



# AGENDA

## CITY COUNCIL

91136 N Willamette Street or by Zoom (if pre-register with the City by 3pm)

541-682-7852 | [coburgoregon.org](http://coburgoregon.org)

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Tuesday, January 10, 2023 at 6:00 PM

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### **OATH OF OFFICE**

*Mayor, Nancy Bell*

*Councilor, Cathy Engebretson*

*Councilor, John Lehmann*

*Councilor, Alan Wells*

*City Administrator, Anne Heath*

### **STATE OF THE CITY BY MAYOR BELL**

*2022 Citizen of the Year*

*2022 Accomplishments*

*2022 Employee of the Year*

*2022 Employee Longevity Award*

### **CALL THE CITY COUNCIL MEETING TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

### **MAYOR COMMENTS**

1. Elect Council President

### **AGENDA REVIEW**

### **CITIZEN TESTIMONY** (*Sign up prior to meeting. Limit 3 minutes.*)

### **RESPONSE(S) BY CITY COUNCIL**

### **CONSENT AGENDA** (*Councilors may remove an item from the "Consent" agenda for discussion by requesting such action prior to consideration.*)

2. Minutes December 13, 2023

### **SPECIAL GUEST**

3. Paul Williams, Premier RV Resort Inc.

### **ORDINANCES AND RESOLUTIONS**

4. Second Reading  
**ORDINANCE A-199-I** AN ORDINANCE AMENDING THE COBURG COMPREHENSIVE PLAN MAP  
**ORDINANCE A-200-M** AN ORDINANCE AMENDING THE COBURG OFFICIAL ZONING MAP

- 5. RESOLUTION 2023-01** A RESOLUTION APPLYING A CONSTRUCTION COST INFLATION FACTOR TO EXISTING SYSTEM DEVELOPMENT CHARGES

**COUNCIL ACTION ITEMS**

- 6.** Park Tree Committee Appointment for 2023 Calendar Year

**ADMINISTRATIVE INFORMATION REPORTS**

- 7.** Administration Monthly Report  
**8.** Council Vacancy and Recruitment

**COUNCIL COMMENTS****UPCOMING AGENDA ITEMS**

2023-2024 Goals & Work Plan  
Quarterly Police & Finance Report  
Audit Presentation

**FUTURE MEETINGS**

January 11 Heritage Committee  
January 16 City Hall Closed **Martin Luther King Jr Day**  
January 17 Park Tree Committee  
January 18 Planning Commission  
January 24 Council Work Session  
January 31 Finance | Audit Committee  
February 4 City Council Retreat  
February 8 Heritage Committee  
February 14 Urban Renewal Agency & City Council

**ADJOURNMENT**

*The City of Coburg will make reasonable accommodations for people with disabilities. Please notify City Recorder 72 hours in advance at 541-682-7852 or [sammy.egbert@ci.coburg.or.us](mailto:sammy.egbert@ci.coburg.or.us)*

*All Council meetings are recorded and retained as required by ORS 166-200-0235.*



## MINUTES

**Coburg City Council Meeting**  
December 13th at 6:00 P.M.  
91136 N Willamette Street  
Hybrid Meeting in-person or via Zoom

**MEMBERS PRESENT:** Acting Mayor Nancy Bell, John Fox, John Lehmann, Patty McConnell

**MEMBERS ABSENT:** Kyle Blain, Mark Alexander

**STAFF PRESENT:** City Administrator Anne Heath, City Recorder Sammy Egbert, City Attorney Anne Davies, Chief of Police Larry Larson, Public Works Director Brian Harmon

**GUESTS:** Cathy Engebretson

**RECORDED BY:** Angela Kern, Lane Council of Governments (LCOG)

### CALL TO ORDER

Acting Mayor Bell called the meeting to order at 6:01 pm.

### PLEDGE OF ALLEGIANCE

Acting Mayor Bell led the Pledge of Allegiance.

### ROLL CALL

Ms. Egbert called roll. A quorum of three was present.

### MAYOR COMMENTS

Acting Mayor Bell dedicated the Council Chambers to Mayor Ray Smith in a moving speech, followed by a 10-minute recess.

City Council reconvened at 6:20 pm.

## AGENDA REVIEW

Ms. Egbert noted that there were changes to the Agenda in the Council's red folders:

- Agenda Item #2, Revised findings for Ordinances A-199-I & A-200-M
- Resolution 2022-29, Canvassing of the 2022 elections
- Small changes to Agenda Item #5, Exhibit A
- Additions to Agenda Item #7 and sample Motion for consideration

She noted that page numbers had been provided.

## CITIZEN TESTIMONY

None

## RESPONSE(S) BY CITY COUNCIL

None

## CONSENT AGENDA

1. Minutes: November 8, 2022 City Council

**MOTION:** Councilor Fox moved to accept the November 8, 2022 Minutes as presented, seconded by Councilor McConnell. The motion passed unanimously -- 3:0:0.

## SPECIAL GUEST

Finance Audit Committee - Cathy Engebretson

Ms. Engebretson presented, giving a brief overview of the Committee's activities.

- At the April meeting, an external auditor answered questions. The Committee recommended that the City Council re-approve the auditor's contract.
- In November, the Committee met with the City Administrator Anne Heath. They discussed the Finance Director's resignation. Ms. Heath explained that she had redistributed the accounting duties, maintaining segregation. Ms. Engebretson also noted that the third party CPA had retired. She closed by saying the Committee had reviewed sample language for the Fiscal Policies and Procedures document.

Acting Mayor Bell asked if the Committee had a hiring recommendation for the CPA position. Ms. Engebretson said not at this time. After discussion, it was decided that the topic would be considered at the Council Retreat.

## ORDINANCES AND RESOLUTIONS

2. Public Hearing | First Readings

ORDINANCE A-199-I: AN ORDINANCE AMENDING THE COBURG COMPREHENSIVE PLAN MAP

ORDINANCE A-200-M: AN ORDINANCE AMENDING THE COBURG OFFICIAL ZONING MAP

Acting Mayor Bell opened the Public Hearing at 6:35 pm.

Megan Winner presented. She stated that the first change was to add the Downtown District overlay that was adopted by Council on September 27, 2022. The second change was to remove a strip of Parks, Rec and Open Space (PRO) zoning from three parcels near City Hall (Attachment A), believed by Staff to be incorrectly labeled. Ms. Winner cited Map 8 of the 1980 Comprehensive Plan, where the lots were zoned both PRO and Central Business District.

Councilor Lehmann asked about the location and whether the property owners had been notified. Ms. Winner stated that they had.

Acting Mayor Bell closed the Public Hearing at 6:47 pm. The second reading of both Ordinances will be held at the January 10, 2022 City Council Meeting.

### 3. RESOLUTION 2022-29: A RESOLUTION ACCEPTING THE RESULTS OF THE NOVEMBER 8, 2022, GENERAL ELECTION

Ms. Egbert pointed out that state law required canvassing of the votes within 40 days of the election. City Ordinance A-75 required that the Mayor proclaim the adopted measures. She said the Resolution 2022-29 covered both.

**MOTION:** Councilor Fox moved to adopt Resolution 2022-29, A resolution accepting the results of the November 8th, 2022 General Election, seconded by Councilor McConnell. The motion passed unanimously -- 3:0:0.

### 4. RESOLUTION 2022-30: A RESOLUTION DECLARING THE PROPERTY LISTED BELOW AS SURPLUS AND ALLOWING DISPOSAL IN ACCORDANCE WITH SURPLUS REQUIREMENTS IN ORDINANCE A-91-C

Chief of Police Larson asked that the Council approve the Resolution, giving the police department permission to sell a vehicle for salvage.

**MOTION:** Councilor Lehmann moved to adopt, Resolution 2022-30, declaring the property listed below as surplus and allowing disposal in accordance with surplus requirements in Ordinance A-91-C seconded by Councilor McConnell . The motion passed unanimously -- 3:0:0.

Chief Larson announced that the department had received a long-awaited new vehicle.

## COUNCIL ACTION ITEMS

### 5. Emerald Excavation Inc. Contract for Well Project

Mr. Harmon presented, explaining that the contract was for prep work on the pad and service road for the third well project on Stallings Lane.

**MOTION:** Councilor McConnell moved to approve the Construction contract with Emerald Excavation Inc. for the construction of the service road and pad as part of the production well project, seconded by Councilor Fox. The motion passed unanimously -- 3:0:0.

#### 6. Oregon Mayors Association (OMA) Homeless Response Expenditures

Ms. Heath presented, outlining the OMA budget proposals and requested information. She, Chief Larson, and Mr. Harmon detailed the work done by the City of Coburg on behalf of the homeless and shared where they each saw the need for funding.

After discussion, the Council declared that City of Coburg would submit the following to the OMA as the most probable uses of funds:

- Abatement and clean-up
- Food bank assistance
- Shelter and transitional housing
- Hygiene stations
- Operational costs
- Prevention

**MOTION:** Councilor Lehmann moved that the Coburg City Council support the Oregon Mayors Association proposal for on-the-ground response to homelessness and the prevention thereof, seconded by Councilor Fox. The motion passed unanimously -- 3:0:0.

#### 7. Planning Commission Appointment

Ms. Winner encouraged the City Council to reappoint William Wood and John Marshall to the Planning Commission.

**MOTION:** Councilor McConnell moved to reappoint William Wood and John Marshall to the Planning Commission for two-year terms expiring in October of 2024, seconded by Councilor Fox. The motion passed unanimously -- 3:0:0.

Acting Mayor Bell reappointed the two candidates and thanked them for their service.

### ADMINISTRATIVE INFORMATION REPORTS

#### 8. Administration Monthly Report

Ms. Heath presented, saying that the County would swap funds to move the street project forward.

Councilor McConnell asked Chief Larson about the intersection of Willamette and McKenzie streets. Ms. Heath suggested that the City take local jurisdiction of Willamette Street. The discussion was tabled until the Council Retreat.

Councilor Lehmann brought up the industrial sound barriers, noting that the report indicated they might not be effective.

Councilor Lehmann mentioned the parking situation at Chief’s restaurant. Temporary sandwich boards and a police presence were suggested.

Councilor Lehmann asked if the City’s overall cash would improve in January. Ms. Heath said yes.

**COUNCIL COMMENTS**

Councilor Fox congratulated future Councilors Wells and Egbert, and congratulated Councilor McConnell on her retirement from Council.

Acting Mayor Bell recognized departing Councilors Alexander and McConnell for their years of service on the City Council. She noted that they would receive certificates.

Acting Mayor Bell thanked the Staff for their work on the Council Chambers.

Acting Mayor Bell reminded Councilors that the Council Retreat was scheduled for Saturday, February 4th at 9:00 am.

**ADJOURNMENT**

Acting Mayor Nancy Bell thanked the Staff and Council. She adjourned at 8:00 pm.

**APPROVED** by the City Council of the City of Coburg on this 10th day of January, 2023.

\_\_\_\_\_  
Nancy Bell, Mayor

**ATTEST:** \_\_\_\_\_  
Sammy L. Egbert, City Recorder

**From:** Paul Williams <[pandvwilliams@msn.com](mailto:pandvwilliams@msn.com)>  
**Sent:** Wednesday, December 14, 2022 10:43 AM  
**To:** HEATH Anne <[anne.heath@ci.coburg.or.us](mailto:anne.heath@ci.coburg.or.us)>  
**Subject:** Domestic Water

Hello Anne,

I have been following the correspondence between you and Lisa and Catherine regarding our domestic water.

To be frank, I am shocked at how the city (not you) is jerking us around. Just to refresh you on the facts.

1. The City of Coburg promised us that we would get domestic water the year after we were annexed.
2. The city required that we hook up to the city sewer and we were promised that we would get domestic water in the next spring.
3. We were told we would be hooked up last spring.
4. We were told we would be hooked up this fall.
5. Now we are being told that we will perhaps be hooked up by next fall.

I am gathering all our emails with the trail of broken promises and will be sending it to our attorney. I think we have a case against the city for failure to uphold its end of the bargain that all started on the premise that we would be hooked up to the city water the summer after the annexation. In the meantime we have had to drill an additional well to meet our needs and we have had to repair the link to the Property to our south that is outside the city limits which was sold To the Wildfangs. Bottom line is that we have spent thousands of dollars to keep up with our water needs and the city has not delivered on its promised water.

I am not a litigious person but I am informing you and the city council that we see no alternative but to engage the city with a lawsuit for specific performance. There is ample written evidence that the city has sent me that water was to be installed and that we should hire an engineer to design for the hook up. Fundamentally I feel the city did a bait and switch with me initially when we were annexed and the same has happened multiple times since. The alternative to a lawsuit would be for the city to pay for another well on our property that would be exclusively for potable water for our facility and we would be released from the requirement to hook up to city water at some mythical future date.

I look forward to a formal response from the city council.

Regards,

Paul Williams  
Premier RV Resorts, LLC  
Eugene Premier RV Resort, LLC  
Managing member

\*Response by City attached



12/15/2022

Anne Heath, City Administrator, Emailed response

Paul,

Thank you for your patience in my response. I have worked hard at building a relationship with yourself and Premier RV. I wish that you would have picked up the phone rather than send this email. Perhaps we could have talked through some of the facts as I think there are some misunderstandings.

Three years ago we sat with you and let you know that water was coming. Your team was very patient and said you would wait until it came to you when the annexation went through and the water line was installed.

The water is across the freeway and within 300 feet of your property now. We completed that last year.

Last summer your team reached out to me and said they had a concern regarding water. They shared it was not immediate but they felt that we should move it forward.

