



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

### NOTICE OF ADOPTED AMENDMENT

March 29, 2007



TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Stayton Plan Amendment  
DLCD File Number 003-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: April 12, 2007**

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the 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). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Jason Locke, DLCD Regional Representative  
Dan Fleishman, City of Stayton

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**D L C D NOTICE OF ADOPTION**

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18  
(See reverse side for submittal requirements)

**MAR 22 2007**

**LAND CONSERVATION  
AND DEVELOPMENT**

Jurisdiction: City of Stayton Local File No.: 16-08/06  
(If no number, use none)

Date of Adoption: 3/20/2007 Date Mailed: 3/22/2007  
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 9/14/2006

- Comprehensive Plan Text Amendment
  - Comprehensive Plan Map Amendment
  - Land Use Regulation Amendment
  - Zoning Map Amendment
  - New Land Use Regulation
  - Other: \_\_\_\_\_
- (Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write [See Attached.]

Rezoning property at 1401 N 10<sup>th</sup> Avenue and 1208 E Pine to Public-Semi-Public (P). 1401 N 10<sup>th</sup> is the main site for Santiam Memorial Hospital and was previously zoned Public/Semi-Public, Low Density (LD) Residential, High Density (HD) Residential and Commercial General (CG). The property at 1208 E Pine was Low Density residential and will be used as offices by the Hospital.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write [Same.] If you did not give notice for the proposed amendment, write [N/A.]

The proposed amendment in error identified the property at 1401 N 10<sup>th</sup> as being zoned Low Density, High Density and Medium Density Residential. This error was corrected.

Plan Map Changed from : LD, HD, CG to P

Zone Map Changed from: LD, HD, CG to P

Location: 1401 N 10<sup>th</sup> & 1208 E Pine Acres Involved: 7.2 & 0.6

Specify Density: Previous: n/a New: n/a

Applicable Statewide Planning Goals: 1 and 2

Was an Exception Adopted? Yes:        No: x

DLCD File No.: 003-06 (15554)

**HAND DELIVERED**



Did the Department of Land Conservation and Development **receive** a notice of Proposed Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing**. Yes:  x  No:

If no, do the Statewide Planning Goals apply. Yes:   No:

If no, did The Emergency Circumstances Require immediate adoption. Yes:   No:

Affected State or Federal Agencies, Local Governments or Special Districts:  none

Local Contact:  Dan Fleishman  Area Code + Phone Number:  503-769-2998

Address:  362 N 3<sup>rd</sup> Ave  City:  Stayton

Zip Code+4:  97383  Email Address:  planner@stayton.org

## ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:
 

**ATTENTION: PLAN AMENDMENT SPECIALIST**  
**DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT**  
**635 CAPITOL STREET NE, SUITE 150**  
**SALEM, OREGON 97301-2540**
2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the [ ]Notice of Adoption[ ] is sent to DLCD.
6. In addition to sending the [ ]Notice of Adoption[ ] to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to Larry.French@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.



ORDINANCE NO. 896

**AN ORDINANCE AMENDING THE CITY OF STAYTON'S COMPREHENSIVE PLAN AND ZONE MAPS FROM LOW DENSITY RESIDENTIAL (LD), COMMERCIAL GENERAL (CG), AND MEDIUM DENSITY RESIDENTIAL (MD) TO PUBLIC/SEMI-PUBLIC (P) FOR CERTAIN REAL PROPERTY (PRESENTLY OWNED BY SANTIAM MEMORIAL HOSPITAL) LOCATED AT 1401 N. TENTH AVENUE AND FROM LOW DENSITY (LD) RESIDENTIAL TO PUBLIC/SEMI-PUBLIC (P) FOR CERTAIN REAL PROPERTY LOCATED AT 1208 E. PINE STREET.**

WHEREAS, Stayton's Comprehensive Plan and Zone Maps designate the property owned by the Santiam Memorial Hospital at 1401 N. Tenth Avenue in four different zones;

WHEREAS, Land Use Policy 2 of the Stayton Comprehensive Plan calls for Zoning to follow property lines as much as practicable;

WHEREAS, Land Use Policy 19 of the Stayton Comprehensive Plan calls for the city to zone land owned and used by not-for-profit organizations, such as Santiam Memorial Hospital, in a Public/Semi-Public zone.

WHEREAS, Stayton's Comprehensive Plan and Zone Maps designate the property at 1208 E Pine Street as Low Density (LD) Residential which does not make allowance for hospital administrative offices;

WHEREAS, The Comprehensive Plan identifies a need for hospital expansion as the community grows;

WHEREAS, The Hospital needs to keep associated administrative functions in close proximity to the main site at 1401 N 10<sup>th</sup> Avenue;

WHEREAS, There are no parcels adjacent to the Hospital that are zoned to allow administrative offices; and

WHEREAS, the Stayton Planning Commission held a public hearing on October 30, 2006 and the City Council held its public hearing on January 16, 2007 and February 20, 2007, addressing the subject map amendments to the Comprehensive Plan and Zone Maps (Land Use File #16-08/06) whereupon, the Stayton City Council approved an Order with findings and conclusions (Exhibit A which is attached hereto and made a part hereof) to support the Council's action granting approval to amend the Comprehensive Plan and Zone Maps from (LD), (CG), and (MD) to (P) for the property at 1401 N. 10<sup>th</sup> Avenue and approved an Order with findings and conclusions (Exhibit B which is attached hereto and made a part hereof) to support the Council's action granting approval to amend the Comprehensive Plan and Zone Maps from (LD) to (P) for the property at 1208 E. Pine Street, and directed preparation of an ordinance to change the Comprehensive Plan and Zone Maps accordingly.

NOW, THEREFORE, the Stayton City Council does ordain as follows:

SECTION 1. Based on the findings of fact established and set forth in the Orders of the Stayton City Council dated February 20, 2007 (Exhibit A) and dated March 5, 2007 (Exhibit B), the Stayton Comprehensive Plan and Zone Maps are amended as set forth in the Orders.

SECTION 2. Upon adoption by the Stayton City Council and Mayor's signing, this Ordinance with said Orders shall become effective 30 days after the date of signing.



SECTION 3. This Ordinance, with said Orders, shall be furnished to the State of Oregon, Department of Land Conservation and Development forthwith.

ADOPTED BY THE STAYTON CITY COUNCIL this 19<sup>th</sup> day of March, 2007.

CITY OF STAYTON

Signed: 3-19-07 BY: Virginia L. Honeywell  
VIRGINIA L. HONEYWELL, MAYOR

Signed: 3/20/2007 ATTEST: Chris Childs  
CHRIS CHILDS, CITY ADMINISTRATOR

APPROVED AS TO FORM: David A. Rhoten  
DAVID A. RHOTEN, CITY ATTORNEY

**ATTACHMENT A**

**BEFORE THE STAYTON CITY COUNCIL**

In the matter of  
the application of  
Santiam Memorial Hospital

) Amendment to  
) Comprehensive Plan  
) & Zone Change  
) File # 16-08/06

**ORDER OF APPROVAL**

**I. NATURE OF APPLICATION**

The application is for a Comprehensive Plan map amendment and zone change for Santiam Memorial Hospital from Low Density Residential, Medium Density Residential, and High Density Residential to Public/Semi-Public. However, the applicant has misinterpreted the current comprehensive plan designation and zoning for a portion of the property that the application covers. The portion of the property the applicant has described as being Medium Density Residential is, in actuality, Commercial General, on both the comprehensive plan map and zoning map.

**II. PUBLIC HEARING**

A public hearing was held on the application before the Stayton City Council on December 18, 2006 and continued until January 16, 2007. At that hearing, the City Council reviewed Land Use File #16-08/06, application for comprehensive plan map amendment and zone change, and it was made part of the record. At the public hearing written testimony was presented by the Santiam Water control District in opposition to the application. On January 16, record of the hearing was kept open, at the request of the applicant, for submission of written testimony.

**III. FINDINGS OF FACT**

1. The owner and the applicant is Santiam Memorial Hospital.
2. The property is located at 1401 N 10<sup>th</sup> Avenue and is 7.2 acres in size.
3. The lot can be described as tax lot 100, Township 9, Range 1 West of the Willamette Meridian, Section 10AD.
4. The lot is currently designated by the Comprehensive Plan and zoned Low Density (LD) Residential, Commercial General (CG), High Density (HD) Residential and Public/Semi-Public (P).
5. The properties to the north, west, and east of the lot are designated by the Comprehensive Plan and zoned LD and are either vacant or used for single family homes. The properties to the south of the lot are designated by the Comprehensive Plan and zoned HD and are occupied by duplexes and publicly-owned multi-family housing.
6. The proposal is to change the Comprehensive Plan designation and rezone the entirety of this lot to Public/Semi-Public for use by the hospital. The hospital is proposing no change or expansion of use at the property at this time.



7. On October 30, 2006 the Stayton Planning Commission, following a public hearing, adopted an order recommending the City Council approve the application and enact an ordinance amending the Comprehensive Plan and Zoning Map.

A. AGENCY COMMENTS

The following agencies were notified of the proposal: City of Stayton Public Works, Willamette Broadband, Stayton Cooperative, Pacific Power & Light, NW Natural Gas, Stayton Fire District.

B. PUBLIC COMMENTS

Written testimony from the Santiam Water Control District was received by the Planning Department the afternoon of the hearing and was presented for the record at the hearing.

C. ANALYSIS

Applications for an amendment to the comprehensive plan are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Title 17, Section 17.12.420.5. Applications for zone changes are required to satisfy approval criteria contained within SMC Title 17, Section 17.12.430.5.

D. REVIEW CRITERIA (COMPREHENSIVE PLAN AMENDMENT)

Pursuant to SMC 17.12.420.5 the following criteria must be demonstrated as being satisfied by an application for a comprehensive plan amendment:

a. *The proposed amendment is compatible with the existing provisions of the plan, as measured by:*

1. *If a map amendment, the extent of existing and proposed land use allocations for the requested uses.*

Finding: Public/Semi-Public zoned lands are intended only for the use of government or non-profit agencies. (LU-19, Comp. Plan) Santiam Memorial Hospital is a non-profit agency. There are no identified future allocations of Public/Semi-Public lands, although the Comprehensive Plan does acknowledge a need for more of these lands as the City grows. Hospitals are allowed as a conditional use in the Commercial Retail (CR) and P zones and a permitted use in the Commercial General (CG) zone. The 2005 Buildable Lands Inventory states that there are 304.3 acres of Public/Semi-Public, 82.8 acres of Commercial Retail and 30.4 acres of Commercial General land within the City.

2. *Impact of the proposed amendment on land use and development patterns within the City, as measured by:*

a) *Traffic generation and circulation patterns;*

Finding: No expansion of the existing buildings is planned, though rezoning is likely to lead to future development plans.

b) *Population concentrations;*

Finding: 1401 N 10<sup>th</sup> is split-zoned LD, CG, HD, and P. There currently are no residential uses on this site.

c) *Demand for public facilities and services;*

Finding: No expansions of the existing buildings are proposed with this application. The property is currently developed and fully served by urban services. Approval of the

application would allow for future expansion of important health services in the community. The expansion of the Hospital is identified in the Stayton Comprehensive Plan as desirable to accommodate increased needs.

*d) Maintenance of public health and safety;*

Finding: No expansion of the existing buildings is proposed. The Hospital provides health services to the City and the surrounding area.

*e) Level of park and recreation facilities;*

Finding: The property occupied by the hospital has no existing residential uses. The applicant has stated that no new employees will be added as a result of this proposal.

*f) Economic activities;*

Finding: The applicant has stated that the proposed zone change will allow for expanded health care and related services in the future.

*g) Protection and use of natural resources;*

Finding: There are no identified natural resources on the property.

*h) Natural hazards and constraints;*

Finding: The southern portion of the property is designated as "excessive slope". No development is proposed on this portion of the lot. The applicant has stated that if they are to pursue developing this slope that a geotechnical study will be performed.

*i) Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvement programs.*

Finding: The site is fully developed and no further development is proposed at this time.

*b. A demonstrated need exists for the product of the proposed amendment (land use designation or plan text adjustment)*

Finding: Stayton is experiencing consistent growth in the last few years. The expansion of the hospital is identified in the Stayton Comprehensive Plan to accommodate increased needs.

*c. The proposed amendment complies with all applicable Statewide Planning Goals and administrative rule requirements, including compliance with Goal 14 and the Urban Growth Policies of the City of Stayton (Section 17.08.230 of this title) if a change in the urban growth boundary is requested.*

Finding:

Goal 1 Citizen Involvement - The application is subject to the public hearing procedures established in SMC 17.12.360 and Oregon Revised Statutes 227.160 to 186.

Goal 2 Land Use Planning - The City's adopted Comprehensive Plan was acknowledged by the Department of Land Conservation and Development (DLCD) on April 10, 1980. DLCD was notified of this proposed amendment to that acknowledged plan on September 14, 2006. The applicant has provided information to show how the proposed amendment meets the requirements of the Comprehensive Plan Goals.

Goal 3 Agricultural Land - The property is located inside the City Limits and zoned with City urban development zones.



Goal 4 Forest Lands- The property is located inside the City Limits and zoned with City urban development zones.

Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources- This property is not designated as open space, scenic, or historic resources by the Comprehensive Plan or the adopted City Master Plans.

