



LINN COUNTY PLANNING AND BUILDING DEPARTMENT

Steve Wills, Director

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TO: Board of Commissioners
FROM: Steve Wills, Planning & Building Department Director
DATE: August 8, 2023
RE: Planning and Building Department Update: August 2023

The attached tables include the Department's current FY2022-23 Revenue Summary and Permit Activity Reports through July 31, 2023. Also attached with this memorandum is the list of July 2023 land use applications received, a code enforcement summary, and current wildfire permitting reports. The August 2023 Department update is summarized below.

PLANNING

- Land use permits issued in July 2023 totaled 58.
- There is no Planning Commission meeting scheduled for August.
- There is one Board hearing scheduled for review on August 29, 2023. File no. BC19-0002.

BC19-0002; A hearing on remand by the Oregon Land Use Board of Appeals of Linn County Ordinance 2021-397 and Resolution and Order No. 2021-396, which approved applications by Ronald & Virginia Henthorne for a *Comprehensive Plan* Map amendment and Zoning Map amendment on a 108.59-acre property. The amendments would change the *Plan* designation on the subject property from Farm/Forest to Non-Resource and change the zoning from Farm/Forest to Non-Resource 5-acre minimum. The property is located on the north side of Crawfordsville Drive, approximately 0.47 miles west of the intersection of Crawfordsville Drive and Scott Mountain Road, and approximately 0.68 miles northeast of the rural center of Crawfordsville. The property is identified as T14S, R01W, Section 8, Tax Lot 101.

- The Department held a meeting with city managers on August 2, 2023 regarding the update of the County Community Wildfire Protection Plan (CWPP). The meeting was held to hear from city partners on priority opportunities and concerns related to wildfire resilience in their communities and countywide, in order to identify critical gaps in current projects, practices, and action items within the existing Linn County CWPP. The meeting resulted in a robust conversation covering a number of topics related to wildfire. Staff will be working on incorporating thoughts, feedback, and ideas into potential goals and action items as part of the plan update.
- Two additional CWPP update community outreach meetings are scheduled on August 24, 2023. The first meeting is scheduled with the Linn County Fire Defense Board. The second meeting is to hear from local community organizations and service providers to hear their feedback about community wildfire resilience.

BUILDING

- Total County building permits issued in July 2023, including non-structural permits, totaled 254. The number of building permits issued for dwellings in July totaled 38: 8 single family dwellings and 4 manufactured dwelling. 17 permits were issued for dwelling additions/alterations and 9 permits for accessory buildings were issued. Total number of Commercial permits issued totaled 4. Out of the 254 combined residential and commercial permits, 44 required plan review.
- Total contract city permits issued in July 2023, including non-structural permits, totaled 18; There were no contract city permit issued in July for new single-family dwellings, no permits for manufactured dwellings and 4 permits were issued for dwelling additions/alterations and 1 permit for an accessory building was issued. Total number of Commercial permits issued totaled 12. Out of the 18 combined residential and commercial permits, 16 required plan review.

CODE ENFORCEMENT

- Total new cases for July 2023 was 17.
- Total cases closed in July 2023 was 14.

WILDFIRE GRANT

- We have had no new fire hardening applications and have 1 grant check pending for July.
- ODOE and the Septic grant programs are still in effect.



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Estimate of Annual Revenues From Fees

Fiscal Year 2023-2024

Planning and Building Department

July 2023

<u>REVENUE SOURCE</u>	(1) YTD REVENUE	
Building Permits -- County, Permits & Sales	\$67,359.25	
C.E.T Administrative Fees	\$0.00	
Building Permits -- Contract Cities	\$7,469.81	
Electrical Permits	\$19,207.60	
Planning Fees	\$18,145.00	
TOTAL	\$112,181.66	
<u>REVENUE SOURCE</u>	(2) ESTIMATED REVENUE Aug '23 - June '24	(3) TOTAL REVENUE ESTIMATED Column (1) + Column (2)
Building Permits -- County	\$462,366.66	\$462,366.66
C.E.T Administrative Fees	\$3,666.67	\$3,666.67
Building Permits -- Contract Cities	\$348,333.32	\$348,333.32
Electrical Permits	\$238,333.32	\$257,540.92
Planning Fees	\$220,000.00	\$220,000.00
TOTAL	\$1,272,699.97	\$1,291,907.57
<u>REVENUE SOURCE</u>	(4) 2020/2021 Budget	(5) Projected Surplus or (Deficit) Column (3) - Column (4)
Building Permits -- County, Permits & Sales	\$504,400.00	(\$42,033.34)
C.E.T Administrative Fees	\$4,000.00	(\$333.33)
Building Permits -- Contract Cities	\$380,000.00	(\$31,666.68)
Electrical Permits	\$260,000.00	(\$2,459.08)
Planning Fees	\$240,000.00	(\$20,000.00)
TOTAL	\$1,388,400.00	(\$96,492.43)

PLANNING AND BUILDING DEPARTMENT PERMIT ACTIVITY TABLES
July 2023

TABLE 1
PERMITS ISSUED FY 2023/2024

	PLANNING APPLICATIONS	COUNTY BUILDING PERMITS	CONTRACT CITIES PERMITS	ELECTRICAL PERMITS	TOTAL
JULY	60	91	33	135	319
AUG					0
SEPT					0
OCT					0
NOV					0
DEC					0
JAN					0
FEB					0
MAR					0
APR					0
MAY					0
JUN					0
TOTAL	60	91	33	135	319

TABLE 2
PERMITS ISSUED FY 2021/2022

	PLANNING APPLICATIONS	COUNTY BUILDING PERMITS	CONTRACT CITIES PERMITS	ELECTRICAL PERMITS	TOTAL
JULY	49	76	20	113	258
AUG	71	114	51	168	404
SEPT	50	110	35	171	366
OCT	39	109	50	104	302
NOV	35	97	30	141	303
DEC	29	125	34	154	342
JAN	44	102	27	185	358
FEB	27	104	25	135	291
MAR	37	90	27	133	287
APR	40	87	27	153	307
MAY	41	128	52	155	376
JUN					
TOTAL	462	1,142	378	1,612	3,594

TABLE 3
PERMITS ISSUED FY 2021/2022

	PLANNING APPLICATIONS	COUNTY BUILDING PERMITS	CITIES PERMITS	ELECTRICAL PERMITS	TOTAL
JULY	76	91	141	172	480
AUG	84	120	28	180	412
SEPT	90	86	55	177	408
OCT	68	117	43	158	386
NOV	40	81	32	152	305
DEC	54	80	74	117	325
JAN	74	84	18	126	302
FEB	71	69	43	163	346
MAR	89	99	47	161	396
APR	77	88	16	164	345
MAY	72	90	28	143	333
JUN	72	86	6	166	330
TOTAL	867	1,091	531	1,879	4,368

TABLE 4
SINGLE-FAMILY DWELLING PERMITS ISSUED
COUNTY

	2018/2019		2019/2020		2020/2021		2021/2022		2022/2023		2023/2024	
	MO	QTR	MO	QTR	MO	QTR	MO	QTR	MO	QTR	MO	QTR
JULY	6		12		10		3		3		8	
AUG	11		4		10		9		16			
SEPT	9	26	5	21	5	25	12	24		19		
OCT	8		9		5		13					
NOV	2		2		3		5					
DEC	5	15	5	16	9	17	3	21		0		
JAN	5		4		3		2					
FEB	3		6		6		6					
MAR	4	12	14	24	8	17	6	14		0		
APR	4		10		8		8					
MAY	6		4		6		13					
JUN	11	21	8	22	5	19	4	25		0		
TOTAL	74		83		78		84		19		8	

TABLE 5
MANUFACTURED DWELLING PERMITS ISSUED
COUNTY

	2018/2019		2019/2020		2020/2021		2021/2022		2022/2023		2023/2024	
	MO	QTR	MO	QTR	MO	QTR	MO	QTR	MO	QTR	MO	QTR
JULY	5		11		5		6		3		4	
AUG	2		6		8		5					
SEPT	7	14	6	23	6	19	4	15		3		
OCT	8		4		8		3					
NOV	3		7		14		2					
DEC	3	14	7	18	10	32	4	9		0		
JAN	6		4		2		2					
FEB	5		1		4		2					
MAR	6	17	3	8	4	10	6	10		0		
APR	7		3		5		3					
MAY	2		4		2		1					
JUN	4	13	6	13	2	9	5	9		0		
TOTAL	58		62		70		43		3		4	

