

NOTICE OF PUBLIC MEETING

LAFAYETTE CITY COUNCIL

DATE & TIME: Thursday, June 11, 2020 – 6:30 p.m.

PLACE: Council Chambers, 486 Third Street, Lafayette, OR 97127

AGENDA

In accordance with Governor Brown's Executive Orders, in-person attendance will be limited. The City will be making available a video stream for those who wish to watch the proceedings live. The live stream of the meeting may be accessed via a link from the City's website:

www.ci.lafayette.or.us.

INVOCATION

1. CALL TO ORDER
2. FLAG SALUTE
3. ROLL CALL
4. REPORT FROM YAMHILL COUNTY SHERIFF'S OFFICE3
5. APPROVAL OF MINUTES: May 13, 2020 Budget Committee.....4
6. ADDITIONS TO OR DELETIONS FROM AGENDA

7. CITIZEN INPUT ON NON-AGENDA ITEMS:

Welcome! Public participation is encouraged. To address the Council on matters related to City government that are not on the meeting agenda, please raise your hand to be recognized by the Mayor and state your name and address for the record. All testimony is electronically recorded. If you wish to speak during the meeting on a specific agenda item, please wait for that topic to be called by the Mayor, then raise your hand to be recognized. A time limit may be imposed by the Mayor, who shall Chair the meeting and maintain Council meeting decorum.

8. PUBLIC HEARINGS ON FISCAL YEAR 2021 BUDGET:7
 - a. Possible Uses of State Revenue Sharing
 - b. Adoption of Fiscal Year 2021 City Budget, Making Appropriations, and Imposing Property Taxes

9. ACTION ITEMS:

- a. Ordinance 637, Second Reading, Annexation of Territory for the Meadowbrook Subdivision.....8
- b. Ordinance 638, Second Reading, Comprehensive Plan Map and Zone Map Changes for the Meadowbrook Subdivision.....30
- c. Tentative Plan Approval for the Meadowbrook Subdivision.....50
- d. Annual Renewal of Planning Services Contract with MWVCOG.....102
- e. Annual Renewal of Legal Services Contract with MWVCOG.....109
- f. Walk Lafayette Brochure.....114
- g. Resolution 2020-04, Transferring Funds and Making Appropriations in the General Fund and Water Fund for Fiscal Year 2019-20.....117
- h. FY 2021 Budget Legislation:
 1. Resolution 2020-05, Worker's Compensation Coverage for Volunteers.....119
 2. Resolution 2020-06, Certify Eligibility to Receive State Shared Revenues.....121
 3. Resolution 2020-07, Elect to Receive State Revenue Sharing.....123
 4. Resolution 2020-08, Adoption of Fiscal Year 2020-21 City Budget, Making Appropriations, and Imposing Property Taxes.....125

10. DISCUSSION ITEM:
 a. City Responses to Pandemic, Policy Considerations.....128

11. DEPARTMENT REPORTS:
 a. Public Works.....130
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 b. Fire.....137
 c. Administration
 • Accounts Payable.....140

12. COMMITTEE REPORTS

13. COUNCILOR'S REPORTS

14. MAYOR'S REPORT

15. ADJOURNMENT

The Council Chambers is accessible. If you need an accommodation to attend or participate in a meeting, please notify the City at (503) 864-2451 at least 24 hours prior to the meeting. Any proposed ordinance is available for public inspection at City Hall.



**Yamhill County Sheriff's Office
Crime Summary for LAFAYETTE
From 5/1/2020 to 5/31/2020**

City	UCR Description	5/2/2019 to 6/1/2019	5/1/2020 to 5/31/2020	Percentage Change	YTD	Prior Year
LAFAYETTE						
Part 1						
	Aggravated Assault	1	0		1	8
	Burglary-Residence	0	0			5
	Larceny	2	2		11	46
	Motor Vehicle Theft-Auto	1	2	100.00 %	3	6
	Rape	0	0		1	1
	Part 1 Total	4	4		16	66
Part 2						
	All Other	0	0		1	4
	Disorderly Conduct	0	2		2	4
	Drug Laws	0	3		3	10
	DUII	1	0		2	7
	Family Offenses	0	0			1
	Forgery	0	0		2	2
	Fraud	1	0		1	4
	Liquor Laws	0	1		2	2
	Runaway	2	1	-50.00 %	4	6
	Sex Offenses	0	0		1	7
	Simple Assault	4	6	50.00 %	19	38
	Stolen Property	0	0			2
	Trespass/Prowler	1	0		3	18
	Vandalism	2	2		11	33
	Weapons	0	0		1	1
	Part 2 Total	11	15	26.67 %	52	139
Part 3						
	All Other	9	5	-44.44 %	23	70
	Non-Reportable Offenses	13	11	-15.38 %	75	146
	Part 3 Total	22	16	-27.27 %	98	216
	Total For LAFAYETTE	37	35	-5.41 %	166	421

City of Lafayette
Budget Committee Meeting Minutes
May 13, 2020 at 6:30 p.m.

***Due to the COVID-19 pandemic, this meeting was held via teleconference.*

I. Welcome and Call To Order: Mayor Sproul called the meeting to order at 6:31 p.m.

II. Roll Call: City Clerk Jamie Rhodes called the Roll.

Present: Mayor Marie Sproul, Doug Cook, Chris Harper, Kayla Paulsen, Wade Witherspoon, Jean Mead, Doreen VanTyne, Dewey Burchell, Brian Bartel, Jeffery Olson, Jeremy Rametes

Excused: Christine Brungardt

City Staff Present: Preston Polasek, City Administrator; Kevin Perkins, Assistant City Administrator; Jamie Rhodes, City Clerk

III. Election of Chairperson and Secretary

Doreen VanTyne nominated Mayor Marie Sproul as Chairperson, and there were no other nominations. Councilor Harper seconded the nomination, which passed unanimously.

Doug Cook nominated Jean Mead as Secretary and there were no other nominations. Doreen VanTyne seconded the nomination, which passed unanimously.

IV. FY 2021 Budget Message and Presentation

City Administrator Preston Polasek stated that while this current budget year has been financially stressful, the City has been fortunate to receive favorable bids for larger projects like the new fire station and the water intertie. He commented that the financial audit for the previous fiscal year was outstanding, which is a result of good financial management by staff and Council. Preston discussed some of the highlights for the next fiscal year, including the completion of current projects and the impact of COVID-19 on the City's operations.

Budgetary highlights included:

- The Water and Sewer revenue bonds will be paid off in fiscal year 2020-21, which amounts to approximately \$650,000 in annual savings. The City will have the annual payment to McMinnville Water & Light for the intertie project, which is a ten-year loan term. Repayment of this loan is funded in the Water Debt Service Fund.
- The hiring of a part-time training officer for the Fire Department, scheduled for January 2021.
- Water and sewer utility rate increases have been postponed, in response to the COVID-19 pandemic. This will be reviewed mid-year with the Budget Committee and Council.
- An update to the Transportation Systems Development Charge in the first quarter of the fiscal year, which would increase revenue for future street capital improvements.

The FY 2021 Recommended Budget includes a Capital Improvement Program (CIP) that is over \$4 million, including completion of the new fire station and the water intertie. Several of the program items are multi-year projects, including the water line crossings on Third Street, which are to be completed in conjunction with the ODOT Highway 99 rehabilitation project. The City will begin a Water Risk Assessment and Emergency Plan, which is mandated by the

EPA and is must be completed by the end of 2021. The recommended budget also includes several street and sidewalk projects and park improvements.

V. Law Enforcement Services Contract FY 2021

The Yamhill County Sheriff's Office service contract reflects a 7.5% increase, with no change in coverage levels. Preston Polasek stated that in years past, the contract increases were less than inflationary rates. This year, as with the previous fiscal year, the Sheriff's Office is increasing salaries, per their new labor agreement, to match the current market levels.

VI. Public Hearings on FY 2021 Budget:

- a. State Revenue Sharing:** Mayor Marie Sproul opened the public hearing at 7:16 pm. There were no comments received from the public. Mayor Sproul closed the hearing at 7:17 pm.
- b. Input on the Recommended Budget:** Mayor Marie Sproul opened the public hearing at 7:17 pm. There were no comments received from the public. Mayor Sproul closed the hearing at 7:18 pm.

VII. Committee Deliberations

Jean Mead asked about the \$600,000 loan from the General Fund to the Water Fund. Mayor Sproul explained that this loan was approved by Council to assist with construction of the water intertie, and the first loan repayment is budgeted from the Water Fund in FY 2021.

Wade Witherspoon asked about grant amounts and unappropriated fund balances. Preston Polasek stated that the \$50,000 grant amounts were a placeholder for possible grants the City may receive, appropriating both for revenue and expenditure of grant funds. He stated that unappropriated amounts are monies left over in each fund that have not been marked for a specific use, and would be carried over to the following fiscal year.

Chris Harper asked about the fire training officer position. Preston Polasek stated that the training officer position would be part-time, with full benefits as provided by personnel policies. He stated that there was a need for more day-time staffing to assist with fire and medical calls. There was discussion on the regional fire services study with McMinnville Fire and future needs of the Lafayette Fire Department.

Brian Bartel questioned what the Refund/Pass-Thru fund was used for. It was explained that this fund is for deposits, taxes and other charges that are paid by users for a specific service and are either refunded to the user or are passed on to another local government. Examples are utility deposits, land-use fees, and the construction excise tax.

Jeff Olson asked if the Water Fund was going to be able to cover all of the expenses for operations and debt payments. Preston Polasek stated that funds were available to meet operational needs and cover planned projects. There was discussion on future water infrastructure projects and potential funding sources for these, such as Community Development Block Grant funds.

Jeff asked for an update on the ODOT Hwy 99 project. Preston indicated that the project had been pushed back, with bids going out in August 2020 and has an expected start date of summer of 2021. The project includes new ADA compliant sidewalks and corners, along with street grading and resurfacing. There will be new pedestrian crossings at designated

intersections, rather than at every corner, and a new button-activated crossing will be installed at Monroe Street, which will be the designated school crossing. The City will be constructing two new 8" water lines, crossing Hwy 99 on the north side at Adams Street and Market Street, in FY 2021; the lines will be connected with water mains on the south side of Hwy 99 in FY 2022.

Mayor Marie Sproul asked the remaining members if they had any other questions or comments on the recommended budget. There was no further discussion.

VIII. Approval of Fiscal Year 2021 Budget

Doug Cook moved that the Budget Committee of the City of Lafayette approve the fiscal year 2020-2021 budget, in the amount of \$11,272,798.00, approve property taxes for the 2020-2021 fiscal year at the rate of \$3.4857 per \$1,000 of assessed value for the permanent rate tax levy, and in the amount of \$183,300.00 for the general obligation bond levy. Jean Mead seconded the motion. There was no discussion and the motion passed unanimously.

IX. Adjourn

Doug Cook moved to adjourn the Budget Committee meeting. Wade Witherspoon seconded the motion, which passed unanimously. The meeting adjourned at 8:00 pm.

CERTIFIED:

Jean Mead, Secretary



**City of Lafayette
City Council Meeting
Thursday, June 11, 6:30 p.m.**

Public Hearings

A. Possible Uses of State Shared Revenues:

“The purpose of this hearing is to receive public input on possible uses of state shared revenues, which are comprised of taxes from gas, cigarettes, liquor and other shared revenues.”

B. City of Lafayette Budget, Fiscal Year 2020-2021:

“The purpose of this hearing is to receive input on the proposed budget for the fiscal year beginning July 1, 2020.”



Lafayette City Council

Meeting Date: June 11, 2020

Agenda Item: Ordinance No. 637, Annexation of Territory for the Meadowbrook Subdivision

Requested Council Action:

Adopt Ordinance 637, Annexation of Territory for the Meadowbrook Subdivision.

Staff Recommendation:

Conduct the second reading, discuss the annexation, and adopt Ordinance no. 637.

Background:

Council conducted a first reading and held a public hearing on Ordinance 637 on May 28, 2020. Ordinance 637 is attached and includes exhibits A, B, and C. Ordinances 637, 638, and the Tentative Plan Approval for the Meadowbrook Subdivision are all contingent upon Council approval of all three actions.

Financial Impact:

No direct impact from this action.

Alternative:

Council may determine to modify certain ordinance provisions.

Suggested Motion:

“I move to adopt Ordinance no. 637, the Annexation of Territory for the Meadowbrook Subdivision, Applying the R-1 and R-2 Zoning Districts, and Withdrawing the Territory from the Carlton and Dayton Fire Districts.”

**BEFORE THE CITY COUNCIL FOR THE CITY OF
LAFAYETTE, OREGON**

**An Ordinance Annexing To The City of)
Lafayette the Territory Described in)
Exhibit "A" and Mapped in Exhibit "B,")
Applying the R-1 and R-2 Districts to)
The Annexed Territory, and Withdrawing)
The Territory From the Carlton and)
Dayton Fire Districts)**

**ORDINANCE NO. 637
(ANX ZC 2020-01)**

THE CITY COUNCIL (the "Council") OF THE CITY OF LAFAYETTE, OREGON (the "City") sat for the transaction of City business on Thursday, May 28, 2020 at 6:30 p.m. at the City Hall.

WHEREAS, Silverado Group, LLC, Moone Enterprises, LLC, Tranquil Nature Investments, LLC, and Tea Olive Enterprises, LLC, all at 10300 SW Greenburg Road #270, Portland, OR are the sole owners of the tract of land described in Exhibit "A" and mapped in Exhibit "B" and have petitioned and desire that said property be annexed to the City of Lafayette, Oregon, and the Low Density Residential (R-1) District and the Medium Density Residential (R-2) District be applied to the said property; and

WHEREAS, the tract of land proposed to be annexed and owned by Silverado Group, LLC, Moone Enterprises, LLC, Tranquil Nature Investments, LLC, and Tea Olive Enterprises, LLC, and described in Exhibit "A" and mapped in Exhibit "B" is about 39.96 acres and the Abbey Road right-of-way described in Exhibit "A" and mapped in Exhibit "B" is about 1.21 acres; and

WHEREAS, on April 30, 2020 the Lafayette Planning Commission conducted a public hearing and continued the hearing to May 14, to consider the proposed action regarding Planning File Annexation and Zone Change 2020-01, at which time the public was given full opportunity to be present and heard on the matter, considered the information provided by City staff and the public, and upon deliberation, voted to recommend the City Council approve the requested annexation and zone changes, and

WHEREAS, the above-described territory and property is within the urban growth boundary and is contiguous to the City of Lafayette, Oregon; and

WHEREAS, pursuant to the City Charter a copy of this ordinance was provided to each council member at least one week before the hearing and three copies of the ordinance have been available for public inspection in the office of the city recorder for at least one week, and

WHEREAS, pursuant to the City Charter and ORS 222.120(3), the Recorder of the City of Lafayette, Oregon, caused notice of said hearing to be published once each week for two successive weeks prior to the date of said hearing in the McMinnville News-Register, a newspaper of general circulation published in the City of McMinnville, Oregon, serving the City of Lafayette as its newspaper of record and caused notices of said public hearing to be posted at the city hall and in three other public and conspicuous places in the City of Lafayette, Oregon,

for a period of at least two weeks prior to said public hearing, and caused notices of said public hearing to be mailed to the owners of property within 500 feet of the subject property at least twenty days prior to said public hearing, all of which appears from the certificates of the recorder on file in the recorder's office, and which notices described the territory and area proposed to be annexed to the City of Lafayette, Oregon, and the Low Density Residential (R-1) District and the Medium Density Residential (R-2) District applied, and called said meeting to be held in question of the annexation and zone change; and

WHEREAS, on May 28, 2020, the City Council met to consider the proposed action regarding Planning File Annexation and Zone Change 2020-01, and conducted a public hearing at which time the public was given full opportunity to be present and heard on the matter, considered the information provided by City staff and the public, received and considered the recommendation of the Planning Commission and passed a motion adopting the May 28, 2020 Annexation and Zone Change staff report and approving the proposed annexation and the application of the zoning designations attached hereto and by this reference made a part hereof to the annexed territory.

NOW THEREFORE, THE CITY OF LAFAYETTE, OREGON, ORDAINS AS FOLLOWS:

Section 1. The City Council of the City of Lafayette does hereby annex to the City of Lafayette, Yamhill County, State of Oregon, the territory described in Exhibit "A" and mapped in Exhibit "B" attached hereto and by this reference made a part hereof.

Section 2. The City Council of the City of Lafayette does hereby adopt the Annexation and Zone Change staff report to the City Council dated May 28, 2020, including those certain findings of fact, conclusionary findings and supporting documentation contained therein, as shown in Exhibit "C" attached hereto and by this reference made a part hereof.

Section 3. The City Council of the City of Lafayette does hereby amend the Zone Map of the City of Lafayette, Oregon establishing the Low Density Residential (R-1) and Medium Density Residential (R-2) Districts in the configuration shown in the staff report to the City Council dated May 28, 2020 in Exhibit "C" on the subject property described in Exhibit "A" and mapped in Exhibit "B" and by this reference made a part hereof.

Section 4. The City Council of the City of Lafayette does hereby withdraw from the Carlton Fire District the portion of the subject property described in Exhibit "A" and mapped in Exhibit "B" in the Carlton Fire District.

Section 5. The City Council of the City of Lafayette does hereby withdraw from the Dayton Fire District the portion of the subject property described in Exhibit "A" and mapped in Exhibit "B" in the Dayton Fire District.

Section 6. The Recorder of the City of Lafayette, Oregon, is hereby authorized and directed to make and submit to the Oregon Secretary of the State, the Oregon Department of Revenue, the Assessor of Yamhill County, Oregon, and the County Clerk of Yamhill County, Oregon, a certified copy of this Ordinance.

ADOPTED by the Lafayette City Council on the 11th day of June, 2020.

VOTE: Ayes: _____ Nays: _____ Abstentions: _____ Absent: _____

CERTIFIED:

ATTEST:

Marie Sproul, Mayor

Kevin Perkins, Assistant City Administrator

ORD. 637
EXHIBIT "A"



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 | www.aks-eng.com

AKS Job #3879-01

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

EXHIBIT A
Annexation Description

A tract of land located in the Northwest One-Quarter of Section 6, Township 4 South, Range 3 West, and in the Northeast One-Quarter of Section 1, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon, and being more particularly described as follows:

Beginning at the northeast corner of the E. Millican Donation Land Claim No. 43; thence along the west line of Instrument Number 201301931, Records of Yamhill County, North 00°54'20" West 723.39 feet to the southwest corner of Lot 10 of the plat "Abbey Ridge"; thence along the south line of said plat, South 87°26'34" East 1090.00 feet to the southwest corner of Lot 3 of said plat; thence continuing along said south line and the easterly extension thereof, South 87°25'13" East 1146.77 feet to the easterly right-of-way line of Abbey Road (30.00 feet from centerline); thence along said easterly right-of-way line, South 10°31'09" West 846.48 feet to the easterly extension of the north line of the plat "Haylen Meadows Phase No. 3" and the City of Lafayette city limits line; thence along said easterly extension and the north line of said plat and the westerly extension thereof and said city limits line, North 87°06'47" West 2069.47 feet to the west line of said Instrument Number 201301931; thence leaving said city limits line along said west line, North 00°55'56" West 104.98 feet to the Point of Beginning.

The above described tract of land contains 41.16 acres, more or less.

2/14/2020

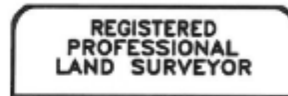
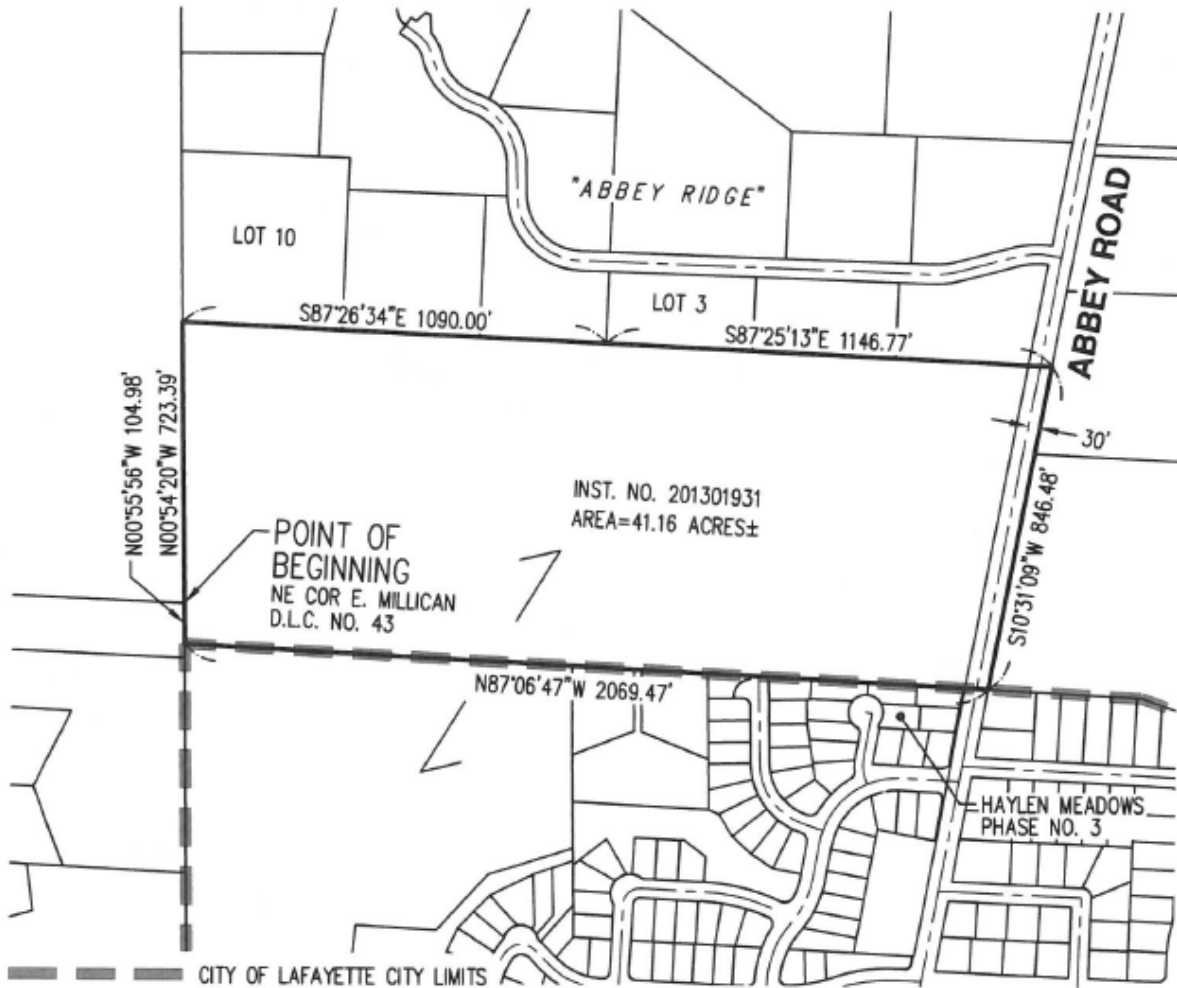


EXHIBIT B

A TRACT OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 6,
TOWNSHIP 4 SOUTH, RANGE 3 WEST,
AND IN THE NORTHEAST 1/4 OF SECTION 1,
TOWNSHIP 4 SOUTH, RANGE 4 WEST
WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON



2/14/2020

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

Benjamin R Huff
OREGON
MARCH 14, 2017
BENJAMIN R HUFF
84738PLS
RENEWS: 6/30/21

PREPARED FOR

THE HOLT GROUP
P. O. BOX 61426
VANCOUVER, WA 98666

SCALE: 1" = 400 FEET



ANNEXATION MAP		EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: WCB CHKD: BRH AKS JOB: 3879-01

MG: 3879-01 3/30/2014 FRB | EXB1

City of Lafayette

486 Third Street, P.O. Box 55

Lafayette, Oregon 97127

Phone: (503) 864-2451 Fax: (503) 864-4501



ORD. 637 EXHIBIT "C"

TO: Lafayette City Council

FROM: Jim Jacks, City Planner

SUBJ: Annex 40-acres± Into the City Limits (ANX 2020-01), Apply the Low Density Residential (R-1) District and the Medium Density Residential (R-2) District to the Annexed Territory, and Withdraw the Annexed Territory From the Carlton and the Dayton Fire Districts.

DATE: May 28, 2020

I. APPLICATION SUMMARY

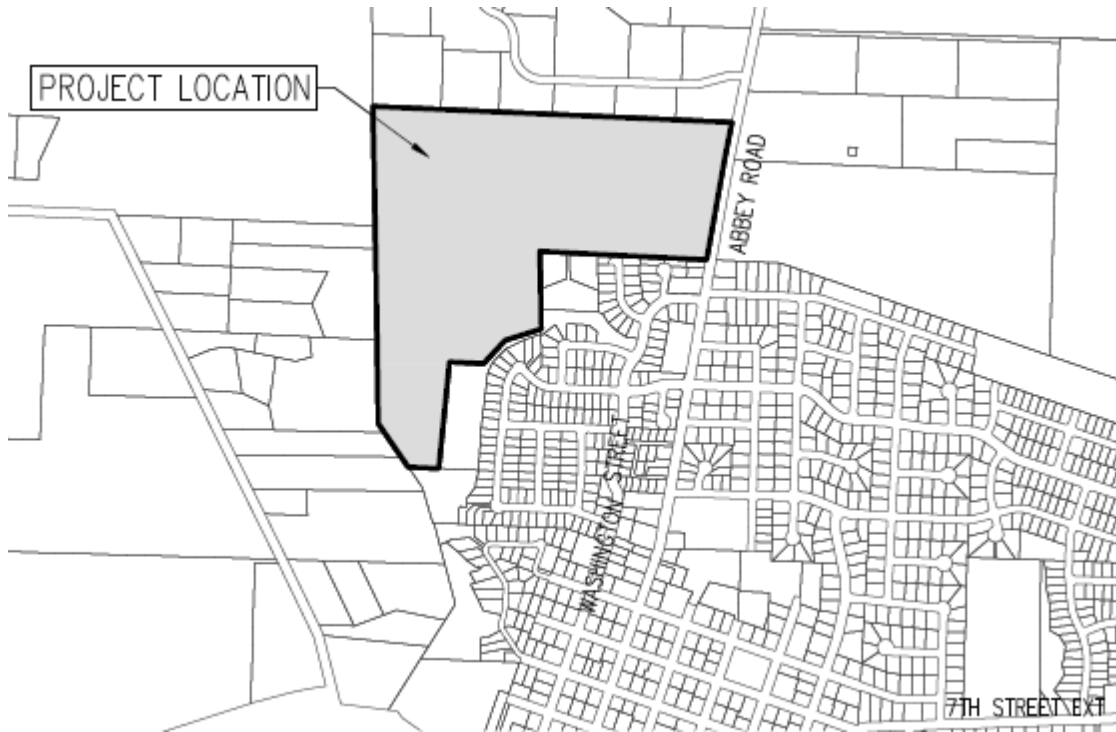
The proposal would annex into the City Limits 41.17-acres as part of a 60-acre±, 238-lot phased subdivision. Concurrent applications have been submitted for the subdivision and to change the Comprehensive Plan Map designations and Zone Map districts on the 60-acre property. The subdivision application and the Comprehensive Plan Map designation and Zone Map district changes are addressed in separate staff reports. All the cases will be heard concurrently by the City Council.

II. FINDINGS -- GENERAL

- A. APPLICANT: AKS Engineering & Forestry for The Holt Group, Inc., Vancouver, WA
- B. OWNERS: Silverado Group, LLC, Moone Enterprises, LLC, Tranquil Nature Investments, LLC, and Tea Olive Enterprises, LLC, all at 10300 SW Greenburg Road #270, Portland, OR.
- C. REQUEST: Annex 39.96-acres of land and 1.21-acres of the Abbey Road public right-of-way (41.17 total acres) into the City Limits. The 31-acre± western portion of the 39.96-acre area in the Carlton Fire District and the 9-acre± eastern portion of the 39.96-acre area in the Dayton Rural Fire Protection District will be withdrawn from the Districts. The City of Lafayette Fire Department will provide service to the area once the 41.17-acres are annexed into the City Limits.
- D. LOCATION: 1800 Block of Abbey Road (vacant land west of Abbey Road between Washington Street and John's Landing Road) (the northern 39.96-acres of Tax Lot 300 on Assessor's Map 4, 4, 01). Figure 1, p. 2, shows the location of the 60-acre subdivision area. Figure 2 on p. 3, shows the location of the 41.17-acre area to be annexed within the red boundary. Figures 4 and 5 show the legal description and map of the area to be annexed, respectively.
- E. SITE SIZE: The area to be annexed is 41.17-acres (39.96-acres of land and 1.21-acres of the Abbey Road public right-of-way). The total acreage of the privately owned development area is 60.18-acres (the southern 20.22-acres currently in the City Limits and the northern 39.96-acres to be annexed).
- F. EXISTING DEVELOPMENT: The 39.96-acre area is vacant. The 1.21-acre area is the Abbey Road public right-of-way.

- G. **ZONING:** The 39.96-acre area is inside the urban growth boundary (UGB), but is outside the City Limits, therefore, it is under Yamhill County zoning because it is outside the City Limits. Upon annexation the zoning applied by the City will be as set forth in the concurrent Zone Change application which requests the R-1 District around the periphery of the 60-acre area with the R-2 District in the middle of the 60-acre area. Figure 3 on p. 3, shows the requested zoning.

Figure 1. Vicinity Map. The 60-acre subdivision property is in the northwest portion of the City.



- H. **ADJACENT ZONING AND LAND USES:** See the applicant's material at Attachment 1, p. 3, II, Site Description/Setting. The land abutting to the north is outside the City Limits and outside the UGB. It is under Yamhill County zoning "Very Low Density Residential 2.5" (VLDR – 2.5). It is developed with dwellings in the 13-lot 2006 Abbey Ridge Subdivision which is served by John's Landing Road. The lots range from 1.6 to 4.2-acres.

The land abutting to the west is outside the City Limits and outside the UGB. It is under Yamhill County zoning "Exclusive Farm Use 80" (EF – 80). It is in agricultural production.

The land abutting to the south is inside the City Limits. It is in the City's Low Density Residential District (R-1). It is developed with residential subdivisions.

The 2 properties across Abbey Road to the east are outside the City Limits and outside the UGB. They are under Yamhill County zoning "Exclusive Farm Use 40" (EF – 40). The southernmost of the 2 properties is 38-acres with an older 2-story house near Abbey Road. The northernmost of the 2 properties is 9.6-acres and is vacant. They are in agricultural production.

- I. **CRITERIA:** Oregon Revised Statute 222.111. Lafayette Zoning and Development Ordinance (LZDO): 3.111.02, B, 1-12.

Figure 2. 41.17-acre Area to be Annexed (in red).

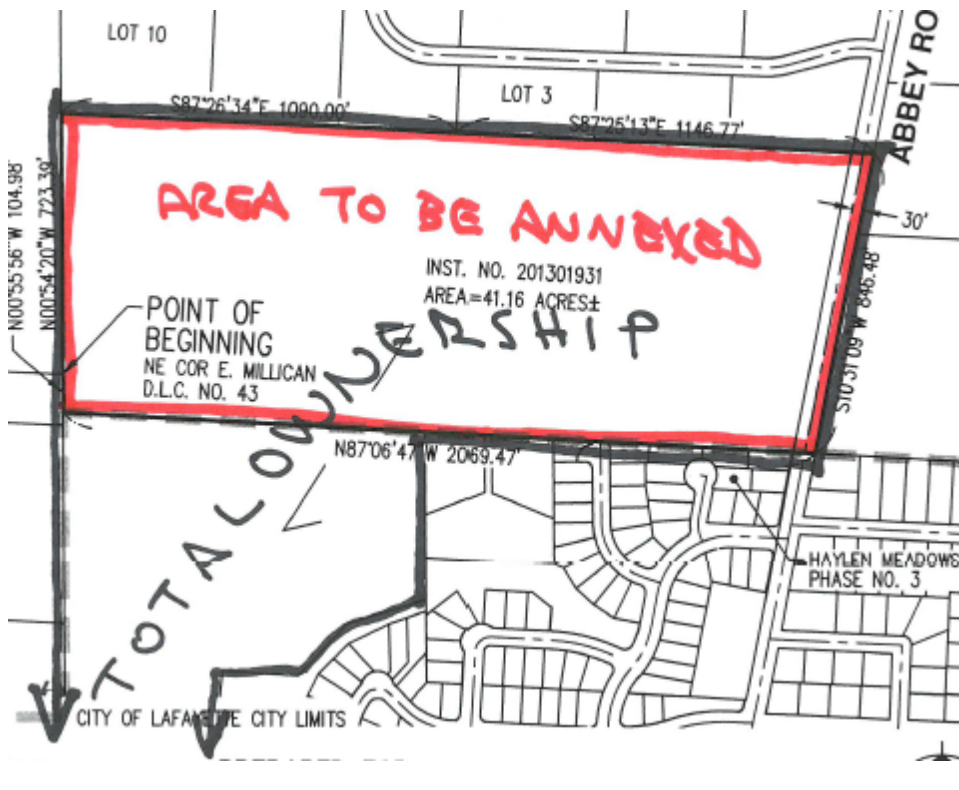


Figure 3. Zone Map After the Requested Zone Changes.

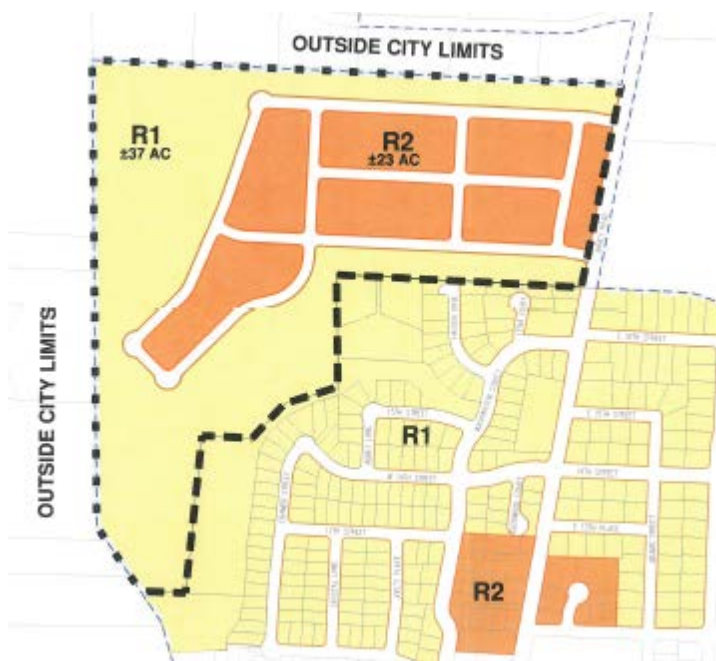


Figure 4. Legal Description of the 41.17-acre Area to be Annexed.

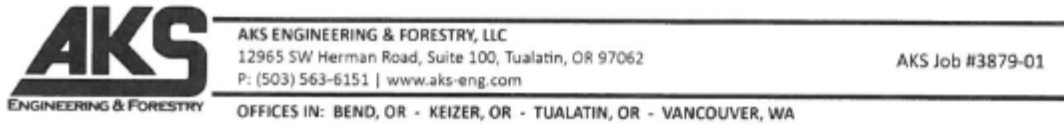


EXHIBIT A

Annexation Description

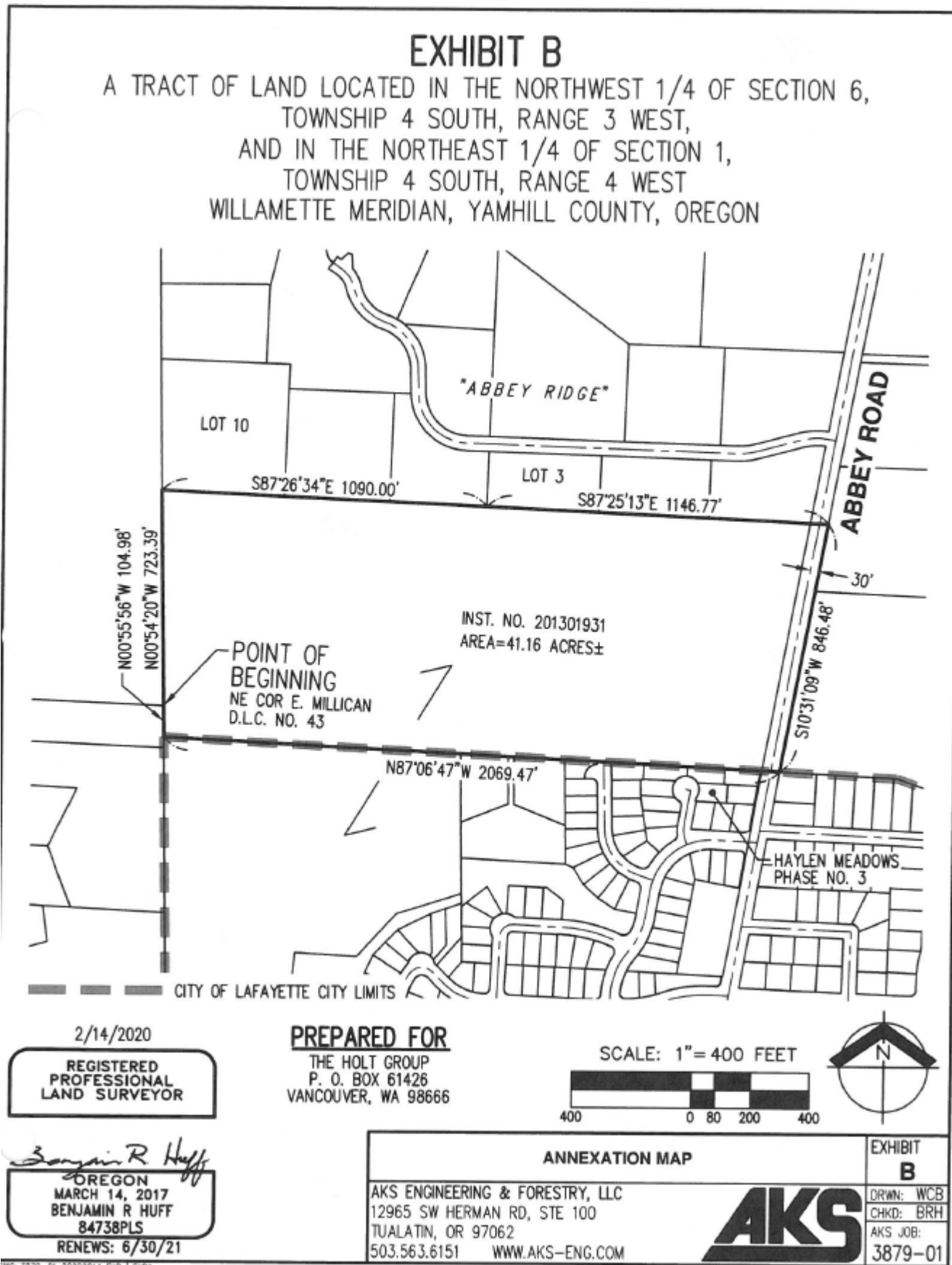
A tract of land located in the Northwest One-Quarter of Section 6, Township 4 South, Range 3 West, and in the Northeast One-Quarter of Section 1, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon, and being more particularly described as follows:

Beginning at the northeast corner of the E. Millican Donation Land Claim No. 43; thence along the west line of Instrument Number 201301931, Records of Yamhill County, North 00°54'20" West 723.39 feet to the southwest corner of Lot 10 of the plat "Abbey Ridge"; thence along the south line of said plat, South 87°26'34" East 1090.00 feet to the southwest corner of Lot 3 of said plat; thence continuing along said south line and the easterly extension thereof, South 87°25'13" East 1146.77 feet to the easterly right-of-way line of Abbey Road (30.00 feet from centerline); thence along said easterly right-of-way line, South 10°31'09" West 846.48 feet to the easterly extension of the north line of the plat "Haylen Meadows Phase No. 3" and the City of Lafayette city limits line; thence along said easterly extension and the north line of said plat and the westerly extension thereof and said city limits line, North 87°06'47" West 2069.47 feet to the west line of said Instrument Number 201301931; thence leaving said city limits line along said west line, North 00°55'56" West 104.98 feet to the Point of Beginning.

