

ORDINANCE NO. 1022

**AN ORDINANCE AMENDING THE STAYTON COMPREHENSIVE PLAN MAP
AND STAYTON OFFICIAL ZONING MAP TO REDUCE THE NUMBER OF
NONCONFORMING SINGLE FAMILY DWELLINGS**

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

WHEREAS, the City of Stayton has adopted the 2013 Comprehensive Plan, which includes a Comprehensive Plan map designated land within the Urban Growth Boundary as Residential, Commercial, Downtown, Industrial or Public/Semi-Public.;

WHEREAS, the City of Stayton has adopted Title 17 of the Stayton Municipal Code as the Land Use and Development Code, which includes an Official Zoning Map that assigns zoning to land within the City Limits in compliance with the designation of the Comprehensive Plan Map;

WHEREAS, single family dwellings are not permitted uses in the Light Industrial, Commercial General and Commercial Retail zones;

WHEREAS, the City has identified between 90 and 100 existing single family homes that are non-conforming uses throughout the City;

WHEREAS, the Planning Commission has identified three areas within the City with a concentration of existing non-conforming single family dwellings;

WHEREAS, the Planning Commission has initiated a legislative amendment to the Stayton Comprehensive Plan Map and the Stayton Official Zoning Map;

WHEREAS, on April 5, 2018 notice of the proposed amendments was provided to the Oregon Department of Land Conservation and Development;

WHEREAS, on April 24, 2018 written notice of the proposed amendments and the Planning Commission's public hearing was mailed to the owners of properties affected by the proposed map amendments in accordance with ORS 227.186;

WHEREAS, on May 23, 2018 notice of the Planning Commission's public hearing was published in the *Stayton Mail*;

WHEREAS, on May 28, 2018, the Planning Commission held a public hearing on the proposed map amendments;

WHEREAS, upon receiving testimony from various property owners regarding the impact of the proposed amendments the Planning Commission revised the proposed amendments and on June 25, 2018 forwarded the revised proposal to the City Council with a recommendation that the revised proposal be adopted;

WHEREAS, on July 2, 2018 written notice of the City Council's public hearing was mailed to the owners of properties affected by the proposed map amendments;

WHEREAS, on July 11, 2018, notice of the City Council's public hearing was published in the *Stayton Mail*;

WHEREAS, on July 16, 2018, the City Council held a public hearing on the revised proposed map amendments;

WHEREAS, there was testimony from individuals at the City Council public hearing requesting the zoning of certain properties not be changed;

WHEREAS, following the July 16, 2018, the City Council postponed making a decision until September 17, 2018;

WHEREAS, on August 6, 2018, the City Council decided to reopen the public hearing on the revised proposed map amendments;

WHEREAS, on September 6, 2018, written notice of the City Council's reopened public hearing was mailed to the owners of properties affected by the proposed map amendments;

WHEREAS, on September 17, 2018, the City Council held a second public hearing on the revised proposed map amendments;

WHEREAS, in accordance with the requirements of Stayton Municipal Code Section 17.12.170.6.a the Stayton City Council does find that the Comprehensive Plan Map amendments are consistent with the goals and policies of the Comprehensive Plan and the statewide planning goals; and

WHEREAS, in accordance with the requirements of Stayton Municipal Code Section 17.12.180.6.a the Stayton City Council does find that the Official Zone Map amendments are consistent with the goals and policies of the Comprehensive Plan.

NOW, THEREFORE, the City of Stayton ordains:

Section 1. Comprehensive Plan Map Amended. The Stayton Comprehensive Plan Map is hereby amended as follows:

Areas to be Changed from Commercial to Residential

Beginning at the intersection of the centerline of N Third Ave and the centerline of E Cedar St, proceeding westerly along the centerline of E Cedar St to the centerline of N Second Ave; then continuing southerly along the centerline of N Second Ave a distance of 130 feet; then continuing westerly along the south line of Tax Lot 091W10AC01800 to the centerline of the alley between N First Ave and N Second Ave; then southerly along the centerline of the alley between N First Ave and N Second Ave a distance of 520 feet; then easterly along the south line of Tax Lot 091W10AC02800 to the centerline of N Second Ave; then southerly along the centerline of N Second Ave to the centerline of E Hollister St; then westerly 75 feet along the centerline of E Hollister St; then southerly 148 feet to the southwest corner of Tax Lot 091W10AC09200; then easterly along the southern line of Tax Lot 091W10AC09200 and Tax Lot 091W10AC09100 to the northwest corner of Tax Lot 091W10AC09800; then southerly along the west line of Tax Lot 091W10AC09800; then easterly along the south line of Tax Lot 091W10AC09800 to the northwest corner of Tax Lot 091W10AC09900; then southerly along the west line of Tax Lot 091W10AC09900; then easterly along the south line of Tax Lot 091W10AC09900 to the centerline of N Third Ave; then northerly along the centerline of N Third Ave to the point of beginning.

Beginning on the centerline of W Washington St at the intersection of the alley at the west boundary of Potter's Addition to the Town of Stayton, proceeding

southerly along the centerline of the alley to the centerline of a 16-foot alley within Potter's Addition to the Town of Stayton; then continuing easterly along the centerline of the alley a distance of 409 feet; then northerly along the east line of Tax Lot 091W10CA06100 to the centerline of W Washington St; then westerly along the centerline of W Washington St to the point of beginning.

Beginning at the southwest corner of Tax Lot 091W10CA05400 and proceeding northerly along the west line of Tax Lot 091W10CA05400 to the centerline of W Washington St; then continuing easterly along the centerline of W Washington St 208.5 feet; then southerly along the east line of Tax Lot 091W10CA05500 to the southeast corner of Tax Lot 091W10CA05500; then westerly 20 feet; then northerly 25 feet to the northeast corner of Tax Lot 091W10CA05600; then westerly along the south lines of Tax Lots 091W10CA05500 and 091W10CA05400 to point of beginning.

Beginning at the intersection of the centerline of N Myrtle Ave and the centerline of W Washington St, proceeding southwestwardly along the centerline of W Washington St to the centerline of N Noble Ave; then continuing southerly along the centerline of N Noble Ave a distance of 136 feet; then easterly along the south line of Tax Lot 091W09DC02601 to the southeast corner of Tax Lot 091W09DC02601; then northerly along the east line of Tax Lot 091W09DC02601 to the southwest corner of Tax Lot 091W09DC01700; then easterly along the south line of Tax Lot 091W09DC01700 to the centerline of N Myrtle Ave; then northerly along the centerline of N Myrtle Ave to the point of beginning.

Beginning at the intersection of the centerline of N Noble Ave and the centerline of W Ida St, proceeding northerly along the centerline of N Noble Ave a distance of 280 feet; then westerly along the north line of Tax Lot 091W09DC03100 to the northwest corner of Tax Lot 091W09DC03100; then southerly along the west line of Tax Lot 091W09DC03100 to the northeast corner of Tax Lot 091W09DC03400; then westerly along the north line of Tax Lot 091W09DC03400 and the north line of Tax Lot 091W09DC03601 to the centerline of N Oak Ave; then southerly along the centerline of N Oak Ave to the centerline of W Ida St; then easterly along the centerline of W Ida St to the point of beginning.

The areas described above are shown on three maps attached to this ordinance and incorporated herein as Exhibits 1 through 3, and entitled Comprehensive Plan Map Amendment N Second Ave & N Third Ave, September 17, 2018; Comprehensive Plan Map Amendment W Washington St, September 17, 2018; and Comprehensive Plan Map Amendment N Oak, N Noble & N Myrtle Ave, September 17, 2018.

Section 2. Official Zoning Map Amended. The Stayton Official Zoning Map is hereby amended as follows:

Areas to be Changed from Commercial General to Medium Density Residential

Beginning at the intersection of the centerline of N Third Ave and the centerline of E Cedar St, proceeding westerly along the centerline of E Cedar St to the centerline of N Second Ave; then continuing southerly along the centerline of N Second Ave a distance of 130 feet; then continuing westerly along the south line of Tax Lot 091W10AC01800 to the centerline of the alley between N First Ave and N Second