TABLE 6
NON-ELECTRICAL PERMITS ISSUED
COUNTY

	2018/2019		2019/2020		2020/2021		2021/2022		2022/2023		2022/2023	
	MO	QTR	MO	QTR	MO	QTR	MO	QTR	MO	QTR	MO	QTR
JULY	174		195		138		91		76		110	
AUG	172		176		180		120		113			
SEPT	160	506	158	529	148	466	86	297	171	360		
OCT	175		166		147		117		109			
NOV	138		138		98		81		97			
DEC	150	463	164	468	111	356	80	278	125	331		
JAN	116		120		86		84		102			
FEB	105		108		73		69		104			
MAR	176	397	173	401	111	270	99	252	94	300		
APR	127		144		97		88		113			
MAY	151		140		110		90		128			
JUN	163	441	134	418	119	326	86	264		241		
TOTAL	1,807		1,816		1,418		1,091		1,232		110	

TABLE 7
CONTRACT CITY DWELLING UNIT PERMITS ISSUED
BY FISCAL YEAR

	FY 2023/2024			FY 2022/2023			FY 2021/2022			FY 2020/2021		
	SFD	MH	MFD	SFD	MH	MFD	SFD	MH	MFD	SFD	MH	MFD
BROWNSVILLE				1	1		52	1		14	1	2
HALSEY										1		
HARRISBURG							5		1	5		
LYONS							3	1		1	1	
MILL CITY				9			5		1	11	19	2
MILLERSBURG				18			40			48		
SCIO												
TANGENT				2								
TOTAL	0	0	0	30	1	0	105	2	2	80	21	4

TABLE 8
PLANNING SECTION PERMIT ACTIVITY
FY 2023/2024

CURRENT MONTH: July 2023

DESCRIPTION	NUMBER	FEES	YEAR TO-DATE TOTALS	
			NUMBER	FEES
RESIDENTIAL				
Evaluation & Processing	29	2,900.00	29	2,900.00
Variance	2	1,300.00	2	1,300.00
Comprehensive Plan Amendment	0	0.00	0	0.00
Land Use Compatibility Statement	6	450.00	6	450.00
Conditional Use	3	6,150.00	3	6,150.00
Home Occupation CU's	1	900.00	1	900.00
Medical Hardship CU's	1	500.00	1	500.00
PD Partition	0	0.00	0	0.00
PM Partition	0	0.00	0	0.00
Property Line Adjustment	0	0.00	0	0.00
Easement	1	650.00	1	650.00
Appeal	1	2,000.00	1	2,000.00
Temp RV/Mfg. Home Placement	0	0.00	0	0.00
Zone Amendment	0	0.00	0	0.00
Mortgage Lot	0	0.00	0	0.00
Non-conforming Use Alteration	0	0.00	0	0.00
Step 1 - Soil Review	0	0.00	0	0.00
Agricultural Bldg Review	9	1,350.00	9	1,350.00
Dwelling/Property Status/SPR	4	1,300.00	4	1,300.00
Measure 49	1	350.00	1	350.00
Extensions	0	0.00	0	0.00
Misc. Applications	0	0.00	0	0.00
MONTHLY TOTAL	58	17,850.00	58	17,850.00

SALES REVENUES				
Xerox/Microfilm	12.00		12.00	
Tapes	0.00		0.00	
Maps	0.00		0.00	
Comp. Plan/Code/Transportation Books	0.00		0.00	
Reports	175.00		175.00	
Postage	21.00		21.00	
Extensions	325.00		325.00	
MONTHLY TOTAL		533.00		533.00

TABLE 9
BUILDING SECTION PERMIT ACTIVITY
FY 2023/2024

CURRENT MONTH: July 2023

DESCRIPTION	MONTHLY TOTALS		YEAR TODATE TOTALS	
	NUMBER	FEES	NUMBER	FEES
RESIDENTIAL				
Single Family Dwelling	8	16,612.03	8	16,612.03
Manufactured Homes	4	1,760.00	4	1,760.00
Prefab. Buildings	0	0.00	0	0.00
Additions/Alterations	17	6,999.00	17	6,999.00
Accessory Buildings	9	6,189.94	9	6,189.94
SUBTOTALS	38	31,560.97	38	31,560.97
NON-RESIDENTIAL				
Industrial	0	0.00	0	0.00
Commercial	4	1,554.00	4	1,554.00
Public	0	0.00	0	0.00
Additions/Alterations	0	0.00	0	0.00
Transaction Fee	0	0.00	0	0.00
Misc. Permits	0	0.00	0	0.00
SUBTOTALS	4	1,554.00	4	1,554.00
Plumbing	21	8,647.75	21	8,647.75
Mechanical	47	6,730.06	47	6,730.06
SUBTOTALS	68	15,377.81	68	15,377.81
Electrical Permits	135	14,688.25	135	14,688.25
Master Electrical Permits	0	0.00	0	0.00
SUBTOTALS	135	14,688.25	135	14,688.25
Demolition/Decommission	0	0.00	0	0.00
Flood Dev. Evaluation	4	480.00	4	480.00
Misc. Permits	5	1,417.67	4	1,417.67
		8		
SUBTOTALS	9	1,897.67	8	1,897.67
PLAN REVIEWS	44	18,756.74	44	18,756.74
SUBTOTALS	44	18,756.74	44	18,756.74
RAND TOTAL MONT	298	83,835.44	297	83,835.44

TABLE 10
CONTRACT CITY PERMIT ACTIVITY
FY 2023/2024

Current Month: July 2023

DESCRIPTION	NUMBER	FEES	YEAR TO-DATE TOTALS	
			NUMBER	FEES
RESIDENTIAL				
Single Family Dwelling	0	0.00	0	0.00
Manufactured Homes	0	0.00	0	0.00
Prefab. Buildings	0	0.00	0	0.00
Manufactured Home Parks (NEW)	0	0.00	0	0.00
Multi-Family Dwellings	0	0.00	0	0.00
Additions/Alterations	4	686.81	4	686.81
Accessory Buildings	2	519.56	2	519.56
SUBTOTALS	6	1,206.37	6	1,206.37
NON-RESIDENTIAL				
Industrial	0	0.00	0	0.00
Commercial	12	23,677.06	12	23,677.06
Prefab. Buildings	0	0.00	0	0.00
Public	0	0.00	0	0.00
Additions/Alterations	0	0.00	0	0.00
SUBTOTALS	12	23,677.06	12	23,677.06
MISC. APPLICATIONS				
Recreational (RV Parks etc.)	0	0.00	0	0.00
Misc. Structures	0	0.00	0	0.00
Miscellaneous Permits	0	0.00	0	0.00
SUBTOTALS	0	0.00	0	0.00
Plumbing	6	2,626.50	6	2,626.50
Mechanical	10	796.31	10	796.31
SUBTOTALS	16	3,422.81	16	3,422.81
Plan Review	16	32,384.93	16	3,238,493.00
GRAND TOTAL MONTH	34	60,691.17	34	3,266,799.24

TABLE 11
COUNTY PERMIT, PLAN CHECK, & MISC REVENUE
BY FISCAL YEAR

	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024
JULY	100,351.77	113,616.87	77,484.14	82,404.31	37,173.04	85,504.25
AUG	94,947.94	217,461.46	95,732.23	88,155.76	85,872.59	
SEPT	92,827.37	96,258.43	82,690.70	76,855.24	41,121.35	
OCT	107,407.42	101,242.25	79,672.58	89,772.08	56,229.51	
NOV	137,029.07	85,188.21	91,665.20	44,033.65	42,022.76	
DEC	53,122.43	63,127.55	112,792.14	27,931.62	40,539.64	
JAN	51,553.10	67,796.29	76,309.72	23,973.95	41,300.55	
FEB	45,337.65	96,198.93	47,947.91	48,470.08	49,872.30	
MAR	97,167.50	117,543.65	69,127.59	69,694.82	164,143.26	
APR	54,328.25	113,700.67	103,850.68	51,810.69	64,547.02	
MAY	80,519.05	90,138.22	61,270.86	71,863.53	75,963.78	
JUN	111,285.80	85,017.44	70,631.10	81,621.33	64,870.50	
TOTAL	1,025,877.35	1,247,289.97	969,174.85	756,587.06	763,656.30	85,504.25

