

RESOLUTION NO. 248

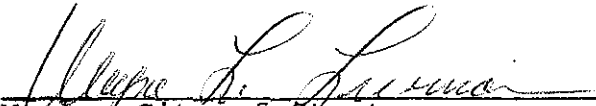
ADOPTION OF AN URBAN GROWTH BOUNDARY AND AUTHORIZATION FOR THE MAYOR AND CITY ADMINISTRATOR TO SIGN AN URBAN GROWTH BOUNDARY AND POLICY AGREEMENT WITH MARION COUNTY.

WHEREAS, ORS 197 (Oregon Land Use Act) requires the mutual adoption of Urban Growth Boundaries; and,

WHEREAS, Marion County and the City of Stayton have mutually agreed to an Urban Growth Boundary, now therefore, the City Council does resolve:


1. The Urban Growth Boundary is mutually adopted and attached as exhibit 'A' to this Resolution, and
2. The Mayor and City Administrator are authorized to sign the Urban Growth Boundary and Policy Agreement with Marion County, on behalf of the City of Stayton.

This Resolution passed and adopted on this 18th day of December, 1978.



Mayor, City of Stayton

ATTEST:



City Administrator

URBAN GROWTH BOUNDARY AND POLICY AGREEMENT

This Agreement made and entered into this 18th day of December, 1978, by and between the City of Stayton, a municipal corporation, hereinafter called "City", and Marion County, a political subdivision of the State of Oregon, hereinafter called "County".

WITNESSETH:

WHEREAS, IT APPEARING to City and County that ORS Chapter 197 and the Land Conservation and Development Commission (LCDC) Goal No. 14 on Urbanization require than an urban growth boundary be established around each incorporated city in the State of Oregon, and that the "establishment and change of the boundary shall be a cooperative process between a City and the County or counties that surround it"; and

WHEREAS, pursuant to the above-noted statutory duty and the said State-wide Goal No. 14, and the authority granted by ORS Chapter 190 concerning intergovernmental agreements, City and County have, pursuant to law, initially decided upon an urban growth boundary, urbanization policies, and revision procedures for the area surrounding the City of Stayton, and desire to link a continuing planning process to capital improvement programs, operating budgets, subdivision and land use regulations within such area; and

WHEREAS, the intent of the urban growth program for City is as follows:

The purpose of an urban growth program for Stayton is to encourage the orderly and efficient development of the community based on social, physical and economical factors. The urban growth program identifies an urban service area and is intended to provide guidance for the timely expansion and development of the community. Because the conditions affecting growth are unique and ever changing for each community, the urban growth program does not attempt to determine the ultimate size to which Stayton should grow. Rather it defines a geographical area which will accommodate a given population based on the known limitations and identified needs of the community.

NOW, THEREFORE, the premises being in general as stated above, City and County adopt the hereinafter noted urban growth boundary, urbanization policies, and revision policies which shall serve as the basis for decisions pertaining to development and land uses in the area between the city limits of Stayton and the applicable urban growth boundary, such area being referred to hereinafter as the urban growth area. It is the intent of the parties that the boundary and policies as expressed herein shall be consistent with Oregon State laws, the "Marion County Comprehensive Plan, and the City of Stayton Comprehensive Plan.

I. URBAN GROWTH BOUNDARY

The mutually agreed upon urban growth boundary for the area surrounding the existing city limits of Stayton shall be indicated in a Resolution entitled Resolution No. 248, attached herewith and by reference made a part hereof, subject to approval by the Land Conservation and Development Commission (LCDC).

II. URBANIZATION POLICIES

1. The County shall retain responsibility for land use decisions and actions affecting the urban growth area. The urban growth area has been identified by the City as urbanizable and is considered to be available, over time, for urban expansion.
2. Immediately following the adoption of the above-noted mutually agreed upon urban growth boundary, the City and County shall develop and maintain a system of exchange of information and recommendations relating to the urban growth area. Thereafter, information on subdivision applications and other land use activities being considered within the urban growth area by the County shall be forwarded by the County to the City for comments and recommendations. The County shall allow twenty days for the City to respond to such applications, unless the Board grants an extension, before the County makes a decision thereon.
3. Upon the mutual adoption of the urban growth boundary as identified in paragraph I above, all land use actions which fall within the urban growth area thereafter shall be consistent with the County's Comprehensive Plan.
4. In order to promote consistency and coordination between the City and County, the County shall consider

incorporating that portion of the City's Comprehensive Plan which addresses the urban growth area into the County's Comprehensive Plan. If the County agrees to such portion of the City's Plan, the County shall by ordinance incorporate it and make such portion a part of the County's Plan.

5. The area outside the urban growth boundary shall be maintained consistent with State-wide land use planning goals.
6. The City and County shall strive to enhance the livability of the urban growth area and to promote logical and orderly development therein in a cost effective manner.
7. The City is the basic provider of public facilities and services in the urban growth area. Therefore, annexation to the City generally should precede the provision of public facilities and services therein.

III. URBAN GROWTH BOUNDARY AND URBAN GROWTH AREA LAND USE PLAN AMENDMENTS

The urban growth boundary and land use plan for the urban growth area shall be reviewed by the City and County in accordance with the review schedule to be established in the City's Comprehensive Plan, as agreed to and adopted by the County, as noted in paragraph II (4) above.

1. City Initiated Amendments to City Comprehensive Plan.
 - a. The City shall adopt any proposed amendment by resolution. Such resolution and all supporting

evidence, findings of fact, and conclusions of law regarding the amendment shall be forwarded to the County for County review and consideration.

- b. Upon concurrence by County, both City and County shall formally amend their respective Comprehensive Plans, by ordinance, to reflect the agreed upon change.
2. City Initiated Amendments to Urban Growth Boundary.
 - a. City shall forward any proposed boundary amendment to the County along with all exhibits and findings and a written request for County to consider the boundary change and adopt it.
 - b. Thereafter, County at its option, may adopt the boundary amendment, or may convene a joint meeting with the City to further consider the change.
 - c. If mutual agreement is reached as to the proposed boundary amendment, City and County shall formally amend their respective Comprehensive Plans, by ordinance, to reflect the agreed upon change.
 3. County Initiated Amendments to County Comprehensive Plan within Urban Growth Area
 - a. The county shall adopt any proposed amendment by resolution and all supporting evidence, findings of fact, and conclusions of law regarding the amendment shall be forwarded to the city for review and consideration.

IT IS HEREBY UNDERSTOOD AND AGREED that the term of this agreement shall be from the _____ day of _____, 197____, to and including the 30th day of June of the following year, except that this agreement shall automatically renew every year, unless terminated by one of the parties by giving the other party a thirty (30) day termination notice, in writing, prior to the renewal date. It is further understood that this agreement will be reviewed by the City and County every two years during the term of this agreement.

The City shall pass a resolution authorizing the Mayor and City Administrator to enter into this agreement on behalf of the City. The resolution shall be made a part of this agreement and attached hereto and shall contain the agreed upon urban growth boundary as referenced in paragraph I of this Agreement.

IN WITNESS THEREOF, the respective parties hereto have caused this Agreement to be signed in their behalf the day and year first above written.

MARION COUNTY BOARD OF COMMISSIONERS

Chairman

Commissioner

APPROVED AS TO FORM:

Commissioner

Marion County Legal Counsel

CITY OF STAYTON, OREGON

Clarence L. Freeman

Mayor

Elias Vandenberg

City Administrator