The above described tract of land contains 41.16 acres, more or less.



Figure 5. Map of the 41.17-acre Area to be Annexed.



III. FINDINGS – ANNEXATION CRITERIA

1. Oregon Revised Statute 222.111(1) requires annexed land to be contiguous to the City Limits. It states, in part:

222.111 Authority and procedure for annexation. (1) When a proposal containing the terms of annexation is approved...the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. (emphasis added)

FINDING: As shown in Figures 2 and 4, the subject 41.17-acres is contiguous to the Lafayette City Limits along the south boundary of the subject property. The area to be annexed is in the urban growth boundary (UGB). ORS 222.111(1) is met.

2. Oregon Revised Statute 222.111(4)(a) allows the annexed land to be withdrawn from public service districts serving the annexed land at the time of annexation. It states in part:

222.111 Authority and procedure for annexation. (4)(a) When territory to be annexed includes a part less than the entire area of a district named in ORS 222.510 [rural fire protection districts are listed in 222.510], the proposal for annexation may provide that if annexation of the territory occurs the part of the district annexed into the city is withdrawn from the district as of the effective date of the annexation. (emphasis added)

FINDING: The western 31-acres± of the 39.96-acre area are in the Carlton Fire District. The eastern 9-acres± of the 39.96-acre area are in the Dayton Rural Fire Protection District. The City desires to withdraw the 31-acre and 9-acre areas from the Districts. The City of Lafayette Fire Department would provide service to the area once it is annexed into the City Limits. The Carlton Fire District and the Dayton Rural Fire Protection District have commented they do not oppose the withdrawal. The Ordinance that will be passed by the City Council will withdraw from the Carlton Fire District and the Dayton Rural Fire Protection District the parts of those Districts in the annexed area. ORS 222.111(4) is met.

3. **Oregon Revised Statute 222.127, Annexation Without Election Notwithstanding Contrary City Law Upon Petition of all Owners of Land.** The applicant's material addresses 222.127, but it applies to "voter annexation" cities where the local regulations require a vote for annexations, but Lafayette is not a "voter annexation" city, therefore, 222.127 does not apply. HB 1573 was passed by the 2016 Legislature and it is set forth in ORS 222.127.

4. The Lafayette Zoning and Development Ordinance (LZDO), Section 3.111.02, B, lists 12 criteria. Criterion 3.111.02, B, 1, states:

1. **Affect on the community's air resources;**

FINDING: The applicant's response is at Attachment 1, p. 19. It states:

As discussed above under the response to Statewide Planning Goal 6 (Air, Water and Land Resources Quality), the Comprehensive Plan implements policies to protect air resources. The planned annexation is consistent with the recent UGB expansion and will provide land for residential uses close to the City center to help reduce automobile emission pollution.

Criterion 3.111.02, B, 1, is met.

5. Criterion 3.111.02, B, 2, states:

2. Promote an orderly, timely and economical transition of rural and agricultural lands into urbanized lands;

FINDING: The applicant's response is at Attachment 1, p. 19. It states:

The State and local processes for transitioning from rural and agricultural lands to urbanized lands have been followed. The City expanded the UGB to include the subject site. This Annexation application is the next step in the process.

Criterion 3.111.02, B, 2, is met.

6. Criterion 3.111.02, B, 3, states:

3. Relate to areas with natural hazards;

FINDING: The applicant's response is at Attachment 1, pp. 19, 20. It states:

The site to be annexed includes small areas of mapped flood plain associated with Millican Creek and associated sloped areas. These areas are considered to be constrained and the City deducted them from the buildable supply of land in the UGB. The LZDO regulates land use activities within the flood plain area and will require future improvements to meet City, County, and State safety standards.

The applicant's Sheet PO6B submitted with the Subdivision Application (Sheet PO6B was not included in the applicant's response to Criterion 3.111.02, B, 3) shows the flood plain boundary and it is in Tract "A" which Sheet PO6B labels as "open space." No proposed lots are in the flood plain area. Criterion 3.111.02, B, 3, is met.

7. Criterion 3.111.02, B, 4, states:

4. Affect on the fish and wildlife in the proposed annexation;

FINDING: The applicant's response is at Attachment 1, p. 20. It states:

The majority of the subject site has been historically used for agriculture and has little value for fish and wildlife. However, the Millican Creek corridor area, at the time of the UGB expansion, was deducted from the buildable supply of land available for future development. This area will remain in its current state.

Criterion 3.111.02, B, 4, is met.

8. Criterion 3.111.02, B, 5, states;

5. Utilize energy resources and conserve energy use;

FINDING: The applicant's response is at Attachment 1, p. 20. It states:

As discussed above under the response to Statewide Planning Goal 13 (Energy Conservation), the proximity of this site to existing City services will reduce energy requirements for transportation purposes and will promote an orderly and efficient extension of public facilities and services.

Criterion 3.111.02, B, 5, is met.

9. Criterion 3.111.02, B, 6, states;

6. Protect open spaces and scenic views and areas;

FINDING: The applicant's response is at Attachment 1, p. 20. It states:

Millican Creek and its associated riparian areas are located along the western and southern boundaries of the annexation area. As part of the UGB expansion analysis, areas located within the Millican Creek corridor were deducted from the buildable supply of land available for future development. Additional scenic, historic, or open space areas are not located on the site. The subject Annexation, Comprehensive Plan Map Amendment, and Zone change application will not impact the applicable existing natural resource protection and conservation measures in the City.

The applicant's Sheet PO6B submitted with the Subdivision Application (Sheet PO6B was not included in the applicant's response to Criterion 3.111.02, B, 6) shows the riparian areas in Tract "A" which Sheet PO6B labels as "open space," and no proposed lots are in Tract "A." Criterion 3.111.02, B, 6, is met.

10. Criterion 3.111.02, B, 7, states;

7. Provide for transportation needs in a safe, orderly and economic manner;

FINDING: The applicant's response is at Attachment 1, p. 20. It states:

Transportation issues associated with the annexation were evaluated in the TIS [Transportation Impact Study], included as Exhibit G, and further addressed above under the responses to the State Transportation Planning Rule. Implementation of the recommendations in the TIS will ensure transportation needs will be provided in a safe, orderly, and economic manner.

Criterion 3.111.02, B, 7, is met.

11. Criterion 3.111.02, B, 8, states;

8. Provide for an orderly and efficient arrangement of public services;

FINDING: The applicant's response is at Attachment 1, p. 20. It states:

Public facilities and services available to serve this site were analyzed by the City at the time of UGB expansion. The City determined that public facilities and services can be provided in an orderly and economic manner to this site.

Criterion 3.111.02, B, 8, is met.

12. Criterion 3.111.02, B, 9, states;

9. Provide for the recreation needs of the citizens;

FINDING: The applicant's response is at Attachment 1, p. 20. It states:

The City's Parks and Recreation Development Plan does not identify a location for a park at the subject site. However, payment of Parks System Development Charges (SDCs) will be required at the time of building permit approval for each housing unit to be built on the subject site. These SDCs are available for use towards improving and expanding City parks facilities.

The City is prevented from "identifying a location for a park at the subject site" because such a designation would place a "cloud" over the property which would impair the owner's ability to sell the property. The City's 2013 Lafayette Parks Development Plan addressed the need for an additional park in the north area (p. 5-9), but it focused on the north central and north east areas, although it mentioned the southern 20-acres of the proposed Meadowbrook at Lafayette Subdivision area, but indicated access was a major impediment. The Plan did not identify a specific property or a general area for a new park other than "in the north area." Criterion 3.111.02, B, 9, is met.

13. Criterion 3.111.02, B, 10, states;

10. Affect on identified historical sites and structures and provide for the preservation of such sites and structures;

FINDING: The applicant's response is at Attachment 1, pp. 20, 21. It states:

Historical sites and structures are not located within the subject annexation area.

Criterion 3.111.02, B, 10, is met.

14. Criterion 3.111.02, B, 11, states;

11. Improve and enhance the economy of the City; and

FINDING: The applicant's response is at Attachment 1, p. 21. It states:

The population of the City of Lafayette continues to grow and with it comes the need for an increase in housing supply. This Annexation application will add needed residential land to the City boundary and provide the next step in City growth.

Criterion 3.111.02, B, 11, is met.

15. Criterion 3.111.02, B, 12, states;

12. Provide quality, safe housing through a variety of housing types and price ranges.

FINDING: The applicant's response is at Attachment 1, p. 21. It states:

The application is a combined application for Annexation, Comprehensive Plan Map Amendment, and Zone Change. The Annexation will provide residential land to be improved to City standards.

The Comprehensive Plan Map Amendment and Zone Change will maintain a compatible residential density with a variety of permitted housing types.

Criterion 3.111.02, B, 12, is met.

16. Criterion 3.111.09, Zoning Designation of Annexed Property, states;

3.111.09 The City Council shall establish the appropriate Comprehensive plan designation and Zoning district upon annexation of the property to the City.

FINDING: The applicant's response is at Attachment 1, p. 21. It states:

This application includes a Comprehensive Plan Map Amendment, and Zone Change that will apply to the site at the time of annexation approval. The areas with the LDR [Low Density Residential] Comprehensive Plan designation will have the R-1 Zoning District applied. The areas with the MDR [Medium Density Residential] Comprehensive Plan designation will have the R-2 Zoning District applied. Please see the Comprehensive Plan and Zoning Map of Exhibit B for details.

The Comprehensive Plan Map and Zone Map changes in Exhibit B are shown below. The following are the same maps shown in the CPC/ZC 2020-01 staff report to the City Council.

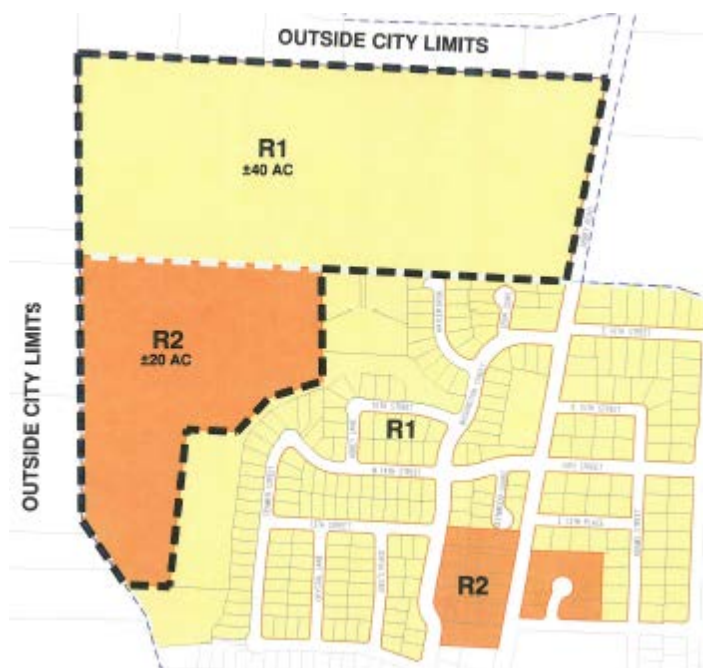
Comprehensive Plan Map Before.



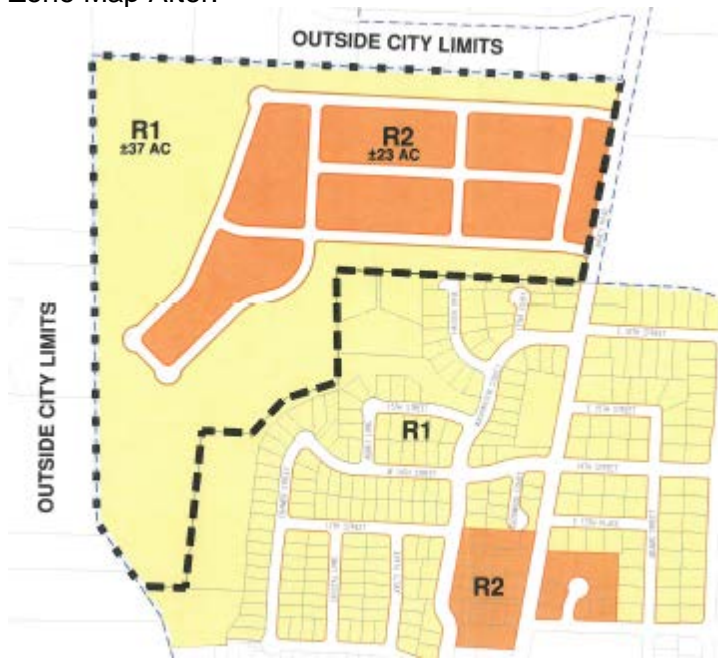
Comprehensive Plan Map After.



Zone Map Before.



Zone Map After.



Criterion 3.111.02, B, 12, is met.

OVERALL FINDING: The applicant's materials conclude the proposed Annexation meets the approval criteria.

IV. FINDINGS – CRITERIA – APPLYING ZONES

The City Council staff report for the CPC/ZC 2020-01 addresses the Zone Change criteria and those findings are repeated here to show the zoning Districts applied to the annexed territory are justified.

Finding 16, above, addresses LZDO, Section 3.111.09, which calls for zoning Districts to be applied to annexed territory upon annexation. Finding 16 includes the applicant's maps showing the Comprehensive Plan Map and Zone Map before and after as proposed in CPC/ZC 2020-01. The Zone Map Districts shown for the annexed territory in Finding 16 are those included here and are applied at the time the territory is annexed.

The following Findings 17 – 23 (renumbered) are the same as Findings 23 – 29 in the May 28, 2020, CPC/ZC 2020-01 City Council staff report.

17. The Lafayette Zoning and Development Ordinance (LZDO), Section 3.101.03, A, 4, identifies a quasi-judicial Zone Map amendment as a Type III Action.

FINDING: Consistent with the guidance to differentiate between quasi-judicial and legislative actions provided in *Strawberry Hill 4 Wheelers v. Benton County*, 287 Or. 591, 601 P.2d 769 (1979), the requested Zone Map amendment is quasi-judicial because it is directed at a closely circumscribed factual situation or a relatively small number of persons (it involves only one 60-acre property, four co-owners), concrete facts are applied to pre-existing criteria and the zone change application was submitted by a private party, therefore, the City must issue a decision.

18. The LZDO, Section 3.102.03, A, 1 – 5, sets forth the approval criteria for a Zone Map change.

3.102.03, A. Zone Map change applications may be approved only if the applicant provides evidence substantiating the following:

1. The proposed zone is appropriate for the Comprehensive Plan Map designation on the property and is consistent with the description and policies for the applicable Comprehensive Plan Map designation.

FINDING: The applicant's response is at Attachment 1, p. 17. It states, "The proposed zone is appropriate for the Comprehensive Plan Map designation on the property and is consistent with the description and policies for the applicable Comprehensive Plan Map designation. This criterion is met."

The LZDO, Section 1.103.01, B, Districts, lists each Comprehensive Plan Map designation and then lists the zones that implement each designation. The Low Density Residential designation is implemented by the Low Density Residential (R-1) District. The Medium Density Residential designation is implemented by the Medium Density Residential (R-2) District. As shown in the applicant's response, Attachment 1, Exhibit B, wherever the Comprehensive Plan Map shows the proposed Low Density Residential designation to be located, the Zone Map shows the proposed Low Density Residential (R-1) District. Similarly, wherever the Comprehensive Plan Map shows the proposed Medium Density Residential designation to be located, the Zone Map shows the proposed Medium Density Residential (R-2) District. See the maps at pages 3 and 4, above.

19.
 2. The uses permitted in the proposed district can be accommodated on the proposed site.

FINDING: The applicant's response is at Attachment 1, p. 17. It states, "A variety of residential uses are permitted in the R-1 and R-2 districts. The Subdivision application, submitted separately, further illustrates how single-family detached residential lots can meet the dimensional standards of the applicable districts. This criterion is met."

The applicant's response at Attachment 1, p. 3 includes a Table "Acreage and Density with Comprehensive Plan Map Amendment and Zone Change Approval" which shows the R-1 District area (minimum lot size 7,500 square feet) is proposed to accommodate 96 lots and the R-2 District area (minimum lot size 5,000 square feet) is proposed to accommodate 142 lots for a total of 238 lots.

The Subdivision Application, Exhibit A, Sheet PO4, shows the lot layout and Phasing Plan on the following page. The lot arrangement shows the larger R-1 sized lots are in the area to be designated Low Density Residential and are around the periphery of the site, and the smaller R-2 sized lots are in the area to be designated Medium Density Residential and are in the interior of the site.

Subdivision Application Sheet PO4, Preliminary Phasing Plan.



- 20. 3. Allowed uses in the proposed zone can be established in compliance with the development requirements in this Ordinance.

FINDING: The applicant’s response is at Attachment 1, p. 18. It states, “Various residential uses are allowed within the R-1 and R-2 Districts. Future improvements can meet the development standards of the R-1 and R-2 Districts. The Subdivision application submitted separately further illustrates how the applicable development standards can be met. This criterion is met.”

- 21. 4. Adequate public facilities, services, and transportation networks are in place or are planned to be provided concurrently with the development of the property.

FINDING: The applicant’s response is at Attachment 1, p. 18. It states, “The NE Abbey Road public right-of-way abutting the site is included in the annexation application. As discussed in the TIS [Transportation Impact Study] (Exhibit G), public transportation facilities will be improved concurrently with the future site improvements. Public utility facilities, including water, sewer, and storm drainage are available at the edge of the subject site and can be extended to serve future improvements on the property. This criterion is met.”

Park and Recreation Facilities

The term “public facilities, services,” includes park and recreation facilities and services. The City’s 2013 Lafayette Parks Development Plan addressed the need for an additional park in the north area (pp. 5-9 and 7-1). The discussion focused on the north-central and northeast areas, although it mentioned the southern 20-acres of the proposed Meadowbrook at Lafayette Subdivision area and indicated access would be a major impediment. The Plan did not identify a specific property or a general area for a new park other than “in the north area.”

The 2013 Plan showed the acres the City would need to acquire to achieve the National Recreation and Parks Association (NRPA) recommended park acreages, for Lafayette’s projected population of 5,552 in 2032 (the Plan used the Yamhill County 2011 coordinated population projections for the County and the 10 cities in the County). The Plan adopted the NRPA recommended standards of 0.25 – 0.50 acres per 1,000 population for mini-parks; 1.0 – 2.0 acres per 1,000 population for neighborhood parks; and 5.0 – 8.0 acres per 1,000 population for community parks (Goal 1, Policies F, G and H, p. 3-2).

The Plan text discussed and Table 7-1 showed (pp. 7-2, 7-3) an additional 0.31 to 1.70 acres of mini-parks would need to be acquired; an additional 3.35 to 8.90 acres of neighborhood parks would need to be acquired; and an additional 16.02 to 32.67 acres of community parks would need to be acquired. The grand total of needed additional acres is 19.68 to 43.27 (Low range: 0.31 + 3.35 + 16.02) (High range: 1.70 + 8.90 + 32.67).

Additional information regarding parks is in this staff report because it would be inappropriate for the Comprehensive Plan Map and Zone Map amendment decision to include a condition of approval for parks because the Map amendments don’t approve the actual development of the property. Additional park information is in the Subdivision staff report.

22.
 5. The following additional criteria shall be used to review all nonconforming residential changes:
 - a. The supply of vacant land in the proposed zone is:
 - i. Not adequate to accommodate the projected rate of development of uses allowed in the zone during the next 5 years, or
 - ii. Not at the appropriate location for the proposed use, or
 - iii. Not physically suited to the proposed use, or iv. Lacks site specific amenities required by the proposed use.
 - b. The supply of vacant land in the existing zone is adequate to accommodate the projected rate of development of uses allowed in the zone during the next 5 years, assuming the zone change is granted.
 - c. If the proposed zone allows uses more intensive than other zones appropriate for the Comprehensive Plan’s designation, the proposed zone’s list of permitted uses will not destabilize the land use pattern of the area or significantly adversely affect adjacent properties.

FINDING: The applicant's response is at Attachment 1, p. 18. It states, "The subject site is vacant and this application does not involve changes to nonconforming residential uses or structures. The criteria do not apply."

23. The proposed Zone Map changes are part of a coordinated set of four land use planning applications that are consistent from the proposed designations and zones to the subdivision layout and annexation. A condition of approval is recommended to make the Zone Map changes contingent upon approval of the other concurrently submitted applications.

OVERALL FINDING: The applicant's materials conclude the proposed Zone Map changes meet the applicable approval criteria, subject to the recommended conditions of approval.

V. URBAN AREA GROWTH MANAGEMENT AGREEMENT

The applicant's material discusses the 1979 Urban Area Growth Management Agreement between the City and Yamhill County. It is a coordination agreement setting forth a process for the City and County to coordinate proposed annexations. It calls for the Planning Commission's findings to be forwarded to Yamhill County where the County Planning Department would forward them to the County Board of Commissioners for its recommendation. The Planning Commission Order of Annexation Recommendation has been prepared, signed by the Chair and forwarded to Yamhill County.

VI. STAFF RECOMMENDATION

The approval criteria have been met based on the application materials and the findings, subject to the following condition of approval, therefore, staff recommends the City Council pass a motion adopting the staff report and directing staff to prepare an Ordinance approving the Annexation, subject to the following condition of approval:

1. The Annexation approval is contingent upon approval of the concurrently requested Comprehensive Plan Map change, the Zone Map change and the Subdivision.



Lafayette City Council

Meeting Date: June 11, 2020

Agenda Item: Ordinance No. 638, Comprehensive Plan Map and Zone Map Changes for the Meadowbrook Subdivision

Requested Council Action:

Adopt Ordinance 638, Comprehensive Plan Map and Zone Map Changes for the Meadowbrook Subdivision.

Staff Recommendation:

Conduct the second reading, discuss the map changes, and adopt Ordinance 638.

Background:

Council conducted a first reading and held a public hearing on Ordinance 638 on May 28, 2020. Ordinance 638 is attached and includes exhibits A and B. Ordinances 637, 638 and the Tentative Plan Approval for the Meadowbrook Subdivision are all contingent up Council approval of all three actions.

Financial Impact:

No direct impact from this action.

Alternative:

Council may determine to modify certain ordinance provisions.

Suggested Motion:

"I move to adopt Ordinance no. 638, Comprehensive Plan Map and Zone Map Changes for the Meadowbrook Subdivision."

**BEFORE THE CITY COUNCIL FOR THE CITY OF
LAFAYETTE, OREGON**

**An Ordinance Amending the City of)
Lafayette Comprehensive Plan Map)
and Zone Map to Change the Location)
of the Low and Medium Density)
Residential Designations and the)
Location of the Low and Medium Density)
Zoning Districts (R-1 and (R-2))**

**ORDINANCE NO. 638
(CPC ZC 2020-01)**

THE CITY COUNCIL (the “Council”) OF THE CITY OF LAFAYETTE, OREGON (the “City”) sat for the transaction of City business on Thursday, May 28, 2020 at 6:30 p.m. at the City Hall.

WHEREAS, Silverado Group, LLC, Moone Enterprises, LLC, Tranquil Nature Investments, LLC, and Tea Olive Enterprises, LLC, all at 10300 SW Greenburg Road #270, Portland, OR are the sole owners of the 60-acre subject property and have petitioned and desire that said Comprehensive Plan Map designations and Zone Map districts be changed; and

WHEREAS, the proposed changes of the Comprehensive Plan Map designations and Zone Map districts will be a reduction from 40-acres to 37-acres in the Low Density Comprehensive Plan Map designation and the Low Density Residential (R-1) District and an increase from 20-acres to 23-acres in the Medium Density Comprehensive Plan Map designation and the Medium Density Residential (R-2) District for a net change of 3-acres; and

WHEREAS, on April 30, 2020 the Lafayette Planning Commission conducted a public hearing and continued the hearing to May 14, to consider the proposed action regarding Planning File Comprehensive Plan Map change and Zone Map change 2020-01, at which time the public was given full opportunity to be present and heard on the matter, considered the information provided by City staff, the applicant and the public, and upon deliberation, voted to recommend the City Council approve the requested Comprehensive Plan Map designation changes and the Zone Map district changes, and

WHEREAS, pursuant to the City Charter a copy of this ordinance was provided to each council member at least one week before the hearing and three copies of the ordinance have been available for public inspection in the office of the city recorder for at least one week, and

WHEREAS, pursuant to the Lafayette Zoning and Development Ordinance, the Recorder of the City of Lafayette, Oregon, caused notice of said hearing to be mailed to the owners of properties within 500-feet of the subject property at least 20-days prior to the date of said hearing by U.S. Postal Service first class mail all of which appears from the certificates of the recorder on file in the recorder’s office; and

WHEREAS, on May 28, 2020, the City Council met to consider the proposed actions regarding Planning File Comprehensive Plan Map change and Zone Map change 2020-01, and conducted a public hearing at which time the public was given full opportunity to be present and heard on the matter, considered the information provided by City staff, the applicant and the public, received and considered the recommendation of the Planning Commission and passed a motion adopting the May 28, 2020 Comprehensive Plan Map and Zone Map change staff report and approving the proposed Comprehensive Plan Map and Zone Map changes attached hereto as Exhibit “A” and by this reference made a part hereof.

NOW THEREFORE, THE CITY OF LAFAYETTE, OREGON, ORDAINS AS FOLLOWS:

Section 1. The City Council of the City of Lafayette does hereby amend the City of Lafayette, Oregon Comprehensive Plan Map in the configuration shown in the May 28, 2020 staff report to the City Council, Page 6 of this Ordinance, attached hereto as Exhibit “A” and by this reference made a part hereof, subject to the approval of the concurrently submitted annexation and subdivision applications.

Section 2. The City Council of the City of Lafayette does hereby amend the City of Lafayette, Oregon Zone Map in the configuration shown in the May 28, 2020 staff report to the City Council, Page 7 of this Ordinance, attached hereto as Exhibit “A” and by this reference made a part hereof, subject to the approval of the concurrently submitted annexation and subdivision applications.

Section 3. The City Council of the City of Lafayette does hereby adopt the Comprehensive Plan Map amendment and the Zone Map amendment staff report to the City Council dated May 28, 2020, Pages 3 – 17 of this Ordinance, including those certain findings of fact, conclusionary findings and supporting documentation contained therein, attached hereto as Exhibit “A” and by this reference made a part hereof.

Section 4. The City Council of the City of Lafayette does hereby adopt the Statewide Planning Goal 10 Supplemental Findings attached hereto, Pages 18 and 19 of this Ordinance, as Exhibit “B” and by this reference made a part hereof.

ADOPTED by the Lafayette City Council on the 11th day of June, 2020.

VOTE: Ayes: _____ Nays: _____ Abstentions: _____ Absent: _____

CERTIFIED:

ATTEST:

Marie Sproul, Mayor

Kevin Perkins, Assistant City Administrator

ORD. 638
EXHIBIT "A"

TO: Lafayette City Council

FROM: Jim Jacks, City Planner

SUBJ: Comprehensive Plan Map and Zone Map Amendments (CPC/ZC 2020-01):
(1) Move the location of the Comprehensive Plan Map designations and change 3 acres of the 40 acres of the Low Density Residential designation to the Medium Density Residential designation (37 acres of Low Density Residential and 23 acres of Medium Density Residential after the change).

(2) Consistent with the Comprehensive Plan Map designation changes, move the location of the Zone Map Districts and change 3 acres of the 40 acres of Low Density (R-1) District to the Medium Density (R-2) District (37 acres of R-1 District and 23 acres of R-2 District after the change).

DATE: May 28, 2020

I. APPLICATION SUMMARY

The proposal would re-configure the Lafayette Comprehensive Plan Map designations and the Zone Map districts as part of a 60-acre 238-lot phased subdivision that includes annexing the 40-acres of the 60-acre site that are outside the City Limits. The annexation and subdivision applications are addressed in separate staff reports that will be heard concurrently by the City Council.

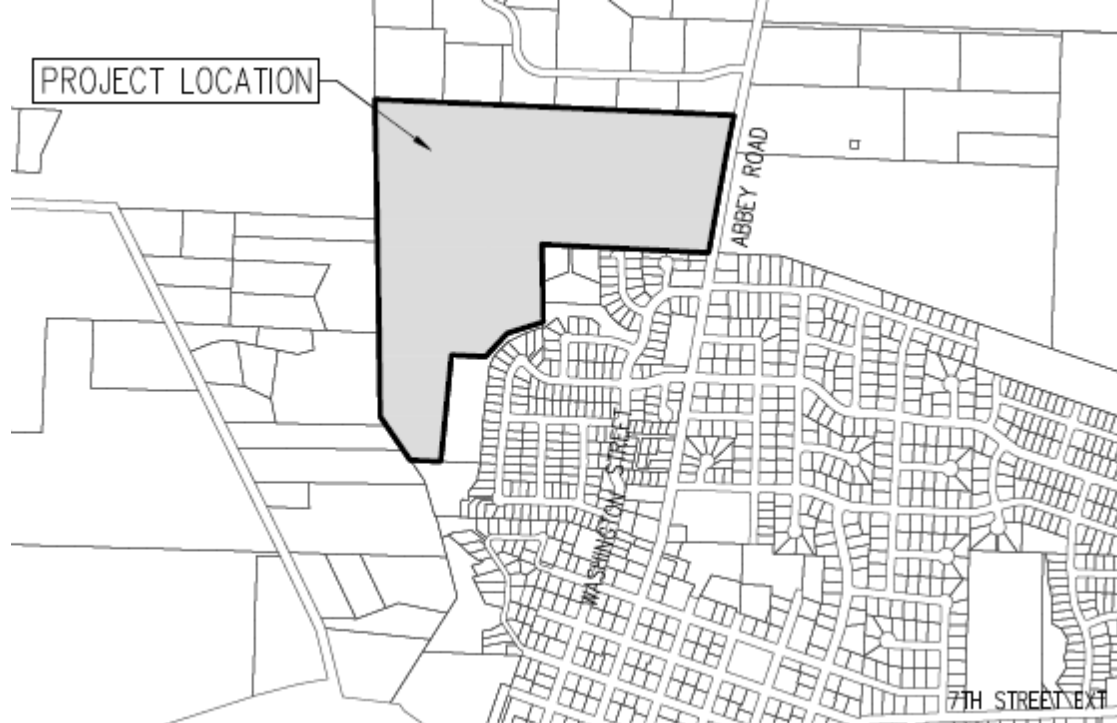
II. FINDINGS -- GENERAL

- A. APPLICANT: AKS Engineering & Forestry for The Holt Group, Inc., Vancouver, WA
- B. OWNERS: Silverado Group, LLC, Moone Enterprises, LLC, Tranquil Nature Investments, LLC, and Tea Olive Enterprises, LLC, all at 10300 SW Greenburg Road #270, Portland, OR.
- C. REQUEST: (1) Move the location of the Comprehensive Plan Map designations and change 3 acres of the 40 acres of Low Density Residential to Medium Density Residential (37 acres of Low Density Residential and 23 acres of Medium Density Residential after the change). A net change of 3-acres from Low Density Residential to Medium Density Residential. See p. 3 showing the "before" and "after."

(2) Move the location of the Zone Map zones and change 3 acres of the 40 acres of Low Density (R-1) Zone to the Medium Density (R-2) Zone (37 acres of R-1 Zone and 23 acres of R-2 Zone after the change). A net change of 3-acres from Low Density Residential (R-1) to Medium Density Residential (R-2). See p. 4 showing the "before" and "after."

- D. LOCATION: 1800 Block of Abbey Road (vacant land west of Abbey Road between Washington Street and John's Landing Road) (Assessor's Map 4, 4, 01, Tax Lot 00300). See Figure 1, p. 2.

Figure 1. Vicinity Map. The subject property is in the northwest portion of the City.



- E. SITE SIZE: 60-acres (the southern 20-acres are currently in the City Limits & the northern 40-acres are to be annexed).
- F. EXISTING DEVELOPMENT: The subject property is vacant.
- G. ZONING: The southern 20-acres are in the City Limits and are zoned Medium Density Residential (R-2). The northern 40-acre area is outside the City Limits and inside the urban growth boundary (UGB) and is proposed to be annexed.

When the 40-acre area was added to the UGB the City's Comprehensive Plan Map designated it for Low Density Residential uses, which means the R-1 District would be applied upon annexation, but the designation and zoning district are to be changed by these applications.

- H. ADJACENT ZONING AND LAND USES: See the applicant's material at Attachment 1, p. 3, II, Site Description/Setting. The land abutting to the north is outside the City Limits and outside the UGB. It is under Yamhill County zoning "Very Low Density Residential 2.5" (VLDR – 2.5). It is developed with dwellings in the 13-lot 2006 Abbey Ridge Subdivision which is served by John's Landing Road. The lots range from 1.6 to 4.2-acres.

The land abutting to the west of the northern 40-acre area is outside the City Limits and outside the UGB. It is under Yamhill County zoning "Exclusive Farm Use 80" (EF – 80).

It is in agricultural production. The land abutting to the west of the southern 20-acre area is outside the City Limits and outside the UGB. It is under Yamhill County zoning “Very Low Density Residential 2.5-acres (VLDR 2.5). It is developed with rural residential dwellings on lots of 1.5 to 6-acres.

The one property abutting to the south is inside the City Limits. It is in the Low Density Residential District (R-1). The City owns the 2-acre property and it is creek bottom and steep sloped habitat.

The 2 properties across Abbey Road to the east are outside the City Limits and outside the UGB. They are under Yamhill County zoning “Exclusive Farm Use 40” (EF – 40). The southernmost of the 2 properties is 38-acres with an older 2-story house near Abbey Road. The northernmost of the 2 properties is 9.6-acres and is vacant. They are in agricultural production.

- I. CRITERIA: Comprehensive Plan Map change: Statewide Planning Goals, City Comprehensive Plan Policies. Zone Map Change, Lafayette Zoning & Development Code, Section 3.102.03.

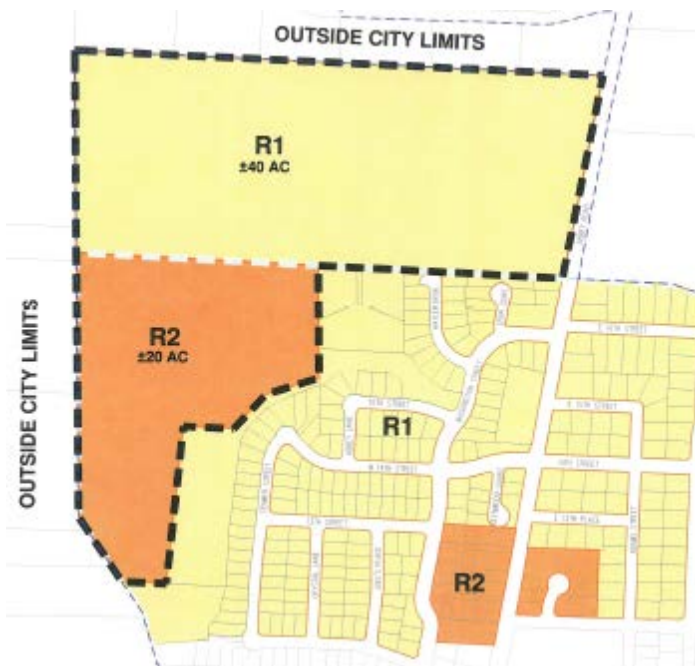
Comprehensive Plan Map Before.



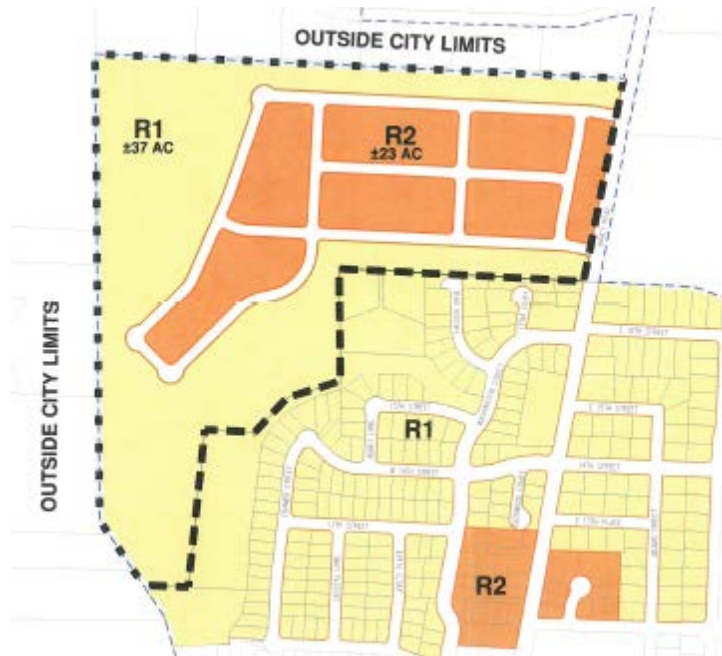
Comprehensive Plan Map After.



