

# BAKER COUNTY-CITY PLANNING DEPARTMENT



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## Staff Report to the Baker City Planning Commission for Development Code Updates - Case No. ZT-25-127

**Report Date:** December 10, 2025

**Report Prepared by:** Tara Micka, Planning Director & Madison Tomac, Senior Planner

**Hearing Date:** December 17, 2025

**I. PURPOSE & CONTEXT:** The Planning Commission will be considering proposed revisions and additions to the Baker City Development Code to reduce barriers to housing identified in the Baker City Housing Production Strategy.

**II. BACKGROUND:** Amendments are necessary from time to time to reflect changing community conditions, needs and desires, to correct mistakes, or to address changes in the law. In 2023, Baker City adopted a Housing Production Strategy report to address the housing needs in Baker City. Many of these strategies, once acted upon would remove barriers and promote housing production in Baker City. The proposed updates to the Baker City Development Code would incorporate the following strategies: 1.1 Address Specific Site Constraints, 2.1 Increase Allowed Density and Range of Housing Types in Existing Zones, 2.2 Facilitate “Missing Middle” Housing Types in All Residential Zones, 2.3. Code Audit to Streamline and Simplify Housing Development Requirements, 2.4 Promote Accessory Dwelling Units (ADUs), 2.5 Zoning Incentives for Affordable, Workforce and/or Intergenerational Housing, and 3.1 Incentivize and Promote Accessible Design. The proposed updates will also incorporate provisions required by a number of new Oregon State Laws, including Senate Bills 8 (2021), 1537 (2024) and 458 (2021), House Bills 3395 (2023), 2984 (2023), 2306 (2019), and 2008 (2021), along with OAR 660-046. Baker City was awarded a technical assistance grant from the Department of Land Conservation and Development to complete this project. The full set of revisions is included in Exhibit A.

### **III. APPLICABLE CRITERIA & FINDINGS:**

Legislative land use decisions must comply with applicable provisions of the statewide planning goals, applicable statutes and administrative rules, and applicable provisions of the Baker City Comprehensive Plan and Development Code. The following goals, rules, plan policies, and development code text are the criteria applicable to review of the proposal:

#### **Baker City Development Code (BCDC)**

*BCDC Chapter 4.7 – Land Use Zone Map and Text Amendments:*

*BCDC Section 4.7.200 Legislative Amendments. Legislative amendments are policy decisions made by City Council. They are reviewed using the Type IV procedure in Section*

4.1.500 and shall conform to the Transportation Planning Rule provisions in Section 4.7.600, as applicable.

BCDC Section 4.1.500 – Type IV Procedure (Legislative)

- A. Pre-Application Conference...
- B. Application Requirements...
- C. Notice of Hearing

1. Required hearings. A minimum of two hearings, one before the Planning Commission and one before the City Council, are required for all Type IV applications, except annexations where only a hearing by the City Council is required.
2. Notification requirements. Notice of public hearings for the request shall be given by the City Planning Official or designee in the following manner:
  - a. At least 20 days, but not more than 40 days, before the date of the first hearing on an ordinance that proposes to amend the comprehensive plan or any element thereof, or to adopt an ordinance that proposes to rezone property...
  - b. At least 10 days before the scheduled Planning Commission public hearing date, and 14 days before the City Council hearing date, public notice shall be published in a newspaper of general circulation in the City and may be posted on the City's website.
  - c. The City Planning Official or designee shall:
    - i. For each mailing of notice, file an affidavit of mailing in the record as provided by subsection a; and
    - ii. For each published notice, file in the record the affidavit of publication in a newspaper that is required in subsection b.
  - d. The Oregon Department of Land Conservation and Development (DLCD) shall be notified in writing of proposed comprehensive plan and development code amendments at least 35 days before the first public hearing at which public testimony or new evidence will be received. The notice to DLCD shall include a DLCD Certificate of Mailing.
  - e. Notifications for annexation...

**Recommended Findings:** A) A pre-application meeting was not applicable to this proposal.

B) As the proposed revisions were generated and put forth by the City, the standard application form and fee was not collected.

C-1) The Planning Commission will hold a hearing on December 17, 2025, and make a recommendation to the City Council. The City Council will schedule public hearings on the proposed revisions.

C-2a) No changes are proposed to the Baker City Comprehensive Plan nor are any rezones proposed with these Development Code updates. No persons requested specific notice in writing.

C-2b) Public notice of the proposed revisions and scheduled public hearings was published in the December 3, 2025 edition of the East Oregonian and was provided on the Baker City website.

