

ORDINANCE NO. 900

**AN ORDINANCE AMENDING THE STAYTON COMPREHENSIVE PLAN BY THE
ADOPTION AND INCORPORATION OF THE STAYTON DOWNTOWN
TRANSPORTATION AND REVITALIZATION PLAN.**

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

WHEREAS, the Stayton Comprehensive Plan was adopted in 1979 and acknowledged by the Oregon Department of Land Conservation and Development as consistent with the statewide planning goals;

WHEREAS, the Stayton Comprehensive Plan has been amended a number of times, most recently by Ordinance No. 888 in April, 2006, and each time the amendment has been acknowledged as consistent with the statewide planning goals by the Oregon Department of Land Conservation and Development;

WHEREAS, the Stayton Comprehensive Plan contains goals and policies regarding the economic vitality of the Stayton downtown area;

WHEREAS, the Stayton City Council has determined that the current goals and policies in the Comprehensive Plan have not been successful in maintaining the economic vitality of the Downtown area;

WHEREAS, the current provisions in Title 17, Land Use and Development, of the Stayton Municipal Code (SMC) do not provide for the adequate zone designations, permitted uses, and design criteria to promote the desired development of the Downtown area;

WHEREAS, the City of Stayton was the recipient of a grant from the Oregon Transportation and Growth Management Program to prepare a revitalization plan for the Stayton downtown area;

WHEREAS, the Stayton City Council has appointed a 9-member Committee to oversee the drafting of the Plan and the Committee has held two public forums on the proposals and forwarded the Stayton Downtown Transportation and Revitalization Plan to the City Council for adoption;

WHEREAS, following a public hearing, the Stayton Planning Commission has unanimously recommended that the Stayton City Council adopt the Plan; and

WHEREAS, following a public hearing, the Stayton City Council deems the Stayton Downtown Transportation and Revitalization Plan appropriate for adoption;

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 October 15, 2007, the Stayton Downtown Transportation and Revitalization Plan is hereby adopted and incorporated into the Stayton Comprehensive Plan as set forth in said Order appended hereto as Exhibit A, and by this reference, made a part hereof.

SECTION 2. This Ordinance, with said Order dated October 15, 2007, shall be furnished to the State of Oregon, Department of Land Conservation and Development forthwith.

ADOPTED BY THE STAYTON CITY COUNCIL this 15th day of October, 2007.

CITY OF STAYTON

Signed: 10/19, 2007

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

Signed: 10/19, 2007

ATTEST: Chris Childs
Chris Childs, City Administrator

APPROVED AS TO FORM:

David A. Rhoten
David A. Rhoten, City Attorney

Exhibit 'A'
BEFORE THE STAYTON CITY COUNCIL

In the matter of an)
Amendment to Stayton's) Downtown Transportation
Comprehensive Plan) and Revitalization Plan
Land Use File # 10-08/07)

ORDER

I. NATURE OF APPLICATION

The matter comes before the Stayton City Council to amend the City of Stayton's Comprehensive Plan, by the adoption and incorporation of the Downtown Transportation and Revitalization Plan (Downtown Plan). The Downtown Transportation and Revitalization planning effort was convened by the City in recognition of the desire for increased economic activity in the downtown area, the lack of current tools available to the City to stimulate that activity, and the failure of the current land use regulations to suitably for the desired downtown environment. The Downtown Plan includes recommendations for changes in land use regulations, public improvements to streets and utilities, the establishment of a business development effort and, and other subjects. The Downtown Plan recommends the establishment of an Urban Renewal District as a means of financing the recommended public improvements and business development program without placing further burden on the taxpayers of the City generally.

II. PUBLIC INVOLVEMENT

DOWNTOWN REVITALIZATION ADVISORY COMMITTEE

The Downtown Revitalization Advisory Committee met in public session on a monthly basis in the preparation of the Downtown Transportation and Revitalization Plan. The Advisory Committee held two public forums regarding the draft plan. The first was held on May 9, 2007 on the conceptual plan. Approximately 40 individuals attended. The second, on the draft plan, was held on August 15, 2007, with approximately 15 members of the public in attendance. Notices of both public forums were mailed to all owners of property within the designated planning area and hand distributed to many businesses. Articles publicizing the forums appeared in the *Stayton Mail* prior to the forums and posters were placed throughout town inviting the public to attend.