Zone Map Before.



Zone Map After.



III. FINDINGS – CRITERIA – COMPREHENSIVE PLAN MAP CHANGE

1. The Lafayette Zoning and Development Ordinance (LZDO), Section 3.101.03, A, 2, identifies a quasi-judicial comprehensive plan map amendment as a Type III Action.

FINDING: Consistent with the guidance to differentiate between quasi-judicial and legislative actions provided in *Strawberry Hill 4 Wheelers v. Benton County*, 287 Or. 591, 601 P.2d 769 (1979), the requested comprehensive plan map amendment is quasi-judicial because it is directed at a closely circumscribed factual situation or a relatively small number of persons (it involves only one 60-acre property, four co-owners), concrete facts are applied to pre-existing criteria and the applications have been submitted by a private party necessitating a decision by the City.

2. The LZDO, Section 3.101.03, A, 2, identifies a quasi-judicial comprehensive plan map amendment as a Type III Action. The LZDO does not set forth approval criteria for a quasi-judicial comprehensive plan map amendment.

FINDING: Because the LZDO does not set forth approval criteria for a quasi-judicial comprehensive plan map amendment, the approval criteria are the applicable Statewide Planning Goals and the applicable Lafayette Comprehensive Plan Policies. The applicant has reviewed the Statewide Planning Goals as follows. Attachment 1 is the applicant's material.

Statewide Planning Goals

3. The applicant found Goal 1, Citizen Involvement, is applicable.

FINDING: The applicant's response and conclusion is at Attachment 1, p. 4. It states:

Goal 1 calls for the opportunity for citizens to be involved in all phases of the planning process. The City of Lafayette has an established citizen involvement program. This application will be processed according to Section 3.201.05 of the LZDO, which involves public notification, public hearings, and decision appeal procedures. Therefore, the Application is consistent with Goal1.

4. The applicant found Goal 2, Land Use Planning, is applicable.

FINDING: The applicant's response and conclusion is at Attachment 1, p. 4. It states:

This application will be processed by the City through a Quasi-Judicial Type III procedure in accordance with LZDO Section 3.101.03. The City and County have acknowledged comprehensive plans and land use development (zoning) codes that implement their respective comprehensive plans. The City will review and process this application consistent with the procedures detailed in the LZDO. In addition, the City of Lafayette and Yamhill County have an Urban Area Growth Management Agreement that further clarifies the land use process for Annexations, Comprehensive Plan Amendments, and Zone Changes. As discussed below in the responses to the Urban Area Growth Management Agreement, the findings adopted by the City Planning Commission relating to the Annexation application should be referred to the County. The County may provide comments to the City Council prior to final action on the Annexation application. In addition, the City will refer the Comprehensive Plan Map Amendments and Zone Change to Yamhill County for comment prior to City Council review. This application provides an adequate factual basis for approval by the City. Therefore, following this process will ensure consistency with Statewide Planning Goal 2.

5. The applicant found Goal 3, Agricultural Lands, is not applicable.

FINDING: The applicant's response and conclusion is at Attachment 1, p. 4.

6. The applicant found Goal 4, Forest Lands, is not applicable.

FINDING: The applicant's response and conclusion is at Attachment 1, p. 4, 5.

7. The applicant found Goal 5, Natural Resources, Scenic and Historic Areas and Open Space, is applicable.

FINDING: The applicant's response and conclusion is at Attachment 1, p. 5.

8. The applicant found Goal 6, Air, Water and Land Resources Quality, is applicable.

FINDING: The applicant's response and conclusion is at Attachment 1, p. 5.

9. The applicant found Goal 7, Areas Subject to Natural Hazards, is applicable.

FINDING: The applicant's response and conclusion is at Attachment 1, p. 5.

10. The applicant found Goal 8, Recreational Needs, is not applicable.

FINDING: The applicant's response and conclusion is at Attachment 1, p. 5, 6.

11. The applicant found Goal 9, Economic Development, is not applicable.

FINDING: The applicant's response and conclusion is at Attachment 1, p. 6.

12. The applicant found Goal 10, Housing, is applicable and the proposed changes are consistent with Goal 10.

FINDING: The applicant's response and conclusion is at Attachment 1, p. 2, 3, 6 and 8. The explanation at pages 2 and 3 includes a discussion of the 20 and 40-acre areas, a Table "Acreage and Density with Current Comprehensive Plan Map and Zoning Districts," a statement indicating the actual unbuildable area is 17± acres or about 28% of the site, a Table "Acreage and Density with Comprehensive Plan Map Amendment and Zone Change Approval," and a statement the actual area in subdivision's public rights-of-way will be 8.7± acres.

The applicant's response, page 6 states:

Goal 10 requires that cities determine housing need and allocate sufficient buildable land within its UGB. At the time of the UGB expansion the City completed a housing needs analysis to identify the housing needed over the next 20 years. In addition to expanding the UGB to include the northern ±40 acres of the subject site, the Comprehensive Plan designation and zoning district of the southern ±20 acres were changed from LDR (R-1 District) to MDR (R-2 District). With this change in zoning, the City was able to comply with the State's 20-year housing supply requirement. As illustrated on the plans and calculations discussed in the Executive Summary above, the planned Comprehensive Plan Map Amendment and associated Zone Change will alter the locations of the Comprehensive Plan designations and zoning districts within the ±60-acre site while still allowing the site to achieve a permitted density. Therefore, the supply of residential land continues to comply with State Goal 10.

Page 2, bottom of the second paragraph, states, "This application for a Comprehensive Plan Map Amendment and Zone Change would result in the LDR designation (and associated R-1 District) to be applied to the outside ±37 acres of the site and the Medium-Density Residential designation (and associated R-2 District) to be applied to the interior ±23 acres of the site."

Page 3, bottom of the first paragraph, states, "In addition, this application provides compatibility with the existing established residential neighborhoods by placing the lower density R-1 zoning and larger lots along the perimeter of the site."

Page 8 is a response to the annexation criteria #(3) regarding infrastructure and rights-of-way, but the response also states the annexed area can be developed "...at a density equal to the average residential density within the City of Lafayette."

- 13. The applicant found Goal 11, Public Facilities and Services, is applicable and the proposed changes are consistent with Goal 11.

FINDING: The applicant's response and conclusion is at Attachment 1, p. 6 and states:

The public facilities and services available to this site were analyzed by the City at the time of UGB expansion. The City determined that public facilities and services can be provided in an orderly and efficient manner to this site. The Comprehensive Plan Map Amendment and Zone change will not impact the availability of public facilities and services to this site or to other sites in the vicinity. Therefore, the application is consistent with Goal 11, as applicable.

- 14. The applicant found Goal 12, Transportation, is applicable and the proposed changes are consistent with Goal 12.

FINDING: The applicant's response and conclusion is at Attachment 1, p. 6 and states:

The Transportation Impact Study (TIS) included in Exhibit G documents compliance with Goal 12 and applicable State and City transportation-related requirements. Please refer to the TIS for further information. Please also see the responses to the State Transportation Rule, Oregon Administrative Rule Chapter 660 Division 12 (OAR 660-12-0060), below. Therefore, this application is consistent with Goal 12.

Statewide Planning Goal 12 is augmented by the Transportation Planning Rule (TPR) set forth in Oregon Administrative Rule (OAR) 660-012. Attachment 1, p. 8 – 12 addresses the TPR. Attachment 1, p. 8 (bottom) states, in part, "The TPR implements Goal 12, Transportation, and is an independent approval standard in addition to Goal 12 for map amendments. OAR 660-012-0060(1) and (2) apply to amendments to acknowledged maps, as is the case with this application."

Attachment 1, p. 9, (see "Response" at bottom of page 9) concludes, based on the applicant's Transportation Impact Study (TIS) prepared by Mobley Engineering, the Comprehensive Map change "...would not 'significantly affect' an existing or planned transportation facility." A determination of no impact based on the TIS means that "failing intersections will not be made worse or intersections not now failing will not fail." (Attachment 1, p. 9 at the top)

- 15. The applicant found Goal 13, Energy Conservation, is applicable and the proposed changes are consistent with Goal 13.

FINDING: The applicant's response and conclusion is at Attachment 1, p. 6, 7, and states:

At the time of the UGB expansion, the City determined the proximity of this site to existing City services will encourage energy-efficient transportation and will promote an orderly and efficient extension of public facilities and services. The subject application does not change the general location or intensity of future improvements and therefore the application is consistent with Goal 13.

16. The applicant found Goal 14, Urbanization, is applicable and the proposed changes are consistent with Goal 14.

FINDING: The applicant's response and conclusion is at Attachment 1, p. 7, and states:

The subject site is within the City's UGB and this consolidated application for Annexation, Comprehensive Plan Map Amendment, and Zone Change is the next step in the applicable City process to provide housing for the City's anticipated population growth. This application complies with Goal 14.

17. The applicant found Goals 15 – 19, Willamette River Greenway and the four Coastal Goals, are not applicable.

FINDING: The applicant's response and conclusion is at Attachment 1, p. 7.

Comprehensive Plan Policies

The applicant has reviewed the applicable Lafayette Comprehensive Plan Policies as follows. Attachment 1 is the applicant's material. For the Comprehensive Plan Policies, the material combines the Annexation, Comprehensive Plan Map changes and the Zone Map changes.

18. The applicant indicates Transportation Goal 9A-A is applicable. It states: "The development of a well-connected street network that is safe, accessible and efficient for motorists, pedestrians, bicyclists and the transportation disadvantaged in Lafayette."

The applicant indicates Transportation Policy 9A-3 is applicable. It states: "All plan amendments, or zone changes or development proposals shall conform with the adopted Transportation System Plan and shall consider and evaluate their impact on existing or planned transportation facilities in all land use decisions."

FINDING: The applicant's response and conclusion is at Attachment 1, p. 12. The response also refers to the applicant's Transportation Impact Study (TIS) which is summarized in Attachment 1 (p. 12, bottom) and is at Attachment 2 (without the Appendices).

19. The applicant indicates Public Facilities Goal 12-A is applicable. It states: "To provide an orderly and efficient arrangement of water, sewer and storm drainage services to the City."

The applicant indicates Public Facilities Policy 12-1 is applicable. It states: "Water, sewer and storm drainage service shall be adequately provided and maintained in order to meet the residential, commercial and industrial needs for the City."

The applicant also indicates Public Facilities Policy 12-2 is applicable. It states: "The City shall provide public facility services in the most energy efficient manner and encourage prudent use of such services."

FINDING: The applicant's response and conclusion that Goal 12-A and Policies 12-1 and 12-2 are met is at Attachment 1, p. 13.

20. The applicant indicates Housing Goal 18-A is applicable. It states: “To provide housing that will meet the needs of the community in a manner that will best afford an adequate choice in all income ranges and housing types.”

The applicant indicates Housing Policy 18-1 is applicable. It states: “Programs that will satisfy the needs of housing for low and moderate income families should be encouraged by the City.”

The applicant also indicates Housing Policy 18-2 is applicable. It states: “The City shall revise zoning and subdivision ordinances and include innovative land developments and incentives to provide a range of housing types, densities and price ranges that will adequately meet the present and future needs of the community.”

The applicant also indicates Housing Policy 18-10 is applicable. It states: “Residential developments should be located within the foreseeable future in areas presently served by public services.”

FINDING: The applicant’s response and conclusion that Goal 18-A and Policies 18-1, 18-2 and 18-10 are met is at Attachment 1, p. 13.

21. The applicant indicates Land Use and Urbanization Goal 19-B is applicable. It states: “To provide for an orderly and efficient transition from rural to urban land use.”

The applicant indicates Land Use and Urbanization Policy 19-1 is applicable. It states: “The City shall encourage the availability of sufficient land for various urban uses to ensure choices in the marketplace.”

The applicant also indicates Land Use and Urbanization Policy 19-2 is applicable. It states: “The City shall efficiently utilize existing facilities and services by encouraging in-filling of developable lands within the planning area.”

The applicant also indicates Land Use and Urbanization Policy 19-8 is applicable. It states: “Change of the urban growth boundary shall be based upon consideration of the applicable Oregon Revised Statutes and Oregon Administrative Rules.”

FINDING: The applicant’s response and conclusion that Goal 19-B and Policies 19-1, 19-2 and 19-8 are met is at Attachment 1, p. 14 (top).

22. The proposed Comprehensive Plan Map designation changes are part of a coordinated set of four land use planning applications that are consistent from the proposed designations and zones to the subdivision layout and annexation. A condition of approval at the end of this report is recommended to make the Comprehensive Plan Map designation changes contingent upon approval of the other concurrently submitted applications.

OVERALL FINDING – COMPREHENSIVE PLAN MAP CHANGES: The applicant's materials conclude the proposed Comprehensive Plan Map designation changes meet the applicable approval criteria, subject to the recommended conditions of approval.

IV. FINDINGS – CRITERIA – ZONE MAP CHANGE

23. The Lafayette Zoning and Development Ordinance (LZDO), Section 3.101.03, A, 4, identifies a quasi-judicial Zone Map amendment as a Type III Action.

FINDING: Consistent with the guidance to differentiate between quasi-judicial and legislative actions provided in *Strawberry Hill 4 Wheelers v. Benton County*, 287 Or. 591, 601 P.2d 769 (1979), the requested Zone Map amendment is quasi-judicial because it is directed at a closely circumscribed factual situation or a relatively small number of persons (it involves only one 60-acre property, four co-owners), concrete facts are applied to pre-existing criteria and the zone change application was submitted by a private party, therefore, the City must issue a decision.

24. The LZDO, Section 3.102.03, A, 1 – 5, sets forth the approval criteria for a Zone Map change.

3.102.03, A. Zone Map change applications may be approved only if the applicant provides evidence substantiating the following:

1. The proposed zone is appropriate for the Comprehensive Plan Map designation on the property and is consistent with the description and policies for the applicable Comprehensive Plan Map designation.

FINDING: The applicant's response is at Attachment 1, p. 17. It states, "The proposed zone is appropriate for the Comprehensive Plan Map designation on the property and is consistent with the description and policies for the applicable Comprehensive Plan Map designation. This criterion is met."

The LZDO, Section 1.103.01, B, Districts, lists each Comprehensive Plan Map designation and then lists the zones that implement each designation. The Low Density Residential designation is implemented by the Low Density Residential (R-1) District. The Medium Density Residential designation is implemented by the Medium Density Residential (R-2) District. As shown in the applicant's response, Attachment 1, Exhibit B, wherever the Comprehensive Plan Map shows the proposed Low Density Residential designation to be located, the Zone Map shows the proposed Low Density Residential (R-1) District. Similarly, wherever the Comprehensive Plan Map shows the proposed Medium Density Residential designation to be located, the Zone Map shows the proposed Medium Density Residential (R-2) District. See the maps at pages 3 and 4, above.

25.
 2. The uses permitted in the proposed district can be accommodated on the proposed site.

FINDING: The applicant's response is at Attachment 1, p. 17. It states, "A variety of residential uses are permitted in the R-1 and R-2 districts. The Subdivision application, submitted separately, further illustrates how single-family detached residential lots can meet the dimensional standards of the applicable districts. This criterion is met."

The applicant's response at Attachment 1, p. 3 includes a Table "Acreage and Density with Comprehensive Plan Map Amendment and Zone Change Approval" which shows the R-1 District area (minimum lot size 7,500 square feet) is proposed to accommodate

96 lots and the R-2 District area (minimum lot size 5,000 square feet) is proposed to accommodate 142 lots for a total of 238 lots.

The Subdivision Application, Exhibit A, Sheet PO4, shows the lot layout and Phasing Plan on the following page. The lot arrangement shows the larger R-1 sized lots are in the area to be designated Low Density Residential and are around the periphery of the site, and the smaller R-2 sized lots are in the area to be designated Medium Density Residential and are in the interior of the site.

Subdivision Application Sheet PO4, Preliminary Phasing Plan.



26. 3. Allowed uses in the proposed zone can be established in compliance with the development requirements in this Ordinance.

FINDING: The applicant’s response is at Attachment 1, p. 18. It states, “Various residential uses are allowed within the R-1 and R-2 Districts. Future improvements can meet the development standards of the R-1 and R-2 Districts. The Subdivision application submitted separately further illustrates how the applicable development standards can be met. This criterion is met.”

27. 4. Adequate public facilities, services, and transportation networks are in place or are planned to be provided concurrently with the development of the property.

FINDING: The applicant's response is at Attachment 1, p. 18. It states, "The NE Abbey Road public right-of-way abutting the site is included in the annexation application. As discussed in the TIS [Transportation Impact Study] (Exhibit G), public transportation facilities will be improved concurrently with the future site improvements. Public utility facilities, including water, sewer, and storm drainage are available at the edge of the subject site and can be extended to serve future improvements on the property. This criterion is met."

Park and Recreation Facilities

The term "public facilities, services," includes park and recreation facilities and services. The City's 2013 Lafayette Parks Development Plan addressed the need for an additional park in the north area (pp. 5-9 and 7-1). The discussion focused on the north-central and northeast areas, although it mentioned the southern 20-acres of the proposed Meadowbrook at Lafayette Subdivision area and indicated access would be a major impediment. The Plan did not identify a specific property or a general area for a new park other than "in the north area."

The 2013 Plan showed the acres the City would need to acquire to achieve the National Recreation and Parks Association (NRPA) recommended park acreages, for Lafayette's projected population of 5,552 in 2032 (the Plan used the Yamhill County 2011 coordinated population projections for the County and the 10 cities in the County). The Plan adopted the NRPA recommended standards of 0.25 – 0.50 acres per 1,000 population for mini-parks; 1.0 – 2.0 acres per 1,000 population for neighborhood parks; and 5.0 – 8.0 acres per 1,000 population for community parks (Goal 1, Policies F, G and H, p. 3-2).

The Plan text discussed and Table 7-1 showed (pp. 7-2, 7-3) an additional 0.31 to 1.70 acres of mini-parks would need to be acquired; an additional 3.35 to 8.90 acres of neighborhood parks would need to be acquired; and an additional 16.02 to 32.67 acres of community parks would need to be acquired. The grand total of needed additional acres is 19.68 to 43.27 (Low range: 0.31 + 3.35 + 16.02) (High range: 1.70 + 8.90 + 32.67).

Additional information regarding parks is in this staff report because it would be inappropriate for the Comprehensive Plan Map and Zone Map amendment decision to include a condition of approval for parks because the Map amendments don't approve the actual development of the property. Additional park information is in the Subdivision staff report.

28. 5. The following additional criteria shall be used to review all nonconforming residential changes:
- a. The supply of vacant land in the proposed zone is:
 - i. Not adequate to accommodate the projected rate of development of uses allowed in the zone during the next 5 years, or
 - ii. Not at the appropriate location for the proposed use, or

- iii. Not physically suited to the proposed use, or iv. Lacks site specific amenities required by the proposed use.
- b. The supply of vacant land in the existing zone is adequate to accommodate the projected rate of development of uses allowed in the zone during the next 5 years, assuming the zone change is granted.
- c. If the proposed zone allows uses more intensive than other zones appropriate for the Comprehensive Plan's designation, the proposed zone's list of permitted uses will not destabilize the land use pattern of the area or significantly adversely affect adjacent properties.

FINDING: The applicant's response is at Attachment 1, p. 18. It states, "The subject site is vacant and this application does not involve changes to nonconforming residential uses or structures. The criteria do not apply."

29. The proposed Zone Map changes are part of a coordinated set of four land use planning applications that are consistent from the proposed designations and zones to the subdivision layout and annexation. A condition of approval is recommended to make the Zone Map changes contingent upon approval of the other concurrently submitted applications.

OVERALL FINDING – ZONE CHNGES: The applicant's materials conclude the proposed Zone Map changes meet the applicable approval criteria, subject to the recommended conditions of approval.

V. URBAN AREA GROWTH MANAGEMENT AGREEMENT

The applicant's response discusses the 1979 Urban Area Growth Management Agreement between the City and Yamhill County. It is a coordination agreement setting forth a process for the City and County to coordinate proposed changes to the Comprehensive Plan Map and Zone Map for land outside the City Limits and inside the UGB.

The applicant's response is at Attachment 1, p. 14, 15, and indicates that because the 40-acre area is proposed for annexation and the Comprehensive Plan Map and Zone Map changes have been submitted concurrently with the annexation application, the coordination steps related to the land outside the City Limits and inside the UGB do not apply. Instead, the coordination steps related to land inside the City Limits should apply. The 40-acre area outside the City Limits and inside the UGB is to be annexed and, therefore, will be under the authority of the City and the UGMA process for Comprehensive Plan Map and Zone Map changes for land in the City Limits should be followed. The City forwarded the Comprehensive Plan Map changes, Zone Map changes and the Annexation application materials to Yamhill County.

VI. PLANNING COMMISSION PUBLIC HEARING

The Planning Commission conducted an electronic public hearing on April 30, 2020 and consolidated the four applications into one hearing (Comprehensive Plan Map changes, Zone Map changes, Annexation and Subdivision). The hearing was continued by the Commission to May 14, 2020 to further discuss the Subdivision Application. The Commission passed unanimous motions recommending the City Council approve the four applications, including the Comprehensive Plan Map and Zone Map amendments.

VII. COMMENTS FROM PARTIES

The Fair Housing Council of Oregon with the Housing Land Advocates (FHCO/HLA) submitted letters dated April 20 and 22 (Attachment 2) which include very similar language and appear to make the same points. They do not express opposition to the increased density of the 3-acres, but rather are concerned with the applicant's Goal 10 (Housing) findings not adequately addressing the technical aspects of the Oregon Revised Statutes and Oregon Administrative Rules related to the City's Housing Needs Analysis and Buildable Land Inventory in terms of how the increased density will allow the City to better accommodate its population projection. The applicant submitted a response to the letters dated May 21, 2020 (Attachment 3).

VIII. STAFF RECOMMENDATION

The approval criteria have been met based on the application materials, provided the following condition of approval is met, therefore staff recommends the City Council pass an oral motion directing staff to prepare an Ordinance approving the requested Comprehensive Plan Map and Zone Map changes subject to the following condition of approval:

1. The Comprehensive Plan Map change approval and the Zone Map change approval are contingent upon approval of the concurrently submitted annexation and subdivision applications.

ORD. 638

EXHIBIT "B"

Statewide Planning Goal ("Goal") 10 Supplemental Findings

Goal 10, "Housing," requires the City "to provide the housing needs of citizens of the state" on buildable lands. The City's acknowledged Comprehensive Plan (the "Plan") Goal 10 satisfies the City's Goal 10 obligations. The issue before the City Council is whether the Post-Acknowledgment Plan Amendment (the "PAPA") continues to satisfy Goal 10. The City received two letters from the Fair Housing Council of Oregon ("FHCO"), dated April 20 and April 22, 2020. The letters are identical except for the "re" line. These supplemental findings address the issues raised in the FHCO letters. The City Council appreciates this opportunity to explain how the City remains in compliance with Goal 10.

First, FHCO asked the City to provide Goal 10 findings. This final land use decision contains adequate findings explaining how Goal 10 is satisfied, including these supplemental findings.

Second, FHCO asked how the R-2 Residential Zone will facilitate the addition of needed housing within the City. The City Council finds, based on the application narrative and substantial evidence including the Applicant's May 21, 2020 letter, that additional residential density on buildable lands will be provided by increasing the acreage of the City's R-2 Medium Density Residential Zone. Further, the City Council finds that its acknowledged Goal 10 inventory remains sufficient to satisfy the City's Goal 10 obligation through the addition of additional residential density. The R-2 Residential Zone provides more residential density than does the R-1 Low Density Residential Zone (7500 square feet per detached single-family dwelling lot in the R-1 zone versus 5000 square feet per detached single-family dwelling lot in the R-2 zone). Second, the R-2 Residential Zone allows the same type of residential dwelling units as does the R-1 Residential Zone but also allows additional residential dwelling types, such as multi-family dwellings. The City Council finds that Goal 10 does not require the PAPA to specify the type of housing that will be constructed on the property. Goal 10 simply requires that sufficient buildable land be available to satisfy the City's identified housing needs and adding more R-2 Residential Zone land does so. Areas identified as non-buildable lands need not be considered in the City's Goal 10 obligations.

Third, FHCO asked the City to confirm that this PAPA will continue to meet Goal 10's obligation to meet the identified housing needs. The City Council finds that the PAPA does so because the R-2 Residential Zone expands the City's ability to meet its Goal 10 requirement as explained above by providing additional residential acreage and an additional range of housing types without reducing the range of housing types now available.

Fourth, FHCO asked the City to state the need for resulting development as dictated by the City's acknowledged Housing Needs Analysis (the "HNA"). The City Council finds that it is not obligated to do so. The City's obligation under Goal 10 is satisfied by its findings demonstrating that Goal 10 remains satisfied with the PAPA.

Finally, FHCO asked the City to defer adoption of the PAPA until Goal 10 findings are adopted and findings under the City's acknowledged HNA and Buildable Lands Analysis (the "BLI"). The City's final land use decision contains findings based on substantial evidence demonstrating compliance with Goal 10. As explained elsewhere in this final land use decision, the City's Goal 10 obligations remain satisfied because the PAPA increases both the amount of residential land available and the types of residential dwelling units available on buildable lands.

For all of the reasons contained in this final land use decision, the City Council finds that it has both adequately responded to FHCO's issues contained in its two letters and demonstrated that Goal 10 is satisfied.



Lafayette City Council

Meeting Date: June 11, 2020

Agenda Item: Tentative Plan Approval for the Meadowbrook Subdivision

Requested Council Action:

Discuss and provide tentative plan approval for the Meadowbrook subdivision.

Staff Recommendation:

Approve the attached Council Order for the Meadowbrook subdivision.

Background:

This action will provide tentative plan approval with sixty conditions for the Meadowbrook subdivision. This action is a companion approval to Ordinances 637 and 638, which are also on this agenda and each action is contingent on the passage of the others.

Condition no. 56 regarding street names has received some public attention. At the June 11 meeting, Council can discuss and direct that this condition be modified to state that the street name Chavaniac be reconsidered.

At the May 28 City Council meeting, the Council directed staff to include a condition of approval allowing staff to negotiate with the applicant to acquire parkland within the subdivision. This new condition is listed as no. 60.

Financial Impact:

TBD. With subdivision construction the City and other public agencies will benefit from an expanded tax base and system development charges for water, sewer, parks, education, and transportation. City revenues will help pay for citywide infrastructure needs and additional services for an increased population.

Alternative:

Council may determine to modify the conditions of approval.

Suggested Motion:

"I move to approve Council Order for Planning file no. SUB 2020-01, Tentative Plan Approval for the Meadowbrook subdivision."

City of Lafayette

486 Third Street, P.O. Box 55
Lafayette, Oregon 97127
Phone: (503) 864-2451 Fax: (503) 864-4501



BEFORE THE LAFAYETTE CITY COUNCIL

Planning File No. SUB 2020-01

In the Matter of the Application)	
)	
Of AKS Engineering and Forestry)	A 60-acre 238-lot Phased Subdivision
)	
For The Holt Group)	

CITY COUNCIL ORDER

I. APPLICATION SUMMARY

The Holt Group proposes a 60-acre 238-lot phased subdivision in the 1800 Block of Abbey Road.

The Subdivision Application is submitted concurrently with an Annexation Application to annex the northern 40-acres of the 60-acre site, Comprehensive Plan Map designation changes and Zone Map changes. The Subdivision, Annexation and Map changes are addressed in three separate staff reports. This report addresses the subdivision application where the applicant requests the entire subdivision be approved and that it be built in 6 Phases over time.

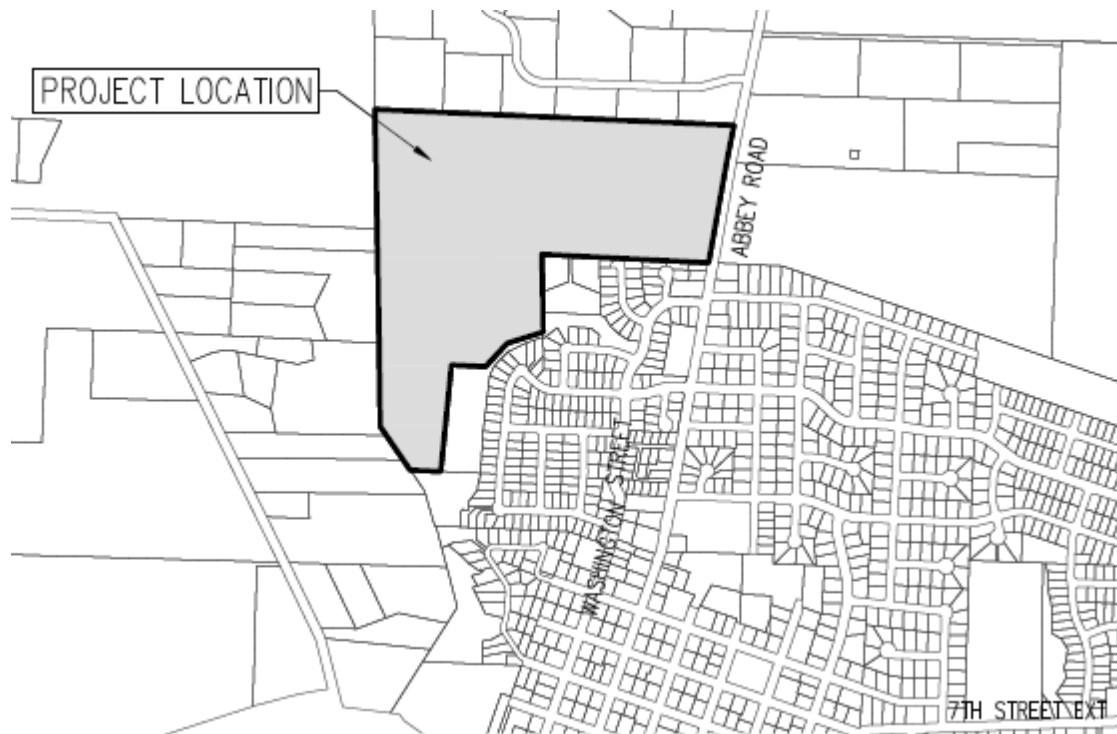
This report is written with the understanding that if the City Council in their decision on the Comprehensive Plan Map designation and Zone Map amendments make changes that cause the Subdivision layout to change, the changes will be made to the Final Plat with no further review by the City Council.

II. FINDINGS -- GENERAL

- A. APPLICANT: AKS Engineering & Forestry for The Holt Group.
- B. OWNERS: Silverado Group, LLC, Moone Enterprises, LLC, Tranquil Nature Investments, LLC, and Tea Olive Enterprises, LLC, all at 10300 SW Greenburg Road #270, Portland, OR.
- C. REQUEST: Preliminary Plan approval for a 60-acre 238-lot phased subdivision, 17-acres of open space, 8.7-acres of public streets, and water, sewer and storm drainage. About 37-acres will be in the R-1 District and about 23-acres will be in the R-2 District.
- D. LOCATION: 1800 Block of Abbey Road (west of Abbey Road between Washington St. and John's Landing Rd.) (Assessor's Map 4, 4, 01, Tax Lot 00300). See Figure 1, p. 2.
- E. SITE SIZE: 60-acres (20-acres currently in the City Limits & 40-acres to be annexed).

F. **EXISTING DEVELOPMENT:** The subject property is vacant.

Figure 1. Vicinity Map. The 60-acre property is in the northwest portion of the City.



G. **ZONING:** The southern 20-acres are in the City Limits and are zoned Medium Density Residential (R-2). The northern 40-acre area is outside the City Limits and inside the urban growth boundary (UGB) and is under Yamhill County zoning. In a concurrent application it is proposed to be annexed with the R-1 and R-2 Districts applied to the property.

When the 40-acre area was added to the UGB the City's Comprehensive Plan Map designated it for Low Density Residential uses, requiring the R-1 District be applied upon annexation, but the designation and zoning district are proposed to be changed by the concurrent applications for Comprehensive Plan Map designation changes and the Zone Map changes. See Figures 2 - 5 on Pages 3 and 4.

H. **ADJACENT ZONING AND LAND USES:** See the applicant's subdivision material at Attachment 1, p. 3, Section II, Site Description/Setting. The land abutting to the north is outside the City Limits and outside the UGB. It is under Yamhill County zoning "Very Low Density Residential 2.5" (VLDR - 2.5). It is developed with dwellings in the 13-lot 2006 Abbey Ridge Subdivision which is served by John's Landing Road. The lots range from 1.6 to 4.2-acres.

The land abutting to the west of the northern 40-acre area is outside the City Limits and outside the UGB. It is under Yamhill County zoning "Exclusive Farm Use 80" (EF - 80). It is in agricultural production. The land abutting to the west of the southern 20-acre area is outside the City Limits and outside the UGB. It is under Yamhill County zoning "Very Low Density Residential 2.5-acres" (VLDR 2.5). It is developed with rural residential dwellings on lots of 1.5 to 6-acres.

The 2-acre City owned property abutting to the south is inside the City Limits and it is in the Low Density Residential District (R-1). It is creek bottom and steep sloped natural habitat.

Across Abbey Road to the east are two properties outside the City Limits and outside the UGB. Yamhill County zones them "Exclusive Farm Use 40" (EF - 40). The southernmost property is 38-acres with an older 2-story house near Abbey Road. The northernmost property is 9.6-acres and is vacant. They are in agricultural production.

Figure 2. Comprehensive Plan Map Before.



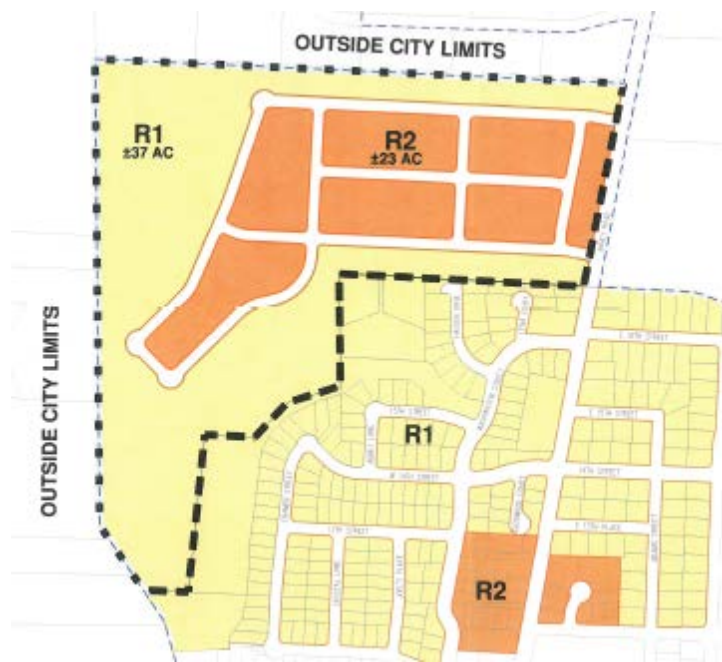
Figure 3. Comprehensive Plan Map After.



Figure 4. Zone Map Before.



Figure 5. Zone Map After.



- I. DECISION CRITERIA: Lafayette Zoning and Development Ordinance (LZDO) Section 2.208 for Land Divisions, 2.102 for the R-1 District, 2.103 for the R-2 District, and other applicable sections, including but not limited to Section 2.201, General Provisions, Section 2.202, Transportation and Access Standards, Section 2.204, Storm Drainage, and 2.205, Utility Lines and Facilities.

III. FINDINGS -- CITY DEPARTMENT AND AGENCY COMMENTS

- A. The City Engineer reviewed and commented upon the proposal (see Attachment 2).
- B. The Lafayette City staff (Fire Chief Terry Lucich; Public Works Supervisor Konrad Dimmitt; City Engineer Hassan Ibrahim; Community Development Clerk Danielle Oliveira) reviewed and commented upon the proposal (see Attachment 3).
- C. Frontier Communications returned the Request For Comments with no comments.

IV. FINDINGS -- CRITERIA

1. Lafayette Zoning and Development Ordinance (LZDO) Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.03, A, Minimum Lot Area, states, **"Minimum lot area shall conform to the requirements of the zoning district in which the parcel is located."**

FINDING:

The Executive Summary for the Comprehensive Plan Map and Zone Map changes (not attached to this subdivision staff report), p. 3, includes a Table, "Acreage and Density with Comprehensive Plan Map Amendment and Zone Change Approval," which shows there will be 96 lots in the R-1 District and 142 lots in the R-2 District for a total of 238 lots.

The minimum lot size in the R-1 District for detached single family dwellings is 7,500 square feet (2.102.04, A, 1) and the R-2 District is 5,000 square feet (2.103.04, A, 1). The applicant's subdivision material at Attachment 1, p. 4, states the 96 lots proposed in the R-1 District are at least 7,500 square feet. The applicant's subdivision material at Attachment 1, p. 6, 7, states the 142 lots proposed in the R-2 District are at least 5,000 square feet.

Criterion 2.208.03, A (Development Standards For Land Divisions), and 2.102.04, A, 1 (R-1 District), and 2.103.04, A, 1 (R-2 District), for minimum lot size are met.

The LZDO does not include gross or net density standards, but for density tracking purposes the Executive Summary for the Comprehensive Plan Map and Zone Map changes (not attached to this subdivision staff report), p. 3, includes a Table "Acreage and Density with Comprehensive Plan Map Amendment and Zone Change Approval" which shows the 37-acre R-1 area includes 17 unbuildable acres and 2.9 acres in public rights-of-way leaving 17.1 net buildable acres. With 96 lots the net density is 5.6 dwelling units per net acre (96 lots / 17.1 net ac = 5.6 units per net acre).

The Table also shows the 23-acre R-2 area includes 0 unbuildable acres and 5.8 acres in public rights-of-way leaving 17.2 net buildable acres. With 142 lots the net density is 8.3 dwelling units per net acre (142 lots / 17.2 net ac = 8.3 units per net acre).

2. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.03, B, Lot Width and Depth states, "**The depth of a lot or parcel shall not be more than 3 times the width of the parcel, with the following exceptions:**" The exceptions are not applicable because they address lots for townhouses, lots for attached dwelling units, lots for public utility uses, and lots in zones where there is no width-to-depth ratio. None of the four exceptions are proposed in the preliminary plan. Thus, the requirement is for each lot to "**...not be more than 3 times the width of the parcel....**"

FINDING:

The applicant's material at Attachment 1, p. 16, states:

As illustrated on the Preliminary Subdivision Plat in Exhibit A, each lot meets minimum lot width, depth, and area standards for the R-1 and R-2 Districts (as applicable). Based upon discussions with the fire marshal and City staff, it is understood that a condition of approval will be included in the City's decision requiring the rear lot lines of lots abutting the open space areas to extend to the top of the abutting slope (for fire safety purposes). This condition will extend the depth of these lots in such a manner as to conflict with Lafayette Zoning and Development Ordinance (LZDO) 2.208.03.B. The City recognizes that conflicts may occur between the requirements of the LZDO and conditions of approval established as part of a land use decision and that pursuant to LZDO 2.401.01, the provisions of the condition of approval shall prevail. Therefore, the standard is met to the extent applicable.

LZDO 2.401.01, General Standards, Section 2.401.01, states:

2.401.01 Minimum Requirements

In interpreting and applying this Ordinance, the provisions herein shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where conflicts occur between the requirements of this Ordinance and a condition of approval established as part of a land use decision, the provisions of the condition shall prevail. (Emphasis added)

Tract "A" is labeled as "Open Space" and it provides a significant amount of heavily treed open space in a deeply incised creek bed along the west and south portions of the site as well as on the east side of the peninsula. Based on the Lafayette Fire Department's comments, a condition of approval (Condition 49) requires the proposed lots which back up to Tract "A," (Lots 153 – 170, 188 – 191, 203 – 231, and 97 – 99) to provide rear lot lines located to create lots deeper than the 3.0 lot width-to-depth maximum to ensure a minimum 30-feet (a greater distance is preferred) of wildfire defensible space on the privately owned lots. The condition of approval also requires the lots to comply with the minimum lot size (all of the proposed lots listed above comply with the 7,500 sq. ft. in the R-1 District). Criterion 2.208.03, B, for lot width-to-depth ratio is controlled by Section 2.401.01.

Due to 2.401.01 stating a condition of approval controls over a LZDO requirement, the applicant provided additional information via an April 21, 2020 email interpreting how Section 2.4021.01's control over a LZDO requirement is plausible given the Lafayette Fire Department's desire to address the wildfire potential and provide for defensible space. The explanation follows:

Lafayette Fire Chief (Terry Lucich) has expressed a desire to protect the sloped hillsides within the western and southern portions of the Meadowbrook at Lafayette Subdivision and prevent wildfires. The City Administrator's letter to City staff, dated April 15, 2020, includes a number of related

comments that help accomplish this goal. Of particular interest to the Fire Chief is a desire to manage against wildfires by extending the lots in the subdivision (abutting and nearby sloped hillsides) as far as reasonably possible downhill, minimizing commonly owned land. Unfortunately, this goal conflicts with a general standard that applies to all land divisions (Section 2.208.03.A), which limits the length of new lots to not more than three times their depth. City approvals may be granted subject to conditions that are designed to protect public health, safety and general welfare. In this case, a condition of approval is warranted to maximize the length of the lots along and nearby the sloped hillsides beyond what is permitted by the general land division standard provided in Section 2.208.03.A. The Lafayette Zoning and Development Ordinance, through Section 2.401.01, anticipated that such conflicts might arise during development review and provides resolution to the conflict described above by stating "Where conflicts occur between the requirements of this Ordinance and a condition of approval established as part of a land use decision, the provisions of the condition shall prevail."

Based upon the above, it is appropriate to include a condition of approval in the subdivision approval, requiring lots abutting and nearby the sloped hillsides in the western and southern portion of the subdivision to extend as far as reasonably possible downslope, thereby minimizing commonly owned land. It is understood that this condition of approval is made pursuant to Section 3.201.[0]6.E.1 (to protect health, safety, and welfare). Therefore, pursuant to Section 2.401.01, this condition of approval prevails over the maximum depth to width ratio prescribed by Section 2.208.03.A.

In this case Section 2.401.01's language is plausible when it calls for a condition of approval that results in a development not complying with a LZDO requirement.

3. LZDO Section 2.208.03, A, Development Standards for Land Divisions, addresses minimum lot sizes by referring the reader to each individual District. Section 2.208.03, B, addresses the lot-to-depth ratio and sets the standard in 03, B. Section 2.208.03, C, addresses lot width and sets the standard in 03, C.

LZDO Section 2.208.03, does not refer to or include a minimum average lot depth, instead the minimum average lot depth is listed individually in the R-1 and R-2 Districts.

LZDO, Section 2.102.04, E, for the R-1 District Dimensional Standards, requires:

E. Minimum average lot depth: 70-feet.

LZDO, Section 2.103.04, E, for the R-2 District Dimensional Standards, requires:

E. Minimum average lot depth: 65-feet.

FINDING:

The application narrative does not address the minimum average lot depth, however, Sheets PO5A for the eastern part of the site, PO5B for the western part of the site and PO5C for the southern part of the site show the dimensions of each lot (and the size of each lot in square feet).

Lots 1 to 238 have been reviewed individually by staff and the minimum average lot depth for all the lots in the R-1 District is at least 70-feet. The minimum average lot depth for all the lots in the R-2 District is at least 65-feet.

The lots that appear, visually, to be shallow have been double checked and they comply with the applicable District's minimum average depth standards, for example, Lot 49 at the NW corner of 18th and Chavaniac Lane and Lots 233 and 237 at the south end of Chinook and Young Streets. Criteria 2.102.04, E, for the R-1 District and 2.103.04, E, for the R-2 District, are met.

4. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.03, C, Access states, "**All lots and parcels created after the effective date of this Ordinance shall provide a minimum of 40 feet of frontage, on an existing or proposed public street. The following exceptions shall apply:**

1. **Residential lots or parcels, excluding townhouse developments and Planned Unit Developments, may be accessed via a private street or partition access easement developed in accordance with the provisions of Section 2.202 [2.202.07] when the City finds that public street access is:**

- a. **Infeasible due to parcel shape, terrain, or location of existing structures; and**
- b. **Not necessary to provide for the future development of adjoining property. "**

In addition to 2.208.03, C, addressing Private Streets, Section 2.202.07, Private Streets, states: "**Streets and other rights-of-way serving a subdivision or planned unit development that are not dedicated for public use shall comply with the following:**" and it goes on to list A – D regarding private street requirements.

FINDING:

The exceptions in 2.208.03, C, 1, a and b, do not apply because no private streets are proposed. The private street provisions in 2.202.07, A – D, do not apply because no private streets are proposed.

The R-1 District (2.102.04, D) and the R-2 District (2.103.04, D) also require a minimum lot width on a public right-of-way of 40-feet.

The applicant's material at Attachment 1, p. 4 for the R-1 District, p. 7 for the R-2 District and p. 16 (bottom) for 2.208.03, C, state that each lot has a minimum of 40 feet of frontage measured at the front setback line which is consistent with the definition of "Lot Frontage" (LZDO 1.200.02).

5. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.03, D, addresses Flag Lots.

FINDING:

Section 2.208.03, D, does not apply because no flag lots are shown in the proposed tentative plan.

6. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.03, E, addresses Through Lots.

E. Through Lots: Through lots shall be avoided except where essential to provide separation of residential development from major traffic arteries, adjacent non-residential activities, or to overcome specific disadvantages of topography and orientation. Screening or buffering, pursuant to the provision of Section 2.207.05, may be required by the City during the review of the land division request.

FINDING:

Section 2.208.03, E, indicates through lots should be avoided, but it provides 3 exceptions where through lots are allowed. One of the exceptions relates to orientation. The subject 60-acre property is oriented such that it has frontage on only one public street, Abbey Road, which to use the language in 2.208.03, E, is a "major traffic artery." To overcome this orientation the proposed Lots 31-41 are "through lots." Lots 1 and 42 at the corners of Abbey Road and 17th and 19th are not through lots because they are corner lots, although their side lot lines are adjacent to Abbey Road and have frontage on Abbey Road.

Lots 31-41 (and Lots 1 and 42) are in the area that would be the R-2 District and, as with any R-2 lot, they can be used for any of the uses allowed in the R-2 District provided applicable standards are met. In this subdivision they would be used for single family residences. Many of the uses allowed in the R-2 District could not fit onto those lots because, for example, they are not big enough for a duplex or multi-family development.

The lots on Abbey Road are not allowed to have driveways onto Abbey Road because they would reduce the Road's capability to serve as a major traffic artery, thus the lots must have frontage on another public street which is the local street referred to on the preliminary plan as Chavaniac Street. A condition of approval prohibits vehicular access from Lots 1, 31 – 41 and 42 to the Abbey Road public right-of-way.

Given the need to orient the subdivision to not allow driveways onto Abbey Road, the alternative is for a local street to provide the access which results in through lots such as Lots 31-41.

In summary, the subject property is oriented such that it has frontage on a major traffic artery and Section 2.208.03, E, recognizes that such situations can exist and it provides an exception for properties with orientation issues.

7. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.03, F, Lot Side Lines, states: "**The side lines of lots, as far as practicable, shall run at right angles to the right-of-way line of the street upon which the lots face.**"

FINDING:

The applicant's material at Attachment 1, p. 17, indicates the side lot lines of the proposed lots are at approximately right angles as far as practicable. Criterion 2.208.03, F, for side lot lines is met.

8. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.03, G, Lot Grading, states: "**The minimum elevation at which a structure may be erected, taking into consideration the topography of the lot, the surrounding area, drainage patterns and other pertinent data, shall be established by the City Building Inspector.**"

FINDING:

The applicant's material at Attachment 1, p. 17, indicates the applicant understands the Building Inspector may establish a minimum elevation at which a structure may be erected, taking into consideration the topography of the lot, the surrounding area, drainage patterns and other pertinent data, at the time building permits for dwellings are submitted. Criterion 2.208.03, G, for the establishment of minimum elevations is met.

The applicant's material also includes a Preliminary Grading, erosion, and Sediment Control, Tree and Demolition Plan (Sheet, PO6, PO6A, PO6B and PO6C).

9. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.03, H, Utility Easements, states: "**Utility easements shall be provided on lot areas where necessary to accommodate public utilities. Such easements shall have a minimum total width as specified in Section 2.205 of this Code.**"

LZDO, Section 2.205, Utility Lines and Facilities, and Subsection 2.205.02, H, states: "**Easements shall be provided along property lines as deemed necessary by the City, special districts, and utility companies. Easements for special purpose uses shall be of a width deemed appropriate by the responsible agency. Such easements shall be designated on the final plat or all subdivisions, and on the final plat of all major partitions.**"

FINDING:

Eight-foot wide utility easements (PUE) are shown on the Preliminary Composite Utility Plan along the frontage of all lots for the purpose of installing and maintaining public and private utility infrastructure for water, sewer, storm drainage, power, gas and telecommunications (Sheets, PO7, PO7A, PO7B and PO7C). Typically, public water and sewer lines are not in the PUE's and the power, gas and telecommunications lines are in the PUE's.

Sheets PO7 and PO7A show a 30-foot wide "emergency vehicle, public pedestrian and bicycle access, public and private utility easement" extending along the common property line of Lots 8 and 9 to the north end of the Haylen Drive cul-de-sac. The Sheets do not indicate the paved width of the pedestrian and bicycle portion of the easement. A condition of approval requires a minimum 12-foot wide paved surface and that it shall be installed prior to the City signing the final plat.

Sheet PO5A shows the 30-foot wide easement and shows Lots 8 and 9 are 70-foot wide which is wider than the usual 64-foot or 64.5-foot lot widths proposed for the lots along this segment of 17th Street. The additional 5 to 6-foot lot width recognizes the easement encumbers Lots 8 and 9. The easement is not centered on the common lot line. It encumbers about the western 10-feet of Lot 8 and about the eastern 20-feet of Lot 9. The off-set allows the easement to line-up with Haylen Drive to the south and Kalapuya Place to the north.

The applicant's Sheets do not show fencing along the east and west easement lines. A fence would provide screening and security for the owners of Lots 8 and 9 from the users of the easement. A condition of approval requires fencing on the east and west easement lines. The fencing shall comply with the LZDO fencing standards. The fencing on the east easement line shall installed prior to the issuance of a Certificate of Occupancy for Lot 8. The fencing on the west easement line shall installed prior to the issuance of a Certificate of Occupancy for Lot 9.

10. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.04, Standards for Blocks, addresses the function and size of blocks. Subsection 2.208.04, A, General, states: "**The length, width, and shape of blocks shall be designed with regard to providing adequate building sites for the use contemplated; consideration of needs for convenient access, circulation, control, and safety of street traffic including pedestrian and bicyclist; and recognition of limitations and opportunities of topography.**"

FINDING:

The applicant's material at Attachment 1, p. 17, states the blocks are designed to provide adequate building sites for single family detached residential uses while responding to the limitation of connectivity to neighboring sites. Access and safety for all users was also considered in the design Criterion 2.208.04, A, is met.

11. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.04, Standards for Blocks, addresses the function and size of blocks. Subsection 2.208.04, B, Sizes, states: **"Blocks shall not exceed 600 feet in length between street lines, except blocks adjacent to arterial streets, or unless the previous adjacent development pattern or topographical conditions justify a variation. The recommended minimum distance between intersections on arterial streets is 1,800 feet."**

FINDING:

The applicant's material at Attachment 1, p. 18, states:

The planned subdivision block pattern includes interior blocks less than 600-feet in length. The exterior blocks as well as the interior block on the southwest portion of the site exceed 600-feet due to site topography and existing development on adjacent sites preventing street connections.

Haylen Drive is not proposed or required to be extended northerly to connect to the proposed 17th Street at Kalapuya, and therefore create a block, because the current Haylen Drive is of insufficient width to accommodate a significant number of vehicles going through the neighborhood to connect to Washington Street. Criterion 2.208.04, B, is met.

12. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.04, Standards for Blocks, addresses the function and size of blocks. Subsection 2.208.04, C, Traffic Circulation, states: **"The proposed subdivision shall be laid out to provide safe, convenient, and direct vehicle, bicycle and pedestrian access to nearby residential areas, neighborhood activity centers, commercial areas, and industrial areas; and to provide safe convenient and direct traffic circulation."**

FINDING:

The applicant's material at Attachment 1, p. 18, states vehicular, bicycle, and pedestrian traffic will use 17th and 19th Streets to connect to NE Abbey Road and the broader community. In addition, an emergency vehicular access and bicycle and pedestrian connection is provided between the Haylen Drive cul-de-sac and 17th Street. The circulation system is safe and direct.

As indicated in Finding 8, p. 6, above, Sheet PO7A shows a 30-foot wide "emergency vehicle, public pedestrian and bicycle access, public and private utility easement" extending along the common property line of Lots 8 and 9 to the north end of the Haylen Drive cul-de-sac. The easement will provide a safe, convenient and direct bicycle and pedestrian access to nearby residential areas. Criterion 2.208.04, C, for traffic circulation is met.

13. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.04, Standards for Blocks, addresses the function and size of blocks. Subsection 2.208.04, D, Connectivity, states:

"To achieve the objective in C. Traffic Circulation, above, the Planning Commission may require the following:

- 1. Stub Streets: Where the potential exists for additional development on adjacent property.**
- 2. Pedestrian / Bicycle Accessways: Public accessways to provide a safe, efficient and direct connection to cul-de-sac streets, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths creating access to nearby residential areas, neighborhood activity centers, commercial areas, and industrial areas."**

FINDING:

No stub streets (a street stubbed at the property line adjacent to an abutting property) are proposed or required because there is no potential for additional development on adjacent properties to the north, west or south. As indicated in Finding 8, p. 6, and Finding 11, p. 7, above, Sheet PO7A shows a 30-foot wide "emergency vehicle, public pedestrian and bicycle access, public and private utility easement" extending along the common property line of Lots 8 and 9 to the north end of the Haylen Drive cul-de-sac.

There are no oddly shaped or unusually long blocks proposed. Criterion 2.208.04, D, is met.

14. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.04, Standards for Blocks, addresses the function and size of blocks. Subsection 2.208.04, E, Collector and Arterial Connections, states: **"Pedestrian / bicycle accessway connections with adjoining arterial and collector streets shall be provided if any portion of the site's arterial or collector street frontage is over 600 feet from either a subdivision access street or other pedestrian / bicycle accessway. If natural features e.g., adverse topography, streams, wetlands exist, the provisions of accessways may be limited."**

FINDING:

The applicant's material at Attachment 1, p. 18, states the two intersections with NE Abbey Road, a collector, are less than 600-feet apart and additional accessway connections are not required. Criterion 2.208.04, E, is met.

15. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.04, Standards for Blocks, addresses the function and size of blocks. Subsection 2.208.04, F, Design Standards for Pedestrian/Bicycle Accessways, states: **"Pedestrian / bicycle accessways shall meet the following design standards:**
 - 1. Minimum dedicated width: 20 feet.**
 - 2. Minimum improved width: 10 feet.**
 - 3. Maximum length: 250 feet with a clear line of vision for the entire length of the accessway.**
 - 4. When an accessway is in excess of 100 feet in length, then pedestrian scale lighting fixtures shall be provided along the accessways and lighted to a level where the accessways can be used at night.**
 - 5. The accessway shall be designed to prohibit it vehicle traffic.**

FINDING:

The applicant's material at Attachment 1, p. 19, states the planned pedestrian and bicycle accessway between Haylen Drive and 17th Street is designed to meet the above standards. Sheet PO7A, Preliminary Composite Utility Plan, shows a 30-foot wide "emergency vehicle, public pedestrian and bicycle access, public and private utility easement" extending along the common property line of Lots 8 and 9 to the north end of the Haylen Drive cul-de-sac.

The length is 118-feet. Sheet PO7A does not show the width of the paving. Finding 8, p. 6, above, includes a condition of approval requiring a minimum 12-foot wide paved surface. Note 2 on Sheet PO7A states, "Final street lighting design to be provided during construction document preparation." Sheet PO7A does not show pedestrian scale lighting fixtures along the easement. A street light exists at the last lots on the east side of Haylen Drive.

A condition of approval requires pedestrian scale lighting fixture(s) be shown along the easement on the final street lighting design that is to be provided during construction document preparation, and that pedestrian scale lighting fixture(s) be installed along the easement as determined by the City Engineer based on lighting standards. Where street lighting on 17th Street and/or Haylen Drive will provide lighting to meet standard lighting requirements, no new lighting is required along the easement area. Criterion 2.208.04, F, is met with the condition of approval. Street lighting is also addressed at Finding 25, p. 19.

16. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.05, Improvement Requirements, addresses improvements required for partitions and subdivisions. Subsection 2.208.05, B, Subdivisions, states:

"The following improvements shall be required for all subdivisions in the City of Lafayette:

1. **Frontage Improvements: Street improvements to full City Standards shall be required for all public streets on which a proposed subdivision fronts in accordance with Section 2.202 [Transportation and Access Standards] of this Code. Such improvements shall be designed to match with existing improved surfaces for a reasonable distance beyond the frontage of the property. Additional frontage improvements shall include: sidewalks, curbing, storm sewer, sanitary sewer, water lines, other public utilities as necessary, and such other improvements as the City shall determine to be reasonably necessary to serve the development or the immediate neighborhood."**

FINDING:

The applicant's material at Attachment 1, p. 20, addresses Subsections 1 – 11 as listed below and states:

As demonstrated in the Preliminary Plans (Exhibit A), the above listed public improvements are planned and designed in accordance with City standards. NE Abbey Road frontage improvements and new local street improvements include sidewalks, streetlights, and street signs. Site utilities include storm sewer, sanitary sewer, and water utility lines. Due to the existing sanitary sewer main line elevations and the elevations of the phases on the southwest of the site, a sanitary sewer pump station will be required to serve Phases 5 and 6. The pump station will be designed and provided in accordance with City requirements as part of the construction of Phases 5 and/or 6 as necessary. Monuments and bench marks can be set as described above. The applicable criteria are met.

City Engineer's comments regarding transportation, geotechnical/grading and environmental follow:

Transportation:

1. Abbey Road is classified as a collector as per the City Transportation System Plan (TSP) requiring an ultimate half street right of way width of 32 feet along the entire site frontage. Half street improvements to collector standards as per the City Public Works Design Standards, Division 2 to include a paved section of 18 feet in the northbound lane plus a minimum 10 feet width in the southbound lane for a minimum total paved width of 28 feet with 10:1 asphalt tapers at each end. The improvements shall also include curb and gutter, 5-foot wide sidewalks, ADA ramps, streetlights and utilities extended as needed and an 8-foot wide public utility easement.

An April 21, 2020 email from the City Engineer clarified the above references to the northbound and southbound lanes were reversed and "...along the site frontage [southbound] the paving should be 22 feet [not 18 feet] to accommodate a future left turn lane...." On the northbound lane, "...the only additional improvements on the east side if necessary will be adding paving to attain 10 feet if 10 feet are not existing."

2. All of the proposed interior streets and cul de sac eyebrows (shall conform to City standard detail #207) and shall be designed to local street standards as per the City Public Works Design Standards, Division 2 with a minimum of 48-foot right-of-way dedication and improved to include 34-foot wide paved width, curb and gutter, 5-foot wide sidewalks, ADA ramps, street lights, utilities extended as necessary and an 8-foot wide public utility easement.
3. One ADA ramp on the opposite side of a Tee intersection should be acceptable as opposed to the proposed two ADA ramps.
4. Temporary turn arounds may be required at the phase lines and must be approved by Local Fire District.
5. Abbey Road and local streets at the phase lines with potential shall provide a profile design for a minimum of 200 feet past the property lines to ensure any future connections can be met.
6. The landing area at the intersections should be a maximum of 8% for approximately 50 feet or two car lengths. Sight distance requirements should be confirmed on all intersections.
7. Local streets centerline shall have a minimum turning radius of 200 feet as per the City Public Works Design Standards, Division 2, section 2.14.
8. The maximum street vertical gradients for Abbey Road shall be 10% and 12% maximum for all local streets, 15% gradient on local streets is allowed for a maximum distance of 200 feet as per the City Public Works Design Standards, Division 2, section 2.16.
9. A minimum of 100 feet tangent is required at the intersection of Abbey Road and the local streets and 50-foot tangent at all other local street intersections. All intersections shall not be less than 75 degrees as per the City Public Works Design Standards, Division 2, section 2.21.

10. All trails shall be paved and equipped with removal bollards at the street side to prevent vehicular access.
11. A signing and striping plan will be required to be submitted as part of the final design.
12. Consideration shall be taken to the "Conclusions" stated on page 25 of 26 of the Transportation Impact Study prepared by Lancaster Mobley, dated February 21, 2020.

Geotechnical/Grading:

1. All earthwork activities to include grading, foundation excavation, site preparation and slope stability, subdrains and drainage, cut and fill slopes, pavement construction and utilities should follow the contents and recommendations stated in the Geotechnical Engineering Report prepared by Geopacific Engineering, Inc., dated February 14, 2020.
2. In addition to the above noted report, we recommend that all earthwork activities be observed and documented under the supervision of a geotechnical Engineer or their representative. Any site grading should not in any way impede, impound or inundate the adjoining properties. A final report shall be submitted by the geotechnical engineer stating any special recommendations to be considered during the house construction. The grading setbacks, drainage and terracing should comply with the Oregon Structural Specialty Code (OSSC) requirements.

Environmental:

1. Any existing domestic or irrigation wells shall be located, identified, capped, disconnected or abandoned in conformance with OAR 690-220-0030. A copy of the Oregon Water Resources Department (OWRD) abandonment certificate shall be submitted to the City.

The City Engineer's comments are included at the end of this staff report as conditions of approval.

Abbey Road is required to provide a 64 - 68 foot wide right-of-way. The existing right-of-way is 60 feet. The applicant's Sheets PO8 and PO8A show a 62-foot wide right-of-way which includes a 2-foot dedication along the frontage of the subject property for public right-of-way purposes. A condition of approval requires the applicant to dedicate 2-feet along the frontage of the subject property for public right-of-way purposes.

A condition of approval requires improvements must be accepted in writing by the City of Lafayette, including submission of maintenance bonds and reproducible as-built drawings prior to final plat.

A condition of approval requires a Type B permit be issued prior to construction.

17. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.05, B, 2, Project Streets, states:

"2. **Project Streets: All public or private streets within the subdivision shall be constructed as required by the provisions of Section 2.202 [Transportation and Access Standards]."**

See the City Engineer's comments, p. 10, above.

The applicant's material at Attachment 1, p. 20, responds to 2 as well as 3 – 11, below, stating:

As demonstrated in the Preliminary Plans (Exhibit A), the above listed public improvements are planned and designed in accordance with City standards. NE Abbey Road frontage improvements and new local street improvements include sidewalks, streetlights, and street signs. Site utilities include storm sewer, sanitary sewer, and water utility lines. Due to the existing sanitary sewer main line elevations and the elevations of the phases on the southwest of the site, a sanitary sewer pump station will be required to serve Phases 5 and 6. The pump station will be designed and provided in accordance with City requirements as part of the construction of Phases 5 and/or 6 as necessary. Monuments and bench marks can be set as described above. The applicable criteria are met.

18. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.05, B, 3, Monuments, states:

"3. Monuments: Upon completion of street improvements, centerline monuments shall be established and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street center lines."

FINDING:

See the City Engineer's comments above.

Where centerline monuments are required, the City Engineer will review the centerline monuments and the final plat will not be signed by the city until the City Engineer determines Subsection 2.208.05, B, 3, Monuments, is met. Criterion 2.208.05, B, 3, for centerline monuments will be met when the City Engineer determines they have been established and protected properly.

19. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.05, B, 4, Bench Marks, states:

"4. Bench Marks: Elevation bench marks shall be set at intervals established by the City Engineer. The bench marks shall consist of a brass cap set in a curb or other immovable structure."

FINDING:

See the City Engineer's comments above.

The City Engineer will review the benchmarks and the final plat will not be signed by the city until the City Engineer determines Subsection 2.208.05, B, 4, Bench Marks, is met. Criterion 2.208.05, B, 4, for bench marks will be met when the City Engineer determines they have been set properly.

20. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.05, B, 5, Surface Drainage and Storm Sewer System, states:

"5. Surface Drainage and Storm Sewer System: Drainage facilities shall be provided within the subdivision and to connect the subdivision drainage to drainage-ways or to storm sewers outside the subdivision. Design of drainage within the subdivision shall take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the subdivision and to allow extension of the system to serve such areas."

FINDINGS:

The City Engineer's comments follow.

1. All public storm drainage shall be sized to convey runoff generated from the newly created impervious areas based on the 10-yr or 25-yr storm events as per the City Public Works Design Standards, Division 3, section 3.10. The minimum pipe size should be 12" for any public line and must be extended to all boundaries to permit future connections.
2. A pollution control manhole and best management practices (BMP's) should be implemented on-site.
3. A downstream analysis should be performed to ensure existing pipe capacity is adequate. The additional runoff should not impede or impound adjoining properties. If an existing pipe was demonstrated to be deficient, it should be up-sized or a detention system may need to be constructed to detain the difference between existing off-site pipe capacity and proposed 25yr storm event. The City does not require on-site detention if sufficient capacity exists to accommodate a 25-year storm event.

The City Engineer's comments are included at the end of this staff report as conditions of approval.

A condition of approval requires public storm drainage improvements to be installed in accordance with applicable city regulations as determined by the City Engineer.

The final plat will not be signed by the city until the City Engineer determines Subsection 2.208.05, B, 5, Storm Drainage and Storm Sewer System, is met. Criterion 2.208.05, B, 5, will be met when the City Engineer determines the drainage facilities have been provided within the subdivision and they have been connected to the subdivision drainage and drainage-ways or to a storm drainage system outside the subdivision. The City Engineer will determine if the design of drainage within the subdivision will take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the subdivision and to allow extension of the system to serve such areas.

Criterion 2.208.05, B, 5, will be met when the City Engineer finds the storm drainage system is designed and installed in accordance with applicable regulations.

Additional storm drainage criteria are addressed below at LZDO, 2.204, p. 24.

21. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.05, B, 6, Sanitary Sewers, states:

"6. Sanitary Sewers: Sanitary sewer shall be installed to serve the subdivision and to connect the subdivision to existing mains both on and off the property being subdivided.

If the required sewer facilities will, without further sewer construction, directly serve property outside the subdivision, the City may recommend to the City Council construction as an assessment project with such arrangement with the subdivider as is equitable to assure financing his share of the construction.

The City may require that the subdivider construct sewage lines of a size in excess of that necessary to adequately service the development in question, where such facilities are for will be necessary to serve the entire area within which the development is located when the area is ultimately developed. The City may also require that the construction take place as an assessment project with such arrangement with the subdivider as is desirable to assure his share of the construction."

FINDINGS:

The City Engineer's sanitary sewer comments follow.

1. A downstream analysis will be required on all the existing 8", 10" and 12" sanitary sewer diameter pipes route receiving the flow from this development to assure capacity is available. The analysis shall be submitted to the City with the final design for review and approval.
2. The design engineer shall submit for review and acceptance a capacity analysis for the sewer pumping station located on 5th Street. The cost associated with any potential modifications to the pumping station will be SDC creditable or the City may choose to undertake this task.
3. The City requires all sanitary sewer pipe sizes to be a minimum 8" in diameter within the subdivision and must be extended to all boundaries to permit future connections.

The City Engineer's comments are included at the end of this staff report as conditions of approval.

The City staff comments follow:

5. A video of all sanitary sewer and storm lines after trench compaction shall be provided for City inspection and approval.
6. Tree installations and future tree growth shall not adversely impact water, sanitary sewer, or storm systems.

Criterion 2.208.05, B, 6, will be met when the City Engineer finds the sanitary sewer system is designed and installed in accordance with applicable regulations.

Citizen Comment.

Ms. Dianne Shamburg commented by email on April 25 expressing concern with the City's sewer system and whether it is capable of accommodating the subdivision.

FINDING:

Overall, the City's sewer system is capable of accommodating new dwellings on the lots. A condition of approval requires the downstream force mains (sewer lines under pressure) and pump stations to be analyzed by the applicant's engineer and provide the calculations and analysis to the City Engineer. Where upgrades are needed, the upgrades must be installed.

22. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.05, B, 7, Water System, states:

- "7. **Water System: Water lines with valves and fire hydrants serving the subdivision and connecting the subdivision to the City mains shall be installed. The design shall take into account provisions for extension beyond the subdivision to adequately grid the City system and to serve the area within which the development is located when the area is ultimately developed. However, the City will not expect the developer to pay for the extra pipe material cost of mains exceeding ten (10) inches in size."**

FINDINGS:

The City Engineer's comments follow.

1. This site will be served from the extension of the existing 12" diameter pipe on Abbey Road. This system shall also be looped by extending the existing 8" diameter pipe on Haylen Drive.
2. System Development Charge (SDC) credits will be available for the oversize component of all 12" waterlines as per SDC methodology.
3. The City requires all waterline sizes to be a minimum 8" in diameter within the subdivision and must be extended to all boundaries to permit future connections.
4. All fire and safety requirements shall comply with the Oregon Fire Code and the Local Fire District.

The City Engineer's comments, except #2, are included at the end of this staff report as conditions of approval. Comment 2 is not included because SDC credits are not controlled by the LZDO.

The City staff Comments 7 - 11 follow:

7. Air Release Valves shall be provided at all high elevation points in the water distribution system.
8. Hydrant design shall be either Mueller or Clow. If Mueller, then the tools for hydrant repair shall be provided.
9. Water mains shall be C-900 and laterals shall be blue, 1" ADS Polyflex pipe, 200 psi.
10. Water meters shall be Sensus SR II (brass) 5/8" x 3/4" with a Mueller radio head. The Mueller specifications shall be determined by the City.
11. Other water system construction standards to include: Ford brass fittings; tracer wire on all mains and laterals; and Romac double-banded saddles.

Citizen Comment.

Ms. Dianne Shamburg commented by email on April 24 expressing concern with the City's water system and whether it is capable of accommodating the subdivision.

FINDING:

It is anticipated the City's intertie with the McMinnville water system will be operational on or about July 1, 2020 and building permits for Phase I of the Subdivision will not be submitted until 2021, therefore, the City's water system will be capable of accommodating new dwellings on the lots. A condition of approval requires that no building permits for dwellings on Lots 1 - 238 shall be submitted to the City until the City's water system intertie with the McMinnville water system is operational.

23. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.05, B, 8, Sidewalks, states:

"8. Sidewalks: Sidewalks shall be installed along both sides of each public street and in any pedestrian ways within the subdivision. The City may defer sidewalk construction until the dwellings or structures fronting the sidewalk are constructed. Any required off-site sidewalks or sidewalks fronting public property shall not be deferred."

FINDING:

See the City Engineer's comments #1, #2 and #3, above.

Finding 8, p. 8, above, includes a condition of approval for the sidewalk in the easement between Lots 8 and 9 to be at least 12-feet wide, paved and installed prior to the City signing the final plat.

Criterion 2.208.05, B, 8, Sidewalks, will be met when compliance with applicable regulations is determined by the City Engineer.

24. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.05, B, 9, Other, states:

9. Other:

- (a) Curb cuts and driveway installations, excluding common drives, are not required of the subdivider but, if installed, shall be according to the City standards.**
- (b) Street tree planting is not required of the subdivider but, if planted, shall be according to City requirements and of a species compatible with the width of the planting strip.**

FINDING:

Section 2.208.05, B, 9, a and b, will be reviewed and implemented by the city at the appropriate time.

25. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.05, B, 10, Street Lights, states:

"10. Street Lights. The installation of street lights is required at locations and of a type required by City standards."

FINDING:

See the City Engineer's comments 1 and 2.

Criterion 2.208.05, B, 10 will be met when the city approves the street lighting installation.

Street lighting for the easement at Lots 8 and 9 is addressed at Finding 15, p. 11.

26. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.05, B, 11, Street Signs, states:

11. Street Signs. The installation of street name signs and traffic control signs is required at locations determined to be appropriate by the city and shall be of a type required by City standards.

FINDING:

See the City Engineer's comments 2 and 11, above.

Criterion 2.208.05, B, 11 will be met when the city approves the street sign and striping plan and installations.

27. LZDO Section 2.208, Development Standards for Land Divisions, and Subsection 2.208.05, B, 12, regarding the completion of improvements, states:

"12. All improvements required under this Section shall be completed to City standards or assured through a performance bond or other instrument acceptable to the City Attorney, prior to the approval of the Final Plat of the subdivision."

FINDING:

LZDO Section 2.208, B, 12, regarding the completion of improvements will be administered by the city and compliance will be ensured. Criterion 2.208.05, B, will be met when each of the items set forth in 2.208.05, B, 1 – 11, are installed in accordance with city standards as determined by the City Engineer.

28. LZDO Section 2.201, General Provisions, Subsection 2.201.02, Application of Standards, and Subsection 2.201.03, Application of Public Facility Standards, refers to the table in Subsection 2.201.03 "Public Facilities Improvement Requirements" and states in part:

"No development permit shall be approved unless the following improvement are provided prior to occupancy or operation, or unless future provision is assured in accordance with Subsection 3.105.08."

For subdivisions, the table requires the following public facility improvements:

- Fire hydrants.
- Street improvements.
- Water hook-ups.
- Sewer hook-ups.
- Storm drains.
- Street Lights.
- Bike parking and bikeways/pedestrian accessways.

FINDING: The requirements of Sections 2.201.01, .02 and .03 will be met when the City Engineer determines the facilities required at the time of subdivision construction comply with applicable regulations. The water and sewer hook-ups at the time of

home construction will be addressed at the time of Building Permit review and approval.

29. LZDO Section 2.202, Transportation and Access Standards, and Subsection 2.202.01, Purpose, Subsection C, states:

"C. To provide adequate area in all public rights-of-way for sidewalks, bikeways, sanitary sewers, storm sewers, water lines, natural gas lines, power lines and other utilities commonly and appropriately placed in such rights-of-way."

FINDING:

Subsection 2.202.01, Transportation and Access Standards, Purpose, does not apply because it contains purpose statements which the Oregon Land Use Board of Appeals (LUBA) has stated are not approval criteria. Because statements of purpose are not approval criteria they cannot be used as approval criteria.

30. LZDO Section 2.202, Transportation and Access Standards, and Subsection 2.202.03, General Provisions, states:

"The following provisions shall apply to the dedication, construction, improvement or other development of all public streets in the City of Lafayette. These provisions are intended to provide a general overview of typical minimum design standards. All street improvements shall be designed in conformance with the specific requirements of the City's most current Public Works standards:

A. The location, width and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets."

FINDING:

See the City Engineer's comments above.

The applicant's material at Attachment 1, p. 20, is stated above.

Section 2.202.03 applies to public streets. Any work in rights-of-way shall comply with Section 2.202.03. Criterion 2.202.03, A, will be met when applicable requirements are met as construction occurs.

31. LZDO Section 2.202, Transportation and Access Standards, and Subsection 2.202.03, B, General Provisions, states:

"B. Where feasible development proposals shall provide for the continuation of all streets, bikeways and pedestrian facilities within the development and to existing streets, bikeways, and pedestrian facilities outside the development."

FINDING:

See the City Engineer's comments above.

The applicant's material at Attachment 1, p. 20, is stated above. The street improvements to Abbey Road extend along the entire frontage of the subject property. It is not feasible for the proposed subdivision streets to provide for the continuation of the streets to abutting properties because they are outside the UGB, topography prevents their continuation to abutting properties and the abutting properties do not have open lots or land for the streets to continue into. Criterion 2.202.03, B, is met.

32. LZDO Section 2.202, Transportation and Access Standards, and Subsection 2.202.03, C, General Provisions, states:

"C. Alignment. All streets other than local streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuation of the centerlines thereof." Subsection C goes on to discourage "T" intersections.

FINDING:

See the City Engineer's comments above.

The applicant's material at Attachment 1, p. 20, is stated above.

The preliminary plan shows 7 "T" intersections on local streets. They are proposed because the properties to the north, west and south do not provide street connection opportunities.

