

ORDINANCE NO. 904

**AN ORDINANCE AMENDING THE STAYTON MUNICIPAL CODE, TITLE 17
TO PERMIT AN ADDITIONAL USE IN THE LIGHT INDUSTRIAL ZONE AND
DECLARING AN EMERGENCY**

WHEREAS, Oregon Revised Statutes, Chapter 197 requires municipalities to adopt and implement a comprehensive land use planning program in accordance with statewide planning goals established by the Legislature and the Oregon Land Conservation and Development Commission;

WHEREAS, the Stayton Comprehensive Plan and Title 17, Land Use and Development, of the Stayton Municipal Code (SMC) divide the City into Zones for the establishment of differing land uses;

WHEREAS, there are no suitable locations within the Commercial Retail, Commercial General, Downtown Residential Mixed Use, or Central Core Mixed Use zones for a new facility;

WHEREAS, the current provisions in Title 17, SMC, do not allow for transit and ground passenger transportation facilities in the Light Industrial Zone;

WHEREAS, establishment of a ground passenger transportation facility in the Light Industrial Zone would not interfere with other uses permitted in the zone and would minimize impacts of such a facility on residential uses in other zones;

WHEREAS, following a public hearing, the Stayton Planning Commission has unanimously recommended that the Stayton City Council enact the proposed amendments to permit transit and ground passenger transportation facilities in the Light Industrial Zone;

WHEREAS, following a public hearing, the Stayton City Council deems the proposed amendments to comply with the provisions of the Comprehensive Plan; and

WHEREAS, it is appropriate that an emergency be declared as to the enactment of this Ordinance so that it is in full force and effect immediately from and after its adoption by the Stayton City Council and the Mayor's signing.

NOW, THEREFORE, the Stayton City Council does ordain as follows:

SECTION 1. Table 17.16.070.1 Permitted Land Use is hereby amended to list Transit and Ground Passenger Transportation facilities (land use #98) as a use permitted after site plan review in the Light Industrial Zone.

SECTION 2. Upon adoption by the Stayton City Council and the Mayor's signing, this Ordinance shall become immediately effective.

SECTION 3. This Ordinance shall be furnished to the State of Oregon, Department of Land Conservation and Development forthwith.

ADOPTED BY THE STAYTON CITY COUNCIL this 16 day of June, 2008.

CITY OF STAYTON

Signed: June 17, 2008

BY: Virginia L. Honeywell
Virginia L. Honeywell, Mayor

Signed: 6/17, 2008

ATTEST: Don Eubank
Don Eubank, Interim City Administrator

APPROVED AS TO FORM:

David A. Rhoten
David A. Rhoten, City Attorney

BEFORE THE STAYTON CITY COUNCIL

In the matter of a Legislative) Amendments to the
Amendment to Stayton Municipal) Permitted Uses in the
Code, Title 17 (Land Use and Development)) Light Industrial Zone
Land Use File # 5-04/08)

FINDINGS AND CONCLUSIONS

I. NATURE OF APPLICATION

The matter comes before the Stayton Planning Commission to amend Title 17 of the Stayton Municipal Code, in order to revise the uses permitted in the Light Industrial Zone according to Table 17.16.070.1. The proposed amendment would allow North American Industrial Classification 485, Transit and Ground Passenger Transportation as use permitted after site plan review.

II. PUBLIC INVOLVEMENT

Public comments were solicited at a public hearing held by the Planning Commission on May 27, 2008. At the public hearing the only testimony received was from the North Santiam School District 29J and a representative of the student transportation provided under contract to the School District. The testimony provided by both parties was in favor of the amendment.

Additional public comment was solicited a public hearing held by the City Council on June 16, 2008. At that public hearing the only testimony received was again from the North Santiam School District 29J and a representative of the student transportation provided under contract to the School District. The testimony provided by both parties was again in favor of the amendment.

III. FINDINGS OF FACT

The Stayton City Council, after careful consideration of the testimony and evidence in the record, adopts the following facts:

As an amendment to Title 17 of the Stayton Municipal Code, the amendments must address the following Statewide Planning Goals.

1. *GOAL 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.* Citizen involvement was solicited by means of advertisements for the public hearing.
2. *GOAL 2, LAND USE PLANNING: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.* There was an established process used by the City in the development of the draft code amendments.
3. *GOAL 11, PUBLIC FACILITIES AND SERVICES: 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.* The amendments allow for an important aspect of a vital public service, education, to continue to be provided within the community.

IV. CONCLUSIONS

1. The amendments adhere to the State Wide Planning Goal 1, Citizen Involvement; Goal 2, and Goal 11, Public Services.

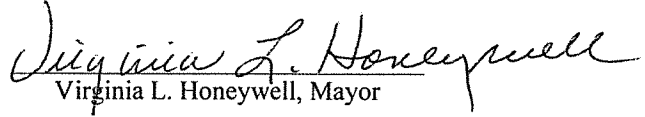
2. The amendments implement the goals and policies of the Stayton Comprehensive Plan, in that Transit and Ground Passenger Transportation facilities are an appropriate use in the Light Industrial Zone and will not be a conflict with the other permitted uses in the zone.

ADOPTED BY THE STAYTON CITY COUNCIL this 16th day of June, 2008.

CITY OF STAYTON

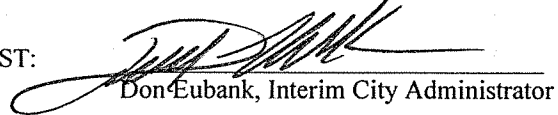
Signed: 6-17, 2008

BY:


Virginia L. Honeywell, Mayor

Signed: 6/17, 2008

ATTEST:


Don Eubank, Interim City Administrator