Ave; then southerly along the centerline of the alley between N First Ave and N Second Ave a distance of 520 feet; then easterly along the south line of Tax Lot 091W10AC02800 to the centerline of N Second Ave; then southerly along the centerline of N Second Ave to the centerline of E Hollister St; then westerly 75 feet along the centerline of E Hollister St; then southerly 148 feet to the southwest corner of Tax Lot 091W10AC09200; then easterly along the southern line of Tax Lot 091W10AC09200 and Tax Lot 091W10AC09100 to the northwest corner of Tax Lot 091W10AC09800; then southerly along the west line of Tax Lot 091W10AC09800; then easterly along the south line of Tax Lot 091W10AC09800 to the northwest corner of Tax Lot 091W10AC09900; then southerly along the west line of Tax Lot 091W10AC09900; then easterly along the south line of Tax Lot 091W10AC09900 to the centerline of N Third Ave; then northerly along the centerline of N Third Ave to the point of beginning.

Beginning on the centerline of W Washington St at the intersection of the alley at the west boundary of Potter's Addition to the Town of Stayton, proceeding southerly along the centerline of the alley to the centerline of a 16-foot alley within Potter's Addition to the Town of Stayton; then continuing easterly along the centerline of the alley a distance of 409 feet; then northerly along the east line of Tax Lot 091W10CA06100 to the centerline of W Washington St; then westerly along the centerline of W Washington St to the point of beginning.

Beginning at the southwest corner of Tax Lot 091W10CA05400 and proceeding northerly along the west line of Tax Lot 091W10CA05400 to the centerline of W Washington St; then continuing easterly along the centerline of W Washington St 208.5 feet; then southerly along the east line of Tax Lot 091W10CA05500 to the southeast corner of Tax Lot 091W10CA05500; then westerly 20 feet; then northerly 25 feet to the northeast corner of Tax Lot 091W10CA05600; then westerly along the south lines of Tax Lots 091W10CA05500 and 091W10CA05400 to point of beginning.

Beginning at the intersection of the centerline of N Noble Ave and the centerline of W Ida St, proceeding northerly along the centerline of N Noble Ave a distance of 280 feet; then westerly along the north line of Tax Lot 091W09DC03100 to the northwest corner of Tax Lot 091W09DC03100; then southerly along the west line of Tax Lot 091W09DC03100 to the northeast corner of Tax Lot 091W09DC03400; then westerly along the north line of Tax Lot 091W09DC03400 and the north line of Tax Lot 091W09DC03601 to the centerline of N Oak Ave; then southerly along the centerline of N Oak Ave to the centerline of W Ida St; then easterly along the centerline of W Ida St to the point of beginning.

Area to be Changed from Commercial General to Low Density Residential

Beginning at the intersection of the centerline of N Myrtle Ave and the centerline of W Washington St, proceeding southwestwardly along the centerline of W Washington St to the centerline of N Noble Ave; then continuing southerly along the centerline of N Noble Ave a distance of 136 feet; then easterly along the south line of Tax Lot 091W09DC02601 to the southeast corner of Tax Lot 091W09DC02601; then northerly along the east line of Tax Lot 091W09DC02601 to the southwest corner of Tax Lot 091W09DC01700; then easterly along the south line of Tax Lot

091W09DC01700 to the centerline of N Myrtle Ave; then northerly along the centerline of N Myrtle Ave to the point of beginning.

The areas described above are shown on three maps attached to this ordinance and incorporated herein as Exhibits 4 through 6, and entitled Zone Map Amendment N Second Ave & N Third Ave, September 17, 2018; Zone Map Amendment W Washington St, September 17, 2018; and Zone Map Amendment N Oak, N Noble & N Myrtle Ave, September 17, 2018.

Section 3. Effective Date. Upon adoption by the Stayton City Council and the Mayor's signing, this Ordinance shall become effective 30 days after the date of signing.

Section 4. Notice to DLCD. A copy of this Ordinance shall be furnished to the State of Oregon, Department of Land Conservation and Development forthwith.

ADOPTED BY THE STAYTON CITY COUNCIL this 17th day of September, 2018.