Goal 6 Air, Water and Land Resources Quality- No additional development of the site was submitted with this proposal but the applicant states that their intention is long term development and expansion of the hospital facilities.

Goal 7 Areas Subject to Natural Disasters and Hazards- There is an area of excessive slope identified on the site. No expansion of the existing uses is proposed at this time.

Goal 8 Recreational Needs- The site is currently used as hospital facilities, and the applicant has stated that the intent is to continue and expand those facilities.

Goal 9 Economy- The Comprehensive Plan states that as of 2004, Santiam Memorial Hospital is the 5<sup>th</sup> largest employer in the Stayton Area.

Goal 10 Housing- The property is occupied by the Hospital and medical offices. The 2005 Buildable Lands Inventory indicates that 126.8 additional acres of single family, LD zoned land will be needed to meet the population growth projections for 2020.

Goal 11 Public Facilities and Services- No development plans were provided with the application but the applicant stated that any future expansions will be planned to meet City standards on appropriate level of service and design standards for public facilities and services.

Goal 12 Transportation- No changes to the existing number of employees or the location of parking were submitted with this proposal.

Goal 13 Energy Conservation- No additional development of the sites is proposed at this time.

Goal 14 Urbanization- The property is located within the City limits.

Goal 15 Willamette River Greenway- The City of Stayton is not located in the Willamette River Greenway.

Goal 16 Estuarine Resources- The City is not located near an estuarine area.

Goal 17 Coastal Shorelands, Goal 18 Beaches and Dunes, Goal 19 Ocean Resources- The City is not located on the Oregon Coast.

- d. *The proposed amendment is possible within the existing framework of the plan (e.g., no new land use designation categories, policy categories, or plan elements are necessary to accommodate the amendment).*

Finding: A hospital is identified as a conditional use in the Public/Semi-Public Zone.

e. *The amendment is appropriate as measured by at least one of the following criteria:*

1) *It corrects identified error(s) in the provisions of the plan.*

Finding: The Comprehensive Plan Goal LU-2 states that “zoning shall follow property lines and include entire rights-of-way as much as practicable.” The property is currently split into four different zones.

2) *It represents a logical implementation of the plan.*

Finding: Comprehensive Plan Chapter 4 identifies a future need for hospital expansion.

3) *It is mandated by changes in federal, state, or local law.*

Finding: The proposed amendments are self-initiated by the applicant.

4) *It is otherwise deemed by the council to be desirable, appropriate, and proper.*

Finding: The 2005-2006 City Council goals did not address the Hospital in particular or the Comprehensive Plan and its maps in general.

#### E. DECISION CRITERIA (ZONE CHANGE)

Pursuant to SMC 17.12.430.5 the following criteria must be demonstrated as being satisfied by an application for a zone change:

a. *The proposed zone change and intended use is compatible with the surrounding area, as measured by:*

1) *Land use patterns.*

Finding: County records indicate that the hospital was developed on this site in 1953. Renovations and expansions of the hospital on this site have occurred since the original structure was built.

2) *Traffic generation and circulation.*

Finding: The applicant has stated that no new employees will be added as a result of this proposal.

3) *Population density and impacts of population concentrations.*

Finding: The existing use of this site is for non-residential uses and the steep areas of the parcel are not appropriate for residential development.

4) *Potential adverse impacts such as noise, odors, appearance, hazards to the public, generation of waste products, excessive glare of lighting, and demand on public services and facilities.*

Finding: No expansion of the existing buildings is proposed with this application.

5) *Other similar factors deemed to be of importance to the decision by the Planning Commission or council.*

Finding: The Council and Commission have not identified any goals regarding rezoning in general or the hospital in particular.

b. *Other properly zoned land is not available in sufficient quantity within the City to satisfy current and projected needs.*



Finding: Public/Semi-Public zoned lands are intended only for the use of government or non-profit agencies. (LU-19, Comp.Plan) Santiam Memorial Hospital is a non-profit agency. There are no identified future allocations of Public/Semi-Public lands, although the Comprehensive Plan does acknowledge a need for more of these lands as the City grows. Hospitals are allowed as a conditional use in the Commercial Retail (CR) and P zones and a permitted use in the Commercial General (CG) zone. The 2005 Buildable Lands Inventory states that there are 304.3 acres of Public/Semi-Public, 82.8 acres of Commercial Retail and 30.4 acres of Commercial General zoned land within the City. There are no vacant parcels zoned Public/Semi-Public, except city park land.

- c. *There are adequate urban services to serve the possible use under the zone proposed.*

Finding: The applicant states that urban services are fully available to the property.

- d. *The proposed zone change is compatible with applicable provisions of the City Comprehensive Plan.*

Finding:

LU-2- *Zoning shall follow property lines and include entire rights-of-way as much as practicable.* The property is currently split by four different zones. The proposal will rezone the entire parcel to the Public/Semi-Public zone.

LU-19- *The city shall zone land (exclusive of rights-of-way) owned and used by government agencies and not-for-profit organizations in a Public/Semi-Public zone.* Santiam Memorial Hospital is a non-profit organization.

- e. *The proposed zone change satisfies applicable provisions of Oregon Statewide Planning Goals and Administrative Rules.*

Finding:

Goal 1 Citizen Involvement- The application is subject to the public hearing procedures established in SMC 17.12.360 and Oregon Revised Statutes 227.160 to 186.

Goal 2 Land Use Planning- The City's adopted Comprehensive Plan was acknowledged by the Department of Land Conservation and Development (DLCD) on April 10, 1980. DLCD was notified of this proposed amendment to that acknowledged plan on September 14, 2006. The applicant has provided information to show how the proposed amendment meets the requirements of the Comprehensive Plan Goals.

Goal 3 Agricultural Land- The property is located inside the City Limits and zoned with City urban development zones.

Goal 4 Forest Lands- The property is located inside the City Limits and zoned with City urban development zones.

Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources- The property is not designated as open space, scenic, or historic resources by the Comprehensive Plan or the adopted City Master Plans.

Goal 6 Air, Water and Land Resources Quality- No additional development of the site was submitted with this proposal but the applicant states that their intention is long term development and expansion of the hospital facilities.

Goal 7 Areas Subject to Natural Disasters and Hazards- There is an area of excessive slope identified on the site. No expansion of the existing uses is proposed at this time.

Goal 8 Recreational Needs- The site is currently used as hospital facilities, and the applicant has stated that the intent is to continue and expand those facilities.

Goal 9 Economy- The Comprehensive Plan states that as of 2004, Santiam Memorial Hospital is the 5<sup>th</sup> largest employer in the Stayton area.

Goal 10 Housing- The site is occupied by the Hospital and auxiliary medical offices. The 2005 Buildable Lands Inventory indicates that 126.8 additional acres of single family, LD zoned land will be needed to meet the population growth projections for 2020. The area currently zoned HD is not appropriate for residential development because of the steep slope. The area of the property currently zoned LD is currently used as a parking lot and is not large enough to support a single family lot.

Goal 11 Public Facilities and Services- No development plans were provided with the application. However, the applicant stated that any future expansions will be planned to meet City standards on appropriate level of service and design standards for public facilities and services. No concerns have been raised by the Public Works Department.

Goal 12 Transportation- No changes to the existing number of employees or the location of parking were submitted with this proposal.

Goal 13 Energy Conservation- No additional development of the site is proposed at this time.

Goal 14 Urbanization- The property is located within the City limits.

Goal 15 Willamette River Greenway- The City of Stayton is not located in the Willamette River Greenway.

Goal 16 Estuarine Resources- The City is not located near an estuarine area.

Goal 17 Coastal Shorelands, Goal 18 Beaches and Dunes, Goal 19 Ocean Resources- The City is not located on the Oregon Coast.

#### **IV. CONCLUSIONS**

The proposal is compliant with all applicable review criteria with the exception of the following:

17.12.420.5.a.2.h There is an area of excessive slope on the lot. There is no development currently on this part of the lot. Currently it is zoned HD which would allow residential development on the slope. The applicant has indicated that a geotechnical analysis will be submitted with any proposal for development on the lot south of the existing medical office buildings.

#### **V. ORDER**

Based on the above facts and conclusions, it is hereby found that the application meets the requirements established in SMC 17.12.430.5 and 17.12.430.5 except as noted as above, and the Stayton City Council approves the application, and directing City Staff to prepare an ordinance amending the Stayton Comprehensive Plan and Zoning Map as described below:

##### **Area to be Placed into the Public/Semi Public Zone**

Beginning at the intersection of the centerline of 10<sup>th</sup> Avenue and Fir Street and proceeding southerly along the centerline of 10<sup>th</sup> Avenue to a point opposite the southeast corner of tax lot 100, Township 9, Range 1 West of the Willamette Meridian,



Section 10AD; then westerly, northwesterly, northerly and westerly by the southern lot line of tax lot 100 to the 7<sup>th</sup> Avenue right of way; then northerly along the 7<sup>th</sup> Avenue right of way to the Hollister Street right of way; then easterly and northeasterly along the Hollister Avenue right of way to the southwesterly corner of tax lot 1800, Township 9, Range 1 West of the Willamette Meridian, Section 10AD; then easterly along the south lot line of tax map 1800 to the southeast corner of tax map 1800; then northerly along the east lot line of tax map 1800 to the northeast corner of tax map 1800; then easterly along the southern boundary of the existing P zone to the centerline of 10<sup>th</sup> Avenue; then northerly along the centerline of 10<sup>th</sup> Avenue to a point 110 feet south of the centerline of E Fir Street; then proceeding westerly along the northerly boundary of the existing P zone to the west lot line of tax lot 100, Township 9, Range 1 West of the Willamette Meridian, Section 10AD; then proceeding northerly along the west lot line of tax map 100 to the centerline of E Fir Street; then proceeding northeasterly and easterly along the centerline of E Fir Street to the centerline of N 10<sup>th</sup> Avenue and the point of beginning.

APPROVED BY THE STAYTON CITY COUNCIL ON THE 20<sup>th</sup> DAY OF FEBRUARY, 2007.

\_\_\_\_\_  
Virginia L. Honeywell, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chris Childs, City Administrator

\_\_\_\_\_  
Date

**EXHIBIT B**  
**BEFORE THE STAYTON CITY COUNCIL**

In the matter of  
the application of  
Santiam Memorial Hospital

) Amendment to  
) Comprehensive Plan  
) & Zone Change  
) File # 16-08/06

**ORDER OF APPROVAL**

**I. NATURE OF APPLICATION**

The application is for a Comprehensive Plan map amendment and zone change from Low Density Residential to Public/Semi-Public.

**II. PUBLIC HEARING**

A public hearing was held on the application before the Stayton City Council on December 18, 2006 and continued until January 16, 2007. At that hearing, the City Council reviewed Land Use File #16-08/06, application for Comprehensive Plan map amendment and zone change, and it was made part of the record. A number of residents testified at the public hearing in opposition to the application. At the public hearing written testimony was presented by the Santiam Water control District in opposition to the application. On January 16, record of the hearing was kept open, at the request of the applicant, for submission of written testimony.

**III. FINDINGS OF FACT**

8. The owner and the applicant is Santiam Memorial Hospital.
9. The property is located 1208 E Pine Street, and is 0.6 acres in size.
10. The lot can be described as tax lot 400, Township 9, Range 1 West of the Willamette Meridian, Section 11BC.
11. The lot is currently designated by the Comprehensive Plan and zoned Low Density (LD) Residential.
12. The properties to the north and east are zoned LD and are either vacant or used for single family homes. The properties to the south are zoned MD and either vacant or used for single family homes and duplexes. The property to the west is the main hospital site that is recommended for approval of a change to the P zone.
13. The proposal is to rezone 1208 E Pine Street to the P zone. The applicant proposes to use the property for administrative offices and support facilities for the hospital. An application for conditional use approval has been approved by the Stayton Planning Commission on the condition that this application is approved by the City Council.

**A. AGENCY COMMENTS**

The following agencies were notified of the proposal: City of Stayton Public Works, Willamette Broadband, Stayton Cooperative, Pacific Power & Light, NW Natural Gas, and Stayton Fire District.



## B. PUBLIC COMMENTS

The Planning Department received the following public comments on this application prior to the Council's public hearing.

Diane Brenner, 1250 E Pine St, submitted a letter in opposition to the rezoning stating it was not appropriate for that neighborhood.

Jim Huddleston, 1350 E. Pine St., submitted a letter in opposition to the rezoning questioning the demonstration of need by the applicant, the reduction of residentially zoned land, and impact of future changes to the property on the residential neighborhood.

Larry Trosi, Manager of the Santiam Water Control District, submitted written testimony in opposition to the rezoning raising concerns over compliance of the City's Code with state regulations, compliance of the City's Code with the comprehensive plan and general storm water management.

## C. ANALYSIS

Applications for an amendment to the comprehensive plan are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Title 17, Section 17.12.420.5. Applications for zone changes are required to satisfy approval criteria contained within SMC Title 17, Section 17.12.430.5.

