

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

**An Ordinance Amending the Lafayette)
Comprehensive Plan's Public Facility)
Element and Adopting the 2007 Water)
System Master Plan With an Updated)
Water Capital Improvement Project List)**

ORDINANCE NO. 630

THE CITY COUNCIL (the "Council") OF THE CITY OF LAFAYETTE, OREGON (the "City") sat for the transaction of City business on Thursday, April 14, 2016 at 6:30 p.m. at the City Hall.

WHEREAS, on February 18, 2016, the Planning Commission met to consider the proposed action regarding Planning File Legislative Amendment 2016-01, an application by the City of Lafayette to amend the Lafayette Comprehensive Plan's Public Facility Element to adopt the 2007 Water System Master Plan and update the water capital improvement project list, 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, and upon deliberation, voted to recommend the City Council approve the proposed amendments; and

WHEREAS, on March 10, 2016 and March 31, 2016 the City Council met to consider the proposed action regarding Planning File Legislative Amendment 2016-01, an application by the City of Lafayette to amend the Lafayette Comprehensive Plan's Public Facility Element to adopt the 2007 Water System Master Plan and update the water capital improvement project list, 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 March 31, 2016 staff report and approving the proposed amendments.

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

Section 1. The City Council of the City of Lafayette does hereby adopt the staff report to the City Council dated March 10, 2016 and March 31, 2016.

Section 2. The City Council of the City of Lafayette does hereby amend the Lafayette Comprehensive Plan's Public Facility Element, Policy 12-5, to read as follows:

Policies

12-5. The City shall consider the 2016 updated capital improvement project list in the 2007 Water System Master Plan as follows:

No.	Project	2007 CIP Priority	2015 5 Yr CIP	Original Budget	2015 Adjusted Budget
1	Bluebird Spring Waterline	1	X	\$240,000	\$150,000
2	Existing Watershed Reservoir Improvements	1	X	\$271,000	\$350,000
3	Pringle Spring Line Replacement (4")	--	X	--	\$90,000
4	Park Well air stripping & well rehabilitation	--	X	--	\$100,000
5	Regional System through YRWA	--	X**	--	\$2,340,000
6	Regional System Intertie	--	X**	--	\$700,000
7	New 1.0 MG reservoir	1	--	--	\$2,000,000
8	Reservoir to Duniway, Duniway to 11th	1	--	\$1,209,000	\$1,560,000
9	Duniway Road (11th Street to Stoller Road)	1	--	\$139,000	\$180,000
10	7th Street Extension (Grant to Monroe)	1	--	\$310,000	\$270,000
11	7th Street (Monroe to Madison)	1	--	\$54,000	\$70,000
12	Madison Street (7th to 3rd)	1	--	\$168,000	\$220,000
13	Market Street (Hwy 99W crossing)	1	--	\$73,000	\$60,000
14	Pioneer Drive (Hwy 99W to Pioneer Loop)	1	--	\$30,000	\$40,000
15	Water Master Plan Update (2020)	2	--	\$40,000	\$50,000
16	Pioneer Drive to industrial area (99W & RR crossing)	3	--	\$212,000	\$270,000
17	Convert meters to radio read	--	--	--	\$350,000

Total: 20-Year Plan

\$8,800,000

**Partial funding commitment for projects 5 & 6 is expected during the first 5 years.

Based on the 2007 Water Master Plan, a 20-year CIP and Budget.

The 2015 Adjusted Budget column contains estimates, adjusted for inflation.

The 2007 plan costs are based on 2006 dollars with an ENR 20 Cities Index of 7763.

ENR 20 Cities Index for July 2015 is 10037; and the 2015 Inflation Index is 1.29293.

After the first 5 years, the projects are listed in non-priority order.

Project Number notes:

1 - MODIFIED: Remaining section to replace the line from Well 10 to Reservoir with an 8" main. The estimate is for a bid project, but the City Public Works crew may be involved in the installation.

