

**CITY OF SILVERTON**  
**ORDINANCE**  
**20-01**

**AN ORDINANCE OF THE SILVERTON CITY COUNCIL DENYING A COMPREHENSIVE PLAN MAP AMENDMENT TO CHANGE THE COMPREHENSIVE PLAN DESIGNATION OF 801-809 DAVENPORT LANE FROM PUBLIC TO MULTI-FAMILY RESIDENTIAL WITH A CONCURRENT ZONE CHANGE TO CHANGE THE BASE ZONE TO RM-10. MARION COUNTY ASSESSOR'S MAP 061W34C TAX LOT 00700.**

**WHEREAS**, the City initiated an application requesting a change in Comprehensive Plan designation of 801-809 Davenport Lane, an 11.63 acre site, from Public to Multi-Family Residential with a concurrent Zone Change to change the base zone to RM-10; and

**WHEREAS**, the Planning Commission met in a duly advertised public hearing on November 12, 2019 and December 10, 2019 to consider the proposed comprehensive plan amendment and zone change, allowed testimony, and 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 (CP-19-03 & ZC-19-04); and

**WHEREAS**, after proper legal notice, a Public Hearing before the City Council was held on January 6, 2020 to consider CP-19-03 & ZC-19-04. 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 Comprehensive Plan Map amendment and zone change has not been met and the request does not meet the applicable review criteria; therefore, the request to change the Comprehensive Plan designation and Zoning District for the property is denied.

**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.

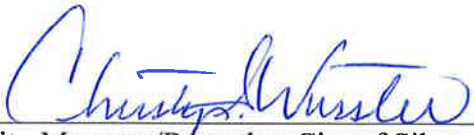
Ordinance adopted by the City Council of the City of Silverton, this 3<sup>rd</sup> day of February 2020.



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Mayor, City of Silverton  
Kyle Palmer

ATTEST:



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City Manager/Recorder, City of Silverton  
Christy S. Wurster

**EXHIBIT A**  
**CP-19-03 & ZC-19-04**

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

1. The City initiated an application on October 9, 2019 requesting a change in Comprehensive Plan designation of 801-809 Davenport Lane, an 11.63 acre site, from Public to Multi-Family Residential with a concurrent Zone Change to change the base zone to RM-10, which allows residential densities from 10 to 20 units per acre.
2. The Planning Commission met in a duly advertised Public Hearing on November 12, 2019 and December 10, 2019 to consider the proposed Comprehensive Plan amendment and 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 (CP-19-03 & ZC-19-04).
3. After proper legal notice, a Public Hearing before the City Council was held on January 6, 2020 to consider CP-19-03 & ZC-19-04. All interested parties participated and had an opportunity to be heard.
4. The following findings relate to non-compliance with criterion 1.
  1. *The requested designation for the site has been evaluated against relevant comprehensive plan policies and on balance has been found to be more supportive of the comprehensive plan as a whole than the old designation.*
- 4.1 A policy of the Urbanization element of the Comprehensive Plan is to have multiple family developments scattered around the community and not concentrated within any one particular area. The Planning Commission finds the area and scale of the proposed change to be less supportive of the comprehensive plan than the existing designation. The area is on the edge of the City and would be an isolated pocket if developed as a multi-family development. The comprehensive plan has a policy that multi-family developments should be spread out in the City and the proposed designation that would allow eight acres of land to be developed as a multi-family use would be out of character with the policy to spread out multi-family. The proposal would allow large scale multi-family development to be concentrating in one area.
5. The following findings relate to non-compliance with criterion 2.
  2. *The requested designation is consistent with any relevant area plans adopted by the city council.*
- 5.1 The site is listed in the 2008 Parks and Recreation Master Plan as the location of a future recreation center. The Planning Commission finds the public designation to

be more supportive of further the development consistent with the Parks and Recreation Master Plan than the proposal to facilitate a multi-family development project. In 2010, the City Council voted to direct staff to pursue funding for a skate park and a police and court facility for the site. The site is indicated as a civic area in the 2013 Westside Land Use and Transportation Plan. The Planning Commission does not find the requested designation to be consistent with the relevant area plans.