## D. REVIEW CRITERIA (COMPREHENSIVE PLAN AMENDMENT)

Pursuant to SMC 17.12.420.5 the following criteria must be demonstrated as being satisfied by an application for a comprehensive plan amendment:

b. *The proposed amendment is compatible with the existing provisions of the plan, as measured by:*

1. *If a map amendment, the extent of existing and proposed land use allocations for the requested uses.*

Finding: Public/Semi-Public zoned lands are intended only for the use of government or non-profit agencies. (LU-19, Comp. Plan) Santiam Memorial Hospital is a non-profit agency. There are no identified future allocations of Public/Semi-Public lands, although the Comprehensive Plan does acknowledge a need for more of these lands as the City grows. Hospitals are allowed as a conditional use in the Commercial Retail (CR) and P zones and a permitted use in the Commercial General (CG) zone. The 2005 Buildable Lands Inventory states that there are 304.3 acres of Public/Semi-Public, 82.8 acres of Commercial Retail and 30.4 acres of Commercial General land within the City.

2. *Impact of the proposed amendment on land use and development patterns within the City, as measured by:*

a) *Traffic generation and circulation patterns;*

Finding: No expansion of the existing building is planned, though the applicant has indicated that there may be future development plans. The applicant has stated that the employees at the proposed facility will not be additional employees to be hired, but existing employees from the main hospital site that are relocated to this property.

b) *Population concentrations;*

Finding: The lot is currently a single family dwelling. The proposed rezoning of the property will remove it from residential use.

c) *Demand for public facilities and services;*

Finding: No expansions of the existing buildings are proposed with this application. The applicant states that urban services are fully available to the property. Approval of the application would allow for future expansion of important health services in the community. The expansion of the Hospital is identified in the Stayton Comprehensive Plan as desirable to accommodate increased needs.

d) *Maintenance of public health and safety;*

Finding: No expansion of the existing building is proposed. The Hospital provides health services to the City and the surrounding area.

e) *Level of park and recreation facilities;*

Finding: The proposed zone change will eliminate one residence. The applicant has stated that no new employees will be added as a result of this proposal.

f) *Economic activities;*

Finding: The applicant has stated that the proposed zone change will allow for expanded health care and related services in the future.

g) *Protection and use of natural resources;*

Finding: There are no identified natural resources on this property.

h) *Natural hazards and constraints;*

Finding: There are no identified natural hazards or constraints on this property.

i) *Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvement programs.*

Finding: The site is fully developed and no further development is proposed at this time.

d. *A demonstrated need exists for the product of the proposed amendment (land use designation or plan text adjustment)*

Finding: Stayton is experiencing consistent growth in the last few years. The expansion of the hospital is identified in the Stayton Comprehensive Plan to accommodate increased needs.

e. *The proposed amendment complies with all applicable Statewide Planning Goals and administrative rule requirements, including compliance with Goal 14 and the Urban Growth Policies of the City of Stayton (Section 17.08.230 of this title) if a change in the urban growth boundary is requested.*

Finding:

Goal 1 Citizen Involvement- The application is subject to the public hearing standards established in SMC 17.12.360 and Oregon Revised Statutes 227.160 to 186.

Goal 2 Land Use Planning- The City's adopted Comprehensive Plan was acknowledged by the Department of Land Conservation and Development (DLCD) on April 10, 1980. DLCD was notified of this proposed amendment to that acknowledged plan on September 14, 2006. The applicant has provided information to show how the proposed amendment meets the requirements of the Comprehensive Plan Goals.



Goal 3 Agricultural Land- The property is located inside the City Limits and zoned with a residential zone.

Goal 4 Forest Lands- The property is located inside the City Limits and zoned with a residential zone.

Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources- The property is not designated as open space, scenic, or historic resources by the Comprehensive Plan or the adopted City Master Plans.

Goal 6 Air, Water and Land Resources Quality- No additional development of the site was submitted with this proposal but the applicant states that there may a future replacement of the existing structure.

Goal 7 Areas Subject to Natural Disasters and Hazards- There are no areas of natural hazard on the site.

Goal 8 Recreational Needs- The site is currently used as a single family dwelling. Conversion to a hospital administrative facility will not affect the demand for recreational facilities.

Goal 9 Economy- The Comprehensive Plan states that as of 2004, Santiam Memorial Hospital is the 5<sup>th</sup> largest employer in the Stayton Area.

Goal 10 Housing- The lot has a single family home that was used as a residence prior to acquisition by the Hospital. The 2005 Buildable Lands Inventory indicates that 126.8 additional acres of single family, LD zoned land will be needed to meet the population growth projections for 2020. The site represents 0.6 acre of developed LD land.

Goal 11 Public Facilities and Services- No development plans were provided with the application but the applicant stated that any future expansions will be planned to meet City standards on appropriate level of service and design standards for public facilities and services.

Goal 12 Transportation- No changes to the existing number of employees or the location of parking were submitted with this proposal. The property is currently a fully developed site. The applicant proposes that no parking facilities to accommodate the employees will be moved to the site. The Stayton Planning Commission approved a Conditional Use permit for the conversion of the property to hospital administrative use, with a condition of approval that parking associated with the facility must be located at the main hospital facility with the exception of no more than 2 parking spaces in the existing driveway.

Goal 13 Energy Conservation- No additional development of the sites is proposed at this time.

Goal 14 Urbanization- The lot is located within the City limits.

Goal 15 Willamette River Greenway- The City of Stayton is not located in the Willamette River Greenway.

Goal 16 Estuarine Resources- The City is not located near an estuarine area.

Goal 17 Coastal Shorelands, Goal 18 Beaches and Dunes, Goal 19 Ocean Resources- The City is not located on the Oregon Coast.

- f. The proposed amendment is possible within the existing framework of the plan (e.g., no new land use designation categories, policy categories, or plan elements are necessary to accommodate the amendment).*

Finding: A hospital is identified as a conditional use in the Public/Semi-Public Zone.

g. *The amendment is appropriate as measured by at least one of the following criteria:*

5) *It corrects identified error(s) in the provisions of the plan.*

Finding: There are no identified errors associated with this property.

6) *It represents a logical implementation of the plan.*

Finding: Comprehensive Plan Chapter 4 identifies a future need for hospital expansion.

7) *It is mandated by changes in federal, state, or local law.*

Finding: The proposed amendments are self-initiated by the applicant.

8) *It is otherwise deemed by the council to be desirable, appropriate, and proper.*

Finding: The 2005-2006 City Council goals did not address the Hospital in particular or the Comprehensive Plan and its maps in general.

#### E. DECISION CRITERIA (ZONE CHANGE)

Pursuant to SMC 17.12.430.5 the following criteria must be demonstrated as being satisfied by an application for a zone change:

f. *The proposed zone change and intended use is compatible with the surrounding area, as measured by:*

1) *Land use patterns.*

Finding: The manufactured home at the site was placed there in 1995. The proposal includes no changes to this structure. The applicant has stated that the site is to be used for administrative offices with parking located at 1401 N 10<sup>th</sup>. The Stayton Planning Commission approved a Conditional Use permit for the conversion of the property to hospital administrative use, with a conditions of approval that parking associated with the facility must be located at the main hospital facility with the exception of no more than 2 parking spaces in the existing driveway and that all outdoor lighting fixtures be full cut-off and equipped with motion-activated switches to control operation except during business hours.

2) *Traffic generation and circulation.*

Finding: The applicant has stated that no new employees will be added as a result of acquiring this property. Existing employees will be transferred to the new location, but they will still park at the main hospital facility. The Planning Commission approval of a Conditional Use permit for the conversion of the property to hospital administrative use, was conditioned on a requirement that parking associated with the facility must be located at the main hospital facility with the exception of no more than 2 parking spaces in the existing driveway.

3) *Population density and impacts of population concentrations.*

Finding: The zone change will remove one 0.6-acre parcel with one house from any residential density calculations.

4) *Potential adverse impacts such as noise, odors, appearance, hazards to the public, generation of waste products, excessive glare of lighting, and demand on public services and facilities.*



Finding: No expansion of the existing building is proposed with this application.

- 5) *Other similar factors deemed to be of importance to the decision by the Planning Commission or council.*

Finding: The Council and Commission have not identified any goals regarding rezoning in general or the hospital in particular.

- g. *Other properly zoned land is not available in sufficient quantity within the City to satisfy current and projected needs.*

Finding: Public/Semi-Public zoned lands are intended only for the use of government or non-profit agencies. (LU-19, Comp.Plan) Santiam Memorial Hospital is a non-profit agency. There are no identified future allocations of Public/Semi-Public lands, although the Comprehensive Plan does acknowledge a need for more of these lands as the City grows. Hospitals are allowed as a conditional use in the Commercial Retail (CR) and P zones and a permitted use in the Commercial General (CG) zone. The 2005 Buildable Lands Inventory states that there are 304.3 acres of Public/Semi-Public, 82.8 acres of Commercial Retail and 30.4 acres of Commercial General zoned land within the City. There are no vacant parcels zoned Public/Semi-Public.

- h. *There are adequate urban services to serve the possible use under the zone proposed.*

Finding: The property is currently developed and receives city services.

- i. *The proposed zone change is compatible with applicable provisions of the City Comprehensive Plan.*

Finding:

LU-19- *The city shall zone land (exclusive of rights-of-way) owned and used by government agencies and not-for-profit organizations in a Public/Semi-Public zone. Santiam Memorial Hospital is a non-profit organization.*

- j. *The proposed zone change satisfies applicable provisions of Oregon Statewide Planning Goals and Administrative Rules.*

Findings:

Goal 1 Citizen Involvement- The application is subject to the public hearing standards established in SMC 17.12.360 and Oregon Revised Statutes 227.160 to 186.

Goal 2 Land Use Planning- The City's adopted Comprehensive Plan was acknowledged by the Department of Land Conservation and Development (DLCD) on April 10, 1980. DLCD was notified of this proposed amendment to that acknowledged plan on September 14, 2006. The applicant has provided information to show how the proposed amendment meets the requirements of the Comprehensive Plan Goals.

Goal 3 Agricultural Land- The site is located inside the City Limits and zoned with a residential zone.

Goal 4 Forest Lands- The site is located inside the City Limits and zoned with a residential zone.

Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources- The site is not designated as open space, scenic, or historic resources by the Comprehensive Plan or the adopted City Master Plans.

Goal 6 Air, Water and Land Resources Quality- No additional development of the site was submitted with this proposal but the applicant states that their intention is long term development and expansion of the hospital facilities.

Goal 7 Areas Subject to Natural Disasters and Hazards- There are no areas of natural hazard on the site.

Goal 8 Recreational Needs- The site is currently used as a single family dwelling. Conversion to a hospital administrative facility will not affect the demand for recreational facilities.

Goal 9 Economy- The Comprehensive Plan states that as of 2004, Santiam Memorial Hospital is the 5<sup>th</sup> largest employer in the Stayton area.

Goal 10 Housing- The site has a single family home that was used as a residence prior to acquisition by the Hospital. The 2005 Buildable Lands Inventory indicates that 126.8 additional acres of single family, LD zoned land will be needed to meet the population growth projections for 2020. Rezoning of the site would reduce the amount of developed LD land by 0.6 acre.

Goal 11 Public Facilities and Services- No development plans were provided with the application. No concerns have been raised by the Public Works Department.

Goal 12 Transportation- No changes to the existing number of employees or the location of parking were submitted with this proposal. 1401 N 10<sup>th</sup> is a fully-developed site with parking facilities that will accommodate the employees to be moved to the site.

Goal 13 Energy Conservation- No additional development of the site is proposed at this time.

Goal 14 Urbanization- The site is located within the City limits.

Goal 15 Willamette River Greenway- The City of Stayton is not located in the Willamette River Greenway.

Goal 16 Estuarine Resources- The City is not located near an estuarine area.

Goal 17 Coastal Shorelands, Goal 18 Beaches and Dunes, Goal 19 Ocean Resources- The City is not located on the Oregon Coast.

#### **IV. CONCLUSIONS**

The proposal is compliant with all applicable review criteria.

#### **V. ORDER**

Based on the above facts and conclusions, it is hereby found that the application meets the requirements established in SMC 17.12.420.5 and 17.12.430.5, and the Stayton City Council approves the application, directing City Staff to prepare an ordinance amending the Stayton Comprehensive Plan and a zoning map as described below:

##### **Area to be Placed into the Public/Semi Public Zone**

Beginning at the intersection of the centerlines of 10<sup>th</sup> Avenue and Pine Street and proceeding easterly along the centerline of Pine Street to a point opposite the easterly lot line of tax lot 400, Township 9, Range 1 West of the Willamette Meridian, Section 11BC; then southerly along the easterly lot line to the southeast corner of tax lot 400; then westerly along the southerly lot line of tax lot 400, Township 9, Range 1 West of the Willamette Meridian, Section 11BC to the centerline of 10<sup>th</sup> Avenue; then north to the point of beginning.



APPROVED BY THE STAYTON CITY COUNCIL ON THE 5<sup>th</sup> DAY OF MARCH, 2007.

\_\_\_\_\_  
Virginia L. Honeywell, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chris Childs, City Administrator

\_\_\_\_\_  
Date

**BEFORE THE STAYTON CITY COUNCIL**

In the matter of  
the application of  
Santiam Memorial Hospital

) Amendment to  
) Comprehensive Plan  
) & Zone Change  
) File # 16-08/06

**ORDER OF APPROVAL**

**I. NATURE OF APPLICATION**

The application is for a Comprehensive Plan map amendment and zone change for Santiam Memorial Hospital from Low Density Residential, Medium Density Residential, and High Density Residential to Public/Semi-Public. However, the applicant has misinterpreted the current comprehensive plan designation and zoning for a portion of the property that the application covers. The portion of the property the applicant has described as being Medium Density Residential is, in actuality, Commercial General, on both the comprehensive plan map and zoning map.

