



PLANNING COMMISSION MEETING AGENDA

Santiam Travel Station – 750 S 3rd Street, Lebanon, OR 97355

April 16, 2025

Chair:
Don Robertson

Vice Chair:
Lory Gerig-Knurowski

Commissioners:
Kristina Breshears
Karisten Baxter
Don Fountain
Marcellus Angellford
Shyla Malloy
Mike Miller
Regina Thompson

Community
Development Director
Kelly Hart

Regular Meeting:
6:00 p.m.

6:00 PM - REGULAR SESSION

CALL TO ORDER / FLAG SALUTE

ROLL CALL

MINUTES

February 19, 2025

COMMISSION REVIEW

1. Public Hearing – Planning File AR-25-02, VAR-25-02
Development proposal for a three-unit multifamily property (AR-25-02) including a Class III Variance request for lot size, setback reduction, and reverse vehicle maneuver authorization onto a public street (VAR-25-02). 1008 Hiatt Street (12S 02W 11CD, tax lot 5600)
2. Public Hearing – Planning File A-25-01
Annexation of various street segments, including portions of Crowfoot Road, Kees Street, Wassom Street, and three segments of Stoltz Hill Road.

PLANNING COMMISSION REORGANIZATION – election of a new Chair and Vice-Chair

Section 2.24.070 of the Lebanon Municipal Code requires the Planning Commission to annually, at its regular meeting in April, choose a chairperson and vice-chairperson to preside over the meetings of the planning commission. No officer shall serve a term as such officer for more than four consecutive years; however, such member may be re-elected to such office after an interval of two years.

CITIZEN COMMENTS – restricted to items not on the agenda

COMMISSION BUSINESS AND COMMENTS

ADJOURNMENT

Planning Commission meetings are recorded and available on the City's YouTube page at <https://www.youtube.com/user/CityofLebanonOR>. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the Community Development Center at 541.258.4906



LEBANON PLANNING COMMISSION MEETING MINUTES

February 19, 2025 at 6:00 PM

Santiam Travel Station – 750 3rd Street, Lebanon, Oregon

MISSION STATEMENT

The City of Lebanon is dedicated to providing exceptional services and opportunities that enhance the quality of life for present and future members of the community.

6:00 PM – REGULAR SESSION

CALL TO ORDER / FLAG SALUTE

ROLL CALL

PRESENT

Chair Don Robertson
Vice-Chair Lory Gerig-Knurowski
Karisten Baxter
Kristina Breshears
Alternate Michael Miller
Alternate Regina Thompson

ABSENT

Alternate W. Marcellus Angellford
Don Fountain
Alternate Shyla Malloy

STAFF

Community Development Director Kelly Hart
City Manager Ron Whitlatch
City Attorney Tre Kennedy

MINUTES

1. December 18, 2024 Planning Commission Meetings

The minutes were approved as submitted.

COMMISSION REVIEW

2. Public Hearing – Planning File CI-24-01

A Code Interpretation to clarify whether recreational trails are permitted in the Low-Density Residential (Z-RL) zone.

The public hearing was opened.

Community Development Director Hart presented the staff report. Staff reviewed the Lebanon Municipal Code, Lebanon Development Code, adopted Parks and Trails Master Plans, and relevant Land Use Board of Appeals cases. They interpreted recreational trails to be classified

as parks and recreational facilities, open space, and pedestrian amenities, which are permitted in the Low-Density Residential zone.

Chairman Robertson asked if there are any objections to the process or to the notice provided.

Applicant Laura LaRoque asked why the request was changed to legislative instead of administrative or quasi-judicial. City Attorney Kennedy said that he feels this should be considered legislative because the application applies to multiple properties. He confirmed that notice for a legislative hearing was provided. In response to Chairman Robertson's question as to whether this was acceptable, Ms. LaRoque said the change to legislative was unexpected, and she has not yet considered the implications. However, she does not have any objections at this moment and is fine with proceeding with her testimony.

City Attorney Kennedy clarified the distinction between legislative and quasi-judicial actions.

Applicant's Testimony:

Ms. LaRoque gave an overview of her request expressing opposition to City staff's interpretation that reclassifies recreational trails as parks through an administrative interpretation, instead of through a formal zone code amendment. She reviewed the reasons for her disagreement with the City's position.

Scott LaRoque said that they are not opposed to trails but would just like the code updated.

Testimony Agreeing with Applicant's Interpretation: None

Testimony Agreeing with the City's Interpretation:

Rod Sell, Build Lebanon Trails Board President, distributed trail maps and provided a brief history on Linn County Planning Department's approval of the conditional use permit for the Georgia Pacific Mill Race Trail (GPMRT), which prompted the request for clarification of Lebanon's review process.

Commissioner Baxter asked about the long-term impact of this code interpretation on development. Community Development Director Hart stated that sections identified by the applicant list recreational trails similarly to open space, which staff believes aligns with park use. As a result, she does not anticipate a major impact on development.

She also explained that code interpretations clarify current code until they can be amended. The applicant could have applied for a code amendment, but the City has not had the capacity or need to modify the code. Inconsistencies and interpretations are common, with regular updates being made. City Attorney Kennedy added that as guiding documents change, inconsistencies may arise. As long as there is no obvious intention to violate the law or no clear conflict in interpretation of a code, higher courts will generally allow local governments the freedom to interpret and apply their own codes. Elected bodies dictate policy. Staff provides their best interpretation of the policy's intent.

There was discussion about different classes of use related to impacts and considerations.

City Attorney Kennedy confirmed for Chairman Robertson that the LUBA case referenced was specific to that city's code. He clarified that while it is not binding precedent, it is instructive for analyzing and evaluating the code interpretation presented. There was discussion about using the most restrictive or applying the higher standard when interpreting the code.

Applicant's Rebuttal:

Responding to Commissioner Baxter's question about long-term implications, Ms. LaRoque referenced her Exhibit A, which highlights all instances of recreational trails in the development code. She pointed out that trails and parks are listed separately, allowing them to be used

interchangeably. The main impact would be permitting recreational trails in areas where they were previously not allowed.

City Attorney Kennedy asked Ms. LaRoque if she would still have an argument if the City Council amended the parks ordinance to specifically include the Lebanon trails system as part of the Lebanon parks system. Ms. LaRoque replied that she is unsure as this had not been presented and she has not thought it through.

In response to staff's comment about a discrepancy in the code, she believes it is very clear and there is no inconsistency. She feels that staff is not reading the land use tables or definitions correctly, as they clearly state where recreational trails are permitted.

City Attorney Kennedy asked about the impact of the parks master plan creating ambiguity. Ms. LaRoque responded that the development code should be updated if the City wants to implement the goals and policies of the master plan.

A commissioner asked if the applicants opposed a specific trail near their property. Ms. LaRoque clarified that the development-specific project by the group supporting the City's position is not part of this application. She is not opposed to the trail proposed near her property in Linn County's jurisdiction. Trails may be appropriate in a low- density zone, but she believes they should not be approved based on creative interpretation of the code.

City Attorney Kennedy asked if, assuming Ms. LaRoque is correct and the Council's policy aligns with staff's code interpretation, the issue is merely delaying the implementation of trails rather than stopping them. If a code amendment is needed and there is support for including the trails system, he questioned the ultimate outcome. Ms. LaRoque responded that no active trails are currently affected, so she doesn't believe there would be any delay. A code amendment would be more appropriate.

In response to City Attorney Kennedy's question about whether the master plan, comprehensive plan and zoning ordinance are inconsistent, Ms. LaRoque stated that the master plan may not be in conflict; it could be that the zone map or the comprehensive plan has not been updated, or the alignment not clearly defined.

City Attorney Kennedy stated that the City has never intended for discrepancies between the master plan and zoning interpretations. Staff appreciates the issue being raised and aims to provide interpretations that can be presented to policymakers. His role is to assist staff in offering legally sound interpretations with proper legal implications.

The public hearing was closed.

Commissioner Baxter asked about the application process for developing other recreational trails. Community Development Director Hart explained that they would be classified as open-space parks and recreational amenities, requiring a conditional use permit. If part of the master plan, it would undergo an administrative review. Code interpretations serve to clarify the code temporarily until it can be amended to formalize the changes and eliminate ambiguity.

After commissioner discussion, a motion to approve staff's written code interpretation CI-24-01, was made by Commissioner Baxter, seconded by Commissioner Miller.

Voting Yea: Chair Robertson, Vice-Chair Gerig-Knurowski, Commissioners Baxter, Breshears and Miller. The motion passed 5-1 (Commissioner Thompson dissent vote).

CITIZEN COMMENTS – None

COMMISSION BUSINESS AND COMMENTS

Community Development Director Hart said that there is nothing on the agenda for March, but one application is scheduled for April. The City Council/Planning Commission joint work session will be held on March 26 at noon.

She provided a quick update on SB1537. More information will be presented in April.

There was discussion regarding options for development code text amendments, the process for reviewing master plans, and the Build Lebanon Trails' contribution to the City's trails.

ADJOURNMENT – The meeting adjourned at 7: 32 PM.

Link to YouTube recording - <https://www.youtube.com/watch?v=sycPp6bv0PA>

AGENDA ITEM

1.





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Lebanon, Oregon 97355

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cdc@ci.lebanon.or.us
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MEMORANDUM

Community Development

To: Charmain Robertson and Planning Commissioners Date: April 16, 2025
From: Kelly Hart, Community Development Director
Subject: Development proposal for a three-unit multifamily property (AR-25-02) including a Class III Variance request for lot size, setback reduction, and reverse vehicle maneuver authorization onto a public street (VAR-25-02)

I. BACKGROUND

The subject property is located on the southwest corner of the intersection of Oak Street and Hiatt Street (1008 Hiatt Street, 12S 02W 11CD, tax lot 5600). The Applicant, Harry and Kresta Wallace, are proposing approval of a three-unit multi-family development within the footprint of the existing structures. An application for an Administrative Review (AR-23-01) is under consideration to authorize the three-unit multi-dwelling use, and a Class III Variance for a multi-dwelling use on a parcel smaller than the minimum, a rear setback that does not meet the minimum requirement, and to allow vehicles to back out onto the public street from a property servicing a land use other than a single-dwelling or a duplex.

II. CURRENT REPORT

Project Location and Zoning Designation – The subject parcel is 8,484 square feet and located at the southwest corner of Oak Street and Hiatt Street. The property is zoned Residential High Density (Z-RH). Properties to the north and east are zoned Residential Low Density (Z-RL), and properties to the south and west are zoned Residential High Density (z-RH). All surrounding properties are improved with residential dwellings, including single-unit dwellings, duplexes, and a quadplex to the south.

Development Proposal – The applicant proposes a three-unit multi-dwelling development within the existing structure's footprint. As indicated on the site plan, there is an existing single-dwelling structure oriented toward Hiatt Street and an accessory structure in the rear of the property inclusive of two attached one-car garage units, a second-story accessory dwelling unit above one garage unit, and an improved storage area over the second garage unit. If the application is approved, the applicant intends to convert the storage area into a third dwelling unit. To provide access to each dwelling unit, exterior stairwell entry units will be required.

In terms of setbacks, as per Section 16.05.090 of the Lebanon Development Code (LCD), the minimum observed setbacks are a 10/15-foot front setback and street-side setbacks, side setbacks of 5 feet, and a 20-foot rear setback for primary dwelling units. As indicated on the site plan, the front setback (Hiatt Street) maintains a setback of 18 feet. The street side setback (Oak Street) maintains a setback of 11 feet for the single-dwelling unit and 25 feet for the second

dwelling structure on the west of the property. The side setback (southern property line) maintains a minimum setback of 5 feet for the western dwelling building and 10 feet for the eastern building. For the rear setback, the applicant is requesting a Class III Variance. As the building is currently constructed, it maintains a 10-foot setback. However, to provide access to the new proposed dwelling unit, an exterior staircase would be required to be built along the western and eastern sides of the building, further encroaching into the setback by another 3-3.5 feet. As such, the applicant is requesting the rear setback be reduced to a minimum of six feet to provide construction tolerance and accommodate the additional primary dwelling unit.

For maximum building coverage, Section 16.05.090 authorizes 60% of the property for building coverage. The existing building coverage is 25.3%, with the construction of the two required stairwells, an additional 2.4%, well within the maximum lot coverage. For building height, the maximum height authorized in the Z-RM zone is 40 feet. The tallest structure on the property is the western structure, a two-story building 22 feet in height, which is below the maximum height limit.

For Density, the minimum lot size for a multi-dwelling use in the RH zone is 9,000 square feet. At 8,484 square feet, the subject property is below the minimum standard but may be authorized, subject to approval of a variance. Section 16.05.160 of the LDC indicates the minimum site area for different unit sizes: 1,100 square feet for a studio unit, and 2,000 square feet for a two-bedroom unit.

Unit Type	Number of Units	Total Square Footage
Studio units	2 (1 proposed)	2,200 sq. ft. required
Two-Bedroom	1	2,000 sq. ft. required
TOTAL		4,400 sq. ft.

Open space requirements identified in Section 16.05.170 of the LDC include designating 25% of the project development area for open space and landscaping. Of this open space area, at least 50% shall be usable open space (i.e., not designated for storm drain facilities, etc.), and at least 25% of this usable open space shall be located in one area. The remainder of the open space area may be distributed throughout the site. As proposed, the applicant is providing 44.5% of the site as landscaping, all of which would be usable open space. More than 25% of the usable open space (approximately 1,436 square feet) is centrally located on the site between the two buildings and parking pads. Based on the provided site plan, the development proposal exceeds the minimum requirements for open space.

For parking, Section 16.14.070 of the LDC requires 2.25 vehicle parking spaces per unit and 0.5 bicycle parking spaces per unit. This would require seven vehicle parking spaces and two bicycle parking spaces. Additionally, Section 16.14.030 allows for an authorized parking reduction of up to 10% when four additional covered bicycle parking spaces are provided. With the code-authorized reduction, the minimum required vehicle parking would be six vehicle spaces, and the minimum required bicycle parking would be six covered spaces. The development proposes to meet the minimum vehicle parking requirement with four open parking spaces and two garage spaces. To provide covered bicycle parking, a condition of development will be imposed, requiring the applicant to install bicycle hanging racks within the garage space and/or underneath the stairwells for shelter from the elements.

The site is accessed from three driveways on Oak Street. There are no proposed changes to access as part of this application. Section 16.14.020.N of the LDC states that parking areas for other than single-unit dwellings and duplexes shall be served by a service driveway so that no backing movements or other maneuvering within a street other than an alley shall be required. The existing site condition has been improved with three driveways: one to service an existing parking pad, accommodating parking for the existing single-unit dwelling, and two driveways, each to accommodate the attached single-unit garages and the accessory dwelling unit. As the site is already improved to accommodate the existing condition that permits backing out maneuvers, the proposal would be to authorize the interior remodel of the storage unit for an additional dwelling and to authorize the same vehicle maneuvers as those permitted under the existing condition. To accommodate this, a variance would be required.

Utilities – The site is currently serviced by city sewer, water, and storm drainage. The city utility services can accommodate the addition of one studio apartment.

