



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: February 19, 2016

Jurisdiction: City of Seneca

Local file no.:

DLCD file no.: 001-16

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 02/16/2016. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD less than 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.: 001-16 {24287}
Received: 2/16/2016

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Seneca

Local file no.: **N/A**

Date of adoption: 2/9/16

Date sent: 2/11/16

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted):

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Josh Walker- City Recorder/Manager

Phone: (541) 542-2161

E-mail: cityseneca@centurytel.net

Street address: 106 A Ave

City: Seneca

Zip: 97873

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

N/A

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- | | | | |
|-----------------|--------|--------|--|
| Change from N/A | to N/A | acres. | A goal exception was required for this change. |
| Change from N/A | to N/A | acres. | A goal exception was required for this change. |
| Change from N/A | to N/A | acres. | A goal exception was required for this change. |
| Change from N/A | to N/A | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address): N/A

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres: N/A

Non-resource – Acres: N/A

Forest – Acres: N/A

Marginal Lands – Acres: N/A

Rural Residential – Acres: N/A

Natural Resource/Coastal/Open Space – Acres: N/A

Rural Commercial or Industrial – Acres: N/A

Other: N/A – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres: N/A

Non-resource – Acres: N/A

Forest – Acres: N/A

Marginal Lands – Acres: N/A

Rural Residential – Acres: N/A

Natural Resource/Coastal/Open Space – Acres: N/A

Rural Commercial or Industrial – Acres: N/A

Other: N/A – Acres: N/A

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

N/A

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from N/A to N/A Acres:

Change from N/A to N/A Acres:

Change from N/A to N/A Acres:

Change from N/A to N/A Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: N/A Acres added: N/A Acres removed: N/A

Location of affected property (T, R, Sec., TL and address): N/A

List affected state or federal agencies, local governments and special districts: N/A

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

Please see Attachment A

**CITY OF SENECA
ORDINANCE NO. 92**

AN ORDINANCE ADOPTING A COMPREHENSIVE PLAN/ZONING MAP

WHEREAS, the City of Seneca has determined that current zoning map has not been formally adopted;

WHEREAS, the city moves to address this record-keeping error.

THE CITY OF CITY OF SENECA ORDAINS AS FOLLOWS:

SECTION ONE: Comprehensive Plan/Zoning Map; Adopted. The Comprehensive Plan/Zoning Map, originally dated 2010, is hereby approved with no zoning or boundary changes. The approved map will be dated with the effective date of the ordinance and will reflect updated labeling which matches current city zoning regulations. (Title 10 Chapter 3 Sections 1-3)

SECTION TWO: Official Copy; Zoning Map. In accordance with 10-3-3, a certified print of the adopted map shall be maintained in the office of the city recorder-manager as long as the provisions of the title remain in effect.


SECTION THREE: Effective Date. The Ordinance shall be in full force 13 days after its adoption as per Chapter VIII of the City Charter.

PASSED By the City Council on the 9th day of February, 2016.

APPROVED By the Mayor on the 9th day of February, 2016


City of Seneca, Mayor

ATTEST:

City Recorder  Date 2/9/16
City of Seneca

SUMMARY OF VOTES:

Mayor Andrea Combs	<input checked="" type="checkbox"/> YES / NO / ABSENT
Councilor Brad Smith	<input checked="" type="checkbox"/> YES / NO / ABSENT
Councilor Melissa Pettyjohn	<input checked="" type="checkbox"/> YES / NO / ABSENT
Councilor Bill Williams	<input checked="" type="checkbox"/> YES / NO / ABSENT
Councilor Sue Holliday	<input checked="" type="checkbox"/> YES / NO / ABSENT

Summary of Legislative Action

City of Seneca

In the early summer of 2015 city staff undertook a project to determine the date of adoption for the city's Comprehensive Plan and Zoning Map. To do this, staff searched the city and Grant County records for adopting ordinances related to planning actions. The city was in possession of a plan map dated 2010 and entitled "Comprehensive Plan Map"; however, no adopting ordinance could be found, and due to the state of records it was unclear what version of the plan map in the city's offices was the most current, legally adopted, plan map.

