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MEMORANDUM

Community Development

To: Mayor Jackola and City Council

Date: November 2025

Subject: DCA-25-02 – Proposed Development Code Amendment to implement portions of the adopted Housing Production Strategy

I. INTRODUCTION

In December 2024, a code interpretation application was filed with the City to request an interpretation of the City's development code to determine whether recreational trails were permitted in the Low Density Residential (Z-RL) zone. The City Council ultimately approved an official code interpretation on appeal by the applicant. The City Council also directed staff to pursue a development code amendment to clarify the development code regarding the permitting of recreational trails throughout the City. In addition, staff recommended amending the code interpretation section to clarify the procedures, based on the experience in processing the code interpretation application under the existing procedures.

The proposed code amendments were reviewed by the Planning Commission at the October 15, 2025, meeting. The Commission found them consistent with the statewide planning goals, the comprehensive plan, and the required findings and recommended that the City Council approve them.

II. CURRENT REPORT

The City of Lebanon proposes updates to the Development Code focusing on two distinct areas: (1) procedures and standards for formal code interpretations and (2) clarifications and updates to how recreational trails and related facilities are addressed. These amendments ensure clarity, administrative efficiency, and consistency with best practices and statutory requirements. A redline version detailing all changes is attached for reference. Below is a summary of the proposed changes:

A. Code Interpretation Procedures (Chapter 16.25):

- Repeals the existing Chapter 16.25 and replaces it in its entirety.
- Formalizes the process for requesting, reviewing, and issuing formal interpretations of the Lebanon Development Code and Comprehensive Plan.
- Sets out intent for interpretations, emphasizing resolving ambiguities, ensuring consistency, and providing a reasonable appeal mechanism.
- Establishes clear authority for the Planning Administrator and outlines submittal requirements for interpretation requests, including statement of provision, applicant's

understanding, supporting evidence, and additional notice if the subject property includes an active HOA.

- Lays out the form and contents for issuing a decision and notice of decision (including findings, mailing requirements, and effective dates).
- Clarifies appeal procedures and standing, specifying City Council as the appeal body and outlining the process for public notification and final decision.
- Establishes rules of construction for consistent code interpretation (e.g., adherence to statutory construction, consistency with Comprehensive Plan, prohibition on adding restrictions not apparent in code, etc.).
- Requires permanent record-keeping of formal interpretations.

B. Recreational Trail and Parks-Related Provisions:

- Updates and consolidates definitions related to “parks,” “city parks,” “recreational areas,” and “recreational trails.”
- Deletes “recreational trails” as a standalone use in the alphabetical list of land uses and updates or consolidates all references to park and recreational area-related uses in tables and text throughout the code.
- Revises use tables and standards across all zoning districts (residential, mixed use, commercial, industrial, public use) to clarify the treatment of public versus private recreational amenities, pedestrian trails, and areas the City maintains as parks, open space, and recreational amenities.
- Aligns use listings for public uses, civic or institutional land uses, and sign districts, so that parks and recreational amenities are consistently and accurately referenced and permitted as appropriate.

The intent of the code interpretation update is to ensure property owners, developers, and code administrators have a transparent, fair, and efficient process to resolve ambiguities or conflicts in the Development Code. This promotes uniform administration and ensures all parties benefit from consistent interpretations, especially in cases where code language or application could reasonably be read in more than one way. The new proposed code interpretation process is not reinventing the wheel; it has been modeled from the City of Salem’s formal interpretation process.

The recreational trail/park use update removes inconsistencies, recognizes the broad scope of “recreational areas,” and ensures zoning tables, definitions, and permitted use lists accurately reflect City policy, current practice, and State law. This update simplifies administration for both City staff and applicants and protects the City’s ability to maintain and improve trails and recreational facilities citywide.

The proposed text for the Code Amendment and the findings to support the adoption of the Development Code Amendment are found in Exhibits A & B of the attached Ordinance for consideration.

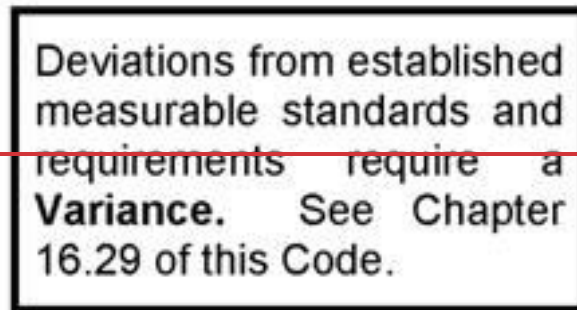
III. RECOMMENDATION

1. The City Council:

- a. Conduct a public hearing; and
- b. Adopt the proposed Ordinance amending various chapters of the Lebanon Development Code to include changes to the city's code interpretation procedures and the park and recreational trail land use categorizations and permitting requirements.

Chapter 16.25 CODE INTERPRETATIONS

~~16.25.010 Purpose.~~



- A. ~~It is possible that occasionally property owners or applicants may disagree with the conventional or routine interpretations (i.e., understanding and implementation) of some terms and phrases in this code. This chapter provides an orderly process for documenting official interpretations of the code text.~~
- B. ~~Code interpretations may involve clarification of language and terms, make determinations regarding similarities of use, and make decisions regarding applicability and range or scope of provisions.~~
- (Ord. 2766 § 1 (part), 2008)

~~16.25.020 Limitations on code interpretations.~~

- A. ~~Code interpretations must be as narrow in reach as possible and must be text specific.~~
- B. ~~Code interpretations are restricted to the Lebanon Development Code (LDC), and in no way affect other jurisdictions' and agencies' rules and implementation.~~
- C. ~~No code interpretation can be in conflict with or contrary to other provisions of the Lebanon Comprehensive Plan (LCP), the LDC, the Lebanon Municipal Code (LMC), or any other adopted plans or standards of the city.~~
- D. ~~Code interpretations do not apply to site specific development standards, and infrastructure requirements.~~
- E. ~~Future applications shall be consistent with and reflect previous code interpretations, unless specific findings are adopted that identify substantial differences in the circumstances.~~
- F. ~~Any and all code interpretations may be altered by future code interpretations, but such future revisions will not invalidate land use decisions made under previous interpretations.~~
- G. ~~Any and all code interpretations may be altered by future LDC Text Amendments (see Chapter 16.28).~~
- (Ord. 2766 § 1 (part), 2008)

~~16.25.030 Procedure.~~

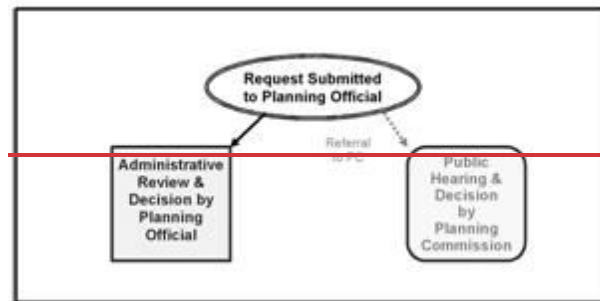
- A. ~~Requests.~~
1. ~~Requests for a code interpretation shall be made in writing to the planning official.~~
 2. ~~Code interpretations shall be made utilizing the administrative review process (see Section 16.20.040 in Chapter 16.20 of this code).~~
 3. ~~An applicant may request that the application be heard by the planning commission.~~

4. Mailed notices shall include a summary of the code interpretation ruling.

B. Decision to Issue Interpretation.

1. As shown in Figure 16.25-1, the planning official shall have the authority to interpret the code using the administrative review process, or
2. The planning official may refer the request to the planning commission for interpretation in a public hearing.
3. The review process, either by the planning official or on referral to the planning commission, shall follow all the applicable provisions of Chapter 16.20 of this code.