Variance considerations – The applicant is requesting consideration of three variances: (1) property size, (2) setback reduction, and (3) authorization for vehicle backing movement onto a city street from a multi-dwelling development.

The minimum property size for a multi-dwelling development is 9,000 square feet per the LDC. The subject property is 8,484 square feet. The applicant is requesting a 5.8% reduction in the minimum lot size to accommodate the three-dwelling unit proposal. As indicated above, according to Section 16.05.160 of the LDC, the minimum land area required to accommodate the proposed development's density is 4,400 square feet. Additionally, the minimum landscape area required, as per Section 16.05.170 of the LDC, is 2,121 square feet. The land area needed for six spaces is 1,026 square feet, totaling 7,547 square feet for the entire development. As such, the development can be accommodated within a smaller land area.

For the setback reduction, this is a circumstance based on how the site was developed previously, with the western structure intended as an accessory structure, including an accessory dwelling unit. Per Section 16.05.150 of the LDC, accessory dwelling units only require a minimum setback of 10 feet from the rear yard. With the structure now requested to be converted to a primary dwelling use, per Table 16.05-9 in Section 16.05.090, dwellings require a 20-foot setback. As such, to legally convert the structure to a primary dwelling as part of a multi-dwelling property, a variance is needed to authorize the reduction in the setback. The buildings are existing. The only modification to the building to accommodate the additional dwelling unit will be the construction of exterior staircases to access the dwelling units on the western side of the building. These staircases will result in the rear setback being reduced to approximately six to seven feet. Without the variance, the property will remain a single-dwelling unit with an accessory dwelling unit and storage unit over a two-car garage.

III. REVIEW CRITERIA AND RECOMMENDED FINDINGS – ADMINISTRATIVE REVIEW

The Applicant is requesting consideration of an Administrative Review for the development of a three-unit multi-dwelling housing development. Below is an analysis of the review criteria (Section 16.20.040.D of the LDC) and recommended findings:

1. The proposal shall conform to use, height limits, setbacks and similar development requirements of the underlying zone.

RECOMMENDED FINDING: Per Section 16.05.090 of the Lebanon Development Code (LCD), the minimum observed setbacks are a 10/15-foot front setback and street-side setbacks, side setbacks of 5 feet, and a 20-foot rear setback for primary dwelling units. As indicated on the site plan, the front setback (Hiatt Street) maintains a setback of 18 feet. The street side setback (Oak Street) maintains a setback of 11 feet for the single-dwelling unit and 25 feet for the second dwelling structure on the west of the property. The side setback (southern property line) maintains a minimum setback of 5 feet for the western dwelling building and 10 feet for the eastern building. For the rear setback, the applicant is requesting a Class III Variance. As the building is currently constructed, it maintains a 10-foot setback. However, to provide access to the new proposed dwelling unit, an exterior staircase would be required to be built along the western and eastern sides of the building, further encroaching into the setback by another 3-3.5 feet. As such, the applicant is requesting the rear setback be reduced to a minimum of six feet to provide construction tolerance and accommodate the additional primary dwelling unit.

For maximum building coverage, Section 16.05.090 authorizes 60% of the property for building coverage. The existing building coverage is 25.3%, with the construction of the two required stairwells, an additional 2.4%, well within the maximum lot coverage. For building height, the maximum height authorized in the Z-RM zone is 40 feet. The tallest structure on the property is the western structure, a two-story building 22 feet in height, which is below the maximum height limit.

For Density, the minimum lot size for a multi-dwelling use in the RH zone is 9,000 square feet. At 8,484 square feet, the subject property is below the minimum standard but may be authorized, subject to approval of a variance. Section 16.05.160 of the LDC indicates the minimum site area for different unit sizes: 1,100 square feet for a studio unit and 2,000 square feet for a two-bedroom unit. The project comprises two studio apartments and one two-bedroom dwelling unit, totaling 4,400 square feet.

Open space requirements identified in Section 16.05.170 of the LDC include designating 25% of the project development area for open space and landscaping. Of this open space area, at least 50% shall be usable open space (i.e., not designated for storm drain facilities, etc.), and at least 25% of this usable open space shall be located in one area. The remainder of the open space area may be distributed throughout the site. As proposed, the applicant is providing 44.5% of the site as landscaping, all of which would be usable open space. More than 25% of the usable open space (approximately 1,436 square feet) is centrally located on the site between the two buildings and parking pads. Based on the provided site plan, the development proposal exceeds the minimum requirements for open space. As such, this criterion has been met.

2. The proposal shall comply with applicable access and street improvement requirements in Chapters 16.12 and 16.13, respectively.

RECOMMENDED FINDING: The subject property has already undergone the necessary street improvements, including the construction of a garage, on-street parking, access, and upgrades to the street frontage. According to LDC Section 16.12.020, the property meets the minimum street frontage requirements, providing adequate legal access. The proposed project involves converting an interior space into a dwelling unit without modifying the existing access points, driveways, or curb cuts. Vehicle access will remain unchanged, ensuring traffic circulation complies with LDC Section 16.12.030. The property's existing street frontage and access comply with LDC Section 16.12.050, which requires pedestrian connectivity. Additionally, the requirements outlined in LDC Section 16.13.030 for street improvements associated with new developments have already been met. There will be no new obstructions or changes that affect visibility near driveways or intersections. The proposal meets the clear vision standards outlined in LDC Section 16.12.030(H), ensuring both pedestrian and vehicle safety. Since the project does not alter access points or driveways, traffic circulation remains unaffected. The trivial increase in daily trips does not require further traffic studies or mitigation, as per LDC Section 16.12.010. Based on the findings above, the proposal complies with all access and street improvement standards in Chapters 16.12 and 16.13 of the Lebanon Municipal Code. The existing infrastructure is sufficient to support the project, and no further improvements or mitigation measures are necessary for approval.

3. The proposal shall comply with applicable parking requirements in Chapter 16.14.

RECOMMENDED FINDING: Section 16.14.070 of the LDC requires 2.25 vehicle parking spaces per unit and 0.5 bicycle parking spaces per unit. This would require seven vehicle parking spaces and two bicycle parking spaces. Additionally, Section 16.14.030 allows for an authorized parking reduction of up to 10% when four additional covered bicycle parking spaces are provided. With the code-authorized reduction, the minimum required vehicle parking would be six vehicle spaces, and the minimum required bicycle parking would be six covered spaces. The development proposes to meet the minimum vehicle parking requirement with four open parking spaces and two garage spaces. To provide covered bicycle parking, a condition of development will be imposed, requiring the applicant to install bicycle hanging racks within the garage space and/or underneath the stairwells for shelter from the elements. With the added conditions, this criterion has been met.

The site is accessed from three driveways on Oak Street. There are no proposed changes to access as part of this application. Section 16.14.020.N of the LDC states that parking areas for other than single-unit dwellings and duplexes shall be served by a service driveway so that no backing movements or other maneuvering within a street other than an alley shall be required. The existing site condition has been improved with three driveways: one to service an existing parking pad, accommodating parking for the existing single-unit dwelling, and two driveways, each to accommodate the attached single-unit garages and the accessory dwelling unit. As the site has already been improved to accommodate the existing conditions that permit backing out maneuvers, the proposal would be to authorize the interior remodel of the storage unit for an additional dwelling and to allow the same vehicle maneuvers as those permitted under the existing conditions. With approval of the variance and the proposed conditions of approval, this criterion has been met.

4. The proposal shall comply with applicable screening and landscaping provisions in Chapter 16.15.

RECOMMENDED FINDING: The plans provided in the application materials, incorporated here as referenced, identify the open space areas for the project. To comply with Chapter 16.15 of the development code, a landscape plan has been required as a condition of development to ensure the provision of the appropriate number of trees, shrubs, and ground cover, as well as fencing, to meet the minimum requirements of Chapter 16.15. Given the development conditions, this criterion has been met.

5. Any required public facility improvements shall comply with provisions in Chapter 16.16.

RECOMMENDED FINDING: Sanitary Sewer and Water Service Requirements (16.16.030) Existing sanitary sewer and water infrastructure meet project requirements. No additional improvements are needed. Inadequate Facilities (16.16.030(C)): The existing water and sewer systems are adequate for the proposed unit, with no deficiencies. Storm Drainage Improvements (16.16.040) The development complies with stormwater management and flood runoff standards, as outlined in the City's Storm Drainage Master Plan. Accommodation of Upstream and Downstream Drainage (16.16.040(B) & (C)) Upstream drainage is managed correctly, and there are no downstream deficiencies. Stormwater Release Rate (16.16.040(F)): Stormwater discharge rates will be maintained at pre-development levels. As such, the criterion has been met.

6. Where applicable, the proposal shall comply with development requirements within identified hazard areas and/or overlay zones.

RECOMMENDED FINDING: There are no identified hazard areas within the project site area. The site is not located within a designated floodplain or steep slope area, and it does not contain any mapped hydric soils that indicate potential wetlands. As such, the development proposal complies with this decision criteria.

7. The proposal shall comply with the supplementary zone regulations contained in Chapter 16.19 or elsewhere in the Development Code.

RECOMMENDED FINDING: All accessory structures, uses, and building projections fully comply with the minimum setback standards identified in Chapter 16.05 and Chapter 16.19. A condition has been included to ensure all exterior lighting installed meets the exterior lighting standards stipulated in Chapter 16.19. With the included conditions, this criterion has been met.

IV. REVIEW CRITERIA AND RECOMMENDED FINDINGS – VARIANCE

The Applicant is requesting consideration of a Class III Variance to a reduction in the minimum lot area required for a multi-dwelling development, a reduction in the minimum rear setback, and authorization for a backing movement onto a city street from a driveway for a multi-dwelling

development. Below is an analysis of the review criteria (Section 16.29.050.D of the LDC) and recommended findings:

1. The proposed Variance will not be materially detrimental to the purposes of this Code, to any other applicable policies and standards, or to other properties in the same land use zone or vicinity.

RECOMMENDED FINDING: There are three variances considered: (1) property size, (2) setback reduction, and (3) authorization for vehicle backing movement onto a city street from a multi-dwelling development.

The minimum property size for a multi-dwelling development is 9,000 square feet per the LDC. The subject property is 8,484 square feet. The applicant is requesting a 5.8% reduction in the minimum lot size to accommodate the three-dwelling unit proposal. As indicated above, according to Section 16.05.160 of the LDC, the minimum land area required to accommodate the proposed development's density is 4,400 square feet. Additionally, the minimum landscape area required, as per Section 16.05.170 of the LDC, is 2,121 square feet. The land area needed for six spaces is 1,026 square feet, totaling 7,547 square feet for the entire development. As the property development can be developed in a manner that meets the site standard requirements for density, open space, and the area required for minimum parking within the site area provided, the requested site reduction is not materially detrimental to any other applicable policies and standards for land uses authorized in the zone.

For the setback reduction, this is a circumstance based on how the site was developed previously, with the western structure intended as an accessory structure, including an accessory dwelling unit. Per Section 16.05.150 of the LDC, accessory dwelling units only require a minimum setback of 10 feet from the rear yard. With the structure now requested to be converted to a primary dwelling use, per Table 16.05-9 in Section 16.05.090, dwellings require a 20-foot setback. As such, to legally convert the structure to a primary dwelling as part of a multi-dwelling property, a variance is needed to authorize the reduction in the setback. The buildings are existing. The only modification to the building to accommodate the additional dwelling unit will be the construction of exterior staircases to access the dwelling units on the western side of the building. These staircases will result in the rear setback being reduced to approximately six to seven feet. As the buildings are designed in massing and structural size as an accessory structure, the existing exterior condition on-site remains unchanged, except for the construction of exterior staircases. The exterior staircases are not materially detrimental to the existing on-site condition, and the interior remodel to convert the storage to a residential dwelling would comply with policies and standards applicable in the same land use zone and vicinity.

For vehicle maneuvering, Section 16.14.020.N of the LDC states that parking areas for other than single-unit dwellings and duplexes shall be served by a service driveway so that no backing movements or other maneuvering within a street other than an alley shall be required. The existing site condition has been improved with three driveways: one to service an existing parking pad, accommodating parking for the existing single-unit dwelling, and two driveways, each to accommodate the attached single-unit garages and the accessory dwelling unit. As the site has already been improved to accommodate the existing conditions that permit

backing out maneuvers, the addition of one additional dwelling unit to permit the backing out maneuver from the property would not be materially detrimental. This would result in approximately one additional peak trip per day and up to 7.44 vehicle maneuvers from the property, according to the Institute of Transportation Engineers trip generation rates. This is not materially detrimental, given the residential character of the neighborhood.

2. A hardship to development exists that is peculiar to the lot size or shape, topography, or other similar circumstances related to the property over which the applicant has no control, and that are not applicable to other properties in the vicinity (e.g., the same Land Use Zone).

RECOMMENDED FINDING: The subject property has previously been developed as a single-unit development with an accessory dwelling unit and storage area over a set-over garage. This is an infill property that offers the opportunity to densify, but it has unique site constraints due to the way the established uses were developed in accordance with code applications. The site was initially constructed as a single-unit dwelling; later, a second two-story accessory structure was added to provide an accessory dwelling unit, parking, and storage. This accessory structure was designed to comply with setback standards for accessory structures. As the site was previously a single-unit dwelling, it met the requirements for size, setbacks, and maneuvering space for a backup vehicle. Now that the site is zoned for higher density, there is an opportunity to include an additional dwelling unit within the existing structure. However, as the site is an infill addition, specific zoning standards, such as setbacks and backup maneuvers, are unique to this site and would not be a consideration or concern if it were developed as a greenfield site.

For the lot size variance, there is an unimproved alleyway to the west of the subject property that provides no access, utility, or municipal purpose. This residential block is the only one north of the railroad on Hiatt Street, between the railroad and Isabella Street, with an adjacent alleyway. If this alleyway did not exist, half of its width would be vacated to the subject property, which would add 373 square feet to the property, for a total of 8,857 square feet. This would result in the applicant requesting a 2% reduction in the lot size requirement to accommodate the third dwelling unit, which would be authorized under a Class II Variance, where a hardship determination is not required. As such, since the alleyway does not serve as a necessary access or utility corridor, this is a hardship and unique circumstance experienced on this block of Hiatt Street that affects the subject property, hindering its further urbanization.

3. The use proposed will be the same as permitted under this Code and City standards will be maintained to the greatest extent that is reasonably possible while permitting reasonable economic use of the land.

RECOMMENDED FINDING: The proposed third dwelling unit is consistent with the allowed uses in the Residential High Density (Z-RH) zoning district, which permits multiple dwelling units on a single lot. The proposal meets most of the applicable development standards, including parking and open space, with variances only requested for lot size, rear setback, and vehicle backing maneuvering onto a public street. The requested variances are essential to allow for the reasonable economic use of the property, given the lot's size and configuration, and will not result in a significant deviation from the current use of the land.

The proposed use aligns with the permitted uses outlined in the Lebanon Development Code, and the requested variances are necessary to support a reasonable economic use of the land without compromising city standards.