TABLE 12
CONTRACT CITY PERMIT REVENUE
BY FISCAL YEAR

	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024
JULY	57,425.00	29,344.35	13,059.10	170,862.28	14,481.91	7,469.81
AUG	24,431.30	19,427.50	33,448.35	31,075.46	31,190.65	
SEPT	44,166.25	15,595.37	55,466.88	57,223.05	25,481.66	
OCT	32,066.76	41,208.37	31,518.40	15,331.99	23,719.08	
NOV	137,095.15	70,234.77	9,395.01	28,909.11	44,358.49	
DEC	10,453.12	15,984.40	25,222.81	37,232.20	25,887.93	
JAN	13,715.27	22,529.94	22,246.17	7,774.24	14,452.92	
FEB	0.00	47,698.94	21,535.68	65,052.25	12,187.50	
MAR	12,056.67	55,798.39	63,166.07	10,334.59	4,122.82	
APR	43,351.04	42,504.60	15,948.31	4,034.30	11,086.65	
MAY	46,751.87	42,346.01	28,446.88	10,696.30	18,858.57	
JUN	50,916.40	32,291.64	64,939.34	16,133.37	50,417.88	
TOTAL	472,428.83	360,547.10	363,006.91	470,213.47	276,246.06	7,469.81

TABLE 13
ELECTRICAL PERMIT REVENUE
BY FISCAL YEAR

	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024
JULY	23,402.00	22,715.00	12,081.00	19,671.25	15,285.25	19,207.60
AUG	23,683.00	19,484.00	19,901.00	25,964.60	26,724.50	
SEPT	22,397.00	17,429.00	22,700.00	25,437.00	28,274.00	
OCT	23,642.00	24,222.50	27,020.00	21,763.00	27,158.50	
NOV	21,884.00	24,998.00	28,993.70	24,648.71	27,146.00	
DEC	18,379.00	18,521.00	30,285.10	17,055.50	23,058.75	
JAN	20,631.75	19,702.00	22,736.40	15,145.00	23,920.00	
FEB	19,618.00	15,424.63	27,818.25	23,627.25	23,254.00	
MAR	20,288.00	20,688.50	30,391.25	23,675.50	20,490.00	
APR	18,515.00	30,663.00	25,127.50	26,044.50	22,785.75	
MAY	20,815.00	23,846.50	23,393.93	20,205.25	27,216.85	
JUN	20,890.00	22,829.38	29,276.05	25,005.50	26,179.25	
TOTAL	254,144.75	263,047.00	299,724.18	268,243.06	291,492.85	19,207.60

TABLE 14
PLANNING & BUILDING DEPARTMENT
FY 2023/2024 REVENUE AND EXPENDITURES
July 2023

LINE ITEM DESCRIPTION	ADMIN..	PLANNING	BUILDING	ELECTRICAL	BUDGET TOTAL
REVENUE					
PLANNING FEES		18,145.00			18,145.00
ELECTRIC PERMITS				19,207.60	19,207.60
BLDG, MECH, PLUMB PERMITS			46,169.71		46,169.71
MISC. PERMITS & PLAN REVIEW			20,798.54		20,798.54
REIMBURSEMENTS			175,086.00		175,086.00
MISC. (REIMBURSEMENTS)	0.00				0.00
SALES	391.00				391.00
CET FEES	0.00				0.00
CONTRACT CITIES			7,469.81		7,469.81
DEPOSIT SUSPENSE	0.00				0.00
CODE ENFORCEMENT CLEAN UP	0.00				0.00
FEE OVERAGES/SHORTAGES	0.00				0.00
SALE OF COUNTY EQUIPMENT	0.00				0.00
TOTAL REVENUE	\$391.00	\$18,145.00	\$249,524.06	\$19,207.60	\$287,267.66
EXPENDITURES PERSONAL SVS					
ELECTRICAL INSPECTOR I			7,952.00		7,952.00
ELECTRICAL INSPECTOR II				3,412.50	3,412.50
BLDG. INSPECTOR II			6,539.00		6,539.00
PLUMBING INSPECTOR I			7,573.00		7,573.00
PLANS EXAMINER II			0.00		0.00
BLDG INSP-CODE ENF		0.00	0.00		0.00
CODE ENFORCEMENT TECH			4,586.08		4,586.08
OFFICE MANAGER I	1,536.80		1,152.60	1,152.60	3,842.00
OFFICE SPECIALIST I	5,906.00				5,906.00
OFFICE SPECIALIST 2	0.00	0.00	0.00	0.00	0.00
OFFICE SPECIALIST 3	0.00	0.00	0.00		0.00
PERMIT CLERK			3,415.00		3,415.00
ASSISTANT PLANNER		6,831.70	1,707.93		8,539.63
ASSOCIATE PLANNER		0.00			0.00
SENIOR PLANNER		0.00	0.00		0.00
PLANNING MANAGER					8,570.00
BLDG. OFFICIAL	1,285.50		5,570.50	1,714.00	8,570.00
DIRECTOR	4,489.50	2,693.70	1,346.85	448.95	8,979.00
TEMPORARY HELP				3,310.00	3,310.00
OVERTIME				0.00	0.00
WAGES	\$13,217.80	\$9,525.40	\$31,890.96	\$10,038.05	\$81,194.21
LONGEVITY PAY	15.00	182.11	17.14		214.25
LEAD WORKER	0.00				0.00
CERTIFICATION PAY			0.00		0.00
FRINGE BENEFITS	1,380.61	5,522.43	10,492.62	10,216.50	27,612.16
PAYROLL COSTS	1,549.64	6,198.54	11,777.23	11,467.30	30,992.70
SALARY BENEFITS & ADJ.	0.00	0.00	0.00	0.00	0.00
TOTAL PERSON. SERVICES	\$16,163.04	\$21,428.49	\$54,177.94	\$31,721.85	\$140,013.32
MATERIALS & SERVICES					
SUPPLIES	43.54	43.54	174.16	174.16	435.40
PRINT & REPRODUCTION	2.80	8.40	22.40	22.40	56.00
POSTAGE	33.83	541.29	33.83	67.66	676.61
SUBSCRIPT. & MEMBERSHIP		0.00	0.00	0.00	0.00
AVOCETTE SOFTWARE					67.50
NOTICE & PUBLICATION		372.86	403.94		776.80
COPIER MAIN & USAGE	181.82	181.82	181.82	181.82	727.26
P.C.'S, ACCESS., SOFTWARE	0.00	0.00	0.00	0.00	0.00
SCHOOLS & SEMINARS	0.00				0.00
MEETINGS/TRAVEL	785.61				785.61
TELEPHONE	1.36	10.87	6.80	8.15	27.18
VISA BANK CHARGES		494.71	1,978.83		2,473.54
CODE ENFORCEMENT					422.71
CELL PHONE ALLOCATION					40.00
REPAIRS & MAINTENANCE	2.20	47.30	27.50	33.00	110.00
COMPUTER SUPPLIES & EQUIP	339.11	339.11	339.11	339.11	1,356.44
REFUNDS		221.69	338.37	23.34	583.40
OTHER CONTRACTED SERVICES			0.00		0.00
TOTAL MAT. & SERVICES	\$1,390.26	\$2,261.59	\$3,506.75	\$849.64	\$8,538.45
CAPITAL OUTLAY					
MOTOR VEHICLE			0.00		0.00
SPECIAL EQUIP. (SIERRA)					0.00
TOTAL CAPITAL OUTLAY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL EXPENDITURES	\$17,553.31	\$23,690.08	\$57,684.69	\$32,571.48	\$148,551.77
LESS REVENUE	\$391.00	\$18,145.00	\$249,524.06	\$19,207.60	\$287,267.66
GEN. FUND EXPENDITURES	\$17,162.31	\$5,545.08	(\$191,839.37)	\$13,363.88	(\$138,715.89)

