

City of Lafayette

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"Third Oldest City in Oregon"

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LAFAYETTE PLANNING COMMISSION

NOTICE OF PUBLIC MEETING

THE PLANNING COMMISSION OF THE CITY OF LAFAYETTE WILL MEET IN REGULAR SESSION THURSDAY, OCTOBER 21, 2010 AT 7 PM IN THE CITY HALL MEETING ROOM AT 486 THIRD STREET (99W), LAFAYETTE, OREGON.

AGENDA IS AS FOLLOWS:

1. CALL MEETING TO ORDER
2. ROLL CALL
3. APPROVAL OF THE **SEPTEMBER 16, 2010 minutes**
4. **CONTINUATION OF PUBLIC HEARING:** Legislative public hearing on Text Amendment 10-01. The City of Lafayette proposes changes to the Comprehensive Plan's findings, goals, policies and implementation items to (1) correct scrivener's errors, (2) clarify language, and (3) update the language.

The location of this meeting is accessible to the disabled. If you will need any special accommodations to attend or participate in the meeting, please notify City Hall, at (503) 864-2451, at least 24 hours before the meeting.

CITY OF LAFAYETTE
PLANNING COMMISSION MEETING MINUTES FOR
SEPTEMBER 16, 2010

Call to Order: Beth Cooke called the meeting to order at 7:15p.m.

Roll Call: Lori Labb called the roll.

Present: Marian Chasse (via phone), Gordon Cook, Ronald Kerr, Beth Cooke
Absent: Todd Holt,(excused), Jesse Huffman (excused), and Dave Gilbey (resigned)

Staff Present: Jim Jacks-City Planner , Lori Martino-Community Development Clerk, and Joe Wrabek-Interim City Administrator.

Others: Darrell Flood

Approval of Minutes:

Gordon Cook made a motion to approve the July 15, 2010 & August 19, 2010 meeting minutes. Ronald Kerr seconded the motion. Motion passed unanimously.

Public Hearing: Legislative Public Hearing on Text Amendment 10-01. The City of Lafayette proposes changes to the Comprehensive Plan's findings, goals, policies and implementation items to (1) correct scrivener's errors, (2) clarify language, and (3) update the language.

Beth Cooke opened the hearing at 7:16.

Ronald Kerr made a motion to continue the hearing to October 21st at 7:00pm. Gordon Cook seconded. There was no discussion and the motion passed unanimously.

Hearing recessed at 7:16

Adjourn: Gordon Cook made a motion to adjourn. Ronald Kerr seconded the motion. Motion passed unanimously. 7:16 pm.

TO: LAFAYETTE PLANNING COMMISSION

FROM: JIM JACKS, CITY PLANNER

SUBJ: COMPREHENSIVE PLAN AMENDMENTS (Text Amendment 10-01)
(INTENDED TO BE MINOR AMENDMENTS)

DATE: OCTOBER 21, 2010

UPDATE SINCE SEPTEMBER 16 CONTINUED PUBLIC HEARING

The September 16 public hearing was continued to October 21, 2010 due to only four Commissioners participating. The four comprised a quorum, but due to Commissioner Chasse participating by speaker phone the Commission decided a continuance was appropriate and would allow more members to participate in person on October 21.

Prior to the September 16 hearing the Interim City Manager, Joe Wrabek, had provided some comments about the proposed Comprehensive Plan amendments. The city planner would have addressed them verbally at the hearing had more members been in attendance, but with the hearing continued, the purpose of this memo is to update the September 16 staff report vis-a-vis Mr. Wrabek's comments. See the headings, "City Manager Comment" beginning on page 16, Item 56. Also, see the city planner's comments and the changes to the proposed language to address the City Manager's comments. Finally, note that Item 56 contained an error and it is also explained on page 17.

On September 16 no public testimony was taken and the September 16 staff report was not entered into the record. On October 21 public testimony will be taken and this October 21 memo will be entered into the record.

BACKGROUND

The purpose of this memo is to propose amendments to the Lafayette Comprehensive Plan. The Plan is organized as follows:

Introduction

Natural Resources Chapter.

- Air Resources.

- Natural Hazards.

- Water Resources.

- Fish and Wildlife Resources.

- Mineral and Aggregate Resources.

- Energy Resources.

- Open Spaces.

- Implementation.

Community Resources Chapter.
Education.
Transportation.
Solid Waste.
Energy Use.
Public Facilities.
Recreation.
History.
Public Safety and Service.
Communications.
Implementation.

Community Development Chapter.
Population and Economics.
Housing.
Land Use and Urbanization.
Implementation.

Citizen Involvement Program.
Acknowledgements.

At the July 15, 2010 Planning Commission meeting a memo similar to this memo was provided to the Commission a week prior to the meeting and was discussed at the meeting. The memo aggregated material from memos dated November 19, 2009, March 18, 2010, May 20, 2010 and June 17, 2010. The memos proposed what are intended to be minor changes to the Natural Resources, Community Resources and Community Development Chapters, including the Findings, Goals, Policies and Implementation Sections.

One amendment, however, should be specifically noted (Policy 17-18 in the Community Development Chapter, Population and Economics Section) because it addresses a population projection from the early 2000's related to a grant for a wastewater plant upgrade (Item 82, p. 23). The projection caused concern by 1000 Friends of Oregon who contended the projection should not be used as part of a UGB expansion process. The concern was addressed by Policy 17-18 says for a UGB expansion effort the city will prepare a new population projection "...as part of a Work Task within Periodic Review in conjunction with and prior to expanding the urban growth boundary." The issue now is that Periodic Review is not required for cities with less than 10,000 population (the city's July 1, 2009 population estimate by CPRC is 3,925). The proposed change to Policy 17-18 would add the phrase "...or outside of Periodic Review..." Thus, Policy 17-18 would require a new population projection and it would read in part, "...as part of a Work Task within Periodic Review, **or outside Periodic Review**, in conjunction with and prior to expanding the urban growth boundary."

OVERALL WORK PROGRAM

The current review of the proposed minor changes to the comprehensive plan are part of a city funded work program. In the spring of 2008 when the city contracted with the Mid-Willamette

Valley Council of Governments (COG) to provide land use planning services, the city's overall work program concept for long range planning efforts was to update the zone code with minor changes and then update the comp plan goals and policies, again with minor changes. At that point the City would be ready to determine what its next long range planning step would be.

A possible long range planning "next step" would be to enter into a process to review the urban growth boundary (UGB) with an expectation to expand it due to the city's population increasing 100% from 1990 to 2000 and then increasing 49% from 2000 to July 1, 2008 (3,925). A UGB review would be a major effort and would take an estimated 2-years.

An issue related to a UGB effort is whether the city should consider expanding the UGB if the water system cannot adequately serve the current population. In 2008 the city's position was to address the water system before the UGB. The city's current position has not changed.

There could be other long range planning efforts, but the appropriate time to purposefully identify all the possibilities and choose the next step is when the minor changes to the comprehensive plan are completed.

The 2009 Lafayette Zoning and Development Ordinance (LZDO) minor amendments were based on items that city staff had noted over the years as needing amending and they were housekeeping in nature. Once into that effort, the city planner suggested two substantive amendments be included to add the limited land use process and the expedited process to the LZDO because those processes were in State Statute (ORS 197). Also, as an outcome of the Land Use Board of Appeals (LUBA) decision on the appeal of the Bridge Street Partners PUD application, some substantive amendments related to open spaces and outdoor recreation areas for PUDs were included. Finally, FEMA updated the Flood Insurance Study for Yamhill County which necessitated flood plain regulation amendments. The flood plain amendments were a separate case number and were not part of the LZDO minor amendments. The minor amendments were adopted in October 2009 and the flood plain amendments were adopted in January 2010. The required Form 1 and Form 2 were provided to the Oregon Land Conservation and Development Department for the two amendment processes.

After amending the LZDO, the next item is this review of the Lafayette Comprehensive Plan's findings, goals, policies and implementation statements and the resultant minor amendments. As with any amendment effort, even when the intent is to limit the work to minor amendments, a party may consider one or more of the proposed amendments to be more than minor. It is the intent for these amendments to be minor, however, parties are encouraged to read each proposed amendment and participate in the Planning Commission's public hearing on Thursday, September 16, 2010 at 7:00 p.m. and testify on any of the amendments. The Planning Commission will make a recommendation to the City Council and the City Council will hold a public hearing before making a decision to amend the Lafayette Comprehensive Plan.

The proposed amendments are based on common knowledge within the city and available documentation, depending on the specific amendment.

PROPOSED AMENDMENTS

The following proposed amendments are listed and numbered individually and a brief explanation of the reason for the amendment is provided.

