



City of Sutherlin
Regular Council Meeting
Monday, January 13, 2020
Civic Auditorium – 7:00 p.m.

AGENDA

Mayor Todd McKnight

Council President Boggs

Councilors, Stone, Sumner, Tomlinson, Vincent, and Wattles

1. **CALL TO ORDER / FLAG SALUTE**
2. **ROLL CALL**
3. **INTRODUCTION OF MEDIA**
4. **PUBLIC COMMENT**

[The purpose of citizen comment is to allow citizens to present information regarding agenda items only.
A time limit of three minutes per citizen shall apply.]

5. **COUNCIL BUSINESS**

- a. Committee & Board Appointments/Re-Appointments
 1. Budget Committee
 2. Parks Advisory Committee
 3. Library Board

6. **CONSENT AGENDA**

- a. December 9, 2019 Minutes – Regular Meeting

7. **PUBLIC HEARING**

- a. Plan Amendment & Zone Change

8. **COUNCIL BUSINESS (continued)**

- a. Ordinance – Plan Amendment & Zone Change Approval (first reading, title only)
- b. Ordinance 1073 – SMC Amendment – Financing of Sewer Main Extension w/ Emergency Clause (first reading & adoption)
- c. Consulting Services for Urban Renewal Scope of Work

9. **REPORTS**

- a. Review Council Priorities
- b. S. Calapooia Low Pressure Force Main Extension
- c. System Development Charge (SDC) Annual Update

10. **STRATEGIC PLAN UPDATE (Reports in Council Packet)**

- a. **Schoon Mt. Water Storage Tank and Sixth Ave & Oak St Pump Station Upgrade**

11. **COUNCIL COMMENTS**

12. **PUBLIC COMMENT**

[The purpose of citizen comment is to allow citizens to present information regarding items off the agenda. A time limit of three minutes per citizen shall apply.]

13. **ADJOURN**

EXECUTIVE SESSION (6 month update)

ORS 192.660(2)(i) – Performance Evaluations of Public Officers and Employees

Members of the audience who wish to address the Council will be invited to do so. Speakers must use the microphone stating their name and address prior to addressing the Council.



Call to Order & Flag Salute





ROLL CALL





Introduction Of Media





PUBLIC COMMENT

Agenda Items only





COUNCIL BUSINESS





City of Sutherlin

STAFF REPORT					
Re: Committee & Board Appointments/Re-Appointments				Meeting Date:	1/13/2020
Purpose:	Action Item ☒	Workshop ☐	Report Only ☐	Discussion ☐	Update ☐
Submitted By: City Recorder, Diane Harris				City Manager Review	☒
Attachments: Committee Applications					

WHAT IS BEING ASKED OF COUNCIL?

As of January 1, 2020 several committees have vacancies whose terms ended December 31, 2019, there are also existing vacancies available with unexpired terms.

- Budget Committee – 4 available
- Library Advisory Board – 5 total; 3 expired and 2 unexpired.
- Parks Advisory Committee – 4 total; 3 expired and 1 unexpired.

The Mayor is being asked, on behalf of the Council, to consider several applications for appointment.

EXPLANATION

The City has received the following applications:

- Two for re-appointment for the Budget Committee from Chuck Brummel and Joe Groussman and one application for appointment from Debbie Hamilton. All 3-year terms end December 31, 2022.
- Three for re-appointment for the Library Advisory Board from Nancy Anderson, Rannah Williams, and Kish Doyle, and one for appointment from Debbie Hamilton. Three of the 4-year terms end December 31, 2023 and the other regular seat ends December 31, 2020. There is also an “Alternate” seat open on the board term ending December 31, 2022.
- One for re-appointment for the Parks Advisory Committee from Vicki Holland. The new 2-year terms end December 31, 2021.

OPTIONS

To approve or not approve re-appointments/appointments to the Budget, Library, and Parks Committees.

SUGGESTED MOTION(S)

Motion to re-appoint Chuck Brummel, Joe Groussman, and appoint Debbie Hamilton to the Budget Committee with terms ending December 31, 2022.

Motion to re-appoint Nancy Anderson, Rannah Williams, and Kish Doyle to the Library Advisory Board with terms ending December 31, 2023 and appoint Debbie Hamilton to the term ending December 31, 2020.

Motion to re-appoint Vicki Holland to the Parks Advisory Committee, term ending December 31, 2021



City of Sutherlin

Application for Citizen Committee/Commission/Board Appointment

Name Chuck Brummel Date Oct 28, 2019

Address [REDACTED] Phone 541 459 4119

Email chuckbrummelhome@yahoo.com Bus. Phone C. 458 201 2105

Length of Residency in Sutherlin 3 years Registered Voter? Yes

Candidate for position on City of Sutherlin budget committee

Relevant background and experience Past member, retired bank CEO/President

City of Myrtle Point budget committee, Coos County budget committee,

What are your major interests or concerns in the City's programs? I just like to stay informed and participate in my city's activities.

Why would you like to be appointed to this position?
As stated above.

RETURN THIS FORM TO: City Recorder, 126 E. Central Ave., Sutherlin, OR 97479

For Office Use Only:

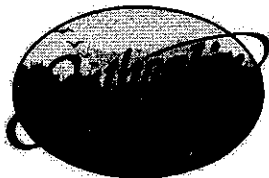
Date received: October 28, 2019

Date considered: _____

Action by Council _____

Term Expires: _____

Nov 2016 revised



City of Sutherlin

Application for Citizen Committee/Commission/Board Appointment

Name Joe Groussman Date 12/5/19

Address [REDACTED] Phone 541 680-2425

Email JMGROUSSMAN@GMAIL.COM Bus. Phone —

Length of Residency in Sutherlin 8 Registered Voter? YES

Candidate for position on Budget Committee

Relevant background and experience • PRIOR Budget Committee Member

• KNOLLS ESTATES HOA PRESIDENT - 4 YRS

• SDDI - PRESIDENT (CO-PRES)

• MOTOROLA SYSTEM INTEGRATION - PM - 15 YRS / multi million Budget

What are your major interests or concerns in the City's programs? —

URBAN RENEWAL DEVELOPMENT & SUCCESS

Sutherlin DEPARTMENTAL Budgets & SUCCESS

Sutherlin GROWTH & PROSPER EFFORTS

Why would you like to be appointed to this position?

CONTINUOUS Budget INPUT FOR A

VITIALIZED FUTURE w/ CONTROLLED SPENDING

DECISIONS FOR PROPERLY NEEDED EXPENSES, SUCCESSFUL DEPTS

RETURN THIS FORM TO: City Recorder, 126 E. Central Ave., Sutherlin, OR 97479

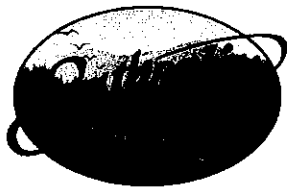
For Office Use Only:

Date received: 10-16-19

Date considered: —

Action by Council —

Term Expires: —



City of Sutherlin

Application for Citizen Committee/Commission/Board Appointment

Name Debbie Hamilton Date 1/7/19

Address [REDACTED] Phone 541-580-5489

Email hammy57@hotmail.com ^{Sutherlin} Bus. Phone _____

Length of Residency in Sutherlin 26 yrs Registered Voter? Yes

Candidate for position on Budget Committee

Relevant background and experience 25 years in municipal
Government, working w/ Budgets. etc

What are your major interests or concerns in the City's programs? No real
concerns just want to give back to
my community.

Why would you like to be appointed to this position? Bring my experience
See above to the table.

RETURN THIS FORM TO: City Recorder, 126 E. Central Ave., Sutherlin, OR 97479

For Office Use Only:

Date received: 1/7/2020

Date considered: _____

Action by Council _____

Term Expires: _____



City of Sutherlin

Application for Citizen Committee/Commission/Board Appointment

Name _____ Date _____

Address _____ Phone _____

Email _____ Bus. Phone _____

Length of Residency in Sutherlin _____ Registered Voter? _____

Candidate for position on _____

Relevant background and experience _____

What are your major interests or concerns in the City's programs? _____

Why would you like to be appointed to this position?

RETURN THIS FORM TO: City Recorder, 126 E. Central Ave., Sutherlin, OR 97479

For Office Use Only:

Date received: _____

Date considered: _____

Action by Council _____

Term Expires: _____

Nov 2016 revised



City of Sutherlin

Application for Citizen Committee/Commission/Board Appointment

Name _____ Date _____

Address _____ Phone _____

Email _____ Bus. Phone _____

Length of Residency in Sutherlin _____ Registered Voter? _____

Candidate for position on _____

Relevant background and experience _____

What are your major interests or concerns in the City's programs? _____

Why would you like to be appointed to this position?

RETURN THIS FORM TO: City Recorder, 126 E. Central Ave., Sutherlin, OR 97479

For Office Use Only:

Date received: _____

Date considered: _____

Action by Council _____

Term Expires: _____

Nov 2016 revised



City of Sutherlin

Application for Citizen Committee/Commission/Board Appointment

Name Kish Doyle Date Dec 4, 2019

Address [REDACTED] Phone 909.855.0093

Email kdoyle1320@gmail.com Bus. Phone _____

Length of Residency in Sutherlin 9 yrs Registered Voter? yes

Candidate for position on Library Advisory Board

Relevant background and experience Current Board member, library volunteer

What are your major interests or concerns in the City's programs? _____

Library: handicapped door installed into library

Why would you like to be appointed to this position? _____

Requesting second term _____

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For Office Use Only:

Date received: _____

Date considered: _____

Action by Council _____

Term Expires: _____



City of Sutherlin

Application for Citizen Committee/Commission/Board Appointment

Name Debbie Hamilton Date 1/7/19

Address [REDACTED] Phone 541-580-5489

Email hammy51@hotmail.com ^{Sutherlin} Bus. Phone _____

Length of Residency in Sutherlin 26 yrs Registered Voter? Yes

Candidate for position on Library Advisory Board

Relevant background and experience 25 years in municipal
Government, working w/ Budgets, etc

What are your major interests or concerns in the City's programs? No real
concerns just want to give back to
my community.

Why would you like to be appointed to this position? Bring my experience
See above to the table.

RETURN THIS FORM TO: City Recorder, 126 E. Central Ave., Sutherlin, OR 97479

For Office Use Only:

Date received: 1/7/2020

Date considered: _____

Action by Council _____

Term Expires: _____



City of Sutherlin

Application for Citizen Committee/Commission/Board Appointment

Name Pennah Williams Date 11/23/2019

Address [REDACTED] Phone 541-459-3481

Email rwilliams@uoregon.edu Bus. Phone _____

Length of Residency in Sutherlin 5 yrs Registered Voter? yes

Candidate for position on Library Advisory Board

Relevant background and experience currently volunteer coordinator
for Sutherlin Library; served on Library board
since 2017

What are your major interests or concerns in the City's programs? _____

continued city support for the library

Why would you like to be appointed to this position?

The library is important to this community and I
want to continue to serve as a representative of
both the library and the community it serves.

RETURN THIS FORM TO: City Recorder, 126 E. Central Ave., Sutherlin, OR 97479

For Office Use Only:

Date received: 12/3/2019

Date considered: _____

Action by Council _____

Term Expires: _____



Consent Agenda



CITY OF SUTHERLIN
Regular/Workshop City Council Meeting
Sutherlin Civic Auditorium
Monday, December 9, 2019 – 7:00 p.m.

COUNCIL MEMBERS:

MAYOR: Tom Boggs, Forrest Stone, Michelle Sumner, Travis Tomlinson, Seth Vincent, Becky Wattles
Todd McKnight

CITY STAFF: City Manager, Jerry Gillham
Assistant CM/Finance Director, Dan Wilson
City Recorder, Diane Harris
Deputy City Recorder, Melanie Masterfield
Community Development Director, Brian Elliott
Community Development Specialist, Kristi Gilbert
City Planner, Jamie Chartier
Public Works Director, Aaron Swan
Police Chief, Troy Mills
Fire Chief, Mike Lane
Battalion Chief, Avery Hazzard
City Attorney, Chad Jacobs (via Skype)

AUDIENCE: Elaine Howard, Gary Fugate, Sam & Gladys Robinson, Dan McCormick, Joe Groussman, The Dyer Partnership Engineer - Jamie Norrington, Tami Trowbridge, Brandon McGarr, Terry Prestianni, Boy Scout members, Terry Brock & Lisa Blair, Adam & Nanette Haley, Gary Fugate, Eugene Regan, CPA - Chris O'Dell with Pauly, Rogers & Co., Sutherlin Fire Students – John Tranter & Justin Standley.

Meeting called to order by Mayor McKnight at 7:00 p.m.

Flag Salute:

Roll Call: Councilor Boggs - excused

Introduction of Media: None

PUBLIC COMMENT (agenda items only)

- None

PRESENTATIONS

- **Audit Report**

Staff Report – Finance Director, Dan Wilson presented CPA, Chris O'Dell with Pauly, Rogers and Co. to discuss the City's audit. An unmodified opinion was earned on the City's financial statements which is commonly referred to as a "clean" audit; meaning that the auditors have issued an opinion that is with no reservations. Audit highlights discussed:

- Audit Opinion Letter
- State minimum standards for audits
- Qualitative Aspects of Accounting Practices
- Difficulties Encountered in Performing the Audit
- Corrected and Uncorrected Misstatements
- Disagreements with Management
- Supplementary Information within Documents Containing Audited Financial Statements
- Other Information in Documents Containing Audited Financial Statements
- The financial affairs have been professionally conducted

For further audit information, refer to the City's website www.cityofsutherlin.com

- **Urban Renewal Feasibility (UR)**

Elaine Howard with Elaine Howard Consulting presented a power point presentation on Urban Renewal.

Areas of discussion included:

- Feasibility Study Purpose
- A map showing the entire UR Boundary
- Blight Findings
- Growth Assumptions and Timeframe
- Maximum Indebtedness: Tax Increment Finance projections
- Impacts on Taxing Districts
- How a Plan is Adopted
- Next Steps for forming an Urban Renewal Agency.

For further information, refer to the City's website www.cityofsutherlin.com

Councilor Stone asked for clarification regarding tax percentages. Discussion ensued between Councilor Stone, Elaine Howard and Dan Wilson.

- **Wastewater Treatment Plant Improvement Report (WWTP)**

Jamie Norrington from The Dyer Partnership Engineers & Planners presented a power point presentation of the WWTP. Areas of discussion were:

- Slides of miscellaneous site work;
- Influent Screening Facility;
- Influent Pump Station;
- Headwork Structure;
- SBR Basins;
- Tertiary Filters;
- UV Disinfection;
- Control Building;
- Existing Operations Building;
- Existing Filter Building;
- Storage Building;
- Everett Avenue Pump Station;
- Aerial Pump Station view;
- Major Remaining Items;
- Degree of Completion.

For further information, refer to the City's website www.cityofsutherlin.com

Councilor Stone asked about the ability to fill water trucks from this plant. Discussion ensued between Councilor Stone and Jamie Norrington.

CONSENT AGENDA

- **November 12, 2019 Minutes – Regular/Workshop Meeting**

MOTION made by Councilor Vincent to approve Consent Agenda as presented; second by Councilor Sumner.

In Favor: Councilors Sumner, Vincent, Stone, Wattles, Tomlinson and Mayor McKnight

Discussion: None

Opposed: None

Motion carried unanimously.

COUNCIL BUSINESS

- **Parks Advisory Committee Appointment**

Staff Report - City Recorder, Diane Harris asked Council to consider Terry Brock's application for the Parks Advisory Board, term ending December 31, 2020.

