

RESOLUTION NO. 688

A RESOLUTION ADOPTING PHASE I - PERIODIC REVIEW WORK PROGRAM TO UPDATE THE STAYTON COMPREHENSIVE PLAN AND DEVELOPMENT ORDINANCE.

WHEREAS, the Stayton City Council has determined that amendments are necessary to the 1991 Stayton Comprehensive Plan in order to adequately address the growth the City of Stayton is experiencing;

WHEREAS, the City of Stayton has requested scheduling of Periodic Review from Oregon Department of Land Conservation and Development (DLCD) to update the 1991 Stayton Comprehensive Plan and Development Ordinance;

WHEREAS, DLCD notified the City on March 31, 1999 to begin periodic review;

WHEREAS, the Stayton City Council and Planning Commission conducted a Joint Work Session on Phase I of the Periodic Review Work Program on June 22, 2000, and a Public Hearing was held on December 18, 2000 to allow for citizen participation;

WHEREAS, through the citizen participation, it was determined that the 1991 Stayton Comprehensive Plan does not meet Oregon Statewide Planning Goal 2, Land Use Planning; Goal 5 Natural and Historic Resources; Goal 6 Air, Water, and Land Quality; Goal 9, Economic Development; Goal 10 Housing; Goal 12 Transportation; and, Goal 14 Urbanization, or the needs of the City of Stayton; and,

WHEREAS, the Phase I of the Periodic Work Review Program ("Work Program") was prepared and presented to the Stayton City Council on December 18, 2000;

NOW THEREFORE;

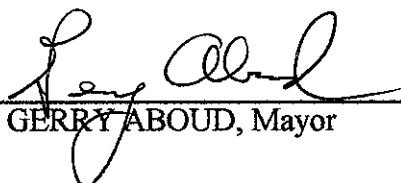
BE IT RESOLVED by the Stayton City Council that the City of Stayton hereby adopts the attached Phase I - Periodic Review Work Program which is attached to this Resolution and made a part hereof.

This Resolution shall become effective upon the adoption by the Stayton City Council.

ADOPTED BY THE STAYTON CITY COUNCIL this 19th day of March 2001.

CITY OF STAYTON

Date: 3/20/2001


By: 

GERRY ABOUD, Mayor

Date: 3-20-2001

ATTEST: 
CHRIS CHILDS, City Administrator

APPROVED AS TO FORM


DAVID A. RHOTEN, City Attorney

City of Stayton

Periodic
Review
Evaluation

&

Work Program

December 2000

**PERIODIC REVIEW
PROPOSED WORK PROGRAM
City of Stayton, Oregon**

The proposed work program is in response to the requirements of state land use legislation with emphasis on the applicable statewide planning goals and appropriate administrative rules. The program is intended to address those statutory requirements but, more importantly, to serve as the foundation for a technically sound, citizen based, pro-active plan and process for determining the future physical development and well being of the City of Stayton. The work items are designed to focus on the compliance issues identified in the Periodic Review Evaluation presented in the previous section of this report.

The following work program is based on a 2 year time frame from initiation to completion of all work items. This includes the inventory, analysis, alternatives evaluation, Plan policy and Code review, coordination with state agencies and Marion County, full citizen engagement, preparation of Plan and code amendments, public hearings, and formal final adoption. Specific submittal dates for each work program task will be proposed when a more detailed final work program is prepared.

The two year time frame has been selected to ensure that sufficient time is allotted to complete all necessary work. However, the evaluating consultants recommend that the city aggressively pursue as short of actual time frame as is possible. A more intense and directed effort will result in gaining and maintaining citizen interest and enthusiasm throughout the program. Citizens tend to have high expectations of their government and have difficulty staying engaged in a long protracted planning program. A shorter planning period also tends to develop and sustain more momentum towards actual implementation.

Completion of the proposed work program will incorporate the use of various plans and documents prepared by the City and others since the last periodic review in 1991. Analysis and use of these documents will be projected to the present time to account for changes that may have occurred since their initial compilation.

The proposed work program is divided into six elements. The first element addresses Goal 1, Citizen Involvement. This element continues throughout the entire work program and serves as the foundation for determining the desires of the community regarding future development of the city. The next three elements address the Natural Physical Environment, Human Physical Development, and Human Activity. These elements and their constituent statewide planning goals are listed below.

Natural Physical Environment Element

- Goal 5 Natural Resources
- Goal 6 Air, Water, and Land Quality

Human Physical Development Element

- Goal 2 Land Use Planning
- Goal 11 Public Facilities and Services
- Goal 12 Transportation

Human Activity Element

- Goal 9 Economic Development
- Goal 10 Housing
- Goal 14 Urbanization

It must be emphasized that the process used during the periodic review is to identify areas and issues that do not meet the requirements of the statewide planning goals and the needs of the City of Stayton. Once these areas and issues are identified and researched, policies and implementation strategies will be developed that directly reflect the needs and desires of the community. In turn, these policies and implementation strategies will serve as the basis for developing amendments to the city's comprehensive Plan and Land Use and Development Code.

The final two elements of the work program will be to prepare amendments to both the Comprehensive Plan and Land Use and Development Code that reflect the needs and desires of the community.

**Major Work Tasks subject to Public Notice and DLCDD Review
(See OAR 660-25-130)**

#	Work Program Reference	Task Summaries And Product(s)	Submittal Date(s)
Citizen Involvement			
1	Goal 1 Citizen Involvement	<p>A Public Involvement Plan will be prepared at the very beginning of the work program. Such Plan will reflect the city's citizen involvement goals and provide multiple opportunities for both citizen and agency participation in conducting the periodic review work program.</p> <p>To start out, A turn-out task force will be organized from a wide range of identified community interest groups and active individuals. The role of the task force will be to develop the Public Involvement Plan and present it to the Planning commission and City council for approval. They will also be charged with designing and implementing a strategic recruitment program to enroll the widest range of community interests engaging as many people as possible in the planning process. To achieve and maintain this level of involvement throughout the periodic review, a wide variety of promotion and participation methods will be used. Some possible methods include: public open houses; workshops; civic group presentations; public hearings; media releases; community access cable; and similar techniques. But the Turn-out Task Force will make</p>	

		<p>those decisions.</p> <p>Every effort will be used to effectively respond to the six components of Goal 1. A minimum of 2 open forum public meetings will be held during each of the program elements. All meetings and activities conducted as a part of the citizen engagement process will be documented. <u>The citizen engagement process will continue throughout development of all of the elements identified below.</u></p> <p>PRODUCTS:</p> <p>A Citizen Involvement Plan. A strategic Recruitment Plan. And, documentation for all meetings held as a part of the periodic review process. Documentation will include copies of all published materials used in the process</p>	
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Natural Physical Elements

<p>2</p>	<p>Goal 5 Natural and Historic Resources</p>	<p>Complete Goal 5 compliance work for wetlands, riparian corridors, aggregate resources and historic resources in accordance with OAR 660-23:</p> <p><u>Wetlands:</u> Review the findings and recommendations contained in the Goal 5 wetland inventory completed by the City. (See Exhibit M.) Determine significance of wetlands, and either adopt safe harbor code amendments or conduct ESEE analysis and prepare an appropriate program to protect significant wetlands.</p> <p><u>Riparian Corridors:</u> Review the Goal 5 wetlands and riparian corridors inventory previously completed by the city. Review and incorporate analysis of any ESA fish listings for streams in the city. Determine significant of corridors, and either adopt safe harbor code amendments or conduct ESEE analysis and prepare an appropriate program to protect significant corridors.</p> <p><u>Aggregate Resources:</u> Review the Plan and Goal 5 protection designation for the "Zimmerman Quarry". Determine significance of the quarry, and either remove it from the inventory or conduct the necessary Goal 5 work, including measures to protect the resource and/or the conflicting uses surrounding it. (See Exhibit I.)</p> <p><u>Historic Resources:</u> Complete the inventory, analysis, and protection decisions for historic resources in accordance with Goal 5 requirements.</p>	
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		<p>PRODUCTS:</p> <p>Adopted Goal 5 inventories, maps, analysis, and policies for the Comprehensive Plan, and corresponding Code amendments to implement the Goal 5 protection decisions</p>	
3	<p>Goal 6 Air, Water, and Land Quality</p>	<p>Refine and incorporate appropriate protection measures identified in the DSL Periodic Review Comments. (See EXHIBITS B, C, E, J, AND K.)</p> <p>Identify impacts of the 3 Basin Rule on existing and future development. (See Exhibit J.)</p> <p>Evaluate the adequacy of the existing Development Code in effectively addressing water quality requirements, including the new federal Clean Water Act (CWA) provisions.</p> <p>Develop recommended amendments to the code to provide effective protection measures, e.g., grading and erosion control ordinances.</p> <p>PRODUCTS:</p> <p>Adopted revised grading and erosion control regulations and standards, and other Code amendments as determined necessary.</p>	

Human Physical Development Elements			
4	<p>Goal 2 Land Use Planning</p>	<p>Evaluate and update the Buildable Land and Housing Inventory (Exhibit "O") and conduct an inventory of buildable economic development lands to identify realistically available lands for development in accordance with state Goals and state law, including HB2709. Compare the supply of lands with the needs identified in work items 7 and 8, make necessary decisions in conformance with state law.</p> <p>PRODUCTS:</p> <p>Updated Buildable Lands Inventories for all urban uses in accordance with Goals 9 and 10, with analysis of supply and need for such lands, coordinated with work items 7 and 8. Incorporate the results into the comprehensive Plan.</p>	

5	Goal 12 Transportation	<p>Refine the findings and recommendations contained in the City's 1998 Transportation System Plan. (See Exhibit C.)</p> <p>Identify desirable TGM activities and standards that can be applied to the planning and evaluation of future development within the City and UGB.</p> <p>PRODUCTS:</p> <p>Adopted Transportation System Plan Revision, including land use ordinances as required by OAR 660-012.</p>	
Human Activities Elements			
6	Goal 9 Economic Development	<p>Develop an updated economic development needs analysis based on the coordinated population and employment forecast with Marion County and other information, including data from the state office of Economic Development and Community Development.</p> <p>PRODUCTS:</p> <p>Comprehensive Plan Policies and map changes, Zoning code and Map changes.</p>	
7	Goal 10 Housing	<p>Develop an updated housing needs analysis based on the coordinated population forecast with Marion County. Develop, evaluate, and adopt housing policies and standards that respond to the housing needs analysis, land supply, and goals of the Comprehensive Plan. Identify lands that are underutilized and available for redevelopment. Identify policies and procedures to facilitate a wider range of housing types, densities, and costs. Analyze the potential for and, if appropriate, create Plan and Code revisions allowing for mixed use neighborhoods, infill opportunities, and minimum densities.</p> <p>PRODUCTS:</p> <p>Comprehensive Plan Policies and Map changes, Zoning code and Map changes.</p>	

8	Goal 14 Urbanization	<p>The current UGB will be reviewed to determine its adequacy in meeting estimated future growth. The UGB will be evaluated consistent with acceptable parameters for determining those lands that are buildable and those lands requiring various levels of protection to maintain their natural integrity.</p> <p>The current UGMA between the City and Marion County regarding policies and procedures affecting the city and lands within the unincorporated UGB will be reviewed and revisions proposed as necessary. (See Exhibit G.)</p> <p>PRODUCTS:</p> <p>An updated UGMA, Intergovernmental Agreement between the City of Stayton and Marion County. The new agreement will clarify and describe the roles, relationships, and responsibilities between the two jurisdictions in dealing with existing and future development and related issues within the UGB adjacent to the City. Analysis and amendments, as determined necessary to address other work items, e.g., need for housing and employment lands.</p>	
Comprehensive Plan Update Element			
9	Comprehensive Plan Update	<p>A document summarizing the findings, conclusions, and plan amendment recommendations developed during the above periodic review process. This document will serve as the basis for the formal Public Hearing adoption process by the City of Stayton. And, Wrap-up of the ongoing synthesis of the above goal activities including the evaluation, refinement, and inclusion of the goals and policies developed in the "Stayton 2020: Road to the Future" vision document, and the strategies developed in the 1998 Strategic Plan.</p> <p>Update all comprehensive Plan elements to reflect the above synthesis.</p> <p>PRODUCTS:</p> <p>Adopted Comprehensive Plan amendments that incorporate all periodic review work.</p>	
Code Amendment Element			

10	Code Amendments	<p>Prepare suggested Code Amendments based upon the Comprehensive Plan Update. This document will serve as the basis for the formal Public Hearings.</p> <p>PRODUCTS:</p> <p>Adopted Land Use and Development Code amendments to implement Plan changes.</p>	
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NOTE: Working Papers will be prepared during development of the above tasks. The working papers will include both research and the results of citizen participation, input, and comment from public open forum workshops. These working papers will serve as the basis for the development of detailed goals, policies, implement strategies, and standards that will become the comprehensive Plan Update. The working papers will include text, graphics, and illustrations as appropriate.

MEETINGS

Each of the above Goal Clusters will involve a minimum of two public open forum workshops. Additional public workshops may be organized as determined appropriate to ensure proper citizen input.

Exhibits Attached:

- "A" The Stayton Mail newspaper article on historic resources February 29, 1999.
- "B" Goal 5 Requirements for Wetland and Riparian Planning, Oregon Department of State Lands, March 05, 1999.
- "C" City of Stayton Periodic Review, Oregon Department of Transportation, Transportation Development Branch, Planning Section, February, 1999.
- "D" Recommended Work Tasks for City Periodic Review, Oregon Water Resources Department, March 05, 1999.
- "E" Periodic Review - Drinking Water Issues, Oregon Department of Human Resources, Health Division, March 30, 1999.
- "F" Periodic Review Assistance Team, Oregon Department of Land Conservation and Development, November, 1998.
- "G" Special Districts Association of Oregon, May 27, 1999.
- "H" The Peoples Alliance for Livability in the Santiam Valley, November 25, 1998.
- "I" Guidance on Amending comprehensive Plan Aggregate Resource Inventories Under Goal 5, Department of Land conservation and Development, July 21, 1999.
- "J" (3-Basin Rule) OAR 340-041-0470.
- "K" Periodic Review Comments for the City of Stayton, Oregon Department of Environmental Quality, March 05, 1999.
- "L" Periodic Review Evaluation and Work Program, Oregon Department of Economic Development, March 05, 1999.
- "M" City of Stayton Periodic Review Notice, Oregon Department of Fish and Wildlife, March 04, 1999.
- "N" City of Stayton Periodic Review, Oregon Parks and Recreation Department/State Historic Preservation Office, February 16, 1999.
- "O" Buildable Land and Housing Analysis, Adopted May 24, 1999.
- "P" Summary Results of Preliminary Assessment of Comprehensive Plan Policies.

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CITY OF STAYTON PERIODIC REVIEW EVALUATION NOVEMBER 2000

Under the provisions of ORS 197.628 to 197.646 local jurisdictions are required to periodically (at least every 10 years) evaluate their comprehensive plan and land use regulations to ensure that they continue to comply with the statewide planning goals and administrative rules adopted by the Land Conservation and Development Commission and their administrative department. Pursuant to the statutory standards, the Department of Land Conservation and Development (DLCD) has formulated administrative rules regulating the conduct of periodic review (OAR Chapter 660, Division 25).

There are 14 statewide planning goals, which apply to the City of Stayton. These goals are: Goal 1, Citizen Involvement; Goal 2, Land Use Planning; Goal 3, Agricultural Lands; Goal 4, Forest Lands; Goal 5, Open Spaces, Scenic and Historic, and Natural Resources; Goal 6, Air, Water and Land Resources Quality; Goal 7, Areas Subject to Natural Disasters and Hazards; Goal 8 Recreational Needs; Goal 9, Economic Development; Goal 10, Housing; Goal 11, Public Facilities and Services; Goal 12, Transportation; Goal 13, Energy Conservation; Goal 14, Urbanization.

The City of Stayton has received notice from DLCD to initiate periodic review of its Plan and Codes. The review process begins with a Local evaluation of the current comprehensive plan and development codes relative to three review criteria set forth in ORS 197.628. The periodic review evaluation must do three things:

- First, it must provide opportunities for citizens and other interested individuals to participate in the evaluation. This is usually accomplished by specific individual or group inputs and by general attitude/perceptions of the adequacy of past and current community planning practices.
- Second, it must use the three periodic review standards set down by state law (ORS 197.628) to determine whether the community must prepare a work program to correct plan or ordinance shortcomings.
- Third, the community must coordinate issues of local, regional, or state concern with DLCD and the periodic review Assistance Team.

The evaluation, against the standards, is to be reviewed by a local citizen involvement committee, or other interested citizens, interested state and local agencies, and then by the Planning Commission. The City Council must then review and approve (or modify) the recommendations of the Planning Commission and forward the evaluation to DLCD.

If through such evaluation the city determines that amendments are necessary to bring the plan and/or code into compliance, then a work program must be developed by the city and approved by DLCD, (see Attachment 1, Recommended Work Program). Once the work program is approved the local jurisdiction proceeds with the amendment schedule and submits a compliance order, including all proposed amendments to DLCD. When all required amendments are determined by DLCD to comply the Director officially terminates the review process.

Background

Under the provisions of Senate Bill 100 (ORS Chapter 197), statewide land use goals were adopted by LCDC in January 1975. Stayton's updated comprehensive plan was originally "acknowledged" by LCDC as complying with the applicable statewide goals on April 10, 1980. The city subsequently completed its first periodic review on April 25, 1991. It is now beginning its second periodic review.

Since the last periodic review there have been several changes of various magnitudes. For example, significant development has occurred within Stayton, as well as in the surrounding communities of Aumsville and Sublimity. Also, DLCD has adopted revisions to their administrative rules for Goal 5, Open Spaces and Natural Resources; Goal 11, Public Facilities and Services; and Goal 12, Transportation. In addition, other state agencies and Marion County have also adopted new plans and programs not previously considered in the Stayton comprehensive plan.

Given these changes it is very appropriate for the city to revisit and evaluate its comprehensive plan and development code. Such an evaluation is needed to ensure continued local relevance, as well as to maintain state compliance. Therefore, the following is the city's official evaluation of their comprehensive plan and development code as compared to the periodic review criteria.

Evaluation Against the Review Standards – Stayton Comprehensive Plan

Citizen Input Participation

Informal interviews and discussions were held with a variety of city and citizen representatives during April and May 2000. For example, on April 3, 2000 a presentation with questions and answers about the City's periodic review was made to the Stayton Chamber of Commerce.

The City Planning Commission held an informal public meeting and presentation on April 24, 2000. The purpose of the meeting was to gain public input as to the perceived effectiveness of the City's past and current planning and implementation activities. The focus was on identifying the city's strengths and weaknesses relative to overall land use planning and development. We wanted to know what the community thought in terms of what the city was doing right and where improvement was felt to be needed.

The guiding format for the meeting was based on the planning goals developed by the Stayton Planning Commission and the Stayton Citizen Advisory Committee in the acknowledged 1980 Comprehensive Plan for the City of Stayton. This plan was amended and also acknowledged in a 1991 periodic review. A copy of the results of that assessment is attached to this report, as Exhibit "P".

A follow up work session was then held with the Planning Commission at their regular meeting on May 30, 2000. The focus of this session was to discuss the preliminary results of the assessment and gain further insight into the role of planning in the overall development of the City of Stayton and its immediate Urban Growth Boundary (UGB).

In July 2000 an initial draft evaluation report and preliminary work program was prepared and presented to the Planning Commission in a public work session. The draft was edited in August, based on input from staff and the Commission, and then distributed to public agencies, including DLCD. Comments received were edited into a September 7, 2000 draft, which was reviewed by the Planning Commission and City Council in a joint work session, held on November 13, 2000. A final edited report was then prepared for a public hearing before the City Council scheduled for December 19, 2000.

Another document that involved public involvement was the 1998 Strategic Plan. This plan added more substance to the vision referred to in the preceding paragraph. Although this document was not adopted by the City, it should be used as more background in Periodic Review.

Prior to this periodic review, in 1995 a community based group developed Stayton 2020: Road to the Future that created a vision for the city in the year 2020. The process leading up to the development of this document greatly expanded on the existing city plan and provided more detail as to how the broad goals of the 1980/1991 city plans could be achieved. The resulting document is rich in both text and graphic indications as to what the community envisioned to look like in 2020. Throughout the citizen involvement process as well as in discussions with individuals, positive reference was always made about Stayton 2020. Although this document has not been officially

adopted by the city, it contains many important ideas that should be included and expanded upon as part of the current periodic review.

Throughout the public involvement process certain planning and development issues and concerns kept recurring. Among these were:

- Annexation timing.
- Provision of urban services to the UGB and areas proposed for annexation.
- Land use allocations within the UGB.
- Conflicts between land uses.
- Environmental concerns dealing with wetlands, flood plains, ground water recharge areas, potable water, and scenic areas. Concern was expressed that environmental standards and requirements be applied fairly and evenly.
- Transportation needs, specifically new streets and street improvements, need to be resolved through a combination of development requirements, general levies, and Systems Development Charges (SDC's). Recognition that SDC's are controversial and complex to fairly impose on development.
- The need for greater constructive coordination with the county in determining development patterns within the UGB.
- A general agreement in the validity and viability of the initial goals set out in the 1980/1991 city plans.
- The definite need to develop specific implementation strategies to accomplish the broad goals set out in the 1980/1991 city plans.
- Recognition that state mandates on planning, development, and the environment need to be translated into action policies and standards in the city's plan and code.

Periodic Review Standards (ORS 197.628)

ORS 197.628 sets three periodic review standards used to determine whether a local community must prepare a work program to correct plan or ordinance shortcomings. The purpose of this evaluation is to assist in making that decision.

Statutory Standard 1: There has been a substantial change in circumstances including but not limited to the conditions, findings, or assumptions upon which the comprehensive plan or land use regulations were based, so that the comprehensive plan or land use regulations do not comply with the statewide planning goal.

Statutory Standard 2: That implementation decisions or the effects of implementation decisions, including the application of acknowledged plan and land use regulation provisions are inconsistent with the goals.

Statutory Standard 3: That there are issues of regional or statewide significance, intergovernmental coordination, or state agency plan or programs affecting land use which must be addressed in order to bring comprehensive plans and land use regulations into compliance with provisions of the goals.

DLCD Suggested Evaluation Questions

DLCD developed a set of questions to serve as the basis for periodic review evaluation. These questions were submitted to the City of Stayton on March 31, 1999. The following is the city's response to the evaluation questions:

1. Does recent information on population and employment trends suggest a need to update your comprehensive plan or land use regulations?

Yes. The 1991 Plan projected a 1995 population of 8,270 with growth to 9,880 by 2000. The estimated 1999 population is 6,700 (Center for Population Research and Census, College of Urban and Public Affairs, PSU). Population growth has not matched the optimistic levels projected during the boom era of the late 1980's. The growth rate experience, while astronomical to some is actually relatively modest and should continue at a level that the city can absorb without undue difficulty.

Presently, the City of Stayton has a twenty-year population forecast that is coordinated with Marion County. A population of 9,250 is projected for 2020.

The 2000 US Census will serve as the predominant resource for current data on population characteristics, e.g., age, education, labor force, etc. as well as economic activity. An evaluation of those statistics, which is not available at this time, will be included as a part of the periodic review update. These data will be used in updating the industrial and commercial development element of the plan. Shifts in employment will be evaluated to aid in projecting housing needs and land use allocations. It is anticipated that the employment profile for Stayton will more approximate the profile for Metropolitan Salem.

2. Does the industrial and commercial development element need to be updated as required by OAR 660-09-010 of the Goal 9 rule?

Yes. The inventory of net available and suitable lands for industrial and commercial land uses needs to be updated. The primary focus of such an update is to reflect the practical impacts of limitations, which might be placed on certain lands due to Goal 5 resource protection requirements.

At the present time the impacts of Goal 5 designations have not been applied to specific sites to evaluate the type or degree to which protective measures need to be taken. Impacts of the Goal 5 inventories need to be evaluated and reflected in the plan and implementation codes. The available and suitable lands inventory needs to be updated within the UGB.

Existing economic development as expressed by the number and type of jobs also needs to be evaluated. The city needs to reassess the adequacy of net available lands for both commercial activity and residential development as compared to projected need.

Once the impacts of Goal 5 have been identified a more realistic picture of what lands are truly available for development will be possible. This will provide the basis to determine both the quantitative and qualitative adequacy of available and buildable land for industrial as well as other uses.