Language proposed to be deleted is shown in ~~strikeout~~ and language proposed to be added is shown in ***bold italics***.

ALL CHAPTERS

1. One overall change is that in each Findings Section, propose removing the bullets and assigning numbers to clearly identify each finding. In those cases where the language of the Findings is proposed to be amended, the amendments show the bullets as deleted. Where the language of the Findings is not proposed to be amended, the Findings are not shown, but the intent is to replace each bullet with a number. The proposed amendments for the City Council hearing will show all the Findings with their numbers.

NATURAL RESOURCES CHAPTER – AIR RESOURCES

2. Natural Resources Chapter; Air Resources Section (p. 5). Findings, 3rd bullet. Change “planning area” to “Lafayette area” because it is not known what area the phrase “planning area” refers to.

- 1. Federal and State air quality standards are presently being met.
- 2. Field burning creates suspended particulate matter, and is a seasonal form of air pollution.
- 3. The ~~planning~~ ***Lafayette*** area is susceptible to temperate inversions.
- 4. Increased automobile traffic will increase auto related air pollution, such as photo-chemical oxidants, hydrocarbons and particulates.

NATURAL RESOURCES CHAPTER – NATURAL HAZARDS

3. Natural Resources Chapter; Natural Hazards Section (p. 6). Findings, 1st bullet. Propose replacing the semi-colon with a period.

- 1. Flood hazard lands account for 11 percent of the City’s land area ; .

4. Natural Resources Chapter; Natural Hazards Section (p. 6). Findings, 2nd bullet. Propose deleting “agricultural” because there are no agricultural uses occurring in the flood plain. The sewage treatment plant and it’s settling ponds are in the Public Zone and the settling ponds are in the flood plain. The property in agricultural use north of the settling ponds is

above the flood plain and is zoned industrial. Other riparian areas in the flood plain are in open space or are a large side or rear yard related to a residential use. Propose replacing the semi-colon with a period.

- 2. The majority of the flood hazard lands are in ~~agricultural~~, open space ; and public facility use ; .

5. Natural Resources Chapter; Natural Hazards Section (p. 6). Findings, 3rd bullet. Correct spelling. Propose replacing the semi-colon with a period.

- 3. Soil hazards ~~included~~ **include** slow permeability, high water table, poor drainage, steep slopes, and land slide problems ; .

6. Natural Resources Chapter; Natural Hazards Section (p. 6). Findings, 4th bullet. Propose replacing the semi-colon with a period.

- 4. Soil hazard lands account for an additional 11 percent of the City’s land area ; .

7. Natural Resources Chapter; Natural Hazards Section (p. 6). Findings, 5th bullet. Propose replacing the semi-colon with a period.

- 5. Lands with natural hazard and/or severe building limitations account for 22 percent of the City’s land area ; .

8. Natural Resources Chapter; Natural Hazards Section (p. 6). Findings, 6th bullet. Propose replacing the semi-colon with a period.

- 6. The majority of the hazard areas are in agricultural and open space use ; . and

9. Natural Resources Chapter; Natural Hazards Section (p. 6). Findings, 7th bullet. Propose adding “has” and “limitations.”

- 7. Within the City, 69 percent of the land has slight building site limitations, 10 percent **has** moderate **limitations**, 7 percent **has** moderate-to-severe **limitations**, and 14 percent has severe limitations.

10. Natural Resources Chapter; Natural Hazards Section (p. 7). Policy 2-1. Propose rewording the current language which calls for eliminating the potential hazard to reducing the hazard. Replace “assure” with “ensure.”

2-1. Development proposals in areas with natural hazards must show construction and design techniques that will ~~eliminate~~ **reduce** the hazard ~~potential~~ and ~~assure~~ **ensure** suitability for the proposed use.

11. Natural Resources Chapter; Natural Hazards Section (p. 7). Policy 2-2. Propose rewording to reflect the proper title of the National Flood Insurance Program.

2-2. The City shall continue participation in the ~~HUD~~ **Federal Emergency Management Agency's National Flood Insurance Program.**

12. Natural Resources Chapter; Natural Hazards Section (p. 7). Policy 2-3, Propose rewording to refer to the Urban Growth Boundary; refer to “the 100-year floodplain as set forth in the March 2, 2010 Flood Insurance Study;” and refer to the “comprehensive plan map” not “plan map.”

2-3. The City shall designate all areas within the ~~planning~~ **urban growth** boundary that have building limitations, and those which are in the ~~floodplain zone~~ **100-year floodplain (special flood hazard area) as shown in the March 2, 2010 Flood Insurance Study for Yamhill County and Incorporated Cities**, on the **comprehensive** plan map.

13. Natural Resources Chapter; Natural Hazards Section (p. 7). Policy 2-5. Propose deleting because since the policy was adopted the city has not committed the staff time or funding to investigate alternative uses for areas that are unsuitable for development. It is not clear what areas are unsuitable for development. Additionally, it is not clear what the policy's intent is. The Comprehensive Plan Map (page 3 of the Comp Plan) already shows areas with an “Open Space Overlay” designation to show that certain areas are to be open space. The shaded areas coincide with areas along the South Yamhill River, Millican Creek, Martin Creek and Henry Creek that are floodplains, wetlands or are steep slope areas. Finally, one could contend it is inconsistent to designate areas as unsuitable for development and then call for investigating uses for those same areas, unless it is open space. At the July 15 Planning Commission meeting, the Commission unanimously passed a motion to delete Policy 2-5 for the reasons noted above.

As an option to deleting Policy 2-5, it could be retained replace “shall” with “may.”

~~2-5. The City shall investigate alternative uses for areas unsuitable for development.~~

14. Natural Resources Chapter; Natural Hazards Section (p. 7). Policy 2-6, does not appear to be a natural hazard policy. It calls for transitioning agricultural lands into urban lands in a cost-efficient and energy conserving manner. A cost-efficient and energy conserving transition does not relate to natural hazards. Propose moving it to the Community Development Chapter, Land Use and Urbanization Section, to be a new Policy 19-10 (see Item 91, p. 26).

~~2-6. The City shall promote the transition of existing agricultural lands into urbanized lands in a manner that is most cost-efficient and energy conserving.~~

NATURAL RESOURCES CHAPTER -- WATER RESOURCES

Natural Resources Chapter; Water Resources Section (p. 9). The Findings appear to mix naturally occurring water resources such as groundwater and surface flows (rivers and streams) with the city's municipal water system. Because the Water Resources Section is in the Natural Resources Chapter, it is assumed the Water Resources Findings, Goal and Policies should relate to the naturally occurring water resources such as groundwater and surface flows. Propose amending to separate the naturally occurring water resources such as groundwater and surface flows from the city's municipal water system.

15. Natural Resources Chapter; Water Resources Section (p. 9). Findings, 1st bullet. Propose revising to delete "most likely" because it is inaccurate now that the City has a well in the area south of the City. Also, specifically refer to the "Dayton/Lafayette well field" which is south of the City to make it a more accurate statement. In the decades since Finding 1 was written the February 2007 "Water System Master Plan" by Westech Engineering, Inc., has been prepared and Dayton and Lafayette have wells in what is now called the Dayton/Lafayette Well Field south of Lafayette. Replace "planning area" with UGB because it is not clear where the "planning area" is.

- ~~1. The most abundant groundwater source is most likely south of the planning area~~ ***urban growth boundary in the Dayton/Lafayette well field.***

16. Natural Resources Chapter; Water Resources Section (p. 9). 2nd bullet. Propose rearranging the finding to change the emphasis from the city's water supply to the groundwater resource. See also, Item 56, p. 16, below, in the Community Resources Chapter, Public Facilities Section indicating the source of the city's municipal water supply is groundwater resources based on the 2007 Water System Master Plan.

- ~~2. Lafayette's water supply is derived from groundwater sources.~~ ***Groundwater resources in the Lafayette area are the source of the city's municipal water supply.***

17. Natural Resources Chapter; Water Resources Section (p. 9). 3rd bullet. Propose amending to be clearer.

- ~~3. There is little recreational use provided by t~~ ***The groundwater and surface water resources in the planning Lafayette area have a low level of recreational use.***

18. Natural Resources Chapter; Water Resources Section (p. 9). 4th bullet. Propose amending to correct a typo -- change "need" to "needs" in the first line. Propose replacing "planning area" with "Lafayette and the surrounding area" because it is not clear where the "planning area" is.

- ~~4. A sensitive groundwater area underlies the planning area~~ ***Lafayette and the surrounding area.*** The City needs to be aware of potential impacts on sensitive

groundwater areas from underground storage tanks, storm drainage, chemical spills, residential on-site sewage disposal systems, and other similar land uses.