4. Existing physical and natural systems, such as but not limited to traffic, drainage, natural resources, and parks will not be adversely affected any more than would occur if the development occurred as specified by the subject Code standard.

RECOMMENDED FINDING: The proposed project does not introduce new access points or alter the existing circulation patterns on the property, thereby maintaining the traffic flow in the neighborhood. Existing stormwater and drainage systems are adequate to handle the slight increase in impervious surfaces, and the development will not adversely affect local drainage patterns or result in significant runoff. No additional infrastructure impacts are expected. The proposed variance will not result in any adverse effects on the physical or natural systems within the area, and the development will not have a more significant impact than what would occur if the Code standards were fully adhered to.

5. The hardship is not self-imposed.

RECOMMENDED FINDING: The hardship related to the rear setback and lot size is not self-imposed. The garage was constructed under previous zoning regulations, which allowed for a 10-foot rear setback for an accessory dwelling unit (ADU). The conversion of the ADU into a secondary dwelling unit and the addition of a third unit are a result of recent zoning amendments that allow the higher densities. The hardship arises from the existing development configuration, which complies with prior setback requirements and vehicle maneuvering requirements but does not comply with the higher density development requirements. The alternatives for the site are to pursue variances or to demolish the existing conditions and build new structures that adhere to the zoning standards. This action would also support Comprehensive Plan Housing Recommendation R-3: Encourage the flexible and creative reuse and/or reconfiguration of existing older housing units (e.g., conversion of duplexes or triplexes into single ownership units) to increase the supply of affordable housing units in the community.

6. The Variance requested is the minimum Variance that would alleviate the hardship.

RECOMMENDED FINDING: The requested variance for the reduction in lot size and rear setback is the minimum necessary to allow for the construction of a third dwelling unit on the property. The lot size variance reduces the area by only 516 square feet, while the rear setback variance of 14 feet and the allowance to continue reverse vehicle maneuvering onto a public street are the least amount needed to accommodate the proposed development. No additional variances are needed for other development standards, indicating that the requested variances are the minimum required to alleviate the hardship posed by the lot size and configuration. The requested variances are the minimum necessary to address the specific constraints of the property and enable reasonable development without exceeding what is necessary for compliance.

V. PUBLIC NOTIFICATION AND COMMENTS

A public notification for this project was issued on March 19, 2025. Any comments received before the public hearing date will be provided to the Planning Commission for review and discussion during the meeting. Comments were received by the Fire District, Engineering Department, and the Building Department and have been incorporated as conditions of development for the application.

VI. CONCLUSION AND RECOMMENDED CONDITIONS FOR DEVELOPMENT

Staff finds the proposal complies with the decision criteria for an Administrative Review and Class III Variance, and recommends approval of the application subject to the adoption of the following Conditions of Development:

1. The Planning Department conditions include, but may not be limited to:
 - a. Perimeter fencing along the southern property line shall be maintained.
 - b. A landscape plan shall be submitted and approved before the issuance of certificate of occupancy for the final dwelling unit on the site. The landscape plan shall provide the final calculations to demonstrate compliance with open space requirements. The landscape plan shall provide a mixture of trees, shrubs, and groundcover.
 - c. A minimum of six vehicle parking spaces shall be maintained on-site at all times. A minimum of six covered bicycle spaces shall be permanently maintained. Bicycle spaces may be provided within the enclosed garages or underneath the stairwells to meet the covered standards.
 - d. All exterior lighting provided on the property shall be oriented away from neighboring properties and meet the lighting standards identified in Chapter 16.19 of the development code.
2. All requirements of the Lebanon Fire District shall be met.
3. All requirements of the Engineering Department shall be met.

V. RECOMMENDED ACTIONS

1. Evaluate the public testimony and the record established before the Planning Commission
2. Commission options:
 1. Approve the proposed Administrative Review (AR-25-02) and Class III Variance (VAR-25-02) adopting the written findings for the decision criteria contained in the staff report with the conditions of development; or
 2. Approve the proposed Administrative Review (AR-25-02) and Class III Variance (VAR-25-02), adopting modified findings for the decision criteria and conditions of development; or

3. Deny the proposed Administrative Review (AR-25-02) and Class III Variance (VAR-25-02), specifying reasons why the proposal fails to comply with the decision criteria; and
4. Direct staff to prepare an Order of Decision for the Chair or Vice Chair's signature incorporating the adopted findings as approved by the Planning Commission.



NOTICE OF PUBLIC HEARING

LEBANON PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon Planning Commission on **April 16, 2025 at 6:00 p.m.** in the Santiam Travel Station located at 750 S 3rd Street, to afford interested persons and the general public an opportunity to be heard and give testimony concerning the following matter:

Planning Case No.:	AR-25-02 & VAR-25-02
Applicant:	Wallace Family Trust
Location:	1008 Hiatt Street
Map & Tax Lot No.	12S02W11CD05600
Zoning:	Residential High Density (Z-RH)
Request:	Administrative Review and Class III Variance
Decision Criteria:	Lebanon Development Code Chapters: 16.05, 16.20 & 16.29

Request: The applicant is requesting Administrative Review approval to construct a third dwelling unit. The applicant is also requesting a Variance to the required 9,000 square foot lot area for multi-family and to the required 20' rear yard setback.

Providing Comments: The city will be accepting public comment on this item in several ways to afford interested persons and the public an opportunity to give testimony on the subject matter. Written and verbal testimony will be accepted upon issuance of this notice, **until 5:00pm on Tuesday, April 15, 2025.** Written testimony may be emailed to kelly.hart@lebanonoregon.gov or mailed to the City of Lebanon at 925 S. Main Street, Lebanon, OR 97355, or delivered and dropped in the white mailbox in front of City Hall.



The public is invited to either participate in person at the Santiam Travel Station or watch the meeting virtually on **April 16, 2025.**

If you wish to address the Commission under Public Comments or for a Public Hearing, click: <https://zoom.us/join/zoom/register/fkwaS4NNQjWt5y6FaRm4xA> to register in advance for the meeting. You will receive a confirmation email containing information about joining the meeting. Attendees will need to register to receive the link to the meeting.

Please register ONLY if you wish to address the Commission. If you want to watch or listen to the meeting, please click this link to do so on YouTube: <https://youtube.com/live/3nVAD4STCog?>.

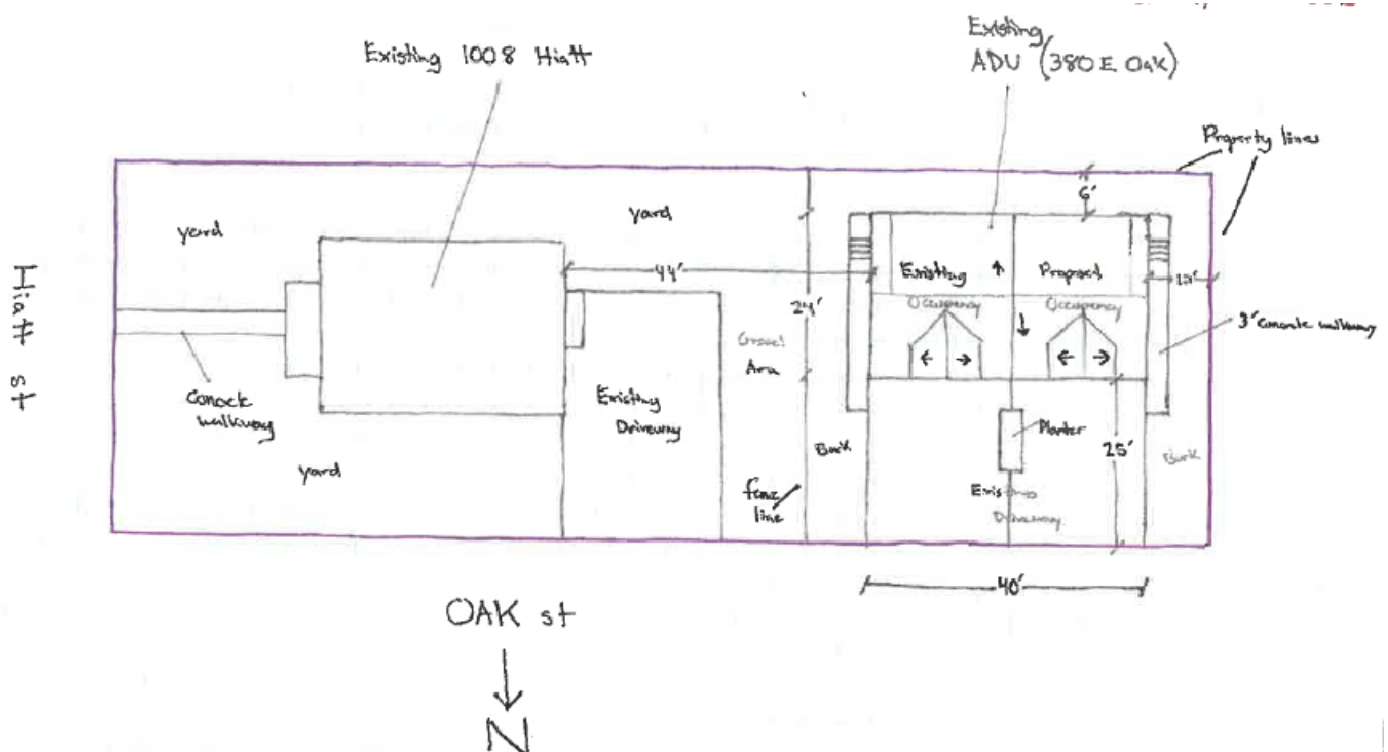
The agenda and application materials will be available for review on the City's website at <https://www.lebanonoregon.gov/meetings> seven days prior to the hearing.

CITIZENS ARE INVITED TO PARTICIPATE in the public hearing and give written or oral testimony as described above that address applicable decision criteria during that part of the hearing process designated for testimony in favor of, or opposition to, the proposal. If additional documents or evidence are provided in support of the application subsequent to notice being sent, a party may, prior to the close of the hearing, request that the record remain open for at least seven days so such material may be reviewed.

Appeals: Failure to raise an issue in the hearings, in person or by letter, or failure to provide sufficient specificity to afford the decision makers an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue. Decisions of the Planning Commission may be appealed to the Lebanon City Council within 15 days following the date the Commission's final written decision is mailed. Only the applicant, a party providing testimony, and/or a person who requests a copy of the decision has rights to appeal a land use decision. The appeal must be submitted on the appeals form as prescribed by City Council with appropriate fee paid and must set forth the criteria issues that were raised which the applicant or party deems itself aggrieved. Please contact our office should you have any questions about our appeals process.

Obtain Information: A copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost and will be provided at the cost of 25 cents per single-sided page. If you have questions or would like additional information, please contact City of Lebanon Community Development Department, 925 Main Street; phone 541-258-4906; email cdc@lebanonoregon.gov.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to 541-258-4906.



ADMINISTRATIVE REVIEW AND VARIANCE (CLASS III) APPLICATIONS

Submitted to: City of Lebanon
Community Development Department
925 S. Main Street, Lebanon, Oregon 97355

Property Owner/Applicant: Wallace Family Trust
P.O. Box 774, Lebanon, OR 97355
Harry and Kresta Wallace
(541) 619-3552 / [REDACTED]

Applicant's Representative: Pathfinder Land Use Consulting, LLC
P.O. Box 484, Lebanon, OR 97355
Laura LaRoque
(503) 503-7197 / laura@pathfinderlanduse.com

Site Location: 1008 Hiatt Street, Lebanon, OR 97355

Linn County Assessor's Map No.: 12S-02W-11CD Tax Lot 5600

Site Size: 8,484 square feet

Existing Land Use: Residential Dwelling and Accessory Dwelling Unit

Zone Designation: Residential High Density (Z-RH)

Comprehensive Plan Designation: Residential Mixed Density

Surrounding Zoning: North: Z-RL
South: Z-RH
East: Z-RL
West: Z-RH

Surrounding Uses: North: Residential
South: Residential
East: Residential
West: Residential



I. Proposal

Harry and Kresta Wallace ("Applicants") seek approval for an Administrative Review and Variance application to allow the following:

1. Administrative Review: Approval of a third dwelling unit, approximately 480 square feet in size.
2. Variance: A reduction in the minimum lot area required for three or more dwelling units from 9,000 square feet to approximately 8,484 square feet (± 516 square feet).
3. Variance: A reduction in the minimum required rear dwelling unit setback from 20 feet to 10 feet along a public alley property line.

The property is a corner lot located southwest of the intersection of East Oak Street and Hiatt Street. It currently includes a primary residential dwelling and a detached two-story garage, with the second floor containing one 480-square-foot area that is improved as an existing accessory dwelling unit. The other 480-square-foot area is currently unfinished and would be developed into a third dwelling unit.

II. Criteria

Lebanon Development Code (LDC)

- Section 16.05.040 Residential Uses Allowed in the Residential Zones
- Section 16.05.090 Residential Zoning – Development Standards
- Section 16.05.120 Residential Zones – Lot Coverage and Impervious Surfaces
- Section 16.05.130 Building Height: Measurement and Exceptions
- Section 16.20.040 Administrative Decision-Making Procedure
- Section 16.29.050 Variances (Class III)

III. Administrative Review - Decision Criteria

Code criteria are written in **bold** and are followed by findings and conclusions.

Criterion 1

The proposal shall conform to use, height limits, setbacks and similar development requirements of the underlying zone.

Findings

- 1.1 The subject property is within the Residential High Density (Z-RH) zoning district. The Z-RH district supports multi-family dwellings at higher densities, primarily located near the downtown area.
- 1.2 The Z-RH zoning district allows the development of up to 19 dwelling units on a single lot with Administrative Review approval.



- 1.3 The subject property currently includes a primary residential dwelling and a detached two-story garage, with the second floor containing one 480-square-foot area that is improved as an existing accessory dwelling unit. The other 480-square-foot area is currently unfinished and would be developed into a third dwelling unit.
- 1.4 The Z-RH district establishes the following requirements for three or more dwelling units:
- a. Minimum lot size: 9,000 square feet
 - b. Minimum lot width: 60 feet
 - c. Maximum building height: 40-foot
 - d. Maximum lot coverage (building coverage only): 60 percent
 - e. Minimum setbacks:
 - i. Front 10/15 feet
 - ii. Side 5 feet
 - iii. Rear 20 feet (dwelling) ; 10 feet (accessory dwelling)
 - iv. Vehicle entry door: 20 feet.
 - v. Architectural features can encroach a maximum of 3 foot into a required side yard setback.
- 1.5 The subject property is a corner lot, approximately 8,484 square feet in size, with a 53.7-foot frontage on Hiatt Street and 158 feet of frontage on Oak Street. This is 516 square feet less than the required 9,000 square feet, necessitating a variance for lot size.
- 1.6 The existing garage setbacks are as follows:
- a. North vehicle entry setback: 25 feet
 - b. East setback: 110 feet
 - c. South setback: 6 feet
 - d. West setback: 10 feet
- 1.7 The garage and accessory dwelling unit meet the minimum 10-foot rear setback requirement. However, as this is a corner lot, either street property line can be designated as the "front" for setback purposes. City staff previously approved the structure with the west property line as the "rear" for setback purposes.
- 1.8 The structure was built to minimum rear setback standard required for an accessory dwelling unit. All other types of dwelling units require a minimum 20-foot rear setback. The purpose of a rear setback is for separation between abutting properties. In this case, the setback is from a property line along a 20-foot-wide public alleyway. Therefore, the provided 10-foot setback and 20 alley width provide a total 30-foot distance between properties.