This analysis needs to factor in those lands that are developable but are withheld from development for a variety of reasons other than purely natural/environmental considerations. This can be determined based on anecdotal information substantiated by personal interviews with property owners.

3. Does recent information on population, housing, and economic trends suggest a need to update the housing element of your comprehensive plan or land use regulations to comply with the Housing Rule, OAR 660-08-000?

Yes. Moderate and low income housing is in shortening supply. There is the belief that single-family housing for purchase is priced out of the reach of lower-middle income and low income individuals and families. 2000 Census housing data will soon be available and can then be reviewed and evaluated to determine if this belief can be substantiated.

Buildable residential lands are being absorbed at close to projected rates over time. Infill housing has been reasonably successful and accepted by the community, when densities have not been increased. However, there may be a need for greater use of infill housing at somewhat increased densities. Therefore methods for increasing the development of infill housing need to be explored. To accomplish this objective, new design standards need to be adopted by the city.

The following table indicates the growth in dwelling units by type in the City of Stayton for the thirteen-year period from 1985 to 1998. During that period the city experienced a 40 % increase in the total number of dwelling units or rate of increase of approximately 2.2%. A significant component of this growth was the increase in multi-family dwelling units from 25.6% of the housing stock in 1985 to 34.3% in 1998 with a nearly corresponding decline in single family dwellings as a percentage of the total housing stock. Likewise, manufactured housing can be expected to become a greater factor in meeting future housing needs.

Stayton Dwelling Unit Comparison by Type: 1985 - 1998

	1985 ⁽¹⁾	% of Total Units	1998 ⁽²⁾	% Change 1985-1998 Housing Units By Type	% of Total Units
Single Family	1,235	67.9%	1,494	+20.9%	58.6%
Multi-Family Units	464	25.6%	874	+88.4%	34.3%
Manufactured Dwellings	110	6.5%	179	+62.7%	7.1%
Total Dwelling Units	1,809		2,547	+40.8%	

(1) April 1991 Comprehensive Plan

(2) May 1999 Buildable Land and Housing Analysis

The Marion County Housing Authority (MCHA) has been actively involved in providing subsidized and special needs housing within the city. All new housing complexes are required to have one or more subsidized dwelling units. A senior living complex of more than 80 units has been built with the aid of MCHA and the Wolfridge Estates development provides housing for the handicapped and those with limited incomes.

Plan and code amendments are necessary to facilitate a wider range of housing development options. An analysis of nontraditional housing development methodologies and design standards used by other communities in Oregon could serve as the basis for expanding housing opportunities in Stayton. Other changes to plan policies and code requirements include the need to assess the practical impact of current housing densities.

The last buildable lands and housing needs assessment inventory was adopted in May, 1999. The conclusion of inventory and assessment indicated the following needs:

1. A need to bring approximately 15 acres of HD High Density zoned land into the city to accommodate the 20-year growth projection.
2. Annex an additional 3-acres of land if the city chooses to provide a 20 percent market surplus of land.
3. The need to develop at least 1082 housing units by 2020 to accommodate a projected population increase of 39 percent.

These conclusions need to be reconsidered in light of HB 2709 and to develop a "true" net inventory of land for uses other than residential.

4. **Are public facility plans and financing mechanisms adequate to accommodate planned growth in a timely fashion and to comply with the Goal 11 "Public Facilities Planning Rule," OAR 660-11-000 and the Goal 12 "Transportation Planning Rule," OAR 660-12-000?**

Yes. The provision of public facilities and municipal services has generally met with provisions of the city's master utilities plan. This plan has been periodically updated to reflect new needs for new industries and other development. The plan evaluates the city's water system, sanitary sewer system, and storm sewer system. The plan includes possible financing methods as well as phased implementation. New development is required to carry its own costs and provide adequate urban services. The amount of work that the city can accomplish towards expansion and development of existing public facilities is strictly limited due to recent statewide initiatives, resulting legislative action, the general political climate.

The viability of the master utilities plan has not been compromised by changes in population and development patterns. Development and application of implementation strategies for Goal 5 protections may impact the master utilities plan. These potential impacts will have to be identified and evaluated to determine what changes, if any, need to be made to the master utilities plan.

The city's transportation plan needs minor amendments and upgrading to effectively respond to both local needs and state mandates. Based upon a review and edit, the TSP will need to be re-adopted and acknowledged.

The city should consider access management on major city thoroughfares that compliment and are, to the extent possible, consistent with ODOT practices. The city needs to explore the possibility of participating in an appropriate regional transit system. Connectivity between existing and future development areas of the city is essential if travel times, air pollution, and other negative impacts of more traditional transportation patterns are to be reduced or eliminated. Safe pedestrian and bicycle access must be considered as a critical element of a comprehensive transportation plan.

5. Does the comprehensive plan provide a 20-year supply of buildable land to accommodate future growth as required by ORS 197.296(2) and Goal 14?

No. An inventory of buildable lands was completed and adopted by the city in May, 1999 (submitted as an attachment). This inventory needs to be updated to reflect the "quality" of available land by factoring in those potential areas of protection identified in the Goal 5 inventory. The update also needs to identify adequate lands to accommodate additional jobs, housing, schools, parks, and other community and public facilities. The plan needs to address protection measures and implementation strategies to protect sensitive areas. In turn, these sensitive areas need to be deducted from buildable lands. Net buildable lands need to be determined to evaluate the adequacy to accommodate economic development/jobs, housing, schools, parks, and other land uses.

Projecting future housing needs and the resulting demand for buildable land must be based on the range of housing types traditionally experienced in the City of Stayton. In addition, the city needs to evaluate a range of opportunities to accommodate additional housing in developed areas of the city through the use of accessory dwellings, granny flats, flag lots, partitioning of over-sized lots, or by providing full or upgraded public facilities. By including these methods of accommodating additional housing the city can maximize the effective use of existing public facilities while minimizing the need for providing public facilities to new, undeveloped land at the edges of the city.

6. What new information affecting the comprehensive plan is available, but has not yet been incorporated into the plan?

In addition to minor refinements and amendments the major impact on the city's comprehensive plan is the need to respond to the impacts of Goal 5 wetlands inventory resource requirements. Wetland resource lands have been identified and inventoried by the city. Now the impacts of those lands on development potential must be evaluated and measures adopted to protect those resources while accommodating appropriate future development on other lands. The Safe Harbors approach to resource protection is probably the most appropriate action for the city to implement. The impacts of Goals 5 and 6, the ESA listing on the Santiam River and its tributaries, and requirements of the

Clean Water Act need to be assessed and factored into determining the buildable land supply.

7. What changes in local goals or objectives have occurred since adoption of the comprehensive plan that require amendments to the plan or land use regulations?

The goals adopted in the current comprehensive plan need to be refined and augmented with specific implementation strategies. This was a recurrent theme in the citizen participation and discussion with individuals involved in the city's planning process. The Stayton 2020: Road to the Future document was the result of a community based process to initiate the first step towards the objective of further refining and defining the goals of the city's comprehensive plan.

The 2020 vision began a community dialogue that addressed the following issues:

1. Community character and livability
2. Community values
3. Community health and well-being
4. Schools and education
5. Community growth and development
 6. Community gateways
 7. City Center
 8. City services and public safety
 9. Community pride
 10. Jobs and economic development
 11. Environment and natural resources

The 1998 Strategic Plan is a document that addressed many of the same elements of the Road to the Future Vision. It listed strategies for implementing parts of the vision.

These efforts need to be continued in the formal comprehensive planning process. The culmination of the effort will be amendments to incorporate the vision and strategies into the comprehensive plan.

8. What major activities or events affecting land use have occurred which were not anticipated in the plan, but which may necessitate updating the plan?

Since the current plan was last acknowledged in 1991, the Goal 5 wetland resources inventory has been completed and adopted as previously discussed. The Three Basin Rule has been mandated and applied to the North Santiam River.

The impacts of this rule on the city need to be determined and reflected as appropriate in the plan. Likewise, the city needs to develop implementation strategies to protect those resources identified in Goal 5 and explore methods by which other lands may be more effectively used to meet the growth needs of the city. Adoption of the safe harbors

approach to resource protection is probably the most realistic action the city can take absent development of additional lengthy and costly resource inventories and analyses.

In addition, the balance of housing and jobs in the City of Stayton has changed since adoption of the current plan. The impact of jobs in the City of Salem and the desirability of slightly cheaper housing in a quality environment in Stayton has begun to transform the city into more of a commuter bedroom community.

9. Are land use decisions made pursuant to your acknowledged comprehensive plan and land use regulations achieving the purpose and intent of the statewide planning goals?

Yes. The development decisions made by the city have been consistent with the acknowledged plan.

However, concern has been expressed that some of the goals are vague and that implementation strategies need to be refined and further defined to facilitate arriving at complex decisions. Issues of density, traffic/transportation, and protection of the environment are becoming more contentious and complex. Bringing the plan and code up to the current "state-of-the-art" is recognized by the city as being necessary.

The integrity of natural resources and the geographical amenities of the Santiam Valley have not been compromised. Water quality needs and requirements of the Three Basin Rule need to be evaluated and appropriate provisions included in both the plan and code. The plan and code needs to be expanded to address the protection of these resources and amenities. This is particularly important at this time since the readily available and developable land has been absorbed by development leaving those lands with potential development problems and conflicts. A better set of "tools" is needed to effectively address future development of lands with complex issues and problems. These tools might include examples of mixed-use development, establishing minimum residential densities, infill development designs, and amenity design ideas.

10. Which, if any, of your implementation measures are inadequate to carry out the policies of the comprehensive plan?

None of the implementation measures are in and of themselves inadequate to carry out the policies of the plan. Refinement of the goals and policies of the plan will most likely require that the implementation strategies be altered.

11. Is the level of coordination between the city and county, other cities, special districts, and state and federal agencies adequate to effectively implement the comprehensive plan? Do your urban growth boundary management agreements and/or urban service agreements need to be reviewed?

No and Yes. Cooperative agreements and working relationships need to be re-established and maintained with neighboring communities, Marion County, and the region. The UGMA (Urban Growth Management Agreement) between the city and Marion County needs to be reviewed, amended, and strengthened with the County actually acknowledging the city's plan within the UGB. The success of these relationships relies not only on the written agreement but, more importantly, on the interpersonal relationships developed by the individuals and agencies involved.

Coordination needs include but are not limited to:

1. UGB management of unincorporated areas
2. Land use issues
3. Housing and economic development
4. Air quality
5. Transportation/transit
6. Solid waste
7. Water quality

12. What regional or state plans, programs or issues affecting land use may necessitate an amendment of the comprehensive plan in order to bring your plan and land use regulations into compliance with the statewide planning goals?

Refinements in the following statewide planning goals necessitate amendments to the Stayton Comprehensive Plan and land use regulations.

1. Goal 5: Open Spaces, Scenic, Historic, and Natural Resources
2. Goal 6: Air, Water, and Land Resources Quality
3. Goal 9: Economic Development
4. Goal 10: Housing
5. Goal 12: Transportation
6. Goal 14: UGM Plan coordination with Marion County
7. Three Basin Rule

13. What other issues relating to the periodic review standards need to be addressed within the scope of periodic review?

There is a need to more fully develop an understanding of the complex relationships among the issues raised in the statewide planning goals and their impacts on community development. Implementation strategies and land use regulations need to be refined to facilitate consistent review and understanding of development proposals and their impact on the community as a whole. Consistency and predictability in the administration and implementation of the plan are principal objectives of the periodic review process.

14. What local issues would you like to address within your periodic review work program?

The periodic review provides the opportunity to incorporate the Stayton 2020: Road to the Future vision and the 1998 Strategic Plan into the comprehensive plan. That vision will be refined into definite policies, objectives, and implementation strategies. The city also needs to develop an ongoing citizen involvement process. Such a process would serve as a continuing community forum to address significant development issues in a proactive rather than reactive manner.

September 27, 2000, Edited November 20, 2000 and December 20, 2000.

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(01-16-01)

Demolition exposes tip of the iceberg

The city of Stayton is still not in compliance with state's Goal 5 regarding historic preservation

By Peggy Savage
Staff Writer

In 1991, the Department of Land Conservation and Development, or DLCD, ordered the city of Stayton to amend the Periodic Review Order of the city's comprehensive plan to comply with the Statewide Planning Goal 5.

The city hasn't gotten around to it yet.

But after the recent controversy over a 100-year-old home demolished at Fifth and Virginia to make way for multiple housing, Stayton's city planner Kami Teramura said she is taking steps to see that the city is brought up to code. Teramura is in the process of obtaining a federal grant to fund a project that would create an inventory of historic places, as required by state law. She hopes to have the city up to code within three years.

"Ernst and Lee Lau tried to do that when everyone else in the state was working on historic preservation, and the city council wouldn't let them do it," said Greg Olson, an expert in historic restoration. "The city hasn't listed in 10 years - even though it's been the law."

Among other things, the state's

Goal 5 rule requires a detailed inventory of historic resources within the city. Goal 5 also calls for an inventory of land needed for open space, fish and wildlife areas and habitats, significant natural areas, outstanding scenic views and sites, water areas, wetlands, watersheds and ground water resources, wilderness areas, cultural areas potential Oregon recreation trails and federal or state wild and scenic waterways.

Because the city was not in compliance, DLCD demanded in April, 1991 that the city of Stayton provide the protection required under Goal 5 for historic sites within the city.

DLCD also recommended that the city ordinance provide a delay for approval of applications to demolish historic resources. The delay would provide adequate time for public notice of the availability of the structure for sale or moving from the site.

That action followed a letter of remonstrance to the city written by Ernst Lau of Stayton and copied to DLCD stating that the city's comprehensive plan does not comply with the Goal 5 rule. The letter provided a detailed "annotated inventory of Stayton resources."

DLCD found the issues raised in Lau's letter to be valid, and noted that the city had not adequately responded to the inventory information.

Lau's inventory included a list of historic resources compiled by a citizens advisory committee in 1979 and revised in 1989. All but two of those sites on the list were deleted by the Stayton City Council in 1990.

To meet the requirements of periodic review and bring the plan and Municipal Code into compliance with Goal 5, the city was required to amend the plan to inventory all significant historic resources and identify and analyze consequences of conflicting uses under Oregon law for significant historic and cultural resources.

In addition, the city was told to include in the analysis the sites deleted from the city's acknowledged comprehensive plan and other sites where information is available to determine significance.

"The city council at that time was against historic preservation - they had a knee-jerk reaction that government was taking over, but that's not the case. Goal 5 simply says a city must produce an inventory of structures that are im-

portant," Ernst Lau said. "Council removed everything except Paris Woolen Mills from the list of historic places, and that's when I filed a remonstrance, - and it worked."

Since DLCD thought Stayton was "out of line," then City Administrator Dave Kinney hired a student intern to come up with a list of historic sites.

"I worked with the student intern closely creating a list," Lau said. "It is flawed, but it's an attempt - we put eight or 10 sites back on the list."

Lau said the house burned recently was not one on the list, because he based the list on remonstrance, which

Photo by Peggy Savage

PRESERVATION IN PROGRESS: Minten's Dairy Barn, left, now under restoration, is known as the Red Barn today. Below, John Gest stands in front of his recently restored Third Street building.



GARDNER HOUSE



Residence, Stayton, Ore. 298.

was done without any real research. "Unfortunately, with that particular house burned, we were not able to pin down who built it," Lau said. "But it was one of many built around 1900, and was the last surviving of a type — it was the sort of building that could have been nominated for the National Register of Historic Places, since it was close to its original condition."

To this day, Paris Woolen Mills is the only historic site in the city of Stayton that is on the National Register of Historic Places.

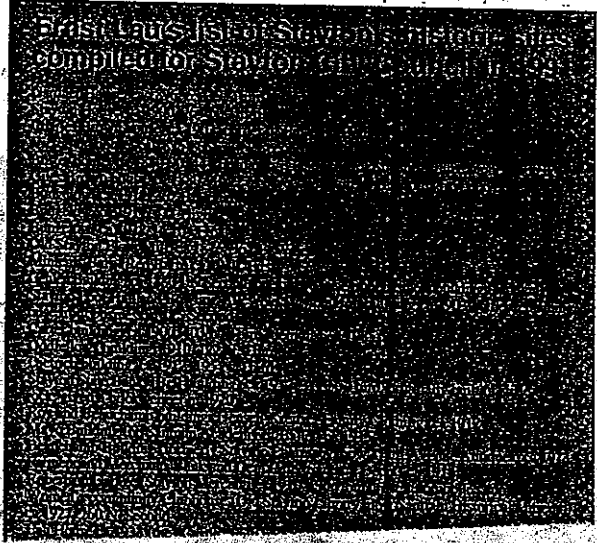
Other structures, Lau said, are good candidates. For instance, Stayton

Telephone Cooperative owns a home built in 1872 that is not listed on the registry.

The city of Silverton used the same federal grant Teramura is applying for to create an inventory, as did the city of Turner. Lau said Greg Olson thinks he is still licensed to conduct one of those inventories, and would be able to do the same for Stayton.

"I have a list of 70 structures that are candidates for inventory," Lau said.

"I find it extremely important for the council to OK the application for the grant — it gives us the authority to produce an inventory."



House demolition burns citizens

By Peggy Savage
Staff Writer

More than a house was burned during an unannounced live fire exercise by the Stayton Fire Department a few weeks ago. The demolition fired up a controversy still smoldering for citizens concerned about the preservation of historic sites in the city.

Questions concerning the legality of the demolition added fuel to the controversy.

The Salem owner of a Victorian-era frame house at the corner of Fifth and Virginia in Stayton had announced his intentions to burn the structure, but had assured several people, including building restoration expert Greg Olson and Assistant Fire Chief Jay Alley, that he was willing to discuss alternatives to demolition before he would allow it to be burned.

But things didn't go as expected.

Please see FIRE

Page 2A

FIRE From Page 1A

On a dark evening in late January, the house went up in flames as a training exercise for Stayton firefighters. Those interested in saving the house were angered by the destruction of a building local historian Ernst Lau called "the last of its type" in Stayton.

"This building was eminently registerable," restoration expert Greg Olson said. "I've registered many buildings over the years in the National Register of Historic Places, and this building would have been a piece of cake."

Olson and builder John Gest looked the building over carefully and considered the turn-of-the-century home "very intact."

"We talked to the owner and the fire department about finding ways to save it," Olson said. "Bob Pendleton wrote a letter to the fire

department and their response was they would wait."

They didn't wait long enough. Before the smoke cleared, the angered citizens had contacted city hall, the Stayton Fire Department, and others to find out why the house was allowed to go up in flames without notification.

"The fire department looks like a bureaucracy out of control," Lee Lau commented.

"What they did, of course, is slightly illegal," Ernst Lau said. "My understanding is the permit for demolition was still on the planner's desk, and had not been issued to the applicant when the house burned."

Assistant Fire Chief Jay Alley said that is not exactly true.

"We did make an effort to make sure this was done right," Alley said. "I don't want people to think the fire

anything with it."

Olson, who was considering alternatives other than purchasing the property outright, said the least the owner could have done was let them know he was going ahead with demolition and allowed them time to save sections of the architecture such as windows and hardware.

Druliner said when he first bought the property, he tried to restore it, but the project would have been too expensive.

"The way the building was on the lot it just didn't pencil out to be a viable project," he said. "It was a nice piece of property, and the house sat right in the middle of it. We considered moving it, but costs were restrictive."

Complaints from neighbors that "kids were getting into the house and doing things they shouldn't be

department is the bad guy in this. It is the owner's responsibility to get the permit, and we were led to believe the permit had been issued."

City Administrator Tom Barthel said demolition permits are not issued by the city, but by Marion County, and he had no prior knowledge of the matter.

Lau was skeptical.

"I think Barthel stubbed his toe on this one," he said. "This is a fairly typical pattern — when something like this happens, everyone wildy starts covering their behind."

Stayton City Planner Kami Teramura said it may look that way, but Barthel is basically correct.

Any permits issued by Marion County within the city are acquired through city hall. City staff sends applications for permits to Marion County. After county staff autho-

dozing" prompted Druliner to go ahead with the demolition.

He said he will clean up the mess left behind, but has no immediate plans for building.

"I haven't talked to the city yet, but I hope to be able to build three or four rental units on the property," he said. "But I'll just kind of hold it for now."

Olson was not mollified.

"This is not a Stayton person who has property rights violated, this is a developer who wanted a zone change and the house was in the way," Olson said. "A lot of money went up in smoke — that house was the style of older home people want to buy."

Teramura, who has been city planner less than a year, is working on a way to keep other historic buildings from a similar fate.

"There was a lot of focus on that building and for good reason, but unfortunately, we don't have anything in our code to stop this kind of thing from happening," she said. "I am surprised Stayton doesn't have an inventory of historic sites — it is a requirement."

Teramura is applying for a federal grant "that just recently opened up" to compile a historical inventory, but says it could take up to three years for it to be finished.

"If we get the grant, we will try to incorporate an inventory of historic sites into the periodic review of the comprehensive plan," she said. "There is a lot of interest around, and I talked to the PALS group and they will assist with the inventory."

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Historic buildings bring back fond memo

I hope I'm not all that old yet, but I remember a lot of old buildings in this community from my youth - both in Stayton and Sublimity - that are sadly gone now.

Maybe some of them were in the way of progress, and had to be replaced, but looking at what sits in their place now, I doubt it.

Sublimity lost nearly every large historic structure in the city during a whirlwind of demolition in the '60s or early '70s. Many of those buildings were property of St. Boniface Parish.

Stayton's history has fared slightly better in recent years, thanks especially to restoration done by Richard Jungwirth, George Susbauer and John Gest. But several old buildings that could be wonderful assets to the community are falling into disreputable condition. If they are not cared for soon, someone may decide they aren't worth the effort.

I am particularly thinking of the only two surviving wood-frame, false-front structures left, the Gehlen building and the old *Stayton Mail* office on Second Avenue. They looked in shambles when I peeked through their dusty windows as a

Here's the Scoop

By Peggy Savage

third-grader walking to school each morning with my best friend Peggy Gehlen. And they look worse now.

The Gehlen building, which was built by Peggy's ancestors, was a General Store. It has a wonderful U-shaped mezzanine balcony inside looking over the first floor. The old *Stayton Mail* office, which was originally a pool hall and bowling alley, sits next door.

I loved those old buildings as a child, particularly the old *Stayton Mail* office. I used to see Lawrence Spraker in the front office, putting together the newspaper, and could smell the printer's ink from out on the sidewalk. As a teen-ager, I used to babysit for a young couple ("Chicki" Frost and her husband) who lived upstairs.

Memories of Sublimity's old

buildings are more sad because they are gone forever.

Back in the '60s when St. Boniface Grade School, the old Sublimity College building, the Catholic Forester's Hall and an old general store on Main Street were put to the torch. Thank goodness, they saved the old church.

As a less-than-saintly grade school student at St. Boniface - I think it's safe now to confess - I used to sneak into some of those old buildings with friends. It took particularly brave moments to do so, because it was totally forbidden, but I remember creeping up the back stairs of the old Forester Hall with my good friend Shirley Lindemann when we were about 12. She and I both had stamp collections and were fascinated by the turn-of-the-cen-

tury letters and posts about the floor, with

very valuable stamps attached. They probably went up in smoke with the building.

As sixth graders, Ann Marie Stuckart and I sneaked up into the tower of St. Boniface Church one summer afternoon. At every squeak of the stairs, we jumped with fright. But as we sat and gazed over the landscape below, it was worth every guilty moment.

We didn't have to sneak into St. Boniface Grade School, but we would have loved to sneak out of it - especially if we could have used the old fire escape slides.

Those were the days.

Now, Ernst and Lee Lau, along with fellow PALS members, are trying their best to save what is left of the community's history.

Lau has done considerable research into the history of the city, in particular its buildings. If anyone is ready to complete the task of compiling a list of historic places in the city and helping city planner Kami Teramura bring the city up to code, it is Lau and the PALS organization. I wish them the best of luck.