Figure 16.25-1: Request for Code Interpretation



C. Written Interpretation.

1. The city's decision regarding the request for a code interpretation shall be issued in writing and shall be mailed or delivered to the person requesting the interpretation and any other person entitled to a copy, as per all applicable provisions of Chapter 16.20 of this code.
2. The written interpretation, including supporting evidence or documentation, shall be issued as specified by the applicable provisions of Chapter 16.20 of this code.
3. The decision shall become effective as specified by the applicable provisions of Chapter 16.20 of this code, unless an appeal is filed in accordance with Section 16.25.040 below.

(Ord. 2766 § 1 (part), 2008)

16.25.040 Appeals.

- A. The applicant and any person who participated in the proceedings through the submittal of written or verbal testimony or evidence may appeal the decision as per the applicable provisions of Chapter 16.20 of this code.
- B. A decision by the planning official may be appealed to the planning commission.
- C. The appeal must be filed as per the applicable provisions of Chapter 16.20 of this code.
- D. Appeal shall be resolved as per the applicable provisions of Chapter 16.20 of this code.

(Ord. 2766 § 1 (part), 2008)

16.25.050 Interpretations on file.

The city shall keep on file and make available to the public a record of all code interpretations to the LDC.

(Ord. 2766 § 1 (part), 2008)

16.25 CODE INTERPRETATIONS

Delete Chapter 16.25 and replace with the following in its entirety:

16.25.010 – Intent.

Intent. A formal code interpretation intends to provide property owners or developers with an interpretation of the Lebanon Development Code and/or the Lebanon Comprehensive Plan (collectively “the Code”) for the following purposes:

- A. Reconcile potential conflicts in the Code where terms or phrases may have multiple meanings, create an ambiguity, or result in conflicting or inconsistent results;
- B. Assure uniform application of the Code; and
- C. Provide a reasonable appeal procedure.

. An interpretation of use type pursuant to Section 16.03.010(C)(4) is not a formal interpretation subject to this section.

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16.25.020 – Procedure.

(a) Procedure. In lieu of the procedures outlined in Chapter 16.20, formal interpretations shall follow the procedures outlined in this section.

(b) Review authority. The Planning Administrator is authorized to issue formal interpretations of the Code.

(c) Submittal requirements. Requests for formal interpretations shall be submitted on a form provided by the Planning Administrator and shall be accompanied by the following:

(1) A written statement:

(A) Identifying the provision(s) of the Code for which the formal interpretation is being requested; and

(B) Describing the applicant's understanding of the provisions and/or how they are intended to be applied;

(2) Any additional supporting information the applicant deems necessary to provide evidence in support of the requested formal interpretation;

(3) For formal interpretations specific to a particular property that is subject to an active and duly incorporated Homeowner's Association (HOA) registered with the Oregon Secretary of State, which includes an identified registered agent, the name and mailing address for the registered agent of the HOA; and

(4) Payment of the applicable application fee as adopted by Council resolution.

(d) Decision. Subsequent to the application being deemed complete, the Planning Administrator shall review the request and issue a formal interpretation of the specific provision(s) of the Code for which the formal interpretation has been requested. The interpretation shall:

(1) Be based on the facts contained within the record and the rules of construction for interpreting the Code included under Section 16.25.040; and

(2) Be in the form of a written order containing findings stating the facts relied upon in rendering the interpretation and explaining the justification for the decision.

(e) *Notice of decision.* Notice of the decision for a formal interpretation shall be mailed. An affidavit of mailing shall be prepared and made part of the file.

(1) The notice of decision shall be mailed to:

(A) The applicant(s) and/or authorized representative(s);

(B) Anyone who has submitted a written request to receive notification of formal interpretations; and

(C) The following, when the formal interpretation is specific to a particular property:

(i) The owner of record of the subject property;

(ii) The address of the subject property, based on the City's current addressing records;

(iii) Property owners of record, as shown on the most recent property tax assessment roll, of properties located within 250 feet of the subject property; and

(iv) Addresses, based on the City's current addressing records, within 250 feet of the subject property; and

(2) The notice of decision shall include:

(A) A brief description of the application;

(B) A brief summary of the decision;

(C) A statement of the facts relied upon;

(D) The date the decision becomes effective, unless appealed;

(E) The date, time, and place by which an appeal must be filed, a brief statement explaining how to file an appeal, and where further information may be obtained concerning the appeal process;

(F) A statement that only those persons with standing may appeal the decision; and

(G) A statement that the complete case file is available for review. The notice shall state where the case file is available and the name and telephone number of the staff case manager to contact about reviewing the case file.

16.25.030 – Appeals.

(a) *Appeal.*

(1) *Generally.* Unless appealed, the formal interpretation of the Planning Administrator shall be the final decision of the City.

(2) *Standing to appeal.* Only the applicant and anyone entitled to notice of the decision have standing to appeal the formal interpretation.

(3) *Procedure.* Except as otherwise provided in this section, appeals of formal interpretations shall be subject to the procedures set forth under Section 16.20.050.L of the LDC.

(4) *Review Authority.* The Review Authority for an appeal of a formal interpretation shall be the City Council.

(5) *Public notice.* Public notice for an appeal shall be provided as set forth under 16.20.050.C of the code, except that issuing notice to property within a 250-foot foot radius is only required for an appeal of a formal interpretation that is specific to a particular property.

(6) *Decision.* The City Council may affirm or modify the decision. If the City Council modifies the decision, it shall issue an interpretation of the provision(s) of the Code for which the formal interpretation has been requested. The decision of the City Council shall be in the form of a written order containing

findings stating the facts relied upon in rendering the interpretation and explaining the justification for the decision. The written order shall be mailed to:

(A) The appellant;

(B) The applicant(s) and/or authorized representative(s), if other than the appellant;

(C) The owner of record of the subject property, when the formal interpretation is specific to a particular property;

(D) Anyone who appeared either orally or in writing before the close of the public record on the appeal; and

(E) Anyone who requested to receive notice of the decision.

(7) The decision of the City Council on appeal shall be the final decision of the City. Appeal of the City's final decision is to the Oregon Land Use Board of Appeals.

(b) *Effect of formal code interpretation.* Formal interpretations which have become final shall control future application and enforcement of the Code, unless superseded by subsequent formal interpretations. When a formal interpretation has been made in reference to a specific particular property, the interpretation shall apply generally throughout the City and not just to that property.

(c) *Record of formal code interpretations.* The Planning Administrator shall keep a permanent file of all formal code interpretations.

Section 16.25.040 – Rules of construction.

The following rules of construction shall be used in interpreting the Code:

(a) An interpretation shall be consistent with generally accepted principles of statutory construction as recognized by the Oregon courts, and shall not, by way of interpretation, add new restrictions, standards, or policies that are not apparent or necessarily implied within the text or context of the provision.

(b) In making an interpretation, the duty is to simply ascertain and declare what is, in terms or in substance, contained in the provision.

(c) No interpretation shall insert what has been omitted or omit what has been inserted.

(d) Where there are several provisions relating to the same subject, a construction shall be given where, if possible, all provisions will be given effect.

(e) As used in the Code, words used in the present tense include the future, the singular number includes the plural, and the word "shall" is mandatory and not directory.

(f) All interpretations shall be consistent with the policies set forth in the Lebanon Comprehensive Plan.

(g) In construing an ambiguous provision, the legislative history of the provision may be considered.

(h) In making interpretations, great weight shall be given to prior interpretations of the same or any related provision.

(i) Chapters in the Code contain purpose statements that provide general explanatory information concerning the chapter. The content of these sections does not constitute approval criteria.

Amend Section 16.32.020 to delete, modify, and add the following definitions:

Section 16.32.020 – Meanings of specific words.