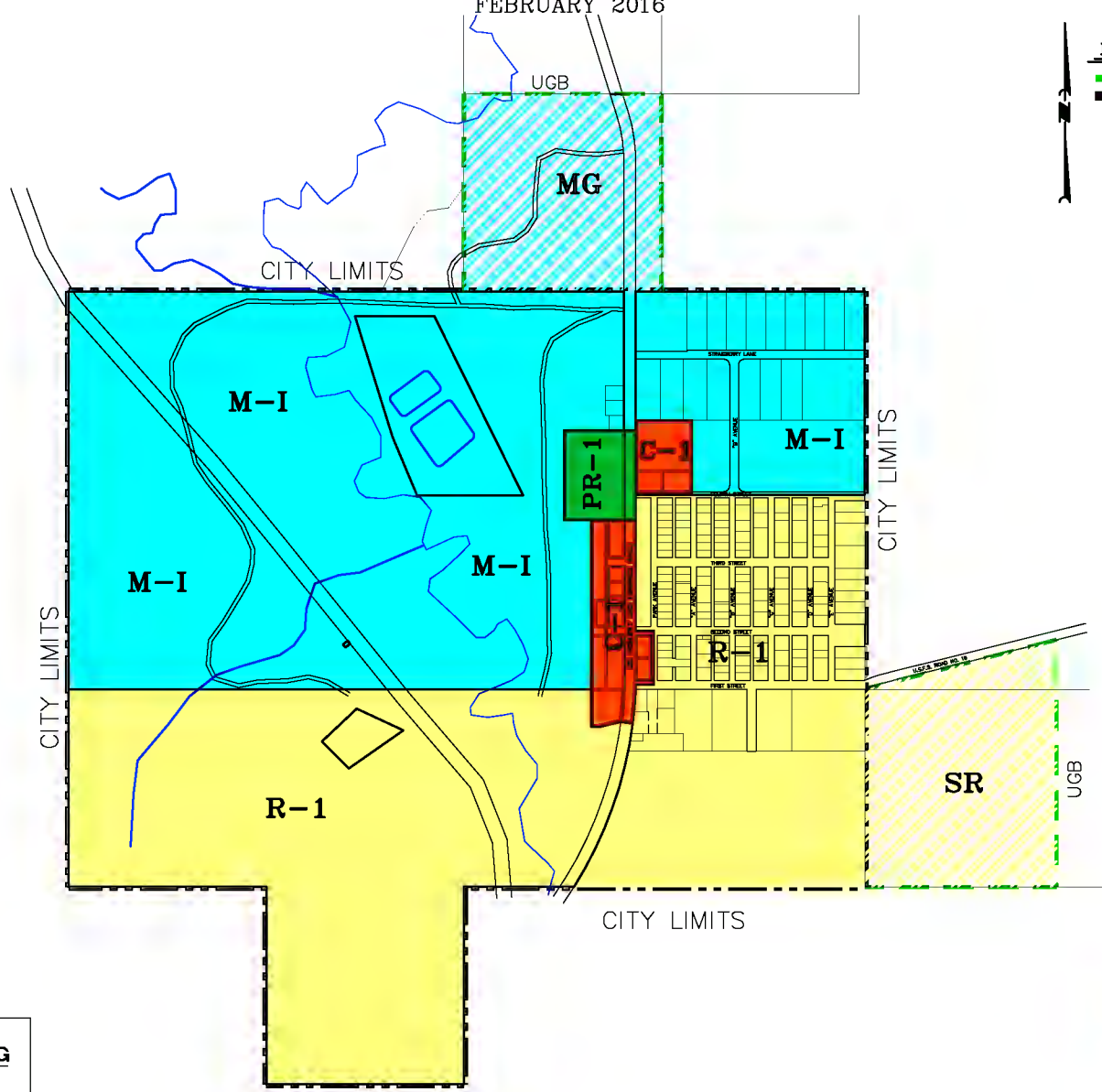
City Manager Josh Walker contacted Grant Young (DLCD Northwest Regional Rep) to discuss this issue and what could be done to resolve it, and several options were explored. In November, 2015, the city applied for and received a City Planning Assistance Grant; with this funding the city hired Winterbrook Planning to do further research and provide a scoping document for resolution of the issue. The recommended course of action was to formally adopt the established map using facts and findings assembled by Winterbrook and the city. Other than minor corrections to the map legend and date of adoption made by the company who produced the map the 2010 map was adopted as the current City of Seneca Comprehensive Plan and Zoning Map at the February 9th, 2016 city council meeting by unanimous vote of the council. No changes to interior zoning or city limits or UGB locations were made; the map was adopted to provide a date certain and current zoning classes and designations as existed in 2010.