I hired our engineers and paid the bill for them to prepare Delineation and Removal reports and permits and we submitted to the state. The City paid all of the costs for this. This would normally be paid by the property owner who wants to hook up. These were prepared and submitted to the state in November. The state has 120 days to approve these permits. We did this based upon your teams concerns and to have the ability to hook you up quickly should the need arise prior to the water line going through.

We discussed with your team the option to hook up at the south end and that is why we went ahead and got the permits submitted so that if you wanted to do so, it would be available. I then heard from your team that they were back into the wait for it to make it to the middle of your property.

We suggested that you begin working with an engineer to design your hook up. I last heard from Catherine last week that you were trying to put together a contract with an engineer. I told her we were still waiting for permits to be approved from the state and asked the developer and our engineer to also provide where we are on this. We are all in the same place, waiting on the state. However, they have 120 days to respond to our requests so if the developer submitted at the same time, we should all here back no later than March. I hope sooner. It will take your engineer that long to design your hook up, I'm assuming.

Having the City drill an additional well for you is not an option as it is against state law. While you do not have water service available to you, you can continue to utilize your well. However, once water is available, you must hook up and discontinue the potable use. So, even our City Council can't make that happen for you.

You can begin the process of hooking up at this time with engineer design and hook up to the south end of your property as soon as the permits are made available by the state. Or, you can wait for the developer to also get his permits at which point he will also have the ability to run the water line and hook up at the middle of your property. That choice has not changed.

If you feel that the City has a responsibility to hook you up to the water, then that is something that I suggest that you bring to the City Council and give them a fair chance to respond. They are good and reasonable people.

I understand you are frustrated Paul and I can't fix what happened prior to my team's time at the City. We are trying very hard to get you water as we promised you. However, our actions have been based upon your team's input and responses.

The water is there now. You only need to decide how you will hook up to it.

As always, if you would like to come in and talk this through, I am available to you at your convenience.

As you have asked for your email to go to the City Council, they will receive it in their packet in January. If you would like to address them personally, I can help you get on to their agenda.

Anne L. Heath  
City Administrator  
541-682-7871  
[Anne.heath@ci.coburg.or.us](mailto:Anne.heath@ci.coburg.or.us)

## COBURG CITY COUNCIL ACTION ITEM



**TOPIC: Ordinance A-200-M: An Ordinance Amending the Coburg Official Zoning Map and Ordinance A-199-I: An Ordinance Amending the Coburg Comprehensive Plan Map**

**Meeting Date: January 10, 2023**

**Staff Contact: Megan Winner, Planner**

**Contact: 541.682.7862, [megan.winner@ci.coburg.or.us](mailto:megan.winner@ci.coburg.or.us)**

### REQUESTED COUNCIL ACTION:

Adopt Ordinance A-200-M to amend the Official Zoning Map and adopt Ordinance A-199-I to amend the Comprehensive Plan Map. Both amendments reflect the following two changes: the removal of a strip of Park, Recreation and Open Space zoning on a portion of three properties, and the addition of the Downtown District, which was added to the Zoning Code by action of the City Council on September 27, 2022.

***Suggested Motion: "I move to adopt Ordinance A-200-M an ordinance amending the Official Zoning Map and Ordinance A-199-I an ordinance amending the Comprehensive Plan Map."***

### CITY COUNCIL GOAL

Strategic Planning

### BACKGROUND

The proposal is to amend the Comprehensive Plan Map and Official Zoning Map to reflect two changes. The first proposed change would remove a strip of Parks, Recreation and Open Space (PRO) zoning that currently appears on portions of three lots (tax lots 1700, 1800, and 2300 of Assessor's Map 16-03-32-11) near City Hall. The second change proposes to add to the maps the Downtown Coburg overlay district that was adopted by Council on September 27, 2022. Findings for the overlay district were adopted on September 27, 2022 with Ordinance A-200-L, and this staff report will not further address that change. and more information can be found in the related planning file of PA 01-22. The subsequent staff report will address the first proposed change, removing the mistakenly left strip of Parks, Recreation and Open Space designation from three lots near City Hall (Assessor's Map and Tax Lots 16033321102300, 1603321101800, 1603321101700).

Regarding the removal of the PRO zoning from the three lots near City Hall, the City Administrator conducted extensive historical research. That research is summarized in the August 19, 2022 memo, attached. Most importantly, Map 8 of the 1980 Coburg Comprehensive Plan Diagram showed areas zoned Residential, Central Business, and Park, Rec.

& Open Space. The property lines of specific properties were not shown, and the demarcation points of each planning designation was fuzzy. There was an area west of Willamette Street at about the location of the current City Hall that was shown designated as Central Business. Lands to the west were designated Park, Rec. & Open Space. It is fair to assume that the 1980 Comprehensive Plan Map meant to designate all of the three lots at issue here as Central Business, as opposed to creating lots that were partially designated Park and Open Space and partially designated Central Business. Accordingly, Map 8 should be interpreted to have designated all of the three lots as entirely Business District. The additional facts presented in the City Administrator’s August 19, 2022 memo support that interpretation.

Finally, even if the interpretation of Map 8 presented above were not adopted, the property should be re-redesignated and re-zoned in any event because the thin strip of Parks and Open Space designation would never be developed as a park and the City has no intention of developing a park in this area. Designation of the properties as Central Business District complies with the policies of the comprehensive plan, as is set forth in the findings attached to the Ordinances.

Planning Commission held a public hearing and unanimously recommended approval of the map amendments to Council at the November 16, 2022 meeting.

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**BUDGET**

N/A

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**RECOMMENDATION**

Staff recommends that the Council approve Ordinance A-200-M and Ordinance A-199-I in accordance with the findings in support to ensure that it complies with the Criteria for Land Use District Map and Text Amendments set forth in Article XVI of the Coburg Zoning Ordinance A-200-L.

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**NEXT STEPS**

The draft maps will be finalized and made available.

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**ATTACHMENT**

- B. Proposed Ordinance A-199-I**
- C. Proposed Ordinance A-200-M**

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**REVIEWED THROUGH:**

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## ORDINANCE A-199-I

### AN ORDINANCE AMENDING THE COBURG COMPREHENSIVE PLAN MAP

**WHEREAS**, the current version of the Coburg Comprehensive Plan Map shows tax lots 1700, 1800, and 2300 of Assessor’s Map 16-03-32-11 partially designated Central Business District and partially designated Park/ Recreation; and

**WHEREAS**, there is evidence that suggests that the western portions of those lots, currently zoned Park/Recreation, were actually designated by the 1980 Coburg Comprehensive Plan as Central Business District, not Parks/Recreation; and

**WHEREAS**, further, the City has no intention of developing parks in the location of those three lots, as is demonstrated by the absence of a proposed park in this area in the Coburg Park & Open Space Master Plan; and

**WHEREAS**, designation of the western portion of those lots as Central Business District would better serve the purposes of the Comprehensive Plan than the current Parks designation shown on the Coburg Comprehensive Plan Map.

**NOW, THEREFORE, THE CITY OF COBURG ORDAINS AS FOLLOWS:**

**Section 2.** Assessor’s Map and Tax Lots 1603321102300, 1603321101800, and 1603321101700 Central Business District. The revised Comprehensive Plan Map is attached hereto as Exhibit A and is hereby adopted.

**Section 2.** Findings of fact in support of this amendment to the Coburg Comprehensive Plan Map, attached to this Ordinance as Exhibit B, are hereby adopted and made a part of this Ordinance.

**Section 3.** The sections and subsections of this Ordinance are severable. The invalidity of any section or subsection shall not affect the validity of the remaining sections and subsections.

**Section 4.** This Ordinance shall take effect pursuant to Section 30 of the Coburg Charter, or upon acknowledgement, whichever is later.

**ADOPTED** by the **City Council** of the **City of Coburg** this \_\_\_\_\_ day of \_\_\_\_\_, 2023 by a vote of \_\_\_\_\_ and \_\_\_\_\_ against.

**APPROVED** by the **Mayor** of City of Coburg this \_\_\_\_\_ day January 2023.

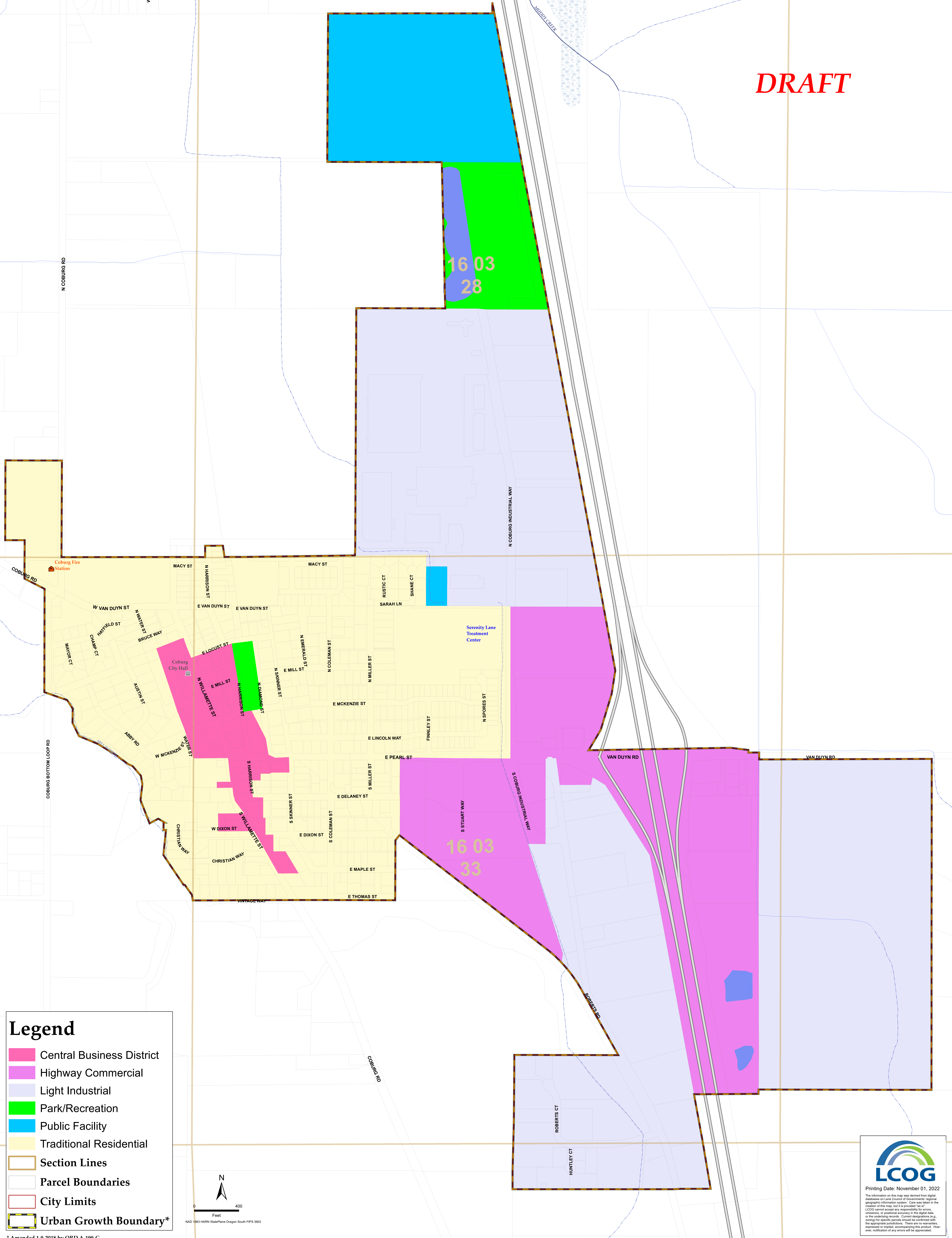
\_\_\_\_\_  
Nancy Bell, Mayor

ATTEST: \_\_\_\_\_  
Sammy L. Egbert, City Recorder



# City of Coburg Comprehensive Plan

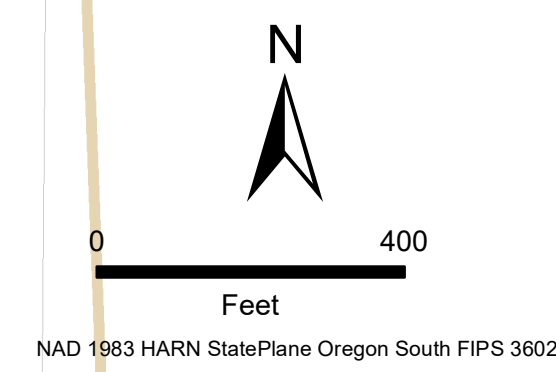

**DRAFT**



**Legend**

- Central Business District
- Highway Commercial
- Light Industrial
- Park/Recreation
- Public Facility
- Traditional Residential
- Section Lines
- Parcel Boundaries
- City Limits
- Urban Growth Boundary\*

\* Amended 1-9-2018 by ORD A-199-G

Printing Date: November 01, 2022

The information on this map was derived from digital databases on Lane County of Government's regional geographic information system. Care was taken in the creation of this map, but it is provided "as is". LCOG cannot accept any responsibility for errors, omissions, or distortions inaccuracy in the digital data or the underlying records. Current designations (e.g., zoning) for specific parcels should be confirmed with the appropriate jurisdiction. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.