C-2c) An affidavit of publication for the published notice was filed in the record on December 3, 2025.

C-2d) The Oregon Department of Land Conservation and Development was notified in writing of the proposed revisions on November 12, 2025. This notice was submitted online.

C-2e) The proposed revisions do not include an annexation request.

**Conclusion:** Based on the findings above, the criteria **are/are not** met.

3. *Content of notices. The mailed and published notices shall include the following information:*

- a. *The number and title of the file containing the application, and the address and telephone number of the City Planning Official or designee's office where additional information about the application can be obtained;*
- b. *The proposed site location;*
- c. *A description of the proposed site and the proposal in enough detail for people to determine what change is proposed, and the place where all relevant materials and information may be obtained or reviewed;*
- d. *The time(s), place(s), and date(s) of the public hearing(s); a statement that public oral or written testimony is invited; and a statement that the hearing will be held under this title and rules of procedure adopted by the Council and available at City Hall (See Section 4.1.500.D); and*
- e. *Each mailed notice...*

4. *Failure to receive notice. The failure of any person to receive notice shall not invalidate the action, providing:*

- a. *Personal notice is deemed given where the notice is deposited with the United States Postal Service;*
- b. *Published notice is deemed given on the date it is published.*

**Recommended Findings:** The published notice included the following information or a link to the following information: a) the number and title of the file containing the application, and the address and telephone number of the Planning Department; b) a statement that the proposed revisions are to encourage and

remove barriers to housing in all of the City's zones; c) a summary of the proposed revisions, and the location where all materials relating to the proposed revisions could be obtained and/or reviewed; d) the time, place and date of the scheduled public hearing to date; a statement that public written or oral testimony is invited; a statement that the hearing will be conducted in accordance with BCDC Section 4.1. Mailed notice was not required to be sent with this Development Code update. Published notice was given on December 3, 2025, in the East Oregonian newspaper.

**Conclusion:** Based on the findings above, the criteria **are/are not** met.

*D. Hearing Process and Procedure.*

*1. Unless otherwise provided in the rules of procedure adopted by the City Council:*

*a. The presiding officer of the Planning Commission and of the City Council shall have the authority to:*

- i. Regulate the course, sequence, and decorum of the hearing;*
- ii. Direct procedural requirements or similar matters; and*
- iii. Impose reasonable time limits for oral presentations.*

*b. No person shall address the Commission or the Council without:*

- i. Receiving recognition from the presiding officer; and*
- ii. Stating their full name and address.*

*c. Disruptive conduct such as applause, cheering, or display of signs shall be cause for expulsion of a person or persons from the hearing, termination or continuation of the hearing, or other appropriate action determined by the presiding officer.*

*2. Unless otherwise provided in the rules of procedures adopted by the Council, the presiding officer of the Commission and of the Council shall conduct the hearing as follows:*

- a. The presiding officer shall begin the hearing with a statement of the nature of the matter before the body, a general summary of the procedures, a summary of the standards for decision-making, and whether the decision which will be made is a recommendation to the City Council or the final decision of the Council;*
- b. The City Planning Official or designee's report and other applicable staff reports shall be presented;*
- c. The public shall be invited to testify;*
- d. The public hearing may be continued to allow additional testimony or it may be closed; and*
- e. The body's deliberation may include questions to the staff, comments from the staff, and inquiries directed to any person present.*

- E. *Continuation of the Public Hearing. The Planning Commission or the City Council may continue any hearing, and no additional notice of hearing shall be required if the matter is continued to a specified place, date, and time.*

**Recommended Findings:** D & E) All public hearings shall be conducted in accordance with the standards listed above.

**Conclusion:** Based on the findings above, the criteria **are/are not** met.

- F. *Decision-Making Criteria. The recommendation by the Planning Commission and the decision by the City Council shall be based on the following factors:*

1. *Approval of the request is consistent with the Statewide Planning Goals;*
2. *Approval of the request is consistent with the Comprehensive Plan; and*
3. *The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.*

**Recommended Findings:**

1&2) This report has been written to determine consistency with the Baker City Comprehensive Plan, and the Oregon Statewide Planning Goals.

3) These revisions will not add any new uses; all changes modify standards for uses currently allowed in the Development Code. The proposed revisions affect properties within the city limits and UGB of the City of Baker City, which are complete with or are planned to be provided with adequate public facilities, services and transportation networks in accordance with the Baker City Transportation System Plan (2014), the Storm Water Management Plan for the Baker City (2010), and the Baker City Water Facility Plan (2016), among other guiding documents.

