

CITY OF SILVERTON
CITY COUNCIL SPECIAL MEETING
Monday, January 22, 2024 – 6:30 p.m.



Council Chambers – 421 South Water Street and Zoom

Americans with Disabilities Act – The City of Silverton intends to comply with the A.D.A. The meeting location is accessible to individuals needing special accommodations such as a sign language interpreter, headphones, or other special accommodations for the hearing impaired. To participate, please contact the City at 503-874-2216 at least 48 hours prior to the meeting.

A copy of the full packet is available on the City's website at <https://silverton.or.us/meetings>. In accordance with House Bill 2560 and City Of Silverton Resolution 22-06, the meeting will be held in a hybrid format: in person, and electronically using the Zoom web conference platform. If you wish to participate through the Zoom web conference platform, see meeting information below.

Zoom meeting link:

<https://us02web.zoom.us/j/88299392112?pwd=aXhla3lmWHRxNTBHYXBmUGFuYWtBdz09>

Webinar ID: 882 9939 2112

Passcode: 697471

Phone: 253-215-8782

AGENDA

I. OPENING CEREMONIES – Call to Order, Pledge of Allegiance and Roll Call

II. PUBLIC COMMENT– This is a business meeting of the City Council. The City values and welcomes public input. Please address the Council as a whole and not individual Council Members. Do not address staff or members of the audience. Council action on items brought up in Public Comment is limited by the Oregon Open Meeting Law. The Council may direct staff to study the matter and reschedule it for further consideration later. Items on the agenda will not be heard or discussed during Public Comment but will be accepted at that place on the agenda. Individuals are limited to three (3) minutes.

III. DISCUSSION/ACTION

- 3.1 Second Reading of Ordinance No. 24-01 - Approving a Zone Change from R-1 to R-5 at 602 Eureka Avenue – Community Development Director Jason Gottgetreu

IV. DISCUSSION ITEMS

- 4.1 ODOT/City Working Relationship Overview – Area 3 Manager ODOT, Region 2 – Anna Henson


4.2 Mid-Year Update on the FY 2023-24 City Council Goals – City Manager Cory Misley

4.3 Extended RV Parking (Temporarily Residing) on Church Properties – Community Development Director Jason Gottgetreu

4.4 Discussion of 2024 City Council Calendar – City Manager Cory Misley

v. COUNCIL COMMUNICATIONS

vi. ADJOURNMENT

	Agenda Item No.:	Topic:
	3.1	Ordinance No. 24-01 - Approving a Zone Change from R-1 to R-5 at 602 Eureka Avenue.
	Agenda Type:	
	Discussion/Action	
	Meeting Date:	
January 22, 2024		
Prepared by:	Reviewed by:	Approved by:
Jason Gottgetreu	Cory Misley	Cory Misley

Recommendation:

Adopt Ordinance No. 24-01, Approving a Zone Change from R-1 to R-5 at 602 Eureka Avenue on its second and final reading.

Background:

The applicant submitted an application on October 10, 2023, requesting a Zone Change for 602 Eureka Avenue to change the zoning of the site from R-1, Single Family Residential to R-5, Low Density Residential. The site is 5.15 acres in area and is currently vacant. This would allow the site to develop between 5 and 10 units per acre for an overall density range of 25 to 51 dwelling units. The existing development capacity of the site under the R-1 zoning is 42 dwelling units.

The Planning Commission reviewed the application at the November 14, 2023, Planning Commission Meeting and recommended the City Council deny the Zone Change request. The City Council reviewed the application at the December 4, 2023, meeting and directed staff to prepare an Ordinance to approve the Zone Change request.

The City Council approved the Ordinance on its first reading at the January 8th, 2024, City Council meeting. In order to meet the 120-day review deadline, the Council has to take final action on the application prior to February 2, 2024.

Budget Impact	Fiscal Year	Funding Source
None	2023-2024	N/A

Attachments:

1. City Council Ordinance No. 24-01 - Approving a Zone Change from R-1 to R-5 at 602 Eureka Avenue on its second and final reading.