CITY OF SENECA

GRANT COUNTY, OREGON

FEBRUARY 2016

COMPREHENSIVE PLAN/ZONING MAP









LEGEND:

-  URBAN GROWTH BOUNDARY (564 AC.)
-  CITY LIMITS LINE (526 AC.)



LAND USE DESIGNATIONS

	R-1 RESIDENTIAL		SR (COUNTY) SUBURBAN RESIDENTIAL
	C-1 COMMERCIAL		MG (COUNTY) INDUSTRIAL GENERAL
	M-I INDUSTRIAL		
	PR-1 PARK RESERVE		

SISUL ENGINEERING
 158 E MAIN STREET
 JOHN DAY, OREGON 97845
 541-227-9718

BASE DRAWING: GRANT COUNTY TAX MAPS AND USGS MAPS



City of Seneca

Phone/Fax: (541) 542-2161

PO Box 208 / 106 A Ave.

Seneca, OR 97873

**CITY COUNCIL
REGULAR MEETING
January 12, 2016**

Present Council

Andrea Combs

Sue Holliday

Melissa Pettyjohn

Bill Williams

Brad Smith

Public

Matt Wenick

**Josh Walker, City Recorder/Manager –
Minutes taken by Josh Walker**

Mayor Andrea Combs called the meeting to order at 6:00pm.

Open Floor:

Mayor Combs called for open floor.

- No public comments.

Approval of Minutes:

Mayor Combs asked if there were any additions or corrections to the November 3, 2015 special meeting (town hall meeting) minutes. There were none. Councilor Pettyjohn made a motion to approve the minutes. Holliday seconded the motion. All were in favor, motion passed. Mayor Combs asked if there were any additions or corrections to the November 10, 2015 regular meeting minutes. There were none.

- *Councilor Pettyjohn made a motion to approve the minutes.
Councilor Williams seconded it. All were in favor, motion passed.*

Dump appeal, water and sewer request letters:

The council reviewed the letter from Kristin Long (Attachment A) requesting exemption from dump fees for their property at 206 D Ave. The letter also requested that the council reconsider policy to charge for utility services to vacant properties during the winter so properties



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could leave water running to avoid pipes freezing. The council addressed the dump appeal first.

- *The council voted all in favor to approve the appeal for dump services.*

The council then reviewed the current policy that all accounts which are not paying for water/sewer service are to be turned off at the meter and locked. The council agreed that this was the only option to regulate usage and maintain a standard for all customers. City Manager Walker noted that it is standard that the responsibility lies with the property owner to winterize their pipes if they would like to have services turned off at their property.

- *Councilor Smith made a motion to maintain the current policy. Councilor Williams seconded. Motion passed all in favor.*

City Manager Walker received a second dump appeal letter the day prior to the council meeting. He read the letter (Attachment B) from Terry Dodson out loud.

- *The council voted all in favor to approve the Dodson's dump service appeal.*

Public Hearing: Comprehensive Planning and Zoning Map

City Manager Walker reviewed the zoning issues related to missing documents which outlined the zoning of land annexed into the city in 1986. The city received a planning grant of \$1000 from the DLCD, for which the city hired Winterbrook Planning to consult on the issue. It was determined that a map existed which identified the zoning of the area, but had not been formally adopted by the city council. The map (Attachment C) was presented to the council for review. The meeting was opened to the public for comment. There was no public comment offered.