**Conclusion:** Based on the findings above, the criteria **are/are not** met.

- G. *Approval Process and Authority*

1. *The Planning Commission shall:*

- a. *After notice and a public hearing, vote on and prepare a recommendation to the City Council to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative; and*
- b. *Within 14 business days of determining a recommendation, the presiding officer shall sign the written recommendation, and it shall be filed with the City Planning Official or designee.*

2. *Any member of the Planning Commission who votes in opposition to the Planning Commission's majority recommendation may file a written statement of opposition with the City Planning Official or designee before the Council public hearing on the proposal. The City Planning Official or designee shall send a copy to each Council member and place a copy in the record;*
3. *If the Planning Commission fails to adopt a recommendation to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative proposal within 60 days of its first public hearing on the proposed change, the City Planning Official or designee shall:*
  - a. *Report the failure together with the proposed change to the City Council; and*
  - b. *Provide notice and put the matter on the City Council's agenda for the City Council to hold a public hearing and make a decision. No further action shall be taken by the Commission.*
4. *The City Council shall:*
  - a. *Approve, approve with modifications, approve with conditions, deny, or adopt an alternative to an application for legislative change, or remand the application to the Planning Commission for rehearing and reconsideration on all or part of the application;*
  - b. *Consider the recommendation of the Planning Commission; however, the City Council is not bound by the Commission's recommendation; and*
  - c. *Act by ordinance, which shall be signed by the Mayor after the Council's adoption of the ordinance.*

#### *H. Vote Required for a Legislative Change*

1. *A vote by a majority of the qualified voting members of the Planning Commission present is required for a recommendation for approval, approval with modifications, approval with conditions, denial or adoption of an alternative.*
  2. *A vote by a majority of the qualified members of the City Council present is required to decide any motion made on the proposal.*
- I. *Notice of Decision. Notice of a Type IV decision shall be mailed to the applicant, all participants of record, and the Department of Land Conservation and Development, within five business days after the City Council decision is filed with the City Planning Official or designee. The City shall also provide notice to all persons as required by other applicable laws.*
  - J. *Final Decision and Effective Date. A Type IV decision, if approved, shall take effect and shall become final as specified in the enacting ordinance, or if not approved, upon mailing of the notice of decision to the applicant. The City Council decision may specify a "time phased rezone and/or comprehensive plan map amendment in which the rezone and comprehensive plan map amendment, if any, does not become effective for a specified period of time of up to 10 years.*
  - K. *Record of the Public Hearing.*

1. *A verbatim record of the proceeding shall be made by stenographic, mechanical, or electronic means. It is not necessary to transcribe an electronic record. The minutes and other evidence presented as a part of the hearing shall be part of the record;*
2. *All exhibits received and displayed shall be marked to provide identification and shall be part of the record;*
3. *The official record shall include:*
  - a. *All materials considered by the hearings body;*
  - b. *All materials submitted by the City Planning Official or designee to the hearings body regarding the application;*
  - c. *The verbatim record made by the stenographic, mechanical, or electronic means; the minutes of the hearing; and other documents considered;*
  - d. *The final ordinance;*
  - e. *All correspondence; and*
  - f. *A copy of the notices that were given as required by this Chapter.*

**Recommended Findings:** The decision process for this application shall be conducted in accordance with the standards listed above.

**Conclusion:** Based on the findings above, the criteria **are/are not** met.

BCDC 4.7.600 – Transportation Planning Rule Compliance

- A. Review of Applications for Effect on Transportation Facilities. *When a development application includes a proposed comprehensive plan amendment or land use zone change...*

**Recommended Findings:** The proposed revisions include amendments to the Development Code. No changes are proposed to the Comprehensive Plan and no zone changes are proposed with this update. The proposed Development Code revisions do not include the addition of new uses within the existing residential zones, although changes to the existing standards for certain uses are proposed.

**Conclusion:** Based on the findings above, the proposed revisions **do/do not** significantly affect a transportation facility and, therefore, **are/are not** applicable.