1.9 Regardless of the rear property line designation, the proposed third dwelling unit still requires a variance for the rear setback as it does not meet the 20-foot minimum requirement.

1.10 Variance findings are provided in Section IV and are incorporated herein by reference.

Conclusions

1.1 The proposal involves the development of three dwelling units on a corner lot in the Z-RH district, a use permitted by Administrative Review

1.2 The subject property requires a variance for its lot size, which is ±516 square feet below the minimum required 9,000 square feet.

1.3 A variance is also needed for the rear setback, as the existing structure does not meet the 20-foot minimum required for three or more units.

1.4 The variances, if granted, will allow the proposed third unit to align with the intent of the zoning district.

Criterion 2

The proposal shall comply with applicable access and street improvement requirements in Chapters 16.12 and 16.13, respectively.

Findings

2.1 Existing Street Improvements and Access:

- a. The subject property has already undergone the necessary street improvements, including the construction of a garage, on-street parking, access, and street frontage upgrades.
- b. As per LDC Section 16.12.020, the property meets the minimum street frontage requirements, providing proper legal access.

2.2 Proposal Details and Impact on Access:

- a. The proposed project involves converting an interior space into a dwelling unit, without modifying the existing access points, driveways, or curb cuts.
- b. Vehicle access will remain unchanged, preserving traffic circulation per LDC Section 16.12.030.

2.3 Pedestrian Connectivity:

- a. The property's existing street frontage and access complies with LDC Section 16.12.050, which requires pedestrian connectivity.
- b. Additionally, the requirements outlined in LDC Section 16.13.030 for street improvements for new developments have already been met.

2.4 Visibility and Safety:

- a. No new obstructions or changes will affect visibility near driveways or intersections.



- b. The proposal complies with the clear vision standards set forth in LDC Section 16.12.030(H), ensuring pedestrian and vehicle safety.

2.5 Traffic Flow and Impact:

- a. The project does not alter access points or driveways, so traffic circulation remains unaffected.
- b. The negligible increase in daily trips does not necessitate further traffic studies or mitigation per LDC Section 16.12.010.

Conclusions

2.1 Based on the findings above, the proposal complies with all access and street improvement standards in Chapters 16.12 and 16.13 of the Lebanon Municipal Code. The existing infrastructure is sufficient to support the project, and no further improvements or mitigation measures are necessary for approval

Criterion 3

The proposal shall comply with the applicable parking requirements in Chapter 16.14.

Findings

- 3.1 Provision and Maintenance of Off-Street Parking: Off-street parking spaces must be provided and maintained as required by LMC Section 16.14.020(A). The existing parking infrastructure is sufficient for the new unit.
- 3.2 Parking Requirements for Residential Uses: LDC Table 16.14.070-1 requires 2.25 spaces per unit for multiple-family dwellings. The property's existing parking, including a garage, driveway, and on-street spaces, meets the required number of spaces. The available off-street parking is adequate for the proposed dwelling unit, and no additional parking spaces are required for compliance.
- 3.3 Parking Design and Maneuverability Standards: LDC Section 16.14.080 requires off-street parking to meet standards for access and circulation. The current layout meets these standards, and no turnaround is needed.
- 3.4 Parking Reductions: LDC Section 16.14.090, parking reductions can be considered for low-demand units. The small size of the new unit (480 square feet) results in minimal parking impact.

Conclusion

- 3.1 The proposal complies with all parking requirements in Chapter 16.14. Existing parking facilities are sufficient, and no additional modifications are needed for approval.

Criterion 4

The proposal shall comply with applicable screening and landscaping provisions in Chapter 16.15.



Findings

- 4.1 Screening Requirements (Section 16.15.030) A fully sight-obscuring fence at least six feet high is required for visual and noise separation. The property already includes a fence that meets these standards, providing the necessary screening between the proposed third unit and adjacent properties.
- 4.2 Landscaping Requirements (Section 16.15.030) Landscaping ground cover and shrubs are required by the General Landscaping Standards. The property already includes ground cover and vegetation that meets these standards standard.

Conclusion

The proposal complies with all screening and landscaping provisions in Chapter 16.15. The existing fence meets the required screening, and the landscaping complies with the necessary standards. No further modifications are required.

Criterion 5

Any required public facility improvements shall comply with the provisions in Chapter 16.16.

Findings

- 5.1 Sanitary Sewer and Water Service Requirements (16.16.030) Existing sanitary sewer and water infrastructure meet project requirements. No additional improvements are needed.
- 5.2 Inadequate Facilities (16.16.030(C)) Existing water and sewer systems are adequate for the proposed unit, with no deficiencies.
- 5.3 Storm Drainage Improvements (16.16.040) The development complies with stormwater management and flood runoff standards, following the City's Storm Drainage Master Plan.
- 5.4 Accommodation of Upstream and Downstream Drainage (16.16.040(B) & (C)) Upstream drainage is properly managed, and there are no downstream deficiencies.
- 5.5 Storm Water Release Rate (16.16.040(F)) Stormwater discharge rates will be maintained at pre-development levels.

Conclusion

- 5.1 The proposal complies with all applicable sanitary sewer, water service, and storm drainage requirements in Chapter 16.16. The existing infrastructure is sufficient, and no further improvements are necessary.

Criterion 6

Where applicable, the proposal shall comply with development requirements within identified hazard areas and/or overlay zones.

Findings

- 6.1 Overlay Zones Applicability



- No Applicable Overlay Zones on Site: A review of the property confirms that none of the following overlay zones are present on-site:
 - Airport Overlay Zone (AP-OZ) (16.11.020)
 - Riparian Protection Overlay Zone (RIP-OZ) (16.11.030)
 - Steep Slope Development Overlay Zone (SSD-OZ) (16.11.040)
 - Special Transportation Area Overlay Zone (STA-OZ) (16.11.050)
 - Limited Use Overlay Zone (LU-OZ) (16.11.060)
 - Flood Plain Overlay Zone (FP-OZ) (16.11.070)
 - 16.11.080 Bioscience and Technology Overlay Zone (BST-OZ)

Conclusion

6.1 The proposal complies with the applicable regulations for overlay zones, as the site is not subject to any of the listed overlay zones, and this review criterion is not applicable.

Criterion 7

The proposal shall comply with the supplementary zone regulations contained in Chapter 16.19 or elsewhere in the Development Code.

7.1 No Applicable Supplementary Zone Regulations: A review of the development proposal and the applicable supplementary zone regulations contained in Chapter 16.19 of the Lebanon Development Code reveals that none of the specific provisions within this chapter apply to the proposed development.

Conclusion

7.1 The proposal complies with the applicable requirements of the supplementary zone regulations, as none of the provisions in Chapter 16.19 are relevant to the current development. Therefore, this review criterion is not applicable.

IV. Variance - Decision Criteria

Code criteria are written in **bold** and are followed by findings and conclusions.

Criterion 1

The proposed Variance will not be materially detrimental to the purposes of this Code, to any other applicable policies and standards, or to other properties in the same land use zone or vicinity.

Findings

- 1.1 The proposed variance does not conflict with the overall goals of the Lebanon Development Code, as it supports the residential character of the zoning district by allowing for the development of a third dwelling unit in an area where multi-family dwellings are permitted.
- 1.2 The variance will not adversely affect neighboring properties, as the proposed dwelling unit will be located in a manner consistent with the surrounding residential development.



Conclusion

- 1.1 The proposed variance is not detrimental to the purposes of the Lebanon Development Code or surrounding properties and complies with the intent of the Residential High Density (Z-RH) zoning district. It supports the goals of providing residential development while maintaining neighborhood integrity.

Criterion 2

A hardship to development exists that is peculiar to the lot size or shape, topography, or other similar circumstances related to the property over which the applicant has no control, and that are not applicable to other properties in the vicinity (e.g., the same Land Use Zone).

Findings

- 2.1 The subject property is a corner lot of 8,484 square feet, approximately 516 square feet smaller than the required 9,000-square-foot minimum for three units in the Residential High-Density (Z-RH) zoning district. The lot's unique configuration, with two street frontages and an alley at the rear, complicates compliance with zoning requirements for setbacks and lot size.
- 2.2 The existing lot size and shape impose a hardship that is peculiar to this property and not applicable to other properties in the vicinity. The combination of two street frontages and an alley creates an unusual development constraint that is not commonly encountered in similarly zoned properties. This hardship is not self-imposed, as it results from the original platting and layout of the lot, over which the applicant has no control.
- 2.3 A property line adjustment, which might otherwise alleviate the setback and lot size challenges, is precluded due to existing development on adjacent properties. This condition further underscores the unique nature of the hardship, as other properties in the area do not face similar limitations.
- 2.4 Vacating the alley would eliminate the need for a variance by increasing the available development area, thereby enabling compliance with the required setbacks and lot size. However, obtaining the necessary written consent from neighboring property owners for the street vacation is complicated and challenging, requiring cooperation from a significant portion of the affected property owners. This creates substantial hardship for the applicant and limits their ability to proceed with a compliant development.
- 2.5 The existing structures on the property, including the garage and accessory dwelling unit (ADU), were built under previous zoning regulations that did not require the same setbacks or lot size as those now mandated for three dwelling units. This further complicates compliance with current standards without a variance.
- 2.6 Granting a variance would allow for reasonable use of the property consistent with the zoning district's intent without adversely impacting neighboring properties. The requested relief is the minimum necessary to accommodate a third dwelling unit above the garage while maintaining compatibility with the surrounding area.



Conclusion

- 2.1 The hardship of meeting the zoning standards for setbacks and lot size is directly related to the unique configuration of the subject property, including its corner location, irregular lot shape, and the presence of the public alley. These are circumstances over which the applicant has little control, and they are not applicable to other properties in the vicinity.
- 2.2 The alleyway presents a significant constraint to the development, and while vacating the alley would alleviate the need for variances, the process of obtaining the required consents for an alley vacation is nearly impossible. This additional complexity further exacerbates the hardship experienced by the applicant, as the vacation process is burdensome and unlikely to be completed.

Criterion 3

The use proposed will be the same as permitted under this Code and City standards will be maintained to the greatest extent that is reasonably possible while permitting reasonable economic use of the land.

Findings

- 3.1 The proposed third dwelling unit is consistent with the allowed uses in the Residential High Density (Z-RH) zoning district, which permits multiple dwelling units on a single lot.
- 3.2 The proposal meets most of the applicable development standards, including parking, street access, and landscaping, with variances only requested for lot size and rear setback.
- 3.3 The requested variances are essential to allow reasonable economic use of the property, given the lot's size and configuration, and will not cause significant deviation from the current use of the land.

Conclusion

- 3.1 The proposed use aligns with the permitted uses under the Lebanon Development Code, and the requested variances are necessary to support reasonable economic use of the land without compromising city standards.

Criterion 4

Existing physical and natural systems, such as but not limited to traffic, drainage, natural resources, and parks will not be adversely affected any more than would occur if the development occurred as specified by the subject Code standard.

Findings

- 4.1 The proposed project does not introduce new access points or change the existing circulation patterns on the property, thus maintaining traffic flow in the neighborhood.



4.2 Existing stormwater and drainage systems are adequate to handle the small increase in impervious surfaces, and the development will not adversely affect local drainage patterns or result in significant runoff.

4.3 No additional infrastructure impacts are expected.

Conclusion

4.1 The proposed variance will not result in any adverse effects on the physical or natural systems within the area, and the development will not have a greater impact than what would occur if the Code standards were fully adhered to

Criterion 5

The hardship is not self-imposed.

Findings

5.1 The hardship related to the rear setback and lot size is not self-imposed. The garage was built under previous zoning regulations with a 10-foot rear setback for an accessory dwelling unit (ADU). The conversion of the ADU into a secondary dwelling unit and the addition of a third unit result from recent zoning amendments allowing multiple dwelling units on a single lot.

5.2 The hardship arises from existing development, which complied with prior setback requirements but no longer meets the current 20-foot rear setback for a dwelling unit.

5.3 The noncompliance with the lot size requirement is also due to the property's original dimensions. The lot is 8,484 square feet, which is smaller than the 9,000-square-foot minimum required for three dwelling units in the Residential High-Density (Z-RH) zoning district. This condition, based on the lot's size and configuration, is not a result of actions taken by the applicant.

Conclusion

5.1 The hardship is not self-imposed, as it results from pre-existing development under previous zoning regulations and changes in zoning laws. The rear setback and lot size issues are due to existing conditions and regulatory changes, not actions taken by the applicant.

Criterion 6

The Variance requested is the minimum Variance that would alleviate the hardship.

Findings

6.1 The requested variance for the reduction in lot size and rear setback is the minimum necessary to allow for the construction of a third dwelling unit on the property. The lot size variance reduces the area by only 516 square feet, and the rear setback variance of 10 feet is the least amount needed to accommodate the proposed development.



6.2 No additional variances are needed for other development standards, indicating that the requested variances are the minimum required to alleviate the hardship posed by the lot size and configuration.

Conclusion

6.1 The requested variances are the minimum necessary to address the specific constraints of the property and enable reasonable development without exceeding what is necessary for compliance.

II. Overall Conclusion

As proposed, the applications for Administrative Review and Variance satisfies all applicable review criteria as outlined in this report.