The proposed Kalapuya Street lines up with Haylen Drive to the south, but as addressed in Finding 11, p. 10, "Haylen Drive is not proposed or required to be extended northerly to connect to the proposed 17th Street at Kalapuya, and therefore create a block, because the current Haylen Drive is of insufficient width to accommodate a significant number of vehicles going through the neighborhood to connect to Washington Street.."

Criterion 2.202.03, C, is met.

33. LZDO Section 2.202, Transportation and Access Standards, and Subsection 2.202.03, D, General Provisions, states:

"D. Future extension of streets: Where necessary to give access to or permit a satisfactory future development of adjoining land, streets, bikeways and pedestrian accessways shall be extended to the boundary of a tract being developed and the resulting dead-end streets may be approved without turn-a-rounds. Reserve strips and street plugs may be required to preserve the objectives of street extensions."

FINDING:

See the City Engineer's comments above.

The applicant's material at Attachment 1, p. 20, is stated above.

The preliminary plan shows two connections to Abbey Road. No connections are proposed to the north, west and south because there are no future street extension opportunities due to the properties to the north being outside the UGB and developed with rural residential housing, the lots to the west being outside the UGB and being separated by topography and the lot to the south being separated by topography. Criterion 2.202.03, D, is met.

34. LZDO Section 2.202, Transportation and Access Standards, and Subsection 2.202.03, E, General Provisions, states:

"E. Intersection angles: Streets shall be laid out to intersect at angles as near to right angles as practical, except where topography requires lesser angles."

Subsection E goes on to discuss street intersections of less than 60 degrees, tangents and radii.

FINDING:

The proposed streets are laid out to intersect at angles as near to right angles as is practical. Criterion 2.202.03, E, is met.

35. LZDO Section 2.202, Transportation and Access Standards, and Subsection 2.202.03, F, General Provisions, states:

"F. Existing streets: Whenever existing public streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of subdivision, partitioning, or development."

FINDING:

See the City Engineer's comments above.

A condition of approval requires the applicant to dedicate 2-feet of right-of-way for public street purposes along the frontage of Abbey Road. Criterion 2.202.03, F, will be met when the Final Plat is recorded showing a dedication of 2-feet of right-of-way.

36. LZDO Section 2.202, Transportation and Access Standards, and Subsection 2.202.03, G, General Provisions, states:

"G. Half-Streets: Half-streets, while generally not acceptable, may be approved where essential to the reasonable development of an area and when the Planning Commission finds it to be practical to require the dedication of the other half when the adjoining property is developed. Whenever a half-street is adjacent to a tract to be developed, the other half of the street shall be dedicated. Reserve strips and street plugs may be required to preserve the objectives of half-streets."

FINDING:

See the City Engineer's comments above.

The applicant's material at Attachment 1, p. 20, is stated above.

A 2-foot dedication and improvement of Abbey Road to include paving, gutter, curb and sidewalk, are proposed by the applicant and are required by conditions of approval. No dedication of "the other half" of the Abbey Road right-of-way is needed because the "other half" (the eastern half) is 30-feet wide which is sufficient to accommodate the development. Criterion 2.202.03, G, is met.

37. LZDO Section 2.202, Transportation and Access Standards, and Subsection 2.202.03, H, General Provisions, states:

"H. Cul-de-sacs: Streets ending in a cul-de-sac shall have a maximum length of 600 feet measured from the centerline of the street the cul-de-sac intersects to the radium point of the cul-de-sac bulb. All cul-de-sacs shall terminate with circular turn-a-rounds. "

FINDING:

Criterion 2.202.03, H, does not apply because no cul-de-sacs are proposed.

38. LZDO Section 2.202, Transportation and Access Standards, and Subsection 2.202.03, I, General Provisions, states:

"I. Street Names: Street names and numbers shall conform to the established pattern in the City and shall be subject to the approval of the Planning Commission."

FINDING:

The Planning Commission is not required to accept a street name and may substitute another name. The street addresses applied to the houses through the city's house numbering system will conform to the established pattern in the city.

The proposed east/west street names are 17th, 18th, 19th and Steelhead Place. The numbered streets are consistent with the City's street naming system from the S. Yamhill River to the current City Limits. Steelhead Place is at the southwest end of the development, is one short block in length and is at an approximately 45 degree angle, thus it is not strictly east/west. If it were assigned a number it would not fit with the system of the numbered streets because it is too short and is not strictly east/west.

The proposed north/south street names, from east to west, are, Chavaniac Lane, Kalapuya Place, Young Street and Chinook Street.

Chavaniac Lane and Kalapuya Place are oriented in the same north/south direction, are 2-blocks long, are next to one another and serve the same transportation function, thus it is not clear why one is a Lane and the other is a Place. Other 2-block long streets in the City are "Streets," not Places or Lanes. Additionally, Chavaniac and Kalapuya parallel Young Street and Chinook Street, thus it is not clear why they are not Streets.

The City staff Comment 12 stated, "12. Street names should be modified for ease of location and pronunciation. Regarding location, I suggest eliminating Steelhead Place and extending Chinook Street."

A condition of approval requires the final plat to use the names Chavaniac Street and Kalapuya Street, and Steelhead Place shall be replaced with an extension of Chinook Street. Where the Council determines a more easily pronounced name is appropriate, the Council can identify a different name.

With the condition of approval, Criterion 2.202.03, I, is met

39. LZDO Section 2.202, Transportation and Access Standards, and Subsection 2.202.03, J, General Provisions, states:

"J. Grades and Curves: Grades shall not exceed 7 percent on arterials, 10 percent on collectors streets or 15 percent on any other street. To provide for adequate drainage, all streets shall have a minimum slope of 0.5 percent. On arterials there shall be a tangent of not less than 100 feet between reversed curves."

FINDING:

See the City Engineer's Comment 8, above.

The applicant's material at Attachment 1, p. 20, is stated above.

Criterion 2.202.03, A, will be met as determined by the City Engineer when construction plans are submitted for review and approval and when the streets are constructed.

40. LZDO Section 2.202, Transportation and Access Standards, and Subsection 2.202.03, K, General Provisions, states:

"K. Marginal Access Streets:" This criterion applies only when arterial streets are proposed.

FINDING: Criterion 2.202.03, K, does not apply because no arterial streets are proposed.

41. LZDO Section 2.202, Transportation and Access Standards, and Subsection 2.202.03, L, General Provisions, states:

"L. Alleys:" This criterion applies only when alleys are proposed.

FINDING: Criterion 2.202.03, L, does not apply because no alleys are proposed.

42. LZDO Section 2.202, Transportation and Access Standards, and Subsection 2.202.03, M, General Provisions, states:

"M. Clear Vision Areas: Clear vision areas shall be maintained on corner lots at the intersection of all public streets and at the intersections of a public street with a private street, alley or drive which serves more than three parcels. No structure or planting shall be permitted within a clear vision area which would impede visibility between a height of 30 inches and 10 feet above the curb grade of the intersecting streets."

FINDING:

See the City Engineer's comments above.

The applicant's material at Attachment 1, p. 22, states:

The Clear Vision Areas standards in Subsection 2.202.03(M) state that clear vision areas are to be maintained on corner lots at the intersection of public streets and the intersection of a public street with a private street, alley, or drive which serves more than three parcels. This section further describes how clear vision areas apply at private access points. Clear vision areas can be maintained as required above. The criteria can be met.

Criterion 2.202.03, M, will be met on an on-going basis through the development review process and enforcement process.

43. LZDO Section 2.202, Transportation and Access Standards, and Subsection 2.202.04, General Right-of-Way and Improvement Widths, states:

"The following standards are general criteria for public streets, bikeways and sidewalks in the City of Lafayette. These standards shall be the minimum requirements for all streets, except where modifications are permitted under Subsection 2.202.05." A table goes on to require local streets to provide at least a 48 foot right-of-way width and a 34 foot curb-to-curb street improvement.

FINDING:

See the City Engineer's Comment 2, above.

The applicant's material at Attachment 1, p. 20, is stated above. The applicant's Sheets show local streets with 48-foot rights-of-way and 34-foot curb-to-curb improvements with sidewalks on both sides, except Abbey Road where a new sidewalk will be constructed only on the west side.

44. LZDO Section 2.203, Off-Street Automobile Parking Requirements, addresses off-street parking.

FINDING:

Section 2.203 does not apply because the subdivision process addresses the creation of legal lots, not development on the lots. When dwellings are proposed to be built on each of the lots, the requirements of Section 2.203 will apply.

45. LZDO Section 2.204, Storm Drainage, and Subsection 2.204.03, Plan for Storm Drainage and Erosion Control, states:

- A. No construction of any facilities in a development included in Subsection 2.204.02 shall be permitted until a storm drainage and erosion control plan for the project is prepared by an engineer registered in the State of Oregon and approved by the City. This plan shall contain at a minimum:**
- 1. The methods to be used to minimize the amount of runoff, siltation, and pollution created from the development both during and after construction.**
 - 2. Plans for the construction of storm sewers, open drainage channels and other facilities which depict line sizes, profiles, construction specifications and other such information as is necessary for the City to review the adequacy of the storm drainage plans.**
 - 3. Calculations used by the engineer in sizing storm drainage facilities.**

FINDINGS:

See the City Engineer's three Storm Drainage comments, above.

The applicant's material at Attachment 1, p. 20, is stated above.

Section 2.204.03 is a LZDO requirement that must be met. Criterion 2.204.03, will be met when the requirements stated in the City Engineer's comments, above, are met as determined by the City Engineer.

46. LZDO Section 2.204, Storm Drainage, and Subsection 2.204.04, A, 1 - 7, General Standards, states:

"A. All development shall be planned, designed, constructed and maintained to:

- 1. Protect and preserve existing natural drainage channels to the maximum practicable extent;**
- 2. Protect development from flood hazards;**
- 3. Provide a system by which water within the development will be controlled without causing damage or harm to the natural environment, or to property or persons within the drainage basin;**
- 4. Assure that waters drained from the development are substantially free of pollutants, through such construction and drainage techniques as sedimentation ponds, reseeded, phasing of grading;**
- 5. Assure that waters are drained from the development in such a manner that will not cause erosion to any greater extent than would occur in the absence of development;**
- 6. Provide dry wells, french drains, or similar methods, as necessary to supplement storm drainage systems;**
- 7. Avoid placement of surface detention or retention facilities in road rights-of-way."**

FINDING:

See the City Engineer's three Storm Drainage comments, above.

The applicant's material at Attachment 1, p. 20, is stated above.

Section 2.204.04, A, 1 – 7, are LZDO requirements that must be met. Criteria 2.204.04, A, 1 – 7, will be met when the requirements stated in the City Engineer's comments, above, are met as determined by the City Engineer.

A very small portion of the subject property along the west property line in Tract A (open space) is in the 100-year floodplain (special flood hazard area - SFHA) associated with Millican Creek (Sheet PO6). It is in an area that is not proposed to be developed. Flooding can occur in the SFHA and localized flooding can occur outside the SFHA due to the lack of storm drainage, or insufficient or improperly designed and constructed storm drainage systems, however, the proposed lots are about 50-feet higher than Millican Creek and would not be flooded.

Sheet PO2E is a Tree Table with 159 trees located with their tree number, type and diameter breast height (DBH).

Sheet PO6 lists 10 trees to be removed, i.e., 9 on the west side of Abbey Road in the right-of-way and 1 in the NE corner of the subject property (in the NE corner of Lot 42) where a downslope and grading will occur.

A condition of approval requires no trees over 6 inches in diameter DBH, except the 10 listed trees on Sheet PO6, to be removed during the subdivision development process (does not include the building permit process after the final plat is recorded), unless reviewed and approved by the City.

Criterion 2.204.04, A, will be met on an ongoing basis throughout the development process.

The city will not sign the final plat until Criterion 2.204, A, is met.

47. LZDO Section 2.204, Storm Drainage, and Subsection 2.204.04, B, General Standards, states:

"B. Where culverts cannot provide sufficient capacity without significant environmental degradation, the City may require the water course to be bridged or spanned."

FINDING:

If the applicant's materials do not show any water course that would be available to be bridged or spanned. Criterion 2.204.04, B will be met.

48. LZDO Section 2.204, Storm Drainage, and Subsection 2.204.04, C, General Standards, states:

"C. In the event a development or any part thereof is traversed by any water course, channel, stream or creek, gulch or other natural drainage channel, adequate easements for storm drainage purposes shall be provided to the City. This does not imply maintenance by the City."

FINDING:

Millican Creek and E. Millican Creek are on the edges of the subject property rather than traversing the subject property. A condition of approval requires adequate easements for storm drainage purposes to be provided to the City where the City Engineer determines easements to be needed. With the condition of approval, Criterion 2.204.04, C, is met.

49. LZDO Section 2.204, Storm Drainage, and Subsection 2.204.04, D, General Standards, states:

"D. Channel obstructions are not allowed except as approved for the creation of detention or retention facilities approved under the provisions of this Ordinance. Fences with swing gates may be utilized."

FINDING:

Criterion 2.204.04, D, does not apply because no channel obstructions are proposed.

50. LZDO Section 2.204, Storm Drainage, and Subsection 2.204.04, E, General Standards, states:

"E. Prior to acceptance of a storm sewer system by the City, the storm sewers shall be flushed and inspected by the City. All costs shall be borne by the developer."

FINDING:

Compliance with Criterion E will be determined once the required inspection by the city has been completed and the system is found by the City Engineer to comply with Section 2.204.04, E.

51. LZDO Section 2.205, Utility Lines and Facilities, and Subsection 2.205.02, A, Standards, states:

"A. The location, design, installation and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbances of soil and site."

FINDING:

Compliance with Criterion A is on-going during construction. Construction will be in accordance with the DEQ 1200-C permit which addresses erosion.

52. LZDO Section 2.205, Utility Lines and Facilities, and Subsection 2.205.02, B, Standards, states:

"B. All development which has a need for water service shall install water facilities and grant necessary easements pursuant to the requirements of the City."

FINDING:

Criterion 2.205.02, B, will be met upon the City Engineer determining compliance.

53. LZDO Section 2.205, Utility Lines and Facilities, and Subsection 2.205.02, C, Standards, states:

"C. All development which has a need for electricity, gas and communications services shall install them pursuant to the requirements of the district or company serving the development. Except where otherwise prohibited by the utility district or company, all such facilities shall be underground."

FINDING:

Criterion 2.205.02, C, will be met on an on-going basis during construction.

54. LZDO Section 2.205, Utility Lines and Facilities, and Subsection 2.205.02, D, Standards, states:

"D. All development which has a need for public/private sanitary sewers shall install the facilities pursuant to the requirements of the city. Installation of such facilities shall be coordinated with the extension of necessary water services and storm drainage facilities."

FINDING:

Criterion 2.205.02, D, will be met upon the City Engineer determining compliance.

55. LZDO Section 2.205, Utility Lines and Facilities, and Subsection 2.205.02, E, Standards, states:

"E. All land divisions or other development requiring sub-surface disposal systems shall be prohibited except for:

1. Development of land divisions in the Urban Transitional Zone which conform to the requirements of that district."

"2. Parcels which have unique topographic or other natural features which make sewer extension impractical as determined on a case-by-case basis."

FINDING:

Criterion 2.205.02, E, does not apply because the proposed development does not require sub-surface disposal systems and the subject property is not in the Urban Transition Zone. All lots will be connected to the city's sanitary sewer system.

56. LZDO Section 2.205, Utility Lines and Facilities, and Subsection 2.205.02, F, Standards, states:

"F. All developments proposing sub-surface sewage disposal shall receive approval for the system from Yamhill County. Said systems shall be installed pursuant to ORS 454.605 and 454.745 and Chapters 171, 523 and 828, and the Oregon Administrative Rules 340, Division 7 and the policies of Yamhill County. Sites shall be reviewed by Yamhill County prior to application to the City for development."

FINDING:

Criterion 2.205.02, F, does not apply because the proposed development does not require sub-surface disposal systems and the subject property is not in the Urban Transition Zone. All lots will be connected to the city's sanitary sewer system.

57. LZDO Section 2.205, Utility Lines and Facilities, and Subsection 2.205.02, G, Standards, states:

"G. Street lights shall be required for all developments inside the City. Installation of street lights shall be pursuant to the requirements of the city and the company serving the development."

FINDING:

See the City Engineer's comments above.

The applicant's material at Attachment 1, p. 20, is stated above.

Criterion 2.205.02, G, will be met when the city approves the street lighting plan and the lights have been installed and accepted by the city.

58. LZDO Section 2.205, Utility Lines and Facilities, and Subsection 2.205.02, H, Standards, states:

"H. Easements shall be provided along property lines as deemed necessary by the City, special districts, and utility companies. Easements for special purpose uses shall be of a width deemed appropriate by the responsible agency. Such easements shall be designated on the final plat of all subdivisions, and on the final plat of all major partitions."

FINDING:

See the City Engineer's comments above.

The applicant's material at Attachment 1, p. 20, is stated above. The Sheets show 4 easements to the lower creek area for safety and wildfire fighting purposes. They are along the common lot lines of Lots 154/155 in the NW area, Lots 224/225 in the SW area, Lots 217/218 in the S area and Lots 98/99 on the east side of the peninsula.

Lots 154/155 are 45-feet wide, compared to the lots to the south which are 40± feet wide, to recognize the 20-foot wide easement (10-feet on each lot). The buildable width, counting 5-foot side yard setbacks in the R-1 Zone (2.102.04, B) is 25-feet (45' – 10' for the easement – 10 feet for two side yard setbacks = 25').

Lots 224/225 are semi-triangular and are significantly wider than Lots 154/155 which would not constrain the building envelope as much as for Lots 154/155.

Lots 217/218 are semi-triangular, but are not significantly wider than Lots 154/155 which would constrain the building envelope.

Lots 98/99 are 45+ feet wide, compared to the lots to the south which are 40± feet wide. The 45-foot width recognizes the 20-foot wide easement (10-feet on each lot). The buildable width, counting 5-foot side yard setbacks in the R-1 Zone (2.102.04, B) would be 25-feet (45' – 10' for the easement – 10 feet for two side yard setbacks = 25').

Wildfire.

The City staff comments related to the potential for wildfire and the need for the easements follow:

1. Emergency access easements must be capable of supporting a vehicle of 75,000 pounds. Any access road over 150' shall be provided a turnaround per Oregon Fire Code 2019 Appendix D Fire Apparatus Access. These codes apply to all streets, access easements, and each phase of subdivision construction.
2. Vegetation on site must be managed during all phases of development to prevent wildfires per Oregon Fire Code 2019 General Requirements Section 304, 1.2 Vegetation.
3. A 30' buffer of defensible space shall be provided where lot lines interface with natural areas per Oregon Fire Code General Requirements 304, 1.2 Vegetation and 2018 International Wildland – Urban Interface Code Section 603 Defensible Space.
4. Emergency vehicle access easements (20') shall be fenced, locked, striped/posted no parking, and include a minimum 12' paved travel lane for vehicles up to 75,000 pounds [to the top of slope or to the rear lot line, whichever is shorter]. The non-paved area of the easements shall be compacted gravel or other hard surface approved by the City.

The City staff's comments are included at the end of this staff report as conditions of approval.

59. LZDO Section 2.202, Transportation and Access Standards, and Subsection 2.202.06, Construction Specifications, states:

"Construction specifications for all public streets shall comply with the criteria of the most recently adopted public works/street standards of the City of Lafayette."

FINDING:

Criterion 2.205.02, D, will be met upon the City Engineer determining compliance.

60. Oregon Revised Statute 92.090 states, in part:

"No tentative subdivision plan or subdivision plat of a subdivision be approved which bears a name similar to or pronounced the same as the name of any other subdivision in the same county, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing the name."

FINDING:

The proposed subdivision name, Meadowbrook at Lafayette, must comply with ORS 92.090. Compliance will be determined by the Yamhill County Surveyor's Office.

OVERALL FINDING: The application materials show the proposed preliminary plan meets the applicable approval criteria, will meet the criteria on an on-going basis during construction, or will meet the criteria provided conditions of approval are met.

VI. PARK AND RECREATION FACILITIES

The Subdivision preliminary plan shows Tract A and labels it open space. It is about 17-acres. Tract A includes the Millican Creek and E. Millican Creek areas with heavily treed bottom land, steep side slopes and about 3.8-acres of non-treed upland on the "peninsula" at the south end of the subject property.

The 1-foot contour lines on Sheet PO2D show an approximately 3.8-acre area at the south end of the "peninsula" at, approximately, the same elevation as the lots at the south end of Chinook and Young Streets (170 feet above mean sea level).

The applicant has indicated they could dedicate all or part of Tract A to the City for park and open space purposes. The "peninsula" at the south end of the subject property includes an area of about 3.8-acres of relatively flat land at about the same level as the lots at the south end of Young and Chinook Streets. If the City determines it does not want ownership of the land the applicant indicated a Home Owners Association could be created that would own and control the approximately 17-acre area.

The City's 2013 Lafayette Parks Development Plan addresses the need for an additional park in the "north area" (pp. 5-9 and 7-1). The discussion focused on the north-central and northeast areas. It also mentioned the southern 20-acres of the proposed Meadowbrook at Lafayette Subdivision area and indicated access was a major impediment. The Plan did not identify a specific property or a general area for a new park other than in the "north area." The Plan, Goal 4, Policy C, states, "The city will work toward acquiring a community park in the north portion of the city, including any area that may be added to the urban growth boundary in the north portion of the city."

The National Recreation and Parks Association (NRPA) website identifies 3 park categories at the suggested sizes:

Mini-parks: 0 - 1.5-acres.

Neighborhood parks: 5- 10 acres, although due to available land and the amenities provided in the park, sites as small as 2-acres may be appropriate for a neighborhood park.

Community parks: 15 – 50 acres, although due to available land and the amenities provided in the park, sites as small as 10-acres may be appropriate for a community park.

The 2013 Lafayette Parks Development Plan showed the acres the City would need to acquire to achieve the NRPA recommended park acreages for Lafayette's projected population of 5,552 in 2032 (the Plan used the 2011 Yamhill County coordinated population projections for the County and the 10 cities in the County).

The Plan adopted the NRPA recommended standards of 0.25 – 0.50 acres per 1,000 population for mini-parks; 1.0 – 2.0 acres per 1,000 population for neighborhood parks; and 5.0 – 8.0 acres per 1,000 population for community parks (Goal 1, Policies F, G and H, p. 3-2).

The Plan text discussed and Table 7-1 showed (pp. 7-2, 7-3) an additional 0.31 to 1.70 acres of mini-parks would need to be acquired; an additional 3.35 to 8.90 acres of neighborhood parks would need to be acquired; and an additional 16.02 to 32.67 acres of community parks would need to be acquired. The grand total of needed additional acres is 19.68 to 43.27 (Low range: 0.31 + 3.35 + 16.02) (High range: 1.70 + 8.90 + 32.67).

The City needs additional park land. The general issues are location and area served, size and when should the City acquire additional park land.

Location and Area Served: The Parks Plan indicates park land is needed in the "north area" and because Park Plans cannot designate specific properties as future parks because it would place a "cloud" on the ownership, no specific sites were identified for new neighborhood or community parks.

For the Meadowbrook at Lafayette Subdivision, the questions are, is the "peninsula" at the south end of the subdivision the right location for the area the park would serve. If it is an approximately 3.8-acre park it would serve the Meadowbrook area, but it would likely also attract users from other neighborhoods in the City.

Joel Perkins Park and Commons Park are each 1.1-acres. They are centrally located and draw users from a large area. The type of equipment placed in a park can affect how far people will travel to use the equipment. If it is young child swings, etc., then parents from farther away might decide it's too far away. If there is a basketball court, it could attract mid-school and high school kids from throughout the City.

Size: Is an area of about 3.8-acres for a park with another approximately 15-acres of open space appropriate at that location? Would the City want the approximately 3.8-acre area and/or the 15-acre open space area? Liability for a large open space area with dry thick vertical vegetation fuel loads is an issue.

Is now the time: Veterans Park was acquired at a time when there was community interest in acquiring more park land. Even though it wasn't large enough for the neighborhood or a community park that the City needed at the time, and needs now, it was acquired.

Veterans Park is 0.64-acres which is a mini-park and does not offer the ability to accommodate a range of uses and activities for a range of age groups. Should the City acquire another small park site that is less accessible than Veterans Park?

Other Park Issues: The size and equipment provided can affect the size of the service area. The proposed 20-foot wide emergency access easement centered on the common lot line of Lots 217 and 218 would suffice for a pedestrian/bicycle access, but not for vehicular access to a parking lot (two travel lanes and a sidewalk on one or both sides).

If it is determined on-site parking is needed, the parking lot would reduce the recreational area of the Park. If it is determined on-site parking is not needed, when users drive to the Park they would park on the street in front of the residences which may be cause for concern by the residents.

It is possible that residents from the central area of the subdivision at Young and 18th (about 1,500-feet or .28-mile away) and the eastern area at Kalapuya and 18th (about 2,100-feet or .40-mile away) would drive to the park.

Public water and sewer lines are in Chinook/Young Streets, thus they are available to the Park, but would need to be extended 200-feet to the Park boundary and then further into the Park.

The Park would attract many users and some may desire to go down the steep side slopes into the Millican Creek and E. Millican Creek bottom lands which, to date, are undisturbed habitat.

To prevent unrestricted wandering into the bottom lands with the potential for wildfire and any other activities destructive to the ground and vegetation, a fence near the top of the slope would be needed.

The preliminary plan shows a 20-foot wide emergency vehicle easement that would allow access into the undeveloped upland and bottom land to fight wildfires. Where a Park is south of Lots 217, 218, 219 and 220, a minimum 20-foot wide emergency vehicle access would need to be provided through or along one side of the Park to access the undeveloped upland and bottom lands which would reduce the size of the Park.

A specific design for a Park is not needed at this time, but decision makers should be aware there are many issues to be considered before the City makes a decision on park land.

VII. ACCESS AND UTILITY EASEMENT – JOHN ROCK PROPERTY

The applicant proposes an easement on Lots 224 and 225 (SW corner of the site) for wildfire access and for a private access (driveway) and utility lines (sewer and water laterals) to the eastern sliver of the 6.18-acre Rock property abutting to the west. The easement could support a new dwelling on the eastern sliver of the Rock property.

The applicant's Sheet PO5C states, "20.00' emergency vehicle/open space access easement, private access and utility easement for tax lot 1707."

The following portion of Sheet PO5 shows the Rock property (Tax Lot 1707) on the left (west) abutting Lots 224 and 225 on the right (east).

Figure 6 on the following page is a portion of Sheet PO5 and it shows the "Top of Slope" in the short-dashed lines running, approximately, at the rear of Lots 164 to 227. The long-dashed lines running through the middle of Lots 164 to 226 is a 50-foot setback from the top of slope. There are very short dashed lines on each lot showing the "building area" where a house could be located and meet the setbacks. Sheet PO2D, below, shows the Rock property's topography on the left of the thick vertical property line.

See next page.

Figure 6. A portion of Sheet PO5.

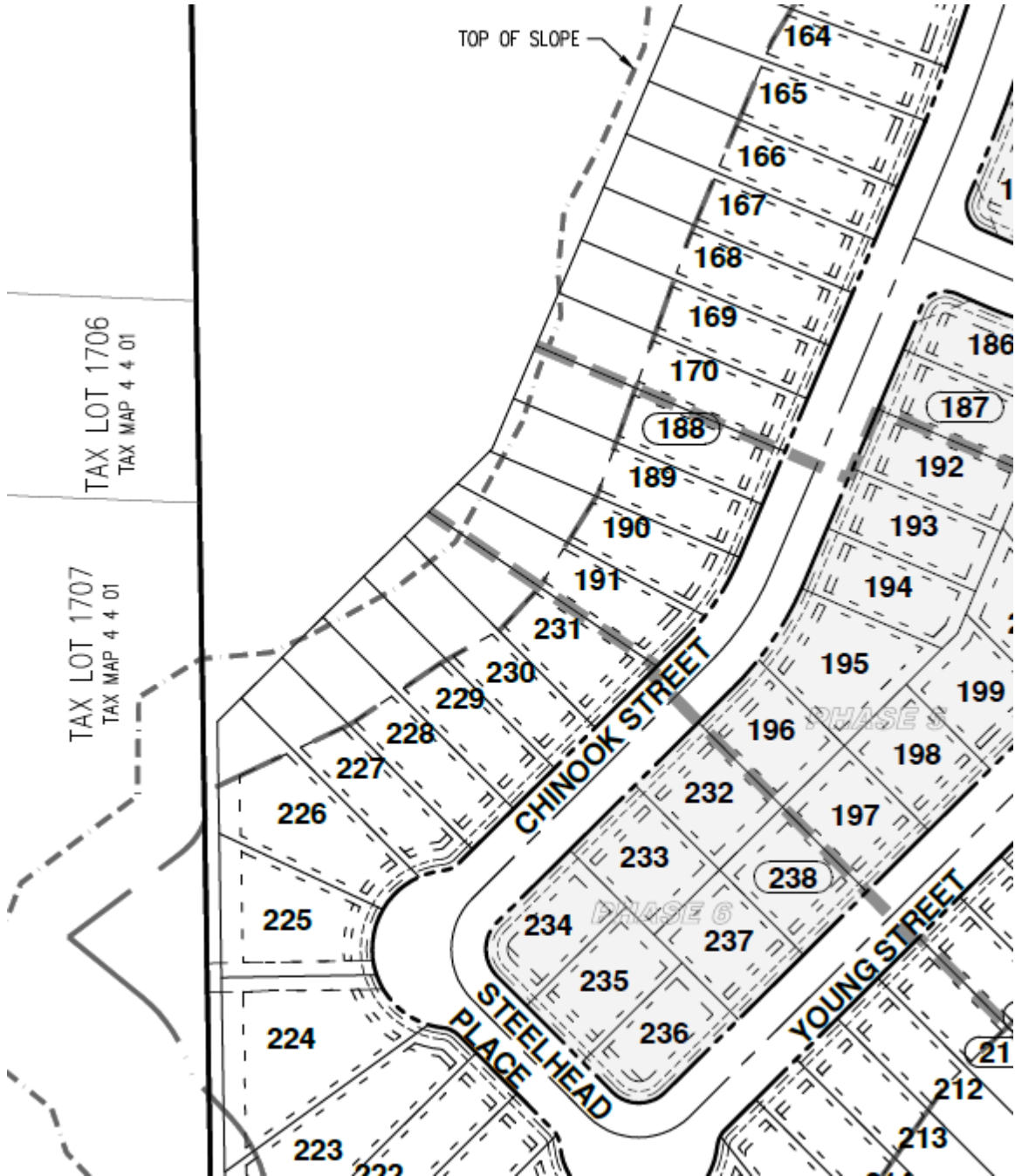


Figure 7 on the following page is a portion of Sheet PO2D and it shows the eastern property line of the Rock property (solid vertical line). It is 554-feet from north to south (Assessor's Map 4, 4, 01, Tax Lot 1707)(see Figure 8). The portion of the Rock property at the top of the slope that is about the same elevation as the subdivision property is about 425-feet north to south and about 150-feet maximum width (east to west) and about 75-feet at the narrowest point. The area at the top is about .75-acre to as much as 1.25-acres. The area needed for a single family dwelling is 7,500 square feet (.17 ac.) in the Low Density Residential District (R-1).

Figure 7. A portion of Sheet PO2D.

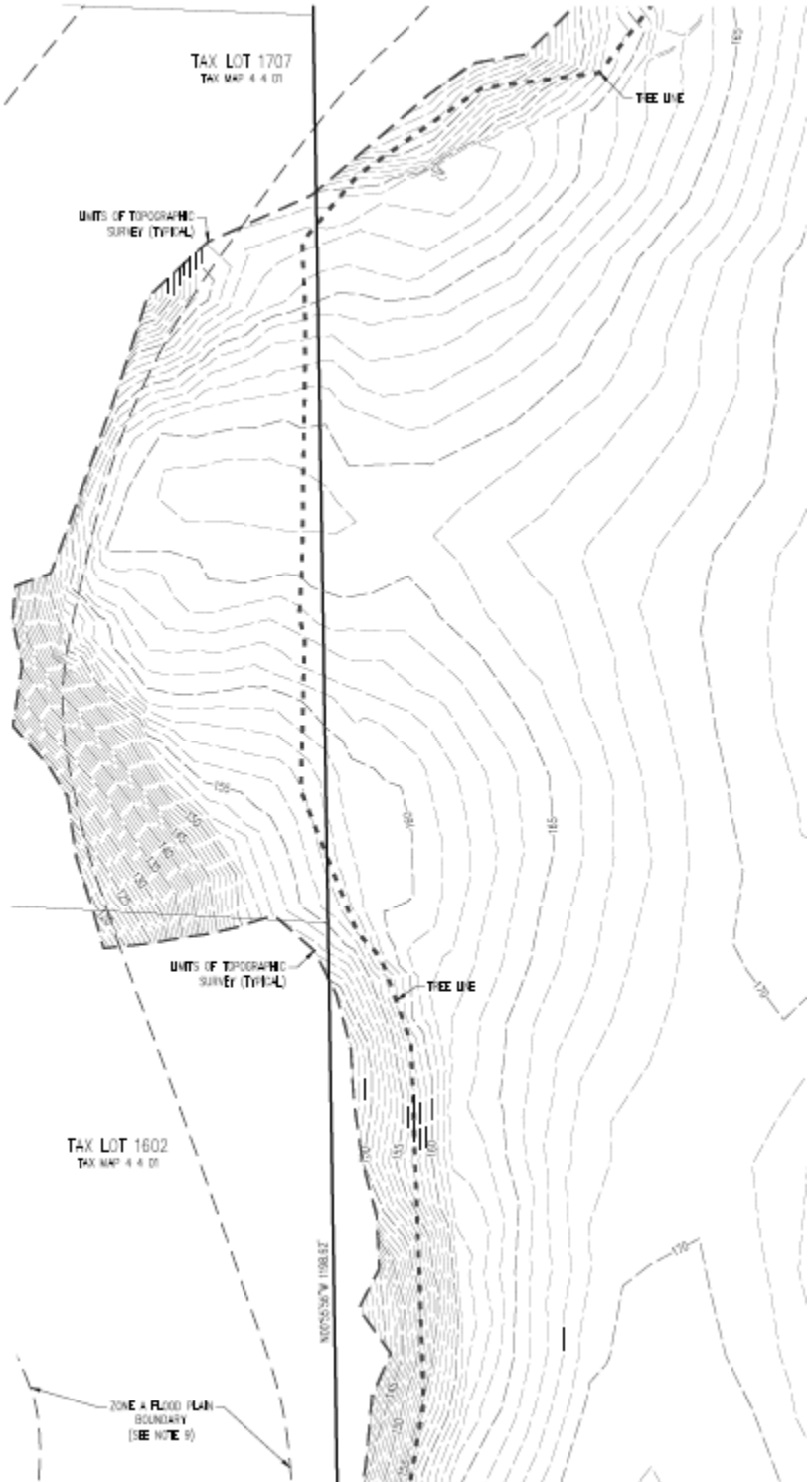
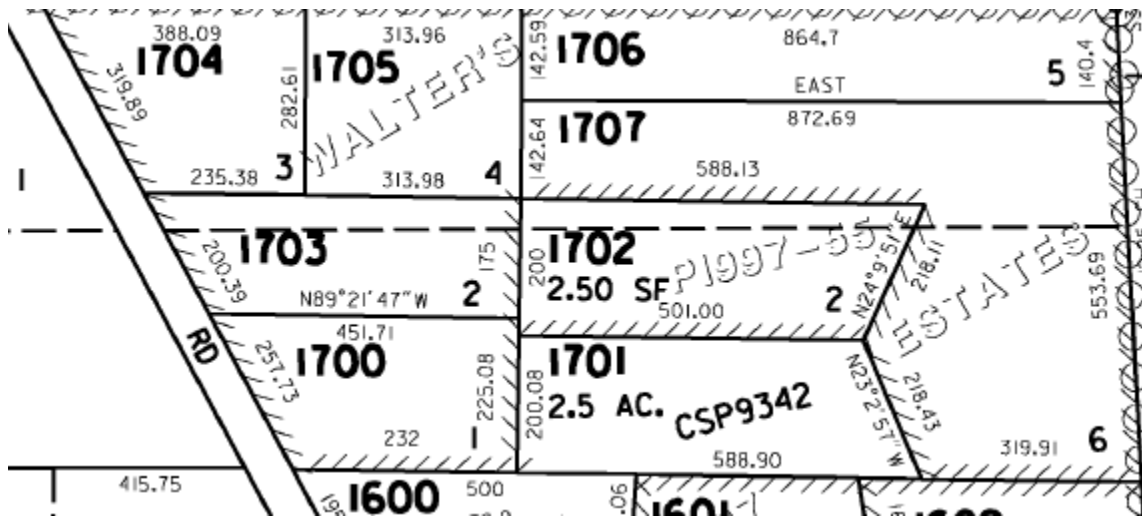


Figure 8. A portion of Assessor's Map 4, 4, 01, Showing the Rock Property, Tax Lot 1707.



The 6.18-acre Rock property is one of six lots in the 2004 Walter's Estates rural residential subdivision. It extends from Mineral Springs Road easterly across Millican Creek and up a steep hill to the proposed subdivision property. The 6 lots are 2 to 6.18-acres. The Rock property (Tax Lot 1707) runs easterly across Millican Creek and its 100-year floodplain and up the steep east side slope gaining about 50-feet in elevation to the proposed subdivision property. The eastern sliver at the top of the slope is separated from the remainder of the Rock property by the steep slope and Millican Creek at the bottom of the slope.

Although the Rock property is 6.18-acres it is shaped like a hatchet with the handle to the west and the blade on the east (Tax Lot 1707). The property does not extend to Mineral Springs Road on the west, but it has access to Mineral Springs Road via a 30-foot wide easement along the south property lines of Tax Lots 1704 and 1705. The easement continues over the east 30-feet of 1705 to provide access to Tax Lot 1706. A 30-foot by 30-foot easement for turnaround purposes is in the west portion of Tax Lot 1707.

Unsuccessful efforts to gain easterly access for the sliver area easterly over the proposed subdivision property go back to a prior subdivision proposed about 12 years ago.