Signed: 9/17, 2018

CITY OF STAYTON
BY: Henry A. Porter
Henry A. Porter, Mayor

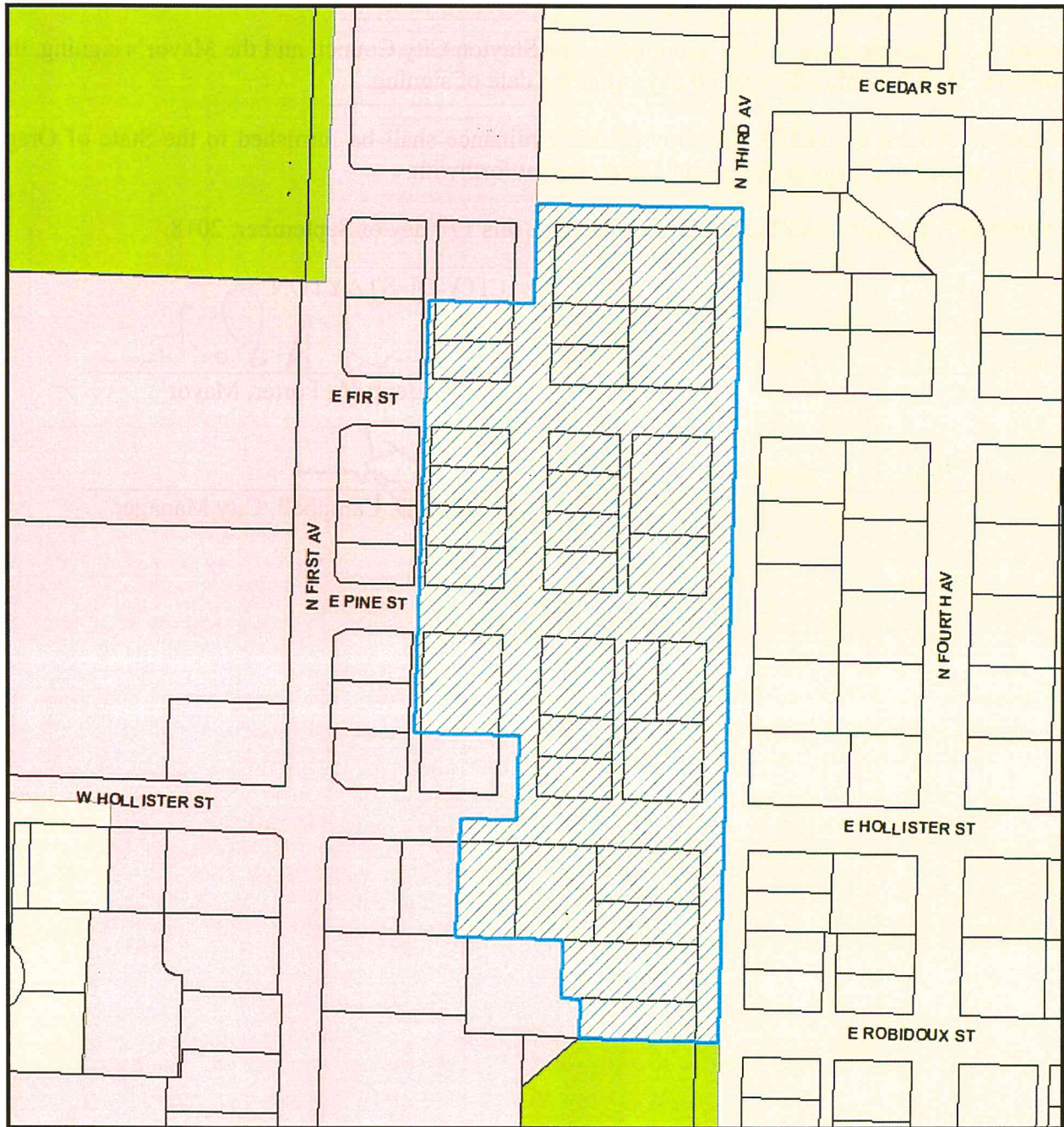
Signed: 9/18, 2018

ATTEST: Keith D. Campbell
Keith D. Campbell, City Manager

Exhibit 1



**Comprehensive Plan Map Amendment
N Second Ave & N Third Ave
September 17, 2018**



 Comprehensive Plan Designation Change from Commercial to Residential