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## **THE BAKER CITY COMPREHENSIVE PLAN**

### **PUBLIC INVOLVEMENT AND PROCEDURES FOR PLANNING**

*GOAL: To provide for public involvement at all stages of planning decisions and to establish procedures for changing the plan and making related policies.*

*[Implements Statewide Planning Goals 1 - CITIZEN INVOLVEMENT – To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process; and 2 - LAND USE PLANNING – To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.]*

#### **POLICIES:**

- (1) The City will make all reasonable efforts to publicize planning issues and meetings where these issues will be discussed and decided upon.*
- (2) Persons or firms making proposals or applications for land use decisions that may have an affect on neighbors or the general public will be expected to provide descriptive materials and information adequate for the determination being made.*
- (3) The Planning Commission will continue to undertake efforts to involve and inform the public of planning issues.*
- (4) In instances where public hearings are required, relative to this plan, the Planning Commission and City Council will follow procedures established in the City's zoning ordinance. These bodies are responsible for considering the affects of a decision on the entire community and should not be swayed unduly by the number of persons testifying for or against a particular course of action.*
- (5) Planning decisions generally, and amendments to this plan particularly, will be consistent with the state planning goals.*
- (6) Planning related decisions of the City will be in accord with the policies of the Comprehensive Plan.*
- (7) The City will maintain and regularly update information and maps used as a basis for making planning decisions.*
- (8) The Comprehensive Plan will be thoroughly reviewed and necessary alterations made every three years. The staff will prepare an initial review for presentation to the Planning Commission, which will conduct at least one public hearing and make its recommendations to the City Council.*
- (9) Changes to the Comprehensive Plan may be made at any time. Proposals for change may be initiated by the City Council, Planning Commission, City staff or citizens. Once a proposal is made, the following procedures will be followed:*
  - a. It must be demonstrated that the following conditions exist, when applicable:*
    - i. There is a mistake or omission in the plan;*
    - ii. There is not an adequate amount of land designated as suitable for specific uses by the Plan;*

- iii. *If a particular area is proposed for a change in designation, it must be demonstrated that the proposed use is more suitable in the area than the existing use;*
  - iv. *It must be demonstrated that public facilities will be used efficiently and that no unnecessary tax burden will fall upon the general public or nearby landowners;*
  - v. *The effects on the area surrounding a proposed change will not be reasonably harmful or incompatible; and*
  - vi. *The proposed policy or land use change is consistent with the state planning goals.*
- b. *The City will attempt to gain media coverage of the issues and public notice of the proposed change will be advertised.*
  - c. *Affected public agencies will be informed and asked for a response to the proposed change.*
  - d. *The proposed change will be submitted to the LCDC for comment (if required by state law).*
  - e. *Recommendations will be forwarded by the Planning Commission to the City Council where changes will be considered according to ordinance adoption procedures.*
  - f. *Any measures necessary to implement the change will be initiated as soon as practicable.*

*(10) Amendments to the Comprehensive Plan which involve an exception to the statewide goals shall comply with all requirements of ORS 197.732.*

**Recommended Findings:**

(1) The Planning Department staff, Planning Commission and City Council have and will follow the standards set forth in the Baker City Development Code that gives citizens the opportunity to be involved in all phases of the planning process. See findings for how the citizen involvement program was implemented through the Baker City Development Code Section 4.1.500, above. In addition to the existing citizen involvement program, staff conducted further outreach to the community, including:

- An open house was held on September 11, 2025, in person, to discuss the revisions.
- Information about the proposed changes and hearings was provided on the Baker City website.
- The Planning Commission and City Council held a joint public work session on October 28, 2025, to discuss the changes prior to any public hearing.
- The proposed revisions to the Baker City Development Code were formed with help from a Housing Advisory Committee with community representatives from different backgrounds.
- Notice of proposed changes was posted in the East Oregonian newspaper on December 3, 2025 and a press release was sent to the Baker City Herald on December 11, 2025.

- (2) All materials relating to the proposed revisions are available for public review from the Planning Department and posted on Baker City’s website. The materials describe the specific changes proposed.
- (3) See findings relating to public noticing and outreach in BCDC Section 4.1.500(C) and subsection (1), above.
- (4) The procedures established in the City’s Development Code for public hearings for this proposal are included in this staff report.
- (5) This staff report has been written to determine consistency with Statewide Planning Goals. See findings for each Planning Goal, as applicable.
- (6) This staff report has been written to determine consistency with the Baker City Comprehensive Plan. See findings beginning on page 8.
- (7) The City of Baker City Comprehensive Plan was last updated through Ordinance 3384 on September 10, 2024. The Baker City Zoning Map was last updated through Ordinance 3407 effective March 13, 2025.
- (8) The City of Baker City Comprehensive Plan was last updated through Ordinance 3384 on September 10, 2024. A review of the Comprehensive Plan found that no changes were required or requested with this Development Code update.
- (9) No changes to the Baker City Comprehensive Plan are proposed with this Development Code Update.
- (10) No changes to the Baker City Comprehensive Plan are proposed with this Development Code Update. The proposed revisions do not involve an exception to statewide planning goals.