**II. PUBLIC HEARING**

A public hearing was held on the application before the Stayton City Council on December 18, 2006 and continued until January 16, 2007. At that hearing, the City Council reviewed Land Use File #16-08/06, application for comprehensive plan map amendment and zone change, and it was made part of the record. At the public hearing written testimony was presented by the Santiam Water control District in opposition to the application. On January 16, record of the hearing was kept open, at the request of the applicant, for submission of written testimony.

**III. FINDINGS OF FACT**

1. The owner and the applicant is Santiam Memorial Hospital.
2. The property is located at 1401 N 10<sup>th</sup> Avenue and is 7.2 acres in size.
3. The lot can be described as tax lot 100, Township 9, Range 1 West of the Willamette Meridian, Section 10AD.
4. The lot is currently designated by the Comprehensive Plan and zoned Low Density (LD) Residential, Commercial General (CG), High Density (HD) Residential and Public/Semi-Public (P).
5. The properties to the north, west, and east of the lot are designated by the Comprehensive Plan and zoned LD and are either vacant or used for single family homes. The properties to the south of the lot are designated by the Comprehensive Plan and zoned HD and are occupied by duplexes and publicly-owned multi-family housing.
6. The proposal is to change the Comprehensive Plan designation and rezone the entirety of this lot to Public/Semi-Public for use by the hospital. The hospital is proposing no change or expansion of use at the property at this time.



7. On October 30, 2006 the Stayton Planning Commission, following a public hearing, adopted an order recommending the City Council approve the application and enact an ordinance amending the Comprehensive Plan and Zoning Map.

#### A. AGENCY COMMENTS

The following agencies were notified of the proposal: City of Stayton Public Works, Willamette Broadband, Stayton Cooperative, Pacific Power & Light, NW Natural Gas, Stayton Fire District.

#### B. PUBLIC COMMENTS

Written testimony from the Santiam Water Control District was received by the Planning Department the afternoon of the hearing and was presented for the record at the hearing.

#### C. ANALYSIS

Applications for an amendment to the comprehensive plan are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Title 17, Section 17.12.420.5. Applications for zone changes are required to satisfy approval criteria contained within SMC Title 17, Section 17.12.430.5.

#### D. REVIEW CRITERIA (COMPREHENSIVE PLAN AMENDMENT)

Pursuant to SMC 17.12.420.5 the following criteria must be demonstrated as being satisfied by an application for a comprehensive plan amendment:

a. *The proposed amendment is compatible with the existing provisions of the plan, as measured by:*

1. *If a map amendment, the extent of existing and proposed land use allocations for the requested uses.*

Finding: Public/Semi-Public zoned lands are intended only for the use of government or non-profit agencies. (LU-19, Comp. Plan) Santiam Memorial Hospital is a non-profit agency. There are no identified future allocations of Public/Semi-Public lands, although the Comprehensive Plan does acknowledge a need for more of these lands as the City grows. Hospitals are allowed as a conditional use in the Commercial Retail (CR) and P zones and a permitted use in the Commercial General (CG) zone. The 2005 Buildable Lands Inventory states that there are 304.3 acres of Public/Semi-Public, 82.8 acres of Commercial Retail and 30.4 acres of Commercial General land within the City.

2. *Impact of the proposed amendment on land use and development patterns within the City, as measured by:*

a) *Traffic generation and circulation patterns;*

Finding: No expansion of the existing buildings is planned, though rezoning is likely to lead to future development plans.

b) *Population concentrations;*

Finding: 1401 N 10<sup>th</sup> is split-zoned LD, CG, HD, and P. There currently are no residential uses on this site.

c) *Demand for public facilities and services;*

Finding: No expansions of the existing buildings are proposed with this application. The property is currently developed and fully served by urban services. Approval of the application would allow for future expansion of important health services in the community. The expansion of the Hospital is identified in the Stayton Comprehensive Plan as desirable to accommodate increased needs.

d) *Maintenance of public health and safety;*

Finding: No expansion of the existing buildings is proposed. The Hospital provides health services to the City and the surrounding area.

e) *Level of park and recreation facilities;*

Finding: The property occupied by the hospital has no existing residential uses. The applicant has stated that no new employees will be added as a result of this proposal.

f) *Economic activities;*

Finding: The applicant has stated that the proposed zone change will allow for expanded health care and related services in the future.

g) *Protection and use of natural resources;*

Finding: There are no identified natural resources on the property.

h) *Natural hazards and constraints;*

Finding: The southern portion of the property is designated as “excessive slope”. No development is proposed on this portion of the lot. The applicant has stated that if they are to pursue developing this slope that a geotechnical study will be performed.

i) *Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvement programs.*

Finding: The site is fully developed and no further development is proposed at this time.

b. *A demonstrated need exists for the product of the proposed amendment (land use designation or plan text adjustment)*

Finding: Stayton is experiencing consistent growth in the last few years. The expansion of the hospital is identified in the Stayton Comprehensive Plan to accommodate increased needs.

c. *The proposed amendment complies with all applicable Statewide Planning Goals and administrative rule requirements, including compliance with Goal 14 and the Urban Growth Policies of the City of Stayton (Section 17.08.230 of this title) if a change in the urban growth boundary is requested.*

Finding:

Goal 1 Citizen Involvement - The application is subject to the public hearing procedures established in SMC 17.12.360 and Oregon Revised Statutes 227.160 to 186.



Goal 2 Land Use Planning - The City's adopted Comprehensive Plan was acknowledged by the Department of Land Conservation and Development (DLCD) on April 10, 1980. DLCD was notified of this proposed amendment to that acknowledged plan on September 14, 2006. The applicant has provided information to show how the proposed amendment meets the requirements of the Comprehensive Plan Goals.

Goal 3 Agricultural Land - The property is located inside the City Limits and zoned with City urban development zones.

Goal 4 Forest Lands- The property is located inside the City Limits and zoned with City urban development zones.

Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources- This property is not designated as open space, scenic, or historic resources by the Comprehensive Plan or the adopted City Master Plans.

Goal 6 Air, Water and Land Resources Quality- No additional development of the site was submitted with this proposal but the applicant states that their intention is long term development and expansion of the hospital facilities.

Goal 7 Areas Subject to Natural Disasters and Hazards- There is an area of excessive slope identified on the site. No expansion of the existing uses is proposed at this time.

Goal 8 Recreational Needs- The site is currently used as hospital facilities, and the applicant has stated that the intent is to continue and expand those facilities.

Goal 9 Economy- The Comprehensive Plan states that as of 2004, Santiam Memorial Hospital is the 5<sup>th</sup> largest employer in the Stayton Area.

Goal 10 Housing- The property is occupied by the Hospital and medical offices. The 2005 Buildable Lands Inventory indicates that 126.8 additional acres of single family, LD zoned land will be needed to meet the population growth projections for 2020.

Goal 11 Public Facilities and Services- No development plans were provided with the application but the applicant stated that any future expansions will be planned to meet City standards on appropriate level of service and design standards for public facilities and services.

Goal 12 Transportation- No changes to the existing number of employees or the location of parking were submitted with this proposal.

Goal 13 Energy Conservation- No additional development of the sites is proposed at this time.

Goal 14 Urbanization- The property is located within the City limits.

Goal 15 Willamette River Greenway- The City of Stayton is not located in the Willamette River Greenway.

Goal 16 Estuarine Resources- The City is not located near an estuarine area.

Goal 17 Coastal Shorelands, Goal 18 Beaches and Dunes, Goal 19 Ocean Resources- The City is not located on the Oregon Coast.

- d. *The proposed amendment is possible within the existing framework of the plan (e.g., no new land use designation categories, policy categories, or plan elements are necessary to accommodate the amendment).*

Finding: A hospital is identified as a conditional use in the Public/Semi-Public Zone.

- e. *The amendment is appropriate as measured by at least one of the following criteria:*

- 1) *It corrects identified error(s) in the provisions of the plan.*

Finding: The Comprehensive Plan Goal LU-2 states that “zoning shall follow property lines and include entire rights-of-way as much as practicable.” The property is currently split into four different zones.

- 2) *It represents a logical implementation of the plan.*

Finding: Comprehensive Plan Chapter 4 identifies a future need for hospital expansion.

- 3) *It is mandated by changes in federal, state, or local law.*

Finding: The proposed amendments are self-initiated by the applicant.

- 4) *It is otherwise deemed by the council to be desirable, appropriate, and proper.*

Finding: The 2005-2006 City Council goals did not address the Hospital in particular or the Comprehensive Plan and its maps in general.

#### E. DECISION CRITERIA (ZONE CHANGE)

Pursuant to SMC 17.12.430.5 the following criteria must be demonstrated as being satisfied by an application for a zone change:

- a. *The proposed zone change and intended use is compatible with the surrounding area, as measured by:*

- 1) *Land use patterns.*

Finding: County records indicate that the hospital was developed on this site in 1953. Renovations and expansions of the hospital on this site have occurred since the original structure was built.

- 2) *Traffic generation and circulation.*

Finding: The applicant has stated that no new employees will be added as a result of this proposal.

- 3) *Population density and impacts of population concentrations.*

Finding: The existing use of this site is for non-residential uses and the steep areas of the parcel are not appropriate for residential development.

- 4) *Potential adverse impacts such as noise, odors, appearance, hazards to the public, generation of waste products, excessive glare of lighting, and demand on public services and facilities.*

Finding: No expansion of the existing buildings is proposed with this application.



5) *Other similar factors deemed to be of importance to the decision by the Planning Commission or council.*

Finding: The Council and Commission have not identified any goals regarding rezoning in general or the hospital in particular.

b. *Other properly zoned land is not available in sufficient quantity within the City to satisfy current and projected needs.*

Finding: Public/Semi-Public zoned lands are intended only for the use of government or non-profit agencies. (LU-19, Comp.Plan) Santiam Memorial Hospital is a non-profit agency. There are no identified future allocations of Public/Semi-Public lands, although the Comprehensive Plan does acknowledge a need for more of these lands as the City grows. Hospitals are allowed as a conditional use in the Commercial Retail (CR) and P zones and a permitted use in the Commercial General (CG) zone. The 2005 Buildable Lands Inventory states that there are 304.3 acres of Public/Semi-Public, 82.8 acres of Commercial Retail and 30.4 acres of Commercial General zoned land within the City. There are no vacant parcels zoned Public/Semi-Public, except city park land.

c. *There are adequate urban services to serve the possible use under the zone proposed.*

Finding: The applicant states that urban services are fully available to the property.

d. *The proposed zone change is compatible with applicable provisions of the City Comprehensive Plan.*

Finding:

LU-2- *Zoning shall follow property lines and include entire rights-of-way as much as practicable.* The property is currently split by four different zones. The proposal will rezone the entire parcel to the Public/Semi-Public zone.

LU-19- *The city shall zone land (exclusive of rights-of-way) owned and used by government agencies and not-for-profit organizations in a Public/Semi-Public zone.* Santiam Memorial Hospital is a non-profit organization.

e. *The proposed zone change satisfies applicable provisions of Oregon Statewide Planning Goals and Administrative Rules.*

Finding:

Goal 1 Citizen Involvement- The application is subject to the public hearing procedures established in SMC 17.12.360 and Oregon Revised Statutes 227.160 to 186.

Goal 2 Land Use Planning- The City's adopted Comprehensive Plan was acknowledged by the Department of Land Conservation and Development (DLCD) on April 10, 1980. DLCD was notified of this proposed amendment to that acknowledged plan on September 14, 2006. The applicant has provided information to show how the proposed amendment meets the requirements of the Comprehensive Plan Goals.

Goal 3 Agricultural Land- The property is located inside the City Limits and zoned with City urban development zones.

Goal 4 Forest Lands- The property is located inside the City Limits and zoned with City urban development zones.

Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources- The property is not designated as open space, scenic, or historic resources by the Comprehensive Plan or the adopted City Master Plans.

Goal 6 Air, Water and Land Resources Quality- No additional development of the site was submitted with this proposal but the applicant states that their intention is long term development and expansion of the hospital facilities.

Goal 7 Areas Subject to Natural Disasters and Hazards- There is an area of excessive slope identified on the site. No expansion of the existing uses is proposed at this time.

Goal 8 Recreational Needs- The site is currently used as hospital facilities, and the applicant has stated that the intent is to continue and expand those facilities.

Goal 9 Economy- The Comprehensive Plan states that as of 2004, Santiam Memorial Hospital is the 5<sup>th</sup> largest employer in the Stayton area.

Goal 10 Housing- The site is occupied by the Hospital and auxiliary medical offices. The 2005 Buildable Lands Inventory indicates that 126.8 additional acres of single family, LD zoned land will be needed to meet the population growth projections for 2020. The area currently zoned HD is not appropriate for residential development because of the steep slope. The area of the property currently zoned LD is currently used as a parking lot and is not large enough to support a single family lot.

Goal 11 Public Facilities and Services- No development plans were provided with the application. However, the applicant stated that any future expansions will be planned to meet City standards on appropriate level of service and design standards for public facilities and services. No concerns have been raised by the Public Works Department.

Goal 12 Transportation- No changes to the existing number of employees or the location of parking were submitted with this proposal.

Goal 13 Energy Conservation- No additional development of the site is proposed at this time.

Goal 14 Urbanization- The property is located within the City limits.

Goal 15 Willamette River Greenway- The City of Stayton is not located in the Willamette River Greenway.

Goal 16 Estuarine Resources- The City is not located near an estuarine area.

Goal 17 Coastal Shorelands, Goal 18 Beaches and Dunes, Goal 19 Ocean Resources- The City is not located on the Oregon Coast.

#### IV. CONCLUSIONS

The proposal is compliant with all applicable review criteria with the exception of the following:

17.12.420.5.a.2.h There is an area of excessive slope on the lot. There is no development currently on this part of the lot. Currently it is zoned HD which would allow residential development on the



slope. The applicant has indicated that a geotechnical analysis will be submitted with any proposal for development on the lot south of the existing medical office buildings.

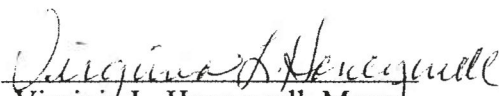
**V. ORDER**

Based on the above facts and conclusions, it is hereby found that the application meets the requirements established in SMC 17.12.430.5 and 17.12.430.5 except as noted as above, and the Stayton City Council approves the application, and directing City Staff to prepare an ordinance amending the Stayton Comprehensive Plan and Zoning Map as described below:


**Area to be Placed into the Public/Semi Public Zone**

Beginning at the intersection of the centerline of 10<sup>th</sup> Avenue and Fir Street and proceeding southerly along the centerline of 10<sup>th</sup> Avenue to a point opposite the southeast corner of tax lot 100, Township 9, Range 1 West of the Willamette Meridian, Section 10AD; then westerly, northwesterly, northerly and westerly by the southern lot line of tax lot 100 to the 7<sup>th</sup> Avenue right of way; then northerly along the 7<sup>th</sup> Avenue right of way to the Hollister Street right of way; then easterly and northeasterly along the Hollister Avenue right of way to the southwest corner of tax lot 1800, Township 9, Range 1 West of the Willamette Meridian, Section 10AD; then easterly along the south lot line of tax map 1800 to the southeast corner of tax map 1800; then northerly along the east lot line of tax map 1800 to the northeast corner of tax map 1800; then easterly along the southern boundary of the existing P zone to the centerline of 10<sup>th</sup> Avenue; then northerly along the centerline of 10<sup>th</sup> Avenue to a point 110 feet south of the centerline of E Fir Street; then proceeding westerly along the northerly boundary of the existing P zone to the west lot line of tax lot 100, Township 9, Range 1 West of the Willamette Meridian, Section 10AD; then proceeding northerly along the west lot line of tax map 100 to the centerline of E Fir Street; then proceeding northeasterly and easterly along the centerline of E Fir Street to the centerline of N 10<sup>th</sup> Avenue and the point of beginning.

APPROVED BY THE STAYTON CITY COUNCIL ON THE 20<sup>th</sup> DAY OF FEBRUARY, 2007.

  
Virginia L. Honeywell, Mayor

2-21-07  
Date

  
Chris Childs, City Administrator

2/23/2007  
Date

Attachment A

The following persons testified at the public hearing:

Merryann Meredith, President of Board of Directors, Santiam Memorial Hospital

Terry Fletchall, CEO Santiam Memorial Hospital, 1401 N 10<sup>th</sup> Ave, applicant

Jeffery Tross 1720 Liberty St SE, Salem, applicant's consultant

Larry Trosi, Manager, Santiam Water Control District, 284 E Water Street

Jim Templin, Stayton

Hilda Lee, Stayton

Jim Huddleston, Stayton

Diane Brenner, Stayton





## BEFORE THE STAYTON CITY COUNCIL

In the matter of  
the application of  
Santiam Memorial Hospital

) Amendment to  
) Comprehensive Plan  
) & Zone Change  
) File # 16-08/06

### ORDER OF APPROVAL

#### I. NATURE OF APPLICATION

The application is for a Comprehensive Plan map amendment and zone change from Low Density Residential to Public/Semi-Public.

#### II. PUBLIC HEARING

A public hearing was held on the application before the Stayton City Council on December 18, 2006 and continued until January 16, 2007. At that hearing, the City Council reviewed Land Use File #16-08/06, application for Comprehensive Plan map amendment and zone change, and it was made part of the record. A number of residents testified at the public hearing in opposition to the application. At the public hearing written testimony was presented by the Santiam Water control District in opposition to the application. On January 16, record of the hearing was kept open, at the request of the applicant, for submission of written testimony.

#### III. FINDINGS OF FACT

1. The owner and the applicant is Santiam Memorial Hospital.
2. The property is located 1208 E Pine Street, and is 0.6 acres in size.
3. The lot can be described as tax lot 400, Township 9, Range 1 West of the Willamette Meridian, Section 11BC.
4. The lot is currently designated by the Comprehensive Plan and zoned Low Density (LD) Residential.
5. The properties to the north and east are zoned LD and are either vacant or used for single family homes. The properties to the south are zoned MD and either vacant or used for single family homes and duplexes. The property to the west is the main hospital site that is recommended for approval of a change to the P zone.
6. The proposal is to rezone 1208 E Pine Street to the P zone. The applicant proposes to use the property for administrative offices and support facilities for the hospital. An application for conditional use approval has been approved by the Stayton Planning Commission on the condition that this application is approved by the City Council.



#### A. AGENCY COMMENTS

The following agencies were notified of the proposal: City of Stayton Public Works, Willamette Broadband, Stayton Cooperative, Pacific Power & Light, NW Natural Gas, and Stayton Fire District.

#### B. PUBLIC COMMENTS

The Planning Department received the following public comments on this application prior to the Council's public hearing.

Diane Brenner, 1250 E Pine St, submitted a letter in opposition to the rezoning stating it was not appropriate for that neighborhood.

Jim Huddleston, 1350 E. Pine St., submitted a letter in opposition to the rezoning questioning the demonstration of need by the applicant, the reduction of residentially zoned land, and impact of future changes to the property on the residential neighborhood.

Larry Troisi, Manager of the Santiam Water Control District, submitted written testimony in opposition to the rezoning raising concerns over compliance of the City's Code with state regulations, compliance of the City's Code with the comprehensive plan and general storm water management.

#### C. ANALYSIS

Applications for an amendment to the comprehensive plan are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Title 17, Section 17.12.420.5. Applications for zone changes are required to satisfy approval criteria contained within SMC Title 17, Section 17.12.430.5.

#### D. REVIEW CRITERIA (COMPREHENSIVE PLAN AMENDMENT)

Pursuant to SMC 17.12.420.5 the following criteria must be demonstrated as being satisfied by an application for a comprehensive plan amendment:

a. *The proposed amendment is compatible with the existing provisions of the plan, as measured by:*

1. *If a map amendment, the extent of existing and proposed land use allocations for the requested uses.*

**Finding:** Public/Semi-Public zoned lands are intended only for the use of government or non-profit agencies. (LU-19, Comp. Plan) Santiam Memorial Hospital is a non-profit agency. There are no identified future allocations of Public/Semi-Public lands, although the Comprehensive Plan does acknowledge a need for more of these lands as the City grows. Hospitals are allowed as a conditional use in the Commercial Retail (CR) and P zones and a permitted use in the Commercial General (CG) zone. The 2005 Buildable Lands Inventory states that there are 304.3 acres of Public/Semi-Public, 82.8 acres of Commercial Retail and 30.4 acres of Commercial General land within the City.

2. *Impact of the proposed amendment on land use and development patterns within the City, as measured by:*

a) *Traffic generation and circulation patterns;*

Finding: No expansion of the existing building is planned, though the applicant has indicated that there may be future development plans. The applicant has stated that the employees at the proposed facility will not be additional employees to be hired, but existing employees from the main hospital site that are relocated to this property.

b) *Population concentrations;*

Finding: The lot is currently a single family dwelling. The proposed rezoning of the property will remove it from residential use.

c) *Demand for public facilities and services;*

Finding: No expansions of the existing buildings are proposed with this application. The applicant states that urban services are fully available to the property. Approval of the application would allow for future expansion of important health services in the community. The expansion of the Hospital is identified in the Stayton Comprehensive Plan as desirable to accommodate increased needs.

d) *Maintenance of public health and safety;*

Finding: No expansion of the existing building is proposed. The Hospital provides health services to the City and the surrounding area.

e) *Level of park and recreation facilities;*

Finding: The proposed zone change will eliminate one residence. The applicant has stated that no new employees will be added as a result of this proposal.

f) *Economic activities;*

Finding: The applicant has stated that the proposed zone change will allow for expanded health care and related services in the future.

g) *Protection and use of natural resources;*

Finding: There are no identified natural resources on this property.

h) *Natural hazards and constraints;*

Finding: There are no identified natural hazards or constraints on this property.

i) *Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvement programs.*

Finding: The site is fully developed and no further development is proposed at this time.

b. *A demonstrated need exists for the product of the proposed amendment (land use designation or plan text adjustment)*

Finding: Stayton is experiencing consistent growth in the last few years. The expansion of the hospital is identified in the Stayton Comprehensive Plan to accommodate increased needs.



- c. *The proposed amendment complies with all applicable Statewide Planning Goals and administrative rule requirements, including compliance with Goal 14 and the Urban Growth Policies of the City of Stayton (Section 17.08.230 of this title) if a change in the urban growth boundary is requested.*

Finding:

Goal 1 Citizen Involvement- The application is subject to the public hearing standards established in SMC 17.12.360 and Oregon Revised Statutes 227.160 to 186.

Goal 2 Land Use Planning- The City's adopted Comprehensive Plan was acknowledged by the Department of Land Conservation and Development (DLCD) on April 10, 1980. DLCD was notified of this proposed amendment to that acknowledged plan on September 14, 2006. The applicant has provided information to show how the proposed amendment meets the requirements of the Comprehensive Plan Goals.

Goal 3 Agricultural Land- The property is located inside the City Limits and zoned with a residential zone.

Goal 4 Forest Lands- The property is located inside the City Limits and zoned with a residential zone.

Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources- The property is not designated as open space, scenic, or historic resources by the Comprehensive Plan or the adopted City Master Plans.

Goal 6 Air, Water and Land Resources Quality- No additional development of the site was submitted with this proposal but the applicant states that there may a future replacement of the existing structure.

Goal 7 Areas Subject to Natural Disasters and Hazards- There are no areas of natural hazard on the site.

Goal 8 Recreational Needs- The site is currently used as a single family dwelling. Conversion to a hospital administrative facility will not affect the demand for recreational facilities.

Goal 9 Economy- The Comprehensive Plan states that as of 2004, Santiam Memorial Hospital is the 5<sup>th</sup> largest employer in the Stayton Area.

Goal 10 Housing- The lot has a single family home that was used as a residence prior to acquisition by the Hospital. The 2005 Buildable Lands Inventory indicates that 126.8 additional acres of single family, LD zoned land will be needed to meet the population growth projections for 2020. The site represents 0.6 acre of developed LD land.

Goal 11 Public Facilities and Services- No development plans were provided with the application but the applicant stated that any future expansions will be planned to meet City standards on appropriate level of service and design standards for public facilities and services.

Goal 12 Transportation- No changes to the existing number of employees or the location of parking were submitted with this proposal. The property is currently a fully developed site. The applicant proposes that no parking facilities to accommodate the employees will be

moved to the site. The Stayton Planning Commission approved a Conditional Use permit for the conversion of the property to hospital administrative use, with a condition of approval that parking associated with the facility must be located at the main hospital facility with the exception of no more than 2 parking spaces in the existing driveway.

Goal 13 Energy Conservation- No additional development of the sites is proposed at this time.

Goal 14 Urbanization- The lot is located within the City limits.

Goal 15 Willamette River Greenway- The City of Stayton is not located in the Willamette River Greenway.

Goal 16 Estuarine Resources- The City is not located near an estuarine area.

Goal 17 Coastal Shorelands, Goal 18 Beaches and Dunes, Goal 19 Ocean Resources- The City is not located on the Oregon Coast.

- d. *The proposed amendment is possible within the existing framework of the plan (e.g., no new land use designation categories, policy categories, or plan elements are necessary to accommodate the amendment).*

Finding: A hospital is identified as a conditional use in the Public/Semi-Public Zone.

- e. *The amendment is appropriate as measured by at least one of the following criteria:*

- 1) *It corrects identified error(s) in the provisions of the plan.*

Finding: There are no identified errors associated with this property.

- 2) *It represents a logical implementation of the plan.*

Finding: Comprehensive Plan Chapter 4 identifies a future need for hospital expansion.

- 3) *It is mandated by changes in federal, state, or local law.*

Finding: The proposed amendments are self-initiated by the applicant.

- 4) *It is otherwise deemed by the council to be desirable, appropriate, and proper.*

Finding: The 2005-2006 City Council goals did not address the Hospital in particular or the Comprehensive Plan and its maps in general.

#### E. DECISION CRITERIA (ZONE CHANGE)

Pursuant to SMC 17.12.430.5 the following criteria must be demonstrated as being satisfied by an application for a zone change:

- a. *The proposed zone change and intended use is compatible with the surrounding area, as measured by:*

- 1) *Land use patterns.*

Finding: The manufactured home at the site was placed there in 1995. The proposal includes no changes to this structure. The applicant has stated that the site is to be used for administrative offices with parking located at 1401 N 10<sup>th</sup>. The Stayton Planning Commission approved a Conditional Use permit for the conversion of the property to



hospital administrative use, with a conditions of approval that parking associated with the facility must be located at the main hospital facility with the exception of no more than 2 parking spaces in the existing driveway and that all outdoor lighting fixtures be full cut-off and equipped with motion-activated switches to control operation except during business hours.