2 - MODIFIED: Additional external improvements have been identified.

- 3 - New project replaces 1,880' of undersized & old pipe. The estimate is for a bid project, but the City Public Works crew may install.
- 4 - New project identified in 2014 as best value investment for increasing existing sources production.
- 5 - Provides access to 10M gallons per month (\$7/gallon x 333,334 gals/day) from YRWA system.
- 6 - Placeholder for future intertie with the YRWA system.
- 7 - MODIFIED: Water Master Plan & Tech. Memo, G. Munro, City Engr., show need for more reservoir capacity. Size reduced from 2.2 mg to 1.0 mg.
- 10 - MODIFIED: Approximately one-third of the project has been completed.
- 13 - MODIFIED: Only the Highway 99 crossing remains for this project.
- 17 - This new project is upgrading existing meters with autoread and system software.

Section 3. The City Council of the City of Lafayette does hereby adopt the 2007 Water Master Plan prepared by Westech Engineering, Inc., Salem, OR, as amended in Section 2, above.

Section 4. The City Council of the City of Lafayette does here by adopt those certain findings of fact, conclusionary findings and supporting documentation in Exhibit "A" attached hereto and by this reference made a part hereof.

ADOPTED by the Lafayette City Council on the 14th day of April, 2016.

VOTE: Ayes: 4 Nays: 0 Abstentions: 0 Absent: 1

CERTIFIED:


 Chris Pagella, Mayor

ATTEST:


 Angela Speier, Assistant City Administrator

Ordinance 630

Exhibit "A"

FINDINGS

1. Plan Amendment LA 2016-01 is a Legislative amendment to the Lafayette Comprehensive Plan.
2. The Lafayette Zoning and Development Ordinance (LZDO), Section 3.101.04, A, Type IV Actions, states a Type IV action must be initiated by City staff, the Planning Commission or the City Council. Case # LA 2016-01 was initiated by City staff. The proposed amendments comply with Section 3.101.04, A.
3. The LZDO, Section 3.207.01, Type IV Actions, states a Type IV action may be initiated by the City Administrator, the Planning Commission or the City Council. Case # LA 2016-01 was initiated by the City Administrator. The proposed amendments to the LZDO comply with Section 3.207.01.
4. Section 3.207.02, A, 1, Type IV Actions, is not applicable as it addresses amendments to the LZDO and the Zoning Map.
5. Section 3.207.02, B, calls for the Planning Commission to make a recommendation to the City Council. On February 8, 2016 the Planning Commission is scheduled to conduct a duly noticed public hearing. At the conclusion of the hearing the Commission is expected to pass a motion with a recommendation to the City Council. The Planning Commission recommendation will meet the requirement of Section 3.207.02, B.
6. Findings related to the Statewide Planning Goals.

Goal 1, Citizen Involvement: The Planning Commission held a work session on January 21, 2016 at the regularly scheduled public meeting. Public hearings on the proposed amendments will be held before the Planning Commission on February 8, 2016 and the City Council on March 31, 2016. The work session and the two public hearings will provide citizen involvement consistent with Statewide Planning Goal 1.

Goal 2, Land Use Planning: The proposal does not involve exceptions to the Statewide Goals. The adoption action is consistent with the procedures set forth in the acknowledged Lafayette Zoning and Development Ordinance for Type IV actions that amend the text of the Lafayette Comprehensive Plan. The proposed amendment is based on analysis by the City Engineer which resulted in the 2016 updated capital improvement project list. Goal 2 is met.

Goal 3, Agricultural Lands: Goal 4, Forest lands: Not applicable because the proposal does not affect farm or forest lands.

Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources: Not applicable because the proposal does not affect Goal 5 resources.

Goal 6, Air, Water and Land Resource Quality: Not applicable because the proposal does not affect air, water, or land resource quality.

Goal 7, Natural Hazards: Not applicable because the proposal does not affect natural hazards.

