

**CITY OF SILVERTON**  
**ORDINANCE**  
**19-19**

**AN ORDINANCE OF THE SILVERTON CITY COUNCIL DENYING A COMPREHENSIVE PLAN MAP AMENDMENT TO CHANGE THE DESIGNATION OF A 1.52 ACRE SITE ON MILL STREET (MARION COUNTY ASSESSOR'S MAP 061W26CD05500) FROM INDUSTRIAL TO MULTI-FAMILY RESIDENTIAL WITH A CONCURRENT ZONE CHANGE TO ZONE THE PROPERTY RM-10. MARION COUNTY ASSESSOR'S MAP 061W26CD TAX LOT 05500**

**WHEREAS**, an application was submitted by Gene Oster requesting a Comprehensive Plan Map Amendment to designate a 1.52 acre site on Mill Street (Marion County Assessor's Map 061W26CD05500) Multiple-Family Residential with a concurrent Zone Change to zone the property Multiple-Family Residential (RM-10); and

**WHEREAS**, the Planning Commission met in a duly advertised Public Hearing on October 8, 2019 to consider the proposed Comprehensive Plan amendment and 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 approve the proposed application (CP-19-02 & ZC-19-03); and

**WHEREAS**, after proper legal notice, a Public Hearing before the City Council was held on November 4, 2019 to consider CP-19-02 & ZC-19-03. 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.

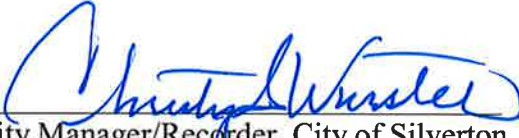
Ordinance adopted by the City Council of the City of Silverton, this 6<sup>th</sup> day of January 2020.



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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-19-02 & ZC-19-03**

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

1. The applicant submitted an application requesting a Comprehensive Plan Map Amendment to designate a 1.52 acre site on Mill Street (Marion County Assessor's Map 061W26CD05500) Multiple-Family Residential with a concurrent Zone Change to zone the property Multiple-Family Residential (RM-10).
2. The Planning Commission met in a duly advertised Public Hearing on October 8, 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 approve the proposed application (CP-19-02 & ZC-19-03).
3. After proper legal notice, a Public Hearing before the City Council was held on November 4, 2019 to consider CP-19-02 & ZC-19-03. All interested parties participated and had an opportunity to be heard.
4. The Council directed staff to bring back findings denying the application.
5. 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.*
- 5.1 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. Directly in the vicinity of the site within 1,000' the site, exists Silvertown I Apartments, Silvertown II Apartments, Silverton Manor Apartments, Pacific Crest Apartments, and the Bryan Court Apartments. These multiple family developments comprise over 21 acres of multifamily uses and are directly across the street from the site. This grouping of multi-family units is the largest and most concentrated in the City. The City Council finds that adding more multi-family uses to the largest grouping of multi-family is inconsistent with the policy to have multi-family developments scattered around the community as it further concentrates multifamily units in one particular area. The City Council finds that the proposed designation of multifamily to be less supportive of the comprehensive plan as a whole than the existing designation due to the proximity of other multi-family uses in the immediate vicinity.