PLANNING COMMISSION ACTION

A public hearing was duly held on this matter before the Stayton Planning Commission on September 24, 2007. At the hearing, Land Use File # 10-08/07 Downtown Transportation and Revitalization Plan, and supporting documents were made part of the record. Notice of the hearing was published in the *Statesman Journal*, posted at City Hall, Library, and Community Center buildings.

No objection was raised as to the notice, jurisdiction, bias, conflicts of interest, or to evidence or testimony presented at those hearings. At the conclusion of those hearings the Planning Commission deliberated on the issues, found the Downtown Plan to meet the relevant statewide planning goals and the criteria for approval of the Stayton Comprehensive Plan amendments, and recommended the City Council approve the Downtown Transportation and Revitalization Plan.

Exhibit 'A'

CITY COUNCIL ACTION

Public hearing was duly held on this matter before the Stayton City Council on October 15, 2007. At the hearing, Land Use File # 10-08/07 Downtown Transportation and Revitalization Plan, and supporting documents were made part of the record. Notice of the hearing was published in the *Stayton Mail*, posted at the Stayton City Hall, Library, and Community Center buildings.

No objection was raised as to notice, jurisdiction, bias, conflicts of interest, or to evidence or testimony presented at those hearings. At the conclusion of those hearings the City Council deliberated on the issues and found the plan to meet the relevant statewide planning goals and the criteria for approval of Stayton Comprehensive Plan amendments.

AGENCY COMMENTS

The following agencies were participants in drafting the proposed Downtown Transportation and Revitalization Plan: Stayton Planning Department, Stayton Public Works Department, Oregon Department of Land Conservation Department, Oregon Department of Transportation, and Stayton-Sublimity Chamber of Commerce.

PUBLIC COMMENTS

Public comments were received by the Downtown Revitalization Advisory Committee at two public forums and at their monthly meetings. No written comments were received by the Planning Department prior to the Planning Commission's public hearing. There was no public testimony in favor or opposed to the draft Downtown Plan at the Planning Commission's public hearing. No written comments were received by the Planning Department prior to the City Council's public hearing.

III. FINDINGS OF FACT

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

1. The Downtown Plan addresses issues of increasing the vitality and livability of Stayton's downtown area through a combination of revised land use regulations, public investment and business development programs.
2. As an amendment to the Stayton Comprehensive Plan, the Downtown Plan must address the Statewide Planning Goals.
 - A. *GOAL 1, CITIZEN INVOLVEMENT: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

Citizens have been involved through the creation of the Downtown Revitalization Advisory committee and its process of developing the draft plan. The Committee was composed of both elected and appointed City Officials, City Staff, a representative from the Chamber of Commerce, and four members of the public. The Committee provided opportunity for public comment and involvement at each of its monthly meetings. Two public forums were held by the Committee to publicize the concepts of the Plan and obtain feedback from the public.

Exhibit 'A'

- B. *GOAL 2, LAND USE PLANNING: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

There was an established process used by the City in the development of the draft Plan. The City publicized the formation of the Advisory Committee and any interested person was encouraged to apply. The Committee was appointed by the City Council. The Committee's consulting team presented a series of technical memorandum establishing the existing conditions in the downtown area, an economic analysis of the Stayton downtown area and a market analysis of the potential for residential development. All of the Committee's goals and policies for the Downtown Plan are based either on goals and policies in the current Comprehensive Plan or from goals and policies in previous planning efforts.

- C. *GOAL 3, AGRICULTURAL LANDS: To preserve and maintain agricultural lands.*

The Downtown Plan affects only urbanized lands within the city limits.

- D. *GOAL 4, FOREST LANDS: To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

The Downtown Plan affects only urbanized lands within the city limits.

- E. *GOAL 5, NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES: To protect natural resources and conserve scenic and historic areas and open spaces.*

The Downtown Plan recognizes the importance of the natural resources within and adjacent to the downtown area and calls for new development to be sensitive to the impacts on these resources. The Downtown Plan also calls for the maintenance of the historic resources within the downtown area and proposes land use development standards that maintain the historic resources.

- F. *GOAL 6, AIR, WATER AND LAND RESOURCES QUALITY: To maintain and improve the quality of the air, water and land resources of the state.*

The Downtown Plan will not affect any air or water discharges.

- G. *GOAL 7, AREAS SUBJECT TO NATURAL HAZARDS: To protect people and property from natural hazards.*

The area within the Downtown Plan is not at risk of natural hazards.

