



Scio Planning Commission

Scio City Hall - 38957 NW 1st Avenue, Scio, Oregon

AGENDA

July 29, 2020 (7:00 PM)
ELECTRONIC MEETING

The Scio Planning Commission will be meeting electronically and not hold a live meeting at the Scio City Hall due to the COVID-19 pandemic. The public may submit public comments on agenda items by email to cityofscio@smt-net.com prior to 4:00 p.m. on July 29th.

The public can join the meeting from a computer or other electronic device by logging onto <https://us02web.zoom.us/j/88317726605> or dial in by phone US: 1.346.248.7799
Webinar ID: 883-1772-6605

Chairman - Beau Buganski

*Commissioner Richard Androes
Commissioner Ron Loewen*

*Commissioner Katrina Clouse
Vacant*

*Commissioner Ellie Ferguson
Commissioner Nicole Zedwick*

7:00 P.M. REGULAR SESSION

CALL TO ORDER:

ROLL CALL:

APPROVAL OF PLANNING COMMISSION MINUTES: June 3, 2020 Minutes

CORRESPONDENCE:

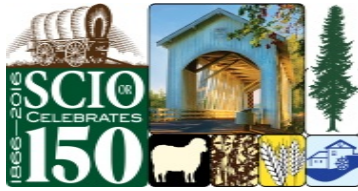
BUSINESS:

1. Public Hearing: *PL2020-06 City of Scio*– Annexation and Zoning Map Amendment – Note: Review the attached ORS197.763 (5) Statement for Information Regarding Procedures for Land Use Hearing for details of the Public Hearing Process. At the close of the meeting the Public Hearing will be continued to August 5, 2020 for submittal of any additional written or verbal testimony.
2. Public Hearing: *PL2020-07 City of Scio*– Comp Plan Amendment and Zoning Map Amendment – Note: Review the attached ORS197.763 (5) Statement for Information Regarding Procedures for Land Use Hearing for details of the Public Hearing Process. At the close of the meeting the Public Hearing will be continued to August 5, 2020 for submittal of any additional written or verbal testimony.
3. Property Line Adjustment: *PL2020-06 City of Scio* – City of Scio Lagoon Site on SW 6th Avenue
4. Property Line Adjustment: *PL2020-07 City of Scio*- City of Scio City Hall Site – NW 1st Avenue

ADJOURNMENT:

NEXT SCHEDULED PLANNING COMMISSION MEETING(S)

- Wednesday, August 5, 2020, 7:00 p.m. Virtual Meeting <https://us02web.zoom.us/j/83992620320>
- Wednesday, August 29, 2020, 7:00 p.m. Scio City Hall



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City of Scio
38957 NW 1st Ave
Scio, OR 97374
503-394-3342

**SCIO PLANNING COMMISSION ELECTRONIC MEETING MINUTES
WEDNESDAY, June 3, 2020**

7:00 PM

COMMISSION MEMBERS PRESENT: Chairman Beau Buganski, Commissioners Katrina Clouse, Ellie Ferguson, Ron Loewen, John Whalen, and Nicole Zedwick, were all present via video.

STAFF PRESENT: Planning Consultant Dave Kinney, City Manager Ginger Allen and Administrative Assistant Cathy Martin were present via video.

CALL TO ORDER: Planning Chairman Beau Buganski called the Scio Planning Commission to order at 7:20 p.m.

ROLL CALL: Roll call was taken with Richard Androes excused.

APPROVAL OF MINUTES: The minutes of the May 27, 2020 meeting were reviewed. Martin advised the commission that the city was notified that there were several community members who were watching the Zoom meeting with Mr. Whisenhunt, they were Liberty Opulencia and Jennifer and Jared Clevenger. These citizens need to be added to the list of audience members present.

Commissioner Whalen moved, Commissioner Clouse seconded, to approve the May 27, 2020 minutes as amended. Motion passed 6/0.

AUDIENCE MEMBERS PRESENT: Citizens watching via Zoom or present via phone were asked to identify themselves and anyone else who was listening/watching the meeting with them. These individuals in attendance were: Bryan Whisenhunt, Joey Ferguson, Jason Nunn, Steve & Laura Schrunk, and Brian Vandetta.

BUSINESS:

1. Public Hearing: PL2020-04– Iceland Construction – Comp Plan Map and Zoning Map Amendment – Presented by Dave Kinney, Planning Consultant –

Chairman Buganski re-opened the public hearing on the Application of Iceland Construction for a Comprehensive Plan Map and Zoning Map Amendment, Application number PL2020-04, at 7:25 pm. Buganski stated that the Commission needed to go over any Exparte contact that they may have had since the last meeting. He asked Martin to poll the commissioners. The commission members all indicated that they had none. Kinney asked Zedwick some additional questions as she was not in attendance for the first meeting. He asked if she had reviewed the entire packet including the staff reports and minutes and the public testimony from the previous meetings. Ms. Zedwick stated

that she had. Kinney then asked her if she was able to make an impartial decision as to the application. Zedwick stated that she was. Kinney asked if any of the commissioners, the applicant's representative and the audience if they had any concerns over Ms. Zedwick participating in the hearing. There were no objections.

Buganski asked the audience if there was anyone who wanted the public testimony that was included in the packet for tonight's public hearing read into the record. The audience elected to not have each item of public testimony read as it was included in the packet.

Applicant's Summary & Rebuttal - Brian Vandetta, Udell Engineering & Land Surveying, representing Iceland Construction, LLC., summarized the applicant's rebuttal. Vandetta stated that the buildable Lands Analysis indicates a need for 20 units necessary in multi-family housing over the next 15 years. That staff concluded that there currently is only one acre net available for development in the R-2 zone. This is not enough acreage to provide for those 20 units. The applicant believes that they have demonstrated need for the .98 acres to be rezoned to multi-family housing to help accommodate the needed housing units. Mr. Vandetta asked that the planning commission recommend to the City Council the approval of the application.

Buganski asked if any staff members have questions for Mr. Vandetta. There were none. Kinney asked if any of the Planning Commission members had any questions for the applicant. They had none.

Kinney gave a staff summary. He stated that the planning commission members had receive the packet prior to the meeting. The packet was made available to the public on the city's website. Kinney thanked everyone who participated in the hearing process and those who attended the Zoom meeting. Kinney stated that he would not go through the entire packet, but would go through the highlighted changes from the original report. The Commission members indicated they all reviewed the changes. Kinney stated that duplexes are not allowed within the R-1 zone, and in order to accommodate the duplexes, the applicant must obtain comprehensive plan map and zone map amendment to build duplexes on individual lots. Kinney stated that if the planning commission votes to deny the application, the applicant still has the ability to develop single-family residences on the lots. Kinney stated that a question was raised as to the whether or not the original plat of the lots had been vacated. If the application is denied, there will have to be some research done to determine if the lots have been vacated. It may be possible that the applicant could develop 8 single-family units on that block on the original parcels. This research has not been completed at this time. Kinney stated, that there is two pieces of testimony that has an impact on the decision. 1) Mr. Whisenhunt's testimony raised a couple of issues that are highlighted on page 14 of the updated staff report. His first question was does the city need to increase amount of land for duplexes/multi-family dwellings or are there sufficient lands available. Kinney stated that this is a policy decision. The planning commission must determine if the current parcels zoned for multi-family use are available for development or if there is a need for adding additional land to buildable lands inventory. And 2) Fair Housing Council of Oregon sent a letter, they questioned if the proposal by the applicants provide the opportunity for the

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construction of all types of housing units that meet the needs of citizens of all income levels and housing types. The housing types is the issue. Does the city have enough land to provide for Single-Family Housing, Duplexes, and Multi-family Housing. Kinney stated that the commission needed to look at these two questions together to draw their own conclusion as to whether there is a need for more multi-family housing.

Kinney stated that there was testimony raised about the floodplain, utilities, traffic, pedestrian ways, driveway access in the neighborhood. Most of these under the city's code are related to development review. At this time this is a determination of whether or not the property should be re-zoned. If the zone change is approved, then will have to submit proposal for subdivision or for single-family residential development and submit detailed engineering drawings. These issues will have to be addressed at that time. The biggest issues that were raised were pedestrian access along Beech Street for kids going to and from school and also the capacity of the sewer system. Kinney stated that his conclusion in reviewing the application with these questions in mind, is that these issues are part of the development review.

Kinney stated that the staff recommendation is that the planning commission recommend approval of the application to the city council and adopt the draft findings of facts. If the planning commission does not agree with that assessment and feels that the applicant has not demonstrated a need for the land to be re-zoned to multi-family use, then the recommendation to the city council would be to deny the proposal. The planning commission should indicate what the basis of the criteria is and that there is not a need for more land to be designated for multi-family uses.

Buganski asked if anyone had questions regarding the staff recommendation. There were no questions. Buganski closed the public hearing at 7:37 pm.

Buganski asked Kinney to walk the commission through the process. Kinney stated that page 30 of the staff report included 3 options listed. Option 1) If there is insufficient information to make a decision – Planning Commission could continue the meeting and re-open the hearing, to gather additional testimony. Option 2) If applicant and staff report provide sufficient findings then you could approve the application and recommend that the council approve the application to re-designate the 0.90 acre parcel in the block between Beech, 4th, Cherry and 3rd, from a residential plan designation to a multi-family plan designation and re-zone the property from R-1 to R-2. Option 3) If the application should be denied the motion to deny would be because it does not comply with the comprehensive plan and you should list the reasons, the key issue is that there is sufficient land and there is no need to re-designate and re-zone the land.

Buganski asked if anyone had any questions regarding the options.

Whalen asked if the city had any idea of costs associated with the sites #1 and #2 to make them buildable or accessible. Kinney asked what he meant by this question. Buganski asked Whalen if he was asking about feasibility of building on the other two parcels. Whalen stated that this is his question. Kinney stated with the Vogel Property (#1) the

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primary issue is the city's sewer system and the Beech Street pump Station that the collection system going back to NE Ash and NE 1st Avenue. In the Wastewater Facilities Plan developed by Dyer Partnership there are concerns that there are maintenance issues and I&I in the basin that needs to be corrected. In addition to those corrections there needs to be sewer extensions and street extensions into the site. Whalen stated that he would guess they are cost prohibitive so why we would not remove them from the zone? Kinney stated that they probably developable in the long term, once the city is able to make the corrections to the wastewater facilities system. These improvements need to be done either, concurrently or before that particular property is developed. City needs to do approximately \$5M in repairs, regardless of development. Zedwick asked if lot #1 also has issues with fire emergency services accessing this area. Kinney stated that as part of a development plan they would have to demonstrate access to the site. This may be a cost issue but does not prevent them from developing the site. Kinney stated that there is currently a limitation on sewer which may prevent them from developing within the next 5 years. Whalen are there any of the R-1 properties in the same boat? Kinney stated that there could be in the northeast corner of the city that are served by the same sewer basin. Whalen asked about the math that we are using to calculate what land is available for development in the BLI. Kinney stated that the city did a review of the parcels that were servicable by the extension of utilities, that did not have identified wetlands, identified Floodway, steep slopes along Thomas Creek and Peters Ditch, the city identified which ones were vacant. This was done on a lot by lot basis in 2015, the Wastewater Facilities Plan was completed in 2020 so there is now new information that was not available in 2015 when the Buildable Lands assessment was done.

Whalen commented that the last lot in Thomas Creek Estates has been developed and he believes that the need is greater for more single-family dwellings in the community.

Buganski asked for any additional comments or a motion.

Whalen also stated with walking the area, he is concerned with safety of pedestrians, is it possible to vacate parking to make it visibly safer can we designate that there is no parking along the street? Kinney stated that need to see a detailed design, and planning commission could restrict parking, designate wider pedestrian corridor. Those are all specific design issues.

Clouse asked if that area was discussed as part of the safety proposal that was discussed last year. Kinney safe routes to school was to go down Beech Street go east toward 2nd or 4th across Highway 226 and to go west to the Thomas Creek Estates Subdivision. From the covered Pedestrian Bridge and coming down Beech Street is identified as a safe route to school.

Buganski asked for any additional comments.

Clouse stated that she does see a need for both multi-family and single-family residential property. She has a harder time finding multi-family housing for clients. She has researched the need for both rental and SFH.

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Whalen asked how big will they be and will they be affordable.

Clouse stated that people want to live here, for people to be able to afford the nicer neighborhood, it usually brings the higher end tenant, people are looking for it.

Commissioner Clouse moved, Commissioner Ferguson seconded, to approve File 2020-04 to amend the Scio Comprehensive Plan Map to redesignate a 0.90-acre one-block site bordered by SW Beech St., SW Cherry St., SW 3rd Avenue and SW 4th Avenue from a Residential plan designation to a Multi-Family Residential plan designation and to concurrently rezone the property from R-1 to R-2 and to adopt the findings of fact in the Staff Report dated June 1, 2020. Motion approved 6/0.

Kinney reviewed process, the planning commission's recommendation will be forwarded to the Scio city council. This is tentatively scheduled for July 13, 2020. There will be a new notice sent to everyone in the notice area. The notice will indicate if it will be a virtual or in person meeting, members of the public and the applicants have the ability to provide new or same testimony with the city council.

Buganski thanked everyone for coming and participating.

Meeting Adjourned at 7:56 p.m.

Cathy Martin
Administrative Assistant



City of Scio
Covered Bridge Capital of the West

David W. Kinney
Planning Consultant for the City of Scio
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Office: (503) 769-2020 Cell: (503) 551-0899
Email: dwkinney@wvi.com

SCIO PLANNING COMMISSION **STAFF REPORT**

STAFF REPORT DATE: July 20, 2020

HEARING DATE: July 29, 2020 7:00 PM Scio Planning Commission
September 14, 2020 6:00 PM Scio City Council

FILE NUMBER: 2020-06 Annexation of 14.82 acres
Zoning Map Amendment (UGA-UGM (10) to Public (P))

**APPLICANT/
PROPERTY OWNER:** Ginger Allen, City Manager
City of Scio
PO Box 37, Scio, Oregon

APPLICANT'S PROPERTY:	<u>Assessor's Map</u>	<u>Tax Lot</u>	<u>Account</u>	<u>Acres</u>	<u>Address</u>
	T10S R1W 18D	01500	32298	9.33	SW 6th Avenue (Lagoon)
	T10S R1W 18D	01501	335485	0.12	SW 6th Avenue
	T10S R1W 18D	01600	32306	<u>5.37</u>	SW 6th Avenue (Lagoon)
			Total	14.82 acres	

PROPOSAL: File PL 2020-06 Annexation
Zone Change UGA-UGM (10) to Public (P)

SUBMITTAL **File PL 2020-06 Application for an Annexation and Zone Change.**
Attachment A Aerial Map identifying property
Attachment B Linn County Assessor's Map

OTHER EXHIBITS Exhibit A Agency Testimony
Exhibit B Public Testimony
Exhibit C DRAFT Ordinance – To Approve the Land Use File 2020-06

DECISION CRITERIA

The following criteria apply to this application for a Comprehensive Plan Amendment and Zone Change.

A. Oregon Statewide Planning Goals and related Oregon Administrative Rules (OAR 660)

- *Goal 1 – Citizen Involvement*
- *Goal 2 – Land Use – Buildable Lands*
- *Goal 6 – Air, Water and Land Resource Quality*
- *Goal 7 – Natural Hazards*
- *Goal 11 – Public Facilities*

B. Scio Comprehensive Plan, including

- *Land Use Goals and Policies*
 - *Goal LU-2 Buildable Lands*
 - *Policy LU-12 Public Lands – Sites for Public Facilities*
 - *Policy LU-14 Public Lands – Public Input in Siting of Public Facilities*
- *Natural Resource Goals and Policies*
 - *Flood Hazard Goals Goal NR-4*
 - *Flood Hazard Policies: NR-8 Flood Hazard Zone and Data*
- *Public Facilities Goals and Policies*
 - *Goal PF-1 Provide Quality Public Facilities*
 - *Public Facilities: PF-9 and PF-10 Timing of Public Facilities*

C. Scio Zoning Ordinance 561 – Article 10, Amendments to the Zoning Ordinance

- Section 10.010 Application for Amendments
- Section 10.020 Public Hearings and Procedural Requirements

D. ORS 222 - Annexations

The Planning Commission will make its decision based on the criteria listed above. The criteria listed for the Scio Comprehensive Plan, the Scio Zoning Code and city ordinances can be viewed at the City of Scio website: <http://ci.scio.or.us>

I. Applicant's Proposal

The City of Scio proposes to annex the 14.82-acre city lagoon site to the City of Scio and rezone it to a Public (P) zone. The site is inside the Scio Urban Growth Boundary (UGB) but is outside the city limits.

Scio City Manager Ginger Allen filed an application requesting the City of Scio to annex the site and approve an amendment to the Scio Zoning Map to rezone the sewer lagoon property, a 14.82-acre site on SW 6th Avenue, from Linn County's Urban Growth Area – Urban Growth Management (UGA-UGM-10) zone to a City of Scio Public (P) zone. The property includes three tax lots on the south side of SW 6th Avenue in Scio.