## EXHIBIT B to Ordinance A-199-I

### Findings in Support of Ordinance A-200-M and Ordinance A-199-I

Ordinance A-200-M amends the Coburg Official Zoning Map and Ordinance A-199-I amends the Comprehensive Plan Map to reflect two changes. The first proposed change would remove a strip of Parks, Recreation and Open Space (PRO) planning and zoning designation that currently appears on portions of three lots (tax lots 1700, 1800, and 2300 of Assessor's Map 16-03-32-11) near City Hall. The second change proposes to add to the maps the Downtown Coburg overlay district that was adopted by Council on September 27, 2022. Findings for the overlay district were adopted on September 27, 2022 with Ordinance A-200-L, and those findings are incorporated herein in support of the second proposed map change.

Regarding the removal of the PRO zoning from the three lots near City Hall, the City Administrator conducted extensive historical research. That research is summarized in the August 19, 2022 memo, attached as Attachment A to the ordinances. Most importantly, Map 8 of the 1980 Coburg Comprehensive Plan Diagram showed areas zoned Residential, Central Business, and Park, Rec. & Open Space. The property lines of specific properties were not shown, and the demarcation points of each planning designation was fuzzy. There was an area west of Willamette Street at about the location of the current City Hall that was shown designated as Central Business. Lands to the west were designated Park, Rec. & Open Space. It is fair to assume that the 1980 Comprehensive Plan Map meant to designate all of the three lots at issue here as Central Business, as opposed to creating lots that were partially designated Park and Open Space and partially designated Central Business. Accordingly, Map 8 should be interpreted to have designated all of the three lots as entirely Business District. The additional facts presented in the City Administrator's August 19, 2022 memo support that interpretation.

Finally, even if the interpretation of Map 8 presented above were not adopted, the property should be re-redesignated and re-zoned in any event because the thin strip of Parks and Open Space designation would never be developed as a park and the City has no intention of developing a park in this area. Designation of the properties as Central Business District complies with the policies of the comprehensive plan, as is set forth below.

#### **Approval Criteria**

#### **ARTICLE X.E TYPES OF REVIEW PROCEDURES, TYPE IV PROCEDURE**

#### **E. Type IV Procedure (Legislative).**

- 1. Pre-Application Conference.** *A pre-application conference is required for all Type IV applications initiated by a party other than the City of Coburg. The requirements and procedures for a pre-application conference are described in Section F.*

**FINDING:** The City of Coburg initiated this procedure. This criterion is not applicable.



**2. Timing of Requests.** *The City accepts legislative requests twice yearly, meeting January and July application timeline requirements. The City Council may initiate its own legislative proposals at any time.*

**FINDING:** The City of Coburg initiated this procedure. This criterion is met.

**3. Application Requirements.**

**a. Application forms.** *Type IV applications shall be made on forms provided by the City Planning Official or designee.*

**b. Submittal Information.** *The application shall contain:*

- (1) The information requested on the application form;*
- (2) A map and/or plan addressing the appropriate criteria and standards in sufficient detail for review and decision (as applicable);*
- (3) The required fee; and*
- (4) One copy of a letter or narrative statement that explains how the application satisfies each and all of the relevant approval criteria and standards.*

**FINDING:** The City of Coburg initiated this procedure. These criteria are not applicable.

**4. Notice of Hearing.**

**a. Required hearings.** *A minimum of two hearings, one before the Planning Commission and one before the City Council, are required for all Type IV applications, except annexations where only a hearing by the City Council is required.*

**b. Notification requirements.** *Notice of public hearings for the request shall be given by the City Planning Official or designee in the following manner:*

*(1) At least 10 days, but not more than 40 days, before the date of the first hearing on an ordinance that proposes to amend the comprehensive plan or any element thereof, or to adopt an ordinance that proposes to rezone property, a notice shall be prepared in conformance with ORS 227.175 and mailed to:*

- (i) Each owner whose property would be rezoned in order to implement the ordinance (including owners of property subject to a comprehensive plan amendment shall be notified if a zone change would be required to implement the proposed comprehensive plan amendment);*
- (ii) Any affected governmental agency;*
- (iii) Any person who requests notice in writing;*
- (iv) For a zone change affecting a manufactured home or mobile home park, all mailing addresses within the park, in accordance with ORS 227.175;*

*(2) At least 10 days before the scheduled Planning Commission public hearing date, and 10 days before the City Council hearing date, public notice shall be published in a newspaper of general circulation in the City.*

(3) *The City Planning Official or designee shall:*

- (i) *For each mailing of notice, file an affidavit of mailing in the record as provided by subsection 1; and*
- (ii) *For each published notice, file in the record the affidavit of publication in a newspaper that is required in subsection 2.*

(4) *The Oregon Department of Land Conservation and Development (DLCD) shall be notified in writing of proposed comprehensive plan and development code amendments at least 45 days before the first public hearing at which public testimony or new evidence will be received. The notice to DLCD shall include a DLCD Certificate of Mailing.*

(5) *Notifications for annexation shall follow the provisions of this Chapter.*

**FINDING:** Notice was mailed to each property owned whose property would be rezoned to implement the ordinance on November 1, 2022. Notice was given to DLCD on September 20, 2022. These criteria are met.

**7. *Decision-Making Criteria.*** *The recommendation by the Planning Commission and the decision by the City Council shall be based on the following factors:*

- a. Approval of the request is consistent with the Statewide Planning Goals;*

**FINDING:** As explained below, the request is consistent with the Statewide Planning Goals. This criterion is met.

#### **APPLICABLE STATEWIDE PLANNING GOALS:**

##### **GOAL 1: Citizen Involvement**

**FINDING:** This amendment is to correct an error. Property owners support the amendment. The proposed amendment is being placed before the local approval bodies of Coburg to conduct a public hearing. Concerned citizens will have an opportunity to review and comment on the proposed amendments.

##### **GOAL 2: Land Use Planning**

**FINDING:** The proposed amendment allows the desired type of development to occur in the downtown corridor. Correcting this error will remove barriers to commercial development.

##### **GOAL 5: Natural Resources, Scenic and Historic Areas, and Open Spaces**

**FINDING:** The proposed amendment preserves the historic architectural character of the Central Business District, which is within Coburg's National Historic District, by allowing for the uses intended for the district to take place under the regulations of the Zoning Code.

##### **GOAL 9: Economic Development**

**FINDING:** The proposed amendments to the Coburg Zoning Code enhance the code for further economic opportunity in the Central Business district as required by Goal 9. Correcting this error will promote the intended use of the Central Business District.

**STATEWIDE PLANNING GOALS 3,4, 6,7,8, 10 -19 are not applicable to this amendment.**

**CONCLUSION:** The proposed amendments to the Coburg Zoning Map and Comprehensive Plan Map meet the necessary requirements of the applicable Statewide Planning Goals. This amendment does not change the priority or inventory of those related requirements. These criteria are met.

*b. Approval of the request is consistent with the Comprehensive Plan; and*

**FINDING:** As explained below, the request is consistent with the Comprehensive Plan. This criterion is met.

### **APPLICABLE COMPREHENSIVE PLAN POLICIES AND GOALS**

#### **GOAL 1: Citizen Involvement**

**FINDING:** This amendment is to correct an error. Property owners support the amendment. The proposed amendments will go through the Type IV land use process, which requires at least two hearings.

#### **GOAL 2: Land Use**

**Policy 11:** *Central Business District – The Central Business District designation is intended to establish the downtown area as the historic heart of Coburg. The CBD is the location for smaller scale commercial and business facilities, civic buildings and city functions, and mixed use.*

*The Central Business district will be historic and pedestrian-oriented in character.*

**Finding:** The proposed amendments affect vacant properties where development will significantly contribute to the character of the historic downtown corridor. The proposed amendment allows the desired type of development of the Central Business District to occur in the downtown corridor. Correcting this error will remove barriers to potential commercial or mixed-use development that will enhance the community and promote a pedestrian-oriented character.

#### **GOAL 9: Economy**

**Coburg Objective:** **To guide community development in such a way that the local economy is improved while maintaining Coburg’s small town atmosphere.**

**Policy 11:** *The City shall promote quality of life and compatibility of commercial and industrial uses with the small town, historic character of the community.*

**Policy 22:** *The City shall encourage a vital downtown area as a key strategy to maintaining the City’s quality of life.*

**Policy 23:** *The City shall encourage mixed-use in the Central Business District, and where appropriate, in adjacent areas.*

**Finding:** The proposed map amendment will promote the type of environment described in policies 11, 22 and 23 of the Coburg Comprehensive Plan by encouraging appropriate, compatible commercial and mixed-use development.

#### **GOAL 12: Transportation**

**Policy 22:** *The City shall use transportation demand management, system improvements, and land use strategies to encourage people to walk, bicycle and bus to reduce increased traffic congestion within the community and to and from the community.*

**Policy 25:** *The City shall require land use development and transportation improvements that encourage transit, bicycles, and pedestrian amenities in new commercial, public, mixed use, and multi-family residential development.*

**Finding:** The proposed map amendments will promote land use strategies that encourage density and uses that promote multi-modal transportation options within the Central Business District.

#### **GOAL 14: Urbanization**

**Coburg Objective:** **Promote land use and development patterns that sustain and improve quality of life, are compatible with mass transit, maintain the community's identity, protect significant natural and historic resources, and meet the needs of existing and future residents for housing, employment, and parks and open spaces.**

**Policy 1:** *The City shall preserve urbanizable land and provide for orderly, efficient development by controlling densities through provision of the Zoning and Subdivision Ordinances, thereby preventing the need for overly extensive public services and restricting urbanization to that commensurate with the carrying capacity of the land.*

**Policy 17:** *The City shall promote the efficient use of land within the urban growth boundary and sequential development that expands in an orderly way outward from the existing city center.*

**Policy 40:** *The City shall promote land use and development patterns that sustain and improve quality of life, are compatible with mass transit, maintain the community's identity, protect significant natural and historic resources, and meet the needs of existing and future residents for housing, employment, and parks and open spaces.*

**Policy 41:** *The City shall maintain a viable downtown through plan designations and zoning in a manner that provides opportunities for development of the town center with a compatible mix of housing and businesses.*

**Finding:** The proposed map amendments remove barriers to development at the town center and promote an efficient use of land, infrastructure and services.

**GOALS 3,4, 5, 6,7,8, 10, 11 and 13 are not applicable to this amendment**

**CONCLUSION:** The proposed map amendments support and promote goals, objectives and policies of the Comprehensive Plan. These criteria are met.

*c. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.*

**FINDING:** The proposed amendments do not change any physical aspect of any property. This criterion is not applicable.

**8. Approval Process and Authority.**

*a. The Planning Commission shall:*

*(1) After notice and a public hearing, vote on and prepare a recommendation to the City Council to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative; and*

*b. Any member of the Planning Commission who votes in opposition to the Planning Commission's majority recommendation may file a written statement of opposition with the City Planning Official or designee before the Council public hearing on the proposal. The City Planning Official or designee shall send a copy to each Council member and place a copy in the record;*

*c. If the Planning Commission fails to adopt a recommendation to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative proposal within 60 days of its first public hearing on the proposed change, the City Planning Official or designee shall:*

*(1) Report the failure together with the proposed change to the City Council; and*

*(2) Provide notice and put the matter on the City Council's agenda for the City Council to hold a public hearing make a decision. No further action shall be taken by the Commission.*

**FINDING:** The hearing and approval process and procedure shall be as normal. These findings will be updated following the Planning Commission hearing to reflect the recommendation made. These criteria will be met.

*d. The City Council shall:*

*(1) Approve, approve with modifications, approve with conditions, deny, or adopt an alternative to an application for legislative change, or remand the application to the Planning Commission for rehearing and reconsideration on all or part of the application;*

- (2) Consider the recommendation of the Planning Commission; however, the City Council is not bound by the Commission's recommendation; and
- (3) Act by ordinance, which shall be signed by the Mayor after the Council's adoption of the ordinance.

**FINDING:** The hearing and approval process and procedure shall be as normal. These criteria will be met.

**9. Vote Required for a Legislative Change.**

- a. A vote by a majority of the qualified voting members of the Planning Commission present is required for a recommendation for approval, approval with modifications, approval with conditions, denial or adoption of an alternative.
- b. A vote by a majority of the qualified members of the City Council present is required to decide any motion made on the proposal.

**FINDING:** The hearing and approval process and procedure shall be as normal. These criteria will be met.

**10. Notice of Decision.** Notice of a Type IV decision shall be mailed to the applicant, all participants of record, and the Department of Land Conservation and Development, within five business days after the City Council decision is filed with the City Planning Official or designee. The City shall also provide notice to all persons as required by other applicable laws.

**FINDING:** Staff shall follow up with correct noticing procedures should the City Council vote to approve the amendments. This criterion will be met.

**11. Final Decision and Effective Date.** A Type IV decision, if approved, shall take effect and shall become final as specified in the enacting ordinance, or if not approved, upon mailing of the notice of decision to the applicant.

**FINDING:** Should Planning Commission and City Council vote to approve the amendment, the ordinance shall specify an effective date. This criterion will be met.

