property. Additionally, all public hearing materials, including the Draft Decision Order was published on the City of La Grande – Planning Division's webpage.

## IV. Review Process and Appeals

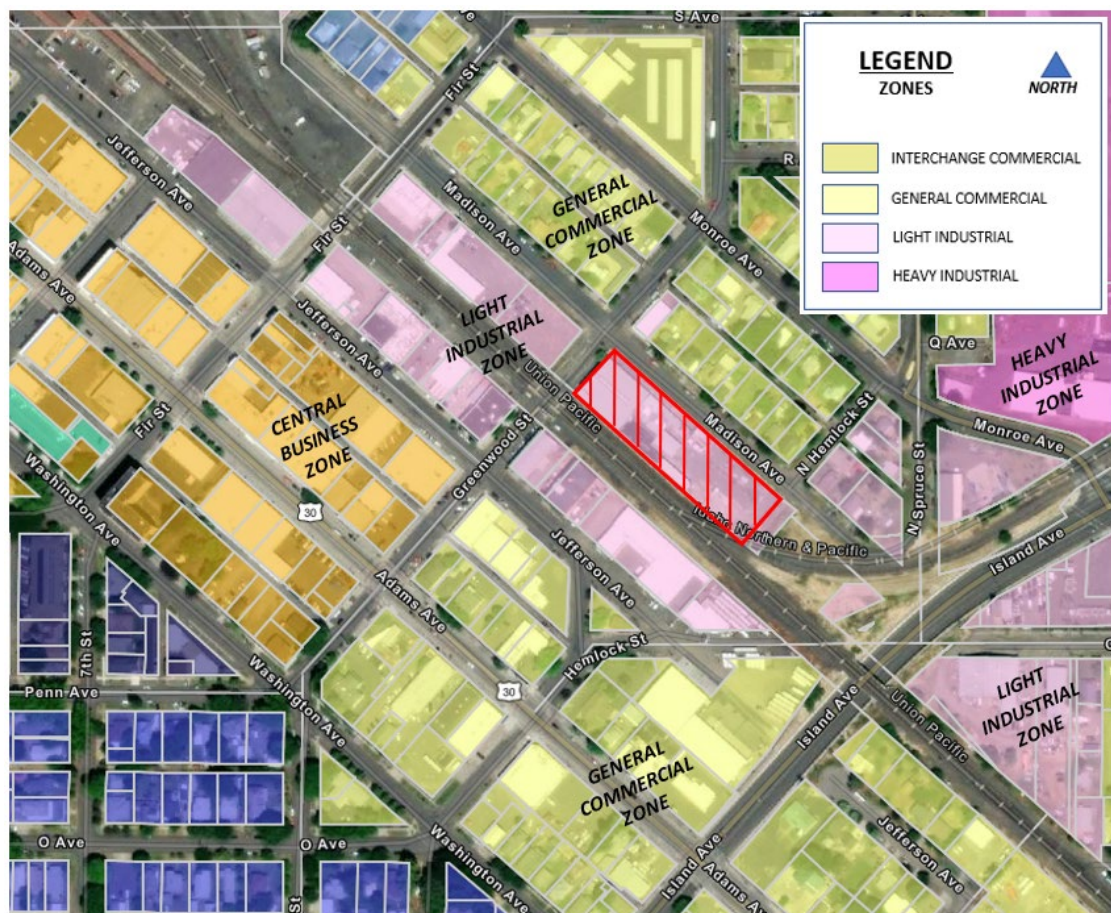
An application for a Zone Change Designation is a quasi-judicial land use action that is subject to the Planning Commission's and City Council's review and approval. The Planning Commission's review includes a public hearing where testimony is accepted from interested persons and which results in a recommendation being forwarded to the City Council in accordance with Chapter 9 of Land Development Code Ordinance 3252, Series 2021. Subsequently, the City Council holds two (2) public hearings where testimony is accepted from interested persons and which results in a final decision and the adoption of an Ordinance to rezone the subject properties.

A decision of the City Council is final unless appealed to the Oregon Land Use Board of Appeals (LUBA) within twenty-one (21) days from the date the City Council decision.

## V. General Facts and Overview

1. The purpose of this rezone request is to accommodate a commercial tenant occupancy on the subject property, *Underground Oasis*, which provides an addiction recovery and support program. As discussed in the applicant's submittal, the proposed facility will include a commercial kitchen and offer public meeting space and educational meeting space.
2. The application referred to future site improvements that may include a mini-storage facility. However, the applicant advised the Planning Commission during the public hearing on August 8, 2023, that this was a conceptual idea that they have since decided against. They would like this element removed from the application and not considered, as this is not part of their future plans.
3. The subject property (shown in Red in Figure 1 below) is proposed to be rezoned from Light Industrial (I-1) to General Commercial (GC).
4. The subject property is located along the South side of Madison Avenue, bordering the Union Pacific Railroad. It is bordered to the North by properties zoned General Commercial, and to the West, East and South by properties zoned Light Industrial.

**Figure 1**



5. The applicant has provided a written narrative that explains their justification in support of the rezone request (see attached). The applicant's justification, along with Staff's analysis and recommendations are included in the Finding of Fact within this Decision Order, below. Such

Findings address each of the required review criteria for a Zone Designation Change and Comprehensive Plan Designation Change.

6. The application was initially missing critical justification to address the required Comprehensive Plan review criteria, which includes identifying a clear public “need” for the rezone, based on studies or other factual evidence to support the “need.” This is discussed in the Agency Comment section below and other applicable Findings, which caused City Staff to recommend denial of the request to the Planning Commission.
7. The Planning Commission held a public hearing on August 8, 2023, to consider this request and formulate a recommendation to the City Council. Based on public testimony from thirteen (13) citizens, and discussions amongst the Commission and Staff, the Commission determined that review criteria for the rezone were satisfied, that there is a public need to support this rezone request and they unanimously recommended that the request be forwarded to the City Council for approval. The Findings of Fact in this Decision Order, below, reflect the Planning Commission conclusions and supports their recommendation to the City Council.
8. The City Council considered this request during a public hearing held on September 6, 2023. Nine (9) members of the public presented oral testimony in support of the rezone, with seven (7) letters submitted in support of the rezone. The testimony presented discussed the importance and need for the services offered by the *Underground Oasis*, along with explaining some of the locational challenges their operation presents when locating near other commercial uses (e.g. retail). Council discussions and deliberations were very similar to Planning Commission’s public hearing, which was supportive of the rezoning, and which Staff explained the decision order currently reflects. The public hearing was continued to October 4, 2023, and the proposed Ordinance was then read for the First Time by Title Only.

## VI. Agency Comments

In accordance with City of La Grande Land Development Code Ordinance (LDC) 3252, Series 2021, Chapter 9, notice of the land use application was mailed to the following agencies: City of La Grande Building Department, City of La Grande Fire Department, City of La Grande Planning Department, City of La Grande Police Department, City of La Grande Public Works Department, Avista Utilities, Charter Communications, City Garbage Service, Frontier Communications, Oregon Department of Transportation, and Oregon Trail Electric Cooperative.

1. City of La Grande Community Development, Economic Development Departments and City Manager’s Office: City Staff reviewed this request and initially found, based solely on the application submittal, that the proposed zone change request *did not* satisfy the required review criteria, specifically with demonstrating a “need” for the proposed change, and that the request was not consistent with the City’s economic development goals, policies and current revitalization efforts. As a result, City Staff did not support this request and recommended that this request be denied.

The Planning Commission disagreed with Staff’s assessment, and developed findings to support their determination that the request satisfies the required review criteria. Also, the Commission found that within the focus area for the downtown economic revitalization efforts (Jefferson Avenue corridor), there is a mixture of both commercial and small scale light industrial uses, and approving this rezone request would not interfere with or be detrimental to the ongoing revitalization effort.

Following is a summary of the Staff’s assessment and concerns, which were presented to the Planning Commission:

- A. The zone change application does not adequately satisfy the required Land Development Code (LDC) Review Criteria for a Zone Change or Comprehensive Plan Map Change.

- LDC Section 8.6.003, Rezone Review Criterion (A), “*The Zone Designation Change is in conformance with the Comprehensive Plan, and all other provisions of the Land Development Code.*”

- This request does not meet several required Goals and Policies of the City’s Comprehensive Plan.

**Planning Commission Finding:** The Planning Commission disagreed with Staff’s assessment on this requirement and found that the request met the Goals and Policies of the Comprehensive Plan. See Findings in the applicable Decision Order sections below.

- This request does not meet Goal 2-Policy 3 which requires “*That public need be established before plan changes or related requests are approved and that the burden of proof be borne by the requestor.*” Such need has not been presented, and the “*burden of proof*” has not been met.

**Planning Commission Finding:** The Planning Commission disagreed with Staff’s assessment on this requirement and found that the request does meet Goal 2-Policy 3, in that a public need has been justified by the applicant and public testimony expressed in support of the request during the public hearing. See Findings in the applicable Decision Order sections below.

- This request does not meet the Goal 9 Economic Development-Policies related to revitalizing the downtown area, clustering of related uses that encourage customers involvement from one store to another, and accommodating industrial development consistent with the needs and goals in the area.

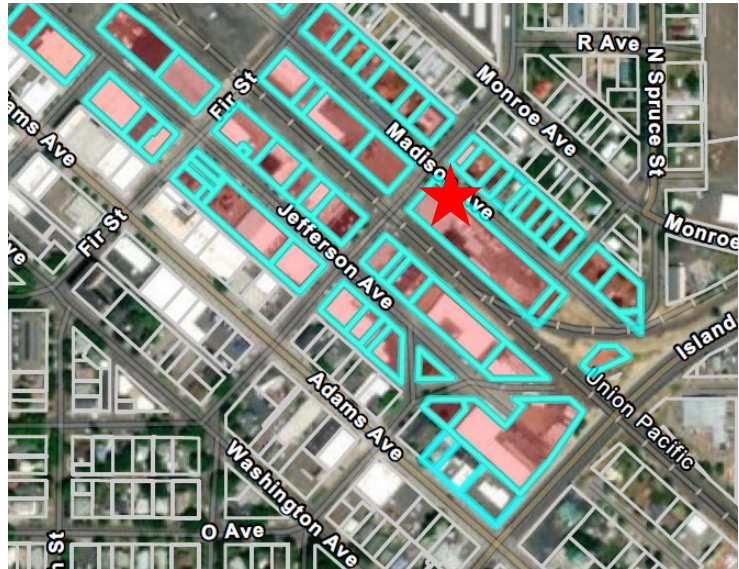
- The proposed tenant and property development plans do not include businesses or activities that encourage customer involvement from one store to another.

- The proposed tenant and property development plans are not consistent or complimentary to the City’s focus and efforts underway on revitalizing the Jefferson Avenue corridor and adjacent downtown areas to include small-scale manufacturing.

**Planning Commission Finding:** The Planning Commission disagreed with Staff’s assessment on this requirement and found that the request met the Goals 9 Economic Development Policies and that this issue was not directly applicable to this request or this property. None of the surrounding properties within a 1 block radius fit this goal or policy, and none of them facilitate customer involvement from one store to another. Also, the subject property is not along Jefferson Avenue, is located one block North, thus the Commission found that the property appeared to be outside the focus area for the revitalization effort of the Jefferson Avenue corridor.

*Note: Subsequent to the Planning Commission decision, the Economic Development Director provided a map for the City Council’s consideration to clarify this issue, which shows the subject property within the Jefferson Avenue focus area*

(corridor) for the artisan small-scale manufacturing effort (see illustration/excerpt below).



- LDC Section 8.7.003, Rezone Review Criterion (C), “*The proposed change is supported by specific studies or other factual information which documents the need for the change.*”
  - This request is not supported by any specific studies or other factual information which documents the public need for the change. This request appears to be based entirely on accommodating a proposed commercial tenant that could be accommodated on a variety of sites throughout the City’s existing General Commercial, Downtown Central Business, Public Facilities, Medical Services, and Residential-Professional Zones.
    - As the applicant mentioned in their application, they have a desire to be within or near the downtown area. With little effort, Staff found two (2) available sites for sale within the downtown area that are commercially zoned and could accommodate the proposed tenant without rezoning. Such sites are located 1902 4<sup>th</sup> Street (office building at 4<sup>th</sup> & Washington), and 216 Chestnut Street (EONI building at Jefferson & Chestnut). These are just two (2) examples of existing commercial sites available. (Note: Both of these sites were for sale at the time of application submittal and remain available as of the drafting of this Decision Order.)
    - Additionally, there are several vacant commercial parcels for sale for new development, as well as developed commercial sites available for sale and lease throughout the City that could accommodate the proposed tenant. As a result, Staff finds that there is not a documented need to support this rezone request.
    - Lastly, the City’s Economic Development Director is currently working with Business Oregon and two (2) existing businesses that are seeking to locate in La Grande on a light industrial zoned property. Unfortunately, with the exception of the subject property, the City does not have any available light

industrial zoned sites that are developed with existing buildings and infrastructure that can immediately accommodate a new or relocating industrial business.

**Planning Commission Finding:** Based on public testimony and Planning Commission discussion, the Commission determined that there is a factual public need for the zone change, even though there are no specific studies available for reference. For considering other commercial sites, the Commission agreed that other sites do exist within the City, however, the location of such available sites are not practical for all commercial use types, especially the proposed tenant of this request. As a result, the City should provide more commercial opportunities siting businesses in locations where they would be successful, low impact and compatible with their neighbors. The Commission determined that this was a “need” and a factual basis for supporting this zone change, and that the proposed site was the appropriate location for the proposed commercial use and appropriate for being zoned general commercial. See Findings in the applicable Decision Order sections below.

- B. As part of this request, consideration should be given with regards to the City’s commercial vs. industrial land need. Staff finds that the City has a critical need for light industrial zoned sites.
- o The City has several vacant commercial properties that are available for new development, most of which could support the proposed tenant of this rezone request. Additionally, there are several existing/developed commercial sites throughout the City that could be purchased or leased that would also accommodate the proposed tenant.
  - o The City’s light industrial zoned lands are very limited, with very few known vacant sites available for new industrial development. The subject property of this rezone request is one of the only developed industrial sites available for a new business (or an existing business looking to expand) in La Grande. As a result, the City needs to retain all existing light industrial zoned lands for accommodating industrial businesses and cannot afford to lose such lands through rezoning without a very clear, valid, and justified need, which has not been presented and justified by the applicant.

**Planning Commission Finding:** Staff informed the Planning Commission that the draft Economic Needs Analysis (version 8/7/23), which the Planning Division recently received shows that the City has only 2 light industrial properties available for redevelopment, with the subject property being noted one of the two. Also, the draft analysis identifies a need to add 100 acres of light industrial to the City’s boundaries. In discussion with the applicant, the Planning Commission found that the property is not available for redevelopment and is committed to this project. As such, it is not available for redevelopment and thus the Commission did not feel that the rezoning of the subject property, eliminating one of the two noted sites would affect the conclusions or recommendations of Economic Needs Analysis.