The site includes the City of Scio wastewater treatment facilities, including a small storage building and two lagoons. The City of Scio Wastewater Facilities Plan, prepared by Dyer Partnership in 2020,

recommends the City upgrade its wastewater facilities over the next 10 years. The first phase of the project includes construction of a new public works shop and equipment storage building on SW 6th Avenue. The City plans to design the building in 2020 and construct the new shop in 2021. The proposal must comply with the standards and criteria for a zone change. If approved, the City will replat and consolidate the three city parcels into one lot.

Map 1
Proposed Annexation and Zoning Map Amendment to Public (P)
City of Scio Wastewater Lagoon Site
SW 6th Avenue, Scio, Oregon



Table 1
City of Scio
Comprehensive Plan Map and Zone Change Proposal

#	Assessor's Map and Tax Lot	Acres	Existing Use	Existing Comp Plan Map Designation	Existing Zoning District	Proposed City of Scio Zoning District
1	10S 1W 18D TL 01500	9.33	Lagoon	Public	Urban Growth Area UGA – UGM (10)	Public (P)
2	10S 1W 18D TL 01500	0.12	WW Site	Public	Urban Growth Area UGA – UGM (10)	Public (P)
3	10S 1W 18D TL 01500	5.37	Lagoon	Public	Urban Growth Area UGA – UGM (10)	Public (P)

II. BACKGROUND INFORMATION

A. Pre-Application Information and Application Submittals:

The City staff and Planning Consultant met with the City Attorney and City Engineer on May 5, 2020 to discuss the City's plans to construct a new public works shop facility at the City of Scio wastewater treatment facility (lagoon site) on SW 6th Avenue in Scio.

During the meeting, Planning Consultant David Kinney advised the City that the property was inside the Scio UGB, but outside the city limits. In order to simplify the City's review and upgrade of all buildings and facilities at the site, he advised the City to annex the property, rezone the entire property for public use and complete a property line adjustment to consolidate the lots into a single parcel. The City staff and consultants reviewed the City's land use application process. At the conclusion of the meeting, the City Manager decided to proceed with a land use application in summer 2020.

The City filed an application on May 11, 2020. The Comprehensive Plan/Zone Change application was deemed complete on May 31, 2020. In order to comply with the "120-day rule", the City Council will need to make a decision to approve or deny the proposal by Monday, September 28, 2020.

B. Application, Land Use Procedure and Review Requirements:

The application requires a public hearing before the Scio Planning Commission and a second public hearing before the City Council. At the conclusion of the Planning Commission's hearing, they will make a recommendation to the City Council to either approve or deny the proposal. The City Council will then hold a public hearing and make a final decision to approve or deny the proposal. If the Council approves the proposal, the City Council must adopt an ordinance to officially annex the property and amend the Scio Zoning Map.

The City Planner recommends the City adhere to the following schedule:

July 29, 2020	Scio Planning Commission Public Hearing. At the conclusion of the hearing the Commission will deliberate and make a recommendation to the City Council. The Planning Commission may continue deliberations at a subsequent meeting.
September 14, 2020	Scio City Council Public Hearing. Receive the Scio PC recommendation and consider public testimony. At the conclusion of the City Council public hearing, the Council will make a decision to approve or deny the Planning Commission's recommendations. If approved, the City Council will adopt an ordinance at either the September 14, 2020 or October 12, 2020 city council meeting.

Due to the COVID-19 pandemic, the City may hold electronic meetings in lieu of in-person public hearings at City Hall. The City will ensure there are adequate opportunities for the public to participate in the public hearing and for the City to comply with public hearing requirements for a land use decision.

C. Public Hearings

Planning Commission Public Hearing: A public hearing concerning File 2020-06 will be held before the Planning Commission on Wednesday, July 29, 2020 beginning at 7:00 p.m. The Planning Commission will consider the City's presentation and consider public testimony on the proposal. At the conclusion of the hearing, Chair Beau Buganski will close the public hearing. After the public hearing is closed, the Planning Commission will deliberate on the proposal and make a recommendation to the Scio City Council.

On (insert date) the Scio Planning Commission recommended the City Council approve/deny application 2020-06.

City Council Public Hearing: A public hearing concerning File 2020-06 will be held before the Scio City Council as part of the regularly scheduled city council meeting on Monday, September 14, 2020 beginning at 6:00 p.m. The hearing will be held at the Scio City Hall, 38957 NW First Avenue in Scio.

D. Notices of Public Hearing:

The proposed Zone Change is a Post-Acknowledgment Plan Amendments (PAPA). Notice was provided to the Oregon Department of Land Conservation and Development (DLCD) on May 15, 2020.

Notice of the public hearings must be provided to affected governmental agencies, adjacent property owners and the community. Notices for both public hearings were provided as follows:

1. Mailing to Adjacent Property Owners: Written notice will be mailed to owners of property within 500' of the subject property at least 10 days prior to the initial evidentiary hearing before the Scio Planning Commission and 10 days prior to a public hearing before the City Council. Notice of the initial evidentiary hearing will be mailed to property owners on or about July 8, 2020, more than 10 days prior to the hearing.
2. Agency Notification: Agency notices will be emailed to affected agencies with a request that agency comments be returned to the City on or about July 15, 2020, more than 10 days prior to the public hearing.
3. Posting: Notices of the public hearing were posted at the U.S. Post Office in Scio, at City Hall and on the City of Scio website more than 10 days prior to the public hearing.

F. Existing Conditions:

The City provided the following description of the site and surrounding neighborhood:

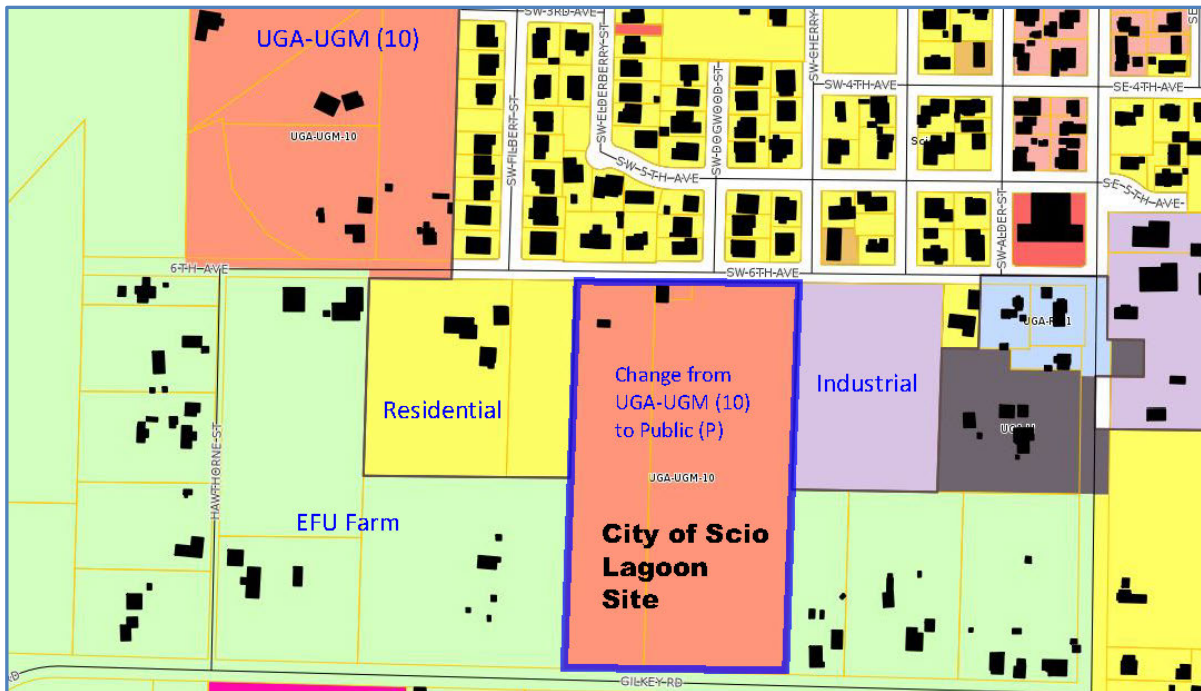
"The 14.8-acre lagoon site is located on the south side of SW 6th Avenue. The property includes 3 parcels. The Scio Wastewater Facilities Plan, Dyer Partnership, January 2020 recommends the city make several improvements to the city's wastewater facilities over the next 10 years. Phase 1 is to construct a new public works shop building north of Peters Ditch. Phase 2 will involve improvements to the lagoons and wastewater treatment facilities. Annexation, rezoning to Public and consolidation of the 3 existing tax lots into one parcel will enable the City to be solely responsible for land use and redevelopment

decisions on the site. Design of the public works shop building will begin in 2020 and construction will occur in 2021.”

Surrounding Land Uses: The site is located in a Commercial (C-1) zone. Map 2 on the next page shows the zoning on surrounding properties and the adjacent land uses. The area is bordered by a variety of residential, commercial and public uses.

- North: A single-family home at 38757 NW Alder St. is just north of the City Hall site.
- West: Scio Middle School is directly west of the City Hall site.
- East: Rocky’s Coffee shop and the North Main Street commercial district.
- South: The Purdy Apartments are directly south of the City Hall site.

Map 2
**Proposed City of Scio Lagoon Site
Surrounding Development and Zoning**



G. Utilities:

The City of Scio lagoon site is currently served with all public utilities and improved streets and drainage facilities.

- Water: A city water line is located in SW 6th Avenue.
- Sewer: An 8” sanitary sewer main is located in SW 6th Avenue. Pressure lines from the city pump stations bring wastewater to the lagoon site.
- Storm Sewer: Peters Ditch is a natural channel. Storm drainage from the site goes into Peters Ditch. As part of the city’s site development plan for a new public works shop building, the engineer/architect will be required to submit a storm drainage report and a plan for proposed storm drainage improvements.

H. Streets:

The City of Scio lagoon site abuts SW 6th Avenue. The portion of the street outside the city limits is owned and maintained by Linn County. The portion of the street inside the city limits is owned and maintained by the City of Scio. SW 6th Avenue is a full-width paved street, with curb on the south side. Sidewalks are located on the north side of the street. Street frontage improvements may be required at the time of development of the site.

I. Agency Comments and Public Testimony:

1. Agency Comments. Agency comments were solicited from DLCD, the Scio Rural Fire District and private utilities. Agency comments were requested back by July 19, 2020.
 - Scio Rural Fire Protection District: On July 9, 2020, Chief Levi Eckardt, Scio Fire District, responded via email: *"The Scio Fire District will need to ensure that water supply requirements are met and access to the structure meets the requirements of the fire code."*
 - Pacificorp: On July 13, 2020, Kristi Wheeler, Journeyman Estimator for Pacificorp, responded via email: *"Pacific Power has no comments"*.
2. Public Testimony. As of July 20, 2020, the City has not received any written testimony. Any written testimony received prior to and during its public hearing is hereby made a part of the record and attached as Exhibit B. A summary of the oral testimony will be included in the meeting minutes.

The minutes of the planning commission public hearing will include a summary of agency and public comments received at the public hearing and responses by the City and City Planner.

III. FINDINGS

The City of Scio submitted an application for an annexation, Zone Change and property line adjustment. An amendment to the Scio Zoning Map is reviewed based on applicable criteria found in the Statewide Planning Goals, the Scio Comprehensive Plan.

The Scio Comprehensive Plan was updated by the City over a 4-year period from 2015-2019, and compiled into a final plan document in March 2019. The updated Scio Comprehensive Plan was acknowledged by DLCD as being in compliance with Oregon Statewide Planning Goals 1 to 14.

The City's Planning Consultant and the Scio Planning Commission have reviewed the proposal, including the City's submittals, to determine whether or not the proposal complies with the applicable standards and criteria listed on page 2 of this report.

A. Statewide Planning Goals, Oregon Laws and Administrative Rules

The following findings address statewide planning goals that apply to this application. The applicable Statewide planning goals that apply to this proposal are Goals 1, 2, 7 and 11.

City Planner and Planning Commission Goal and OAR Findings

Goal 1 – Citizen Involvement

The City of Scio provides opportunities for citizen involvement in all post-acknowledgement plan amendment proceedings. Notices of the city hearings were provided to affected property owners and agencies. Section II “Background Information” of this staff report outlines the public notice, hearings and citizen involvement process that is used by the City of Scio. The application, applicant’s testimony, public testimony, agency reviews and comments, planning commission minutes and city council minutes are all part of the public record in this case and available to the public. The proposal complies with Goal 1 – Citizen Involvement.

Goal 2 – Land Use Planning:

Goal 2 requires the City to adopt a buildable lands analysis showing the City has a 20-year supply of buildable residential and employment lands to serve the projected growth of the community.

- 2.1 In April 2015, the City of Scio adopted the Scio Buildable Lands Analysis Update (Scio BLA) dated February 2015 in compliance with ORS 197.296 and OAR Chapter 660-024 “Urban Growth Boundaries”.
- 2.2 The Scio Comprehensive Plan (Map LU-1) in Chapter 4 of the Scio Comprehensive Plan designates the entire lagoon site for public use. The Public plan designation and Public zone are intended to provide land for general government buildings and publicly-owned facilities, including public works and sewage treatment facilities.
- 2.3 Policy LU-12 encourages the City to secure adequate sites for public facilities in areas of the City which can best serve the citizens of Scio. The City intends to move its public works shop, vehicles and equipment storage to the SW 6th Avenue lagoon site.

The City concludes the proposal is consistent with the City’s land use goals and policies to encourage the city to provide essential public facilities. The proposed rezoning will enable the City to invest in a new public works shop and improved wastewater treatment facilities at the lagoon site. The proposal complies with Goal 2.

Goal 7 – Natural Hazards.

Goal 7 requires cities to inventory and adopt measures to protect the community from floods, landslides, earthquake and other natural disasters.

- 7.1 The site *is* located within the Thomas Creek 100-year flood plain, as shown on Map 3. The Linn County Flood Insurance Study (2010) and historical information from the January 2012 flood will be used to evaluate any site development plan for the new City Hall/library.
- 7.2 The community has a history of shallow flooding, including Peters Ditch, which flows along the north edge of the lagoon site. A flood in January 2012 caused water to flow along SW 6th Avenue and overflow the banks of Peters Ditch, as shown on Map 4 – “City of Scio Flood Data – January 2012 Flood Event”.

Thomas Creek Flood Plain



7.3 Natural Hazards Goals and Policies:

Chapter 5 of the Scio Comprehensive Plan includes the following “Natural Resources” goals and policies that apply to the proposal.

FLOOD AND OTHER NATURAL HAZARDS

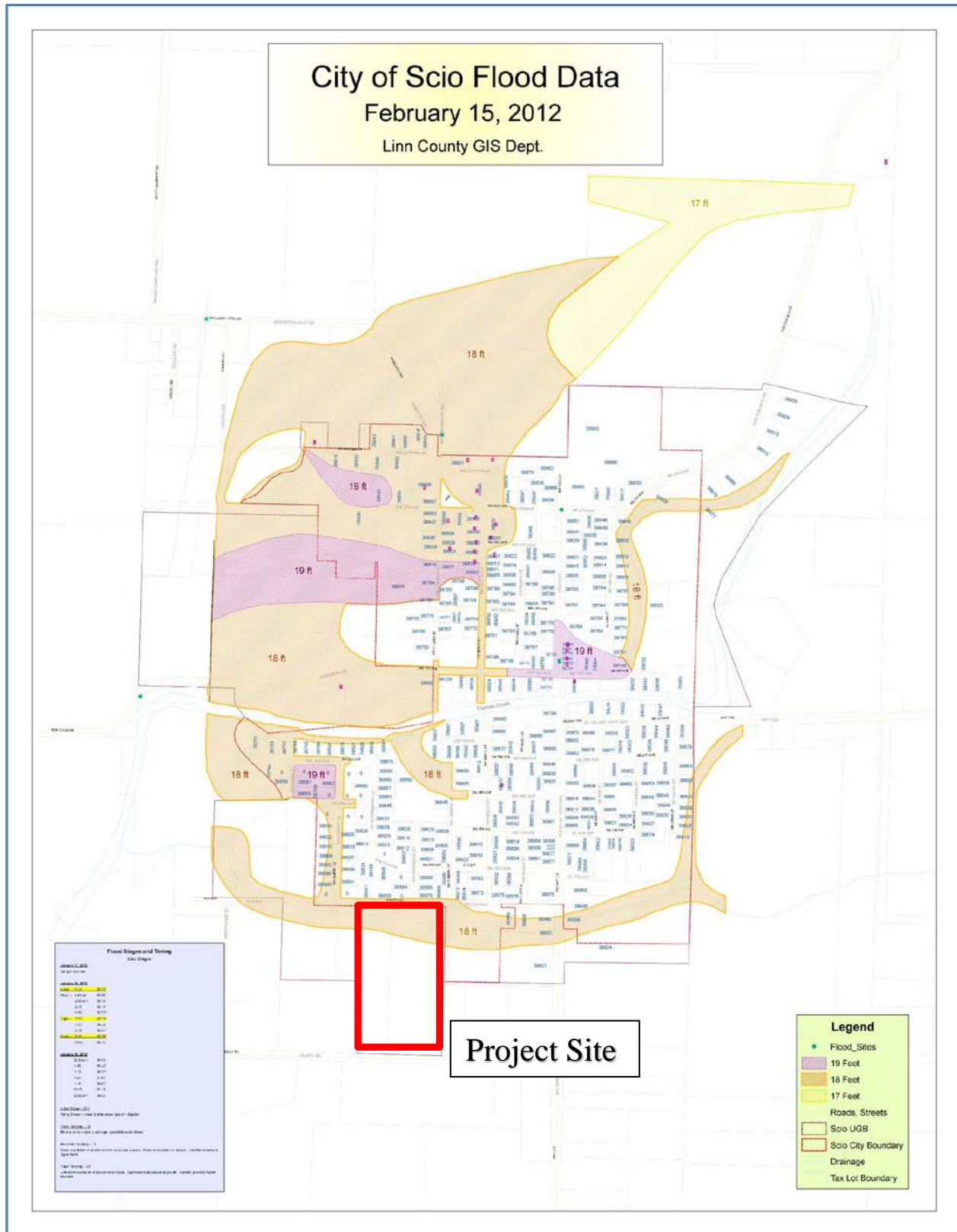
Goal NR-4: *To prevent losses as a direct result of natural hazards, by the identification of hazard areas and the control of development in hazard areas.*

Policy NR-8: The City of Scio will utilize the best available information acceptable to the Federal Emergency Management Administration (FEMA) to identify special flood hazard areas.