~~Community Park. A park that provides a variety of moderate density use recreation and/or cultural opportunities and is centrally located for citizens of the community and immediate outlying areas.~~

~~Neighborhood Park. A park that provides easily accessible recreation areas serving neighborhood citizens and providing high density active or passive use.~~

~~Park. Open space land on which the primary purpose is managed for recreational uses.~~

~~Pocket Park. A small park, usually less than one-half acre.~~

~~Park (City). The City of Lebanon owned or maintained parks, playgrounds, and public recreation areas (see Recreational areas – city park). The park boundaries include all sidewalks, vanity strips, and curbs in the designated area, and extend through any adjacent streets to include all city rights-of-way in the designated zone.~~

~~Private Park (Private). A park available for public use owned by a non-public agency or private individual.~~

~~Recreational Areas (City Park). Any area dedicated for recreational purposes, including but not limited to playgrounds, sports fields, gardens, pedestrian trails, bike paths, gazebos, and other similar amenities, including all public trails maintained by the city for public use.~~

~~Recreational Trails. Recreational trails are designed to provide walking, bicycling, and non-motorized means of linking various parts of the community.~~

16.03.020 – Alphabetical list of land use examples.

Delete “recreational trails [P]” from alphabetical list of uses.

16.03.060 – Public uses (institutional and civic).

Amend B. Public Uses with Class II Impacts list to delete “recreational trails” and modify “park” to “parks, open space, and recreational areas”

16.05.070 Public uses allowed in the residential zones.

Amend Table 16.05-5: Public (Civic or Institutional) Land Uses Allowed in the Residential Zones to delete and amend the following references:

Use Categories	Z-RL	Z-RM	Z-RH
Public Uses with Class II Impacts:			
Other public uses such as boat launching areas, botanical gardens, city maintenance shops; hospitals and large medical complexes publicly-owned swimming pools, recreational trails , surplus food distribution centers; transit centers, water towers and reservoirs	N	CU if adjacent to collector, arterial, or highway	CU if adjacent to collector, arterial, or highway
Other public uses such as parks and, recreation facilities, open space, pedestrian amenities areas	CU	CU	CU
	AR if projects implement the city's adopted facilities plans		

16.06.080 Public uses allowed in the mixed-use zone.

Amend Table 16.06-5: Public (Civic or Institutional) Land Uses Allowed in the Mixed-Use Zone to delete and amend the following references:

Use Categories	Mixed-Use Zone (Z-MU)
Other public uses such as boat launching areas, botanical gardens, city maintenance shops; hospitals and large medical complexes publicly owned swimming pools, recreational trails , surplus food distribution centers; transit centers, water towers and reservoirs	CU (Recreational trails: AR if the projects implement the city's adopted facilities plans)
Other public uses such as parks and, recreation facilities <u>areas</u> , open space, pedestrian amenities	CU (OP for dedicated wetlands and detention facilities; AR if the projects implement the city's adopted facilities plans)

16.07.080 Public uses allowed in the neighborhood mixed-use zone (Z-NMU)

Amend Table 16.07-5: Public Uses (Civic or Institutional) Allowed in the Neighborhood Mixed-Use Zone to delete and amend the following references:

Use Categories	
Public Uses with Class II Impacts:	
Other public uses such as boat launching areas, botanical gardens, city maintenance shops; hospitals and large medical complexes publicly owned swimming pools, recreational trails , surplus food distribution centers; transit centers, water towers and reservoirs	CU
Other public uses such as parks and, recreation facilities <u>areas</u> , open space, pedestrian amenities	CU (OP for dedicated wetlands and detention facilities; AR if projects implement the city's adopted facilities plans)

16.08.080 – Public uses allowed in the commercial zones.

Amend Table 16.08-5: Public Uses (Civic or Institutional) Allowed in the Commercial Zone to delete the following reference:

Use Categories	Z-NCM	Z-CCM	Z-HCM
Public Uses with Class II Impacts			
Other public uses such as boat launching areas, botanical gardens, city maintenance shops; hospitals and large medical complexes publicly owned swimming pools, recreational trails , surplus food	N	CU	CU

distribution centers; transit centers, water towers and reservoirs			
Other public uses such as parks and, recreation facilities <u>areas</u> , open space, pedestrian amenities	N	CU	CU
	(AR if projects implement the city's adopted facilities plans)		

16.09.080 – Public uses allowed in the industrial zone.

Amend Table 16.09-5: Public Uses (Civic or Institutional) Allowed in the Industrial Zone to delete the following reference:

Use Categories	Z-IND
Public Uses with Class I Impacts:	
Other public uses such as boat launching areas, botanical gardens, city maintenance shops; hospitals and large medical complexes publicly owned swimming pools, recreational trails , surplus food distribution centers	N
Other public uses such as parks and, recreation facilities <u>areas</u> , open space, pedestrian amenities	CU (OP for dedicated wetlands and detention facilities; AR if projects implement the city's adopted facilities plans)

16.10.080 – Public uses allowed in the public use zone.

Amend Table 16.09-5: Public Uses (Civic or Institutional) Allowed in the Industrial Zone to delete the following reference:

Land Uses	
Public Uses with Class II Impacts:	
Other public uses such as boat launching areas, recreational trails	AR
Other public uses such as parks and, recreation facilities <u>areas</u> , publicly owned swimming pools; open space, pedestrian amenities	CU (OP for dedicated wetlands and detention facilities; AR if projects implement the city's adopted facilities plans)

16.18.040 – Sign districts.

Amend Table 16.18.040-1: Permitted Uses that may have Signage under the Standards of this Code in Residential Zones and Residential Development in Mixed Use Zone, as follows:

Types of Permitted Uses
b. With Class II impacts such as community centers, colleges, universities, community colleges, and adult education facilities; municipal courts; museums, nursery schools, preschools public safety facilities, including fire/emergency medical services and police stations, and emergency communication broadcast facilities; public squares, plazas, senior centers, social service facilities, soup kitchens, vocational training for the physically or mentally challenged, utility substations, youth club facilities, boat launching areas, city maintenance shops; hospitals and large medical complexes, publicly owned swimming pools, parks (city) recreational trails ; transit centers, and so on

A BILL FOR AN ORDINANCE)	ORDINANCE BILL NO. 2025-10
AMENDING THE CITY OF LEBANON)	
DEVELOPMENT CODE REGARDING)	ORDINANCE NO. 3041
CHANGES TO CODE)	
INTERPRETATION PROCEDURES)	
AND PARK AND RECREATIONAL)	
TRAIL LAND USE CATEGORIZATION)	
AND PERMITTING)	

WHEREAS, the Planning Commission for the City of Lebanon conducted a hearing on October 15, 2025, regarding Planning File No. DCA-25-02 and made findings recommending certain amendments to the Development Code of the City of Lebanon regarding changes to the city’s code interpretation procedures and the park and recreational trail land use categorizations and permitting requirements; and

WHEREAS, the City Council, pursuant to the provisions of the Lebanon Development Code, after appropriate notice given, has conducted a hearing to take testimony, hear arguments, and consider all the evidence concerning such proposed Development Code amendments, such hearing being conducted on November 12, 2025; and

WHEREAS, the City Council has considered all relevant evidence and deliberated.

NOW, THEREFORE, the City of Lebanon ordains as follows:

Section 1. In addition to the findings referred to above, the City Council does hereby adopt and find those matters contained in Exhibit “B” which is incorporated herein by this reference as if fully set forth at this point.

Section 2. Based upon the findings adopted herein, the Lebanon Development Code is hereby amended by the modified language specified in Exhibit “A”, which is incorporated herein by this reference as if fully set forth.

Section 3. Said Exhibit “A” shall be attached to, and become a part of, the Lebanon Development Code upon entry of this order.

Passed by the Lebanon City Council by a vote of _____ for and _____ against and approved by the Mayor this 12th day of November 2025.