2) *Traffic generation and circulation.*

Finding: The applicant has stated that no new employees will be added as a result of acquiring this property. Existing employees will be transferred to the new location, but they will still park at the main hospital facility. The Planning Commission approval of a Conditional Use permit for the conversion of the property to hospital administrative use, was conditioned on a requirement that parking associated with the facility must be located at the main hospital facility with the exception of no more than 2 parking spaces in the existing driveway.

3) *Population density and impacts of population concentrations.*

Finding: The zone change will remove one 0.6-acre parcel with one house from any residential density calculations.

4) *Potential adverse impacts such as noise, odors, appearance, hazards to the public, generation of waste products, excessive glare of lighting, and demand on public services and facilities.*

Finding: No expansion of the existing building is proposed with this application.

5) *Other similar factors deemed to be of importance to the decision by the Planning Commission or council.*

Finding: The Council and Commission have not identified any goals regarding rezoning in general or the hospital in particular.

b. *Other properly zoned land is not available in sufficient quantity within the City to satisfy current and projected needs.*

Finding: Public/Semi-Public zoned lands are intended only for the use of government or non-profit agencies. (LU-19, Comp.Plan) Santiam Memorial Hospital is a non-profit agency. There are no identified future allocations of Public/Semi-Public lands, although the Comprehensive Plan does acknowledge a need for more of these lands as the City grows. Hospitals are allowed as a conditional use in the Commercial Retail (CR) and P zones and a permitted use in the Commercial General (CG) zone. The 2005 Buildable Lands Inventory states that there are 304.3 acres of Public/Semi-Public, 82.8 acres of Commercial Retail and 30.4 acres of Commercial General zoned land within the City. There are no vacant parcels zoned Public/Semi-Public.

c. *There are adequate urban services to serve the possible use under the zone proposed.*

Finding: The property is currently developed and receives city services.

d. *The proposed zone change is compatible with applicable provisions of the City Comprehensive Plan.*

Finding:

LU-19- *The city shall zone land (exclusive of rights-of-way) owned and used by government agencies and not-for-profit organizations in a Public/Semi-Public zone. Santiam Memorial Hospital is a non-profit organization.*

- e. *The proposed zone change satisfies applicable provisions of Oregon Statewide Planning Goals and Administrative Rules.*

Findings:

Goal 1 Citizen Involvement- The application is subject to the public hearing standards established in SMC 17.12.360 and Oregon Revised Statutes 227.160 to 186.

Goal 2 Land Use Planning- The City's adopted Comprehensive Plan was acknowledged by the Department of Land Conservation and Development (DLCD) on April 10, 1980. DLCD was notified of this proposed amendment to that acknowledged plan on September 14, 2006. The applicant has provided information to show how the proposed amendment meets the requirements of the Comprehensive Plan Goals.

Goal 3 Agricultural Land- The site is located inside the City Limits and zoned with a residential zone.

Goal 4 Forest Lands- The site is located inside the City Limits and zoned with a residential zone.

Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources- The site is not designated as open space, scenic, or historic resources by the Comprehensive Plan or the adopted City Master Plans.

Goal 6 Air, Water and Land Resources Quality- No additional development of the site was submitted with this proposal but the applicant states that their intention is long term development and expansion of the hospital facilities.

Goal 7 Areas Subject to Natural Disasters and Hazards- There are no areas of natural hazard on the site.

Goal 8 Recreational Needs- The site is currently used as a single family dwelling. Conversion to a hospital administrative facility will not affect the demand for recreational facilities.

Goal 9 Economy- The Comprehensive Plan states that as of 2004, Santiam Memorial Hospital is the 5<sup>th</sup> largest employer in the Stayton area.

Goal 10 Housing- The site has a single family home that was used as a residence prior to acquisition by the Hospital. The 2005 Buildable Lands Inventory indicates that 126.8 additional acres of single family, LD zoned land will be needed to meet the population growth projections for 2020. Rezoning of the site would reduce the amount of developed LD land by 0.6 acre.

Goal 11 Public Facilities and Services- No development plans were provided with the application. No concerns have been raised by the Public Works Department.



Goal 12 Transportation- No changes to the existing number of employees or the location of parking were submitted with this proposal. 1401 N 10<sup>th</sup> is a fully-developed site with parking facilities that will accommodate the employees to be moved to the site.

Goal 13 Energy Conservation- No additional development of the site is proposed at this time.

Goal 14 Urbanization- The site is located within the City limits.

Goal 15 Willamette River Greenway- The City of Stayton is not located in the Willamette River Greenway.

Goal 16 Estuarine Resources- The City is not located near an estuarine area.

Goal 17 Coastal Shorelands, Goal 18 Beaches and Dunes, Goal 19 Ocean Resources- The City is not located on the Oregon Coast.

#### IV. CONCLUSIONS

The proposal is compliant with all applicable review criteria.

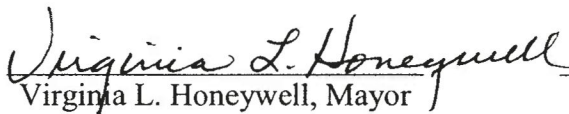
#### V. ORDER

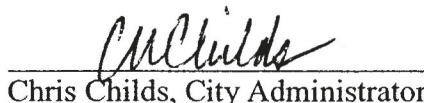
Based on the above facts and conclusions, it is hereby found that the application meets the requirements established in SMC 17.12.420.5 and 17.12.430.5, and the Stayton City Council approves the application, directing City Staff to prepare an ordinance amending the Stayton Comprehensive Plan and a zoning map as described below:

##### Area to be Placed into the Public/Semi Public Zone

Beginning at the intersection of the centerlines of 10<sup>th</sup> Avenue and Pine Street and proceeding easterly along the centerline of Pine Street to a point opposite the easterly lot line of tax lot 400, Township 9, Range 1 West of the Willamette Meridian, Section 11BC; then southerly along the easterly lot line to the southeast corner of tax lot 400; then westerly along the southerly lot line of tax lot 400, Township 9, Range 1 West of the Willamette Meridian, Section 11BC to the centerline of 10<sup>th</sup> Avenue; then north to the point of beginning.

APPROVED BY THE STAYTON CITY COUNCIL ON THE 5<sup>th</sup> DAY OF MARCH, 2007.

 3-5-07  
Virginia L. Honeywell, Mayor Date

 3/6/2007  
Chris Childs, City Administrator Date

Attachment A

The following persons testified at the Planning Commission public hearing:

Terry Fletchall, CEO Santiam Memorial Hospital, 1401 N 10<sup>th</sup> Ave, applicant

Jeffery Tross, 1720 Liberty St SE, Salem, applicant's consultant

Maggie Hudson, 1401 N 10<sup>th</sup> Ave, Stayton, applicant's representative

Diane Brenner, 1210 E Pine, in opposition

Bill Patty, 1212 E Pine, in opposition

Jean Moragne 1480 E Pine, in opposition

The following persons testified at the Council's public hearing:

Merryann Meredith, President of Board of Directors, Santiam Memorial Hospital

Terry Fletchall, CEO Santiam Memorial Hospital, 1401 N 10<sup>th</sup> Ave, applicant

Jeffery Tross 1720 Liberty St SE, Salem, applicant's consultant

Larry Trosi, Manager, Santiam Water Control District, 284 E Water Street

Jim Templin, Stayton, in favor

Hilda Lee, Stayton, in opposition

Jim Huddleston, Stayton, in opposition

Diane Brenner, Stayton, in opposition

## BEFORE THE STAYTON PLANNING COMMISSION

In the matter of  
the application of  
Santiam Memorial Hospital

) Amendment to  
) Comprehensive Plan  
) & Zone Change  
) File # 16-08/06

### ORDER OF APPROVAL

#### I. NATURE OF APPLICATION

The application is for a comprehensive plan map amendment and zone change for Santiam Memorial Hospital from Low Density Residential, Medium Density Residential, and High Density Residential to Public/Semi-Public. However, the applicant has misinterpreted the current comprehensive plan designation and zoning for a portion of the property that the application covers. The portion of the property the applicant has described as being Medium Density Residential is, in actuality, Commercial General, on both the comprehensive plan map and zoning map.

#### II. PUBLIC HEARING

A public hearing was held on the application before the Stayton Planning Commission on October 30, 2006. At that hearing, the Planning Commission reviewed Land Use File #16-08/06, application for comprehensive plan map amendment and zone change, and it was made part of the record. At the hearing, the error in the notice of the hearing regarding the incorrect identification of the existing zone was brought to the public's attention and no objections were raised over the adequacy of the notice.

#### III. FINDINGS OF FACT

1. The owner and the applicant is Santiam Memorial Hospital.
2. The property is located at 1401 N 10<sup>th</sup> Avenue and is 7.2 acres in size.
3. The lot can be described as tax lot 100, Township 9, Range 1 West of the Willamette Meridian, Section 10AD.
4. The lot is currently designated by the Comprehensive Plan and zoned Low Density (LD) Residential, Commercial General (CG), High Density (HD) Residential and Public/Semi-Public (P).
5. The properties to the north, west, and east of the lot are designated by the Comprehensive Plan and zoned LD and are either vacant or used for single family homes. The properties to the south of the lot are designated by the Comprehensive Plan and zoned HD and are occupied by duplexes and publicly-owned multi-family housing.
6. The proposal is to change the Comprehensive Plan designation and rezone the entirety of this lot to Public/Semi-Public for use by the hospital. The hospital is proposing no change or expansion of use at 1401 N 10<sup>th</sup> Avenue at this time.



## A. AGENCY COMMENTS

The following agencies were notified of the proposal: City of Stayton Public Works, Willamette Broadband, Stayton Cooperative, Pacific Power & Light, NW Natural Gas, Stayton Fire District.

## B. PUBLIC COMMENTS

The Planning Department received no public comments on this application prior to the public hearing.

## C. ANALYSIS

Applications for an amendment to the comprehensive plan are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Title 17, Section 17.12.420.5. Applications for zone changes are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Title 17, Section 17.12.430.5.

## D. REVIEW CRITERIA (COMPREHENSIVE PLAN AMENDMENT)

Pursuant to SMC 17.12.420.5 the following criteria must be demonstrated as being satisfied by an application for a comprehensive plan amendment:

a. *The proposed amendment is compatible with the existing provisions of the plan, as measured by:*

1. *If a map amendment, the extent of existing and proposed land use allocations for the requested uses.*

Finding: Public/Semi-Public zoned lands are intended only for the use of government or non-profit agencies. (LU-19, Comp. Plan) Santiam Memorial Hospital is a non-profit agency. There are no identified future allocations of Public/Semi-Public lands, although the Comprehensive Plan does acknowledge a need for more of these lands as the City grows. Hospitals are allowed as a conditional use in the Commercial Retail (CR) and P zones and a permitted use in the Commercial General (CG) zone. The 2005 Buildable Lands Inventory states that there are 304.3 acres of Public/Semi-Public, 82.8 acres of Commercial Retail and 30.4 acres of Commercial General land within the City.

2. *Impact of the proposed amendment on land use and development patterns within the City, as measured by:*

a) *Traffic generation and circulation patterns;*

Finding: No expansion of the existing buildings at 1401 N 10<sup>th</sup> is planned, though rezoning is likely to lead to future development plans.

b) *Population concentrations;*

Finding: 1401 N 10<sup>th</sup> is split-zoned LD, CG, HD, and P. There currently are no residential uses on this site.

c) *Demand for public facilities and services;*

Finding: No expansions of the existing buildings are proposed with this application. The applicant states that urban services are fully available to both properties. Approval of the application would allow for future expansion of important health

services in the community. The expansion of the Hospital is identified in the Stayton Comprehensive Plan as desirable to accommodate increased needs.

*d) Maintenance of public health and safety;*

Finding: No expansion of the existing buildings is proposed. The Hospital provides health services to the City and the surrounding area.

*e) Level of park and recreation facilities;*

Finding: The property occupied by the hospital has no existing residential uses. The applicant has stated that no new employees will be added as a result of this proposal.

*f) Economic activities;*

Finding: The applicant has stated that the proposed zone change will allow for expanded health care and related services in the future.

*g) Protection and use of natural resources;*

Finding: There are no identified natural resources on these properties.

*h) Natural hazards and constraints;*

Finding: The southern portion of the property is designated as “excessive slope”. No development is proposed on this portion of the lot. The applicant has stated that if they are to pursue developing this slope that a geotechnical study will be performed.

*i) Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvement programs.*

Finding: The site is fully developed and no further development is proposed at this time.

*b. A demonstrated need exists for the product of the proposed amendment (land use designation or plan text adjustment)*

Finding: Stayton is experiencing consistent growth in the last few years. The expansion of the hospital is identified in the Stayton Comprehensive Plan to accommodate increased needs.

*c. The proposed amendment complies with all applicable Statewide Planning Goals and administrative rule requirements, including compliance with Goal 14 and the Urban Growth Policies of the City of Stayton (Section 17.08.230 of this title) if a change in the urban growth boundary is requested.*

Finding:

Goal 1 Citizen Involvement- The application is subject to the public hearing standards established in SMC 17.12.360 and Oregon Revised Statutes 227.160 to 186.

Goal 2 Land Use Planning- The City’s adopted Comprehensive Plan was acknowledged by the Department of Land Conservation and Development (DLCD) on April 10, 1980. DLCD was notified of this proposed amendment to that acknowledged plan on September 14, 2006. The applicant has provided information to show how the proposed amendment meets the requirements of the Comprehensive Plan Goals.



Goal 3 Agricultural Land- The property for this proposal is located inside the City Limits and zoned with City urban development zones.

Goal 4 Forest Lands- The property for this proposal is located inside the City Limits and zoned with City urban development zones.

Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources- This property is not designated as open space, scenic, or historic resources by the Comprehensive Plan or the adopted City Master Plans.

Goal 6 Air, Water and Land Resources Quality- No additional development of the site was submitted with this proposal but the applicant states that their intention is long term development and expansion of the hospital facilities.

Goal 7 Areas Subject to Natural Disasters and Hazards- There is an area of excessive slope identified on the site. No expansion of the existing uses is proposed at this time.

Goal 8 Recreational Needs- The site is currently used as hospital facilities, and the applicant has stated that the intent is to continue and expand those facilities.

Goal 9 Economy- The Comprehensive Plan states that as of 2004, Santiam Memorial Hospital is the 5<sup>th</sup> largest employer in the Stayton Area.

Goal 10 Housing- 1401 N 10<sup>th</sup> is occupied by the Hospital and medical offices. The 2005 Buildable Lands Inventory indicates that 126.8 additional acres of single family, LD zoned land will be needed to meet the population growth projections for 2020.

Goal 11 Public Facilities and Services- No development plans were provided with the application but the applicant stated that any future expansions will be planned to meet City standards on appropriate level of service and design standards for public facilities and services.

Goal 12 Transportation- No changes to the existing number of employees or the location of parking were submitted with this proposal.

Goal 13 Energy Conservation- No additional development of the sites is proposed at this time.

Goal 14 Urbanization- 1401 N 10<sup>th</sup> is located within the City limits.

Goal 15 Willamette River Greenway- The City of Stayton is not located in the Willamette River Greenway.

Goal 16 Estuarine Resources- The City is not located near an estuarine area.

Goal 17 Coastal Shorelands, Goal 18 Beaches and Dunes, Goal 19 Ocean Resources- The City is not located on the Oregon Coast.

- d. *The proposed amendment is possible within the existing framework of the plan (e.g., no new land use designation categories, policy categories, or plan elements are necessary to accommodate the amendment).*

Finding: A hospital is identified as a conditional use in the Public/Semi-Public Zone.



e. *The amendment is appropriate as measured by at least one of the following criteria:*

1) *It corrects identified error(s) in the provisions of the plan.*

Finding: The Comprehensive Plan Goal LU-2 states that “zoning shall follow property lines and include entire rights-of-way as much as practicable.” The current adopted zoning map has a split zone on 1401 N.10<sup>th</sup> Ave.

2) *It represents a logical implementation of the plan.*

Finding: Comprehensive Plan Chapter 4 identifies a future need for hospital expansion.

3) *It is mandated by changes in federal, state, or local law.*

Finding: The proposed amendments are self-initiated by the applicant.

4) *It is otherwise deemed by the council to be desirable, appropriate, and proper.*

Finding: The 2005-2006 City Council goals did not address the Hospital in particular or the Comprehensive Plan and its maps in general.

#### E. DECISION CRITERIA (ZONE CHANGE)

Pursuant to SMC 17.12.430.5 the following criteria must be demonstrated as being satisfied by an application for a zone change:

a. *The proposed zone change and intended use is compatible with the surrounding area, as measured by:*

1) *Land use patterns.*

Finding: County records indicate that the hospital was developed on this site in 1953. Renovations and expansions of the hospital on this site have occurred since the original structure was built.

2) *Traffic generation and circulation.*

Finding: The applicant has stated that no new employees will be added as a result of this proposal.

3) *Population density and impacts of population concentrations.*

Finding: The existing use of this site is for non-residential uses and the steep areas of the parcel are not appropriate for residential development.

4) *Potential adverse impacts such as noise, odors, appearance, hazards to the public, generation of waste products, excessive glare of lighting, and demand on public services and facilities.*

Finding: No expansion of the existing buildings is proposed with this application.

- 5) *Other similar factors deemed to be of importance to the decision by the Planning Commission or council.*

Finding: The Council and Commission have not identified any goals regarding rezoning in general or the hospital in particular.

- b. *Other properly zoned land is not available in sufficient quantity within the City to satisfy current and projected needs.*

Finding: Public/Semi-Public zoned lands are intended only for the use of government or non-profit agencies. (LU-19, Comp.Plan) Santiam Memorial Hospital is a non-profit agency. There are no identified future allocations of Public/Semi-Public lands, although the Comprehensive Plan does acknowledge a need for more of these lands as the City grows. Hospitals are allowed as a conditional use in the Commercial Retail (CR) and P zones and a permitted use in the Commercial General (CG) zone. The 2005 Buildable Lands Inventory states that there are 304.3 acres of Public/Semi-Public, 82.8 acres of Commercial Retail and 30.4 acres of Commercial General zoned land within the City. There are no vacant parcels zoned Public/Semi-Public.

- c. *There are adequate urban services to serve the possible use under the zone proposed.*

Finding: The applicant states that urban services are fully available to both properties.

- d. *The proposed zone change is compatible with applicable provisions of the City Comprehensive Plan.*

Finding:

LU-2- *Zoning shall follow property lines and include entire rights-of-way as much as practicable.* 1401 N 10<sup>th</sup> is currently split by four different zones. The proposal will create one parcel in the Public/Semi-Public zone.

LU-19- *The city shall zone land (exclusive of rights-of-way) owned and used by government agencies and not-for-profit organizations in a Public/Semi-Public zone.* Santiam Memorial Hospital is a non-profit organization.

- e. *The proposed zone change satisfies applicable provisions of Oregon Statewide Planning Goals and Administrative Rules.*

Finding:

Goal 1 Citizen Involvement- The application is subject to the public hearing standards established in SMC 17.12.360 and Oregon Revised Statutes 227.160 to 186.

Goal 2 Land Use Planning- The City's adopted Comprehensive Plan was acknowledged by the Department of Land Conservation and Development (DLCD) on April 10, 1980. DLCD was notified of this proposed amendment to that acknowledged plan on September 14, 2006. The applicant has provided information to show how the proposed amendment meets the requirements of the Comprehensive Plan Goals.

Goal 3 Agricultural Land- The properties for this proposal are both located inside the City Limits and zoned with City residential zones.



Goal 4 Forest Lands- The properties for this proposal are both located inside the City Limits and zoned with City residential zones.

Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources- These properties are not designated as open space, scenic, or historic resources by the Comprehensive Plan or the adopted City Master Plans.

Goal 6 Air, Water and Land Resources Quality- No additional development of the sites was submitted with this proposal but the applicant states that their intention is long term development and expansion of the hospital facilities.

Goal 7 Areas Subject to Natural Disasters and Hazards- There is an area of excessive slope identified on the hospital site. No expansion of the existing uses is proposed at this time.

Goal 8 Recreational Needs- The site is currently used as hospital facilities, and the applicant has stated that the intent is to continue and expand those facilities.

Goal 9 Economy- The Comprehensive Plan states that as of 2004, Santiam Memorial Hospital is the 5<sup>th</sup> largest employer in the Stayton area.

Goal 10 Housing- The site is occupied by the Hospital and auxiliary medical offices. The 2005 Buildable Lands Inventory indicates that 126.8 additional acres of single family, LD zoned land will be needed to meet the population growth projections for 2020. The area currently zoned HD is not appropriate for residential development because of the steep slope. The area of the property currently zoned LD is currently used as a parking lot and is not large enough to support a single family lot.

Goal 11 Public Facilities and Services- No development plans were provided with the application. However, the applicant stated that any future expansions will be planned to meet City standards on appropriate level of service and design standards for public facilities and services. No concerns have been raised by the Public Works Department.

Goal 12 Transportation- No changes to the existing number of employees or the location of parking were submitted with this proposal.

Goal 13 Energy Conservation- No additional development of the sites is proposed at this time.

Goal 14 Urbanization- The lot is located within the City limits.

Goal 15 Willamette River Greenway- The City of Stayton is not located in the Willamette River Greenway.

Goal 16 Estuarine Resources- The City is not located near an estuarine area.

Goal 17 Coastal Shorelands, Goal 18 Beaches and Dunes, Goal 19 Ocean Resources- The City is not located on the Oregon Coast.

#### **IV. CONCLUSIONS**

The proposal is compliant with all applicable review criteria with the exception of the following:

17.12.420.5.a.2.h There is an area of excessive slope on the lot. There is no development currently on this part of the lot. Currently it is zoned HD which would allow residential development on the



slope. The applicant has indicated that a geotechnical analysis will be submitted with any proposal for development on the lot south of the existing medical office buildings.


### V. ORDER

Based on the above facts and conclusions, it is hereby found that the application meets the requirements established in SMC 17.12.430.5 and 17.12.430.5 except as noted as above, and the Planning Commission recommends to the Stayton City Council approval of the application, resulting in amendment of the Stayton Comprehensive Plan and a zoning map amendment as described below:

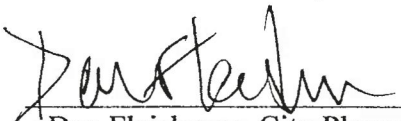
#### Area to be Placed into the Public/Semi Public Zone

Beginning at the intersection of the centerline of 10<sup>th</sup> Avenue and Fir Street and proceeding southerly along the centerline of 10<sup>th</sup> Avenue to a point opposite the southeast corner of tax lot 100, Township 9, Range 1 West of the Willamette Meridian, Section 10AD; then westerly, northwesterly, northerly and westerly by the southern lot line of tax lot 100 to the 7<sup>th</sup> Avenue right of way; then northerly along the 7<sup>th</sup> Avenue right of way to the Hollister Street right of way; then easterly and northeasterly along the Hollister Avenue right of way to the southwest corner of tax lot 1800, Township 9, Range 1 West of the Willamette Meridian, Section 10AD; then easterly along the south lot line of tax map 1800 to the southeast corner of tax map 1800; then northerly along the east lot line of tax map 1800 to the northeast corner of tax map 1800; then easterly along the southern boundary of the existing P zone to the centerline of 10<sup>th</sup> Avenue; then northerly along the centerline of 10<sup>th</sup> Avenue to a point 110 feet south of the centerline of E Fir Street; then proceeding westerly along the northerly boundary of the existing P zone to the west lot line of tax lot 100, Township 9, Range 1 West of the Willamette Meridian, Section 10AD; then proceeding northerly along the west lot line of tax map 100 to the centerline of E Fir Street; then proceeding northeasterly and easterly along the centerline of E Fir Street to the centerline of N 10<sup>th</sup> Avenue and the point of beginning.

APPROVED BY THE STAYTON PLANNING COMMISSION ON THE 30<sup>th</sup> DAY OF OCTOBER, 2006.

  
\_\_\_\_\_  
Carol Tower, Chairperson

11/27/06  
Date

  
\_\_\_\_\_  
Dan Fleishman, City Planner

11/27/06  
Date

Attachment A

The following persons testified at the public hearing:

Terry Fletchall, 1401 N 10<sup>th</sup> Ave, applicant

Jeffery Tross 1720 Liberty St SE, Salem, applicant's consultant

**BEFORE THE STAYTON PLANNING COMMISSION**

In the matter of  
the application of  
Santiam Memorial Hospital

) Amendment to  
) Comprehensive Plan  
) & Zone Change  
) File # 16-08/06

**ORDER OF APPROVAL**

**I. NATURE OF APPLICATION**

The application is for a comprehensive plan map amendment and zone change from Low Density Residential to Public/Semi-Public

**II. PUBLIC HEARING**

A public hearing was held on the application before the Stayton Planning Commission on October 30, 2006. At that hearing, the Planning Commission reviewed Land Use File #16-08/06, application for comprehensive plan map amendment and zone change, and it was made part of the record.

**III. FINDINGS OF FACT**

1. The owner and the applicant is Santiam Memorial Hospital.
2. The property is located 1208 E Pine Street, and is 0.6 acres in size.
3. The lot can be described as tax lot 400, Township 9, Range 1 West of the Willamette Meridian, Section 11BC.
4. The lot is currently designated by the Comprehensive Plan and zoned Low Density (LD) Residential.
5. The properties to the north and east are zoned LD and are either vacant or used for single family homes. The properties to the south are zoned MD and either vacant or used for single family homes and duplexes. The property to the west is the main hospital site that is recommended for approval of a change to the P zone.
6. The proposal is rezone 1208 E Pine Street to the P zone and is proposed for administrative offices and support facilities for the hospital. An application for conditional use approval is pending concurrently with this application.

**A. AGENCY COMMENTS**

The following agencies were notified of the proposal: City of Stayton Public Works, Willamette Broadband, Stayton Cooperative, Pacific Power & Light, NW Natural Gas, Stayton Fire District.

**B. PUBLIC COMMENTS**

The Planning Department received the following public comments on this application prior to the public hearing.



