

ORDINANCE NO. 714

AN ORDINANCE AMENDING THE CITY OF STAYTON LAND USE AND DEVELOPMENT CODE TO CREATE SECTION 17.16.775, "PUBLIC NATURAL RESOURCE (PNR) OVERLAY DISTRICT"; TO REDESIGNATE CERTAIN PROPERTY FROM LOW DENSITY (LD) RESIDENTIAL TO PUBLIC (P) WITHIN THE CITY OF STAYTON URBAN GROWTH BOUNDARY, COUNTY OF MARION, STATE OF OREGON; AND TO APPLY THE PNR OVERLAY DISTRICT TO CITY-OWNED PROPERTY ADJACENT TO THE CITY WATER TREATMENT PLANT.

WHEREAS, The Stayton Riverfront Task Force completed a report on the riverfront area east of First Avenue adjacent to the water treatment facilities and north of the North Santiam River and determined that this area is a community asset due to its location within the flood plain, its proximity to the city water supply from the Stayton Power Canal and city wells, and its natural setting along the north bank of the North Santiam River; and

WHEREAS, the task force urged the city to protect the aquifer and riverfront as a natural resource area; and

WHEREAS, the Stayton City Council adopted Resolution No. 463, directing the Stayton Planning Commission to prepare an amendment to the Stayton Comprehensive Plan to create a Natural Resources Overlay zone and to designate and rezone the city-owned property adjacent to the city water treatment plant and the North Santiam River from Low Density (LD) Residential to Public (P); and

WHEREAS, the Stayton City Council conducted a public hearing on March 15, 1993 and adopted an Order of Approval amending the Stayton Comprehensive Plan and Stayton Land Use and Development Code to create the Public Natural Resource Overlay zone and redesignating certain property from LD to P;

NOW, THEREFORE, THE STAYTON CITY COUNCIL ORDAINS AS FOLLOWS:

SECTION 1: The Stayton Land Use and Development Code is hereby amended to create Section 17.16.775, "Public Natural Resource (PNR) Overlay District, to read as follows:

17.16.775 PUBLIC NATURAL RESOURCE (PNR) OVERLAY DISTRICT

1. PURPOSE: The purpose of the PNR Overlay district is to protect the identified aquifer surrounding the city's water treatment plant and natural riparian area adjacent to the North Santiam River and to establish siting criteria and operating standards for public and natural resource uses that minimize environmental impacts.
2. APPLICATION: The PNR Overlay district may be placed on such properties as are identified in the city's comprehensive plan as appropriate for protection of the city's underground aquifer or surface water supply from the North Santiam River or the Stayton Power Canal and the adjacent riparian area along the North Santiam River.

This overlay zone shall be designated for a given property and the provisions, requirements, and restrictions found herein shall be in addition to those found in the underlying primary zone. Where there are conflicts between the requirements of the PNR Overlay zone and the requirements of the underlying primary zone, the more restrictive requirements shall apply.

3. PERMITTED USES: All uses are subject to site plan review approval unless otherwise noted.
  - a. Publicly owned buildings and facilities related to water supply and treatment, including parking and storage areas.
  - b. Recreational trails, walkways, and bikeways.
  - c. Public parks and river-related recreational facilities, including meeting rooms, viewing platforms, displays, signs, restrooms, and parking areas. Development of the site consistent with the June, 1992 Parks Master Plan, for Area I adjacent to First Avenue of the Riverfront Park development, may proceed without site plan review.
  - d. Resource enhancement projects.
  - e. Road and access drives.
  - f. All uses clearly accessory and subordinate to the above.
  - g. Other uses permitted within the Public (P) zone are not permitted in the PNR overlay zone unless findings are made which show the use is consistent with the intent of the PNR Overlay zone and no significant environmental impact will occur.
4. DEVELOPMENT REQUIREMENTS: Proposals for development will be subject to the following requirements in addition to the site plan review requirements in Stayton Municipal Code Chapter 17.20.
  - a. The proposal has as few significant detrimental environmental impacts on surface and subsurface water sources as possible.
  - b. All identified impacts will be compensated through implementation of a mitigation plan approved by the city.
  - c. Existing trees and other vegetation are retained to the greatest extent possible.
  - d. The proposal is being developed for the enjoyment of the natural resource and the facility balances the impacts on the area with the potential for public enjoyment of the riparian environment and recreational use of the river.
5. IMPACT EVALUATION: An impact evaluation may be required for proposals in the PNR Overlay zone. The following steps describe the process for evaluating the impacts of a proposal:
  - a. The natural resources are identified.
  - b. A storm water runoff report and plan are provided detailing the quantity and quality of any storm water runoff from the construction or developed use of the property. The report shall detail the potential impact storm water runoff will

have, if any, on the well or surface water intakes of the city water system from the North Santiam River or the Stayton Power Canal and shall provide a mitigation plan showing how these impacts will be averted.