Exhibit 2



**Comprehensive Plan Map Amendment
W Washington St
September 17, 2018**



Comprehensive Plan Designation Change from Commercial to Residential

Exhibit 3



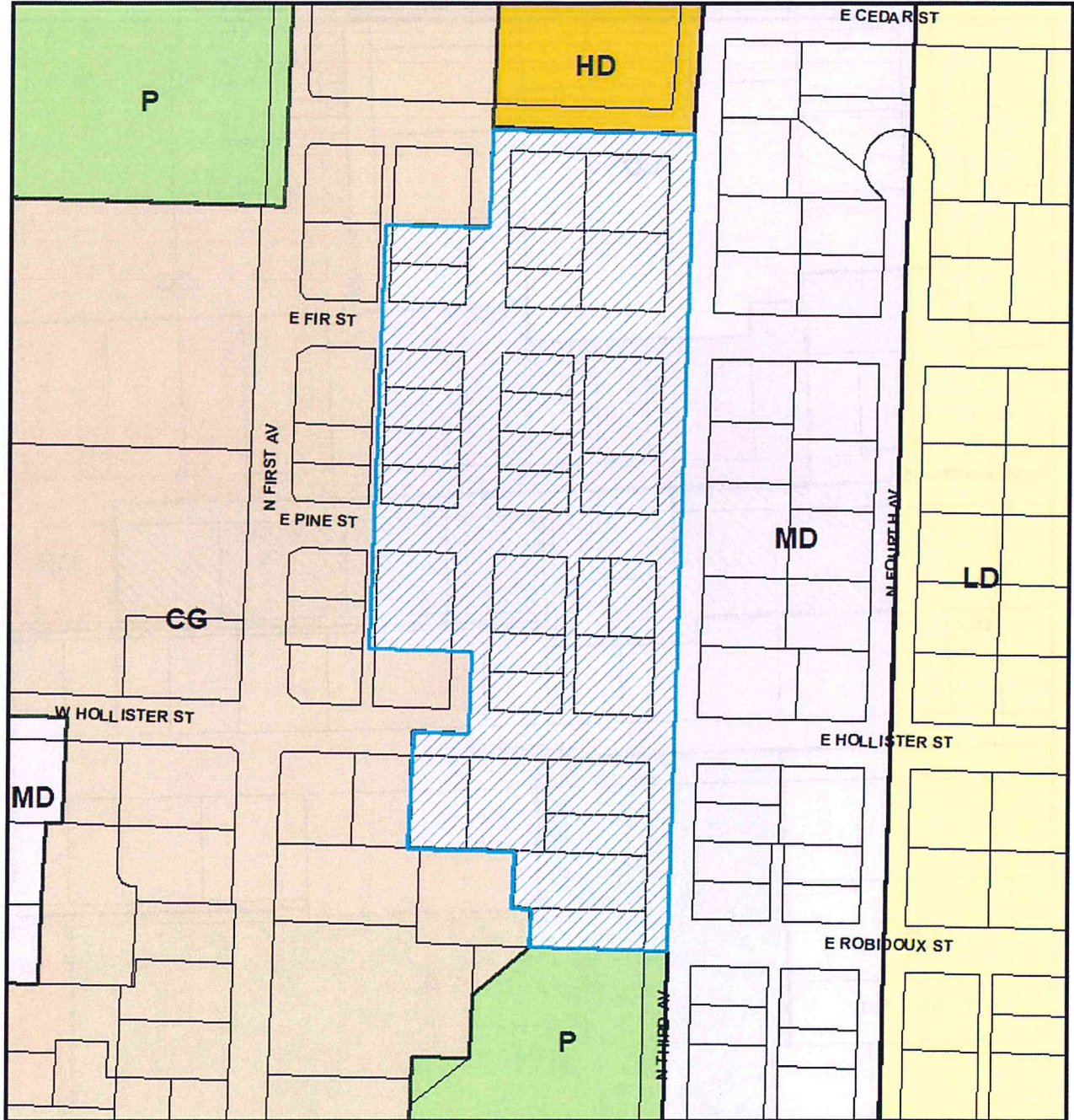
**Comprehensive Plan Map Amendment
N Oak, N Noble & N Myrtle Ave
September 17, 2018**