- *Councilor Smith made a motion to draft an ordinance adopting the map as the current comprehensive planning and zoning map. Councilor Williams seconded. Motion passed all in favor.*

Ordinance is to be place on next month's agenda.

Land and Planning Update:



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City Manager Walker has met with Joe Hitz of Sisul Engineering. Mr. Hitz traveled to Seneca for a site visit of the lands being considered for development. After viewing the property, Mr. Hitz's initial assessment is that the property south of the 16 road may be less expensive to develop than the lands being considered west of the river. It was decided that he would provide preliminary plats and engineering estimates for development of both properties for consideration of the council. Those maps were presented to the council (Attachments D and E) and City Manager Walker provided an overview. Mr. Wenick presented the case that he felt larger lots, over 1 acre, were more marketable in this area. City Manager Walker explained that the consultants recommended smaller lots, with the option to buy multiple lots for larger acreage.

West Side Subdivision (Attachment D)- City Manager Walker explained that the major obstacle for this development is the lack of sewer services to the west of the Silvies River. Two options exist: 1) Allow private sewer facilities (septic tank and drainfield) if permitting is possible, or 2) Delay development until new wastewater facility is finalized and if proposed facility west of the river is built, develop connections to new facility. It was also noted that lots 1-4 require significant distance of water line, and may be considered for additional development in a later phase. City Manager Walker proposed moving the road to in between lot 6 and 7, consolidating the access with the needed right-of-way for the water utilities. This would require lot 10 to increase and lot 11 to decrease in size, allowing for the access road to the water towers continue between the two lots. Councilor Pettyjohn proposed combining lots 1 and 2, and lots 3 and 4 to make 2 larger sized lots. She proposed that this provides multiple lot sizes within the subdivision. This was met by positive responses.

– *Councilor Pettyjohn made a motion to move forward with said amendments. Councilor Smith seconded. Motion passed all in favor.*

East Side Subdivision (Attachment E)- Mayor Combs noted that she was not happy with the shape of the lots and asked if there was other options, citing concerns about the road access and usable space. There was discussion involving lot size. Again, Mr. Wenick voiced concern regarding lot size, stating that people don't want small lots and that one acre was not large enough for a large house, shop, and yard. City Manager Walker disagreed, stating that one acre lots were approximately 5 times larger than current city lots. He also owned a



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house on just over an acre that was over 2000 square feet and had a 40X60 shop with large yard. Mayor Combs stated that she prefers not to see large lots in that specific subdivision. Councilor Smith agreed. Councilor Pettyjohn reiterated that it would be an option to purchase multiple lots to attain a larger acreage. Mr. Wenick stated concern that there could be an issue during requests for proposal if somebody proposed to purchase two lots, but one of them was sold to a separate interested party. City Manager Walker explained he felt it was unlikely that council would select a proposal to purchase less property if there was a proposal to purchase multiple lots and the price per acre was comparable. He then proposed that he re-engage the engineer to address lot size and shape of the subdivision and attempt to find a middle ground that is more accepted. The council agreed.

– *Councilor Smith made a motion to seek suggested changes.*

Councilor Holliday seconded. Motion passed all in favor.

City Manager Walker proposed a Special Meeting in the future to further the project and explore public interest. The council agreed. A date will be set when corrections are made to the preliminary plots and the engineering estimates are complete.

Speed Zone Investigation:

ODOT has requested approval of new transition speeds into city limits due to the increased speed limits that will take effect on March 1st, 2016. There were no objections to the proposed changes from ODOT. Mayor Combs is still working with Sam Seebart regarding the school zone and City Manager Walker will re-address the school zone signs with ODOT.

Wastewater Facility Update:

City Manager Walker reviewed the LMI Survey results. The city was surveyed at 56.6% Low-Moderate Income and is now eligible for the Community Development Block Grant. City Manager Walker is coordinating with IFA to resume finalizing plans and preparing to apply for the funding this fall. Currently, the city is eligible for \$3,000,000 in grants and a \$500,000 loan. The goal is no to bridge the gap between that amount and the proposed facility plan estimate of \$4.4 million.