Policy NR-10: The City of Scio will regulate development in areas subject to flooding in accordance with the adopted floodplain maps and the Scio Flood Hazards Ordinance.

The City of Scio has adopted Ordinance 579, the *Scio Flood Plain Management Ordinance and Linn County Flood Management Study (September 2010)*.

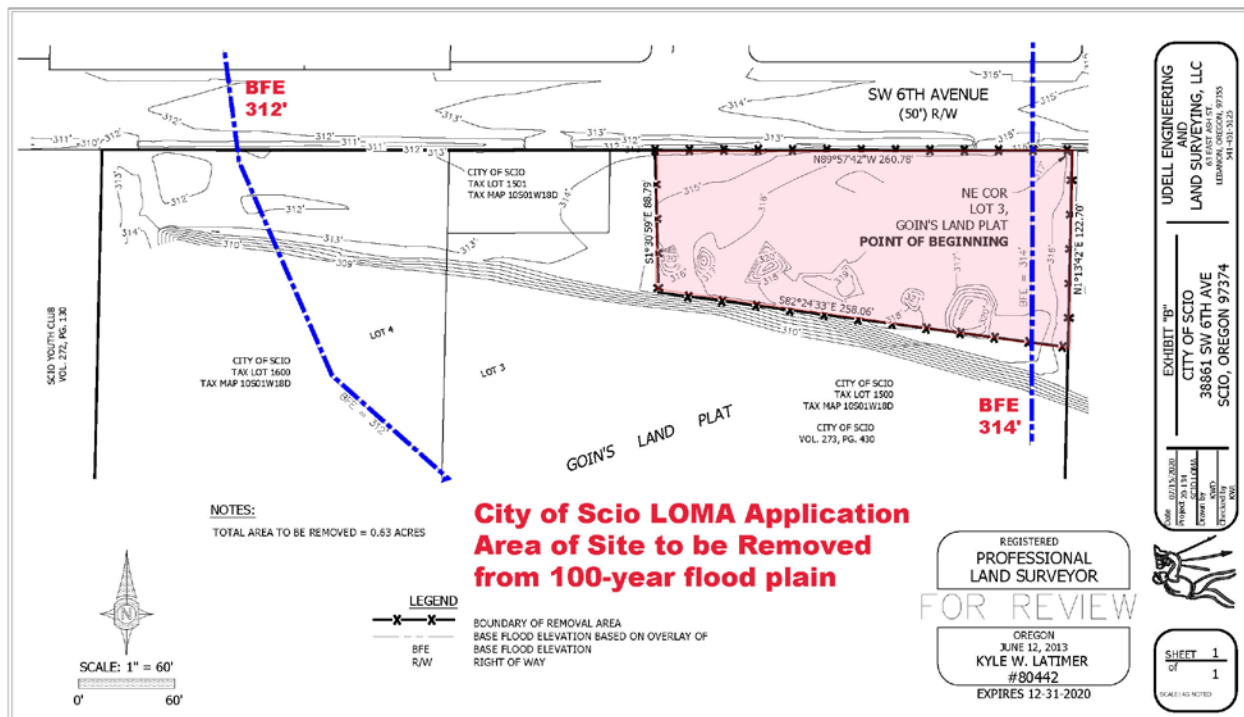
Map 4
City of Scio Flood Data – January 2012 Flood Event



The flood management ordinance includes protection measures to govern development within the 100-year flood hazard area. It requires a property owner to obtain a Flood Development Permit from the City and comply with National Flood Insurance Program (NFIP) regulations. Scio Ordinance 536 has a balanced cut & fill requirement to prevent development from causing an increase in flood depths. As part of the City's review of the site plan and building permits, the City will verify the project will not increase flood elevations and will not impede the flow of floodwaters within or around the site.

Kyle Latimer, PLS, and Brian Vandetta, PE, Udell Engineering, have evaluated the portion of the site north of Peters Ditch to determine if any of the area from Peters Ditch to SW 6th Avenue has an elevation above the 314' Base Flood Elevation (BFE) and is outside the 100-year flood plain. He has submitted a Letter of Map Amendment (LOMA) application to FEMA requesting the area shown on Map 5 be removed from the 100-year flood plain.

Map 5
City Letter of Map Amendment (LOMA) Application



7.6 Other Natural Hazards. Chapter 5 of the Scio Comprehensive Plan inventories other potential natural hazards. The City has not identified any other natural hazards that impact the site.

The City concludes the City has adopted comprehensive plan goals, policies and development regulations appropriate to manage new development within the Thomas Creek Flood Hazard area and the proposal complies with the applicable Natural Hazards goals and policies. At the time of site development, the City will be required to elevate the 1st floor of the building and verify the project will have no negative effects within the 100-year flood hazard area. The City Engineer will prepare a storm drainage analysis, design and construct storm drainage improvements (as needed) in compliance with the City of Scio public works design standards and cut/fill ordinance requirements.

The City Planner concludes the proposal complies with Goal 7 and a site development can comply with the city's flood plain management requirements and storm drainage facilities requirements at the time of development.

Goal 11 – Public Facilities

Goal 11 requires cities to plan for the timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. Chapter 11 “Public Facilities” in the Scio Comprehensive Plan was updated in 2018. Chapter 11 provides a brief summary of the existing facilities and services and concludes there are adequate services available to serve growth in the community for the 20-year planning period from 2017 to 2035.

11.1 Sanitary Sewer. The City of Scio operates a wastewater collection in the City and a wastewater treatment system on this site. In 2020, City Engineer Ryan Quigley, Dyer Partnership, LLC, prepared a new wastewater facility master plan for the City of Scio. The wastewater facilities plan recommends the City develop improved collection, pump station and treatment facilities to serve the community through the year 2040. This land use action will allow the City to build a new public works shop building (Phase 1) and upgrade the sewer lagoons to comply with federal and state environmental regulations for the operation within the city's National Pollutions Discharge and Elimination Permit (NPDES) rules.

The City concludes the proposal complies with Goal 11.

B. Scio Comprehensive Plan Goals and Policies

The City reviewed the proposal for compliance with the Scio Comprehensive Plan. The following goals and policies apply to the proposal:

LAND USE GOALS AND POLICIES

Land Use Goals:

Goal LU-2: The City of Scio will provide an adequate supply of land inside the city limits that is zoned for residential, commercial, industrial and public uses to meet the projected needs of the City for the next 20 years.

Public Lands Policies:

Policy LU-12:	The City will secure adequate sites for public facilities in areas of the City which can best serve the citizens of Scio.
Policy LU-14:	The City will encourage citizen involvement and input in the planning, siting and design of public facilities.

Findings:

- LU-1 The Scio Buildable Lands Analysis Update (2015) does not identify the amount of buildable land (# of acres) needed for city facilities during the 20-year planning period through the year 2035.
- LU-2 The Scio Wastewater Facilities Plan, Dyer Partnership, January 2020 concludes the city's lagoon site is of sufficient size to serve the needs of the city for the 20-year planning period through the year 2040. The engineer concludes no additional land is needed for the wastewater treatment facility.
- LU-3 The Scio Comprehensive Plan Map LU-1 designates the lagoon site for public use. The lagoon site is currently zoned UGA-UGM (10), which allows wastewater facilities under a conditional use permit granted by the Linn County Planning Department. The UGA-UGM zone serves as an urban transition zone until the site is annexed into the City of Scio.
- LU-4 The City concludes that it is appropriate to annex the property to the City of Scio. Annexation will simplify the land use decision process when the city builds a new public works shop and expands the wastewater treatment facilities.
- LU-5 At the time of site development, the City building plans for the public works shop must show the building complies with the City's flood development regulations. As part of the City's review of the site plan and building permits, the City will verify the project will not increase flood elevations and will not impede the flow of floodwaters within or around the site.
- LU-5 In 2019, the City held multiple community meetings to invite members of the public to comment on the city's proposal to construct a new city hall and relocate the public works shop facility to a new 3-4 bay structure at the city's wastewater facilities site on SW 6th Avenue. The citizens who attended the council workshops overwhelmingly supported the City's proposal and plan to secure private bank financing to construct the new facilities. In February 2020, the City obtained City Council approval to secure private financing with Columbia Bank.
- LU-6 The City has retained an architectural design firm and the City Engineer to design the new facilities. Design will be completed in 2020. Construction is planned for 2021. The City Manager plans to hold open houses to solicit community input involve the community in

The proposal is consistent with Goal LU-2 and Land Use Policies LU-12 and LU-14.

NATURAL RESOURCE GOALS AND POLICIES

FLOOD AND OTHER NATURAL HAZARDS

Goal NR-4: *To prevent losses as a direct result of natural hazards, by the identification of hazard areas and the control of development in hazard areas.*

Policy NR-8: The City of Scio will utilize the best available information acceptable to the Federal Emergency Management Administration (FEMA) to identify special flood hazard areas.

Policy NR-10: The City of Scio will regulate development in areas subject to flooding in accordance with the adopted floodplain maps and the Scio Flood Hazards Ordinance.

Findings:

- NR-1 Goal N-4 requires the City to prevent losses as a result of natural hazards, including the 100-year flood plain for Thomas Creek.
- NR-2 Policies NR-8 and NR-10 permit development on properties located in the Flood Hazard zone, subject to a Flood Development Permit and compliance with National Flood Insurance Program (NFIP) regulations.
- NR-3 The City of Scio has adopted Ordinance 579, the Scio Flood Plain Management Ordinance and Linn County Flood Management Study (September 2010). The flood management ordinance includes protection measures to govern development within the 100-year flood hazard area.
- NR-4 Udell Engineering has been retained to determine if a Letter of Map Amendment (LOMA) is warranted for all or a portion of the lagoon site due to the existing ground elevations.
- NR-5 The lagoon site is in the 100-year flood hazard area. Even if a LOMA is approved, the City Planner recommends the base floor elevation of the new public works shop be set 3' above the base flood elevation, because the facility is a critical government facility and access is needed to enable the City to respond during a flooding emergency.
- NR-5 Scio Ordinance 536 has a balanced cut & fill requirement to prevent development from causing an increase in flood depths.
- NR-4 See the Goal 7 findings above for additional findings related to flood hazard requirements.

At the time of site development, the City Engineer will verify any cut or fill on the site and the new building will not increase flood elevations and will not impede the flow of floodwaters within or around the site. The proposal is consistent with Goal NR-4 and Policies NR-8 and NR-10.

PUBLIC FACILITIES GOALS AND POLICIES

Public Facilities Goals:

Goal PF-1 To provide quality public facilities and services for the citizens of Scio, in compliance with state and federal requirements and within the economic capabilities of the community.

Public Facilities Policies:

Policy PF-9 The City of Scio will require city water, sewer and storm drainage facilities and services to be available in advance or concurrently with development.

Policy PF-10 At the time of development, the developer will be required to extend or expand needed public facilities to and through the development site at the developer's sole cost and expense.

Policy PF-19 The City shall plan for the logical and orderly extension of water and sewer services to properties within the Scio Urban Growth Boundary. Properties outside the city limits will be annexed to the City of Scio prior to the extension of water and sewer services.

Findings:

- PF-1 Public facilities (water, sewer and storm drainage) serve the existing lagoon site. They are available to serve the City Hall redevelopment site, as discussed in Section II-G "Utilities" and Section II-H "Streets" of this report.

- PF-2 The City Engineer will prepare a “Storm Drainage Report” and a plan showing proposed parking, street and storm drainage improvements needed to serve a new public works shop facility at the lagoon site.
- PF-3 The City will be required to install or replace any needed water, sewer, storm drainage and private utilities concurrently with the proposed public works shop building project.
- PF-4 Policy PF-19 requires annexation prior to the extension of water/sewer services to a new development site.

The proposal is consistent with Goal PF-1 and public facilities policies PF-9, PF-10 and PF-19.

TRANSPORTATION SYSTEM GOALS AND POLICIES

Transportation Goals:

Goal T-1: Streets and Highway System - Provide for efficient motor vehicle travel within and through the City of Scio.

Goal T-2: Active Transportation – Increase the availability of pedestrian and bicycle facilities.

Transportation Policies and Objectives:

Objective 1c: Review land development proposals using the City’s transportation development standards.

Objective 2a: Identify bike lane, recreational trail and sidewalk projects that enhance pedestrian/cyclist safety and encourage use of these facilities in Scio, including streetscape amenities such as lighting, benches, banners, and signage.

Findings:

- T-1 SW 6th Avenue is a local street, with a full width paved street and curb on the south frontage abutting the lagoon site. No sidewalks are on the south side of the street.
- T-2 The Scio local streets plan in Chapter 13 of the Scio Zoning Ordinance 561 shows full urban improvements (curb, gutter, bike lane, pedestrian sidewalks on SW 6th Avenue abutting the lagoon site.
- T-4 See Goal 12 findings for additional findings.

The City Planner concludes the City can construct street and pedestrian facilities abutting the site concurrently with the redevelopment. The proposal is consistent with Transportation Goals T-1 and T-2 and Objectives 1c and 2a.

City Planner’s Summary – Compliance with the Scio Comprehensive Plan Goals and Policies

The City Planner concludes the annexation and Zone Change application for the 14.8-acre lagoon site on SW 6th Avenue is consistent with the Scio Comprehensive Plan goals and policies. The City is required to submit detailed engineering plans and building elevation plans for the new public works shop facility at the time the City applies for building permits.

C. Annexation to the City of Scio

The applicant's proposal includes a request to annex 14.8 acres to the City of Scio and upon annexation rezone the property to a Public (P) zone.

ORS 222.125 allows cities to annex territory when all (100%) of the property owners of the territory and not less than 50% of the electors (registered voters) living within the area to be annexed submit a petition (application) requesting the property be annexed. The owner of the subject property is the City of Scio. The City Manager has signed the city's application on behalf of, and with the authorization of the Scio City Council. There are no electors.

The Scio Zoning Ordinance does not provide any decision criteria for approval of an annexation to the City and a concurrent zone change: "The amendment must be consistent with the applicable policies of the comprehensive plan." Section 2.050 of the Scio Zoning Ordinance requires annexations and re-zoning to be handled concurrently, and states further:

Section 2.050. Zoning of Annexed Areas. All areas annexed to the City shall be zoned within a city zoning district that is in harmony with the existing comprehensive plan description.

The findings in Sections III-A and III-B of this report review applicable Statewide Planning Goals and the applicable Scio Comprehensive Plan goals and policies.

Conclusion: The annexation of the 14.8-acres and the concurrent rezoning of the property to a Public (P) zone is consistent with the comprehensive plan narrative and the Scio Comprehensive Plan Map LU-1. If approved, the City must adopt an ordinance annexing the property and obtain approval for the annexation map and legal description from the Oregon Department of Revenue and the Oregon Secretary of State.

D. Scio Zoning Ordinance – Article 10 “Zoning Amendments”

The City's proposal includes an amendment to the Scio Zoning Ordinance to rezone the 14.8-acre site from Linn County Urban Growth Area – Urban Growth Management (10-acre minimum) to a City of Scio Public (P) zoning district for the site shown on Map 1.

Scio Ordinance 561, Article 10 includes application requirements and procedures to considering a zone change application. Sections 10.000 to 10.030 do not include any criteria for review of a zoning map amendment. Therefore, the proposal must comply with the applicable Statewide Planning Goals, as reviewed in Section III-A above, and the Scio Comprehensive Plan goals and policies, as reviewed in Section III-B above.

Procedural Requirements

The application complies with the application, filing fee and review procedure requirements for a comprehensive plan map amendment and zoning map amendment as set forth in Ordinance 561, Sections 10.010 and 10.020.