MOTION made by Councilor Stone to approve Parks Advisory Committee Appointment to Terry Brock, term ending December 31, 2020 as presented; second by Councilor Wattles.

Discussion: None

In Favor: Councilors Sumner, Vincent, Stone, Wattles, Tomlinson and Mayor McKnight

Opposed: None

Motion carried unanimously.

- **Contract Award – Emergency Operations Grant**

City Manager, Jerry Gillham discussed the awarded \$32,000 grant for a mobile generator.

MOTION made by Councilor Stone to approve Contract Award – Emergency Management Grant in the amount of \$32,000 as presented; second by Councilor Sumner.

Discussion: Council members questioned hookup capabilities and adequate size. Gillham assured Council that this generator is designed to be a mobile unit. Permanent generators will be installed at City Hall and the Community Center. This extra unit was received through grant funding.

In Favor: Councilors Sumner, Vincent, Stone, Wattles, Tomlinson and Mayor McKnight

Opposed: None

Motion carried unanimously.

WORKSHOP

- **Right of Way Dedication – West Duke**

Staff Report – City Planner, Jamie Chartier asked Council to consider accepting two Right-of-Ways from local developer, Sam Robinson. Two 60' Right-of-Ways have been constructed to City standards by Robinson. One is located south of West Duke Road, approximately 570.75' in length. The other is located off Fir Grove Lane, east from Fir Grove Lane approximately 402.72' in length. Council agreed, a resolution will be brought back to Council for final approval.

STRATEGIC PLAN UPDATE

- **Street Sign Replacement**

Public Works Director, Aaron Swan updated Council regarding street sign replacements on Central Ave and intersecting streets. Signs were purchased with the help of Sutherlin Area Chamber of Commerce. The project started at the railroad tracks, working east of town and will be installed over the next couple of weeks. Next year, signs will be budgeted to do west of the railroad tracks along with intersecting streets.

- **Volunteer Firefighters & UCC Student Updates**

Staff Report – Fire Chief, Mike Lane updated Council. The Fire Department is constantly looking for volunteers and the number of members always fluctuates. We currently have 17 volunteers. The student program is moving along with two moving onto career jobs and unfortunately two students have been injured while off duty so we have 4 UCC Scholarship students at this time. Asked Council to consider adding 3 more scholarship student positions to the next budget year at an estimated cost of \$24,000. Happy to announce that Sutherlin Fire Department is still an ISO Class 3.

COUNCIL COMMENTS

Councilor Wattles

- Thanked everyone involved with the tree lighting at the park.

Gillham added a special thank you to Councilor Vincent, Adam Sarnoski and Tami & Jack Trowbridge for all their hard work with the holiday light display.

Councilor Tomlinson

- Wants to add a future agenda item of the potential to allow Utility Vehicles (UTV) on city streets.
Staff will do research and report back to Council.

Councilor Sumner

- Thanked everyone that helped put on the Central Park tree lighting event.

Councilor Vincent

- Central Park is beautiful. Can't take all the credit, it was a team effort. Awesome sight to see.
- Thanked emergency response for all they do.

Councilor Stone

- Is there a city ordinance against feeding wild turkeys? *Staff didn't think so, but will look into.*
- Possibility of limiting realtor signs that are all over town and look terrible. *Gillham, can work with the city attorney to create an ordinance. Staff to look into it.*
- Streets aren't getting swept. *Swan – They've been out sweeping but will try to get out west a bit more.*
- Asked about the concrete spill at Dovetail. *Swan – contacted Knife River and they'll take care of it.*
- Asked for clarification on the Tourism - Motel Tax fund breakdown that was included in the packet. *Wilson clarified.*
- The City looks good with the Central Park lights. Asked if the tree at Triangle Park was getting lit. *Swan – No, the tree was heavily damaged during snowmageddon. Gillham added that lights will be added to west end of town next year and another tree will be added to Central Park so one will be moved from the park to the Visitor Center.*

Mayor McKnight

- Received lots of positive comments about the new street signs.
- Thanked everyone for the new holiday lights at the park. Wished everyone a happy holiday.

PUBLIC COMMENT

- Chamber President, Tami Trowbridge wanted to thank the City and Adam Sarnoski for making the Central Park holiday light event happen. Congratulated Dan Wilson on a good audit.
- Sam Robinson thanked Council for what they do all year long and thanked Community Development for all their help.

ADJOURNMENT

With no further business, meeting adjourned at 8:18 p.m.

Approved: _____

Jerry Gillham, City Manager

Respectfully submitted by, _____

Melanie Masterfield, Deputy City Recorder

Todd McKnight, Mayor



PUBLIC HEARING Plan Amendment & Zone Change





126 E. Central Avenue
Sutherlin, OR 97479
541-459-2856
Fax: 541-459-9363
www.cityofsutherlin.com

City of Sutherlin

STAFF REPORT					
Re: Public Hearing - Plan Amendment & Zone Change (Adam and Nanette Haley), Planning File No. 19-S013				Meeting Date:	01/13/2020
Purpose:	Action Item ☐	Workshop ☐	Report Only ☐	Discussion ☒	Update ☐
Submitted By: Jamie Chartier, City Planner and Brian Elliott, Community Development Director				City Manager Review	☒
Attachments: Planning Commission Staff Report and Findings of Fact, and maps of property					

WHAT IS BEING ASKED OF COUNCIL?

The Council will conduct a public hearing and receive written and oral testimony from parties in favor and/or opposition, as well as neutral comments for the above referenced application.

EXPLANATION

First evidentiary public hearing was held before the Planning Commission on November 19, 2019. Planning Commission declared parties and received written and oral testimony to this action. The public hearing was followed by a unanimous vote of the Commission to recommend that Council approve requested plan amendment (from Low Density Hillside to Community Commercial) and zone change (from Residential Hillside to Community Commercial), subject to reported findings of fact. Notice of the public hearing before Council was provided at least 20 days prior to the hearing, as required to Section 4.2.150.G of the Sutherlin Development Code. The subject 2.51 acre portion of land is located south of the intersection of W. Duke Road on Park Hill Lane, and is described as T25S, R5W, S19CD, Tax Lot 1102; Property ID No. R122808, and is addressed as 0 Haley Lane.

OPTIONS

1. Close the public hearing, or
2. Make a motion.

SUGGESTED MOTION(S)

Not Applicable.



City of Sutherlin

Community Development
126 E. Central Avenue
Sutherlin, OR 97479
(541) 459-2856
Fax (541) 459-9363
www.ci.sutherlin.or.us

NOTICE OF PUBLIC HEARING PLAN AMENDMENT & ZONE CHANGE – 0 Haley Lane

Date of Notice: December 18, 2019

NOTICE IS HEREBY GIVEN that the Sutherlin City Council will conduct a public hearing on **Monday, January 13, 2020 at 7:00 p.m.** in the Sutherlin Civic Auditorium, 175 E. Everett Street. The purpose of the public hearing is to take public testimony, either written or oral, while considering the following land use application:

ADAM and NANETTE HALEY, request for a Comprehensive Plan Map Amendment from Low Density Hillside to Commercial Community and Zone Map Change from (RH) Residential Hillside to (C-3) Community Commercial on a 2.51 acre property located south of W. Duke Road on Park Hill Lane and inside the City of Sutherlin. The subject property is described as Tax Lot 1102 in Section 19CD, T25S, R5W, W.M., and Property I.D. No. R122808. **PLANNING DEPARTMENT FILE NO. 19-S013.**

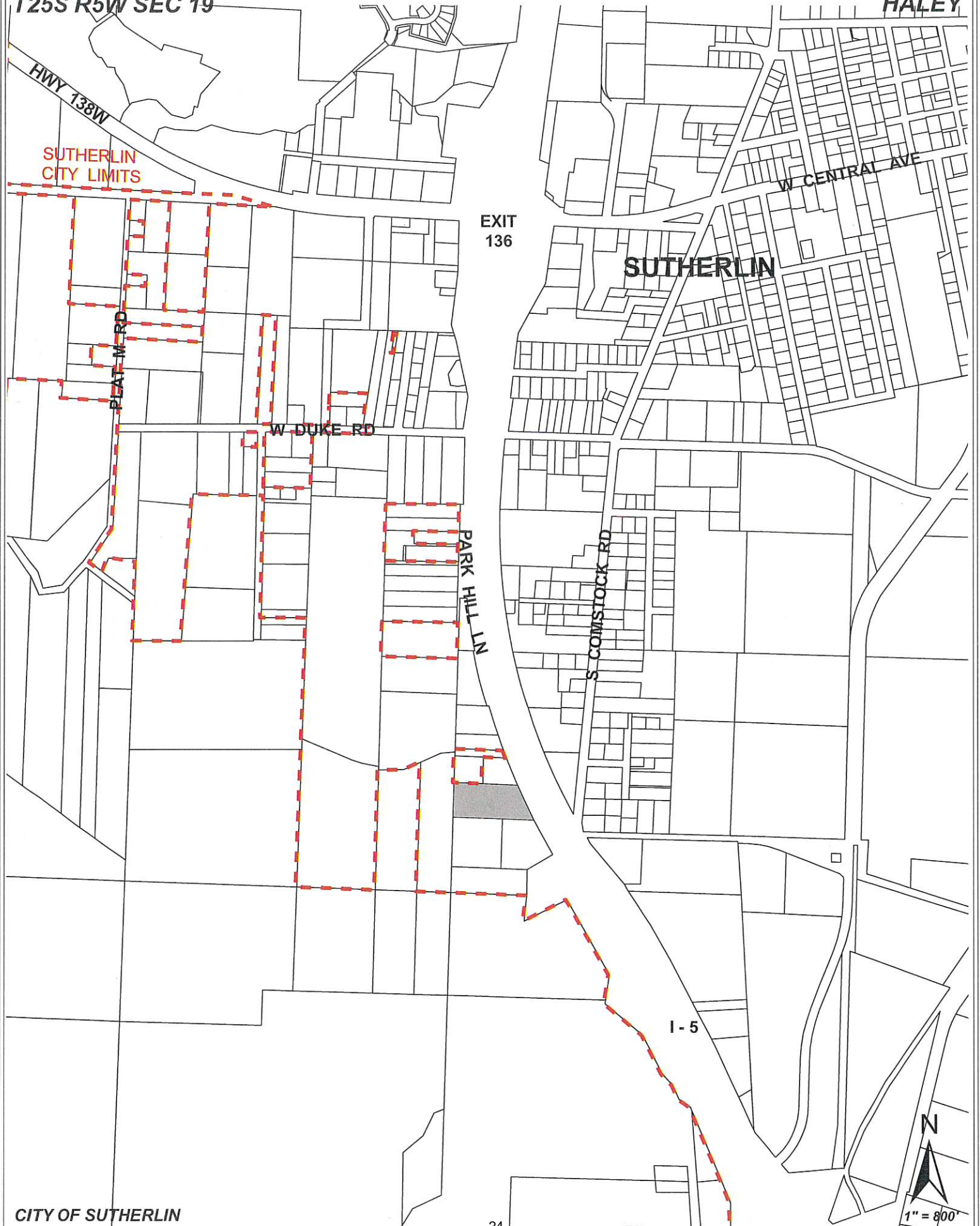
The application is being processed as a Type IV procedure, governed by the applicable Statewide Planning Goals and Oregon Administrative Rules, the Sutherlin Comprehensive Plan and Sections 4.8 and 4.11 of the Sutherlin Development Code. During the public hearing, the City Council will review the above-referenced application for conformance with the applicable criteria. The Sutherlin Planning Commission conducted a public hearing to review the above-referenced application on November 19, 2019 for conformance with the applicable criteria, and moved to forward a favorable recommendation to City Council to approve the request. On January 13, 2020, the City Council will conduct a public hearing to consider the proposed request and, after the public hearing, will make a decision on the matter.

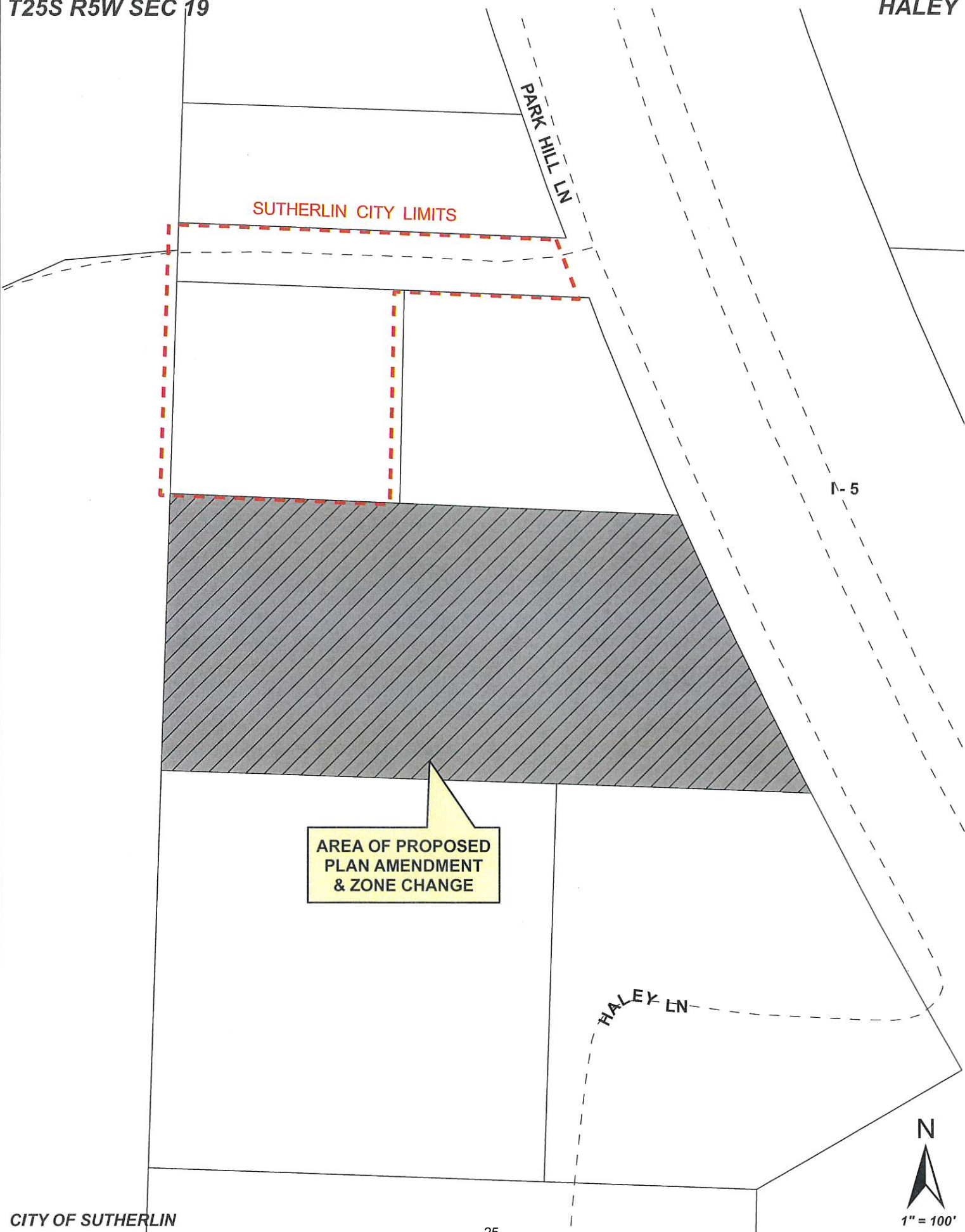
Pursuant to Sections 4.2.150.G of the Sutherlin Development Code, notice of this Type IV land use action before the City Council has been mailed to the applicant and property owners of the subject property, those persons or agencies who provided testimony during the Planning Commission proceedings, and those persons who requested notice of the Planning Commission recommendation. Written statements must contain the name, address and telephone number of the person filing the statement; how the person qualifies as a party; comments the party wishes to make concerning the application, and whether the person desires to appear and be heard at the hearing. Written statements must be filed with the Community Development Department, 126 E. Central Avenue, Sutherlin, Oregon, 97479, no later than 4:30 p.m. on January 6, 2020.