Utility Rate Increase:



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The projected debt service that is required to fund the wastewater facility will require an approximate \$30 raise in the sewer fees. This has prompted the recommended increase of \$12 for residential, \$15.75 for business, and \$6 for the school sewer service. The proposed resolution (Attachment F) was reviewed. The water fund has been noted to be at a deficit each year as revenues are not meeting the operation and maintenance requirements. This has prompted the proposed increase of \$4 for residential, business, and school accounts. Additionally, it is proposed that the city will begin reading meters during the months of May-September in order to achieve compliance with the SDW-RLF. The proposed base rate would include 7500 gallons and overages would be charged at the rate of \$.004/gallon. The proposed resolution (Attachment G) was reviewed. The transfer station fund has been breaking even, therefore it has a proposed increase of \$1 for residential rates. The business rates are proposed to increase from \$18 to \$25 due to observed quantities of refuse deposited by business customers. The school rate is proposed to increase from \$30.50 to \$32.00. The proposed resolution for transfer station rates (Attachment H) was reviewed.

Councilor Holliday noted that she felt there was going to be some objection from residents due to the large increase in rates. The council agreed that it is likely. City Manager Walker noted that the intent is to close the gap in funding that has been created by lack of past rate raises and the coming requirements of a new wastewater facility. Also, Seneca will have modern, updated facilities that other cities struggle with and this will pay off in the long term. We cannot guarantee the availability of grant amounts which may be available to us now.

Lastly, City Manager Walker requested approval to add verbiage to all three resolutions authorizing annual increases. There were no objections. He will submit the resolutions to the city attorney for review prior to the next meeting.

New Credit Card:

City Manager Walker requested changing credit cards. The current Old West Federal Credit Union credit card is due on the 9th of each month. This is problematic because bills are paid at council meetings which mostly take place after the bill is due. He has spoken with the credit



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union, and they are unable to change the due date resulting in consistent late/interest fees which are unnecessary. He recommends applying for a new card at Bank of Eastern Oregon, where the city primarily banks.

- *Councilor Pettyjohn made a motion to authorize the change. Councilor Holliday seconded. Motion passed all in favor.*

US Bank CD:

City Manager Walker requested authorization to act as account manager for the US Bank CD and permission to close the account. The account was necessary for prior requirements of funding, but is no longer required to be maintained. It is an additional burden to manage and he is requesting the funds be moved to the money market account.

- *Councilor Pettyjohn made a motion to authorize the request. Councilor Holliday seconded. Motion passed all in favor.*

Bills Before Council:

- *Councilor Holliday made a motion to pay January bills, Councilor Pettyjohn seconded it. All were in favor, motion passes.*

Executive Session:

An executive session was called at 8:05pm in accordance with ORS 192.660 (2)(i) to perform an annual performance review of the City Manager.

Executive Session adjourned at 8:15pm. Mayor Combs presented City Manager Walker with his performance evaluation. Attachment (I)

Mayor Combs adjourned the meeting at 8:20pm

Mayor: _____

Attest: _____



MEMORANDUM

To: Josh Walker, Manager, City of Seneca
From: Jesse Winterowd, AICP
Date: November 12, 2015
Re: **Housing development / Urban Growth**

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PROJECT UNDERSTANDING

The City of Seneca desires to add to the City’s inventory of developable lots for housing, in order to attract families to the City. While the City currently has an adequate gross residential land supply, this land has not been subdivided or provided access to City services. Lack of developable lots creates a significant barrier to entry for families interested in developing or purchasing a house in the City.