**12. Record of the Public Hearing.**

- a. A record of the proceeding shall be made by a minutes recorder, stenographic, mechanical, or electronic means. It is not necessary to transcribe an electronic record. The minutes and other evidence presented as a part of the hearing shall be part of the record;
- b. All exhibits received and displayed shall be marked to provide identification and shall be part of the record;
- c. The official record shall include:
  - (1) All materials considered by the hearings body;
  - (2) All materials submitted by the City Planning Official or designee to the hearings body regarding the application;

- (3) *The v record made by the minutes recorder, stenographic, mechanical, or electronic means; the minutes of the hearing; and other documents considered;*
- (4) *The final ordinance;*
- (5) *All correspondence; and*
- (6) *A copy of the notices that were given as required by this Chapter.*

**FINDING:** The City shall follow record procedures as described. These criteria will be met.

**ORDINANCE A-200-M**

**AN ORDINANCE AMENDING THE COBURG OFFICIAL ZONING MAP**

**WHEREAS**, the current version of the Coburg Official Zoning Map shows tax lots 1700, 1800, and 2300 of Assessor’s Map 16-03-32-11 split zoned Central Business District and Parks, Recreation, & Open Space; and

**WHEREAS**, there is evidence that suggests that the western portions of those lots, currently zoned Parks, Recreation, & Open Space, were actually designated by the 1980 Coburg Comprehensive Plan as Central Business District, not Parks, Recreation, & Open Space; and

**WHEREAS**, further, the City has no intention of developing parks in the location of those three lots, as is demonstrated by the absence of a proposed park in this area in the Coburg Park & Open Space Master Plan; and

**WHEREAS**, designation of the western portion of those lots as Central Business District would better serve the purposes of the Comprehensive Plan than the current Parks designation shown on the Official Zoning Map.

**NOW, THEREFORE, THE CITY OF COBURG ORDAINS AS FOLLOWS:**

**Section 1.** The Coburg Official Zoning Map shall be amended to designate the entirety of Assessor’s Map and Tax Lots 1603321102300, 1603321101800, and 1603321101700 Central Business District. The Coburg Official Zoning Map is amended as shown on **Exhibit A** attached to this ordinance.

**Section 2.** Findings of fact in support of this amendment to the Coburg Official Zoning Map, attached to this Ordinance as **Exhibit B**, are hereby adopted and made a part of this Ordinance.

**Section 3.** The sections and subsections of this Ordinance are severable. The invalidity of any section or subsection shall not affect the validity of the remaining sections and subsections.

**Section 4.** This Ordinance shall take effect pursuant to Section 30 of the Coburg Charter, or upon acknowledgement, whichever is later.

**ADOPTED** by the **City Council** of the **City of Coburg** this \_\_\_\_\_ day of \_\_\_\_\_, 2023 by a vote of \_\_\_\_\_ and \_\_\_\_\_ against.

**APPROVED** by the **Mayor** of City of Coburg this \_\_\_\_\_ day January 2023.



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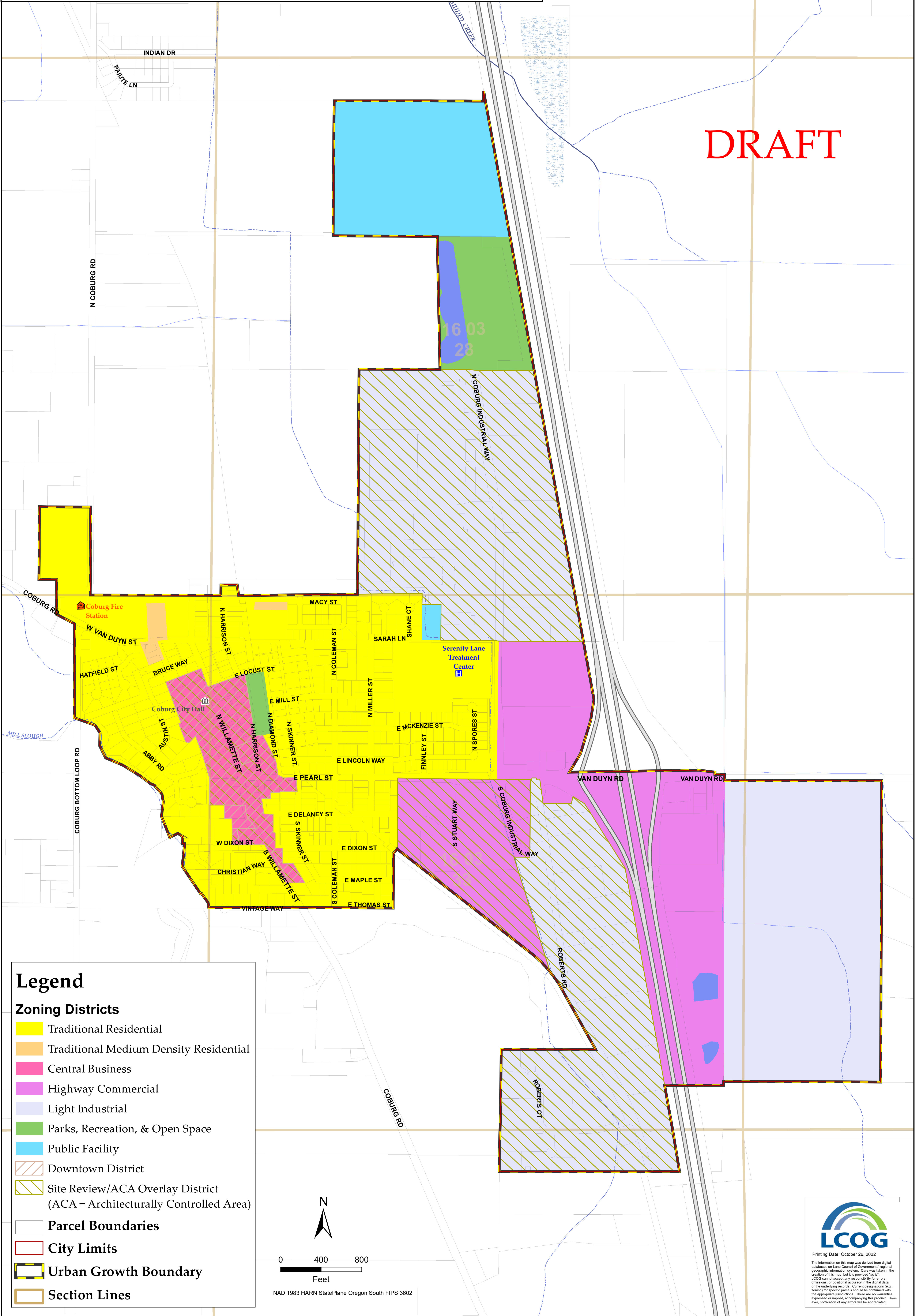
Nancy Bell, Mayor

ATTEST: \_\_\_\_\_  
Sammy L. Egbert, City Recorder



# Coburg Zoning Districts

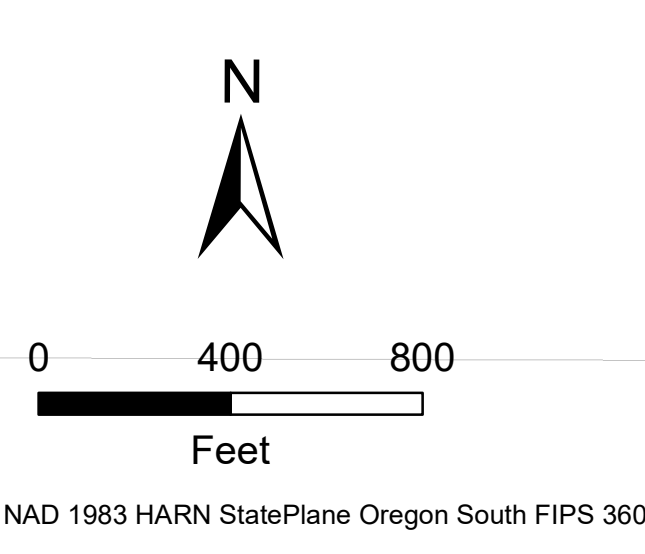
DRAFT



## Legend

### Zoning Districts

- Traditional Residential
- Traditional Medium Density Residential
- Central Business
- Highway Commercial
- Light Industrial
- Parks, Recreation, & Open Space
- Public Facility
- Downtown District
- Site Review/ACA Overlay District (ACA = Architecturally Controlled Area)
- Parcel Boundaries
- City Limits
- Urban Growth Boundary
- Section Lines



Printing Date: October 26, 2022

The information on this map was derived from digital databases on Lane Council of Governments' regional geographic information system. Care was taken in the creation of this map, but it is provided "as is". LCOG cannot accept any responsibility for errors, omissions, or positional accuracy in the digital data or the underlying records. Current designations (e.g., zoning) for specific parcels should be confirmed with the appropriate jurisdictions. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.

## EXHIBIT B to Ordinance A-200-M

### Findings in Support of Ordinance A-200-M and Ordinance A-199-I

Ordinance A-200-M amends the Coburg Official Zoning Map and Ordinance A-199-I amends the Comprehensive Plan Map to reflect two changes. The first proposed change would remove a strip of Parks, Recreation and Open Space (PRO) planning and zoning designation that currently appears on portions of three lots (tax lots 1700, 1800, and 2300 of Assessor's Map 16-03-32-11) near City Hall. The second change proposes to add to the maps the Downtown Coburg overlay district that was adopted by Council on September 27, 2022. Findings for the overlay district were adopted on September 27, 2022 with Ordinance A-200-L, and those findings are incorporated herein in support of the second proposed map change.

Regarding the removal of the PRO zoning from the three lots near City Hall, the City Administrator conducted extensive historical research. That research is summarized in the August 19, 2022 memo, attached as Attachment A to the ordinances. Most importantly, Map 8 of the 1980 Coburg Comprehensive Plan Diagram showed areas zoned Residential, Central Business, and Park, Rec. & Open Space. The property lines of specific properties were not shown, and the demarcation points of each planning designation was fuzzy. There was an area west of Willamette Street at about the location of the current City Hall that was shown designated as Central Business. Lands to the west were designated Park, Rec. & Open Space. It is fair to assume that the 1980 Comprehensive Plan Map meant to designate all of the three lots at issue here as Central Business, as opposed to creating lots that were partially designated Park and Open Space and partially designated Central Business. Accordingly, Map 8 should be interpreted to have designated all of the three lots as entirely Business District. The additional facts presented in the City Administrator's August 19, 2022 memo support that interpretation.

Finally, even if the interpretation of Map 8 presented above were not adopted, the property should be re-redesignated and re-zoned in any event because the thin strip of Parks and Open Space designation would never be developed as a park and the City has no intention of developing a park in this area. Designation of the properties as Central Business District complies with the policies of the comprehensive plan, as is set forth below.

#### **Approval Criteria**

#### **ARTICLE X.E TYPES OF REVIEW PROCEDURES, TYPE IV PROCEDURE**

#### **E. Type IV Procedure (Legislative).**

- 1. Pre-Application Conference.** *A pre-application conference is required for all Type IV applications initiated by a party other than the City of Coburg. The requirements and procedures for a pre-application conference are described in Section F.*

**FINDING:** The City of Coburg initiated this procedure. This criterion is not applicable.

**2. Timing of Requests.** *The City accepts legislative requests twice yearly, meeting January and July application timeline requirements. The City Council may initiate its own legislative proposals at any time.*

**FINDING:** The City of Coburg initiated this procedure. This criterion is met.

**3. Application Requirements.**

**a. Application forms.** *Type IV applications shall be made on forms provided by the City Planning Official or designee.*

**b. Submittal Information.** *The application shall contain:*

- (1) The information requested on the application form;*
- (2) A map and/or plan addressing the appropriate criteria and standards in sufficient detail for review and decision (as applicable);*
- (3) The required fee; and*
- (4) One copy of a letter or narrative statement that explains how the application satisfies each and all of the relevant approval criteria and standards.*

**FINDING:** The City of Coburg initiated this procedure. These criteria are not applicable.

**4. Notice of Hearing.**

**a. Required hearings.** *A minimum of two hearings, one before the Planning Commission and one before the City Council, are required for all Type IV applications, except annexations where only a hearing by the City Council is required.*

**b. Notification requirements.** *Notice of public hearings for the request shall be given by the City Planning Official or designee in the following manner:*

*(1) At least 10 days, but not more than 40 days, before the date of the first hearing on an ordinance that proposes to amend the comprehensive plan or any element thereof, or to adopt an ordinance that proposes to rezone property, a notice shall be prepared in conformance with ORS 227.175 and mailed to:*

- (i) Each owner whose property would be rezoned in order to implement the ordinance (including owners of property subject to a comprehensive plan amendment shall be notified if a zone change would be required to implement the proposed comprehensive plan amendment);*
- (ii) Any affected governmental agency;*
- (iii) Any person who requests notice in writing;*
- (iv) For a zone change affecting a manufactured home or mobile home park, all mailing addresses within the park, in accordance with ORS 227.175;*

*(2) At least 10 days before the scheduled Planning Commission public hearing date, and 10 days before the City Council hearing date, public notice shall be published in a newspaper of general circulation in the City.*

(3) *The City Planning Official or designee shall:*

- (i) *For each mailing of notice, file an affidavit of mailing in the record as provided by subsection 1; and*
- (ii) *For each published notice, file in the record the affidavit of publication in a newspaper that is required in subsection 2.*

(4) *The Oregon Department of Land Conservation and Development (DLCD) shall be notified in writing of proposed comprehensive plan and development code amendments at least 45 days before the first public hearing at which public testimony or new evidence will be received. The notice to DLCD shall include a DLCD Certificate of Mailing.*

(5) *Notifications for annexation shall follow the provisions of this Chapter.*

**FINDING:** Notice was mailed to each property owned whose property would be rezoned to implement the ordinance on November 1, 2022. Notice was given to DLCD on September 20, 2022. These criteria are met.