Oregon

John A. Kitzhaber, M.D., Governor

Division of State Lands

775 Summer Street

Salem, OR 97310-1337

(503) 378-3805

FAX (503) 378-4844

TTY (503) 378-4615

Date: March 5, 1999

State Land Board

John A. Kitzhaber
Governor

Phil Keisling
Secretary of State

Jim Hill
State Treasurer

MEMORANDUM

To: City of Stayton

From: Dana Field, Wetlands Planner *DF*

Re: Goal 5 Requirements for Wetland and Riparian Planning

We are pleased to recognize that the City of Stayton has recently completed Goal 5 inventories of both wetlands and riparian corridors, and has identified locally significant wetlands. The remaining steps necessary to develop a program to achieve the goal include adoption of these maps into your comprehensive plan, development and adoption of corresponding ordinances, and adoption of a wetland - land use notice regulation. The city has the option of adopting "safe harbor" protective ordinances per OAR 660-23-090 (8) for riparian corridors and OAR 660-23-100 (4) for wetlands; or you may choose to go through a more site-specific analysis. The ESEE process can be used for selected resource units to evaluate and strike a balance between conflicting uses. Please refer to the Goal 5 rules describing the ESEE process at OAR 660-23-040 and -050.

The wetland - land use notice form is a convenient way to get applicants in contact with DSL so that any concerns about filling in wetlands or waterways can be addressed early in the development process. The recently approved Local Wetland Inventory map should be used, beginning immediately, to screen all site development applications as required by law (ORS 227.350.) It should also be incorporated in City Code per the Goal 5 rules at 660-23-100 (7). According to our records, the city of Stayton did not submit any wetland - land use notice forms in 1998. Please contact DSL wetlands program staff if you need further information or a brief training on the wetland land-use notice protocol.

GOAL 5 WETLANDS



Oregon

John A. Kitzhaber, M.D., Governor

Department of Transportation
Transportation Development Branch
Planning Section
555 13th Street NE
Salem, Oregon 97310-1333
Telephone (503) 986-4121
FAX (503) 986-4174

DEPT OF

FEB 25 1999

February, 1999

Jim Knight
Department of Land Conservation and Development
1175 Court Street
Salem, Oregon 97310

File Code: PLA

RE: City of Stayton Periodic Review

Dear Jim,

As the City of Stayton embarks on the periodic review of its comprehensive plan, this Department requests that Stayton do the following:

- ✓ Conduct the necessary work to complete the development of implementing ordinances for the City's Transportation System Plan.
- ✓ Develop a process aimed at notifying this Department of any land use action within the Stayton Urban Growth Boundary that may impact Highway 22.
- ✓ Work to be in compliance with the Mineral and Aggregate portion of OAR 660, Division 23.
- ✓ Identify existing and proposed bicycle/pedestrian facilities and ordinances, as well as adopt land use regulations aimed at:
 1. providing safe and convenient pedestrian/bicycle circulation
 2. ensuring that new development provides reasonably direct routes for pedestrian and bicycle travel.

Please feel free to call me at (503) 986-4220 if you have any questions.

Sincerely,

Akin Owosekun,
Periodic Review Assistance Team Member

Exhibit C



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

DEPT OF

MAR 09 1999

LAND CONSERVATION
AND DEVELOPMENT

March 5, 1999

TO: Department of Land Conservation and Development

FROM: Lara Burgel, Resource Management Division

SUBJECT: Issues Affecting Local Governments Commencing Periodic Review, March 1999

Local governments commencing periodic review should consider and address, as appropriate in their plan evaluations, the following water resource questions. In addition, please include the specific comments for particular cities listed at the end of the recommended work tasks.

WATER RESOURCES DEPARTMENT RECOMMENDED WORK TASKS FOR CITY PERIODIC REVIEW

For information or assistance, call the Resource Management Division at
(503) 378-8455

Municipal Water Supplies

- ▶ The City should include in the public facilities element of the plan a summary analysis of the City's (or water providers serving the City) water rights and water supplies. The analysis should indicate whether water rights and supplies are likely to be sufficient to meet projected water needs for the planning period.

If the City's water rights or supplies are or may be insufficient to meet projected water needs, the City's plan should address water supply alternatives, including conservation, and provide appropriate policy direction to match water supplies with water needs. A water conservation element may be appropriate, especially if the city anticipates pursuing additional water rights from the Water Resources Department. New permits, in most cases, require the preparation of a Water Management and Conservation Plan.

(The Water Resources Department can provide information and assistance and recommend a process for evaluating existing and future water supplies.)

- ▶ The City should determine whether coordination with another jurisdiction is needed to develop or protect a significant water supply, and establish coordination agreements as necessary. For example, the City may depend on surface water, a watershed, reservoir site, aquifer or recharge area located in another jurisdiction.

- ▶ Local jurisdiction which are water purveyors which are operating without the benefit of a Water Management and Conservation Plan (OAR 690 Division 86) are encouraged to undertake the effort to develop such a plan under the standards of these rules. This especially applies to jurisdictions which are required to prepare a water master plan by the Oregon Health Division; do not have a long-term water source; anticipate more than 10% growth in demand; do not have an emergency source of water; or have curtailed water use in the last five years.

Areas With Individual Or Small Group Water Systems

- ▶ If land uses in some areas of the City obtain water by using individual or small group water systems rather than from a water provider, the City should include in the plan a summary analysis of the water supplies for these areas. The analysis should indicate whether available water supplies are likely to be sufficient to meet projected water needs for the planning period.

If available water supplies for these areas are or may be insufficient to meet projected water needs, the City's plan should address water supply alternatives and provide appropriate policy direction to match water supplies with water needs.

- ▶ The City should review its ordinance and amend as necessary to include the following requirements for land use approval in areas where individual or small group water systems are used:
 - The ordinance should require applicants to specify a water source.
 - If applicants specify a water provider, the ordinance should require applicants to obtain a sign-off from the water provider that service is available.
 - The ordinance should require applicants to demonstrate that water right permits or permit transfers have been or can be obtained from WRD when appropriate.
- ▶ For proposed uses that rely on groundwater, the City should work with WRD to evaluate groundwater supply issues to ensure that adequate supplies of groundwater are available to support new development and protect existing well owners. Ordinances relating to groundwater should be developed in consultation with WRD to avoid conflicts with jurisdictional authorities regarding wells.

Ground Water Protection Through Proper Abandonment of Unused Water Wells

As development overtakes lands on which wells are located, it is important to protect the ground water resource through proper abandonment of unused water wells. Improperly abandoned wells can serve as a conduit for contamination or can cause loss of artesian pressure. For developments on which the future use of existing wells is not anticipated, proper abandonment of wells

(permanent or temporary) is very important to protect the ground water resource.

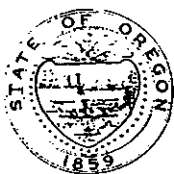
Any well that is not going to be used on a permanent basis should be abandoned to those standards. If there is a suspicion that there are contaminants in the any well, the Department of Environmental Quality should be contacted.

The Oregon Water Resources Department encourages local jurisdictions to protect the ground water resource, public health and safety by adopting policies, procedures or ordinances to prohibit development unless a wellhead protection program and/or a proper well abandonment program is included where appropriate. Proper well abandonment procedures are outlined in OAR 690 Division 220. The Department also publishes a brochure, "A Consumer's Guide to Water Well Construction, Maintenance and Abandonment" which provides additional well abandonment information.

Range of options for local jurisdictions:

- Adopt ordinances to ensure that state well abandonment requirements are met before development occurs.
- Adopt internal procedures to insure that state well abandonment requirements are met before development occurs.
- Assist in public education efforts including distribution of the Consumer's Guide to Water Well Construction, Maintenance and Abandonment.
- Refer all well questions to the local watermaster's office.

Please contact Mike McCord, Well Construction Specialist, at (503) 378-8455 x 283 for more information.



Oregon

John A. Kitzhaber, M.D., Governor

Department of Human Resources

Health Division

800 NE Oregon Street # 21

Portland, OR 97232-2162

(503) 731-4030 Emergency

(503) 731-4010

(503) 731-4077

FAX

TTY-Nonvoice (503) 731-4031

To: CITIES

March 30, 1999

From: DRINKING WATER PROGRAM, HEALTH DIVISION

Subject: PERIODIC REVIEW - DRINKING WATER ISSUES



Cities should use this periodic review evaluation as an opportunity to evaluate their drinking water system. Three drinking water related land use concerns are provided to focus the city's evaluation.

1. Water System Planning. A city's Water System Master Plan must relate to the Comprehensive Plan and land use projections.

All public drinking water systems with 300 service connections are required to have and maintain a current Water System Master Plan, see OAR 333-061-0060. The city should determine what aspect of its Master Plan to implement during this planning period. A Master Plan should be updated during this planning period if: it will expire; changes in land use or population are not reflected in the city's current Master Plan; or, system changes or improvements are not included in the city's drinking water planning for future needs. If the city does not have a Water System Master Plan, the city should develop such a strategic document to guide the city's decision making about drinking water quality and quantity.

Work Program: Consider this issue under LCDC's Goal 11, Public Facilities. The city should assess its water system for adequate capacity to meet projected water demands under its Comp. Plan.

When evaluating future water demands consider such land use conditions as changes in population, high volume water users, service area, etc. The city should inventory those changes, assess the impact on the water system and prepare responses that satisfy those changes. Also, the city should devise strategies to respond to

contaminated or failed domestic water supplies beyond current service areas, especially within its urban growth boundary.

2. Drinking Water Quality Compliance. A city which has on going or documented water quality problem has a special challenge to upgrade it's drinking water system to meet federal drinking water standards. While land use may be a bit removed from water quality concerns, a reputation for good drinking water helps a city achieve its land use goals. The city should maintain its managerial, financial and technical capacity to maintain compliance with the Safe Drinking Water Act.

Work Program: For this planning period, the city should devise strategies to maintain or attain compliance with the Safe Drinking Water Act standards for the long term. For the near term, consider appropriate actions to mitigate or correct known contamination of its drinking water supply.

3. Source Water Protection. Consider this issue under LCDC's Goal 5, Resources. To assure a safe source of drinking water the city should devise strategies to protect and improve source water quality, either its surface water source or its groundwater source through a source water protection program.

Work Program: The city should consider the delineation of protection areas and detailed inventories of known and potential sources of pollution. Future land development should be directed away from these areas and/or measures should be taken to prevent further degradation of drinking water supplies. Evaluate these along with land use regulations for this periodic review period.

Information on source water protection planning or developing a source water protection program, contact Dennis Nelson, (503) 731-4010, at the Oregon Health Division or Sheree Stewart, (503) 229-5413, at the Department of Environmental Quality.

Questions? Call Dave Phelps, Drinking Water Program at (503) 731-4010.

This document can be made available in alternative formats.

* * *

Department of Land Conservation and Development
Periodic Review Assistance Team
November 1998

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EXHIBIT F

Name & Title	Address	Phone & Fax	Software & E-mail	Counties or other info.
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City Planning Directors Vacant				
PARKS & RECREATION (OPRD) Land Use Coordination by regions				
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Jan Houck	20300 Empire Ave. Bend, OR 97701	541/388-6073 541/388-6391 f	Corel WordPerfect 7 jan.houck@state.or.us	Sherman, Crook, Jefferson, Deschutes, Lake, Gilliam Wheeler, Klamath

Name & Title	Address	Phone & Fax	Software & E-mail	Counties or other info.
CONTINUED				
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John Phillips	10965 Cape Arago Hwy. Coos Bay, OR 97420	541/888-9324 541/888-5650 f	WordPerfect 6.1 (Corel 7 soon) john.phillips@state.or.us	Coos, Josephine, Douglas, Curry, Douglas
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Cindy Vergari	2034 Auburn Baker City, OR 97814	541/523-2499 541/523-2884 f	WordPerfect 6.0 cynthia.vergari@state.or.us	Harney, Grant, Malheur, Baker, Wallowa, Umatilla, Morrow, Union
Ron Campbell				
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Region #3				
Michael Baker	3500 NW Steward Parkway Roseburg, OR 97470	541/957-3658 541/957-3547 f	MS Office 97 michael.baker@odot.state.or.us	Douglas, Coos, Curry, Jackson, Josephine
Region #4				
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<i>Name & Title</i>	<i>Address</i>	<i>Phone & Fax</i>	<i>Software & E-mail</i>	<i>Counties or other info.</i>
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Bob Rice/ Welsh Mize Southwest Region	158 12th Street NE Salem, OR 97310	503/378-8455 x238 503/378-8130 f	WordPerfect 6.0 bob.rice@wrд.state.or.us	Douglas, Curry, Josephine Coos, Jackson, Clackamas
Greg Nelson//Bill Fujii Northwest Region	158 12th Street NE Salem, OR 97310	503/378-8455 x285 503/378-8130 f	Word 5.0 Macintosh greg.l.nelson.@wrд.state.or.us	Benton, Clatsop, Clackamas, Columbia, Lane, Lincoln, Linn Marion, Multnomah, Polk, Tillamook, Washington, Yamhil
Lara Burgel Eastern Region	158 12th Street NE Salem, OR 97310	503/378-8455 x301 503/378-8130 f	WordPerfect 6.0 lara.e.burgel@wrд.state.or.us	Harney, Malheur, Baker, Union, Wallowa
Currently Vacant North Central Region	158 12th Street NE Salem, OR 97310	503/378-8455 x301 503/378-8130 f	WordPerfect 6.0 michael.ricker.@wrд.state.or.us	Hood River, Gilliam, Wasco, Sherman, Morrow, Umatilla, Wheeler, Grant



**SPECIAL
DISTRICTS
ASSOCIATION
OF OREGON**



May 27, 1999

Planning Director
City of Stayton
362 N 3rd Avenue
Stayton, OR 97383

Dear Planning Director:

As part of our services to member districts, the Special Districts Association of Oregon (SDAO), receives notices of periodic review for cities and counties issued by the Department of Land Conservation and Development (DLCD). Based on our review of the most recent notice, Stayton has been notified that it must begin periodic review, which includes the development of urban service agreements and coordination agreements with affected special districts.

A list of the member districts that provide services within or adjacent to Stayton is attached. They will be notifying you if they wish to participate in the periodic review process. The coordination of the provision of key services is particularly important during this age of Measure 50, and we have encouraged special districts to take advantage of the opportunities provided in Oregon Revised Statutes Chapter 195 (Senate Bill 122) for special district participation in the comprehensive planning process. It is in your best interest to notify all special districts providing service within your planning area.

If you have any questions concerning the periodic review process and the possible role of the districts, please call me or Burton Weast at our offices at (503) 682-8577 and we will have the appropriate staff person assist you.

Sincerely,

Martha F. Stiven

Enclosure

cc: Mr. Jim Hinman, DLCD
Field Representative, DLCD

727 Center Street NE

Salem, Oregon

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SPECIAL DISTRICTS OF OREGON

The Peoples Alliance for Livability in the Santiam Valley
625 North Seventh Avenue Stayton, Oregon

November 25, 1998

Mr. Tom Barthel
City Administrator
City of Stayton

Dear Mr. Barthel:

Last summer, several members of The Peoples Alliance for Livability in the Santiam Valley took part in Stayton's Strategic Planning workshops. As a result of this process, it has become apparent to our membership, most of whom reside in Stayton, that Stayton's comprehensive plan is outdated in several ways and an inadequate response to the pressures a rapidly increasing population is forcing this community to face.

In order to protect the integrity of the urban growth boundary we feel any growth plan should address the creation of mixed use neighborhoods and neighborhood designs that increase density without sacrificing livability. We feel that park, pedestrian friendliness and waterway access also play too small a role in a plan last revised in 1991, before Stayton felt the population impacts that have occurred as a result of the widening of Highway 22. Stayton's population increase in 1997 was 5.8 %, considerably higher than was anticipated in 1991 when we last attempted to anticipate the changes that might result from an uncertain future.

We are also concerned that the current plan is woefully inadequate to protect both our rapidly disappearing stock of historical buildings and to accommodate new developments that our rising population will produce. For these reasons we ask that the Stayton City Council direct you to request LGDC to schedule a periodic review of our comprehensive plan as soon as possible.

John Brandt



Chairman
Peoples Alliance for Livability in the Santiam Valley
625 North Seventh Avenue
Stayton, Oregon

cc: Stayton City Council
Stayton Planning Commission

ALLIANCE FOR LIVABILITY



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

635 Capitol St. NE, Suite 200

Salem, Oregon 97301-2540

Phone (503) 373-0050

Director's Fax (503) 378-5518

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Address: <http://www.lcd.state.or.us>

DATE: July 21, 1999

TO: County Planning Departments &
Other Interested Persons

FROM: Candace Jochim *CJ*
Mineral/Aggregate Specialist

City of Stayton
JUL 30 1999
Planning Department



SUBJECT: GUIDANCE ON AMENDING COMPREHENSIVE PLAN AGGREGATE
RESOURCE INVENTORIES UNDER GOAL 5

In an effort to assist local governments in processing land use applications that involve comprehensive plan aggregate resource inventories, we have prepared the following background report explaining how and why the various inventories were originally created. We have also included our responses to the most frequently asked questions on amending the inventories.

BACKGROUND

When Statewide Planning Goal 5 became effective in 1975, it required local governments to inventory the location, quantity, and quality of mineral and aggregate resources and develop programs to protect these resources. The Oregon Administrative Rule OAR 660-16-000 through 660-16-025 outlined the process for implementing the Goal. This included provisions for creating several types of aggregate inventories and designations, each having its own set of requirements. As a result, local government comprehensive plans generally contain one or more of these inventories. These inventories and the sites on them are often referred to as being "1A," "1B," or "1C" inventories/sites. The designations "1A," "1B," and "1C" originated with the temporary Administrative Rule for Goal 5, OAR 660-16-000, as printed by the Secretary of State's Office in May 1981. These number and letter designations are directly associated with individual paragraphs in the rule describing the process for designating a significant site and its level of protection. When the permanent rule was codified and became effective in June 1981, the numbering of the paragraphs changed and 1A became 5(a), 1B became 5(b), and 1C became 5(c). Because local jurisdictions began preparing their inventories using the original numbering system, those designations became embedded in comprehensive plans and are still used today.

Local governments created the initial inventories from whatever existing information they could find. Often the major sources of information were reports prepared by the Oregon Department of Geology and Mineral Industries (DOGAMI), county public works departments, and consultant reports. For the sites identified, local governments then determined a threshold for significance based on information available on the quantity, quality, and location of the aggregate resources.

AGGREGATE RESOURCES

1A Sites Inventory

Sites placed on the "1A" list were those that were determined not to be "significant" under the Goal 5 rule. Because 1A sites were not eligible for Goal 5 protection, these sites were often not included in comprehensive plans. In those cities and counties that chose to keep a list of these sites in their plan as a permanent record, it is often referred to as a list of "unimportant," "non-significant," or "other" sites. This category of sites became very useful after the Oregon Revised Statute (ORS) 215.298 was enacted in 1989 to allow mining as a conditional use on EFU-zoned land provided the site was *"on an inventory in an acknowledged comprehensive plan."*

1B Sites Inventory

Sites were determined to be "1B" or 5(b) when some information was available indicating the possible existence of a resource site, but the information was not adequate to identify with particularity the location, quantity, and quality of the resource. The old Goal 5 rule, OAR 660, Division 16, required that 1B sites proceed through the Goal 5 process in the future. This intent is usually stated as a plan policy. Evaluation of 1B sites would be expected to occur during the next periodic review or earlier if adequate information became available. Until a 1B site has been evaluated and determined to be significant, it cannot receive protection under Goal 5.

Like the 1A inventory, the 1B inventory of sites became very useful after the Oregon Revised Statute (ORS) 215.298 was enacted in 1989 to allow mining as a conditional use on EFU-zoned land provided the site was *"on an inventory in an acknowledged comprehensive plan."*

Under OAR 660, Division 16, there was a need to keep a list of "possibly significant" sites because initial inventories were often created from incomplete data. Under the new Goal 5 rule, OAR 660, Division 23, local governments are not required to amend their acknowledged inventories for aggregate except in response to an application for a post acknowledgment plan amendment (PAPA). The new rule also specifies the necessary elements of a complete PAPA, including sufficient information to determine the significance of the site. A local government need not consider an incomplete application. Therefore, the new rule makes no obvious provision for adding new sites to a 1B list.

1C Sites Inventory

Once sufficient information was available to determine the location, quantity, and quality of a resource and the local jurisdiction determined a site was significant, it was identified as a "1C" or 5(c) site. The local government was required to complete the Goal 5 process to determine: (1) whether there were conflicts, (2) the appropriate level of protection, and (3) whether to include the site in the comprehensive plan inventory on a list of "significant" or "Goal 5" aggregate resource sites. Some local governments also included the designations "2A," "3A,"

"3B," or "3C" reflecting the level of protection a site was given as a result of conclusions supported by the economic, social, environmental and energy (ESEE) analysis.

For example: 3A sites were significant sites with conflicting uses surrounding them, but the site was still fully protected. 3B sites were significant sites that, based on the ESEE analysis, did not receive any Goal 5 protection because the surrounding conflicting uses were allowed fully. Even though they did not receive Goal 5 protection, 3B sites may still be approved for mining under a conditional use permit. 3C sites were found to be significant enough to warrant some limitation of conflicting uses while both uses coexisted.

In Summary, the old Goal 5 rule (OAR 660, Division 16) established the following screening process and resultant categories of inventories:

Analyze Data, Determine Sufficiency and Significance

- 1A Unimportant (not included on inventory of significant Goal 5 sites).
- 1B Possibly significant, but information insufficient (delayed Goal 5 process; include on inventory as special category with policy to address resource in the future).
- 1C Significant (include on Goal 5 inventory; must proceed through Goal 5 process; level of protection determined by ESEE analysis).

Identify Conflicting Uses for 1C Sites

- 2A *No Conflicts identified* (manage site to preserve original character).
- 2B *Conflicting Uses Identified* (develop a program to achieve the Goal as follows):
 - 3A Protect the resource fully against all conflicting uses.
 - 3B Allow conflicting uses fully.
 - 3C Allow both mining and conflicting uses to occur through a balancing of conflicts.

ADDING NEW SITES TO EXISTING INVENTORIES

Under OAR 660, Division 16, local governments were required to assemble the initial 1A, 1B, and 1C inventories. Under OAR 660, Division 23, local governments are not required to find new sites to include on these inventories (although they do have that option). They need only evaluate new sites upon request from an applicant. Therefore, generally they need to be concerned only with adding sites to the 1C or "significant" sites inventory for those sites seeking

Goal 5 protection and adding sites to a 1A or "unimportant" sites inventory for those sites on EFU-zoned land where a conditional use permit to mine is sought. There is no longer the need to add sites to the 1B inventory. However, when a local government has no inventory of "unimportant" sites, placing sites on the 1B inventory may be a temporary solution for addressing the requirements of ORS 215.298. Sites are added to, or removed from, inventories through a post acknowledgment plan amendment (PAPA).

REMOVING SITES FROM "SIGNIFICANT" SITES INVENTORIES

A site on an inventory of "significant" aggregate resource sites can be removed from the inventory if it meets the criteria outlined in the local comprehensive plan and zoning ordinance. These regulations should include both a policy and a process for removing a Goal 5 designation. In some jurisdictions there exists a policy that a site cannot be removed from the inventory unless the owner demonstrates that the site is no longer a significant resource and has been reclaimed. Then the site can either be returned to a use in the underlying zone or rezoned to another zone consistent with the comprehensive plan. The other procedure for removing a site requires a reassessment of the information and findings relied upon to initially designate the site under Goal 5.

FREQUENTLY ASKED QUESTIONS

Q1: *When is it necessary to apply for a post acknowledgment plan amendment (PAPA) to add an aggregate site to the comprehensive plan?*

A: There are two circumstances that require a PAPA to add a site to an inventory:

(1) When an applicant applies for Goal 5 protection for a "significant" aggregate site.

(2) When an applicant requests a conditional use permit to mine an aggregate site located on land zoned EFU. ORS 215.298(2) allows mining as a conditional use on EFU-zoned land, but requires that the site be on "an inventory in an acknowledged comprehensive plan."

It should be noted that under the new Goal 5 rule local governments have the option of initiating a search for new sites to add to their Goal 5 inventories. They are, however, not required to do so. For those jurisdictions that maintain an inventory of 1B sites there is an obligation to address those resources in the future.

Q2: *If an aggregate site meets the criteria of a significant Goal 5 aggregate resource, but the applicant(s) don't want Goal 5 protection, must they apply for a Goal 5 designation?*

A: No. Most local jurisdictions also allow mining as a conditional use. A few require a plan amendment or zone change first. However, if the site is located on EFU-zoned land, it is still necessary to be on an inventory.

Q3: *If the jurisdiction only has an inventory of "significant" or "Goal 5" aggregate sites, can it add a non-significant site to that particular inventory in order to meet the requirement of ORS 215.298(2)?*

A: No. Only sites that the local government finds are significant according to OAR 660-16-000(5)(c) or OAR 660-023-0180(3)(a-d) can be placed on a "significant sites" or "Goal 5" inventory. The jurisdiction may need to create and adopt an inventory of "other" sites to satisfy ORS 215.298(2).