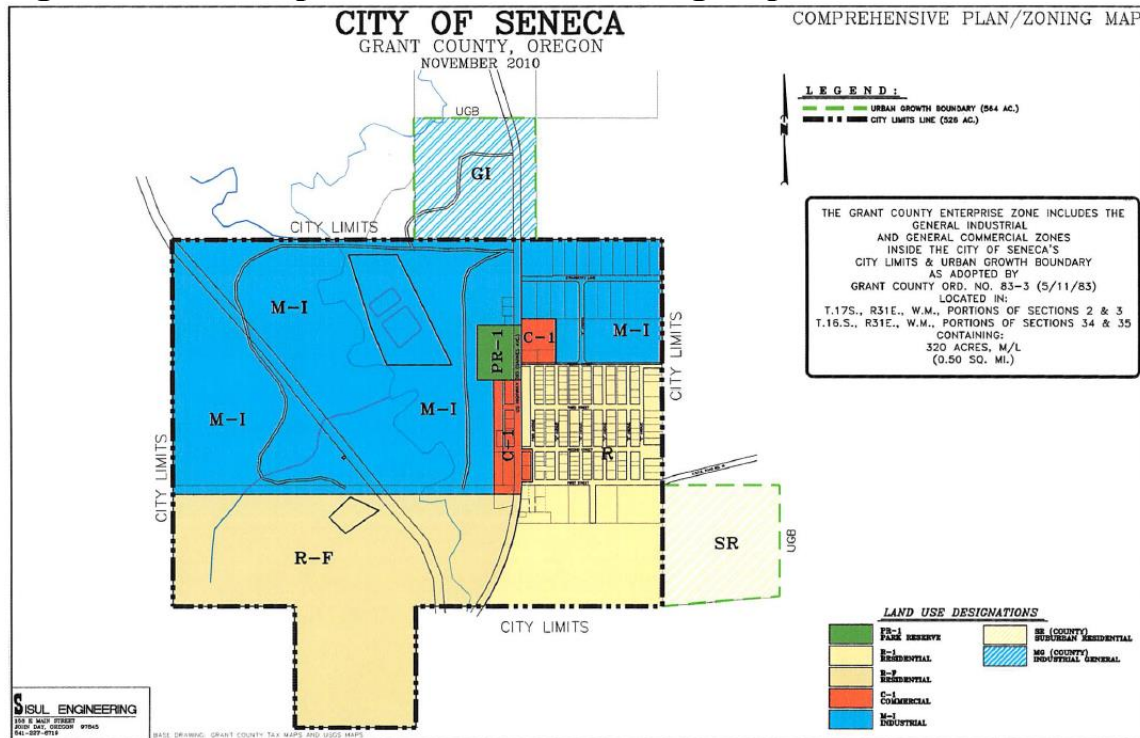
The City is interested in subdividing City-owned, easily-serviceable land to the west of the existing core residential area – relatively flat land that can be efficiently served by an existing water tower and planned wastewater facilities. These lots could then be placed on the market and sold, recouping some of the City’s development expenses.

However, although the City and County have a 2010 Comprehensive Plan and Zoning Map (Figure 1, below), record-keeping at the City and County level has been inadequate, and the only adopted map the City can find is the 1980 Urban Growth Boundary (UGB) shown in the 1980 Comprehensive Plan. The City cannot find the original map that was attached to Grant County Ordinance No. 83-3, showing an UGB expansion that includes land shown as R-F in Figure 1.

Due to flooding in DLCD archives, DLCD also cannot find a copy of the 1983 ordinance or map. Therefore, the City was informed by DLCD staff that it should pursue an UGB expansion to add land into the UGB, in order to be able to subdivide the land. A potential land swap was discussed as an option. The City hired Winterbrook to evaluate the possibility of justifying a UGB expansion, and provide a scope of work for proceeding.

This memorandum addresses the need for an UGB expansion, process requirements, and next steps to meet the City’s objectives.