The public hearing will include presentations of the City staff and the applicant. Parties in support, opposition or with neutral comments will then be heard, as well as rebuttal by the applicant. Failure of an issue to be raised at the hearing, whether in writing or by oral testimony, or failure to provide statements or evidence in sufficient specificity to afford the City Council and parties an opportunity to respond to the issue, will preclude an appeal on that issue and may thereafter bar any legal standing in the event of an appeal.

A copy of the application and supporting documents and evidence, and the applicable criteria are available for inspection at no cost and copies can be provided at reasonable cost. The City Council staff report will be available for inspection at no cost at least seven days prior to the hearing and copies can be provided at reasonable cost. For more information on this application, please contact the Community Development Department at (541) 459-2856 during normal business hours.

N:\Planning\2019 Land Use\19-S013 Haley PA & ZC\19-S013_HALEY_PAZCnot_CC.doc







City of Sutherlin

Community Development
126 E. Central Avenue
Sutherlin, OR 97479
(541) 459-2856
Fax (541) 459-9363
www.ci.sutherlin.or.us

November 12, 2019

STAFF REPORT

TO: Sutherlin Planning Commission

FROM: Jamie Chartier, City Planner

RE: **ADAM and NANETTE HALEY**, request for a Comprehensive Plan Map Amendment from Low Density Hillside to Commercial Community and Zone Map Change from (RH) Residential Hillside to (C-3) Community Commercial on a 2.51 acre property located south of W. Duke Road on Park Hill Lane and inside the City of Sutherlin. The subject property is described as Tax Lot 1102 in Section 19CD, T25S, R5W, W.M.; Property I.D. No. R122808. **PLANNING DEPARTMENT FILE NO. 19-S013.**

INTRODUCTION

This staff report concerns a proposed Plan Amendment and Zone Change. Current law requires Planning Commission and City Council approval of any amendment to the Sutherlin Plan and Zoning Maps. The property owners requested the Plan Amendment and Zone Change from a Low Density Hillside (Residential) plan designation to a Community Commercial plan designation together with a change of current zoning from RH (Residential Hillside) to C-3 (Community Commercial) for a parcel containing 2.51 acres to allow for sales and rental yard (Retail Sales and Commercial Storage), both permitted uses within the C-3 zone. The site is located south of the intersection of W. Duke Road on Park Hill Lane and inside the city limits. The subject property is described as Tax Lot 1102 in Section 19CD, T25S, R5W, W.M.; Property I.D. No. R122808. There are no structures located on the property. The property is owned by Adam and Nanette Haley. Mark Garrett Land Use Planning Services, representative for the property owner in this matter.

Applicant's proposal requires amendments to the City's official City of Sutherlin Plan and Zoning Maps as the subject property is currently planned and zoned for residential use. Applicant must demonstrate compliance with the Comprehensive Plan and to ensure consistency between the Plan and its implementing ordinances (i.e. zoning).

The surrounding properties are comprised of mixed uses and zones. Lands directly adjacent to the subject property are zoned residential (Residential Hillside per the City of Sutherlin or Rural Residential per Douglas County). Interstate 5 (I-5) is to the east of the subject property and Douglas County zoning Farm-Forest (FF) is to the west and south.

During the public hearing on November 19, 2019, the Planning Commission will accept public testimony and make a decision on the application after the public hearing. As part of the hearing, the Planning Commission will review the applicant's request for compliance with the Statewide Planning Goals and the general goals and policies of the Sutherlin Comprehensive Plan and the applicable criteria of the Sutherlin Development Code and adopt Findings of Fact.

After the public hearing, the Planning Commission must make a written recommendation and forward it to the City Council in the form of a Findings of Fact and Decision document, which justifies its decision and recommendation. The Council will consider the Commission's recommendation, hold a public hearing, and make a decision to grant, amend or deny the request.

PROCEDURAL FINDINGS OF FACT

1. The Comprehensive Plan Map Amendment and Zone Map Change applications were filed with the City on September 4, 2019, and were deemed complete on September 11, 2019.
2. DLCD Notice of Proposed Amendment was submitted electronically to the Department of Land Conservation and Development on October 8, 2019, which was at least 35 days prior to the first evidentiary public hearing on November 19, 2019.
3. Pursuant to Sections 4.2.150.D.4 and 4.2.140.C, notice of the public hearing was given by publication in the News Review on November 5, 2019, which was at least fourteen (14) days prior to the date of the public hearing.
4. Notice of a Public Hearing on an application for the Comprehensive Plan Map Amendment and Zone Map Change before the Planning Commission was given in accordance with Section Sections 4.2.150.D.4 and 4.2.140.C. Notice was sent to affected property owners of record within 100 feet of the subject property, service providers, and governmental agencies on October 10, 2019.
 - a. At the time of the mailing of this staff report, no written comments or remonstrance have been received.
5. Present Situation: The subject property is currently undeveloped.
6. Plan Designation: Low Density Hillside. The applicant is requesting a plan map amendment to the Community Commercial plan designation.
7. Zone Designation: Residential Hillside (RH). The applicant is requesting a zone map amendment to the Community Commercial (C-3) zoning designation.
8. Public Water: The subject property has access to public water from the City of Sutherlin; no infrastructure to the property is present at this time.
9. Sanitary Sewer: The subject property has access to sanitary sewer from the City of Sutherlin; no infrastructure to the property is present at this time.

10. Transportation System: The subject 2.51 acre property is located on the west side of Park Hill Lane south of its intersection with W. Duke Avenue. Park Hill Lane is currently designated as local street under Douglas County's Transportation System Plan, and under County jurisdiction.
11. Overlay: The subject property does not have any identified overlays.

Finding: The procedural findings noted above are adequate to support the Planning Commission's recommendation on the requested Comprehensive Plan Map Amendment and Zone Map Change.

APPLICABLE CRITERIA & FINDINGS

The City staff finds the applicant has provided a thorough set of findings in response to the approval criteria to demonstrate that the proposed request is consistent with the Statewide Planning Goals and the Sutherlin Comprehensive Plan and implementing ordinances. In order to avoid duplication and unnecessary time and expense, the staff has not provided a separate staff analysis and findings.

CONCLUSION

City Staff recommends that the Commission forward a recommendation for approval to the Sutherlin City Council of the requested Comprehensive Plan Map Amendment from Low Density Hillside to Community Commercial and Zone Map Change from (RH) Residential Hillside to (C-3) Community Commercial on the subject 2.51 acre property.

DECISION OPTIONS

Based on the Applicant's findings, the City Staff Report and the testimony and evidence provided during the public hearing, the Planning Commission can move to either:

1. Close the public hearing and, after deliberating on the matter, pass a motion to **recommend** to the City Council **approval** of the requested Comprehensive Plan Map and Zoning Map Amendments on the subject 2.51 acre property; or
2. Close the public hearing and, after deliberating on the matter, pass a motion to **recommend** to the City Council approval of the requested Comprehensive Plan Map and Zoning Map amendments with specified **conditions**; or
3. Pass a motion to **continue the public hearing** to a specified date and time, or to close the public hearing and to leave the record open to a specified date and time for submittal of additional evidence and rebuttal; or
4. Close the public hearing and, after deliberating on the matter, pass a motion to **recommend denial** of the requested Comprehensive Plan Map and Zoning Map amendments on the grounds that the proposal does not satisfy the applicable approval criteria.

STAFF EXHIBITS

1. Notice of Public Hearing
2. Property Owners within 100 Feet
3. DLCD Notice of Proposed Amendment
4. Copy of legal notice posted in the *News Review*
5. Staff Report with Responses Attached
6. Comprehensive Plan & Zone Change applications and attachments
7. Vicinity Map
8. Assessor Maps
9. Comprehensive Plan Map
10. Zoning Map
11. Aerial Photograph
12. Situs Map

BEFORE THE PLANNING COMMISSION OF THE CITY OF SUTHERLIN

IN THE MATTER of a request for a Plan
Amendment and Zone Change for a parcel
located near the intersection of Park Hill Lane
and Haley Lane and identified by the Douglas
County Assessor as T25S, R5W, S19CD, Tax
Lot 1102, Property ID No. R122808

] FINDINGS OF FACT AND DECISION
] Applicant: Adam and Nanette Haley
] Subject: Plan Amendment and Zone Change
] File No.: 19-S013
]
]

I. OFFICIAL NOTICE

The Planning Commission of the City of Sutherlin takes official notice of the following:

1. The Sutherlin Comprehensive Plan, Sutherlin Municipal Code, and Sutherlin Development Code.
2. The Statewide Planning Goals.
3. The public notice records of the City of Sutherlin concerning this matter.
4. The records of the City of Sutherlin concerning the deliberations on this matter before the Sutherlin Planning Commission, including the Staff Report and all evidence and testimony submitted for consideration.

Finding: The procedural and substantive findings noted herein are adequate to support the Planning Commission's recommendation on the Comprehensive Plan Map amendment and Zoning Map amendment.

II. SUBSTANTIVE FINDINGS OF FACT

1. Adam and Nanette Haley, herein called Applicant, submitted applications for Plan and Zoning Map amendments on September 4, 2019. Applicant has requested to change the plan and zone designations of the subject property to allow establishment of a storage container sales and leasing facility on the subject site owned by Applicant. The total parcel comprises 2.51 acres as set out as Parcel 1, Land Partition 2019-0015, Surveyor's Records of Douglas County Oregon.
2. A Notice of Proposed Amendment was mailed to the Department of Land of Conservation and Development (DLCD) on October 8, 2019.

3. A copy of the Notice of Public Hearing was mailed to affected agencies and jurisdictions on October 10, 2019, along with a letter describing the proposal.
4. On October 10, 2019, a Notice of Public Hearing before the Sutherlin Planning Commission was mailed to all record owners of property within 100 feet of the property proposed to be rezoned. The notice was published in the *News-Review* on November 5, 2019.
5. **The Planning Department did not receive correspondence from neighboring property owners or affected agencies concerning the proposed map amendment and zone change. (This will need to be adjusted according to responses.)**
6. This matter came before the Sutherlin Planning Commission for consideration on November 19, 2019. The Planning Commission heard the staff report, listened to public testimony, and passed a motion to recommend that the City Council approve the proposed Plan and Zoning Map amendments as submitted.

Finding: The procedural findings noted above are adequate to support the Planning Commission's recommendation on the requested Plan Map and Zoning Map amendments.

III. EXECUTIVE SUMMARY

This staff report concerns a proposed Plan Amendment and Zone Change. Current law requires Planning Commission and City Council approval of any amendment to the Sutherlin Plan and Zoning Maps. The property owners requested the Plan Amendment and Zone Change from a Residential Low Density Hillside (RLH) plan designation to a Community Commercial (CC) plan designation together with a change of current zoning from (RH) Residential Hillside to (C-3) Community Commercial for a parcel containing 2.51 acres to allow for establishment of a storage container sales and rental business. The subject property proposed for amendment is located at just north of the intersection of Park Hill Lane (County Road 155C) and Haley Lane and is identified by the Douglas County Assessor as T25-R05-S19CD, Tax Lot(s) 1102, Property ID No. R122808. (See Assessor's map enlargement next page) The property is owned by Applicant who is making this request.

Applicant's proposal is evaluated in this report against the procedures and criteria for approving amendments to the Plan and Zoning Maps as provided in state statute and Sutherlin Development Code Sections 4.8 and 4.11. Each applicable criterion is addressed separately, and proposed findings are provided to assist the Planning Commission in making a recommendation on this matter.

The Planning Commission finds that the Plan Amendment and Zone Change proposed by Applicant satisfy the applicable approval criteria for these land use actions. Based on the

following Findings, the Planning Commission **recommends approval** of the requested Plan Amendment and Zoning Map amendments to the City Council.

IV. GENERAL INFORMATION

Applicant submitted applications for Plan and Zoning Map Amendments on August 30, 2019 (Exhibit A). The applications were deemed complete on September 11, 2019. Applicant requested the Plan Amendment from RLH to a CC plan designation with a concurrent Zone Change from RH to C-3 for a parcel comprising 2.51 acres to allow establishment of a storage container sales and leasing business. The subject property is located just north of the intersection of Park Hill Lane and Haley Lane and is identified by the Douglas County Assessor map T25-R05-S19CD, Tax Lot(s) 1102, Property ID No. R122808.

The subject property is vacant and is within the city limits boundary. The proposed Plan Amendment and Zone Change will allow commercial use of the property as a permitted use under the requested C-3 zone.

Applicant:

Adam and Nanette Haley
420 Myrtle Street
Sutherlin, OR 97459
(541) 817-3088

Subject Properties:

Property located at Parkhill Lane and Haley Lane
commonly identified as 0 Park Hill Lane
Identified on the Douglas County Assessor's
Map as Tax Lot(s) 1102, 19CD, T25S, R5W.

Applicant's proposal requires amendments to the City's official City of Sutherlin Plan and Zoning Maps as the subject property is currently planned and zoned for residential use. Applicant must demonstrate compliance with the Comprehensive Plan and to ensure consistency between the Plan and its implementing ordinances (i.e. zoning).

The surrounding properties are comprised of mixed uses. Lands surrounding the subject property are zoned RH with some C-3 zoning just to the north. (See Zoning Map next page)

V. PROCEDURES

Applicant has requested a Plan Amendment from RLH to a CC plan designation with a concurrent Zone Change from RH to C-3 for the ownership comprising 2.51 acres to allow use of the property for commercial purposes. This change requires an amendment to the City's official Comprehensive Plan and Zoning Maps. The proposed amendment to the city's Plan and Zoning Maps is necessary because it ties specific parcels and lots to the particular intent of the plan and zoning designations and subsequent development restrictions.

The requested changes are specific to the identified property only. Because a decision must be reached by applying existing criteria in the City's Plan and Zoning ordinances, approval of the Plan Amendment and Zone Change request requires quasi-judicial map amendments. Before the Sutherlin Planning Commission can make a formal recommendation to the City Council

concerning this request, a quasi-judicial public hearing must be held in which the Planning Commission reviews a staff report, takes written and oral testimony, considers the facts, applies the appropriate criteria (in this case, the Statewide Planning Goals, and the City's Comprehensive Plan and implementing ordinances), and adopts Findings of Fact which justify its decision and recommendation.

The Findings of Fact must demonstrate compliance with Oregon's Statewide Planning Goals and address pertinent criteria from Sutherlin's Comprehensive Plan and implementing ordinances. After relating the facts to the criteria, the Planning Commission must recommend approval, denial, or approval with conditions concerning the request to change the designation of the subject property on the Plan map from RLH to CC and the designation on the Zoning map from RH to C-3.

After the public hearing, the Planning Commission must make a written recommendation to the City Council in the form of a *Findings of Fact and Decision* document. This document is formatted to facilitate that action per staff request. The Council will consider the Commission's recommendation, hold a public hearing, and make a decision to grant, amend or deny the request.

A Notice of Proposed Amendment was sent to the Department of Land of Conservation and Development (DLCD) at least 35 days before the first evidentiary hearing as required. DLCD has the right to comment on the proposal prior to city council approval at a final hearing. In addition, the City's decision can be appealed to the Land Use Board of Appeal (LUBA).

VI. CRITERIA AND FINDINGS

DECISION CRITERIA AND SUBSTANTIVE FINDINGS OF FACT

State statute requires that proposed amendments to Sutherlin's Comprehensive Plan and Zoning Maps be consistent with the Statewide Planning Goals. Finally, Sections 4.8 and 4.11 of the Sutherlin Development Code (*Plan Amendments and Zone Changes*) provide specific local criteria for approving a Plan Amendment and Zone Change.

The requested amendments to the Plan and Zoning Maps are measured here against these state and local criteria. The results of this analysis are presented as proposed Findings of Fact below.

CONSISTENCY WITH THE STATEWIDE PLANNING GOALS

Goal 1: Citizen Involvement. To provide for widespread citizen involvement in the planning process, and to allow citizens the opportunity to review and comment on proposed changes to comprehensive land use plans prior to any formal public hearing to consider the proposed changes.

Finding: Statewide Planning Goal 1 requires cities and counties to create and use a citizen involvement process designed to include affected area residents in planning activities and decision-making. Since acknowledgement of the City's Comprehensive Plan, the Sutherlin Planning Commission has been responsible for ensuring continued citizen involvement in planning matters and land use decisions. On October 10, 2019, City staff mailed copies of a Notice of Public Hearing to all owners of property within 100 feet of the subject property. The same notice was published in the News-Review, a local newspaper of general circulation, on November 5, 2019. Written evidence relied on by the land use decision-making bodies (i.e. the applications and supporting material) was available for public review at Sutherlin City Hall seven days prior to the first public hearing. Sutherlin has fulfilled its citizen involvement process through early direct notification of nearby property owners, publication of a public hearing notice and contact information in the newspaper, and by facilitating informed public participation during the public hearing itself.

Goal 2: Land Use Planning. To establish a land use planning process and policy framework as a basis for all decisions and actions related to land use and to ensure a factual base for such decisions and actions.

Finding: Sutherlin's acknowledged Comprehensive Plan and implementing ordinances provide a State-approved process for land use decision making, and a policy framework derived from a proper factual base. The City's Comprehensive Plan and implementing ordinances provide the local criteria by which Applicant's request was judged. The subject property is within the Sutherlin City Limits Boundary, no exception to statewide planning goals is necessary.

Goal 3: Agricultural Lands. To preserve and maintain agricultural lands.

Goal 4: Forest Lands. To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land....

Finding: The subject property proposed for amendment is currently designated RLH by the City of Sutherlin Comprehensive Plan and is zoned RH. The subject property is not agricultural or forest land as defined by Statewide Goals 3 and 4. The property is situated within the urban area and has been designated for urban use by the Sutherlin Comprehensive Plan. The proposed amendment does not involve the conversion of designated farm or forest land to urban use. Statewide Goals Nos. 3 and 4 are not applicable to this requested amendment.

Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources. To protect natural resources and conserve scenic and historic areas and open spaces.

Finding: Statewide Planning Goal 5 requires local governments to adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. Goal 5 requires local governments to inventory natural resources such as wetlands, riparian corridors, and wildlife habitat. In addition, Goal 5 encourages local governments to maintain current inventories of open spaces, scenic views and sites, and historic resources. Significant sites must be identified and protected according to Goal 5 rules contained in the Oregon Administrative Rules, Chapter 660, Division 23.

Goal 5 resources within Douglas County and the City of Sutherlin have previously been inventoried and evaluated, and the City has completed a Local Wetlands Inventory. (Copy of Wetlands Map following this page) The property contains no wetlands, riparian corridor or significant wildlife habitat. No known historic or cultural resources exist on the site, and the property contains no open spaces or scenic areas as identified by the City of Sutherlin. The elevation of the property puts it well outside the flood plain of any area streams.

Goal 6: Air, Water, and Land Resource Quality. To maintain and improve the quality of air, water, and land resources of the State.

Finding: Statewide Planning Goal 6 requires that waste and process discharges from future development combined with that of existing development do not violate State or Federal environmental quality regulations. Rezoning the subject parcel to C-3 is not expected to result in any additional development with the typical associated waste stream characteristics. The proposed C-3 zoning is an acknowledgement of the existing development pattern near the subject property and surrounding area and its suitability for commercial zoning due to its proximity to other C-3 zoned property and immediate access to Interstate 5. Any further development of the property will undergo the required City of Sutherlin site development review process which will help assure that future waste streams that occur will be no more adverse to the environment and the City's treatment capacity than would be the case under the current zoning.

The City has regulations in place to control the generation and disposal of commercial wastes. The site is not currently served by City water and sewer services. However, the proposed rezoning is not expected to have any deleterious effects on the quality of the air, water, or land resources of the State. Existing state, federal, and local land use and environmental standards will be sufficient to ensure that subsequent land use activities at the subject site will be conducted in a manner that is consistent with, and will achieve the purpose of Goal 6.

Goal 7: Areas Subject to Natural Disasters and Hazards. To protect life and property from natural disasters and hazards.

Finding: The site has flat to sloping topography and is not within a special overlay zone or in an area that is designated as susceptible to flooding or other natural hazards. Any new development on the site will comply with building codes and fire safety requirements. These existing regulations serve to ensure the protection of life and property rendering the request consistent with Goal 7.

Goal 8: Recreational Needs. To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the citing of necessary recreational facilities including destination resorts.

Finding: The subject property has not been designated by the City of Sutherlin as land needed to meet the recreational needs of the citizens of, or visitors to, the state of Oregon. The property is currently zoned for residential use and has no special geographic or natural advantages for recreational use. The requested amendment does not conflict with Goal 8.

Goal 9: Economy of the State. To provide adequate opportunities throughout the State for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding: The subject property is currently inside the city limits and planned and zoned for residential development. The Sutherlin Comprehensive Plan contains specific policies for protecting and ensuring future economic development in the area is enhanced as discussed below in more detail under the local planning policies. The application for Plan Amendment and Zone Change affects 2.51 acres of land and conversion of this ownership will have some positive impact on the current inventory of land needed for economic development and is therefore consistent with Goal 9.

Goal 10: Housing. To provide for the housing needs of citizens of the State.

Finding: The 2.51 acres is currently designated RLH by the Sutherlin Comprehensive Plan and is zoned RH for residential uses. The property is vacant and has not been used for residential purposes in the past. The rezoning proposed by Applicant will not result in a significant reduction in residential housing opportunities in the city. The application for Plan Amendment and Zone Change will have no significant impact on the current inventory of land needed for residential development and is consistent with Goal 10.

Goal 11: Public Facilities and Services. To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: The subject property is within Sutherlin City Limits. The lands are not currently served by City water and sewer services. Applicant proposes

establishment of a shipping container sales and leasing business on the total 2.51 acre ownership referenced in the introduction as a result of this proposal. Applicant has fully coordinated with the City regarding public facilities to assure adequate services. The business will include an office and storage lot for the containers. Onsite sanitation will be provided as required by the City. The City will review the specific development plans for the site to determine any additional infrastructure requirements. The City will assure both capacity and ability to provide the required level of public facilities, as available, with sufficient infrastructure investment on the part of the owners. It can be expected that the property will be served by city water and sewer in the future, as well as other necessary public utilities. The proposed amendment affecting the subject property is not in conflict with Goal 11.

Goal 12: Transportation. To provide and encourage a safe, convenient, and economic transportation system.

Findings: The statewide transportation goal is generally intended to be applied on a city-wide basis. Specific transportation-related policies and development standards are included within the Sutherlin Comprehensive Plan and land use ordinances to assure that the intent of the statewide transportation goal is implemented through the application of both state and local policies and standards at the time of development. The intent of Goal 12 is also implemented by the State Transportation Planning Rule (OAR 660, Division 12). OAR 660-12-060(1) requires that "amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and level of service of the facility".

In order to ensure that a proposed land use change complies with the requirements of the Transportation Planning Rule, the City of Sutherlin has adopted the following standards for Plan Amendment applications:

“(1) The applicant shall certify the proposed land use designations, densities or design standards are consistent with the function, capacity and performance standards for roads identified in the County Transportation System Plan.

(a) The applicant shall cite the identified Comprehensive Plan function, capacity and performance standard of the road used for direct access and provide findings that the proposed amendment will be consistent with the County Transportation System Plan.”

(b) The jurisdiction providing direct access (County or ODOT) may required the applicant to submit a Traffic Impact Study certified by a Traffic Engineer that supports the findings used to address §6.500.2.a(1)(a).

The functional classifications of transportation facilities within the City of Sutherlin Transportation System Plan (TSP) are identified on Page 4-11 of that document. There is one street identified as Park Hill Lane (County Road No. 155C) under the TSP that is part of this proposal. Park Hill Lane is designated a “Local” along the frontage of the total property.

As previously noted, the subject 2.51 acre site is situated on the west side of the County Road with a direct access onto the street. Park Hill Lane is improved to a two lane paved street with no curbs or gutters along its entire length. The property will continue to have direct access to the identified street upon completion of the proposed development of the site. At the present time, the public roads in the area are and have been adequate to accommodate existing traffic volumes generated by the use on the properties along Park Hill Lane.

Park Hill Lane is inside the right-of-way for Interstate 5. However, the Oregon Department of Transportation (ODOT) transferred jurisdiction of the road to Douglas County. Although the street is entirely within the city limits, Douglas County controls access along the entire street. Applicant has fully coordinated the proposed development with all jurisdictions. ODOT, Douglas County and the City have reviewed Applicant’s development proposal and determined that the planned development is consistent with Goal 12 and will not have any deleterious effect on the area transportation facilities.

The proposed amendment will not generate a significant level of traffic and will be well under the suggested 200 ADT (Average Daily Trips) trip-cap suggested by ODOT. Traffic generated by the proposed development is slightly higher than the use levels associated with residential use of the property and area road capacities. According to the 7th Edition Volumes 2 and 3 of the Trip Generation Manual, the current RH zoning at buildout would generate 67 ADT while a use such as the proposed shipping container business will generate approximately 68 ADT resulting in an overall decrease of ADT based on the current trip generation manual figures. Uses generating under 300 ADT are generally considered to be insignificant in terms of impact the area transportation system. The proposed amendment will not create an unacceptable increase in traffic on the area road system per ODOT, the County and the City of Sutherlin. Therefore, there will be no potential for unacceptable traffic generation on the area road system as a result of Applicant’s request.

The Planning Commission finds that the map amendments will not cause a change in the existing level of service of the area road system. Further, existing development standards in place in the City of Sutherlin Development Code will help to insure any future commercial development approval of the property and its associated impacts will be in compliance with the TSP and IAMP. The requested amendment meets the requirements of Goal 12

Goal 13: Energy Conservation. To conserve energy.

Finding: Statewide Planning Goal 13 requires that land uses shall be managed and controlled to maximize the conservation of all forms of energy, based upon sound economic principles. The subject property is vacant and any future commercial development on the property will be completed under City standards for the specific use. The proposed map amendment includes changing the zoning on the property from RH to C-3 in conformance with the requested CC plan designation under the City of Sutherlin Comprehensive Plan. The 2.51 acre property will also be subject to development standards and building codes that provide for a minimum level of energy efficiency. The proposal is consistent with principles of efficient land use and energy efficiency and Goal 13.

Goal 14: Urbanization. To provide for an orderly and efficient transition from rural to urban land use.

Finding: The subject property is located within the Sutherlin City Limits and was previously designated by the City of Sutherlin as urban residential land. The state has previously acknowledged the lands within Sutherlin as being in compliance with Goal 14.

COMPLIANCE WITH CITY OF SUTHERLIN DEVELOPMENT CODE CRITERIA

Sections 2.3.100 through 2.5.135 of the Sutherlin Development Code (Commercial Districts) provide the development criteria for commercial uses and structures within the City of Sutherlin. The proposed commercial development of the subject property will comply with all development standards set out in the requested C-3 zone. The purpose of the proposed amendment is to allow development of the site with uses not currently allowed under the present RH zoning. The proposed commercial development will comply with all development standards of the requested C-3 zone.

Finding: The Commission finds that the proposed commercial development on the subject property will be in substantial compliance with the Development Code for the City of Sutherlin. The proposed amendment will change the planned development and use on the subject property. The Plan Amendment and Zone Change are in satisfactory compliance with the City of Sutherlin Development Code.

Section 4.11.110.C of the Sutherlin Development Code (*Zone Changes and Annexations*) provides the following criteria for approving a Zone Change:

“The planning commission’s recommendation and the city council’s decision shall be based on the following approval criteria”:

1. *The proposed amendment is consistent with applicable statewide planning goals as adopted by the Land Conservation and Development Commission; and*
2. *The proposed amendment is consistent with the remainder of the comprehensive plan, including inventory documents and facility plans incorporated therein.*

City Zone Change Criteria #1: *The proposed amendment is consistent with applicable statewide planning goals as adopted by the Land Conservation and Development Commission*

Finding: Findings for the statewide planning goals adopted by Department of Land and Conservation and Development (DLCD) are addressed on an individual basis in previous section of this document. Each of the applicable goals contains findings of compliance, and no exceptions to those goals are proposed. The Plan Amendment and Zone Change satisfy the statewide planning goals.

City Zone Change Criteria #2: *The proposed amendment is consistent with the remainder of the comprehensive plan, including inventory documents and facility plans incorporated therein.*

Population and Economy Element Conformance

Policy A4: *The City shall supply an adequate amount of land with suitable soils and drainage qualities to accommodate projected commercial needs.*

The proposed Zone Change will convert 2.51 acres from RH zoning to C-3 zoning in accordance with the requested CC plan designation which essentially imposes the anticipated commercial zoning. The City of Sutherlin recently completed an adjustment of the city limits and urban growth boundary, including an exchange of lands for both residential and commercial uses. The City determined that there is 2,211.96 acres of residentially zoned land (54% of lands within the city) and 250.52 acres of commercially zoned land (6% of lands within the City). The 2005 Buildable Lands Inventory anticipates a need for 100 acres of commercial land through 2025. The BLI states that, *...the City has a lands in all designations...Sutherlin will need about 100 additional acres in its UGB to accommodate commercial use...over the next 20 years.* (See insert Pgs. 5-4 and 5-5 of BLI following this page). The conversion of this site to a CC designation is consistent with the need for commercial lands in the Sutherlin area as set out in the BLI and the most recent City findings and analysis referenced in the boundary adjustments for Sutherlin. In addition, the introduction of a new commercial enterprise will provide some employment opportunities for Sutherlin and the surrounding area. Applicant's proposal therefore conforms to this policy and the Population and Economy Element of the Comprehensive Plan.

Public Facilities Plan Conformance

Policy A1: *The City shall ensure that appropriate support systems are installed prior to or concurrent with the development of a particular area. Costs of constructing water and sewer ties to new developments shall be borne by the developer.*

Policy A14: *Ensure that as new development occurs, public facilities and services to support the development are available or will be available within a reasonable time.*

Policy A20: *New development, including but not limited to subdivisions, residential or commercial, or industrial construction, should be responsible for constructing, paying for, or depositing funds for an improved street with curbs, gutters, sidewalks, as well as sewer, water, storm drainage facilities, fire hydrants, and street lights, in addition to all utilities.*

Finding: The purpose of the Zone Change is to facilitate new commercial use of the subject property according to the standards prescribed in the C-3 zone. The subject property is within the City of Sutherlin. There are no existing water and sewer lines located near the subject properties at this time. The trip-cap suggested by ODOT will control the intensity of commercial enterprise possible on the subject property until such time a full range of public facilities and services are available for more intensive uses. It is important to note that sewer and water services are currently in place to Duke Road and will likely be extended from their current location to the area surrounding Trails End Lane, just south of the subject property in the near future. The property owners will be responsible for installing any future infrastructure dictated by future development on the property as appropriate in accordance with the Public Facilities Plan and the Sutherlin Development Code.

The Plan Amendment and Zone Change will not create additional need for public facilities at this time. Any improvements for those public facilities necessary as a result of future commercial development at the site will require the owners to participate in funding those improvements. The extent to which public facilities and services are required to serve the property will be determined at the time a specific development proposal is reviewed. The requested Plan Amendment and Zone Change are consistent with the Public Facilities Plan.

Land Use Element Conformance

Land Use Policy A1: *Conversion of urbanizable land to urban uses shall be based on consideration of:*

- A. Orderly, economic provision for public facilities and services;*
- B. Availability of sufficient land of various use designations to ensure choices in the marketplace;*
- C. Conformance with statewide planning goals; and*

D. Encouragement of development within urban areas before conversion of non-urban areas.

Land Use Policy A2: *Work toward development of “open” lands identified as suitable for development within the existing city limits before annexing additional lands.*

Finding: The subject property is inside Sutherlin’s city limits. The property is surrounded on all sides by residential land in various stages of development with commercial lands just to the north along Park Hill Lane. As discussed previously under *Consistency with the Statewide Planning Goals*, public facilities and services are readily available to the site except as noted. Also, the property is located in immediate proximity to the other C-3 zoning to the north. The proposed C-3 zoning will support the proposed commercial uses on the site.

The subject property and surrounding properties, as mentioned previously, are currently designated RLH land in the Comprehensive Plan. Applicant proposes to change the existing RLH designation to CC on 2.51 acres to allow commercial development of the property. Applicant has also submitted a Zone Change request to allow implementation of the proposed CC plan designation via the C-3 zone. The Zoning Map amendment to C-3 will be consistent with the requested CC plan designation.

Finding: The proposed Plan Amendment and Zone Change will conform to the Sutherlin Comprehensive Plan, including the land use map and written policies.

VII. ACTION ALTERNATIVES

1. Close the public hearing and, after deliberating on the matter, pass a motion to **recommend** to the City Council **approval** of the requested Plan and Zoning Map amendments.
2. Close the public hearing and, after deliberating on the matter, pass a motion to **recommend** to the City Council **approval** of the requested Plan and Zoning Map amendments with specified **conditions**.
3. Pass a motion to **continue the public hearing** to a specified date and time, or to close the public hearing and to leave the record open to a specified date and time for submittal of additional evidence and rebuttal.
4. Close the public hearing and, after deliberating on the matter, pass a motion to **recommend denial** of the requested Plan and Zoning Map amendments on the grounds that the proposal does not satisfy the applicable approval criteria.

The Planning Commission determined to recommend approval of Applicant's request as submitted. The Planning Commission made a motion to authorize the Chairman of the Planning Commission to review and sign the *Findings of Fact and Decision* document on its behalf.

VIII. PLANNING COMMISSION RECOMMENDATION

The Planning Commission passed a motion to recommend that the City Council **approve** the requested Plan and Zoning Map amendments **as submitted**. (NOTE: Trip-cap condition may be added here)

VII. EXHIBITS

- A. Applications for Plan and Zoning Map amendments filed with the City on September 4, 2019, with map attachments.
- B. Planning Commission Public Hearing notice.
- C. Correspondence
- D. Existing Plan Map
- E. Proposed Zone Map
- F. Staff Report

This recommendation for approval is issued in accordance with the Sutherlin Development Code (ORD 976).

DATED THIS ____ DAY OF _____, 2019.

William Lee
Sutherlin Planning Commission Chair

ATTEST:

Diane Harris
Deputy, CMC, Deputy City Recorder



COUNCIL BUSINESS Cont.





City of Sutherlin

STAFF REPORT					
Re: Ordinance -- Plan Amendment & Zone Change (Adam and Nanette Haley), Planning File No. 19-S013				Meeting Date:	01/13/2020
Purpose:	Action Item ☒	Workshop ☐	Report Only ☐	Discussion ☐	Update ☐
Submitted By: Jamie Chartier, City Planner and Brian Elliott, Community Development Director				City Manager Review	☒
Attachments: Ordinance with Exhibits A & B					

WHAT IS BEING ASKED OF COUNCIL?

Consider approval of first reading of Ordinance for Adam and Nanette Haley Comprehensive Plan Map and Zone Map Amendment (Planning File No. 19-S013).

EXPLANATION

This ordinance formally approves the plan map (from Low Density Hillside to Community Commercial) and zoning map (from Residential Hillside to Community Commercial) amendments requested by the property owners. The subject 2.51 acre portion of land is located south of the intersection of W. Duke Road on Park Hill Lane, and is described as T25S, R5W, S19CD, Tax Lot 1102; Property ID No. R122808, and is addressed as 0 Haley Lane.

The application received recommendation for approval from the Planning Commission after a public hearing held November 19, 2019. A second public hearing was held before City Council prior to the reading of this ordinance.

OPTIONS

To approve, amend or not approve the first reading of Ordinance for Plan Map & Zone Map amendment (Adam and Nanette Haley) as presented;

SUGGESTED MOTION(S)

Motion to

1. Approve the first reading of Ordinance Comprehensive Plan Map & Zone Map amendment (Adam and Nanette Haley) as presented;
2. Approve the first reading of Ordinance Comprehensive Plan Map & Zone Map amendment (Adam and Nanette Haley) with amendments; or
3. Not approve the first reading of said Ordinance Comprehensive Plan Map & Zone Map amendment.



CITY OF SUTHERLIN

NOTICE OF ORDINANCE ENACTMENT

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF SUTHERLIN COMPREHENSIVE PLAN MAP AND ZONING MAP TO AMEND THE COMPREHENSIVE PLAN MAP FROM LOW DENSITY HILLSIDE TO COMMUNITY COMMERCIAL, CONCURRENT WITH A ZONING MAP CHANGE FROM RESIDENTIAL HILLSIDE (RH) TO COMMUNITY COMMERCIAL (C-3) FOR PROPERTY DESCRIBED AS TAX LOT 1102 IN SECTION 19CD OF T25S, R05W. THE SUBJECT 2.51 ACRE PROPERTY IS LOCATED SOUTH OF W. DUKE ROAD ON PARKHILL LANE AND DESCRIBED HEREIN.

THIS ORDINANCE WILL BE CONSIDERED BY COUNCIL AT THE REGULAR COUNCIL MEETING OF

**FIRST READING: MONDAY, JANUARY 13, 2020 @ 7PM
SECOND READING (if first reading approved): MONDAY,
JANUARY 27, 2020 @ 7PM
CIVIC AUDITORIUM - 175 E. EVERETT AVENUE**

Questions or copies of this Ordinance may be viewed by interested persons at the office of City Recorder, 126 E. Central Avenue, Sutherlin, Oregon, between the hours of 9:00 a.m. and 5:00 p.m., weekdays. A copy of this Ordinance may be purchased by interested persons for a sum determined to cover the City's expense for providing the copy.

Pursuant to Section 30 (b) (c) of the Sutherlin City Charter, this notice has been posted at the following locations: Sutherlin City Hall; Sutherlin Post Office; Sutherlin Visitor's Center and the City's website (www.cityofsutherlin.com).

Posted this day, January 6, 2020
By Diane Harris
City Recorder

ORDINANCE NO. ____

AN ORDINANCE AMENDING THE CITY OF SUTHERLIN COMPREHENSIVE PLAN MAP AND ZONING MAP TO AMEND THE COMPREHENSIVE PLAN MAP FROM LOW DENSITY HILLSIDE TO COMMUNITY COMMERCIAL, CONCURRENT WITH A ZONING MAP CHANGE FROM RESIDENTIAL HILLSIDE (RH) TO COMMUNITY COMMERCIAL (C-3) FOR PROPERTY DESCRIBED AS TAX LOT 1102 IN SECTION 19CD OF T25S, R05W. THE SUBJECT 2.51 ACRE PROPERTY IS LOCATED SOUTH OF W. DUKE ROAD ON PARK HILL LANE AND DESCRIBED HEREIN.

The City Council of the City of Sutherlin finds that:

A. Adam and Nanette Haley submitted an application for Comprehensive Plan Map and Zoning Map amendments to amend the existing Comprehensive Plan and Zoning designations for property identified within Douglas County Assessor Records as Tax Lot 1102 in Section 19CD of Township 25 South, Range 5 West. The subject property is further described in Exhibit A attached hereto and incorporated herein.

B. The Sutherlin Planning Commission held a properly noticed public hearing on November 19, 2019 to consider the applicant's request. Following the public hearing, the Planning Commission passed a motion to recommend that the City Council approve the proposed Comprehensive Plan Map and Zoning Map amendments.

C. Pursuant to Section 4.2.150 of the Sutherlin Development Code, notice of a public hearing before the City Council was given, and the public hearing on the requested Comprehensive Plan Map and Zoning Map amendments was conducted on January 13, 2020.

D. The proposed amendments to the Sutherlin Comprehensive Plan Map and the Sutherlin Zoning Map to implement the requested zone changes are found to be consistent with the Statewide Planning Goals and in conformance with the Sutherlin Comprehensive Plan. The City Council also finds that the site is suitable to the proposed zone with respect to the public health, safety, and welfare of the surrounding area. The findings supporting these decisions are attached as Exhibit B hereto.

THE CITY OF SUTHERLIN ORDAINS AS FOLLOWS:

Section 1. The Sutherlin Comprehensive Plan Map is hereby amended to change the Comprehensive Plan designation of the real property identified as all or a portion of Tax Lot 1102 in Section 19CD of Township 25 South, Range 5 West, and more particularly described and depicted in Exhibit A.

Section 2. The Sutherlin Zoning Map is hereby amended to reconfigure the zoning designations of the real property identified as all or a portion of Tax Lot 1102 in

Ordinance No. ____

Section 19CD of Township 25 South, Range 5 West, more particularly described and depicted in Exhibit A.

Section 3. The City Council adopts the Findings of Fact and Decision Document (Exhibit B) as their own and the Sutherlin Comprehensive Plan Map and the Sutherlin Zoning Map shall be revised to depict the adopted amendments.

PASSED BY THE COUNCIL ON THIS ____ DAY OF _____, 2020.

APPROVED BY THE MAYOR ON THIS ____ DAY OF _____, 2020.

Todd McKnight, Mayor

ATTEST:

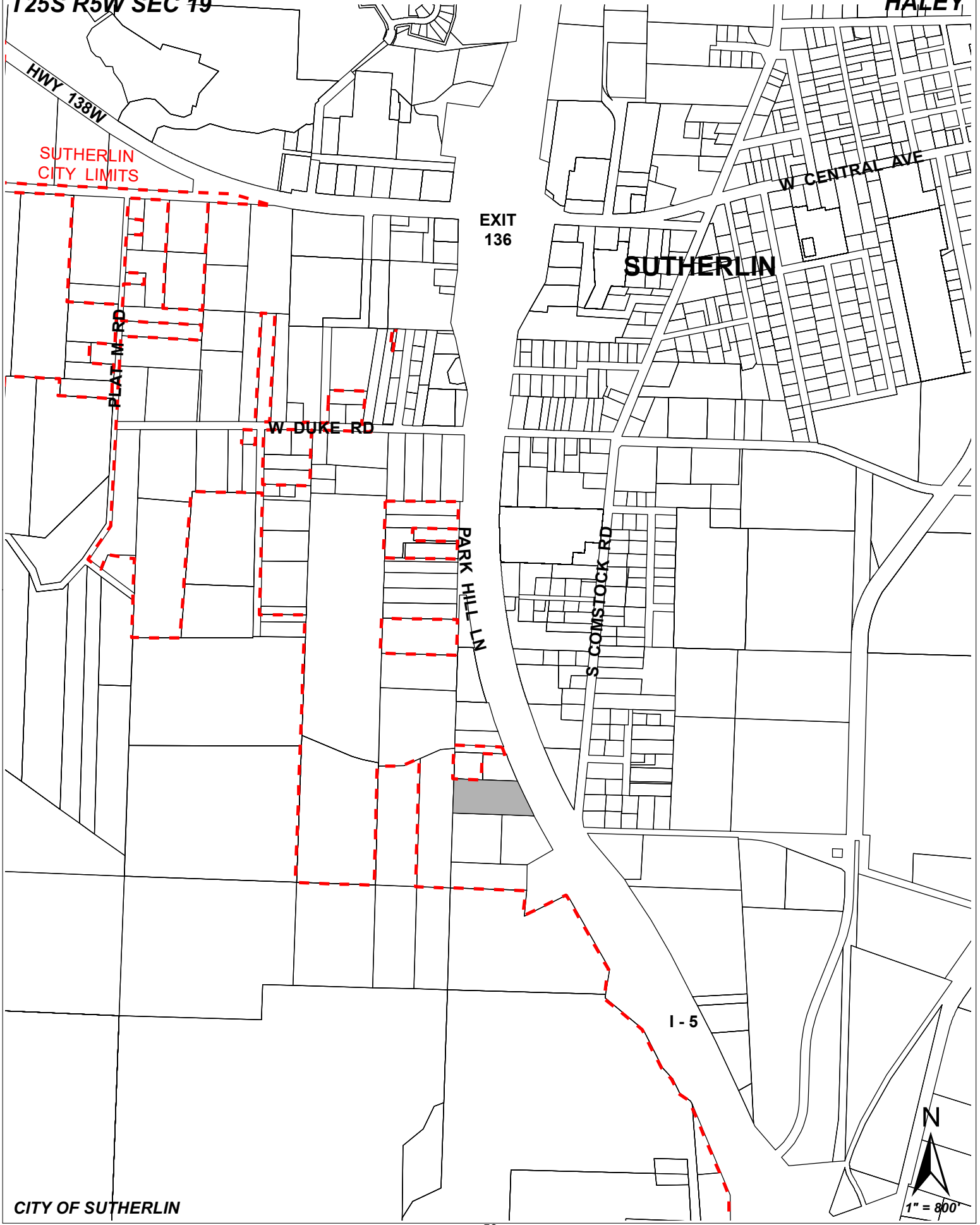
Diane Harris, MMC, City Recorder

Ordinance No. ____

VICINITY MAP
T25S R5W SEC 19

Exhibit A

19-S013
HALEY



CITY OF SUTHERLIN

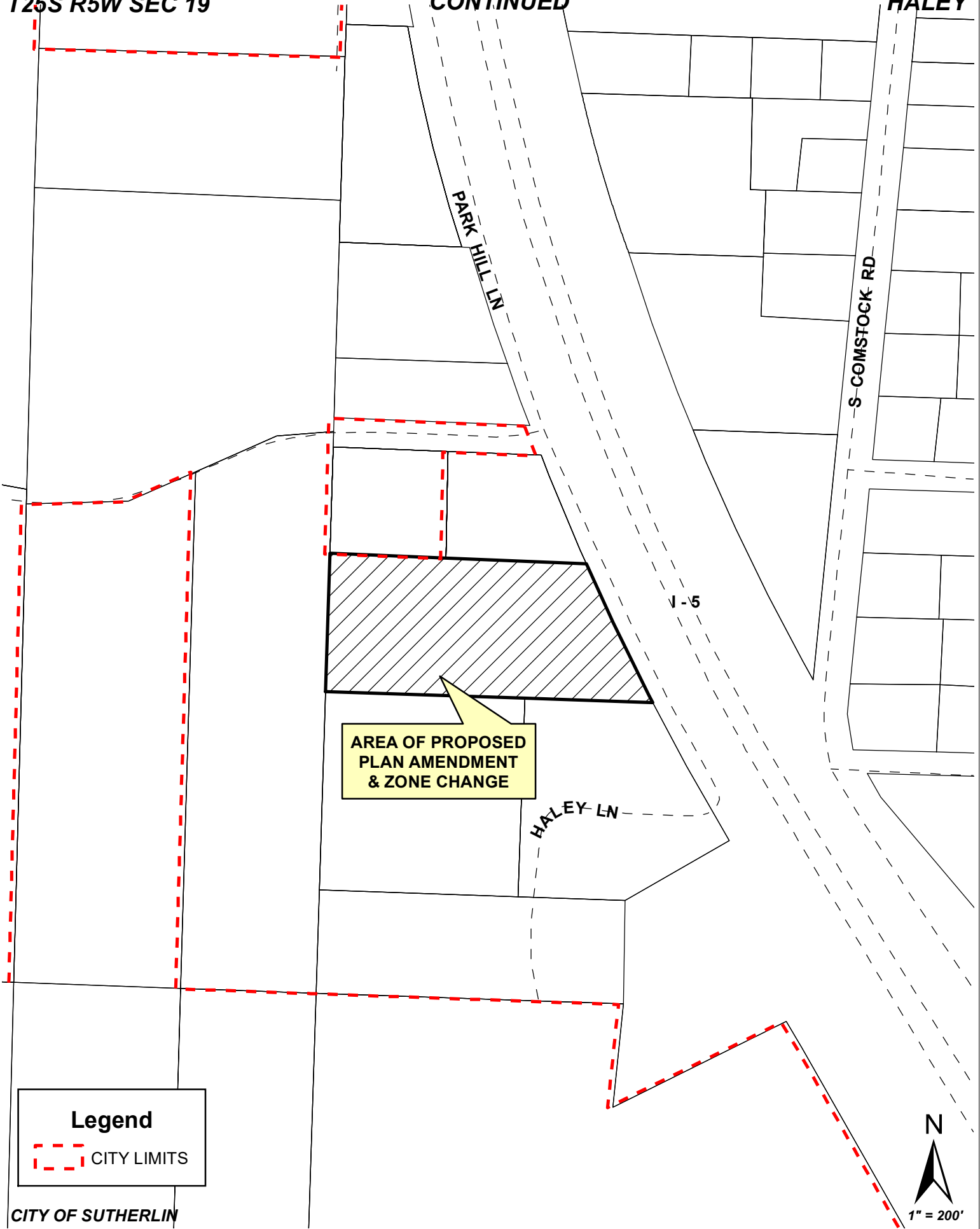


EXHIBIT B

BEFORE THE PLANNING COMMISSION OF THE CITY OF SUTHERLIN

IN THE MATTER of a request for a Plan Map	]	FINDINGS OF FACT AND DECISION
Amendment and Zone Map Change for a parcel	]	Applicant: Adam and Nanette Haley
located at near the intersection of Park Hill Lane	]	Subject: Plan Amendment and Zone Change
and Haley Lane and identified by the Douglas	]	File No.: 19-S013
County Assessor as T25S, R5W, S19CD, Tax	]	
Lot 1102, Property ID No. R122808	]	
Property owner: Adam and Nanette Haley	]	

PROCEDURAL FINDINGS OF FACT

1. The Comprehensive Plan Map Amendment and Zone Map Change applications were filed with the City on September 4, 2019, and were deemed complete on September 11, 2019.
2. DLCD Notice of Proposed Amendment was submitted electronically to the Department of Land Conservation and Development on October 8, 2019, which was at least 35 days prior to the first evidentiary public hearing on November 19, 2019. DLCD did not provide comments on the application.
3. Pursuant to Sections 4.2.150.D.4 and 4.2.140.C of the Sutherlin Development Code, notice of the public hearing was given by publication in the *News Review* on November 5, 2019, which was at least fourteen (14) days prior to the date of the public hearing.
4. Notice of a Public Hearing on an application for the Comprehensive Plan Map Amendment and Zone Map Change before the Planning Commission was given in accordance with Sections 4.2.150.D.4 and 4.2.140.C. Notice was sent to affected property owners of record within 100 feet of the subject property, service providers, and governmental agencies on October 10, 2019. Two written comments were received after the mailing of the Staff Report.
 - a. Micah Horowitz, Senior Transportation Planner with Oregon Department of Transportation (ODOT), responded that they do not have any concerns with the proposal.
 - b. Fair Housing Council of Oregon, responded that the findings did not demonstrate sufficient evidence to support Goal 10.
5. The Planning Commission held a public hearing on this matter on November 19, 2019.
6. At the public hearing on November 19, 2019, Planning Commissioner Sam Robinson declared an actual conflict of interest and recused himself from the hearing. There were no other declarations of ex parte contact or other conflicts of interest made by the Planning Commission. No objections were raised and the Commission was qualified to hear the matter.
7. The Planning Commission declared the following as parties to the hearing:
 - a. Adam and Nanette Haley, property owners
 - b. Mark Garrett Land Use Planning Services, Representative for Applicant/Titleholder
 - c. Oregon Department of Transportation (ODOT), Micah Horowitz
 - d. Fair Housing Council of Oregon

8. Reference was made to the November 12, 2019 Staff Report, and findings of fact addressing conformance to the applicable criteria of the Statewide Planning Goals, the applicable goals and policies of the Sutherlin Comprehensive Plan, and the applicable criteria of the Sutherlin Development Code.
9. Planning Staff presented the Staff Report dated November 12, 2019 and entered Staff Exhibits 1-12 into the record. Along with additional Staff Exhibits 13 and 14, comments from ODOT and the Fair Housing Council of Oregon that were submitted after the Staff Report was sent out.
10. Planning Staff entered Applicant's Exhibits 1-4 into the record; these exhibits were inadvertently left out of the Staff Report.
11. Planning Staff referred to the Goal 10 concerns that were raised by the Fair Housing Council of Oregon. Staff explained to the Planning Commission the City's current Buildable Land Inventory was produced in 2005 and concluded that they recommended the City needs an additional 311-345 acres of residentially zoned land to meet the 20-year supply. Since the conclusion of the Land Needs Analysis in 2005; approximately 394.67+/- acres of residential land has been annexed into the city limits – exceeding the figure needed by 2025. Staff also referred to HB 2001, which requires all City's over the population of 10,000 to require the development of multi-family housing on single family dwelling lots. Sutherlin's population is at approximately 8,200 with a growth rate of 0.8% per year, by 2025 with the growth rate the City's population will be approximately 8,500. Staff then stated to the commission that Goal 10 singularly cannot justify the denial or approval of this application; all 14 Goals need to be addressed to support the decision.
12. The representative for the applicant and titleholder, Mark Garrett, concurred with the Staff Report submitted and addressed the focus of the Fair Housing Council's letter. Stating that all 14 Goals were addressed in the Staff Report, not just singling out the housing needs goal, but addressing all goals as a whole. He also stated that the Buildable Lands Inventory also shows a shortage of commercial lands; so, there is a need for commercial zoned land and economic growth within the City.
13. The Planning Commission asked clarifying questions of staff and the applicant mainly regarding transportation. Mr. Garrett mentioned how the applicant has fully coordinated with the City and ODOT on the proposal. He stated this proposal will not generate a significant level of traffic and be well under the suggested 200 ADT trip-cap suggested by ODOT.
14. The Planning Commission provided opportunity to receive clarifying questions and oral testimony from persons in favor and in opposition to the application. No persons were present.
15. The Planning Commission provided opportunity to receive clarifying questions and oral testimony in rebuttal to the application. No testimony was given.
16. The Planning Commission closed the public portion of the hearing and commenced discussion on the application.

FINDINGS OF FACT RELATED TO DECISION

1. The Planning Commission expressed no objections to the proposed Comprehensive Plan Map and Zoning Map Amendments.

FINDINGS OF FACT

Finding No. 1. The Planning Commission finds the subject property is designated Low Density Hillside in the Sutherlin Comprehensive Plan and zoned Residential Hillside (RH) in the Sutherlin Development Code.

Finding No. 2. The Planning Commission adopts by reference the findings of the Staff Report dated November 12, 2019 adding a condition reflecting the suggestion by ODOT that the development on the subject property shall result in the level of traffic will remain under 200 ADT (Average Daily Trips) trip-cap.

Finding No. 3. The Planning Commission finds, based upon the staff report, application materials and the oral testimony provided, that the requested Comprehensive Plan Map amendment from Low Density Hillside to Commercial Community and Zoning Map Amendment from Residential Hillside (RH) to Community Commercial (C-3) is consistent with the applicable Statewide Planning Goals, and that no exceptions to the goals were proposed.

Finding No. 4. The Planning Commission finds, based upon the staff report, application materials and the oral testimony provided, that the requested plan map and zoning map amendment is consistent with the applicable general goals and policies of the Sutherlin Comprehensive Plan and its implementing ordinances, including those related to Natural Features, Population, Air Water and Land Resource Quality, Natural Hazards, Recreational Needs, Economy, Housing, Public Facilities and Services, Transportation System, including Pedestrian and Bicycle Transportation, Energy Conservation and Land Use and Urbanization.

The Planning Commission finds, based upon the staff report, application materials and the oral testimony provided, that the proposed amendment is consistent with the applicable criteria of Section 4.11 [Amendments] and Section 4.8 [Zoning Amendments] of the Sutherlin Development Code. The applicant has demonstrated consistency with the Comprehensive Plan, including inventory documents and facility plans. The subject 2.51 acre property is surrounded on all sides by developed, or partially developed, residential land with pre-existing commercial use(s). Public facilities and services are available, but currently do not serve the subject property.

Finding No. 5. The Planning Commission further finds that the applicant has demonstrated that the most intense uses and density that would be allowed outright in the proposed C-3 zone, considering the existing commercial/industrial development in the area, can be or are already served by the orderly extension of urban services, and that the proposed amendment is consistent with OAR 660-012-0060.

Finding No. 6. The Planning Commission finds that the proposed amendment from Low Density Hillside to Commercial Community is not the result of a mistake or inconsistency, but will be consistent with the existing pre-existing commercial and light industrial uses surrounding the subject property.

CONCLUSION

1. A motion was made by Commissioner Price to recommend approval with the advisory condition and seconded by Commissioner Davidson to approve the requested Comprehensive Plan Map Amendment from Low Density Hillside to Community Commercial and Zoning Map Amendment from Residential Hillside (RH) to Community Commercial (C-3) on the 2.51 acre property and forward the recommendation to City Council. The motion passed unanimously.

2. The Commission adopts the findings of the staff report in support of their decision.

NOW, THEREFORE, based upon the foregoing findings of fact and the oral testimony provided, the Sutherlin Planning Commission recommends to City Council the **ADOPTION** of the requested Comprehensive Plan Map Amendment from Low Density Hillside to Community Commercial and Zoning Map Amendment from Residential Hillside (RH) to Community Commercial (C-3) on the 2.51 acre property located at 0 Park Hill Avenue, subject to the following condition:

CONDITION:

1. Approved Development on subject property shall not generate more than 200 ADT (Average Daily Trips) trip-cap.

DATED THE 17th DAY OF December, 2019.



WILLIAM LEE, CHAIR

N:\Planning\2019 Land Use\19-S013 Haley PA & ZC\19-S013_Haley_PAZC_PC FFO.docx



City of Sutherlin

STAFF REPORT					
Re: Ordinance 1073 – Sewer Main Extension & Financing Amendment and Agreement				Meeting Date:	01-13-2020
Purpose:	Action Item ☒	Workshop ☐	Report Only ☐	Discussion ☐	Update ☐
Submitted By: City Manager, Jerry Gillham				City Manager Review	☒
Attachments:	Ordinance 1073 – Amending SMC 13.12.270 & 13.12.280 Sewer Main Extension & Financing and Reimbursement Agreement with Sam Robinson and Bobbi Jo				

WHAT IS BEING ASKED OF COUNCIL?

City staff is requesting council approval for the attached proposed ordinance and subsequent agreement between the City and Sam Robinson and Bobbi Jo Srikureja (Sam's Neice).

EXPLANATION

In early 2019 Sam Robinson approached the City with the idea of getting ahead of development demand by installing new sewer system lines from Dakota Street southward through lands they own to Duke Avenue, which would by installing this new infrastructure, stimulate both commercial and residential growth that could not proceed if this new line were not in place. However, circumstances regarding construction schedule and Bobbi Jo's availability caused timing conflicts with signing the agreement while at the same time; Sam was forced to move ahead of the ordinance-directed schedule to install the line, again, in advance of a formal agreement. Now, in order to properly execute the attached agreement, council is asked to first approve the amended ordinance to accommodate the series of unanticipated timing conflicts, and then approve the actual agreement. Sam Robinson will also be attending this council meeting to answer any questions council may have.

OPTIONS

To approve, amend, or not approve Ordinance 1073 and/or Advance Funding Reimbursement Agreement.

SUGGESTED MOTION(S)

1. Approve first reading & adoption of Ordinance 1073 – Sewer Extension and Financing amendments w/emergency clause and Advanced Funding Reimbursement Agreement (AFRA) as presented.
2. Make further amendments to the ordinance and approve the AFRA as presented.
3. Make further amendments to both the ordinance and AFRA and approve.
4. Do not approve.



CITY OF SUTHERLIN

NOTICE OF ORDINANCE ENACTMENT

ORDINANCE NO. 1073

AN ORDINANCE OF THE CITY OF SUTHERLIN AMENDING CERTAIN SUBSECTIONS OF SECTIONS 13.12.270 AND 13.12.280 OF THE SUTHERLIN MUNICIPAL CODE TO CLARIFY THE PROCESS FOR SEWER MAIN EXTENSIONS REIMBURSEMENTS AND DECLARING AN EMERGENCY.

THIS ORDINANCE WILL BE CONSIDERED BY COUNCIL AT THE REGULAR COUNCIL MEETING OF

**FIRST READING & ADOPTION:
MONDAY, JANUARY 13, 2020 @ 7PM
SECOND READING (if needed):
MONDAY, JANUARY 27, 2020 @ 7PM
CIVIC AUDITORIUM - 175 E. EVERETT AVENUE**

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Posted this day, January 6, 2020
By Diane Harris
City Recorder

ORDINANCE NO. 1073

AN ORDINANCE OF THE CITY OF SUTHERLIN AMENDING CERTAIN SUBSECTIONS OF SECTIONS 13.12.270 AND 13.12.280 OF THE SUTHERLIN MUNICIPAL CODE TO CLARIFY THE PROCESS FOR SEWER MAIN EXTENSION REIMBURSEMENTS AND DECLARING AN EMERGENCY

WHEREAS, the City has adopted a process for reimbursing a developer for the costs associated with sewer main extensions that serve properties other than the developer's property; and

WHEREAS, the City desires to amend such procedures to clarify the process as well as accommodate projects that begin before the reimbursement request is made.