Q4: *If the local government only has an inventory of "significant" or "Goal 5" aggregate sites, can it add a site that meets the significance criteria, but for which Goal protection is not desired, to that inventory in order to meet the requirement of ORS 215.298(2)?*

A: In order for any site to be placed on an inventory of significant sites, the entire Goal 5 process must be completed. The process should be undertaken only for those sites for which Goal 5 protection is desired. However, it should be noted that under the process a site can be determined to be significant and still not receive Goal 5 protection. This is a "3B" site. In this case the applicant would have to apply to mine under a conditional use permit (or local equivalent) and the entire burden of mitigating conflicts would rest with the mining operation.

Q5: *How can a local government process an application for an aggregate site located on EFU land that is either not significant, or is significant but for which the applicant doesn't want Goal 5 protection?*

A: It depends on the inventories contained in the local comprehensive plan. Some local governments have two or three inventories (e.g. 1A, 1B, and 1C). In some jurisdictions, the sites are on a map rather than a list. Some local governments have a single inventory which contains all of their identified aggregate sites with specific 1A, 1B, or 1C designations.

If a local government retained only a "significant" sites list, it could amend its comprehensive plan to create a new list of "unimportant" or "other" sites. This list could then be used to process applications for sites on EFU land that are not "significant" or for "significant" sites where the applicant doesn't want Goal 5 protection. This list should be in addition to (not instead of) the "significant" sites list. Retaining the old list is important because some of the sites included on the inventory of significant sites under OAR 660, Division 16 may not qualify as significant sites

under the new Goal 5 rule (OAR 660, Division 23). The new rule does "grandfather" designated "significant" sites on an existing inventory in an acknowledged plan as of September 1, 1996.

If a local government retained both the "1C" and the "1B" inventories, but no "1A" inventory, it may need to create and adopt an inventory of "other" sites to meet ORS 215.298(2). If the comprehensive plan contains a single inventory with all identified sites marked according to their level of importance, there is no problem adding new sites.

Q6: Can a local government approve a conditional use permit for a site zoned EFU that is already on a "1B" inventory without requiring Goal 5 protection?

A: Yes, because the site is already on an inventory. The old rule required local governments to complete the Goal 5 analysis for any 1B sites on their inventory at a future date. Some cities and counties are currently in periodic review under the old rule and have work tasks to complete the Goal 5 process for aggregate sites on their 1B inventory. However, if the local jurisdiction is not in periodic review, it would only be required to complete the Goal 5 process if the applicant requested it (under either Division 16 or 23).

It should be noted that the next time a local government whose Goal 5 program is acknowledged pursuant to Division 16 goes into periodic review, it will be required to bring its comprehensive plan policies and land development ordinances into compliance with OAR 660, Division 23. At that time, local governments may choose to require sites on the 1B inventory to complete the Goal 5 process or be submitted later as PAPAs. This may include a site for which the local government already approved a conditional use permit allowing mining.

Q7: What are the criteria for placing an aggregate site on a Goal 5 inventory of significant aggregate resource sites?

A: The criteria used to identify a "significant" site depend on whether the local government is under the old rule (Division 16) or the new rule (Division 23). If it is under Division 23, the criteria for a significant aggregate site are listed in OAR 660-023-0180(3)(a-d). These include specific requirements for the quantity and quality of the material. However, Division 23 also allows for local governments to set lower thresholds for quantity and quality than those in the rule. If a jurisdiction is under Division 16, the criteria would be those specified in the local comprehensive plan or development ordinance. If no criteria are included in the plan or development ordinance, the criteria used to determine a significant aggregate site are the Division 16 rule itself and evidence that supports the determination.

Q8: Do sites on a "1B" or "possibly significant" sites inventory have Goal 5 protection?

A: No. The placement of sites on the "possibly significant" sites inventory was intended as an interim measure until sufficient information was available to determine whether the site was significant.

Special Policies and Guidelines

(1) In order to preserve or improve the existing high quality water for municipal water supplies, recreation, and preservation of aquatic life, new or increased waste discharges shall be prohibited, except as provided by this rule, to the waters of:

- (a) The Clackamas River Subbasin;
- (b) The McKenzie River Subbasin above the Hayden Bridge (river mile 15);
- (c) The North Santiam River Subbasin.

(2) Except as otherwise provided for in this rule, this rule becomes effective and applies to all permits pending or applied for after the date of filing with the Secretary of State. For purposes of sections (1) through (7) of this rule, the following definitions apply:

- (a) "Waste Discharges" are defined to mean any discharge that requires and NPDES permit, WPCF permit, or 401 Certification. Individual on-site sewage disposal systems subject to issuance of a construction-installation permit; domestic sewage facilities that discharge less than 5,000 gallons per day under WPCF permit; biosolids land applied within agricultural loading rates pursuant to OAR Chapter 340, Division 50; and reclaimed domestic waste water land applied at agricultural rates pursuant to OAR Chapter 340, Division 55 are excluded from this definition.
- (b) "Existing Discharges" are defined as those discharges from point sources which existed prior to January 28, 1994;
- (c) "Existing Facilities" are defined as those for which construction started prior to January 28, 1994. Where existing facilities are exempted from requirements placed on new facilities, the exemption applies only to the specific permit(s) addressed in the subsection which allows the exemption;
- (d) "New" NPDES and WPCF permits are defined to include permits for potential or existing discharges which did not previously have a permit, and existing discharges which have a permit, but request an increased load limitation;
- (e) "Agricultural Loading Rate" means the application of biosolids or reclaimed effluent to the land at a rate which is designed to:

- (A) Provide the quantity of plant nutrients, usually nitrogen, needed by a food crop, feed crop, fiber crop, cover crop or other vegetation grown on the land; and
- (B) To minimize the quantity of nitrogen or other nutrients from the land applied materials that passes below the root zone of the crop or vegetation grown on the land to groundwater.
- (f) "Biosolids" means solids derived from primary, secondary, or advanced treatment of domestic wastewater which have been treated through one or more controlled processes that significantly reduce pathogens and reduce volatile solids or chemical stabilize solids to the extent that they do not attract vectors. This term refers to domestic wastewater treatment facility solids that have undergone adequate treatment to permit their land application;
- (g) "Reclaimed Wastewater" means treated effluent from a domestic wastewater treatment system which, as a result of treatment, is suitable for a direct beneficial purpose or a controlled use that could not otherwise occur.
- (3) To respond to emergencies or to otherwise avoid imminent serious danger to public health or welfare, the Director or designee may allow lower water quality on a short-term basis.
- (4) The Director or a designee may renew or transfer NPDES and WPCF permits for existing facilities. Existing facilities with NPDES permits may not be granted increases in their permitted mass load limitations. The following restrictions and exceptions apply:

- (a) The Department shall conduct an inspection prior to permit renewal. Existing sources with general permits who are found not to qualify for a general permit, and who wish to continue discharging, shall be required to apply for an individual permit;
- (b) Fish hatcheries (General Permit 300) and log ponds (General Permit 400) shall be required to apply for an individual permit at the time of permit renewal;
- (c) Additional industrial, confined animal feeding operations, or domestic waste loads that are irrigated on land at agronomic rates or that otherwise meet the conditions of section (7) of this rule shall not be considered an increase in the permitted wasteload.
- (5) The Director or a designee may issue the following General Permits or Certifications subject to the conditions of the Permit or Certification:
- (a) Storm water construction activities (General Permits 1200C and 1200CA);
- (b) Underground storage tank cleanups using best available treatment technology (General Permit 1500);
- (c) Non-contact cooling water (General Permit 100);

- (d) Filter backwash (General Permit 200);
- (e) Boiler blowdown water (General Permit 500);
- (f) Suction dredging (General Permit 700) only in portions of the basins that are not designated as Scenic Waterways under ORS 390.805 to 390.925;
- (g) Federal Clean Water Act Section 401 water quality certifications.
- (6) Long-term general and individual storm water permits may be allowed as required by State and/or Federal law. The following requirements apply:
 - (a) New storm water discharge permittees shall maintain a monitoring and water quality evaluation program which is effective in evaluation of the in-stream water quality impacts of the discharge; and
 - (b) When sufficient data is available to do so, the Department shall assess the water quality impacts of storm water discharges. Within a subbasin, if the proportion of total degradation that is contributed by the storm water is determined to be significant compared to that of other permitted sources, or if the Department determines that reducing degradation due to storm water is cost-effective when compared to other available pollution control options, the Department may institute regulatory mechanisms or modify permit conditions to require control technologies and/or practices which result in protection that is greater than that required statewide.
- (7) Industrial waste discharge sources, confined animal feeding operations, and domestic sewage treatment facilities shall meet the following conditions:
 - (a) No NPDES permits for new industrial or new confined animal feeding operation waste discharges, or new domestic sewage treatment facilities shall be issued, except as allowed under sections (3), (4), (5), and (6) of this rule;
 - (b) The Department may issue WPCF permits for new industrial or confined animal feeding operation waste discharges provided:
 - (A) There is no waste discharge to surface water; and
 - (B) All groundwater quality protection requirements of OAR 340-040-0030 are met. Neither the Department nor the Commission shall grant a concentration limit variance as provided in OAR 340-040-0030, unless the Commission finds that all appropriate groundwater quality protection requirements and compliance monitoring are met and there will be no measurable change in the water quality of the surface water that would be potentially affected by the proposed facility. For any variance request, a public hearing shall be held prior to Commission action on the request.
 - (c) The Department may issue WPCF permits for new domestic sewage treatment facilities provided there is no waste discharge to surface water and provided:
 - (A) All groundwater quality protection requirements of OAR 340-040-0030 are met. Neither the Department nor the Commission shall grant a concentration limit variance as provided in OAR 340-040-0030, unless the Commission finds that all appropriate groundwater quality protection requirements and compliance monitoring are met and there will be no measurable change in the water quality of the surface water that would be potentially affected by the proposed facility. For any variance request, a public hearing shall be held and the permit application will be evaluated according to paragraphs (B) and (C) of this subsection;
 - (B) The Commission finds that the proposed, new domestic sewage treatment facility provides a preferable means of sewage collection, treatment and disposal as compared to individual on-site sewage disposal systems. To be preferable, the Commission shall find that one of the following criteria applies:
 - (i) The new sewage treatment facility will eliminate a significant number of failing individual on-site sewage disposal systems that cannot be otherwise reliably and cost-effectively repaired; or
 - (ii) The new sewage treatment facility will treat domestic sewage that would otherwise be treated by individual on-site sewage disposal systems, from which the cumulative impact to groundwater is projected to be greater than that from the new facility; or
 - (iii) If an individual on-site sewage disposal system, or several such systems, would not normally be utilized, a new sewage treatment facility may be allowed if the Commission finds that the social and economic benefits of the discharge outweigh the possible environmental impacts.
 - (C) Applicants for domestic wastewater WPCF permits must meet the following requirements:
 - (i) Application must be for an individual permit; and
 - (ii) The proposed discharge must not include wastes that incapacitate the treatment system; and
 - (iii) The facility must be operated or supervised by a certified wastewater treatment plant operator as required in OAR 340-049-0015, except as exempted by ORS 448.430; and

(iv) Annual written certification of proper treatment and disposal system operation shall be obtained from a qualified Registered Sanitarian, Professional Engineer, or certified wastewater treatment system operator.

(8) The Environmental Quality Commission shall investigate, together with any other affected state agencies, the means of maintaining at least existing minimum flow during the summer low flow period.

(9) In order to improve water quality within the Tualatin River subbasin to meet the existing water quality standard for dissolved oxygen, and the 15 ug/l chlorophyll *a* action level stated in OAR 340-041-0150, the following special rules for total maximum daily loads, waste load allocations, load allocations, and implementation plans are established:

(a) After completion of wastewater control facilities and implementation of management plans approved by the Commission under this rule and no later than June 30, 1993, no activities shall be allowed and no wastewater shall be discharged to the Tualatin River or its tributaries without the specific authorization of the Commission that cause the monthly median concentration of total phosphorus at the mouths of the tributaries listed below and the specified points along the main-stream of the Tualatin River, as measured during the low flow period between May 1 and October 31*, of each year, unless otherwise specified by the Department, to exceed the following criteria:

(A) Mainstream (RM) -- ug/l:

(i) Cherry Grove (67.8) -- 20;

(ii) Dilley (58.8) -- 40;

(iii) Golf Course Road (52.8) -- 45;

(iv) Rood Rd. (38.5) -- 50;

(v) Farmington (33.3) -- 70;

(vi) Elsner (16.2) -- 70;

(vii) Stafford (5.4) -- 70.

(B) Tributaries -- ug/l*:

(i) Scoggins Creek -- 60;

(ii) Gales Creek -- 45;

(iii) Dairy Creek -- 45;

(iv) McKay Creek -- 45;

(v) Rock Creek -- 70;

(vi) Fanno Creek -- 70;

(vii) Chicken Creek -- 70.

(b) After completion of wastewater control facilities and implementation of management plans approved by the Commission under this rule and no later than June 30, 1993, no activities shall be allowed and no wastewater shall be discharged to the Tualatin River or its tributaries without the specific authorization of the Commission that cause the monthly median concentration of ammonia-nitrogen at the mouths of the tributaries listed below and the specified points along the mainstream of the Tualatin River, as measured between May 1 and November 15*, of each year, unless otherwise specified by the Department, to exceed the following target concentrations:

(A) Mainstream (RM) -- ug/l

(i) Cherry Grove (67.8) -- 30

(ii) Dilley (58.8) -- 30

(iii) Golf Course Road (52.8) -- 40

(iv) Rood Rd. (38.5) -- 50

(v) Farmington (33.3) -- 1000

(vi) Elsner (16.2) -- 850

(vii) Stafford (5.4) -- 850

(B) Tributaries -- ug/l

(i) Scoggins Creek -- 30

(ii) Gales Creek -- 40

(iii) Dairy Creek -- 40

(iv) McKay Creek -- 40

(v) Rock Creek -- 100

(vi) Fanno Creek -- 100

(vii) Chicken Creek -- 100

- (c) The sum of tributary load allocations and waste load allocations for total phosphorus and ammonia-nitrogen can be converted to pounds per day by multiplying the instream criteria by flow in the tributary in cfs and by the conversion factor 0.00539. The sum of load allocations waste load allocations for existing or future nonpoint sources and point source discharges to the mainstream Tualatin River not allocated in a tributary load allocation or waste load allocation may be calculated as the difference between the mass (criteria multiplied by flow) leaving a segment minus the mass entering the segment (criteria multiplied by flow) from all sources plus instream assimilation;
- (d) The waste load allocation (WLA) for total phosphorus and ammonia-nitrogen for Unified Sewerage Agency of Washington County is determined by subtracting the sum of the calculated load at Rood Road and Rock Creek from the calculated load at Farmington;
- (e) Subject to the approval of the Environmental Quality Commission, the Director may modify existing waste discharge permits for the Unified Sewerage Agency of Washington County and allow temporary additional waste discharges to the Tualatin River provided the Director finds that facilities allowed by the modified permit are not inconsistent and will not impede compliance with the June 30, 1993 date for final compliance and the Unified Sewerage Agency is in compliance with the Commission approved program plan;
- (f) Within 90 days of the adoption of these rules, the Unified Sewerage Agency of Washington County shall submit a program** plan and time schedule to the Department describing how and when the Agency will modify its sewerage facilities to comply with this rule. The program plan shall include provisions and time schedule for developing and implementing a management plan under an agreement with the Lake Oswego Corporation for addressing nuisance algal growth in Lake Oswego;
- (g) Within 18 months after the adoption of these rules, Washington, Clackamas, Multnomah Counties and all incorporated cities within the Tualatin River and Oswego Lake subbasins shall submit to the Department a program plan** for controlling the quality of urban storm runoff within their respective jurisdictions to comply with the requirements of subsections (a) and (b) of this section;
- (h) After July 1, 1989, Memorandums of Agreements between the Departments of Forestry and Agriculture and the Department of Environmental Quality shall include a time schedule for submitting a program plan** for achieving the requirements of subsections (a) and (b) of this section. The program plans shall be submitted to the Department within 18 months of the adoption of this rule;
- (i) Within 120 days of submittal of the program plans** and within 60 days of the public hearing, the Environmental Quality Commission shall either approve or reject the plan. If the Commission rejects the plan, it shall specify a compliance schedule for resubmittal for approval and shall specify the reasons for the rejection. If the Commission determines that an agency has not made a good faith effort to provide an approvable plan within a reasonable time, the Commission may invoke appropriate enforcement action as allowed under law. The Commission shall reject the plan if it determines that the plan will not meet the requirements of this rule within a reasonable amount of time. Before approving a final program plan, the Commission shall reconsider and may revise the June 30, 1993 date stated in subsections (a), (b), and (e) of this section. Significant components of the program plans shall be inserted into permits or memorandums of agreement as appropriate;
- (j) For the purpose of assisting local governments in achieving the requirements of this rule, the Department shall:
- (A) Within 90 days of the adoption of these rules, distribute initial waste load allocations and load allocations among the point source and nonpoint source management agencies in the basin. These allocations shall be considered interim and may be redistributed based upon the conclusions of the approved program plans;
- (B) Within 120 days of the adoption of these rules, develop guidance to nonpoint source management agencies as to the specific content of the programs plans;
- (C) Within 180 days of the adoption of these rules, propose additional rules for permits issued to local jurisdictions to address the control of storm water from new development within the Tualatin and Oswego Lake subbasins. The rules shall consider the following factors:
- (i) Alternative control systems capable of complying with subsections (a) and (b) of this section;
- (ii) Maintenance and operation of the control systems;
- (iii) Assurance of erosion control during as well as after construction.
- (D) In cooperation with the Department of Agriculture, within 180 days of the adoption of this rule develop a control strategy for addressing the runoff from container nurseries.

(10) In order to improve water quality within the Yamhill River subbasin to meet the existing water quality standard for pH, the following special rules for total maximum daily loads, waste load allocations, load allocations and program plans are established:

(a) After completion of wastewater control facilities and program plans approved by the Commission under this rule and no later than June 30, 1994, no activities shall be allowed and no wastewater shall be discharged to the Yamhill River or its tributaries without the authorization of the Commission that cause the monthly median concentration of total phosphorus to exceed 70 ug/l as measured during the low flow period between approximately May 1 and October 31*** of each year;

(b) Within 90 days of adoption of these rules, the Cities of McMinnville and Lafayette shall submit a program plan and time schedule to the Department describing how and when they will modify their sewerage facility to comply with this rule;

(c) Final program plans shall be reviewed and approved by the Commission. The Commission may define alternative compliance dates as program plans are approved. All proposed final program plans shall be subject to public hearing prior to consideration for approval by the Commission;

(d) The Department shall within 60 days of adoption of these rules distribute initial waste load allocations and load allocations to the point and nonpoint sources in the basin. These allocations shall be considered interim and may be redistributed based upon the conclusions of the approved program plans.

*Precise dates for complying with this rule may be conditioned on physical conditions (i.e., flow, temperature) of the receiving water and shall be specified in individual permits or memorandums of understanding issued by the Department. The Department shall consider system design flows, river travel times, and other relevant information when establishing the specific conditions to be inserted in the permits or memorandums of understanding.

Conditions shall be consistent with Commission-approved program plans** and the intent of this rule.

**For the purpose of this section of the rules, program plan is defined as the first level plan for developing a wastewater management system and describes the present physical and institutional infrastructure and the proposed strategy for changes including alternatives. A program plan should also include intergovernmental agreements and approvals, as appropriate; time schedules for accomplishing goals, including interim objectives; and a financing plan.

***Precise dates for complying with this rule may be conditioned on physical conditions (i.e., flow, temperature) of the receiving water and shall be specified in individual permits or memorandums of understanding issued by the Department. The Department shall consider system design flows, river travel times, and other relevant information when establishing the specific conditions to be inserted in the permits or memorandums of understanding.

Stat. Auth.: ORS 468.020

Stats. Implemented: ORS 468B.030

Hist.: DEQ 128, f. & ef. 1-21-77; DEQ 17-1988, f. & cert. ef. 7-13-88; DEQ 25-1988, f. & cert. ef. 9-16-88; DEQ 18-1989, f. & cert. ef. 7-31-89 (and corrected 8-3-89); DEQ 3-1994, f. & cert. ef. 2-2-94; DEQ 5-1995, f. & cert. ef. 2-28-95

March 5, 1999

To: Jim Knight, DLOD

From: Roberta Young, DEQ

Subject: Periodic Review Comments for the City of Stayton

The DEQ has prepared general recommendations and guidance on its various environmental programs for city and county use in the periodic review process. This information is being sent directly to the jurisdiction. In addition, we have specific comments for consideration in the development of the periodic review work program.

Wastewater Treatment

The City appears to be in good shape since it recently completed a new wastewater treatment plant in 1996. In addition to serving the community of Stayton, the system also serves Sublimity. The facility is in compliance with its permit limits.

Water Quality Limited Streams(TMDLS)

The City is located near the N. Santiam River, which is water quality limited for temperature. The N. Santiam is listed as habitat for fall and spring Chinook, winter Steelhead, and Coho. Suggested actions might include:

1. Protect existing tree and riparian cover streamside. Create a 25 to 50 foot shade buffer, which will serve to reduce nutrient and sediment discharges, lower water temperatures and reduce erosion and turbidity. Require riparian restoration where no stream buffer exists. Plant native trees and shrubs along the waterway and minimize plant removal during development.
2. Acquire and protect existing wetlands since they provide water storage areas during flood events and filter contaminants. This is cheaper and faster than building reservoirs for flood detention. Consider the restoration of wetlands above or adjacent to areas of flooding. DSL and Corps permit applications for dredge and fill actions, which require submission of delineated wetlands (maps), can be used to identify local wetlands for inventory purposes.
3. Start a public education program (county wide) regarding the sources of pollution, and what the public, agriculture community and industry can do to help. OSU Extension, the United Sewerage Agency and Metro's programs offer lots of ideas on what can be done. Create or participate in your local watershed council.
4. Do not allow mowing or use of chemicals by waterways. Reduce city use of road side pesticide spraying.
5. Be pro-active by requiring new developments in water quality limited/TMDL basins to treat their stormwater prior to discharge into waterways, groundwater or wetlands. Older developments, particularly industrial and commercial, may need to add treatment to meet water quality standards when permits are renewed or facilities expanded.
6. When permitting new developments along flood prone streams, consider requiring hydrological modeling to determine potential impacts from increased flow to existing downstream residents. Identify existing or potential constrictions that could impact older existing downstream development/urban areas.

Exhibit K

7. Consider working with adjoining jurisdictions on a stormwater public education program or flood studies if the city was impacted in the 1996/97 floods.
8. Reduce the use of riprap. Riprap raises stream temperature, reduces fish habitat and channelizes the stream, so during a flood event, the water levels rise more quickly, are higher than before so new areas become flood prone, and have increased velocities which causes more severe erosion. Instead use bioengineering which is less expensive and more environmentally benign. Seven of eight bioengineering sites in the upper Tualatin planted only four months before the February 1996 flooding were still in place and functioning after the flood.
9. Do not allow septic tanks to be located in filled wetlands or near riparian areas. Require unsewered streamside areas to hook up to local sewer lines or increase the inspection of existing septic tanks for failure along waterways. Limit the addition of new septic tanks where problems already exist with bacteria (fecal coliform and E. coli).
10. Use of sumps and drywells (injection wells) for stormwater discharge by jurisdictions and private lands must be registered with the state (see 40 Code of Federal Regulations Parts 144, 145 and 146) delegated agency (DEQ) and meet state conditions (see OAR 340-44-50) for siting to quality as rule authorized or must get an individual WPCF permit. Registration amnesty is currently being offered but is a limited time offer. After this time a registration processing fee will be charged. Registration forms and additional data are available at the DEQ UIC net site (<http://www.deq.state.or.us>). Go into the Water Quality Division section and press the blue UIC button. Also see the Oregon Insider article (mid November 1998).

Use of sumps and drywells is not recommended for industrial or commercially zoned areas, since without pretreatment they do not provide protection of groundwater from contaminated stormwater. EPA, due to a lawsuit, is modifying the existing underground injection well program regulations which may result in either a ban on certain types of injection wells or requiring treatment to drinking water standards prior to discharge in source water protection, wellhead protection areas, sole source aquifers and other sensitive sites.

Questions can be directed to Barbara Priest at 503-229-6408.