Figure 1: 2010 Comprehensive Plan and Zoning Map

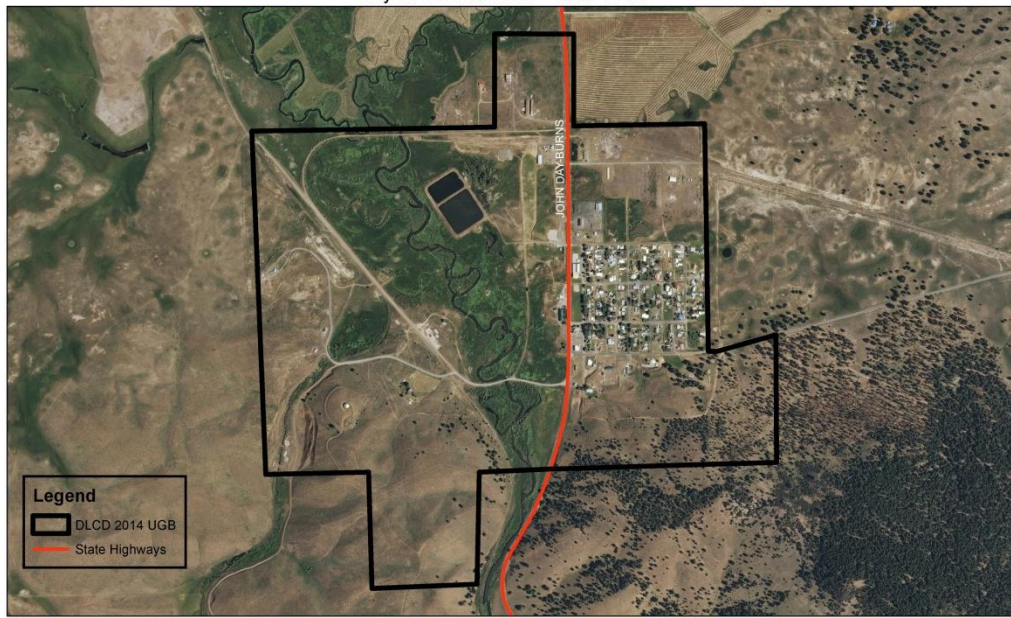


NEED FOR URBAN GROWTH BOUNDARY EXPANSION

Winterbrook reviewed several data sources to determine the availability of supporting evidence for the UGB shown on Figure 1. While the original adopting ordinance information appears to be lost by all government bodies, Oregon’s spatial database includes DLCD’s mapped UGB boundaries for every UGB in the State. As shown on Figure 2, below DLCD’s spatial data is consistent with the UGB shown on Figure 1. Given the area in question is shown within the City’s UGB on both City and State mapping, it is reasonable to conclude the area is within the City’s UGB, and no UGB expansion is necessary.

Figure 2: City of Seneca UGB – State Data

City of Seneca UGB - State Data



PROCESS REQUIREMENTS

Winterbrook discussed the results of this research and State mapping with DLCD Regional Representative Grant Young. Mr. Young agreed with the findings and conclusions presented. However, in order to rectify the information gap that caused this confusion in the first place, Mr. Young advised that the City formally (by ordinance) adopt the 2010 Comprehensive Plan and Zoning Map.

NEXT STEPS

Winterbrook recommends the following course of action:

- 1) The City of Seneca hold a public hearing (with notice) to formally adopt the 2010 Comprehensive Plan and Zoning Map. The ordinance and notice should be clear: This is not a new map or a change to any zoning or boundaries for City or County – the process is necessary to purely to address record-keeping errors. With a Comprehensive Plan map formally adopted and backed by ordinance, the City can proceed with its subdivision process.
- 2) Winterbrook reviewed the City’s concept plan for the subdivision – what appears to be creation of six (five plus one existing) multi-acre lots along Shirttail Creek Road. This may be the least expensive option for the City, in terms of lot creation and infrastructure, as no new road (or utility?) development is proposed. Given the City’s objectives, Winterbrook suggests the City consider a “modular” approach as described below.

A subdivision with more lots and an efficient configuration relative to utilities would allow for a wider range of opportunities, at lower cost for service provision and housing development. Smaller lots can easily be purchased together to create larger homestead opportunities when desired, but a family looking for a smaller lot would have to go through a land division process. In addition, should the City see growth occur, a modular subdivision would allow for additional, efficient, subdivision and service provision to nearby City-owned land.

- 3) Winterbrook contacted Tom Sisul of Sisul Engineering and discussed both Figure 1 (Sisul created the 2010 Plan Map) and the proposed City subdivision. Sisul indicated engineering for modular subdivision and utility planning in compliance with existing zoning and land use regulations would likely cost about \$4,000 in this scenario. Mr. Sisul also suggested the City consider putting the development opportunity out to RFP, as that option might be more efficient with less risk for the City.