Also, the property was historically occupied and used for commercial retail (Ace Hardware & Miller’s Lumber), consistent with the proposed zoning. Since the property has functioned and served as a commercial site for many years, and continues to include a commercial tenant, rezoning to general commercial makes sense and would satisfy a greater need and benefit to the community



vs. retaining the light industrial zoning designation. See Findings in the applicable Decision Order sections below.

- C. Because of the shortage of employment lands (both commercial and light industrial), the City has hired a consulting firm to conduct a Goal 9 Economic Opportunities Analysis (EOA) to evaluate and determine what the City's "needs" are for commercial and industrial lands. This effort is underway and is proposed to be completed by this Fall 2023.
- o Until this effort is completed, the City will not have "*specific studies or other factual information which documents the need for the change*" as required by LDC Section 8.7.003, Rezone Review Criterion (C), discussed above.
  - o Until this effort is completed, the City will not know what its commercial or industrial zoned land needs are, what industry sectors need land, and where such zone should be located.
  - o Until this effort is completed, Staff does not support any rezoning that will result in the reduction or loss of any commercial or industrial zoned land.

**Planning Commission Finding:** The Planning Commission found that there is sufficient "other factual information which documents the need for the change" and found that this request met the rezone review criteria discussed above. See Findings in the applicable Decision Order sections below.

- D. For Urban Renewal and downtown economic development, the City is moving forward with a revitalization effort along the Jefferson Avenue corridor, which includes properties bordering the Union Pacific Railroad.

This revitalization effort is mentioned above, which focuses on promoting and encouraging small scale manufacturing and light industrial businesses to locate along Jefferson Avenue and along the Union Pacific Railroad within the downtown area. The City is making a significant investment in this effort by allocating Staff resources and considering Urban Renewal grant funding for specific projects; and City Staff is actively working with a number of property owners and businesses seeking to locate within this corridor.

The proposed rezone request is not consistent or compatible with this revitalization effort, and would not complement or contribute to its vision and focus.

**Planning Commission Finding:** The Planning Commission found that this effort is not applicable for the subject property or this request.

2. No written comments or concerns were received from other notified agencies.

## VII. Public Comments

In accordance with City of La Grande Land Development Code Ordinance (LDC) 3252, Series 2021, Chapter 9, public notice was mailed to the owners of properties located within one hundred feet (100') of the subject property.

1. As part of the Planning Commission public hearing on August 8, 2023, and City Council public hearing on September 6, 2023, testimony was heard from the applicant and citizens in support of this request, explaining the need for this rezone, the commercial location being appropriate as compared to other commercial locations within the City, and the benefits that this rezone would offer to the community through supporting mental health and substance abuse assistance.
  - The property is appropriately located for commercial zoning.

- Commercially zoned lands are located directly across Madison Avenue from the subject property and this rezone would be contiguous.
  - The property is located one block from the downtown.
  - The property was historically developed and occupied by a commercial business (Ace Hardware – Miller’s Home Center). Rezoning to commercial makes sense since the property has historically functioned as a commercial property.
  - Other available commercial sites considered were found not viable due to compatibility issues and conflicts with neighboring commercial uses (e.g. retail).
  - The location of this commercial use is very important to its success. A building that has an older warehouse-like appearance is more inviting for the people served by the Underground Oasis and others with mental health challenges. Also, being separate from retail neighbors reduces conflicts.
2. No written or oral testimony was received or heard in neutral or opposition to this rezone request.

## VIII. Analysis of Applicable Standards

Changes to a Zoning map designation are required to satisfy the review criteria contained in the City of La Grande LDC 3252, Series 2021, Article 8.6, Section 8.6.003, and Article 8.7, Section 8.7.003. The Findings in Decision Order Section IX below addresses conformance with such criteria.

## IX. LDC Section 8.6.003 – Review Criteria (Zoning Map Change)

*A proposed Zone Designation Change shall meet the following criteria:*

- A. The Zone Designation Change is in conformance with the Comprehensive Plan (Criteria A<sup>1</sup>), and all other provisions of the Land Development Code (Criteria A<sup>2</sup>);**

**Criteria A<sup>1</sup> – The Zone Designation Change is in conformance with the Comprehensive Plan**

Following are the Comprehensive Plan Goals and Policies applicable to this request:  
(Current Comprehensive Plan adopted by Ordinance 3255, Series 2022)

**Goal 1: Citizen Involvement**

*Objective 1. Develop and implement a citizen involvement program that includes all six (6) components of Statewide Planning Goal #1.*

- (1) Citizen Involvement
- (2) Communication
- (3) Citizen Influence
- (4) Technical Information
- (5) Feedback Mechanisms
- (6) Financial Support

*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 shall strive to assure that technical information is available in an understandable form.*

- 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.*

**Planning Commission Finding: This standard is met.** The City's land use process satisfies Goal 1. As outlined in Decision Order Section II above, the City provides many opportunities for citizens to become informed and participate in the land use process.

The City's land use review process includes the mailing of a public hearing notice to surrounding property owners within 100', advertised notice in *The Observer*, and all materials are posted on the City's website. City Staff prepares written material, using layman's terms and illustrations as much as possible to ensure that technical information is easily understood. The City holds a minimum of three (3) public hearings; one before the Planning Commission and two before the City Council. All public hearings are advertised and the public is invited to attend and participate in all phases of the process. At the conclusion of the hearing process, there is a 30-day appeal period by which any party with standing may challenge the decision.

**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*

*Objective 2. 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 be made on a factual base.*
- Policy 3. That public need be established before plan changes and related requests are approved, and that the burden of proof be borne by the requestor.*
- Policy 7. That commercial development be concentrated so as to strengthen existing commercial activities.*
- Policy 8. That compatibility with anticipated uses with surrounding area development will be evaluated in making planning related decisions.*
- Policy 9. That alternative sites and alternative uses will be considered in making land use plan decisions.*

**Planning Commission Finding: This standard is met.** The applicant addressed the above Objectives and Policies in their applications, but initially failed to provide sufficient references to studies or factual information to support the "need" for rezoning the subject property from light industrial to general commercial.

As discussed above in the Public Comment section of this decision order, during the Planning Commission public hearing, testimony was heard from the applicant, and 13 citizens about the need for this rezone, the commercial location being appropriate as compared to other commercial locations within the City, and the benefits that this rezone would offer to the community through supporting mental health and substance abuse assistance.

- The property is appropriately located for commercial zoning.

- Commercially zoned lands are located directly across Madison Avenue from the subject property and this rezone would be contiguous.
- The property is located one block from the downtown.
- The property was historically developed and occupied by a commercial business (Ace Hardware – Miller’s Home Center). Rezoning to commercial makes sense since the property has historically functioned as a commercial property.

In consideration of the public testimony received, the Commission discussed the fact that not every commercial property is in a location suitable for every commercial use or commercial activity. Some commercial uses benefit from being in close proximity and co-locating next to other commercial uses, while others generate impacts that may not be compatible with their commercial neighbors and detrimental to the commercial environment. To address those incompatible situations, commercial properties that are separated or buffered from their commercial neighbors are needed for ensuring a quality environment and mitigating the adverse impacts generated by some commercial uses.

In this case, this rezone is intended to support a tenant (Underground Oasis), which is a commercial use that generates activities that are not generally compatible with neighboring commercial uses. They serve individuals with mental health and substance abuse challenges, and their facility sometimes generates activities that are in conflict with sharing space with other commercial businesses. An ideal situation for the Underground Oasis is to have a commercial space that is somewhat separated and buffered from their neighbor. The subject property meets this locational need, where other available commercial properties do not.

**Goal 9: Economic Development**

There are five (5) sub-goal in this Goal 9 chapter. Of these, only a couple apply to this request:

*Goal 1 – To Create High Quality Family Wage Jobs*

*Goal 2 – To Foster Growth and Expansion for Easter Oregon University*

*Goal 3 – To Promote Retail Development*

*Goal 4 – To Revitalize Downtown*

*Goal 5 – To Establish Sufficient Capacity for Commercial and Industrial Development*

**Planning Commission Finding:** **This standard is met.** Of the above five (5) goals, the applicant addressed Goal 4 in their narrative, which is the only goal that appears to apply, although the subject property is not located within the downtown. The remaining goals are either general overall goals for the City’s economic development program, or focuses on expansion of City boundaries.

*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.*

**Staff Analysis:** The subject property is not within the Central Business District or even immediately adjacent. Instead, it is roughly two (2) blocks North of the Central Business District and this Goal does not directly apply. However, it is in the vicinity and has some influence over the economic development programs that the City is implementing.

The applicant's response to Goal 4 on page 9 of their application submittal, explains that the rezoning to commercial will allow the building to be improved with public education and public meeting space.

**Criteria A<sup>2</sup> – The Zone Designation Change is in conformance with all other provisions of the Land Development Code.**

**Planning Commission Finding: This standard is met.** The subject properties are currently zoned Light Industrial (I-1), which *“The purpose of this zone is to provide for areas where manufacturing, storage, sorting and wholesaling distribution can be undertaken in close proximity to one another without encroaching upon the character of the adjacent land uses.”*

The applicant discusses on page 2 of their application, that their project is compatible with the surrounding area, referring to other uses in the vicinity such as an industrial vehicle storage lot to the west owned by Captain Hook for impounded cars, a mini storage across the street, and a warehouse with office space also across the street, and a church across the railroad track at the corner of Jefferson.

The application does not appear to be in conflict with any specific land use provision in the Land Development Code.

**B. The property affected by the Zone Designation Change is adequate in size and shape to facilitate those uses that are normally allowed in conjunction with such zoning;**

**Planning Commission Finding: This standard is met.** The applicant's submittal explains the following: *Underground Oasis has goals of meeting more needs and larger groups than the current attendance of 15-40 people per day. 5,000-6,000 square feet of meeting space is projected for the needs of future expansion. This property will meet these meeting needs.*

*The property adjacent to the building (lumber yard at present) will provide opportunities for future services expansion. A smaller facility would require us to move and lose the development costs associated with changing locations.*

**C. The property affected by the proposed Zone Designation Change can adequately serve the uses that may be permitted therein; and such Change is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060)**

**Planning Commission Finding: This standard is met.** The applicant's submittal explains the following: *The proposed uses of public meeting space, educational meeting space, and mini storage will be within the guidelines of General Commercial Zoning; Underground Oasis and the mini storage facility projects the traffic to be less than that of the retail usage under the current zoning.*

*Traffic Flow under the current zone of Light Industrial was adequate to serve the only Lumber yard and a busy Retail hardware store in Union county. While we do not have traffic counts for Greenwood, Greenwood is a main artery carrying traffic from the north residential part of the town to the downtown district. Greenwood Street has shown to be able to carry lots of traffic and the current traffic and zoning was not a significant factor or cause for congestion historically. Even if the new usage was to increase the flow of traffic*

*due to a higher volume of traffic for an hour or two before or after a meeting, the results would not be a congestion of Greenwood Street.*

*Madison Street is a side street and is serving the residential community on that street only. It is capable of serving a lot of traffic because of easy access to Greenwood and Monroe which are major traffic streets able to carry much traffic flow. Since the residential traffic is very low with only residential on one side of the street, Madison is way below capacity. Underground Oasis total traffic flow will be significantly less than the current usage as a lumberyard and hardware store. The maximum traffic would be an event where we used the larger meeting room to capacity for a few hours which would most likely not be during business hours competing with the downtown traffic.*

*Off street parking is available with the current building along Madison street which is approximately 22 spaces with perpendicular parking. Additional perpendicular parking is currently available on Greenwood for 8 spaces. On street parallel parking is available on Madison street going east toward the railroad tracks estimated at 10 spaces. The majority of the Underground Oasis traffic will be to the smaller meeting room off Madison with door access on the same street. Parking currently has been 10 cars or less as many of the attendees do not have cars. Additional access into the building coming off Madison Street is planned for the kitchen, bathrooms and the larger meeting hall using existing perpendicular Madison Street parking.*

*Future development will encourage access to the main meeting hall from the east with two foyers pictured on the concept plan giving access to the projected additional off-street parking behind the building.*

*What is the highest Impact of this zone change?*

*Under the goals of the Underground Oasis, we foresee traffic flow less than the existing usage as Miller's Home Center. The highest impact would possibly be a weekend rental where the facility was rented to the community for a community event similar to the Presbyterian Center. We do not know the future but if the building were to be purchased by another party, the commercial kitchen and meeting place would potentially be used more than historical traffic flow. This potential is very remote in our view because of the location being on the north side of the tracks and the building is not conducive to a large attraction such as a large restaurant with 30 tables etc.*

**D. The proposed Zone Designation Change will have no adverse effect on the appropriate use and development of abutting properties.**

**Planning Commission Finding: This standard is met.** The applicant's submittal explains the following:

*Source 1 Consulting office and vehicle storage is a mixed-use development where both industrial and commercial activities are present just across the street to the north of the proposed zone change for Miller's Old hardware.*

*The Commercial zoning east is actually developed residential to the north of the proposed property zone change.*

*Across the railroad tracks to the south on Jefferson Street are the industrial buildings used for fabrication and manufacturing.*

*The Calvary Baptist Church also on the same street is a commercial usage similar to the zone change we are requesting.*

*Given the variety of development of both light industrial, commercial and residential, we believe the zone change from light Industrial to Commercial for the old Millers lot will not create any activities that will be a nuisance of noise, smell, smoke, or objectionable characteristics of concern to the adjacent residential neighborhood or the adjacent Industrial or Commercial zones spaces. With the exception of the commercial kitchen, Underground Oasis will not be bringing any new activities to the area not already present.*

## X. LDC Section 8.7.003 – Review Criteria (Comprehensive Plan Map Designation Change)

*A proposed Comprehensive Plan Designation Change shall meet the following criteria:*

### A. The proposed change is in compliance with the Statewide planning goals;

**Planning Commission Finding: This standard is met.** The City of the La Grande's Comprehensive Plan was developed and structured to mirror the Statewide planning goals, but with policies that are more specific in order to help the City implement the various goals or direction specified in the Statewide Planning Goals.

When an application is found to satisfy the City's Comprehensive Plan policies (see Criteria B below), it is generally also found to satisfy the Statewide planning goals.

### B. The proposed change is in conformance with all policies of the City of La Grande Comprehensive Plan;

**Planning Commission Finding: This standard is met.** See Zone Designation Change findings above, which also requires compliance with the City's Comprehensive Plan.

### C. The proposed change is supported by specific studies or other factual information which documents the need for the change.

**Planning Commission Finding: This standard is met.** There is not a specific study to support this zone change, but the Planning Commission found that there is other factual information relevant that justifies the need for the proposed change.

As discussed above, the Commission discussed the fact that not every commercial property is in a location suitable for every commercial use or commercial activity. Some commercial uses benefit from being in close proximity and co-locating next to other commercial uses, while others generate impacts that may not be compatible with their commercial neighbors and detrimental to the commercial environment. To address those incompatible situations, commercial properties that are separated or buffered from their commercial neighbors are needed for ensuring a quality environment and mitigating the adverse impacts generated by some commercial uses. The subject property meets this criterion and is a needed commercial property for accommodating commercial uses that may generate higher neighborhood impacts, such as the Underground Oasis.