Cc: Mayor Henry A. Porter
Barbara Priest
Bruce Lumper
Mark Hamlin

DEPARTMENT OF ENVIRONMENTAL QUALITY LAND USE GUIDELINES FOR ENVIRONMENTAL COMPLIANCE

INTRODUCTION: This document is intended to supplement Department of Land Conservation and Development (DLCDD) guidelines to local governments on Periodic Review. The information provided below will assist cities and counties that are updating comprehensive planning documents in compliance with DEQ rules to protect Oregon's environment.

Each category includes a presentation of the relevant issue followed by recommendations for compliance through land use programs and plan updates. In addition, DEQ staff contacts are provided as a source for additional information and data.

DLCDD administrative rule (OAR 660-30-005) allows for input from state agencies into the local government land use planning process. The purpose of this rule is to ensure that state agency rules and programs that affect land use are compatible with acknowledged city and county comprehensive plans. Rules or programs that affect land use include those referenced in the statewide planning goals and those that can reasonably be expected to have an effect on resources, objectives, or areas identified in the goals or in acknowledged comprehensive plans.

AIR QUALITY

Non-Attainment Areas

Issue: DEQ designates non-attainment areas for locations that violate Clean Air Act standards for one or more pollutants. Existing particulate non-attainment areas include Eugene/Springfield, Grants Pass, Klamath Falls, La Grande, Medford-Ashland and Oakridge, Portland, and Salem. Portland and Salem are non-attainment areas for ozone and carbon monoxide, and Eugene/Springfield is also a non-attainment area for carbon monoxide.

Recommendation: The plan document should include a discussion of non-attainment status and identify local actions or proposals to implement the Non-Attainment Area Management Plan. The plan should also describe how the jurisdiction coordinates and cooperates with other jurisdictions within the designated non-attainment area.

The jurisdiction should compare current population and traffic growth data and forecasts to the current projections in the State Air Quality Implementation Plan. If there are significant differences, the data should be submitted to DEQ for a revisit of the air quality analyses. For information contact Brian Finneran 229-6278.

Class 1 Wilderness Areas and National Parks

Issue: Air quality in Wilderness Areas and National Parks is afforded additional protection under the Clean Air Act to preserve vistas and protect the environment. The Prevention of Significant Deterioration (PSD) provision of the Clean Air Act was established for this purpose.

Recommendation: The plan should acknowledge the jurisdiction's proximity to any designated class 1 areas and acknowledge that certain industries are subject to additional Prevention of Significant Deterioration air quality visibility criteria. The PSD criteria is applied in the permitting process to certain industries that have the potential to degrade air quality of a designated class 1 area. DEQ conducts computer modeling of proposed new air sources or changes to existing sources to determine if PSD criteria apply. In general certain new sources within 200 kilometers of a

designated class 1 area, or further in distance based on the type of facility, fall under PSD requirements. For further information contact Brian Finneran at 229-6278.

WATER QUALITY

Goal 5 Resources

Issue: The purpose of Goal 5 is to conserve open space and protect natural and scenic resources. Available data is gathered to determine if a particular natural resource is "ecologically and scientifically significant" or if an open space is "needed" or in the case of scenic areas if they are "outstanding". The inventory should include a determination of the location, quality, and quantity of each resource site.

Sensitive Groundwater Areas

Issue: Sensitive aquifers in Oregon are sources of groundwater that are susceptible to contamination from surface land uses. Susceptibility is based on many factors including permeability, porosity, absorption potential of soils, interaction with surface water, depth to groundwater, and the presence of improperly sealed wells, drainage wells (sumps), leaky underground storage tanks, or other potential contaminant sources. Shallow aquifers lie less than 100 feet below the surface, leaving them vulnerable to pollution from overlying land uses. For example, sand and gravel deposits located near old stream beds allow hazardous material spills to quickly penetrate an aquifer. A spill of hazardous material in eastern Oregon was revealed in groundwater samples three months later. Spills or leaks in areas with more permeable soils or shallower groundwater supplies might lead to immediate groundwater contamination and spills in areas with less permeable soils and deeper or confined aquifers could take years to affect groundwater quality.

Direct sources of pollution such as industrial wastewater discharges and non-point sources of pollution such as heavily fertilized agricultural land or large numbers of densely located septic systems, can easily contaminate shallow public and private wells.

In 1980 Sweet/Edwards consultants produced a map of sensitive aquifers in Oregon. This map, with an overlay of the median static head of groundwater in the area (tabulated by township, range, section from available well data) is available from DEQ. The median static head measurement gives an indication of the general depth to groundwater below the land surface and thus is an indicator of aquifer vulnerability to contamination sources at the surface. Maps with locations of public water supply wells are available from DE by contacting Amy Patton at 503-229-5878.

DEQ also has information regarding groundwater contamination detected in various areas of Oregon where samples have been collected. A summary of this information can be found in Table 6 of the 1999 Legislative Report on Groundwater Quality Protection in Oregon which is available in hard copy from Donna Kelly at DEQ (503) 229-6962 or at the DEQ - Water Quality Division - Groundwater Internet site at <http://waterquality.deq.state.or.us/wg/groundwa/wqgw.htm>. Figure 9 of the Legislative Report shows the percentage of private water wells per county with nitrates above the EPA drinking water standards. This data reflects private wells sampled at property transfer through the real estate transaction testing program run by the Oregon Health Division. Counties not included in Figure 9 did not have any wells with nitrate detections above the drinking water standard of 10 ppm Nitrate-Nitrogen, but may have had nitrate detections below that level. For more detail about groundwater quality investigations in your county, contact Rodney Weick at (503) 229-5886.

Recommendation: The plan should identify the location of sensitive aquifers and note potential sources of pollution. Discuss the proposed pollution prevention program including changes in land use, zoning, density, and permitting requirements.

Groundwater Management Areas

Issue: DEQ is required to declare a Groundwater Management Area (GWMA) when area-wide contamination caused at least in part by nonpoint sources is documented. When a groundwater management area is declared, a local committee is then formed to develop an action plan to address the sources of the groundwater contamination.

To date, two GWMA's have been declared in Oregon: in the Hermiston-Boardman area (Lower Umatilla Basin), and in the Ontario-Vale area (Northern Malheur County). A third area, in the Coburg-Junction City-Harrisburg area is expected to be declared in the future. Areas of Concern may also be declared and managed locally in areas with widespread, nonpoint source contamination where the contamination has not yet reached high concentrations. The procedures for GWMA and AOC declaration and response are outlined in ORS 468B.177 through 468B.188.

Recommendation: The land use plan should recognize groundwater management areas and map them along with the boundaries of sensitive aquifers. The plan needs to address any land use components of the local action plan and planned efforts to mitigate further groundwater quality problems. A list of potential contaminant sources and information on recommended groundwater protection options are available from Sheree Stewart at 229-5413. For information on GWMA's call Rodney Weick at 503-229-5886.

Wellhead Protection Areas

Issue: Wellhead Protection is designed to protect groundwater resources that provide drinking water via public water supply wells. This program originated from the 1986 Federal Safe Drinking Water Act and is referenced in the Oregon Groundwater Protection Act of 1989. Oregon DEQ administers the Oregon Wellhead Protection Program. The Oregon Health Division (OHD) also provides technical assistance to help delineate the source area for the public water supply well(s) or spring(s). A detailed guidance manual is available from DEQ by calling Sheree Stewart at (503) 229-5413.

Jurisdictions need to protect the quality of the groundwater which supplies their public water system. It is extremely expensive to treat contaminated drinking water or to find an alternative source should a water supply be lost because of contamination. It will continue to be more and more difficult to find funding to address contamination of these water supplies. The cost and burden of treating or replacing the contaminated water supply will generally fall to the local community. To reduce the risk of contamination, a jurisdiction can determine the land surface area where their drinking water originates, what kind and how many potential contamination sources are within that area, and develop a management approach to reduce the risks of groundwater from those sources.

This is a voluntary program in Oregon, which each community can choose to participate in. There are no requirements associated with land use for most of the communities in Oregon. However, for public water systems which serve more than 10,000 or have more than 3000 service connections, there are some land use requirements to be aware of. If the community chooses to delineate their wellhead protection area and have it approved by OHD, the wellhead protection area will become a Goal 5 Resource to be addressed under the land use program. Those (larger) communities will need to incorporate land use planning elements into their wellhead protection management plan. A DEQ-certified Wellhead Protection Plan will automatically serve to address any Goal 5 protection requirements. More information on these requirements can be obtained from Doug White at the Department of Land Conservation and Development at (503) 373-0083.

Jurisdictions need to also carefully plan the location of future public supply wells in relation to potential and known areas of groundwater pollution, areas of known or suspected contamination,

and sites noted on the DEQ Environmental Cleanup Site Discovery list. Locating public water supply wells in or adjacent to areas of known pollution problems is not advised. The pollution plume from a contaminated site can travel with groundwater across property boundaries where it can be pumped to the surface by water supply wells. Land uses surrounding these wells and their recharge areas should be designated to protect this natural resource. For example, depending on local conditions, industrial land uses are generally incompatible with groundwater recharge areas. It is strongly suggested that new public water supply wells and wellfields not be located near areas with known groundwater quality problems.

Recommendation: The plan should include a list of public water suppliers who use groundwater as a drinking water source. A list of suppliers by county is available through Dennis Nelson of OHD at 731-4010. The location of public water supply wells should be identified on a map and designated as a 1B resource under Goal 5. Jurisdictions with delineated wellhead protection areas, approved by OHD, should discuss them in the plan. Significant (larger) jurisdictions will need to indicate how they intend to address the land use elements associated with wellhead protection.

The plan should include a discussion of drinking water sources located in the jurisdiction and any water quality problems identified by the OHD or DEQ. The plan should note how the jurisdiction will mitigate or prevent groundwater quality problems within their wellhead protection areas. Information on recommended groundwater protection options, as well as more information about Wellhead Protection, are available from DEQ by calling Sheree Stewart at (503) 229-5413.

Stormwater and Flooding Management

Issue: Oregon has recently experienced rapid growth which, when coupled with heavy rainfall, has led to flooding event in 1996 and 1997. Developed land increases the amount of runoff being discharged to streams (by a factor of three) over open land. In addition, upstream development has been allowed to occur without regard for existing downstream land owners, creating expensive downstream cumulative impacts and water quality concerns.

Problems identified by the Governor's Interagency Hazard Mitigation Team include constrictions in stream flow paths, (older bridges, use of box cars as private bridges, culverts that decrease in size downstream instead of increase, improperly located dams, ponds and retention facilities, landslides associated with logging, road building and development allowed on steep slopes, improper development allowed in flood plains, inadequately maintained and designed levees, and inadequately sized stormwater facilities). Additionally, inadequate erosion and sediment controls have allowed accelerated rates of deposition in wetlands, streams, rivers, lakes and drainage facilities. Many jurisdictions did not comply with floodplain ordinances or utilize information about basic stream hydrology. Setback requirements near watercourses were sometimes not applied and new residential construction was allowed in floodways.

Until recently, stormwater management planning was based on flood control objectives. However, the need to control the quality of stormwater has become more important due to its impact (degradation) on surface and groundwater resources. Overall planning objectives need to focus on the identification of solutions that balance water quality, natural resource protection and flood control. Planning is needed at a regional level with potential down stream impacts identified early on. Management strategies need to meet a number of objectives including water quality enhancement, groundwater recharge, wild life habitat, wetland creation, erosion/sediment control, and the creation of open spaces for recreation. Designs should incorporate use of natural features(drainage ways, depressions, wetlands, floodplains, groundwater recharge zones and vegetation), which will maximize the economic and environmental benefits, particularly in combination with open space and recreational needs.

Development in general increases peak stream flows, the duration of high flows, stormwater runoff volumes and creates seasonal flow shifts. This creates ecological and economic impacts such as increased flooding and storm erosion, degraded aquatic habitat and water quality and can result in loss of local flora and fauna species. According to USGS studies, there is a strong correlation between the size of the flood peaks and the available basin storage. Natural wetlands and side channels act as storage areas during flood events, allowing the water to spread out. This temporary storage decreases the runoff velocity, reduces flood peaks, and distributes stormwater flow over longer periods of time causing tributaries and main channels to peak at different times. Continued loss of upland or upstream wetlands, side channels, meanders and flood plains over time exacerbates the situation. USGS studies have found that basins with 30% areal coverage in lakes, side channels or wetlands have flood peaks 60 to 80% lower than basins with little storage.

Pollutants associated with stormwater runoff include: toxic heavy metals (cadmium, chromium, copper, lead, nickel and zinc), toxic organics (gasoline, oils, wood preservatives), nutrients (nitrates and phosphorus), pesticides (municipal and residential use), PAH (organic associated with industrial sites in sandy soils and high water table), other metals (aluminum, manganese, iron), salts, and micro-organisms (viruses and bacteria). About 70% of the toxic metals will bind to sediments and the remainder stays in the water column. Bioaccumulation and long term exposure from contaminated sediments is of concern when sediments are deposited downstream in lakes, wetlands and estuaries.

Previous EPA studies found that the primary area of concern is industrial land, followed by commercial and residential lands. However, recent studies have found urban hot spots exist which produce significantly higher loadings of hydrocarbons and metals than other areas. Urban hot spots are linked to locations where vehicles are fueled, serviced, and parked. Identified land uses include gas stations, bus depots, fire stations, vehicle maintenance, salvage yards, long term commuter parking lots, and high use short term parking lots associated with fast food outlets and convenience stores. Other areas of concern include heavily used roads, which generate a disproportionate amount of total runoff volume and are often directly connected to the drainage system.

Recommendations: Cities and counties need to develop comprehensive water management plans that integrate flood control, erosion control, nonpoint source pollution prevention, groundwater, and source water protection, while protecting sensitive natural resources areas such as wetlands, water quality limited streams and salmonid habitat.

Jurisdictions should promote reclamation or construction of wetlands, remove floodplain development allowing streams room to meander, reconnect side channels or build detention basins for flood control. Wetlands are the most effective form of flood control and can be cheaper to create and maintain than dikes, levees or reservoirs. Vegetation removal increases erosion loss in the floodplain. Failure to understand the dynamics of waterways in zoning, facility planning and development has resulted in damage to public lands and conflicts which need to be addressed in watershed planning. Floodplain hazard and hydrology flow studies need to be done for all proposed developments, otherwise they can impact both upstream (if they act as a constriction) and downstream residents. DEQ recommends hydrology studies be done for new developments ½ mile upstream and 1 mile downstream to protect existing downstream residents. Additional discharges from seeps, springs, on-site systems and stormwater in unstable slopes can trigger landslides.

Erosion Sediment Control ordinances (ESC) need to be integrated to achieve stream protection during construction and to protect water quality. Suggested resources related to construction practices, practical pollution prevention tips, best management practices, and design suggestions include: 1) Watershed Protection Technique Bulletins published by the Center for Watershed Protection at (301)

589-1890 or www.pipeline.com/~mrrunoff on the internet for a review; 2) the Puget Sound Stormwater Management Manual; 3) King County Washington's Surface Water Management Plan and 4) Coastal Nonpoint Source Pollution Control Program Management Measures. For more information contact Barbara Priest at 229-5945 or Ranei Nomura at 229-5657.

Underground Injection Control (UIC) Program.

Issue: The UIC program is regulated under the Safe Drinking Water Act. The intent of the program is to protect groundwater drinking water sources from pollution associated with untreated discharge by infiltration. Class V injection wells (for stormwater discharge) are becoming a nationwide concern. This is due to the growing numbers of groundwater aquifers that are becoming contaminated due to polluted stormwater associated with the use of catch basins with sumps and dry wells for infiltration.

Recommendation: Federal law requires that injection well owners are required to register their well with the state (CFR 40:144.24 and .26) and provide inventory information prior to use. In Oregon, stormwater drains from residential and commercial areas when not affected by toxic or industrial wastes, are authorized by rule if they can meet the following conditions. Otherwise an individual WPCF permit is required:

- 1) Stormwater drainage wells can only be used in areas where there is an adequate confinement barrier or filtration medium between the injection well and the drinking water aquifer, and where construction of stormwater sewers is not practical.
- 2) New stormwater drainage wells shall be as shallow as possible, and not exceed 100 feet.
- 3) Stormwater drainage wells (i.e. catch basins with sumps, drywells) cannot be located closer than 500 feet to any drinking water well.
- 4) Agricultural drainage wells are prohibited.
- 5) Stormwater drainage wells are prohibited where toxic or hazardous chemicals or petroleum products are stored or handled, unless there is containment around the product area preventing spillage or leakage to the well.
- 6) Owners and operators of stormwater wells shall have a means to temporarily plug or block the well in the event of an accident or spill.
- 7) If a stormwater well is located in a parking lot, the lot shall be kept clean of petroleum products and other organic or chemical wastes.

For further information contact Barbara Priest at 229-5945.

Water Quality Limited Streams (Potential or Designated)

Issue: Rivers, streams, and other waterbodies provide water for municipalities, industry, recreation, agriculture, salmonid habitat and wildlife. DEQ is responsible for setting limits on all pollutants entering a waterbody under the Federal Clean Water Act of 1972. On a biennial basis, DEQ must submit to EPA a list of waterbodies (303d) that do not meet water quality standards, even after best available technology is applied to wastewater discharges. Data is compiled from federal, state and local data bases for listings and waterbodies listed are designated as Water Quality Limited (WQL).

While great progress has been made over the last two decades to reduce pollution from industrial sources, Oregon's surface and groundwater quality is under constant threat from an increased population, recreation, development, agriculture, urban runoff and destruction of streamside habitat. Once polluted, surface and groundwater is very difficult to clean up, taking years to restore to within water quality standards.

New or increased discharges that require a permit will not be allowed in WQL waterbodies unless the pollutants in the discharges are different from the pollutants causing the water quality problems. By recognizing the types of land uses or practices associated with specific pollutants planners can shift

certain development or activities to other locations where water quality impacts are not anticipated or can be controlled.

WQL listed waterbodies will be prioritized over the next year and DEQ will begin to develop Total Maximum Daily Loads (TMDLs) and a management strategy for the listed waterbodies. TMDL waterbodies have reached their assimilative capacity and can no longer handle additional pollution loading. A TMDL can be set for one particular pollutant, indicating that the waterbody is unable to accommodate additional sources due to cumulative effects. An individual waterbody can have several different TMDLs for each pollutant.

Due to the number of WQL waters, DEQ will focus available grant funds in basins with approved TMDLs and those ranking high on the priority list. The following WQL water bodies have been identified as the highest priority: S. Umpqua/Umpqua River, Willamette River, Klamath River, Umatilla River, Trout Creek (Deschutes), Upper Deschutes, Fifteen Mile Creek (Hood), Tualatin River, Sprague River, Rogue River, Yamhill River, Tillamook Bay and major tributaries, Nehalem Bay and River, Coquille River, Pudding River, Breitenbush River, John Day (N, M and S forks), Hood River, Little Deschutes River, Coast Fork of the Willamette, Yaquina Bay, White River (Deschutes), Crooked River (Deschutes), Bear Creek (Rogue), Powder River, Malheur River, Burnt River (N. fork), Wallowa River, Grande Ronde River, Elk Creek (Umpqua), Coos Bay, Garrison Lake, Devils Lake, Clear Lake, Tenmile Lake, and Clatsop County Lakes.

DEQ will actively encourage local watersheds to voluntarily begin to prepare management plans to control point and non point pollution in WQL waterbodies.

DEQ has established TMDLs for the following basins: Bear Creek, Yamhill River, Tualatin River/Lake Oswego, Pudding River, Willamette River, Rickerall Creek, Columbia River, Coquille River/Estuary, Clear Lake and Garrison Lake. TMDLs in progress for 1996-98 include the Grande Ronde River, Columbia Slough, Klamath River, Umatilla River, and the South Umpqua River

TMDL/WQLs are set for the following parameters: aquatic weeds/algae, bacteria (fecal coliform and E. Coli), biological criteria, chlorophyll, dissolved oxygen, habitat modification, flow modification, nutrients, pH, sedimentation, temperature, total dissolved gas, toxics, and turbidity. These parameters are used to identify impaired beneficial uses of the water body, a more complete discussion of these parameters can be found in the July 1996 303D list and criteria for listing waterbodies.

Recommendation: Land use planners should note the types of water quality problems cited in their area for the parameters listed above. For example:

Sediment: If sediment is a problem then local governments should require erosion controls for upgrades of existing and new developments, including construction activities and runoff from the completed project. Each site should be required to implement more stringent erosion control plans. Wherever possible, new development should provide treatment of the runoff that will be generated by that development. If exceptions are granted for a specific site, there must be assurance that an equivalent amount of pollution will be removed elsewhere in the basin. Replanting of native vegetation and trees is critical once development has occurred.

The land use plan should include provisions to minimize the amount of exposed soil during site development or other earth disturbing activities. The site should be designed and constructed to reduce runoff by limiting impervious surfaces. Runoff that is generated should be directed to swales or retention ponds to encourage infiltration. Stormwater runoff must be treated prior to discharge to

waters of the state. A vegetated buffer (25 to 100 foot) should be required between development and all streams, wetlands, ponds, and other waterbodies. Vegetation and trees should be maintained in all roadside ditches, effectively converting them into vegetated swales. This practice will remove sediments as the rate of runoff is reduced. Other practices that could be employed include the use of bio-engineering, barbs weirs, jetties and as last resort, riprap for erosion problems.

Fecal Coliform: Fecal coliform is usually associated with untreated stormwater discharges in urban and rural areas, inappropriate densities of septic tanks or failing septic systems, and rural grazing practices. These discharges can create a health problem for downstream drinking water users, contract recreational sports (boating and swimming), shellfish propagation, irrigators and commercial users. If fecal coliform is a problem land use planners may want to review the density requirements for septic systems, zoning restrictions for confined animal feed lots, and upgrades to stormwater runoff in urban areas.

Temperature: Temperature problems relate to a variety of changes to waterbodies from flow modifications such as dams/diversions, removal of woody debris or tree cover, as well as industrial discharges and loss of riparian habitat. Temperature changes can limit the types of plants, fish and wildlife found in a given area. Limiting the removal of natural native plants and trees or requiring replanting after development can assist in limiting temperature changes.

The plan should list local WQL or TMDL waterbodies and map them with an overlay of existing zoning and available land for development. The plan should identify pollution prevention strategies and commit the local government to participation in the TMDL process. For information on the program contact Rick Kepler at 229-6804. For copy of the DEQ biennial water quality (305B) report on status of streams and lakes contact Joyce Sturdevant at 229-6504. For information on pollution prevention, contact Barbara Priest at 503-229-5945.

Wetland and Riparian Protection (Water Quality Certification)

Issue: Natural wetlands are protected waters of the state under the Clean Water Act. In Oregon, wetlands cover little more than 2% of the state or between 1.2 to 1.5 million acres. Certification is required of any applicant for a federal license or permit to conduct any activity, including but not limited to the construction or operation of facilities that may result in any discharge to waters of the state.

Wetlands exist in areas with high water tables acting as natural reservoirs while recharging groundwater and can seasonally discharge to surface water. Wetlands and streamside (riparian) areas: function as a natural filtering system to improve water quality; are used as spawning and nurseries for fisheries; provide critical habitat for wildlife and birds; reduce soil erosion; mitigate storm damage and flooding; recharge local groundwater supplies; and, provide a unique ecological resource supporting an incredible diversity of life. Wetlands and riparian areas also provide opportunities for recreational activities such as boating, hiking, hunting, fishing, and bird-watching. Approximately 1/3 of the nations threatened and endangered species live in wetland areas.

DEQ's role regarding wetlands, riparian and in-stream work is to protect water quality and existing associated beneficial uses pursuant to Section 401 of the Clean Water Act. This mandate applies to the State's hydrologically connected groundwater, wetlands, estuaries and surface waters of Oregon. Groundwater is also protected under the Safe Drinking Water Act and Oregon's Groundwater Act. Natural wetlands or those created to replace existing wetlands as mitigation, cannot be used for stormwater treatment or to discharge polluted water. The purpose of the 401 program is to protect and maintain the remaining wetland and riparian resources in Oregon from development impacts by directing growth away from these fragile resources to more appropriate locations. When development impacts are unavoidable, mitigation is required within the same

basin. Stormwater discharges to wetland or riparian areas in water quality limited basins may require treatment prior to discharge.