LINN COUNTY

Activity Report by Dept, Fund

as of 07/31/2023 (8.3% Months within Fiscal Year)

24 PLANNING & BUILDING
10 GENERAL FUND

Account		Title	Adopted		Actual		%
			MTD	Budget	Transfers	Budget	Used
3070	2410	PLANNING FEES	18,145.00	240,000.00	0.00	240,000.00	7.5
3137	2410	ELECTRICAL PERMIT	19,207.60	260,000.00	0.00	260,000.00	7.3
3138	2410	BUILDING PERMIT	30,312.06	310,000.00	0.00	310,000.00	9.7
3140	2410	MISCELLANEOUS PERMITS	1,537.67	25,000.00	0.00	25,000.00	6.1
3150	2410	REIMBURSEMENTS	175,086.00	2,000.00	100,000.00	102,000.00	171.6
3170	2410	SALES	391.00	5,000.00	0.00	5,000.00	7.8
3178	2410	C.E.T. FEE	0.00	4,000.00	0.00	4,000.00	0.0
3179	2410	CONTRACT CITIES	7,469.81	380,000.00	0.00	380,000.00	2.0
3182	2410	PLAN REVIEW	19,260.87	260,000.00	0.00	260,000.00	7.4
3183	2410	MECHANICAL PERMITS	7,321.65	84,000.00	0.00	84,000.00	8.7
3186	2410	PLUMBING PERMITS	8,536.00	80,400.00	0.00	80,400.00	10.6
TOTAL REVENUE			287,267.66	1,650,400.00	100,000.00	1,750,400.00	16.4
5002	2410	OFFICE SPECIALIST I	5,906.00	72,008.00	0.00	72,008.00	8.2
5044	2410	ADMIN ASST/OFFICE MANAGER I	3,842.00	41,326.00	0.00	41,326.00	9.2
5305	2410	PLANS EXAMINER I	0.00	0.00	0.00	0.00	0.0
5306	2410	PLANS EXAMINER II	0.00	65,154.00	0.00	65,154.00	0.0
5311	2410	ELECTRICAL INSPECTOR I	7,952.00	95,424.00	0.00	95,424.00	8.3
5312	2410	ELECTRICAL INSPECTOR II	3,412.50	48,096.00	0.00	48,096.00	7.0
5317	2410	PLUMBING INSPECTOR I	7,573.00	90,876.00	0.00	90,876.00	8.3
5321	2410	CODE ENFORCEMENT TECH	4,586.08	56,112.00	0.00	56,112.00	8.1
5323	2410	BLDG INSP-CODE ENFORCEMENT	0.00	67,812.00	0.00	67,812.00	0.0
5326	2410	BUILDING INSPECTOR II	6,539.00	82,054.00	0.00	82,054.00	8.0
5330	2410	PERMIT CLERK	3,415.00	41,840.00	0.00	41,840.00	8.1
5340	2410	ASSISTANT PLANNER	8,539.63	115,659.00	0.00	115,659.00	7.3
5355	2410	PLANNING MANAGER	8,570.00	98,880.00	0.00	98,880.00	8.6
5360	2410	BUILDING OFFICIAL	8,570.00	98,880.00	0.00	98,880.00	8.6
5370	2410	DIRECTOR PLANNING & BUILDING	8,979.00	103,608.00	0.00	103,608.00	8.6
5550	2410	TEMPORARY HELP	3,310.00	50,000.00	0.00	50,000.00	6.6
5920	2410	OVERTIME	0.00	1,500.00	0.00	1,500.00	0.0
5960	2410	LONGEVITY PAY	214.25	2,472.00	0.00	2,472.00	8.6
5980	2410	FRINGE BENEFITS	27,612.16	393,312.00	0.00	393,312.00	7.0
5985	2410	PAYROLL COSTS	30,992.70	424,960.00	0.00	424,960.00	7.2
5990	2410	SALARY & BENEFITS ADJUSTMENTS	0.00	92,997.00	0.00	92,997.00	0.0
TOTAL PERSONAL SERVICES			140,013.32	2,042,970.00	0.00	2,042,970.00	6.8
6110	2410	SUPPLIES	435.40	8,000.00	50,000.00	58,000.00	0.7
HUNTS			1				
24 PLANNING & BUILDING			10 GENERAL FUND				

LINN COUNTY

Activity Report by Dept, Fund

as of 07/31/2023 (8.3% Months within Fiscal Year)

**24 PLANNING & BUILDING
10 GENERAL FUND**

Account	Title	MTD	Adopted Budget	Transfers	Final Budget	Actual YTD	Balance	% Used
6120	2410 PRINTING & REPRODUCTION	56.00	3,200.00	0.00	3,200.00	56.00	3,144.00	1.7
6125	2410 COPIER MAINT & USAGE	727.26	8,000.00	0.00	8,000.00	727.26	7,272.74	9.0
6150	2410 POSTAGE	676.61	9,000.00	0.00	9,000.00	676.61	8,323.39	7.5
6170	2410 SUBSCRIPTIONS & MEMBERSHIPS	0.00	5,000.00	0.00	5,000.00	0.00	5,000.00	0.0
6174	2410 AVOCETTE SOFTWARE	67.50	28,000.00	0.00	28,000.00	67.50	27,932.50	0.2
6180	2410 NOTICES & PUBLICATIONS	776.80	4,500.00	0.00	4,500.00	776.80	3,723.20	17.2
6195	2410 P.C.'S, ACCESS., SOFTWARE	0.00	5,000.00	0.00	5,000.00	0.00	5,000.00	0.0
6200	2410 MEETINGS / TRAVEL	785.61	3,000.00	0.00	3,000.00	785.61	2,214.39	26.1
6205	2410 SEMINARS / SCHOOLS / TRAINING	0.00	10,000.00	0.00	10,000.00	0.00	10,000.00	0.0
6250	2410 TELEPHONE	27.18	10,200.00	0.00	10,200.00	27.18	10,172.82	0.2
6280	2410 REPAIRS & MAINTENANCE	110.00	5,000.00	0.00	5,000.00	110.00	4,890.00	2.2
6301	2410 VISA BANK CHARGES	2,473.54	18,000.00	0.00	18,000.00	2,473.54	15,526.46	13.7
6333	2410 COMPUTER SUPPLIES & EQUIP.	1,356.44	17,000.00	0.00	17,000.00	1,356.44	15,643.56	8.0
6357	2410 CODE ENFORCEMENT/CLEAN UP	422.71	60,000.00	0.00	60,000.00	422.71	59,577.29	0.7
6405	2410 CELL PHONE ALLOCATION	40.00	480.00	0.00	480.00	40.00	440.00	8.3
6695	2410 REFUNDS	583.40	15,000.00	0.00	15,000.00	583.40	14,416.60	3.8
6900	2410 TAXABLE MEALS REIMBURSEMENT	0.00	100.00	0.00	100.00	0.00	100.00	0.0
	TOTAL MATERIALS & SERVICES	8,538.45	209,480.00	50,000.00	259,480.00	8,538.45	250,941.55	3.2
7450	2410 SPECIAL EQUIPMENT	0.00	0.00	50,000.00	50,000.00	0.00	50,000.00	0.0
7460	2410 MOTOR VEHICLE	0.00	35,000.00	0.00	35,000.00	0.00	35,000.00	0.0
	TOTAL CAPITAL OUTLAY	0.00	35,000.00	50,000.00	85,000.00	0.00	85,000.00	0.0
	REVENUE	287,267.66	1,650,400.00	100,000.00	1,750,400.00	287,267.66	1,463,132.34	16.4
	EXPENDITURE	148,551.77	2,287,450.00	100,000.00	2,387,450.00	148,551.77	2,238,898.23	6.2
	FUND BALANCE TOTAL					138,715.89		

LINN COUNTY

Activity Report by Dept, Fund

as of 07/31/2023 (8.3% Months within Fiscal Year)