- c. The functional values of the identified resource are defined by their natural characteristics, quantity, and quality.
- d. Alternative locations, design modifications, or alternative methods of development of the subject property to reduce the impacts on the water supply intakes, aquifer, and natural riparian resources are identified and evaluated.
- e. If there is any resulting degradation or loss of functional values of the natural resource as a result of development, a mitigation plan is required which will compensate for the degradation or loss.

SECTION 2: That the Official Comprehensive Plan and Zoning Map is hereby amended to redesignate and rezone property, as shown on Exhibit "A", from Low Density (LD) Residential to Public (P).

SECTION 3: That the Official Comprehensive Plan and Zoning Map is hereby amended to designate a Public Natural Resource Overlay zone on city-owned property as shown on Exhibit "B".

PASSED BY THE STAYTON CITY COUNCIL this 5th day of April, 1993.

Date: 4-06-93 By: Willmer Van Vleet  
WILLMER VAN VLEET, Mayor

ATTEST

Date: 4-06-93 By: David W. Kinney  
DAVID W. KINNEY, City Administrator

APPROVED AS TO FORM

Date: MAR 18 1993 David A. Rhote  
DAVID A. RHOTE, City Attorney

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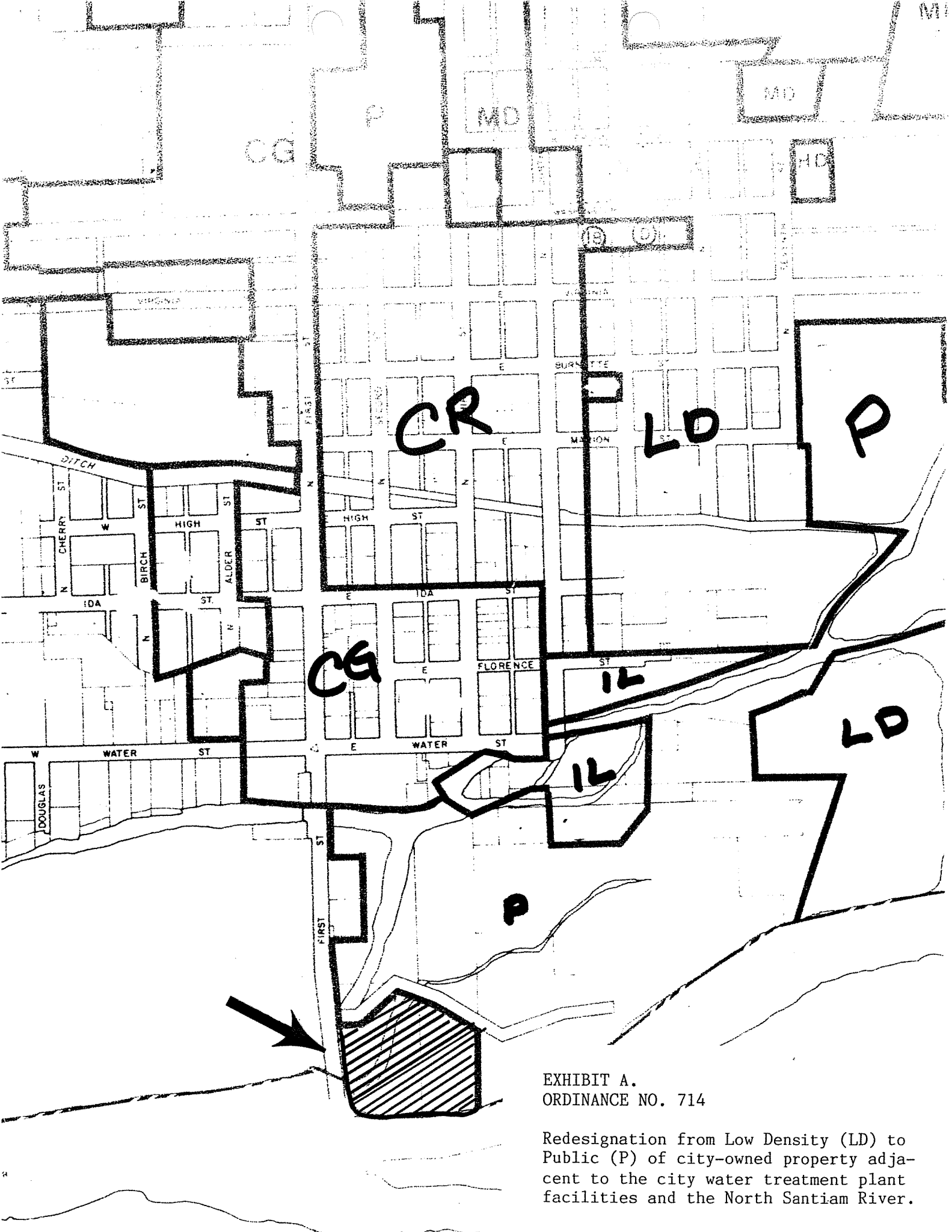
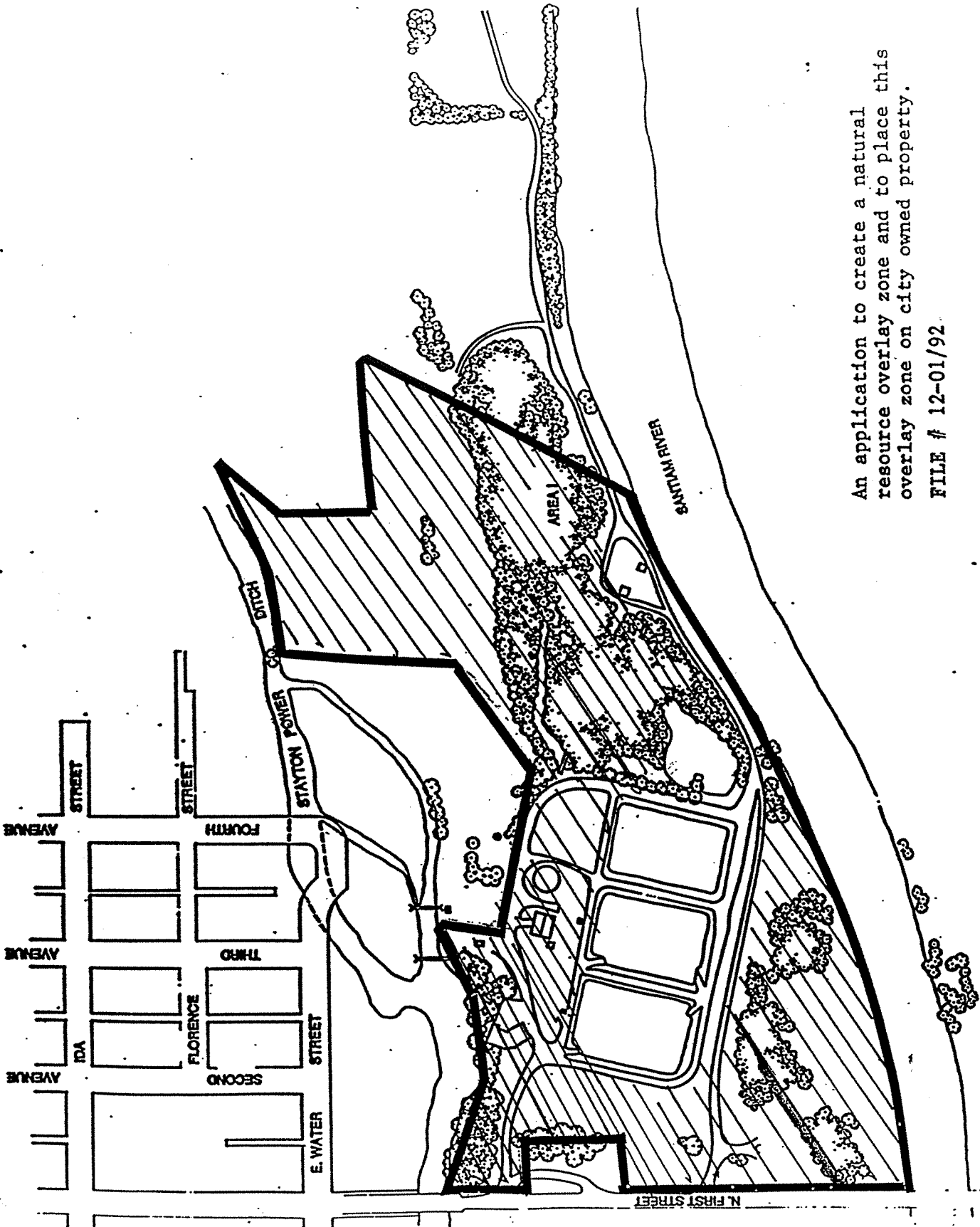


EXHIBIT A.  
ORDINANCE NO. 714

Redesignation from Low Density (LD) to Public (P) of city-owned property adjacent to the city water treatment plant facilities and the North Santiam River.



An application to create a natural resource overlay zone and to place this overlay zone on city owned property.  
FILE # 12-01/92