401 Certification is done concurrently with Division of State Lands (DSL) Removal and Fill program and the Federal 402/404 permits under the Clean Water Act regulated by the US Corps of Engineers. Conditions applied to 401 Certification address water quality standards (anti-degradation and water quality limited streams), beneficial uses, impacts to groundwater resources, and threatened and endangered species. The conditions can be site or land use specific to prevent pollution.

Existing water quality standards and state regulations (OAR 340-48) currently do not contain wetland/riparian-specific language. DEQ is beginning the process of revising rules and preparing preliminary draft guidelines for developers. These guidelines will be applicable to all activities, projects, or proposed developments of wetland/riparian areas.

Recommendation: Land Use Planning Goal 5 now requires wetland and riparian inventories and the development of programs to achieve the goal. Wetland planning can help achieve water quality protection as well as minimize regulatory conflicts. Jurisdictions should contact DSL for technical and financial assistance with wetland planning, and coordinate wetland/riparian inventories with stormwater master planning efforts.

Questions relating to DEQ's wetland/riparian responsibilities can be directed to Tom Melville at 229-5845 and grazing issues to Debra Sturdevant at 229-6691. Information on the wetland planning program can be obtained from Dana Field with DSL at 378-3805, extension 238.

Lakes

Issue: There are over 6,000 lakes in Oregon ranging in size from 1 acre up to 90,000 acres. They have been divided into categories called "ecoregions" based on location and physical characteristics.

Data is available on lake water quality through the Environmental Protection Agency's Clean Lakes Program. Additional studies have been conducted by the U.S. Forest Service and the Army Corp of Engineers. Development, recreational uses, nuisance weed growth, and nutrient loading, are among the threats to lake water quality. TMDLs have been established for Oswego Lake, Garrison Lake, and Clear Lake. (See discussion under TMDL Recommendations on page 4)

Recommendation: The plan should include an inventory of lakes in your jurisdiction. Indicate lakes with water quality problems and develop strategies for pollution prevention. A full inventory of water quality problems related to lakes is available from DEQ in the biennial water quality (305B) report, for a copy of this report contact Wanda Stovall at 229-5279. For information on DEQ's Clean Lake program contact Avis Newell at 229-6018.

Estuaries

Issue: Estuaries are found where river systems meet the ocean and interact with tidal flow. These highly productive biological areas provide spawning, nursery, and rearing habitat for a variety of wildlife including many of Oregon's fish and shellfish resources. These areas are subjected to pollution from the immediate shoreline, upstream sources and in some cases, from contaminated groundwater. Excess nutrients, bacteria, sediment, and toxic contaminants, often degrade estuarine water quality and diminish estuarine resources.

Marinas, houseboats, liveaboards, and shipyards, can contribute bacteria, nutrients, heavy metals, and toxic contaminants. Bacteria and nutrients can also be contributed from farms, confined animal feeding operations, on-site septic systems, waste treatment plants, and combined sewer overflows (CSOs).

Activities such as forest management and logging, recreational off-road vehicle use, and in-stream mining can contribute pesticides and heavy sediment loads which can damage estuarine habitat and effect navigation. Other sources of toxic contaminants include municipal and industrial discharges, CSOs, and stormwater runoff from industry and urban development.

Recommendation: Estuaries are fragile ecosystems that can be easily impacted by adjacent and upstream land uses and activities. A comprehensive planning approach is required to address the various sources of pollution problems found in estuarine environments. The unique attributes of estuaries may warrant implementation of a protective overlay zone requiring additional review of development and land use proposals.

Water quality problems in estuaries result from many different sources including; non-point sources, septic tank failures, TMDLs, wastewater treatment plant discharges and groundwater issues.

For requirements related to stormwater management, contact Barbara Priest at 229-5945. For CSO related issues, contact DEQ Municipal Waste section at 229-6099.

Nonpoint Source Planning

Issue: Nonpoint pollution has received increased attention based on recognition of the pollution loads contributed to the environment from these sources. Sources of non-point pollution include agriculture, forestry, on-site septic systems, and urban runoff that discharge pollution in the form of suspended solids, sediments, and nutrients. These pollutants enter surface water and groundwater in a diffuse manner and can effect water quality by increasing temperature or altering the pH level.

Recommendation: Coastal communities need to address water quality nonpoint source (NPS) control requirements stemming from Section 6217 of the Coastal Zone Management Act. All areas and land uses in the coastal zone will be required to control NPS pollution. This will be accomplished through application of enforceable management measures, including, where appropriate, local land use plan implementing ordinances.

All plans should discuss land use contributions to nonpoint sources of pollution as described by DEQ's 1988 Oregon Statewide Assessment of Nonpoint Sources of Water Pollution. Provisions in the plan should be made for mitigation of NPS pollution. The plan should address control of potential water quality nonpoint source impacts originating from construction sites and activities in riparian zones. Information may be obtained from Roger Wood at DEQ, 229-6893. For coastal communities additional information is available from Jeff Weber at DLCD's Coastal Management Program, 731-4065.

Oil Spill Contingency Planning

Issue: As mandated by Senate Bill 1039 DEQ must develop a comprehensive contingency plan for oil and hazardous materials spills for the Oregon coast and estuaries, the Columbia River, and the Willamette River to Willamette Falls.

Recommendation: The DEQ suggests that comprehensive plans recognize local and state responsibilities regarding oil spill planning. The plan should acknowledge the process triggered by notification of the Oregon Emergency Management Division (1-800-452-0311) that a spill has occurred. The Division notifies the designated county emergency manager and responsible state agency, for instance the DEQ for oil spills into waterbodies or the State Fire Marshall for spills on land. The party responsible for the spill is required to contact the National Response Center at 1-800-424-8802 which notifies affected federal agencies such as EPA or the Coast Guard.

Septic Tank Systems

Issue: On-site sewage systems are a rural technology approach to the treatment and disposal of sewage wastewaters. Specific soil and site criteria are necessary for these systems to function effectively. Residential properties that are less than approximately one-half acre in size may be inappropriate for on-site sewage systems because of public health and environmental concerns.

Recommendation: The plan should address the need for public sewerage facilities when development densities exceed two dwellings units (or equivalent) per acre, or when soil and site conditions prevent the use of on-site sewage treatment and disposal systems. Information regarding on-site sewage system failures is available from the DEQ, contact Sherm Olson at 229-6443.

Wastewater Treatment Systems

Issue: The DEQ is responsible for regulating sewage treatment and disposal facilities, which operate under either a National Pollutant Discharge Elimination System (NPDES) permit, or a Water Pollution Control Facilities (WPCF) permit. Although technology-based permit limits are still being incorporated into municipal permits, emphasis is now shifting toward water quality based permits. Permittees are expected to evaluate the impact of discharges on streams and to consider alternatives to discharges. As flows increase, the Department will expect the permittee to improve treatment efficiencies, so there is no net increase in waste loads discharged.

Recommendation: Jurisdictions should evaluate their land use plans with respect for the need to extend and provide public sewerage where smaller or less efficient wastewater treatment facilities may have limited capabilities for providing adequate service. If a facility is at or nearing capacity, or if water quality limits are not being met, consideration should be given to how water quality based standards will be satisfied through facility modification or upgrade. Non-discharge alternatives may be considered which would include the use of treated effluent for beneficial purposes such as land irrigation. The DEQ contact for information on wastewater treatment is Tom Lucas at 229-5065.

HAZARDOUS AND SOLID WASTE

Landfills

Issue: The capacity of the existing waste disposal site should be examined in relation to its ability to meet the demands of projected growth in residential population, business, and industry.

Recommendation: An analysis of future long term solid waste disposal options should be included in the plan. The analysis should consider the impact of the new Federal RCRA Subtitle D requirements on landfill operations. Jurisdictions should work together to evaluate near and long term disposal needs and options, including costs. The goal is to provide a fair and equitable system of waste disposal to everyone in the county. It is important to consider the impact of recycling and waste reduction programs on future disposal needs. For additional information from DEQ contact Jan Whitworth at 229-6434.

Solid Waste Collection and Disposal

Issue: Certain materials such as used oil, lead-acid batteries, vehicle bodies, large appliances, and waste tires are banned by statute from solid waste disposal sites.

Recommendation: The plan should address alternatives for handling these materials such as recycling. An example would be a collection and temporary storage area for waste tires at the local landfill, with provisions for periodic removal by a waste tire carrier to a processor or recycler.

It is also suggested that the plan include a policy to encourage alternatives to disposal of household hazardous waste in solid waste disposal sites and sewage facilities, such as collection facilities.

There should be a discussion on how "special wastes" may be disposed of, such as septic, infectious wastes, asbestos, waste tires, etc. It may be appropriate to include these in the land use plan if there is no separate solid waste plan or if the plan does not address special wastes. Questions can be directed to DEQ region staff: Dave Kunz 503-229-5061, Northwest Region; Bob Barrow 543 378-8240 ex 269, Western Region; and Linda Hayes-Gorman 541 388-6146 ex 228, Eastern Region.

Hazardous Substance Cleanup Sites (Existing and Potential)

Issue: One of the goals of the DEQ is to clean up sites which are contaminated with hazardous wastes, petroleum products, and other hazardous substances. A key step in this process is to identify and track contaminated sites. These tasks are the responsibility of DEQ's Waste Management & Cleanup Division.

Recommendation: DEQ believes that local governments should be aware of the existence of these sites within their jurisdictions and know how to get information about them. This information is especially relevant to local governments during periodic review of local comprehensive land use plans. Local governments may learn about real and potential hazardous substance contaminated sites within their boundaries by referring to one or more lists available through the Waste Management & Cleanup Division. A description of these lists follows:

Environmental Cleanup Site Information (ECSI) List: ECSI is an electronic filing system of sites in Oregon with contamination or potential contamination from hazardous substances. ECSI lists sites by county and/or alphabetically and provides general information about actions which have occurred at these sites. The ECSI list for your county is attached with a list of corresponding action codes and descriptions.

The Confirmed Release List (CRL) and Inventory: The CRL is a list of sites where a release of hazardous substances has been confirmed. In other words, contamination at the site has been substantiated. The Inventory is a list of sites with confirmed releases of hazardous substances which require further investigation and cleanup based on information obtained through preliminary assessments or equivalent reports. The CRL and Inventory provide key information about each site and are updated quarterly.

DEQ first adds sites that are or may be contaminated and may require cleanup to ECSI. Sites are added to the CRL and Inventory when DEQ determines they meet the respective criteria for listing as described above. Sites may be added to the CRL any time after they are added to ECSI; they may be added to the Inventory only after the preliminary assessment or equivalent is completed. Sites added to the Inventory are either already on the CRL or are added to both lists at the same time.

The UST Cleanup List: The Underground Storage Tank (UST) Cleanup list shows sites that have petroleum contamination as a result of leaking underground storage tanks, this list is updated quarterly.

The Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): The United States Environmental Protection Agency (EPA) also produces a nation-wide list of sites that may be contaminated by hazardous substances. The list is analogous to DEQ's ECSI. In most cases, sites in Oregon listed on CERCLIS will also be listed on DEQ's ECSI.

For further information about these lists or to obtain copies, contact the Waste Management Division at 503 229-5913.

Newforms.doc 7/98



March 5, 1999

TO: City of Stayton
FROM: Steven Santos, Periodic Review Liaison
SUBJECT: Periodic Review Evaluation and Work Program

To successfully develop and maintain a healthy community, which may include promoting manufacturing, services or other industries that grow and create quality employment opportunities in your jurisdiction into the future, the Oregon Economic Development Department requests that your city in its Periodic Review take note of the following points and responses:

Industrial Lands

Due to the occupancy level and the constraints due to the location of Salem's drinking water facilities in your industrial park and the growth in Stayton as a residential community, the City is encouraged to site additional serviceable industrial lands.

With regard to industrial lands, analyses should make critical and conservative assumptions about development potential. Issues such as topography, lot size, environmental constraints, appearance, public/private infrastructure or utilities, and actual, near-term access to public services must all be taken under careful consideration. Local plans should also account for the needs, benefits, and potential for reinvestment or expansions at existing sites, in order to properly conserve greenfield sites and address livability issues.

The Economic Development Department may be able to offer advice on specific sites, as well as general observations about state, regional and local factors affecting certain industries and commercial development. See attachment for contact information on economic data.

Infrastructure Development and Financing

Water and wastewater master plans and related capital improvement programs of the city should realistically accommodate potential development of existing and planned industrial and commercial properties. The siting of business retention, expansion or start-up projects leave little room for uncertainty or delays of more than six months. The provision of public services for such projects must contemplate these market pressures as well as the time constraints of

Exhibit L



regulatory and permitting processes. Plans for water and wastewater systems should also be based on the same projections and assumptions about growth as are used for all other plans and forecasts.

The actual provision of public services to a particular site or sites involves financial issues in addition to good planning and engineering. Although resources are much more limited compared to historic levels, especially for grant awards, the Economic Development Department may be able to extend financial assistance to local communities to upgrade or extend public infrastructure. These and other funding sources at the state and federal level have restrictions in terms of the amounts or circumstances in which they may be used. State lottery-funded support has included awards for "technical assistance," corresponding in many cases to planning tasks for public water/wastewater facilities and systems.

Local planners are encouraged to contact the Economic Development Department about state and federal funding sources. The incorporation of program parameters into local master plans and capital budgets will facilitate the accessibility of these funding programs.

Tourism and Other Issues

If appropriate, a strategy may be useful to effectively capitalize on opportunities for attractive recreational and commercial development connected with tourism, while also maintaining a community character desired by local residents. For more information contact Janet Porter, Tourism Development, 503-986-0004. Please also notify her with respect to work tasks addressing statewide planning Goal 8.

For further referrals to regional economic development staff, please feel free to contact your Regional Development Officer with the Economic Development Department. Please include the Regional Development Officer in mailings of Goal 9, Goal 10, Goal 11 and other notices related to economic opportunities and capacity.

NAME	BUSINESS ADDRESS	OFFICE PHONE	MOBILE PHONE	FAX NUMBER
Tom Fox	C/O SEDCOR 250 Commercial Street NE Salem, OR 97301	(503)588-6236	(503)580-2680	(503)588-6240

If you have other questions feel free contact me at (503)986-0102

Thank you.

GUIDANCE ON ECONOMIC, DEMOGRAPHIC AND SOCIAL DATA AND STATISTICS

Contacts & References:

Population and Local Economic Data

George Hough, Jr.
Center For Population Research & Census
Portland State University
P.O. Box 751
Portland, Oregon 97207-0751
(503) 725-5157 or 725-3922
george@upa.pdx.edu

Theresa Valentine, Manager
State Service Center for Geographic
Information Systems (GIS)
Department of Administrative Services
155 Cottage Street, NE
Salem, Oregon 97310
(503) 378-4163, FAX (503) 986-3242

Craig Smith, Administrator
Oregon State Data Center
State Library Building
Salem, Oregon 97310-1347
(503) 378-4277, Ext. 238
FAX (503) 588-7119

Bureau of the Census
Awareness and Products Program (CAPP)
U.S. Department of Commerce
Regional Office, Seattle, Washington
(206) 728-5314
Customer Services
(301) 726-4100; FAX (301) 763-4794

Employment, Wage and Poverty Level Information

Fred Klatz
Research, Tax & Analysis Division
Oregon Employment Department
875 Union Street, NE
Salem, Oregon 97311
(503) 947-1273
FAX (503) 947-1210

Tom Aston, Economist
U.S. Department of Housing and
Urban Development (HUD)
400 SW Sixth Avenue, Suite 700
Portland, OR 97204
(503) 326-2556, FAX (503) 326-3097

Attn: Inquiries & Correspondences
Bureau of Labor Statistics (BLS)
U.S. Department of Labor
P.O. Box 193766
San Francisco, CA 94119-3760
(415) 975-4350

U.S. Department of Labor
Employment and Training Administration
Labor Surplus Areas
(415) 975-4610

Government Publications

U.S. Government Bookstore
1305 SW First Avenue
Portland, Oregon 97201-5801
(503) 221-6217
FAX (503) 225-0563

Also, major libraries such as those
associated with colleges and universities

General Technical Assistance

State Economist
Office of Economic Analysis
Department of Administrative Services
155 Cottage Street, NE
Salem, Oregon 97310
(503) 378-3455
FAX (503) 373-7643

Art Ayre, Economist
Policy & Communication
Oregon Economic Development Department
775 Summer Street, NE
Salem, Oregon 97310
(503) 986-0101
FAX (503) 581-5115
Art.L.Ayre@State.or.us

State Labor Economist
Employment Department
875 Union Street, NE
Salem, Oregon 97311
(503) 378-2736
FAX (503) 373-7515

Arthur Fish
Enterprise Zone Coordinator
Program Development
Oregon Economic Development Department
775 Summer Street, NE
Salem, Oregon 97310
(503) 986-0140
FAX (503) 986-0145
Arthur.Fish@State.or.us

Bibliography:

Population Estimates of Oregon, July 1, 199x, Center for Population Research and Census,
School of Urban and Public Affairs, Portland State University, Portland, Oregon 97207-0751,
phone (503) 725-3922.

Oregon Covered Employment and Payrolls, Oregon Employment Department, Research Tax &
Analysis, 875 Union Street, NE, Salem, Oregon 97311, phone (503) 947-1266.

Summary Social, Economic, and Housing Characteristics, Table 9: Income and Poverty Status in
1989, 1990 Census of Population and Housing, Bureau of the Census, Economics and Statistics
Administration, U.S. Department of Commerce. Available from the U.S. Government Bookstore
or the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

Suggestions on Current Estimates by Census Statistical Units:

Most data on sub-state geographical areas that are more current than the 1990 Census are available only for incorporated cities (*e.g.*, population) and counties (*e.g.*, employment and income). You may want to create estimates of measures for smaller geographic areas by assuming a constant relationship between the measure for the smaller area and its larger surroundings for which updated data are available. For example, you may want to assume that, if a county's unemployment rate has increased by 10 percent (*e.g.*, from 8.0 to 8.8 percent) between 1990 and 1994, a particular area within the county has also had a 10 percent increase in its unemployment rate since 1990. However, this relies on the critical assumption that the relationship between the sub-county area and the county has not changed since 1990. The potential inaccuracy of this assumption must be weighed against the benefit of having a more current estimate of the sub-county area's unemployment rate.

Most data are reported without any reference to error ranges. It is wise to be aware that almost all data that you use will have some margin of error, whether or not such information is stated in the source documents.

Additional Background on Sources of Data:

(Some of the following information may become outdated.)

EMPLOYMENT AND WAGES

Oregon Employment Department - Publishes the following:

- Monthly labor force, employment, unemployment, and non-farm employment by industry data for most counties (several are included in metropolitan statistical areas (MSAs); unpublished data may be obtained for most cities greater than 15,000 population).
- Annual tables of monthly ES-202 covered employment and annual payrolls by county.
- Employment, payroll, and number of firms by size of firms—*i.e.*, number of employees.
- Estimates of agricultural employment and occupational employment.
- Monthly Oregon Labor Trends and Local Labor Trends, and
- Biennial Regional Economic Profiles.

"Labor Market Information Directory" highlights publications and resources.

Employment data are developed by the Oregon Employment Department using a monthly survey of Oregon households. The survey provides a high level of accuracy at the state level and a moderately high level of accuracy for the state's metropolitan statistical areas. However, the reliability of this information for other individual counties is comparatively low. The 1990 data come from the 1990 Census and reflect April 1990 unemployment conditions. These data, including the city-level data, should be considered quite reliable, but unfortunately they reflect a historical situation that may have changed substantially since 1990. There appears to be no inexpensive way to update these city-level data. Contact: Local office of Oregon Employment Department office, or Research, Tax and Analysis Section, Oregon Employment Division, 875 Union Street, NE, Salem, Oregon 97311, Phone 503-947-1266. Private consultants and university departments may be of assistance.

HOUSING

Portland State University Center for Population Research and Census (See "POPULATION" below) - Publishes monthly and year-to-date data for building permits by county and city, including number and values of permits for residential and non-residential construction and alterations. Also contact: Oregon Housing and Community Services, Planning and Development Division, 1600 State Street, NE, Salem, Oregon 97301-0302, Phone 503-986-2007.

INCOME

U.S. Department of Commerce, Bureau of Economic Analysis - Publishes annual "Local Area Personal Income" series by county. Includes personal income by major source and by industry, per capita personal income, farm income and expenses, and transfer payments.

For Oregon's counties and metropolitan statistical areas, the U.S. Department of Housing and Urban Development annually updates its median household income data (actually "family" income) by using inflation factors. Data are not updated for cities.

The 1989 data for percentage of persons below poverty level ("poverty incidence rate") come from the 1990 Census and reflect 1989 income conditions. These data, including the city-level data, should be considered quite reliable, but unfortunately they reflect a historical situation that may have changed substantially since 1989. There appears to be no inexpensive way to update these city-level data.

Contacts: Bruce Weber, Oregon State University, 541-373-1432; Karen Seidel, University of Oregon, 541-346-5235; Bureau of Labor Statistics, U.S. Department of Labor, P.O. Box 193766, San Francisco, CA 94119-3760, 415-975-4350, or the Regional Economic Measurement Division, Bureau of Economic Analysis, U.S. Department of Commerce BE-55, Washington, D.C. 20230, Phone 202-523-0966. Private consultants may also be of assistance.

INTERNATIONAL TRADE

"Customs District Trade Flow Tables" for the Columbia-Snake Customs District are available around April following year end for at least \$50.00 each for export and import series. Includes commodity values by origin and destination. All data are at the customs district or foreign country level, but may give an idea of trends and opportunities in international trade. Contact: Gary Finseth, Trade Stats Northwest, Phone 503-297-6370.

POPULATION

Portland State University Center for Population Research and Census - Publishes annual population estimates for July 1 of each year by county and incorporated city and total non-incorporated area, population estimates by age group (5-year cohorts) and sex for each county, and county-level migration estimates. Also updates figures for purposes of annexations by incorporated cities. Provides special runs on Census tapes (1990 is most recent available) for a fee, and performs research projects for a fee. Contact: Center for Population Research and Census, School of Urban and Public Affairs, Portland State University, Portland, Oregon 97207-0751, Phone 503-725-3922.

U.S. Department of Commerce Bureau of the Census - Publishes: decennial census data; population and per capita money income estimates by county and incorporated city (published irregularly); survey of services, wholesale and retail trade (in years ending with "2" or "7"); and annual County Business Patterns (employment, payroll, and size of firm data).

PUBLIC ASSISTANCE

Adult and Family Services (AFS) - Publishes monthly "Blue Book" that tallies, by county and by Adult and Family Services branch, caseloads and person counts for food stamps, emergency assistance, aid to dependent children, and employment-related child care. Not available as an annual summary, but figures do not change greatly from month to month so an average of several months is a good approximation of an annual average. Contact: Research and Budget Section, Adult and Family Services, Department of Human Resources, 500 Summer Street, NE, Salem, Oregon 97310-1013, Phone 503-945-6154, <http://www.afs.hr.state.or.us/faru.html>.

TAXES

Oregon Department of Revenue - Publishes property tax data by county and by district (in supplement issue), personal income tax data by county, and corporate income tax data at the state level. Contact: Craig Fisher, Oregon Department of Revenue, Research Section, Room 452 Revenue Building, 955 Center Street, NE, Salem, Oregon 97310, Phone 503-945-8384.

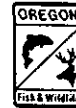
TOURISM

Oregon Economic Development Department - Publishes results of annual survey of economic impact of tourism with county level tourism expenditure data for a fee. Contact: Tourism Division, Oregon Economic Development Department, 775 Summer Street, NE, Salem, Oregon 97310, Phone 1-800-547-7842.

DEPT OF

MAR 09 1999

LAND CONSERVATION AND DEVELOPMENT



DEPARTMENT OF
FISH AND
WILDLIFE

HABITAT
CONSERVATION
DIVISION

March 4, 1999

Jim Knight
Department of Land Conservation and Development
635 Capitol Street NE, Suite 200
Salem, OR 97310

RE: City of Stayton Periodic Review Notice

Dear Jim:

The Department has reviewed the comprehensive plan for the city of Stayton to determine if any amendments would be necessary during periodic review to address protection of significant fish and wildlife habitat. Our review indicates that there are several issues we would like to work with the city to address during their periodic review. Please include our comments in the periodic review notice for the city.

The city needs to update its inventory and protection programs for sensitive fish and wildlife sites, riparian corridors and wetlands to address the new Goal 5 requirements. We understand that Stayton has already completed its wetland and riparian corridor inventory. The city would need to complete the Goal 5 process for these resources including adoption of an implementing ordinance.