CITY OF SILVERTON
ORDINANCE
24-01

AN ORDINANCE OF THE SILVERTON CITY COUNCIL APPROVING A ZONE CHANGE TO ZONE 602 EUREKA AVENUE R-5, LOW DENSITY RESIDENTIAL. MARION COUNTY ASSESSOR'S MAP 071W03A TAX LOT 0600

WHEREAS, a Zone Change application was made by Charles Weathers (Orreo LLC) PO Box 2717 Salem OR 97308 to change the zoning of 602 Eureka Avenue from R-1, Single Family Residential to R-5, Low Density Residential; and

WHEREAS, the Planning Commission met in a duly advertised Public Hearing on November 14, 2023 to consider the proposed Zone Change, allowed testimony, reviewed the application; and

WHEREAS, following public testimony, the Planning Commission deliberated and recommends the City Council hold a public hearing to deny the proposed application (ZC-23-01); and

WHEREAS, after proper legal notice, a Public Hearing before the City Council was held on December 4, 2023, to consider ZC-23-01. All interested parties participated and had an opportunity to be heard. The City Council reviewed all matters presented to it.

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

Section 1: The City Council finds that the burden of proof for the zone change has been met and the request meets the applicable review criteria; therefore, the request to change the Zoning from R-1 to R-5 for the property is approved.

Section 2: In support of its decision, the City Council adopts the findings contained in "Exhibit A".

Section 3: This ordinance is and shall be effective within 30 days of its passage.

Ordinance adopted by the City Council of the City of Silverton, this 22nd day of January 2024.

Mayor, City of Silverton
Jason Freilinger

ATTEST:

City Manager/Recorder, City of Silverton
Cory Misley

ZC-23-01

The City Council of the City of Silverton adopts the following findings:

1. The applicant submitted an application requesting a Zone Change to change the zoning of 602 Eureka Avenue (Marion County Assessor's Map 071W03A Taxlot 0600) from R-1, Single Family Residential to R-5, Low Density Residential.
2. The Planning Commission met in a duly advertised Public Hearing on November 14, 2023, to consider the proposed Zone Change, allowed testimony, and reviewed the application. Following public testimony, the Planning Commission deliberated and recommends the City Council hold a public hearing to deny the proposed application (ZC-23-01).
3. After proper legal notice, a Public Hearing before the City Council was held on December 4, 2023, to consider ZC-23-01. All interested parties participated and had an opportunity to be heard. The City Council reviewed the application at the December 4, 2023, meeting and directed staff to prepare an Ordinance to approve the Zone Change request.
4. The applicant submitted an application on October 6, 2023. A public notice for this request was mailed to all property owners within 700 feet of the site on October 25, 2023. The notice was published in the Statesman Journal on November 1, 2023. The site posted on November 2, 2023. The application was reviewed by the Planning Commission November 14, 2023, and the City Council December 4, 2023. The City Council will take action on the application at the January 8, 2024, meeting.
5. The site has frontage on Eureka Avenue which is a Collector Roadway under Marion County jurisdiction. The site is designated Single Family Residential on the Comprehensive Plan and is zoned R-1, Single Family Residential. As shown on the Zoning Compatibility Matrix, the R-5 zone is a compatible zoning district with the Single-Family Comprehensive Plan Designation.
6. The R-5 Zone requires property to develop at densities ranging from five dwellings per acre to not more than 10 dwellings per acre. The R-1 Zone requires property to develop at densities ranging from 2 to 6 units per acre. The site is 5.15 acres in size, which under the current zoning would allow between 10 and 31 units to be developed on the site. Previous site approval for a 21-lot subdivision could result in 42 dwellings on site per HB 2001 as each lot could develop as a duplex. The known development capacity of the site is 42 dwellings, which is above the stated max density in the Silverton Development Code and is allowed by HB 2001. The zone change would allow the site to develop between 26 and 52 units. The zone change effectively allows the site to develop 10 additional dwelling units over the R-1 development capacity.
7. The goal of the Urbanization element of the Comprehensive Plan (Comp Plan) is to "Provide adequate land to meet anticipated future demands for urban development in a logical and orderly manner." A Policy of the Urbanization element indicates that multiple family development will be encouraged, especially in but not limited to, areas close to the

central business district, or within walking distance of neighborhood commercial area, or in areas designated for mixed use. It is also desired that multiple family development should be scattered around the community and not concentrated within any one particular area. Small developments which fit in the existing neighborhood are preferred. The site is located approximately 3,500' from the central business district.