**7. *Decision-Making Criteria.*** *The recommendation by the Planning Commission and the decision by the City Council shall be based on the following factors:*

- a. Approval of the request is consistent with the Statewide Planning Goals;*

**FINDING:** As explained below, the request is consistent with the Statewide Planning Goals. This criterion is met.

#### **APPLICABLE STATEWIDE PLANNING GOALS:**

##### **GOAL 1: Citizen Involvement**

**FINDING:** This amendment is to correct an error. Property owners support the amendment. The proposed amendment is being placed before the local approval bodies of Coburg to conduct a public hearing. Concerned citizens will have an opportunity to review and comment on the proposed amendments.

##### **GOAL 2: Land Use Planning**

**FINDING:** The proposed amendment allows the desired type of development to occur in the downtown corridor. Correcting this error will remove barriers to commercial development.

##### **GOAL 5: Natural Resources, Scenic and Historic Areas, and Open Spaces**

**FINDING:** The proposed amendment preserves the historic architectural character of the Central Business District, which is within Coburg's National Historic District, by allowing for the uses intended for the district to take place under the regulations of the Zoning Code.

##### **GOAL 9: Economic Development**

**FINDING:** The proposed amendments to the Coburg Zoning Code enhance the code for further economic opportunity in the Central Business district as required by Goal 9. Correcting this error will promote the intended use of the Central Business District.

**STATEWIDE PLANNING GOALS 3,4, 6,7,8, 10 -19 are not applicable to this amendment.**

**CONCLUSION:** The proposed amendments to the Coburg Zoning Map and Comprehensive Plan Map meet the necessary requirements of the applicable Statewide Planning Goals. This amendment does not change the priority or inventory of those related requirements. These criteria are met.

*b. Approval of the request is consistent with the Comprehensive Plan; and*

**FINDING:** As explained below, the request is consistent with the Comprehensive Plan. This criterion is met.

#### **APPLICABLE COMPREHENSIVE PLAN POLICIES AND GOALS**

##### **GOAL 1: Citizen Involvement**

**FINDING:** This amendment is to correct an error. Property owners support the amendment. The proposed amendments will go through the Type IV land use process, which requires at least two hearings.

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**Policy 11:** *Central Business District – The Central Business District designation is intended to establish the downtown area as the historic heart of Coburg. The CBD is the location for smaller scale commercial and business facilities, civic buildings and city functions, and mixed use. The Central Business district will be historic and pedestrian-oriented in character.*

**Finding:** The proposed amendments affect vacant properties where development will significantly contribute to the character of the historic downtown corridor. The proposed amendment allows the desired type of development of the Central Business District to occur in the downtown corridor. Correcting this error will remove barriers to potential commercial or mixed-use development that will enhance the community and promote a pedestrian-oriented character.

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**Finding:** The proposed map amendment will promote the type of environment described in policies 11, 22 and 23 of the Coburg Comprehensive Plan by encouraging appropriate, compatible commercial and mixed-use development.

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*c. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.*

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**8. Approval Process and Authority.**

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*(1) After notice and a public hearing, vote on and prepare a recommendation to the City Council to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative; and*

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*c. If the Planning Commission fails to adopt a recommendation to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative proposal within 60 days of its first public hearing on the proposed change, the City Planning Official or designee shall:*

*(1) Report the failure together with the proposed change to the City Council; and*

*(2) Provide notice and put the matter on the City Council's agenda for the City Council to hold a public hearing make a decision. No further action shall be taken by the Commission.*

**FINDING:** The hearing and approval process and procedure shall be as normal. These findings will be updated following the Planning Commission hearing to reflect the recommendation made. These criteria will be met.

*d. The City Council shall:*

*(1) Approve, approve with modifications, approve with conditions, deny, or adopt an alternative to an application for legislative change, or remand the application to the Planning Commission for rehearing and reconsideration on all or part of the application;*



- (2) Consider the recommendation of the Planning Commission; however, the City Council is not bound by the Commission's recommendation; and
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**11. Final Decision and Effective Date.** A Type IV decision, if approved, shall take effect and shall become final as specified in the enacting ordinance, or if not approved, upon mailing of the notice of decision to the applicant.

**FINDING:** Should Planning Commission and City Council vote to approve the amendment, the ordinance shall specify an effective date. This criterion will be met.

**12. Record of the Public Hearing.**

- a. A record of the proceeding shall be made by a minutes recorder, stenographic, mechanical, or electronic means. It is not necessary to transcribe an electronic record. The minutes and other evidence presented as a part of the hearing shall be part of the record;
- b. All exhibits received and displayed shall be marked to provide identification and shall be part of the record;
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  - (2) All materials submitted by the City Planning Official or designee to the hearings body regarding the application;

- (3) *The v record made by the minutes recorder, stenographic, mechanical, or electronic means; the minutes of the hearing; and other documents considered;*
- (4) *The final ordinance;*
- (5) *All correspondence; and*
- (6) *A copy of the notices that were given as required by this Chapter.*

**FINDING:** The City shall follow record procedures as described. These criteria will be met.



## COBURG CITY COUNCIL ACTION/ISSUE ITEM

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### TOPIC: Resolution 2023-01 SDC Annual Inflation Factor

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Meeting Date: January 10, 2023  
 Staff Contact: Megan Winner, Associate Planner  
 Contact: 541-682-7862, [megan.winner@ci.coburg.or.us](mailto:megan.winner@ci.coburg.or.us)

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#### REQUESTED COUNCIL ACTION

Approve Resolution 2023-01 applying an annual construction cost inflation factor to existing system development charges.

***Suggested Motion:*** "I move to approve Resolution 2023-01, a resolution applying an annual construction cost inflation factor to existing system development charges."

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#### CITY COUNCIL GOAL(S)

Fiscal Stewardship

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#### BACKGROUND

The City of Coburg approved Resolution 2006-08 directing the City to inflate Systems Development Charges annually, utilizing a standard construction cost inflator. Resolution 2023-01 is a resolution that if adopted, sets the construction cost index for the City of Coburg at a 5.6% increase as of January 1, 2023. Branch Engineering has researched the inflation factor providing the planning department with the percentage increase within the 20 city region average construction cost as has been used in the past to calculate the annual increase.

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#### RECOMMENDATION AND ALTERNATIVES

Recommendation is to approve Resolution 2023-01, approving the annual inflation factor to be applied to City of Coburg existing system development charges.

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#### BUDGET / FINANCIAL IMPACT

This will increase the SDC revenues received for new construction.

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**PUBLIC INVOLVEMENT**

None.

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**ALTERNATIVE**

The inflation factor for November 2022, is lower than the past year which was 7.4%. However, it is still tending higher than past years which was between 1.7% – 4.0%. Council can make the decision to increase the SDC fees by a different percentage. However, Council should keep in mind that this is the true construction cost index growth percentage which has been consistently applied for many years by the City.

**NEXT STEPS**

Upon approval of Resolution 2023-01, the City Administrator will finalize the System Development Charge forms for use by staff.

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**ATTACHMENTS**

- A. Draft Resolution 2023-01
- B. System Development Charges FAQs

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**REVIEWED THROUGH:**

**Anne Heath, City Administrator**

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**ATTACHMENT A**  
**RESOLUTION 2023-01**

**A RESOLUTION APPLYING A CONSTRUCTION COST INFLATION FACTOR TO EXISTING SYSTEM DEVELOPMENT CHARGES.**

**WHEREAS**, City of Coburg Resolution 2006-08 directs the City to inflate Systems Development Charges annually, pursuant to a standard construction cost inflator, and

**WHEREAS**, City of Coburg has chosen the November Engineering News Record 2022 City Average Construction Cost Index for this purpose, and

**WHEREAS**, City of Coburg last inflated its System Development Charge rates using the November 2021 cost index of 7.4%, and

**WHEREAS**, The November Engineering News Record 2022-City Average Construction Cost Index increase was 5.6%, and

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Coburg

Effective upon passage of this Resolution, the City’s Systems Development Charges will increase to the following levels:

	Existing Level	New Level
Park SDC		
Residence	\$ 6402	<b>\$6761</b>
Employee	\$ 959	<b>\$1013</b>
Water SDC	\$ 6469	<b>\$6831</b>
Trans SDC	\$ 7245	<b>\$7651</b>
Wastewater SDC	\$ 7355	<b>\$7767</b>

**Adopted** by the **City Council** of the **City of Coburg**, Oregon, by a vote of \_\_\_ for and \_\_\_against, this 10<sup>th</sup> day of January, 2023.

\_\_\_\_\_  
Nancy Bell, Mayor

ATTEST:

\_\_\_\_\_  
Sammy L. Egbert, City Recorder

## ATTACHMENT B



# Systems Development Charges FAQs

If you are applying for a building permit for development, system development charges (SDCs) may apply to your project. SDCs are one-time fees based on the proposed new use or increase in use of a property. They apply to both new construction and residential projects which increase impact to city infrastructure.

**Note:** Depending on the project, SDCs may increase a project's budget substantially. It is important to determine the impact of SDC fees as early as possible in the process. To do this, the City needs to know the proposed water meter size(s), septic system(s), type of use, and estimated number of employees in some cases.

There are four approved SDC charges; water, sewer, transportation, and parks. There is no storm water SDC at this time.

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### SDCs may be charged when:

- There is a change of use or occupancy
- Increased number of water meters (based on number of fixtures)
- Accessory Dwelling Units (ADU) are added
- Increasing the size of a water meter (based on number of fixtures)
- For special projects such as micro-housing

To calculate an estimate, the City needs to know the following: proposed water meter size(s), septic system(s), type(s) of use and square footage.

### Alternate Rate and Fee Calculation

#### ***Transportation***

If you want us to use trip generation rates other than those used in the City's transportation SDC Ordinance and Methodology, you must submit data certified by a professional traffic engineer and attach it to the application.

#### ***Parks***

If you want us to use an alternate number of persons per dwelling unit than those used in the City's Parks SDC Methodology Study, you must submit analyzed and certified documentation by a suitable and competent professional. Alternative SDC rate calculations must be based on

analysis of occupancy of classes of structures, not on the intended occupancy of a particular new development.

### **Optional Credit for Providing Qualified Public Improvements**

#### ***Transportation***

If you want to reduce the amount of your Transportation SDC, you may make improvements to specific transportation facilities that exceed the minimum standard and which are part of the City's Capital Improvement Program for Transportation.

#### ***Parks***

To reduce the amount of your Parks SDC, you may donate property or improvements to certain qualified park facilities that exceed the minimum standard and which are part of the City's Capital Improvement Program for Parks.

### **Timing and Method of Payment**

The City will give you a calculation sheet for SDCs with your Building Permit. **Note:** Your SDC's will be reassessed on January 1st if your permit has not been issued.

### **When and how to pay for the SDCs.**

- Pay by cash, check, money order or credit card at the time the City issues a building permit.
- Water SDCs are due when water services are purchased. Pay by check, money order or credit card.
- Request a payment plan of fee payment for bi-annual payments which require a payment agreement with the Finance Department. Interest shall accrue at 4% during the payment period.
- If payments are delinquent, the City records a lien on the benefited property. The lien remains in effect until the SDCs are paid in full. The City has the option of moving to collections.

### **If You Need Help:**

If you need help with or have questions about your Systems Development Charge (SDC) please call the Planning Department at 541-682-7858 or [planning@ci.coburg.or.us](mailto:planning@ci.coburg.or.us)

### **Q&A**

#### **Q: How are SDCs calculated?**

**A: *Transportation:*** the rate for each mode of transportation is based on the following: 1) amount of money the City needs to collect over the next 20 years to increase the City's transportation system to accommodate growth-related trips. 2) The projected City growth in the next 20 years. The SDC rate is multiplied by the number of trips your proposed land use generates based on nationally compiled statistics.

***Parks:*** The rate is based on the type of building. Demolition credits may apply. Commercial SDCs only apply to new construction, not tenant improvements or change of use.

**Water:** the rate is based on the size of meter installed. Meter size is determined by the number of plumbing fixtures installed at the property. Fire lines are exempt from SDC fees.

**Sewer:** Rates are for either the class and number of residential units or related to the size of a commercial project. Sanitary rates are calculated from equivalent dwelling units (EDUs). Commercial EDUs are estimated from the number and type of plumbing fixture. A table of EDU equivalencies is available upon request from Utility Billing at 541-682-7850.

**Stormwater:** **There is no Stormwater SDC at this time.** However, these are usually based on the square feet of impervious area in the project and the number of trips the new property is expected to generate.

**Q: How often do SDC rates change?**

**A:** The charges are adjusted annually for inflation January 1<sup>st</sup>.

**Q: Are there ways to reduce the SDC?**

**A:** Transportation and Parks each offer an optional alternate rate and fee calculation.

**Q: Are SDC credits available?**

**A:** Credits for providing qualified public improvements are available. You must complete the correct credit form and attach it to the SDC form. Discretionary credits are only approved by City Council.

**Transportation:** Allows credits if you participate in constructing street improvements that exceed the minimum design standard.

**Parks:** Allows credits if you convey qualified property or facilities that exceed the minimum standard. The Coburg Loop Path is a Parks project.

**Sewer:** Gives credits for any EDUs purchased with prior use of the property or payment of the local improvement district assessment for wastewater (December 2014). Credits follow a property and are not transferable.

**Water:** Credit is applied towards the SDC fee of a new metered service. Credits are not transferable.

**Q: Can I give or sell my SDC credits?**

**A:** No.

**Q: Are SDC exemptions or waivers available?**

**A:** No. Not beyond what is legally allowed in the SDC Ordinance and Methodologies.



## COBURG CITY COUNCIL MONTHLY REPORTS




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### TOPIC: Park Tree Committee Annual Appointments

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**Meeting Date: January 10, 2023**

**Staff Contact: Brian Harmon, Public Works Director**

**Contact: 541-682-7857, brian.harmon@ci.coburg.or.us**

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#### REQUESTED COUNCIL ACTION:

Consider the appointment of the voting members to the Parks | Tree Citizen Advisory Committee.