Additionally, with the subject property being historically developed and occupied by a commercial retail business (Ace Hardware / Miller's Home Center), it has already proven to be a functional and needed commercial property.

## XI. Conclusions and Order

During the Regular Session of the Planning Commission held on August 8, 2023, based on the Findings of Fact above, the Planning Commission concluded that the Comprehensive Plan Designation Change and Zone Designation Change *meets* the requirements established in LDC Article 8.6 and 8.7, and by unanimous vote recommended *approval* of the zone change to the City of La Grande City Council.

During the Regular Sessions of the City Council held on September 6, 2023, and October 4, 2023, based on the Findings of Fact above, the City Council agreed with the Planning Commission findings and recommendation, and concluded that the Comprehensive Plan Designation Change and Zone Designation Change meets the requirements established in LDC Article 8.6 and 8.7. The City Council hereby adopts the Planning Commission Findings as their own and approves of the zone change.



## Exhibit A

### **LDC 3252, Series 2021, SECTION 2.2.011 – LIGHT INDUSTRIAL (I-1)**

- A. **PURPOSE:** The purpose of this zone is to provide for areas where manufacturing, storage, sorting and wholesaling distribution can be undertaken in close proximity to one another without encroaching upon the character of the adjacent land uses. It is not the purpose of the Light Industrial Zone to permit the processing of raw materials for shipment in bulk form to be used in an industrial location elsewhere. It is the intent of this zone to implement the Comprehensive Plan designation of a Light Industrial land use.
- B. **PERMITTED USES:**
1. Accessory Structures – Caretaker’s Residences, Garages, Sheds for Storage of Lawn Equipment or Wood, and Signs
  2. Automotive and Equipment: Parking – Commercial Parking Lots or Garages
  3. General Industrial – Manufacturing, Custom Manufacturing, Compounding, Processing, Assembling, Packaging, Treatment or Fabrication of Materials and Property, Cabinet Shops, Textiles and Metal Fabrication
  4. Off-Premise Advertising Sign
  5. Research Services – Electronics Research Laboratories, Space Research and Development Firms, Soil and Material Testing Labs, or Pharmaceutical Research Labs
  6. Wholesaling, Storage and Distribution: Heavy – Limited to Monument or Stone Yards, Open Storage Yards
  7. Wholesaling, Storage and Distribution: Light – Limited to Wholesale Distributors, Storage Warehouses, Moving and Storage Firms
  8. Wholesaling, Storage and Distribution: Storage – Building Contractors, RV Storage, Household Storage, and Personal Storage and Mini-Storage
- C. **CONDITIONAL USES:**
1. Agricultural Supplies and Services – Feed and Grain Stores, Crop Dusting or Tree Service Firms
  2. Animal Sales and Service: Kennels – Boarding Kennels, Animal Shelters, Pet Motels, Dog Training Centers, or Breeding Establishments
  3. Animal Sales and Services: Veterinary, Large Animals – Animal Hospitals or Veterinary Hospitals
  4. Automotive and Equipment: Fleet Storage – Taxi Fleets, Mobile Catering Truck Storage or Auto Storage Garages
  5. Automotive and Equipment: Repairs, Heavy Equipment – Truck Transmission Shops, Body Shops or Motor Freight Maintenance Groups
  6. Automotive and Equipment: Sales/Rentals, Farm Equipment – Farm Equipment Dealers
  7. Automotive and Equipment: Sales/Rentals, Heavy Equipment – Aircraft Dealers, Boat Dealers, or Heavy Construction Equipment Dealers
  8. Automotive and Equipment: Storage, Non-Operating Vehicles - Storage of Private Parking Tow-Aways or Impoundment Yards
  9. Building Maintenance Services – Janitorial, Landscape Maintenance, or Window Cleaning Services
  10. Communications Services – Television Studios, Radio Stations and Telecommunication Service Centers
  11. Construction Sales and Services – Building Materials Stores, Tool and Equipment Rental or Sales
  12. Extensive Impact Services and Utilities – Limited to Heliports, Helistops, Detention and Correction Institutions, Fairgrounds, Railroad Depots Public Safety Buildings, Police Stations, Wells, Parks, Public Sports Arenas, Golf Courses, Vehicular Raceways, Wireless Communication Facilities, or Other Communication Structures, Substations, and Electrical Generation Facilities

13. Laundry Services – Laundry Agencies, Diaper Services or Linen Supply Services
14. Marijuana Facilities – Marijuana Processing, Marijuana Testing, Marijuana Wholesalers, and Medical Marijuana Dispensaries (See Article 3.21)
15. Postal Services – Mailing Services Including Major Processing
16. Public Research Area – Governmental, Educational, Public or Non-Profit Operated Buildings or Land Dedicated to Pure or Applied Scientific Discovery in Fields of Agriculture, Wildlife Management, Forestry, Geology, Archaeology, Ecology, Astronomy
16. Scrap Operations – Junk Yards, Paper Salvage Yards, Auto Salvage Yards or Appliance Salvage Yards
17. Solid Waste Transfer Facility

## Exhibit B

### **LDC 3252, Series 2021, SECTION 2.2.009 – GENERAL COMMERCIAL (GC)**

- A. **PURPOSE:** The purpose of this zone is to provide the full range of retail goods and services serving a large area which normally requires a large space for development.
- B. **PERMITTED USES:**
1. Accessory Structures – Caretaker’s Residences, Garages, Sheds for Storage of Lawn Equipment or Wood, and Signs
  2. Administrative and Professional Services – Administrative Offices, Legal Financial, Insurance, Real Estate, Architectural, Engineering, Surveying, Consulting Offices and Business Support Services
  3. Animal Sales and Services: Grooming – Dog Bathing and Clipping Salons or Pet Grooming Shops
  4. Animal Sales and Services: Kennels – Boarding Kennels, Animal Shelters, Pet Motels, Dog Training Centers, or Breeding Establishments
  5. Animal Sales and Service: Pet Sales/Shops – Sales of Aquatic and Small Animals, and Animal-Related Supplies and Services.
  6. Animal Sales and Services: Veterinary, Small Animals – Pet Clinics, Dog and Cat Hospitals or Animal Hospitals
  7. Automotive and Equipment: Cleaning – Auto Laundries, Auto Detailing, or Car Washes
  8. Automotive and Equipment: Fleet Storage – Taxi Fleets, Mobile Catering Truck Storage or Auto Storage Garages
  9. Automotive and Equipment: Parking – Commercial Parking Lots or Garages
  10. Automotive and Equipment: Repairs, Light Equipment – Muffler Shops, Auto Repair Garages or Auto Glass Shops
  11. Automotive and Equipment: Sales/Rentals, Light Equipment – Automobile Dealers, or Car Rental Agencies or Recreational Vehicles Sales and Rental Agencies
  12. Building Maintenance Services – Janitorial, Landscape Maintenance, or Window Cleaning Services
  13. Business Equipment Sales and Services – Office Equipment and Supply Firms, Small Business Machine Shops or Hotel Equipment and Supply Firms
  14. Communications Services – Television Studios, Radio Stations and Telecommunication Service Centers
  15. Community Education – Public, Private and Parochial Pre-Elementary, Elementary, Junior High and Senior High School, Junior Colleges, Colleges, Universities and Trade Schools
  16. Community Recreation – Recreational, Social or Multi-Purpose Uses Within Buildings
  17. Construction Sales and Services – Building Materials Stores, Tool and Equipment Rental or Sales
  18. Cultural Exhibits and Library Services – Museum-Like Preservation and Exhibition of Works of Art or Library Collection
  19. Day Nurseries
  20. Dwellings – Limited to Residential Units within existing buildings that were originally designed and constructed exclusively for residential occupancy. Buildings that were not originally constructed exclusively for residential occupancy are limited to Residential Units Below Ground Level and in the Second and Higher Floors and/or Twenty-Five Percent (25%) of the Ground Floor of Commercial Buildings, or Greater than Twenty-Five Percent (25%) With a Conditional Use Permit, provided that Commercial Store Fronts are Maintained on the Street Front. Home Occupations are Allowed in Such Family Residential Units Subject to the Provisions of Article 8.11 of This Code.
  21. Eating and Drinking Establishments – Restaurants, Short-Order Eating Places, Taverns, Bars or Brew Pubs
  22. Family Daycare Providers

23. Food and Beverage Retail Sales – Supermarkets, Groceries, Liquor Stores, Brew Pubs, Retail Sales, Bakeries, or Delicatessens
24. Fuel Sales – Passenger and Light Truck Service Stations, Filling Stations - Excluding Truck Stops, Storage or Sales of Liquefied Petroleum Gas
25. General Industrial: Limited to Custom Manufacturing – Ceramic Studios, Candle-Making Shops or Custom Jewelry Manufacture
26. Laundry Services – Laundry Agencies, Diaper Services or Linen Supply Services
27. Lodging – Motels, Hotels, and Bed and Breakfast Inns, excluding emergency shelters
28. Medical Services – Medical Clinics, Dental Clinics, Chiropractic Clinics, Medical and Dental Laboratories or Allied health professionals
29. Participant Sports and Recreation – Limited to Bowling Alleys, Arcades, Youth Centers, Martial Arts Studios, Dance Studios, Health/Fitness Clubs, Gymnasiums or Billiard Parlors, Miniature Golf Courses and Driving Ranges Within Enclosed Buildings
30. Personal Services – Photography Studios, Barber Shops, Hair Salons, or Massage Therapy
31. Postal Services – Mailing and Shipping Services Excluding Major Processing and Distribution Centers
32. Repair Services – Appliance Repair Shops, Apparel Repair Firms or Instrument Repair Firms
33. Retail Sales – Businesses Engaged in Retail Sale of Goods and Merchandise, Excludes Medical Marijuana and Recreational Marijuana
34. Spectator Sports and Entertainment - Limited to Indoor Theater, Service Club and Membership Organizations, and Social and Fraternal Orders, Excluding sports stadiums and arenas.
35. Transportation Services – Taxi Services and Bus Depots
36. Wholesaling, Storage, and Distribution: Light – Limited to wholesale buying operations within buildings not to exceed 5,000 square feet total.

**C. CONDITIONAL USES:**

1. Animal Sales and Services: Veterinary, Large Animals – Animal Hospitals or Veterinary Hospitals
2. Automotive and Equipment: Repairs, Heavy Equipment – Truck Transmission Shops, Body Shops or Motor Freight Maintenance Groups
3. Automotive and Equipment: Sales/Rentals, Farm Equipment – Farm Equipment Dealers
4. Extensive Impact Services and Utilities – Limited to Fairgrounds, Public Safety Buildings, Police Stations, Fire Stations, Ambulance Services, Helistops, Wells, Parks, Community Gardens, Wireless Communication Facilities, or Other Communication Structures, Substations, and Electrical Generation Facilities
5. Funeral and Interment Services: Cremating - Crematoriums
6. Funeral and Interment Services: Undertaking – Funeral Homes or Mortuaries
7. Fuel Sales - Limited to Truck Stops
8. Lodging: Campgrounds
9. Lodging: Resorts and Emergency Shelters
10. Marijuana Facilities – Marijuana Retailers, Marijuana Testing, and Medical Marijuana Dispensaries (See Article 3.21)
11. Off-Premise Advertising Signs
12. Open Sales Lot – Sale and/or Rental of New/Used Manufactured Homes, Prefabricated Structures or Any Other Good or Service Sold and/or Displayed in an Outdoor Environment
13. Participant Sports and Recreation – Limited to indoor shooting ranges and those uses conducted in open facilities, such as golf courses and outdoor driving ranges.
14. Public Research Area – Governmental, Educational, Public or Non-Profit Operated Buildings or Land Dedicated to Pure or Applied Scientific Discovery in Fields of Agriculture, Wildlife Management, Forestry, Geology, Archaeology, Ecology, Astronomy
15. Religious Assembly – Religious Services Involving Public Assembly as Occurs in Synagogues, Temples and Churches
16. Research Services – Electronics Research Laboratories, Space Research and Development Firms, Soil and Material Testing Labs, or Pharmaceutical Research Labs

17. Spectator Sports and Entertainment – Limited to Sports Stadiums and Arenas
18. Wholesaling, Storage, and Distribution: Storage - Limited to Mini-Storage and Building Contractors

# APPLICATION FOR LAND USE REVIEW

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning Division  
1000 Adams Avenue, P.O. Box 670  
La Grande, OR 97850  
(541) 962-1307  
Fax (541) 963-3333



## LAND USE APPLICATIONS

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Annexation Petition<br><input type="checkbox"/> Appeal of Planning Division Decision<br><input type="checkbox"/> Appeal of Planning Commission Decision<br><input type="checkbox"/> Appeal of Landmarks Commission Decision<br><input checked="" type="checkbox"/> Comprehensive Plan Document or Map Amendment<br><input type="checkbox"/> Conditional Use Permit<br><input type="checkbox"/> Duplex Division<br><input type="checkbox"/> Fence Height Waiver<br><input type="checkbox"/> Floodplain Development Permit <i>(Separate Applic. Required)</i><br><input type="checkbox"/> Geologic Hazard Site Plan<br><input type="checkbox"/> Historical Landmarks Review<br><input type="checkbox"/> Home Occupation Permit<br><input type="checkbox"/> | <input type="checkbox"/> Land Development Code Amendment<br><input type="checkbox"/> Land Use Approval Time Extension<br><input type="checkbox"/> Livestock Permit<br><input type="checkbox"/> Lot Line Adjustment<br><input type="checkbox"/> Major Land Partition<br><input type="checkbox"/> Minor Land Partition<br><input type="checkbox"/> Planned Unit Development<br><input type="checkbox"/> Preliminary Land Use Review<br><input type="checkbox"/> Public Right-of-Way Encroachment<br><input type="checkbox"/> Public Right-of-Way Dedication<br><input type="checkbox"/> Public ROW Vacation <i>(Separate Applic. Required)</i> | <input type="checkbox"/> Site Plan Review<br><input type="checkbox"/> Segregation of Tax Lot<br><input type="checkbox"/> Sign Permit<br><input type="checkbox"/> Subdivision<br><input type="checkbox"/> Temporary Use Permit<br><input type="checkbox"/> Variance - Administrative<br><input type="checkbox"/> Variance - Commission<br><input type="checkbox"/> Wetland Development Permit<br><input type="checkbox"/> Zoning Approval<br><input checked="" type="checkbox"/> Zone Change Designation<br><input type="checkbox"/> |
|---|--|---|

## OWNER/APPLICANT INFORMATION

Applicant/Agent: <u>DANIEL R. BECKNER</u>	Land Owner: <u>STEVEN COLTITT</u>
Mailing Address: <u>46724 Brooks Rd</u>	Mailing Address: <u>3109 May Lane</u>
City/State/Zip: <u>Imbler OR 97841</u>	City/State/Zip: <u>LaGrande OR 97850</u>
Telephone: <u>541-786-3719</u>	Telephone: <u>541-919-7860</u>
Fax: _____	Fax: <u>N/A</u>
Email: <u>dantboon@gmail.com</u>	Email: <u>None</u>

## PROJECT INFORMATION

Site Address: <u>307 Greenwood - LaGrande</u>	Description: <u>Old Millers Building of Lot Remodel to educational facility &amp; Public Meeting Space</u>
Legal Desc.: T ___ S, R ___ E, Section ____, Tax Lot _____	
Project Value: _____ <i>(Based on contractors bid estimate.)</i>	

## APPLICANT/OWNER CERTIFICATION

The applicant/owner understands and agrees that:

- The applicant/owner assumes all legal and financial responsibilities for establishing and clearing marking the location of all necessary property lines as determined necessary by the City for the proposed development;
- Building setbacks shall be measured from an established property line, not from the street, curb, sidewalk, or other improvement that is not based on a recorded survey;
- Any approvals associated with this request may be revoked if found in conflict with information represented in this application;
- The approval of this request does not grant any right or privilege to erect any structure or use any premises described for any purposes or in any manner prohibited by City of La Grande ordinances, codes or regulations;
- The applicant hereby authorizes City officials of the City of La Grande to enter the property and inspect activity in conjunction with the proposed development project.
- **ASBESTOS:** If the project includes demolition, Oregon law may require an asbestos inspection by an accredited inspector. The applicant/owner hereby understands and agrees to have an asbestos inspection performed, if required by law, and to have a copy of the inspection report available on-site for the duration of the project.

