

ORDINANCE NO. 232-15

AN ORDINANCE ESTABLISHING SAFE SCHOOL ROUTES AND AMENDING THE TRANSPORTATION SYSTEM PLAN (TSP) AND THE COMPREHENSIVE PLAN FOR THE CITY OF IRRIGON, OREGON AND DECLARING AN EMERGENCY

WHEREAS, the City Charter authorizes the City of Irrigon to exercise authority within the city over matters of City concern; and

WHEREAS, the City of Irrigon adopted a Comprehensive Plan and Transportation System Plan (TSP) that was acknowledged by the Land Conservation and Development Commission on July 22, 2014; and

WHEREAS, the City of Irrigon has updated the bicycle and pedestrian and transit elements of the TSP, to include Safe School Routes; and

WHEREAS, the City of Irrigon worked with the local Irrigon Schools of Morrow County School District; and

WHEREAS, this joint collaboration promotes bicycle, pedestrian and traffic safety and denotes types of businesses and development that can be cited along the said routes, within the respective zoning; and

WHEREAS, the City has attempted to minimize adverse social, economic development, environmental and safety impacts; and

WHEREAS, the City plans to amend the City Development Code, the Comprehensive Plan, and the TSP; and

WHEREAS, ORS 180.180(10) allows a road authority to establish by ordinance a designated speed for a highway under the jurisdiction of the road authority that is five miles per hour lower than statutory speed; and

WHEREAS, the City of Irrigon published proper and agency hearing notice as required by City Development Code and State Law; and

WHEREAS, the City published proper public and agency hearing notice as required by City Development Code and State law; and

WHEREAS, the City of Irrigon Planning Commission held a public hearing on March 3, 2015; and

WHEREAS, the City of Irrigon City Council held public hearings on March 17, 2015; and

WHEREAS, testimony, including the proposed Findings of Fact and recommendation by of the City of Irrigon Planning Commission on March 3, 2015 was in conformance with Section 10-4A-5, Type IV Procedure (Legislative), of the City of Irrigon Development Code, and forwarded a recommendation of Approval to the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF IRRIGON ORDAINS AS FOLLOWS:

Section 1. Title of Ordinance

This Ordinance shall be known, and may be cited, by the title.

Section 2. Affected Documents

The following items are incorporated herein and are hereby adopted as follows:

1. Exhibit [1] Safe School Routes Map, dated March 17, 2015, attached as an update to the TSP (Appendix E) which is an element of the Irrigon Comprehensive Plan.
2. The City Council may, by separate ordinance, authorize the establishing of a designated speed limit on the streets shown on Exhibit [1]: specifically these streets are US730 between First and Twelfth Streets, North Main between First and Twelfth Streets, Tenth Street between North Main and Washington Avenue, Division Street between US730 and Wyoming Avenue, California Avenue between Division and First Streets, First Street between North Main and Wyoming Avenue, and Columbia Avenue between First Street and Third Street West.

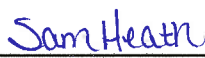
Section 3. Declaration of Emergency. The City Council declares that an emergency exists in order that no delay in implementing this ordinance.

Section 4. Effective Date

This Ordinance shall take effect on May 1, 2015 after adoption

Passed by the Council this 17th day of April, 2015

Approved by:



Sam Heath, Mayor

Attested to:



Aaron Palmquist, City Manager

Final Findings of Fact Safe School Routes

REQUESTS: The amended request is to add a Safe School Route Map to the Transportation System Plan (TSP, Appendix E), an element of the Irrigon Comprehensive Plan. The designation of the Safe School Route will provide guidance and decision-making when and for citing of projects and development(s) along the route, ensuring the safety and health of Irrigon's children and pedestrians.

APPLICANT: City of Irrigon
PO Box 428
Irrigon, OR 97844

PROPERTY LOCATION: The proposal is listed on Exhibit [1], Safe School Route Map and lays within the jurisdiction of Irrigon City Limits, traversing between all three (3) major school location, on California north of IHS ball fields, East side of First Street from US 730 to Wyoming, and along US 730 and around the City's downtown park areas.