CITY OF LEBANON, OREGON

Kenneth E. Jackola, Mayor ☐
Michelle Steinhebel, Council President ☐

ATTESTED BY:

Julie Fisher, MMC, City Recorder

Exhibit “A”

Amendments to the Lebanon Development Code to include changes to the city’s code interpretation procedures and the park and recreational trail land use categorizations and permitting requirements

16.25 CODE INTERPRETATIONS

Delete Chapter 16.25 and replace with the following in its entirety:

16.25.010 – Intent.

Intent. A formal code interpretation intends to provide property owners or developers with an interpretation of the Lebanon Development Code and/or the Lebanon Comprehensive Plan (collectively “the Code”) for the following purposes:

- A. Reconcile potential conflicts in the Code where terms or phrases may have multiple meanings, create an ambiguity, or result in conflicting or inconsistent results;
- B. Assure uniform application of the Code; and
- C. Provide a reasonable appeal procedure.

An interpretation of use type pursuant to Section 16.03.010(C)(4) is not a formal interpretation subject to this section.

16.25.020 – Procedure.

- (a) *Procedure.* In lieu of the procedures outlined in Chapter 16.20, formal interpretations shall follow the procedures outlined in this section.
- (b) *Review authority.* The Planning Administrator is authorized to issue formal interpretations of the Code.
- (c) *Submittal requirements.* Requests for formal interpretations shall be submitted on a form provided by the Planning Administrator and shall be accompanied by the following:
 - (1) A written statement:
 - (A) Identifying the provision(s) of the Code for which the formal interpretation is being requested; and
 - (B) Describing the applicant's understanding of the provisions and/or how they are intended to be applied;
 - (2) Any additional supporting information the applicant deems necessary to provide evidence in support of the requested formal interpretation;
 - (3) For formal interpretations specific to a particular property that is subject to an active and duly incorporated Homeowner's Association (HOA) registered with the Oregon Secretary of State, which includes an identified registered agent, the name and mailing address for the registered agent of the HOA; and
 - (4) Payment of the applicable application fee as adopted by Council resolution.
- (d) *Decision.* Subsequent to the application being deemed complete, the Planning Administrator shall review the request and issue a formal interpretation of the specific provision(s) of the Code for which the formal interpretation has been requested. The interpretation shall:

- (1) Be based on the facts contained within the record and the rules of construction for interpreting the Code included under Section 16.25.040; and
 - (2) Be in the form of a written order containing findings stating the facts relied upon in rendering the interpretation and explaining the justification for the decision.
- (e) *Notice of decision.* Notice of the decision for a formal interpretation shall be mailed. An affidavit of mailing shall be prepared and made part of the file.
- (1) The notice of decision shall be mailed to:
 - (A) The applicant(s) and/or authorized representative(s);
 - (B) Anyone who has submitted a written request to receive notification of formal interpretations; and
 - (C) The following, when the formal interpretation is specific to a particular property:
 - (i) The owner of record of the subject property;
 - (ii) The address of the subject property, based on the City's current addressing records;
 - (iii) Property owners of record, as shown on the most recent property tax assessment roll, of properties located within 250 feet of the subject property; and
 - (iv) Addresses, based on the City's current addressing records, within 250 feet of the subject property; and
 - (2) The notice of decision shall include:
 - (A) A brief description of the application;
 - (B) A brief summary of the decision;
 - (C) A statement of the facts relied upon;
 - (D) The date the decision becomes effective, unless appealed;
 - (E) The date, time, and place by which an appeal must be filed, a brief statement explaining how to file an appeal, and where further information may be obtained concerning the appeal process;
 - (F) A statement that only those persons with standing may appeal the decision; and
 - (G) A statement that the complete case file is available for review. The notice shall state where the case file is available and the name and telephone number of the staff case manager to contact about reviewing the case file.

16.25.030 – Appeals.

- (a) *Appeal.*
 - (1) *Generally.* Unless appealed, the formal interpretation of the Planning Administrator shall be the final decision of the City.
 - (2) *Standing to appeal.* Only the applicant and anyone entitled to notice of the decision have standing to appeal the formal interpretation.
 - (3) *Procedure.* Except as otherwise provided in this section, appeals of formal interpretations shall be subject to the procedures set forth under Section 16.20.050.L of the LDC.

- (4) *Review Authority.* The Review Authority for an appeal of a formal interpretation shall be the City Council.
- (5) *Public notice.* Public notice for an appeal shall be provided as set forth under 16.20.050.C of the code, except that issuing notice to property within a 250-foot foot radius is only required for an appeal of a formal interpretation that is specific to a particular property.
- (6) *Decision.* The City Council may affirm or modify the decision. If the City Council modifies the decision, it shall issue an interpretation of the provision(s) of the Code for which the formal interpretation has been requested. The decision of the City Council shall be in the form of a written order containing findings stating the facts relied upon in rendering the interpretation and explaining the justification for the decision. The written order shall be mailed to:
 - (A) The appellant;
 - (B) The applicant(s) and/or authorized representative(s), if other than the appellant;
 - (C) The owner of record of the subject property, when the formal interpretation is specific to a particular property;
 - (D) Anyone who appeared either orally or in writing before the close of the public record on the appeal; and
 - (E) Anyone who requested to receive notice of the decision.
- (7) The decision of the City Council on appeal shall be the final decision of the City. Appeal of the City's final decision is to the Oregon Land Use Board of Appeals.
- (b) *Effect of formal code interpretation.* Formal code interpretations which have become final shall control future application and enforcement of the Code, unless superseded by subsequent formal interpretations. When a formal interpretation has been made in reference to a specific particular property, the interpretation shall apply generally throughout the City and not just to that property.
- (c) *Record of formal code interpretations.* The Planning Administrator shall keep a permanent file of all formal code interpretations.

Section 16.25.040 – Rules of construction.

The following rules of construction shall be used in interpreting the Code:

- (a) An interpretation shall be consistent with generally accepted principles of statutory construction as recognized by the Oregon courts, and shall not, by way of interpretation, add new restrictions, standards, or policies that are not apparent or necessarily implied within the text or context of the provision.
- (b) In making an interpretation, the duty is to simply ascertain and declare what is, in terms or in substance, contained in the provision.
- (c) No interpretation shall insert what has been omitted or omit what has been inserted.
- (d) Where there are several provisions relating to the same subject, a construction shall be given where, if possible, all provisions will be given effect.
- (e) As used in the Code, words used in the present tense include the future, the singular number includes the plural, and the word "shall" is mandatory and not directory.
- (f) All interpretations shall be consistent with the policies set forth in the Lebanon Comprehensive Plan.
- (g) In construing an ambiguous provision, the legislative history of the provision may be considered.

- (h) In making interpretations, great weight shall be given to prior interpretations of the same or any related provision.
- (i) Chapters in the Code contain purpose statements that provide general explanatory information concerning the chapter. The content of these sections does not constitute approval criteria.

Amend Section 16.32.020 to delete, modify, and add the following definitions:

Section 16.32.020 – Meanings of specific words.

Park (City). The City of Lebanon owned or maintained parks, playgrounds, and public recreation areas (*see Recreational areas – city park*). The park boundaries include all sidewalks, vanity strips, and curbs in the designated area, and extend through any adjacent streets to include all city rights-of-way in the designated zone.

Park (Private). A park available for public use owned by a non-public agency or private individual.

Recreational Areas (City Park). Any area dedicated for recreational purposes, including but not limited to playgrounds, sports fields, gardens, pedestrian trails, bike paths, gazebos, and other similar amenities, including all public trails maintained by the city for public use.

16.03.020 – Alphabetical list of land use examples.

Delete “recreational trails [P]” from alphabetical list of uses.

16.03.060 – Public uses (institutional and civic).

