

**RESOLUTION NO. 676
BEFORE THE STAYTON CITY COUNCIL**

In the Matter of Proposed Legislative)	
)	
Amendments to the Stayton Land Use and)	
)	
Development Code regarding:)	
)	Legislative Plan and Zone Change
Santiam Station Lots 9 and 10 Zone and)	File Numbers 32-09/7; 33-09/97; 34-10/97
)	
Plan Designation changes from Public (P))	
)	
to High Density Residential (HD))	

RESOLUTION

Comes now the Stayton City Council for the purpose of initiating a change in the Comprehensive Plan and Zone designations on site specific tracts of land within the corporate boundaries of the City of Stayton, pursuant to its Land Use and Development Code, do hereby enter into the following Resolution.

WHEREAS The City Council is empowered in the Land Use and Development Code [17.12.420(3)(a)] to initiate amendments to the Stayton Area Comprehensive Plan, and [in 17.12.430(3)(a)] to initiate amendments to the zoning map of the City of Stayton. The formal process by which such actions are initiated is a Resolution from the City Council; and

WHEREAS Legislative amendments have historically been interpreted to follow the normal process for zone changes, to the extent applicable to legislative amendments, set forth in §17.12.430 shall be used in the consideration of the proposals; and

WHEREAS The process for initiating legislative text amendments is by first having a Resolution passed by Council indicating an intent to consider changes; and

WHEREAS There are two specific tracts of land in the development known as Santiam Station that as yet are undeveloped. Lot 9 was required to be set aside for park land purposes in the original development approval, and Lot 10 was designated and zoned for high density residential use. As the Santiam Station project has developed it appears that it would be in the best interests of the City and for the property owner to consider switching the plan and zone designations on these two tracts to allow the park land to merge with an adjoining tract already set aside for open space and park land;

WHEREAS ORS 197.610 requires any changes to the local comprehensive plan to be noticed to DLCD in advance of the first public hearing. However, in this case the availability of the parties is such that a shorter period for hearing is necessary, and DLCD has been contacted by telephone and this proposal has been explained to the City's Field Representative at DLCD who indicated that DLCD has no comment on the proposal, thereby fulfilling the notice and opportunity to be heard provisions of ORS 197.610; now

THEREFORE IT IS HEREBY RESOLVED the legislative plan and zone amendments referenced above are hereby initiated; and

IT IS HEREBY FURTHER RESOLVED that a public hearing should be held, notice of which has already been duly provided, on November 6, 2000 at 7:00 p.m. at the Stayton Community Center, 400 W. Virginia Street, Stayton, Oregon to take testimony and receive evidence and staff report regarding this proposed change.

DATED this 31st day of October, 2000 at City of Stayton.

Signed: Oct 31, 2000

By: Henry A. Porter
Henry A. Porter, Mayor

Signed: 10-31-2000

ATTEST: Chris Childs
Chris Childs, City Administrator

APPROVED AS TO FORM:

David A. Rhoten
David A. Rhoten, City Attorney

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