The City Planner concludes the proposed zone change application is consistent with the application and procedural requirements of the City of Scio and complies with Article 10, Ordinance 561.

IV. CITY PLANNER CONCLUSION and RECOMMENDATION

Based on the findings and conclusions contained in this report, the City Planner concludes that the City's proposal complies with the requirements to approve an annexation of the 14.8-acre lagoon site and to rezone the property from Linn County UGA-UGM (10) to a City of Scio Public (P) zone.

The City Planner recommends the Planning Commission approve the proposal and recommend the City Council approve the application in File 2020-06.

V. PLANNING COMMISSION OPTIONS

If an electronic meeting is held, the City Attorney may recommend the City following a different public hearing review and approval process. The City Manager will provide guidance to the Commission.

The Planning Commission has several options:

A. CONTINUE THE HEARING OR DELIBERATION:

Continue the Public Hearing or Deliberations to the next regularly scheduled meeting.

B. APPROVAL:

Approve the application if the Planning Commission concludes the proposal complies with the decision criteria. No conditions of approval are recommended.

C. DENIAL:

Deny the application if the Planning Commission concludes the proposal does not comply with the decision criteria, as follows [Insert basis for denial].

VI. MOTIONS

Continuance Motion or direction by the Planning Commission Chair to continue the public hearing to _____, 2020 at 7:00 p.m. to consider further testimony on the proposal.

[The Chair may continue the hearing to consider additional testimony on the entire application or may limit future testimony to specific issues].

Approval Motion to recommend the City Council **APPROVE** File 2020-06 to annex the 14.8-acre lagoon site on SW 6th Avenue and to concurrently rezone the property to a City of Scio Public (P) zoning district and to adopt the findings of fact in the Staff Report dated July 20, 2020.

Denial Motion to recommend the City Council **DENY** File 2020-06 because the proposal does not comply with Scio Comprehensive Plan policies . . . [list reasons]

The Planning Commission directs the Planning Consultant to modify the findings and conclusions in the staff report to reflect the Planning Commission's deliberation and to present the updated findings to the Commission at its next regular meeting on _____ 2020 at 7:00 p.m.

VII. ORDINANCE ADOPTION (If Approved)

If the Planning Commission and City Council approve the application, the City must adopt an ordinance to annex the property and to amend the Scio Zoning Map. A draft ordinance will be provided to the City Council.

Exhibit List

Exhibit A: Agency Comments

The following exhibits are in the land use file at Scio City Hall. The full text of each agency comment is included in the staff report.

A-1 Scio Rural Fire Protection District. Email dated July 9, 2020.

A-2 Pacificorps. Email dated July 13, 2020

Exhibit B: Public Testimony

No public testimony was received as of July 20, 2020.

Exhibit C: DRAFT Ordinance 6xx

A draft ordinance to approve the proposed Annexation and Zoning Map Amendment to a Public (P) zone for the 14.82-acre City of Scio sewage lagoon site located on SW 6th Avenue in Scio.

ORDINANCE 6xx

AN ORDINANCE REZONING A 14.75-ACRE TRACT OF LAND IN THE 38800 BLOCK OF SW 6TH AVENUE IN SCIO, OREGON AND ANNEXING THE 14.75-ACRE TRACT OF LAND INTO THE CITY OF SCIO, WHICH IS CONTIGUOUS TO THE CURRENT CITY LIMITS OF THE CITY OF SCIO, WITHOUT AN ELECTION OF THE PEOPLE.

WHEREAS, the City of Scio has submitted a land use application File 2020-06 regarding a 14.75-acre tract of land in the 38800 block of SW 6th Avenue and located between SW 6th Avenue and Gilkey Road in Scio, Oregon; Linn County Assessor's Map T10S R1W Section 18D, Tax Lot 01500, 01501 and 01600, in the City of Scio, Oregon; and

WHEREAS, the City proposes to

1. Annex the 14.75-acre tract of land, which includes the City's wastewater lagoons; and
2. Amend the Scio Zoning Map to rezone the annexed property from Linn County Urban Growth Management (UGM-UGA-10) zone to a City of Scio Public (P) zone,

WHEREAS, the City proposes to continue to use the property for the city's sewage lagoons, wastewater treatment facilities and public works facilities and activities; and

WHEREAS, the Planning Commission held a public hearing on July 29, 2020 to consider the application and upon deliberation, after the close of the public hearing, recommended the city council approve the application; and

WHEREAS, the City Council held a public hearing on September 14, 2020 and at the close of the hearing the City Council concurred with the Planning Commission recommendation; and

WHEREAS, the City Council adopted findings of fact approving the land use application;

WHEREAS, the City has reviewed the legal descriptions of the property to be annexed and rezoned; and

WHEREAS, ORS 222.125 allows cities to annex territory when all (100%) of the property owners of the territory and not less than 50% of the electors (registered voters) living within the area to be annexed submit a petition (application) requesting the property be annexed. The owner of the subject property is the City of Scio. There are no electors residing on the property.

NOW, THEREFORE, the City Council of the City of Scio hereby ordains as follows:

SECTION 1: ANNEXATION AREA: The following property, described in the legal description, attached hereto in “Exhibit A” and shown on the map attached hereto as “Exhibit B”, is hereby proclaimed to be annexed into the City of Scio.

Table 1
Annexation Area

#	Owner	Linn County Assessor's Map	Tax Lots	Total Parcel Size (Acres)	Existing Scio Comp Plan Designation and Scio Zoning	Proposed Scio Comp Plan Designation and Scio Zoning
1	City of Scio	T10S, R1W, Section 18D	01500 01501 and 01600	14.75	Linn County Urban Growth Management (UGM-UGA-10)	Public (P)

SECTION 2: ZONING MAP AMENDMENT: The Scio Zoning Map shall be amended to rezone the following properties from Linn County Urban Growth Management (UGM-UGA-10) to Public (P). Attached hereto is Exhibit “C”, which accurately portrays the property be rezoned.

Table 2
Zoning Map Amendment

#	Owner	Linn County Assessor's Map	Tax Lots	Total Parcel Size (Acres)	Existing Scio Comp Plan Designation and Scio Zoning	Proposed Scio Comp Plan Designation and Scio Zoning
1	City of Scio	T10S, R1W, Section 18D	01500 01501 and 01600	14.75	Linn County Urban Growth Management (UGM-UGA-10)	Public (P)

SECTION 3: RECORD.

1. The City Manager shall submit to the Oregon Secretary of State a certified true copy of this ordinance.

2. The City Manager shall send a certified true copy of this ordinance to the Linn County Assessor, the Linn County Clerk, Linn County Geographic Information System (GIS) Department, Linn County Planning Department and the Oregon Department of Revenue within ten (10) days of the effective date of the annexation.

3. The City Manager shall notify all affected utilities of the annexation.

SECTION 4. SEVERABILITY. The provisions of this ordinance are severable. If a section, sentence, clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this ordinance.

This Ordinance read by title only on the 14th day of September, 2020.

This Ordinance passed on the 14th day of September 2020 by the City Council and executed by the mayor.

Date: _____ By: _____
GARY C. WEAVER, Mayor

Date: _____ Attest: _____
VIRGINIA A. ALLEN, Interim City Manager

APPROVED AS TO FORM

Date: _____ By: _____
JOHN E. KENNEDY, City Attorney

Exhibits:

“A” - Legal Description of Area Annexed to the City of Scio.

“B” – Map of Annexation Area

“C” – Map of Area Rezoned to a City of Scio Public (P) zone.

EXHIBIT "A"

ANNEXATION LEGAL

(TAX LOTS 1500, 1501 & 1600 FROM LINN COUNTY ASSESSOR'S MAP 10S01W18D)

AN AREA OF LAND IN THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 10 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF SW 6TH AVE, SAID POINT BEARS SOUTH 01°17'33" WEST 0.54 FEET FROM A 1 INCH IRON PIPE, SAID IRON PIPE BEARS NORTH 90°00'00" EAST 172.40 FEET FROM THE NORTHWEST CORNER OF LOT 4, GOIN'S LAND PLAT, A PLATTED ADDITION IN LINN COUNTY, OREGON; THENCE ALONG SAID RIGHT-OF-WAY, SOUTH 89°57'42" EAST 606.47 FEET TO THE NORTHEAST CORNER OF LOT 3, GOIN'S LAND PLAT; THENCE LEAVING SAID RIGHT-OF-WAY, ALONG THE EAST LINE OF SAID LOT 3, SOUTH 01°13'42" WEST 1063.34 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF GILKEY ROAD; THENCE ALONG SAID RIGHT-OF-WAY, NORTH 89°04'29" WEST 607.53 FEET TO A 1/2 INCH IRON ROD; THENCE LEAVING SAID RIGHT-OF-WAY, NORTH 01°17'33" EAST 1053.95 FEET TO THE POINT OF BEGINNING.

BEARINGS BASED ON LINN COUNTY SURVEY NO. 886 AND 15687

THE ABOVE DESCRIBED AREA CONTAINS 14.75 ACRES



EXPIRES 12-31-2020

Udell Engineering & Land Surveying, LLC
63 East Ash Street, Lebanon, OR 97355
Ph: 541-451-5125 • Fax: 541-451-1366

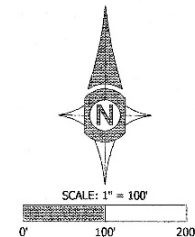
CITY OF SCIO
ANNEXATION MAP
AT THE REQUEST OF
CITY OF SCIO PUBLIC WORKS
LOCATED IN THE SE 1/4 SEC. 18, T. 10 S., R. 01 W., W.M.
LINN COUNTY, OREGON
APRIL 10, 2020

Exhibit B

LEGEND

()	RECORD DATA AS NOTED
[]	CALCULATED DATA
AC	ACRES
ALUM	ALUMINUM
BLDG	BUILDING
CH	CHAINS
C.S.	COUNTY SURVEY
(E)	EXISTING
(P)	PROPOSED
IP	IRON PIPE
IR	IRON ROD
R/W	RIGHT OF WAY
W/	WITH
YPC	YELLOW PLASTIC CAP
---	EXISTING CITY LIMITS

SURVEY REFERENCES: C.S. 886, C.S. 1704A (GOINS LAND PLAT)
C.S. 15687, C.S. 24225, C.S. 24264



Udeil
ENGINEERING & LAND
SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OR 97355
PH. (541) 451-5125
FAX (541) 451-1366
20-134 CITY OF SCIO ANNEXATION



SHEET 1 OF 1

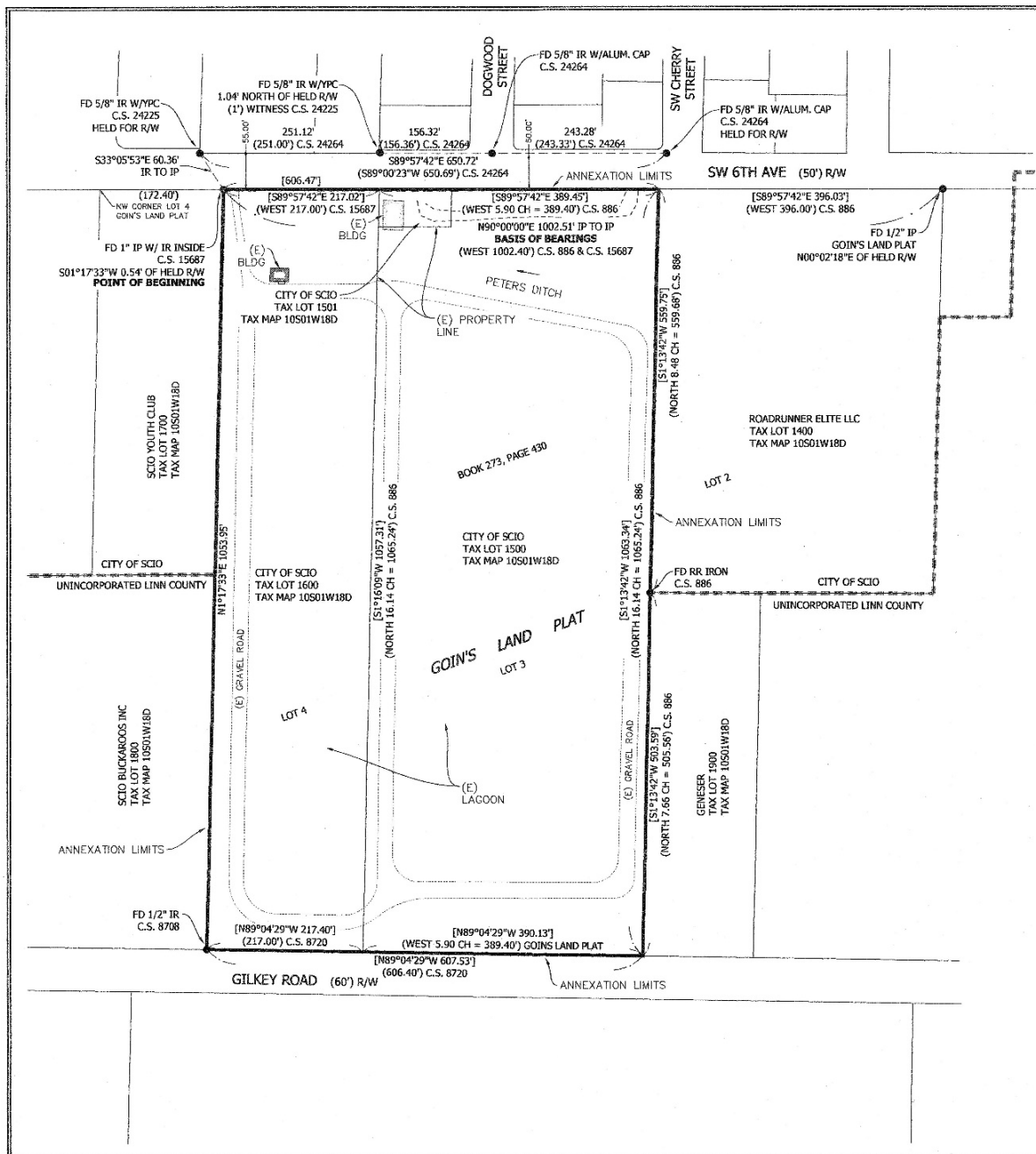
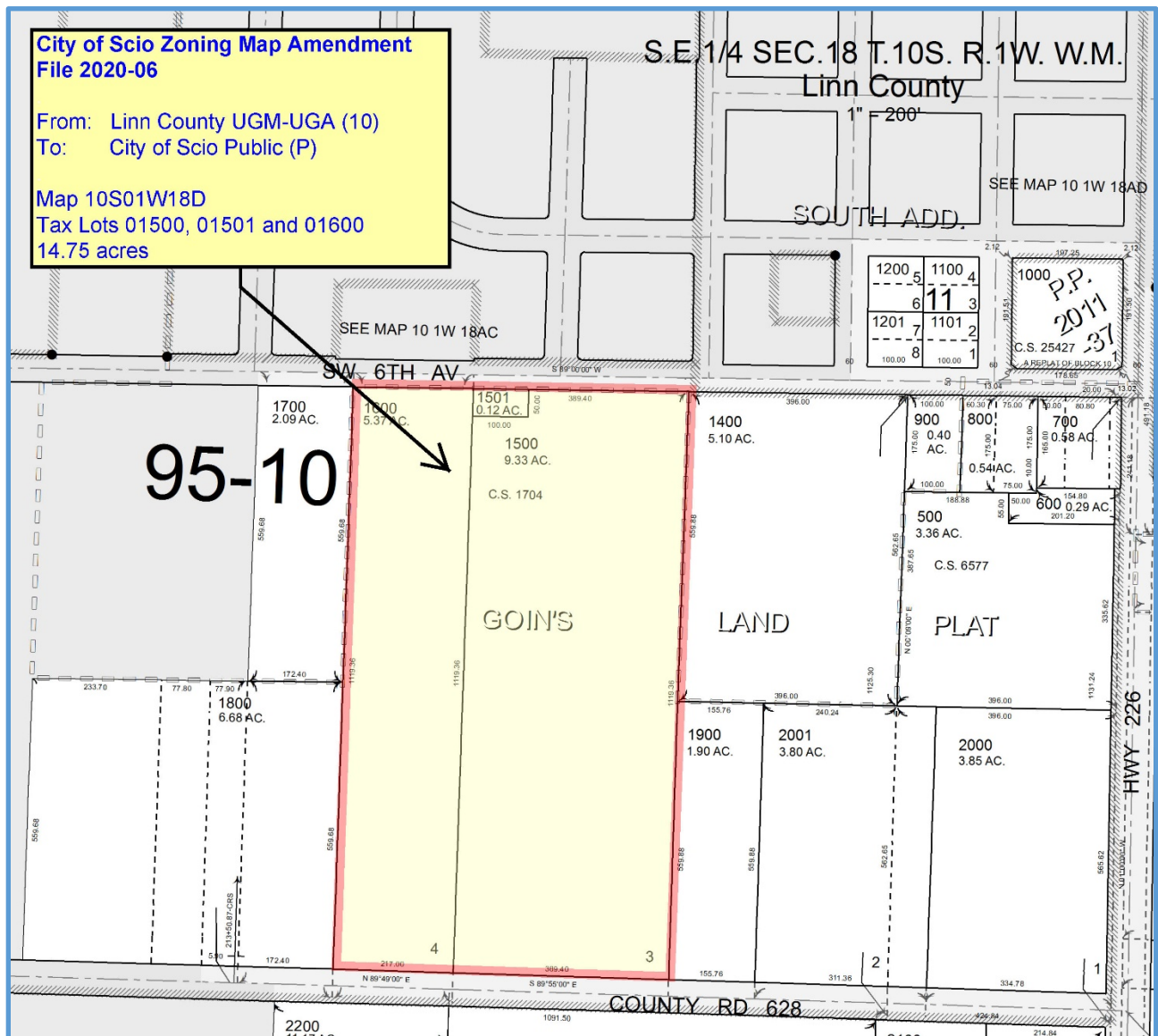


