

ORDINANCE No.875

AN ORDINANCE AMENDING THE CITY OF STAYTON'S COMPREHENSIVE PLAN, CHAPTERS 1, 2, 3 AND 4 AND STAYTON MUNICIPAL CODE ("SMC") TITLE 17.24 TO ADDRESS PARK AND RECREATION SERVICES AND PARK FACILITY NEEDS BASED ON A 20 YEAR GROWTH HORIZON

WHEREAS, The Stayton City Council held its public hearing on March 7, 2005 addressing the subject amendments to the Comprehensive Plan and Stayton Municipal Code (SMC) Title 17.24.10 (Land Use File #15-08/03) where upon, the Stayton City Council directed preparation of the Order with findings and conclusions to support the Council's actions granting approval to amend the Comprehensive Plan and SMC Title 17 accordingly;

WHEREAS, Stayton's Comprehensive Plan and Stayton Municipal Code do not project a 20 year growth horizon;

WHEREAS, amendments are necessary to provide details of the existing operation of Park and Recreation services with a 20 year growth horizon;

WHEREAS, amendments are necessary to provide direction for the Park and Recreation Master Plan; and

WHEREAS, amendments to be adopted compliment Statewide Planning Goal 8 recreational Needs.

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

SECTION 1. Based on the findings of fact established and set forth in the Order of the Stayton City Council dated March 7, 2005, the Stayton Comprehensive Plan and SMC Title 17 are amended as set forth in said Order appended hereto as Exhibit A, and by this reference, one a part hereof

SECTION 2. The Stayton Municipal Code Chapter 17.24.1050 DESIGN AND STANDARDS FOR SUBDIVISIONS AND PARTITIONS, 1. STREETS AND HIGHWAYS, d. is amended to read as follows:

d. Bikeways and pedestrian ways may be required in accordance with the City of Stayton Park and Recreation Master Plan and the City of Stayton's Transportation System Plan.

SECTION 3. This Ordinance, with said Order dated March 7, 2004, shall be furnished to the State of Oregon, Department of Land Conservation and Development forthwith.

ADOPTED BY THE STAYTON CITY COUNCIL this 7th day of March 2005, and shall become effective 30 days after date of adoption.

CITY OF STAYTON

Signed: March 8, 2005

BY:



GERRY ABOUD, MAYOR

Signed: March 8, 2005

ATTEST:



CHRIS CHILDS, CITY ADMINISTRATOR

APPROVED AS TO FORM:



DAVID A. RHOTEN, CITY ATTORNEY

BEFORE THE STAYTON CITY COUNCIL

In the matter of the
Amendment to Stayton's
Comprehensive Plan and
Stayton's Municipal Code
Land Use File # 15-08/03

)Comprehensive Plan Chapters 1, 2, 3, and 4
)Stayton Municipal Code Title 17

ORDER

1. NATURE OF THE APPLICATION

The matter comes before the Stayton City Council to amend the City of Stayton's Comprehensive Plan and Stayton's Municipal Code (SMC) Title 17.

Comprehensive Plan Amendments: **Attachment 1.**

1. Amend Chapter 1, pg. 2, F. Public Facilities and Services, Item 1. Be amended to add 3 Goals.
2. Amend Chapter 2, pg.18. Amend and delete parts of the Open Space narrative.
3. Amend Chapter 3, pg.26.F. Bicycle Paths and Routes. Deleted.
4. Amend Chapter 3, pg.27.G. Pedestrian Facilities and H. Transportation Disadvantage. Deleted
5. Amend Chapter 3, pg. 33. D. Financing Methods. Deleted.
6. Amend Chapter 4, pg. 54-55. 57 Parks and Recreation, Amend narrative and add policies.