19. Natural Resources Chapter; Water Resources Section (p. 9). Goal 3-A. Propose rewording to add reference to groundwater and surface water resources. Propose replacing “planning area” with “urban growth boundary area” because it is not clear where the “planning area” is.

3-A. To maintain and improve the quality of **groundwater and surface** water resources of the planning area **within the urban growth boundary** and Lafayette.

20. Natural Resources Chapter; Water Resources Section (p. 9). Policy 3-1. Propose rewording to specify underground and surface water resources.

3-1. The City shall cooperate with and support State and Federal agency efforts to maintain and improve the **groundwater and surface** water resources.

21. Natural Resources Chapter; Water Resources Section (p. 9). Policy 3-2. Propose deleting it from the Natural Resources Chapter and moving it to the Community Resources Chapter, Public Facilities Section, because it refers to the municipal water system. Once moved, amend to more clearly state the City’s intent (see p. 18, Item 68, Policy 12-7).

~~3-2. The City shall maximize the utilization of its water resources.~~ **Policy 12-7 The City shall ensure the public water system is operated and maintained in an economical and value efficient manner.**

22. Natural Resources Chapter; Water Resources Section (p. 9). Policy 3-3. Propose renumbering and rewording to be more accurate and to ensure it addresses underground and surface water resources. Propose replacing “planning area” with “within the urban growth boundary” because it is not clear where the “planning area” is.

~~3-32. All effluent from future~~ **The City shall adopt regulations requiring new development to connect to the municipal sanitary sewer system where a system exists to ensure developments shall will not detrimentally affect the water quality of groundwater and surface waters of the planning area within the urban growth boundary.**

NATURAL RESOURCES CHAPTER – FISH AND WILDLIFE RESOURCES

23. Natural Resources Chapter; Fish and Wildlife Resources Section (p. 10). Findings, 1st bullet. Propose rewording to reflect the Federally listed species based on the U.S. Fish and Wildlife Service’s listing “which may occur within Yamhill County.”

~~No endangered fish or wildlife species exist in the planning area.~~ **1. The following are listed by the U.S. Fish and Wildlife Service as of June 2010 as endangered species,**

threatened species or areas of critical habitat designated for threatened or endangered species “which may occur within Yamhill County.” It is not known if any of the species or the critical habitat exists within the urban growth boundary.

Birds:

Marbled murrelet, Brachyramphus mamoratus. Critical habitat. Threatened.
Northern spotted owl, Strix occidentalis caurina. Critical habitat. Threatened.

Invertebrates (insects):

Fender’s blue butterfly, Icaricia icariodes fender. Critical habitat. Endangered.
Oregon silverspot butterfly, Speyeria zerene hippolyta. Critical habitat. Threatened.

Plants:

Willamette daisy, Erigeron decumbens var. decumbens. Critical habitat. Endangered.
Water howellia, Howellia aquatilis. Threatened.
Kincaid’s lupine, Lupinus sulphureus ssp. Kincaidii. Critical habitat. Threatened.
Nelson’s check-mallow, Sidalcea nelsoniana. Threatened.

24. Natural Resources Chapter; Fish and Wildlife Resources Section (p. 10). Findings, 3rd bullet. Propose capitalizing Coho Salmon.

- 3. The Yamhill is a migration route for e-Coho sSalmon, winter steelhead trout and cutthroat trout. Encroachment in natural areas and waterways threatens these fish and wildlife resources.

25. Natural Resources Chapter; Fish and Wildlife Resources Section (p. 10). Propose revising Goal 4-A to clarify that it refers to habitat. As now worded the goal refers to the fish and wildlife, not their habitat. The focus should be on the habitat because the city can adopt effective regulations to protect the habitat. Policies 2, 3 and 4 properly refer to habitat. Any designated endangered species are protected by Federal law. Propose replacing “planning area” with “within the urban growth boundary” because it is not clear where the “planning area” is.

Goal 4-A. To conserve and protect fish and wildlife *habitat* ~~in the planning area~~ *within the urban growth boundary.*

NATURAL RESOURCES – MINERAL AND AGGREGATE RESOURCES

26. Natural Resources Chapter; Mineral and Aggregate Resources Section (p. 11). Propose amending Goal 5-A and Policy 5-1 to not allow mining in the city. The single Finding says, “There is presently no quarrying activity in the City.” A review of the city’s zones found that none allow mining, thus changing the goal and policy would make them consistent with the uses allowed in the city’s zones.

Goal 5-A. ~~To provide land use compatibility between mining and quarrying or related activities with adjacent land uses.~~ ***To not allow mineral and aggregate mining in the City.***

Policy 5-1. ~~The City shall require that mineral and aggregate activities operate in a manner compatible with surrounding land uses.~~ ***The City shall not allow mineral and aggregate mining in the City.***

NATURAL RESOURCES – ENERGY RESOURCES

27. Natural Resources Chapter; Energy Resources Section (p. 12). Propose amending the lead-in sentence to add gasoline and diesel and change the reference to the city of Sheridan to the City of Lafayette.

Electricity, heating oil, ***gasoline, diesel***, wood, natural gas and propane are the principal fuel types supplying the energy needs for ~~Sheridan~~ ***Lafayette***.

28. Natural Resources Chapter; Energy Resources Section (p. 12). Findings. 1st bullet. Propose amending to add wind and reduce wordiness.

- ~~1. Woodburning and~~, solar ***and wind*** are the locally available forms of ***renewable*** energy source utilization.

NATURAL RESOURCES – OPEN SPACES

29. Natural Resources Chapter; Open Space Section (p. 13). Findings. 1st bullet. Propose amending to clarify that only portions of the City have a view of the Coast Range.

- ~~1. Portions of~~ the community ~~has~~ ***have*** a scenic view of the Coast Range. However, no specific ***scenic view*** sites have been identified for preservation ~~due to scenic views~~.

30. Natural Resources Chapter; Open Space Section (p. 13). Findings. 2nd bullet. Propose replacing “planning area” with “urban growth boundary” because it is not clear where the “planning area” is.

- ~~2. The Yamhill River borders the southern edge of the planning area~~ ***urban growth boundary***.

31. Natural Resources Chapter; Open Space Section (p. 13). Goal 7-A. Propose replacing “possible” with “practicable” which is a more accurate term. The word “possible” is inappropriate because it does not include any element of cost or practicality.

Goal 7-A. To conserve desired open space whenever ~~possible~~ ***practicable***.

32. Natural Resources Chapter; Open Space Section (p. 13). Policy 7-1. Propose replacing “possible” with “practicable” which is a more accurate term. The word “possible” is inappropriate because it does not include any element of cost or practicality.

Policy 7-1. The City shall preserve open space wherever ~~possible~~ **practicable**.

33. Natural Resources Chapter; Open Space Section (p. 13). Policy 7-2. Propose adding “designated” to clarify that the intent is to require development applications to address scenic sites designated by the City, rather than leaving it up to the applicant to determine if there are any scenic sites worthy of being addressed. Propose replacing “boundaries” with “District” because “District” is the proper term.

Policy 7-2. The City shall require all future development to address natural features, open space and **designated** scenic sites and views in their proposals. Residential development within **the** Restricted Development Overlay ~~boundaries~~ **District** shall be prohibited.

34. Natural Resources Chapter; Open Space Section (p. 13). Policy 7-3. Propose replacing “possible” with “practicable” which is a more accurate term. The word “possible” is inappropriate because it does not include any element of cost or practicality.

Policy 7-3. Wherever ~~possible~~ **practicable** natural hazard areas shall be designated as open space.

35. Natural Resources Chapter; Open Space Section (p. 13). Policy 7-4. Propose clarifications. Propose replacing “planning area” with “urban growth boundary” because it is not clear where the “planning area” is.

Policy 7-4. Public access shall be encouraged ~~for~~ **to** all **natural** waterways ~~in~~ **within** the ~~planning area~~ **urban growth boundary**.

36. Natural Resources Chapter; Open Space Section (p. 13). Policy 7-5. Propose clarifications to commit the City to adopt regulations, rather than merely to develop regulations. The LZDO has requirements for multi-family, PUDs and subdivisions to provide open space and outdoor recreation areas. Clarify to “require,” rather than merely “encouraging” open space in residential developments. Add “outdoor recreation areas” to be consistent with the phrase used in the zoning ordinance. Specify multi-family, subdivision and planned unit developments to improve clarity as to the types of developments that are required to provide open space and outdoor recreation areas. Partitions are specifically not included because they are too small to be required to provide open space and outdoor recreation area.

