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# MEMORANDUM

## *Community Development*

To: Mayor Jackola and City Council  
From: Kelly Hart, Community Development Director  
Subject: Annexation and Zoning of Property  
Planning File No.: CI-24-01 – Recreational Trails  
Applicant: Laura LaRoque

Date: June 2025

### I. BACKGROUND

The applicant submitted a code interpretation request in December 2024 to clarify whether recreational trails were permitted in the Low-Density Residential (Z-RL) zone. Staff conducted the code analysis and issued a public notice with the code interpretation indicating recreational trails were permitted in the Z-RL, and provided the analysis and justification for the determination. During the public notice period, the applicant presented written testimony and requested that the Planning Commission consider the interpretation. Section 16.25.030 of the Lebanon Development Code identifies that the applicant may make that request. Still, it does not provide guidance on when the request should be made (e.g., at the time of application submittal, etc.). As such, out of deference, staff republished the public notice for a public hearing before the planning commission to consider the interpretation.

The Planning Commission conducted a public hearing on February 19, 2025, considered the staff interpretation, and the written and verbal public comments issued by the applicant. At the conclusion of the hearing, the Planning Commission voted 5-1 to support staff's interpretation of the code and authorize recreational trails in the RL zone under the land use categorization "Other public uses such as parks and recreational facilities, open space, and pedestrian amenities."

The applicant subsequently appealed the Planning Commission decision to the City Council. Between the filing of the appeal and the appeal hearing, the applicant requested that the appeal hearing be postponed based on various discussions. The Applicant has since requested that the appeal move forward.

### II. CURRENT REPORT

Staff's code interpretation, as presented to the Planning Commission and published in the Planning Commission hearing notice, is included as an attachment. Also included is the written testimony provided by the Applicant. In the written testimony, the applicant identifies the preferred remedy is for the City to pursue a code amendment to address any code ambiguities.

While staff contends the interpretation is appropriate, staff also requests that Council approve Staff's intention to prepare a code amendment to address any potential code ambiguities. It is the Staff's position that there is a clear intention by the City to support recreational trails in the RL zone:

- As identified in the Planning Commission staff report, several Comprehensive Plan goals and policies support recreational trails throughout the city, based on natural environment features and connectivity, and not tied to zoning.
- The City Council adopted a Trails Master Plan as an addendum to the Parks Master Plan, which provides the general alignment of a trail network to provide trail connectivity throughout the city and aligns along natural environment features such as streams and rivers where possible.
- The City Council in 2024 authorized \$25,000 of Transient Lodging Tax funds to be allocated towards constructing a trail segment within the RL comprehensive plan and zoning designations. The trail would connect to existing trail segments to the south of the trail, and would be aligned along a portion of the Albany Canal, a "natural environment feature".

These factors imply that recreational trails are intended to occur throughout the city, including the RL zone.

### III. RECOMMENDED ACTIONS

To provide complete clarity of the Development Code and align with the City's intentions to authorize recreational trails in the RL zone, staff recommends that the City Council approve staff's plan to update the Development Code to reflect this interpretation, as time and capacity permits, maintaining the interpretation that recreational trails are authorized in the RL zone until such time as the code can be updated.