***Suggested Motion: "I move to recommend that Mayor Bell appoint Karen Coury, Tom Beatty, Coleen Marshall, Lonna Meston, Joe Morneau, Mary Mosier and Claire Smith as the seven voting members of the Park Tree Citizen advisory Committee for the calendar year 2023.***

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#### CITY COUNCIL GOAL

General Operations

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#### BACKGROUND

The Committee Bylaws require that in January Council meeting of each year, the City Council appoints voting members to the Parks/Tree Citizen Advisory Committee to serve on the committee for the upcoming calendar year. All terms expire on December 31th of each year.

The City Administrator has appointed Brian Harmon as the non-voting staff representative for the Committee.

It is recommended that following citizens be appointed as voting members for calendar year 2023:

- Karen Coury
  - Tom Beatty
  - Coleen Marshall
  - Lonna Meston
  - Joe Morneau
  - Mary Mosier
  - Claire Smith
-

**PURPOSE**

Appoint the citizens as listed to the Parks|Tree Citizen Advisory Committee for Calendar year 2023. This action is required by the committee bylaws.

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**BUDGET**

N/A

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**RECOMMENDATION**

Appoint citizens as listed to the Parks|Tree Citizen Advisory Committee for Calendar year 2023.

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**NEXT STEPS**

The Committee will elect a Chair and Vice Chair at their next meeting.

Utilize the Parks and Open Space Master Plan as a guide to accomplish the goals as set for with in the plan.

Committee makes recommendations to City Council on matters pertaining to Parks, Trails, Street Trees and related facilities.

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**ATTACHMENTS**

None

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**REVIEWED THROUGH:**

Anne Heath, City Administrator  
Sammy Egbert, City Recorder

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# COBURG CITY COUNCIL MONTHLY REPORTS




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## TOPIC: City Administration Report

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Meeting Date: January 10, 2023

Staff Contact: Anne Heath, City Administrator

Contact: 541-682-7871, [anne.heath@ci.coburg.or.us](mailto:anne.heath@ci.coburg.or.us)

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The following is an overview of important activities during the month of December, general administration, and upcoming work to be done. The City Administrator and Department Directors compiled the information in this report.

### GENERAL ADMINISTRATION

#### STATE OF THE CITY – 6:00 p.m. on January 10<sup>th</sup> followed by the City Council Meeting

- Mayor Elect Bell will give the State of the City Address
- Anne Heath will provide updates and accomplishments
- Mayor Elect Bell will be sworn in as Mayor Bell
- Councilors Engebretson and Wells will be sworn in
- Employee of the Year award
- Employee Longevity award

#### Water Project

- Well under design
- Contract awarded for building road to well site and for the well site pad
- Reservoir Feasibility Study – Is complete and will be presented to the City Council at the scheduled work session on January 24<sup>th</sup>.
- Updated projected costs for water project have been completed and will be presented to the City Council on January 24<sup>th</sup>, along with updated recommendations for increase in utility fees.

#### Street Projects

- **McKenzie Street Rebuild** – Completed
- **Collector Streets** – Will begin design after July, 2023. Lane County has agreed to swap for federal funds, which allows for Coburg to manage this project ourselves in a much more timely manner with our own engineers. It is now projected that this will begin design in the summer of 2023 and be constructed in the summer/fall season of 2024.
- **Macy/Harrison/North Willamette** – Engineering is providing alternative designs for these streets to be presented to the Public in an open house on February 4<sup>th</sup>. There will

be an opportunity for the Public to provide comment, which will be consolidated and presented to the City Council at their February 14<sup>th</sup> meeting. This will allow for Council to give staff direction on how they would like to proceed with the design of these roads.

### **Park Projects**

- **Pavilion Park Planning** – The City has received the permission to proceed on this project. The preliminary design will be presented at the February 4<sup>th</sup> open house in order for the public to provide comment. These comments will be forwarded to the Park|Tree Committee in order for them to complete the final design. The project is expected to be in construction beginning in the fall of 2023, or the spring of 2024 depending on completion of design and contractor availability.

### **Public Works Shop**

- Design is in the final stages and then final design and associated projected costs will be presented to the City Council at their retreat within the information binder provided by staff. The recommendation is for two separate buildings with the majority of the costs associated with one of the buildings being absorbed by Coburg Fire. More details to come on February 4<sup>th</sup>.

**Finance Department Staffing** – The City has posted two positions for finance. One for an Accountant, and one for the Finance Director. We will fill one position with the best suited candidate. This includes either a fully trained Finance Director who can step into the position, or an Accountant who can train in the position with the intention of being promoted to Finance Director upon achievement of expected learning objectives. The recruitment is open until the end of January. It is anticipated that if a sufficient applicant pool is received, interviews will be held between February 6<sup>th</sup> – 15<sup>th</sup>. With the hope that a new hire would begin working in the month of March.

**OMA Response to Homelessness Funding** – The Mayor Elect and the City Administrator met with a representative of OMA to discuss the priorities for Coburg as discussed in the December City Council meeting. In addition to the \$52,600 funds to be received if approved, there is also an opportunity for capital funding outside of this number. The projects we discussed were new heating and air conditioning as well as kitchen updates to the IOOF. This could then serve as a heating and warming shelter with an opportunity for food service, in addition to an emergency response center. Additionally, we considered the expansion of the food bank storage. We are gathering information to be submitted as a one page document for Coburg.

**Insurance Best Practices Survey** – CIS has completed the Best Practice Survey, which serves as the City's risk factor and allows for lower insurance fees as well as discounts. The City scored 97% on the survey. Much of the successful work that boosted our scores was work completed by staff over the last couple of years including the COOP, Emergency Operations Plan, Succession Plan, and Cyber Security Policy. While these projects do take time and effort they pay off in the City reducing our risk factors. **A copy of the survey is attached to this report.**

**Upcoming Meetings**

January 11	Heritage Committee
January 16	City Hall CLOSED Martin Luther King JR Day
January 17	Park Tree Committee
January 18	Planning Commission
January 24	City Council Work Session
January 31	Finance   Audit Commission
February 4	City Council Retreat
February 8	Heritage Committee
February 14	City Council

**DEPARTMENTS AND OPERATIONS****City Recorder | Utility Billing | Office Administration - Prepared by Sammy Egbert****City Recorder**

- December 13<sup>th</sup> to January 10<sup>th</sup> managed two **Public Meetings**. Each meeting is noticed, created, require electronic and paper files for retention. I review edit and process draft minutes for approval then record and post approved signed minutes.
- Prepared public hearing script for the December 21, 2022 Planning Commission. Hearing was Quasi-Judicial for a type 3 land uses.
- 2022 General Election follow up required many changes and updates. **Beginning January 1, 2023**
  - Nancy Bell is Coburg's elected Mayor. (Creating a vacancy on City Council)
  - Cathy Engebretson and Alan Wells have been elected to City Council. (Creating a vacancy on the Planning Commission and Finance Audit Committee.
  - **2022 Coburg Charter** took effect on December 1, 2022. Sent newly adopted Charter to Secretary of State. Posted it on the City website, made it available to all department heads and at the front counter.
  - Creating a FAQ that covers the charter requirements for quorum and vote count for Council. It will clearly explain the vote count for majority of quorum vs. majority of council.
  - Updated the Mayor and City Council pages on the website. Registered the newly elected councilors with Oregon Government Ethics Commission and League of Oregon Cities.
  - Set up email accounts for new councilors, closed and created retention file for email accounts for the councilors who terms expired. Updated internal and external contact sheets.

- **Councilor IPADS updates.** Working with IT to get City Charter, Comprehensive plan and map, Zoning Code and map, Coburg Master Plans, Vision Document and other key documents loaded for all Councilors
- **Orientation and Welcome** for Councilors Engelbretson and Wells.
- Recruitment posted for finance position, City Councilor, Planning Commissioner vacancies.
- Created the **2023 public meetings** scheduled. The City has 75 public meetings scheduled for 2023 this includes City Council, Planning Commission, Budget, Urban Renewal Agency, Park Tree Committee, Finance Audit and Heritage Committee meetings. Worked with front desks staff to get all meetings on the website, reservations in for the “Ray Smith Council Chambers”, and created the required paper and electronic files.
- Preparing for State of the City and City Council Retreat.

#### Administration Front Office

- Facebook posts and updates done regularly.
- Intake **1 Citizen Inquiry** and **1 facility** right of way permit
- Assisting with finance tasks until position is filled.
- January | February front office is busy collecting and processing payments for annual sewer LID’s and business license.
- **Business licenses** management has moved back to an administrative task this year. They have been managed in the court for the last few years. As we process the 2023 renewals the process sheets are being updated.
- Opened the **2023 Park Reservation** calendar for Special Events and Park structures. Confirmed and reserved the standing special event dates. Updated the calendar and files for 2023 reservations.

#### Utility Billing

- **December utility billing covers 11/10 to 12/9**
  - Billed Water \$57,000 | Sewer \$70350 | TUF \$12,425
  - Cash Receipts or Payments Received \$144,200
  - Past dues charged 95
  - 9 Utility Billing related work orders
  - 17 Door Hangers for past due accounts
  - 2 Active payment plans
  - 4 change in service
  - Created 2 new utility billing accounts

## **Finance**

**Finance report for the 2nd quarter of fiscal year 2023, will be presented to the Council at their February 14<sup>th</sup> meeting. In the months in-between financial information will be presented as bullet points within this report. The following is financial information for the month of November.**

- November is the 5<sup>th</sup> month of the fiscal year. If revenues and expenses were spread out over the full year, percentages would be at 40%. However, due to the timing of some projects and revenues received, this percentage may not be accurate for actuals for some budget areas such as property taxes, and capital accounts.
- Overall Revenues and Expenses are net of beginning fund balance and ending fund balance. We are comparing only new revenue sources and expenses against what was budgeted to be received or expended.
- Overall Revenues were at 25% of budget at the end of November. Overall Expenses were at 23%. There is a 2% difference between Revenues and Expenses.
- Property Taxes received were 63% of budget as of the end of November or \$583,860.52. An additional \$260,637 was received in December bringing the total received to date to \$844,498 or 91% of budget.
- \$188,090 of reimbursements for the Water Fund were received in late December
- The City received \$494,263 in reimbursements for the Street Fund at the end of December.
- All Personal Services costs were operating within budget at November 30, 2023.
- All Materials & Services expenses were operating within budget at November 30, 2023.
- Total Cash of the City at November 30, 2022 was \$4,801,060 compared to \$5,361,035 at November 30, 2021, which is a difference of \$560,000. However, Council should keep in mind the very large reimbursements for capital projects received in December, as well as additional property taxes.
- There are no budgetary concerns at this time.

## **Planning – Prepared by Megan Winner**

- SR 01-22 & CUP 01-22: Application for site review and conditional use permit for restaurant and brewery at 91032 S Willamette (old Primrose Lane Antique) awaiting further details requested by Lane County Transportation Planning;
- SR 02-22: Building permit issued for industrial park at 90950 Roberts Rd;
- SUB 02-20: Construction continues. Permit for one new single family dwelling issued in December;
- MA 01-22: Official Zoning Map and Comprehensive Plan Map are being amended to reflect new downtown overlay that was adopted by Council on September 27 and to remove a strip of Park, Recreation and Open Space zoning designation that was

mistakenly left on three lots near City Hall. Planning Commission unanimously recommended approval to Council at the December 13 hearing. Second reading of Ordinance A-200-M and Ordinance A-199-I scheduled for January 10, 2023 City Council Meeting;

- SUB 01-22: Public hearing for an application for phase two of the Coburg Creek Subdivision continued to January 18th, 2023 at 6pm;
- SR 04-22: Application for food truck plaza on Willamette Street deemed complete, public hearing is scheduled for January 18<sup>th</sup> Planning Commission Meeting;
- Nine Structural/Plumbing/Mechanical/Electrical Permits issued in December;
- Participating in Coburg Community Charter School 8<sup>th</sup> grade mentorship program;
- Attended regional transportation meetings including Transportation Planning Committee, Safe Lane Coalition, Transportation Options Advisory Committee and Technical Advisory Sub-Committee (of MPC).

### **Main Streets and Economic Development – Prepared by Tracey Pugh**

- Coordinated Christmas in Coburg activities
- Working on January/February Our Town newsletter
- Organizing Board Retreat for Coburg Main Street
- Coordinated monthly meeting with Main Street Executive Committee and new Board Members
- Creating Main Street Manual/Binders for Board Members
- Working on 2023 Budget for Main Street
- Working on grant opportunities with Ford Family Foundation and Oregon Main Street
- Working on Strategic Plan for Main Street
- Working with Board to establish financial policies, budget, event calendar
- Participating in weekly Oregon Main Street zoom meetings

### **Public Works – Prepared by Brian Harmon**

#### **.Public Works**

- **Streets and ROW.**
  - **Street**
    - **Projects**
      - E McKenzie St Project.
        - Working with Contractor to finish out this project
      - TMDL Updates
    - **Banners**
      - Took down or fixed banners from wind storm
    - **Leaf Pickup**
      - Zone 1 completed on 12-28-22
    - **Special Events**
      - Christmas Parade
    - **Maintenance**



- 4 signs replaced or repaired

#### **Water Utility**

- **New Service**
  - 1 new meter
- **Distribution System**
  - Emergency shutoff on Mill St
- **Projects**
  - Working with Admin and Engineering on designs for multiply projects

- **Sewer Utility**

- **Collections**

- **New Sites**
  - 2
- **Inspections**
  - 8
- **Callouts**
  - 8

- **Treatment Plant**

- **Treatment Plant**
  - Air relief on supernatant pipe froze and broke. Repaired
  - Mix liquor feed pump burned up. Pulled and replaced with new
  - Aeration basin mixer burned up. Pulled and replaced with new
  - Membrane blowers randomly shutting off. No repair made, stopped on its own.