Amend B. Public Uses with Class II Impacts list to delete “recreational trails” and modify “park” to “parks, open space, and recreational areas”

16.05.070 Public uses allowed in the residential zones.

Amend Table 16.05-5: Public (Civic or Institutional) Land Uses Allowed in the Residential Zones to delete and amend the following references:

Use Categories	Z-RL	Z-RM	Z-RH
Public Uses with Class II Impacts:			
Other public uses such as boat launching areas, botanical gardens, city maintenance shops; hospitals and large medical complexes publicly-owned swimming pools, surplus food distribution centers; transit centers, water towers and reservoirs	N	CU if adjacent to collector, arterial, or highway	CU if adjacent to collector, arterial, or highway
Other public uses such as parks and, recreation facilities, open space, pedestrian areas	CU	CU	CU
	AR if projects implement the city's adopted facilities plans		

16.06.080 Public uses allowed in the mixed-use zone.

Amend Table 16.06-5: Public (Civic or Institutional) Land Uses Allowed in the Mixed-Use Zone to delete and amend the following references:

Use Categories	Mixed-Use Zone (Z-MU)
Other public uses such as boat launching areas, botanical gardens, city maintenance shops; hospitals and large medical complexes publicly owned swimming pools, surplus food distribution centers; transit centers, water towers and reservoirs	CU
Other public uses such as parks and, recreation areas, open space, pedestrian amenities	CU (OP for dedicated wetlands and detention facilities; AR if the projects implement the city's adopted facilities plans)

16.07.080 Public uses allowed in the neighborhood mixed-use zone (Z-NMU)

Amend Table 16.07-5: Public Uses (Civic or Institutional) Allowed in the Neighborhood Mixed-Use Zone to delete and amend the following references:

Use Categories	
Public Uses with Class II Impacts:	
Other public uses such as boat launching areas, botanical gardens, city maintenance shops; hospitals and large medical complexes publicly owned swimming pools, surplus food distribution centers; transit centers, water towers and reservoirs	CU
Other public uses such as parks and, recreation areas, open space, pedestrian amenities	CU (OP for dedicated wetlands and detention facilities; AR if projects implement the city's adopted facilities plans)

16.08.080 – Public uses allowed in the commercial zones.

Amend Table 16.08-5: Public Uses (Civic or Institutional) Allowed in the Commercial Zone to delete the following reference:

Use Categories	Z-NCM	Z-CCM	Z-HCM
Public Uses with Class II Impacts			
Other public uses such as boat launching areas, botanical gardens, city maintenance shops; hospitals and large medical complexes publicly owned swimming pools, surplus food distribution centers; transit centers, water towers and	N	CU	CU

reservoirs			
Other public uses such as parks and, recreation areas, open space, pedestrian amenities	N	CU	CU
	(AR if projects implement the city's adopted facilities plans)		

16.09.080 – Public uses allowed in the industrial zone.

Amend Table 16.09-5: Public Uses (Civic or Institutional) Allowed in the Industrial Zone to delete the following reference:

Use Categories	Z-IND
Public Uses with Class I Impacts:	
Other public uses such as boat launching areas, botanical gardens, city maintenance shops; hospitals and large medical complexes publicly owned swimming pools, surplus food distribution centers	N
Other public uses such as parks and, recreation areas, open space, pedestrian amenities	CU (OP for dedicated wetlands and detention facilities; AR if projects implement the city's adopted facilities plans)

16.10.080 – Public uses allowed in the public use zone.

Amend Table 16.10-5: Public Uses (Civic or Institutional) Allowed in the Industrial Zone to delete the following reference:

Land Uses	
Public Uses with Class II Impacts:	
Other public uses such as boat launching areas	AR
Other public uses such as parks and, recreation areas, publicly owned swimming pools; open space, pedestrian amenities	CU (OP for dedicated wetlands and detention facilities; AR if projects implement the city's adopted facilities plans)

16.18.040 – Sign districts.

Amend Table 16.18.040-1: Permitted Uses that may have Signage under the Standards of this Code in Residential Zones and Residential Development in Mixed Use Zone, as follows:

Types of Permitted Uses
b. With Class II impacts such as community centers, colleges, universities, community colleges, and adult education facilities; municipal courts; museums, nursery schools, preschools public safety facilities, including fire/emergency medical services and police stations, and emergency communication broadcast facilities; public squares, plazas, senior centers, social service facilities, soup kitchens, vocational training for the physically or mentally challenged, utility substations, youth club facilities, boat launching areas, city maintenance shops; hospitals and large medical complexes, publicly owned swimming pools, parks (city); transit centers, and so on

EXHIBIT B
LEBANON CITY COUNCIL FINDINGS
Planning File No. DCA-25-02

I. NATURE OF THE APPLICATION

This matter comes before the Lebanon City Council on the application of the City of Lebanon to amend the Lebanon Development Code.

II. BACKGROUND INFORMATION

The City wishes to amend the Lebanon Development Code to adopt code amendments to include changes to the city's code interpretation procedures and the park and recreational trail land use categorizations and permitting requirements. Exhibit "A" contains the specific code amendments.

III. PUBLIC HEARINGS

A. Planning Commission Action

A public hearing was held on this application before the Lebanon Planning Commission on October 15, 2025. At that hearing, City Planning File No. DCA-25-02 was made a part of the record. The notice of the hearing was published in a manner consistent with the requirements in Chapter 16.20 of the Lebanon Development Code for a legislative review process.

After the public hearing, the Planning Commission deliberated on the issue and voted to recommend that the City Council adopt the proposed amendments to the Lebanon Development Code. The Commission found the proposed changes consistent with the applicable decision criteria.

B. City Council Action

The City Council conducted a public hearing to consider the application on November 12, 2025. At that hearing, City Planning File No. DCA-25-02 was made a part of the record. The notice of the hearing was published in a manner consistent with the requirements in Chapter 16.20 of the Lebanon Development Code for a legislative review process. No objection was raised regarding jurisdiction, conflicts of interest, or evidence or testimony presented at the hearing. After the hearing, the City Council found the proposed code amendments were consistent with the applicable decision criteria and approved the Ordinance.

IV. FINDINGS OF FACT-GENERAL

The Lebanon City Council, after careful consideration of the testimony and evidence in the record, adopts the following General Findings of Fact:

A. The applicant is the City of Lebanon.

B. The proposal includes amendments to the Lebanon Development Code to include

changes to the city's code interpretation procedures and the park and recreational trail land use categorizations and permitting requirements. Exhibit "A" contains the specific code amendments.

- C. The decision to approve or deny shall be based on criteria in the Lebanon Development Code: Chapter 16.28 – Comprehensive Plan and Development Code Text Amendments.

V. APPLICATION SUMMARY

- A. The proposal includes amendments to the Lebanon Development Code related to changes to the city's code interpretation procedures and the park and recreational trail land use categorizations and permitting requirements. Exhibit "A" contains the specific code amendments.
- B. The Department sent out notice of the Code amendments to affected agencies and the Department of Land Conservation (DLCD). No comments have been received.

VI. CRITERIA AND FINDINGS

Chapter 16.28 of the Lebanon Development Code establishes the procedures and criteria for amending the text of both the Comprehensive Plan and Development Code.

- A. Section 16.28.010 identifies the purpose of text amendments, while Section 16.28.020 identifies the various types of amendments. The proposed changes involve only the text of the Development Code; amendments to the Comprehensive Plan are not required.
- B. Section 16.28.030 identifies those agents authorized to initiate a text amendment. Conforming to provisions in this Section, the City began implementing code changes associated with the code interpretation and recreational trails, parks, and open spaces.
- C. Section 16.28.040 requires the City Recorder to maintain records of all changes to the Development Code. This administrative process requires City compliance.
- D. Sections 16.28.050 and 16.28.060 require that all proposed amendments to the Comprehensive Plan Text be consistent with Oregon's Statewide Planning Goals and all adopted facility plans, including the Transportation System Plan. These Sections do not apply, as the proposal does not amend the Comprehensive Plan.
- E. Section 16.28.070 requires Development Code amendments be consistent with the City's Transportation System Plan.