III. Attachments

- A. Tax Map Excerpt
- B. Site Plan
- C. Floor Plan, Ground Floor
- D. Floor Plan, Second Floor
- E. North Elevation



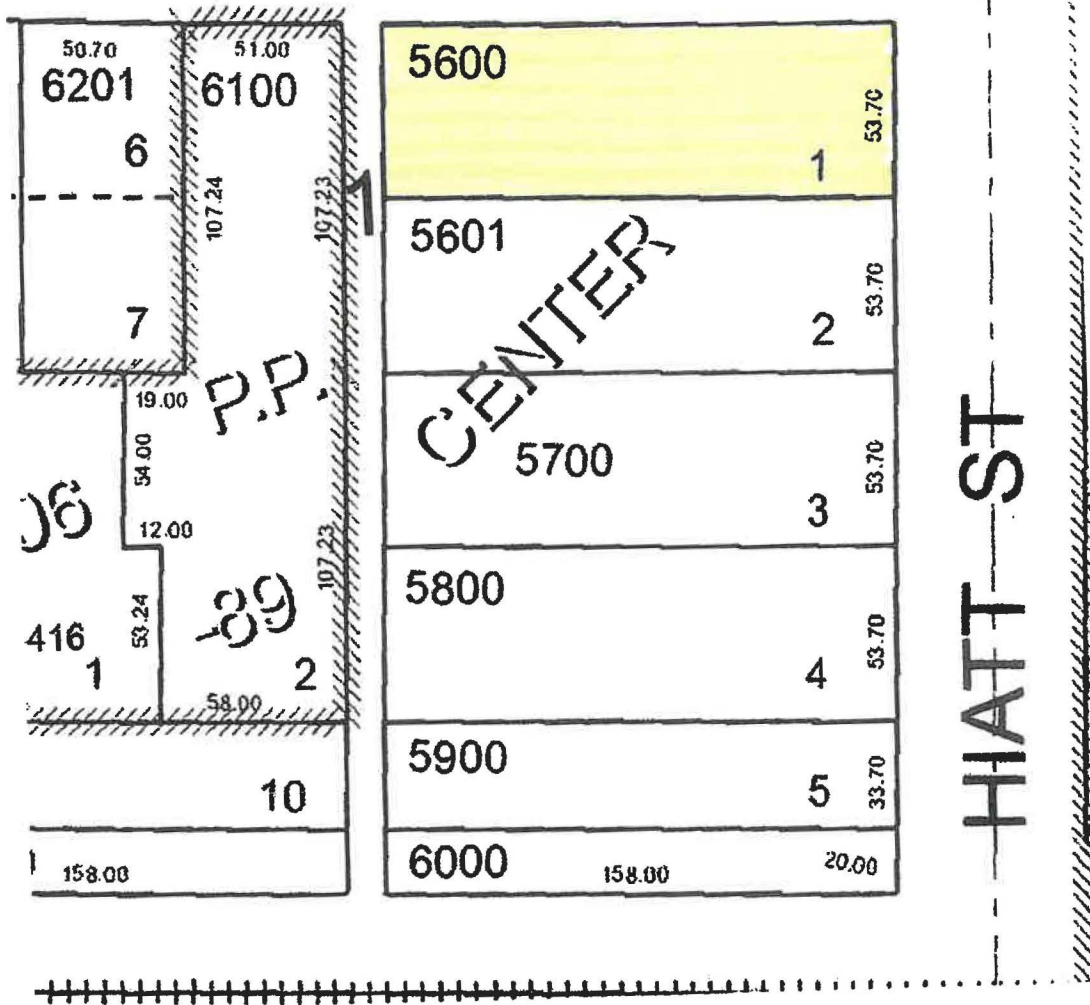


1008 Hiatt / 380 E Oak

Lebanon, OR

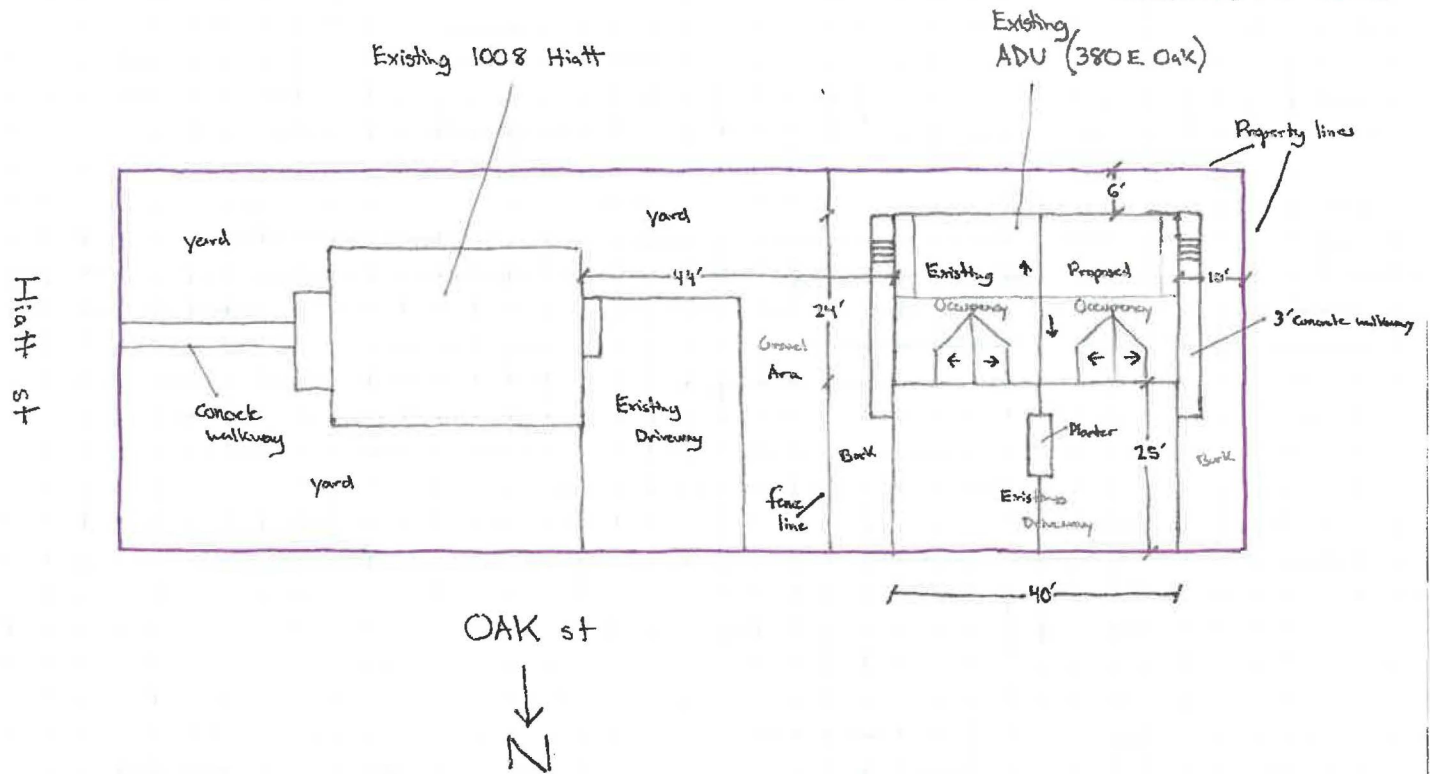


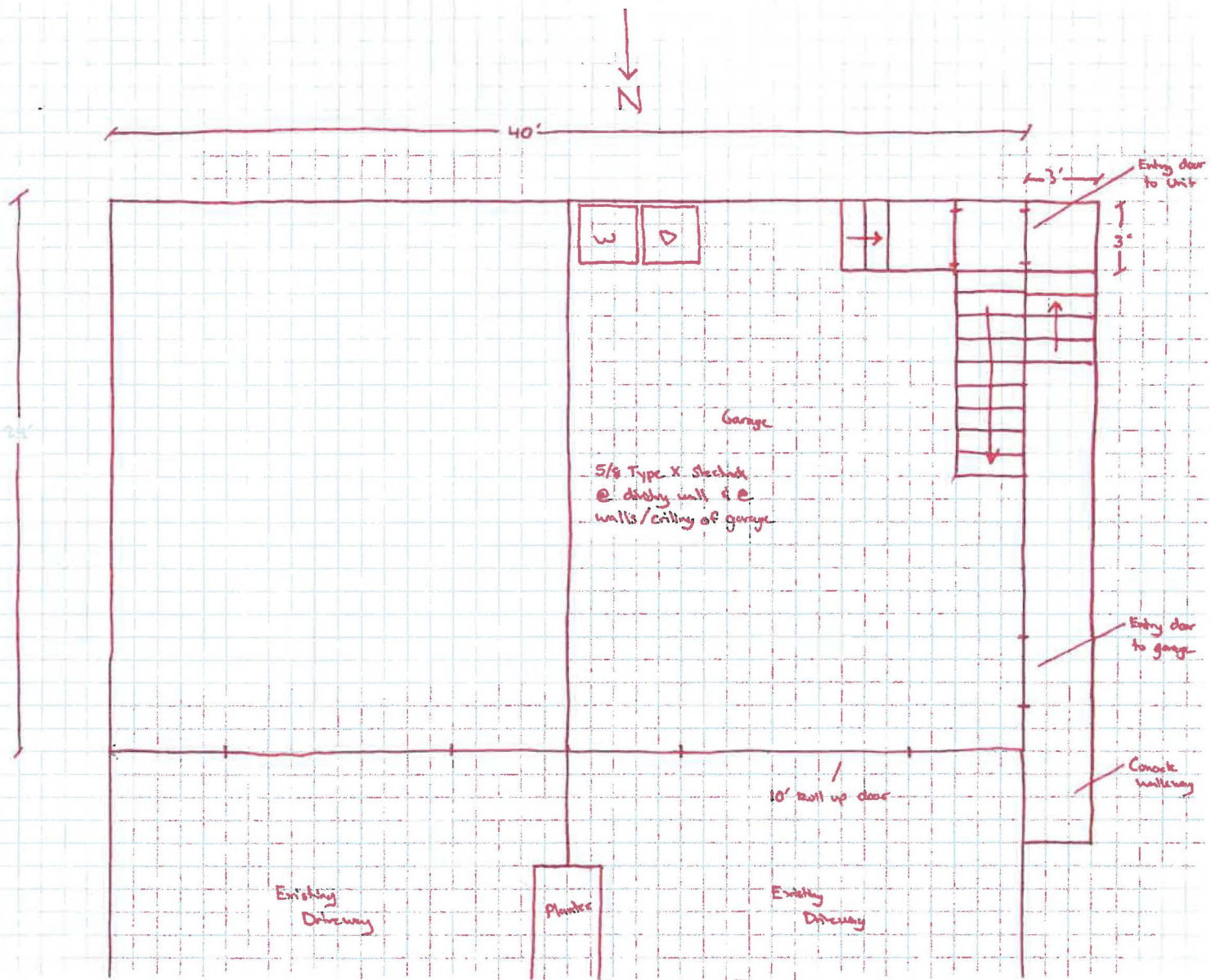
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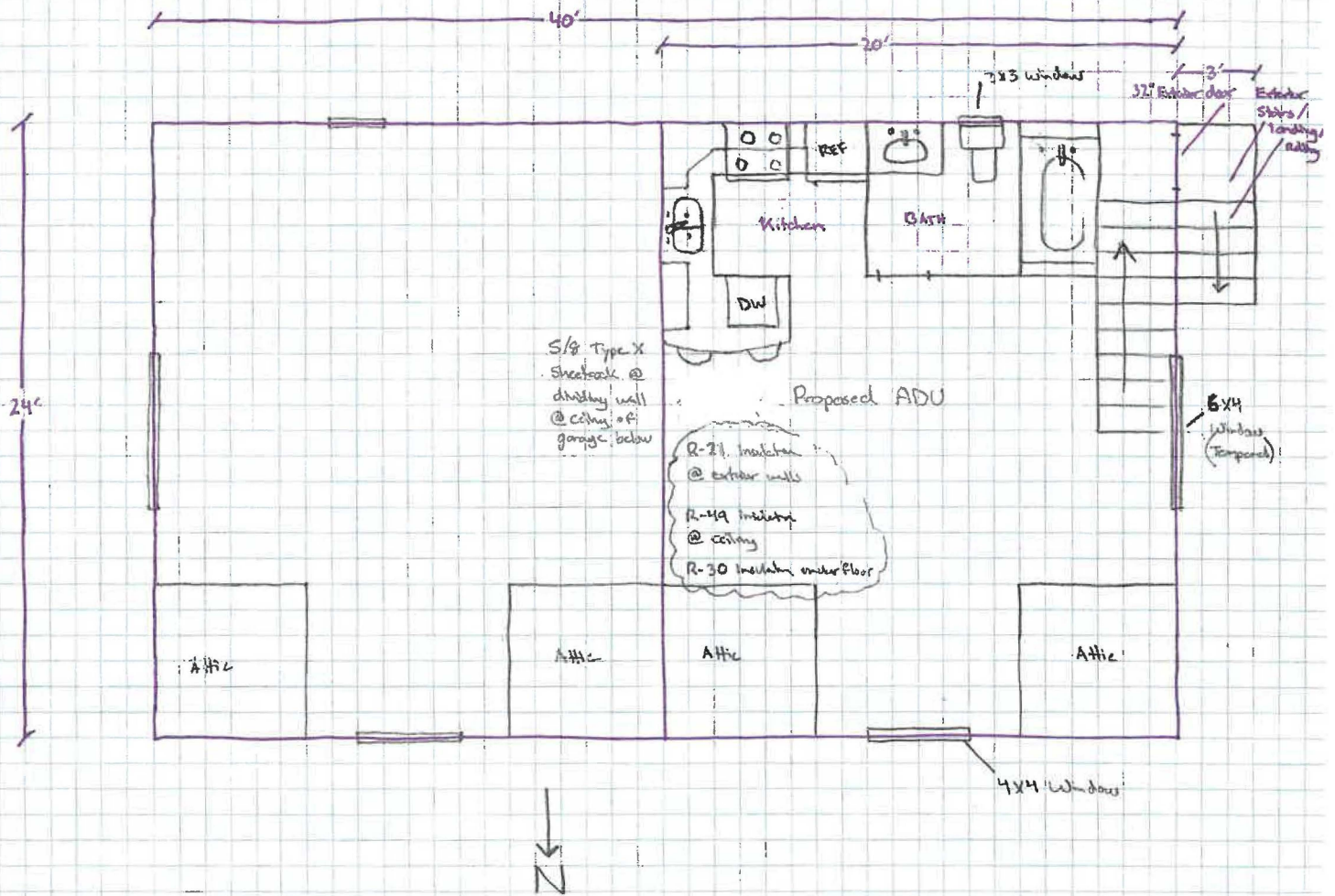
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Lebanon, OR 97355





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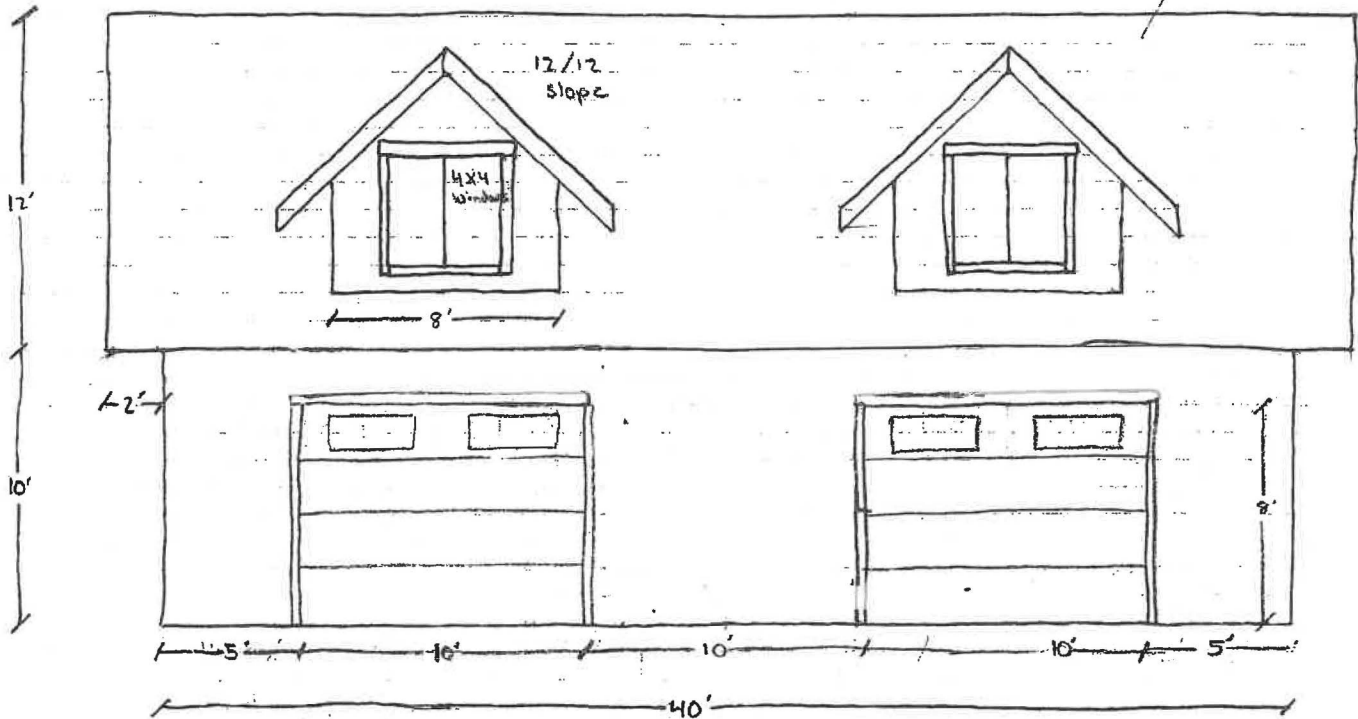


North Side

Existing Building

West side
proposed occupancy

Architectural 1200



AGENDA ITEM

2.