Policy 7-5. The City shall ~~develop~~ **adopt** regulations to ~~encourage~~ **require** open space **and outdoor recreation areas** in ~~all~~ new **multi-family developments**, residential ~~developments~~ **subdivisions and residential planned unit developments**.

37. Natural Resources Chapter; Open Space Section (p. 13). Policy 7-6. Propose replacing “possible” with “practicable” which is a more accurate term. The word “possible” is inappropriate because it does not include any element of cost or practicality. Amend to clarify it is the City’s intent to require natural drainageways be used for open space, rather than merely promoting the use of natural drainageways as open space.

Policy 7-6. ~~Whenever possible,~~ The City shall ~~promote~~ **adopt regulations requiring** the use of natural drainageways as open space **whenever practicable**, and prohibit storm water flows that would exceed the natural flows.

Note: Policy 7-7. No change.

38. Natural Resources Chapter; Open Space Section (p. 13). Policy 7-8. Propose replacing “vegetation” with “trees” which is a more specific term that clarifies the intent. Propose replacing “valued” with “designated” because it is not clear what “valued” means. “Designated” is specific to those scenic views and sites designated by the City in the comprehensive plan. Granted, the City has not designated any scenic views through the Statewide Goal 5 process, but if there are any candidate views the City could initiate a Goal 5 process to do so. It is possible the City has not designated any scenic views because there are none worth designating.

Policy 7-8. The significant natural features within the City shall be managed for the benefit of the community and shall include all waterways, natural drainageways, wetlands, floodplains, land with significant ~~vegetation~~ **trees**, and ~~valued~~ **designated** scenic views and sites.

39. Natural Resources Chapter; Open Space Section (p. 14). Implementation. The status of the Implementation Section is not clear. The first sentence in the lead-in paragraph requires the City to request the expertise of agencies when reviewing proposals that would “...have an impact on the City’s natural resources,” but there is no Comprehensive Plan Policy requiring it and the zone code does not require it. Additionally, every proposal will have an impact on a natural resource whether it be soil, vegetation, surface water, etc., thus, the requirement appears to be overreaching and not necessary. Propose amending the first sentence to say the City “may” request the expertise of agencies.

The City ~~shall~~ **may** request the expertise of appropriate agencies when reviewing proposals that would have an impact on the City’s natural resources. Through effective agency coordination the City can be kept aware of changes concerning environmental quality; and, can acquire a good data bank to aid in the effectiveness of the City’s conservation and management implementation measures.

40. Natural Resources Chapter; Open Space Section (p. 14). Implementation. Item #2 indicates that land with severe building limitations or natural hazards is designated on the Comprehensive Plan Map, but the Map shows “Open Space Overlay” which appears to include only steep slopes, or possibly riparian habitat along Millican Creek and the floodplain along

the Yamhill River. No amendments are proposed because they would, likely, be more than just “housekeeping” and would require more time than is available to clarify the situation.

41. Natural Resources Chapter; Open Space Section (p. 14). Implementation. Item #3. The first sentence has an extra word in it (require), thus it is proposed to be deleted. The first sentence also states “...a site design review is required for all commercial and industrial development,” but the LZDO, Section 3.105.03, requires site “development” review for most, but not all development. Propose replacing “all” with “most.”

3. Site ~~Design~~ **Development** Review. In addition to a site and building evaluation ~~require~~ for development within the Restricted Development Boundary, a site ~~design~~ **development** review is required for ~~all~~ **most** commercial and industrial development. Required information for site ~~design~~ **development** review within the Restricted Development Boundary includes addressing the impact of a proposal on the natural resources.

COMMUNITY RESOURCES – EDUCATION

Community Resources Chapter; Education Section (p. 16). Some Sections in the comprehensive plan address issues that are not required by the Statewide Planning Goals such as education (there is no Statewide Planning Goal for education). The lack of a Statewide Planning Goal for education does not mean the comprehensive plan cannot or should not include statements about education. Other government agencies, not the city, are charged with the authority to address education, for example, the McMinnville School District and the Willamette Educational Service District. Goal 8-A directs the city to “...provide...educational services for the community...” and should be revised to reflect that the city does not have the authority to provide education services (see Item 45 below). The goal could be changed to support and coordinate with the school district.

42. Community Resources Chapter; Education Section (p. 16). Findings. 1st bullet. Propose revising the spelling of the elementary school and replace “planning area” which is an unknown area with “urban growth boundary” which is a known area.

1. ~~Washeer~~ **Wascher** Elementary School is the only school facility ~~in~~ **within** the ~~planning area~~ **urban growth boundary**.

43. Community Resources Chapter; Education Section (p. 16). Findings. 2nd bullet. Propose deleting the second bullet because none of the property taxes levied by the city to operate the city government go to the school district. Since the school financing system was changed by the Legislature several years ago, the State pays for the day to day operation of public schools and property taxes levied by school districts pay only for voter approved bond measures or special operating levies. None of the city’s property taxes levied to operate the city are spent for public school education. This writer guesses the second bullet actually meant, at that time, that a property owner living in Lafayette would pay property taxes to the city, county, fire district,

McMinnville School District, Willamette Educational Service District, and soil and water conservation district, and out of that total property tax bill, 57% of the total taxes levied went to the McMinnville School District.

~~57% of the City of Lafayette's tax dollars are spent for education.~~

44. Community Resources Chapter; Education Section (p. 16). Findings. 3rd bullet. Propose renumbering and revising to make it clear the elementary school referred to is Wascher Elementary, add that the school was expanded, and that it will meet the community's needs through 2017.

2. With the construction *and expansion* of the *Wascher e Elementary s School*, the community's educational *elementary school* needs will be met through the year ~~2005~~ *2017*.

45. Community Resources Chapter; Education Section (p. 16). Goal 8-A. Propose amending to reflect that the City does not provide education services, but supports the McMinnville School District.

- Goal 8-A. To ~~provide~~ *support the McMinnville School District in providing* the highest quality of educational services for the community in a ~~most~~ cost-efficient and orderly manner.

COMMUNITY RESOURCES – TRANSPORTATION

46. Community Resources Chapter; Transportation Section (p. 17). Findings. Propose replacing the bullets with numbers and add a new finding to recognize the existence of the Yamhill County Transit Area (YCTA).

11. The Yamhill County Transit Area (YCTA) provides public transit services to the City of Lafayette.

47. Community Resources Chapter; Transportation Section (p. 19). Policy 9A-13. Propose changing the policy to delete “as soon as possible” to “when feasible,” to reflect that the City may not have the funds to contribute financially if a new signal is to be installed as soon as possible. Additionally, add a reference to “warranted” to reflect that a signal should not be installed until it meets the warrants for a signal. The warrants may be generated by overall traffic or by a specific new development or redevelopment of property that loads its trips onto the 3rd Street (99W)/Madison intersection or another intersection on 3rd Street.

Policy 9A-13. The City of Lafayette shall work with ODOT on a continual basis to have a traffic signal installed at the 3rd Street (*99W*) and Madison Street intersection, and other appropriate 3rd Street intersections, ~~as soon as possible~~ *when feasible and when warrants are met*.

48. Community Resources Chapter; Transportation Section (p. 21). Policy 9C-1. Propose changing the policy to recognize the Yamhill County Transit Area (YCTA) and to commit the City to work with the YCTA to provide public transit service.

Policy 9C-1. The City ~~seeks the creation of~~ **shall coordinate with and support the Yamhill County Transit Area (YCTA) to provide** a customer-based ~~[oriented]~~ regionally coordinated public transit system that is efficient, effective, and ~~founded-~~ **based** on present and future needs .

49. Community Resources Chapter; Transportation Section (p. 21). Policy 9C-4. Propose changing the policy to reflect the Yamhill County Transit Area.

Policy 9C-4. The City supports the ~~development of~~ **Yamhill County Transit Area providing** a daily commuter and shopper shuttle service to the major activity centers in McMinnville.

COMMUNITY RESOURCES – SOLID WASTE

Community Resources; Solid Waste (p. 23). There is no Statewide Planning Goal for solid waste, however, Statewide Planning Goal 6 is Air, Water and Land Resources Quality. Solid waste, if not disposed of properly can affect the quality of water and land resources. Solid waste issues can be affected by City policies to a certain extent, for example, a Plan policy supporting yard debris pick-up can have an effect on the amount and type of material going to the landfill. If the policy is to be meaningful, the city would need to enter into discussions with the solid waste franchisee and require yard debris pick-up in the city.

50. Community Resources Chapter; Solid Waste Section (p. 23). Findings. 2nd bullet. Riverbend Landfill was contacted and provided information on the amount of material collected. Propose changing to update the tons of garbage and recyclables generated per week.