The western portion of the Rock property is alleged to not have sufficient space for a properly sized rural residence due to an easement in the western portion of the property for an emergency vehicle turn-around. The September 23, 2015 letter to the Oregon Department of Land Conservation and Development objecting to the City's UGB decision because it did not include the eastern sliver of the Rock property stated in part (p. 2)(City file, 35 Objection to DLCD – Rock):

The proposed UGB in effect prevents development of the property beyond a single family dwelling, which is the restriction under current Yamhill County zoning. The topography prevents any meaningful agricultural use.

The issue isn't that a dwelling cannot be built on the western portion, instead it appears the concern is that only one dwelling can be built per the Yamhill County rural residential zoning. The concern that the topography prevents any meaningful agricultural use is not consistent with the County zoning which is a rural residential zone, not an agricultural zone.

The letter of objection goes on to say (p. 2):

Building on the western portion of the lot is restricted due to a deeded fire access turn around easement encumbering a substantial portion of the property.

Again, the issue isn't that a dwelling cannot be built on the western portion, instead that a dwelling of sufficient size cannot be built because the western portion of the property is encumbered. The handle portion of the property is 42.64-feet by 588.13-feet according to the above Assessor's Map which is 25,078 square feet or .58-acre.

During the City's UGB expansion process the City did not add the eastern sliver of the Rock property to the UGB because the owner did not provide a legal description of the sliver showing its location, size or elevation. A City must have a legal description and map of the land that is added to a UGB. The City did not want to add land whose location, size and elevation were not known to ensure the added land was not an unbuildable steep side slope.

Where the City Council would recommend allowing the private access and utility easement to benefit the Rock property, staff would recommend the access and utility easement be a minimum of 20-feet wide and the hard travel surface be a minimum 12-feet wide to comply with the Oregon Fire Code and capable of supporting a vehicle of 75,000 pounds. The easement as proposed is 20-feet wide and a condition of approval, above, calls for a 12-foot wide paved surface capable of supporting a 75,000 pound vehicle.

Where the City Council would recommend allowing the private access and utility easement to benefit the Rock property, staff recommended and the Planning Commission agreed, the access and utility easement be allowed only in accordance with the following conditions which would allow a small area of the Rock property to use the easement to gain access to the City's street system at Chinook Street provided the owner add the small area to the UGB, annex it into the City Limits and partitioned it from the parent 6.18-acre Rock property before a new dwelling is constructed.

Proposed conditions of approval:

1. The access and utility easement on Lots 224 and 225 to the benefit of Tax Lot 1707, Assessor's Map, T4S, R4W, Section 1, set forth on the applicant's Sheet PO5C, shall not be used for access and utilities to Tax Lot 1707 unless the following have been approved:
 - a. A portion of Tax Lot 1707 no greater in area than 9,000 square feet be added to the urban growth boundary and the Low Density Residential Comprehensive Plan Map designation be applied to the area.
 - b. The portion of Tax Lot 1707 set forth in 1, a, above, be annexed into the City Limits and the R-1 District be applied to the area.
 - c. The portion of Tax Lot 1707 set forth in 1, a, above, be partitioned from Tax Lot 1707.
2. No more than one primary dwelling shall be constructed on the maximum 9,000 square foot area.
3. The access and utility rights granted by the easement to Tax Lot 1707 shall not be exercised, nor shall the private water and sewer lateral lines be applied for or installed until 1, a – c, above, are approved.

4. Any building constructed on the annexed area shall provide a minimum 30-foot wildfire defensible space around the building.
 - a. For a building required to obtain a building permit, the building permit materials shall include a wildfire defensible space plan showing compliance with the minimum 30-foot wildfire defensible space requirement.
 - b. For a building not required to obtain a building permit, prior to beginning construction of the building, a wildfire defensible space plan showing compliance with the minimum 30-foot wildfire defensible space requirement shall be submitted to the City.
5. The owners of Lots 224 and 225 shall not grant an access or utility easement on Lots 224 and 225 to the benefit of Tax Lot 1707, Assessor's Map, T4S, R4W, Section 1, unless 1 – 4, above have been approved.

The applicant's Sheet PO5C provides for an easement over Lots 224 and 225 by stating, "20.00' emergency vehicle/open space access easement, private access and utility easement for tax lot 1707." The easement allows emergency vehicle/open space access to respond to wildfire events. The use of the easement by emergency vehicles to respond to wildfire events will not be affected by 1-5.

VIII. CITIZEN COMMENTS

Dianna Shamburg emailed comments regarding the City's sewer and water system. They are addressed at pages 18 (Finding 21) and 19 (Finding 22).

Carol Paddock submitted letters dated April 30, May 13, May 14 and May 27 and Lorraine Paddock submitted a letter dated May 11, 2020. They were entered into the record of the City Council hearing. They are attached here at Attachment 9.

Lorraine Paddock's 1-page May 11 letter asked that a condition of approval be adopted prohibiting smoking, presumably in the Open Space area or, alternatively, require a road or a non-flammable strip between the meadow and the forested area which could catch errant cigarette butts before they ignite. The City Council determined the defensible space around buildings would be sufficient to reduce the probability of a cigarette starting a wildfire.

Carol Paddock's 7-page April 30 letter addressed additional emergency access on the west side; stub streets or easements for connectivity to Abbey Ridge Subdivision to the north; additional access to the south Open Space; add a condition of approval requiring maintenance of Tract A consistent with wildlife habitat; move a pump station; align accessways/easements to provide views of the Open Space; address the through lot issue by requiring non-single family dwellings or non-residential uses on the through lots and prohibit "full-frontage" fencing on Abbey Road; designate "defensive space" and connect it with access easements to keep the perimeter path concept alive; require decision makers to attend an on-site inspection; require a survey of active bird nests prior to tree removal; allow flexibility to match the zoning with the subdivision layout; explain why a subdivision was submitted and not a PUD; and expressed concern that 4 applications are proposed with a "near-200-page packet" which is difficult to review in a timely manner.

Carol Paddock's 4-page May 13 letter recommended the City obtain ownership of Tract A, provided reasons why, discussed the possibility of a park, mentioned numerous activities and provided two conceptual park layouts. Some of the concepts expressed in the letter were discussed by the Planning Commission, but they deferred any specific recommendation to the City Council, other than to consider the Park issue and consider park land elsewhere on the subject property that is more centrally located.

Carol Paddock's 4-page May 14 letter addressed wildfire issues, street stubs to adjacent properties, easements, through lots, the Restricted Development Overlay District (R-D) and Condition of Approval 49 which addresses the deep lots on the west side of Chinook Street.

Carol Paddock's 4-page May 27, 2020 letter addressed an encircling street through the defensible space; stub streets to the abutting properties; include a buffer-use on the west side of Abbey Road; and the Open Space Overlay designation on the Comprehensive Plan Map.

FINDINGS:

Wildfire.

The City Council agreed with the Planning Commission's recommendation to the City Council which did not recommend the City Council change the proposed conditions of approval related to Wildfire or additional access to the west to Tract A. The City Council agreed with the comments from the Lafayette Fire Department's Chief Lucich and the conditions of approval in the May 28, 2020, staff report to the City Council.

Stub Streets.

The City Council agreed with the Planning Commission's discussion (based on the May 14, 2020, staff report to the Planning Commission) and the Planning Commission's recommendation to the City Council which did not recommend the City Council require any stubbed streets.

The staff report to the Planning Commission dated May 14, 2020, Subject: Subdivision Application for Meadowbrook at Lafayette – Continued Hearing, pp. 2, 3, stated:

The Commission discussed the issue with the conclusion that a stubbed street to the north would extend to large rural residential lots outside the City Limits and outside the urban growth boundary (UGB) with large homes where the property owners did not want to be in the UGB and, therefore, there would be no new lots in the future for the stubbed streets to serve.

Stubbing one or more streets to the west and south would extend the stubbed streets to open space with steep slopes, creek bottoms and natural habitat with no potential to be extended across the deeply incised creek bottoms (Millican Creek and East Millican Creek).

A stubbed street on the north portion of Lot 96 would extend the street easterly onto the property at 285 Haylen Drive with a single family dwelling and over two more properties (255 and 225 Haylen Dr.) with dwellings. The three dwellings use a gravel driveway easement to access Haylen Drive.

During the pre-application conference for the subdivision the City and the applicant agreed that Haylen Drive was too narrow to be connected to the subdivision. It would allow many trips on Haylen Drive that would negatively affect the residents on Haylen Drive. About 12-years ago when a subdivision was proposed on the 20-acre portion of the subject property the residents opposed extending Haylen Drive.

Through Lots.

The City Council accepted the Finding in the May 28, 2020 City Council staff report, p. 9, which supported retaining the through lots on the west side of Abbey Road as proposed. The City Council agreed with the Planning Commission's recommendation to the City Council which did not recommend the City Council change the proposed through lots on the west side of Abbey Road and did not recommend prohibiting "full-frontage" fencing on Abbey Road.

Access to Tract A – Open Space.

The City Council agreed with the Planning Commission's recommendation to the City Council which did not recommend the City Council increase or change the location of the proposed four emergency access easements to Tract A (labeled as "Open Space"). The City Council agreed with the comments from the Lafayette Fire Department's Chief Lucich and the wildfire related conditions of approval in the May 28, 2020, staff report to the City Council.

Allow flexibility to match the zoning with the subdivision layout.

The May 28, 2020 staff report to the City Council stated the following (p. 1):

This report addresses the subdivision application where the applicant requests the entire subdivision be approved and that it be built in 6 Phases over time. This report is written with the understanding that if the City Council in their decision on the Comprehensive Plan Map designation and Zone Map amendments make changes that cause the Subdivision layout to change, the changes will be made to the Final Plat with no further review by the City Council.

The City Council Order intends the zoning match the subdivision layout.

Park Land.

At the May 28, 2020 City Council public hearing, the City Council heard testimony from the applicant, discussed park land issues and included a condition of approval allowing the applicant and the City to negotiate the possible purchase of one or more lots within the subdivision for park purposes.

Open Space Overlay designation on the Comprehensive Plan Map.

The Open Space Overlay designation is not implemented. The LZDO, Section 2.111, Restricted Development Overlay District (RD) and Subsection 2.111.02, Application of the RD District, indicates the provisions of the RD District apply to lands designed Open Space on the Comprehensive Plan Map and zoned RD. The RD District has, to date, not been applied to any property in the City Limits.

Other Issues.

The City Council agreed with the Planning Commission's recommendation to the City Council which did not recommend adding a condition of approval requiring maintenance of Tract A consistent with wildlife habitat; moving a pump station; aligning accessways/easements to provide views of the Open Space; connecting "defensive space" with access easements to keep the perimeter path concept alive; and requiring a survey of active bird nests prior to tree removal. The City Council declined to attend an on-site inspection.

IX. GENERAL FINDINGS RESPONDING TO PUBLIC TESTIMONY

The City Council has reviewed and addressed all of the citizen testimony identified below. In addition to the specific findings shown below, the City Council also adopts the following findings.

- A. Testimony must be related to relevant approval criteria. This application is a limited land use application because it is a subdivision located within Urban Growth Boundary (the “UGB”). Applicable approval criteria are limited to those found in the Lafayette Zoning and Development Ordinance (“LZO”). ORS 197.195(1). Much of the public testimony is not related to relevant approval criteria. The City Council hereby incorporates the above findings addressing LZO approval criteria as applicable that are responsive to the issues identified below. The City Council also adopts the following findings addressing certain issues raised in the public testimony.
- B. Concurrent applications. The testimony asserted that four concurrent applications made it difficult to review the application package, the City Council finds that the public had three public hearings and the time between the hearings to review and comment on the applications. Additionally, the public testimony did not raise with sufficient specificity that the concurrent applications violated the Goal Post Rule but even if that issue were raised, the City Council rejects the issue for two reasons. First, the subdivision is the purpose of the post-acknowledgment applications and is thus allowed to be submitted with those applications. Second, condition of approval 2 in the final land use decision provides that the subdivision decision is contingent upon the final decisions approving the annexation and post-acknowledgment applications.
- C. Through Lots. The City Council expressly incorporates the above findings addressing LZO 2.208.E wherein the City Council find that through lots are allowed pursuant to that section’s exemptions on the prohibition of through lots due to orientation and major street arteries.
- D. A PUD application is not required. The public testimony asked why the applicant did not choose a PUD application. The City Council finds that the applicant was not required to apply for a PUD application and could submit a subdivision application as it chose to do.
- E. Parks Issues. The City Council finds that the applicant was not required to dedicate land for a public park. The applicant, however, volunteered a specific condition of approval offering to dedicate certain areas for a public park or to negotiate with the City for purchase of a different public park area. Further the City Council finds that other issues raised that might touch upon the public park and Tract A common open space issues, such as active bird nest protection, additional open space access, Common Tract A maintenance, views of open space and defensive space are unrelated to relevant approval criteria and the public testimony did not cite relevant approval criteria as a basis for raising these issues.

X. PLANNING COMMISSION RECOMMENDATION

On April 30, 2020 the Planning Commission conducted an electronic public hearing and continued it to May 14. On May 14 the Planning Commission passed a motion unanimously recommending the City Council approve the subdivision, subject to conditions of approval. The motion included a recommendation for the City Council to consider park land, including land centrally located on the subject property.

XI. STAFF RECOMMENDATION

The May 28, 2020 staff report to the City Council stated the approval criteria for a subdivision have been met based on the applicant's testimony and application materials, will be met on an on-going basis during construction, or will be met provided conditions of approval are met, and therefore, staff recommended the City Council pass an oral motion directing staff to prepare a City Council Order for the Mayor to sign granting approval of the subdivision preliminary plan, subject to conditions of approval.

XII. CITY COUNCIL MOTION – MAY 28, 2020

On May 28, 2020, the City Council passed an oral motion, 4 ayes, 2 nays, directing staff to prepare a City Council Order for the Mayor to sign granting approval of the subdivision preliminary plan, subject to the conditions of approval set forth in the May 28, 2020 staff report to the City Council and adding a condition of approval allowing the applicant and the City to negotiate the possible purchase of one or more lots within the subdivision for park purposes. The conditions of approval follow:

1. The Final Plat shall substantially comply with the approved Preliminary Plan.
2. The Preliminary Plan approval is contingent upon approval of the Annexation Application, the Comprehensive Plan Map Amendment Application and the Zone Map Amendment Application.
3. A minimum 12-foot wide paved surface shall be installed in the easement between 17th Street and Haylen Drive prior to the City signing the Final Plat. (Finding 9, p. 9).
4. Fencing shall be installed on the east and west easement lines of the easement between 17th Street and Haylen Drive. The fencing shall comply with the LZDO fencing standards. The fencing on the east easement line shall installed at no cost to the City prior to the issuance of a Certificate of Occupancy for Lot 8. The fencing on the west easement line shall installed at no cost to the City prior to the issuance of a Certificate of Occupancy for Lot 9. (Finding 9, p. 9)
5. Pedestrian scale lighting fixture(s) shall be shown along the easement at Lots 8 and 9 on the final street lighting design that shall be provided during construction document preparation, and that pedestrian scale lighting fixture(s) shall be installed along the easement as determined by the City Engineer based on lighting standards. Where street lighting on 17th Street and/or Haylen Drive will provide lighting to meet standard lighting requirements, no new lighting is required along the easement area. (Finding 15, p. 11)

Transportation

6. Vehicular access from Lots 1 and 31-42 shall be prohibited onto the Abbey Road public right-of-way. (Finding 6, p. 7)
7. A "half street" improvement along the frontage of the subject property on Abbey Road shall be constructed to collector standards as per the City Public Works Design Standards, Division 2, to include a paved section of 22 feet in the southbound lane plus a minimum 10 feet width in the northbound lane for a minimum total paved width of 32 feet with 10:1 asphalt tapers at each end. The improvements on the southbound lane shall include curb and gutter, a 5-foot wide sidewalk, ADA ramps, streetlights, utilities extended as needed and an 8-foot wide public utility easement. (Finding 16 p. 12)

8. All of the proposed interior streets and cul de sac eyebrows shall conform to City standard detail #207 and shall be designed to local street standards as per the City Public Works Design Standards, Division 2 with a minimum of 48-foot right-of-way dedication and improved to include 34-foot wide paved width, curb and gutter, 5-foot wide sidewalks, ADA ramps, street lights, utilities extended as necessary and an 8-foot wide public utility easement on the abutting lots. (Finding 16, p. 11-12)
9. One ADA ramp on the opposite side of a Tee intersection shall be allowed as opposed to the proposed two ADA ramps. (Finding 15, pp. 13)
10. Temporary turn arounds may be required at the phase lines as determined by the City Engineer, and where required, they shall be approved by the Lafayette Fire Department. (Finding 16, p. 13)
11. Abbey Road and local streets at the phase lines with potential for extension shall provide a profile design for a minimum of 200 feet past the property lines to ensure any future connections can be met. (Finding 16, p. 13)
12. The landing area at the intersections shall be a maximum of 8% for approximately 50 feet or two car lengths, as determined by the City Engineer. Sight distance requirements shall be confirmed on all intersections. (Finding 16, p. 13)
13. Local street centerlines shall have a minimum turning radius of 200 feet as per the City Public Works Design Standards, Division 2, section 2.14. (Finding 16, p. 13)
14. The maximum street vertical gradients for Abbey Road shall be 10%, and 12% maximum for all local streets, 15% gradient on local streets is allowed for a maximum distance of 200 feet as per the City Public Works Design Standards, Division 2, section 2.16. (Finding 16, p. 13)
15. A minimum of 100 feet tangent is required at the intersection of Abbey Road and the local streets and 50-foot tangent at all other local street intersections. All intersections shall not be less than 75 degrees as per the City Public Works Design Standards, Division 2, section 2.21. (Finding 16, p. 13)
16. All trails/ped-bike paths and the easement at Lots 8 and 9 shall be paved and equipped with removal bollards at the street side to prevent vehicular access. (Finding 16, p. 13)
17. A signing and striping plan shall be submitted as part of the final design. (Finding 16, p. 13)
18. Consideration shall be taken to the "Conclusions" stated on page 25 of 26 of the Transportation Impact Study prepared by Lancaster Mobley, dated February 21, 2020. (Finding 16, p. 13)
19. The Final Plat shall show 2-foot dedicated along the Abbey Road frontage of the subject property for public right-of-way purposes. (Finding 16, p. 14)

Geotechnical/Grading:

20. All earthwork activities to include grading, foundation excavation, site preparation and slope stability, subdrains and drainage, cut and fill slopes, pavement construction and utilities shall follow the contents and recommendations stated in the Geotechnical Engineering Report prepared by Geopacific Engineering, Inc., dated February 14, 2020. (Finding 16, p. 14)

21. In addition to the above noted report, all earthwork activities shall be observed and documented under the supervision of a geotechnical Engineer or their representative. Any site grading shall not in any way impede, impound or inundate the adjoining properties. A final report shall be submitted by the geotechnical engineer stating any special recommendations to be considered during the house construction. The grading setbacks, drainage and terracing shall comply with the Oregon Structural Specialty Code (OSSC) requirements. (Finding 16, p. 14)
22. Public utility improvements shall be accepted in writing by the City of Lafayette, including submission of maintenance bonds and reproducible as-built drawings prior to the City signing the Final Plat. (Finding 16, p. 14)
23. A Type B permit shall be submitted and issued prior to construction. (Finding 16, p. 14)

Environmental:

24. Any existing domestic or irrigation wells shall be located, identified, capped, disconnected or abandoned in conformance with OAR 690-220-0030. A copy of the Oregon Water Resources Department (OWRD) abandonment certificate shall be submitted to the City. (Finding 16, p. 14)

Storm Drainage

25. All public storm drainage shall be sized to convey runoff generated from the newly created impervious areas based on the 10-yr or 25-yr storm events as per the City Public Works Design Standards, Division 3, section 3.10. The minimum pipe size should be 12" for any public line and must be extended to all boundaries to permit future connections. (Finding 20, p. 15)
26. A pollution control manhole and best management practices (BMP's) shall be implemented on-site. (Finding 20, p. 15)
27. A downstream analysis shall be performed to ensure existing pipe capacity is adequate. The additional runoff shall not impede or impound adjoining properties. If an existing pipe is demonstrated to be deficient, it shall be up-sized or a detention system may need to be constructed to detain the difference between existing off-site pipe capacity and proposed 25yr storm event. The City does not require on-site detention if sufficient capacity exists to accommodate a 25-year storm event. (Finding 20, pp. 15, 16)
28. Public storm drainage improvements shall be installed in accordance with applicable city regulations as determined by the City Engineer. (Finding 20, p. 16)
29. Adequate easements for storm drainage purposes shall be provided to the City where the City Engineer determines easements are needed. (Finding 48, p. 28)

Sewer System

30. Prior to the City signing the Final Plat an analysis of the on-site sanitary sewer system shall be submitted to the City for review and approval with the final design for the subdivision's sanitary sewer system. Approval of the system will be determined by the City Engineer based on standard engineering analyses.

31. Prior to the City signing the Final Plat a downstream analysis of the existing sanitary sewer system shall be submitted to the City for review and approval with the final design for the subdivision's sanitary sewer system. The downstream analysis shall include all the existing 8", 10" and 12" diameter sanitary sewer pipe routes receiving the flow from the subdivision to assure capacity is available. Where capacity is not available, the element in the system resulting in the inadequate capacity shall be upgraded as determined by the City Engineer based on standard engineering analyses. (Finding 21, p. 16)

Prior to the City signing the Final Plat the downstream force mains (sewer lines under pressure) and pump stations shall be analyzed by the applicant's engineer and provide the calculations and analysis to the City Engineer. Where upgrades are needed, the upgrades shall be installed (Finding 21, p. 17)

32. Prior to the City signing the Final Plat the design engineer shall submit to the City for review and acceptance a capacity analysis for the sewer pumping station located on 4th Street and the associated sanitary sewer pressure lines. The cost associated with any potential modifications to the pumping station and pressure lines will be SDC creditable or the City may choose to undertake this task. (Finding 21, p. 17)
33. All sanitary sewer pipe sizes shall be a minimum 8" in diameter within the subdivision and shall be extended to all boundaries to permit future connections as determined by the City Engineer. (Finding 21, p. 17)
34. A video of all sanitary sewer and storm drain lines after trench compaction shall be provided to the City for inspection and approval. (Finding 21, p. 17)
35. Tree installations and future tree growth shall not adversely impact water, sanitary sewer, or storm drain systems. (Finding 21, p. 17)

Water System

36. The 12" diameter water pipe in Abbey Road shall be extended northerly in Abbey Road to the north property line of the subject property. The system serving the subject property shall be looped by extending the existing 8" diameter pipe on Haylen Drive to connect to the water system in 17th Street. (Finding 22, p. 17)
37. Waterline sizes shall be a minimum 8" in diameter within the subdivision and must be extended to all boundaries to permit future connections as determined by the City Engineer. (Finding 22, p. 18)
38. All fire and safety requirements shall comply with the Oregon Fire Code and the Lafayette Fire Department. (Finding 22, p. 18).
39. Air Release Valves shall be provided at all high elevation points in the water distribution system as determined by the City Engineer. (Finding 22, p. 18)
40. Hydrant design shall be either Mueller or Clow. If Mueller, then the tools for hydrant repair shall be provided. (Finding 22, p. 18)
41. Water mains shall be C-900 and laterals shall be blue, 1" ADS Polyflex pipe, 200 psi. (Finding 22, p. 18)

42. Water meters shall be Sensus SR II (brass) 5/8" x 3/4" with a Mueller radio head. The Mueller specifications shall be determined by the City. (Finding 22, p. 18)
43. Other water system construction standards shall include Ford brass fittings, tracer wire on all mains and laterals, and Romac double-banded saddles. (Finding 22, p. 18)
44. No building permits for dwellings on Lots 1 - 238 shall be submitted to the City until the City's water system intertie with the McMinnville water system is operational. Finding 22, p. 18)

Wildfire

45. Emergency access easements must be capable of supporting a vehicle of 75,000 pounds. Any access road over 150' shall be provided a turnaround per Oregon Fire Code 2019 Appendix D Fire Apparatus Access. These codes apply to all streets, access easements, and each phase of subdivision construction. (Finding 58, p. 31)
46. Vegetation on site must be managed during all phases of development to prevent wildfires per Oregon Fire Code 2019 General Requirements Section 304, 1.2 Vegetation. (Finding 58, p. 31)
76. A minimum 30' buffer of defensible space shall be provided where lot lines interface with natural areas per Oregon Fire Code General Requirements 304, 1.2 Vegetation and 2018 International Wildland – Urban Interface Code Section 603 Defensible Space. (Finding 58, p. 31)
48. Prior to the City signing the Final Plat, emergency vehicle access easements (minimum 20-feet) at Lots 154/155, 224/225, 217/218 and 98/99 shall be fenced, locked, striped/posted No Parking, and include a 12-foot wide paved travel lane for vehicles up to 75,000 pounds to the top of slope or to the rear lot line, whichever is shorter. The non-paved area of the easements shall be compacted gravel or other hard surface approved by the City. The fencing shall comply with the LZDO fencing standards (Finding 58, p. 31)
49. The proposed lots which back up to Tract "A," (Lots 153 – 170, 188 – 191, 203 – 231, and 97 – 99) shall provide rear lots lines located at, approximately the top of slope, to create lots deeper than the 3.0 lot width-to-depth maximum to ensure a minimum 30-foot (a greater distance is preferred) of wildfire defensible space on the privately owned lots. Compliance with this Condition shall not result in lots less than the minimum lot size. (Finding 2, p. 4)

Rock Property

50. The access and utility easement on Lots 224 and 225 to the benefit of Tax Lot 1707, Assessor's Map, T4S, R4W, Section 1, set forth on the applicant's Sheet PO5C, shall not be used for access and utilities to Tax Lot 1707 unless the following have been approved and the applicable appeal period has lapsed with no appeal being filed:
 - a. A portion of Tax Lot 1707 no greater in area than 9,000 square feet be added to the urban growth boundary and the Low Density Residential Comprehensive Plan Map designation be applied to the area.

- b. The portion of Tax Lot 1707 set forth in a, above, be annexed into the City Limits and the R-1 District be applied to the area.
 - c. The portion of Tax Lot 1707 set forth in a, above, be partitioned from Tax Lot 1707.
51. No more than one primary dwelling shall be constructed on the maximum 9,000 square foot area.
52. The access and utility rights granted by the easement to Tax Lot 1707 shall not be exercised, nor shall the private water and sewer lateral lines be applied for or installed until all the actions required in Condition of Approval 52 are approved.
53. Any building constructed on the annexed area set forth in Condition of Approval 52 shall provide a minimum 30-foot wildfire defensible space around the building.
- a. For a building required to obtain a building permit, the building permit materials shall include a wildfire defensible space plan showing compliance with the minimum 30-foot wildfire defensible space requirement.
 - b. For a building not required to obtain a building permit, prior to beginning construction of the building, a wildfire defensible space plan showing compliance with the minimum 30-foot wildfire defensible space requirement shall be submitted to the City.
54. The owners of Lots 224 and 225 and their heirs and assigns shall not grant an access or utility easement on Lots 224 and 225 to the benefit of Tax Lot 1707, Assessor's Map, T4S, R4W, Section 1, until all the actions required in Condition of Approval 52 are approved.

Other

55. Compliance with the Conditions of Approval shall be the sole responsibility of the applicant.
56. The Final Plat shall use the names Chavaniac Street and Kalapuya Street, and Steelhead Place shall be replaced with an extension of Chinook Street. (Finding 38, p. 24)
57. No tree over 6 inches DBH, except the 10 listed trees on Sheet PO6, shall be removed during the subdivision development process unless reviewed and approved by the City (does not include the building permit process after the final plat is recorded). (Finding 46, p. 28)
58. Tract A shall remain as open space. No trees shall be removed from Tract A unless reviewed and approved by the City.
59. The Subdivision approval is contingent upon the approval of the Comprehensive Plan Map changes, the Zone Map changes and the Annexation.
60. The applicant and the City are allowed to negotiate the possible purchase of one or more lots within the subdivision for park purposes.

XIII. CITY COUNCIL DECISION

BY A _____ VOTE OF THE LAFAYETTE CITY COUNCIL ON JUNE 11, 2020, THE CITY COUNCIL HEREBY APPROVES THE SUBDIVISION SUBJECT TO THE CONDITIONS OF APPROVAL SET FORTH IN SECTION XII, ABOVE.

DATED at Lafayette, Oregon, this 11TH day of June, 2020.

SIGNED:

Marie Sproul Date
Mayor

ATTEST:

Preston Polasek Date
City Administrator



Lafayette City Council

Meeting Date: June 11, 2020

Agenda Item: Annual Renewal of Planning Services Contract with MWVCOG

Requested Council Action:

Approve the annual contract for Planning services from the Mid-Willamette Valley Council of Governments (MWVCOG).

Staff Recommendation:

Approve the contract for FY 2021.

Background:

The MWVCOG currently provides Planning services to the City, and has done so for many years. The current contract expires on June 30, 2020. The proposed contract is attached and would run from July 1, 2020 to June 30, 2021 with the rates for services below:

FY 2021 Land Use Planning (small cities):

Senior Planner	\$90 per hour
Associate Planner	\$87 per hour
GIS Analyst	\$95 per hour
Support Staff	\$62 per hour

The listed costs represent a more detailed breakdown of service costs from MWVCOG than in prior years. The proposed cost for Jim Jacks, Senior Planner, is \$3.00 an hour more than current. The City has been well served by the services received from Jim Jacks and the other staff at MWVCOG. The rates for GIS Analyst increased by \$6.00 per hour and Support Staff services increased by \$2.00 per hour. Each of these services is provided on an as-needed basis with no minimum charge.

Financial Impact:

The rate for Senior Planner services is increased from \$87 to \$90 per hour.

Alternative:

Council may determine to modify contract terms.

Suggested Motion:

“I move to approve the contract with the Mid-Willamette Valley Council of Governments for Planning services in FY 2021 and authorize the Mayor to execute the agreement.”



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May 29, 2020

Preston Polasek, City Administrator
City of Lafayette
PO Box 55
Lafayette OR 97127

Dear Preston,

I am enclosing for your consideration two copies of a contract for continuing land use planning services from **July 1, 2020** to **June 30, 2021**.

As we work to support our members with continued development activity, working to reopen our economy, and innovating to provide more efficient services, I want to also assure you that we understand the challenge local governments are and will experience in a difficult economic climate. My hope is that we can work with you to close financial gaps, realize greater efficiencies, and meet your goals while continuing to keep customer needs in the front of our minds.

Most of the cities that we provide this service to are able to pass costs on to the developers or applicants who require planning services, either through direct billing or through the collection of fees. *We would be glad to assist you with putting such a system in place if you do not already have a means of recovering these costs or if you would like information on a full recovery fee schedule.*

The rates related to land use planning are enclosed as Exhibit A to the land use planning contracts, and as adopted by the MWVCOG Board of Directors. As in previous years, the rates do not require a minimum number of hours. *This agreement covers land use planning services on an as-needed, on-demand basis.* Mileage costs associated with providing land use planning services are charged directly to the city at the IRS mileage rate.

*We will also continue to provide our land use program clients assistance in preparing grant applications to pay for land use planning projects **at no cost**.* Also, when we assign a planner to a city, they become responsible for reporting back to the rest of the COG staff on other needs that you may have such as public works improvements, transportation needs, etc., so that you can take full advantage of other COG resources that may be available.

Please sign and return both copies of the enclosed contract by **June 30th** (or let us know if more time is needed). If you have questions or wish to discuss this further, please contact me at 503-540-1618 or renatac@mwvcog.org.

We appreciate the opportunity to provide land use planning services to you and look forward to working with you in the coming years. We are here for you, we want to help, and we thank our members for all of the work you do to make our region a great place to live and work.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Wakeley', with a stylized flourish at the end.

Renata Wakeley
Community Development Director/Acting Executive Director

CONTRACT

LAND USE PLANNING SERVICES

THIS AGREEMENT is made and entered into this 1st day of July, 2020 by and between the CITY OF LAFAYETTE, OREGON, a municipal corporation ("CITY"), and the MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS ("COG"), a voluntary intergovernmental association created by charter and Agreement pursuant to ORS Chapter 190 of which CITY is a member.

WITNESSETH:

IN CONSIDERATION of the mutual premises and stipulations set out below, the CITY and COG do hereby agree as follows:

A. COG Responsibilities

1. COG shall provide an experienced land use planner to assist the CITY in processing land use actions, zone code revisions and other related activities which may be requested by the CITY.
2. COG shall provide to CITY mapping, graphics and document production services related to work requested by CITY under paragraph A.1.
3. COG shall provide to City legal services as requested by City related to work under paragraph A.1.
4. COG shall provide monthly billing statements.

B. CITY Responsibilities

1. CITY agrees to engage COG as a provider of land use planning consulting services.
2. CITY agrees to pay for land use planning services under paragraph A.1. at a rate as indicated in the attached Exhibit A - COG Board approved fee schedule, plus mileage at the IRS mileage rate for travel related to providing said services.
3. CITY agrees to pay the actual cost of mapping, graphics and document production provided under paragraph A.2.
4. CITY shall review, process and pay COG's monthly invoices within 30 days of receipt.
5. CITY shall designate a key contact person through which all requests for services will come and with whom the activities of COG's land use planner will be coordinated.

C. COG Services Provided Without Additional Compensation

1. COG shall provide advice and assistance to CITY with grant and loan applications for financing of public improvements at no additional charge except in those instances when such work may be eligible for compensation from the granting agency.

2. COG shall prepare documentation and applications for funding for additional planning projects on behalf of CITY.
3. COG shall refer CITY to other available resources that may be available to address needs of CITY upon request.

D. Termination and Amendment

1. This Agreement shall be terminated on June 30, 2021 unless otherwise agreed to by COG and CITY by amendment to this Agreement.
2. This Agreement may be terminated for convenience by either party upon written notice of 30 calendar days.
3. This Agreement may be amended only by written agreement executed between the parties.

E. Independent Contract

1. The CITY has engaged COG as an independent contractor for the accomplishment of a particular service. Neither party, nor the officers and employees of either party shall be deemed the agents or employees of the other party for any purpose.

F. Limited Warranty

1. Unless requested by the City that the COG provide legal services, CITY agrees to seek and rely exclusively on the advice of its own legal counsel as to the legal sufficiency of the land use planning process and its products. The parties expressly recognize that the review process involves political and legal judgment entirely within the control and authority of the CITY. COG's only obligation is to provide advice from the perspective of land use planning principles, and not legal or political counsel.
2. In no event shall COG be liable for indirect or consequential damages of any nature. In no event, regardless of theory of recovery, shall COG be liable for any damages in excess of the amounts actually paid by CITY to COG under Paragraph B. hereof.
3. CITY agrees to provide a representative to present the CITY's viewpoint at public hearings regarding a dispute between the CITY and the County or another city. COG will provide support and information as appropriate (including research and staff reports) to aid the CITY in making its arguments.

IN WITNESS WHEREOF, COG and the CITY have, by approval of their respective governing bodies, caused this Agreement to be executed as of the day and year aforesaid.

**MID-WILLAMETTE VALLEY
COUNCIL OF GOVERNMENTS**

CITY OF LAFAYETTE

By: _____
Renata Wakeley, Acting Executive Director

By: _____
Marie Sproul, Mayor

BEFORE THE BOARD OF DIRECTORS
FOR THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS

Exhibit A

In the matter of establishing rates for services provided member and other entities on a fee-for-service basis.

RESOLUTION 2020-05

WHEREAS, the Mid-Willamette Valley Council of Governments (COG) is an intergovernmental entity established by agreement among the participating jurisdictions pursuant to their home rule authority and ORS 190.019.

WHEREAS, the agreement establishing the COG and ORS 190.020 allows the COG to enter into intergovernmental agreements for the delivery of services to its member governments

WHEREAS, the COG presently offers a host of fee-for-service programs on a contractual basis with its member governments to include land use planning, housing rehabilitation loan administration, revolving loan program administration, legal services, executive recruiting, and other technical services; and

WHEREAS, the Board of Directors for the COG desires to set rates for such services that are affordable for members and recover the COG's costs of providing such services,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS:

That the following rates shall take effect for the COG's fee-for-service program beginning July 1, 2020, and ending June 30, 2021, unless sooner amended:

<u>Member Services</u>	
Recruitment Services:	
<u>Population</u>	<u>Fee</u>
Up to 1,000	\$7,000
1,001 to 5,000	\$9,000
Over 5,000	\$12,000
Non-member Gov't Entities	\$18,000
Background Check Services	\$500/background check
Legal Services	
General Counsel Services	\$165 per hour
Hearings Officer Services	\$185 per hour
Strategic Planning / Goal Setting	
Evening / Half Day	\$1,500
One Day (8 Hours)	\$3,000
Evening Plus Full Day (10 Hours)	\$3,500
Miscellaneous Technical Services	
Executive Director	\$175 per hour
Support Staff	\$62 per hour

Community Development Services

Land Use Planning (small cities)*	
Senior Planner	\$90 per hour
Associate Planner	\$87 per hour
GIS Analyst	\$95 per hour
Support Staff	\$62 per hour
Grants Administration*	
Grants Administration Specialist	\$76 per hour
Non-profit / Government Rate	\$85 per hour
For Profit Rate	\$90 per hour
Support Staff	\$62 per hour
Housing Rehab Services*	
Grants Administration Specialist	\$76 per hour
Economic Development Services*	
Development Director	\$120 per hour
Senior Planner	\$90 per hour
Associate Planner	\$87 per hour
GIS Analyst	\$95 per hour
Support Staff	\$62 per hour

*(Any contracts that exceed a 1-year period shall be charged at the above rates plus 5%.)

GIS/Data Services

GIS Services	
Member Rate	\$95 per hour
Non-profit / Government Rate	\$110 per hour
For Profit Rate	\$140 per hour
Modeling Services	
Member Rate	\$115 per hour
Non-profit / Government Rate	\$130 per hour
For Profit Rate	\$150 per hour

Loan Program Services

SBA Loans / Administration of Revolving Loan Programs	
Program Manager	\$142 per hour
Loan Officer	\$104 per hour
Servicing Specialist	\$85 per hour
Loan Underwriting, packaging and Closing Services Minimum Fee - \$800	1.5 % of Loan Amount,
Loan Servicing and Reporting	\$2,000 annually

ADOPTED by the Board of Directors of the Mid-Willamette Valley Council of Governments at Salem, Oregon this 17th day of March, 2020.