Exhibit "C"





City of Scio
Covered Bridge Capital of the West

David W. Kinney
Planning Consultant for the City of Scio
791 E. Hollister St., Stayton, OR 97383
Office: (503) 769-2020 Cell: (503) 551-0899
Email: dwkinney@wvi.com

SCIO PLANNING COMMISSION

STAFF REPORT

STAFF REPORT DATE: July 20, 2020

HEARING DATE: July 29, 2020 7:00 PM Scio Planning Commission
September 14, 2020 6:00 PM Scio City Council

FILE NUMBER: 2020-07 Comprehensive Plan Map Amendment (COM) to (P)
Zoning Map Amendment (C-1) to (P)

**APPLICANT/
PROPERTY OWNER:** Ginger Allen, City Manager
City of Scio
PO Box 37, Scio, Oregon

APPLICANT'S PROPERTY:

<u>Assessor's Map</u>	<u>Tax Lot</u>	<u>Account</u>	<u>Acres</u>	<u>Address</u>
T10S R1W 18AA	07500	30257	0.15	38965 NW 1st Avenue

PROPOSAL: File PL 2020-07 Comp Plan Amendment Commercial (Com) to Public (P)
Zone Change Commercial (C-1) to Public (P)

SUBMITTAL **File PL 2020-07 Application for a Comp Plan Amendment/Zone Change.**
Attachment A Aerial Map identifying property
Attachment B Linn County Assessor's Map

OTHER EXHIBITS Exhibit A Agency Testimony (in City Hall land use file)
Exhibit B Public Testimony
Exhibit C DRAFT Ordinance – To Approve the Land Use File 2020-07

DECISION CRITERIA

The following criteria apply to this application for a Comprehensive Plan Amendment and Zone Change.

A. Oregon Statewide Planning Goals and related Oregon Administrative Rules (OAR 660)

- *Goal 1 – Citizen Involvement*
- *Goal 2 – Land Use – Buildable Lands*
- *Goal 7 – Natural Hazards*
- *Goal 11 – Public Facilities*
- *Goal 12 – Transportation*

B. Scio Comprehensive Plan, including

- *Land Use Goals and Policies*
 - *Goal LU-2 Buildable Lands*
 - *Policy LU-12 Public Lands – Sites for Public Facilities*
 - *Policy LU-14 Public Lands – Public Input in Siting of Public Facilities*
- *Natural Resource Goals and Policies*
 - *Flood Hazard Goals Goal NR-4*
 - *Flood Hazard Policies: NR-8 Flood Hazard Zone and Data*
- *Public Facilities Goals and Policies*
 - *Goal PF-1 Provide Quality Public Facilities*
 - *Public Facilities: PF-9 and PF-10 Timing of Public Facilities*
- *Transportation Goals and Policies*
 - *Goal T-1: Streets and Highway System - Provide for efficient motor vehicle travel within and through the City of Scio.*
 - *Goal T-2: Active Transportation – Increase the availability of pedestrian and bicycle facilities.*

C. Scio Comprehensive Plan Amendment Ordinance 496

- Section 3 to 6 Application, Filing and Public Hearing Requirements
- Section 7 Approval Criteria

D. Scio Zoning Ordinance 561 – Article 10, Amendments to the Zoning Ordinance

- Section 10.010 Application for Amendments
- Section 10.020 Public Hearings and Procedural Requirements

The Planning Commission will make its decision based on the criteria listed above. The criteria listed for the Scio Comprehensive Plan, the Scio Zoning Code and city ordinances can be viewed at the City of Scio website: <http://ci.scio.or.us>

I. Applicant's Proposal

Scio City Manager Ginger Allen has filed an application requesting the City of Scio approve an amendment to the Scio Comprehensive Plan Map and the Scio Zoning Map to redesignate and rezone a 0.15-acre lot at 38965 NW 1st Avenue from Commercial (C-1) to Public (P) as shown on Map 1 and in Table 1. The parcel is immediately east of the City Hall at 38957 NW 1st Avenue.

The City acquired the property in 2019 and demolished an existing building. The City Council proposes to demolish the existing city hall and construct a new city hall and library facility on this block. If approved, the City will replat and consolidate the three city parcels into one lot.

Map 1
Proposed Comprehensive Plan Map and Zoning Map Amendments
Redesignate & Rezone 0.15-acres from Commercial (C-1) to Public (P)
38965 NW 1st Avenue, Scio, Oregon



Table 1
City of Scio
Comprehensive Plan Map and Zone Change Proposal

#	Assessor's Map and Tax Lot	Acres	Existing Use	Existing Comp Plan Map Designation	Existing Zoning District	Proposed Comp Plan Map Designation and Zoning District
1	10S 1W 18AA TL 07500	0.17	Vacant	Commercial	Commercial (C-1)	Public (P)

II. BACKGROUND INFORMATION

A. Pre-Application Information and Application Submittals:

The City staff and Planning Consultant met with the City Attorney and City Engineer on May 5, 2020 to discuss the City's plans to demolish the existing city hall at 38957 NW 1st Avenue and to construct a new city hall building on the site. During the meeting, Planning Consultant David Kinney advised the City that

it needed to obtain Planning Commission and City Council approval for a Scio Comprehensive Plan Map and Zoning Map amendment to redesignate and rezone the entire property for public use. The City staff and consultants reviewed the City's land use application process. At the conclusion of the meeting, the City Manager decided to proceed with a land use application in summer 2020.

The City filed an application on May 11, 2020. The Comprehensive Plan/Zone Change application was deemed complete on May 31, 2020. In order to comply with the "120-day rule", the City Council will need to make a decision to approve or deny the proposal by Monday, September 28, 2020.

B. Application, Land Use Procedure and Review Requirements:

The application requires a public hearing before the Scio Planning Commission and a second public hearing before the City Council. At the conclusion of the Planning Commission's hearing, they will make a recommendation to the City Council to either approve or deny the proposal. The City Council will then hold a public hearing and make a final decision to approve or deny the proposal. If the Council approves the proposal, the City Council must adopt an ordinance to amend the Scio Comprehensive Plan Map and the Scio Zoning Map.

The City Planner recommends the City adhere to the following schedule:

July 29, 2020	Scio Planning Commission Public Hearing. At the conclusion of the hearing the Commission will deliberate and make a recommendation to the City Council. The Planning Commission may continue deliberations at a subsequent meeting.
September 14, 2020	Scio City Council Public Hearing. Receive the Scio PC recommendation and consider public testimony. At the conclusion of the City Council public hearing, the Council will make a decision to approve or deny the Planning Commission's recommendations. If approved, the City Council will adopt an ordinance at either the September 14, 2020 or October 12, 2020 city council meeting.

Due to the COVID-19 pandemic, the City may hold electronic meetings in lieu of in-person public hearings at City Hall. The City will ensure there are adequate opportunities for the public to participate in the public hearing and for the City to comply with public hearing requirements for a land use decision.

C. Public Hearings

Planning Commission Public Hearing: A public hearing concerning File 2020-07 will be held before the Planning Commission on Wednesday, July 29, 2020 beginning at 7:00 p.m. The Planning Commission will consider the City's presentation and consider public testimony on the proposal. At the conclusion of the hearing, Chair Beau Buganski will close the public hearing. After the public hearing is closed, the Planning Commission will deliberate on the proposal and make a recommendation to the Scio City Council.

On (insert date) the Scio Planning Commission recommended the City Council approve/deny application 2020-07.

City Council Public Hearing: A public hearing concerning File 2020-07 will be held before the Scio City Council as part of the regularly scheduled city council meeting on Monday, September 14, 2020 beginning at 6:00 p.m. The hearing will be held at the Scio City Hall, 38957 NW First Avenue in Scio.

D. Notices of Public Hearing:

The proposed Zone Change is a Post-Acknowledgment Plan Amendments (PAPA). Notice was provided to the Oregon Department of Land Conservation and Development (DLCD) on May 15, 2020.

Notice of the public hearings must be provided to affected governmental agencies, adjacent property owners and the community. Notices for both public hearings were provided as follows:

1. Mailing to Adjacent Property Owners: Written notice will be mailed to owners of property within 500' of the subject property at least 10 days prior to the initial evidentiary hearing before the Scio Planning Commission and 10 days prior to a public hearing before the City Council. Notice of the initial evidentiary hearing will be mailed to property owners on or about July 8, 2020, more than 10 days prior to the hearing.
2. Agency Notification: Agency notices will be emailed to affected agencies with a request that agency comments be returned to the City on or about July 15, 2020, more than 10 days prior to the public hearing.
3. Posting: Notices of the public hearing were posted at the U.S. Post Office in Scio, at City Hall and on the City of Scio website more than 10 days prior to the public hearing.

F. Existing Conditions:

The City provided the following description of the site and surrounding neighborhood:

"The 6,850 square foot parcel is located east of City Hall at 38965 NW 1st Avenue. The property fronts NW 1st Avenue and has a 16' wide alley along the east boundary. Rocky's Coffee drive-through stand is located on the lot to the east. A single-family home at 38757 NW Alder Street is to the north.

The City acquired the 0.15-acre site in 2019. The old 1-story commercial building on the site was demolished in April 2020 and the lot is graded with a gravel surface. The City Council intends to demolish the existing city hall/public works building and construct a new city hall on the property. Design will begin in 2020 and construction will occur in 2021."

Surrounding Land Uses: The site is located in a Commercial (C-1) zone. Map 2 on the next page shows the zoning on surrounding properties and the adjacent land uses. The area is bordered by a variety of residential, commercial and public uses.

- | | |
|--------|---|
| North: | A single-family home at 38757 NW Alder St. is just north of the City Hall site. |
| West: | Scio Middle School is directly west of the City Hall site. |
| East: | Rocky's Coffee shop and the North Main Street commercial district. |
| South: | The Purdy Apartments are directly south of the City Hall site. |

Map 2
Proposed City Hall Redevelopment Site
Surrounding Development and Zoning



G. Utilities:

The City Hall site is currently served with all public utilities and improved streets and drainage facilities.

Water: City water lines abut the site in NW 1st Avenue (6"), NW Alder Street (6") and in N. Main Street (12").

Sewer: An 8" sanitary sewer main is located in the alley to the east of the City Hall site.

Storm Sewer: A 12" storm sewer is located in the alley to the east of the City Hall site. As part of the city's site development plan for a new city hall, the city engineer/architect will be required to submit a storm drainage report and a plan for proposed storm drainage improvements.

H. Streets:

The City Hall site abuts NW 1st Avenue, NW Alder Street and an alley.

NW 1st Ave: 38'-wide paved street with curbs, gutters, and sidewalk on the north side.

NW Alder: 36'-50' wide paved street. No curbs or sidewalk on the east side of the street.

Alley 16'+/- paved alley.

Street frontage improvements will be required on NW Alder Street at the time of development of the site with a new city hall. Damaged pavement and sidewalks will be replaced.

I. Agency Comments and Public Testimony:

1. Agency Comments. Agency comments were solicited from DLCD, the Scio Rural Fire District and private utilities. Agency comments were requested back by July 19, 2020.
 - Scio Rural Fire Protection District: On July 9, 2020, Chief Levi Eckardt, Scio Fire District, responded via email: *"The Scio Fire District will need to ensure that water supply requirements are met and access to the structure meets the requirements of the fire code."*
 - Pacificorp: On July 13, 2020, Kristi Wheeler, Journeyman Estimator for Pacificorp, responded via email: *"Pacific Power has no comments"*.
2. Public Testimony. As of July 20, 2020, the City has not received any written testimony. Any written testimony received prior to and during its public hearing is hereby made a part of the record and attached as Exhibit B. A summary of the oral testimony will be included in the meeting minutes.

The minutes of the planning commission public hearing will include a summary of public comments received at the public hearing and responses by the City and City Planner.

III. FINDINGS

The City of Scio submitted an application for a Comprehensive Plan Map Amendment and Zone Change. An amendment to the Scio Comprehensive Plan Map is reviewed based on applicable criteria found in the Statewide Planning Goals, Oregon Revised Statutes (ORS), applicable Oregon Administrative Rules (OAR) in OAR Chapter 660 and the Scio Comprehensive Plan.

The Scio Comprehensive Plan was updated by the City over a 4-year period from 2015-2019, and compiled into a final plan document in March 2019. The updated Scio Comprehensive Plan was acknowledged by DLCD as being in compliance with Oregon Statewide Planning Goals 1 to 14.

The City's Planning Consultant and the Scio Planning Commission have reviewed the proposal, including the City's submittals, to determine whether or not the proposal complies with the applicable standards and criteria listed on page 2 of this report.

A. Statewide Planning Goals, Oregon Laws and Administrative Rules

The following findings address statewide planning goals, Oregon Administrative Rules in OAR Chapter 660 that apply to this application. The applicable ORS and OAR requirements are listed under each statewide planning goal below.

City Planner and Planning Commission Goal and OAR Findings

Goal 1 – Citizen Involvement

The City of Scio provides opportunities for citizen involvement in all post-acknowledgement plan amendment proceedings. Notices of the city hearings were provided to affected property owners and agencies. Section II “Background Information” of this staff report outlines the public notice, hearings and citizen involvement process that is used by the City of Scio. The application, applicant’s testimony, public testimony, agency reviews and comments, planning commission minutes and city council minutes are all part of the public record in this case and available to the public. The proposal complies with Goal 1 – Citizen Involvement.

Goal 2 – Land Use Planning:

Goal 2 requires the City to adopt a buildable lands analysis showing the City has a 20-year supply of buildable residential and employment lands to serve the projected growth of the community.

- 2.1 In April 2015, the City of Scio adopted the Scio Buildable Lands Analysis Update (Scio BLA) dated February 2015 in compliance with ORS 197.296 and OAR Chapter 660-024 “Urban Growth Boundaries”.
- 2.2 The Public plan designation and Public zone are intended to provide land for general government buildings and public facilities. The City proposes to develop the site for a new City Hall/Library.
- 2.3 In Chapter 4 on page 29 of the Scio Comprehensive Plan, the narrative states: *“Government agencies are expected to plan for improved public parks, public facilities . . . to serve the community. As the need arises, these [public] agencies will need to acquire additional property and then redesignate and rezone it for public use.”*
- 2.4 The Scio Buildable Lands Analysis Update identifies the 0.15-acre site at 38965 NW 1st Avenue as a committed development site. It is not included in the city’s inventory of vacant or redevelopable commercial land. Therefore, the redesignation and rezoning of the site to public use will not reduce the city’s inventory of commercial land.
- 2.5 Policy LU-8 encourages the revitalization of Scio’s downtown core along N. Main Street and Hwy 226. The retention of the City Hall/Library in the center of the city is consistent with the plan policies to keep employers in and adjacent to the Main Street commercial corridor.
- 2.6 Policy LU-12 encourages the City to secure adequate sites for public facilities in areas of the City which can best serve the citizens of Scio. The City Council concludes redevelopment of the City Hall site keeps the City Hall/Library in the downtown area, close to schools and local businesses. It is an important investment in the revitalization of the city center.

The City concludes the proposal is consistent with the City’s land use goals and policies to encourage the city to acquire land for public facilities and the public investment in a new city hall/library facility is a positive investment in Scio’s future and will help revitalize the city’s center.

The proposal complies with Goal 2.

Goal 7 – Natural Hazards.

Goal 7 requires cities to inventory and adopt measures to protect the community from floods, landslides, earthquake and other natural disasters.