 Comprehensive Plan Designation Change from Commercial to Residential



**Zone Map Amendment
N Second Ave & N Third Ave
September 17, 2018**

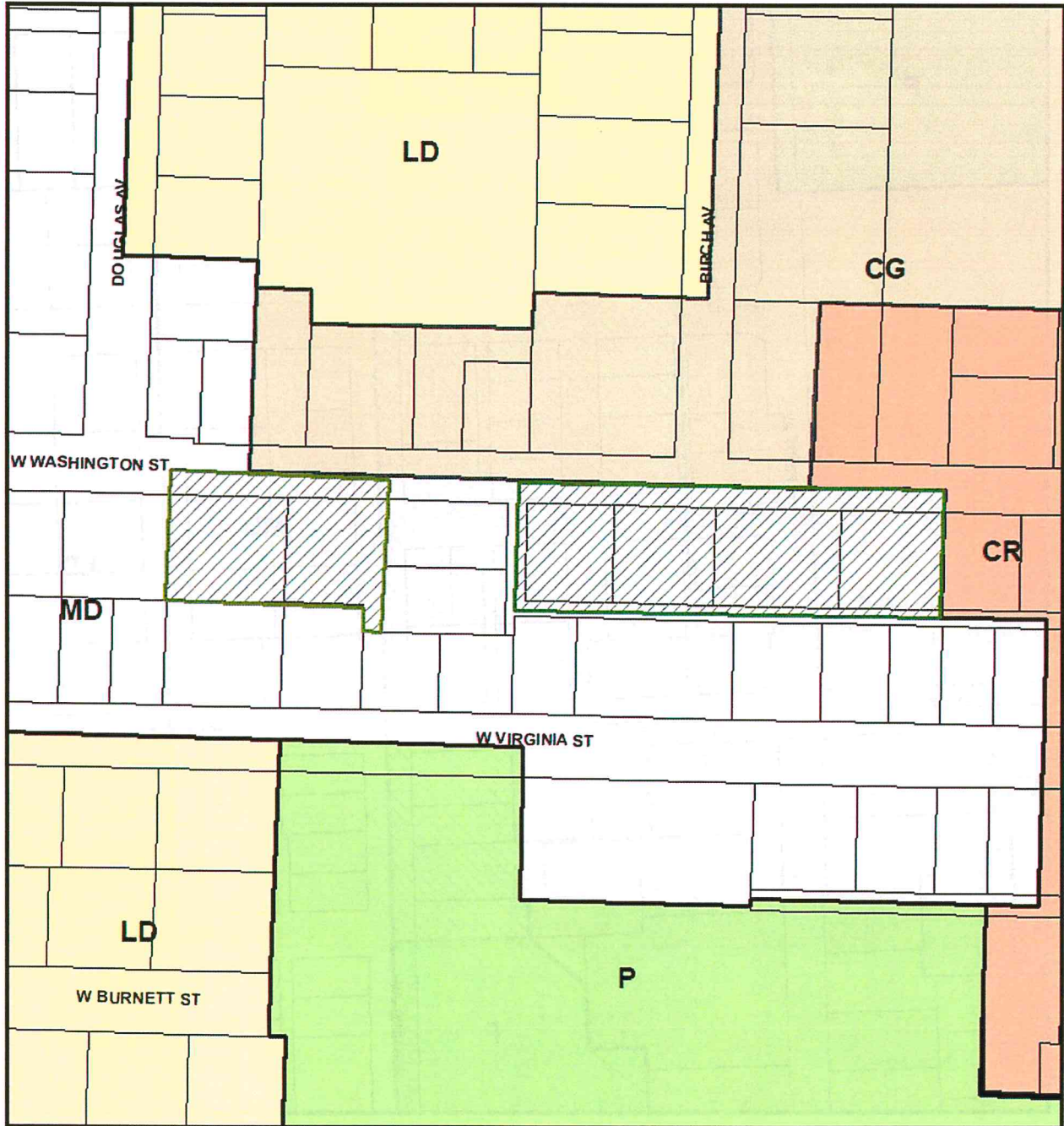


 Proposed Zone Change from Commercial General to Medium Density Residential

Exhibit 5



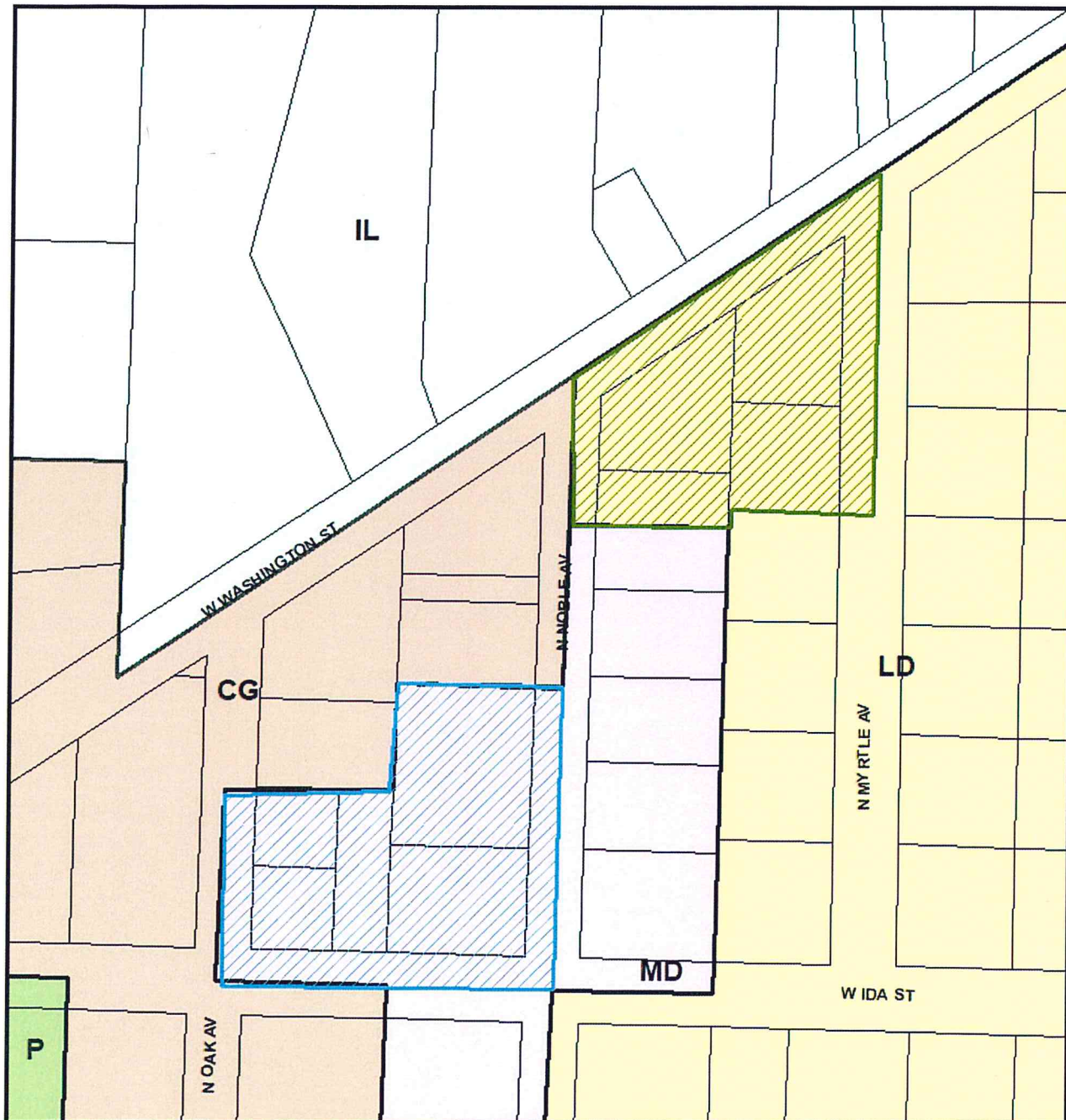
**Zone Map Amendment
W Washington St
September 17, 2018**



 Proposed Zone Change from Commercial General to Medium Density Residential



**Zone Map Amendment
N Oak, N Noble & N Myrtle Ave
September 17, 2018**



-  Proposed Zone Change from Commercial General to Low Density Residential
-  Proposed Zone Change from Commercial General to Medium Density Residential