I SUMMARY OF APPLICATION AND PROCESS:

Safe School Routes has been a long standing program from the Federal, State, and local levels. Up until a few years ago there were federal grants available to assist local jurisdictions with establishing and enhancing such routes. While funding opportunities have been greatly diminished and for the better part eliminated. However, the creation of Safe School Routes is still a priority and focus of transportation funders and providers. While there may not be direct funding availability having a Safe School Route greatly assists with other project request in meeting the needs of bicycle and pedestrian movements. This is most critical regarding our school children.

Safe School Routes have been addressed for several years in collaboration with local schools and community members.

In June 2014 the City of Irrigon adopted updates to the City's Transportation System Plan (TSP), with amendments to the Comprehensive Plan and Develop Code, pertaining to Bicycle and Pedestrian activities. Within these updates there was clear linkage to Safe School Routes. However, while linkage to the City's TSP was noted there still remained a need for specific clarity and a visual of where and what would be the Safe School Routes within the City of Irrigon. The proposed January 2015 Safe School Routes map provided that missing element and codifies the routes via mapping, placing the document into the TSP.

Staff initiated the adoption of such map and the placement with in the City's TSP for codification and clarity for project delineation and referencing of other transportation and zoning processes that may occur.

Based on the testimony of those in attendance at the March 3, 2015 Planning Commission public hearing, and one letter received, the Planning Commission recommended that the Safe

School Routes be codified and included into the TSP and that that the designations on the map be noted as Safe School Routes in Irrigon.

II SUMMARY OF APPLICABLE CRITERIA: To approve the Planning Commission will need to hold a public hearing and show that requests meet the necessary criteria according to the City of Irrigon's Development Code. Those criteria are presented below in bold print with responses in regular print.

City of Irrigon Development Code

10-4A-5: TYPE IV PROCEDURE (LEGISLATIVE)

A. Pre-application Conference: *A pre-application conference is required for all type IV applications initiated by a party other than the city. The requirements and procedures for a pre-application conference are described in subsection 10-4A-5C of this article.*

Response:

This Type IV procedure was initiated by the City, so this provision does not apply.

B. Application Requirements:

- 1. Application Forms:** *Type IV applications shall be made on forms provided by the city planning official or designee.*
- 2. Submittal Information:** *The application shall contain:*
 - a.** *The information requested on the application form;*
 - b.** *A map and/or plan addressing the appropriate criteria and standards in sufficient detail for review and decision (as applicable);*
 - c.** *The required fee; and*
 - d.** *One copy of a letter or narrative statement that explains how the application satisfies each and all of the relevant approval criteria and standards.*

Response:

This Type IV procedure has been initiated by the City, so an application and fee do not apply. This Type IV proposal consists of the following materials:

- 1.** An update Safe Schools Route Map for the Transportation System Plan (TSP) (Exhibit [1]), which is an amendment to the City of Irrigon Comprehensive Plan, given that the TSP is an element of the Comprehensive Plan;

The proposal staff report, of which these findings of fact are a part, and the attached exhibits constitute the narrative statement that demonstrates how this proposal satisfies the relevant approval criteria and standards established in Section 10-4A-5(F) below.

C. Notice of Hearing:

- 1. Required Hearings:** *A minimum of two (2) hearings, one before the planning commission and one before the city council, are required for all type IV applications, except annexations where only a hearing by the city council is required.*

Response:

This proposal has received public hearings by the Planning Commission on March 3, 2015 and the City Council on March 17, 2015.

- 2. Notification Requirements: Notice of public hearings for the request shall be given by the city planning official or designee in the following manner:**
- a. At least twenty (20) days, but not more than forty (40) days, before the date of the first hearing on an ordinance that proposes to amend the comprehensive plan or any element thereof, or to adopt an ordinance that proposes to rezone property, a notice shall be prepared in conformance with Oregon Revised Statutes 227.186, and mailed to:**
 - (1) Each owner whose property would be rezoned in order to implement the ordinance (including owners of property subject to a comprehensive plan amendment shall be notified if a zone change would be required to implement the proposed comprehensive plan amendment).**
 - (2) Any affected governmental agency.**
 - (3) Any person who requests notice in writing.**
 - (4) For a zone change affecting a manufactured home or mobile home park, all mailing addresses within the park, in accordance with Oregon Revised Statutes 227.175.**
 - (5) Owners of airports shall be notified of a proposed zone change in accordance with Oregon Revised Statutes 227.175.**
 - b. At least ten (10) days before the scheduled planning commission public hearing date, and fourteen (14) days before the city council hearing date, public notice shall be published in a newspaper of general circulation in the city.**
 - c. The city planning official or designee shall:**
 - (1) For each mailing of notice, file an affidavit of mailing in the record as provided by subsection C2a of this section; and**
 - (2) For each published notice, file in the record the affidavit of publication in a newspaper that is required in subsection C2b of this section.**
 - d. The Oregon department of land conservation and development (DLCD) shall be notified in writing of proposed comprehensive plan and development code amendments at least forty five (45) days before the first public hearing at which public testimony or new evidence will be received. The notice to DLCD shall include a DLCD certificate of mailing.**
 - e. Notifications for annexation shall follow the provisions of this chapter.**

Response:

This proposal does not involve a zone change, an annexation, or land where airports are located. Notices of the March 3, 2015 Planning Commission hearing was published in the East Oregonian on February 11, 2015. Affidavits of notice mailing and publishing were filed with Paula Smootz – Eastern Oregonian on February 11, 2015. Notice to the Department of Land Conservation and Development (DLCD) was sent on January 27, 2015, pursuant to

current DLCD rules requiring notice at least 35 days before the first public hearing. Notice to Property Owners on February 9, 2015.

3. Content of Notices: The published notices shall include the following information:

- a. The number and title of the file containing the application, and the address and telephone number of the city planning official or designee's office where additional information about the application can be obtained;**
- b. The proposed site location;**
- c. A description of the proposed site and the proposal in enough detail for people to determine what change is proposed, and the place where all relevant materials and information may be obtained or reviewed;**
- d. The time(s), place(s), and date(s) of the public hearing(s); a statement that public oral or written testimony is invited; and a statement that the hearing will be held under this title and rules of procedure adopted by the council and available at city hall (see subsection E of this section); and**

Response:

The published notices included a brief description, dates, time, places, and item requiring such notice. Additional postings were made via the City web page and postings at various city locations. Agencies noticed were; Angela Houck, Department of Land Conservation and Development, Irrigon Rural Fire Protection District, Morrow County School District, Morrow County Health District, Morrow County Planning Department, and ODOT Region 5.

4. CITIZEN INVOLVEMENT (Irrigon Comprehensive Plan) - To develop a citizen involvement program that insures opportunity for citizens to participate in all phases of the planning process:

It Shall Be City Policy:

- To encourage people to attend and participate in planning commission and city council meetings and hearings.**
- To establish advisory committee as necessary to study community problems and make recommendations for their solution.**
- To make technical reports available for public inspection.**

Response:

The map update offered several opportunities to inform and involve the community, including public hearings on March 3, 2015. A separate City Council meeting, held on March 17, 2015 provided the public opportunity to review the proposed Safe School Routes map. Draft of the map and supporting materials were made available via email to City Councilors, Planning Commissioners, and available at City Hall for public review and/or request.

D. Decision Making Criteria: The recommendation by the planning commission and the decision by the city council shall be based on the following factors:

- 1. Approval of the request is consistent with the statewide planning goals; and**
- 2. Approval of the request is consistent with the comprehensive plan; and**
- 3. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.**

Response:

The intent of this proposal to adopt a Safe School Routes map is to provide the city with a clear delineation for safe movement and location of children. The proposal's consistency with Statewide Planning Goals and the City of Irrigon Comprehensive Plan is demonstrated in the findings of fact below.

III RECOMMENDATION OF THE IRRIGON PLANNING COMMISSION 3/3/2015:

Based on public testimony and the deliberations of the Planning Commission it is recommended that the City of Irrigon hold their scheduled hearing and consider the following:

- Adopt the Safe School Routes map, adding the map to Appendix E of the Irrigon Transportation System Plan (TSP).
- The protection and safety of Irrigon's children is paramount at all times and locations but such a safe route provides clarity and location for consistency and standardization.
- Findings in support of this recommendation are outlined above under the review criteria.

VI DELIBERATION OF THE IRRIGON CITY COUNCIL 3/17/2015:

Based on public testimony and the deliberations the City Council accepted the recommendation of the Planning Commission while adding the section of Tenth Street between NE Main and Washington Avenue to the Safe School Route Map.

Irrigon Safe School Route March 17, 2015