Applicant Signature: Daniel R. Beckner Owner Signature: St. P. Coltitt

# APPLICATION FOR LAND USE REVIEW

PAGE 2

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning Division  
1000 Adams Avenue, P.O. Box 670  
La Grande, OR 97850  
(541) 962-1307  
Fax (541) 963-3333



## STAFF USE ONLY FOR ZONING APPROVAL

### Project Elements:

- Demolition  New Structure  
 Addition to Structure  Alterations/Repairs

**Demolition Defined:** "Any wrecking that that involves the removal of any load-supporting structural member or intentional burning."

Dwelling Standards: 1 2 3 4 5 6 7 8 9 10 11 12 N/A  
*Required for MH/SF/Duplex & Apartments [Section 3.2.003]*

Access. Bldg. Standards Met:  Yes  No  N/A *[Article 5.9]*

Setbacks Met:  Yes  No *[Article 5.3]*

Front: \_\_\_\_\_ Left: \_\_\_\_\_ Right: \_\_\_\_\_ Rear: \_\_\_\_\_

Livestock setbacks: \_\_\_\_\_

Floodplain:  Yes  No Zone: \_\_\_\_\_ BFE: \_\_\_\_\_  
*If yes, an Elevation Certificate may be required  
If yes, a Floodplain Development Permit may be required. [Article 3.12]*

Geologic Hazard Zone:  Yes  No  
*If yes, a Geologic Hazard Waiver is required. [Article 3.4]*

Riparian Zone/Wetlands:  Yes  No  
*If yes, a wetland delineation and DSL Permit may be required. [Articles 3.9 and 3.19]*

Fire Protect. Agrmt. Req.:  Yes  No *[Article 3.2]*

Parks & Recreation SDC:  Yes  No *[Article 7.1]*

ROW Improvement Req.:  Yes  No *[Article 6.3]*

LID Agreement Req.:  Yes  No *[Article 6.3]*

Zone: \_\_\_\_\_

Date Approved: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

File Number: \_\_\_\_\_

Application Fee: \_\_\_\_\_

Receipt Number: \_\_\_\_\_

### COMMENTS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Land Use Application Fee Schedule

Annexation Petition	\$1000	Minor Land Partition	\$250 + \$5/lot
Appeal of Planning Division Decision	\$75	Planned Unit Development	\$500 + \$5/lot + Actual Costs for Advertising and Public Notice
Appeal of Planning Commission/Landmarks Commission Decision	\$150	Public Right-of-Way Encroachment	\$50 + Document Recording Fees
Comprehensive Plan Designation Change	\$300 + Actual Costs for Advertising and Public Notice	Public Right-of-Way Dedication	\$0
Comprehensive Plan Document Amendment	Actual Costs	Public Right-of-Way Vacation	Actual Costs
Conditional Use Permit	\$375	Preliminary Land Use Review (Pre-Application Meeting)	\$0
Duplex Division	\$250 + \$5/lot	Segregation of Tax Lot	\$25
Fence Height Waiver	\$25	Sign Permit	\$75
Floodplain Development Permit	\$75	Site Plan Review - New/Expansion	\$75 (Projects \$0-\$50k) \$150 (Projects \$50k-\$100k) (+ \$0.50/\$1000 over \$100k)
Geologic Hazard Site Plans	\$75	Subdivision	\$500 + \$5/lot + Actual Costs for Advertising and Public Notice
Historical Landmarks Review	\$75	Temporary Use Permit	\$125
Home Occupation Permit	\$75	Variance Permit (Administrative)	\$175
Land Development Code Amendment	Actual Cost	Variance Permit (Planning Commission)	\$450
Land Use Approval Time Extension	\$25	Wetland Plan Review	\$75
Lot Line Adjustment	\$150	Zone Change/LDC Amendment	\$300 + Actual Costs for Advertising and Public Notice
Livestock Permit	\$25	Zoning Approval	\$25.00
Major Land Partition	\$500 + \$5/lot		

\*Applications based on actual costs require a deposit to cover the estimated fees. If there is a shortage of funds discovered during the review process, an additional deposit may be required to be paid. Any surplus or deficit of fees paid will be refunded or billed to the applicant.  
\*Application fee for multiple planning actions is equal to the greatest single fee, not the sum of all fees.  
\*Application fee may be increased to include third party engineering and/or consulting fees when required.  
S:\Community Development\PLANNING\FORMS\APPLICATIONS\Version 2021\Land Use Application.docx

City of La Grande

Zone change application for 307 Greenwood St, La Grande OR

**Article 8.6 Zone Designation Change:**

**Review Criteria:**

*A. The Zone Designation Change is in conformance with the comprehensive Plan, and all other provisions of the Land Development Code. ( SEE Article 8.7 B below)*

*B. The property affected by the Zone Designation Change is adequate in size and shape to facilitate those uses that are normally allowed in conjunction with such zoning.*

Underground Oasis has goals of meeting more needs and larger groups than the current attendance of 15-40 people per day. 5000-6000 square feet of meeting space is projected for the needs of future expansion. This property will meet these meeting needs.

The property adjacent to the building (lumber yard at present) will provide opportunities for future services expansion. A smaller facility would require us to move and lose the development costs associated with changing locations.

*C. The property affected by the proposed Zone Designation Change can adequately serve the uses that may be permitted therein; and such Change is in conformance with the Oregon Transportation Planning Rule(OAR 660-012-0060)*

The proposed uses of public meeting space, educational meeting space, and mini storage will be within the guidelines of General Commercial Zoning; Underground Oasis and the mini storage facility projects the traffic to be less than that of the retail usage under the current zoning.

Traffic Flow under the current zone of Light Industrial was adequate to serve the only Lumber yard and a busy Retail hardware store in Union county. While we do not have traffic counts for Greenwood, Greenwood is a main artery carrying traffic from the north residential part of the town to the downtown district. Greenwood street has shown to be able to carry lots of traffic and the current traffic and zoning was not a significant factor or cause for congestion historically. Even if the new usage was to increase the flow of traffic due to a higher volume of traffic for an hour or two before or after a meeting, the results would not be a congestion of Greenwood street.

Madison Street is a side street and is serving the residential community on that street only. It is capable of serving a lot of traffic because of easy access to Greenwood and Monroe which are major traffic streets able to carry much traffic flow. Since the residential traffic is very low with only residential on one side of the street, Madison is way below capacity. Underground Oasis total traffic flow will be significantly less than the current usage as a lumberyard and hardware store. The maximum traffic would be an



event where we used the larger meeting room to capacity for a few hours which would most likely not be during business hours competing with the downtown traffic.

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Future development will encourage access to the main meeting hall from the east with two foyers pictured on the concept plan giving access to the projected additional off street parking behind the building.

What is the highest Impact of this zone change?

Under the goals of the Underground Oasis, We foresee traffic flow less than the existing usage as Miller's Home Center. The highest impact would possibly be a weekend rental where the facility was rented to the community for a community event similar to the Presbyterian Center. We do not know the future but if the building were to be purchased by another party, the commercial kitchen and meeting place would potentially be used more than historical traffic flow. This potential is very remote in our view because of the location being on the north side of the tracks and the building is not conducive to a large attraction such as a large restaurant with 30 tables etc.

*D. The proposed Zone Designation Change will have no adverse effect on the appropriate use and development of abutting properties.*

The current zoning of the industrial storage to the west on Madison by Captain Hook for impounded cars and the mini storage across the street are both similar in scope to the possible mini storage we propose in the future.

Source 1 Consulting office and vehicle storage is a mixed use development where both industrial and commercial activities are present just across the street to the north of the proposed zone change for Miller's Old hardware.

The Commercial zoning east is actually developed residential to the north of the proposed property zone change.

Across the railroad tracks to the south on Jefferson Street are the industrial buildings used for fabrication and manufacturing.

The Calvary Baptist Church also on the same street is a commercial usage similar to the zone change we are requesting.

Given the variety of development of both light industrial, commercial and residential, we believe the zone change from light Industrial to Commercial for the old Millers lot will not create any activities that will be a nuisance of noise, smell, smoke, or objectionable characteristics of concern to the adjacent residential neighborhood or the adjacent Industrial or Commercial zones spaces. **With the exception of the commercial kitchen, Underground Oasis will not be bringing any new activities to the area not already present.**

#### Article 8.7 Comprehensive Plan Designation Change:

##### A. **Zone change in compliance with Statewide planning goals:**

This application will be in compliance with statewide planning goals because the state goals and the City of La Grande Goals are similar in statement and intent. The application will indicate our compliance with the City of La Grande goals below thereby meeting the needs of the state as well.

##### B. **Zone change in conformance with City of La Grande Comprehensive Plan:**

###### **Goal #1: Citizen involvement:**

The applicant(s) will strive to communicate in such a manner to provide clear understandable information of this application in the form of email communication, concept plans, drawing, photographs, letters, and legal documents for the benefit of clarity and best communication practices.

###### **Goal #2: Land Use Planning:**

- 1) Objective #1 the application will improve *“a safe, healthful, and attractive and work environment for the citizens of La Grande”* by activating a vacant light industrial property to provide these advantages:
  - a) Increased lighting to the property for greater safety
  - b) Upkeep the property and landscaping from vacant to actively managed
  - c) Updating the paint, and appearance of the property
  - d) Bring building entry into compliance for safety and handicap access
  - e) Add ADA bathrooms
  - f) Remove Debris and structures that are unsafe or not useful
  - g) Provide a safe and attractive physical environment for public access to health information and education for the citizens of La Grande who are addicted and or drug/Alcohol dependent
  - h) Provide a safe and attractively remodeled facility able to service to the citizens of La Grande in a multi-purpose facility.

- i) To provide an emergency use structure for housing of multiple classes of people in the event of a disaster.

**C: The proposed change is supported by specific studies or other factual information which documents the need for the change:**

- 2) 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.”*

**The request is to change zoning from Light Industrial to Commercial for the old Miller’s building:**

The need for light industrial and Commercial property in the city is known and is hard to find. Both are limiting factors for development of the city. To what extent additional property is needed is unknown. The City of La Grande has begun a study by hiring a consultant to determine the need. It is probably true that commercial is more needed than light industrial. The Mike Becker Addition on Island Avenue added the last addition of commercial zoned space and is now the new home of Miller’s home center.

**The proposed change from Light Industrial to Commercial for the OLD Miller’s Building would not significantly change the additional need for either commercial or light industrial within the city limits.**

- 3) Policy #7 *“That commercial development be concentrated so as to strengthen existing commercial activities”*

The Area has industrial Storage (Captain Hook) Mini storage, office space, and more industrial storage (Source 1 consulting), Residential on Madison Street across to the north. To the south we have more industrial storage and Industrial manufacturing (Doors in the old G&V building), and church meeting space in the Calvary Baptist Church. Clearly we have a mixture of activities and uses in this commercial and light Industrial zone.

Would the addition of meeting space and office space and a commercial kitchen, and storage space be compatible with the exact same activities? Outside of the commercial kitchen, all other activities are already present in the area. Additional rental space with a commercial kitchen will benefit the other businesses in the area providing another option for a group meeting space.

- 4) Policy #8 *“The compatibility of anticipated with surrounding area development will be evaluated in making planning related decisions”.*

**Compatibility:**

Because of compatibility issues with the Granada Theatre and the Underground Oasis in the past, the Underground Oasis does not want to be in the shopping district. Anonymity and confidentiality are factors we seek to preserve in our interaction with this population.

**We have had experience with leasing over about a 10 year period.**

Here is our experience with the Mercantile building next to the Granada Theatre from 2004 to 2014:

a) During that time period we were able to expand the program to take much of the basement of that building. **We were limited to one main meeting room** however, and other educational pursuits were not possible.

b) The downtown location was adjacent to other thriving businesses who did not find the target population of our services compatible with their customers. For Example: We received **4 letters** in the above time period with **complaints about the compatibility** for the children being dropped off by the Theatre while the clients we were serving were gathered on the sidewalk. We received 2 letters from the theater and 2 letters from the city of La Grande with almost exact complaints in each letter. Clearly parents and patrons did not appreciate the mix of persons on the sidewalk.

c) parking was a nightmare beside the Theatre.

**Transportation and access are key to serving this population.** In order to successfully enable and educate, We need a location that is accessible and compatible:

Downtown is more accessible by walking and bicycle.. Island city and Bimart commercial properties are more accessible by vehicle and public transportation. We believe the downtown is more foot traffic friendly and better meets the needs of the clients we aim to serve.

The mixed Commercial and light Industrial Development area (off the major shopping corridor of Washington, Adams and Jefferson) makes the Madison Street area ideal for our clientele. This site will be accessible to the target population and will ultimately benefit the downtown area. The activities of the Underground Oasis will not compete with the downtown traffic and the shopping corridor.

Given the variety of development of both light industrial, commercial and residential, we believe the zone change from light Industrial to Commercial for the old Millers lot will not create any activities that will be a nuisance of noise, smell, smoke, or objectionable characteristics of concern to the adjacent residential neighborhood or the adjacent Industrial or Commercial zones spaces

**The commercial kitchen will be the only new activity to the area not already present.** The kitchen will be used with the largest meeting which is planned for Saturday night 5:30 to 8:30 PM with approximately 40-50 in attendance. We project 200 possible. Catering services are an option at other times of the week and a rental of the larger room with kitchen services are a possibility to serve our community. **There are no restaurant options in the plan.**

Additional rental space with a commercial kitchen will benefit the other businesses in the area providing another option for a group meeting space.