925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4906
cdc@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Community Development

To: Lebanon Planning Commission
From: Kelly Hart, Community Development Director
Subject: Planning File No. A-25-01 – Annexation of various street segments

Date: April 16, 2025

I. BACKGROUND

Under consideration is the proposed annexation of various street segments within the UGB into the City, including portions of Crowfoot Road, Kees Street, Wassom Street, and three segments of Stoltz Hill Road. As annexations have occurred throughout the City, some applications included annexation of the public right-of-way along the length of the property segment, while others have not. This has resulted in a patchwork of city and county jurisdiction throughout the street network.

II. CURRENT REPORT

The purpose and intent behind the proposed annexations are to organize the jurisdictional boundaries of the City. This will assist the police and sheriff's departments in enforcement actions and enable our local police department to enforce parking restrictions throughout the City more effectively. As streets are not assigned a zoning designation, the only action under consideration is the land annexation. There is no initial zoning assignment associated with this procedure.

III. REVIEW CRITERIA AND RECOMMENDED FINDINGS

All of the proposed street segments are located within the City's Urban Growth Boundary (UGB) and are eligible for annexation into the City limits. Annexation application and review requirements are contained in Chapter 16.26 of the Lebanon Development Code. Annexations require a hearing before the Planning Commission and City Council. The purpose of the Commission hearing is to review the request and recommend whether the Council should approve or deny the Annexation.

Section 16.26.060 outlines the decision criteria for annexation, including specific requirements outlined in Section 16.26.060.A. This Section requires compliance with provisions in the City Annexation Ordinance and Lebanon Comprehensive Plan, Chapter 3 – Urbanization. Essentially, the Annexation Ordinance and Comprehensive Plan decision criteria are the same. The findings are combined to avoid duplication:

1. Annexation Ordinance Section 2. - All Annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance (i.e., Development Code), City of Lebanon/Linn County Urban Growth Management Agreement and shall be consistent with applicable State law.

Comprehensive Plan Annexation Policy #P-19: [The City shall] recognize and act on the basis that all annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance, City of Lebanon/Linn County Urban Growth Management Agreement (UGMA), and shall be consistent with applicable State law.

RECOMMENDED FINDING: The application sites include public street segments located within the City of Lebanon Urban Growth Boundary and are contiguous with city limits; therefore, they are eligible for annexation, as per the Annexation Ordinance and the Municipal and Development Codes. The annexation does not include a Comprehensive Plan Map Amendment, as no zoning has been assigned to public rights-of-way. As the street segments are existing, it is determined that the annexation has already been accounted for in the City's Facilities Plan, including the Transportation System Plan. The proposal complies with the Annexation requirements.

2. Annexation Ordinance Section 3. - All Annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

Comprehensive Plan Annexation Policy #P-20: [The City shall] recognize and act on the basis that all annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

RECOMMENDED FINDING: The Annexation Ordinance policies are consistent with, and often mirror, the Comprehensive Plan Annexation Policies. The State acknowledges that the City's Comprehensive Plan complies with all applicable Statewide Planning Goals and statutes, recognizing the consistency of the Plan goals and policies. Therefore, compliance with the applicable Comprehensive Plan policies ensures compliance with the Annexation Ordinance. Findings in the following Sections detail this proposal's compliance with all applicable policies.

3. Annexation Ordinance Section 4. - All lands included within the Urban Growth Boundary are eligible for annexation and urban development. Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.

Comprehensive Plan Annexation Policy #P-21: [The City shall] recognize and act on the basis that all lands included within the Urban Growth Boundary are eligible for annexation and urban development. (Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.)

RECOMMENDED FINDING: All lands included in the annexation proposal are improved public rights-of-way. There are no identified environmental constraints, and no development would occur within the annexation areas.

4. Annexation Ordinance Section 5. - The City shall only annex land that is contiguous to the existing City limits and is within the City's UGB.

Comprehensive Plan Annexation Policy #P-22: [The City shall] only annex land that is contiguous to the existing City limits and is within the City's UGB.

RECOMMENDED FINDING: All right-of-way segments included in the annexation proposal are contiguous with properties within city limits.

5. Annexation Ordinance Section 6. - An annexation shall be deemed orderly if the annexation territory is contiguous to the existing City limits. An annexation is efficient if the annexation territory can be developed or redeveloped to an urban use. Urban uses may include wetlands, parks, open space and related uses.

Comprehensive Plan Annexation Policy #P-23: [The City shall] deem an annexation orderly if the annexation territory is contiguous to the existing City Limits, and deem an annexation efficient if the annexation territory can be developed or redeveloped to an urban use (urban uses may include functional wetlands, parks, open space and related uses).

RECOMMENDED FINDINGS: All land included in the annexation proposal is improved public rights-of-way. No zoning will be designated for the property, as it is land reserved for public rights-of-way. The annexation of these street segments is orderly, as they are contiguous to existing city limits. The annexation would allow for orderly development and redevelopment of properties within the City, as the City would have jurisdiction over any required improvements to the public rights-of-way as development occurs.

6. Annexation Ordinance Section 7. - Development proposals are not required for annexation requests.

Comprehensive Plan Annexation Policy #P-24: [The City shall] recognize and act on the basis that development proposals are not required for annexation requests.

RECOMMENDED FINDING: The application does not include a development proposal, and therefore, no development is anticipated in the future due to the existing use and nature of the annexed land, as well as the public rights-of-way.

7. Annexation Ordinance Section 8. - As part of the annexation process of developed property or properties, the City shall consider the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.

Comprehensive Plan Annexation Policy #P-25: [The City shall] consider as part of the annexation process of developed property or properties, the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.

RECOMMENDED FINDING: The annexation proposal would not create a demand on utility services as the land is identified as public right-of-way, and no development could occur on the land that would make a demand on utilities.

8. Annexation Ordinance Section 9. - As part of the annexation process of developed property or properties, the City shall consider the impacts on key City-provided urban utility services needed to serve these properties, which are water, storm drainage, sanitary sewer, and streets.

Comprehensive Plan Annexation Policy # P-26: [The City shall] Consider as part of the annexation process of developed property or properties, the impacts on the capacities of key City-provided urban utility services needed to satisfy the anticipated demands of the properties discussed in P-25 above.

RECOMMENDED FINDING: The annexation proposal would have a positive impact on the street system by providing the city with jurisdiction to plan the street network effectively. There would be no impact on other utilities, as no development would occur within the land annexation area, as it is limited to public rights-of-way.

9. Annexation Ordinance Section 10. - Needed Public rights-of-way, as identified in adopted transportation plans as necessary for the safe and efficient movement of traffic, bicycles and pedestrians, shall be dedicated to the City either with annexation or when the property develops and/or redevelops and creates an increased demand for the benefits provided by additional rights-of-way dedication.

RECOMMENDED FINDING: The annexation proposal addresses previous property annexations that did not include the portion of public right-of-way associated with the annexation. This action provides conformance of previous annexations.

10. Annexation Ordinance Section 11. - Upon annexation, the annexation territory shall be assigned zoning classifications in accordance with the adopted Comprehensive Plan Map, as shown in the City's Annexation Zoning Matrix. Such zoning assignments in and of themselves are not a zoning map change and shall not require approval of a zoning map amendment, or a separate proceeding.

RECOMMENDED FINDING: All lands associated with the annexation proposal include public rights-of-way, which are not assigned a zoning designation. As such, this finding is not applicable.

11. Annexation Ordinance Section 12. - If a zoning designation other than one in accordance with the Comprehensive Plan Map (shown in the Annexation Zoning Matrix) is requested

by an applicant, the zoning requested shall not be granted until the Comprehensive Plan Map is appropriately amended to reflect concurrence. Such an amendment shall require a separate application, hearing and decision, which may be held concurrently with an annexation hearing and will not become effective until the annexation is complete.

RECOMMENDED FINDING: All lands associated with the annexation proposal include public rights-of-way, which are not assigned a zoning designation. As such, this finding is not applicable.

12. Annexation Ordinance Section 13. - The areas within the Urban Growth Boundary with designated environmental constraints may be annexed and developed as functional wetlands, parks, open space and related uses.

RECOMMENDED FINDING: All lands associated with the annexation proposal include public rights-of-way and do not have any designated environmental constraints.

13. Annexation Ordinance Section 14. - An “urban use” is hereby defined as any land use that is authorized under the terms and provisions of the land use regulations, Zoning Ordinance (i.e., Development Code), Subdivision Ordinance, Comprehensive Plan, and other related documents of the City of Lebanon.

RECOMMENDED FINDING: This Section does not apply as the provisions in this Section provide a definition and not a decision criterion.

14. Annexation Ordinance Section 15. - At the applicant’s discretion and with the City’s concurrence, a development or redevelopment proposal for an annexation territory may be acted upon by the Planning Commission immediately following the Commission’s hearing on the annexation proposal and a decision of recommendation of approval to the City Council. However, any approval of the Planning Commission of such a development or redevelopment proposal must be contingent upon subsequent approval of the annexation by City Council.

RECOMMENDED FINDING: The request does not contain a concurrent development request.

15. Comprehensive Plan Annexation Policy # P-27: Expand the City Limits as necessary to accommodate development, including housing, commercial, industrial, and services (that will in turn accommodate population growth).

RECOMMENDED FINDING: This Policy does not directly apply as the proposal incorporates existing public rights-of-way into the City limits.

IV. CONCLUSION AND RECOMMENDATION

Staff finds the proposal complies with the decision criteria for an Annexation. Therefore, staff recommends the Planning Commission recommend the City Council approve the Annexation of the subject area for an orderly organization of the city's public rights-of-way.

V. PLANNING COMMISSION ACTION - ANNEXATION

A. The Planning Commission may either:

1. Recommend City Council approval of the proposed annexation, adopting the written findings for the decision criteria contained in the staff report; or
2. Recommend City Council approval of the proposed annexation, adopting modified findings for the decision criteria; or
3. Recommend City Council denial of the proposed annexation, specifying reasons why the proposal fails to comply with the decision criteria; and
4. Direct staff to prepare an Order of Recommendation for the Chair or Vice Chair's signature incorporating the adopted findings as approved by the Planning Commission.



NOTICE OF PUBLIC HEARING

LEBANON PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon Planning Commission on **April 16, 2025, at 6:00 p.m.** in the Santiam Travel Station located at 750 S 3rd Street, to afford interested persons and the general public an opportunity to be heard and give testimony concerning the following matter:

Planning Case No.:	A-25-01
Applicant:	City of Lebanon
Location:	Crowfoot Road
Map No.:	12S02W23C
Request:	Annexation
Decision Criteria:	Lebanon Development Code Chapters: 16.20 & 16.26

Request: The applicant is requesting Annexation of approximately 27,360 square feet of street right-of-way on Crowfoot Road.

Providing Comments: The city will be accepting public comment on this item in several ways to afford interested persons and the public an opportunity to give testimony on the subject matter. Written and verbal testimony will be accepted upon issuance of this notice, **until 5:00pm on Tuesday, April 15, 2025.** Written testimony may be emailed to kelly.hart@lebanonoregon.gov or mailed to the City of Lebanon at 925 S. Main Street, Lebanon, OR 97355, or delivered and dropped in the white mailbox in front of City Hall.



The public is invited to either participate in person at the Santiam Travel Station or watch the meeting virtually on **April 16, 2025.**

If you wish to address the Commission under Public Comments or for a Public Hearing, click: <https://zoom.us/meeting/register/fkwaS4NNQjWt5y6FaRm4xA> to register in advance for the meeting. You will receive a confirmation email containing information about joining the meeting. Attendees will need to register to receive the link to the meeting.

Please register ONLY if you wish to address the Commission. If you want to watch or listen to the meeting, please click this link to do so on YouTube: <https://youtube.com/live/3nVAD4STCog?>. The agenda and application materials will be available for review on the City's website at <https://www.lebanonoregon.gov/meetings> seven days prior to the hearing.

CITIZENS ARE INVITED TO PARTICIPATE in the public hearing and give written or oral testimony as described above that address applicable decision criteria during that part of the hearing process designated for testimony in favor of, or opposition to, the proposal. If additional documents or evidence are provided in support of the application subsequent to notice being sent, a party may, prior to the close of the hearing, request that the record remain open for at least seven days so such material may be reviewed.

Action of the Planning Commission and Appeals: The role of the Commission is to review the proposal and make a recommendation to the Lebanon City Council. A public hearing before the Council will be subsequently scheduled and notice provided. The Council decision is the final decision unless appealed to the Land Use Board of Appeals (LUBA). Failure to raise an issue in the hearing, orally or in writing, or failure to provide sufficient specificity to afford the decision makers an opportunity to respond to the issue precludes appeal to LUBA based on that issue.

Obtain Information: A copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost and will be provided at the cost of 25 cents per single-sided page. If you have questions or would like additional information, please contact City of Lebanon Community Development Department, 925 Main Street; phone 541-258-4906; email cdc@lebanonoregon.gov.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to 541-258-4906.