Diane Brenner, 1250 E Pine St, submitted a letter in opposition to the rezoning stating it was not appropriate for that neighborhood.

### C. ANALYSIS

Applications for an amendment to the comprehensive plan are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Title 17, Section 17.12.420.5. Applications for zone changes are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Title 17, Section 17.12.430.5.

### D. REVIEW CRITERIA (COMPREHENSIVE PLAN AMENDMENT)

Pursuant to SMC 17.12.420.5 the following criteria must be demonstrated as being satisfied by an application for a comprehensive plan amendment:

a. *The proposed amendment is compatible with the existing provisions of the plan, as measured by:*

1. *If a map amendment, the extent of existing and proposed land use allocations for the requested uses.*

Finding: Public/Semi-Public zoned lands are intended only for the use of government or non-profit agencies. (LU-19, Comp. Plan) Santiam Memorial Hospital is a non-profit agency. There are no identified future allocations of Public/Semi-Public lands, although the Comprehensive Plan does acknowledge a need for more of these lands as the City grows. Hospitals are allowed as a conditional use in the Commercial Retail (CR) and P zones and a permitted use in the Commercial General (CG) zone. The 2005 Buildable Lands Inventory states that there are 304.3 acres of Public/Semi-Public, 82.8 acres of Commercial Retail and 30.4 acres of Commercial General land within the City.

2. *Impact of the proposed amendment on land use and development patterns within the City, as measured by:*

a) *Traffic generation and circulation patterns;*

Finding: No expansion of the existing building is planned, though the applicant has indicated that there may be future development plans. The applicant has stated that the employees at the 1208 E Pine facility will not be additional employees to be hired, but existing employees from the main hospital site that are relocated to Pine Street.

b) *Population concentrations;*

Finding: The lot is currently a LD zoned residential dwelling. The proposed rezoning of the property will remove it from residential use.

c) *Demand for public facilities and services;*

Finding: No expansions of the existing buildings are proposed with this application. The applicant states that urban services are fully available to the property. Approval of the application would allow for future expansion of important health services in the community. The expansion of the Hospital is identified in the Stayton Comprehensive Plan as desirable to accommodate increased needs.

d) *Maintenance of public health and safety;*

Finding: No expansion of the existing building is proposed. The Hospital provides health services to the City and the surrounding area.

e) *Level of park and recreation facilities;*

Finding: The proposed zone change will eliminate one residence. The applicant has stated that no new employees will be added as a result of this proposal.

f) *Economic activities;*

Finding: The applicant has stated that the proposed zone change will allow for expanded health care and related services in the future.

g) *Protection and use of natural resources;*

Finding: There are no identified natural resources on this property.

h) *Natural hazards and constraints;*

Finding: There are no identified natural hazards or constraints on this property.

i) *Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvement programs.*

Finding: The site is fully developed and no further development is proposed at this time.

b. *A demonstrated need exists for the product of the proposed amendment (land use designation or plan text adjustment)*

Finding: Stayton is experiencing consistent growth in the last few years. The expansion of the hospital is identified in the Stayton Comprehensive Plan to accommodate increased needs.

c. *The proposed amendment complies with all applicable Statewide Planning Goals and administrative rule requirements, including compliance with Goal 14 and the Urban Growth Policies of the City of Stayton (Section 17.08.230 of this title) if a change in the urban growth boundary is requested.*

Finding:

Goal 1 Citizen Involvement- The application is subject to the public hearing standards established in SMC 17.12.360 and Oregon Revised Statutes 227.160 to 186.

Goal 2 Land Use Planning- The City's adopted Comprehensive Plan was acknowledged by the Department of Land Conservation and Development (DLCD) on April 10, 1980. DLCD was notified of this proposed amendment to that acknowledged plan on September 14, 2006. The applicant has provided information to show how the proposed amendment meets the requirements of the Comprehensive Plan Goals.

Goal 3 Agricultural Land- The property is located inside the City Limits and zoned with a residential zone.

Goal 4 Forest Lands- The property is located inside the City Limits and zoned with a residential zone.

Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources- The property is not designated as open space, scenic, or historic resources by the Comprehensive Plan or the adopted City Master Plans.

Goal 6 Air, Water and Land Resources Quality- No additional development of the site was submitted with this proposal but the applicant states that there may a future replacement of the existing structure.

Goal 7 Areas Subject to Natural Disasters and Hazards- There are no areas of natural hazard on the site.

Goal 8 Recreational Needs- The site is currently used as a single family dwelling. Conversion to a hospital administrative facility will not affect the demand for recreational facilities.

Goal 9 Economy- The Comprehensive Plan states that as of 2004, Santiam Memorial Hospital is the 5<sup>th</sup> largest employer in the Stayton Area.

Goal 10 Housing- The lot has a single family home that was used as a residence prior to acquisition by the Hospital. The 2005 Buildable Lands Inventory indicates that 126.8 additional acres of single family, LD zoned land will be needed to meet the population growth projections for 2020. The site represents 0.6 acre of developed LD land.

Goal 11 Public Facilities and Services- No development plans were provided with the application but the applicant stated that any future expansions will be planned to meet City standards on appropriate level of service and design standards for public facilities and services.

Goal 12 Transportation- No changes to the existing number of employees or the location of parking were submitted with this proposal. 1401 N 10<sup>th</sup> is a fully developed site with parking facilities that will accommodate the employees to be moved to the site.

Goal 13 Energy Conservation- No additional development of the sites is proposed at this time.

Goal 14 Urbanization- The lot is located within the City limits.

Goal 15 Willamette River Greenway- The City of Stayton is not located in the Willamette River Greenway.

Goal 16 Estuarine Resources- The City is not located near an estuarine area.

Goal 17 Coastal Shorelands, Goal 18 Beaches and Dunes, Goal 19 Ocean Resources- The City is not located on the Oregon Coast.

- d. *The proposed amendment is possible within the existing framework of the plan (e.g., no new land use designation categories, policy categories, or plan elements are necessary to accommodate the amendment).*

Finding: A hospital is identified as a conditional use in the Public/Semi-Public Zone.



e. *The amendment is appropriate as measured by at least one of the following criteria:*

1) *It corrects identified error(s) in the provisions of the plan.*

Finding: There are no identified errors associated with this property.

2) *It represents a logical implementation of the plan.*

Finding: Comprehensive Plan Chapter 4 identifies a future need for hospital expansion.

3) *It is mandated by changes in federal, state, or local law.*

Finding: The proposed amendments are self-initiated by the applicant.

4) *It is otherwise deemed by the council to be desirable, appropriate, and proper.*

Finding: The 2005-2006 City Council goals did not address the Hospital in particular or the Comprehensive Plan and its maps in general.

#### E. DECISION CRITERIA (ZONE CHANGE)

Pursuant to SMC 17.12.430.5 the following criteria must be demonstrated as being satisfied by an application for a zone change:

a. *The proposed zone change and intended use is compatible with the surrounding area, as measured by:*

1) *Land use patterns.*

Finding: The manufactured home at the site was placed there in 1995. The proposal includes no changes to this structure. The applicant has stated that the site is to be used for administrative offices with parking located at 1401 N 10<sup>th</sup>.

2) *Traffic generation and circulation.*

Finding: The applicant has stated that no new employees will be added as a result of acquiring this property. Existing employees will be transferred to the new location, but they will still park at the main hospital facility.

3) *Population density and impacts of population concentrations.*

Finding: The zone change will remove one 0.6-acre parcel with one house from any residential density calculations.

4) *Potential adverse impacts such as noise, odors, appearance, hazards to the public, generation of waste products, excessive glare of lighting, and demand on public services and facilities.*

Finding: No expansion of the existing building is proposed with this application.

5) *Other similar factors deemed to be of importance to the decision by the Planning Commission or council.*

Finding: The Council and Commission have not identified any goals regarding rezoning in general or the hospital in particular.

b. *Other properly zoned land is not available in sufficient quantity within the City to satisfy current and projected needs.*

Finding: Public/Semi-Public zoned lands are intended only for the use of government or non-profit agencies. (LU-19, Comp.Plan) Santiam Memorial Hospital is a non-profit agency. There are no identified future allocations of Public/Semi-Public lands, although the Comprehensive Plan does acknowledge a need for more of these lands as the City grows. Hospitals are allowed as a conditional use in the Commercial Retail (CR) and P zones and a permitted use in the Commercial General (CG) zone. The 2005 Buildable Lands Inventory states that there are 304.3 acres of Public/Semi-Public, 82.8 acres of Commercial Retail and 30.4 acres of Commercial General zoned land within the City. There are no vacant parcels zoned Public/Semi-Public.

- c. *There are adequate urban services to serve the possible use under the zone proposed.*

Finding: The applicant states that urban services are fully available to both properties.

- d. *The proposed zone change is compatible with applicable provisions of the City Comprehensive Plan.*

Finding:

LU-19- *The city shall zone land (exclusive of rights-of-way) owned and used by government agencies and not-for-profit organizations in a Public/Semi-Public zone.* Santiam Memorial Hospital is a non-profit organization.

- e. *The proposed zone change satisfies applicable provisions of Oregon Statewide Planning Goals and Administrative Rules.*

Finding:

Goal 1 Citizen Involvement- The application is subject to the public hearing standards established in SMC 17.12.360 and Oregon Revised Statutes 227.160 to 186.

Goal 2 Land Use Planning- The City's adopted Comprehensive Plan was acknowledged by the Department of Land Conservation and Development (DLCD) on April 10, 1980. DLCD was notified of this proposed amendment to that acknowledged plan on September 14, 2006. The applicant has provided information to show how the proposed amendment meets the requirements of the Comprehensive Plan Goals.

Goal 3 Agricultural Land- The site is located inside the City Limits and zoned with a residential zone.

Goal 4 Forest Lands- The site is located inside the City Limits and zoned with a residential zone.

Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources- The site is not designated as open space, scenic, or historic resources by the Comprehensive Plan or the adopted City Master Plans.

Goal 6 Air, Water and Land Resources Quality- No additional development of the site was submitted with this proposal but the applicant states that their intention is long term development and expansion of the hospital facilities.

Goal 7 Areas Subject to Natural Disasters and Hazards- There are no areas of natural hazard on the site.



Goal 8 Recreational Needs- The site is currently used as a single family dwelling. Conversion to a hospital administrative facility will not affect the demand for recreational facilities.

Goal 9 Economy- The Comprehensive Plan states that as of 2004, Santiam Memorial Hospital is the 5<sup>th</sup> largest employer in the Stayton area.

Goal 10 Housing- The site has a single family home that was used as a residence prior to acquisition by the Hospital. The 2005 Buildable Lands Inventory indicates that 126.8 additional acres of single family, LD zoned land will be needed to meet the population growth projections for 2020. Rezoning of the site would reduce the amount of developed LD land by 0.6 acre.

Goal 11 Public Facilities and Services- No development plans were provided with the application. No concerns have been raised by the Public Works Department.

Goal 12 Transportation- No changes to the existing number of employees or the location of parking were submitted with this proposal. 1401 N 10<sup>th</sup> is a fully-developed site with parking facilities that will accommodate the employees to be moved to the site.

Goal 13 Energy Conservation- No additional development of the site is proposed at this time.

Goal 14 Urbanization- The site is located within the City limits.

Goal 15 Willamette River Greenway- The City of Stayton is not located in the Willamette River Greenway.

Goal 16 Estuarine Resources- The City is not located near an estuarine area.

Goal 17 Coastal Shorelands, Goal 18 Beaches and Dunes, Goal 19 Ocean Resources- The City is not located on the Oregon Coast.

#### **IV. CONCLUSIONS**

The proposal is compliant with all applicable review criteria.

#### **V. ORDER**

Based on the above facts and conclusions, it is hereby found that the application meets the requirements established in SMC 17.12.430.5 and 17.12.430.5, and the Planning Commission recommends to the Stayton City Council approval of the application, resulting in amendment of the Stayton Comprehensive Plan and a zoning map amendment as described below:

##### **Area to be Placed into the Public/Semi Public Zone**

Beginning at the intersection of the centerlines of 10<sup>th</sup> Avenue and Pine Street and proceeding easterly along the centerline of Pine Street to a point opposite the easterly lot line of tax lot 400, Township 9, Range 1 West of the Willamette Meridian, Section 11BC; then southerly along the easterly lot line to the southeast corner of tax lot 400; then westerly along the southerly lot line of tax lot 400, Township 9, Range 1 West of the Willamette Meridian, Section 11BC to the centerline of 10<sup>th</sup> Avenue; then north to the point of beginning.



APPROVED BY THE STAYTON PLANNING COMMISSION ON THE 30<sup>th</sup> DAY OF OCTOBER, 2006.

Carol Tower  
Carol Tower, Chairperson

11/9/06  
Date

Dan Fleishman  
Dan Fleishman, City Planner

11/21/06  
Date

Attachment A

The following persons testified at the public hearing:

Terry Fletchall, 1401 N 10<sup>th</sup> Ave, applicant

Jeffery Tross 1720 Liberty St SE, Salem, applicant's consultant

Maggie Hudson 1401 N 10<sup>th</sup> Ave, Stayton, applicant's representative

Diane Bremmer, 1210 E Pine, in opposition

Bill Patty, 1212 E Pine, in opposition

Jean Moragne 1480 E Pine, in opposition