Stayton Municipal Code Amendment:

1. Amend SMC Title 17.24.1050 1.d. Bikeways and Pedestrian ways.

II. PUBLIC HEARING

CITY COUNCIL ACTION

A public hearing was duly held on this application before the Stayton City Council on March 7, 2005. At that hearing regarding City Council Land Use File # 15-08/03 Comprehensive Plan, Chapters 1, 2, 3, and 4 and Stayton Municipal Code (SMC) Title 17 Amendments and supporting documents were made part of this record. Notice of the hearing was published in the Stayton Mail, sent to all Stayton property owners (Measure 56) and notification was also mailed to the Department of Land Conservation and Development; and posted at City Hall, library and community center buildings. No objection was raised to notice, jurisdiction, conflicts of interest, nor to evidence nor testimony presented at that hearing.

At the conclusion of the hearing the City Council deliberated on the issues and approved the amendments to the City of Stayton Comprehensive Plan Chapters 1, 2, 3 and 4 and adopted SMC Title 17.24.1050.1D.

III. FINDINGS OF FACT

The Stayton City Council, after careful consideration of the testimony and evidence in the record, adopted the following general findings of fact:

A. GENERAL FINDINGS OF FACT

1. It was determined by the Park and Recreation Advisory Board that the City of Stayton draft Master Park Plan, completed in 1998, was never adopted by the Stayton City Council.
2. The Consulting Firm of Moore, Iacofano, Goltsman, Inc. (MIG) was hired to update the draft 1998 Master Park Plan.
3. A public workshop meeting and stakeholder interviews were held by the Park and Recreation Advisory Board.
4. The draft Park and Recreation Master Plan profiles the community, by providing details on the existing operation of park and recreation services and park and facility needs including recommendations based on a 20 year growth horizon.
5. The City Council held open discussions on the draft Parks and Recreation Master Plan on March 29th and April 12th of 2004. No decisions were made at those meetings. A City Council public hearing was duly held on May 24, 2004.
6. The City of Stayton's Comprehensive Plan incorporates language from and makes reference to the draft Park and Recreation Master Plan.
7. The amendments in the City of Stayton's Comprehensive Plan are there to compliment the goals, policies, and objectives incorporated in the draft Park and Recreation Master Plan.

Conclusion: The amendments to the City of Stayton's Comprehensive Plan's goals, policies, give direction for the implementation of the Park and Recreation Master Plan.

B. APPROVAL CRITERIA

The proposed amendment to Stayton's Comprehensive Plan is incorporated in this Order as **Attachment 1**. Under SMC 17.12.420 5 e. an amendment is appropriate as measured by at least one of the following criteria:

- 1) Corrects identified error(s) in the provisions of the plan.

Finding: The park and recreation element of the City of Stayton's Comprehensive Plan incorporates information and data that is no longer valid when compared to updated information contained in the draft Park and Recreation Master Plan.

- 2) It represents a logical implementation of the plan.

Finding: The City's Comprehensive Plan is a land use guide which requires that it be updated to meet the future growth demands of the City.

- 3) It is mandated by changes in federal, state or local law.

Finding: State regulations (Oregon Revised Statutes 197.175) require incorporated cities to conduct long range planning and periodically update those plans.

- 4) It is otherwise deemed by the council to be desirable, appropriate, and proper.

Finding: The existing park plan element of the Comprehensive Plan is deficient in meeting the future needs as evidenced in Section 4 of the draft Parks and Recreation Plan. The City Council has approved the Park Advisory Board's request to proceed with the development of a park and recreation plan.

C. AMENDMENTS TO THE CITY OF STAYTON COMPREHENSIVE PLAN

Presently, there is language in the City's Comprehensive Plan that is to be amended or removed to more adequately reflect the draft Park and Recreation Master Plan's objectives. The draft amendments to the City of Stayton's Comprehensive Plan are as follows:

- 1) Chapter 1, pg. 2. F. Public Facilities and Services, Item 1. Be amended to add 3 Goals.

Finding: The three Goals reflect those found in the draft Parks and Recreation Master Plan. See Attachment 1, pages 1A and 2A.