RECOMMENDED FINDING: The TSP (2018 update) emphasizes multi-modal transportation, including bicycle and pedestrian connectivity, and integration of recreational trails into the city's transportation network. The amendments clarify that parks, recreational areas, and trails are recognized as public uses across zones, reinforcing the TSP's policy framework (e.g., Chapter 8, Policy 2.3 Multi-Modal Accessibility and Policy 2.6 Safety and Active Transportation). The amendments do not generate new traffic impacts nor reduce transportation capacity; instead, they enhance

alignment with adopted TSP goals.

- F. Section 16.28.080 outlines the process for text amendments. This legislative action under Chapter 16.20 requires hearings before the Planning Commission and City Council. The Commission reviews the request and makes a recommendation to the Council. The final decision on this matter rests with the City Council. The Planning Commission hearing is scheduled for October 15, 2025, and the City Council public hearing is scheduled for November 12, 2025.
- G. Specific decision criteria are contained in Section 16.28.090. The City may approve a Development Code Amendment application if it satisfies the relevant Decision Criteria: Oregon Department of Land Conservation and Development administrative rules, applicable Statewide Planning Goals, applicable provisions of the Lebanon Comprehensive Plan, and any other applicable and relevant facility or special area plans, specific projects, or goals adopted by the City.

RECOMMENDED FINDING: The following provides support for the criteria:

1. DLCD Administrative Rules – The Oregon Administrative Rules address various issues, including development on farmland, provisions for needed housing, requirements to expand an urban growth boundary, meeting natural resource planning requirements, and similar issues. Based on the submitted staff review and the fact that the DLCD did not identify specific Administrative Rules for the City to consider, it is concluded that no Administrative Rules apply to the proposed Code amendment.
2. Statewide Planning Goals – Compliance with the Statewide Goals is noted as follows:

Goal 1 - Citizen Involvement: The development code amendment process follows the legislative review process. A Post Acknowledgement Plan Amendment was filed with DLCD on September 5, 2025. A public notice was issued to all interested parties on September 19, 2025, and was published in the local newspaper to advertise the Planning Commission public hearing scheduled for October 15, 2025. At the October 15, 2025, Planning Commission meeting, the Planning Commission held a public hearing to solicit public comment and make a recommendation on the proposed code amendments to the City Council. In compliance with state law, a public notice was issued 20 days before the City Council public hearing with information on how the public may participate in the City Council public hearing process and the recommendation made by the Planning Commission. The City Council public hearing was scheduled for November 12, 2025. By following the legislative review process, the city is consistent with the intent of the Goal.

Goal 2, Land Use Planning: Statewide Planning Goal 2 requires that land use decisions be made through a coordinated and comprehensive planning process, supported by an adequate factual base and consistent with applicable plans and policies. Goal 2 also emphasizes the importance of coordination with affected governmental units and compliance with adopted procedures.

The proposed amendments to the Lebanon Development Code comply with Goal 2

based on the following findings:

- **Use of a Recognized Legislative Land Use Process**
The city processed the Development Code amendments through its adopted legislative land use procedures, consistent with the Lebanon Development Code and Oregon Revised Statutes (ORS 197.610–197.650). This process included required public notice, a staff report outlining the basis for the amendments, and public hearings before the Planning Commission and City Council.
- **Code Update Guided by Public Engagement**
The code update was initiated based on a code interpretation application request from a member of the public. As a result of the code interpretation application, the City Council, during a public hearing, directed staff to amend the development code to clarify the land use authorizations around parks and trails and clarify the code interpretation process. The code amendments have been available for public review through the post-acknowledgment plan amendment process with the Department of Land Conservation and Development. A public notification to allow for written comment, and a public hearing to allow for public testimony for both the Planning Commission and City Council hearings, allow for public engagement in the decision-making process, and for the Commission and Council to consider recommendations for modifications. These actions reflect a deliberate effort to ensure transparency, accessibility, and public input throughout the code revision process.
- **Coordination with Applicable Plans and Jurisdictions**
The code update was coordinated internally with other City departments, including engineering and public works, and externally with the Oregon Department of Land Conservation and Development (DLCD). The amendments do not conflict with adopted facility plans or intergovernmental agreements, and other affected jurisdictions raised no objections during the notice period.
- **Factual Basis for Code Amendments**
The proposed code changes are supported by the City's acknowledged Comprehensive Plan and existing land use framework. While no new factual studies were required for this update, the amendments are consistent with previously adopted findings supporting the Comprehensive Plan, and the City's Buildable Land Inventory remains valid and unchanged. The alignment with the adopted trails master plan supports the changes to the code.
- **No Additional Plan Amendments Required**
Per ORS 197.296(6)(b), the cumulative effect of the code amendments is projected to result in no more than a three percent increase in residential zone capacity. Therefore, no additional analysis of public facility plans or amendments to the Comprehensive Plan is required in conjunction with these code changes.

The Development Code update was developed and adopted through a coordinated, transparent, and legally compliant legislative process. The city's actions align with its adopted procedures and are supported by the existing land use policy framework. As such, the code amendments are consistent with the requirements of Statewide Planning Goal 2.

Goal 3, Agricultural Lands: The proposal does not involve or affect farmland, so an exception to this goal is not required.

Goal 4, Forest Lands: The proposal does not involve or affect identified forestland. An exception to this goal is not required.

Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources: The amendment does not: (a) modify Goal-5 inventories; (b) reduce standards for inventoried resources; or (c) authorize development in protected areas. Treating parks, trails, and recreational facilities as public/recreational uses is a clarification that does not supersede riparian, wetlands, historic, or other protective overlays; any future facility or site development must still meet applicable resource standards (e.g., riparian setbacks, wetlands protections) during site-specific review. Therefore, the amendments comply. No degradation of inventoried resources; the clarification improves consistent administration of existing protections

Goal 6, Air, Water, and Land Resource Quality: Nothing in this amendment establishes or promotes land uses that adversely affect air, water, or resource quality. Procedural and use-classification clarifications do not change emission/discharge standards or authorize uses that would impair Goal-6 resources. Site-specific proposals remain subject to state and local environmental regulations at the time of development. Therefore, the proposed amendments comply with Goal 6.

Goal 7, Natural Hazards: The amendment does not alter hazard maps or standards. Development in floodplains, steep slopes, or hazard areas remains regulated under existing overlays and codes; these remain in force.

Goal 8, Recreational Needs: Clarifying parks, recreational facilities, and trails as public/recreational uses removes ambiguity that could otherwise impede the delivery of recreational facilities. The action does not displace parkland or reduce recreational capacity; it facilitates the provision and maintenance of a diverse park/trail system through clearer administration.

Goal 9, Economic Development: The amendment does not change employment land designations or capacity. By improving predictability in administration (interpretations; clear public/recreation use treatment), it reduces regulatory uncertainty and supports timely investment decisions.

Goal 10, Housing: Statewide Planning Goal 10 requires jurisdictions to “provide for the housing needs of citizens of the state.” Cities must plan for a variety of housing types, densities, and affordability levels, supported by an adequate factual base (ORS 197.296; OAR 660-008). Post-acknowledgment plan amendments must not reduce residential land capacity below what is required to meet identified needs and must remain consistent with the City’s acknowledged Housing Needs Analysis (2019) and Housing Production Strategy (2023).

- Nature of the amendments. The proposed amendments are administrative and clarifying in scope. They address (a) interpretation procedures within the Development Code, and (b) clarification that parks, recreational facilities, and

trails are considered public/recreational uses across applicable zones. The amendments do not redesignate land from residential to non-residential uses, reduce residential densities, or create new regulatory barriers that would diminish buildable land supply.

- No reduction in buildable land capacity. The City's acknowledged 2019 Housing Needs Analysis and adopted Buildable Lands Inventory remain valid and unchanged. Because the amendments do not diminish residential zoning districts, dimensional standards, or minimum density requirements, they do not remove or constrain any portion of the City's residential land base. Accordingly, no update to the Buildable Lands Inventory or Housing Needs Analysis is required.
- Consistency with ORS 197.296(6)(b). State law provides that post-acknowledgment plan amendments that cumulatively reduce housing capacity by more than three percent trigger additional analysis and facility planning. Here, the amendments do not reduce capacity beyond that three percent threshold; they are procedural clarifications, and the potential trail alignments identified in the adopted trails master plan within the low-density residential zone do not exceed the three percent threshold on buildable lands.
- Public facilities impact. Because the amendments do not increase residential capacity or authorize new residential development, no additional burden is placed on adopted facility plans (water, sewer, transportation). Existing requirements for concurrency and adequate public facilities continue to apply.

The proposed text amendments do not alter residential land designations, densities, or capacity, and thus do not undermine the City's ability to meet identified housing needs. They remain consistent with the City's acknowledged Housing Needs Analysis and Housing Production Strategy, comply with ORS 197.296(6)(b), and support Goal 10's broader directive to ensure livable housing environments. Accordingly, the amendments are consistent with Statewide Planning Goal 10.

Goal 11, Public Facilities and Services: The amendment neither alters public facility sizing/funding/LOS standards nor commits the City to facility changes; facilities planning remains governed by adopted facility plans. Clarifying public/recreation uses streamlines coordination during development review without increasing demand beyond existing plan assumptions.

Goal 12, Transportation:

- No "significant effect." The text amendment does not create or newly allow a land use with trip generation profiles that would significantly affect a transportation facility under OAR 660-012-0060; it clarifies use categories and procedures.
- Project-level mitigation preserved. Any future site-specific development remains subject to the City's TIA thresholds and mitigation at the time of application; the staff report confirms reliance on TSP-based capacity planning and TIA triggers for subdivisions and other projects.
- No change to functional classification or mobility standards; no amendments to the TSP project list are required.

Goal 13, Energy Conservation: Neutral to slightly positive. Clarified support for trails/active recreation can improve non-auto connectivity in site designs, indirectly reducing vehicle miles traveled over time at the project level.

Goal 14, Urbanization: There will be no UGB amendment, no change to plan map designations, and no shift in urban service extension policy. Administrative clarity will improve orderly and efficient review within the existing UGB.

Goals 15 to 19, Willamette River Greenway, Estuarine Resources, Coastal Shores, Beaches and Dunes, Ocean Resources: The proposals do not involve land within the Willamette Greenway or coastal areas.

The proposed amendments are consistent with the Goal provisions or do not directly affect the Goal provisions.

3. Lebanon Comprehensive Plan – The Comprehensive Plan consists of ten Chapters, with each Chapter addressing specific land use issues such as housing or natural resources. Each Chapter is reviewed below:

- Chapter 1: Introduction - This introductory Chapter describes the Comprehensive Plan, its relationship to the Statewide Land Use Goals, the Citizen Involvement program, and key terminology. As introductory provisions, this Chapter does not directly apply to the proposed text amendments.
- Chapter 2: Natural Environment—This chapter addresses goals and policies related to the City’s natural environment.
 - *“P-5: Protect fish and wildlife habitat along stream corridors... requiring that areas of standing trees and natural vegetation along natural drainage courses and waterways be maintained to the maximum extent possible.”*
 - *“P-6: Use designated greenways... to protect natural vegetation and water resource values and provide public pedestrian/bicycle access where physically practical.”*
 - *“P-7: Protect designated riparian areas in the UGB through the implementation and enforcement of the Riparian Protection Zone*

Recognizing trails/parks as public/recreational uses does not weaken riparian/greenway protections and explicitly coexists with them; any trail or park improvements must comply with RPZ and greenway standards, thereby implementing P-5 through P-7. As such, the code amendments comply with Chapter 2.

- Chapter 3: Urbanization – This Chapter provides the basic framework for future urban development within the City, including public facility provisions and annexations.
 - *Maximum Efficiency of Land Use - The livability and functionality of a community relies on an efficient balance of industrial, commercial and*

residential land uses. ... The City of Lebanon continues to promote policies and regulations that encourage efficient mixed-use development and promote transportation alternatives.

Clarifying administrative interpretation procedures increases predictability and consistency in applying the Code to mixed-use and open-space features (including trails). Recognizing parks/recreation/trails as public uses supports site plans that integrate recreation and active transportation—an implementation tool for “efficient ... development” and “transportation alternatives.”

- *Orderly and Economic Provision for Public Facilities - This Chapter of the Comprehensive Plan notes that as part of the process for annexing developed property(-ies), the City will consider the projected demand on key City-provided urban utility services ... water, storm drainage, sanitary sewerage, and streets. This Chapter further notes that ... the City will consider the impacts on the key City-provided urban utility services needed to serve these properties.*

The amendment does not change facility sizing or service obligations; it clarifies how uses are categorized (parks/trails) and how interpretations are made, which in turn streamlines coordinated review of service demands at annexation or development—squarely advancing “orderly and economic provision” without creating new burdens on water, sewer, drainage, or streets.

- *P-15: Jointly manage, with the County, all planning activities and land use developments within the Lebanon Urban Growth Area (UGA) under the procedures set forth in the City of Lebanon/Linn County Urban Growth Management Agreement (UGMA)."*
- *"P-16: Recognize and act on the basis that this Comprehensive Plan and its related facility plans and Municipal Code acts as the governing documents for planning actions and land use decisions within the City's Urban Growth Area (UGA)."*
- *"P-17: Recognize and act on the basis that the policies, directives, and requirements of the City of Lebanon and Linn County, as well as the [UGMA] ... ensure an orderly and efficient transition from rural to urban land uses within the [UGA] by limiting land development activity and build out density until such lands are annexed and served by City-provided infrastructure and utility services ... and have access to the diversity of land development opportunities available by City zoning assignment."*
- *"P-18: Recognize and act on the basis that the City/County [UGMA] provides the foundation for the long term efficient urban development of land in the [UGA] ... interim development will occur at the constrained densities permitted by County rural development standards.*

The amendment neither alters UGMA procedures nor service triggers. It clarifies the Development Code's administration and categorization of public/recreational uses (parks/trails), improving intergovernmental coordination inside the UGA by reducing discretionary ambiguity when County

and City apply UGMA provisions at the urban edge.

The amendments are consistent with Chapter 3 because they: (1) do not expand the UGB, change plan map designations, or commit the City to new facility obligations; (2) do improve the orderly, efficient, and flexible administration of land development requirements (P-14) by clarifying interpretations and acknowledging parks/recreation/trails as public uses; (3) support maximum efficiency of land use and active transportation alternatives through clearer treatment of trails and open space in review; and (4) maintain UGMA, annexation, and facilities-capability frameworks untouched while making their day-to-day application more predictable and coordinated.

- Chapter 4: Land Use—This Chapter establishes land-use goals and policies, including Public Use and Open Areas and the role of open space/trails in livability and economic vitality. It defines open space broadly and recognizes trails/walking paths.
 - *“P-42: Require through the zoning and subdivision review and approval procedures that recreational lands and open space areas be integrated into development proposals, especially multi-family developments, to enhance the urban environment.”*
 - *“P-43: Encourage preservation of natural features and vegetation as open space through the zoning and subdivision review and approval procedures.”*
 - *“P-45: Support and encourage the management of the City's waterways and drainage courses as community greenways... while creating a system of natural corridors throughout the community.”*
 - *“P-46: Ensure that landscaping is included as an integral part of site and street developments (on both public and private streets) through zoning standards, review criteria and approval procedures.”*

Clarifying that parks, recreation facilities, and trails are public/recreational uses ensures these amenities are consistently recognized and integrated through zoning/subdivision procedures (P-42/P-43), supports greenway corridors (P-45), and reinforces landscape/site design integration (P-46).

- Chapter 5: Economic Development – This Chapter addresses population growth and economic development trends.
 - *P-49: “Ensure that there is an adequate supply of serviceable industrial and commercial land to accommodate future employment growth in Lebanon.”*
 - *P-50: “Encourage economic development in areas that can be efficiently and economically served with public facilities and services.”*
 - *P-52: “Promote the development of Lebanon’s downtown as a thriving center for business, government, and cultural activities.”*
 - *P-53: “Support efforts to diversify the community’s economic base and to increase family wage jobs.”*

- *P-54: “Encourage land use patterns that provide opportunities for living, shopping, working, and recreating in close proximity.”*

The amendments do not change employment land capacity or zoning designations (P-49). By clarifying administrative procedures, they provide a more predictable development review process, which supports economic growth and efficient use of infrastructure (P-50). Recognizing parks, recreational facilities, and trails as public uses supports a vibrant and attractive community, directly reinforcing downtown’s role as a hub for cultural activity (P-52) and making Lebanon a more attractive location for employers and workers (P-53). Finally, trail and open-space integration facilitates mixed-use, walkable neighborhoods consistent with P-54.

- Chapter 6: Housing – This Chapter establishes the City’s Goals and Policies related to Housing.
 - *P-30: “Ensure that there is an adequate supply of land designated for residential use at a variety of densities to meet projected housing needs.”*
 - *P-31: “Support the development of a variety of housing types to meet the needs of all income levels, age groups, and special needs populations.”*
 - *P-32: “Encourage development of housing in locations that have access to employment, services, shopping, and transit.”*
 - *P-33: “Promote the development of affordable housing through partnerships, regulatory flexibility, and financial incentives.”*
 - *P-37: “Encourage the integration of open space, parks, and pathways into residential developments to enhance livability.”*

The amendment does not reduce residential land supply or housing capacity (P-30, P-31). Clearer administrative procedures improve consistency and timeliness in development review, which supports production of diverse housing types (P-31, P-33). Clarifying that parks, trails, and recreation facilities are public uses ensures that residential projects can more easily integrate open space amenities, directly advancing P-37 and supporting livability and access to services (P-32).

- Chapter 7: Community-Friendly Development & Preservation of Historic Resources—This Chapter focuses on policies that create a built environment suitable for the needs of a diverse population through a variety of uses scaled for the pedestrian and capable of accommodating the automobile and mass transit.

Community-friendly Development " encourages [s] the provision of safe and convenient ways for people to walk, bike, and connect to transit" and emphasizes a well-connected street network and multi-modal street design. Recognizing trails/parks as public uses directly supports connectivity and person-oriented transportation objectives by making it easier for applicants and staff to incorporate these facilities into site and corridor designs consistent with this chapter.

- Chapter 8: Transportation—This Chapter addresses the city's transportation needs, emphasizing the creation of a variety of transportation options for pedestrians, bicyclists, vehicles, and mass transit.
 - *“G-2: Convenient facilities for pedestrians and bicyclists.” / “G-5: Safe and active residents.”*
 - *“P-4 Allow more walking and biking...” / “P-5 Improve commuting and recreational walking and biking connections to community facilities and amenities.” “*
 - *P-8 Ensure that land development requirements support the implementation of the planned transportation system.”*
 - *“P-9 Safe and convenient bicycle facilities shall be provided by new development within and between... schools, parks, and shopping.”*

Clarifying trails as recreation facilities removes regulatory ambiguity and helps staff/Applicants apply TSP multimodal policies at development review (P-4, P-5, P-8, P-9). As the staff report notes, project-level traffic is addressed via established TIA thresholds; no TSP amendments are triggered by this legislative amendment.

- Chapter 9: Public Facilities and Services—State law requires the city to plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve development.
 - *“P-34: Periodically review and update the City of Lebanon’s Parks Master Plan.”*
 - *“P-35: Ensure that the Parks Master Plan is consistent with the bicycle and pedestrian facilities sections of the Transportation System Plan.”*
 - *“P-36: Identify sites for a variety of park uses, including both passive and active recreational uses.”*
 - *“P-37: Seek to achieve a variety of park land... achieve a system of linear greenways, and create school/park recreational areas where possible.”*
 - *“P-38: Give prime consideration... to special or unique natural features... to preserve these natural features.”*
 - *“P-39: Acquire, where possible, future park sites adjacent to linear greenways... link parks with potential pedestrian and bike trails.”*

The amendment implements these policies by clarifying that park/trail facilities are permissible public/recreational uses across applicable zones, simplifying acquisition/placement and review, and ensuring consistent treatment when aligning park improvements with the TSP’s bike/ped network.

- Chapter 10: Plan Implementation, Amendment, and Land Use Planning Coordination – This Chapter establishes procedures for amending the Comprehensive Plan Map and Zoning Map.

- *“Upon adoption, the TSP becomes a part of this Comprehensive Plan.”*
- *“Collectively the following documents... make up the City’s overall Facilities Plan: ... (2) Parks Master Plan... (5) Capital Improvements Program.”*
- *“Those portions of the LMC that address issues or matters encompassed within the Lebanon Comprehensive Plan need to be consistent with the Lebanon Comprehensive Plan.”*

This action is a housekeeping/clarity update to the LMC ensuring consistency with the Plan and its facility elements (TSP; Parks Master Plan). It does not adopt or amend facility standards, but it improves day-to-day implementation of them.

4. Other Facility Plans or Projects - In addition to the Comprehensive Plan and Statewide Planning Goals, legislative code amendments must be consistent with other adopted facility plans and capital projects that form part of the City’s long-range planning framework.

- No conflict with adopted facility plans. The proposed amendments are administrative in nature (clarifying interpretation procedures) and clarifying in scope (expressly recognizing parks, recreational facilities, and trails as public/recreational uses). They do not modify service standards, project lists, or funding mechanisms contained in adopted facility plans.
- Transportation System Plan (2018). The TSP is the transportation element of the Comprehensive Plan. The amendments do not alter functional classifications, traffic volume assumptions, or TSP project lists. Future development that generates trips remains subject to the City’s Transportation Impact Analysis (TIA) thresholds, ensuring consistency with the TSP.
- Parks and Trails Master Plan. The Parks Master Plan sets long-term direction for acquisition, classification, and improvement of parkland and greenways. Relevant Comprehensive Plan policies require it to be coordinated with the TSP. By clarifying that parks and trails are public uses in the Development Code, and where the uses are authorized, the amendments strengthen implementation of the Parks Master Plan and ensure facility classification aligns with zoning administration.
- Other facility plans (water, sewer, drainage). The amendments do not increase residential or employment land capacity, nor do they create unplanned facility demands. As such, no updates to the Water System Master Plan, Wastewater Facility Plan, or Storm Drainage Master Plan are triggered. Site-specific developments resulting from future applications will continue to be reviewed against those plans.
- Capital Improvements Program. The amendments do not add or remove projects from the CIP. Future recreational or trail projects remain subject to City Council funding and prioritization decisions during biennial CIP adoption.

Conclusion. The code amendments neither amend nor conflict with the City’s adopted facility plans or projects. They provide procedural clarity and reinforce recognition of parks and trails as allowed public uses, thereby supporting consistent implementation of the TSP, Parks and Trails Master Plans, and other facility planning

documents that collectively comprise the City's Facilities Plan.

VII. CONCLUSION

Based on the above findings, the City Council concludes that the proposed Development Code amendments are consistent with the applicable decision criteria.