

**CITY OF SILVERTON**  
**ORDINANCE**  
**19-09**

**AN ORDINANCE OF THE SILVERTON CITY COUNCIL APPROVING AN AMENDMENT TO SILVERTON MUNICIPAL CODE; TITLE 18, DEVELOPMENT CODE AND ZONING MAP TO MORE SPECIFICALLY INCORPORATE THE CITY'S TRANSPORTATION SYSTEM PLAN, WATER MASTER PLAN, STORM WATER MASTER PLAN, AND SANITARY SEWER MASTER PLAN INTO THE DEVELOPMENT CODE, INCLUDING LANGUAGE REGARDING INTERSECTION LEVEL OF SERVICE STANDARDS AND DECLARING AN EMERGENCY**

**WHEREAS**, the Community Development Director initiated a Development Code Amendment to more specifically incorporate the City's Transportation System Plan, Water Master Plan, Storm Water Master Plan, and Sanitary Sewer Master Plan into the Development Code, including language regarding intersection level of service standards; and

**WHEREAS**, the Planning Commission held a public hearing at the June 11, 2019 meeting to accept testimony regarding the code language and reviewed the proposed text amendment to Title 18, Development Code and Zoning Map, of the Silverton Municipal Code; and

**WHEREAS**, following public testimony, the Planning Commission deliberated and voted to recommend that City Council approve the proposed Development Code amendment; and

**WHEREAS**, after proper legal notice, a Public Hearing before the City Council was held on July 1, 2019 to consider the Development Code Amendment application, DC-19-02. All interested parties participated and had an opportunity to be heard. The City Council reviewed all matters presented to it including the recommendations of the Planning Commission.

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

Section 1: Section 3.4.010 of the Silverton Development Code is amended by adding the following text with the new language in italics:

SDC 3.4.010 Purpose and applicability.

A. Purpose. This chapter provides general development standards and approval criteria for public improvements. The code incorporates by reference the city's public facility master plans, including plans for domestic water (*specifically Chapter 2 – Design Criteria*), sanitary sewer (*specifically Chapter 5 – Water Quality and Regulatory Issues and Chapter 10 – Recommended Plan*), storm drainage (*specifically Chapter 3 – Storm Water System Design Criteria and Chapter 7 – Water Quality*), parks (*specifically the Goals and Policies and Strategies and Actions*), and transportation (*specifically all TSP Action Items in Chapter 2 and all Access Management Items in Chapter 8*). The code also incorporates by reference Silverton's public works design standards

(specifically Chapters 1 through 5 and Appendices A through H). This chapter is intended to provide minimum requirements for public facilities. It is not intended to duplicate or replace the design standards contained in the above documents.

Section 2: Section 3.4.100.U of the Silverton Development Code is created by adding the following:

U. Level of Service Standard

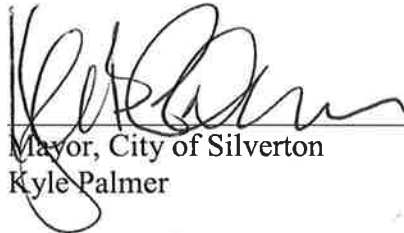
1. City performance standards shall be used to evaluate developments impacting City or County facilities. The level of service standard shall be LOS D based on the Highway Capacity Manual methodology and a v/c ratio of 0.85 for signalized and all-way stop controlled intersections. For unsignalized intersection, the level of service standard shall be LOS D based on the Highway Capacity Manual and a v/c ratio of 0.90. ODOT v/c ratio standards shall apply to ODOT facilities.
2. For signalized intersections, adequate level of service is LOS D, based on a weighted average of vehicle delay for the intersection.
3. For stop-controlled intersections, adequate level of service is LOS D. Level of service for two-way stop-controlled intersections is based on individual vehicle movement, and all-way stop controlled intersections is based on a weighted average of vehicle delay for the intersection.
4. An amendment or other land use application that requires analysis of traffic capacity and allows development that either (1) may cause a transportation facility to perform below the standards established in sections 1 and 2, or (2) adds vehicle trips to a facility that is already performing below the standards established in sections 1 and 2 may be approved if:
  - a. Development resulting from the amendment or other land use application will mitigate the impacts of the amendment or other land use application in a manner that avoids further degradation to the performance of the facility by the time of development through one or more of the following:
    1. One or more combination of transportation improvements or measures are imposed to mitigate the transportation impacts of the amendment or other land use application in a manner that avoids further degradation to the performance of the facility by the time of any development.
    2. On-site and off-site improvements beyond required frontage improvements.
    3. Payment of a fee in lieu of construction.

4. Correction of off-site transportation deficiencies within the study area that are not substantially related to development impacts.
5. Construction of on-site facilities or facilities located within the right-of-way adjoining the development site that exceed minimum required standards and that have a transportation benefit to the public.

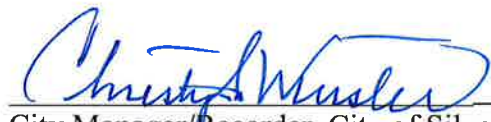
Section 3: A full copy of all text amendments and findings of fact can be found in file DC-19-02, located in the Community Development Department at City Hall.

Section 4: The general welfare of the public will be promoted if this ordinance takes effect immediately. Therefore, City Council declares an emergency to ensure these provisions are put into the code immediately and as such they will go into effect upon adoption.

Ordinance adopted by the City Council of the City of Silverton, this 1<sup>st</sup> day of July, 2019.

  
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Mayor, City of Silverton  
Kyle Palmer

ATTEST:

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