NOTICE OF PUBLIC HEARING

LEBANON PLANNING COMMISSION

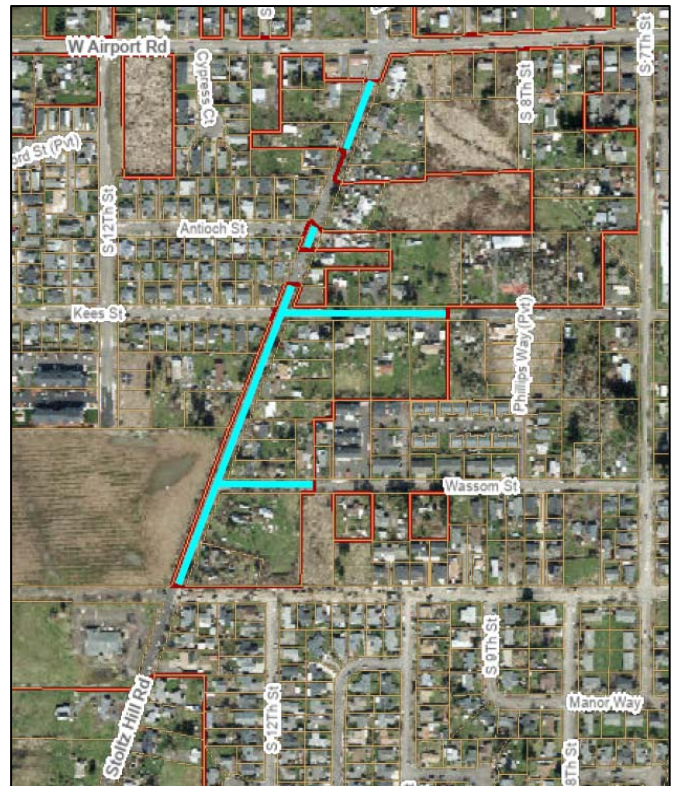
NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon Planning Commission on **April 16, 2025, at 6:00 p.m.** in the Santiam Travel Station located at 750 S 3rd Street, to afford interested persons and the general public an opportunity to be heard and give testimony concerning the following matter:

Planning Case No.:	A-25-01
Applicant:	City of Lebanon
Location:	Kees Street, Wassom Street & Stoltz Hill Road
Map No.:	12S02W15CA & 15CD
Request:	Annexation
Decision Criteria:	Lebanon Development Code Chapters: 16.20 & 16.26

Request: The applicant is requesting Annexation of approximately 29,082 square feet of street right-of-way on Kees Street, 16,801 square feet on Wassom Street, and 94,760 square feet on Stoltz Hill Road.

Providing Comments: The city will be accepting public comment on this item in several ways to afford interested persons and the public an opportunity to give testimony on the subject matter. Written and verbal testimony will be accepted upon issuance of this notice, **until 5:00pm on Tuesday, April 15, 2025.** Written testimony may be emailed to kelly.hart@lebanonoregon.gov or mailed to the City of Lebanon at 925 S. Main Street, Lebanon, OR 97355, or delivered and dropped in the white mailbox in front of City Hall.

The public is invited to either participate in person at the Santiam Travel Station or watch the meeting virtually on **April 16, 2025.**



If you wish to address the Commission under Public Comments or for a Public Hearing, click: <https://zoom.us/meeting/register/fkwaS4NNQjWt5y6FaRm4xA> to register in advance for the meeting. You will receive a confirmation email containing information about joining the meeting. Attendees will need to register to receive the link to the meeting.

Please register ONLY if you wish to address the Commission. If you want to watch or listen to the meeting, please click this link to do so on YouTube: <https://youtube.com/live/3nVAD4STCog?>. The agenda and application materials will be available for review on the City's website at <https://www.lebanonoregon.gov/meetings> seven days prior to the hearing.

CITIZENS ARE INVITED TO PARTICIPATE in the public hearing and give written or oral testimony as described above that address applicable decision criteria during that part of the hearing process designated for testimony in favor of, or opposition to, the proposal. If additional documents or evidence are provided in support of the application subsequent to notice being sent, a party may, prior to the close of the hearing, request that the record remain open for at least seven days so such material may be reviewed.

Action of the Planning Commission and Appeals: The role of the Commission is to review the proposal and make a recommendation to the Lebanon City Council. A public hearing before the Council will be subsequently scheduled and notice provided. The Council decision is the final decision unless appealed to the Land Use Board of Appeals (LUBA). Failure to raise an issue in the hearing, orally or in writing, or failure to provide sufficient specificity to afford the decision makers an opportunity to respond to the issue precludes appeal to LUBA based on that issue.

Obtain Information: A copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost and will be provided at the cost of 25 cents per single-sided page. If you have questions or would like additional information, please contact City of Lebanon Community Development Department, 925 Main Street; phone 541-258-4906; email cdc@lebanonoregon.gov.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to 541-258-4906.

EXHIBIT 'A'

A PORTION OF KEES STREET ANNEXATION DESCRIPTION

AN AREA OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 12 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

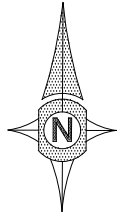
BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY OF KEES STREET, BEING THE NORTHEAST CORNER OF LOT 6, BLOCK 3, HARMONY SUBDIVISION, THENCE ALONG SAID RIGHT OF WAY NORTH 89°50'00" WEST 591.70 FEET TO THE EASTERLY RIGHT OF WAY OF STOLZ HILL ROAD (CR. NO. 739); THENCE NORTH 22°04'27" EAST 53.89 FEET TO THE INTERSECTION OF THE NORTH RIGHT OF WAY OF SAID KEES STREET; THENCE ALONG SAID NORTH RIGHT OF WAY, SOUTH 89°50'00" EAST 571.59 FEET TO CITY OF LEBANON LIMITS; THENCE LEAVING SAID RIGHT OF WAY SOUTH 00°10'00" WEST 50.00 FEET TO THE POINT OF BEGINNING.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 12, 2013
KYLE W. LATIMER
80442

RENEWS: 12/31/2026

IN THE RUSSELL T. HILL DLC NO. 77,
LOCATED IN THE SW 1/4 SEC. 15, T. 12 S., R. 2 W., W.M.,
LINN COUNTY, OREGON



SCALE: 1" = 100'



HEARTLAND
PHASE 4

CITY LIMITS
UNINCORPORATED LIMITS
STOLTZ HILL ROAD (60')R/W C.R. 739
[N22°04'27"E 53.89']

UNINCORPORATED LIMITS

CITY LIMITS

(LOT 18)

ARNOLD
SUBDIVISION

VIS
TAX LOT 3800
MAP 12S02W15CA

HOTCHKISS
FAMILY TRUST
TAX LOT 3600
MAP 12S02W15CA

SUTTER
TAX LOT 3700
MAP 12S02W15CA

(LOT 19)

[S00°10'00"W 50.00']
(LOT 20)

(LOT 21)

[S89°50'00"E 571.59'] (N89°50'W)C.S. 2983

(N89°50'00"W 591.70')C.S. 2372

KEES STREET
(50')R/W

CITY LIMITS

HEARTLAND
PHASE 4

ADAMS
TAX LOT 900
MAP 12S02W15CD

LOT 9

BOS FAMILY TRUST
TAX LOT 800
MAP 12S02W15CD

HAYDEN FAMILY
TRUST
TAX LOT 700
MAP 12S02W15CD

HARMONY
BLOCK 3

P.O.B
NE CORNER
LOT 6, BLOCK 3
HARMONY

MITCHELL 810 LLC
TAX LOT 500
MAP 12S02W15CD

GRIFFIN TRUST
TAX LOT 600
MAP 12S02W15CD

LOT 10

LOT 11

LOT 8

LOT 7

LOT 6

LOT 6

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 12, 2013
KYLE W. LATIMER
#80442
EXPIRES 12-31-2026

LEGEND

() DATA OF RECORD AS NOTED
[] CALCULATED DATA
C.S. COUNTY SURVEY
P.O.B. POINT OF BEGINNING
R/W RIGHT OF WAY



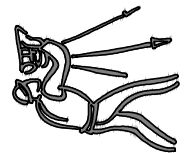
ANNEXATION AREA ±29,082 SQUARE FEET

REFERENCE SURVEYS:
C.S. 2372 (HARMONY SUBDIVISION), C.S. 2983 (ARNOLD SUBDIVISION).

UDELL ENGINEERING
AND
LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON, 97355
541-451-5125

ANNEXATION TO CITY OF LEBANON
CITY OF LEBANON
KEES STREET
LEBANON, OREGON

Date 12/17/2024
Project 24-234 KEES ST
Drawn by GSR
Checked by KWL



SHEET 1
of 1

SCALE: AS NOTED

EXHIBIT 'A'

A PORTION OF STOLTZ HILL ROAD ANNEXATION DESCRIPTION
(AT ANTIOCH STREET)

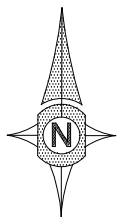
AN AREA OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 12 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF PARCEL 1, PARTITION PLAT NO. 2005-18, CITY OF LEBANON, LINN COUNTY, OREGON; THENCE SOUTH $68^{\circ}00'58''$ EAST 60.00 FEET TO THE EASTERLY RIGHT OF WAY OF STOLTZ HILL RD. (C.R. 739); THENCE ALONG SAID RIGHT OF WAY SOUTH $21^{\circ}59'02''$ WEST 71.14 FEET TO THE LEBANON CITY LIMITS; THENCE LEAVING SAID RIGHT OF WAY SOUTH $89^{\circ}59'04''$ WEST 64.71 FEET TO THE WESTERLY RIGHT OF WAY; THENCE NORTH $21^{\circ}59'02''$ WEST 95.38 FEET TO THE POINT OF BEGINNING.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 12, 2013
KYLE W. LATIMER
80442

RENEWS: 12/31/2026



SCALE: 1" = 30'



IN THE RUSSELL T. HILL DLC NO. 77,
LOCATED IN THE SW 1/4 SEC. 15, T. 12 S., R. 2 W., W.M.,
LINN COUNTY, OREGON

PARCEL 1
PARTITION PLAT
NO. 2005-18

POINT OF BEGINNING

ANTIOCH STREET (60')R/W

HEARTLAND PHASE 1

LOT 19

TAX LOT 4900
MAP 12S02W15CB

LOT 78

STOLTZ HILL ROAD
(60')R/W C.R. 739

[S68°00'58"E 60.00']

[S21°59'02"W 95.38']
(N21°59'02"E) C.S. 22823

[S21°59'02"W 71.14']

[S89°59'04"W 64.71']

LOT 17

ARNOLD SUBDIVISION

CITY LIMITS

TAX LOT 3200
MAP 12S02W15CA

LOT 18

UNINCORPORATED LIMITS

CITY LIMITS

LEGEND

() DATA OF RECORD AS NOTED
[] CALCULATED DATA
C.S. COUNTY SURVEY
R1 LINN COUNTY C.S. 22732
R/W RIGHT OF WAY



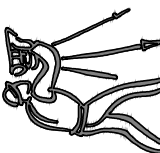
ANNEXATION AREA ±4,996 SQUARE FEET

REFERENCE SURVEYS:
C.S. 22823 (HEARTLAND PHASE 1).

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 12, 2013
KYLE W. LATIMER
#80442

EXPIRES 12-31-2026



SHEET 1
of 1

SCALE: AS NOTED

ANNEXATION TO CITY OF LEBANON
CITY OF LEBANON
STOLTZ HILL ROAD
LEBANON, OREGON

Date 01/16/2025
Project 24-234 ANNEX
Drawn by GSR
Checked by KWL

UDELL ENGINEERING
AND
LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON, 97355
541-451-5125

EXHIBIT 'A'

A PORTION OF STOLTZ HILL ROAD ANNEXATION DESCRIPTION
(AT AIRPORT RD)

AN AREA OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 12 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

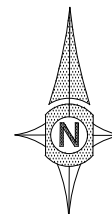
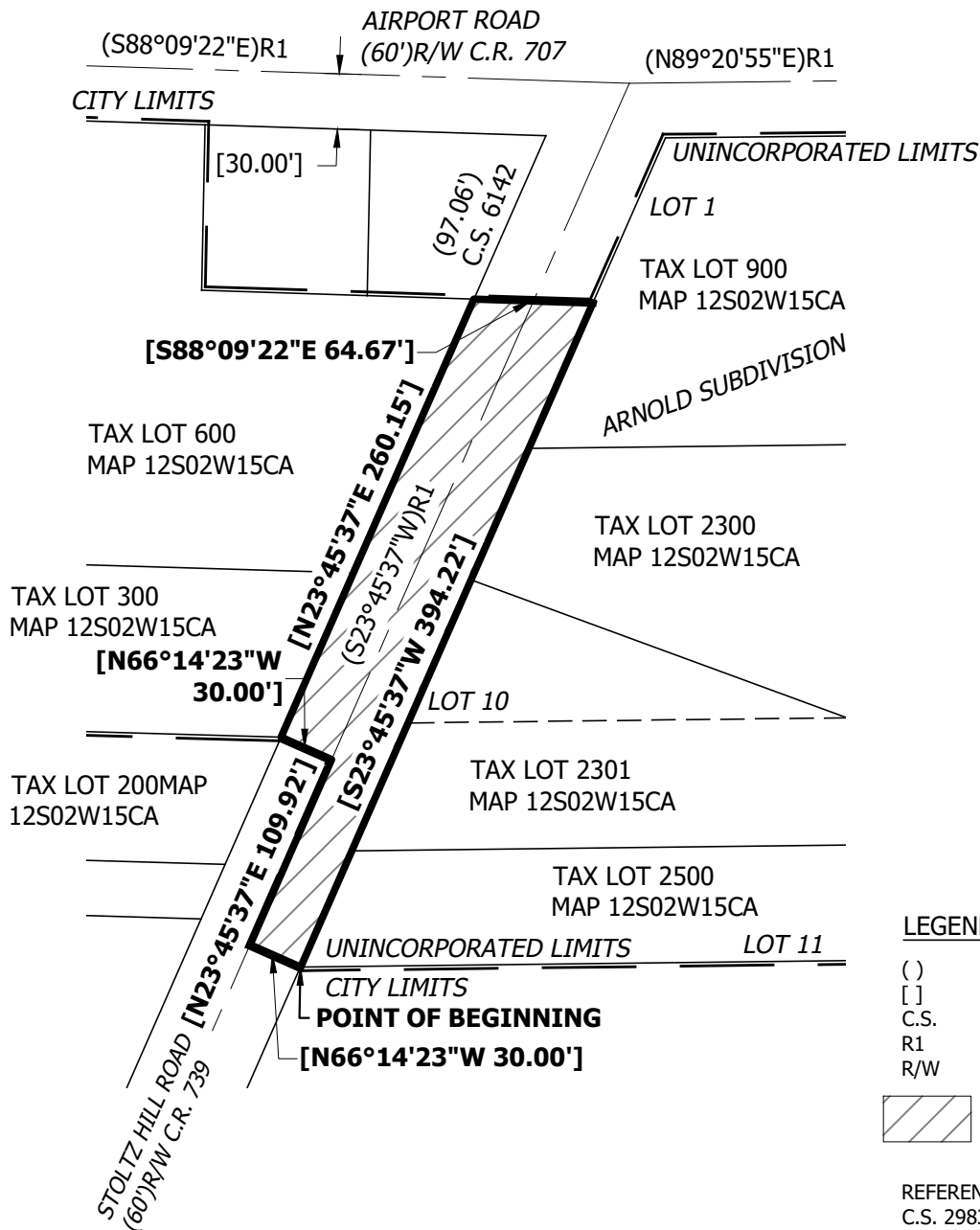
BEGINNING AT THE SOUTHWEST CORNER OF LOT 11, ARNOLD SUBDIVISION ON THE EASTERLY RIGHT OF WAY OF STOLTZ HILL ROAD (C.R. 739); THENCE NORTH $66^{\circ}14'23''$ WEST 30.00 FEET; THENCE NORTH $23^{\circ}45'37''$ EAST 109.92 FEET; THENCE NORTH $66^{\circ}14'23''$ WEST 30.00 FEET TO THE WESTERLY RIGHT OF WAY OF SAID ROAD; THENCE NORTH $23^{\circ}45'37''$ EAST 260.15 FEET; THENCE SOUTH $88^{\circ}09'22''$ EAST 64.67 FEET TO SAID EASTERLY RIGHT OF WAY; THENCE SOUTH $23^{\circ}45'37''$ WEST 394.22 FEET TO THE POINT OF BEGINNING.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 12, 2013
KYLE W. LATIMER
80442

RENEWS: 12/31/2026

IN THE RUSSELL T. HILL DLC NO. 77,
LOCATED IN THE SW 1/4 SEC. 15, T. 12 S., R. 2 W., W.M.,
LINN COUNTY, OREGON



SCALE: 1" = 100'
0' 100'

REGISTERED
**PROFESSIONAL
LAND SURVEYOR**

OREGON
JUNE 12, 2013
KYLE W. LATIMER
#80442
EXPIRES 12-31-2026

LEGEND

() DATA OF RECORD AS NOTED
[] CALCULATED DATA
C.S. COUNTY SURVEY
R1 LINN COUNTY C.S. 27606
R/W RIGHT OF WAY



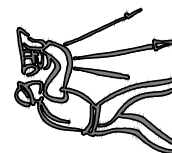
ANNEXATION AREA ±19,631 SQUARE FEET

REFERENCE SURVEYS:
C.S. 2983 (ARNOLD SUBDIVISION), C.S. 6142, C.S. 27606.

