

Carla McLane Consulting, LLC
170 Van Buren Drive
Umatilla, Oregon 97882
541-314-3139
mclane@eoni.com

MEMORANDUM

To: Echo City Council
cc: Dave Slaght, City Manager
From: Carla McLane, Contract Planner
Date: July 16, 2025
RE: July 21, 2025, City Council Public Hearing

This memorandum is provided in response to the comments from the July 8 City Council Public Hearing where Dawn Hert, Department of Land Conservation and Development (DLCD) Eastern Region Representative, provided comment in support and rebuttal at the conclusion of the public comment period. There was also a letter of support from Phyllis Shovelski that was read into the record. Nine individuals testified in opposition with many expressing concerns about the change in zoning along the south side of Sprague Street and the north side of Bridge Street. There were six individuals who testified as neutral.

Support

Dawn Hert, DLCD Eastern Region Representative, testified in support clarifying why notice was provided to the property owners that would be adjoining the properties between the two canals. The decision was made by staff to proactively notify those property owners to ensure that if the property is rezoned as a part of this process adequate notice has been provided. She also briefly discussed the requirement to provide 35-day notice to DLCD, which was accomplished, and shared that process allowed other state and local agencies to be made aware of these types of projects.

The letter by Phyllis Shovelski was read into the record. She acknowledged the modernity of the proposed Comprehensive Plan and Development Code and encouraged the City Council to move toward adoption.

Opposed

Those who testified in opposition focused predominately on three topics – the process, the change in zoning from Residential/Commercial to Commercial in the area around Main Street, and the change of the Golf Course zoning to Residential. The letter received from Diane Berry that touches on several items as well as the letter from Paul Lapp are both included as opposition and discussed.

Process Comments: These comments focused on grant compliance, notice, and the lack of a survey.

- ✓ Grant Compliance: At this point the grant has been closed and is being reviewed by DLCD for reimbursement. Throughout the process the DLCD Eastern Region Representative attended most of the PAC meetings and regularly participated in the

discussion. At no point were concerns raised about how the grant was being implemented, and she was aware of the time slippage for some of the grant deliverables. Much of the delay focused on a request by two PAC members for consideration of a 'no rules' zone that would not comply with the requirements in state statutes that communities adopt Comprehensive Plans and Development Codes. Compliance with the grant is a matter for the granting agency.

- ✓ Notice: The notice requirements for a legislative amendment to a Comprehensive Plan or Development Code only include published notice in a newspaper of general circulation. Out of the abundance of caution notice was also provided for the proposed and potential changes to the zoning map. It should be noted that receipt of a letter does not mean that the recipient's property is proposed for changes. The current Echo zoning administrative requirements require notice to adjoining property owners within 200 feet of the proposed changes.
- ✓ Lack of a Survey: As shared in the memorandum for the July 8 Public Hearing, "the Technical Assistance grant did not scope a survey, and one was not included in the request to the Department of Land Conservation and Development. Would a survey have been beneficial? Possibly. Could the City Council complete a survey on one or more of the topics covered by the Comprehensive Plan, Zoning Map, or components of the proposed Development Code? Certainly. In fact, the Goal 1 policies within the Comprehensive Plan encourage the City Council to do just that type of work."

Change in zoning along Sprague and Bridge Streets: Several individuals shared concerns about the change in zoning of the properties along the south side of Sprague Street and the north side of Bridge Street (and a few along Main Street) that have been zoned Residential-Commercial dating back to 1982. There are two potential options to address this concern – add language to the Downtown Commercial district acknowledging the residential uses and allowing for them to be maintained and replaced (this was addressed in the memorandum provided for the July 8 City Council Public Hearing). The second option, and the one that staff are suggesting, is to add a Residential-Commercial use zone to the proposed Development Code within the Commercial Chapter and maintain a Commercial Comprehensive Plan designation to allow for future conversion of those properties to commercial uses at the time of redevelopment. This would also address the church with it being zoned Residential-Commercial with a provision added to the use zone that would allow churches and other government buildings. *Proposed Residential-Commercial use zone language is included at the end of this memorandum.*

Change in the zoning of the Golf Course to Residential: As stated in the memorandum provided for the July 8 City Council Public Hearing, "no functional change to the golf course is suggested or recommended. In fact, the actions proposed both within the Comprehensive Plan, Development Code, and Zoning Map protect the current golf course and are put forth to create a future opportunity, when the golf course expands, to do so to allow residential use along the fairways of the expanded golf course." When Chapter 2.1 Residential District is reviewed Golf Courses and their associated uses are allowed as a Conditional Use providing a mechanism for review of any proposal through a public hearings process.

Diane Berry Letter: The City of Echo applied for and received a Technical Assistance grant from the DLCD. The objective of the grant was to update and modernize the city's subdivision and zoning ordinance into a modern development code, update the Comprehensive Plan, and adopt a Zoning Map. The proposed Development Code, much of the focus of Ms. Berry's comments, is not significantly different in its scope than the current regulations that are applicable to

development in the City of Echo. It is, however, consistent with *current* state law and common planning practices.

Goal 5 within the Comprehensive Plan incorporates new language seeking to preserve the historic nature of the center of the community and incorporates new Findings and Policy Statements seeking the preservation of historical assets. It also suggests a larger historic preservation project to identify and list historic buildings and sites.

The current zoning regulations located in Title 9 have provisions that require landscaping, impose setbacks, have requirements for how fences can be built including their height, and imposes access and parking requirements. These provisions are currently applicable to new development and any redevelopment that would occur should a home be replaced by choice or because of a natural disaster.

Ms. Berry also discusses the proposed changes to the Golf Course in her letter. The following was provided in the memorandum for the July 8 City Council Public Hearing, "No functional change to the golf course is suggested or recommended. In fact, the actions proposed both within the Comprehensive Plan, Development Code, and Zoning Map protect the current golf course and are put forth to create a future opportunity, when the golf course expands, to do so to allow residential use along the fairways of the expanded golf course." The inclusion of the Golf Course within Goal 8 of the Comprehensive Plan was to protect this recreational asset and couple it with a future opportunity to expand the Golf Course and incorporate residential uses adjacent to the fairways. As to zoning practice in the region concerning Golf Course zoning, the Big River Golf Course in Umatilla, which is also owned by the City, is zoned Residential.

Also discussed is the zoning of the school grounds. Schools are usually built in residential neighborhoods because those who use them also live in those neighborhoods. There is no proposal within the Comprehensive Plan or Development Code to make any changes to the school property. Management and development of their land, as long as it is consistent with the Development Code, is their responsibility.

Parks can be sited in any number of locations but should be sited in such a way to ensure that the residents it is serving can reach the park and use it for the purposes intended. It should be noted that zoning does not preserve a use. If the concern about Fort Henriette Park is maintaining that site as a park the appropriate action would be to request that the City Council take action to dedicate those lands to park purposes. If the applicable zoning allows for parks and their associated uses and structures it does not matter what the applied zoning is. As to City Hall and George Park the proposed Commercial use zone allows both Community Services (a city hall) and Parks (George Park). It should be noted that a proposed amendment for the City Council to consider presented earlier in this Memorandum would see the property that the City Hall and George Park zoned Residential-Commercial and these types of uses can, similarly, be identified as allowed.

Paul Lapp Letter: There is not a lot in this letter that would be directly applicable to the adoption decision for the Comprehensive Plan, Development Code, or Zoning Map. It is also unclear if all of the pictures and commentary related to them are on property within the city limits. He primarily discusses the two canals but does not specifically address the Comprehensive Plan, Development Code, or Zoning Map proposed changes.

Neutral Comments: Six commenters spoke identifying their testimony as neutral with themes that focused on process, preservation of historical sites or artifacts, and one commenter that spoke to components within the Comprehensive Plan. I will address these themes here:

- ✓ Process: There appears to still be frustration with how this process was initiated and managed over the past 15 months. The City Administrator, working with the DLCD Regional Representative, identified a potential planning consultant that assisted with the grant application process and then managed the update project working closely with the City Administrator. As to the PAC the following was shared in the memorandum prepared for the July 8 City Council Public Hearing, "The Mayor appointed the Public Advisory Committee, or PAC, well over a year ago with six members – two City Councilors and four members of the public. All six were conduits for information to flow from the PAC to the general community. This could have occurred formally with reports to the City Council if requested, by presentations from either the consultant or PAC members, or more informally through inquiry 'around town.' It appears that those approaches did not readily occur and eventually led to significant amounts of misinformation being shared with community members."
- ✓ Preservation of Historical Sites or Artifacts: A Chinese encampment and burial ground has been brought forth by several individuals. No specific location or scope of the community has been provided. Current state law requires that any land based activity that uncovers historical artifacts, including bones or other evidence of human remains, requires an investigation that usually begins with local law enforcement and, if deemed to be potentially historical, then referral to the Oregon State Historical Preservation Office, or SHPO. While significant language was added to the Comprehensive Plan should the City Council want to specifically call out this Chinese encampment, albeit without a clear location, that could be added to the Goal 5 narrative with a possible Finding and Policy statement as well.
- ✓ Comprehensive Plan Components – Goal 1 and Goal 10: A commenter inquired why a Planning Commission would also serve as a communities Citizen Involvement Committee in support of Goal 1. To be frank it is because most communities struggle to appoint a Planning Commission much less any further committees, that could focus on citizen involvement in support of the land use planning program. It should be noted that the City of Echo does not at this point have a Planning Commission with the City Council serving both roles. The Comprehensive Plan envisions the appointment of a Planning Commission and it is recommended that the City Council consider this move. The recent Public Advisory Committee that was appointed to support this update process had four members of the public on it that could form the beginning of a Planning Commission.

There was also an inquiry about Goal 10 and the Housing Strategies Report that is referred to. The commenter continued to share that the State of Oregon ranks near the bottom of the list for housing production in the United States. The source of this remark was not shared nor was there a clear reference to allow further inquiry by staff or the consultant. Without that information it is hard to know the base case that the ranking refers to which makes it difficult to respond to. Doing planning work in the Umatilla and Morrow County region for nearly 25 years what I can share is that many of the issues with housing production have little to do with local development codes and more to do with financing, available work force, affordable land, and access to building materials. If this is truly a concern and there is a correlation to local development codes, the passage of the proposed update should resolve any perceived housing production challenges within the City of Echo.

Related to Goal 10 this same commenter briefly touched on the Policy statements within the Comprehensive Plan that would be in conflict with the conversion of the Open Space

between the two canals to a Residential use zone. That issue was already discussed with the recommendation to remove those policy statements.

July 21 Public Hearing:

Staff are not suggesting an agenda or outline for the City Council discussion on July 21. At this point none of the proposed documents have been amended as staff and the planning consultant would prefer clear directions on what the City Council would suggest be changed prior to investing time in that endeavor. The one exception to that is proposed Residential-Commercial language for the area along the south side of Sprague Street and the north side of Bridge Street.

Residential-Commercial Use Zone: *These standards are drawn from the current provisions found in the Echo Zoning Regulations. They should be carefully reviewed to determine if this reflects what the City Council would intend for that area. Many of these uses could potentially be of a scale or scope that would not be complementary to the other uses both on Main Street and in the vicinity. There are some uses the City Council may choose to remove or modify, the language could be modernized to better reflect current development desires, and the lists could be better organized. The dimensional and yard setback standards at the end of this section are also problematic as they apply different standards based on a use and not on the use zone which could create problems if a structure is built for one type of use and then converted to another type of use.*

Purpose: This use zone is designed to allow for a mix of residential and commercial activities and to create a buffer between Main Street commercial activity and adjoining residential neighborhoods. A secondary intent is to preserve this land for future expansion of commercial activity as the City of Echo grows.

Permitted Uses: These uses are allowed within the Residential-Commercial use zone with the issuance of a Development Review Permit.

1. Amusement establishment, theater;
2. Bed and breakfast inn;
3. Brewery, winery, or distillery as part of a retail use, restaurant, café, pub, tasting room, or similar use;
4. Community services;
5. Daycare, adult or child;
6. Eating or drinking establishment, except for drive-up or drive-through uses;
7. Financial institutions, except for drive-up or drive-through uses;
8. Laundromat;
9. Media: radio, television, newspaper facilities;
10. Museums and art galleries;
11. Office uses;
12. Parks and open space;
13. Personal Service: day spa, beauty salon, barbershop, tanning salon, nail salons and any combination and sales of such products;
14. Print Shops;
15. Religious institutions and places of worship;
16. Repair or maintenance establishment for any item sold or in use by a commercial operation allowed as an outright use in a Commercial zone;
17. Residential use as provided for in a Residential zone;
18. Retail sales and services, except for drive-up or drive-through uses;
19. Schools and educational services, (e.g., tutoring or similar services);

20. Transportation facilities (operation, maintenance, preservation, and construction, in accordance with the city's transportation system plan);
21. Utilities;
22. Veterinary, without boarding or outside housing of animals.
23. Installation of culverts, pathways, medians, fencing, guardrails, lighting and similar types of improvements within existing right-of-way.
24. Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.
25. Landscaping as part of a transportation facility.
26. Emergency measures necessary for the safety and protection of property.
27. Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan.
28. Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

Conditional Uses: These uses may be allowed within the RC use zone subject to conditions established as part of the Conditional Use Permit process outlined in this Title.

1. Drive-up/drive-in/drive-through (drive-up windows, kiosks, ATMs, similar facilities) conforming to the following standards, which are intended to calm traffic, and protect pedestrian comfort and safety.
 - a. Drive-up/drive-through facility shall orient to an alley, driveway, or interior parking area, and not a street;
 - b. No drive-up, drive-in or drive-through facilities (e.g., driveway queuing areas, windows, teller machines, service windows, kiosks, drop-boxes, or similar facilities) shall be located within 20 feet of a street and shall not be oriented to a street corner. (Walk-up only teller machines and kiosks may be oriented to a street or placed adjacent to a street corner);
 - c. Drive-up/drive-in queuing areas shall be designed so that vehicles do not obstruct a driveway, fire access lane, walkway, or public right-of-way; and
 - d. No more than one drive-up, drive-in, or drive-through facility shall be permitted for a distance of 400 linear feet along the same block face (same side of street).
2. Dry cleaners
3. Expansion of a use allowed prior to the adoption of this Title;
4. Gas Station;
5. Hospital;
6. Industrial service, if fully enclosed (e.g., office);
7. Manufacturing and production, if fully enclosed;
8. Motel or hotel, RV Park;
9. Nurseries and similar horticulture;
10. Outdoor recreation, commercial;
11. Parking lot (when not an accessory to a permitted use);
12. Rail lines and utility corridors;
13. Used Car/Vehicle/Farm Implement Sales;
14. Wholesale Sales, if fully enclosed, and less than 20,000-square feet of floor area.

Dimensional and Yard Setback Standards:

1. The dimensional and yard/setback standards of the Residential Zone shall be applied to all residential uses.
2. The dimensional standards of the Commercial Zone of this Title shall be applied to all nonresidential uses within the R-C Zone.