24 PLANNING & BUILDING
27 GENERAL GRANTS FUND

Account	Title	MTD	Adopted Budget	Transfers	Final Budget	Actual YTD	Balance	% Used
3220	2427030 GRANTS	0.00	200,000.00	0.00	200,000.00	0.00	200,000.00	0.0
3991	2427030 BEGINNING BALANCE	4,650.00	0.00	0.00	0.00	4,650.00	-4,650.00	0.0
	TOTAL REVENUE	4,650.00	200,000.00	0.00	200,000.00	4,650.00	195,350.00	2.3
6032	2427030 2020 WILDFIRE VICTIMS GRANT	5,700.00	0.00	0.00	0.00	5,700.00	-5,700.00	0.0
6330	2427030 OTHER CONTRACTED SERVICES	0.00	200,000.00	0.00	200,000.00	0.00	200,000.00	0.0
	TOTAL MATERIALS & SERVICES	5,700.00	200,000.00	0.00	200,000.00	5,700.00	194,300.00	2.8
	REVENUE	4,650.00	200,000.00	0.00	200,000.00	4,650.00	195,350.00	2.3
	EXPENDITURE	5,700.00	200,000.00	0.00	200,000.00	5,700.00	194,300.00	2.8
	FUND BALANCE TOTAL					-1,050.00		

**Linn County Planning & Building
Land Use Applications Tracking Sheet
July 2023**

DATE	FILE # & NAME	PLANNER	STATUS
7/3/2023	PLN-2023-00446; Greenbelt Land Trust (LUC)	Kate	Approved
7/3/2023	PLN-2023-00448; HARPER, Elizabeth and Kurt (MH)	Alyssa	Approved
7/3/2023	PLN-2023-00450; ANDERSON, Heidi (HO)	Alyssa	Notice
7/7/2023	PLN-2023-00455; Horseman Development LLC (SPR)	Alyssa	Notice
7/10/2023	PLN-2023-00456; MCCOLLUM, Clint (PLA)	Alyssa	Approved
7/11/2023	PLN-2023-00458; MORGAN, Phillip & Michael (V)	Alyssa	Notice
7/13/2023	PLN-2023-00465; US HORTICULTURE LAND (LUC)	Alyssa	Approved
7/13/2023	PLN-2023-00466; LANIER, Shawn (LUC)	Alyssa	Approved
7/14/2023	PLN-2023-00468; ZELKO, John (AR)	Alyssa	Notice
7/17/2023	PLN-2023-00471; TEDROW, Brad (M49)	Alyssa	Notice
7/18/2023	PLN-2023-00474; TEDROW, Jacob (RD)	Alyssa	Approved
7/25/2023	PLN-2023-00482; MCCOLLY, Bradie (Temp RV)	Alyssa	Approved
7/26/2023	PLN-2023-00483; LANIER, Shawn (LUC)	Shawn	Approved
7/26/2023	PLN-2023-00484; LANIER, Shawn (LUC)	Shawn	Approved
7/26/2023	PLN-2023-00485; LANIER, Shawn (LUC)	Shawn	Approved
7/26/2023	PLN-2023-00486; STAFFORD, Tricia (PLA)	Alyssa	Approved
7/26/2023	PLN-2023-00487; CALE, David & Julie (RD)	Alyssa	Approved
7/26/2023	PLN-2023-00489; ELLIS, Josh (V)	Alyssa	Notice
7/28/2023	PLN-2023-00495; SPENCER, Secret (CU)	Alyssa	Pending
7/28/2023	PLN-2023-00498; PEDERSEN, Jamie (CU)	Kate	Pending

CODE ENFORCEMENT

JULY 2023 Statistics

New Cases Received

Jul-23

Cases by Category

OCCUPIED RVS (RV)	0
ILLEGAL BUSINESS (IB)	0
JUNK (J)	4
MARIJUANA GROW (MJ)	1
DRAINAGE(D)	0
NEIGHBOR DISPUTE (ND)	0
CONSTRUCTION W/O PERMITS (UP)	7
MULTIPLE DWELLINGS (MD)	0
LIVESTOCK (LS)	0
EASEMENT (E)	0
MEDICAL HARSHIP (MH)	0
HOMELESS ENCAMPMENT (HE)	0
DANGEROUS CONDITIONS (DC)	5
CHICKEN FARM / FLOOD PLAIN (FP)	0
(Some files have multiple categories)	

Total new JULY 2023

17

Cases Closed

Total Closed JULY 2023

14

Highlighted Cases

7/2/2023

Code Enforcement met with the owner of a rock quarry in Lebanon after receiving reports of an RV encampment there. A tour showed there were 3 occupied RVs and a large accumulation of junk. The owner had given 1-person permission to live there for "security" purposes but then more people moved onto the property along with their junk. It was recommended to the owner to work on removing the people and junk from the quarry and to place a gate or chain across the entrance to keep trespassers out.

07/10/2023

Code Enforcement issued a notice to the property owners after investigating a complaint in Lebanon about an outbuilding blocking the view of drivers trying to pull out onto a busy street. The outbuilding was actually a portable storage building used for a dog grooming business but had been placed in the front yard setback area. The owners will need to move the storage building to allow for a 30' setback in the front, coming into compliance and providing better visibility for drivers.

07/25/2023

Code Enforcement visited a property in Gates where inspections on a replacement home were never completed due to issues with the construction of the manufactured home. The installation could not be completed until repairs were made and since the home's manufacturer is not in agreement about the repairs, the permits have expired. The owners are living in an RV and the original home has not yet been decommissioned. Code Enforcement will check back periodically on the progress with the manufacturer and the re-issuing of the permits.

Special Meetings

Court Cases

7/18/2023

Two citations for occupied RVs were dismissed in court after the defendants had moved off the Sweet Home property.

In a Lebanon court case about an RV encampment, the defendant failed to appear and was defaulted by the judge and issued a fine. The defendant called Code Enforcement to say he had gone to the Albany courthouse instead of the Justice Court in Lebanon and missed his appearance time. He was told the address of the court appearance was written at the bottom of his citation but he said he had rushed out and left it behind. It was recommended he contact the Linn County Justice Court to explain what had happened and to see if the judge was willing to reverse the ruling and set another court date.



LINN COUNTY SPECIAL/RURAL TRANSPORTATION

PO Box 100, Albany OR 97321-0031 rmaudlin@co.linn.or.us Phone (541)409-4494

BOARD OF COMMISSIONERS

Roger Nyquist
Sherrie Sprenger
Will Tucker

REAGAN MAUDLIN

Special/Rural Transportation Coordinator

August 8th 2023 Agenda Item

To: Board of Commissioners
From: Reagan Maudlin, Linn County Special/Rural Transportation Coordinator
Date: August 8th, 2023
RE: 2023-2025 STIF Match Awards **R&O 2023-292**

Introduction: The Linn County 23-25 STIF Plan has a project that houses \$400,000 to be used during the 23-25 biennium as match to leverage funds from other sources. On June 1st, 2023 the Linn County Transportation Advisory Committee (TAC), also serving as the STIF Advisory committee, reviewed projects that are requesting match from the Linn County 23-25 STIF Plan and arrived at recommendations.

2023-2025 STIF Match Fund Recommendations

<u>Recipient</u>		<u>Amount</u>
OCWCOG	Mobility Hub	\$122,470
Albany	LB Loop Bus	\$90,000
Albany	Paratransit Vehicle	\$15,800
Linn County	SCOSHI Vehicle	\$35,000
Lebanon	Secure Parking	\$106,730
Lebanon	Scheduling Software	\$30,000
	Total:	\$400,000

The TAC further recommends any match funds that may occur as a remainder by the other projects will be forwarded to OCWCOG to further support the Mobility Hub project. All other projects were recommended at 100% of request.

Recommendation:

It is respectfully requested that the Linn County Board of Commissioners approve the Linn County TAC recommendations for the match dollars in the 23-25 STIF Plan including the caveat to reassign any unused portions to the OCWCOG Mobility Hub project up to the \$300,000 requested.

Upon approval, Sub-recipient/Intergovernmental agreements will be prepared and presented for Board of Commissioner approval at a later date.