2. Lafayette generates approximately ~~5~~ **35.02** tons of ~~refuse weekly~~ **garbage and recyclables per week**.

51. Community Resources Chapter; Solid Waste Section (p. 23). Findings. 3rd bullet. Riverbend Landfill was contacted and provided information on the capacity of the landfill. Propose changing to update the capacity of the Riverbend Landfill.

3. The Riverbend Landfill has adequate capacity to meet the needs of **within** the ~~planning area~~ **urban growth boundary** beyond ~~2005~~ **2014**. **A proposed landfill expansion, which has been approved by the Yamhill County Board of Commissioners and is an appeal process would have capacity to meet the needs to about 2044.**

52. Community Resources Chapter; Solid Waste Section (p. 23). Policy 10-1. At the March 18, 2010, Planning Commission meeting there was discussion of the Solid Waste Section and a motion was passed to amend Policy 10-1 to read as follows:

Policy 10-1. The City shall coordinate efforts with the contracted disposal service to ~~assure~~ **ensure** that the solid waste disposal , **recycling and yard debris collection** needs ~~in~~ **of** the community are being met in a ~~most~~ cost-efficient and energy conserving manner.

COMMUNITY RESOURCES – ENERGY USE

53. Community Resources Chapter; Energy Use Section (p. 24). Findings. 1st bullet. PGE was contacted and provided information on expected electric energy consumption for the next 20 years. Propose updating Finding 1.

1. For the period ~~1977 through 1997~~ **2010 to 2030**, total **electric** energy consumption ~~in~~ **in** Oregon is expected to increase at an average annual rate of ~~2.5% per year~~ **more than 45 percent**.

54. Community Resources Chapter; Energy Use Section (p. 24). Findings. 3rd bullet. Clarify that solar and wind are potential resources.

3. ~~The harnessing of s~~ **Solar radiation is a and wind are** potential energy resources ~~for~~ **in** the County.

55. Community Resources Chapter; Energy Use Section (p. 24). Findings. 4th bullet. Minor changes.

4. The demand for energy and **the** costs to produce energy are continually rising.

COMMUNITY RESOURCES – PUBLIC FACILITIES

56. Community Resources Chapter; Public Facilities Section (p. 26). Findings. New 1st bullet from the 2007 Water System Master Plan to state the city's water supply is from wells. Move the existing first finding to be the second finding, and so on.

1. Lafayette's **municipal** water supply is derived from ~~groundwater sources-~~ **springs and wells northeast of the city and from the Dayton/Lafayette well field south of the city. The springs and wells northeast of the City are the primary source, but their flow decreases in the summer and it is augmented by a well in the Dayton/Lafayette well field. (Water System Master Plan, 2007, Section 1.1, p. 1-1.)**

NOTE: As you may have noticed, the above is to be a new first finding and should be all bold and italics, but the September 16 staff report does not show it as all bold and italics. It should be as follows:

1. ***Lafayette’s municipal water supply is derived from springs and wells northeast of the city and from the Dayton/Lafayette well field south of the city. The springs and wells northeast of the City are the primary source, but their flow decreases in the summer and it is augmented by a well in the Dayton/Lafayette well field. (Water System Master Plan, 2007, Section 1.1, p. 1-1.)***

CITY MANAGER’S COMMENT:

The city now has 2.5 wells in the Dayton/Lafayette well field. Discussion: The proposed language is changed to reflect the City Manager’s comment as shown below.

1. ***Lafayette’s municipal water supply is derived from springs and wells northeast of the city and from the Dayton/Lafayette well field south of the city. The springs and wells northeast of the City are the primary source, but their flow decreases in the summer and it is augmented by a wells in the Dayton/Lafayette well field. (Water System Master Plan, 2007, Section 1.1, p. 1-1.)***

57. Community Resources Chapter; Public Facilities Section (p. 26). Findings. 1st bullet. Propose renumbering the first bullet to be No. 2 and updating it.

2. ~~The City Park well presently violates Environmental Protection Agency standards~~ ***The City’s finished water quality meets applicable state and federal standards. The water is tested periodically for bacteriological contamination, organic and inorganic chemical contaminants, disinfection byproducts, and a variety of radioactive compounds. (Water System Master Plan, 2007, Section 4.3.3, p. 4-11.)***

58. Community Resources Chapter; Public Facilities Section (p. 26). Findings. 2nd bullet. Propose renumbering the second bullet to be No. 3 and updating it.

3. ***A 500,000 gallon storage reservoir was completed in 1979 , but its capacity is insufficient for the City’s current population resulting in water rationing beginning in the late spring or early summer.***

CITY MANAGER’S COMMENT:

The city has not always had water rationing. Consider saying “The 2007 WMP recommended construction of an additional 2.2 mg reservoir.” Discussion: The language is proposed to reflect the City Manager’s comment as shown below.

3. A 500,000 gallon storage reservoir was completed in 1979 , *but its capacity is insufficient for the City's current population , resulting in water rationing- beginning in the late spring or early summer . The 2007 Water System Master Plan recommended construction of an additional 2.2 million gallon reservoir.*

59. Community Resources Chapter; Public Facilities Section (p. 26). Findings. 3rd bullet. Propose renumbering the third bullet to be No. 4 and updating it.
 4. ~~The City's water distribution system is adequate for the present time. *The layout of the existing water system appears to be adequate to deliver the required domestic flow rates to the community. However, some portions of the system do not have the capacity to deliver required fire flows while maintaining the required 20 pounds per square inch residual pressure at all service connections. This lack of capacity is the result of pipe sizes that are too small and the configuration of the distribution system. (Water System Master Plan, 2007, Section 4.4.1, p. 4-11.)*~~

60. Community Resources Chapter; Public Facilities Section (p. 26). Findings. 4th bullet. Propose renumbering to be No. 5 and replacing the language with new language.
 5. ~~The present water supply system will meet City needs to at least the year 2005. *The 1994 Water Master Plan anticipated a population of 3,014 in 2014 (Water System Master Plan, 2007, Section 4.4.1, p. 4-11). The July 1, 2009 estimated population by the Oregon Center for Population Research and Census was 3,925. This was 911 more people and five years prior to the original 2014 anticipated population.*~~

61. Community Resources Chapter; Public Facilities Section (p. 26). Findings. 5th bullet. Propose renumbering to be No. 6 and replacing the language with new language.
 6. ~~The City's sewer system is in good condition and has adequate capacity to meet demand to 2005; only provided in the downtown business area and in new residential developments. *The November 1998 Wastewater System Facilities Plan projected a population of 3,791 in 2020. Due to significant population growth, however, the Pre-Design Report for the new wastewater facility revised the population projection and the City Council passed Ordinance 542 adopting a design population of 5,257 in 2024 for the purpose of constructing the wastewater facility.*~~

62. Community Resources Chapter; Public Facilities Section (p. 26). Findings. Propose adding a new Finding 7 reflecting the new wastewater treatment plant.
 7. *The City's waste water treatment plant was upgraded in the mid-2000's with a design capacity of 5,257 people which includes accommodating flows from commercial and industrial areas of the City.*

63. Community Resources Chapter; Public Facilities Section (p. 26). Findings. Propose adding a new Finding 8 reflecting information from the November 1998 Wastewater System Facilities Plan.

8. *The collection system includes approximately 4,800 feet of undersized sewer lines.*

64. Community Resources Chapter; Public Facilities Section (p. 26). Goal 12-A. Propose correcting a typo (change “and” to “an”).

Goal 12-A. To provide ~~and~~ **an** orderly and efficient arrangement of water, sewer and storm drainage services to the City.

65. Community Resources Chapter; Public Facilities Section (p. 26). Policy 12-4. Propose adding “water and sewer” systems.

Policy 12-4. The City shall require new development to provide **water, sewer**, storm drainage and collection systems within the development.

66. Community Resources Chapter; Public Facilities Section (p. 26). Policy 12-5. Propose adding a new policy committing the City to consider the recommended capital improvement plan (CIP) in the 2007 Water System Master Plan. The City should not be required to specifically follow the CIP because changing conditions may necessitate deviations from the CIP. A CIP is typically changed to reflect changing conditions.

Policy 12-5. The City shall consider the capital improvement plan in the 2007 Water System Master Plan, Section 7.1.2, p. 7-3.

67. Community Resources Chapter; Public Facilities Section (p. 26). Policy 12-6: Propose adding a new policy committing the City to work with Yamhill County and the cities in the county in their process to consider a joint water distribution plan.

Policy 12-6. The City shall ~~support efforts, and shall participate in the process to consider a joint water distribution plan for north Yamhill County.~~

68. Community Resources Chapter; Public Facilities Section (p. 26). Policy 12-7. Propose adding a new Policy 12-7 which is moved here from Policy 3-2 in the Natural Resources Chapter, Water Resources Section (see Item 21, pp. 7 & 8, above), and amending to more clearly state the City’s intent.