**Conclusion:** Based on the findings above, the intent of the Public Involvement and Procedures for Planning chapter, which is implementing Goal 1 and Goal 2, **is/is not** satisfied.

## ***FIRE PROTECTION***

*GOAL: To protect the community's citizens and property from loss due to fire by a program of inspection, direction in methods of prevention, and swift suppression of any fire outbreak.*

*[Implements a portion of Statewide Planning Goal 11 – PUBLIC FACILITIES AND SERVICE – To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.]*

## ***POLICIES***

*(11) In order to provide the best possible service to the community, a conscientious and studied evaluation of the department's operation and facilities shall be made regularly, with particular attention paid to demands incurred by new growth.*

**Recommended Findings:** No new uses are proposed with these amendments, and no changes to the city limits boundaries are proposed. No additional demands on fire protection services are anticipated.

**Conclusion:** Based on the findings above, the intent of the Fire Protection chapter, which is implementing a portion of Goal 11, **is/is not** satisfied.

## **PARKS & RECREATION**

*GOAL: To maintain present park and recreation areas and provide for the varied and growing needs of the City's residents and its visitors.*

*[Implements Statewide Planning Goal 8 - RECREATIONAL NEEDS – To satisfy the recreational needs of the citizens of the state and visitors.]*

**Recommended Findings:** No policies within the Parks & Recreation chapter were determined to be *applicable* to this proposal.

**Conclusion:** The policies in the Parks & Recreation chapter, which is implementing a portion of Goal 8, **do/do not** apply to this proposal.

## **POLICE PROTECTION**

*GOAL: To protect the community's residents and their property through a program of citizen awareness and enforcement of local and state laws.*

*[Implements a portion of Statewide Planning Goal 11 - PUBLIC FACILITIES AND SERVICE – To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.]*

## **POLICIES**

*(1) In order to provide the best possible service to the community, a conscientious and studied evaluation of the department's operation and facilities shall be made regularly, with particular attention paid to demands incurred by new growth.*

**Findings:** No new uses are proposed with these amendments, and no changes to the city limits boundaries are proposed. No additional demands on police protection services are

anticipated.

**Conclusion:** Based on the findings above, the intent of the Police Protection chapter, which is implementing a portion of Goal 11, **is/is not** satisfied.

## **SCHOOLS**

*GOAL: To assure suitable siting for the City's public schools appropriate to the policies established in the plan.*

*[Implements Statewide Planning Goal 11 – PUBLIC FACILITIES AND SERVICE – To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.]*

**Recommended Findings:** No policies within the Schools chapter were determined to be applicable to this proposal.

**Conclusion:** The policies in the Schools chapter, which is implementing a portion of Goal 11, **do/do not** apply to this proposal.

## **PUBLIC FACILITY PLAN**

*[Implements Statewide Planning Goal 11 – PUBLIC FACILITIES AND SERVICE – To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.]*

### **GOALS:**

- 1. To assure urban development is guided and supported by types and levels of urban facilities and services appropriate for the needs and requirements of the community.*
- 2. To assure that facilities and services are provided in a timely, orderly and efficient arrangement.*
- 3. To provide a framework for urban and rural development within the City's urban growth boundary (UGB) by establishing appropriate levels of service for development within the UGB.*

*[Implements Statewide Planning Goal 11 – PUBLIC FACILITIES AND SERVICE – To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.]*

## **POLICIES**

- (1) The City of Baker City shall insure the provision of urban services (water, sewer and storm drainage and transportation infrastructure) to residential, commercial and industrial lands within the City's Urban Growth Area.*

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(7) *The City shall only support development that is compatible with the City's ability to provide adequate public facilities and services.*

**Recommended Findings:** No new uses are proposed with these amendments, and no changes to the city limits boundary are proposed. No additional demands on public facilities are anticipated.

**Conclusion:** Based on the findings above, the intent of the Public Facility Plan chapter, which is implementing a portion of Goal 11, **is/is not** satisfied.