Protection of wetlands and riparian vegetation is of particular interest to our agency. Riparian vegetation is very important to protect fish and wildlife habitat and to promote stability of the streambank. For fish, riparian vegetation provides shade and cover, helps to regulate temperature, and provides food sources. A disproportionate number of wildlife species also use riparian vegetation during at least a portion of their life cycle.

The North Santiam is a significant fish and wildlife resource and riparian habitat within the city of Stayton that supports native winter steelhead, cutthroat trout, and spring chinook. Mill Creek, Stayton Water Ditch, and Salem Water Ditch also run through the city and are fish-bearing. These resources have all been identified in the recently completed wetlands and riparian inventory. Other significant wildlife habitats in the area include Garren Island and Stayton Island. Flooding issues and limiting development and fills within the 100-year floodplain also need to be addressed.

John A. Kitzhaber
Governor



2501 SW First Avenue
PO Box 59
Portland, OR 97207
(503) 872-5255
FAX (503) 872-5269
TDD (503) 872-5259
Internet WWW: <http://www.dfw.state.or.us>

Exhibit M

Jim Knight
March 4, 1999
Page 2

Thank you for the opportunity to provide input on the periodic review notice for the city of Stayton. Please contact me at (503) 872-5255 ext. 5593 if you have any questions regarding our comments.

Sincerely,



Patricia Snow
Land Use Coordinator
Habitat Conservation Division

c Bill Fujii, WRD
Dave McAllister
Will High, Salem
Dana Field, DSL
Tom Murtagh, Salem



Oregon

John A. Kitzhaber, M.D., Governor

Parks and Recreation Department

State Historic Preservation Office

1115 Commercial St. NE

Salem, OR 97310-1001

(503) 378-5001

FAX (503) 378-6447

DATE: February 16, 1999

TO: Mark Radabaugh
Department of Land Conservation and Development

CC: Henry Porter
Mayor of Stayton

Sterling Anderson
Marion County Planning Director

FROM: Dave Skilton D,
State Historic Preservation Office

SUBJECT: City of Stayton Periodic Review

These comments reflect local government responsibilities to protect locally designated historic properties and historic properties of statewide significance under OAR 660-023-200. The rule defines historic properties of statewide significance as those properties listed individually on the National Register of Historic Places or within the boundaries of National Register Historic Districts.

The following property in Stayton is listed individually on the National Register of Historic Places:

HISTORIC NAME	STREET	CITY
PARIS WOOLEN MILL	535 EAST	STAYTON

The city has an ordinance to protect historic properties consistent with the suggestions in OAR 660-023-200, (7). I would be glad to assist them in the preservation of any historic properties important to the community.

I can be reached at (503) 378-4168, x260, fax (503) 378-6447.

Buildable Land and Housing Analysis

Adopted May 24, 1999
by the Stayton City Council

Project Manager: Kami Teramura, City Planner
Consultants: Brandon Nevers, Kittelson & Associates, Inc. and
John N. Morgan, AICP, Planning Consultant

Overview

The buildable lands inventory process has been performed in accordance with the draft Planning for Residential Growth - A Workbook for Oregon's Urban Areas (January 24, 1997) prepared by the Oregon Department of Land Conservation and Development (DLCD). The workbook instructs communities on how to conduct a buildable lands inventory and provides a step by step approach to ensure compliance with statewide planning requirements such as House Bill 2709 and Statewide Planning Goals 10 and 14. The following sections provide a summary of the tasks and results.

I. INVENTORY SUPPLY OF BUILDABLE RESIDENTIAL LAND

The purpose of this task was to calculate the number of acres of buildable residential land in each residential plan designation within the existing City Limits and Urban Growth Area. Data for this analysis was obtained from information downloaded from Marion County's assessors maps. A list of key terms and assumptions, as well as a summary of the step by step process follow.

Key Terms and Assumptions:

- Total Acreage-** Residential property that either contains an existing residential use, is vacant, could include infill development, or could redevelop.
- Improved Land-** Land that includes an existing housing structure.
- Vacant Land-** Residential land that is not improved or residential land larger than 1.0 acre in area. A reduction of 30 percent is made for future public facilities (streets, utilities, etc.) to calculate net buildable vacant land. The reduction is based on current improvement standards within the City.
- Infill Land-** Residential land that is improved with a single family residence and is larger than 16,000 sf. Assumes that properties which are twice the size of the 8,000 sf. minimum lot size requirement will be partitioned at some time in the future into two or more lots. The Council found that infill land should not be counted toward buildable land because it is unlikely that many of these properties will ever be partitioned.
- Redevelopable Land-** Residential land that is improved and has a higher property value than an improvement value.

Methodology

Based on land use data provided by Marion County, property characteristics were identified for each tax lot within the urban growth boundary including the tax lot's zoning, size, and housing type. Additionally, supplemental information from the City of Stayton was obtained for tax lots that are unbuildable due to the presence of wetlands, floodplains, and/or steep slopes. After the property characteristics were summarized for each tax lot within the urban growth boundary (UGB), the residential tax lots were reviewed to determine the amount of vacant land, infill land, and redevelopable land available, and the portion of unbuildable land was subtracted from the totals. The amount of buildable residential land was determined by the following equation:

$$\text{Buildable Land} = \text{Vacant Land} + \text{Infill Land} + \text{Redevelopable Land}$$

A summary was then performed to determine the amount of buildable residential land that is available for each zoning type for land inside and outside the city limits. The following list includes the zoning designations that were included in the summary:

- Low Density Residential (not to exceed 6 units per acre)
- Medium Density Residential (not to exceed 12 units per acre)
- High Density Residential (no less than 13 units per acre)
- Commercial
- Industrial
- Public

Results of the inventory are provided in Table 1 and Table 2 below.

Zoning Designation	Residential Acreage	Vacant Land	Infill Land	Redevelopable Land	Net Buildable Residential Acreage	Amount Buildable (%)
Low Density	580.9	134.6	66.7	4.4	139.0	23.9%
Medium Density	152.9	22.5	35.6	2.3	24.8	16.2%
High Density	32.5	0.8	2.2	0.0	0.8	2.5%
Commercial	25.3	0.0	0.0	0.0	0.0	0.0%
Industrial	12.6	0.0	0.0	0.0	0.0	0.0%
Public	6.3	0.0	0.0	0.0	0.0	0.0%
TOTAL	810.5	157.9	104.5	6.7	164.6	20.3%

Table 2. Supply of Buildable Residential Land Inside the Urban Growth Area (Acreage)

Zoning Designation	Residential Acreage	Vacant Land	Infill Land	Redevelopable Land	Net Buildable Residential Acreage	Amount Buildable (%)
Low Density	801.6	540.8	20.4	0.0	540.8	67.5%
Medium Density	120.7	53.5	0.0	0.0	53.5	44.3%
High Density	0.0	0.0	0.0	0.0	0.0	0.0%
Commercial	0.0	0.0	0.0	0.0	0.0	0.0%
Industrial	0.0	0.0	0.0	0.0	0.0	0.0%
Public	0.0	0.0	0.0	0.0	0.0	0.0%
TOTAL	968.3	594.3	20.4	0.0	594.3	61.4%

Findings

Approximately 20 percent of the total residential zoned land within the city limits is available for development. 23 percent of the Low Density zoned land and 15 percent of the Medium Density zoned land is vacant. There is practically no buildable land remaining in the High Density Residential zone.

II. DETERMINE ACTUAL DENSITY/MIX OF HOUSING

The purpose of Task 2 was to determine the actual density and the actual mix of housing development since the last periodic review.

Overview

The housing density/mix analysis was performed using the County's assessors data that was obtained for Task 1. Property code and property class values from the County's data set were utilized in order to determine the number of housing units with the City Limits and Urban Growth Area. The number of housing units were identified for each of the following housing types:

- Single-family detached housing,
- Multi-family housing (duplexes, triplexes, apartments),
- Manufactured housing (on individual lots and within parks), and
- Government assisted housing (below market-rate housing).

Government assisted housing is not a specific housing type, but jurisdictions must make provisions for government assisted housing in their comprehensive plans and ordinances. All of the government assisted housing identified in Stayton is multi-family.

Methodology

For each tax lot the zoning designation, number of housing units, housing type, and density were identified or calculated. From this the total number of units of each housing type and the total net acres of land used for each housing type were determined. The total number of units was divided by the total net acres to obtain the average actual net density for each housing type. Table 3 provides the number of housing units by housing type for each zoning designation or housing mix. Table 4 summarizes the total acreage of each housing type, and Table 5 shows the average actual net density of all housing types.

Table 3. Number of Housing Units by Housing Type Inside the City Limits					
Zoning Designation	Single-family Detached	Multi-family Housing	Manufactured Housing	Government Assisted	TOTAL Units
Low Density	1175	54	22	0	1251
Medium Density	176	264	129	84	653
High Density	40	207	24	160	431
Commercial	93	105	1	0	199
Industrial	9	0	2	0	11
Public	1	0	1	0	2
TOTAL	1494	630	179	244	2547

Table 4. Total Acreage of Housing Types Inside the City Limits

Zoning Designation	Single-family Detached	Multi-family Housing	Manufactured Housing	Government Assisted	TOTAL Acreage
Low Density	339.4	5.6	9.2	0.0	354.2
Medium Density	48.1	27.5	25.5	6.7	107.8
High Density	8.1	12.4	1.3	8.8	30.6
Commercial	18.8	5.1	1.0	0.0	24.8
Industrial	4.3	0.0	3.0	0.0	7.3
Public	1.1	0.0	2.4	0.0	3.5
TOTAL Acreage	419.8	50.6	42.4	15.4	528.2

Table 5. Average Net Density of All Housing Types Inside the City Limits

Zoning Designation	Single-family Detached	Multi-family Housing	Manufactured Housing	Government Assisted Housing	Average Net Density per Zoning Designation
Low Density	3.5	9.6	2.4		3.5
Medium Density	3.7	9.6	5.1	12.6	6.0
High Density	4.9	16.7	18.0	18.3	14.1
Commercial	4.9	20.8	1.0		8.0
Industrial	2.1		0.7		1.5
Public	0.9		0.4		0.6
Average Net Density per Housing Type	3.6	12.5	4.2	15.8	4.8

Findings

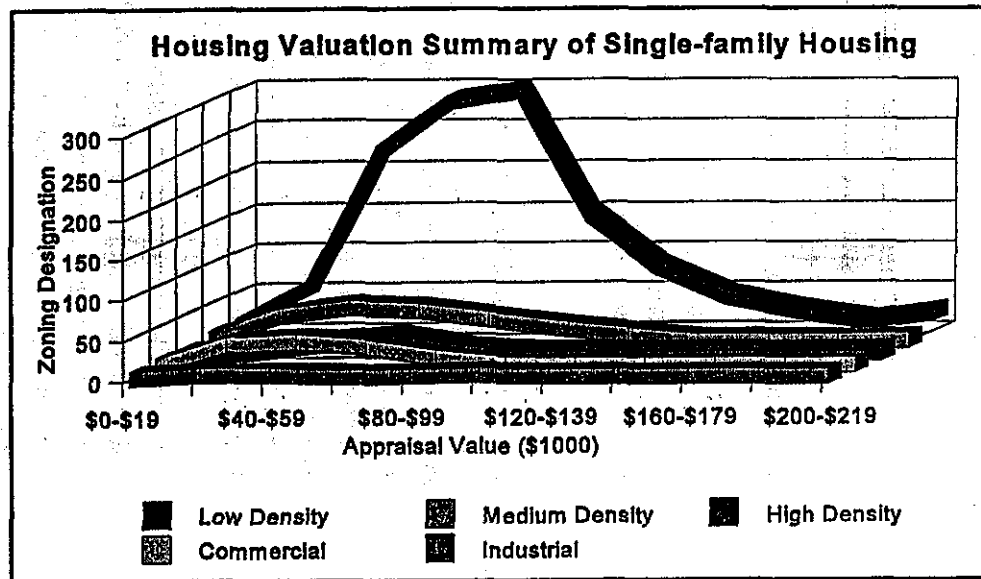
Density of development within the three residential zones has notably increased since the last periodic review of the Stayton Comprehensive Plan. Projected densities for the three zones are 4.0 units per acre in the LD zone, 8.0 units per acre in the MD zone, and 16.0 units per acre in the HD zone.

Housing Valuation Summary

A housing valuation summary was performed for all single-family homes within the Stayton UGB per the request of the Stayton City Council. Summary data is the *appraised improvement value* of each home as indicated in the information obtained from Marion County Assessors. Table 6 shows the results of the valuation summary.

Table 6. Housing Valuation Summary for Single-family Housing in Stayton

Zoning Designation	Improvement Appraisal Values (\$1000)										
	\$0-\$19	\$20-\$39	\$40-\$59	\$60-\$79	\$80-\$99	\$100-\$119	\$120-\$139	\$140-\$159	\$160-\$179	\$180-\$199	\$200-\$219
Low Density	8	53	220	281	294	144	78	40	23	10	21
Medium Density	6	33	43	39	28	17	8	0	0	0	2
High Density	0	2	12	21	5	0	0	0	0	0	0
Commercial	2	27	30	23	10	1	0	0	0	0	0
Industrial	0	3	3	0	1	2	0	0	0	0	0
Public	0	0	0	0	1	0	0	0	0	0	0
TOTAL	16	118	308	384	339	164	86	40	23	10	23



III. CONDUCT A HOUSING NEED ANALYSIS

Overview

The Housing Need Analysis is intended to determine the amount and type of new housing necessary to meet projected population increases. The resulting housing projections have two purposes:

- First, the housing projection equates into a buildable land need projection that will be used in the urbanization element of the plan update.
- Second, the analysis and projection will help set housing policy for Stayton to guide the Commission and Council in providing for all housing needs.

The Analysis has three parts:

- Inventory of existing housing stock and trends.
- Determination of future housing needs by type.
- Analysis of housing affordability.

Background and Inventory

Stayton's housing inventory is marked by a solid percentage of housing in the mid-sized and mid-valued levels. The Community has many neighborhoods of predominately working-class housing built in the middle part of the 20th century. This housing stock is in generally good shape. It continues to serve the working-class/middle-income population that is employed in the City's industrial and service sectors, in resource based industries throughout the Santiam Canyon, and in industrial and service employment in Salem.

Stayton's housing market is directly tied to the regional housing market in the Mid-Willamette Valley, which is anchored by the Salem/Keizer market. Stayton is close enough to Salem to help serve the Salem/Keizer market as is evidenced by high levels of commuting. At the same time, Stayton is a magnet for commuters from Salem and other surrounding communities who work at the City's various industrial plants.

With the widening of Highway 22 to a full four lane divided limited access highway in mid-1998, the connection between Stayton and Salem/Keizer becomes even quicker making Stayton more attractive as a housing choice within the regional housing market.

Stayton's population projection anticipates a 39% growth in the city over the next 20 years. The table below shows the growth over the last decade, and the projection to 2020. This projection is coordinated and jointly adopted with Marion County. It is derived from the officially adopted

County population projection developed by the Oregon State Economist and represents the City's "allocation" of the projected future county population. This allocation is based on forecasts of Stayton's capacity and potential for growth.¹

Stayton Population Growth (1990 - 2020)						
Year	1990	1995	1996	1997	1998	2020
Population	5011	5905	6035	6290	6655	9250
Increase		894	130	255	365	2595
Percentage		18%	2%	4%	6%	39%

An important element of the local housing inventory is the split between housing types. This split shows the relationship between single family, multi-family, and manufactured housing. It demonstrates how the market has responded to demand over time.²

Stayton Housing Split (1998)	
Single Family	1,494
Multi-Family Units	874
Manufactured Homes	179
Manufactured Homes in Parks	152
Manufactured Homes on Lots	27
TOTAL	2,547

The comparison of Stayton's single family versus multi-family split to Salem and Keizer shows that Stayton has less single family units as a percentage of all housing units.³ In this analysis, manufactured housing is added into the single family and multi-family totals based on whether the housing is in parks or on lots.

It is surprising that Stayton has a higher percentage of multi-family housing given Stayton's size and "small-town" character compared with the Salem/Keizer urban area which is approximately

¹ Marion County Coordinated Population Projections, 1998 and Portland State University Center for Population Research and Census.

² Marion County Assessors Records, 1998.

³ Source: Marion County, City of Salem, City of Keizer, and City of Stayton Planning Department Records.

20 times larger. A significant amount of multi-family housing has been constructed over the last three years. The increase of this housing type has brought the City closer to achieving the 60/25/15 split among low/medium/and high density zones that was assumed in 1979 and 1991.

Stayton Housing Mix (1998)		
	Single Family	Multi-Family
Salem	67%	33%
Keizer	70%	30%
Stayton	60%	40%

Based on the current housing mix, and reflecting the current persons per household level of 2.7⁴, the following 20 year housing need projection can be made:

Stayton Housing Need Projections <i>assuming straight line projection</i>			
	1998	2020	New Units
Population	6655	9250	2595
Single Family Units	1521	2098	577
Multi-Family Units	874	1200	326
Manufactured Homes	152	210	58
TOTAL	2547	3508	961

However, this projection must be modified to reflect changing household sizes. It is common in communities throughout Oregon to see household sizes go down as the number of single parent families increases, as well as the number of childless families. Consistent with other jurisdictions in the area, it is projected that at 2020, the average housing size shall go down from 2.7 to 2.4 persons per dwelling unit. Using this revised figure, the following housing need projections are made:

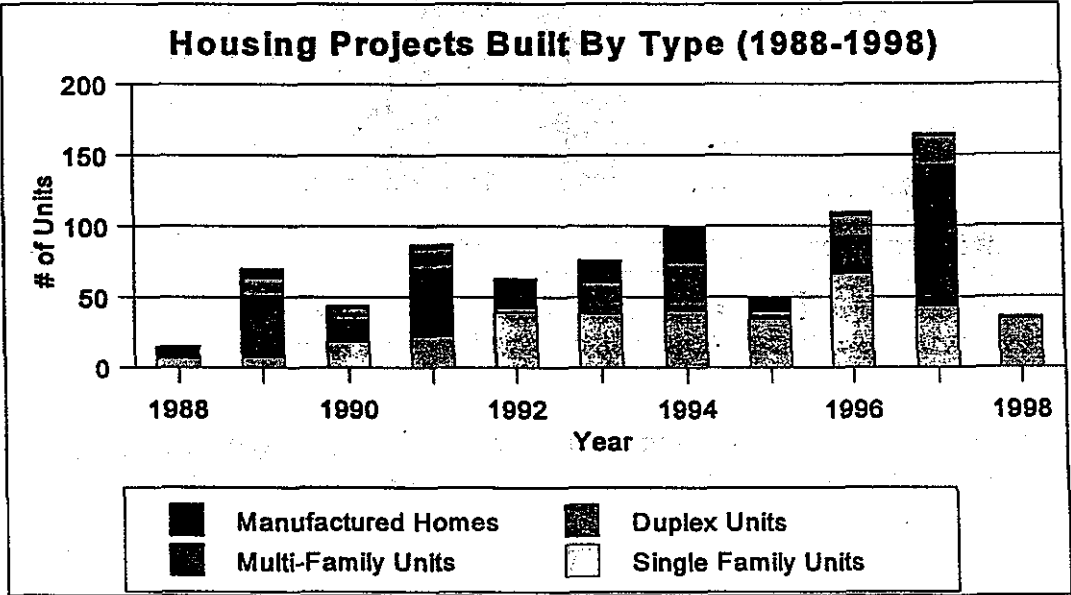
⁴ 1990/1996 Demographic Report, Stayton, Oregon, CACI, Inc., 1998

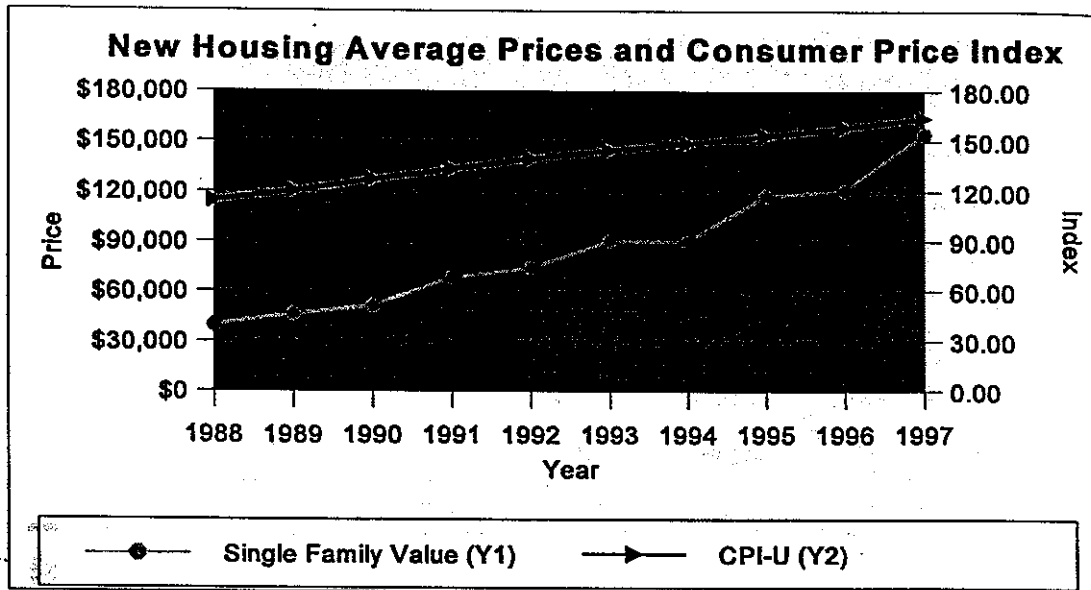
Stayton Housing Need Projections
assuming reduced family size from 2.7 to 2.4/du

	1998	2020	New Units
Population	6655	9250	2595
Single Family Units	1521	2170	649
Multi-Family Units	874	1242	368
Manufactured Homes	152	217	65
TOTAL	2547	3629	1082

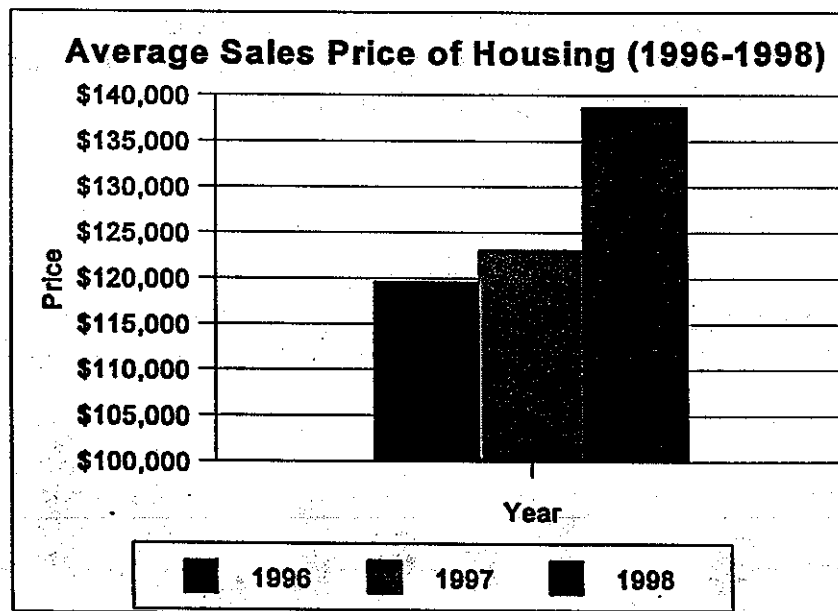
Forecasting Housing Affordability

Stayton has a changing housing market. It has seen a significant increase in housing starts over the decade, while at the same time has seen a significant increase in the cost of new housing. The first table below tracks building permit data since 1988. The second shows the average cost of new single family homes as reported with building permit applications. It is contrasted with the Portland/Salem Consumer Price Index (CPI-U) for the same period.





