



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Coastal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

### NOTICE OF ADOPTED AMENDMENT

May 23, 2006



TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Vale Plan Amendment  
DLCD File Number 001-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures\*

### DLCD ACKNOWLEDGMENT OR DEADLINE TO APPEAL: June 5, 2006

This amendment was not submitted to DLCD for review prior to adoption. Pursuant to OAR 660-18-060, the Director or any person is eligible to appeal this action to LUBA under ORS 197.830 to 197.845.

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

Cc: Doug White, DLCD Community Services Specialist  
Darren Nichols, DLCD Regional Representative  
Brent Barton, City of Vale

<pa>

001-06  
(NOA)

# The City of Vale, Oregon



252 B Street West • Vale, OR 97918

Phone: (541) 473-3133 • FAX: (541) 473-3895

TTY-VOICE 1-800-735-2900

Malheur County Seat

April 15, 2006

Dear Mr. Shetterly,

The City of Vale has reviewed the proposed amended standards for mobile homes in R1 and R2 zones. The public meeting held before the Planning and Zoning Committee was conducted on April 19, 2006. There were no comments received and the committee recommended that the ordinance be forwarded to the City Council. The public meeting before the council was held at the regular council meeting on May 9, 2006. The council reviewed and discussed the amended ordinance as per minimum lot size. Clarification was requested by a member of the audience as to lot sizes. Following the review the council approved the ordinance with a 4-0 vote with one member absent.

I have included a copy of the minutes with the action by the council highlighted along with a copy of the signed Ordinance 848.

If you have any additional questions or concerns please contact me at 473-3133.

Respectfully,

A handwritten signature in cursive script that reads "Brent Barton".

Brent Barton  
City Manager

DEPT OF

MAY 17 2006

LAND CONSERVATION  
AND DEVELOPMENT

ORDINANCE 848

AN ORDINANCE  
AMENDING STANDARDS FOR MOBILE HOMES  
IN R1 AND R2 ZONES

WHEREAS, Section 8.9.6(C) of the Vale City Code requires single wide mobile homes and double wide mobile homes in R1 and R2 zones to meet certain age and construction standards; and

WHEREAS, the Council believes it is in the interest of the City to update those standards, including the age and insulation (thermal envelope) standards specified below.

THE CITY OF VALE ORDAINS AS FOLLOWS:

SECTION 1. Section 8.9.6(C) of the Vale City Code is renumbered as Section 8.7.11 and amended by adding those portions which are underlined and deleting those portions which are stricken:

**8.7.11:**

**MOBILE HOME STANDARDS.** ~~In an R1 or an R2 Zone, mobile homes shall be required to meet the following standards~~ In any zone in which double wide mobile homes or single wide mobile homes (trailers) are either permitted or conditional uses, all double wide mobile homes and single wide mobile homes (trailers) shall comply with the following standards:

- (1) ~~Must~~ They must be on a lot not less than seventy five feet by ninety four feet (75' x 94') or a minimum of seven thousand fifty (7,050) square feet.
- (2) ~~Must~~ They must have the tongue and wheels removed and be ~~out set~~ down on a permanent foundation with tie down, both approved by the City and the Building Inspector.
- (3) ~~Must~~ They must hook up to the City water and sewer, if available.
- (4) ~~Must~~ Single wide mobile homes must have a minimum floor space of at least five hundred ~~eighty feet (500)~~ (580) square feet. Double wide mobile homes must have a minimum floor space of ~~nine hundred (900)~~ eleven hundred (1,100) square feet.
- (5) ~~Must~~ They must not be over ~~five (5)~~ ten (10) years old and must meet State Plumbing, Building and Electrical Codes.
- (6) They must be certified by the manufacturer to have exterior thermal envelopes meeting the performance standards specified by current Oregon law for single family dwellings constructed under the State building code.

SECTION 2. Section 8.2.1 is amended by adding the following portion which underlined:

**8.2.1:**

**USES PERMITTED OUTRIGHT:** In an R1 Zone the following uses and their accessory uses are permitted outright:

- (A) Single-family dwellings.
- (B) Residential homes.
- (C) Double wide mobile homes, subject to Section 8.7.11.
- (D) Duplexes.

SECTION 3. Section 8.3.1 is amended by adding the following portion which underlined:

**8.3.1:**

**USES PERMITTED OUTRIGHT:** In an R2 Zone the following uses are permitted outright:

- (A) Single family dwellings.
- (B) Duplexes.
- (C) Double wide mobile homes, subject to Section 8.7.11.
- (D) Professional offices.

SECTION 4. The reference in Section 5.5.2 to Section 8.9.6 is deleted, and is amended to refer to Section 8.7.11 instead.

SECTION 5. Section 8.2.2 is amended by adding the following portion which is underlined:

**8.2.2:**

**CONDITIONAL USES PERMITTED:** In an R1 Zone the following uses and their accessory uses are permitted when authorized in accordance with the requirements of Sections 8.9.1 to 8.9.6.

- (A) Church.
- (B) Golf course and other open land recreational use but excluding intensive commercial amusement use such as "pitch and putt" golf course, driving range, automobile racetrack, or amusement park.
- (C) Governmental structure of land use including, but not limited to, a public park, playground, recreation building, fire station, library, or museum.
- (D) Community building.
- (E) Hospital, sanitarium, rest home, home for the aged, nursing home or convalescent home.
- (F) Radio or television transmitter or tower.
- (G) School; nursery, primary, elementary, junior high or senior high school.

- (H) Utility lines, station or substation.
- (I) Multi-family dwellings of more than two (2) dwelling units and residential facilities.
- (J) Boarding, lodging or rooming house.
- (K) Single wide mobile homes, subject to Section 8.7.11.

SECTION 6. Section 8.3.2 is amended by adding the following portion which is underlined:

**8.3.2:**

**CONDITIONAL USES PERMITTED:** In an R2 Zone the following uses and their accessory uses are permitted when authorized in accordance with Section 8.7.11 and Sections 8.9.1 to 8.9.6

- (A) All uses listed under Section 8.2.2 of this Title as conditional uses permitted in an R1 Zone.

FIRST READING:

This ordinance was presented to the City Council at its regular meeting on the 9 day of May, 2006, was read first in full, and then by title only, and a motion was made by Council member Bannon and seconded by Council member Tiffany for passage of said ordinance, and the following vote having been taken:

Voting for the Ordinance:

Council Members: Bannon, Tiffany, Martinez, Speelman

Voting against the Ordinance:

Council Members: \_\_\_\_\_

SECOND READING (if first reading did not result in unanimous vote):

This ordinance was presented to the City Council at its regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2006, for its second reading, was read by title only, and a motion was made by Council member \_\_\_\_\_ and seconded by Council member \_\_\_\_\_ for passage of said ordinance, and the following vote having been taken:

Voting for the Ordinance:

Council Members: \_\_\_\_\_

Voting against the Ordinance:

Council Members: \_\_\_\_\_

The Mayor having declared that the measure having received a unanimous vote for passage, was adopted and became effective thirty days after passage.

Bill Lawrence  
MAYOR

ATTEST:

Brent Barton  
CITY MANAGER

Approved by the Mayor this 9 day of May, 2006.

Bill Lawrence  
MAYOR

**City of Vale**  
**City Council Minutes**  
**May 9, 2006**

**I. Call to Order** Meeting called to order at 7:00 p.m. by Mayor Lawrence. Present were Cm Bannon, Cw Tiffany, Cm Martinez, Cw Speelman, City Manager Barton, and City Attorney Sullivan.

**II Pledge of Allegiance** was led by Mayor Bill Lawrence.

**III. Minutes** of the previous meeting of April 25, 2006 were presented for review and approval. *Cm Bannon moved to accept the minutes of April 25, 2006 as printed, Cw Speelman seconded the motion. The motion was passed unanimously.*

**IV. Payment of bills.** Check #s30681-30726 in the amount of \$28,514.37 were presented to Council for review and approval. *Cm Martinez moved to authorize the payment of bills totaling \$28,514.37, Cm Bannon seconded the motion. The motion was passed unanimously.*

**V. Reports & Council Action on Reports**

**A. City Manager -written report submitted**

2. City Manager Barton has received a change order request for the Aresenic Treatment Project. This will be handled under New Business later in the meeting.
6. The Join Hands with the Community program of the Lutheran Church along with the Skate Park Committee painted the canopy at Wadleigh Park along with the picnic tables, and the old cinder block restrooms. City Manager Barton informed Council that the painting was almost complete and looks good.
7. City Manager Barton updated Council on the progress at the pool. Pumps in the maintenance room are in need of repair, lights need to be re-caulked, patching in the gutters, and a leak in the roof was recently discovered. The Public Works staff has been putting a lot of effort in these repairs and hope to have it ready for a Memorial Day Weekend opening if at all possible.
10. Malheur Watershed Council brought in invitations to attend "Surviving and Thriving as a Board" workshop scheduled for May 16<sup>th</sup> from 5:00 to 8:30pm at the Malheur County Extension Office. After some discussion, Cm Bannon and City Manager Barton will try to attend.
11. City Manager Barton extended a thank you to Cm Bannon for picking up and delivering the hanging flower pots to the local businesses funded by the Downtown Beautification Project. The hanging flowers were purchased from the local FFA and add color to our local streets.
12. City Manager Barton attended a Connect Oregon workshop in LaGrande and discussed the preliminary results. Vale's airport project has made it to yet another level. The next step is the consensus committee in June with the final selection by ODOT in July.
13. Mayor Lawrence thanked Dwight Keller for having local pilots attend the Airport Committee meeting. The meeting was well attended and will be discussed later.

**B. Public Works** -no meeting was held

**C. Beautification Committee** -

1. Cm Bannon and Cw Speelman are reviewing the historical background of the KIOSK Park and are working with Logan Hamilton on the proposed project at the end of town. They will report back to Council at a later date.

**D. Airport Committee** -meeting was held and was well attended.

1. Several items were discussed, the Courtesy car at the Airport, the need to use BLM's dollars before the end of this Fiscal Year or it would no longer be available under the funding limitations, temporary BLM housing at the Airport, and the possibility of temporary hangars for personal use.

**E. Emergency Services** - no meeting was held

**F. Parks & Recreation Meeting** -

1. Cw Speelman was in attendance at the last Parks & Recreation Meeting and gave the following report. After the Skate Park siting was discussed, the Committee declined to make a recommendation to Council on a particular site for the Skate Park. The Committee felt uncomfortable recommending a site and deferred this decision to Council. A consensus of the Committee with regards to the sites reviewed for the proposed Skate Park was that Wadleigh Park would be the better site of those which were discussed.

## **VI. Public Comment/Presentation** -

1. Darren Nichols, Regional Representative Northeast Oregon of DLCD (Department of Land Conservation and Development, was present with information of two programs DLCD has available if the City of Vale was interested.

Darren presented information on their Quick Response Program which provides planning and design services to help communities create compact, pedestrian-friendly, and livable neighborhoods and activity centers. Darren also presented information of DLCD's Outreach Program. Outreach services are typically provided through workshops and other public forums. The workshops can be (and usually are) tailored to individual communities and can address a variety of transportation and land-use issues. After some discussion, Mayor Lawrence suggested that this could be advantageous for the Vale Senior Center Building Project and suggested that Cm Bannon and Cw Speelman could check to see if the KIOSK Park project would qualify if it is found to be a viable project. Mr. Nichols informed Council if the City is interested in either program, a simple letter expressing their interest from the City of Vale is what is needed to begin the process.

## **VII. Old Business**

1. Ordinance 848 Amending Standards for Mobile Homes in R1 and R2 Zones was presented to Council for review. This was brought to Council before but there was need of a public hearing in front of Planning and Zoning as well as a Public hearing in front of City Council. The public hearing was previously held at Planning and Zoning and the Committee sent the Ordinance to City Council with no stipulations. Mayor Lawrence opened the Public Meeting and inquired if there was any testimony available. Rod Hall questioned if landowners were allowed to place a mobile home on a smaller lot than minimum requirements call for. Yes, homes would be allowed on smaller lots if they met the required set backs or they could apply for a variance. *Cm Bannon moved to adopt Ordinance 848 Amending Standards for Mobile Homes in R1 and R2 Zones, Cw Tiffany seconded the motion. The motion was passed unanimously.*



2. Additional discussion was held regarding the siting of the proposed Skate Park. Several other locations were discussed but the consensus was that Wadleigh Park was the site that met most of the standards desired by the Skate Park Committee.  
Jennifer Hall stated there was a need to secure the site before she can apply for grants. She has a grant deadline of May 25, 2006 with hopes to raise additional monies for the Park. They have discussed design plans with a local contractor. *Cm Bannon moved, Cw Speelman seconded that a piece of Wadleigh Park be appropriated for the purpose of applying for a grant for a Public Skate Park. The motion was passed unanimously.*
3. In a previous Council Meeting, the topic of the Courtesy Car at the Airport was discussed. After some discussion, there was no action taken to discontinue the use of the Courtesy Car.

### **VIII. New Business**

1. Council President Election was held. *Cw Tiffany moved to elect Cm Bannon as the Council President, Cw Speelman seconded the motion. The motion was passed unanimously.*
2. Resolution 06.01 Adopting a Supplemental Budget to Make Needed Adjustments and to Appropriate These Monies was presented to Council for review and adoption. Resolution 06.02 Abolishing Reserve Funds: Equipment Reserve Fund and Cottonwood Reserve Fund was presented to Council for review and adoption. Resolution 06.03 to Reclassify Expenses was presented to Council for review and adoption. After some explanation and discussion, *Cm Bannon moved to adopt Resolutions 06.01, 06.02, and 06.03, Cw Tiffany seconded the motion. The motion was passed unanimously.*
3. City Manager Barton has received a Change Order Request from Holcomb Construction for an extension of time to complete the arsenic removal project due to weather conditions at the job site. *Cm Bannon moved to authorize the extension of the completion date for the Arsenic Removal Project, Cw Tiffany seconded the motion. The motion was passed unanimously.* City Manager Barton will work on Brad Holcomb with the extension date.

### **IX. Other Matters -**

1. The Chamber is hosting the Teacher of the Year award on Wednesday, May 10<sup>th</sup> and City Manager Barton will be attending.
2. The Mother's Day Garden Show at the Oregon Trail Bed and Breakfast has been cancelled.
3. May 20<sup>th</sup> there is a Fly In scheduled for Miller Memorial Airport. Breakfast and lunch will be available and the proceeds will go towards the Senior's Building Fund. Airplane rides will be available as well.
4. May 21<sup>st</sup> is VHS Graduation.
5. The new Fire and Ambulance Committee has several items needing Council's action. They would like to bring Deann Perkins on board for the Ambulance Department, they have received a resignation from Greg Bunker who is getting married and will be moving to Spokane, and have received a request for a leave of absence from Mark Johnson of the Fire Department as Mark is going back to work at BLM for the season. *Cw Tiffany moved to accept the recommendations from the Vale Fire and Ambulance Committee, Cm Bannon seconded the motion. The motion was passed unanimously.*

### **X. Executive Session -Pursuant to ORS 192.660 (2)( ) - none**

**XI. Adjourn to** Tuesday, May 23, 2006 @ 7PM Cw Tiffany moved to adjourn the meeting to Tuesday, May 23, 2006, Cw Speelman seconded the motion. The motion was passed unanimously.

---

Mayor Bill Lawrence