- 2) Chapter 2, pg 18, amend and delete language in the Open Space narrative.

Finding: The language was amended to make reference to the Park and Recreation Master Plan. Attachment 1, page 3A.

- 3) Chapter 3, pg.26, F. Bicycle paths and Routes was deleted.

Finding: Language covering bicycle paths and routes is addressed in the draft Park and Recreation Master Plan and the City of Stayton's draft Transportation Plan. Attachment 1, page 4A.

- 4) Chapter 3, pg. 27, G. Pedestrian Facilities and H. Transportation Disadvantaged. Deleted.

Finding: These two subjects are addressed in both the draft Transportation System Plan and draft Parks and Recreation Master Plan. Attachment 1, page 5A.

- 5) Chapter 3, pg. 33, D. Financing Methods. Completely deleted.

Finding: This subject is covered in both the draft Transportation System Plan and draft Parks and Recreation Master Plan. Attachment 1, page 6A.

- 6) Chapter 4, pgs. 54-55, Parks and Recreation. Amended. Attachment 7A, 8A and 9A.

Finding: Incorporated additional policies and narrative regarding park deficiencies.

D. AMENDMENTS TO TITLE 17. STAYTON MUNICIPAL CODE (SMC)

To insure continuity exists between the Comprehensive Plan and SMC Title 17., the following amendment is necessary regarding SMC 17.24.1050 1.d.

Existing language

d. Bikeways and pedestrian ways may be required in accordance with the City of Stayton Master Bikeway Plan.

Amend to read

d. Bikeways and pedestrian ways may be required in accordance with the City of Stayton Park and Recreation Master Plan and the City of Stayton's Transportation System Plan.

Finding: The amendment is necessary since no Master Bikeway Plan was adopted by ordinance and the existing language would conflict with the park and transportation plans.

E. AGENCY COMMENTS

There were no agency comments regarding this proposal.

F. PUBLIC COMMENTS

There were no public comments at the March 7, 2005 City Council hearing.

G. CONCLUSION

The proposal is compliant with all applicable approval criteria.

ORDER

It is hereby found the proposed amendments to the City of Stayton's Comprehensive Plan and SMC Title 17 meet Oregon Revised Statutes 197 and are approved/adopted.

APPEAL

The City Council's action may be appealed to the Oregon Land Use Board of Appeals pursuant to ORS 197.796.

APPROVED BY THE STAYTON CITY COUNCIL ON THIS 7th DAY OF March 2005.

CITY OF STAYTON

Signed: MARCH 8, 2005

By:

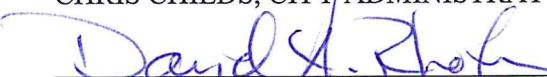

GERRY ABOUD, MAYOR

Signed: Mar. 8, 2005

ATTEST:


CHRIS CHILDS, CITY ADMINISTRATOR

APPROVED AS TO FORM:


DAVID A. RHOTEN, CITY ATTORNEY

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

B. Commercial Development

1. Discourage strip-type commercial development along major streets.
2. Promote the continued functioning and preservation of the central business district at the primary retail area of the community.
3. Provide adequate off-street parking facilities for commercial development.
4. Encourage a pedestrian-oriented atmosphere in the central business district.

C. Industrial Development

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

D. Housing

1. Provide necessary public facilities and services to maintain safe and healthful living conditions in residential areas.
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.
3. Improve housing facilities that do not provide adequate or healthful living conditions and that threaten the continued desirability of adjoining residential areas.

E. Transportation

1. Develop an efficient and sound transportation system that encourages proper land development.
2. Encourage a balanced transportation system which minimizes community disruptions and promotes efficient movement of traffic around and through the community.
3. Encourage the development of bicycle and pedestrian-oriented modes of transportation.