8. The City adopted a Housing Needs Analysis (HNA) as a support document to the Comprehensive Plan which found that Silverton has an existing deficit of housing affordable for low-income households, which indicates a need for a wider range of housing types for renters and homeowners. About 30% of Silverton's households are cost burdened (paying more than 30% of their income on housing), including a cost-burden rate of 46% for renter households.
9. Silverton is planning for continued growth in single-family detached housing but more growth in single-family attached and multifamily dwelling units is needed to meet the City's housing needs. The factors driving the shift in types of housing needed in Silverton include changes in demographics and decreases in housing affordability. The aging of Baby Boomers and the household formation of Millennials will drive demand for renter and owner-occupied housing, such as single-family detached housing, townhouses, duplexes, triplexes, quadplexes, and apartments. Both groups may prefer housing in walkable neighborhoods, with access to services.
10. The Housing Element of the Comprehensive lists policies to 'Encourage opportunities which will provide affordable housing to meet the needs of low income, elderly, handicapped, families, and individuals within the Silverton area', 'Provide opportunities for the development of attached and detached single-family and multi-family dwellings such as duplexes, row houses, and town house apartments', and 'Allow accessory dwelling units, subject to city development and building regulations, in all residential zones'.
11. The 2008 Parks Master Plan identifies a connector route dissecting the subject property connecting The Oregon Garden to Pettit property/downtown. The 2021 Water Master Plan calls for a new connection to the Anderson PRV zone in front of the property. Applicant notes that the zone change doesn't impact the cities ability to undertake the project.
12. The zoning is consistent with the comprehensive plan map designation. The area has Public use to the south and the remaining area is single family residential. The potential negative impact on the area resulting from the change would be an increase in traffic based on increase in density of 10 dwelling units for the site over the existing zoning.
13. According to the Institute of Transportation Engineers Trip Generation Manual, a duplex is estimated as adding 2 p.m. peak hour trips (PMPHT) to the transportation system, a single-family dwelling is estimated as adding 1 PMPHT, and an apartment is estimated as adding .62 PMPHT. Using these estimates, the previous 21 lot single family subdivision, if developed with all single-family dwellings, would add 21 PMPHT trips to the transportation system. If the 21-lot subdivision were developed entirely as duplexes

as allowed per HB 2001, 42 PMPHT would be added to the transportation system. If the site were to develop as a 51-unit multifamily development, 31 PMPHT would be added to the transportation system.

14. The range of possible dwelling units for the vacant multi-family properties in the City Limits is 17-27 dwelling units. It should be noted that there are currently zero vacant properties zoned RM-20, Multi-Family High Density. Silverton's 654 acres of buildable land in the UGB has the capacity to accommodate 2,320 new dwelling units. While Silverton's forecast for demand is for 1,158 new dwelling units, Silverton has a deficit of capacity for 304 dwelling units in the Multifamily plan designation (over the 2020 to 2040 period). The following summarizes Silverton's land sufficiency results by plan designation.
15. Silverton has a deficit of land for 304 dwelling units in the Multifamily plan designation (about 17 gross acres). Currently, Silverton's available land in its Multifamily plan designation is zoned at densities consistent with the Single-Family plan designation which cannot accommodate most multifamily housing types. Addressing this deficit is key to meeting Silverton's housing needs over the 20-year period.
16. The site is adjacent to the City water and storm sewer systems and is located approximately 165' from sanitary sewer. There is a 12" water main on the mid-level zone running north from the PRV station that ends along the frontage of the site. It is feasible to run a 8" line from the end of this 12" across Eureka to supply water to a potential development. This will allow the services to be put in without individual Pressure Reducing Valves. To provide sufficient fire flow it would be feasible to come off the cross on the line running to the Oregon Garden and run 8" lines north and south to any hydrants needed. The transportation network is currently in place.
17. The transportation planning rule is not applicable.
18. The request does not involve a change to the Urban Growth Boundary.
19. The site has frontage on Eureka Avenue which is a Collector Roadway under Marion County jurisdiction. As part of any future development, an Access Permit would required from Marion County for access to Eureka Avenue which would likely preclude or limit direct driveway access to Eureka. A 22-foot-wide access and utility easement traverses the site from Eureka Avenue to the Oregon Garden. The easement would have to be maintained in any future development application.
20. Sanitary sewer exists approximately 165' Northwest of the site and has adequate size to serve development capacity of a zone change. A water main is located at Eureka Avenue and available to the site.

SILVERTON CITY COUNCIL GOALS – FY 2023-2024

Goal 1: Community Engagement – Improve/Enhance/Upgrade the City’s ability to communicate, (two-way communication).

Objective 1: Define the “measure for success” for community engagement.

Objective 2: Upgrade the City’s ability to communicate electronically.

Action Plan:

- Increase our ability to reach the public. (There is an APP for this.)
- Increase the availability of City applications

Objective 3: Create multi-lingual messaging.