- **Parks Dept**

- **Parks and Tree Committee**

- Work Party worked on Johnny Diamond Park

- **Park Maintenance**

- . Christmas Lights in Pavilion Park

#### **Misc.**

- **Locates** 25
- **Work Orders** 68
- **Total Work Orders for 2022 is 824**

#### **Municipal Court - Prepared by Mandy Balcom**

- **December 2022 Activity Measures:**
  - **Citations (Crimes and Violations)**

- New Citations for December 6, 2022 Court Date: 17
- **December 2022 Court Receipts Including Collections,**
  - **Total Fines:** \$ 8,853.38 (total monies taken in for the month, nothing deducted),  
*compared to \$10,697.03 in December of 2021*
  - **Net Fines:** \$ 4,896.00 (City share only, NOT including collections),  
*compared to \$8,229.00 in December 2021*
- **December 2022 Professional Credit Service Collections:**
  - **Total Collection Revenue:** \$ 3,957.38  
*compared to \$2,468.03 in December 2021*
  - **Turned over to collection:** \$ 33,073.00  
*compared to \$18,165.46 in December 2021*

***Comparisons should only be considered when viewing the year-to-date amounts as court dates are not consistently held on the same dates each month, nor is there consistent cases presented to the court.***

***Other Information:***

- **Upcoming Court Date: January 24, 2023, Regular Court Session**
- **Scanning Project Update**
  - **As of 12/30/22, a total of 20,587 documents have been scanned**  
Compared to 5,235 scanned documents on 12/30/21

**Police Department – Prepared by Chief Larry Larson**

- Officer completed a death investigation.
- Officer investigated an unlawful entry into a motor vehicle.
- Officer took a report for criminal possession of rented property.
- Officer took a report for fraud and has a lead on a potential suspect.
- Officer investigated a theft from the Premier RV Park.
- Officer cited a female for a misdemeanor warrant at Coburg City Hall.
- Officer stopped a suspicious vehicle and arrested both occupants for felony warrants.
- Officer investigated a felony theft from the Premier RV Park.
- Officer took a report of a theft that occurred while a vehicle was at a repair shop.
- Officer investigated a felony theft off Industrial Way.
- Officer investigated criminal mischief by a vehicle that went off the roadway; the officer cited the driver for careless driving.
- Officer investigated a hit and run.
- Officer received a found wallet and returned their license.

- Officers investigated an alcohol DUII; the driver's BAC was 0.18%.
- Officer completed ODOT commercial truck inspections.
- Officers assisted with traffic control during the ice storm.
- Officer conducted compliance checks with city ordinance violations.
- Officer cited a person for illegal parking on Roberts Road.
- Officers responded to a domestic dispute and determined a crime had not been committed.
- Officers enforced several parking violations.
- Officer investigated a hit and run.
- Officer investigated a traffic crash.
- Officers worked bailiff duties at the Coburg Municipal Court.
- Officers worked bailiff duties at the Harrisburg Municipal Court.
- Officers responded to several alarm calls.
- Officers investigated a criminal mischief.
- Officers received a call for theft of gas and damage to a vehicle.
- Officers interviewed potential new reserves.
- Officer investigated a DHS referral regarding child neglect.
- Officers assisted in returning several found dogs.
- Officer took a report for a stolen bicycle.

**Upcoming Events:**

- Concentrated DUII enforcement on 12/31

**Next Police Quarterly Report will be presented at the February 14th City Council meeting.**

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**ATTACHED**

Council requested copies of all public meeting minutes be included in packets monthly.

- November 16, 2022, Planning Commission Minutes APPROVED
- December 14, 2022, Heritage Committee Minutes DRAFT
- December 12, 2022, Planning Commission Minutes DRAFT



**Coburg Planning Commission**  
Hybrid Regular Meeting  
November 16, 2022 at 7:00 p.m.  
Coburg City Hall, 91136 N. Willamette St.  
Coburg, OR 97408

**COMMISSIONERS PRESENT:** John Marshall, Seth Clark, Marissa Doyle and James Bell.  
Via Zoom: Vice Chair, William Wood

**ABSENT:** Jonathan Derby and Alan Wells

**STAFF PRESENT:** Planner, Megan Winner and City Council Liaison, Nancy Bell.

**1. CALL MEETING TO ORDER**

Commissioner Marshall opened the Planning Commission meeting at 7:01 p.m.

**2. ROLL CALL**

Ms. Winner called roll. A quorum was present.

**3. AGENDA REVIEW**

Commissioner Marshall added the topic short-term/vacation rentals for discussion to be added to Item 6. Commission Business; following the Public Hearing.

**4. APPROVAL OF MINUTES**

**MOTION:** *Commissioner Clark moved, seconded by Commissioner Wood to approve the September 21, 2022 Planning Commission Meeting minutes as presented. The motion passed unanimously; Vote 5:0.*

**5. PUBLIC TESTIMONY**

There were no public speakers.

## 6. COMMISSION BUSINESS

- **Planning Commission Reappointments**

Megan Winner said at the previous meeting it had been incorrectly announced that Planning Commissioners Seth Clark, Alan Wells and Jonathan Derby were up for reappointment. Ms. Winner then asked if Commissioner William Wood and Commissioner John Marshall would like to continue to serve on the Planning Commission. They both answered “yes”.

- **Planning Commission Elections Chair & Vice Chair Officers**

Commissioner William Wood agreed to continue serving as Vice Chair.  
Commissioner Jim Bell agreed to serve as Chair.

**MOTION: Commissioner Marshall called for a roll call vote, asking each Commission member to indicate if they supported the motion to elect Commissioner Jim Bell for Chair and Commissioner William Wood for Vice Chair: Commissioner Jim Bell - Y, Commissioner John Marshall - Y, Commissioner Seth Clark - Y, and Commissioner Marissa Doyle - Y.**

***The motion passed unanimously; Vote 5:0.***

- **Review of bylaws for setting meeting time**

The City Council had moved their meeting time from seven to six p.m. and wondered if the Planning Commission wished to do the same.

City Council Liaison, Nancy Bell clarified that it was a temporary change for the City Council. Due to their bylaws, the time change for meetings would not go into effect until February.

**MOTION: Commissioner Bell moved, seconded by Commissioner Clark to move the Planning Commission meetings to a start time of 6:00 p.m., to commence in December and end in April At that time they would review and decide whether to continue with that start time.**

***The motion passed unanimously; Vote 5:0.***

- **Public Hearing**

**MA 01-22 Map Amendments | Recommendations to Council**

Commissioner Marshall asked if there were any conflicts of interest or any reason for a commission member to recuse themselves from the hearing. There were no conflicts. He next asked if anyone wished to challenge the impartiality of anyone on the Commission. There were no challenges. Commissioner Marshall read the regulations for public hearings.

Ms. Winner stated that there were no public speakers.

Commissioner Marshall requested the staff report.

**Staff Report:**

Ms. Winner explained that the request was for two amendments to the Coburg Zoning Map and the Comprehensive Zoning Map. The first proposed change was to amend the official Zoning map and the Comprehensive Plan map to remove a strip of Parks, Recreation and Open Space (PRO) zoning designation that was mistakenly left on three lots in the Central Business District. The second was to add the Downtown Coburg overlay district that was adopted by Council on September 27, 2022 to the boundaries of the Central Business District. Findings for the overlay district were adopted on September 27, 2022 with Ordinance A-200-L and more information could be found in the related file of PA 01-22. Ms. Winner stated this amendment was solely to correct an error and did not approve any development.

In the 1980 map, that whole area was deemed PRO space, prior to 1980 the land was zoned for agriculture. In May of 1994, Ordinance No. A-131-G, (Attachment C) was passed and re-zoned lot #16-03-32-11-2400 from park and open space to residential. The lots for current discussion were not part of the new plat of Coburg Estates. When comparing the latest zoning map with the 1980 Comprehensive Plan Map diagram, one can see how the strip was left out. The strip was not part of the future subdivision plat and was not donated parkland attached to the subdivision. The properties are zoned at the County as Central

Business District and not listed in the Park Master Plan Maps as current or future parkland, as it was never part of the master plan for the future. Ms. Winner concluded her presentation by offering the Commission five options for recommendations to the City Council: 1. approval 2. approval with modifications 3. approval with conditions, 4. denial or 5. adoption of an alternative.

Commission members briefly discussed the information in Ms. Winner's presentation. Commissioner Marshall then concluded the Public Hearing.

**MOTION: *Commissioner Bell moved, seconded by Commissioner Clark to amend the Comprehensive Plan Map and Zoning Plan Map to reflect two changes. The first proposed change to amend the official Zoning Map Comprehensive Plan Map to remove a strip of Parks, Recreation and Open Space (PRO) Zoning designation that was mistakenly left on three lots in the Central Business District. The second to add the Downtown Coburg overlay district that was adopted on September 27, 2022 to the boundaries of the Central Business District.***

***The motion passed unanimously; Vote 5:0.***

- Discussion on Temporary/Vacation, Short-Term Rentals  
Commissioner Marshall brought this issue to the Commission, on behalf of a resident complaint regarding land use and noise ordinances within residential areas.

Ms. Winner shared that currently short term rentals are allowed within the City of Coburg. Property owners are supposed to register with the City of Eugene to pay the transient room tax. Short term rentals are currently a hot issue in many cities. Staff has spoken to legal about looking into the creation of a potential ordinance to address the concern. If Planning Commission wanted staff to prioritize this task, it is encouraged they recommend to Council that short term rental regulations be added to the staff workplan for the upcoming year.

Commissioner Bell summed it up by stating that they were trying to solve disruptions to residential life, noise and parking issues which were covered by existing ordinances and would not necessarily require additional regulations specific to short term rentals. He posed the question; how can small cities or towns enforce noise disturbances and what resources are needed?

Commissioner Wood replied that he felt it was an issue that could be addressed with the existing laws and institutions such as the noise ordinance. He believed that one isolated incident should not be used as a trigger for action on their part.

Commissioner Marshall said that they would not be forwarding this on to The City Council at this time.

## 7. CITY UPDATES

- **City Administration Report | Information Only**  
The next regular meeting for the Planning Commission is scheduled for December 21, 2022 at 6:00 p.m.

Ms. Winner noted that the Planning Commission would be very busy in December addressing several land use applications. She anticipated having a public hearing in December and wondered if the planning group would benefit from an alternative regular meeting date. Ms. Winner stated that she would send out a poll to ascertain the Commission members' availability.

Commissioner Marshall inquired on the progress of the Industrial Park. Ms. Winner answered that the applicant had not yet received a building permit. They were doing grading and

installing utilities. The building permit is in review with Cottage Grove, who the City of Coburg contracts building services with.

Commissioner Marshall inquired on the progress of any development on the east side of the freeway. Ms. Winner replied that she had not received any applications for developments on the east side of I5.

**8. ADJOURNMENT**

Commissioner Marshall adjourned the meeting at 7:45 p.m.  
*(Minutes recorded by Trenay Ryan, LCOG)*

**APPROVED** by The Planning Commission of the City of Coburg on this 21st day of December 2022.

\_\_\_\_\_  
James Bell, Commission Chair

**ATTEST:** \_\_\_\_\_  
Sammy L. Egbert, City Recorder





## MINUTES

### **Coburg Heritage Committee Hybrid Meeting In-Person and via Zoom December 14th, 2022 – 6:00 P.M 91136 North Willamette St.**

**COMMITTEE MEMBERS PRESENT:** Marissa Doyle, Chair; Michelle Shattuck, Vice Chair; Shannon Sardell (via Zoom), Stephan Sheehan (joined at 6:43 pm)

**STAFF PRESENT:** Megan Winner

#### **1. Call the Meeting to Order**

Chair Doyle called the meeting of the Heritage Committee to order at 6:05 p.m.

#### **2. Roll Call**

Ms. Winner called roll. A quorum was present.

#### **3. Minutes for Approval | July 13th, 2022**

**MOTION:** Ms. Sardell moved, seconded by Vice Chair Shattuck, to approve the July 13th, 2022, Heritage Committee meeting minutes as presented. The motion passed unanimously – 3:0:0.

#### **4. COMMITTEE BUSINESS**

- Preservation Plaques Award Ceremony/Distribution Planning

Ms. Sardell asked if another set of plaques was slated for 2023. Ms. Winner responded that it was yet to be determined. She noted that the CLG grant was open and the application was due by the end of February. Ms. Sardell suggested that the Committee distribute the plaques before the grant application was due.

**MOTION:** Chair Doyle moved, seconded by Vice Chair Shattuck, to continue with the Preservation Plaque Awards. The motion passed unanimously – 3:0:0.

A decision by consensus was made to gather at 3:00 pm and present the plaques via walkabout prior to the January 11th meeting, if the recipients were available.

- 2023 Heritage Committee Goals and Priorities

After discussion and adjustments, the amended list read:

1. To seek funding for identifying markers for National Historic District Resources.

2. To increase community involvement in Heritage work
3. To incorporate Ordinance A-226 into the Development Code and to research and implement applicable Historic District codes from other jurisdictions
4. To participate in the planning of Heritage Park and create a location and system for collecting artifacts
5. To increase committee involvement in the CLG Network and training opportunities
6. To conduct a community survey to measure the support for and value of historic preservation in Coburg
7. To involve the elementary school in the Heritage Program

A decision was made by consensus to apply for CLG funds to hire a consultant to help design a system for cataloging artifacts.

