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# MEMORANDUM

## *Community Development*

To: Mayor Jackola and City Council  
From: Kelly Hart, Community Development Director  
Subject: Community Development Department City Manager Report Updates

Date: June 28, 2024

### **Planning:**

- The June Planning Commission meeting included the following actions:
  - Approval of S-24-03 for a 5-lot subdivision at 810 Kees Street
  - Approval of AR-24-04 for the modification of an approved project to allow for the expansion of the convenience store building for the property located at 911 Airport Road
- In June, no projects were approved administratively.
- There are currently no active land use applications. However, staff is aware of several projects in the pipeline, and several Development Review Team meetings have been held as pre-application meetings.
- **Bottle Drop:** At the June City Council meeting, a resident spoke during the public comment period regarding the desire to bring a Bottle Drop service to Lebanon. Director Hart contacted the Oregon Beverage Recycling Cooperative to promote Lebanon as an opportunity to expand Bottle Drop to serve east Linn County. A response was received from the Director of Business Development and Retail Relations. The conversation concluded with an understanding that there is a service gap in east Linn County, and Lebanon would be a potential opportunity to help fill the service gap. A local retailer (e.g., a grocery store) would need to be willing to partner to support reverse vending machines or Bottle Drop Express locations. Bottle Drop would need six businesses participating in the collection process within a three-mile radius for stand-alone full-service redemption facilities. Lebanon currently has five potential locations to meet that qualification. Director Hart will be contacting our local business community to identify interest in partnering with Bottle Drop to provide this service to the Lebanon community.
- **Supreme Court Rulings:** The 2023 Supreme Court Term included several cases that affect public officials and cities, including:
  - *Lindke v. Freed* and *O'Connor-Ratcliff v. Garnier*: Cases regarding First Amendment rights of public officials' social media accounts and actions on social media accounts.
  - *NRA v. Vulio*: This is another First Amendment case that identified that Government officials cannot attempt to coerce private parties to punish or suppress views that the government disfavors.
  - *Snyder v. United States*: The Court held that 18 U.S.C § 666 prohibits bribes to state and local officials but does not make it a crime for those officials to accept gratuities for their past acts.

- Sheetz v. County of El Dorado: expanded the Fifth Amendment takings clause to include all levels of land use permitting in the city and encourages a more stringent nexus/rough proportionality test. Essentially, this will impact the City's ability to condition for public/private improvements to a property.
- Grants Pass v. Johnson: Held local government ordinances with civil and criminal penalties for camping on public land do not violate the Eight Amendment. However, Oregon passed several state laws that codified the Boise and Grants Pass case into state law. We are still evaluating whether any measures can be taken in light of this ruling.

The Sheetz and Grants Pass cases have the most significant impact on city operations, while Lindke, O'Connor, and Snyder affect government officials. The City Attorney's office will provide a more thorough analysis of each case at a future council meeting or city manager update.

- City Legislative Efforts: Bi-weekly meetings continue to be held with Sean Tate to discuss strategy. The following are the major initiatives:
  - On July 16, the Legislature's Joint Committee on Transportation will be in Albany, and the City intends to participate in the public hearing to advocate for transportation improvement projects in the City.
  - Continue to advocate for direct funding for the wastewater treatment plant capacity improvement project. A follow-up meeting with Congresswoman Chavez-DeRemer's office is scheduled for July.
  - Evaluation of the League of Oregon Cities Legislative Platform to align priorities.
- Strategic Planning Update: All councilor and director interviews were completed on time! The consultants will evaluate the results of the interviews to establish common themes, challenges, and paths to success for the organization in preparation for the July 22<sup>nd</sup> workshop.
- Housing Production Strategy Implementation: The first project management team meeting was held in June to review the initial code audit and proposed project priority list. The first project advisory committee meeting is scheduled for July 16. A joint City Council/Planning Commission meeting is scheduled for August 14 to review the code audit and the initial suggestions provided by the project advisory committee to ensure the work and committee are moving in the right direction.
- Solar Project: Staff continues to work with Pacific Power, consultants, and the Energy Trust of Oregon to evaluate solar projects to offset electrical costs for city facilities. Community Development Assistant Bacher, Director Hart, and Interim City Manager Whitlatch toured a solar farm research facility in Aurora, OR, to identify whether additional revenue alternatives are available.
- Grant Administration: Our contract with Cascade West Council of Governments for grant writing is underway. The grant writer has submitted one grant, the Safe Roads 4 All, a regional grant focused on roadway improvements to increase safety. The grant writer has also been asked to search for grants to help fund staffing at the senior center, solar grants, and wastewater treatment plant grants and will work with the Police Department to apply for a grant due in August. In addition, the grant

writer joined Director Hart on a tour of the Champion Mill site with representatives of DEQ and EPA to help identify future funding sources for site cleanup grants.