- 5) Policy #9 *“That alternative sites and alternative uses will be considered in making land use plan decisions”*
- 1) Underground Oasis has a goal of being in the downtown district but not in the middle of the shopping corridor.
  - 2) We need a building accessible by foot, bike, vehicle and public transportation
  - 3) We need a room that offers anonymity and confidentiality.
  - 4) We need compatibility with the adjacent properties in use and activities.
  - 5) We need rooms that are safe and accessible for handicapped.
  - 6) We need a kitchen and bathrooms for client needs
  - 7) We need parking not competing with the downtown shopping corridor.
  - 8) We need rooms of varying size and shape and configuration.
  - 9) We need property available for future expansion
  - 10) We want to own and not lease.
  - 11) The property must be affordable.
  - 12) We want the ability to produce income to support ministry like storage or facility rental.

**Has Underground Oasis considered other commercial property outside the downtown district?**

The Mission of the Underground Oasis is to meet the needs of the addicted population by interaction and education; Most of this population has limited resources and transportation. Location is key to service. We have chosen the north side of the tracts just off the Jefferson Street district to provide access but not intrusion into the downtown shopping traffic. Commercial property available in Island city and the Bimart areas are more difficult to access for the population we are endeavoring to serve.

**The Need for education and services for the drug abuse population** is commonly known in the City of La Grande: We can demonstrate a need by our attendance to training and educational meetings back to 2006 when the ministry opened in the Mercantile building adjacent to the Granada Theatre. Currently our attendance is 20-50 and we are full to capacity in our current rental space of 32x32 square feet. We know the need is bigger. We are currently limited by space. Since Underground opened back up in January of 2022 we have been contacted both by private and public agencies asking if we can help them serve

this clientele. We use the building 4-5 times a week and expect greater use as time progresses

***Why do we need 6000 square feet if we are currently using 1024 square feet not counting the kitchen or bathroom space?***

Underground Oasis has a calling to help this community's need for education of the whole person. The drug addicted, the alcoholic, and trafficked person receive the primary treatment from the ministry, The recently released inmate, the recently escaped trafficked, and the drug abuse population have other needs to be met to be functional in society. We have goals to partner with other churches and nonprofits in giving training or partnership in job training and job application skills, Food and clothing resources, Money management, and practical healthy education.

These endeavors require space and a different training environment than simply a single classroom. We believe we can utilize the Complete 6000 square feet of available space offered by this Old Miller's Building.

**Why do we want to own as opposed to leasing as we are currently doing?**

It takes \$ to expand and we believe we can do this more cost effective by remodeling and renovating the building to match the program as the need expands.

We have a growing vision of how we can meet the wide range of needs not possible with a smaller and more limited footprint of smaller buildings.

All the properties we have found available on Adams Avenue, Jefferson Street and Washington Street do not meet the needs of the Underground Oasis and the compatible needs of the downtown commercial district.

**For Sale sites in the downtown district:** See Exhibits A, B & C

Exhibit A: 1603 Washington. 2 story office building with off street parking. The Building is solid and the access is good. The building would be outgrown very shortly as we are already using the equivalent of one story at present. No land for future development . Cost \$365K

Exhibit B: 2008 3RD ST, Nice off street parking, Reasonable space with room to expand. No land for future development. Cost \$498K

Exhibit C: 1902 4TH ST Smaller buildings with inadequate space for a larger meeting room.. No off street parking, No land for future development. Not cost effective at \$598K

**Lease or Rental Building available:**

**1309 Adams Ave;** Old J C Penney's Building. Lots of space with three floors of open space. Easy to Remodel. Opposite side of Granada Theatre from the Mercantile with

likely the same issues of compatibility: Parking is very minimal and no off street parking is available. No land for future expansion or development. Cost is unknown.

**2212 Island Ave:** Brian's Auto Parts building. Remodeling is easily done with large rooms but a small building. Would be outgrown quickly.. Parking and Compatibility issues similar to JC Penney's building. No land for future expansion or development..

**1104 Jefferson Avenue:** Napa Auto parts building. Remodeling is easily done with large rooms. 8100 square feet total usable space. Parking of up to 15 cars off street estimated. On street parking is more accessible than Adams Avenue. Compatibility less likely a problem. Higher cost of lease and remodel cost makes it a less desirable option. No land for future expansion or development.

6) Policy #10 *“that commercial and high density residential development will be located in areas where access, service, and related facilities can best accommodate such development.” See policy #7 above:*

The proposed public meeting space is one block from the Calvary Chapel of La Grande where public meetings are approved and active. A multi use office and warehouse is located just across Madison street owned by John Lackey. Traffic patterns will not be significantly changed as there is access from multiple directions.

### **Goal #3 Agriculture: Not applicable to this application**

### **Goal #5 Open Space, Scenic and Historical Areas, and Natural Resources:**

The proposed plan to utilize this building long known in the downtown district as “Miller’s Lumber yard and hardware store” would be preserved. It is our goal to preserve the appearance of the front facade to make it recognizable for many years to come, while updating and removing much of what is not pleasing or useful. Active management of the landscaping with consistent weed removal and increased lighting for safety.

### **Goal #6 Air, Water, and Land Resource Quality**

The educational center and the public meeting space are low impact without significant noise, smell, waste, or nuisance issues. These activities will not be a nuisance of noise, smell, smoke, or objectionable characteristics of concern to the adjacent residential neighborhood.

### **Goal #7 Areas Subject to Natural Disasters and Hazards**

The proposed facility for public educational space has low hazardous chemical usage, and low risk of water contamination. Public water access and sewer services preclude the need of a well or sewer system.

## **Goal #9 Statewide Planning: Economic Development**

**Goal # 4) To revitalize the downtown:** *to revitalize the central business district by building on its historical character, expand the the mix of goods, services offered and creating public spaces and amenities:*

Revitalization of this building will be accomplished with less expense than other public or private organizations due to volunteer services. The low cost update will benefit the community significantly over the current unoccupied status: The Services of the Underground Oasis will provide a space for public access for education and community meetings.

**Objective #7** *To support and utilize regional and local partnerships for greater economic development opportunities:*

Underground Oasis will continue to be a partner with other social services in the community. Providing education and training for the drug and alcohol and homeless population has an economic impact on the community. The economic downside of the addicted population cannot be overestimated. The impact of this population has long term influences in downtown shopping, safety, and appeal. The converse upside is that the development of this population is regenerating to the economy by providing a reliable and needed workforce to the business community.

**Policy #7** *The city shall focus economic development efforts on the following industry clusters: ....Education...Healthcare... warehousing....and other medical services.*

Underground Oasis is an educational training center dedicated to the long term health of those addicted. This population has higher than average medical needs and the economic community burden is growing. The product of success for Underground Oasis is a community of people who have escaped the control of the substances that once held them captive and are willing to share the key to their newfound freedom. Future medical services are not ruled out.

**Policy #8** *“The city shall take social, aesthetic, and environmental values into consideration when planning for commercial and industrial development.”*

Updating the Greenwood Street facade while maintaining its historical look will be the aim of restoration. On the Madison street side, removal of much of the mid lot structures that are displeasing will increase the appeal of the property.

**Policy #21** *“The city shall ensure the space for industries is reasonably scaled to the anticipated demand and need.”*

Underground Oasis has goals of meeting more needs and larger groups than the current attendance of 15-40 people per day in the educational meeting space. 5000-6000 square feet of meeting space is projected for the needs for future expansion. This property will meet these meeting needs.



The undeveloped space gives us the opportunity for expansion of services and additional parking. Smaller facilities would require us to move and lose the development costs associated with changing locations.

**Policy #26** *In order to encourage residents to live within close proximity to their place of work, the city shall support and promote mixed-use development in the central business, General commercial, and Residential-professional zones.*

Changing the zoning from light industrial to General commercial will allow office, public meeting and educational space. Having a care-taker apartment included in the building plan would be a residential application. (See also recommendation J below)

**Recommendation E:** *“Commercial and industrial parking shall not intrude into adjacent residential neighborhoods”*

The plan for the parking for a larger meeting space will meet the city and state guidelines for the proposed building occupancy.

**Recommendation H:** *“Support redevelopment of existing vacant and underutilized industrial and commercial lands rather than designation additional lands for these purposes.”*

The rezoning and repurposing of the Old Millers building preserves the development of new fresh ground in an far less densely populated area. It further develops the current location from vacant and growing untrimmed vegetation to active and managed property.

**Recommendation J:** *“Allow mixed use development to provide opportunities for commercial, entertainment, professional, cultural, public, and residential activities.”*

Changing the zoning from light industrial to General commercial to allow office, public meeting and educational space and future plans could be of a multi-use development. Having a care-taker apartment included in the building plan would be a residential application. The addition of a larger meeting room with the added advantage of a commercial kitchen will provide further options for community meeting activities.

### **Goal #10 Housing**

The zoning application does not apply to housing with the exception of a caretaker apartment.

### **Goal #11 Public Facilities and Services**

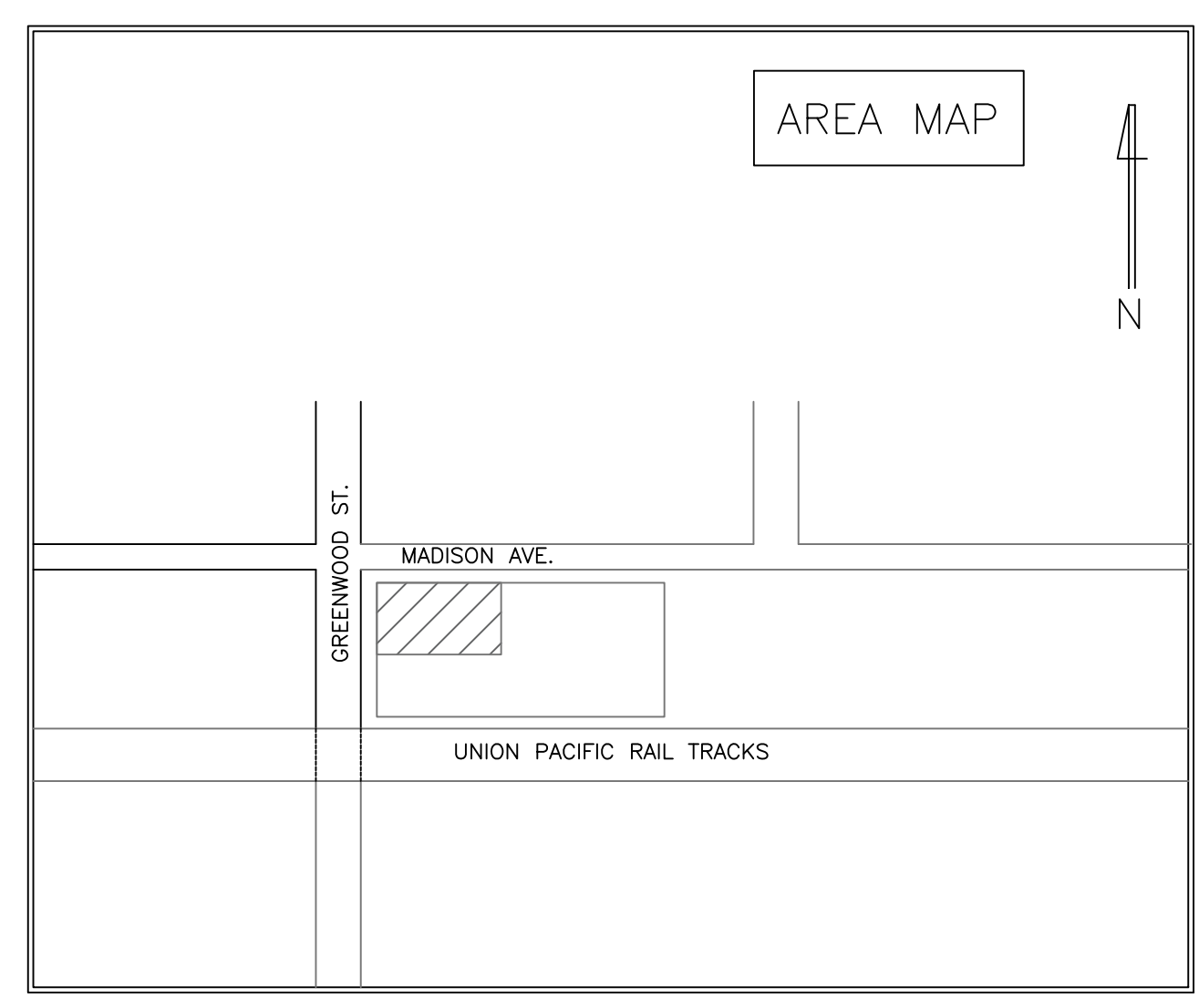
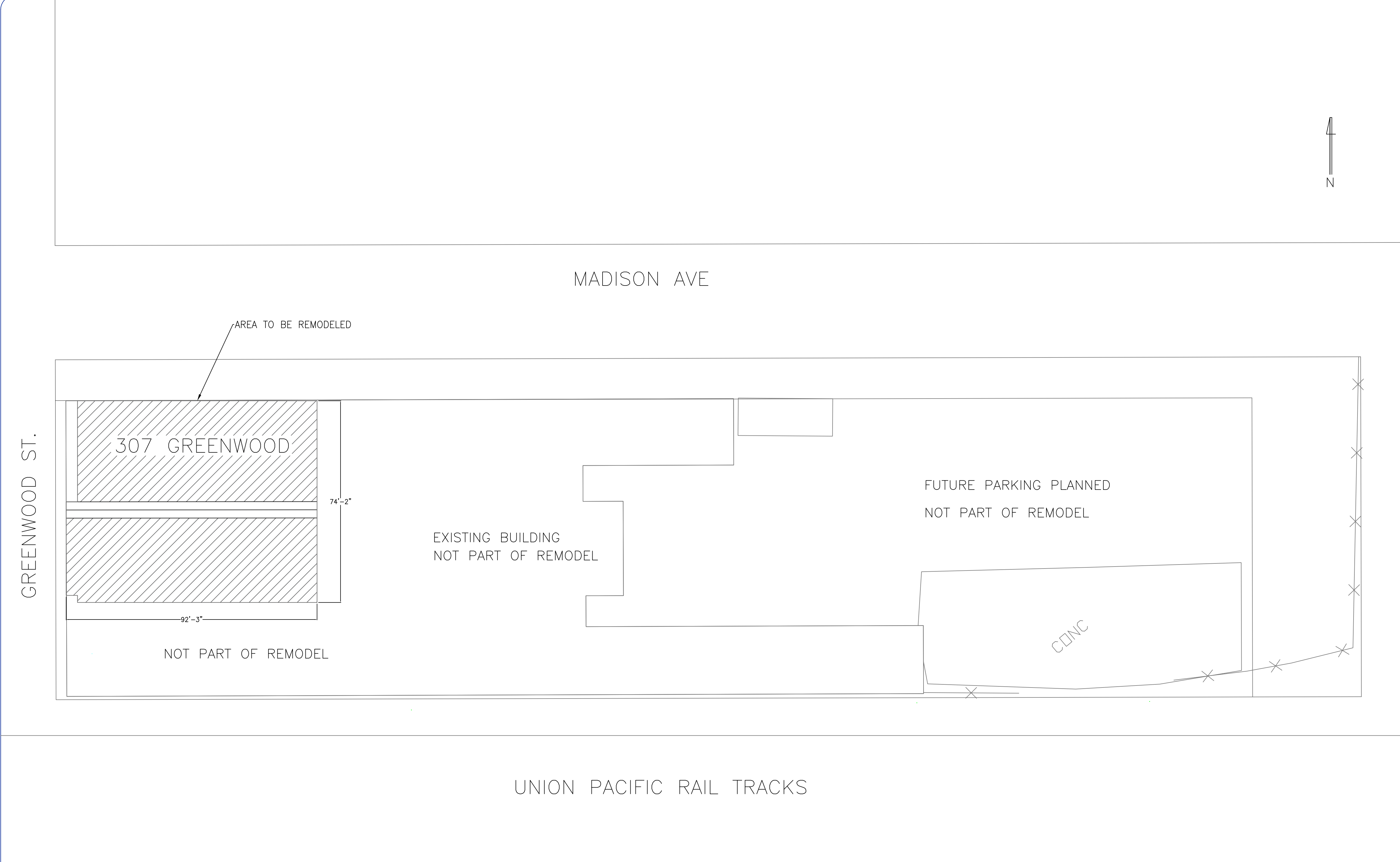
The development of this multi-use facility will not change the demand for city services in traffic, water, sewer, or electricity. Additional storm drainage and landscaping will meet the city requirements.