- 7.1 The site **is not** located within the Thomas Creek 100-year flood plain, as shown on Map 3. The Linn County Flood Insurance Study (2010) and historical information from the January 2012 flood will be

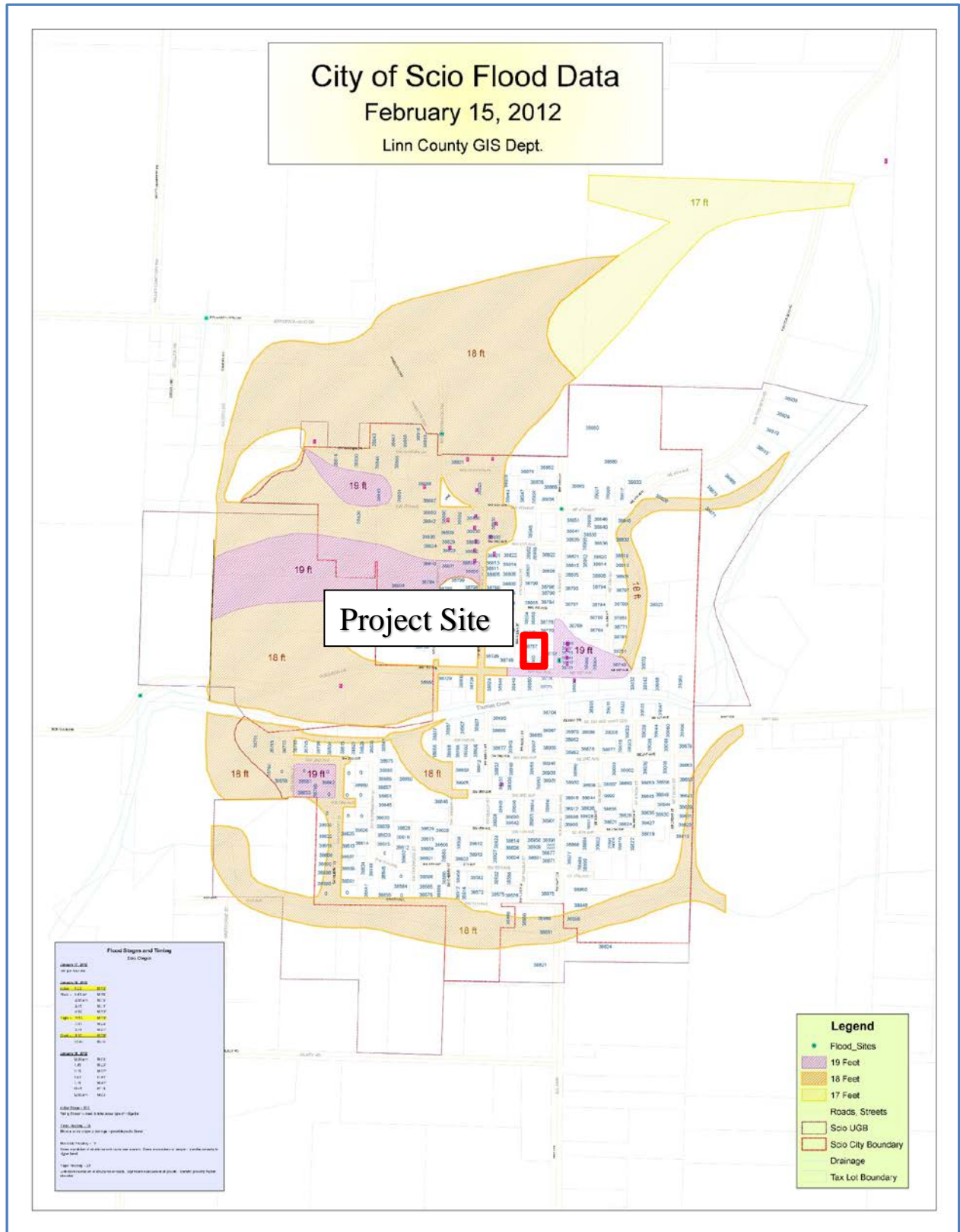
used to evaluate any site development plan for the new City Hall/library.

- 7.2 The community has a history of shallow flooding, including NW 1st Avenue adjacent to the City Hall site. A flood in January 2012 caused water to flow in NW 1st Avenue, as shown on Map 4 – “City of Scio Flood Data – January 2012 Flood Event”.

Map 3
Thomas Creek Flood Plain in the City of Scio, Oregon



Map 4
City of Scio Flood Data – January 2012 Flood Event



7.3 Natural Hazards Goals and Policies:

Chapter 5 of the Scio Comprehensive Plan includes the following “Natural Resources” goals and policies that apply to the proposal.

FLOOD AND OTHER NATURAL HAZARDS

Goal NR-4: *To prevent losses as a direct result of natural hazards, by the identification of hazard areas and the control of development in hazard areas.*

Policy NR-8: The City of Scio will utilize the best available information acceptable to the Federal Emergency Management Administration (FEMA) to identify special flood hazard areas.

Policy NR-10: The City of Scio will regulate development in areas subject to flooding in accordance with the adopted floodplain maps and the Scio Flood Hazards Ordinance.

The City of Scio has adopted Ordinance 579, the Scio Flood Plain Management Ordinance and Linn County Flood Management Study (September 2010). The flood management ordinance includes protection measures to govern development within the 100-year flood hazard area. It requires a property owner to obtain a Flood Development Permit from the City and comply with National Flood Insurance Program (NFIP) regulations. Scio Ordinance 536 has a balanced cut & fill requirement to prevent development from causing an increase in flood depths.

At the time of site development, the City building plans must show the building complies with the City’s flood development regulations. As part of the City’s review of the site plan and building permits, the City will verify the project will not increase flood elevations and will not impede the flow of floodwaters within or around the site.

7.4 Building Elevation Requirements within the Flood Plain. City Hall is a “critical” government facility. The first-floor elevation shall be a minimum 3’ above the base flood elevation.

7.5 Storm Drainage. Storm sewers are located in both NW 1st Avenue and in the alley on the east side of the site. Prior to approval of the site development plan, the City’s civil engineer must prepare a “Storm Drainage Analysis” and certify the site complies with the Scio Public Work Design Standards.

7.6 Other Natural Hazards. Chapter 5 of the Scio Comprehensive Plan inventories other potential natural hazards. The City has not identified any other natural hazards that impact the site.

The City concludes the City has adopted comprehensive plan goals, policies and development regulations appropriate to manage new development within the Thomas Creek Flood Hazard area and the proposal complies with the applicable Natural Hazards goals and policies. At the time of site development, the City will be required to elevate the 1st floor of the building and verify the project will have no negative effects within the 100-year flood hazard area. The City Engineer will prepare a storm drainage analysis, design and construct storm drainage improvements (as needed) in compliance with the City of Scio public works design standards and cut/fill ordinance requirements.

The City Planner concludes the proposal complies with Goal 7 and a site development can comply with the city’s flood plain management requirements and storm drainage facilities requirements at the time of development.

Goal 11 – Public Facilities

Goal 11 requires cities to plan for the timely, orderly and efficient arrangement of public facilities and

services to serve as a framework for urban and rural development. Chapter 11 “Public Facilities” in the Scio Comprehensive Plan was updated in 2018. The City, Linn County and the Scio Rural Fire Protection District provide a variety of public services including water, sewer, storm drainage, roads, fire protection services and law enforcement. Chapter 11 provides a brief summary of the existing facilities and services and concludes there are adequate services available to serve growth in the community for the 20-year planning period from 2017 to 2035.

- 11.1 Fire Protection/Emergency Medical Services. The site is within the Scio Rural Fire District boundaries. The Fire Chief has no objections to the proposed comprehensive plan/zone change proposal, but noted the fire district will want to review and approve fire protection services for the new residential development prior to issuance of any building permits.
- 11.2 Law Enforcement Services. Linn County provides law enforcement services for the City of Scio and the surrounding rural areas. The Scio substation is located at the Fire District main office. Law enforcement services will not be affected.
- 11.3 Water. The City of Scio operates a municipal water system. It provides potable drinking water to approximately 300 customers located inside the city limits and a handful of customers outside the City. The site is served by 6” distribution water mains and fire hydrants on NW 1st Avenue and NW Alder Street. A 12” water main and fire hydrants are located in N. Main Street, within 250’ of the project site. The City’s water master plan shows the system is adequately served.
- 11.4 Storm Drainage. See Goal 7 – Findings for discussion of storm drainage facilities.
- 11.5 Sanitary Sewer. The City of Scio operates a wastewater collection and treatment system that serves the community. In 2020, City Engineer Ryan Quigley, Dyer Partnership, LLC, prepared a new wastewater facility master plan for the City of Scio. The site is currently served by the existing Scio sewer system.

The City concludes there are adequate law enforcement, fire protection/emergency medical services, public water and sanitary sewer facilities to serve the property. The City concludes the proposal complies with Goal 11.

Goal 12 – Transportation

Goal 12 requires cities to provide for a safe, convenient and economic transportation system. Due to its size, the City of Scio is not required to prepare a Transportation System Plan. The Scio Comprehensive Plan includes transportation goals and policies that encourage the development of a local streets, roads and pedestrian network to serve the residents of the city.

Findings Related to Goal 12 Transportation

- 12.1 NW 1st Avenue and NW Alder Street are local streets.
- 12.2 The Scio Comprehensive Plan includes Transportation Goal T-2 and Objectives 2a, 2b, 2c and 2d encouraging the City to provide pedestrian and bicycle facilities, including Safe Routes to School, concurrently with new development. Map T-6 in Chapter 12 “Transportation” of the Scio Comprehensive Plan recommends pedestrian/sidewalk improvements on NW 1st Avenue and NW Alder Street, including ADA compliant ramps and crosswalks to the Scio Middle School
- 12.3 The Scio local streets plan in Chapter 13 of the Scio Zoning Ordinance 561 shows proposed street improvements, including both turnpike style streets (no curbs) and full urban improvements (curb, gutter, bike lane, pedestrian sidewalks and storm drainage facilities). Chapter 13 requires full

urban improvements for any redevelopment site.

At the time of site development, the City Planner concludes the City can comply with the requirements to construct street frontage improvements and pedestrian facilities on the street frontage abutting the site. The proposal complies with Goal 12.

B. Scio Comprehensive Plan Goals and Policies

The City reviewed the proposal for compliance with the Scio Comprehensive Plan. The following goals and policies apply to the proposal:

LAND USE GOALS AND POLICIES

Land Use Goals:

Goal LU-2: *The City of Scio will provide an adequate supply of land inside the city limits that is zoned for residential, commercial, industrial and public uses to meet the projected needs of the City for the next 20 years.*

Public Lands Policies:

Policy LU-12: The City will secure adequate sites for public facilities in areas of the City which can best serve the citizens of Scio.

Policy LU-14: The City will encourage citizen involvement and input in the planning, siting and design of public facilities.

Findings:

- LU-1 The Scio Buildable Lands Analysis Update (2015) does not identify the amount of buildable land (# of acres) needed for city facilities during the 20-year planning period through the year 2035.
- LU-2 The *Scio Comprehensive Plan* narrative states: “Government agencies are expected to plan for improved public parks, public facilities . . . to serve the community. As the need arises, these [public] agencies will need to acquire additional property and then redesignate and rezone it for public use.” [Chapter 4, page 29].
- LU-3 The City’s proposed Comprehensive Plan Map Amendment and Zone Change will add 0.15 acres of buildable land to the Public (P) zone and remove 0.15-acres from the Commercial (C-1) zone. The removal of the site from the C-1 zone does not reduce the amount of vacant, buildable land in the C-1 zone, because the site had been fully developed.
- LU-4 The City completed a structural assessment of the current city hall building in 2019. The consultant found it is not economically feasible or safe to continue to use the existing City Hall building. The report found multiple deficiencies: masonry construction, structural material deficiencies, size, configuration of the usable spaces, HVAC condition, roof condition, etc. The City Council concluded demolition of the existing City Hall is the prudent decision.
- LU-5 In 2019, the City purchased the lot at 38965 NW 1st Avenue and demolished the vacant building in Spring 2020. The City held multiple community meetings to invite members of the public to comment on the city’s proposal to construct a new city hall and relocate the public works shop facility to a new 3-4 bay structure at the city’s wastewater facilities site on SW 6th Avenue. The citizens who attended the council workshops overwhelmingly supported the City’s proposal and plan to secure private bank financing to construct the new facilities. In February 2020, the

City obtained City Council approval to secure private financing with Columbia Bank.

- LU-6 The City has retained an architectural design firm and the City Engineer to design the new facilities. Design will be completed in 2020. Construction is planned for 2021. The City Manager plans to hold open houses to solicit community input involve the community in

The proposal is consistent with Goal LU-2 and Land Use Policies LU-12 and LU-14.

NATURAL RESOURCE GOALS AND POLICIES

FLOOD AND OTHER NATURAL HAZARDS

Goal NR-4: *To prevent losses as a direct result of natural hazards, by the identification of hazard areas and the control of development in hazard areas.*

Policy NR-8: The City of Scio will utilize the best available information acceptable to the Federal Emergency Management Administration (FEMA) to identify special flood hazard areas.

Policy NR-10: The City of Scio will regulate development in areas subject to flooding in accordance with the adopted floodplain maps and the Scio Flood Hazards Ordinance.

Findings:

- NR-1 Goal N-4 requires the City to prevent losses as a result of natural hazards, including the 100-year flood plain for Thomas Creek.
- NR-2 Policies NR-8 and NR-10 permit development on properties located in the Flood Hazard zone, subject to a Flood Development Permit and compliance with National Flood Insurance Program (NFIP) regulations.
- NR-3 The City of Scio has adopted Ordinance 579, the Scio Flood Plain Management Ordinance and Linn County Flood Management Study (September 2010). The flood management ordinance includes protection measures to govern development within the 100-year flood hazard area.
- NR-4 The City Hall site is not located in the 100-year flood hazard area. However, the City Hall is a critical facility and the City Planner recommends the base floor elevation be set 3' above the base flood elevation.
- NR-5 Scio Ordinance 536 has a balanced cut & fill requirement to prevent development from causing an increase in flood depths.
- NR-4 See the Goal 7 findings above for additional findings related to flood hazard requirements.

At the time of site development, the City Engineer will verify any cut or fill on the site and the new building will not increase flood elevations and will not impede the flow of floodwaters within or around the site.

The proposal is consistent with Goal NR-4 and Policies NR-8 and NR-10.

PUBLIC FACILITIES AND TRANSPORTATION SYSTEM GOALS AND POLICIES

Public Facilities Goals:

Goal PF-1 *To provide quality public facilities and services for the citizens of Scio, in compliance with state and federal requirements and within the economic capabilities of the community.*

Public Facilities Policies:

Policy PF-9 The City of Scio will require city water, sewer and storm drainage facilities and services to be

	available in advance or concurrently with development.
Policy PF-10	At the time of development, the developer will be required to extend or expand needed public facilities to and through the development site at the developer's sole cost and expense.

Findings:

- PF-1 Public facilities (water, sewer and storm drainage) serve the existing city hall. They are available to serve the City Hall redevelopment site, as discussed in Section II-G "Utilities" and Section II-H "Streets" of this report.
- PF-2 The City Engineer will prepare a "Storm Drainage Report" and a plan showing proposed parking, street and storm drainage improvements needed to serve the site.
- PF-3 The City will be required to install or replace any needed water, sewer, storm drainage and private utilities concurrently with the proposed City Hall redevelopment project.

The proposal is consistent with Goal PF-1 and public facilities policies PF-9, PF-10.

TRANSPORTATION SYSTEM GOALS AND POLICIES

Transportation Goals:

Goal T-1: Streets and Highway System - Provide for efficient motor vehicle travel within and through the City of Scio.

Goal T-2: Active Transportation – Increase the availability of pedestrian and bicycle facilities.

Transportation Policies and Objectives:

- Objective 1c: Review land development proposals using the City's transportation development standards.
- Objective 2a: Identify bike lane, recreational trail and sidewalk projects that enhance pedestrian/cyclist safety and encourage use of these facilities in Scio, including streetscape amenities such as lighting, benches, banners, and signage.
- Objective 2b: Develop "Safe Routes to School" and walking / biking connections to public facilities, parks and covered bridges.
- Objective 2c: Install way-finding signage directing pedestrians and cyclists to nearby schools, parks, museum, covered bridges and local businesses.
- Objective 2d: Evaluate and improve existing sidewalks. Ensure pedestrian facilities and recreational trails are clear of obstacles and obstructions (e.g., posts, signs, utility poles, trees, noxious vegetation) and comply with applicable Americans with Disability Act (ADA) standards.

Findings:

- T-1 NW 1st Avenue and NW Alder Streets are local streets.
- T-2 Map T-4 and Map T-9 show NW Alder Street is designated as a priority improvement for a pedestrian walkway/safe route to school. Section 12.3.3 of the Scio Comprehensive Plan narrative discusses the addition of safe routes to school with wider sidewalks and ADA compliant crosswalks. Street frontage improvements on NW Alder Street must incorporate a sidewalk and ADA ramps for a safe pedestrian route to the Scio Middle School.

T-3 The Scio local streets plan in Chapter 13 of the Scio Zoning Ordinance 561 shows full urban improvements (curb, gutter, bike lane, pedestrian sidewalks on NW 1st Avenue and NW Alder Street abutting the City Hall redevelopment site.

T-4 See Goal 12 findings for additional findings.

The City Planner concludes the City can construct street and pedestrian facilities abutting the site concurrently with the redevelopment. The proposal is consistent with Transportation Goals T-1 and T-2 and Objectives 1c, 2a, 2b, 2c and 2d.