~~3-2. The City shall maximize the utilization of its water resources.~~ ***Policy 12-7. The City shall work to ensure the public water system is operated and maintained in an economical and value efficient manner.***

COMMUNITY RESOURCES – RECREATION

69. Community Resources Chapter; Recreation Section (p. 27). Lead-in Paragraph. Update to reflect the City has a Community Center that is rented for events, not a youth and senior citizen center.

For a healthy, well-balanced environment it is necessary to provide adequate space and facilities for the recreational needs of the citizens. Lafayette residents enjoy adequate space; however, there is a need for additional facilities. The City has already taken action by providing a ~~youth and senior citizen~~ **community** center **that is rented for events**. It is the intent of the City to maintain a level of recreational areas and facilities to meet the community's needs.

70. Community Resources Chapter; Recreation Section (p. 27). Findings. 1st bullet. Propose amending to update it to 2010.

1. ~~The existing 7.23 acres of City parklands more than meet the standards, as set by the Parks and Recreation Branch of the Oregon Department of Transportation, for Lafayette's present population and the projected population to the year 2005. The 2010 park acreage was 10.42 acres which provided 2.65 acres of parkland per 1,000 population.~~

71. Community Resources Chapter; Recreation Section (p. 27). Findings. 2nd bullet. Propose amending to update.

2. There is ~~no existing~~ **a** community center ~~or related facility to provide for~~ **limited** indoor ~~recreational~~ activities.

72. Community Resources Chapter; Recreation Section (p. 27). Findings. Propose a new Finding # 3 to be consistent with the 2004 "Lafayette Parks Development Plan."

3. **The 2004 "Lafayette Parks Development Plan" indicates a need for an additional 6.0 acres of park land to the year 2025 to maintain 2.68 acres of parkland per 1,000 population (Table 7-1).**

COMMUNITY RESOURCES – HISTORY

73. Community Resources Chapter; History Section (p. 28). Lead-in Paragraph. Propose amending to update. The museum was moved from Lafayette to a new building at a new location on the south side of McMinnville in 2009.

The City of Lafayette contains a wealth of historical resources. In addition to being one of the earliest established cities in the State, the City was the first County seat. ~~The only historical museum in the County is located in Lafayette.~~ **The Yamhill County historical museum was moved from Lafayette to a new building at a new location on**

the south side of McMinnville in 2009. A number of historical structures still stand. The citizens of Lafayette appreciate the value of their historical resources and plan to preserve and protect them for future generations.

CITY MANAGER’S COMMENT: Don’t we still have 3 Yamhill Museum buildings in town? Discussion: Upon review and consultation with city staff, the proposed language should be changed as follows:

The City of Lafayette contains a wealth of historical resources. In addition to being one of the earliest established *incorporated* cities in the State, the City was the first County seat. ~~The only historical museum in the County is located in Lafayette. *The Yamhill-County historical museum was moved from Lafayette to a new building at a new location on the south side of McMinnville in 2009.*~~ A number of historical structures still stand. *The Coling Memorial Church and the Miller Log Cabin are on Market Street.* The citizens of Lafayette appreciate the value of their historical resources and plan to preserve and protect them for future generations.

COMMUNITY RESOURCES – PUBLIC SAFETY AND SERVICE

74. Community Resources Chapter; Public Safety and Service Section (p. 29). Findings, Goal and Policies. Propose deleting the Public Safety and Service Section. At the March 18, 2010 Commission meeting, staff was directed to delete this Section because the Statewide Planning Goals do not address Public Safety and Service.

The Lafayette Comprehensive Plan does not make it clear what is meant by Public Safety and Service. It would appear that Public Safety and Service would address police and fire services (including emergency medical service), but there is only one reference to fire protection (bullet 2). The Section includes a significant amount of language about medical clinics, but they are not typically included in police and fire services. Finding #3 states “Lafayette is administered by a mayor-council form of government” which is not a Public Safety and Service issue and is incorrect. The City’s form of government for many years has been a Council-Manager form.

PUBLIC SAFETY AND SERVICE

~~For the major part, public services are adequately provided for the citizens. As the City grows emphasis will more than likely be placed on attracting local medical offices. At this time services that are lacking in the community are readily available in McMinnville.~~

Findings

- ~~• There are no medical services available within the community. Adequate facilities are available in McMinnville and Newberg.~~
- ~~• At the present time, the City fire protection is adequately provided for by a volunteer fire department.~~
- ~~• Lafayette is administered by a mayor-council form of government.~~

- ~~• There are a wide range of social and cultural activities available at local, County and regional levels.~~

Goal

- ~~15-A. To plan and support and efficient arrangement of public safety and social services in order to meet the needs of the community.~~

Policies

- ~~15-1. The City shall support and coordinate with the County Health Department and medical facilities in order to ensure adequate health services for the community.~~
- ~~15-2. The City shall strive to educate and inform its citizens so that the most efficient public health and safety services can be provided.~~
- ~~15-3. Energy conservation measures shall be a prime consideration in providing public health and safety and social services to the community.~~

COMMUNITY RESOURCES – COMMUNICATIONS

75. Community Resources Chapter; Communications Section (p. 30). Finding, Goal and Policies. Propose deleting the Communications Section. At the March 18, 2010 Commission meeting, staff was directed to delete this Section because the Statewide Planning Goals do not address Communications. The state and federal governments regulate telecommunications and the City has no authority to attempt to regulate them.

COMMUNICATIONS

~~In planning for the accommodation of Lafayette's future growth, expansion of communication facilities must be considered. Due to its proximity to larger urban areas, Lafayette has a wide range of facilities available to it. Through a coordinated effort between the community and communication utilities, the City can assure the continued availability of such service.~~

Findings

- ~~B. There are a variety of communication facilities available to the community.~~

Goal

- ~~16-A. To support and orderly and efficient arrangement of communication facilities.~~

Policies

- ~~16-1. When making land use decisions, the City shall consider the impact of all communications systems.~~

~~16-2. The City shall coordinate local planning with communication agencies so that the availability and quality of services can be maintained.~~

COMMUNITY RESOURCES – IMPLEMENTATION

The Community Resources Chapter includes an Implementation Section (p. 31). The following amendments are proposed.

76. Community Resources Chapter; Implementation Section (p. 31). Item 1, Land Development. Propose amending the second (last) sentence.

1. Transportation improvements, public facilities, **public** services, energy conservation and ~~recreational~~ **park and recreation** standards are specifically addressed during the processing procedure for a subdivision, plat or partitioning request, **and site development review applications**.

77. Community Resources Chapter; Implementation Section (p. 31). Item 3, Site Design Review. Propose replacing “site design review” with “site development review.” The LZDO uses the term “Site Development Review.” Other minor changes are proposed.

3. Site ~~Design~~ **Development** Review. The impact on community resources for proposed commercial and industrial development is evaluated by the Planning Commission through the site ~~design~~ **development** review **application process**. The City can assure, through this ~~mechanism~~ **process** that development will be aesthetically pleasing; that development will be sited to utilize public services most efficiently; and that development will be ~~in such a manner to~~ benefit **to** the community.

COMMUNITY DEVELOPMENT – POPULATION AND ECONOMICS

The city is not the same as it was in the mid-1980’s when the original Comprehensive Plan was created. The city’s population more than doubled from 1990 to 2000 and then grew 49% from 2000 to 2008.

78. Community Development Chapter; Population and Economics Section (p. 33). Lead-in paragraph. Propose minor changes to improve clarity.

Establishing a sound and diversified economic base is one of the major objectives of the City. It is ~~also~~ a complicated undertaking due to ~~problems~~ **issues** of financing City Services necessary to attract family-wage jobs. ~~Because of the attrition of the City’s share of the property tax dollar a~~ Alternative methods to generate revenue ~~will have to~~ **should** be investigated and relied upon to complete necessary facility improvements. In addition to developing innovative local revenue sources, the City will continue to seek financial assistance from State and Federal agencies for capital improvements.

79. Community Development Chapter; Population and Economics Section (p. 33). Findings.13th bullet. Propose amending to indicate there is a gas station in the city.

- **13.** Significant commercial businesses, such as a bank ; *or* major grocery store ~~or gas station~~; are not available within the City.

CITY MANAGER’S COMMENT: Pharmacy? We have two grocery stores, both small. To what extent does size matter? Discussion: Generally, smaller stores have fewer items, less selection and higher prices. The Planning Commission will be asked to specifically review this 13th bullet and make any desired changes.