**Goal #12 Transportation**

Underground Oasis and the mini storage facility projects the traffic to be less than that of the retail usage under the prior zoning. Traffic patterns will not be significantly changed as there is access from multiple directions.

**Goal #13 Energy Conservation**

Design of the meeting facility with multiple sizes of rooms appropriate for the meeting size will result in energy savings. Sidewalks and bicycle access could be available and improved.



**SCOPE OF WORK**  
 BUILDING OCCUPANCY - R2  
 CONSTRUCTION TYPE - VB  
 231 - COMM/IND/IMP  
 PARCEL - 03S 38E 05CD COUNTY TAX LOT # 6200

**SQUARE FOOTAGE BY TOTALS**  
 FIRST FLOOR - 6676 SQ FT  
 SECOND FLOOR - 3379 SQ FT  
 TOTAL CONDITIONED SPACE - 6676 SQ.FT.

STORAGE 49945 SQ FT

CONSTRUCTION TO INCLUDE:  
 CONVENTIONAL FRAMING OF INTERIOR FLOORS AND WALLS  
 REMODEL OF BATHROOMS AND ADDING COMMERCIAL KITCHEN SPACE  
 COMPOSITION ROOFING - EXT WALLS TO BE HARDIE BOARD SIDING WITH SOME EXTERIOR DECORATIVE ROCK  
 CONFIGURATION TO BE COMMERCIAL KITCHEN AND ASSEMBLY AREAS AND MEETING ROOMS.

ALL WORK TO COMPLY WITH THE STATE OF OREGON  
 STRUCTURAL SPECIALITY CODE 2022 EDITION  
 AND THE STATE OF OREGON PLUMBING,  
 MECHANICAL, & ELECTRICAL CODES AS AMENDED BY  
 THE STATE OF OREGON AND LOCAL JURISDICTION

**SHEET INDEX**

- 1) SITE PLAN
- 2) NEW FLOOR PLAN

**SITE PLAN**  
1" = 20'-0"

**CONTACT PERSONS**  
 DAN BECKNER  
 541-786-3719  
 danlboon@GMAIL.COM

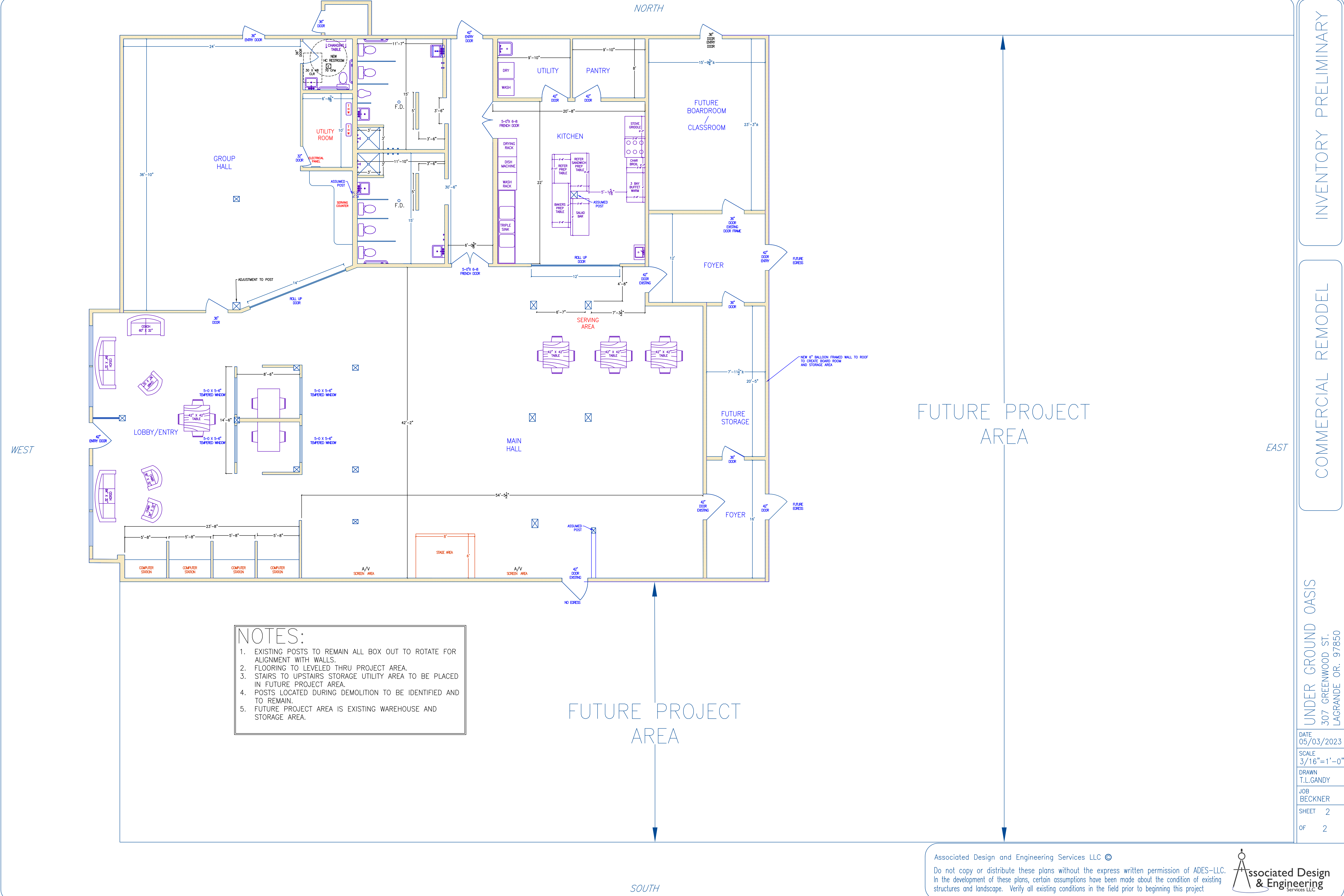
PLANS PREPARED BY:  
 ASSOCIATED DESIGN AND ENGINEERING SERVICES LLC  
 1019 ADAMS AVENUE  
 LA GRANDE, OREGON 97850  
 541-963-0100

**SITE PLAN**  
PARCEL - 03S 38E 05CD COUNTY TAX LOT # 6200

**COMMERCIAL REMODEL**

UNDER GROUND OASIS  
307 GREENWOOD ST.  
LAGRANDE OR. 97850

DATE	05/03/2023
SCALE	1" = 20'
DRAWN	T.L.GANDY
JOB	BECKNER
SHEET	1
OF	2



- NOTES:**
1. EXISTING POSTS TO REMAIN ALL BOX OUT TO ROTATE FOR ALIGNMENT WITH WALLS.
  2. FLOORING TO LEVELED THRU PROJECT AREA.
  3. STAIRS TO UPSTAIRS STORAGE UTILITY AREA TO BE PLACED IN FUTURE PROJECT AREA.
  4. POSTS LOCATED DURING DEMOLITION TO BE IDENTIFIED AND TO REMAIN.
  5. FUTURE PROJECT AREA IS EXISTING WAREHOUSE AND STORAGE AREA.

INVENTORY PRELIMINARY

COMMERCIAL REMODEL

UNDER GROUND OASIS  
307 GREENWOOD ST.  
LAGRANDE OR. 97850

DATE 05/03/2023  
SCALE 3/16"=1'-0"  
DRAWN T.L.GANDY  
JOB BECKNER  
SHEET 2  
OF 2

FUTURE PROJECT AREA

FUTURE PROJECT AREA

Copy - Supporting  
Letter for 5.b.

**Stacey Stockhoff**

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**From:** Ernest Humphry <ehumphry@yahoo.com>  
**Sent:** Tuesday, August 29, 2023 2:47 PM  
**To:** Stacey Stockhoff  
**Subject:** Millers/Rezoning

**STOP and VERIFY - This message came from outside of the City of La Grande.**

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To whom it may concern,

As a former business owner, commercial property owner, and a community member, it has come to my attention that the city is reviewing and considering rezoning the former Millers property from Industrial to Commercial. It is my understanding that the property is currently being used by an established non-profit providing a vital service to our community.

While comparing similar nonprofits, I have found that with community support, such entities can create jobs for their communities while transforming the lives of those that the nonprofit serves. From my understanding, regardless of current zoning, the property under consideration has been used for commercial use for the last 20 plus years. It stands to reason that a commercial

1

enterprise at that location makes far more sense and could provide greater jobs in the future than any other industry could provide; which is considerably more valuable.

In the consideration of rezoning the property from Industrial to Commercial, I personally believe this would benefit our community greatly.

Respectfully,

Ernest Humphry

2

Copy - Supporting  
letter for 5.b.

**Stacey Stockhoff**

---

**From:** Eric Valentine <evalenti@eoni.com>  
**Sent:** Wednesday, August 30, 2023 3:40 PM  
**To:** Stacey Stockhoff  
**Cc:** Dale Johnstone  
**Subject:** Underground Oasis application for zoning change

STOP and VERIFY - This message came from outside of the City of La Grande.

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I want to voice my support for the Underground Oasis' application to change the zoning of their proposed new location from industrial to commercial. As you are aware, the Underground Oasis currently draws a large number of drug and alcohol addicts to their recovery program. They are an outstanding example of a private, dedicated volunteer organization that creates significant changes in behavior without the use of public monies.

They well deserve the full support of the city of LaGrande in expanding their programs through this move to a new location.

Sincerely, Eric Valentine

Copy - supporting  
letter to S.B.

## Stacey Stockhoff

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**From:** Pam Standley <pstandley05@gmail.com>  
**Sent:** Thursday, August 31, 2023 11:29 AM  
**To:** Stacey Stockhoff  
**Subject:** Zoning

**STOP and VERIFY - This message came from outside of the City of La Grande**

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To The LaGrande City Council:

I'm writing in regards to the zoning issue concerning Underground Ministries. I ask for the zoning to be changed from Industrial to Commercial so Underground Ministries can continue to serve the broken and desperate people in our community needing help in many differing ways. Underground Ministries is and will be given the opportunity to continue to fill the great need currently facing our community. People will get necessary clothing, help with education (via a computer center) so as to equip them for gainful employment, and bicycles for transportation, as well as many other opportunities offered. These special and precious people will have a "home" for stability, and help with addictions they may have....ie weekly meetings with the support of many non-judgmental and non-threatening accepting people/volunteers.

1

I'm humbled to be part of this opportunity and hopefully there will be a "ground breaking" blessing for our community if the zoning is changed.

Additionally, this location is and has been perfect for all attending. Easy access, parking adequate, location is non interfering with other businesses and private residences, and convenient for those needing the support/help.

I believe this opportunity is being given to our community as a blessing and one that in turn will literally save lives and continue to pass on blessings throughout our community/family.

Think about it.....

what a positive and wonderful opportunity being given to all of us! What if you or I were in a desperate situation and these opportunities were available? Being accepted, clothed, fed, supported, educated and believing for the best, (no matter what) plus given unconditional love. What a better way to improve our community? In my opinion this is the way.

Hopefully, these opportunities will continue to be available and supported by changing the zoning from Industrial to Commercial.

Sincerely,  
Sally P Standley RN

2

Copy - Supporting  
letter for 5.b.

FROM : LINDA WILLIAMS

1314 JACKSON

LAGRANDE, OREGON 97850

TO: LAGRANDE CITY COUNCIL

RE: UNDERGROUND OASIS

As a volunteer in Lagrande for many years, I have been associated with the Underground Oasis. My role has been to provide much needed food, furniture and other staples for those who are in need. I have attended their meetings and find the work they are doing is essential to the welfare of those less fortunate and/or addicted. From my perspective, I believe the Underground Oasis is doing a much needed service for this community.

Sincerely,

A handwritten signature in cursive script that reads "Linda Williams". The signature is written in black ink and is positioned below the word "Sincerely,".

Linda Williams





Copy - Supporting  
letter for S.B.

PLANS@ADES-LLC.COM (541) 963-0100

Full-Service Design from Plans to Permit

August 21, 2023  
Re: Underground Oasis  
Dan Beckner  
307 Greenwood Street  
La Grande, OR 97850

To whom it may concern,

We have been working with Dan and his group to plan the remodel of the old Miller's hardware for a new meeting place where many who need guidance have been gathering. These folks are looking to provide faith-based help to those in need mostly with addiction recovery, recent release from incarceration, and the escaped trafficked. This is a noble effort and quite needed service for our community.

The building is spacious and will lend itself well to the newly intended purpose. Our goal working with them is to provide a new design that meets all the current building codes and is fully handicap accessible in line with current ADA standards. The building will have a commercial kitchen with a food service area. There will be new restrooms with showers. Space will be provided for small and large meetings and private offices for confidential counseling. Several computer learning stations will help educate attendees to make them more employable.

Location of the facility is ideal in as much as it is close to downtown and located near the railway that is used by many transient individuals as a transportation corridor.

We here at Associated Design and Engineering Services wholly support the efforts put forth by the board for Underground Oasis. This new facility will allow them to serve more folks in need and provide space for future expansion. The facility will also provide the needed elements to help with economic support through the commercial kitchen. This seems like a project whose time has come and will have a positive impact on the entire community.