Goal 8, Recreational Needs: Not applicable because the proposal does not affect recreation needs.

Goal 9, Economic Development: The proposal may have an indirect effect on economic development through ensuring the city's water system is sufficient to support economic development. Goal 9 is met.

Goal 10, Housing: The proposal may have an indirect effect on the provision of housing through ensuring the city's water system is sufficient to support housing development. Goal 10 is met.

Goal 11, Public Facilities and Services: The proposal has an effect on planning for the city's water system. The proposed amendments will update the 2007 Water System Master Plan's capital improvement project list which will help to ensure the city's water system is sufficient to support current and future uses.

A. Goal 11 is implemented by ORS 197.712(2)(e) which states in part:

197.712 Commission duties; comprehensive plan provisions; public facility plans; state agency coordination plans; compliance deadline; rules.

(2)(e) A city or county shall develop and adopt a public facility plan for areas within an urban growth boundary containing a population greater than 2,500 persons. The public facility plan shall include rough cost estimates for public projects needed to provide sewer, water and transportation for the land uses contemplated in the comprehensive plan and land use regulations. Project timing and financing provisions of public facility plans shall not be considered land use decisions.

Finding: The July 1, 2015 estimated population within the Lafayette city limits by the Oregon Population Research Center is 3,905, thus the 2,500 population minimum of ORS 197.712(2)(e) applies. The 2007 Lafayette Water Master Plan was adopted by the City Council per Resolution 2007-03 on February 8, 2007. Legislative Amendment 2016-01 to the Lafayette Comprehensive Plan will adopt the 2007 Lafayette Water Master Plan by ordinance as a support document to the Lafayette Comprehensive Plan. LA 2016-01 will also amend the Public Facilities portion of the Lafayette Comprehensive Plan to add the 2016 updated list of capital improvement projects. ORS 197.712(2)(e) is met.

B. Goal 11 is implemented by OAR 660-011, Public Facilities Planning.

1. 660-011-0010, The Public Facility Plan, states in part:

(1) The public facility plan shall contain the following items:

(a) An inventory and general assessment of the condition of all the significant public facility systems which support the land uses designated in the acknowledged comprehensive plan;

Finding: The 2007 Lafayette Water Master Plan (the Plan), Section 4, Existing System, and Section 6, Water System Evaluation and Recommendation, includes an inventory and general assessment of the condition of the significant water facilities which support the land uses designated in the acknowledged comprehensive plan. OAR 660-011-0010(1)(a) is met.

(b) A list of the significant public facility projects which are to support the land uses designated in the acknowledged comprehensive plan. Public facility project descriptions or specifications of these projects as necessary;

Finding: The Plan, Section 7, Recommended Capital Improvement Priorities and Implementation Plan, includes a list of the significant public facility projects which are to support the land uses designated in the acknowledged comprehensive plan. The capital improvement project list is updated by this legislative amendment. OAR 660-011-0010(1)(b) is met.

(c) Rough cost estimates of each public facility project;

Finding: The Plan, Section 7, Recommended Capital Improvement Priorities and Implementation Plan, and Appendix D include rough cost estimates of each public facility project. OAR 660-011-0010(1)(c) is met.

(d) A map or written description of each public facility project's general location or service area;

Finding: The Plan, Section 7, Recommended Capital Improvement Priorities and Implementation Plan, and Figures 6-1, 6-2, 6-3, 7-1 and 7-2 include maps or a written description of each public facility project's general location or service area. OAR 660-011-0010(1)(d) is met.

(e) Policy statement(s) or urban growth management agreement identifying the provider of each public facility system. If there is more than one provider with the authority to provide the system within the area covered by the public facility plan, then the provider of each project shall be designated;

Finding: The May 16, 1979 Urban Area Management Agreement between the City of Lafayette and Yamhill County, Section V. 1, sets forth that "The City is recognized as the ultimate provider of urban services within the Urban Growth Boundary." For water services, there is not more than one provider; Lafayette is the only provider of water services. OAR 660-011-0010(1)(e) is met.