80. Community Development Chapter; Population and Economics Section (p. 35). Policy 17-10. Propose replacing references to “central business district” with “commercially zoned areas” as there is no adopted “central business district.” It is not clear where the CBD is.

Policy 17-10. The ~~Central Business District (CBD)~~ ***area designated on the Comprehensive Plan Map for commercial uses and the area of commercial zoning on the Zone Map*** is the major commercial area in Lafayette and competing commercial activity outside the ~~CBD~~ ***area designated and zoned commercial*** will be discouraged – linear (strip) commercial development will be discouraged.

81. Community Development Chapter; Population and Economics Section (p. 35). Policy 17-11. Amend to delete central business district as there is no adopted “district.”

Policy 17-11. The ~~CBD~~ ***area designated on the Comprehensive Plan Map for commercial uses and the area of commercial zoning on the Zone Map*** is considered the area in the center of the City ~~that is designated~~ for future commercial use ~~on the future land use map~~ and ***it*** includes the area between Second Street and Fourth Street bounded by Jackson Street and Washington Street.

82. Community Development Chapter; Population and Economics Section (p. 35). Policy 17-18. Propose amending to recognize that cities under 10,000 population are no longer required to participate in Periodic Review.

In the early 2000’s when the wastewater treatment plant upgrade was initiated, a 20-year population projection for 2024 was prepared to develop the facility’s design capacity.

The population projection for the wastewater facility was significantly higher than the prior projection for the comprehensive plan. There were concerns that the 2001 wastewater projection not be used to justify an urban growth boundary (UGB) expansion, if one was proposed in the future, because it was not part of an overall land use planning process. This was a legitimate concern because at that time State Statute required all cities and counties to periodically review their comprehensive plans on a schedule established by each jurisdiction. The process is periodic review (PR).

Policy 17-18's purpose is to provide policy direction that the City would not use the wastewater plant's projection to justify a UGB expansion, and if the City contemplated a UGB expansion in its next periodic review a new projection would be prepared.

Since the early 2000's the PR requirement has been changed to require only cities greater than 10,000 to do PR. A city less than 10,000 can choose to do PR, but it is an expensive process and cities less than 10,000, especially those with significantly less than 10,000, would be challenged to fund it through local resources.

At this time Policy 17-18 is out of date because it commits the City to do a new population projection only in PR. It does not allow a new projection to be done outside of PR.

Policy 17-18 is proposed to be changed as follows:

Policy 17-18. The City established a new population estimate for the year 2024. This estimate was based on work done in conjunction with a proposed wastewater treatment facility. The establishment of this population estimate ~~is~~ **was** not part of an effort to amend the urban growth boundary and will not be used for that purpose. Population projections for that purpose will be addressed as part of a Work Task within Periodic Review , **or outside of Periodic Review**, in conjunction with and prior to expanding the urban growth boundary.

CITY MANAGER'S COMMENT: Consider changing "is" to "was." The population projection for the new wastewater treatment plant may have been right. Lafayette grew more than expected (or that the State Economist's formulae would have allowed). Discussion: "Is" is changed to "was." The projection for the treatment plant was significantly higher than the older projection in the comprehensive plan, and, as it turned out, it was the more accurate projection. Regardless of how accurate the original projection was compared to the treatment plant projection, if the city enters into a UGB expansion effort, one of the first steps will be to do a new projection and the proposed changes to Policy 17-18 are consistent with that. In the early 2000's the agreement between 1000 Friends of Oregon and the city was that a policy would be adopted making it clear the treatment plant projection would not be used in a UGB process and that position is retained in the above proposed Policy 17-18.

COMMUNITY DEVELOPMENT – HOUSING

A housing needs analysis will not be prepared as part of this review because a UGB expansion is not included in this, primarily, housekeeping review of the Comprehensive Plan's findings, goals and policies.

83. Community Development Chapter; Housing Section (p. 38). Policy 18-3. Propose replacing "mobile home" with "manufactured home" and revise to reflect the special manufactured housing standards in the Development Ordinance.

Policy 18-3. ~~In accordance with State Statute, the City shall allow the continuation of the present policy of locating mobile *manufactured* homes on individual lots but shall establish *provided the* special development standards *for manufactured housing placement allowed in State Statute and adopted in the Lafayette Zoning and Development Ordinance are met* to reduce conflicts between mobile homes and conventional housing types.~~

84. Community Development Chapter; Housing Section (p. 38). Policy 18-6. Propose clarifying the City will require street lighting in all areas, not just residential areas, and the lighting will be coordinated with the electric utility provider.

Policy 18-6. The City shall ~~establish~~ *require* requirements for street lighting in residential, *commercial and industrial* areas, *and shall coordinate the lighting with the electric utility provider.*

85. Community Development Chapter; Housing Section (p. 38). Policy 18-7. Propose clarifying the City will investigate funding sources.

Policy 18-7. ~~The City shall investigate~~ funding through Federal, State and local agencies ~~shall be investigated~~ for the rehabilitation of dilapidated housing in the City.

86. Community Development Chapter; Housing Section (p. 38). Policy 18-11. Propose updating the policy. The current language appears to reflect conditions about 20 to 30 years ago when there was land zoned for residential development that was at the edge of the city limits and urban growth boundary (UGB), and the city wanted to encourage development near the center of the city. The city wanted to develop from the core outward to the edge, not from the edge inward. Today, residential development has progressed from the core outward and in many locations is out to the city limits and UGB. The policy could be deleted, but the proposal is to amend it to call for the obvious, i.e., residential development shall occur in areas designated for residential uses.

Policy 18-11. ~~The City shall direct residential development into areas currently platted and close to the City center~~ *shall occur in areas designated Residential on the Comprehensive Plan Map* before utilizing large areas of vacant land and land presently devoted to agriculture.

COMMUNITY DEVELOPMENT – LAND USE AND URBANIZATION

87. Community Development Chapter; Land Use and Urbanization Section (p. 40). Findings. 2nd bullet. Change “General Commercial” to “Commercial General.”

2. Lafayette has approximately 7.4 acres designated ~~General Commercial~~ *Commercial General*. An additional 36.3 net acres are designated Residential Commercial, allowing both residential and commercial uses.

88. Community Development Chapter; Land Use and Urbanization Section (p. 41). Policy 19-6. Amend to reflect the Federal requirement that a Floodplain Development Permit be issued for development in the 100-year floodplain.

Policy 19-6. Development shall be limited in flood hazard areas along the Yamhill River through the establishment of a ~~restricted development review~~ ***Floodplain Development Permit as required by Codified Code of Federal Regulation.***

CITY MANAGER’S COMMENT: Change Codified Federal Regulation to Code of....
Discussion: Changed to Code of....

89. Community Development Chapter; Land Use and Urbanization Section (p. 41). Policy 19-8. This policy requires a change to the UGB to be based on 7 factors. The 7 factors are not consistent with current State Statute and Administrative Rules, therefore, it is proposed that they be deleted and replaced with language referring to the Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR). The ORS and OAR requirements are a significant challenge to meet that necessitates a significant amount of staff time and financial support. The City does not want to require itself to address even more factors to justify a UGB change because it would necessitate more staff time and financial support. Additionally, one or more of the factors that are proposed to be deleted could be inconsistent with the ORS and OAR requirements which would necessitate more staff time and financial support to resolve. Any such inconsistency could result in objections to the UGB decision during the acknowledgement process.

Policy 19-8. Change of the urban growth boundary shall be based upon consideration of the following factors: ~~[7 factors are listed]~~ ***the applicable Oregon Revised Statutes and Oregon Administrative Rules.***

~~Demonstrated need to accommodate large range urban growth requirements:~~

- ~~—— Need for housing, employment opportunities and livability;~~
- ~~—— Orderly and economic provision of public facilities and services;~~
- ~~—— Maximum efficiency of land uses within and on the fringe of the existing urban area;~~
- ~~—— Retention of agricultural land until needed for development;~~
- ~~—— Environmental, energy, economic and social consequences; and~~
- ~~—— Compatibility between the proposed urban uses and nearby agricultural activities.~~

90. Community Development Chapter; Land Use and Urbanization Section (p. 41). Policy 19-9. The policy requires the city to establish a review schedule in conformance with the periodic review schedule established by LCDC, but periodic review isn’t required any longer for cities less than 10,000 population. Propose changing to review the comp plan based upon funding availability.

Policy 19-9. The City shall ~~establish a review schedule and procedure that will enable the City to maintain an updated and timely comprehensive plan in conformance with the schedule for periodic review established by the LCDC~~ ***review the Comprehensive Plan based on the availability of funding.***

91. See Item 14, p.6 above, regarding Natural Resources Chapter; Natural Hazards Section and Policy 2-6. The policy does not appear to be a natural hazard policy. It calls for transitioning agricultural lands into urban lands in a cost-efficient and energy conserving manner. Propose moving it to the Community Development Chapter, Land Use and Urbanization Section, to be a new Policy 19-10.