Thank You,



Ralph Edwards

## Stacey Stockhoff

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**From:** patricebarreto <patricebarreto@gmail.com>  
**Sent:** Monday, September 4, 2023 7:18 AM  
**To:** Stacey Stockhoff  
**Subject:** Zoning change

**STOP and VERIFY - This message came from outside of the City of La Grande.**

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Good morning. My name is Patrice Barreto; I work as a Licensed Clinical Social Worker in La Grande, alongside Dale Johnston, PT. I'm writing to support the request by Underground Oasis for a zoning change from Industrial to Commercial, so they can continue to operate from their current space. The service they provide is extremely important; I'm hoping the city of La Grande will support their efforts in any way possible. Thank you for allowing comments on this matter. Patrice Barreto (1606 6th St, 541-786-4388)

Sent from my Galaxy

**From:** Tee Gandy <tlgandy@ades-llc.com>  
**Sent:** Wednesday, September 6, 2023 9:51 AM  
**To:** Michael Boquist <MBoquist@cityoflagrande.org>  
**Cc:** Robert Strobe <RStrobe@cityoflagrande.org>  
**Subject:** Underground Oasis Rezoning

**STOP and VERIFY - This message came from outside of the City of La Grande**

To the city of La Grande City Council and Staff Members

I am writing this letter to you in regards to the Underground Oasis zoning consideration. I would like to say that this is a positive chance for the City of La Grande to provide a safe place in our community for people to receive help. Please take a moment to consider this as we move forward in building the bridge to our future in our community.

Sincerely, T.L gandy  
500 20<sup>th</sup> La Grande Or.

Thank you.  
Enjoy the day.  
T.L. Gandy  
[tlgandy@ades-llc.com](mailto:tlgandy@ades-llc.com)  
[www.ades-llc.com](http://www.ades-llc.com)



541-963-0100 extension 5  
1019 Adams Avenue  
La Grande, OR 97850

CITY of LA GRANDE  
COUNCIL ACTION FORM

Council Meeting Date: October 4, 2023

PRESENTER: Michael Boquist, Community Development Director

COUNCIL ACTION: CONSIDER RESOLUTION ANNEXING PROPERTY AT 1605 GILDCREST DRIVE,  
FILE NUMBER 05-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 property located at 1605 Gildcrest Drive, 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, 1605 Gildcrest Drive, 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 (ORS) 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 is vacant and there are no electors residing on that property. The applicable requirements are met to annex the property by Resolution.

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

\*\*\*\*\*

**Reviewed By:** (Initial)

City Manager MB

City Recorder SMS

Aquatics Division \_\_\_\_\_

Building Department \_\_\_\_\_

ED Department \_\_\_\_\_

Finance \_\_\_\_\_

Fire Department \_\_\_\_\_

Human Resources Dept \_\_\_\_\_

Library \_\_\_\_\_

Parks Department \_\_\_\_\_

Planning Department MB

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 1605 GILDCREST DRIVE, T3S, R38E, SECTION 17BD, TAX LOT 600; 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, 1605 Gildcrest Drive is a vacant undeveloped property with no electors residing in the territory proposed for annexation, thus no elector signatures are required; and,

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

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:** Parcel 1 of Partition Plan No. 1997-05, as filed March 26, 1997, in Plat Cabinet B Slide 45, and recorded as Microfilm Document No. 971275, Records of Union County, Oregon.

SITUATE in the Northwest quarter of Section 17, Township 3 South, Range 38 East of the Willamette Meridian, Union County, Oregon.

PHYSICAL ADDRESS: 1605 Gildcrest Drive, T3S, R38E, Section 17BD, Tax Lot 600, Union County Assessor Reference No. 6299.

**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 Minor Partition Plat Number 1997-05, Microfilm Document Number 971275, Plat Cabinet B453, Filed with the Union County Clerk on March 26, 1997.

PASSED and EFFECTIVE ON this Fourth (4<sup>th</sup>) day of October, 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

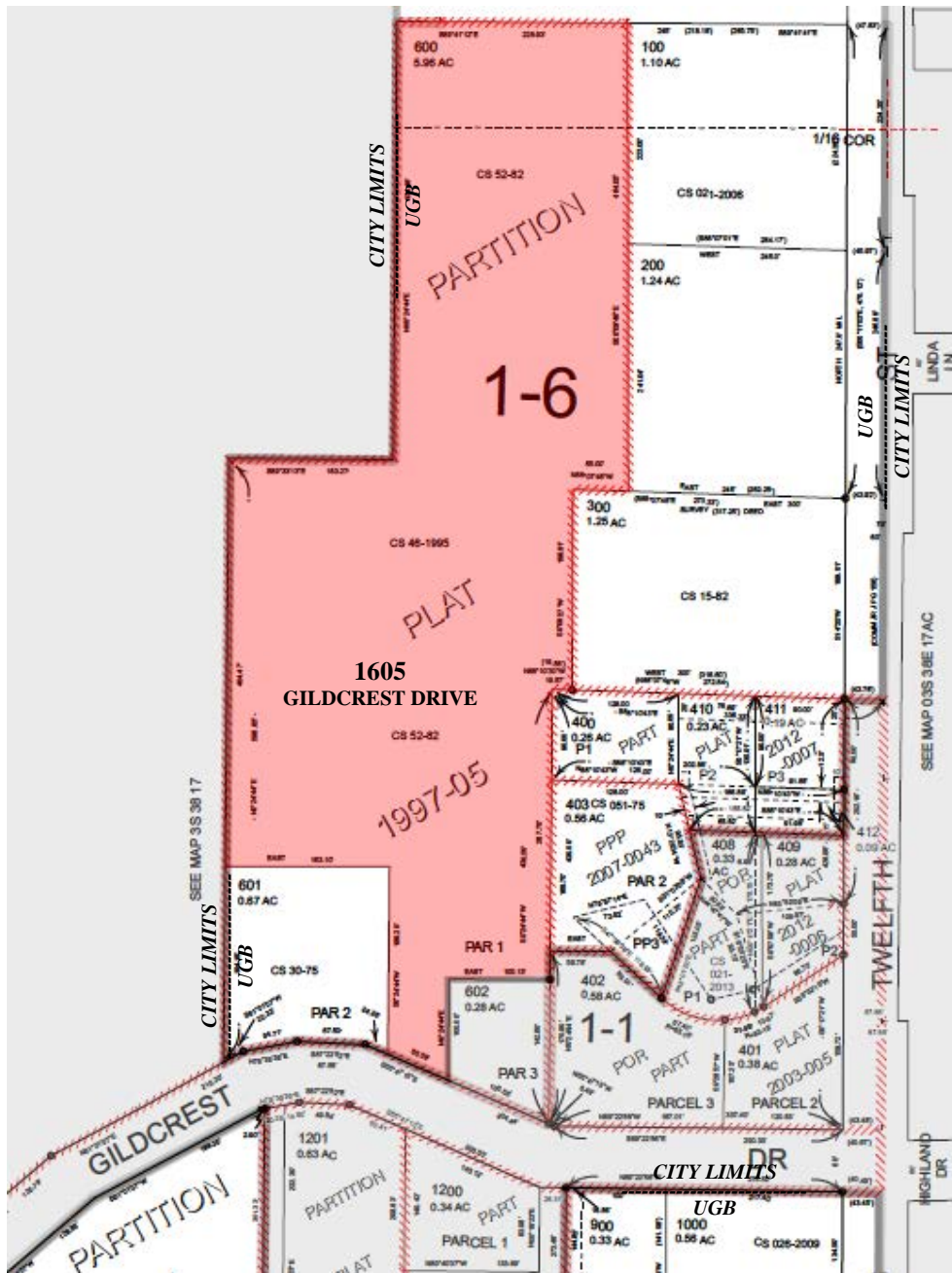
\_\_\_\_\_  
Stacey M. Stockhoff  
City Recorder

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

**EXHIBIT 'A'**

**Territory Includes: 1605 Gildcrest Drive, T3S, R38E, Section 17BD, Tax Lot 600, Union County  
Assessor Reference No. 6299.**

Parcel 1 of Partition Plan No. 1997-05, as filed March 26, 1997, in Plat Cabinet B Slide 45, and recorded as Microfilm Document No. 971275, Records of Union County, Oregon. SITUATE in the Northwest quarter of Section 17, Township 3 South, Range 38 East of the Willamette Meridian, Union County, Oregon.



CITY of LA GRANDE

COUNCIL ACTION FORM

Council Meeting Date: October 4, 2023

PRESENTER:

Michael Boquist, Community Development Director

COUNCIL ACTION:

CONSIDER RATIFYING THE 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 City Council ratify the action to submit an application 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:** In February 2023, the City Council approved a contract award to Points Consulting to conduct a Goal 9 – Economic Opportunities Analysis (EOA) for the City. As a result of several projects that have come to fruition over the past several years, such as Starbucks, Banner Bank, Napa, Commercial Tire, Miller's Lumber Center, and soon a new hotel, the City's vacant commercial and industrial land inventory has been significantly reduced to critical levels. As a result, the City budgeted to conduct an EOA during FY 2022-2023, and FY 2023-2024, to assess and determine the City's existing/remaining inventory of available commercial and industrial land, and what the City's forecasted need is over the next 20 years. This project has just been completed, which identifies a need for an additional 121+ acres of industrial land and 63+ acres of commercial land (184 acres total). This can be achieved through either rezoning existing surplus residential lands to commercial or industrial, or expanding the City's Urban Growth Boundary (UGB) and rezoning County lands.

The next phase of this project, which the City has planned and budgeted \$30K for in FY 2023-2024, is to conduct the Goal 14 – UGB analysis which includes expanding the City's UGB to satisfy the 184-acre commercial and industrial land need. Unfortunately, City Staff has found that the \$30k budgeted may not be sufficient, as consultant costs have increased and is insufficient to cover some project elements such as evaluating transportation infrastructure. After visiting with consultants, we've found that Goal 14 project is estimated to cost ~\$95,000.

Knowing that the City was conducting the Goal 9 – EOA, and in anticipation of the City needing to conduct the Goal 14 analysis, the State Department of Land Conservation and Development (DLCD) reached out to the City's Planning Division and advised that we are eligible and would likely score well in a new DLCD Technical Assistance Grant that has become available. This would be a 2-year grant project, if awarded, with a 50/50 cost share. For funding the City share (\$47,500), we would use our current \$30k budget for this first year, with a budget request of \$17,500 planned for next year (FY 2024-2025). The State would pay the remaining \$47,500.



**Summary**

DLC TA Grant: **\$47,500**  
 City Budgeted Funds (Match): **\$47,500 = [\$30,000 (FY 2023-2024) & \$17,500 (FY 2024-2025)]**  
 Total Project Amount: **\$95,000**

Based on the above, and that the grant application deadline was October 2, 2023, Staff informed the City Council at their September Regular Session of this opportunity and that application would be submitted prior to formal Council action. At this time, Staff is requesting the City Council ratify the application for funding and authorize the City Manager to sign grant documents, if awarded.

The City Manager recommends approval of this request.

\*\*\*\*\*

**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  
COUNCIL ACTION FORM

Council Meeting Date: October 4, 2023

PRESENTER: Michael Boquist, Community Development Director

COUNCIL ACTION: CONSIDER FINAL PLAT FOR MBM ESTATES SUBDIVISION, PHASE 1

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

**Suggested Motion:** I move that the Final Plat for MBM Estates Subdivision be Accepted for Signature and Recording.

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

\*\*\*\*\*

**EXPLANATION:** MBM Estates received preliminary plat approval from the Planning Commission on March 14, 2023. This subdivision will create 29 lots, with 32 dwelling units, which is planned to be constructed in 4 phases (see attached phasing plan). The development also includes a 10' dedication of right-of-way for widening 18<sup>th</sup> Street from 40' to 50' wide, and a 40' dedication of an interior street right-of-way that will be developed to a 36' wide paved private street standard. The infrastructure for Phase 1 has been completed (utilities, paved/concrete roadway, etc.) and the developer is seeking final plat approval for this phase so individual lots can be established to support the construction of new single-family dwelling units.

Final plats generally require very little review as all requirements are addressed at the Planning Commission level. The approval of a final plat is simply a formality required under State law that requires signatures of approval from certain Staff, City Councilors and from the Union County Board of Commissioners. These approvals are to verify that all improvements required by the Planning Commission and by City Ordinances were completed or bonded for, which they have been. Also, the City Councilors' and Union County Board of Commissioners' signatures are required under State law to formalize the creation of a planned unit development, which is a form of subdivision.

A copy of the Final Plat is attached for your reference, which includes all of the required information prescribed by the City Code and Oregon State Law. The actual Plat will be available for your signature at the conclusion of the Council meeting.

The City Manager recommends approval of the proposed motion.

\*\*\*\*\*

**Reviewed By:** (Initial)

City Manager \_\_\_\_\_

City Recorder \_\_\_\_\_

Aquatics Division \_\_\_\_\_

Building Department \_\_\_\_\_

ED Department \_\_\_\_\_

Finance \_\_\_\_\_

Fire Department \_\_\_\_\_

*MB*  
*SMB*

Human Resources Dept \_\_\_\_\_

Library \_\_\_\_\_

Parks Department \_\_\_\_\_

Planning Department \_\_\_\_\_

Police Department \_\_\_\_\_

Public Works Department \_\_\_\_\_

*MB*

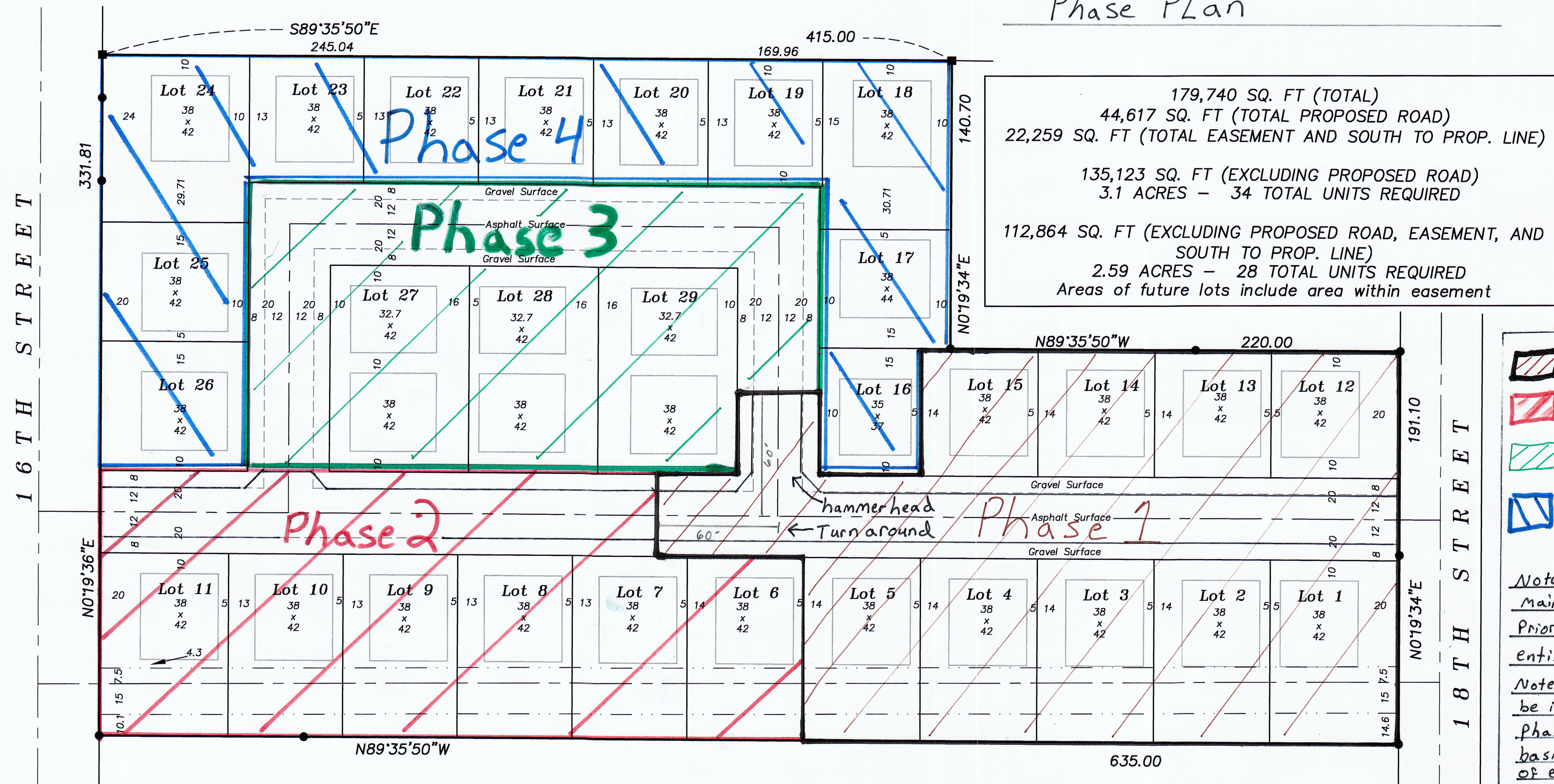
**COUNCIL ACTION** (Office Use Only)