City Planner's Summary – Compliance with the Scio Comprehensive Plan Goals and Policies

The City Planner concludes the proposal the Comprehensive Plan Map Amendment / Zone Change application for the City Hall redevelopment site is consistent with the Scio Comprehensive Plan goals and policies. The City is required to submit detailed engineering plans and building elevation plans for the new City Hall site development at the time the City applies for building permits.

C. Scio Comprehensive Plan Amendment Ordinance 496

The City's proposal requests approval of an amendment to the Scio Comprehensive Plan map to redesignate a 0.15-acre site from Commercial (C-1) to Public (P), as shown on Map 1 above.

Scio Ordinance 496 includes application requirements, standards and criteria for amendments to the Scio Comprehensive Plan. The criteria that apply to this proposal are found in Ord. 496, Section 7:

Ordinance 496, Section 7: Approval criteria.

To approve an application for amendment of the comprehensive plan, findings shall be made that the proposal complies with the following decision criteria:

- 1. The proposed amendment is consistent with and does not alter the intent of the applicable sections of the Comprehensive Plan.**
- 2. Other suitable locations are not presently available to accommodate the use for which the amendment is proposed.**
- 3. The proposed amendment will be compatible with adjacent land uses, and will not adversely impact the overall land use pattern in the area.**
- 4. The proposed amendment will not have a significant negative impact on the provision of public facilities such as police and fire protection, water supply and sewage disposal.**
- 5. The proposed amendment will not have a significant negative impact on the provision of transportation facilities.**
- 6. Development limitations, such as soil and foundation suitability, or flood hazard potential, will not adversely affect the land uses which would be permitted through the amendment.**

The application complies with the application, filing fee and review procedure requirements for a comprehensive plan amendment as set forth in Ordinance 496, Sections 1 to 6.

City Planner Findings for Compliance with Ordinance 496, Section 7 - Approval Criteria

Criteria 7-1: Consistent with the Scio Comprehensive Plan

Findings: See Scio Comprehensive Plan findings above in Section III-B above, pp. 13-16. The proposal complies with Criteria 7-1.

Criteria 7-2: Other Suitable Locations are Not Available to Accommodate the Use

Findings:

7-2.1 Chapter 9 of the Scio Comprehensive Plan discusses the City's goal to revitalize the historic city center of Scio as a vibrant livable city center. Keeping City Hall downtown is a major investment and an important business retention strategy. The plan reads:

Table ED-8 estimates 85 commercial, service and government jobs will be added by 2035.¹ The City of Scio anticipates the job growth in the commercial business sectors will occur in the retail, health care, hospitality/food services, professional services and be located in or near Scio's commercial area along Hwy 226 and North Main Street or in small home-based business.

The City recognizes there are challenges to revitalizing the commercial district. In spite of these challenges, city officials anticipate Scio will continue to serve as a local business, education, government and service center for Scio area residents with a mix of selected community-based businesses. Pro-active leadership and a public/private partnership will be needed to keep Main Street a vibrant center of the city. The community can recognize and celebrate the historic heritage of downtown. Private investments in building improvements, repairs and painting coupled with the careful design of the streetscape and public spaces can enhance the physical character of the Main St/Hwy 226 corridor as an attractive small-town city center.

7-2.2 The City does not own other property downtown. Acquisition of the 0.15-acre parcel east of City Hall enables the City to consolidate three parcels into a 0.31-acre site for a new City Hall/Library. No public investments are required to extend public utilities or streets.

The City Planner finds the proposal encourages reinvestment/redevelopment of the city's downtown. The City does not own an alternative site. The 0.31-acre site enables the city to build a new City Hall/Library while no need for utility extensions or new streets. Redevelopment enables the City to prudently manage financial resources for the benefit of the public. The proposal complies with Criteria 7-2.

Criteria 7-3: Compatibility with Adjacent Land Uses and Proposal will not affect overall land use pattern in the area

Findings:

7-3.1 Map 2 (p. 6) shows surrounding land uses are public schools (west), commercial properties on N. Main Street and residential structures (North-SFR home & South-Purdy Apartments)

7-3.2 The Scio Comprehensive Plan Map shows the neighborhood is planned and zoned for future commercial and public uses. If the 0.15-acres at 38965 NW 1st Avenue is redesignated for public use and zoned from C-1 to Public (P) the current pattern of development will be retained.

The City concludes the proposal is consistent with the Scio Comprehensive Plan map, goals and policies for future public uses and redevelopment of the city's downtown business district. The proposal complies with Criteria 7-3.

¹ Commercial, public and service sector job growth estimate for 2015 to 2035: (122 new jobs * 70% = 85 new jobs).

Criteria 7-4: No Negative Impact on Public Facilities and Services

Findings: See the Goal 11 findings and the Scio Comprehensive Plan findings above for “Public Facilities”.

The City concludes the city has adequate public facilities to serve the area and there will be no negative impact on public facilities and services. The proposal complies with Criteria 7-4.

Criteria 7-5: No Negative Impact on Transportation Facilities

Findings: See the Goal 12 findings and the Scio Comp Plan findings above for “Transportation System”.

7-5.1 There are no sidewalks or pedestrian facilities on the east side of NW Alder Street so the existing street does not comply with the city’s public works design standards.

7-5.6 The City will require street and pedestrian improvements, consistent with the City’s adopted local street plan and the city’s public works design standards, to be installed concurrently with the development.

The City Planner concludes the existing street grid layout is adequate and the local streets can be improved concurrently with the development, including any storm drainage and frontage improvements including, sidewalks, ADA ramps, crosswalks. The City concludes the redesignation and rezoning of the lot at 38965 NW 1st Avenue will have no negative impact on the local transportation network. The proposal complies with Criteria 7-5.

Criteria 7-6 Development Limitations – Soils, Flood Hazards, Wetlands will not adversely affect land use permitted with the amendment.

Findings: See the Goal 7 findings and the Scio Comprehensive Plan findings above for Natural Resource Goals and Policies - “Flood Plain”.

7-6.1 Goal NR-4 requires the City to adopt and enforce flood hazard regulations to prevent losses in the 100-year flood plain.

7-6.2 Policies NR-8 and NR-10 permits development on properties located in the Flood Hazard zone, subject to a Flood Development Permit. Although the site is not located in the 100-year flood plain, there was flooding in NW 1st Avenue in January 2012. The design of the site improvements and the floor elevations for the new City Hall/Library must be designed to eliminate or minimize the potential for any flood damage.

The City concludes there are limitations on the site. The City’s major concern is that development of the site will not negatively impact storm drainage and cause a change in flood conditions for upstream property owners.

If the City approves the Comprehensive Plan Amendment and Zone Change, the City will review the City Hall/Library redevelopment plan to ensure there is a balanced cut and fill, that buildings are elevated 3’ above the base flood elevation and storm drainage is designed so it does not negatively impact downstream properties and flood waters are not negatively impacted by the development.

The City concludes the project can be designed so it will not adversely affect adjacent land uses from potential storm drainage or flood hazards. The proposal complies with Criteria 7-6.

City Planner’s Summary – Compliance with the Ordinance 496

The City Planner concludes the proposed Comprehensive Plan Map Amendment/ Zoning Map Amendment application is consistent with Ordinance 496 and complies with Criteria 7-1 through 7-6.

D. Scio Zoning Ordinance – Article 10 “Zoning Amendments”

The City’s proposal includes an amendment to the Scio Zoning Ordinance to rezone the 0.15-acre site from Commercial (C-1) to Public (P) for the site shown on Map 1.

Scio Ordinance 561, Article 10 includes application requirements and procedures to considering a zone change application. Sections 10.000 to 10.030 do not include any criteria for review of a zoning map amendment. Therefore, the proposal must comply with the goals and policies in the Scio Comprehensive Plan, as reviewed in Section B above.

Procedural Requirements

The application complies with the application, filing fee and review procedure requirements for a comprehensive plan map and zoning map amendment as set forth in Ordinance 561, Sections 10.010 and 10.020. The City Planner concludes the proposed zone change application is consistent with the application and procedural requirements of the City of Scio and complies with Article 10, Ordinance 561.

IV. CITY PLANNER CONCLUSION and RECOMMENDATION

Based on the findings and conclusions contained in this report, the City Planner concludes that the City’s proposal complies with the requirements to approve a Comprehensive Plan amendment and Zone Change from Commercial (C-1) to Public (P) and recommends the Planning Commission recommend the City Council approve the application in File 2020-07.

V. PLANNING COMMISSION OPTIONS

If an electronic meeting is held, the City Attorney may recommend the City following a different public hearing review and approval process. The City Manager will provide guidance to the Commission.

The Planning Commission has several options:

A. CONTINUE THE HEARING OR DELIBERATION:

Continue the Public Hearing or Deliberations to the next regularly scheduled meeting.

B. APPROVAL:

Approve the application if the Planning Commission concludes the proposal complies with the decision criteria. No conditions of approval are recommended.

C. DENIAL:

Deny the application if the Planning Commission concludes the proposal does not comply with the decision criteria, as follows [Insert basis for denial].

VI. MOTIONS

Continuance Motion or direction by the Planning Commission Chair to continue the public hearing to _____, 2020 at 7:00 p.m. to consider further testimony on the proposal.

[The Chair may continue the hearing to consider additional testimony on the entire application or may limit future testimony to specific issues].

Approval Motion to recommend the City Council **APPROVE** File 2020-07 to amend the *Scio Comprehensive Plan Map* to redesignate a 0.15-acre site at 38965 NW 1st Avenue from a Commercial plan designation to a Public plan designation and to concurrently rezone the property from Commercial (C-1) to Public (P) and to adopt the findings of fact in the Staff Report dated July 20, 2020.

Denial Motion to recommend the City Council **DENY** File 2020-07 because the proposal does not comply with Scio Comprehensive Plan policies [list reasons]

The Planning Commission directs the Planning Consultant to modify the findings and conclusions in the staff report to reflect the Planning Commission's deliberation and to present the updated findings to the Commission at its next regular meeting on June ___, 2020 at 7:00 p.m.

VII. ORDINANCE ADOPTION (If Approved)

If the Planning Commission and City Council approve the application, the City must adopt an ordinance to amend the Scio Comprehensive Plan Map and the Scio Zoning Map. A draft ordinance will be provided to the City Council.

Exhibit List

Exhibit A: Agency Comments

The following exhibits are in the land use file at Scio City Hall. The full text of each agency comment is included in the staff report.

A-1 Scio Rural Fire Protection District. Email dated July 9, 2020.

A-2 Pacificorps. Email dated July 13, 2020

Exhibit B: Public Testimony

No public testimony was received as of July 20, 2020.

Exhibit C: DRAFT Ordinance 6xx

A draft ordinance to approve the proposed Comprehensive Plan Map and Zoning Map Amendment from Commercial (C-1) to Public (P) for the property located at 38965 NW 1st Avenue in Scio.

ORDINANCE 6xx

AN ORDINANCE AMENDING THE SCIO COMPREHENSIVE PLAN MAP AND SCIO ZONING MAP TO REDESIGNATE AND REZONE A 0.15-ACRE PARCEL AT 38965 NW 1st AVENUE IN SCIO, OREGON

WHEREAS, the City of Scio has submitted a land use application File 2020-07 regarding a 0.15-acre parcel at 38965 NW 1st Avenue in Scio, Oregon; Linn County Assessor's Map T10S R1W Section 18AA, Tax Lot 07500 in the City of Scio, Oregon; and

WHEREAS, the City proposes to

1. Amend the Scio Comprehensive Plan map to redesignate the property from a Commercial plan designation to a Public plan designation; and
2. Amend the Scio Zoning Map to rezone the property from a Commercial (C-1) zone to a City of Scio Public (P) zone,

WHEREAS, the City proposes to consolidate the property with other city-owned parcels at 38957 NW 1st Avenue and construct a new city hall building on the property; and

WHEREAS, the Planning Commission held a public hearing on July 29, 2020 to consider the application and upon deliberation, after the close of the public hearing, recommended the city council approve the application; and

WHEREAS, the City Council held a public hearing on September 14, 2020 and at the close of the hearing the City Council concurred with the Planning Commission recommendation; and

WHEREAS, the City Council adopted findings of fact approving the land use application;

NOW, THEREFORE, the City Council of the City of Scio hereby ordains as follows:

SECTION 1: COMPREHENSIVE PLAN MAP AMENDMENT AND ZONE CHANGE:

The Scio Comprehensive Plan Map and the Scio Zoning Map shall be amended to redesignate and rezone the following 0.15-acre parcel listed in Table 1 from Commercial (C-1) to Public (P). Attached hereto is Exhibit "A", which accurately portrays the property to be redesignated and rezoned.

Table 1
Comprehensive Plan Map & Zoning Map Amendment

#	Owner	Linn County Assessor's Map	Tax Lot	Total Parcel Size (Acres)	Existing Scio Comp Plan Designation and Scio Zoning	New Scio Comp Plan Designation and Scio Zoning
1	City of Scio, Oregon	T10S, R1W, Section 18AA	07500	0.15 acres	Commercial (C-1)	Public (P)

SECTION 2: RECORD. The City Manager shall submit a certified true copy of this ordinance to the Linn County Clerk, the Linn County Assessor and the Linn County Geographic Information System (GIS) office.

SECTION 3. SEVERABILITY. The provisions of this ordinance are severable. If a section, sentence, clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this ordinance.

This Ordinance read by title only on the _____ day of _____, 2020.

This Ordinance passed on the _____ day of _____ 2020 by the City Council and executed by the mayor.

Date: _____ By: _____
GARY C. WEAVER, Mayor

Date: _____ Attest: _____
VIRGINIA A. ALLEN, City Manager

APPROVED AS TO FORM

Date: _____ By: _____
JOHN E. KENNEDY, City Attorney

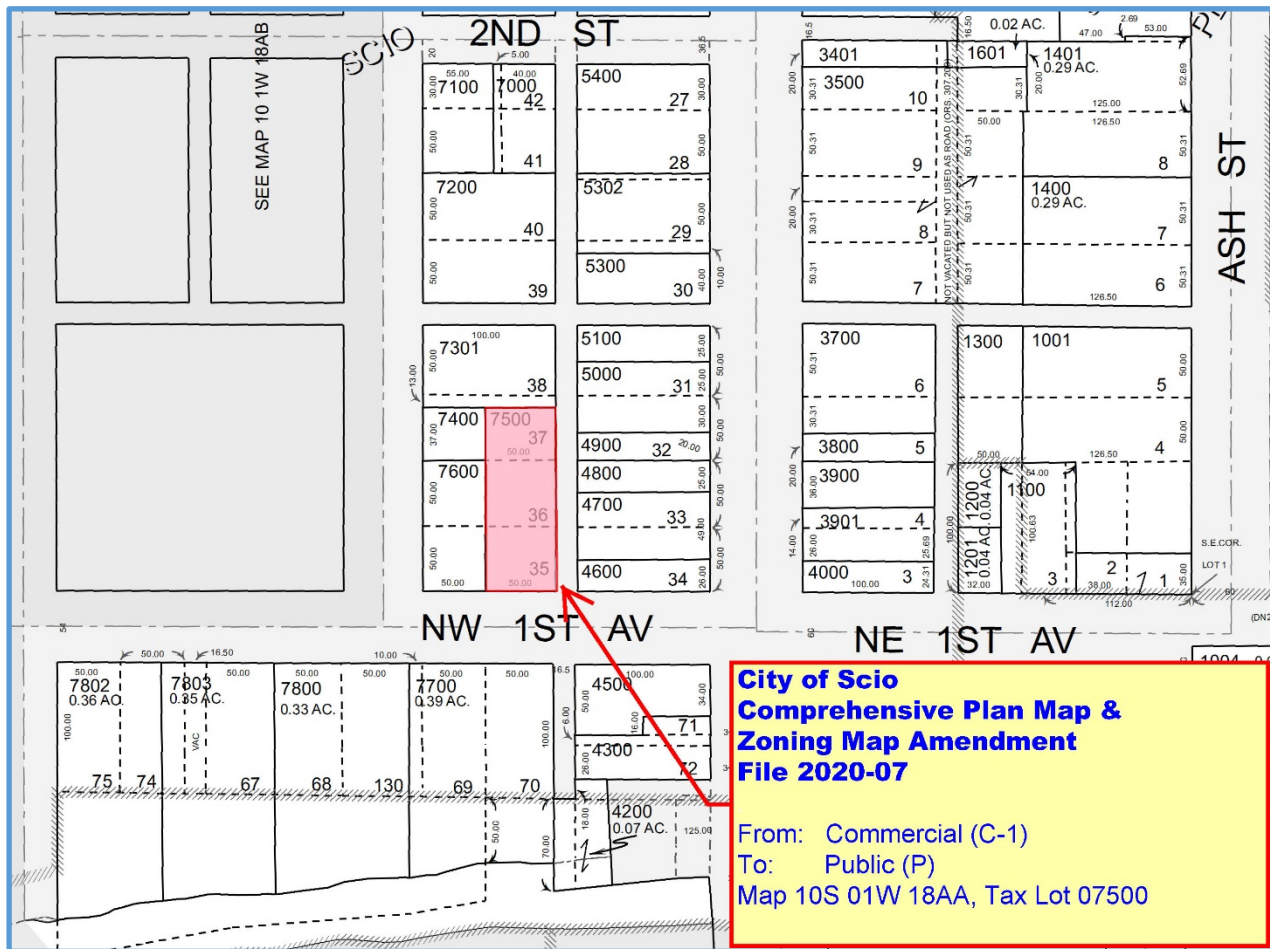
Attachment:

Exhibit "A" – A map showing the 0.15-acre parcel on the Linn County Assessor's Map 10S1W18AA, Tax Lot 07500 to be re-designated Public (P) on the Scio Comprehensive Plan Map and rezoned to Public (P) on the Scio Zoning Map.