LINN COUNTY JUVENILE DEPARTMENT
104 SW 4th Ave. Suite 200 / PO Box 100
Albany OR 97321
Phone: 541-967-3853
Fax: 541-967-4268



Resolution and Order 2023-252
Intergovernmental Agreement for the Youth Development Division between the Oregon
Department of Education and Linn County

This RO is just extending the previous agreement for the new biennium. An amendment will come later which will indicate the amount of funding which will be available during the 2023-25 biennium. Because of the delay in the legislative process the contracts were not going to be developed prior to June 30 so this RO is somewhat of a indication that the intention is to continue this contract over the course of the 2023-25 time period.

Resolution and Order 2023-280
Intergovernmental Agreement for the Juvenile Detention Facility
between Lincoln County and Linn County

Bed Rate \$175.00 per day

RO 2023-280 is coming before the Board to correct some signatures and a couple of grammatical errors within the text of the RO.

Torri Lynn
Director
Juvenile Department

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Supervisor
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Detention Manager
Linn Benton Detention Center
(541) 791-9397

khusk@co.linn.or.us



LINN COUNTY BOARD OF COMMISSIONERS HEARING STAFF REPORT

PREPARED BY: Alyssa Boles, Planning Manager

DATE ISSUED: July 25, 2023

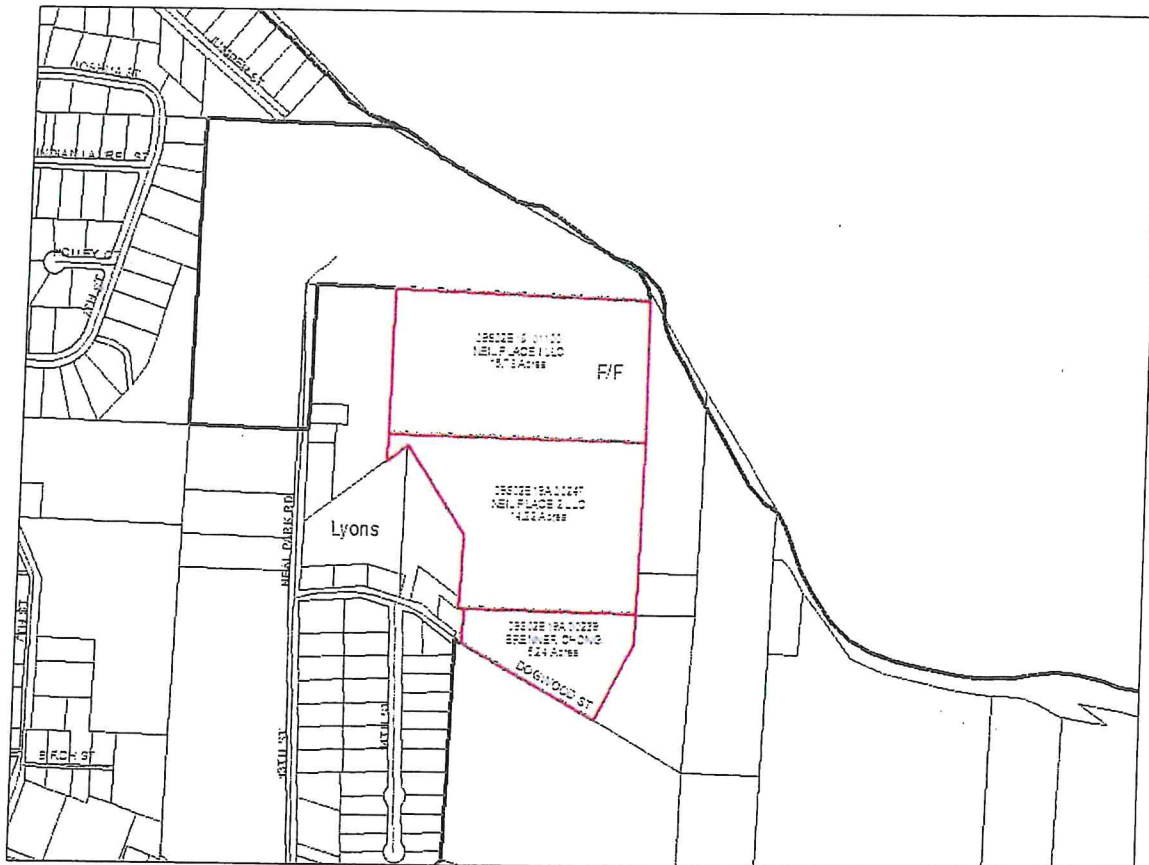
HEARING DATE: August 1, 2023

COPY

APPLICATION: **PLN-2023-00192**: concurrent applications by **Dan Hafner** for a Comprehensive Plan (Plan) map amendment and Zoning map amendment. The amendments are proposed as part of an urban growth boundary (UGB) amendment approved by Lyons to add 28.12 acres to the Lyons UGB. The amendments would remove 28.12 acres from the County Plan map and Zoning map.

LOCATION: The properties are identified as T09S, R02E, Section 19A, Tax Lots 239 and 247 and T09S, R02E, Section 18, Tax Lot 1100 and are zoned Farm/Forest (F/F).

CRITERIA: Linn County Land Development Code (LCC) 921.822(A) and 921.874 contain the applicable decision criteria.



1 inch = 500 feet

Linn County Planning & Building Department

Date: 07/02/2023

I. APPLICATION SUMMARY

Applications by the Dan Hafner for a *Comprehensive Plan (Plan)* map amendment and Zoning map amendment. The amendments are proposed as part of an urban growth boundary (UGB) amendment approved by Lyons to add 28.12 acres to the Lyons UGB. The amendment would remove 28.12 acres from the County *Plan* map and Zoning map. The City of Lyons approved the proposed UGB amendments per City Ordinance No. 244-2023, adopted March 28, 2023. The amendment would change the *Plan* designation and Zoning map designation on the three properties, listed below. If approved, the properties proposed to be added to the Lyons UGB would subsequently be annexed into the city limits.

The following table lists the subject properties that will be added to the UGB, the affected acreage, and current and proposed *Plan* and zoning designations:

Map	Tax Lot	Acres	Owner	Current Plan/Zoning	Plan/Zoning After Amendment
09S 02E 19A	239	5.24	Chong Brenner	Farm/Forest / Farm/Forest	Residential/Single-Family (SFR)
09S 02E 19A	247 (part)	12.52	Neil Place II, LLC	Farm/Forest / Farm/Forest	Residential/Single-Family (SFR)
09S 02E 18	1100 (part)	10.36	Neil Place I, LLC	Farm/Forest / Farm/Forest	Residential/Single-Family (SFR)
Total Acres to be Added		28.12			

Approximately 7.12 acres of tax lots 1100 and 247 are located within the Lyons UGB and are designated as Residential land. The City proposes to annex the 7.12 acres currently within the UGB into city limits. The City would apply a City zoning designation based on their applicable *Plan* designation. The additional 28.12 acres is proposed to be zoned SFR upon annexation.

A map identifying the subject properties can be found in **Exhibit A, page 17**. The applicant has submitted information to address the applicable decision criteria and the applicable *Plan* policies. The application and applicant submittals are attached to this staff report as **Exhibit A**.

II. PLANNING COMMISSION RECOMMENDATION

The Planning Commission (Commission) held a public hearing on this matter at 7:00 p.m., July 11, 2023. After considering the staff analysis and the written and oral testimony presented at the Commission hearing, the Commission voted 4-0 to adopt a motion to recommend that the Board approve the proposed amendments. Voting in favor of the motion were Commissioners Alderman, Barnard, Cromwell, and McKinney.

III. LAND USE INFORMATION

A. SITE LOCATION

The subject properties are identified on Linn County Assessor maps as T09S, R02E, Section 19A, Tax Lots 239 and 247 and T09S, R02E, Section 18, Tax Lot 1100.

B. ZONING AND DEVELOPMENT BACKGROUND

Department records indicate the subject properties were zoned Single Family Residential (SR) on March 22, 1972. The subject properties have been zoned Farm/Forest since September 2, 1980. Approximately 7.12 acres of tax lots 1100 and 247 are located within the Lyons UGB and have been designated as Residential land since June 25, 1980.

Table 1
Existing and Proposed Conditions

CONDITION	EXISTING	PROPOSED
Plan Designation	Farm/Forest	Residential
Zone Designation	Farm/Forest (F/F)	Single-Family (SFR)
Site Location	See map (Exhibit A, page 17)	Same

IV. PROPERTY CHARACTERISTICS

- A. SOIL TYPES** – The soils types identified on the subject properties vary. Soil types on the subject properties are identified and documented by the Natural Resource Conservation Service (NRCS). Soils data is contained in **Exhibit E**.
- B. TOPOGRAPHY** – The topography of the subject properties varies. Elevation of the subject properties is identified on adopted United States Geologic Survey (USGS) maps.
- C. NATURAL AND/OR GEOLOGIC HAZARDS** – There are no potential geologic hazards identified on the subject properties (Bulletin 84, Environmental Geology of Western Linn County Oregon).

Portions of T09S, R02E, Section 18, Tax Lot 1100 and T09S, R02E, Section 19A, Tax Lot 247 are located within an identified flood hazard area according to the Federal Emergency Management Agency (FEMA) Flood Insurance Study for Linn County, Oregon and Incorporated Areas dated September 29, 2010 (**Exhibit F**).

V. PUBLIC FACILITIES AND SERVICES

- A. FIRE** – The subject properties are served by the Lyons Fire District.
- B. POLICE** - The Linn County Sheriff's Department serves all the subject properties.
- C. SEWAGE DISPOSAL** – The subject properties are served by individual septic systems.
- D. WATER SUPPLY** - The subject properties are served by individual wells.
- E. ACCESS** – Tax lot 239 has frontage on Dogwood Street. Tax lots 1100 and 247 have access via an easement to Dogwood Street.

VI. ANALYSIS

DECISION CRITERIA

Linn County Code (LCC) 921.822 and 921.874 contain the decision criteria for use in this land use review. The decision criteria are attached to this report as **Exhibit B**.

LCC 921.822(A) Decision criteria for Zoning Map amendments

When a Zoning Map or Land Development Code text amendment is necessary due to a proposed *Comprehensive Plan (Plan)* amendment, only findings and conclusions responding to the *Comprehensive Plan* amendment criteria for decision are necessary to amend the Zoning Map or Code text provisions.

STAFF ANALYSIS: Both a zoning map amendment and a *Plan* map amendment are proposed with this application. The *Plan* amendment criteria described in 921.874 are addressed below. This criterion is satisfied.

LCC 921.874 Decision criteria for Plan Map amendments

LCC 921.874(A)(1): The amendment is consistent with and does not alter the intent of applicable section(s) of the *Comprehensive Plan*.

APPLICANT STATEMENT: The applicant statement addressing this criterion is contained in **Exhibit A, page 18**.

STAFF ANALYSIS: The Citizen Involvement, Natural Resource Element, Land Use elements of the *Plan* are the applicable sections for this review.

The City adopted Ordinance No. 244-2023 approving the proposed amendments. The ordinance included findings that the proposed amendments were found to be consistent with the Lyons Comprehensive Plan and Development Code, and Oregon Administrative Rule 660 Division 24, Urban Growth Boundaries - Oregon Administrative Rules 660-024 (**Exhibit A, pages 61-94**).

The applicant statement adequately addresses the applicable elements of the County's *Plan*.

Citizens Involvement Element

Consistent with Statewide Planning Goal 1, this Element is designed to ensure public participation in the land use process. An effective tool for outreach is the public hearing process, both before the Planning Commission and the Board of Commissioners. Notice of land use actions allows the public an opportunity to participate through comments to the Planning Commission and Board at the City and County level. The proposed project was noticed as required through the procedures described in Chapter 921 of the Land Development Code.

Natural Resources Element

This element addresses hazards, open spaces, vistas, historic and cultural areas, waterways and other resources. Portions of tax lots 1100 and 247 are within the FEMA special flood hazard area. Section 903.230 of the Plan requires that all FEMA rules are followed. The proposed UGB amendment will not conflict with any of the listed open space or scenic policies. Most of the listed policies speak to the need for the County to reach out to impacted/effected agencies regarding development of the property. The land use processes associated with the city and county review will ensure that all policies of the Element are met.

Land Use Element

This element contains goals and policies for each specific Land Use designation.

Urbanization Subsection

Section 905.610 addresses urbanization, which includes UGB amendment policies. This section says that the cities in the County will grow into surrounding areas based on need and serviceability. Subsection C lists the following factors that should be considered when a UGB change is requested:

- (1) Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals.
- (2) Need for housing, employment opportunities, and livability.
- (3) Orderly and economic provision for public facilities and services.
- (4) Maximum efficiency of land uses within and on the fringe of the existing urban area.
- (5) Environmental, energy, economic and social consequences.
- (6) Retention of agricultural land as defined, with class I being the highest priority for retention and class VI the lowest priority.
- (7) Compatibility of the proposed urban uses with nearby agricultural activities.

These factors are considered as part of the City's analysis and as part of compliance with OAR 660-024, which are the administrative rules governing urban growth boundary amendments (**Exhibit A, pages 61-94**).

Planning Area Subsection

Section 905.610(D) explains:

Further, several cities have established "planning areas" outside their UGBs which contain lands key to future urbanization. While these lands may not be presently needed inside the UGB, the cities are concerned with their development. The cities' right to review and comment on county land use decisions within the planning area is secured within the UGB management agreement.

The City of Lyons has a planning area outside the UGB. The subject properties are within the Lyons Planning Area. While the planning area is principally an area of concern for the City in terms of being notified of County development in this area, it also acts as a placeholder for future development. In other words, the planning area is an area of possible future growth for the City. This is important because it shows that the City and the County have planned for the City to grow into the planning area someday.

LCC 921.874(A)(2): The amendment will be compatible with adjacent uses and will not adversely impact the overall land use pattern in the area.

APPLICANT STATEMENT: The applicant statement addressing this criterion is contained in **Exhibit A, page 19**.

STAFF ANALYSIS: The proposed amendment would add three properties to the Lyons UGB. The total area of land to be added to the UGB is 28.12 acres. The amendment would change the *Plan* designation and Zoning map designation on the three properties.

No comments have been received from surrounding property owners regarding the proposed amendment as of the date this staff report was prepared.

The City adopted Ordinance No. 244-2023 approving the proposed amendment. The ordinance included findings that the proposed amendment, Plan designation, and zone change are compatible with the abutting land uses and development patterns within the City's UGB. Future development on the properties is required to comply with the City's Comprehensive Plan policies and Development Code criteria and standards.

LCC 921.874(A)(3): The amendment, if within an adopted urban growth boundary, is in substantial conformity with the *Comprehensive Plan* and implementing ordinances of an affected city.

STAFF ANALYSIS: The amendment is within the Lyons UGB. The proposal will add specified properties to the UGB. The proposal has been evaluated by the City through its adopted review and decision process, and it has been found to conform to the City's Comprehensive Plan and implementing ordinances. The City's review, analysis, and findings are included in Lyons Ordinance No. 244-2023, adopted on March 28, 2023. Findings adopted by the City as part of Ordinance No. 244-2023 approving the UGB amendments are contained in **Exhibit A, pages 22-60**.

The ordinance includes findings that the proposed amendments were found to be consistent with the Lyons Comprehensive Plan and the Development Code and Oregon Administrative Rule 660 Division 24, Urban Growth Boundaries - Oregon Administrative Rules 660-024.

The applicant statement and City ordinance findings adequately address this criterion (**Exhibit A, page 19**).

LCC 921.874(A)(4): The amendment will not have a significant adverse impact on a sensitive fish or wildlife habitat.

APPLICANT STATEMENT: The applicant statement addressing this criterion is contained in **Exhibit A, page 19**.

STAFF ANALYSIS: The City adopted Ordinance No. 244-2023 approving the proposed amendments. The ordinance included findings that the proposed amendment complies with the policies implementing Goal 5 contained in the Lyons Comprehensive Plan, along with compliance with Oregon Statewide Planning Goal 5.