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

# TENTATIVE PLAN PRELIMINARY BUILDING FOOTPRINTS

Situated in the Southeast quarter of the Southeast quarter of Section 8, Township 3 South, Range 38 East of the Willamette Meridian  
Being a Subdivision of Tax Lots 300, 500, and 501, Map 03S38E08DD

Phase Plan



179,740 SQ. FT (TOTAL)  
44,617 SQ. FT (TOTAL PROPOSED ROAD)  
22,259 SQ. FT (TOTAL EASEMENT AND SOUTH TO PROP. LINE)

135,123 SQ. FT (EXCLUDING PROPOSED ROAD)  
3.1 ACRES - 34 TOTAL UNITS REQUIRED

112,864 SQ. FT (EXCLUDING PROPOSED ROAD, EASEMENT, AND SOUTH TO PROP. LINE)  
2.59 ACRES - 28 TOTAL UNITS REQUIRED  
Areas of future lots include area within easement

- : Phase 1
- : Phase 2
- : Phase 3
- : Phase 4

Note: Water and sewer mains will be installed prior to Phase 1 for entire subdivision

Note: Roads will be installed on a phase by phase basis prior to beginning of each phase

**OWNERS**

Brock Family Trust  
61857 Riddle Rd.  
La Grande, OR 97850

**ZONING**

LG-R3

**EXISTING USE**

Vacant

**PROPOSED USE**

Single Family and Duplex Residential

**DATE**

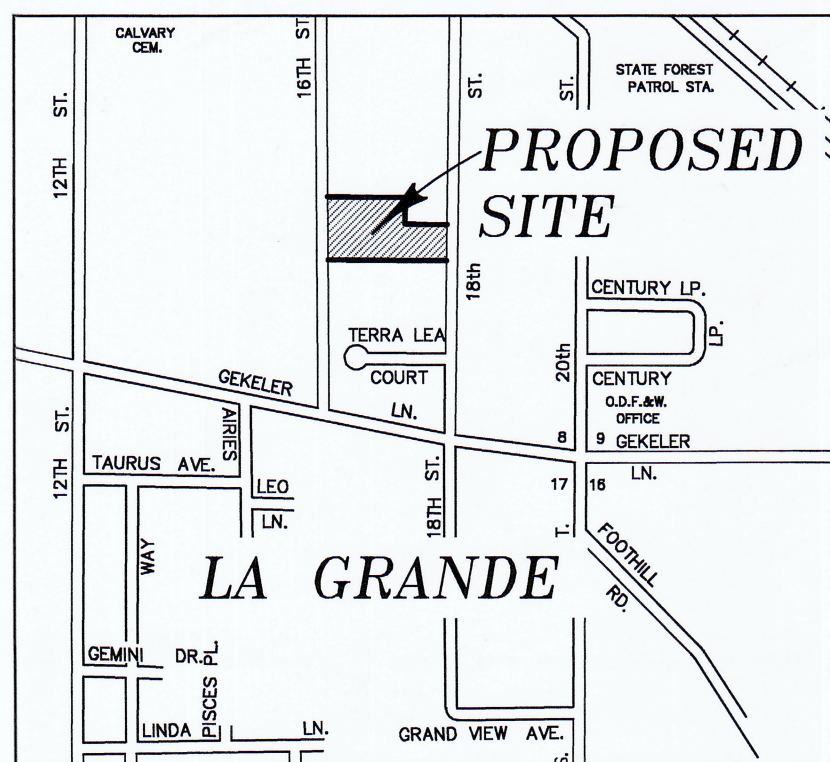
Feb. 1, 2023

**DEVELOPER**

MBM Estates LLC  
520 2nd St.  
North Powder, OR 97867

**LEGEND**

- Monument of record
- Centerline
- Easement line



VICINITY MAP  
NOT TO SCALE

SCALE: 1"=40'

**BASIS OF BEARING**

Forward bearing as published by the U.S.C. and G.S. from Δ COLLEGE to Δ VALLEY  
Dated 1946.

**SURVEYOR**

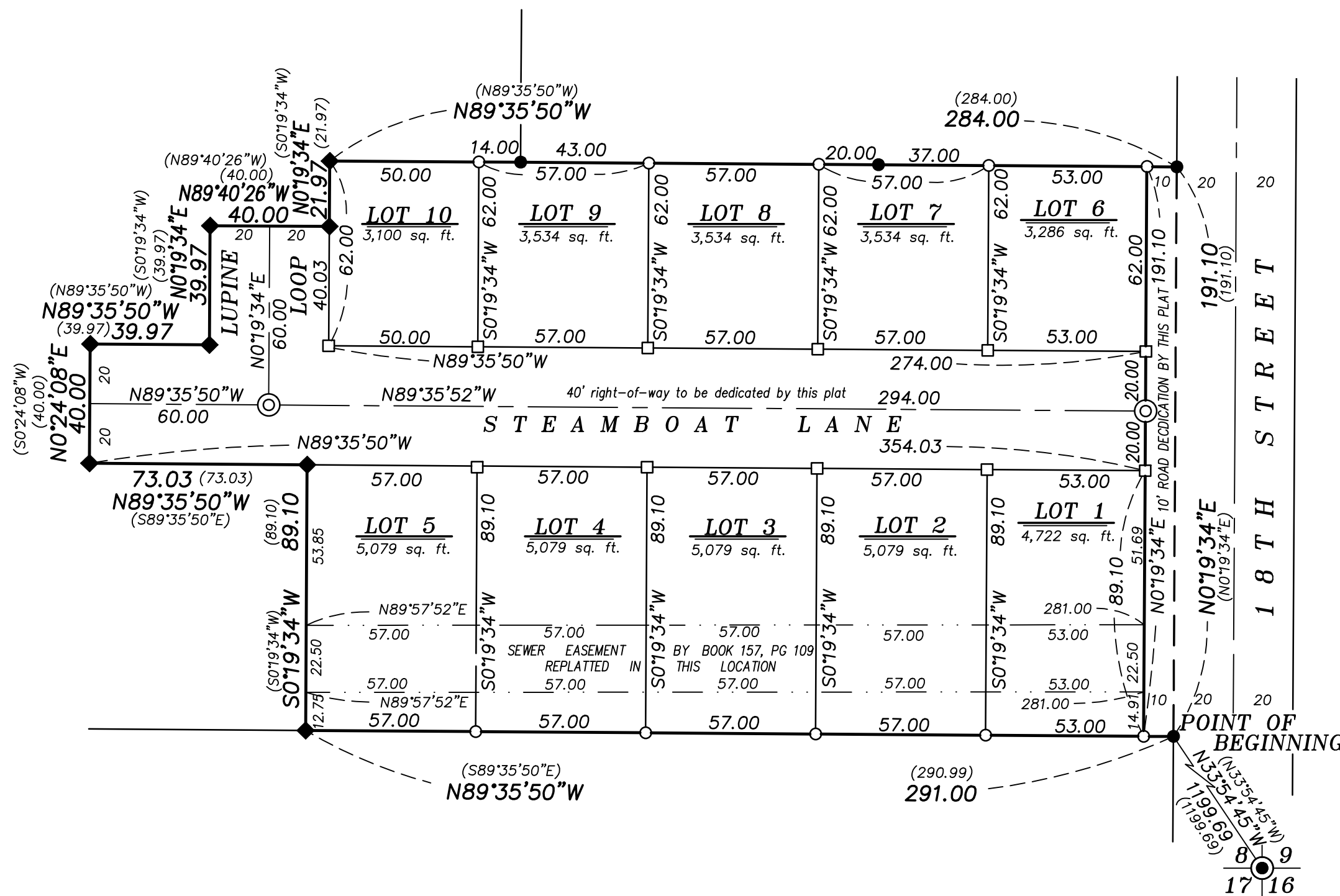
Jeffrey S. Hsu  
Baggett, Griffith and Blackman  
2006 Adams Avenue  
LaGrande, OR 97850

REGISTERED PROFESSIONAL SURVEYOR  
**PRELIMINARY COPY ONLY**  
SUBJECT TO REVISIONS  
JEFFREY S. HSU  
83571  
Renewal Date: June 30, 2023

# MBM SUBDIVISION PHASE 1

Situated in the Southeast quarter of Section 8, Township 3 South, Range 38 East of the Willamette Meridian  
City of La Grande, Union County, Oregon

Microfilm Number \_\_\_\_\_  
Plat Cabinet Number \_\_\_\_\_



## BASIS OF BEARING

Forward bearing as published by the U.S.C. and G.S. from  $\Delta$  COLLEGE to  $\Delta$  VALLEY Dated 1946.

SCALE: 1" = 40'

## LEGEND

- Found 2 1/2" brass cap, marked as per Union County Monumentation record 005-2009R.
- Found 5/8" iron pin with plastic cap marked BGA SURVEY MARKER set by Survey Number 036-1991
- ◆ Found 5/8" iron pin with plastic cap marked BGB SURVEY MARKER set by Survey Number 014-2023
- Set 5/8"x30" iron pin with plastic cap marked "BGB SURVEY MARKER"
- 5/8" iron pin with plastic cap marked "BGB SURVEY MARKER" to be set on or before December 1, 2023
- ⊙ 2" brass cap in concrete, to be set on or before December 1, 2023
- Centerline
- ( ) Record measurement as per Survey Number 014-2023
- [ ] Record measurement as per Survey Number 036-1991

## NARRATIVE

This subdivision was done at the request of Logan McCrae on behalf of MBM Estates. Mr. McCrae wanted to divide the property as shown. Exteriors were placed by Survey Number 014-2023. I recover monuments from said survey with exception of those removed by road construction. I find no unusual conditions with this subdivision.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JUNE 2, 2010  
JEFFREY S. HSU  
83571

Renewal Date: June 30, 2025

## NOTES AND EASEMENTS

Pipeline easement, 30 ft. in width, granted to City of La Grande by Book 157, Page 109, deed records of Union County, Oregon. Easement described in Book 157, page 108 does not fall on the property. Easement is replatted as a 22.5 foot wide easement in the location as shown hereon by this plat.

## REFERENCE MATERIAL

Union County Monumentation Records  
Survey Number 036-1991  
Survey Number 014-2023

DEED REFERENCES  
Microfilm Number 20231525  
Microfilm Number 20231343  
Book 157, Page 108  
Book 157, Page 109

Preliminary Title Report 22-36660, dated November 28, 2022, prepared by Eastern Oregon Title, Inc.

## SURVEYOR'S EXACT COPY STATEMENT

I, Jeffrey S. Hsu, registered Oregon Surveyor No. 83571, do hereby certify that I am the Surveyor who prepared the Plat of MBM SUBDIVISION PHASE 1 and that the annexed tracing is an exact copy of said Partition Plat as the same is on file in UNION COUNTY Cabinet Number \_\_\_\_\_ of the Plat Records of UNION COUNTY, and said exact copy is submitted as per O.R.S. 92.120.

Jeffrey S. Hsu, OPLS 83571

# CITY of LA GRANDE

## COUNCIL ACTION FORM

Council Meeting Date: October 4, 2023

PRESENTER: Emmitt Cornford, Fire Chief

COUNCIL ACTION: **CONSIDER APPROVING PURCHASE OF TWO NEW CHASSIS AND REQUIRED EQUIPMENT TO ADD ONE BUDGETED TYPE 6 WILDLAND ENGINE AND EXPEND \$30,000 GENERAL RESERVE FUND CIP TO UPGRADE THE 2003 WILDLAND ENGINE**

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

**Suggested Motion:** I move to approve the Fire Chief purchase the two (2) Dodge RAM 5500 chassis and one (1) Wildland Engine build for \$180,000 budgeted in the Fire Departments 2023-2024 Budget as presented (or amended).

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

**Suggested Motion:** I move to authorize the Fire Chief to expend up to \$30,000 from the budgeted General Reserve CIP for the upgrade of the Fire Departments 2003 Wildland Engine as presented (or amended).

7. MAYOR: Invite Additional Council Discussion.
8. MAYOR: Ask for the Vote.

\*\*\*\*\*

**EXPLANATION:** Upon doing research to begin the purchase of the budgeted new wildland engine, the availability and cost created a big challenge. We have found very few vehicles for sale and the ones that are for sale begin at \$190,000 and go up from there. It has also been difficult to find a chassis to purchase to build a new wildland engine from the ground up. A chassis can be ordered with delivery dates estimated to be early spring 2024 or later at a cost of \$75,000 - \$80,000. We were able to identify a source with two new 2023 Dodge RAM 5500 chassis that are local and available now at a cost of \$ 70,000 each. The cost to outfit one is an additional \$ 50,000. Given we have budgeted \$180,000, and the likelihood of increased costs and limited availability, we could use the existing budgeted funds to add the new wildland engine as the second chassis. For an additional \$30,000, we would be able to also replace the chassis and upgrade our current 2003 wildland engine.

This would allow us to have two wildland engines with new, warrantied chassis and also built with the identical components. The immediate availability of the chassis would allow us to have the projects completed before the 2024 wildland season. The General Reserve Fund has \$300,000 budgeted in the General CIP line, which could be used to fund the additional \$30,000 of capital costs. This line is intended for funding capital expenditures that may arise during the year.

The City Manager recommends approval of this agenda item 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: \_\_\_\_\_