ORDINANCE 6xx
Exhibit "A"

File 2020-07
Comprehensive Plan Amendment and Zone Change
Commercial (C-1) to Public (P)

38965 NW 1st Avenue, Scio, OR





City of Scio

Covered Bridge Capital of the West

David W. Kinney

Planning Consultant for the City of Scio

791 E. Hollister St., Stayton, OR 97383

Office: (503) 769-2020 Cell: (503) 551-0899

Email: dwkinney@wvi.com

June 1, 2020

Ginger Allen, City Manager
City of Scio
PO Box 37
Scio, OR 97374

RE: Property Line Adjustment
City of Scio Lagoon Site on SW 6th Avenue
File 2020-06

Dear Ginger:

The property line adjustment proposal to adjust the boundary for three city-owned parcels on SW 6th Avenue, as shown on Map 1 complies with the City's application requirements.

In accordance with Scio Municipal Code, Land Division Ordinance No. 562, a lot line adjustment must be reviewed and approved by the Scio Planning Commission. The Planning Commission will hold a special meeting on July 29, 2020 at 7:00 p.m. at City Hall to consider your application.

I recommend the Planning Commission approve your proposal because it complies with the Property Line Adjustment criteria in Section 8.540 of the Scio Land Division Code.

A. Property Line Adjustment Proposal

The City of Scio has filed an application requesting the Scio Planning Commission approve a property line adjustment to consolidate three existing parcels on the south side of SW 6th Avenue into one 14.62-acre parcel.

The City of Scio owns 14.82 acres of land in three parcels on the south side of SW 6th Avenue, as shown on Map 1 and listed in Table 1. The property is currently used for the City of Scio wastewater treatment lagoons and public works facilities. The site is inside the Scio Urban Growth Boundary (UGB) but is outside the city limits. The City has submitted a land use application to annex the property to the City of Scio and rezone it to a public zone. This property line adjustment application will be considered concurrently with the city's annexation and zone change proposal.

Map 1 shows the site includes the City of Scio wastewater treatment facilities, including a small storage building and two lagoons. The *City of Scio Wastewater Facilities Plan*, prepared by Dyer Partnership in 2020, recommends the City upgrade its wastewater facilities over the next 10 years. The first phase of the

project includes construction of a new public works shop and equipment storage building on SW 6th Avenue. The City plans to design the building in 2020 and construct the new shop in 2021.

Map 1
City of Scio Lagoon Site (14.62-acres)



Table 1
City of Scio
Proposed Property Line Adjustment (Consolidate Parcels into one Parcel)

#	Assessor's Map and Tax Lot	Acres	Existing Use	Existing Comp Plan Map Designation	City of Scio Zoning District
1	10S 1W 18D TL 01500	9.33	Lagoon	Public	Public (P)
2	10S 1W 18D TL 01501	0.12	WW Site	Public	Public (P)
3	10S 1W 18D TL 01600	5.37	Lagoon	Public	Public (P)
New Parcel Size		14.62			

B. Findings and Conclusions:

The applicant has complied with the application requirements and decision criteria for a property line adjustment set forth in Scio Land Division Code Chapter 8.5

Criteria 1: The lots being modified in size through the property line adjustment shall meet the minimum lot size, width, and street access requirements of the zone in which they are located.

Criteria 2: If, prior to application, the lot did not meet lot size or width requirements, the property line adjustment shall not result in greater nonconformity with the applicable standards. However, street access requirements shall be met on the resulting parcels

Findings: Table 1 shows the three parcels owned by the City of Scio are designated and zoned for Public Use. Section 3.440 of the Scio Zoning Ordinance states there are no minimum lot size or width requirements in the Public zone. Under Section 5.360 all new parcels shall have a 25' access to a public street. The new parcel will have 606' of frontage on SW 6th Avenue.

The proposed lot complies with Criteria 1 and Criteria 2.

Criteria 3: The amended lot lines do not encroach on the location of sewage disposal or water supply lines or easements

Findings: The proposal will eliminate all interior lot lines. All existing encroachments will be eliminated. The proposal complies with Criteria 3.

Criteria 4: The property line adjustment does not create any additional lots.

Findings: No new parcels are created. The existing parcels are part of the GOIN'S LAND PLAT, a subdivision. If the Planning Commission approves the property line adjustment, a new partition plat survey must be prepared and recorded to eliminate any of the prior subdivision lines. The proposal complies with Criteria 4.

Criteria 5: The property line adjustment does not create building encroachments into any specified setback area. In situations where there is an existing building encroachment, the adjustment shall not result in a greater setback encroachment.

Findings: There are no existing buildings on the parcel that encroach over property lines. The proposal does not create any building encroachments. The proposal complies with Criteria 5.

Criteria 6: If, in the review of the property line adjustment request, the Zoning/Building Official or Planning Commission determines that the adjustment appears to be a preliminary step toward subsequent partitioning or subdivision of any or all of the affected lots, the applicant(s) shall prepare a preliminary plan showing how the property will be divided

Findings: There are no plans toward subsequent partitioning or subdivision of the lots. The proposal complies with Criteria 6.

Criteria 7: Verification of ownership for each property must be presented to the Zoning Official.

Findings: The Linn County Assessor's records show the following ownerships:

		LC Assessor	
<u>Assessor's Map</u>	<u>Tax Lot</u>	<u>Account #</u>	<u>Owner</u>
T10S R1W 18D	01500	32298	City of Scio, PO Box 37, Scio, OR 97374
T10S R1W 18D	01501	335485	City of Scio, PO Box 37, Scio, OR 97374
T10S R1W 18D	01600	32306	City of Scio, PO Box 37, Scio, OR 97374

The proposal complies with Criteria 7.

Criteria 8: The property owners of each lot affected by the property line adjustment must sign a statement of agreement with the proposed changes.

Findings: City Manager Virginia Allen signed the application form on behalf of the City concurring with the proposal. The proposal complies with Criteria 8.

C. Planning Consultant Conclusions and Recommendation:

This property line adjustment application was submitted concurrently with a land use application to annex the 14.62-acre site to the City of Scio and to rezone the property in the City of Scio Public (P) zone. Upon the City Council approval of the annexation ordinance and its final approval by the Oregon Secretary of State and the Oregon Department of Revenue, the City will have jurisdiction to make a decision to approve this application for a property line adjustment.

Based upon the above stated findings and conclusions, the City's Zoning/Building Official concludes the applicant's proposal for a property line adjustment complies with all applicable requirements and decision criteria of the City of Scio, Oregon and hereby **recommends the application be approved, subject to the following condition of approval.**

D. Conditions of Approval:

This decision will not take effect until after the City of Scio adopts an ordinance to annex the 14.62-acre City of Scio Lagoon site on SW 6th Avenue and the annexation is approved by the Oregon Secretary of State and the Oregon Department of Revenue.

All conditions of approval must be completed within 90 days of the written approval of the annexation by the Oregon Secretary of State and the Oregon Department of Revenue or by January 1, 2021, whichever is later. If conditions are not completed by that date, the approval is null and void unless a written extension is granted by the City Manager.

1. A licensed surveyor in the State of Oregon must prepare and record a property line adjustment survey or partition plat (replat) map with the Linn County Surveyor that complies with ORS 92 requirements and the Linn County Surveyor's requirements. A copy of the recorded property line adjustment survey (replat) shall be provided to the City of Scio within 30 days of its recording.

E. Scio Planning Commission Action

The Scio Planning Commission will consider the proposal at the July 29, 2020 meeting of the Scio Planning Commission. No public hearing is required. The applicant is invited to attend the meeting and present the proposal to the Planning Commission. The City staff will present the staff report to the Commission.

The Planning Commission may either:

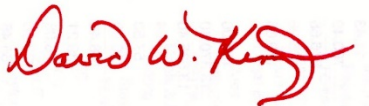
1. Approve the property line adjustment and conditions of approval (as recommended).
2. Approve the property line adjustment and conditions of approval (with modifications).
3. Deny the proposal if the Planning Commission finds it does not meet all criteria.

After the Planning Commission decision, the City's Planning Consultant will issue a Notice of Decision.

F. Right of Appeal:

Any person aggrieved by a decision of the Scio Planning Commission may file an appeal with the City Council within ten (10) days of the date the City issues a written Notice of Decision. If you have any questions regarding the Scio Planning Commission decision, you may contact Administrative Assistant Cathy Martin at City Hall at 503-394-3342.

Sincerely,



David W. Kinney
Planning Consultant for the City of Scio



City of Scio
Covered Bridge Capital of the West

David W. Kinney
Planning Consultant for the City of Scio
791 E. Hollister St., Stayton, OR 97383
Office: (503) 769-2020 Cell: (503) 551-0899
Email: dwkinney@wvi.com

June 1, 2020

Ginger Allen, City Manager
City of Scio
PO Box 37
Scio, OR 97374

RE: Property Line Adjustment
City of Scio City Hall Site – NW 1st Avenue
File 2020-07

Dear Ginger:

The property line adjustment application to adjust the boundary for three city-owned parcels on NW 1st Avenue, as shown on Map 1.

In accordance with Scio Municipal Code, Land Division Ordinance No. 562, a lot line adjustment must be reviewed and approved by the Scio Planning Commission. The Planning Commission will consider your application at their regularly scheduled meeting on July 29, 2020 at 7:00 p.m. at City Hall.

I recommend the Planning Commission approve your proposal because it complies with the Property Line Adjustment criteria in Section 8.540 of the Scio Land Division Code.

A. Property Line Adjustment Proposal

The City of Scio owns 0.32 acres of land in three parcels on the north side of NW 1st Avenue, as shown on Map 1 and listed in Table 1. The City of Scio has filed an application requesting the Scio Planning Commission approve a property line adjustment to consolidate three existing parcels on the north side of NW 1st Avenue into one 0.32-acre parcel.

The City has also submitted a land use application to redesignate and rezone the vacant 0.17-acre parcel at 38965 NW 1st Avenue to a Public (P) zone. This property line adjustment application will be considered concurrently with the city's comprehensive plan amendment and zone change proposal.

Two of the tax lots are occupied by the Scio City Hall and Public Works shop building. The third 0.17-acre lot at 38965 NW 1st Avenue is immediately east of the City Hall. The City acquired the property at 38965 NW 1st Avenue in 2019 and demolished an existing building. In 2020, the City proposes to design a new city hall/library to be constructed on the entire site. In 2021 the City Council proposes to demolish the existing city hall and construct a new city hall and library facility on this block.

Map 1
City of Scio City Hall Site (0.32-acres)



Table 1
City of Scio
Proposed Property Line Adjustment (Consolidate Parcels into one Parcel)

#	Assessor's Map and Tax Lot	Acres	Existing Use	Existing Comp Plan Map Designation	City of Scio Zoning District
2	10S 1W 18AA TL 07400	0.04	PW Shop	Public	Public (P)
3	10S 1W 18AA TL 07500	0.17	Vacant	Commercial	Commercial (C-1)
1	10S 1W 18AA TL 07600	0.11	City Hall	Public	Public (P)
New Parcel Size		0.32			

B. Findings and Conclusions:

The applicant has complied with the application requirements and decision criteria for a property line adjustment set forth in Scio Land Division Code Chapter 8.5

Criteria 1: The lots being modified in size through the property line adjustment shall meet the minimum lot size, width, and street access requirements of the zone in which they are located.

Criteria 2. If, prior to application, the lot did not meet lot size or width requirements, the property line adjustment shall not result in greater nonconformity with the applicable standards. However, street access requirements shall be met on the resulting parcels

Findings: Table 1 shows the three parcels owned by the City of Scio are zoned for Public and Commercial Use. The City will rezone TL 7500 to Public prior to development of the site. Section 3.440 of the Scio Zoning Ordinance states there are no minimum lot size or width requirements in the Public zone. Under Section 5.360 all new parcels shall have 25' access to a public street. The new parcel will have 137' frontage on NW Alder Street and 100' frontage on NW 1st Avenue.

The proposed lot complies with Criteria 1 and Criteria 2.

Criteria 3. The amended lot lines do not encroach on the location of sewage disposal or water supply lines or easements

Findings: The proposal will eliminate all interior lot lines. Since the existing City Hall will be demolished all existing encroachments will be eliminated. The proposal complies with Criteria 3.

Criteria 4: The property line adjustment does not create any additional lots.

Findings: No new parcels are created. The existing parcels are part of the original SCIO subdivision, platted in the 1880's. If the Planning Commission approves the property line adjustment, a new partition plat survey must be prepared and recorded to eliminate any of the prior subdivision lines. The proposal complies with Criteria 4.

Criteria 5: The property line adjustment does not create building encroachments into any specified setback area. In situations where there is an existing building encroachment, the adjustment shall not result in a greater setback encroachment.

Findings: The City does not believe existing buildings on the parcel encroach over property lines. With the demolition of the existing city hall, any existing encroachments will be eliminated. The proposal does not create any building encroachments. The proposal complies with Criteria 5.

Criteria 6: If, in the review of the property line adjustment request, the Zoning/Building Official or Planning Commission determines that the adjustment appears to be a preliminary step toward subsequent partitioning or subdivision of any or all of the affected lots, the applicant(s) shall prepare a preliminary plan showing how the property will be divided

Findings: There are no plans toward subsequent partitioning or subdivision of the lots. The proposal complies with Criteria 6.

Criteria 7: Verification of ownership for each property must be presented to the Zoning Official.

Findings: The Linn County Assessor's records show the following ownerships:

<u>Assessor's Map Tax Lot</u>	<u>LC Assessor</u>	
	<u>Account #</u>	<u>Owner</u>
T10S R1W 18AA 07400	30343	City of Scio, PO Box 37, Scio, OR 97374
T10S R1W 18AA 07500	30250	City of Scio, PO Box 37, Scio, OR 97374
T10S R1W 18AA 07600	30268	City of Scio, PO Box 37, Scio, OR 97374

The proposal complies with Criteria 7.

Criteria 8: The property owners of each lot affected by the property line adjustment must sign a statement of agreement with the proposed changes.

Findings: City Manager Virginia Allen signed the application form on behalf of the City concurring with the proposal. The proposal complies with Criteria 8.

C. Planning Consultant Conclusions and Recommendation:

This property line adjustment application was submitted concurrently with a land use application to amend the Scio Comprehensive Plan map to a public plan designation and to rezone the property to a City of Scio Public (P) zone. The property line adjustment is not dependent on the city's approval of the CP/ZC application; but may proceed if approved by the Scio Planning Commission.

Based upon the above stated findings and conclusions, the City's Zoning/Building Official concludes the applicant's proposal for a property line adjustment complies with all applicable requirements and decision criteria of the City of Scio, Oregon and hereby **recommends the application be approved, subject to the following condition of approval.**

D. Conditions of Approval:

All conditions of approval must be completed by January 1, 2021. If conditions are not completed by that date, the approval is null and void unless a written extension is granted by the City Manager.

1. A licensed surveyor in the State of Oregon must prepare and record a property line adjustment survey or partition plat (replat) map with the Linn County Surveyor that complies with ORS 92 requirements and the Linn County Surveyor's requirements. A copy of the recorded property line adjustment survey (replat) shall be provided to the City of Scio within 30 days of its recording.

E. Scio Planning Commission Action

The Scio Planning Commission will consider the proposal at the July 29, 2020 meeting of the Scio Planning Commission. No public hearing is required. The applicant is invited to attend the meeting and present the proposal to the Planning Commission. The City staff will present the staff report to the Commission.

The Planning Commission may either:

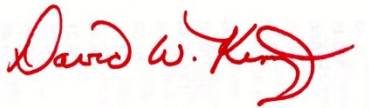
1. Approve the property line adjustment and conditions of approval (as recommended).
2. Approve the property line adjustment and conditions of approval (with modifications).
3. Deny the proposal if the Planning Commission finds it does not meet all criteria.

After the Planning Commission decision, the City's Planning Consultant will issue a Notice of Decision.

F. Right of Appeal:

Any person aggrieved by a decision of the Scio Planning Commission may file an appeal with the City Council within ten (10) days of the date the City issues a written Notice of Decision. If you have any questions regarding the Scio Planning Commission decision, you may contact Administrative Assistant Cathy Martin at City Hall at 503-394-3342.

Sincerely,



David W. Kinney
Planning Consultant for the City of Scio