NOW, THEREFORE, THE CITY OF SUTHERLIN ORDAINS AS FOLLOWS:

Section 1. Subsection 13.12.270(A) of the Sutherlin Municipal Code is amended as follows:

13.12.270 Sewer main extensions.

A. It shall be the responsibility of the applicant or developer to provide adequate sewer main extensions for any proposed project within the city. All costs of installation of the extensions, including but not limited to engineering, materials and constructions, shall be borne by the developer. In those instances where the extension(s) directly benefit adjacent properties, the developer may request a sharing of the costs with the benefitted property owners through two methods of alternative financing defined in Section 13.12.280; ~~methods include formation of a local improvement district or arrangement by dedicated account.~~

Section 2. Subsections 13.12.280(A), (C), (F) and (H) of the Sutherlin Municipal Code are amended as follows:

13.12.280 Financing of sewer main extensions.

A. Financing of Extensions. It shall be the responsibility of any developer to provide adequate sewage main extensions for any proposed project within the city. Developers and installers of any and all sewage main extensions must meet minimum prequalified standards and material specifications set by the city. These standards shall include, but are not limited to, insurance requirements, bonding requirements and experience in the field of sewage line installation. The extensions must be installed in accordance with the city's specifications which are available upon request All costs for installation of the extensions, including but not limited to engineering, materials and construction, shall be borne by the developer. In those instances where the extension(s) directly benefits adjacent properties, the developer may request a sharing of costs with the benefitted property owners through ~~two~~ three methods of alternative financing:

1. Local Improvement District. When a majority of adjacent property owners agree to share in financing the cost of the project, the developer may petition the city council for the formation of a local improvement district in accordance with subsection E of this section.

2. Dedicated Account. If the entirety of adjacent property owners to be benefitted by the extension(s) wish to participate in a prorated sharing of the financing costs of the project, a dedicated account shall be established by the benefitted property owners at a financial institution for the purpose of retaining monies collected by the property owners who participate, and payment to the developer or developer's contractor shall be through that dedicated account ~~in accordance with subsection F of this section.~~

3. Reimbursement Agreement. The developer and any property owners who share in the financing costs of the project may enter into a reimbursement agreement with the city pursuant to subsections C and F of this section.

~~Installation Requirements. Developers and installers of any and all sewage main extensions must meet minimum prequalified standards and material specifications set by the city. These standards shall include, but are not limited to, insurance requirements, bonding requirements and experience in the field of sewage line installation. The extensions must be installed in accordance with the city's specifications which are available upon request.~~

C. Reimbursements. Pursuant to an agreement entered into under subsection F of this section, ~~T~~the developer may be entitled to reimbursements in the areas where the developer is solely required to extend mains through or adjacent to properties not within the developer's project and which properties are substantially benefitted by the extension(s). Except as otherwise provided in this subsection, the entitlement period for reimbursement shall not exceed ten years following installation of the project extensions. At the city manager's sole discretion, the entitlement period may be extended for up to an additional ten years. Entitlement to reimbursement shall further be allowed to property owners who share in the financing costs of the ~~project pursuant to subsection F of this section~~ on a prorated basis, when subsequent users connect to the extension within the entitlement period. Reimbursement shall come from a connection charge imposed during the entitlement period as follows:

1. Connection Charge. A charge shall be imposed upon adjacent properties which subsequently connect to a main sewer extension during the entitlement period. Such connection charge must be assessed and paid in full before a benefitted adjacent property is entitled to receive sewage services.

2. Calculation of Connection Charge. Unless another process is set forth in the agreement entered into pursuant to subsection F of this section, ~~T~~the wastewater connection charge normally will be based upon an area formula consisting of proportionately equal connection charges, to be calculated as follows:

$$\frac{(Total\ project\ costs) \times (Area\ of\ property\ requesting\ service)}{(Total\ area\ served\ by\ the\ extension)}$$

The area shall be based upon the product of the front footage times the depth of the lots benefitted. In areas where no established lot exists, the depth shall be one hundred fifty (150) feet or a logical approximation of the depths to be served, as established by the director. The total costs of the project shall cover all costs related to the project including material, installation, inspection, engineering and overhead.

3. Competitive Bids. Unless another process is set forth in the agreement entered into pursuant to subsection F of this section ~~P~~prior to construction of the extension, the developer or developer's contractor must furnish the director with a cost estimation for the project. If the director determines that the cost projection is abnormally high relative to engineering estimates of similar projects, he may require the developer to furnish two competitive bids, and the developer will be entitled to reimbursement at a rate no higher than the lowest bid. Failure by the developer to submit the required competitive bids may disqualify the developer from entitlement to refunds provided for in this section.

4. Interest. No interest will be allowed in computing the total cost of reimbursement entitlement.

F. Contract of Agreement. A written agreement between the developer and the city outlining the criteria prescribed in subsections C and D of this section must be signed prior to the developer or any property owners who share in the financing costs of the project being entitled to reimbursement. Such agreements must be approved by the council at a public meeting and may be entered into any time prior to the start of construction of the project and up to 180 days after completion and acceptance of the project by the city. ~~starting construction of the project. Thereafter a dedicated account shall be established at a financial institution for the purpose of retaining monies collected by the property owners who participate, and payment to the developer or developer's contractor shall be through that dedicated account.~~

H. Notice to Abutting Property Owners. Within T~~hirty~~ (30) days ~~prior to construction~~ of the execution of the written agreement required by subsection F of this section, ~~project,~~ the city shall notify all property ~~owners located within two hundred (200) feet of the main extension(s), and any other property owner of record~~ who, in the determination of the director, ~~may be~~ are benefitted by a future connection and subject to the connection charge required by subsection C of this section. The notification shall be in writing and sent by certified mail. In addition to a brief description of the project and its cost estimates, the notice shall further include a copy of this section, information regarding the estimated connection charge for each property, and the date upon which the entitlement period is expected to expire. The city recorder shall cause notice connection fee to be filed in the office of the Douglas County clerk to provide notice to a potential purchaser of property. Filing notice with the clerk shall not create a lien. Failure to make such filing shall not affect the legality agreement or the obligation to pay the connection fee. The city recorder shall also keep a record of the names and addresses of the property owners receiving notification for a period of not less than two years from the date of mailing of the notice.

Section 3. Amendments to the City’s reimbursement procedures are necessary for the continued development of projects within the City, which benefit the economic vitality of the community at large and increase the City’s tax base, therefore the City Council declares it is necessary for the immediate preservation of the public health and safety for this Ordinance to have immediate effect. This Ordinance shall become effective immediately upon its passage by the City Council

PASSED BY THE CITY COUNCIL ON THE ____ DAY OF _____, 2020.

APPROVED BY THE MAYOR ON THE ____ DAY OF _____, 2020.

Todd McKnight, Mayor

ATTEST:

Diane Harris, City Recorder, CMC

REIMBURSEMENT AGREEMENT
BETWEEN
SAM ROBINSON
AND
THE CITY OF SUTHERLIN, OREGON

THIS AGREEMENT is made and entered into this 13th day of January, 2020 (“Effective Date”) by and between the City of Sutherlin (“City”), a municipal corporation of the State of Oregon, and Sam Robinson (“Developer”).

RECITALS

WHEREAS, Developer received a Development Permit from the City to Hwy 138 – Duke Sanitary Sewer Improvements project; and

WHEREAS, the Development Permit requires Developer to construct certain Public Improvements including the installation of a sanitary sewer line to serve the Project; and

WHEREAS, the Public Improvements will be designed and constructed larger than necessary to serve only the Project and will have sufficient capacity to serve adjacent properties, thereby relieving the adjacent properties of the cost to design and build public facilities when the adjacent properties develop; and

WHEREAS, the adjacent properties (Benefited Properties) benefit from the Public Improvements to the extent the Benefited Properties are relieved of the cost to design and build similar public facilities when they develop; and

WHEREAS, Developer requested a reimbursement agreement with the City under Sutherlin Municipal Code chapter 13.12; and

WHEREAS, the City believes it is in the best interests of the public at large to enter into a reimbursement agreement to ensure that the Benefited Properties pay their percentage shares of the eligible cost of the Public Improvements upon development; and

WHEREAS, the City Council approved of this Agreement at a properly noticed public meeting on January 13, 2020; and

WHEREAS, the City Council authorized the City Manager to enter into this Agreement with Developer, specifically including those items described in Sutherlin Municipal Code Chapter 13.12.

NOW, THEREFORE, in consideration of the foregoing and consistent with the terms of Sutherlin Municipal Code Chapter 13.12, the parties agree as follows:

1. Cost of Public Improvements

The Public Improvements subject to this agreement are those sanitary sewer facilities described in Exhibit A to this Agreement and incorporated as if fully set forth herein.

The total cost of the Public Improvements to Developer is \$186,529.00. The total cost of the Public Improvements that is eligible for reimbursement is \$ _____.

Derek M. Miller, PE, of i.e., Engineering Inc., certified that the total cost of the Public Improvements to Developer is less than the engineering estimate for the Public Improvements, and as such, there is no need for Developer to provide the City with competitive bids under Sutherlin Municipal Code section 13.12.280.

2. Properties Subject to Reimbursement District and Cost Methodology

The Benefited Properties, the owners thereof, and the methodology employed by the City to allocate the cost of the Public Improvements across the Benefited Properties are set forth in the Exhibit B.

3. Warranties for Public Improvements

Developer agrees that all Public Improvements for which reimbursement is provided under this Agreement will be constructed to applicable City design and construction standards. Developer guarantees the Public Improvements to be free of any material defects in materials or workmanship for a period of twelve (12) months following the date the Public Improvements are accepted by the City.

4. Payment of Connection Charge

Under Sutherlin Municipal Code chapter 13.12, the owner of a Benefited Property is required to pay a Connection Charge to the City before the Benefited Property is entitled to receive sewage services. The City will make reasonable efforts to properly account for and collect the Connection Charge from each Benefited Property but is not liable for any failure to collect such Charge.

Within ninety (90) days of the City's receipt of the Connection Charge, the City shall pay the fee, less an administrative cost equal to one percent of the fee, to Developer.

5. Indemnification

Developer agrees to fully indemnify and defend the City, its officers, agents, and employees and hold them harmless from any and all liability, causes of action, claims, losses, damages, judgments, or other costs or expenses including attorneys' fees and related litigation costs at both at trial and on appeal, whether or not a trial or appeal ever takes place, that have

been incurred by the City after the execution of this Agreement or may be asserted by any person or entity which in any way arise from or are connected with the City entering into this Agreement.

Developer agrees that the City is not liable for any damages incurred by Developer, including costs and attorney fees, resulting from any aspect of the execution of this Agreement. Developer further waives and is estopped from bringing a claim of any kind, including a claim in inverse condemnation against the City because Developer has benefited by the City's approval of Developer's land use development, the required Public Improvements, and this Reimbursement Agreement.

6. Termination

This Agreement, and the obligation for a Benefitted Property to pay a Connection Charge prior to receiving sewage services shall automatically terminate ten years after the Effective Date unless, the City Manager, in the Manager's sole discretion, extends the termination date up to an additional ten years as requested by Developer.

7. Modification

This Agreement may be modified only by mutual written consent of the City and Developer.

8. Complete Agreement

This Agreement and any referenced attachments constitute the complete agreement between the City and Developer and supersede all prior written agreements or oral discussions related to the same matter.

9. Jurisdiction

Any dispute between the parties arising under this Agreement is subject to the laws of the State of Oregon and the jurisdiction of the Circuit Court for Douglas County.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives.

CITY OF SUTHERLIN:

DEVELOPER:

Jerry Gillham
City Manager

Sam Robinson

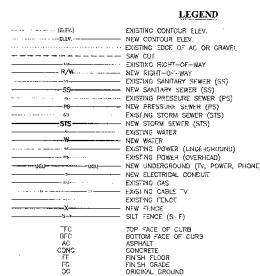
Date

Date

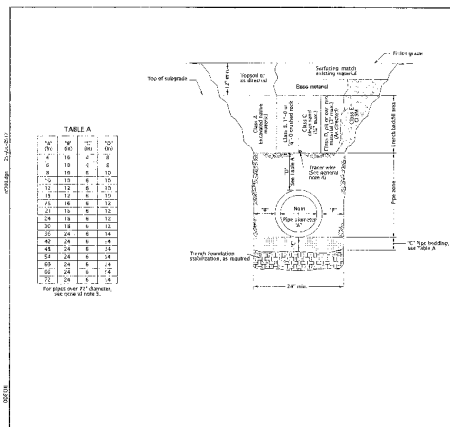
HWY 138-DUKE SANITARY SEWER IMPROVEMENTS

GENERAL STREET IMPROVEMENT NOTES

1. THE 2018 EDITION OF THE STANDARD SPECIFICATIONS FOR CONSTRUCTION PREPARED BY THE OREGON DEPARTMENT OF TRANSPORTATION AND THE AMERICAN PUBLIC WORKS ASSOCIATION (APW) SHALL BE CONSIDERED THE STANDARD SPECIFICATIONS.
2. ALL TRENCHES IN DUGLAS COUNTY ROADWAYS SHALL BE BACKFILLED WITH CLASS F, CLOM.
3. SAW-CUT EXISTING ASPHALT PRIOR TO EXCAVATING.
4. ALL ASPHALT PAVEMENT SHALL BE LEVEL 2, 3/4" DENSE HMAc PER SECTION 06744 OF THE STANDARD SPECIFICATIONS.
5. REPLACE ASPHALT IN DUNE AVENUE WITH TWO, 2" LIFTS.
6. ENGINEER AND CITY TO BE NOTIFIED FOR INSPECTION AS SHOWN ON SCHEDULE OF SPECIFICATIONS IN "GENERAL NOTES" FOR THAT SPECIFIC CONSTRUCTION ITEM.



- MANHOLE (MH)
- ⊗ CURB INLET (C)
- ⊗ CATCH BASIN (CB)
- CLEANOUT
- ⊗ FIRE HYDRANT
- VALVE
- WATER METER
- BLOWOFF
- POWER POLE
- LIGHT POLE
- GUY WIRE
- ⊗ POWER PEDESTAL
- ⊗ TELEPHONE PEDESTAL
- ⊗ GAS METER
- ⊗ CABLE TV PEDESTAL
- ⊗ MAIL BOX
- FLOW DIRECTION ARROW
- ⊗ TREE (EVERGREEN)
- ⊗ TREE (DECIDUOUS)
- ⊗ SPECIAL
- DETAIL REFERENCE



Age (yr)	% 10	% 20	% 30	% 40
4	16	2	0	0
6	10	5	0	0
8	10	8	3	0
10	10	6	3	0
12	12	6	3	0
13	12	8	3	0
15	16	6	3	0
16	15	8	3	0
18	18	8	3	0
20	18	8	3	0
22	24	6	3	0
24	24	8	3	0
26	24	8	3	0
28	24	8	3	0
30	24	8	3	0
32	24	8	3	0
34	24	8	3	0
36	24	8	3	0
38	24	8	3	0
40	24	8	3	0
42	24	8	3	0
44	24	8	3	0
46	24	8	3	0
48	24	8	3	0
50	24	8	3	0
52	24	8	3	0
54	24	8	3	0
56	24	8	3	0
58	24	8	3	0
60	24	8	3	0
62	24	8	3	0
64	24	8	3	0
66	24	8	3	0
68	24	8	3	0
70	24	8	3	0

GENERAL NOTES FOR ALL DETAILS:

1. Surfacing of paved areas shall comply with street cut sheet, Div. 3, Section 302.00.
2. The pipe installation in unshaded areas, without any trench method, shall be done in a trench that is 12" dimension, 18" in height and 18" in width.
3. Pipes over 12" diameter are structures, and are not applicable to this detail.
4. See SDG 602.00 for required pipe details/notes.