- H. *GOAL 8, RECREATIONAL NEEDS: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

The Downtown Plan addresses the recreational needs of the community by inclusion of provisions for linking city parks, providing emphasis on the waterways that flow through the downtown, and through recommendation of a new City Hall complex that would including parking to serve as a gateway to portions of the City's park system.

Exhibit 'A'

- I. *GOAL 9, ECONOMIC DEVELOPMENT: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

The primary impetus behind the commencement of the Downtown Plan is to increase economic vitality and provide additional opportunities for economic activities that are appropriate in the downtown area. Preparation of the Downtown Plan included analysis of the economic patterns, potentialities, strengths, and deficiencies of the downtown and its market areas. The Downtown Plan contains policies and recommended action steps concerning economic development opportunities in the planning area. The Downtown Plan takes into account methods for overcoming the existing conditions and deficiencies in the planning area and includes policies and implementation steps such as tax incentives and disincentives, land use controls and capital improvement programming.

- J. *GOAL 10, HOUSING: To provide for the housing needs of citizens of the state.*

The Downtown Plan calls for increasing opportunities for housing development in the downtown area by permitting residential development in areas where the current zoning allows residential use only as part of a mixed use development and by reducing the total area of commercially zoned land to increase the area in the Medium Density Residential zone.

- K. *GOAL 11, PUBLIC FACILITIES AND SERVICES: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

The Downtown Plan includes a description of improvements needed in the public facilities and services in the downtown area, based on the technical memoranda developed by the consultants and on the City's adopted master plans for streets, water, and waste water. The Downtown Plan includes an analysis of potential funding mechanisms and proposes the establishment of an Urban Renewal District to facilitate the financing of public facility improvements.

- L. *GOAL 12, TRANSPORTATION: To provide and encourage a safe, convenient and economic transportation system.*

The planning process included an analysis of the impact of the proposed zoning changes on the City's transportation network. The analysis concluded that there would be no adverse impact.

- M. *GOAL 13, ENERGY CONSERVATION: To conserve energy.*

The Downtown Plan addresses energy conservation through goals and policies that address sustainable design and construction practices. Energy conservation is further promoted through the goal of increasing residential development within the walking proximity of the downtown area, thereby reducing transportation use of energy.

- N. *GOAL 14, URBANIZATION: To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

The proposed Downtown Plan calls for increased residential development within the urban core. The goals and policies of the proposed Plan seek to achieve a more livable community by increasing the viability of the business community and making improvements to public facilities.

Exhibit 'A'

O. GOAL 15, WILLAMETTE RIVER GREENWAY:

Stayton is not located along the Willamette River.

P. GOAL 16, ESTUARINE RESOURCES; GOAL 17, COASTAL SHORELANDS; GOAL 18, BEACHES AND DUNES; AND GOAL 19, OCEAN RESOURCES:

Stayton is not a coastal community.

IV. CONCLUSIONS

1. The draft Plan is compatible with the existing goals and policies of the Stayton Comprehensive Plan.
2. The impact of the draft Plan on land use and development patterns within the City is positive in that:
 - i. Traffic generation and circulation patterns will not be adversely impacted;
 - ii. Population concentrations will be shifted towards the downtown are;
 - iii. The demand for public facilities and services will not exceed the City's ability to provide those services;
 - iv. The level of park and recreation facilities will be improved;
 - v. Economic activities in the downtown area will be stimulated;
 - vi. Protection and use of natural resources will be fostered;
 - vii. The downtown area is not subject to natural hazards; and
 - viii. The Plan complies with existing special purpose plans or programs.
3. The draft Plan adheres to the Statewide Planning Goals.

V. ORDER

hereby found that the proposed Stayton Downtown Transportation and Revitalization Plan meets all state requirements and the approval criteria in Stayton Municipal Code Section 17.12.170.6 and the Stayton City Council approves adoption of the Downtown Transportation and Revitalization Plan.

APPROVED BY A VOTE OF THE STAYTON CITY COUNCIL ON THIS 15th DAY OF OCTOBER, 2007.

Virginia L. Honeywell
 Virginia L. Honeywell, Mayor

10-19-07
 Date

Chris Childs
 Chris Childs, City Administrator

10/19/2007
 Date

APPROVED AS TO FORM:

David A. Rhoten
 David A. Rhoten, City Attorney