F. Public Facilities and Services

1. Provide adequate and attractive park, recreation, and open space facilities. *See City of Stayton Park and Recreation Master Plan and summary as follows:*
 - a. Provide an active neighborhood/community park type facility within walking distance of most residence in Stayton.
 - b. Preserve and/or conserve open space corridors along creeks, urban drainage corridors and especially the North Santiam River.
 - c. Identify a network of off-street trails throughout the Stayton area.
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.
3. Encourage the protection and preservation of historic sites and structures.
4. Update public facilities systems (water and sewer) and capital improvements.

G. Energy Conservation

1. Encourage the economical use of energy supplies.
2. Encourage compact urban design through comprehensive planning and zoning measures.

H. Urban Growth Management (the plan establishes seven goals to manage the urban growth boundary)

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.
2. 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).
3. Developments which can be served by a gravity flow sewage system should be given priority.
4. 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.
5. All government units whose responsibilities affect the growth and development of the Stayton area should review the urban growth program for the city.

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 need to re-evaluate its urban growth program.

Cooperative Cannery, for spray irrigation of cannery wastes, will remain in agricultural use throughout the planning period. Other agricultural lands will be converted to urban uses in accord with the city's urban growth program.

G. Forest Lands

There is no commercial forest land within the Stayton UGB. Approximately 40 acres (Ord. 857, Feb. 2004) are planted in Christmas trees and approximately 350 acres of land support either groves of trees (oak, maple, or fir, depending upon location) or riparian forest near Mill Creek and the North Santiam River. Most of the Forested lands are protected by their designations and such zones as "Public" and "Semi-Public" use. The rest is generally designated or zoned for residential uses, which favors the retention or planting of trees for their amenity value (shade, windbreak, beauty to homeowners and residents).

Open Space

Natural open space areas shall be managed in accordance with procedures outlined in the Park and Recreation Master Plan.

Specific open space resources in and near Stayton include:

1. Publicly owned parkland
2. Public and parochial school land
3. Santiam Golf Club's 18-hole course
4. The Mill Creek and North Santiam River flood plains
5. The canals (ditches) that pass through the city
6. Cemeteries

Potential conflicts with open space use are precluded by the policies and development regulations adopted by the City of Stayton and Marion County.

The parks, schools, golf course and cemeteries re presently designated and those within the city are zoned for public use.

Energy Sources

There are two renewable energy sources located within Stayton: water power and solar energy. Other renewable energy sources are not present within the UGB to any significant degree.

C. Air Transportation

The City of Stayton does not have an airport. There is not a sufficient need to support an airport at this time, nor is there a good airport site within the Stayton UGB. There is a full

service commercial airport 15 miles away in Salem that provides needed service. Several small private air strips in Marion and Linn counties are within 20 miles of Stayton. A heliport at Santiam Hospital provides for recreational and medical emergencies.

D. Water Transportation

Stayton is located adjacent to the North Santiam River and has developed around the need and demands of water oriented industries. The river has not been utilized as a mode of transportation because it is fairly shallow and other modes have been more economical. It is possible to travel by water from Stayton to Jefferson and the Willamette River; however, there are more economical and timely methods of travel. The river will continue to be used for aesthetic and recreational values and protected as a source of drinking water. It is doubtful if other than small recreational craft will ever travel on the river.

E. Pipeline Facilities

The only existing pipeline facilities are the city water system and the natural gas system. The water system is discussed in detail in the Public Facilities section of this plan. In addition to Stayton, the City of Salem transmits potable water from their supply facilities on Stayton (Geren) Island via two large transmission mains. The natural gas system is discussed in the Energy section of this plan.

An additional pipeline facility may, at some future date, be located in the Stayton area. The U.S. Forest Service is issuing exploratory permits for geothermal energy drilling in the Breitenbush Hot Springs area near Detroit. If and when sufficient geothermal resources are found and developed, Stayton will become a logical site for the receipt and use of this resource as an economical energy supply.

F. Bicycle Paths and Routes

See the Park and Recreation Master Plan and the City of Stayton Transportation Plan regarding specific details pertaining to bicycle paths and routes.