Tax lot 1100 is located within the peripheral wildlife habitat area. Tax lots 239 and 247 are located within the peripheral but developed wildlife habitat area. Oregon Department of Fish and Wildlife (ODFW) was sent notice regarding the proposed amendments. The ODFW did not submit comments indicating any impacts to the wildlife habitat area as a result of the UGB amendment, as of the date this staff report was prepared. Future development of the properties upon annexation is subject to applicable Plan policies and Code requirements if the area is identified as habitat within the city's adopted Goal 5 maps.

Portions of tax lots 1100 and 247 contain inventoried wetlands. Oregon Department of State Lands was notified of the proposed amendment and submitted comments indicating that if wetlands within the project site have a connection to the NF Santiam,

they have a zero cubic yard threshold for impact. They also stated that other onsite wetlands and waters have a 50 cubic yard threshold for removal/fill and that a wetland delineation is recommended as part of the UGB planning to identify onsite wetlands and waters and to determine the permitting threshold of those resources (**Exhibit D, pages 2-4**). Upon annexation, any future development of the subject properties must comply with any applicable provisions in the City's code regarding development within wetland areas, along with compliance with any DSL permitting requirements.

LCC 921.874(A)(5): The amendment will not have a significant adverse impact upon the provision of public facilities including police and fire protection, sanitary facilities and storm drainage facilities.

APPLICANT STATEMENT: The applicant statement addressing this criterion is contained in **Exhibit A, pages 19-20**. Findings adopted by the City as part of Ordinance No. 244-2023 approving the UGB amendment is contained in **Exhibit A, pages 47-48**.

STAFF ANALYSIS: The subject properties are currently served by the Lyons Fire District and the Linn County Sheriff's Department and will continue to be served by both agencies after the adjustment.

Upon annexation into the city limits, development on the properties will be served by applicable city utilities.

Notice was sent to the Linn County Sheriff's Department, the City of Lyons, and the Lyons Fire District. As of the time of writing this staff report, the Department has not received comments from any of those agencies indicating any adverse impacts as a result of the proposed amendments.

The applicant statement and City ordinance findings adequately address this criterion.

LCC 921.874(A)(6): The amendment will not have a significant adverse impact upon the transportation facilities.

APPLICANT STATEMENT: The applicant statement addressing this criterion is contained in **Exhibit A, page 20**. Findings adopted by the City as part of Ordinance No. 244-2023 approving the UGB amendment is contained in **Exhibit A, pages 47-48**

STAFF ANALYSIS: The Linn County Road Department comments did not indicate any significant adverse impact upon transportation facilities as a result of the amendments (**Exhibit D, Page 1**).

Tax lot 239 has access via Dogwood Street, a County maintained right of way. Tax lot 247 and 1100 have access via an easement to Dogwood Street. Future development upon annexation into city limits will require compliance with applicable transportation policies and standards contained within the City's Plan and Development Code.

The City adopted Ordinance No. 244-2023 approving the proposed UGB amendment. The ordinance included findings that the proposed amendments were found to be consistent with the City's Comprehensive Plan policies regarding transportation, as well as and Statewide Planning Goal 12 (Transportation Planning Rule) (**Exhibit A, page 52**).

LCC 921.874(A)(7): The presence of any development limitations including geologic hazards, flood hazards or water quality or quantity will not have a significant adverse effect on land uses permitted through the amendment.

APPLICANT STATEMENT: The applicant statement addressing this criterion is contained in **Exhibit A, page 20**. Findings adopted by the City as part of Ordinance No. 244-2023 approving the UGB amendment is contained in **Exhibit A, pages 46 and 53**.

STAFF ANALYSIS: There are no potential geologic hazards identified on any of the subject properties (Bulletin 84, Environmental Geology of Western Linn County Oregon); therefore, there should be no significant adverse effects on land uses permitted through this amendment.

Portions of tax lots 1100 and 249 are located within an identified flood hazard area according to the Federal Emergency Management Agency (FEMA) Flood Insurance Study for Linn County, Oregon and Incorporated Areas dated September 29, 2010. Upon annexation into the City, any future development within the identified flood hazard will have to comply with any applicable floodplain development standards contained in the City's Plan and Development Code.

The water quality or the presence of existing wells or water service on the subject properties is unknown. Oregon Water Resources Department regulates the establishment of new wells. Proof of water quality and quantity is dependent on the type of use proposed on the property. Because the need for this requirement is based on the proposed use of a property, there should be no significant adverse impact to the land uses allowed as part of this amendment. Any development within the City of Lyons is subject to any requirements to connect to utility services.

The City adopted Ordinance No. 244-2023 approving the proposed UGB amendment. The ordinance included findings that the proposed amendments were found to be consistent with the City's Comprehensive Plan and Statewide Planning Goal 7 (Natural Hazards) (**Exhibit A, page 46**).

LCC 921.874(A)(8): An exception to the statewide planning goals is not required. If required, then findings have been prepared to meet the exception criteria.

The applicant statement indicates that no exception is needed.

STAFF ANALYSIS: Staff concurs that an exception to statewide planning goals is not required. This criterion is satisfied.

LCC 921.874(A)(9): The amendment is consistent with the statewide planning goals.

STAFF ANALYSIS: The applicant statement addressing this criterion is contained in **Exhibit A, page 21**. Findings adopted by the City as part of Ordinance No. 244-2023 approving the UGB amendment is contained in **Exhibit A, pages 43-54**.

The City adopted Ordinance No. 244-2023 approving the proposed amendments. The ordinance included findings that the proposed amendments were found to be consistent with the Oregon Statewide Planning Goals, along with Oregon Administrative Rule 660 Division 24, Urban Growth Boundaries - Oregon Administrative Rules 660-024.

VII. NOTICE AND HEARING PROCEDURE

A. NOTICE

Notice of this application was printed in the Albany Democrat-Herald newspaper at least 21 days prior to the hearing. Affected public agencies and owners of properties within 1,000 feet of the subject properties were also provided written notice of this application. No comments have been submitted from surrounding property owners as of the time this staff report was prepared. Two comments were received from an affected agency regarding the applications (**Exhibit D**).

Table 2
Public Agency Notice and Comments

AGENCY	NOTICE	RESPONSE	AGENCY	NOTICE	RESPONSE
Environmental Health	x		DLCD	x	
Linn County Assessor	x		DSL	x	x
Linn County Road Dept.	x	x	City of Lyons	x	
GIS	x		RFPD: Lyons	x	
Floodplain Manager	x		ODFW	x	
Linn Co Sherriff			WRD	x	

B. PROCEDURE

The Planning Commission (Commission) conducted a public hearing to review the application on July 11, 2023 and made a recommendation to the Linn County Board of Commissioners (Board) to approve the Plan Map and Zoning Map amendment applications.

The Board is scheduled to conduct a public hearing on this matter at 10:00 a.m., Tuesday, August 1, 2023. The Board may consider the application for up to 42 days from the close of the Board hearing. Tabling of the request for a period not to exceed 35 days may also occur if the applicant consents. Specified findings, stating the reason for decision, are required in taking action on the proposed amendments.

The Board may consider the application for 42 days from the close of the public hearing. Tabling of the request for a period not to exceed 35 days may also occur if the applicant consents. Specified findings, stating the reason for decision, are required in taking action on the proposal. The Board will consider all the testimony in the matter and may take action to: (1) Approve the application; (2) Deny the application; or (3) Modify the application.

All testimony and evidence must be directed toward the applicable decision criteria including applicable criteria in the plan or other land use regulations. Failure to raise an issue before the close of the record, or failure to provide statements or evidence sufficient to afford the decision maker(s) and the parties an adequate opportunity to respond to each issue raised precludes an appeal based on that issue.

If additional documents or evidence are provided by any party, the Board may allow a continuance or leave the record open to allow the parties a reasonable opportunity to respond. Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence or testimony regarding the application. The Board shall grant the request by either (a) continuing the public hearing or (b) leaving the record open for additional written evidence or testimony. If the Board grants a continuance, the hearing shall be continued to a date, time and place certain at least seven days from the initial hearing.

VIII. EXHIBITS

Exhibit A:	Application and Supporting Documentation
Exhibit B:	Application Decision Criteria
Exhibit C:	Public Notice and other letters
Exhibit D:	Agency Comment
Exhibit E:	NRCS Soils Report
Exhibit F:	Floodplain Map