~~2-6~~ **19-10.** The City shall promote the transition of existing agricultural lands into urbanized lands in a manner that is ~~most~~ cost-efficient and energy conserving.

COMMUNITY DEVELOPMENT – IMPLEMENTATION

92. Community Development Chapter; Land Use and Urbanization Section (p. 42). Implementation. Lead-in Paragraph. In the second sentence, propose replacing “though” with “through.”

The City will obtain information and guidance from appropriate agencies to aid in the economic development of the community. Through proper communication and coordination channels, the City can actively pursue State and Federal sources to provide revenue ~~though~~ **through** borrowing or grants for basic service. The City will also tap available resources from other governmental agencies to upgrade and diversify the housing stock in the City.

COMMUNITY DEVELOPMENT – CITIZEN INVOLVEMENT AND PLAN DEVELOPMENT

No amendments are proposed to this section.

End of proposed amendments.

STAFF RECOMMENDATION

Planning Commission options and sample motions to support each option are provided as follows:

1. Motion to recommend **approval**:

I MOVE TO RECOMMEND THE CITY COUNCIL ADOPT LEGISLATIVE AMENDMENT 10-01.

-OR-

2. Motion to recommend **approval with modifications**:

I MOVE TO RECOMMEND THE CITY COUNCIL ADOPT LEGISLTIVE AMENDMENT 10-01 WITH THE MODIFICATIONS STATED AT THE PLANNING COMMISSION PUBLIC HEARING. (The motion must include the modifications.)

3. Motion to recommend **denial**:

I MOVE TO RECOMMEND THE CITY COUNCIL DENY LEGISLATIVE AMENDMENT 10-01, FOR REASONS SPECIFIED AT THE PLANNING COMMISSION PUBLIC HEARING.

FINDINGS

1. Section 3.101.04 of the Lafayette Zoning and Development Ordinance (LZDO) states that an amendment to laws or policies is subject to the procedures for Type IV actions. Section 3.207.02 requires hearings to be held before both the Planning Commission and City Council, with the Commission having an advisory role and the final decision rendered by the Council.
2. The proposal will amend the Natural Resources, Community Resources and Community Development Chapters of the Comprehensive Plan with, primarily, minor changes to clarify language, reduce wordiness and bring the language, especially the findings, up to date.
3. The Statewide Land Use Goals establish the basis for all planning within the State. All local plans and implementing ordinances are required to be consistent with the Statewide Goals.

FINDING: Compliance with the Statewide Goals is as follows:

Goal 1, Citizen Involvement: The Planning Commission held work sessions on the proposed amendments on November 19, 2009, and March 18 and July 15, 2010. Public comment was received at the work sessions. Public hearings on the proposed amendments will be held before the Planning Commission on September 16, 2010 and the City Council in October or November. This is consistent with the City procedures.

Goal 2, Land Use Planning: The proposal does not involve exceptions to the Statewide Goals. Adoption actions are consistent with the acknowledged LZDO.

Goal 3, Agricultural Lands: Goal 4, Forest lands: The proposal does not directly involve or affect farm or forest lands.

Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources. The proposal calls for no aggregate mining in the City (see Item 26, p. 9 of this memo). The finding statement says there are no quarries in the City and that is still true today, and there are no aggregate mines in the UGB. Currently, the zone code does not allow aggregate mining in any zone. The proposal brings consistency between the Comprehensive Plan and the LZDO by amending Goal 5-A to state the City will not allow aggregate mining and by amending Policy 5-1 to not allow aggregate mining in the City.

The proposal calls for the City to adopt, rather than to develop, regulations to require, instead of encourage, open space and outdoor recreation areas in multi-family developments and in residential subdivisions and PUDs (Item 36, Policy 7-5, p. 11 of this memo). The zone code already requires providing open space and outdoor recreation areas, thus amending Policy 7-5 brings the Comprehensive Plan into consistency with the LZDO.

Goal 6, Air, Water and Land Resource Quality: The proposal does not substantively change the goals and policies of the Comprehensive Plan. The proposal updates the finding statements with current information. See pp. 4 and 6 - 10 of this memo.

Goal 7, Natural Hazards: The proposal does not substantively change the goals and policies of the Comprehensive Plan, except as noted below. The proposal updates the finding statements with current information. Policy 2-5 (see Item 13, pp. 5 and 6) is proposed to be deleted. It calls for the City to investigate alternative uses for areas that are unsuitable for development. The Comprehensive Plan Map (page 3 of the Comp Plan) already designates areas with an "Open Space Overlay" designation to show that certain areas are to be open space. The shaded areas coincide with areas along the Yamhill River, Millican Creek, Martin Creek and Henry Creek that are floodplains, wetlands or steep slope areas. See pp. 4 - 6 of this memo.

Goal 8, Recreational Needs: The proposal does not change the goals and policies of the Comprehensive Plan. The proposal updates the finding statements with information from the 2004 Parks Development Plan and the current acreage for parks. See pp. 18, 19 of this memo.

Goal 9, Economic Development: The proposal does not substantively change the goals and policies of the Comprehensive Plan. The proposal updates the finding statements with current information indicating a gas station is now located in the City. See pp. 22, 23 of this memo.

Goal 10, Housing: The proposal does not substantively change the goals and policies of the Comprehensive Plan. The proposal includes no updates to the finding statements. See p. 24 of this memo.

Goal 11, Public Facilities and Services: The proposal does not substantively change the goals and policies of the Comprehensive Plan.

The Comprehensive Plan's Public Facilities Section is proposed to be updated with amended finding statements based on the 2007 Water System Master Plan prepared by Westech Engineering, Inc., of Salem. The proposal does not substantively change the goals and policies of the Comprehensive Plan. See pp. 16 -18 of this memo.

The Comprehensive Plan's Public Safety and Service Section addresses, primarily, medical clinics and public health. It doesn't address police or fire services, except to say that fire protection is adequate. The proposal would delete the entire Public Safety and Service Section because it does not relate to a Statewide Goal. In a work session the Planning Commission directed that it be deleted. See pp. 19, 20 of this memo.

The Comprehensive Plan's Communications Section is also proposed to be deleted because it does not relate to a Statewide Goal. In a work session the Planning Commission directed that it be deleted. See p. 21 of this memo.

Goal 12, Transportation: The City adopted a Transportation Systems Plan (TSP) in 2003. Except for a minor change to Policy 9A-13 regarding the City supporting a possible new signal at the intersection of 99W and Madison Street, the Transportation Section needed only a few

amendments all relating to the Yamhill County Transit Area (YCTA). The YCTA was created after the 2003 TSP was adopted. The proposal does not substantively change the goals and policies of the Comprehensive Plan. The proposal updates the finding statements with information reflecting the existence of the YCTA. See p. 14 of this memo.

Goal 13, Energy Conservation: The proposal does not substantively change the goals and policies of the Comprehensive Plan. The proposal updates the finding statements with current information. See pp. 9, 10 and pp. 15, 16 of this memo.

Goal 14, Urbanization: The proposal amends Policy 17-18, but does not substantively change the goals and policies. The proposal updates the finding statement #13 with current information to make it clear that a gas station is in the City. See pp. 25, 26 of this memo.

Policy 17-18 was the subject of much concern in the early 2000's when a population projection was prepared and used by the city for a sewer treatment plant upgrade grant. The concern by 1000 Friends of Oregon was that the projection should not be used as part of a UGB expansion process. Policy 17-18 says for a UGB expansion effort the city will address a population projection "...as part of a Work Task within Periodic Review in conjunction with and prior to expanding the urban growth boundary." The issue now is that Periodic Review is not required for cities with less than 10,000 population (the city's July 1, 2009 population estimate by CPRC is 3,925) and the proposed change to Policy 17-18 adds the phrase "...or outside of Periodic Review..." Thus, Policy 17-18 would require a new population projection and it would read in part, "...as part of a Work Task within Periodic Review, **or outside Periodic Review**, in conjunction with and prior to expanding the urban growth boundary." The proposed policy is consistent with Goal 14 because it calls for standard procedures to be followed when the City next addresses a UGB expansion.

The Planning Commission finds the proposed amendments to the Comprehensive Plan are either entirely consistent with the intent of the Statewide Goals, or, the amendments do not directly affect issues addressed by the Goals.

CONCLUSION

The Planning Commission concludes the proposed amendments to the Comprehensive Plan are consistent with the Statewide Land Use Planning Goals.