**MOTION:** Vice Chair Shattuck moved to accept the list of 2023 goals as amended, seconded by Ms. Sardell. The motion passed unanimously – 3:0:0.

- Quarterly report to City Council

Ms. Sardell volunteered to present the quarterly report.

- Review Ronald Spores' Application

**MOTION:** Vice Chair Shattuck moved to recommend the City Council appoint Mr. Spores to the Heritage Committee, seconded by Ms. Sardell. The motion passed unanimously – 3:0:0.

- Art Contest 2023

The decision by consensus was to have a member attend the next Main Street meeting and suggest that the 2023 Art Contest be combined with the Main Street Art Walk.

Vice Chair Shattuck volunteered to attend.

- Update on Guideline Process

Chair Doyle spoke on her meeting with Ted Corbin. She noted that Springfield had a set of design guidelines. Ms. Kuri Gill was mentioned as a possible resource.

Mr. Sheehan joined the meeting at 6:43 pm.

Chair Doyle continued, saying that the Springfield committee had created a grant program. There was discussion on the possibility of Coburg doing the same.

Chair Doyle shared the importance of collaborating with the City Council. She also suggested that the Committee could print guidelines and hand them out at City events to inform the public.

Ms. Winner pointed out that the City’s new Central Business District form-based code included historic requirements and wondered if the Heritage Committee should specify that their guidelines applied to residential buildings.

**5. Future Meetings | Dates to Remember**

- Next Heritage Committee Meeting: January 11th, 2023: Meeting at 3:00 pm to deliver plaques, then reconvening in the Ray Smith Council Chambers for the Committee meeting.

**6. Adjournment**

Chair Doyle adjourned the meeting at 7:07 p.m.

*(Minutes recorded by Angela Kern)*

**APPROVED** by Heritage Committee on this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

DRAFT

\_\_\_\_\_  
Marissa Doyle, Chair

ATTEST:

\_\_\_\_\_  
Sammy L. Egbert, City Recorder



## Planning Commission

December 21, 2022 at 6:00 p.m.

Coburg City Hall

91136 N. Willamette St.

Hybrid Meeting

**COMMISSIONERS PRESENT:** Chair Jim Bell, John Marshall, Alan Wells, Marissa Doyle and Jonathan Derby

**ABSENT:** William Wood and Seth Clark

**STAFF PRESENT:** Anne Heath and Megan Winner

**GUEST PRESENT:** Anthony Favreau and Derrick Westover

### 1. Call Meeting to Order

Chair Bell opened the Planning Commission meeting at 6:00 p.m.

### 2. Roll Call

Chair Bell called roll. A quorum was present.

### 3. Agenda Review

There were no changes to the agenda.

### 4. Minutes Approval

**MOTION:** Commissioner Marshall moved, seconded by Commissioner Wells to approve the November 16, 2022 Planning Commission Meeting minutes as presented. The motion passed unanimously. Vote: 5:0.

### 5. Public Testimony

There were no public speakers.

## 6. Commission Business

Chair Bell open Public Hearing at 6:02pm on land use application SUB 01-22; submitted by Bruce Wiechert Custom Homes for the Coburg Creek subdivision, first addition.

### Staff Presentation:

Ms. Winner stated that it had recently been brought to the staff's attention that the interested parties from the original Coburg Creek Subdivision should have received notice and been provided an opportunity to comment on the application. To ensure legal requirements were met, it was recommended that the hearing be continued on January 18, 2023 at 6:00 p.m. and that no deliberation or decision would take place that evening.

- The proposal was for a sixteen lot subdivision for home site development including one tract for dedicated Park Land as the first-addition to the Coburg Creek Subdivision. The majority of the subject property was Traditional Residential (TR) with .59 acres of zoned Traditional Medium Residential (TMR), providing for and encouraging increased density. Three lots were designated TMR for duplexes. Twelve lots were designated TR. Lots 30, 31, 32, 33, and 42 contained the minimum lot size for single-family detached units using the 15% modification provided by Article 7A.4.C of the Coburg Zoning Code for the TR District. Those lots contained topographic constraints due to orientation and shape, which were long and narrow. The applicant proposed to deed Track D to the City for Park Land dedication. The proposed Park Land was 9,920 square feet, which was 4.5 feet more than required. Track D would eventually be combined with Track A and developed as a city park.
- To meet density requirements, four duplexes and eleven single-family homes were proposed and one tract of 9,920 square feet in size (Track D) would be deeded to the City of Coburg for eventual Park and Open Space dedication. The density requirements were satisfied as proposed. The minimum units required were 18.8. Lots 34, 36, 37 and 41 were proposed as duplex lots and the eleven remaining lots were proposed for single-family dwellings, for a total unit count of nineteen dwelling units.
- The subdivision currently has access using North Coleman Street. The applicant proposed to connect Macy Street westward for additional access, as required from the original Coburg Creek Subdivision conditions of approval. A full connection of Macy Street was proposed to provide additional access to North Coleman Street to develop the subject property. A twenty-five foot bicycle pedestrian emergency vehicle access easement was proposed to connect Skinner Street, which contained insufficient right of way width and had traffic concerns for vehicular use, and included removable bollards at both ends. Existing topographic constraints of the subject property for lots 28-34 and Track D allowed for an exception to the codes section for minimum block length. Two reserve strips would be required to control access to Skinner Street and to provide a buffer between Van Duyn Street and residential use. One strip would be placed at the northern terminus of Skinner Street and one on the north side of Van Duyn Street.
- The proposal included the creation of new streets. Prior to being issued any building permits, the applicant would be required to submit to the public works director plans for street names. Concise street construction plans would undergo a public

improvement review process by the city engineer prior to construction. A separate approval process would determine the design of Macy Street . Preliminary street plans submitted by the applicant included a proposed dead end at the terminus of Skinner Street, which was constrained by the northern boundary of the Urban Growth Boundary (UGB). The code allowed for exceptions to dead ends for properties that contained topographic or environmental constraints. A reserve strip would be placed on the dead end to preserve access to future development. A traffic impact analysis (TIA) was submitted and the study reviewed by the city engineer. The TIA recommended prohibiting on-street parking in certain areas along the curve to accommodate sight distance. The applicant was required to submit to the city administrator for review and approval of the final plat showing all easements to be dedicated. A permanent nose build easement over lot 32 would be required to accommodate line of sight for vehicles traveling within the proposed public right of way. That easement would prohibit structures, landscaping and other site obstructions above 30 inches in height.

- The City had the ability to serve the proposed lots with city water and sewer services without detriment to the existing service levels. New stormwater facilities were constructed on Tracks B and C as part of Phase-One.
- The applicant was required to submit a street tree plan for review and approval with the public works director before being issued any building permits.

Springfield, Oregon resident Derrick Westover with Bruce Wiechert Custom Homes presented a brief overview of the many steps they took to meet public approval and city requirements. They were unaware and disappointed that the meeting and approval process would be further extended to the following month.

Chair Bell opened the public hearing for discussion and asked if there were any other speakers. Ms. Winner replied that they had received a written testimony from Stanley Shattuck and had distributed it via email to the Planning Commission. There were no additional speakers.

Mr. Marshall asked how much of Macy Street beyond the limits of the property would be the applicant's responsibility. Ms. Heath answered that it would be decided upon by the engineer. Mr. Marshall asked if the pedestrian bike access off North Skinner would be deeded to the City as a public right of way. Ms. Winner answered that it would be and was also a condition of approval that it would be dedicated on the final plat.

Mr. Wells inquired into why reserve strips were required. Mr. Favreau replied that they were to prevent access for the lots that abutted Van Duyn and the one foot reserve strip at the north end of Skinner that abutted the street property to the north, preventing the property owner to the north from accessing that property through that street.

Mr. Wells inquired if there would be a public hearing to discuss the extension design of Macy Street. Ms. Winner answered that she was not certain if it would technically be a public hearing, but it would be a public process. An Open House was scheduled for the beginning of February. Different designs would be presented and there would be an opportunity for public comments.

Mr. Wells asked who would make the final design decisions. Ms. Heath replied that the City of Coburg had the civil engineers submit a few designs so that the public could view them and give their input on them. The final decision was normally up to the engineers based on public input, however the city council may also have some input.

Mr. Marshall asked about streetlights and noted that they were not mentioned within the comprehensive plan. Ms. Winner stated that it was a requirement for empty conduit to be laid for the infrastructures, however community members did not want street lights. They wished to preserve their dark skies.

Mr. Marshall said that in the City Transportation Plan it had been noted that the junction of North Willamette Street and Van Duyn Street was dangerous and would need to be addressed prior to any development to the north. He was not pleased and asked why that had not occurred first. Ms. Heath replied that the City had moved forward and had received funding to do a feasibility study soon. She said she realized that had not fully answered his question, but that the City had also been discussing transportation and the freight route coming through. Ms. Heath stated that if they wished to address City Council immediately then a council decision to give direction for them to move that into the work plan would be needed. The Transportation Committee would meet after the first of the year and they could also make recommendations to the City Council.

Mr. Marshall asked if they could address the City Council on that prior to approval of the subdivision. Mr. Wells replied that it would not be fair to burden the applicants with that, but it was an on-going issue that would continue to grow until someone had gotten hurt.

Ms. Heath stated that a letter was released to the public regarding all residents on Harrison Street and Macy Street, which detailed the process that would take place, that they had been heard and understood and how they would be further contacted and notified.

Chair Bell stated the hearing was temporarily closed until it would resume on January 18, 2023 at 6:00 p.m. at Coburg's City Hall.

## **7. City Updates**

Ms. Heath referred to the City Administrator's report in their packet. She offered a brief update, stating that there were many water and sewer projects currently in the works. A road was being built into the Stallings Lane property. A pad was being constructed to begin drilling of a third well. The Council would be having a Work Session on January 24, 2023 to hear from engineers working on a feasibility study for reservoirs for the City. The property on the hills to the east of the City was not going to work, so a feasibility study was being conducted regarding where it should be placed and what type and size of reservoir would be needed. The Council should receive that study information at the end of January at the Work Session. Mackenzie Street was being wrapped up. Macy, Harrison and North Willamette Streets would be under

design for next summer. Preservation projects for Roberts Road and Roberts Court had been completed. The City of Coburg received federal funds for street upgrades that they would not be able to use until 2025 to 2027, so Lane County agreed to swap funds out for local funds, which allowed for those projects to begin in July of 2023. They had received the go ahead to proceed on the final design and construction of the Pavilion Park, which had also been funded. The February Open House will include the design for Pavilion Park, allowing for the public’s input. The City of Eugene would be managing the preservation work for North Industrial Way and had been funded.

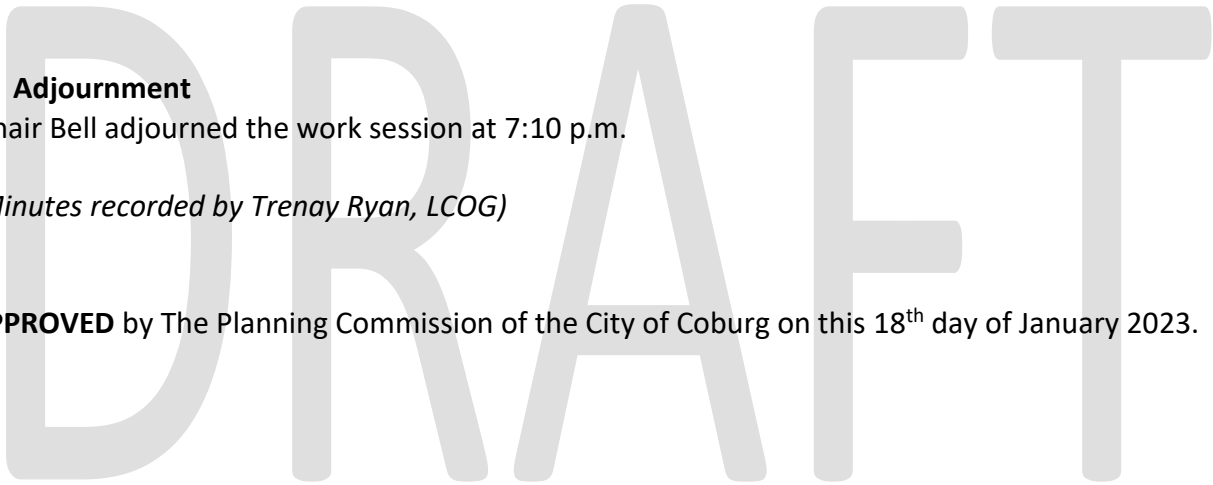
Chair Bell ask with the new State law allowing cities and towns the ability to take over County or State streets his understanding is that we still need a traffic engineer and civil engineer to sign off on what the city proposes. He asked if that was something that LCOG could help us with. Ms. Heath answered that the City engineer, Damian Gilbert is a traffic engineer, but the State may require him to take specific training.

**8. Adjournment**

Chair Bell adjourned the work session at 7:10 p.m.

*(Minutes recorded by Trenay Ryan, LCOG)*

**APPROVED** by The Planning Commission of the City of Coburg on this 18<sup>th</sup> day of January 2023.



\_\_\_\_\_  
James Bell, Commission Chair

**ATTEST:** \_\_\_\_\_  
Sammy L. Egbert, City Recorder