Stayton Private School had an enrollment of 93 in 1989-1990 in grades kindergarten through seventh. Santiam Montessori School had a kindergarten enrollment of 21 for 1989-1990.

St. Mary's School had an enrollment of 292 in 1989-1990 in grades first through eighth. The facilities and its seven acre site are adequate for current and anticipated enrollment.

Regis High School had an enrollment of 206 in 1989-1990 in grades ninth through twelfth. The building has a capacity of 250 with room for expansion on a 30-acre site.

The Stayton Union High School district includes Stayton and Sublimity areas. The enrollment at Stayton Union High School reached a peak at 620 in 1979. In the early 1980s, enrollment declined somewhat to a range of 500 to 560. The 1989-1990 enrollment was 536. The school facilities and the 38-acre site are adequate for the foreseeable future.

The primary land use need of the schools in Stayton is for elementary school sites. One site is needed to permit the relocation of the Stayton grade school from its present downtown site. A second elementary school may be needed to accommodate the planned growth of the city to a

population of 11,500 by 2005. A desirable site for a new elementary school would be next to the middle school.

Solid Waste

Currently solid waste in Stayton is collected by the Stayton Sanitary Service. The solid waste collected at Fern Ridge Transfer Station is located east of Stayton. Waste collected here is transferred to the Marion County Solid Waste Energy facility in Brooks.

Stayton is within the area covered by the Chemeketa Region Solid Waste Management Plan. Marion County is the primary local agency responsible for implementing the solid waste management plan. The Oregon DEQ is responsible for enforcing state and federal law related to solid waste. A recent state law, ORS 340.60, adopted in December 1984, requires curbside pickup of recyclable materials must be available at least monthly in cities of 4,000 or more and within the urban growth boundaries as of July 1, 1986. The City of Stayton, in its role as franchiser, is working in cooperation with the Marion County Solid Waste Division to implement this recycling bill.

PARK AND FACILITY NEEDS

There were a number of deficiencies identified in the Stayton Park and Recreation Master Plan. Som of these include a shortage of community and neighborhood parks, the absence of a comprehensive open space and off-street trail system and youth facilities like a skate park. The following is a summary of park and facility needs outlined in the Park and Recreation Master Plan:

1. Based on a one-mile service area, two additional community parks are needed to serve the entire planning area. See City of Stayton Park and Recreation Master Plan.
2. Based on a half mile service area, three additional neighborhood parks are needed to serve the entire planning area. One of these, Santiam Park, has been acquired, but not yet developed.
3. Linear Parks are needed to provide trail corridors along several ditches in the Stayton area.
4. Open space areas are needed to preserve environmentally sensitive areas, creek corridors and especially the Santiam River.
5. Special use areas, such as a skate park, would add to the diversity of park and recreation facilities and also serve as targeted population group.
6. There is considerable interest in trail facilities. The need for trails can be met by adding paved and unpaved trails through newly acquired open space areas, and urban stream corridors.

PF-6 The City of Stayton shall maintain regular contact with the Marion County Solid Waste Division and Oregon DEQ to ensure that solid waste planning and implementation is coordinated.

- PF-7 Standards and guidelines shall be adopted for the development and use of the recreational facilities in Stayton. The Regional Park and Recreation Agency standards shall be the minimum standards until city standards are developed.
- PF-8 Areas along the waterways should be preserved for the passive enjoyment of the scenic and natural sites. The fish ladder near the City of Salem water works and on the power canal should have controlled public access.
- PF-9 Addition to local recreation resources shall be required as a condition of approval of subdivision developments. Either land dedication or payment to a development fund shall be a requirement in the development ordinances.
- PF-10 Need to provide parks and facilities as outlined in the Stayton Parks and Recreation Master Plan.
- PF-11 Provide a broader range of park types in the community including natural open space, active use parks.
- PF-12 Provide a broader range of recreation facilities within the parks.