- Community Development Block Grant (CDBG) Program: Staff is working on finalizing the ADA analysis of each of our facilities open to the public. This is the final grant administration item needed to begin fund distribution.
- Continuum of Care (CoC) and Multi-Agency Coordination (MAC) to address homelessness: All agencies with funding allocation are implementing their projects and expending funds. CSC continues the process of developing the regionwide CoC with no new updates.
- Rules Advisory Committee on Housing: The Community Development Director continues to participate in the State's Rules Advisory Committee for Housing to develop the Oregon Administrative Rules associated with House Bill 2001 (2023) and House Bill 2889 (2023). This multiple-year appointment will give Lebanon a voice in developing reasonable housing standards for implementation at the rural level.
- Lebanon Community School District Facilities Advisory Committee: The Community Development Director continues participating in the LCSD Facilities Advisory Committee.

#### **Building:**

- The city processed 64 permits in May. The total fees received were \$39,839.62, and the construction valuation was \$3,426,544.55.
- By comparison, in May 2023, 87 permits were processed. The total fees received were \$47,424.56, and the construction valuation was \$3,717,733.61.
  - A current list of the larger construction sites include:
    - Riverside Banks Subdivision and Duplexes (Williams Street)
    - 8-lot subdivision – Cascade Estates (Seven Oaks Lane/Cascade Drive)
    - 19-lot subdivision (Walker & Wassom)
    - 26-lot subdivision – Franklin Grove Estates (Franklin and Russell Drive)
    - 450 Weldwood Drive – Self Storage (Weldwood and Cascade Drive)
    - Blackrock Apartments – 12 units (2<sup>nd</sup> Street and Airport Road)
    - Airport Road Apartments – 60 units (Airport Road and Russell Drive)
    - Harbor Freight Tenant Improvements (Lebanon Plaza Shopping Center)

#### **Economic Development:**

- Business visitation program: In June, Councilor Dykstra and Director Hart visited Ward 1 businesses were visited. Below is a summary of the visits:
  - Peak Internet: Met with President/CEO Rick Petersen to discuss Peak Internet's expansion and goals for service development in the Lebanon community. A follow-up meeting was offered to discuss how Peak and the City could better align with facility planning and future development project planning.

- Willamette Vocational Resource Community (WVRC): Met with Executive Director Erica Andrews to discuss the services provided by WVRC and how the City may be a more integrated partner and toured the facility. Based on the discussion, Director Hart followed up with information regarding Bottle Drop's Blue Bag donation program and LBCC's childcare program and is working on connecting WVRC with the Lebanon Community School District to help solidify the program pipeline from the school.
- Business recruitment: Based on community feedback, staff is currently working to recruit a sandwich restaurant to town. Big Town Hero and Firehouse Subs have identified an interest but require a franchisee. Staff is working with commercial brokers to package open retail tenant spaces with potential franchise purchase options to promote the use.
- Downtown Building Restoration Program: Three projects were awarded grants this cycle for the total grant allocation of \$50,000: Papa's Building Façade Restoration (804 Main Street - \$25,000), Wells Fargo Building Façade Restoration (809 Main Street - \$20,000), Kuhn Signage Additions and Painting (668 Main Street - \$5,000). Projects are underway.
- Rural Economic Alliance (REAL): The REAL group met in May to continue discussing regional business survey development to identify business resource needs for each city and region. Partners from the Corvallis-Benton County Economic Development Office participated in the meeting. Work continues on grant implementation for the new Rural Opportunity Initiative grant round, which will bring entrepreneurial support to the Lebanon community and funding to the REAL group to implement the strategic plan.