DATE: 16/08/2016
 DRAWN BY: 
 CHECKED BY: 

PROJECT: KUSTAN STANDARD DRAWING
 TRENCH BACKFILL, BED
 PIPE ZONE AND MULTI
 INSTALLATIONS

DATE: 2016
 DRAWN BY: 
 CHECKED BY: 

THE INFORMATION SET OUT IN THIS DRAWING, INCLUDING ALL NOTES, IS THE PROPERTY OF KUSTAN. IT IS TO BE USED ONLY FOR THE PROJECT SPECIFICALLY IDENTIFIED AND IS NOT TO BE REPRODUCED OR USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF KUSTAN.

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Rev.	Date	Dwg	Description
1	2-15-13	404	10" CONCRETE
2	2-15-13	404	10" CONCRETE
3	6-23-13	5" 6"	10" CONCRETE

HWY 138-DUKE SS IMPROVEMENTS

1 OF 6

EXHIBIT B

Benefitted Properties

The Connection Charge will be based upon an area formula consisting of proportionately equal connection charges, to be calculated as follows:

$$\frac{(\$186,529.00 - \text{Total project costs}) \times (\text{Area of property requesting service})}{(\text{Total area served by the extension})}$$

The area shall be based upon the product of the front footage times the depth of the lots benefitted. In areas where no established lot exists, the depth shall be one hundred fifty (150) feet or a logical approximation of the depths to be served. The total costs of the project shall cover all costs related to the project including material, installation, inspection, engineering and overhead. No interest will be allowed in computing the total project costs.

The list of Benefitted Properties, their owners, and the applicable Connection Charge imposed pursuant to this agreement are as follows:

Benefitted Property	Owner(s)	Connection Charge



City of Sutherlin

STAFF REPORT					
Re: Consulting Services for Urban Renewal Scope of Work				Meeting Date:	01-13-2020
Purpose:	Action Item ☒	Workshop ☐	Report Only ☐	Discussion ☐	Update ☐
Submitted By: Kristi Gilbert, Community Development Supervisor Brian Elliott, Community Development Director				City Manager Review	☒
Attachments:	Urban Renewal Plan and Scope of Work and Urban Renewal Project Development Task Force Roster and Job Description.				

WHAT IS BEING ASKED OF COUNCIL?

City staff is requesting Council approval to proceed with finalizing the scope of work and Urban Renewal Plan submitted by Elaine Howard Consulting in the amount of \$41,685 and further, by this vote, endorsing the proposed Urban Renewal Project Development Task Force.

EXPLANATION

At the December 9, 2019 Council meeting, Elaine Howard presented the findings of the Urban Renewal Feasibility Study that also included a job description and listing of proposed Urban Renewal Project Development Task Force members. Based on the findings, the next step would be to establish an Urban Renewal Agency and proceed through the public process as outlined in the attached scope of work, provided by Elaine Howard Consulting. Additionally, as a means of accelerating urban renewal action, staff has simultaneously moved to create the task force referenced above. In other words, instead of waiting to complete the required 3-4 month public process to then create stakeholder-driven projects, our plan is to have projects presented for your consideration immediately upon formal status approval.

OPTIONS

To approve contract as submitted in the amount of \$41,685.
Not to approve contract as submitted in the amount of \$41,685.

SUGGESTED MOTION(S)

To approve contract as submitted in the amount of \$41,685.

**Urban Renewal
Project Development Task Force**

Suggested Representation:

- | | |
|-----------|--|
| 2 | School District
Terry Prestianni
School Board Member |
| 2 | City Councilors
Travis Tomlinson
Tom Boggs |
| 1 | Planning Commissioner
Adam Sarnoski |
| 2 | Downtown Businesses
J. Lindeen Brown/ State Farm
David Debysingh/ Sutherlin Pharmacy |
| 2 | Downtown Property Owners
Dan Bartrom/Nicole Bennett
Stan McKnight |
| 2 | At Large
Scott Cameron
Pat Fahey |
| 6 | Staff Support and Consulting Advisors
Brian Elliott: Community Development
Kristi Gilbert: Administrator/Main Street
Dan Wilson: Finance
Jaime Chartier: Planning
Aaron Swan: Infrastructure/Construction
Gary Fadness: Design |
| 17 | Total |

Task Force Responsibilities

General

To consider development possibilities within the Urban Renewal Area that could realistically be translated into Urban Renewal projects; then prioritize, refine and establish specific proposed projects for consideration by the Urban Renewal Agency Board (City Council).

Four Areas of Responsibility

- Area 1: In partnership with the Sutherlin School District, lay-out a conceptual plan and project activities list that would result in the creation of new sports and recreation grounds that could include Baseball (all levels), Softball (all levels), Soccer/Football, Jogging Trail around property connected to Red Rock Trail and other opportunities.
- Area 2: Develop a one block revitalization project in support of the identified priorities for downtown by Sutherlin Downtown Development presented below:
 1. A “Back to the Future” theme both in terms of possible design and also finding a way to have something that shows where we’ve come from.
 2. Eating establishments for both morning and evening.
 3. Brew pub of some sort.
 4. Entertainment/Attraction venue such a movie theater, bowling alley or other indoor activities.
 5. Family and sports play area, t-ball, softball, baseball, soccer fields, etc. (Also Area 1 above)
 6. Multiple shopping options.
 7. Parking with immediate shopping venues nearby.
 8. Make sure hours of operation extend into weekend and evenings.
 9. Keep it clean and presentable.
 10. Electric car charging.
 11. Signs from freeway to downtown
 13. Clean up Central blighted areas.
- Area 3: Work with the property owner of lands currently used by little league baseball on Calapooia, to master plan, design, engineer, install infrastructure and construct one industrial spec-building for recruiting traded-sector jobs to Sutherlin on these lands.
- Area 4: Consider the critical debilitating elements of economic growth along Central Avenue from downtown to I-5 and establish a series of responsive projects that would stimulate economic investment or improve the livability of our community using urban renewal resources.

Time

We would expect to hold one (possibly 3-hour) workshop to establish initial work tasks and staff assignments and then meet once a month for the next 6-months.



REPORTS





REVIEW COUNCIL PRIORITIES (Power Point)





City of Sutherlin

126 E. Central Avenue
Sutherlin, OR 97479
541-459-2856
Fax: 541-459-9363
www.cityofsutherlin.com

STAFF REPORT					
Re: S. Calapooia Low Pressure Force Main Extension				Meeting Date:	1-13-2020
Purpose:	Action Item ☐	Workshop ☐	Report Only ☐	Discussion ☐	Update ☒
Submitted By: Brian Elliott, Community Development Director				City Manager Review	☒
Attachments: N/A					

WHAT IS BEING ASKED OF COUNCIL?

This staff report is to give City Council an update on the installation of roughly 1500 liner feet of 4" Low Pressure Sanitary Sewer Force Main, located near 1111 S. Calapooia (Serv Pro) South to 1350 S. Calapooia (Great Northern Trailer).

EXPLANATION

This improvement will allow up to 16 residential and industrial-zoned land sites to be developable. The schedule is as follows: Design completed by mid-January, bidding process January through February, City Council approval of contract March 9th and construction Spring/Summer 2020.

OPTIONS

Not Applicable

SUGGESTED MOTION(S)

None



City of Sutherlin

126 E. Central Avenue
Sutherlin, OR 97479
541-459-2856
Fax: 541-459-9363
www.ci.sutherlin.or.us

STAFF REPORT					
Re: 2019 SDC Summary Report				Meeting Date:	01/13/20
Purpose:	Action Item ☐	Workshop ☐	Report Only ☒	Discussion ☐	Update ☐
Submitted By: Dan Wilson, Finance Director				City Manager Review	☒
Attachments: SDC Annual Report					

WHAT IS BEING ASKED OF COUNCIL?

As this is only an informational report no action is being asked of council.

EXPLANATION

ORS 223.311 states that "The local government shall provide an annual accounting for system development charges showing the total amount of system development charge revenues collected for each system and the projects that were funded in the previous fiscal year".

The attached report is meant to satisfy the requirements of ORS 223.311.

ORS 223.229 (2) & (3) distinguishes between Improvement SDCs and Reimbursement SDCs. Currently the City of Sutherlin only charges for Improvement SDCs which are to be used for future capital improvements to the City. Reimbursement SDCs are repayments for capital improvements already completed.

OPTIONS

N/A

SUGGESTED MOTION(S)

N/A

System Development Charges



Annual Report

In accordance with ORS 223.311 the City shall provide an annual accounting of revenue collected and amount spent on each project funded in whole or in part by SDC revenue.

For FY 2018-2019 the following was recognized:

Street SDC

Improvement SDC Balance 07/01/2018:	283,062
Reimbursement SDC Balance 07/01/2018:	-
Revenue:	
Improvement SDC	66,955
Reimbursement SDC	-
Expenditures:	
Improvement SDC Projects	-
Reimbursement SDC Projects	-
Improvement balance 06/30/2019:	<u>350,017</u>
Reimbursement balance 06/30/2019:	<u>-</u>

Parks SDC

Improvement SDC Balance 07/01/2018:	-
Reimbursement SDC Balance 07/01/2018:	-
Revenue:	
Improvement SDC	30,000
Reimbursement SDC	-
Expenditures:	
Improvement SDC Projects	-
Reimbursement SDC Projects	-
Improvement balance 06/30/2019:	<u>30,000</u>
Reimbursement balance 06/30/2019:	<u>-</u>



System Development Charges

Annual Report; Continued

Water SDC

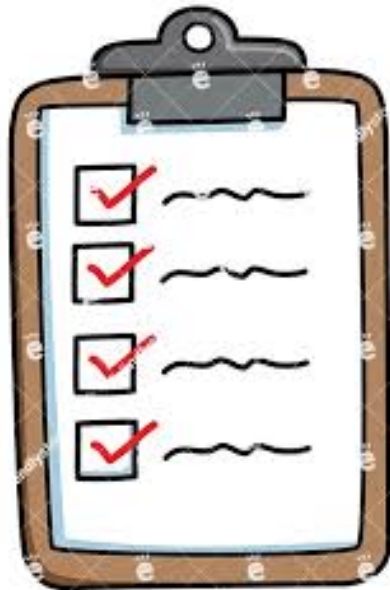
Improvement SDC Balance 07/01/2018:	170,966
Reimbursement SDC Balance 07/01/2018:	-
Revenue:	
Improvement SDC	108,373
Reimbursement SDC	-
Expenditures:	
Improvement SDC Projects	-
Reimbursement SDC Projects	-
Improvement balance 06/30/2019:	<u>279,339</u>
Reimbursement balance 06/30/2019:	<u>-</u>

Wastewater SDC

Improvement SDC Balance 07/01/2018:	-
Reimbursement SDC Balance 07/01/2018:	-
Revenue:	
Improvement SDC	8,586
Reimbursement SDC	-
Expenditures:	
Improvement SDC Projects	
Wastewater Treatment Plant Upgrade	8,586
Reimbursement SDC Projects	-
Improvement balance 06/30/2019:	<u>-</u>
Reimbursement balance 06/30/2019:	<u>-</u>



STRATEGIC PLAN UPDATE





City of Sutherlin

STAFF REPORT					
Re: Schoon Mountain Storage Tank and Sixth & Oak Pump Station Improvements.				Meeting Date:	01-13-2020
Purpose:	Action Item ☐	Workshop ☐	Report Only ☐	Discussion ☐	Update ☒
Submitted By: Brian Elliott, Community Development Director				City Manager Review	☒
Attachments:					

WHAT IS BEING ASKED OF COUNCIL?

This Staff Report is to provide City Council an update regarding the Schoon Mountain Storage Tank and Sixth & Oak Pump Station Improvements.

EXPLANATION

On December 10, 2018, City Council approved Resolution 2018.23 authorizing a loan from Safe Water Revolving Loan Fund (SWRLF). The award consisted of a loan of \$387,990 and a grant of \$447,990 with an interest rate on the loan of 1.0% for a maximum term of 30 years.

Improvements include Schoon Mountain Storage Tanks (2-12,000 gallon steel tanks) to be replaced with a single 135,000 gallon glass-fused-to-steel tank. Sixth & Oak Pump Station, below ground, will be replaced with a new above ground pump station.

On March 11, 2019 Council awarded engineering services for design, bidding and construction management to The Dyer Partnership Engineers and Planners Inc., in the amount of \$143,900.00

We are currently on schedule and expect to start the bid process in mid-January 2020. Below is the remainder schedule for this project.

Present to Council (Tentative)	Feb. 10, 2020 @ 7:00 p.m. PST
Award Contract Notice to Proceed (Tentative)	Feb. 11, 2020
Start Construction (Tentative)	Mar. 2020
Complete Construction (Tentative)	Nov. 2020
Report to City	Jan. 11, 2021 @ 7:00 p.m. PST

OPTIONS

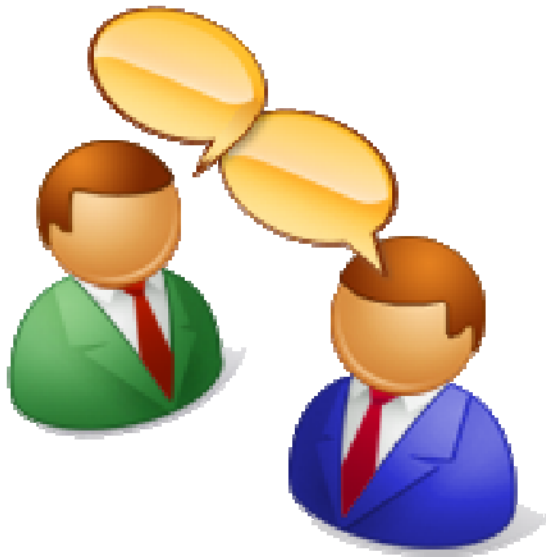
N/A

SUGGESTED MOTION(S)

N/A



COUNCIL COMMENTS





PUBLIC COMMENT





ADJOURNMENT





EXECUTIVE SESSION





FOR YOUR INFORMATION



Melanie Masterfield

From: Melanie Masterfield
Sent: Wednesday, January 8, 2020 9:05 AM
To: Ashley (ashley@bciradio.com); DC Commisioners (commissioners@co.douglas.or.us); Erica Welch; KUGN (news@kugn.com); Kyle-KQEN (KYLE@BCIRADIO.COM); News Desk (newsdesk@nrtoday.com); Register Guard (rgnews@registerguard.com); Roseburg Beacon (info@roseburgbeacon.com)
Subject: City of Sutherlin Council Meeting
Attachments: CC AGENDA JAN 13.20 Reg Meeting.pdf

Good morning. Please see the attached agenda for the Sutherlin City Council Meeting on Monday, January 13, 2020.



Melanie Masterfield
Deputy City Recorder

City of Sutherlin
126 E Central Ave
Sutherlin, OR 97479
541-459-2856

m.masterfield@ci.sutherlin.or.us