Objective 4: Provide frequent updates to the public of the Civic Center progress through its completion.

Goal 2: Strive for community-wide connectivity for multi-modal use. (Emphasis on Water Street and the NE quadrant of the City)

Objective 1: Work with the City Manager to identify funding sources to respond to connectivity deficiencies.

Objective 2: Create a comprehensive project plan for improving the Mill Town streets connectivity, (NE Quadrant of City), and incorporate it into the 5 year capital improvement plan.

Action Plan:

- Identify the area and scope of the upgrades;
- Prioritize the project(s); and
- Add projects to the 5 Year Capital Plan

Goal 3: Enhance Silverton’s Parks & Recreation facilities

Objective 1: Update the Parks and Recreation Master Plan.

Objective 2: Construct Pettit Park Trail, Pickleball Courts and Disc Golf Amenities

Action Plan:

- Create partnerships for the design and construction of Pettit Park trail, pickleball courts and a disc golf course;
- Identify funding sources for the projects; and

- Design and construct the Pettit Park trail, pickleball courts and disc golf course based on an approved location.

Goal 4: Implement the City’s master plans

Objective 1: In-house refresher of sewer master plan

Goal 5: Address Silverton’s housing needs

Objective 1: Create Accessory Dwelling Unit program.

Objective 2: Identify and begin planning for a new affordable housing project.

Action Plan

- Defining the scope of an affordable housing project
- Identify funding sources for affordable housing projects
- Identify development models for affordable housing projects
- Community Engagement

Goal 6: Appropriately utilize URA resources and capabilities


Objective 1: Create and publish a “request for proposal” to design a Main Street project.

Action Plan

- Defining the scope for Main Street improvements
- Identify funding sources project
- Community Engagement
- Publish RFP

Other Items

- November – Review Annual Goals and 5 year capital plan
- Continue joint work meetings between the City Council and Planning Commission

	Agenda Item No.:	Topic:
	4.3	Extended RV Parking (Temporarily Residing) on Church Properties.
	Agenda Type:	
	Discussion	
	Meeting Date:	
January 22, 2024		
Prepared by:	Reviewed by:	Approved by:
Jason Gottgetreu	Cory Misley	Cory Misley

Background:

The City has received a request to review the Municipal Code language regarding residing in Recreation Vehicles on Church Properties. The draft code language would permit people to reside in RVs on Church properties for up to 105 days with similar provisions to allow extended RV stays on property where an individual is constructing a dwelling. The draft language also rescinds the provision that permits RV residence on public streets for 15 days with the permission of the adjacent property owner.

Budget Impact	Fiscal Year	Funding Source
None	2023-2024	N/A

Attachments:

1. Draft Code Language for SMC 10.26 – New draft language in red, draft rescinded language in orange strikethrough

**Chapter 10.26
RECREATIONAL VEHICLES**

Sections:

- 10.26.010 Recreational vehicle defined.**
- 10.26.020 Parking on public street.**
- 10.26.030 Residency or occupancy in public places prohibited.**
- 10.26.035 Residency in recreational vehicles in public places – Permit required.**
- 10.26.040 Residence in vehicle on private property – Permit required.**
- 10.26.050 Permits generally.**
- 10.26.060 Permits – Time limit.**
- 10.26.070 Permits – No cost.**

10.26.010 Recreational vehicle defined.

As used in this chapter, “recreational vehicle” means any motor home, travel trailer, camper or other vehicle used for or equipped for sleeping and living purposes. (Ord. 23-01 § 3 (Exh. A), 2023; Ord. 92-102, 1992).

10.26.020 Parking on public street.

It is unlawful to park a recreational vehicle on a public street in violation of SMC [10.08.023](#). (Ord. 23-01 § 3 (Exh. A), 2023; Ord. 92-102, 1992).

10.26.030 Residency or occupancy in public places prohibited.

It is unlawful to reside, live in, or occupy any recreational vehicle in any public place, including public right-of-way, within the city ~~unless the owner or operator of the vehicle applies for and obtains a permit from the city.~~ (Ord. 23-01 § 3 (Exh. A), 2023; Ord. 02-118 § 1, 2002; Ord. 92-102, 1992).