## **SEWER SYSTEM**

*GOAL: To efficiently provide developed areas of the City with storm and sanitary sewer adequate for the proper maintenance of health, safety and public convenience.*

*[Implements Statewide Planning Goal 11 – PUBLIC FACILITIES AND SERVICE – To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.]*

**Recommended Findings:** No policies within the Sewer System chapter were determined to be applicable to this proposal.

**Conclusion:** The policies in the Sewer System chapter, which is implementing a portion of Goal 11, **do/do not** apply to this proposal.

## **SOLID WASTE DISPOSAL**

*GOAL: To assure a clean, healthful environment for Baker City residents, specifically through provision of fair and efficient disposal of solid wastes accumulating within the city.*

*[Implements Statewide Planning Goal 11 – PUBLIC FACILITIES AND SERVICE – To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.]*

**Recommended Findings:** No policies within the Sewer System chapter were determined to be applicable to this proposal.

**Conclusion:** The policies in the Sewer System chapter, which is implementing a portion of Goal 11, **do/do not** apply to this proposal.

## **TRANSPORTATION**

*GOAL: To provide a safe, efficient and convenient transportation system realizing maximum mobility for the community's citizens.*

*[Implements Statewide Planning Goal 12 – TRANSPORTATION – To provide and encourage a safe, convenient and economic transportation system.]*

**Recommended Findings:** No policies within the Transportation chapter were determined to be applicable to this proposal.

**Conclusion:** The policies in the Transportation chapter, which is implementing a portion of Goal 12, **do/do not** apply to this proposal.

## **DOMESTIC WATER**

*GOAL: To provide in a cost-efficient manner, good quality water meeting all standards of pleasant taste, at adequate pressure, and in sufficient quantity for development within the City's Urban Growth Boundary.*

*[Implements Statewide Planning Goal 11 – PUBLIC FACILITIES AND SERVICE – To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.]*

**Recommended Findings:** No policies within the Domestic Water chapter were determined to be applicable to this proposal.

**Conclusion:** The policies in the Domestic Water chapter, which is implementing a portion of Goal 11, **do/do not** apply to this proposal.

## **EXTENSION OF SEWER AND WATER SERVICES**

*GOAL: To provide procedures for the extension of City sewer and water appropriate to the findings and policies established in this plan.*

*[Implements Statewide Planning Goal 11 – PUBLIC FACILITIES AND SERVICE – To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.]*

**Recommended Findings:** No policies within the Extension of Sewer and Water Services chapter were determined to be applicable to this proposal.

**Conclusion:** The policies in the Extension of Sewer and Water Services chapter, which is

implementing a portion of Goal 11, **do/do not** apply to this proposal.

## **EXISTING NATURAL FEATURES AND LAND USE**

*GOAL: To preserve, protect, and conserve the quality of our environment and natural resources while providing for the orderly growth and development of the City.*

*[Implements Statewide Planning Goal 6 – AIR, WATER AND LAND RESOURCES QUALITY – To maintain and improve the quality of the air, water and land resources of the state; and Statewide Planning Goal 7 – AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS – To protect life and property from natural disasters and hazards; and Goal 13 – ENERGY CONSERVATION.]*

## **POLICIES**

- (6) *The City shall not specifically act to encourage development in known hazard areas. When construction does take place in these areas, the City will require proper precautions to be taken.*
- (7) *The City shall strive for development of land to its highest and best use, recognizing the various needs of all its citizens.*

**Recommended Findings:** While no new uses are proposed with this set of Development Code amendments, the Code amendment will add some provisions that mitigate environmental impacts for development in known hazard areas and allow for some alternate development and design standards for developing in hillside hazard areas.

**Conclusion:** Based on the findings above, the intent of the Existing Natural Features and Land Use chapter, which is implementing Goal 7, **is/is not** satisfied.

## **LAND SUITABILITY**

*[Implements Statewide Planning Goal 2 – LAND USE PLANNING – to establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate and factual base for such decisions and actions.]*

**Recommended Findings:** No policies within the Land Suitability chapter were determined to be applicable to this proposal.

**Conclusion:** The policies in the Land Suitability chapter, which is implementing Goal 2, **do/do not** apply to this proposal.

## URBANIZATION

*GOAL: To minimize the expansion of the urban service area outside the city limits in order to provide for the efficient use of land, eliminate the unnecessary and uneconomical expansion of public facilities, and to conserve agricultural lands outside of the city.*

*[Implements Statewide Planning Goal 14 – URBANIZATION – To provide for an orderly and efficient transition from rural to urban land use.]*

**Recommended Findings:** No policies within the Urbanization chapter were determined to be applicable to this proposal. No expansion of the urban service area is requested with the proposed Development Code updates.