Data on the average price of all sales of housing is only available for three years. But it shows high sale prices as well.⁵



The bulk of the existing housing stock in Stayton is less than 2000 square feet in area, with a total of 83% of all housing in these sizes, as is shown in the table and chart below:⁶

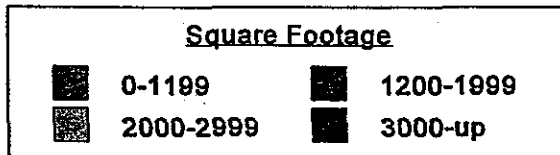
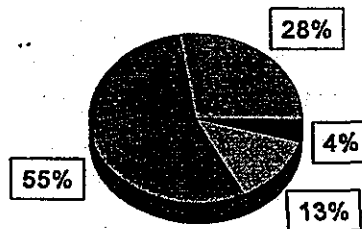
⁵ Willamette Valley Multiple Listing Service, "Valley Real Estate Prices", 1999

⁶ Marion County Assessor's Office, 1999

Existing Housing Stock in Stayton (1998)

Square Footage	# Homes	Average Value
0-1199	416	\$85,593
1200-1999	829	\$120,211
2000-2999	197	\$160,656
3000-up	64	\$216,174

Percentage of Single Family Dwelling Units by Average Size



Using approximate averages, this data shows an average value per square foot of \$60 to \$80 per square foot for houses ranging from 1,200 to 2,999 square feet. This contrasts, however, with information derived from newspaper classified advertisements and from interviews with Realtors. These sources indicate that housing on the market is priced at \$75 to \$90 per square foot regardless of age.

Stayton's housing needs are defined by the needs of its citizens in relation to their income. The table below contrasts Stayton's demographic profile with the balance of Marion County⁷:

⁷ 1990/1996 Demographic Report, Stayton, Oregon, CACI, Inc., 1998
1990/1996 Demographic Report, Marion County, Oregon, CACI, Inc., 1998

Demographic Profile Comparison of Stayton and Marion County

Characteristic	Marion County	Stayton
Population		
1990	228,483	6,331
1997	259,903	7,038
Percent Change	13.8%	11.2%
Median Household Income		
1990	\$26,876.00	\$34,422.00
1996	\$27,336.00	\$35,098.00
Percent Change	1.7%	2.0%
1990 Occupation		
Manager/Professional	25.2%	19.2%
Tech/Sales/Administrative	29.8%	28.0%
Total White Collar	55.0%	47.2%
Service	15.0%	16.8%
Farming/Forestry	5.9%	7.1%
Craft and Repair	10.4%	11.1%
Operator/Inspector	5.9%	7.6%
Transportation/Moving	4.0%	5.9%
Laborer	3.9%	4.4%
Total Blue Collar	45.1%	52.9%
1990 Household Types		
Married Head	56.2%	63.5%
Single Head	13.7%	12.3%
Nonfamily	30.0%	24.2%

1990 Occupancy Status		
Owner Occupied	60.4%	67.0%
Renter Occupied	35.7%	28.7%
Vacant	3.9%	4.3%

This information reveals the following about Stayton compared to the balance of Marion County:

- Stayton has not grown as fast.
- Stayton has a significantly higher median average income.
- Stayton has a higher percentage of "blue collar" jobs.
- Stayton has a higher percentage of traditional family households.
- Stayton has a higher rate of home ownership.

Two significant factors may change the 1990 data in the 2000 census:

- Housing opportunities are becoming more constrained and housing costs are significantly increasing in the Salem/Keizer market, making surrounding communities more desirable for establishing households.
- Highway 22 has been improved making Stayton a more desirable location for purchasing housing and establishing households for those working in the Salem/Keizer market that can afford the commuting costs.

Research to determine the affordability of Stayton's housing in relation to the Community's demographics included interviews with brokers from local real estate firms, field visits throughout the City, a review of building permit records, review of sale and price trends, and discussions with property managers.⁸ These economic factors become evident from the interviews, data, and statistics:

⁸ Sources: Interviews with Ken Howe, Prudential Real Estate Professionals; Bron Herrod, Century 21 Cascade Properties; George Gershpaecher, Glen Bradley, Commonwealth Management; Bobby Taylor, Coldwell Banker Mountain West; Debbie Epley, Marion County Housing Authority; Leslie Hogeval, Mid-Willamette Valley Council of Governments; Bernadette, Norpac; "Stayton Mail"; "Statesman-Journal"; Willamette Valley Multiple Listing Service; US Department of Labor, Bureau of Labor Statistics; Marion County Assessor's Office.

- Based on a median income of \$35,098, the median annual cost of housing, based on HUD standards, should be \$11,758 or \$980 per month. Assuming two thirds of the cost of housing is rent or mortgage payments, those payments should average \$653.
- According to the property management companies and a review of real estate ads in the local newspapers, rental rates for both apartments and houses average \$500 to \$700 per month.
- A \$653 monthly payment will support a mortgage principal of \$93,500, assuming a conventional mortgage at 7.5% interest for 30 years. If a 20% down payment is made, this equates to a purchase price of \$116,875.
- According to local Realtors, the average price for sale of an existing home is \$120,000 to \$130,000. The average price for new homes is \$155,000. In 1998, the average price for the sale of all homes was \$138,722.⁹
- Housing prices on the current market are significantly higher on a square foot basis than the average square foot value of all housing.
- Over the course of the last decade, the average price of new housing has gone up more than twice as fast as the cost of living.

Conclusions

- Stayton's housing needs will require a 42% increase in housing units over the next 20 years.
- The current housing mix is appropriate to be maintained over the next two decades.
- Rental housing is available on the housing market.
- Most new single-family housing is being priced at the higher ends of the local housing market, with very little housing being built at price points appropriate for the median or lower ends of the housing market. Therefore, individuals who fit into these segments of the housing market are either being priced out of the new housing market or are purchasing single-family homes that strain their financial means.

⁹ Willamette Valley Multiple Listing Service, "Valley Real Estate Prices", 1999

- The market is currently in an inflationary mode, with the per square foot value of houses on the market being significantly higher than all housing on the average. This is indicative of a constrained supply.
- The rental market in both apartments and houses is being served with housing averaging at appropriate levels and in appropriate amounts to meet local needs.

Recommendations

Summary

1. Assure the provision of land to accommodate the needed housing types.
2. Reduce the minimum residential lot sizes to 6,000 square feet.

Discussion

This housing need analysis shows the City should “stay the course” in the provision of housing, with the exception of addressing the reasons why housing is not being provided for sale at prices affordable at the lower ends of the market. The lack of housing in this price range greatly limits the person or family entering the housing market for the first time. It has long been the position of the City Council to encourage home ownership as a means to help assure stable, healthy, and “family-friendly” neighborhoods. Yet, for many families the cost of entering into home ownership is too great in Stayton.

As the City cannot dictate the price of housing to be built in the Community, it must look at the factors that influence the cost of housing, and identify those over which the City may have some influence.

Many elements of the cost of housing are outside of the City’s influence. These include the costs of materials and labor, the cost to borrow money, and the profitability of the homebuilder and developer. Others, however, the City can influence. These include the cost of infrastructure improvements, building code requirements, permitting fees, system development charges, and the price of land.

This report does not recommend the City adjust any of the first four elements. The standards for the development of infrastructure that the public will own and maintain, and the standards for the sound construction of housing, are areas that help assure the quality and safety of the Community, and that provide the best long-term value to the City and the home buyer.

This report does not recommend the City reduce its fees and charges. Even though the City’s SDC’s were recently increased 43% from \$6,430 to \$9,185 per dwelling unit, these fees and

charges represent the direct cost of providing the service. To lower them would mean that the cost of providing these services would partially transfer from the benefactor of the service to the general taxpayer. The Council in adopting these fees and charges made the deliberate decision to have the developer, builders, and ultimately, home buyer carry these costs. This report will not challenge that position.

This leaves the cost of land as the variable over which the City can have influence in addressing housing affordability. There are two factors in the cost of land:

1. The availability of buildable land, and
2. The fixed costs of land development.

The buildable land analysis will determine the amount of land needed to provide for the housing needs of the City given certain land consumption assumptions plus a 20% market surplus based on "needed acreage". If the amount of available buildable land is unduly constrained, then the price of raw ground goes up due to the laws of supply and demand. Using a 20% market surplus factor helps to assure there will always be a supply of vacant buildable land that will help to not artificially inflate the price of land.

The second factor is the fixed costs that apply to land. The cost of extending infrastructure and streets to and throughout a development, the cost of planning and processing a project, and the costs of raw ground get spread among the homes that are created. Obviously, the fewer the homes to absorb the fixed costs, the higher the cost per dwelling unit. This helps to drive up the price of the housing.

This study recommends the reduction of the City's minimum lot sizes, which currently are a 10,000 square foot minimum for lots east of Tenth Avenue and 8,000 square feet west of Tenth. These large minimums yield developments of approximately 3.5 and 4.5 dwelling units per acre respectively. In order to help provide affordable housing, this report recommends a density standard that will produce new housing developments in the 5.5 to 6.5 dwelling units per acre range. Assuming a fixed cost for land and improvements to \$60,000 per acre, this can yield a savings of \$6,000 to \$9,000 per new dwelling unit.

This per lot savings can make a significant difference in the number of people who can enter home ownership. It will help to keep all housing affordable by increasing housing opportunities by effectively making more land available and by lowering the cost per lot to develop.

**IV. IS NEEDED DENSITY THE SAME AS OR LESS THAN ACTUAL DENSITY?
IS NEEDED MIX THE SAME AS ACTUAL MIX?**

The actual density and mix of housing that has been realized in Stayton since the last periodic review is compared against the Community's needed density and mix of housing. Estimates for the needed number of units and net density forecast for each plan designation within the City are shown below in Tables 8 and 9.

Housing Mix

Table 7 compares the actual housing mix with the future needed housing mix.

Table 7. Actual Housing Mix vs. Needed Housing Mix in Stayton			
Housing Type	Actual Housing Mix	Needed Housing Mix	Difference
Single-family detached	60%	60%	0%
Manufactured Homes in parks	6%	5%	1%
Multi-family (plexes, condos, etc.)	34%	35%	1%
TOTAL	100%	100%	N/A

There is only a slight variance between actual housing mix and the needed housing mix in Stayton.

Table 8. Estimate of Needed Housing Units by Structure Type				
Plan Designation				
Housing Type	Needed Units	Low Density	Medium Density	High Density
Single-family detached	649	649		
MnPd Housing in Parks	54*		54	
Apartments	253*			253
Single-family Attached	126*		126	
TOTAL	1082	649	180	253

* Adjusted the 1% difference identified in Table 7 in order to obtain the needed housing mix.

Net Density

Table 9 compares the actual net density for specific housing types with the needed net density ranges and density goals identified in the Stayton Comprehensive Plan.

Table 9. Estimate and Comparison of Land Needs by Housing Type							
Housing Type	Needed Units	Forecast- ed Net Density	Land Needed in Acres	Actual Net Density	Land Needed in Acres	Density Goal	Land Needed in Acres
Single-family, detached	649	4 to 8	162.25 to 81.13	3.5	185.43	6	108.17
Mnfd Homes in Parks,	54	6 to 12	9.00 to 4.50	5.1	10.59	12	4.50
Apartments	253	16 to 24	15.81 to 10.54	16.7	15.15	16	15.81
Single-family, attached	126	9 to 15	14.00 to 8.40	9.6	13.13	12	10.08
TOTAL	1082	5.2 to 10	201.06 to 104.57	4.7	224.00	7.8	138.56

Summary

The average actual net densities for single-family detached homes, single-family attached homes, and manufactured homes in parks fall short of the density goals for each zoning designation identified in the Stayton Comprehensive Plan. This is partly due to the minimum lot size requirements and setback requirements of the LD and MD zones which make it difficult to develop the land in a more efficient manner. The solution proposed under discussion in Section III is to reduce the minimum lot size requirement in the low density residential zone to 6,000 square feet and to reduce the minimum lot size requirements in the higher density zones even further. Another solution might be to allow for higher densities of development within Planned Unit Developments than is typically allowed in the subject zone designation. For example, a Planned Unit Development would be permitted to achieve a maximum density of 9 units per acre rather than the 6 units per acre currently allowed in the LD zone. Either solution requires amendments to policies within the Stayton Comprehensive Plan and Land Use Ordinance.

V. DO THE CITY LIMITS CONTAIN ENOUGH BUILDABLE LAND AT ACTUAL DENSITIES?

The purpose of this task was to discern whether the city limits contain enough buildable land to accommodate a twenty-year housing need at target densities.

The inventory demonstrates a supply of approximately 270 net buildable residential acres within the city limits. Approximately 96 percent of this total buildable land (158 acres) is identified as vacant land. Table 10 is a comparison of land needed and buildable acres for each zone.

Table 10. Comparison of Amount of Land Needed and Buildable Acres per Residential Zone

Plan Designation	Needed Acres	Buildable Acres	Difference	Additional Acres Needed
Low Density	108.17	139.0	-30.83	0
Medium Density	14.58	24.8	-10.22	0
High Density	15.81	0.8	15.01	15.01
TOTAL	138.56	164.6	-26.04	15.01

Summary

Table 10 demonstrates that enough Low Density and Medium Density zoned land presently exist within the city limits to accommodate the 20 year growth projection for Stayton. However, there is a need to annex approximately 15 acres of High Density zoned land into the city limits over the next 20 years. If the City should choose to exercise its influence on housing affordability by allowing for a 20 percent market surplus within the city limits, it would mean the potential annexation of an additional 3 acres (total needed acreage multiplied by 20 percent). To facilitate the current housing mix the surplus acreage should be zoned accordingly: approximately 2.6 acres/Low Density Residential, and approximately 0.4 acres/High Density Residential.

Several large residential development proposals have been approved by the City over the last three years but have not yet been platted or built. They are:

- Scenic Heights Planned Unit Development : ³¹32 single-family units on 26.7 acres of LD zoned land
- ^{Sylvan Springs} Spring Meadows Planned Unit Development: 99 single-family units and 74 multi-family units on 41.08 acres of LD and MD zoned land.

- Fern Ridge Subdivision: 41.03 Acres rezoned from MD to: 12.24 HD, 3.44 CR, 8.15 ID. 100 manufactured housing units on 17.20 acres of MD zoned land. 170 multi-family units on 12.24 acres of HD zoned land.
- Ridgefield Planned Unit Development: 19 multi-family units on 4.25 acres of MD zoned land.

Table 11. Comparison of Number of Units Needed Over Next 20 Years to Number of Units Approved to Be Built

Residential Zoning Designation	# of Units Needed	# of Units Receiving Land Use Approval	Remaining # of Units Needed	# of Units per Year Over Next 20 Years
Low Density	649	131	518	26
Medium Density	247	193	54	3
High Density	175	170	5	0.25
TOTAL	1082	443	577	29.25

Conclusions

At this time there is a need to bring approximately 15 acres of HD zoned land into the City Limits to accommodate a 20-year growth projection. An additional 3 acres of land will need to be annexed into the City Limits if the City chooses to provide a 20 percent market surplus of land. It is anticipated that the City will need to provide at least 1082 housing units by the year 2020 to accommodate a projected population increase of 39 percent. 443 units have already received land use approval.

Should Stayton experience population growth different from that depicted in the 20-year population forecast, or if the housing needs of the residents of Stayton change over the next 20 years (depending upon such things as smaller household sizes, an aging population, and the state of the economy) then there may be a need to annex additional land into the City of Stayton sooner than anticipated by this analysis.

A computer model has been developed to accompany this analysis for the recalculation of numbers if any data or assumptions within the analysis are adjusted (see Attachment 'A' of the original copy of this document filed at City Hall, Land Use File # 02-02/99).

f:\planner\lup\build\final.doc

6. The physical size of the urban service area will be relative only to time and the changing needs of the community. If the criteria used to delineate the urban service area change, the city will have need to re-evaluate its urban growth program.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	28 ✓
		3	20	5	

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	19
	2	7	8		

7. The concept of acreage residential zoning as defined in the Marion County Zoning Ordinance should be applied to areas north and east of the city. This type of zoning permits acreage residential homesites at a specific density (e.g., 2, 3, 5 acres, etc.) based on the needs and physical limitations of the area. In some cases, farm use zoning may also be appropriate, especially for the area west of the city.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	24 ✓
1	4	3	16		

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	21
1		12	8		

PLEASE make any comments you wish. Your comments are important!!

1. Efforts to slow growth are stagnating the city. There are needs for growth

5. Again - Take care of our own streets - do not expect county to do it.

7. needs to be maintained except for possible industrial development to the west of the city.

URBAN GROWTH MANAGEMENT

STAYTON, OREGON

Seven Goals to Manage the Urban Growth Boundary (UGB)

1. The existing boundaries of the city should remain relatively unchanged until a major portion of the city's usable land has been developed for urban purposes.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	24 ✓
	6	9	4	5	

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	27
	2		20	5	

5. Extension of the city's urban growth services should be preceded by careful evaluation of the facts with major emphasis given to the overall community costs and benefits. Extension of the city's water services outside the urban growth boundary of Stayton shall be prohibited, and extension of sewer services outside the Stayton and Sublimity urban growth boundaries shall be prohibited (Ord. 715, § 1, April 1993).

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	29 ✓
1		6	12	10	

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	23
		6	12	5	

6. Developments, which can be served by a gravity flow sewer systems, should be given priority.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	25 ✓
	4	9	12		

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	21
	4	9	8		

7. The city is the logical provider of services in the defined urban service area; therefore, development outside the city boundaries should be coordinated closely with the city.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	37 ✓
			12	25	

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	22
		9	8	5	

5. All government units whose responsibilities affect the growth and development of the Stayton area should review the urban growth program for the city.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	28 ✓
1	2		20	5	

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	22
1	4		12	5	(SPUT)

*Need to update city's UGMA with County
+ get County recognition of city Comp. Plan.*

PUBLIC FACILITIES AND SERVICES

STAYTON, OREGON

1. Provide adequate and attractive park, recreation, and open space facilities.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		I	II	III	35
		3	12	20	

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	II	III	I	I	22
	4	9	4	5	

2. Encourage urban development in areas with existing services and in those areas where future extensions of those services can be provided in the most feasible, efficient, and economical manner.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		I	I	IIII	32
		3	4	25	

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	I		III	II	24
	2		12	10	

3. Encourage the protection and preservation of historic sites and structures.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
I	I	III	III		24
1	2	9	12		

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		IIII	I		22
		18	4		

4. Update public facilities systems (water and sewer) and capital improvements.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		I	I	IIII	37
		3	4	30	

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		II	III	I	27
		6	16	5	

PLEASE make any comments you wish. Your comments are important!!

1. Fair amount of Parks not enough upkeep

2. Commercial + residential development proving in different direction - no continuity

need our park areas to be connected - long green areas - along river/creeks. - encourage healthy activities - walk run - bike - ...

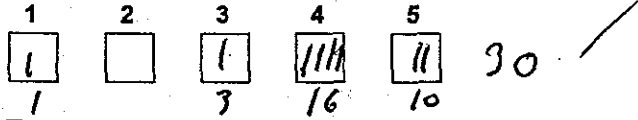
TRANSPORTATION

STAYTON, OREGON

1. Develop an efficient and sound transportation system that encourages proper land development.

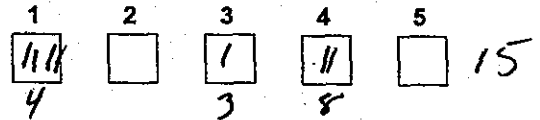
YOUR GOAL RANKING

LO HIGH



HOW HAS THE CITY DONE?

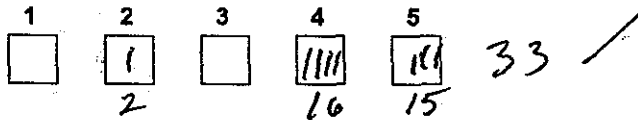
LO HIGH



2. Encourage a balanced transportation system, which minimizes community disruptions and promotes efficient movement of traffic around and through the community.

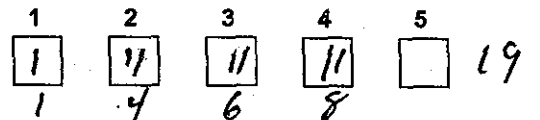
YOUR GOAL RANKING

LO HIGH



HOW HAS THE CITY DONE?

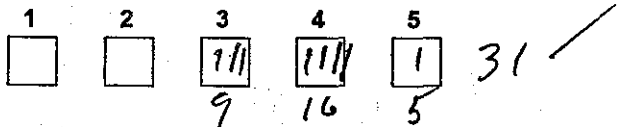
LO HIGH



3. Encourage the development of bicycle and pedestrian-oriented modes of transportation.

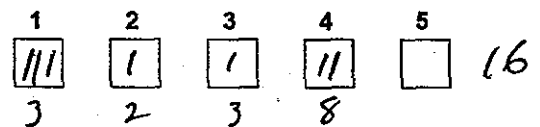
YOUR GOAL RANKING

LO HIGH



HOW HAS THE CITY DONE?

LO HIGH



PLEASE make any comments you wish. Your comments are important!!

Poor foresight on city's part - need to take responsibility for our own streets and not let county dictate future of our streets.

little effort to improve traffic flow other than self serving interests.

Safety of bicycle + ped. Traffic is minimal (-Shuff Bl) need bike/walk loops -

Having all comm at one location - industrial at another - contributor to auto oriented society - need better plan to mix - encourage walkers

1. Provide necessary public facilities and services to maintain safe and healthful living conditions in residential areas.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	27
			12	25	

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	31
		3	28		

2. Foster the maintenance and development of an adequate quantity and variety of housing types to satisfy the desired lifestyles and financial capabilities of the community's population.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	34
	2	3	4	25	

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	25
1		3	16	5	

3. Improve housing facilities that do not provide adequate or healthful living conditions and that threaten the continued desirability of adjoining residential areas.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	31
	2	3	16	10	

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	21
1		12	8		

PLEASE make any comments you wish. Your comments are important!!

2. Poor information on inventories makes decision making too deferrable + questionable.

need to encourage neighborhoods that have a variety of housing - also need little pockets of small comm. such as video/weigh groceries.

INDUSTRIAL DEVELOPMENT

STAYTON, OREGON

1. Promote the continued development and expansion of quality industrial facilities.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	30 /
		6	4	20	

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	15
2	6	3	4		

2. Provide for the needs of the community for future development opportunities by encouraging a balanced and diversified economic base in proportion to residential needs.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	30 /
		6	4	20	

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	18
1	6	3	8		

PLEASE make any comments you wish. Your comments are important!!

1/2 very poor inventories for growth of tax base. little or no encouragement by city for attracting industry

need to encourage industrial development along both the waterways and especially railways along with access to highways and away from residential

COMMERCIAL DEVELOPMENT

STAYTON, OREGON

1. Discourage strip-type commercial development along major streets.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
1	2		16	15

34 ✓

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	2		16	5

26

2. Promote the continued functioning and preservation of the central business district as the primary retail area of the community.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1	2	12		10

25 ✓

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		15	16	

31

3. Provide adequate off-street parking facilities for commercial development.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	2	6	12	10

30 ✓

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		9	20	

29

4. Encourage a pedestrian-oriented atmosphere in the central business district.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
		9	8	15

32 ✓

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	2	3	28	

33

PLEASE make any comments you wish. Your comments are important!!

We should encourage neighborhood commercial to limit drives

Max score 40
(8x5)

PHYSICAL DEVELOPMENT

STAYTON, OREGON

1. Encourage an aesthetically pleasing, safe, and efficient community environment.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	37 ✓

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	26
	4	6	16		

2. Encourage the proper use and management of the Mill Creek and Santiam flood plains.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	32 ✓
		6	16	10	

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	25
1	2	6	16		

3. Encourage the orderly and efficient growth of the community based on social, physical, and economic factors.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	35 ✓
		3	12	20	

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	25
	2	15	8		

4. Promote a desirable balance and location of uses based on identified needs of the community.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	32 ✓
		6	16	10	

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	23
1	2	12	8		

5. Develop an urbanization pattern consistent with local and statewide goals.

YOUR GOAL RANKING

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	23
	4	3	16		

HOW HAS THE CITY DONE?

LO HIGH

1	2	3	4	5	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	26
	4	6	16		

PLEASE make any comments you wish. Your comments are important!!

1- Limited by Funds - difficult to legislate & encourage

2- Limited INFO. on Flood Plain - Too vague - No meat

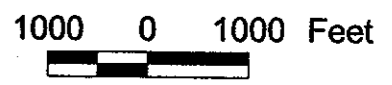
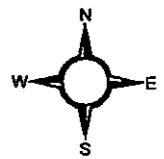
4. Poor leadership & developing goals of community

5. Too much bureaucracy already

Not doing well on strip development

City of Stayton Vacant Lands

- Vacant land
- Stayton-City Limits
- Stayton-UGB
- Taxlot boundaries



This map is for representational purposes only and is to be used for general planning.

Data Sources:
Vacant Lands; May 1999 Buildable Lands & Housing Analysis.

Taxlot base; Marion County Assessor, June 1999.

August 24, 1999

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