**UEL ENGINEERING
AND
LAND SURVEYING, LLC**
63 EAST ASH ST.
LEBANON, OREGON, 97355
541-451-5125

ANNEXATION TO CITY OF LEBANON
CITY OF LEBANON
STOLTZ HILL ROAD
LEBANON, OREGON

Date 02/12/2025
Project
24-234 ANNEX
Drawn by GSR
Checked by KWL



SHEET 1
of 1

SCALE: AS NOTED

EXHIBIT 'A'

A PORTION OF STOLTZ HILL ROAD ANNEXATION DESCRIPTION
(WALKER RD. TO KEES ST.)

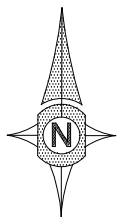
AN AREA OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 12 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF PARCEL 1, PARTITION PLAT NO. 2007-06 BEING ON THE WESTERLY RIGHT OF WAY OF STOLTZ HILL ROAD (C.R. 739); THENCE ALONG SAID RIGHT OF WAY NORTH 20°58'23" EAST 599.09 TO THE NORTHEAST CORNER OF SAID PARCEL 1; THENCE NORTH 20°58'23" EAST 577.85 FEET TO THE CITY OF LEBANON LIMITS; THENCE SOUTH 69°01'37" EAST 60.00 FEET TO THE WESTERLY LINE OF LOT 19, ARNOLD SUBDIVISION ON THE EASTERLY LINE OF SAID RIGHT OF WAY; THENCE SOUTH 20°58'23" WEST 1154.56 FEET TO THE INTERSECTION OF THE NORTH RIGHT OF WAY OF WALKER STREET AND SAID EAST RIGHT OF WAY; THENCE NORTH 89°28'52" WEST 64.04 FEET TO THE POINT OF BEGINNING.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 12, 2013
KYLE W. LATIMER
80442

RENEWS: 12/31/2026

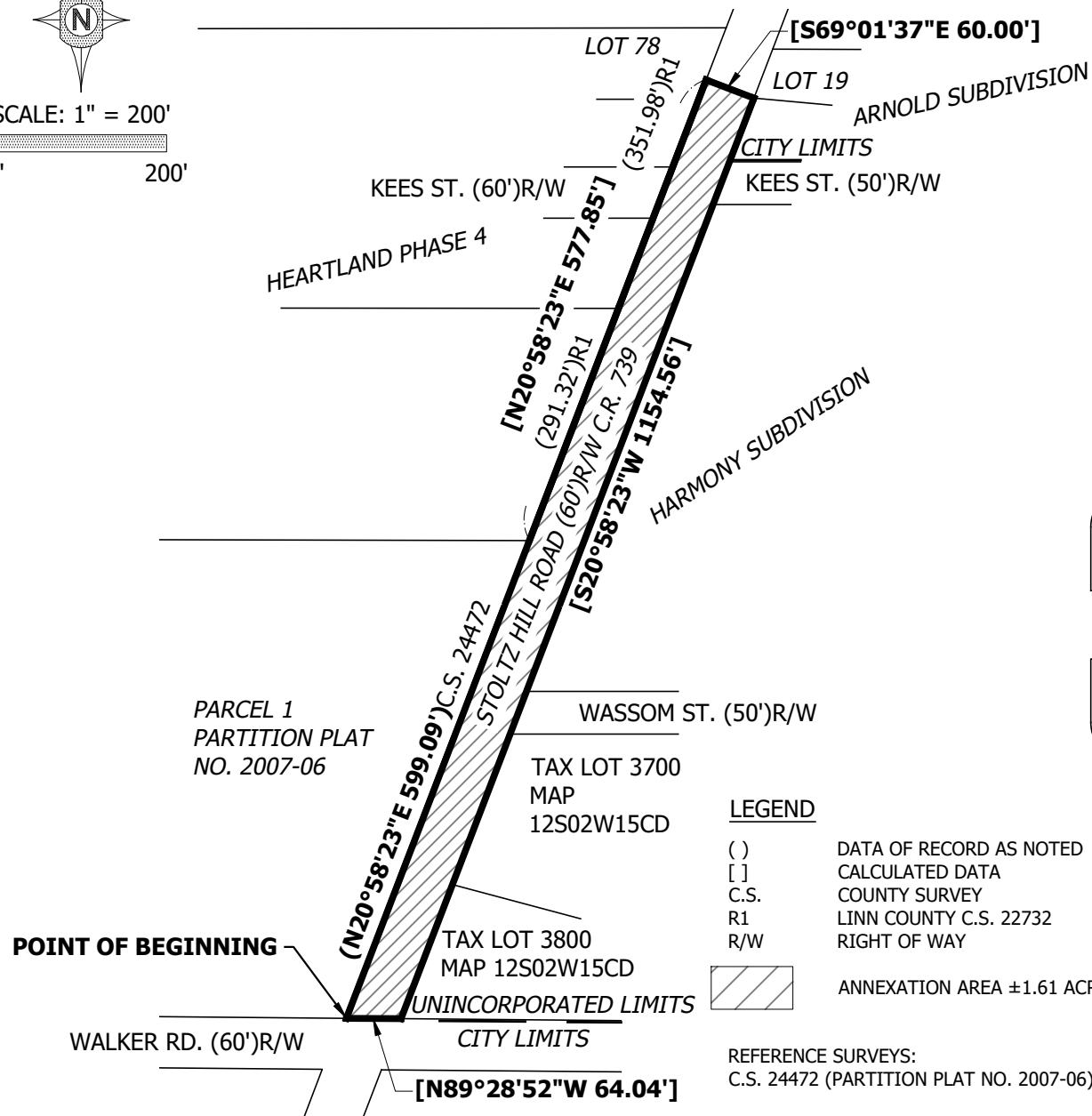


SCALE: 1" = 200'



0' 200'

IN THE RUSSELL T. HILL DLC NO. 77,
LOCATED IN THE SW 1/4 SEC. 15, T. 12 S., R. 2 W., W.M.,
LINN COUNTY, OREGON



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 12, 2013
KYLE W. LATIMER
#80442
EXPIRES 12-31-2026

LEGEND

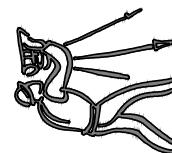
()	DATA OF RECORD AS NOTED
[]	CALCULATED DATA
C.S.	COUNTY SURVEY
R1	LINN COUNTY C.S. 22732
R/W	RIGHT OF WAY
	ANNEXATION AREA ±1.61 ACRES

REFERENCE SURVEYS:
C.S. 24472 (PARTITION PLAT NO. 2007-06), C.S. 22732 (PARTITION PLAT NO. 2000-19).

UDELL ENGINEERING
AND
LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON, 97355
541-451-5125

ANNEXATION TO CITY OF LEBANON
CITY OF LEBANON
STOLTZ HILL ROAD
LEBANON, OREGON

Date 01/16/2025
Project 24-234 KEES ST
Drawn by GSR
Checked by KWL



SHEET 1
of 1

SCALE: AS NOTED

EXHIBIT 'A'

A PORTION OF WASSOM STREET ANNEXATION DESCRIPTION

AN AREA OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 12 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

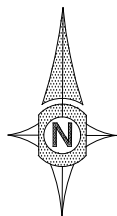
BEGINNING AT A POINT ON THE NORTH RIGHT OF WAY OF WASSOM STREET MARKING THE SOUTHWEST CORNER OF PARCEL 1, PARTITION PLAT NO. 2007-18; THENCE NORTH 90°00'00" WEST 325.89 FEET TO THE EASTERLY RIGHT OF WAY OF STOLTZ ROAD (CR. NO. 739); THENCE SOUTH 22°04'00" WEST 53.95 FEET TO THE SOUTH RIGHT OF WAY OF SAID WASSOM STREET; THENCE NORTH 90°00'00" EAST 346.16 FEET TO CITY OF LEBANON LIMITS; THENCE NORTH 0°00'00" EAST 50.00 FEET TO THE POINT OF BEGINNING.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 12, 2013
KYLE W. LATIMER
80442

RENEWS: 12/31/2026

IN THE RUSSELL T. HILL DLC NO. 77,
LOCATED IN THE SW 1/4 SEC. 15, T. 12 S., R. 2 W., W.M.,
LINN COUNTY, OREGON



SCALE: 1" = 60'
0' 60'

PARCEL 1
PARTITION PLAT
NO. 2007-06

STOLTZ HILL ROAD (60')R/W C.R. 739
[S22°04'00"W 53.95']

LOT 15

MILLER
TAX LOT 1500
MAP 12S02W15CD

BOGGS
TAX LOT 1700
MAP 12S02W15CD

PARCEL 2
PARTITION PLAT
NO. 2007-18

PARCEL 1
PARTITION PLAT
NO. 2007-18

DECHELLIS
TAX LOT 1800
MAP 12S02W15CD

WASSOM STREET
(50')R/W

GOOD WELL
CONSTRUCTION INC.
TAX LOT 3600
MAP
12S02W15CD

GRADBERG
TAX LOT 1600
MAP 12S02W15CD

HARMONY
BLOCK 3

P.O.B.
SW COR.
PARCEL 1
P.P. NO. 2007-18

LOT 16

(254.89')C.S. 2372

(71.00')
C.S. 24514

[N90°00'00"W]C.S. 2372 [325.89']

WASSOM STREET (50')R/W

[N00°00'00"E 50.00']

[N90°00'00"E 346.16']

(295.87')C.S. 2372

HORAK
TAX LOT 3700
MAP
12S02W15CD

UNINCORPORATED LIMITS
CITY LIMITS

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 12, 2013
KYLE W. LATIMER
#80442
EXPIRES 12-31-2026

LEGEND

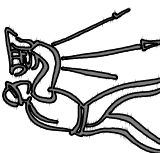
() DATA OF RECORD AS NOTED
[] CALCULATED DATA
C.S. COUNTY SURVEY
P.O.B. POINT OF BEGINNING
R/W RIGHT OF WAY



ANNEXATION AREA ±16,801 SQUARE FEET

REFERENCE SURVEYS:

C.S. 2372 (HARMONY SUBDIVISION), C.S. 24514 (PARTITION PLAT NO. 2007-18).



SHEET 1
of 1

SCALE: AS NOTED

ANNEXATION TO CITY OF LEBANON

Date 12/17/2024
Project 24-234 KEES ST
Drawn by GSR
Checked by KWL

UDELL ENGINEERING
AND
LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON, 97355
541-451-5125

CITY OF LEBANON
WASSOM STREET
LEBANON, OREGON

CR 717 (Crowfoot Road) T12S, R2W, Section 23

A variable width strip of land, the centerline of which is more particularly described as follows:

Beginning at Engineer's centerline station 9+78.28, which bears South 89° 58' 30" West, 206.00 feet from the Northeast Corner of the Reuben S. Coyle Donation Land Claim No. 63 (Engineer's centerline station 7+72.28), in Section 23, Township 12 South, Range 2 West, of the Willamette Meridian, in Linn County, Oregon, being the centerline of CR 717 (Crowfoot Road); thence South 89° 58' 30" West, 761.30 feet, along the North line of the said DLC 63; thence along the arc of a 358.09 foot radius curve to the left 173.17 feet, (the long cord of which bears South 76° 07' 15" West, 171.49 feet.); thence South 62° 16' 00" West, 48.65 feet, thence along the arc of a 358.09 foot radius curve to the right 102.04 feet, (the long cord of which bears South 70° 25' 50" West, 101.70 feet.); to the intersection of the centerline with the West line of Reuben S. Coyle Donation Land Claim 63, at centerline Engineer's station 20+63.46, and the terminus of this description, said point being South 17° 38' 15" West, 102.54 feet from the North Northwest Corner of the Reuben S. Coyle Donation Land Claim No. 63, in Section 23, Township 12 South, Range 2 West, of the Willamette Meridian, in Linn County, Oregon.

The widths in feet to the left of centerline of the above described strip of land are as follows:

Station to Station	Left of Centerline
9+78.28 to 17+39.59	20.00 ft.
17+39.59	20.00 ft. in a straight line to 25.00 ft.
17+39.59 to 20+76.31	25.00 ft.
20+76.31 to 20+63.46	25.00ft. in a straight line to 0.00 ft.

The widths in feet to the right of centerline for the above described parcel of land are as follows:

Station to Station	Right of Centerline
9+78.28 to 17+39.59	20.00 ft.
17+39.59 to 19+79.18	20.00 ft. in a straight line to 100.91 ft.
19+79.18 to 20+63.46	100.91 ft. in a straight line to 0.00 ft.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Kyle W. Latimer

OREGON
JUNE 12, 2013
KYLE W. LATIMER
80442

EXPIRES: 12-31-2026

EXHIBIT B
LINN COUNTY
CROWFOOT ROAD, C.R. 717
SECTION 23, T. 12 S., R. 2 W., W.M.
LINN COUNTY, OREGON