**Conclusion:** The policies in the Urbanization chapter, which is implementing Goal 14, do/do not apply to this proposal.

## HOUSING

*GOAL: To encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density..*

*[Implements Statewide Planning Goal 10 – HOUSING – To provide for the housing needs of the citizens of the state.]*

### **POLICIES:**

- 1. The City shall ensure that zoning standards are flexible enough to allow for a variety of housing options and do not inflate the cost of housing, particularly for housing affordable to low- and moderate-income households.*
- 2. The City shall provide for a variety of housing options and sites and plan for suitable locations. It is recognized that the private sector will continue their leadership role in this function.*
- 3. The City shall support the creation of housing that is affordable to low-and moderate-income households through partnerships, land use policies, and programmatic efforts.*
- 4. The City, recognizing the financial difficulties of a sizeable segment of the City's population in providing themselves safe, sanitary and healthful shelter, shall seek partnerships with non-profit housing developers and other agencies to create the opportunity to provide moderate and low-income housing and rehabilitation activities within the City.*
- 5. The City shall advance where possible the evolution of safe and aesthetically pleasing residential neighborhoods that are efficiently integrated with business and commercial property, schools, parks, public facilities, and other urban development.*
- 6. The City shall seek to make the most efficient use of developable land, particularly that are already provided with City services.*

7. *The City recognizes that certain housing policies must be tied very closely with existing land and environmental features. The reader is referred to the 'Land Suitability' section of this plan.*
8. *The City shall regularly monitor and update this information to ensure that an adequate supply of land meet future projected housing needs.*
9. *The City shall keep an inventory of the City's housing stock and regularly update significant statistics.*
10. *The City shall give consideration to alternative residential construction both in form and lay-out, for such reasons as aesthetics, energy conservation, lessened development costs, and provision of more usable open space.*
11. *The City shall, in light of increasing demand for multi-family housing, provide suitable and adequate areas for such development.*
12. *The City shall encourage maintenance and rehabilitation of the existing housing stock to safe and livable conditions.*
13. *The City may encourage residential development within the city limits in areas determined most appropriate.*
14. *The City shall not take actions to promote residential development of productive agricultural areas while other suitable areas remain vacant.*
15. *The City shall continually monitor and inspect all phases of both new residential construction and improvements to existing structures to ensure safety and code compliance.*
16. *The City shall employ strategies that support the Fair Housing Act and affirmatively further fair housing.*
17. *The City shall encourage residential uses mixed with other compatible uses in the same building or on the same site within the City's mixed-use zones. The City shall allow and support the development of Accessory Dwelling Units in all residential zones as required by State law.*
18. *The City shall prioritize providing infrastructure to un-serviced areas that are otherwise ready for residential development.*

**Recommended Findings:** Amendments to the Development Code are intended to remove barriers to housing production and encourage housing development in all residential zones as outlined in the Baker City Housing Production Strategy (2023). They include:

- Amending the *Definitions* chapter to clarify, add and remove definitions used in the Development Code.
- Amending Section 1.4.110.C Household Living - Examples to incorporate changes made to read, *"Uses include living in houses, duplexes, apartments, or condominiums in detached, attached, or stacked configurations. Retirement center apartments, manufactured housing, houseboats, and other structures with self-contained dwelling units are also considered household living..."*
- Revising Chapter 2.2 to remove repetitive language and uses, to clean up references to other sections, incorporate new development standards and remove identified barriers to housing.
- Revising Chapter 2.3 to modify language related to residential uses and add provisions for Re-Use or Conversion of an Existing Building to Residential Use (Section 2.3.190. H) and Income-Restricted Housing (Section 2.3.200)

- Revising Chapter 2.4 to modify language related to residential uses and add provisions for Re-Use or Conversion of an Existing Building to Residential Use (Section 2.4.160. D) and Income-Restricted Housing (Section 2.4.170)
- Revising Chapter 3.1 to remove barriers to housing development.
- Revising Chapter 3.3 to add parking standards for Re-Use or Conversion of an Existing Building (Section 3.3.300.B.3.), Parking Standards for Income-Restricted Housing (Section 3.3.300.B.4), and Parking Standards for Housing Benefit Incentives (Section 3.3.300.B.5); Clarifying minimum parking requirements in Table 3.3.300.A – Residential Categories; Clarifying ADA parking requirements for small residential development (Section 3.3.300.D.2); and Modifying language for minimum bicycle parking exemptions (Section 3.3.400.B).
- Revising Chapter 3.4 to add clarifications from Baker City Public Works.
- Adding Chapter 3.8 – Hillside Development and Design Standards
- Adding clarifying language to Chapter 4.1; Expanding Section 4.1.700 Expedited Land Division (ELD) Review to incorporate updated legislation.
- Adding Section 4.2.200.A Residential Project Types and Table 4.2.200 Summary of Review Process by Type of Residential Project.
- Clarifying language in Section 4.2.300.A; Addition of Section 4.2.300.D. Application Materials
- Adding criteria for cottage clusters in Section 4.2.400.C.2.b; revising 4.2.400.C.2.c to add clarifications from Baker City Public Works.
- Adding criteria to Chapter 4.3 for Expedited and Middle Housing Land Division; revising multiple sections to add clarifications from Baker City Public Works.
- Adding criteria to Section 5.1.200 for mandatory adjustments as required by SB 1537 (2024).

Other changes propose fixing grammar, formatting and syntax errors. See Exhibit A for all proposed changes

These changes are designed to reduce barriers to developing a variety of housing choices to meet the needs of community residents.

**Conclusion:** Based on the findings above, the intent of the Housing chapter, which is implementing a portion of Goal 10, **is/is not** satisfied.

## **HISTORIC PRESERVATION**

*GOAL: To recognize and preserve buildings and structures identified as having particular historic significance or of special architectural merit in order to further education, stabilize property values, aid in beautification of the City, and focus community pride in our colorful past.*

*[Implements Statewide Planning Goal 5 – OPEN SPACES, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES – To conserve open space and protect natural and scenic resources.]*

**Recommended Findings:** No policies within the Historic Preservation chapter were determined to be applicable to this proposal.

**Conclusion:** The policies in the Historic Preservation chapter, which is implementing Goal 5, do/do not apply to this proposal.

## ***ECONOMIC ELEMENT***

*GOAL: To improve and diversify the City's economy in order to sustain a moderate rate of growth while protecting the natural environment and enhancing the quality of life in the community.*

*[Implements Statewide Planning Goal 9 – ECONOMY OF THE STATE – To diversify and improve the economy of the state.]*

**Recommended Findings:** No policies within the Economic Element chapter were determined to be applicable to this proposal.

**Conclusion:** The policies in the Economic Element chapter, which is implementing Goal 9, do/do not apply to this proposal.

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## ***STATEWIDE PLANNING GOALS WHICH ARE NOT APPLICABLE TO BAKER CITY***

*GOAL 3: AGRICULTURAL LANDS – To preserve and maintain agricultural lands.*

**Recommended Findings:** No agricultural zoning designation exists within the city limits or UGB of Baker City.

**Conclusion:** Based on the findings above, Goal 3 **is/is not** applicable to the proposed revisions.

*GOAL 4: FOREST LANDS – To conserve forest lands for forest use.*

**Recommended Findings:** No forest zoning exists within the city limits or UGB of Baker City. As noted in the Baker City Comprehensive Plan, Goal 4 is, “*Not applicable and not addressed in this plan.*”

**Conclusion:** Based on the findings above, Goal 4 **is/is not** applicable to the proposed revisions.

*GOALS 15-19:*

**Recommended Findings:** These Statewide Planning goals are not applicable as Baker City is not located within the Willamette River Greenway, and is not located within or adjacent to any coastal or estuarine resources.

**Conclusion:** Based on the findings above, Goals 15 to 19 **are/are not** applicable to the proposed revisions.

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#### **IV. SUMMARY CONCLUSIONS & PLANNING COMMISSION DECISION**

The proposed revisions to the Baker City Development Code and Comprehensive Plan contained within ZT-25-127 may be allowed if the request is determined to be consistent with all applicable statewide planning goals, applicable policies of Baker City Comprehensive Plan and Baker City Development Code Section 4.7.200. As summarized herein, this staff report for ZT-25-127 **HAS/HAS NOT** demonstrated that the proposed revisions meet or are able to meet through Conditions of Approval, all of the applicable review criteria and development standards.

Therefore, based on the information contained in Sections I through III of this report, and the above review criteria, findings of fact and conclusions and public testimony received, the Baker City Planning Commission recommends **APPROVAL/DENIAL** of the proposed revisions to Baker City Council.

Dated this \_\_\_\_\_ day of December, 2025

Baker City Planning Commission

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#### **EXHIBITS:**

A. Draft Baker City Development Code