(f) An estimate of when each facility project will be needed; and

Finding: The Plan, Section 7, Recommended Capital Improvement Priorities and Implementation Plan, includes an estimate of when each facility project will be needed. OAR 660-011-0010(1)(f) is met.

(g) A discussion of the provider's existing funding mechanisms and the ability of these and possible new mechanisms to fund the development of each public facility project or system.

Finding: The Plan, Section 7, Recommended Capital Improvement Priorities and Implementation Plan, includes a discussion of the provider's existing funding mechanisms and the ability of these and possible new mechanisms to fund the development of each public facility project or system. OAR 660-011-0010(1)(g) is met.

2. 660-011-0045, Adoption and Amendment Procedures for Public Facility Plans, states:

(1) The governing body of the city or county responsible for development of the public facility plan shall adopt the plan as a supporting document to the jurisdiction's comprehensive plan and shall also adopt as part of the comprehensive plan:

(a) The list of public facility project titles, excluding (if the jurisdiction so chooses) the descriptions or specifications of those projects;

Finding: The City of Lafayette is responsible for development of the public facility plan and through LA 2016-01 proposes to adopt the Plan as a supporting document to the jurisdiction's comprehensive plan and also proposes to adopt the list of public facility project titles, excluding the descriptions or specifications of those projects. OAR 660-011-0045(1)(a) is met.

(b) A map or written description of the public facility projects' locations or service areas as specified in sections (2) and (3) of this rule; and

Finding: A map or written description of the public facility projects' locations or service areas is in the Plan, Section 7, Recommended Capital Improvement Priorities and Implementation Plan, and Figures 6-1, 6-2, 6-3, 7-1 and 7-2. OAR 660-011-0045(1)(b) is met.

(c) The policy(ies) or urban growth management agreement designating the provider of each public facility system. If there is more than one provider with the authority to provide the system within the area covered by the public facility plan, then the provider of each project shall be designated.

Finding: The May 16, 1979 Urban Area Management Agreement between the City of Lafayette and Yamhill County, Section V. 1, sets forth that "The City is recognized as the ultimate provider of urban services within the Urban Growth Boundary." For water services, there is not more than one provider; Lafayette is the only provider of water services. OAR 660-011-0045(1)(c) is met.

(2) Not applicable as it does not set forth requirements for jurisdictions to comply with.

(3) Not applicable as it does not set forth requirements for jurisdictions to comply with.

(4) Land use amendments are those modifications or amendments to the list, location or provider of, public facility projects, which significantly impact a public facility project identified in the comprehensive plan and which do not qualify under subsection (3)(a) or (b) of this rule. Amendments made pursuant to this subsection are subject to the administrative procedures and review and appeal provisions accorded "land use decisions" in ORS Chapter 197 and those set forth in OAR Chapter 660 Division 18.

Finding: The proposed update of the capital improvement project list in the 2007 Lafayette Water Master Plan is considered to be a modification or amendment "...to the list, location or provider of, public facility projects, which significantly impact a public facility project identified in the comprehensive plan." In accordance with (4), above, the proposed amendments are subject to the administrative procedures and review and appeal provisions accorded "land use decisions" in ORS Chapter 197 and those set forth in OAR Chapter 660 Division 18. OAR 660-011-0045(4) is met.

Overall OAR 660-011 Finding: The amendments comply with OAR 660-011.

Goal 12, Transportation: Not applicable because the proposal does not affect transportation.

Goal 13, Energy Conservation: Not applicable because the proposal does not affect energy.

Goal 14, Urbanization: Not applicable because the proposal does not affect the urban growth boundary.

CONCLUSORY FINDING

The proposed amendments to the Comprehensive Plan are consistent with criteria for a Type IV amendment to the Lafayette Comprehensive Plan and Statewide Goals 1, 2, 9, 10 and 11, and OAR 660-011.