Lafayette City Council

Meeting Date: June 11, 2020

Agenda Item: Annual Renewal of Legal Services Contract with the Mid-Willamette Valley Council of Governments (MWVCOG)

Requested Council Action:

Review and approve the attached contract.

Staff Recommendation:

Approve the contract.

Background:

This Council action is a renewal of the existing contract with the Mid-Willamette Valley Council of Governments (MWVCOG), which began on January 1, 2019. Our current City Attorney is Bill Monahan, who has extensive experience as an Oregon attorney and city manager.

The attached contract renewal is for next fiscal year, through June 30, 2021. The hourly rate for FY 2021 will be \$165.00, which is a \$15.00 per hour increase over the current year. The rate of \$165 per hour is below our prior City Attorney, which was \$175 per hour. The City receives excellent and timely advice from Mr. Monahan. Overall the legal services arrangement through MWVCOG is effective and a good value for the City.

Financial Impact:

The hourly rate for this contract will be increased from \$150.00 to \$165.00 per hour.

Alternative:

Council may decide modify the terms of the contract.

Suggested Motion:

“I move to approve the contract for legal services with the Mid-Willamette Valley Council of Governments for FY 2021 and authorize the Mayor to execute the agreement.”



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An equal opportunity lender, provider, and employer

May 29, 2020

Preston Polasek, City admn
City of Lafayette
PO Box 55
Lafayette, OR 97127

Dear Preston -

Thank you for using the COG to meet your City Attorney needs. We hope you have found this new service to be helpful and affordable.

At its meeting in March, the Board of Directors revisited this program and agreed to extend it for another year at a rate of \$165 an hour (a small increase over last year's rate). I'm also pleased to share with you that the COG is maintaining its relationship with Bill Monahan to provide this service to its members. As you know, Bill has over 25 years of experience in Oregon serving as a city attorney, city manager, and community development director.

Bill has a level of experience matched by very few municipal attorneys, and we hope his experience has produced results for you and at a very affordable rate and that you will be willing to renew for another year.

Included with this letter is our form agreement. As with our current year agreement, the attached does not require a retainer, nor is it exclusive. Consequently, you are able to contract with other attorneys as you desire and use the COG only when needed.

If you would like to continue to use us for City Attorney services, please sign and return the attached agreement.

Thank you for your membership in the Council of Governments and we hope you will continue to find value in this service.

Sincerely,

Renata Wakeley
Acting Executive Director

CONTRACT

LOCAL GOVERNMENT ATTORNEY SERVICES

THIS INTERGOVERNMENTAL AGREEMENT is made and entered into this 1st day of July, 2020 by and between the CITY OF LAFAYETTE, OREGON, a municipal corporation ("CITY"), and the MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS ("COG"), a voluntary intergovernmental association created by charter and Agreement pursuant to ORS Chapter 190 of which CITY is a member.

WITNESSETH:

IN CONSIDERATION of the mutual premises and stipulations set out below, the CITY and COG do hereby agree as follows:

A. COG Responsibilities

1. COG shall provide an experienced local government attorney, with current standard Oregon State Bar Association Professional Liability Fund coverage, to provide general legal services to CITY. Services may include the following legal services:
 - a. Act as CITY attorney providing legal advice on day to day questions as posed by designated CITY representatives. Services may be initiated or assigned by email contact with the attorney or as through formal action at a CITY meeting.
 - b. Review and drafting of contracts, intergovernmental agreements, and other documents and legal instruments as requested by CITY.
 - c. Drafting or resolutions, ordinances, and updates of municipal code sections as requested by CITY.
 - d. Attendance at CITY meetings as requested by CITY and coordinated with the designated attorney.
 - e. Attendance at meetings requiring legal representation either accompanying one or more CITY representatives or as the designated CITY legal representative
 - f. Training of CITY personnel, elected, and appointed officials on legal issues.
 - g. Other legal services as requested by CITY, but not including bond counsel, personnel and labor negotiations, city prosecutor, litigation, or other specialized attorney services beyond agreed upon general legal representation.
2. COG shall provide CITY with written legal opinions, draft and final agreements, draft resolutions and ordinances addressing CITY needs.
3. COG shall maintain a list of active projects that the local government attorney is undertaking for CITY. The active project list shall be provided upon request to CITY.
4. COG shall provide monthly billing statements identifying legal costs by project.

B. CITY Responsibilities

1. CITY agrees to engage COG as a provider of local government legal services.
2. CITY agrees to pay for local government attorney services under paragraph A.1. at a rate of \$165 per hour for a local government, plus mileage at the IRS mileage rate for travel related to providing said services.
3. CITY agrees to pay the actual cost of online legal research performed on behalf of CITY, with prior CITY approval.
4. CITY shall review, process and pay COG's monthly invoices within 30 days of receipt.
5. CITY shall designate a key contact person through which all requests for services will come and with whom the activities of COG's local government attorney will be coordinated.

C. Work Product

1. Any work product created by the local government attorney pursuant to tasks performed on behalf of CITY shall constitute CITY work product.
2. COG will provide CITY with copies of all work products in electronic form. Printed copies of work product shall be provided upon written request.

D. Termination and Amendment

1. This Agreement shall be terminated on June 30, 2021, unless otherwise agreed to by COG and CITY by amendment to this Agreement.
2. This Agreement may be terminated for convenience by either party upon written notice of 30 calendar days.
3. This Agreement may be amended only by written agreement executed between the parties.

E. Non-Exclusive Representation

1. COG will provide local government attorney services as requested by CITY.
2. The parties agree that local government attorney services provided by COG shall be non-exclusive as CITY reserves the right to employ attorney staff or contract for legal services.

3. CITY shall be responsible for determining which legal tasks it assigns to the COG and to any other individual or firm.
4. If CITY has a staff attorney or contract attorney firm serving as the designated City Attorney, COG local government attorney assigned to perform CITY work will report to the CITY key contact person.

F. Independent Contract

The CITY has engaged COG as an independent contractor for the accomplishment of a particular service. Neither party, nor the officers and employees of either party shall be deemed the agents or employees of the other party for any purpose.

G. Limited Warranty

1. COG's only obligation is to provide an experienced local government attorney, under contract with COG, to provide legal counsel on CITY requested projects.
2. In no event shall COG be liable for indirect or consequential damages of any nature. In no event, regardless of theory of recovery, shall COG be liable for any damages in excess of the amounts actually paid by CITY to COG under Paragraph B. hereof.

H. Conflicts

Should a conflict arise regarding billing or quality of service, the parties shall meet to attempt to resolve the issue within thirty (30) days of issue identification. Each party shall designate a representative authorized to negotiate a solution to the conflict. If the conflict cannot be resolved by the parties, the parties will submit the issue for mediation.

IN WITNESS WHEREOF, COG and the CITY have, by approval of their respective governing bodies, caused this Agreement to be executed as of the day and year aforesaid.

**MID-WILLAMETTE VALLEY
COUNCIL OF GOVERNMENTS**

CITY OF LAFAYETTE

By: _____
Renata Wakeley, Acting Executive Director

By: _____
Marie Sproul, Mayor



Lafayette City Council

Meeting Date: June 11, 2020

Agenda Item: Walk Lafayette Brochure

Requested Council Action:

Review draft walking/wayfinding map of Lafayette and accept map.

Staff Recommendation:

Accept the map as drawn.

Background:

The Mid-Willamette Valley Council of Governments (MWVCOG) received a grant to create walking maps of cities in the region with five to seven points of interest within a loop of between one-half and two miles. Lafayette was fortunate to be included in this effort and worked with MWVCOG staff to identify points of interest and short notes for each location. The locations on the map are:

- Joel Perkins Park
- Historical Society Museum
- City Hall
- Schoolhouse Antiques
- Abigail Scott Duniway Park
- Commons Park
- Terry Park

The map contains two routes to the various points, one route is 0.5 miles and the other is 1.6 miles.

Financial Impact:

None. This effort was grant funded through the Oregon Department of Transportation.

Alternative:

Council may suggest modifications to the map that can be implement by June 30, 2020.

Suggested Motion:

“I move to approve the “Walk Lafayette” map as presented.”

**Walk Lafayette
Points of Interest**

1. Joel Perkins Park—Originally set aside as the public square in 1846, the park was named in honor of the town's founder and has two separate play structures (one for smaller children) and a large picnic structure
2. Historical Society Museum—The Museum is run by the Yamhill County Historical Society. Hours vary. Please call the Historical Society ahead of time to visit.
3. Lafayette City Hall—City Hall contains the City's offices and Council Chambers. The Fire Station, completed in 2020, occupies the northern half of the block.
4. Schoolhouse Antiques—The largest indoor antique mall in the Pacific NW, boasting four floors of collectibles and furniture of every shape, size, and interest.
5. Abigail Scott Duniway Park—The City's newest park, built in 2019, is dedicated to the leader of the women's suffrage movement in Oregon.
6. Commons Park—This park contains a baseball/softball field, open area and Lafayette's Community Center, as well as a marker commemorating the first Federal Court session held in the Oregon Territory, held under an oak tree on this site in 1849.
7. Terry Park—Terry Park is a lightly developed park with several picnic tables near the Yamhill River.

**Walk Lafayette
Points of Interest**

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Walk Lafayette



City of Lafayette
468 3rd Street
P.O. Box 55
Lafayette OR 97127
503-864-2451
www.ci.lafayette.or.us

In partnership with



Walk Lafayette



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Walk Lafayette - Points of Interest

- 1. Joel Perkins Park
 - 2. Historical Society Museum
 - 3. Lafayette City Hall
 - 4. Schoolhouse Antiques
 - 5. Abigail Scott Duniway Park
 - 6. Commons Park
 - 7. Terry Park
- Red route (Points 3-6) = .5 miles
 Blue route (all Points) = 1.6 miles
- See back page for more details*



Walk Lafayette - Points of Interest

- 1. Joel Perkins Park
 - 2. Historical Society Museum
 - 3. Lafayette City Hall
 - 4. Schoolhouse Antiques
 - 5. Abigail Scott Duniway Park
 - 6. Commons Park
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- Red route (Points 3-6) = .5 miles
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- See back page for more details*



Lafayette City Council

Meeting Date: June 11, 2020

Agenda Item: Resolution 2020-04, Transferring Funds and Making Appropriations in the General Fund and Water Fund for Fiscal Year 2019-20

Requested Council Action:

Approve Resolution 2020-04.

Staff Recommendation:

Approve Resolution 2020-04.

Background:

This Resolution is a follow up to the State of Emergency Declaration (Resolution 2020-02) and the General Fund loan to the Water Fund (Resolution 2020-03), which were both approved by Council on March 26, 2020.

During the State of Emergency discussion, Council stated no objection to hiring a part-time Firefighter/EMT to assist with emergency response. This employee augmentation has been important to provide 5 hours per day of weekday shift assistance. In addition, approximately 60 hours has been provided to the Fire Chief to schedule as needed to fill-in for call volume, to assist with other department activities, or to be available when the Fire Chief is indisposed.

To assist with funding for the Water Intertie and Pump Station, Capital Improvement Program Project no. 9, the Council authorized a low-interest loan from the General Fund to the Water Fund and established terms for loan repayment.

Resolution 2020-04 provides for a transfer of budgeted monies within the Fire Department, and an appropriation of funds for the interfund loan between the General Fund and the Water Fund.

Alternative:

None.

Financial Impact:

None. Resolution 2020-04 utilizes budgeted monies within the General Fund and Water Fund.

Suggested Motion:

"I move to approve Resolution 2020-04, transferring funds and making appropriations in the General Fund and Water Fund for Fiscal Year 2019-20."

**BEFORE THE CITY COUNCIL
FOR THE CITY OF LAFAYETTE, OREGON**

A Resolution Transferring Funds and Making Appropriations in the General Fund and Water Fund for Fiscal Year 2019-20)
) **Resolution No. 2020-04**
)

THE CITY COUNCIL (the “Council”) OF THE CITY OF LAFAYETTE, OREGON (the “City”) sat for the transaction of City business on Thursday, June 11, 2020 at 6:30 p.m. in the Council Chambers at City Hall.

WHEREAS, Oregon Revised Statute 294.463 allows the City Council to transfer appropriations within a fund during the fiscal year; and

WHEREAS, the City Council approved Resolution 2020-02 on March 26, 2020, declaring an emergency in response to the COVID-19 pandemic, which authorized the City Administrator to issue temporary procedures for the duration of the declared emergency; and

WHEREAS, additional funds are required to cover the costs of a temporary part-time firefighter, hired to assist with emergency response by the Lafayette Fire Department; and

WHEREAS, the City Council approved Resolution 2020-03 on March 26, 2020, authorizing a loan from the General Fund to the Water Fund to assist with the cost of the Water Intertie Capital Improvement; and

WHEREAS, the City wishes to appropriate the loan amounts in the General Fund and Water Fund, for the transfer and expenditure of funds; and

WHEREAS, transfers from one appropriation category to another must be approved by the City Council.

NOW, THEREFORE, BE IT RESOLVED that the Lafayette City Council hereby approves the following appropriations in the 2019-20 budget:

1. To transfer appropriations for the temporary firefighter

FROM:	GENERAL FUND/MATERIALS & SERVICES	\$ 2,300
TO:	GENERAL FUND/PERSONNEL	\$ 2,300

2. To make appropriations for the capital outlay loan

FROM:	GENERAL FUND/CAPITAL OUTLAY	\$ 600,000
TO:	GENERAL FUND/LOAN TO WATER FUND	\$ 600,000
FROM:	WATER FUND/LOAN FROM GENERAL FUND	\$ 600,000
TO:	WATER FUND/CAPITAL OUTLAY	\$ 600,000

This Resolution shall be and is effective from and after its passage by the Council.

APPROVED by the City Council of the City of Lafayette this 11th day of June, 2020.

VOTE: Ayes: _____ Nays: _____ Abstentions: _____ Absent: _____ Vacancies: _____

CERTIFIED:

ATTEST:

Marie Sproul, Mayor

Kevin Perkins, Assistant City Administrator



Lafayette City Council

Meeting Date: June 11, 2020

Agenda Item: Resolution 2020-05, Worker's Compensation Coverage for Volunteers

Requested Council Action:

Approve Resolution 2020-05 to provide workers compensation coverage for the city's firefighters and other volunteers.

Staff Recommendation:

Approve Resolution 2020-05.

Background:

Each year the Council determines by Resolution, annual workers compensation insurance for the City's volunteers. This coverage is primarily for the volunteer firefighters and can be adjusted to include other City volunteers when necessary. This insurance is through CIS (City/County Insurance Services), as part of the City's insurance package.

Financial Impact:

The annual cost is approximately \$13,500.

Alternative:

None.

Suggested Motion:

"I move to approve Resolution 2020-05, approving the worker's compensation coverage for volunteers for fiscal year 2020-21."



Lafayette City Council

Meeting Date: June 11, 2020

Agenda Item: Resolution 2020-06, Certify Eligibility to Receive State Shared Revenues

Requested Council Action:

Approve Resolution 2020-06, certifying eligibility to receive state shared revenues.

Staff Recommendation:

Approve Resolution 2020-06.

Background:

Beginning in 2015, cities in Yamhill County are required to provide annual certification to the Department of Administrative Services (DAS) under ORS 221.760 as the county's population surpassed the 100,000 threshold. ORS 221.760 states that DAS will only disburse state shared revenues to cities located in counties with 100,000 inhabitants or more if a city provides four or more of the following services:

1. Police protection;
2. Fire protection;
3. Street construction, maintenance and lighting;
4. Sanitary sewer;
5. Storm sewers;
6. Planning, zoning, and subdivision control; or
7. One or more utility services.

In order to receive state shared revenues in FY 2021, Council needs to approve Resolution 2020-06, which certifies that Lafayette provides four or more of the seven services listed above.

Financial Impact:

Receipt of an estimated \$129,000 in state shared revenues and \$305,000 in gas taxes for FY 2021.

Alternative:

None.

Suggested Motion:

"I move to approve Resolution 2020-06 to certify eligibility to receive state shared revenues in FY 2021."

**BEFORE THE CITY COUNCIL FOR THE CITY OF
LAFAYETTE, OREGON**

**A Resolution Certifying Eligibility)
to Receive State Shared) Resolution No. 2020-06
Revenues for FY 2020-21)**

THE CITY COUNCIL OF THE CITY OF LAFAYETTE, OREGON sat for the transaction of City business on Thursday, June 11, 2020, at 6:30 p.m., in the Council Chambers at City Hall.

WHEREAS, ORS 221.760 provides as follows:

Section 1. The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- (1) Police protection
- (2) Fire protection
- (3) Street construction, maintenance and lighting
- (4) Sanitary sewer
- (5) Storm sewers
- (6) Planning, zoning, and subdivision control
- (7) One or more utility services; and

WHEREAS, city officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760.

NOW, THEREFORE, BE IT RESOLVED, that the City of Lafayette hereby certifies that it provides the following four or more municipal services enumerated in Section 1, ORS 221.760, including the following:

- Police protection
- Fire protection
- Street construction, maintenance and lighting
- Sanitary sewer
- Planning, zoning and subdivision control
- Utility service (water)

This Resolution shall be effective upon passage by the Council.

APPROVED by the City Council of the City of Lafayette this 11th day of June 2020.

VOTE: Ayes: ____ Nays: ____ Abstentions: ____ Absent: ____ Vacancies: ____

CERTIFIED:

ATTEST:

Marie Sproul, Mayor

Kevin Perkins, Assistant City Administrator



Lafayette City Council

Meeting Date: June 11, 2020

Agenda Item: Resolution 2020-07, Elect to Receive State Shared Revenues

Requested Council Action:

Conduct a public hearing and consider public comment on the possible uses of funds received from state shared revenues.

Staff Recommendation:

Approve Resolution 2020-07.

Background:

The State Revenue Sharing Law ORS 221.770 requires cities to pass an ordinance or resolution each year stating that they want to receive state shared revenues. Adopting this resolution fulfills this requirement. The Budget Committee held a hearing on May 13, 2020 on the possible uses of state revenue sharing and no public comment was received.

Financial Impact:

The City anticipates receiving an estimated \$129,000 in state revenue from liquor taxes, cigarette taxes, and other state shared revenue, which will be received into the General Fund. The City also expects to receive an estimate \$305,000 in gas taxes, which will be received into the Street Fund.

Alternative:

None.

Suggested Motion:

"I move to approve Resolution 2020-07 to elect to receive State Revenue Sharing for Fiscal Year 2020-2021."

**BEFORE THE CITY COUNCIL FOR THE CITY OF
LAFAYETTE, OREGON**

A Resolution Declaring the)
City's Election to Receive State) **Resolution No. 2020-07**
Revenues in Fiscal Year 2020-21)

THE CITY COUNCIL (the "Council") OF THE CITY OF LAFAYETTE, OREGON (the "City") sat for the transaction of City business on Thursday, June 11, 2020 at 6:30 p.m. in the Council Chambers at City Hall.

WHEREAS, the City Budget Committee held a public hearing on May 13, 2020 on the proposed budget for Fiscal Year 2020-2021 to discuss possible uses for state revenue sharing funds; and

WHEREAS, the Council held a public hearing on the possible uses for state revenue sharing funds on June 11, 2020, at which hearing the public was invited to give comment; and

WHEREAS, the City desires to receive state revenues for the 2020-2021 Fiscal Year into the General Fund.

NOW, THEREFORE, BE IT RESOLVED by the Council for the City of Lafayette as follows:

Pursuant to ORS 221.770, the City hereby elects to receive state revenues for the Fiscal Year 2020-2021.

ADOPTED by the Council on the 11th day of June, 2020.

VOTE: Ayes: ____ Nays: ____ Abstentions: ____ Absent: ____ Vacancies: ____

CERTIFIED:

ATTEST:

Marie Sproul, Mayor

Kevin Perkins, Assistant City Administrator



Lafayette City Council

Meeting Date: June 11, 2020

Agenda Item: Resolution 2020-08, Adoption of Fiscal Year 2020-2021 City Budget, Making Appropriations, and Imposing Property Taxes

Requested Council Action:

Approve Resolution 2020-08.

Staff Recommendation:

Approve Resolution 2020-08.

Background:

Resolution 2020-08, adopts the City Budget for next fiscal year including all projects and expenditures and all revenues needed to support these activities. The Budget Committee on May 13, 2020 approved by unanimous vote the FY 2021 Budget.

The only change to the Approved Budget is a new line item, “Donation Program,” on the revenue side of the Water and Sewer Enterprise Funds. The \$20,000 amount listed for each fund is offset by a reduction in utility bill collections, so the budget impact is neutral. This line item will allow the City to account for any donations or other financial assistance received that is applied to assist customers with delinquent accounts due to the pandemic.

Alternative:

Council may discuss adjustments to the financial plan for next fiscal year.

Financial Impact:

\$11,272,798 is the total adopted budget for FY 2021.

Suggested Motion:

“I move to approve Resolution 2020-08, Adoption of the Fiscal Year 2020-2021 City Budget, Making Appropriations, and Imposing Property Taxes.”

FIRE CAPITAL EQUIPMENT FUND
 Capital Outlay 296,500.00
FUND TOTAL \$296,500.00

REFUNDABLE DEPOSIT/PASS THRU FUND
 Materials & Services 60,000.00
FUND TOTAL \$60,000.00

VEHICLE & EQUIPMENT REPLACEMENT
 Capital Outlay 122,900.00
FUND TOTAL \$122,900.00

SEWER DEBT SERVICE FUND
 Debt Service 396,338.00
 Transfers 13,642.00
FUND TOTAL \$409,980.00

FIRE STATION BOND FUND
 Capital Outlay 2,944,000.00
FUND TOTAL \$2,944,000.00

WATER DEBT SERVICE FUND
 Debt Service 355,346.00
FUND TOTAL \$355,346.00

FIRE DEBT SERVICE FUND
 Debt Service 183,138.00
FUND TOTAL \$183,138.00

TOTAL APPROPRIATIONS, All Funds \$ **10,807,184.00**
 Total Unappropriated and Reserve Amounts, All Funds 465,614.00
TOTAL ADOPTED BUDGET \$ **11,272,798.00**

4. That the City Council of Lafayette hereby imposes the taxes provided for in the adopted budget at the rate of \$3.4857 per \$1,000 of assessed value for the permanent tax rate and in the amount of \$183,300.00 for debt service on general obligation bonds; and that these taxes are hereby imposed for the tax year 2020-2021 upon the assessed value of all taxable property within the City and categorized as follows:

Permanent Rate Tax	\$3.4857 per \$1,000 of assessed value	General Government
General Obligation Bond	\$183,300.00	Excluded from Limitation

5. That the City Administrator of the City of Lafayette shall certify to the County Clerk and the County Assessor of Yamhill County, Oregon, and to the Oregon Department of Revenue, the tax rate and amounts levied by this Resolution and shall file as required a copy of the budget as finally adopted.

6. This Resolution shall be and is effective from and after its passage by the City Council.

ADOPTED BY THE LAFAYETTE CITY COUNCIL this 11th day of June, 2020.

VOTE: Ayes: _____ Nays: _____ Abstentions: _____ Absent: _____

CERTIFIED:

ATTEST:

 Marie Sproul, Mayor

 Kevin Perkins, Assistant City Administrator



Lafayette City Council

Meeting Date: June 11, 2020

Agenda Item: City Responses to Pandemic,
Policy Considerations

Requested Council Action:

Discuss and direct staff accordingly.

Staff Recommendation:

Provide staff with direction on policy matters.

Background:

The City of Lafayette has taken several actions in response to the COVID-19 pandemic. Listed here is a brief description of these actions along with any pertinent policy consideration. This Council discussion will help staff prepare Council actions for the July or later Council meetings. Council may also identify other areas that may need attention. Most of this staff report was provided with the May 28 Council agenda packet, but due to time constraints the Council discussion was postponed to the June 11 meeting.

1. Declaration of Emergency (DOE): The City Council passed the DOE on March 26, 2020, and it will remain in effect until it is rescinded by either Council or Mayor Sproul. The DOE explains our state of emergency, gives practical advice to our residents, establishes our eligibility to apply for reimbursement from state or federal financial assistance programs, and empowers the Emergency Manager to make decisions and activate our Emergency Operations Center if needed. It is important that this DOE remain in place until Mayor Sproul and the Council feels that the health concerns from this pandemic are being reasonably controlled.

2. Utility Accounts: On March 13, the City suspended water disconnections and late fees for City utility customers. As of June 5th, we have 190 delinquent utility accounts. These 190 accounts represent 13% of the total (1,474). The total amount of delinquent accounts for water and sewer is \$41,122 or about \$216 per account. These numbers should improve as people gradually get back to work and the economy improves. One consideration is that the Council extend this grace period through the July 20th billing cycle, which would be a total of five months. If this is the direction from Council, then staff can prepare the additional policy decisions for the July 9th Council meeting.

3. Restaurant Relief Program: This innovative program began on March 24th and has been very successful. As of June 5th, the City has issued 462 credits for a total of \$4,620 and the cost of this program is paid from the General Fund. The amount of receipts on these credits is \$13,650, which is an average of \$29.55 per receipt. Restaurants have been gradually reopening, and Council needs to consider when this incentive program will end.

4. Facilities - City Hall, Parks, Municipal Court, and Community Center: The City Hall lobby will be opened for limited customers in the very near future. Municipal Court will resume limited activity in June. The Community Center and parks with playgrounds will remain closed until additional guidance or direction is received from local or state authorities.

City of Lafayette Council meeting
Discussion item re Pandemic
June 11, 2020

5. Public Meetings: The current format for public meetings will remain in place until directives are modified by Governor Brown. Such direction or guidelines may be issued via executive orders or with phased reopening guidelines.

6. Staffing and Supplies: Staff has applied for a reimbursement grant from the State of Oregon in the amount of \$3,700 for COVID-19 expenses through May 15. This amount comprises the cost of personnel expenses for a part-time Firefighter/EMT, Fire Department and disinfectant supplies, and a Polycom teleconference phone.

7. Financial Reporting: City administration will be responding to any inquiry by bondholders of our Fire Station Bonds. This is a city responsibility under the Securities and Exchange Commission, and staff is receiving advice from Orrick, the firm that represented the City as our Bond Counsel. Staff will also be responding to the Moody's Credit Agency regarding our current financial profile and projections. As reported to the Budget Committee, the City of Lafayette's financial position and outlook are strong. This is primarily due to our reliance on property taxes, which is bolstered by a resilient real estate market.

8. City Utility Donation Program: At the May 28 special meeting, Council authorized staff to establish and implement a program to accept donations to assist customers with delinquent city utility bills.

9. Looking Ahead: Staff will continue to do the following: review all directives from Governor Brown and state and local health officials and act accordingly; network with other local government professionals through the League of Oregon Cities and Oregon City/County Managers Association; and monitor financial impacts of the economy on our primary revenue sources, such as property taxes, utility fees, and state shared revenues.

Financial Impact:

Some internal costs with staff and consultant time.

Alternative:

Council may postpone any discussions to the July regular meeting.

Suggested Motion:

No formal policy decisions are anticipated at this time.

Lafayette Public Works report
May 2020

May 1st – 8th

Monthly and quarterly water sampling completed.
Weekly garbage pick-up from parks and street receptacles.
Mowed, sprayed and maintained Rights of way.
Fixed sink hole on Tyler Court.
Cleaned manganese and iron out of the meter at Well 2 on Airport Road.
Worked with Schneider pumps to replace motor at City Park Well.

May 9th-15th

Weekly sewer sampling completed.
Pumped out the Wilson and 4th street lift stations to remove excess grease in the wet well.
Started to perform lab testing procedures at the waste water treatment plant.
Built and installed a Plexiglas barrier at City Hall's reception area.
Completed the quarterly dead-end flushing of the water distribution system.
Quarterly inspections of City buildings and City playgrounds.

May 16th-22nd

Installed a concrete pad for a new bench near the small child play structure at Joel Perkins Park
Completed the daily manual cleaning of the screens at the headworks of the waste water treatment plant.
Repaired a hydraulic hose on the tractor.
Cleaned out the UV disinfectant chamber at the Waste Water Treatment Plant.
Completed the regular discharge monitoring report for DEQ.
Completed the monthly meter reading.

May 23rd-31st

Removed a street tree that had been hit by a car on Third Street east of Adams St.
Collected lagoon sludge samples for land use application
Mowed and weed-eated around the shop and Waste Water Treatment Plant.
Repaired a suction hose on the composite sampler at the Waste Water Treatment Plant.
Repaired a water leak at 16th and Madison St.
Repaired a water service at 488 Madison St.
Repaired a leaking saddle on water main at 581 5th St.
Helped Dayton Public Works hydro excavate to locate a leak in a service line in Dayton.

Respectfully Submitted
Konrad Dimmitt
Public Works Supervisor

Lafayette Metered Water Consumption

Month	2011	2012	2013	2014	2015	2016	2017	2018	2,019	2020
	CF Billed	CF Billed	CF Billed	CF Billed	CF Billed	CF Billed	CF Billed	CF Billed	CF Billed	CF Billed
JANUARY	780,700	811,300	764,800	846,800	893,100	777,500	939,400	919,200	800,600	926,400
	5,840,042	6,068,945	5,721,101	6,334,504	6,680,852	5,816,104	7,027,200	6,876,094	5,988,904	6,929,953
FEBRUARY	768,154	884,100	840,400	802,700	806,800	736,000	963,100	766,600	899,500	765,000
	5,746,191	6,613,527	6,286,629	6,004,613	6,035,283	5,505,662	7,204,488	5,734,566	6,728,727	5,722,597
MARCH	690,086	687,047	723,200	729,200	786,400	840,100	844,800	828,500	998,422	765,219
	5,162,202	5,139,468	5,409,912	5,454,795	5,882,681	6,284,384	6,319,543	6,197,610	7,468,715	5,724,236
APRIL	811,613	792,018	740,900	814,200	905,300	829,500	873,700	763,700	809,900	943,233
	6,071,287	5,924,706	5,542,317	6,090,639	6,772,114	6,205,091	6,535,730	5,712,873	6,058,473	7,055,873
MAY	751,800	917,913	1,315,900	778,300	900,300	951,300	925,000	1,092,600	1,094,500	868,609
	5,623,855	6,866,466	9,843,616	5,822,088	6,734,712	7,116,218	6,919,481	8,173,216	8,187,429	6,497,647
JUNE	918,200	908,500	1,057,100	1,176,400	1,296,800	1,382,700	1,313,500	1,244,700	1,316,900	-
	6,868,613	6,796,052	7,907,657	8,800,083	9,700,738	10,343,314	9,825,662	9,311,003	9,851,096	-
JULY	1,276,800	1,176,200	1,367,100	1,565,100	1,848,900	1,544,400	1,801,100	1,501,200	1,404,800	-
	9,551,127	8,798,587	10,226,618	11,707,761	13,830,732	11,552,914	13,473,164	11,229,756	10,508,634	-
AUGUST	1,467,054	1,703,472	1,630,800	1,494,400	1,582,900	1,694,600	1,634,800	1,682,200	1,623,200	-
	10,974,326	12,742,855	12,199,231	11,178,888	11,840,914	12,676,488	12,229,153	12,583,730	12,142,379	-
SEPTEMBER	1,387,300	1,263,336	1,176,000	1,339,100	1,240,000	1,584,200	1,105,100	1,244,200	1,220,600	-
	10,377,725	9,450,410	8,797,091	10,017,164	9,275,844	11,850,639	8,266,722	9,307,262	9,130,722	-
OCTOBER	900,200	1,095,700	876,600	1,020,700	895,400	953,400	942,200	920,200	981,400	-
	6,733,964	8,196,405	6,557,423	7,635,366	6,698,057	7,131,927	7,048,145	6,883,574	7,341,382	-
NOVEMBER	812,500	757,900	752,300	817,600	759,500	958,900	918,200	952,700	801,100	-
	6,077,922	5,669,486	5,627,595	6,116,073	5,681,455	7,173,070	6,868,613	7,126,691	5,992,644	-
DECEMBER	763,100	784,200	796,100	730,300	779,600	846,800	819,900	827,700	790,600	-
	5,708,384	5,866,223	5,955,242	5,463,023	5,831,813	6,334,504	6,133,278	6,191,626	5,914,099	-
YEARLY AVG	943,959	981,807	1,003,433	1,009,567	1,057,917	1,091,617	1,090,067	1,061,958	1,061,794	845,700

	Meters Billed	Meters Billed	Meters Billed	Meters Billed	Meters Billed	Meters Billed	Meters Billed	Meters Billed	Meters Billed	Meters Billed
JANUARY	1,240	1,245	1,260	1,266	1,310	1,390	1,446	1,457	1,461	1,469
FEBRUARY	1,239	1,245	1,252	1,269	1,320	1,399	1,454	1,452	1,463	1,474
MARCH	1,249	1,238	1,260	1,270	1,320	1,406	1,458	1,467	1,468	1,474
APRIL	1,246	1,247	1,254	1,269	1,319	1,411	1,461	1,465	1,467	1,474
MAY	1,257	1,251	1,267	1,276	1,321	1,417	1,467	1,469	1,460	1,482
JUNE	1,248	1,263	1,276	1,282	1,328	1,389	1,466	1,466	1,461	
JULY	1,261	1,272	1,278	1,292	1,378	1,419	1,463	1,454	1,471	
AUGUST	1,257	1,281	1,273	1,303	1,381	1,440	1,456	1,469	1,470	
SEPTEMBER	1,257	1,272	1,269	1,319	1,389	1,449	1,457	1,466	1,477	
OCTOBER	1,261	1,265	1,284	1,309	1,376	1,444	1,463	1,458	1,478	
NOVEMBER	1,254	1,261	1,270	1,302	1,376	1,446	1,458	1,466	1,470	
DECEMBER	1,252	1,260	1,259	1,314	1,376	1,453	1,459	1,461	1,467	
YEARLY AVG	1,252	1,258	1,267	1,289	1,350	1,422	1,459	1,463	1,468	

AVG CONS PER METER (C F)	754	780	792	783	784	768	747	726	723	#DIV/0!
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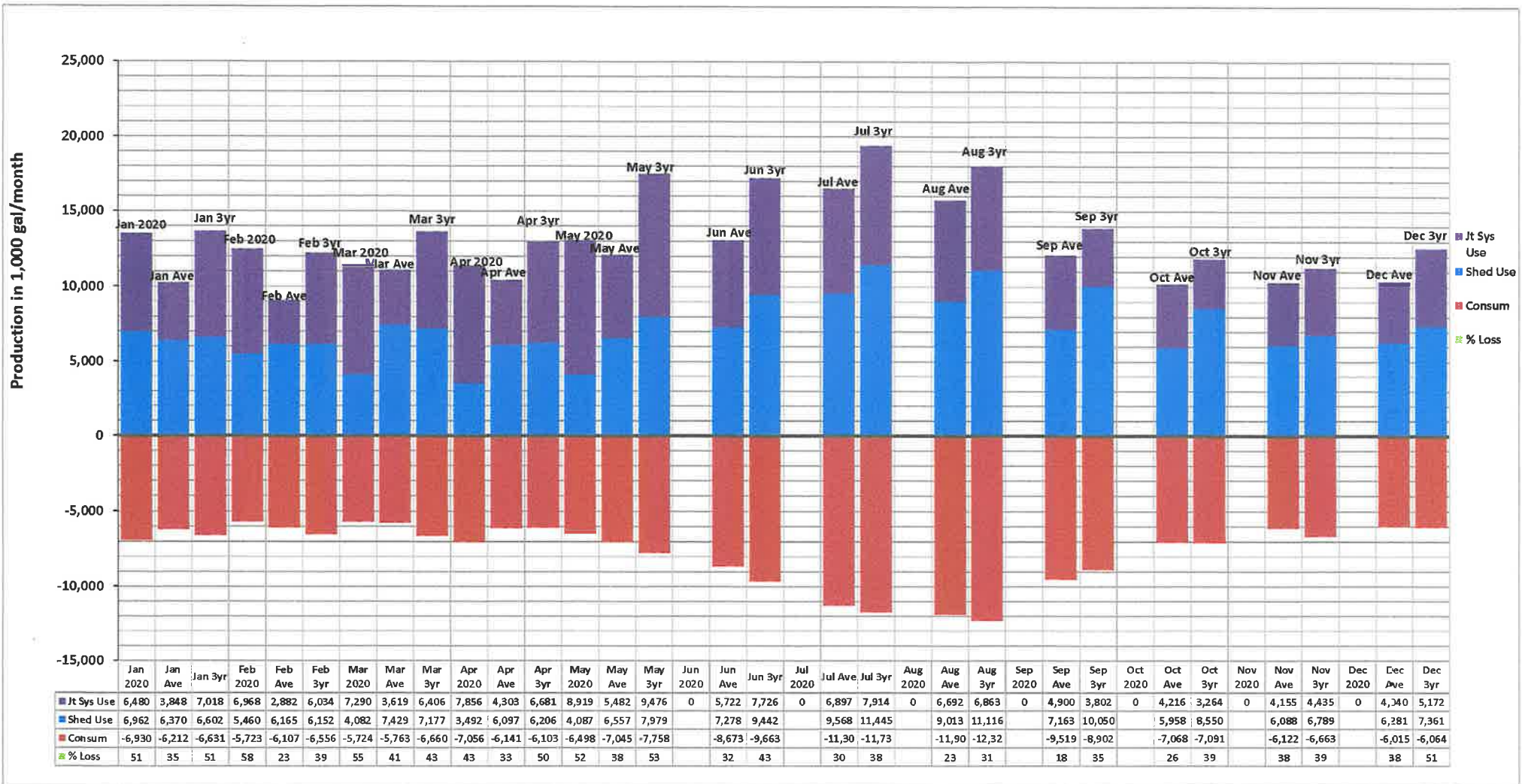
2020 Lafayette Water System

Month	Lafayette Watershed Production (in 1,000 gal units)										Lafayette Water Sys Summary (in 1,000 gal units)												
	Blue Bird (BB mtr + ASR)	Lafayette	Pringle	Well 1	Well 8	Well 10	Subtract By-Pass	Subtract ASR	Blue Bird Overflow	Watershed Total	Reservoir Vault	CP Well	Laf Usage from Jt Sys	Total Usage	Total Billed	Diff (Usage - Billed)	% Loss	Ppt, inches	Joint Sys - Laf Mtr	Joint Sys - Dayton Mtr	Diff		
January	3,831	1,133	530	63	357	1,705	0	621	0	6,999	6,962	713	6,480	14,155	6,930	7,225	51.0	10.15	6,351	6,480	129		
February	6,769	1,054	400	135	842	0	64	3,741	0	5,395	5,460	1,123	6,968	13,551	5,723	7,829	57.8	2.72	6,528	6,968	440		
March	3,447	1,186	568	100	761	0	0	1,979	0	4,082	4,083	1,209	7,290	12,582	5,724	6,857	54.5	3.25	6,528	7,290	762		
April	2,050	1,184	569	120	462	0	0	913	0	3,473	3,492	964	7,856	12,311	7,056	5,256	42.7	1.44	8,598	7,856	-742		
May	1,578	1,224	565	161	502	185	0	129	0	4,087	4,087	634	8,919	13,640	6,498	7,142	52.4	3.70	9,607	8,919	-688		
June																							
July																							
August																							
September																							
October																							
November																							
December																							
TOTAL	17,675	5,782	2,632	580	2,924	1,890	64	7,383	0	24,036	24,083	4,643	37,513	66,239	31,930	34,309							
Ave Month Flow, gpm	82	27	12	3	14	9	0	34	0	111	111	21	174	307	148		51.7						
Max Month Flow, gpm	157	28	13	4	19	39	1	87	0	162	161	28	206	328	163							estimated data	
Permit Rate, gpm	296	32	336	271 gpm when combined			200																

Month	Lafayette Joint Sys Production (in 1,000 gal units)								Dayton Joint Sys Production (in 1,000 gal units)								Joint System					
	Well 2	Well 4	Well 5(x1/2)	Subtract 1/2 of Backwash	Laf Joint Sys Total	Lafayette Usage	Diff (Sys Total - Usage)	% Sys Prod	% Sys Usage	Well 1	Well 3	Well 5(x1/2) & 11th	Flower	Subtract 1/2 of Backwash	Day Joint Sys Total	Dayton Usage	Diff (Sys Total - Usage)	% Sys Prod	% Sys Usage	Total Prod	Total Usage	% Loss
January	1,352	2,571	891	154	4,660	6,480	-1,820	46.1	65.7	2,212	2,504	891	0	154	5,453	3,390	2,063	53.92	34.3	10,113	9,870	2
February	1,392	2,727	898	161	4,856	6,968	-2,112	44.4	65.9	2,605	2,727	898	0	161	6,069	3,606	2,463	55.55	34.1	10,925	10,574	3
March	1,346	2,858	1,368	162	5,410	7,290	-1,880	47.7	65.6	1,869	2,856	1,368	0	162	5,931	3,822	2,109	52.30	34.4	11,341	11,112	2
April	1,542	2,229	1,212	202	4,781	7,856	-3,075	39.5	67.2	2,105	4,197	1,212	0	202	7,312	3,826	3,486	60.46	32.8	12,093	11,682	3
May	1,251	2,196	1,098	212	4,333	8,919	-4,586	39.2	76.9	2,125	3,702	1,098	0	212	6,713	2,678	4,035	60.77	23.1	11,046	11,597	-5
June					0		0								0		0			0	0	
July					0		0								0		0			0	0	
August					0		0								0		0			0	0	
September					0		0								0		0			0	0	
October					0		0								0		0			0	0	
November					0		0								0		0			0	0	
December					0		0								0		0			0	0	
TOTAL	6,883	12,581	5,466	890	24,040	37,513	#####			10,916	15,986	5,466	0	890	31,478	17,322	14,156			55,518	54,835	
Ave Month Flow, gpm	32	58	25	4	46	174		43.4	68.3	51	74	25	0	4	61	80		56.60	31.7			
Max Month Flow, gpm	36	66	32	5	125	206		47.7	76.9	60	97	32	0	5	169	89		60.77	34.4			
Permit Rate, gpm	300	300	300							300	300	300										estimated data

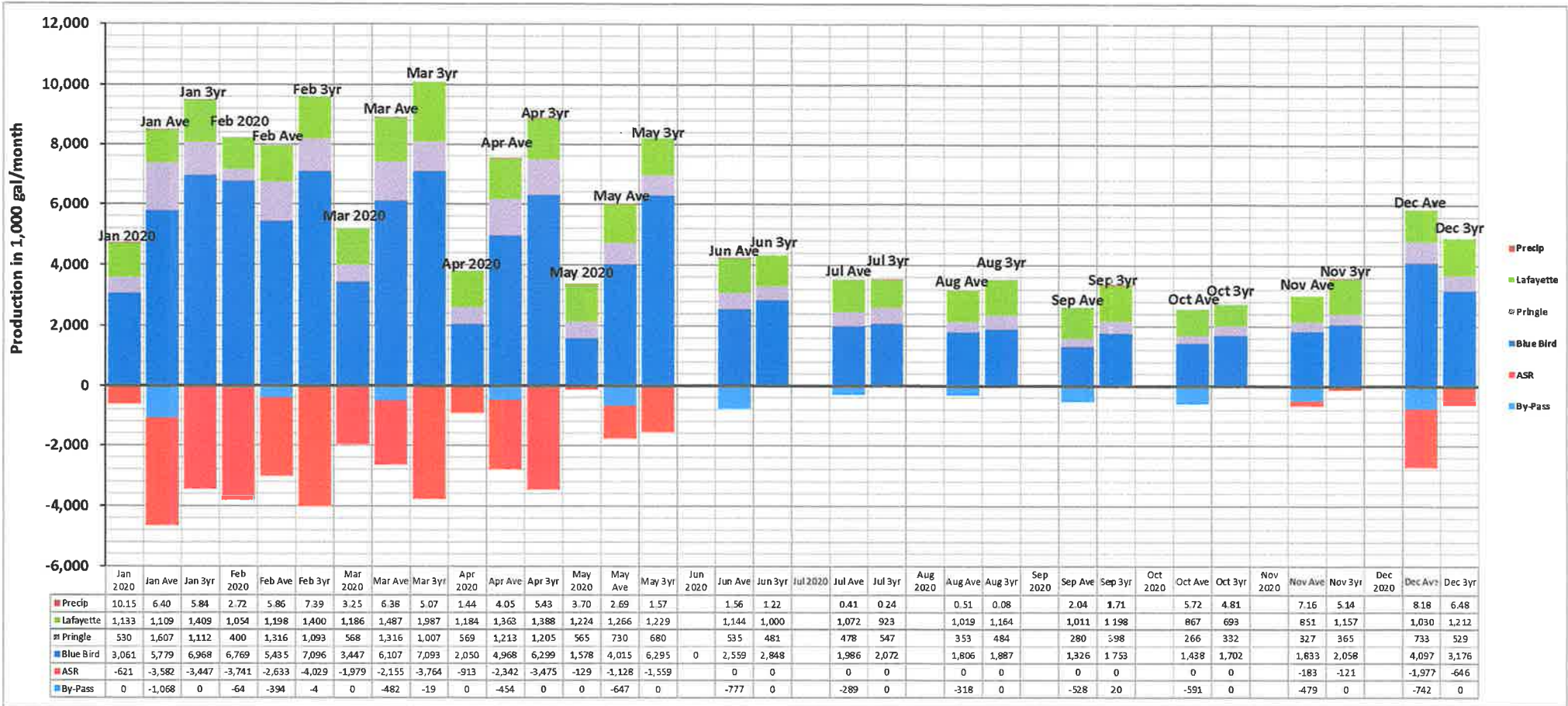
Lafayette Total Usage for 2020

with Average Usage for 2007-2019; 3 Year Average for 2017-2019



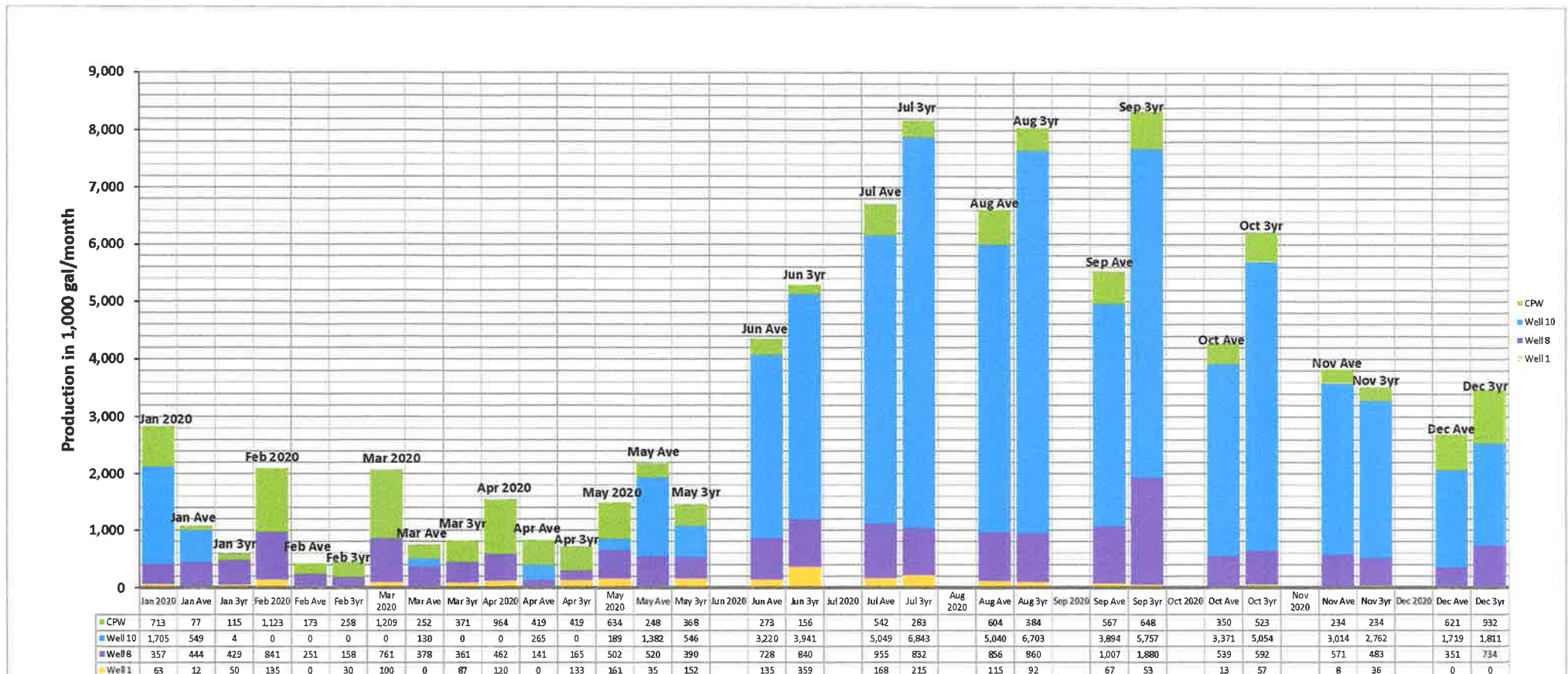
Spring Production for 2020

with Average Production for 2007-2019; 3 Year Average for 2017-2019



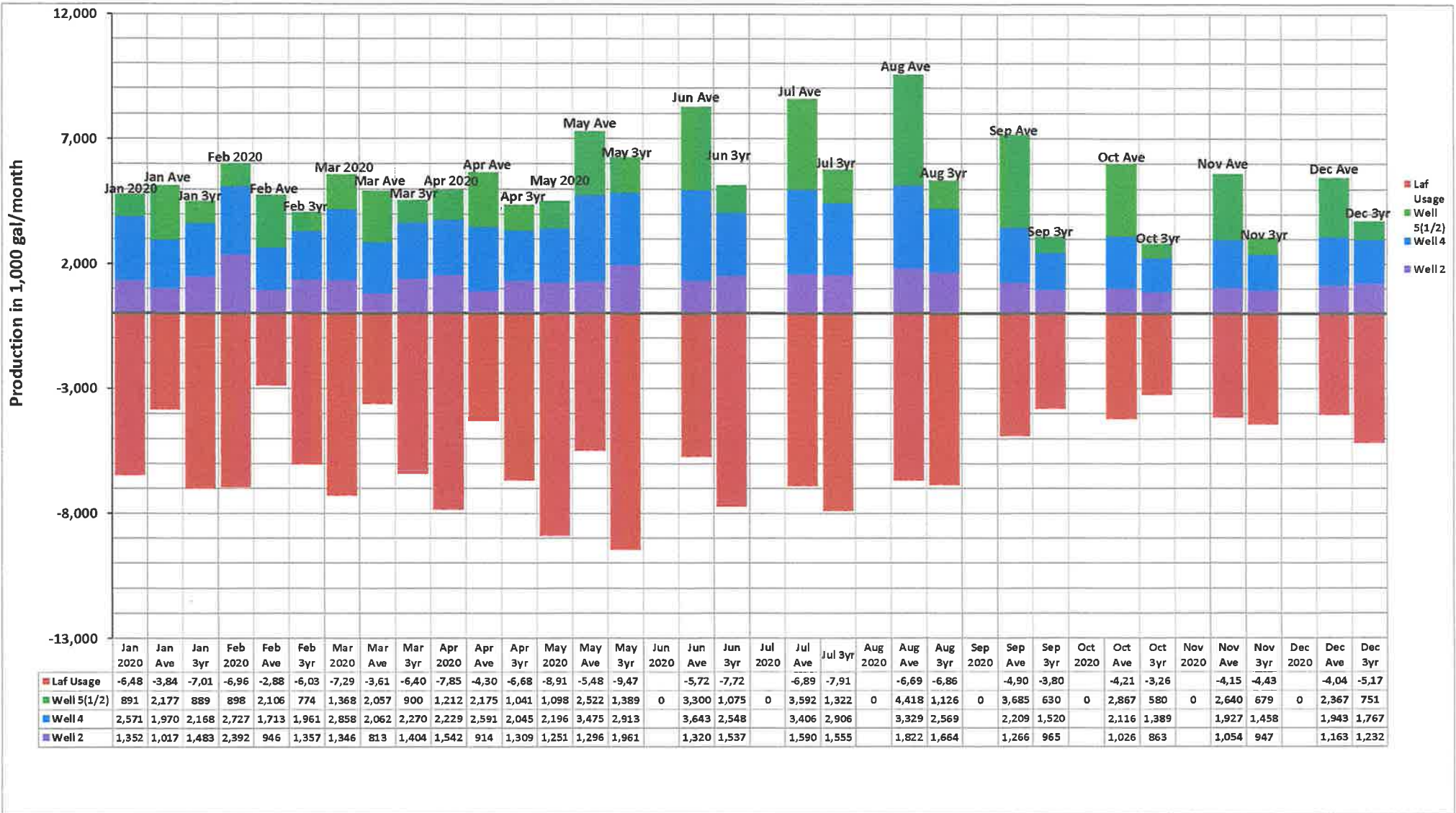
Watershed Well Production for 2020

with Average Production for 2007-2019; 3 Year Average 2017-2019



Joint System Well Production for 2020

with Average Production for 2007-2019; 3 Year Average for 2017-2019



Memo

To: Lafayette City Council
From: Terry Lucich, Fire Chief
Date: June 5, 2020
Subject: Monthly Report

1. We have had a firefighter working 20 hours a week for the last couple months to provide extra coverage during the pan pandemic. It's been great help to staffing during this unrepresented time. The firefighter will go 40 hours a week in July. This will help with staffing during the busy time of year.
2. The department is hosting the County Wildland Class June 7th. The class will be in the city's water shed burning brush pile, building fire trails and other related fire task. This all helps to reduce the fire risk in the water shed. The water shed provides a central location where we provide some outstanding wildland training for county firefighters. Oregon Department of Forestry personnel will be assisting providing instructors and equipment for the class.
3. The department hosted a live fire training exercise this last weekend just outside the city. We had 30 firefighters from 6 department participate in this unique training. A group of our firefighters also attend a live fire training exercise last Thursday night in Carlton.
4. We have 17 members and have had 206 calls this year.

If you have any questions please do not hesitate to call on me.

Fire Incident List

Locked	Validity	Status	Incident Date	Incident Number	NFIRS Incident #	Incident Type	Incident Address
	100	Completed	5/29/2020	2020204	20238	Dispatched, unable to respond	14th
	100	Completed	5/29/2020	2020203	20237	Medical assist, assist EMS crew	Abbey
	100	Completed	5/29/2020	2020202	20236	Unauthorized burning	Adams
	100	Completed	5/28/2020	2020201	20235	Motor vehicle accident with injuries	Mineral Springs
	100	Completed	5/28/2020	2020200	20234	Attempted burning, illegal action, other	7th
	100	Completed	5/27/2020	2020199	20233	Dispatched and canceled en route	1st
	100	Completed	5/26/2020	2020198	20232	EMS call, walk-in	3rd
	100	Completed	5/26/2020	2020197	20231	Dispatched and canceled prior to going en ro...	Washington
	100	Completed	5/26/2020	2020195	20230	Medical assist, assist EMS crew	7th EXtT
	100	Completed	5/24/2020	2020195	20229	Dispatched and canceled prior to going en ro...	Cosmo and Wa
	100	Completed	5/21/2020	2020193	20228	EMS call, excluding vehicle accident with injury	Fletcher
	100	Completed	5/21/2020	2020194	20216	EMS call, excluding vehicle accident with injury	12TH
	100	Completed	5/19/2020	2020192	20227	Medical assist, assist EMS crew	3rd
	100	Completed	5/19/2020	2020191	20226	Medical assist, assist EMS crew	Madison
	100	Completed	5/19/2020	2020190	20225	Dispatched and canceled prior to going en ro...	lafayette and FI
	100	Completed	5/19/2020	2020189	20224	Motor vehicle accident with injuries	7th EXtT
	100	Completed	5/19/2020	2020188	20223	Motor vehicle accident with injuries	Abbey and Johi
	100	Completed	5/16/2020	2020185	20212	EMS call, excluding vehicle accident with injury	Washington Str
	100	Completed	5/16/2020	2020166	20210	Dispatched, unable to respond	Wilson Street
	100	Completed	5/16/2020	20200187	20209	EMS call, excluding vehicle accident with injury	7th EXtT Street
	100	Completed	5/14/2020	2020184	20213	EMS call, excluding vehicle accident with injury	West 15th Stree
	100	Completed	5/13/2020	2020183	20214	EMS call, excluding vehicle accident with injury	5th Street
	100	Completed	5/12/2020	2020182	20215	Passenger vehicle fire	99W Highway e
	100	Completed	5/10/2020	2020180	20222	Cover assignment, standby, moveup	7th
	100	Completed	5/10/2020	2020181	20211	Dispatched and canceled en route, Fire call	Rierside Drive
	100	Completed	5/9/2020	2020179	20221	Dispatched and canceled en route, EMS call	7th EXtT

Fire Incident List

Locked	Validity	Status	Incident Date	Incident Number	NFIRS Incident #	Incident Type	Incident Address
	100	Completed	5/9/2020	2020178	20220	Outside rubbish, trash or waste fire	Cosmo
	100	Completed	5/9/2020	2020177	20219	Medical assist, assist EMS crew	15th
	100	Completed	5/9/2020	2020176	20208	EMS call, excluding vehicle accident with injury	Bridge Loop
	100	Completed	5/7/2020	2020175	20204	EMS call, excluding vehicle accident with injury	5th Street
	100	Completed	5/7/2020	2020174	20203	Building fire	173 West 7th S
	100	Completed	5/5/2020	2020173	20194	Police matter	Locks Road
	100	Completed	5/4/2020	2020171	20192	Dispatched and canceled en route, Fire call	6th
	100	Completed	5/4/2020	2020172	20191	Dispatched and canceled en route, EMS call	Fletcher
	100	Completed	5/2/2020	2020170	20190	Dispatched and canceled en route, Fire call	Webfoot
	100	Completed	5/1/2020	2020169	20193	Cover assignment, standby, moveup	1st
	100	Completed	5/1/2020	2020168	20189	Dispatched and canceled en route, Medical ...	Madison
	100	Completed	5/1/2020	2020167	20188	Authorized controlled burning	Jefferson and 2

CITY OF LAFAYETTE

A/P Control Report

from 5/14/2020 to 6/5/2020

Trans	Vendor	Name	Bank ID	Invoice	Posted	Fiscal Period	PO Nbr	Invoice Date	Due Date	Discount Date	Amount
41430	1260	ALEXONET INC	1	1324	Yes	2020 11		5/28/2020	5/28/2020		\$285.00
		Desc:									
		Line	Account Number			AP Amount		Liq Amount	Project	Task	Category
		1	01.1.590	SERVICE CONTRACTS		95.00		0.00	0		
		Desc:									
		2	03.0.590	SERVICE CONTRACTS		95.00		0.00	0		
		Desc:									
		3	04.0.590	SERVICE CONTRACTS		95.00		0.00	0		
		Desc:									
41431	482	AFLAC	1	775201	Yes	2020 11		5/28/2020	5/28/2020		\$351.71
		Desc:									
		Line	Account Number			AP Amount		Liq Amount	Project	Task	Category
		1	99.0.146	AFLAC PAYABLE		351.71		0.00	0		
		Desc:									
41432	919	DEPT OF THE INTERIOR /	1	2020042592	Yes	2020 11		5/28/2020	5/28/2020		\$150.44
		Desc:									
		Line	Account Number			AP Amount		Liq Amount	Project	Task	Category
		1	01.7.657	SCHOOLING & CERTIFICAT		150.44		0.00	0		
		Desc:									
41433	1017	COMFORT CONTROL HEA	1	27524	Yes	2020 11		5/28/2020	5/28/2020		\$601.50
		Desc:									
		Line	Account Number			AP Amount		Liq Amount	Project	Task	Category
		1	03.0.677	FACILITY MAINTENANCE &		601.50		0.00	0		
		Desc:									
41434	83	CASCADE COLUMBIA DIS	1	778269	Yes	2020 11		5/28/2020	5/28/2020		\$589.25
		Desc:									
		Line	Account Number			AP Amount		Liq Amount	Project	Task	Category
		1	04.0.622	OPERATING SUPPLIES		589.25		0.00	0		
		Desc:									
41435	1348	CITY SWEEPERS	1	26844	Yes	2020 11		5/28/2020	5/28/2020		\$2,320.00
		Desc:									
		Line	Account Number			AP Amount		Liq Amount	Project	Task	Category
		1	05.0.590	SERVICE CONTRACTS		2,320.00		0.00	0		
		Desc:									
41436	1883	CURRAN MCLEOD INC	1	20.03-1645	Yes	2020 11		5/28/2020	5/28/2020		\$4,224.00
		Desc:									
		Line	Account Number			AP Amount		Liq Amount	Project	Task	Category
		1	01.2.515	ENGINEERING SERVICES		4,224.00		0.00	0		
		Desc:									
41438	1624	EDGE ANALYTICAL LABO	1	20-16131	Yes	2020 11		5/28/2020	5/28/2020		\$353.00
		Desc:									
		Line	Account Number			AP Amount		Liq Amount	Project	Task	Category
		1	03.0.621	TESTING & SAMPLES		353.00		0.00	0		
		Desc:									
41439	1624	EDGE ANALYTICAL LABO	1	20-16127	Yes	2020 11		5/28/2020	5/28/2020		\$331.00
		Desc:									
		Line	Account Number			AP Amount		Liq Amount	Project	Task	Category
		1	03.0.621	TESTING & SAMPLES		331.00		0.00	0		
		Desc:									
41440	1624	EDGE ANALYTICAL LABO	1	20-15261	Yes	2020 11		5/28/2020	5/28/2020		\$30.00
		Desc:									
		Line	Account Number			AP Amount		Liq Amount	Project	Task	Category
		1	03.0.621	TESTING & SAMPLES		30.00		0.00	0		
		Desc:									

CITY OF LAFAYETTE

A/P Control Report

from 5/14/2020 to 6/5/2020

Trans	Vendor	Name	Bank ID	Invoice	Posted	Fiscal Period		PO Nbr	Invoice Date	Due Date	Discount Date	Amount
41441	1624	EDGE ANALYTICAL LABO	1	20-14481	Yes	2020	11		5/28/2020	5/28/2020		\$353.00
Desc:												
	Line	Account Number				AP Amount			Liq Amount	Project	Task	Category
	1	03.0.621				TESTING & SAMPLES			353.00	0.00	0	
Desc:												
41442	1624	EDGE ANALYTICAL LABO	1	20-14486	Yes	2020	11		5/28/2020	5/28/2020		\$353.00
Desc:												
	Line	Account Number				AP Amount			Liq Amount	Project	Task	Category
	1	03.0.621				TESTING & SAMPLES			353.00	0.00	0	
Desc:												
41443	1624	EDGE ANALYTICAL LABO	1	20-15255	Yes	2020	11		5/28/2020	5/28/2020		\$20.00
Desc:												
	Line	Account Number				AP Amount			Liq Amount	Project	Task	Category
	1	04.0.621				TESTING & SAMPLES			20.00	0.00	0	
Desc:												
41444	1624	EDGE ANALYTICAL LABO	1	20-15257	Yes	2020	11		5/28/2020	5/28/2020		\$353.00
Desc:												
	Line	Account Number				AP Amount			Liq Amount	Project	Task	Category
	1	03.0.621				TESTING & SAMPLES			353.00	0.00	0	
Desc:												
41445	1624	EDGE ANALYTICAL LABO	1	20-15259	Yes	2020	11		5/28/2020	5/28/2020		\$309.80
Desc:												
	Line	Account Number				AP Amount			Liq Amount	Project	Task	Category
	1	03.0.621				TESTING & SAMPLES			309.80	0.00	0	
Desc:												
41446	1624	EDGE ANALYTICAL LABO	1	20-16140	Yes	2020	11		5/28/2020	5/28/2020		\$30.00
Desc:												
	Line	Account Number				AP Amount			Liq Amount	Project	Task	Category
	1	03.0.621				TESTING & SAMPLES			30.00	0.00	0	
Desc:												
41447	1624	EDGE ANALYTICAL LABO	1	20-14470	Yes	2020	11		5/28/2020	5/28/2020		\$438.00
Desc:												
	Line	Account Number				AP Amount			Liq Amount	Project	Task	Category
	1	04.0.621				TESTING & SAMPLES			438.00	0.00	0	
Desc:												
41448	1624	EDGE ANALYTICAL LABO	1	20-12397	Yes	2020	11		5/28/2020	5/28/2020		\$504.20
Desc:												
	Line	Account Number				AP Amount			Liq Amount	Project	Task	Category
	1	04.0.621				TESTING & SAMPLES			504.20	0.00	0	
Desc:												
41449	1624	EDGE ANALYTICAL LABO	1	20-13717	Yes	2020	11		5/28/2020	5/28/2020		\$30.00
Desc:												
	Line	Account Number				AP Amount			Liq Amount	Project	Task	Category
	1	03.0.621				TESTING & SAMPLES			30.00	0.00	0	
Desc:												
41450	1624	EDGE ANALYTICAL LABO	1	20-13131	Yes	2020	11		5/28/2020	5/28/2020		\$309.80
Desc:												
	Line	Account Number				AP Amount			Liq Amount	Project	Task	Category
	1	03.0.621				TESTING & SAMPLES			309.80	0.00	0	
Desc:												
41451	1624	EDGE ANALYTICAL LABO	1	20-13130	Yes	2020	11		5/28/2020	5/28/2020		\$353.00
Desc:												
	Line	Account Number				AP Amount			Liq Amount	Project	Task	Category

CITY OF LAFAYETTE

A/P Control Report

from 5/14/2020 to 6/5/2020

Trans	Vendor	Name	Bank ID	Invoice	Posted	Fiscal Period	PO Nbr	Invoice Date	Due Date	Discount Date	Amount
	1	03.0.621		TESTING & SAMPLES			353.00		0.00	0	
	Desc:										
41452	1624	EDGE ANALYTICAL LABO	1	20-13729	Yes	2020 11		5/28/2020	5/28/2020		\$313.00
	Desc:										
	Line	Account Number					AP Amount	Liq Amount	Project	Task	Category
	1	04.0.621		TESTING & SAMPLES			313.00	0.00	0		
	Desc:										
41453	1624	EDGE ANALYTICAL LABO	1	20-13716	Yes	2020 11		5/28/2020	5/28/2020		\$309.80
	Desc:										
	Line	Account Number					AP Amount	Liq Amount	Project	Task	Category
	1	03.0.621		TESTING & SAMPLES			309.80	0.00	0		
	Desc:										
41454	1624	EDGE ANALYTICAL LABO	1	20-13719	Yes	2020 11		5/28/2020	5/28/2020		\$353.00
	Desc:										
	Line	Account Number					AP Amount	Liq Amount	Project	Task	Category
	1	03.0.621		TESTING & SAMPLES			353.00	0.00	0		
	Desc:										
41455	1624	EDGE ANALYTICAL LABO	1	20-14467	Yes	2020 11		5/28/2020	5/28/2020		\$80.00
	Desc:										
	Line	Account Number					AP Amount	Liq Amount	Project	Task	Category
	1	04.0.621		TESTING & SAMPLES			80.00	0.00	0		
	Desc:										
41456	1624	EDGE ANALYTICAL LABO	1	20-14482	Yes	2020 11		5/28/2020	5/28/2020		\$30.00
	Desc:										
	Line	Account Number					AP Amount	Liq Amount	Project	Task	Category
	1	03.0.621		TESTING & SAMPLES			30.00	0.00	0		
	Desc:										
41457	179	CIS TRUST	1	2020JUN	Yes	2020 11		5/28/2020	5/28/2020		\$17,553.68
	Desc:										
	Line	Account Number					AP Amount	Liq Amount	Project	Task	Category
	1	99.0.152		MEDICAL INSURANCE PAY			17,553.68	0.00	0		
	Desc:										
41458	713	LABORERS INTERNATION	1	2020MAY	Yes	2020 11		5/28/2020	5/29/2020		\$253.74
	Desc:										
	Line	Account Number					AP Amount	Liq Amount	Project	Task	Category
	1	99.0.143		UNION DUES PAYABLE			253.74	0.00	0		
	Desc:										
41459	587	ING- STATE OF OREGON	1	2020MAY	Yes	2020 11		5/28/2020	5/28/2020		\$200.00
	Desc:										
	Line	Account Number					AP Amount	Liq Amount	Project	Task	Category
	1	99.0.154		DEFERRED COMP PAYABL			200.00	0.00	0		
	Desc:										
41460	788	CRUISE MASTER PRISMS	1	24789	Yes	2020 11		5/28/2020	5/28/2020		\$1,523.25
	Desc:										
	Line	Account Number					AP Amount	Liq Amount	Project	Task	Category
	1	01.1.741		FACILITY IMPROVEMENTS			1,523.25	0.00	79	01-01	EQUIP
	Desc:										
41461	856	GSI WATER SOLUTIONS	1	0108.039-2	Yes	2020 11		5/28/2020	5/28/2020		\$207.77
	Desc:										
	Line	Account Number					AP Amount	Liq Amount	Project	Task	Category
	1	04.0.741		FACILITY IMPROVEMENTS/			207.77	0.00	86	04-01	CONSL
	Desc:										

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Trans	Vendor	Name	Bank ID	Invoice	Posted	Fiscal Period	PO Nbr	Invoice Date	Due Date	Discount Date	Amount
41462	856	GSI WATER SOLUTIONS	1	0108.037-2	Yes	2020 11		5/28/2020	5/28/2020		\$2,165.00
Desc:											
	Line	Account Number				AP Amount	Liq Amount	Project	Task	Category	
	1	04.0.590				2,165.00	0.00	0			
Desc:											
41464	1684	HAWORTH INC	1	2020MAY WI PE	Yes	2020 11		5/28/2020	5/28/2020		\$123,061.10
Desc:											
	Line	Account Number				AP Amount	Liq Amount	Project	Task	Category	
	1	04.0.741				123,061.10	0.00	86	04-01	CONST	
Desc:											
41465	1684	HAWORTH INC	1	2020MAY FS PE	Yes	2020 11		5/28/2020	5/28/2020		\$322,414.61
Desc:											
	Line	Account Number				AP Amount	Liq Amount	Project	Task	Category	
	1	29.0.734				322,414.61	0.00	79	29-01	CONST	
Desc:											
41466	118	HACH COMPANY	1	11946371	Yes	2020 11		5/28/2020	5/28/2020		\$429.05
Desc:											
	Line	Account Number				AP Amount	Liq Amount	Project	Task	Category	
	1	03.0.622				429.05	0.00	0			
Desc:											
41467	553	LOCAL GOVERNMENT PE	1	14964	Yes	2020 11		5/28/2020	5/28/2020		\$2,407.10
Desc:											
	Line	Account Number				AP Amount	Liq Amount	Project	Task	Category	
	1	01.1.590				2,407.10	0.00	0			
Desc:											
41468	247	LES SCHWAB TIRE CENT	1	20201245125	Yes	2020 11		5/28/2020	5/28/2020		\$14.00
Desc:											
	Line	Account Number				AP Amount	Liq Amount	Project	Task	Category	
	1	01.7.673				14.00	0.00	0			
Desc:											
41469	801	OREGON DEPT OF ENVIR	1	2020MAY	Yes	2020 11		5/28/2020	5/29/2020		\$160.00
Desc:											
	Line	Account Number				AP Amount	Liq Amount	Project	Task	Category	
	1	03.0.657				160.00	0.00	0			
Desc:											
41470	801	OREGON DEPT OF ENVIR	1	WQ21WSC-0048	Yes	2020 11		5/28/2020	5/28/2020		\$190.00
Desc:											
	Line	Account Number				AP Amount	Liq Amount	Project	Task	Category	
	1	03.0.654				190.00	0.00	0			
Desc:											
41472	200	NORTHWEST LOGGING S	1	283375	Yes	2020 11		5/28/2020	5/28/2020		\$19.99
Desc:											
	Line	Account Number				AP Amount	Liq Amount	Project	Task	Category	
	1	01.6.674				19.99	0.00	0			
Desc:											
41473	200	NORTHWEST LOGGING S	1	283214	Yes	2020 11		5/28/2020	5/28/2020		\$88.86
Desc:											
	Line	Account Number				AP Amount	Liq Amount	Project	Task	Category	
	1	01.6.674				88.86	0.00	0			
Desc:											

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Trans	Vendor	Name	Bank ID	Invoice	Posted	Fiscal Period		PO Nbr	Invoice Date	Due Date	Discount Date	Amount
41474	709	RIDGWAY SUPPLY	1	0062597	Yes	2020	11		5/28/2020	5/28/2020		\$24.61
Desc:												
Line Account Number AP Amount Liq Amount Project Task Category												
1 04.0.676 SYSTEM REPAIRS & MAINT 24.61 0.00 0												
Desc:												
41475	156	SEAWESTERN FIRE APPA	1	INV6290	Yes	2020	11		5/28/2020	5/28/2020		\$692.60
Desc:												
Line Account Number AP Amount Liq Amount Project Task Category												
1 01.7.625 TURNOUTS/PPE 692.60 0.00 0												
Desc:												
41476	2069	LONE FIR LANDSCAPING	1	2418	Yes	2020	11		5/28/2020	5/28/2020		\$3,850.00
Desc:												
Line Account Number AP Amount Liq Amount Project Task Category												
1 01.6.590 SERVICE CONTRACTS 3,850.00 0.00 0												
Desc:												
1099												
41477	412	TETRA TECH INC	1	51590610	Yes	2020	11		5/28/2020	5/28/2020		\$55,732.99
Desc:												
Line Account Number AP Amount Liq Amount Project Task Category												
1 03.0.515 ENGINEERING SERVICES 550.00 0.00 0												
Desc:												
2 04.0.515 ENGINEERING SERVICES 550.00 0.00 0												
Desc:												
3 05.0.515 ENGINEERING SERVICES 1,649.00 0.00 0												
Desc:												
4 05.0.590 SERVICE CONTRACTS 4,192.50 0.00 0												
Desc:												
5 04.0.741 FACILITY IMPROVEMENTS/ 3,685.25 0.00 78 04-01 ENGR												
Desc:												
6 03.0.741 FACILITY IMPROVEMENTS 1,520.00 0.00 83 03-01 ENGR												
Desc:												
7 04.0.741 FACILITY IMPROVEMENTS/ 37,352.74 0.00 86 04-01 ENGR												
Desc:												
8 29.0.730 SERVICE CONTRACTS 2,145.00 0.00 79 29-01 ENGR												
Desc:												
9 03.0.741 FACILITY IMPROVEMENTS 1,483.21 0.00 82 03-01 ENGR												
Desc:												
10 13.0.741 SDC CAPITAL PROJECT (R 303.79 0.00 82 13-01 ENGR												
Desc:												
11 05.0.752 STREET & RIGHT-OF-WAY I 529.35 0.00 84 05-01 ENGR												
Desc:												
12 15.0.767 SDC CAPITAL IMPROVEME 1,772.15 0.00 84 15-01 ENGR												
Desc:												
41478	230	USA BLUE BOOK	1	230541	Yes	2020	11		5/28/2020	5/28/2020		\$168.06
Desc:												
Line Account Number AP Amount Liq Amount Project Task Category												
1 03.0.622 OPERATING SUPPLIES 168.06 0.00 0												
Desc:												
41479	2186	ZIONS BANCORPORATIO	1	2020MAY	Yes	2020	11		5/28/2020	5/28/2020		\$91,523.61
Desc:												
Line Account Number AP Amount Liq Amount Project Task Category												
1 47.0.924 DEBT SVC TO BONDS/INTE 91,523.61 0.00 0												
Desc:												

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Trans	Vendor	Name	Bank ID	Invoice	Posted	Fiscal Period		PO Nbr	Invoice Date	Due Date	Discount Date	Amount
41481	46	POSTMASTER-USPS	1	2020JUN BILL	Yes	2020	11		5/28/2020	5/29/2020		\$728.64
Desc:												
	Line	Account Number				AP Amount			Liq Amount	Project	Task	Category
	1	03.0.616		POSTAGE		364.32			0.00	0		
Desc:												
	2	04.0.616		POSTAGE		364.32			0.00	0		
Desc:												

Fund 01 Total	13,065.24	0.00
Fund 03 Total	9,059.54	0.00
Fund 04 Total	169,450.24	0.00
Fund 05 Total	8,690.85	0.00
Fund 13 Total	303.79	0.00
Fund 15 Total	1,772.15	0.00
Fund 29 Total	324,559.61	0.00
Fund 47 Total	91,523.61	0.00
Fund 99 Total	18,359.13	0.00
Grand Total	636,784.16	0.00