~~**10.26.035 Residency in recreational vehicles in public places – Permit required.**~~

~~The owner or operator must be the applicant and apply for and obtain a permit from the city, to reside, live in or occupy a recreational vehicle in public places. A permit may be valid for up to 15 days. (Ord. 23-01 § 3 (Exh. A), 2023).~~

10.26.040 Residence in vehicle on private property – Permit required.

It is unlawful to reside and live in a recreational vehicle on private property for more than 15 days in any particular 30-day period without having a permit issued by the city. To park and live in a recreational vehicle on private property for more than 15 days in any particular 30-day period, the applicant shall apply

for and obtain a permit from the city which shall be good for an additional 15-day period. (Ord. 23-01 § 3 (Exh. A), 2023; Ord. 92-102, 1992).

10.26.050 Permits generally – Private Property.

Permits shall be in the form as prescribed by the city manager and shall not be issued unless the applicant shows satisfactory proof to the city manager or his designee that the recreational vehicle is fully self-contained with respect to water supply, garbage disposal and sanitation. The permit shall be temporary in nature and shall not be issued to the same vehicle more than twice in any particular six-month period. (Ord. 23-01 § 3 (Exh. A), 2023; Ord. 92-102, 1992).

10.26.055 Residence in vehicle on religious institutions or places of worship – Permit required.

It is unlawful to reside and live in a recreational vehicle on land that is currently in use as a religious institution or place of worship per SDC 1.6.490 for more than 15 days in any particular 30-day period without having a permit issued by the city. To park and live in a recreational vehicle on land that is currently in use as a religious institution or place of worship for more than 15 days in any particular 30-day period, the applicant shall apply for and obtain a permit from the city which shall be good for an additional 90-day period. The applicant shall furnish proof to the city manager authorization of the property owner and evidence that the recreational vehicle is fully self-contained and provides no health hazard to the community with respect to water, sewer, and garbage. Said permit may be renewed in the discretion of the city manager.


10.26.060 Permits – Time limit.

Notwithstanding anything contained herein to the contrary, a permit shall be available for a period not to exceed 90 days for purposes of residing in a recreational vehicle on the same premises wherein a dwelling is being constructed and the applicant has a current building permit for said construction. In this respect, the applicant shall furnish proof to the city manager that the recreational vehicle is fully self-contained and provides no health hazard to the community with respect to water, sewer, and garbage. Said permit shall be renewable in the discretion of the city manager. (Ord. 23-01 § 3 (Exh. A), 2023; Ord. 92-102, 1992).

10.26.070 Permits – No cost.

All permits required and issued under this chapter shall be free of charge and the same shall be renewable at the discretion of the city manager. (Ord. 23-01 § 3 (Exh. A), 2023; Ord. 92-102, 1992).

**SILVERTON CITY COUNCIL STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCILORS**

	Agenda Item No.:	Topic:
	4.4	Discussion of 2024 City Council Calendar
	Agenda Type:	
	Discussion	
	Meeting Date:	
1/22/2024		
Prepared by:	Reviewed by:	Approved by:
Jamie Ward	Cory Misley	Cory Misley

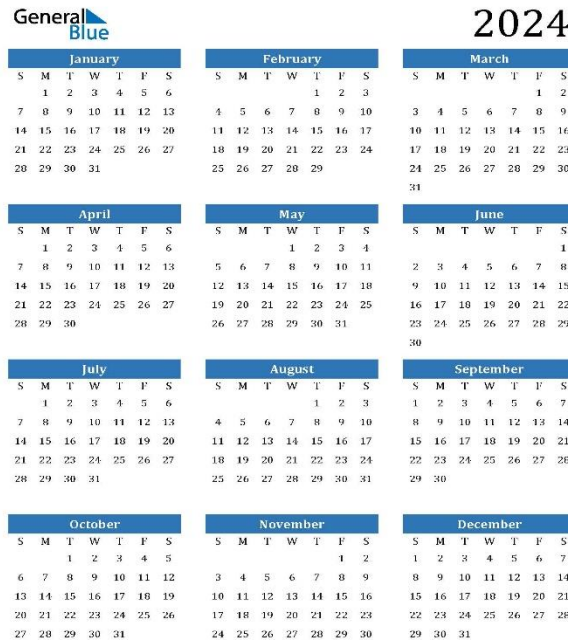
Recommendation:

Review 2024 City calendar and determine if changes or cancelations need to be made to any existing dates.

Background:

Changes or cancelations to consider:

- February 26, 2024, City Council Work Session (shift a week due to Washington’s Birthday)
- Would Council like to take a summer break on July 8, July 22, or August 5, 2024?
- September 9, 2024 (shift a week due to labor day)



Budget Impact	Fiscal Year	Funding Source
None	2024	N/A

Attachments: