

PUBLIC HEARINGS AGENDA

CITY OF WILLAMINA
411 NE C Street – P O Box 629
Willamina, OR 97396
503-876-2242 fax 503-876-1121

STAFF REPORT
Zone Change/Comprehensive Plan Map Amendment 2019-02
City Council Hearing – January 14, 2020

I. BACKGROUND

REPORT DATE: January 7, 2019
FILE NUMBER: ZC 2019-02/CPMA 2019-02
APPLICANT: Tony and Peter Scherbakor; P.O. Box 436, Mt. Angel, OR 97362
OWNER: Harold Miller; P.O. Box 989, Jefferson, OR 97352
LOCATION: Yamhill County Assessor’s Map/Tax Lot: 6701AC/2200, 2300, 2400, 2500, 2600, 2700
ADDRESS: No situs address
SIZE: Approximately 48,240 square feet
CURRENT USE: One existing single-family dwelling
ZONING: Single-Family Residential (R-1)
REQUEST: Proposal is for a Zone Change and Comprehensive Plan Map Amendment. The current zoning is Single family Residential (R-1). The proposed zoning is Two-Family Residential (R-2).

CRITERIA: **Willamina Development Code:**
Section 2.101: Single Family Residential (R-1)
Section 2.102: Two Family Residential (R-2)
Section 3.102: Zone Change

EXHIBITS: A: Location Map
B: Applicant Materials
C: Agency Comment, City Engineer (Revised 121019)
D: Agency Comment, Fire

II. OVERVIEW

Project Description:

Proposal is for a Zone Change and Comprehensive Plan Map Amendment. The current zoning is Single family Residential (R-1). The proposed zoning is Two-Family Residential (R-2).

Zone Change and Comprehensive Plan Map Amendments are Type III actions. A Type III action is a quasi-judicial process in which the City Council applies a mix of objective and subjective standards. The Planning Commission has an advisory role. Public notice is provided and public hearings are held at the Planning Commission and City Council. Section 3.202 lists the notice requirements. Appeal of the decision is to the Land Use Board of Appeals (LUBA).

Notice of the hearings before the Planning Commission and City Council was sent to all property owners within 100 feet of the boundaries of the subject property on November 1, 2019, twenty days before the first scheduled hearing.

Notice of this hearing was published in the News-Register, in accordance with Section 3.202 of the Willamina Development Code.

A request for comment was sent to the City Public Works Department, City Engineer, and the Fire Department. Comments received from the City Engineer are incorporated into the findings and conditions of approval of this staff report, and can be found in their entirety as Exhibits C and D.

The City Engineer provided revised agency comment, dated December 10, 2019, which is incorporated in this report and is included as Exhibit C.

The Planning Commission held a duly noticed public hearing on the proposal on November 21, 2019. After review of the staff report, and testimony from the applicant and the public, the Planning Commission deliberated on the proposal and voted to recommend approval to the City Council.

The subject site is an existing subdivision. The current proposal is for a zone change and comprehensive plan map amendment only. The City Attorney has provided an opinion that the applicant must comply with the City's current Development Code standards with any future development of the site, which includes all required street improvements.

III. CRITERIA AND FINDINGS

According to the Willamina Development Code, Section 3.102, zone change proposals shall be approved if the applicant provides evidence substantiating the criteria listed below.

A. The proposed zone is appropriate for the Comprehensive Plan land use designation of the property and is consistent with the description and policies for the applicable Comprehensive Plan land use classification

Applicant Response: Proposing to change zone from R1 to R2 so that the side setbacks will change from 7.5 feet to 5 feet which will then allow us to build a wider house.

Findings: The proposal for a Zone Change is concurrent with a proposal for a Comprehensive Plan Map Amendment. If both amendments, to the zoning map and to the Comprehensive Plan map, are approved, the zone will be appropriate for the Comprehensive Plan land use designation. Staff finds this criterion is met.

B. The uses permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity

Applicant Response: No change to lot lines. No changes to boundaries.

Findings: The proposed zoning for this site will allow for the existing use, which is residential. The subject site is capable of meeting the dimensional requirements of the C-2 Zone for the existing and proposed use. Staff finds this criterion is met.

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

Applicant Response: Proposed development meets Ordinance 679, amending Section 2.102 of the Willamina Development Code.

Findings: Development standards for the Two-Family Residential (R-2) zone are outlined in Section 2.102 of the Willamina Development Code. Residential development can be provided in compliance within the development standards. Staff finds this criterion is met.

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

Applicant Response: Utility services are provided by the local municipality.

Findings: Adequate public facilities are available to the site as it is adjacent to existing urban development, with the exception of a street to provide access to any future development on the site. The proposal was reviewed by the City Public Works Director, City Engineer, and the Fire Department. Comments from the City Engineer and Fire Department are summarized here and in the conditions of approval, and can be found in their entirety in Exhibits C and D.

Street improvements and access to 6th, rather than 5th, would be in the best interest of the City. Improvement of 6th Street would serve the future developments to the north of 6th Street, provide better connectivity to existing homes on 6th, and would be a step toward connection through to the 5th Street to the east, as noted in the Transportation System Plan. Additionally, it has been found that the existing platted lots do not meet utility requirements for proper residential development. Requirements relating to utilities and streets are included in the **Conditions** of approval. Staff finds this criterion can be met as conditioned.

E. For residential zone changes, the criteria listed in the purpose statement for the proposed zone shall be met

Applicant Response: Because the R2 zone allows 5 foot side setbacks.

Findings: The purpose of the R-2 District is to provide areas for the development of a mixture of single-family, duplex and triplex housing opportunities at densities between 5 and 7 units per acre. The R-2 District is consistent with the Moderate Density Residential Comprehensive Plan designation. The applicant has no proposal to divide the subject site, as the lots are already platted by subdivision. Staff finds this criterion is met.

STATEWIDE PLANNING GOALS

Goal 1: *Citizen Involvement.* The public will be given the opportunity to voice their concerns at the public hearings before the Planning Commission and the City Council and will be notified of decisions made on the application. Staff finds this criterion is met.

Goal 2: *Land Use Planning.* Establishes a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions. The review of this application is being conducted according to the procedures set forth in the Willamina Development Code, Section 3: Procedure for Type III Review and Section 3.102: Zone Change. The application is being considered for conformance with the standards set forth in Section 2.102: Two-Family Residential Zone, as well as for its adherence to the broader goals of the Comprehensive Plan. Staff finds this criterion is met.

Goals 3: *Agricultural Lands.* This goal is not applicable. The subject property is not agricultural land and is located inside the urban growth boundary.

Goal 4: *Forest Lands.* This goal is not applicable. The subject property is not forest land and is located inside the urban growth boundary.

Goal 5: *Natural Resources, Scenic and Historic Areas, and Open Areas.* This goal aims to protect natural resources and conserve scenic and historic areas and open spaces. This goal is not applicable. The subject property contains no significant natural resources.

Goal 6: *Air, Water and Land Resources.* This goal is not applicable. The subject property contains no significant air, water, or land resources.

Goal 7: *Areas Subject to Natural Disasters and Hazards.* This goal is not applicable. The subject property is not within the flood zone.

Goal 8: *Recreation Needs.* This goal is not applicable. This proposed change does not impact recreational lands within the City.

Goal 9: *Economy of the State.* This goal is not applicable. The proposed change is from a residential zone to a higher density residential zone.

Goal 10: *Housing.* The proposed change to Two-Family Residential (R-2) will allow for all residential uses allowed in the R-1 and R-2 zones. Staff finds this criterion is met.

Goal 11: *Public Facilities and Services.* Goal 11 requires a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural

development. The City Public Works Director, City Engineer, and Fire Department have reviewed the proposal and find that public facilities are available to the site, and have made recommendations for improvements that shall be required before the application of building permits. Staff finds this criterion can be met as conditioned.

Goal 12: *Transportation.* No change to the subject site's impact

Goal 13: *Energy Conservation.* The comprehensive plan of the City of Willamina encourages energy efficient development. The property is already within the city's urban growth boundary. Staff finds this criterion is met.

Goal 14: *Urbanization.* Goal 14 provides for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities. The proposal to rezone the subject site from R-1 to R-2 provides options that will serve the purpose of the R-2 zone as a residential zone. Staff finds this criterion is met.

Goals 15-19. These goals apply to specific geographic locations, none of which are impacted here. Staff finds these goals do not apply.

IV. CONCLUSIONS AND RECOMMENDED CONDITIONS OF APPROVAL

Because the application satisfies the required criteria, as indicated above, staff recommends City Council APPROVAL for a Zone Change and Comprehensive Plan Map Amendment to change the zoning and designation of the subject site from R-1 to R-2, subject to the following conditions of approval.

Conditions of Approval are to be completed before application for a Building Permit

1. ROW dedication shall be made for the extension of 6th Street and to provide frontage to Lots 5 and 6. Any ROW acquisition costs must be borne by the developer.
2. The applicant shall make $\frac{3}{4}$ street improvements to 6th Street along the northern frontage of the subject site. Improvements must meet the most recently adopted Public Improvements Design standards and shall be in accordance with Section 2.202.04 of the Willamina Development Code for a local street:
 - a. Paved travel lanes: 20 feet
 - b. Paved parallel parking on the south side of the roadway: 8 feet
 - c. Curb and gutter on the south side of the roadway (frontage side)
 - d. Gravel strip: 2 feet
 - e. Sidewalk: 5 feet on the frontage side (south)
3. A turn around approved by the Fire Department shall be provided, designed per the most recently adopted Public Improvements Design Standards and shall be in accordance with Section 2.202 of the Willamina Development Code.

4. Applicant shall provide a grading and drainage report prepared by an Oregon registered professional engineer, including calculation of pre/post development peak flows and justification of stormwater facilities provided (2.204.04(A)).
 - a. Provide stormwater detention facilities as needed to limit post flows to pre-development flows. Facilities must also provide water quality components (2.204.04(A)(6) & (5)).
 - b. Applicant shall show location of proposed stormwater facilities on the site plan.
5. Water services shall be extended to the development and individual lots. All necessary easements shall be granted if located outside of ROW (2.205.02). Water services must meet the most recently adopted Public Improvement Design Standards.
6. Sanitary services shall be extended to the development and individual lots. All necessary easements shall be granted if located outside of ROW (2.205.02). Sanitary services must meet the most recently adopted Public Improvement Design Standards.
7. Future residential development of the subject lots shall be oriented toward 6th Street and shall access from 6th Street.
8. Unless street improvements are provided to 5th Street, a fence or wall shall be constructed along the southern property line of the subject site in order to prevent access from these properties to the unimproved 5th Street.
9. All improvements shall comply with the requirements of the most recently adopted Public Improvements Design Standards of the City.

V. CITY COUNCIL ACTION

In response to the request for approval of Zone Change (ZC 19-02)/Comprehensive Plan Map Amendment (CPMA 19-02), the City Council may take one of the following actions:

- A. Make a motion for approval of ZC/CPMA, including the findings and conditions of approval as recommended by staff in the staff report; or
- B. Make a motion for approval of ZC/CPMA 19-02 to the City Council with modified findings, conclusions and/or conditions as determined by the City Council; or

Note: The Council member making the motion needs to state the reasons for the modifications and any revised conditions of approval.

- C. Make a motion to continue the public hearing to a date and time certain and indicate the additional information needed to allow for a future decision; or
- D. Make a motion to deny the application.

Note: The Council member making the motion needs to state the reasons for denying the application.

Recommended Motion: I make a motion for approval of the proposal for Zone Change and Comprehensive Plan Map Amendment 19-02, based upon the findings as indicated in the staff report and including the conditions of approval as presented in the staff report.

City of Willamina
411 NE "C" Street
PO Box 629
Willamina OR 97396
Telephone: 503-876-2242
Fax: 503-876-1121
ci.willamina.or.us

PLANNING APPLICATION FORM

Property Address: Valley View Addition

Assessor's Map & Tax Lot Polk Yamhill
R6701 AC. Tax Lot(s) 02700, 02600, 02500,
Tax Lot(s) 02400,
02300, 02200

Zoning R-1

Project Type (Please check all applicable):

- Annexation
- Conditional Use
- Home Occupation
- Lot Line Adjustment
- Non-Conforming Use
- Partition
- Signs
- Similar Use
- Subdivision and Planned Unit Development
- Variance
 - Minor
 - Major
- Zone Change
- Other: Zone Change

Size of the Project (# of units, lots, sq. ft., etc.):
6 existing lots rezoned from R-1 to R-2

Attachments:

- (4) folded Maps/Site Plan to scale (if larger than 11" x 17")
- (1) 8 1/2" x 11" reduced copy of site plan
- Written Narrative/Response to Criteria
- Power of Attorney (if applicable)

Description of Request

(include name of project and proposed uses)

Applicant is requesting the six existing tax lots to be rezoned from R-1 zoning to R-2 zoning.

Property Owner: Harold Miller
Address: PO BOX 989
Jefferson OR 97352
Phone: _____

Applicant: Tony Scherbakov
Address: PO Box 436
Mt. Angel OR 97362
Phone: 503-510-9183
Peter Scherbakov 503-956-0390

Authorized Representative (if different from applicant):
Tony Scherbakov
Address: Same as Applicant
Peter Scherbakov
Phone: _____

Surveyor or Engineer (if applicable):
Fortey Five North Surveying LLC
Address: 1583 Country Glen Ave.
NE Keizer OR 97302
Phone: 503-558-3330

CERTIFICATION: I hereby certify that the information on this application is correct and that I own the property or the owner has executed a Power of Attorney authorizing me to pursue this application (attached).

Harold M. Miller 10-27-19
(Signature of Owner or Attorney-in-Fact) Date

(Signature of Additional Owner) Date

(For Office Use)
Date Application Received: 10-28-19
Date Application Complete: _____
Pre-app required? Y N Pre-app # _____
Fee Paid: _____ Initials: (DB)
File Number: _____

(For Office Use)

COMPLETE PER: Engineering _____
(Req'd Zn Chg, SPR, & Land Divisions)
Planning _____

A Zone Change Application Includes:

- Application cover page (submitted to City)
- Explanation of Type III Action (copy for applicant)
- Site plan or drawings, as applicable (submitted to City)
- Written explanation of zone change request:
Applicant would like to change the current R-1 Zoning
to R-2 Zoning for the purpose of maximizing the yard
setbacks to accommodate home placement with the current grade
of land. (The land is sloped, wider home width rather than deeper
to accommodate design & construction needs.)

- Written response to criteria (attached)
- Deposit Fee: \$1500.00 (Resolution No.16-17-013, May 9, 2017)

Applicants are required to reimburse the City for any and all costs associated with their Land Use Applications. Deposit amounts are based on City Planner, City Engineer, City Attorney and other occurred costs or fees associated with land use applications, must be paid in full by the applicant prior to the City of Willamina signing off on any land use decision. In the event that costs do not exceed the initial application deposit, the City shall reimburse the unused portion of the applicant's deposit.

Zone Change – Written Response to Criteria

Criteria the City Council uses to make a decision.

The applicant is required to submit written responses that provide evidence substantiating all of the following:

Willamina Development Code, Section 3.102.03

- A. The proposed zone is appropriate for the Comprehensive Plan land use designation on the property and is consistent with the description and policies for the applicable Comprehensive Plan land use classification.

Response: Purposing to change zone from R1 to R2 so that the side set backs will change from 7.5' to 5' which will then allow us to build a wider house.

- B. The uses permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity.

Response: No change to lot lines, no changes to boundaries.

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

Response: Purposed development meets ordinance 679 amending section 2.102 of the Willamina development code

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

Response: Utilities services are provided by local municipality

- E. For residential zone changes, the criteria listed in the purpose statement for the proposed zone shall be met.

Response: Because the R2 zone allows 5' side set backs

- F. The following additional criteria shall be used to review all non-residential changes:

1. The supply of vacant land in the proposed zone is inadequate to accommodate the projected rate of development of uses allowed in the zone during the next 5 years, or the location of the appropriately zoned land is not locationally or physically suited to the particular uses proposed for the subject property, or lack site specific amenities required by the proposed use.
2. The supply of vacant land in the existing zone is adequate, assuming the zone change is granted, to accommodate the projected rate of development of uses allowed in the zone during the next 5 years.
3. The proposed zone, if it allows uses more intensive than other zones appropriate for the land use designation, will not allow uses that would destabilize the land use pattern of the area or significantly adversely affect adjacent properties.

Response: N/A

If additional space is needed, please attach an additional page(s).

Process Sheet: Type III Action Summary

City Council Decision

A Type III action is a quasi-judicial review in which the City Council applies objective and subjective standards that allow considerable discretion. The Planning Commission provides a recommendation to the City Council. Public notice is provided for the Planning Commission and City Council public hearings.

Application Submittal

The applicant submits an application that includes the following:

- Cover page,
- Any required written responses, and
- Any required or supplemental drawings or maps.

Application Review

Although the City tries to take less than the allowed time, City staff has 30 days to review the application to determine its completeness.

Incomplete Application

If the application is deemed incomplete, the City contacts the applicant regarding the missing information. The incomplete letter explains the process and timing to submit the additional details.

Application Deemed Complete

When the application is deemed complete, the City schedules a public hearing before the Planning Commission at their next available meeting date. The Commission meets on the first Tuesday of every month. The City also schedules another public hearing before the City Council. Council's regular meeting date is the second Thursday of the each month.

Public Notice

The City publishes a newspaper notice, and mails a written notice of the hearings to property owners within 100 feet of the subject property at least 10 days prior to the Commission hearing and at least 20 days prior to the Council hearing.

Timing of Application Submittal

It is advisable to submit an application a minimum of 30 days prior to Commission hearing dates to allow time for its review and the preparation of required public notices. If an application is incomplete, the City schedules a hearing based upon submittal of the additional information.

Decision

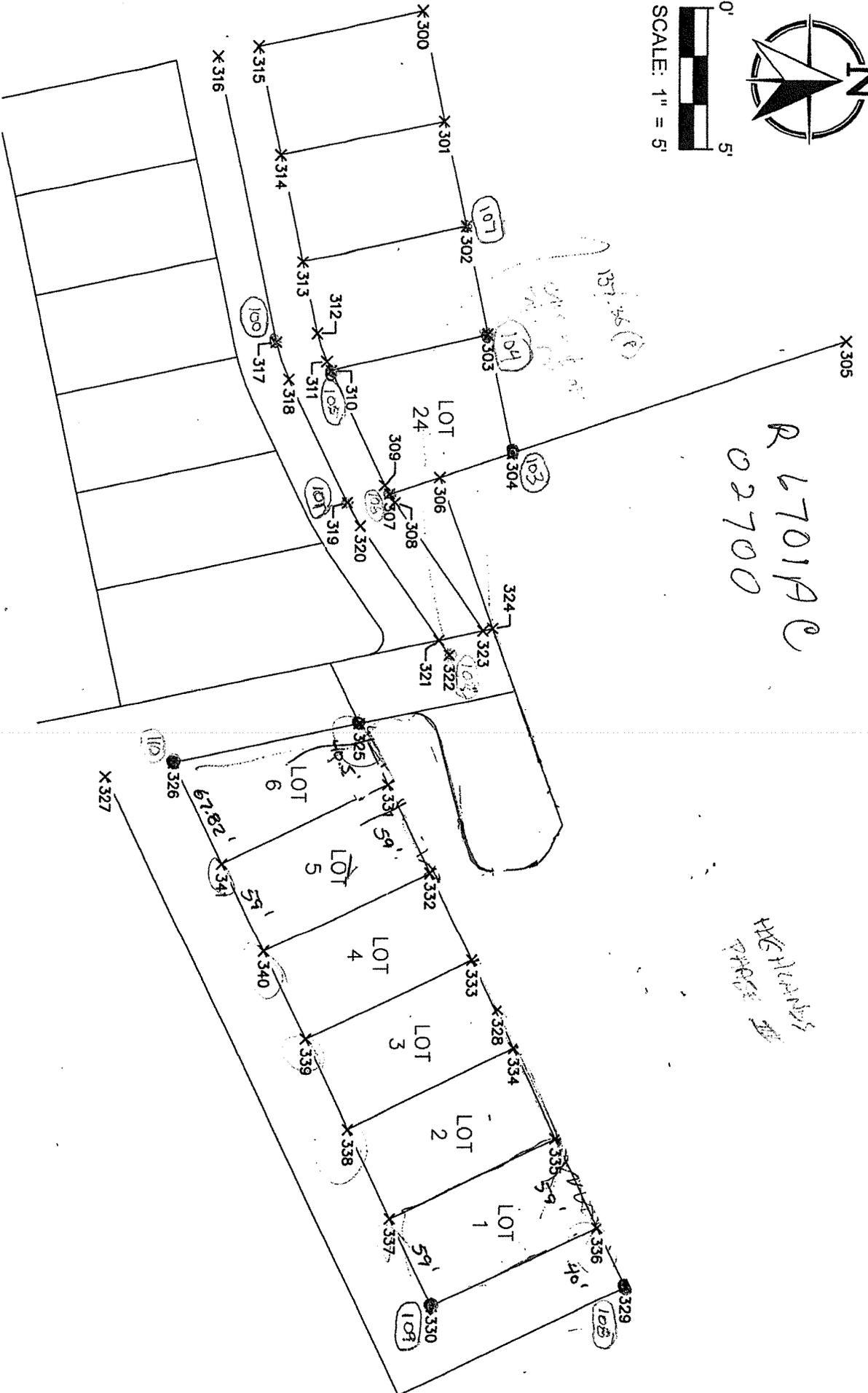
The Planning Commission makes a recommendation to the City Council. City Council usually makes an oral decision after conducting and then closing the public hearing. Based on the oral decision a written resolution is prepared and passed at the next meeting, or an ordinance is prepared and passed by the Council at their next two (2) meetings. A notice of the decision is mailed to the applicant and those parties who participated in the public hearing process. The process allows a 21-day period to submit a Notice of Intent to Appeal to the Oregon Land Use Board of Appeals (LUBA). If no Notice of Intent to Appeal is submitted, the decision is final on the 22nd day.



SCALE: 1" = 5'

R 6701A C
02700

HEAVENLY
APPROX



Steve
Hansen

EXHIBIT MAP

IN THE XX 1/4 OF SECTION XX,

T.XX., R.XX., W.M.

XXXX COUNTY, OREGON

DATE: XXXX

SURVEYED FOR: XXXX



FORTY FIVE NORTH
SURVEYING, LLC

1583 Country Glen Ave, NE, Keizer, OR 97303
P: (503) 558-3330 E: info@ffnsurveying.com

JOB NO.
XX-XXX

SHEET
1/X

City Engineer – Recommended Conditions of Approval**December 10th, 2019**

Project: Harold Miller Property Zone
Change
142 NW Main St

Zoning: Single Family Residential – R1 **Client:** City of Willamina

Tax Lot: 02200, 02300, 02400, 02500,
02600, 02700

FINDING

Regarding zone change from R-1 to R-2 and future development of the 6 lots adjacent to 5th and 6th street (taxlots 02200 to 02700), it has been found that street improvements and access to 6th, rather than 5th, would be in the best interest of the City. Improvement of 6th street would serve the future developments to the north of 6th street, provides better connectivity to existing homes on 6th, and would be a step towards connection through to the 5th street to the east as noted in the transportation system plan. Additionally, it has been found that the existing platted lots do not meet utility requirements for proper residential development.

The following recommended conditions of approval should be completed at the cost of the developer prior to issuance of any building permits for the subject lots to ensure development in accordance with City Standards and Code.

RECOMMENDED CONDITIONS OF APPROVAL

1. ROW dedication shall be made for the extension of 6th street and to provide frontage to Lots 5 and 6, any ROW acquisition costs must be borne by the developer
2. The applicant shall make $\frac{3}{4}$ street improvements to 6th street along the northern frontage of the subject site. Improvements must meet the most recently adopted Public Improvements Design Standards and shall be in accordance with section 2.202.04 of the Willamina Development Code for a local street:
 - a. Paved travel lanes: 20-feet
 - b. Paved parallel parking on the South side of the roadway: 8-feet
 - c. Curb and gutter on the South side of the roadway (frontage side)
 - d. Gravel strip: 2-feet
 - e. Sidewalk: 5-feet on the frontage side (South)
3. A turn around approved by the fire department shall be provided designed per the most recently adopted Public Improvements Design Standards and shall be in accordance with section
4. Provide grading and drainage report prepared by an Oregon registered professional engineer including calculation of pre/post development peak flows and justification of stormwater facilities provided – (2.204.04(A))
 - a. Provide stormwater detention facilities as needed to limit post flows to pre development flows, facilities must also provide water quality components - (2.204.04(A)(6)&(5))
 - b. Show location of proposed stormwater facilities on site plan



5. Water services shall be extended to the development and individual parcels and grant any necessary easements if located outside of ROW (2.205.02). Water services must meet the most recently adopted public improvement design standards.
6. Sanitary services shall be extended to the development and individual lots and grant any necessary easements if located outside of ROW (2.205.02). Sanitary services must meet the most recently adopted public improvement design standards.
7. Future residential development of the subject lots shall be oriented toward 6th street and shall access from 6th street
8. Unless street improvements are provided to 5th street, a fence or wall shall be constructed along the southern property line of the subject site in order to prevent access from these properties to the unimproved 5th street
9. All improvements shall comply with the requirements of the most recently adopted Public Improvements Design Standards of the City

From: [Debbie Bernard](#)
To: [Brosnan, Lisa](#)
Subject: FW: Direction needed for Zone Change application - Miller
Date: Thursday, January 2, 2020 9:16:04 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)

External: Please report suspicious email to security@wesd.org

From: Damon Schulze [mailto:dschulze@sheridanfd.org]
Sent: Tuesday, December 10, 2019 4:57 PM
To: Debbie Bernard <BernardD@ci.willamina.or.us>
Subject: RE: Direction needed for Zone Change application - Miller

Hi Debbie,

We agree with the proposed changes to 6th street as stated below. However, because it is longer than 150', we would require an approved turnaround to be provided at the end of the street. Please see the attached Diagram 2-A out of the Oregon Fire Code Application Guide with the approved turnarounds.

Damon Schulze
Deputy Chief

From: Debbie Bernard <BernardD@ci.willamina.or.us>
Sent: Tuesday, December 10, 2019 4:35 PM
To: Damon Schulze <dschulze@sheridanfd.org>
Subject: FW: Direction needed for Zone Change application - Miller

See the attachment.

From: Jesse Fields [mailto:jfields@Kellerassociates.com]
Sent: Tuesday, December 10, 2019 1:53 PM
To: Brosnan, Lisa <LBrosnan@mwvcog.org>; Kenna West <westk@ci.willamina.or.us>; Debbie Bernard <BernardD@ci.willamina.or.us>; Jeff Brown <BrownJ@ci.willamina.or.us>; Peter Olsen <polsen@Kellerassociates.com>; dschulze@sheridanfd.org
Subject: RE: Direction needed for Zone Change application - Miller

Lisa/Debbie,

I apologize for the last minute delivery here. I had been waiting to discuss with Lisa but hadn't been able to connect. Peter and I are ok with where this sits as attached.

Thanks and see you tonight!

	<p>JESSE FIELDS, EI Project Engineer CELL 503-999-1434 OFFICE 503-364-2002 245 Commercial St SE, Suite 210, Salem, OR 97301 kellerassociates.com</p>
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From: Brosnan, Lisa <LBrosnan@mwvcog.org>

Sent: Thursday, December 5, 2019 8:08 AM

To: Kenna West <westk@ci.willamina.or.us>; Debbie Bernard <bernardd@ci.willamina.or.us>; Jeff Brown <brownj@ci.willamina.or.us>; Peter Olsen <polsen@Kellerassociates.com>; Jesse Fields <jfields@Kellerassociates.com>; dschulze@sheridanfd.org

Subject: Direction needed for Zone Change application - Miller

Hello Everyone,

The Willamina City Council will take a vote on an application for a zone change and comprehensive plan map amendment next Tuesday, December 10th. You have all seen this application, but I have a specific question for you that requires your feedback before the hearing.

Mr. Miller proposes a zone change from R1 to R2 for 6 lots, east of Churchman, that were platted in 1947. Currently, there is no suitable access to these lots, although the site is adjacent to both an existing ROW for 5th Street to the south and what could be a continuation of 6th Street to the north. The City will require that one of these be improved with ¾ street improvements (two travel lanes, and parking and sidewalk on one side). The Planning Commission has made a recommendation that 5th Street be improved, which is what the applicant would prefer (I think).

My question is this: would the City prefer that 6th Street be improved, instead of 5th, as it would seem that 6th Street would be a better connection to 5th Street to the east, near E Street, in the future? Or, would 5th Street be a better way to make this connection?

Also, in consideration of fire safety and access, if only a ¾ street is required for either of these streets, would a turnaround be required?

Please let me know your thoughts by the end of this week, so that we can all be on the same page regarding this before the Council hearing.

Thanks for your help.

Lisa

Lisa Brosnan
Associate Planner
Mid-Willamette Valley Council of Governments
100 High Street, SE, Suite 200
Salem, OR 97301
Phone: 503.540.1616
FAX: 503.588.6094
www.mwvcog.org



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FY 2019-2020- First Supplemental Budget Reallocation

Exhibit A

	A	B	C	D	E	F	G	H
1	Line Item Number	Line Item Name	Budget	Increase	Decrease	Adj Budget	From / To	Explanation / Notes
2	GENERAL FUND							
3	GRANTS							
4	10-81-4813	YC Econ. Dev.	0.00	21,674.00		21,674.00		Restricted grant received during fiscal year/Inc. Grant Yng Grant
5	10-81-4818	Nike CIF	0.00	18,500.00		18,500.00		Restricted grant received during fiscal year
6	10-18-5913	YC Econ. Dev.	0.00	21,674.00		21,674.00	From 10-81-4813	
7	10-18-5918	Nike CIF	0.00	18,500.00		18,500.00	From 10-81-4818	
8								
9	ADMINISTRATION							
10	10-10-4905	Sale of City Asset	0.00	1,000.00		1,000.00		Unexpected sale of old tractor = increased revenue
11	10-12-5820	Community Event	600.00	1,800.00		2,400.00	\$1,000 from 10-13-5350 and	Canceled 2 events and increased capacity for 1 event
12							\$800 from 10-13-5355	
13	10-12-5819	Community Asstnce	5,000.00	15,600.00		20,600.00	\$600 from 10-13-5307	Increased for assistance to community in response to COVID19
14							\$14,000 from 10-17-4583 and	
15							\$1,000 from incrsd revnu(4905)	
16	10-12-5230	Printing/Publishing	4,000.00	3,500.00		7,500.00	From 10-12-5342	Unexpected increase in printing expenses
17	10-12-5504	Repairs-Maintenance	6,500.00	12,500.00		19,000.00		Project planned in FY 18-29, but completed in FY 19-20
18	10-12-5600	Equipment	4,000.00	3,000.00		7,000.00	From 10-12-5606	Unexpected equip needs in response to COVID19
19	10-12-5606	Equipment Lease	7,200.00		3,000.00	4,200.00	To 10-12-5600	
20	10-12-5342	Conferences/Trng	8,500.00		3,500.00	5,000.00	To 10-12-5230	
21								
22	PLANNING							
23	10-17-4583	Planning Fees	10,000.00	14,000.00		24,000.00		Unexpected increase in building/housing
24	10-17-4583	Planning Fees	24,000.00		14,000.00		To 10-12-5819	Reallocation in response to COVID19 community needs
25								
26	LIBRARY							
27	10-65-4560	Fines	0.00	330.00		330.00		Fines received before moratorium on fines instituted
28	10-65-4711	CCRLS Net Lending	0.00	7,200.00		7,200.00		
29	10-65-4714	CCRLS Rural Patron	0.00	16.00		16.00		
30	10-65-4811	Ready to Read Grant	1,000.00	1,700.00		2,700.00	To 10-65-4811	Additional funds from CCRLS due to canceled programs
31	10-65-4813	OCF Renovation Grnt	0.00	20,000.00		20,000.00		Restricted grant received during fiscal year
32	10-65-5126	Postage	200.00	300.00		500.00	From 4560/4711/4714	Increased mailing due to COVID19 remote service
33	10-65-5137	Supplies	3,000.00	2,200.00		5,200.00	From 4560/4711/4714	Increased supplies costs due to COVID19 remote service

FY 2019-2020- First Supplemental Budget Reallocation

Exhibit A

	A	B	C	D	E	F	G	H
34	10-65-5320	Dues, License, Permits	600.00	350.00		950.00	From 4560/4711/4714	Unexpected increase in permit/license costs
35	10-65-5415	Utilities	3,700.00	1,000.00		4,700.00	From 4560/4711/4714	Unexpected increase in utility expenses
36	10-65-5600	Equipment	100.00	1,350.00		1,450.00	From 4560/4711/4714	Unexpected failure of equipment / purchase new printer
37	10-65-5912	Grnt Exp-Rdy to Read	1,000.00	1,850.00		2,850.00	\$1700 from 10-65-4800 and	
38							\$150 from 4560/4711/4714	
39	10-65-5914	OCF Renovation Grt	0.00	20,000.00		20,000.00	From 10-65-4813	Restricted grant funds received during fiscal year
40								
41	MUSEUM							
42	10-67-4816	Donations	17,000.00	2,800.00		19,800.00		Annual fundraiser donations received
43	10-67-5200	Contract Services	0.00	350.00		350.00	From 10-67-5413	
44	10-67-5233	Technology Services	600.00	50.00		650.00	From 10-67-5413	
45	10-67-6000	Capital Outlay	4,000.00	7,000.00		11,000.00	\$1500 from 10-67-5413 and	New pavement, parking blocks, handicap access, and
46							\$4,000 from 10-67-5504	cover for the historic fire truck
47							\$1,500 from new rev (4816)	
48	10-67-5413	Telephone	2,200.00		1,900.00	300.00	\$350 to 10-67-5200 and	
49							\$50 to 10-67-5233 and	
50							\$1500 to 10-67-6000	
51	10-67-5504	Repair-Maintenance	7,500.00		4,000.00	3,500.00	To 10-67-6000	
52	10-67-9990	Reserve for Future	3,000.00	2,700.00		5,700.00		New revenue (4816) plus additional donations
53								
54	COUNCIL							
55	10-13-5307	Community Project	1,000.00		600.00	400.00	To 10-12-5819	Reallocation in response to COVID19 community needs
56	10-13-5350	Volunteer Apprection	1,000.00		1,000.00	0.00	To 10-12-5820	Canceled event and increased capacity for Trunk-or-Treat
57	10-13-5355	Council Expense	2,000.00		800.00	1,200.00	To 10-12-5820	Canceled event and increased capacity for Trunk-or-Treat
58								
59	PUBLIC SAFETY							
60	10-18-5342	Conf/Training	500.00	125.00		625.00	From 10-18-5233	Unexpected increase in conference expense
61	10-18-5413	Telephone	700.00	550.00		1,250.00	From 10-18-5233	New cell phone compatible with asset mgmt program
62	10-18-5233	Tech Svcs	1,450.00		675.00	775.00	To 10-18-5342 & 5413	
63								
64	PARKS							
65	10-66-5040	Benefits	3,600.00	11,000.00		14,700.00	From 10-66-6000	Moved employee full-time to Parks was split b/t departments
66	10-66-5060	PERS	1,500.00	500.00		2,000.00	From 10-66-6000	

FY 2019-2020- First Supplemental Budget Reallocation

Exhibit A

	A	B	C	D	E	F	G	H
67	10-66-5415	Utilities	3,000.00	1,000.00		4,000.00	From 10-66-6000	
68	10-66-6000	Capital Outlay	15,000.00		12,500.00	2,500.00	\$11,000 to 10-66-5040 and	
69							\$500 to 10-66-5060 and	
70							\$1000 to 10-66-5415	
71								
72	PUBLIC WORKS-OP							
73	10-72-5137	Supplies	6,000.00	1,300.00		7,300.00		
74	10-72-5342	Conf/Seminar/Trng	1,500.00	2,196.00		4,196.00	From Inc Rev (4560/4711/4714)	
75	10-72-5415	Utilities	9,000.00	1,000.00		10,000.00	From 10-72-5344	
76	10-72-5504	Repairs-Maintenance	5,000.00	1,500.00		6,500.00		
77	10-72-5507	Equipment-Maintenc	1,000.00	3,000.00		4,000.00		
78	10-72-5600	Equipment	1,500.00	6,500.00		8,000.00		
79	10-72-5344	Travel	1,000.00		1,000.00	0.00	To 10-72-5415	
80								
81	STREETS							
82	20-81-4850	Small City Grant	88,700.00	100,000.00		188,700.00		Restricted grant funds expected to be received in this FY
83	20-11-5504	Repairs-Maintenance	3,000.00	2,000.00		5,000.00	From 20-11-5204	
84	20-11-5522	Street Maintenance	20,000.00	15,000.00		35,000.00	\$5,000 from 20-11-5204	
85							\$5,000 from 20-11-5200	
86							\$1,000 from 20-11-5600 and	
87							\$4,000 from alt. source	
88	20-81-5909	Grant Exp Small City	120,000.00	100,000.00		220,000.00	From 20-81-4850	
89	20-11-5204	Engineering	10,000.00		7,000.00	3,000.00	To \$2,000 to 20-11-5504 and	
90							\$5,000 to 20-11-5522	
91	20-11-5200	Contract Services	5,000.00		5,000.00	0.00	To 20-11-5522	
92	20-11-5600	Equipment	1,500.00		1,000.00	500.00	To 20-11-5522	
93								
94	WATER							
95	30-10-4581	Penalty and Fees	2,000.00		4,600.00	6,600.00		Unexpected increase in late payments & resultant fees
96	30-11-5120	Gas-Oil	2,000.00	850.00		2,850.00	From Inc Rev (4581)	
97	30-11-5137	Supplies	2,500.00	1,000.00		3,500.00	From Inc Rev (4581)	
98	30-11-5530	Supply Sys Maint	25,000.00	5,000.00		30,000.00	From 30-11-5531	
99	30-11-5605	Hydrant Replacement	4,000.00	500.00		4,500.00	From Inc Rev (4581)	Costs of hydrants increased in the fiscal year



Ms. Kenna West
City Manager
City of Willamina
P.O. Box 629
Willamina, OR 97396

April 1st, 2020

Dear Kenna:

Given the difficulties facing our customers and neighbors as well as the current state of the economy, we are proposing to defer rate changes until the current health crisis subsides.

In compliance with the terms of our franchise agreement, please find enclosed the following documents that make up the Rate Review Report and Annual Financial Report:

1. The Rate Review Report (attached), which includes the following:
 - a. All the actual expenses incurred in the preceding calendar year, and all allowable expenses that we reasonably anticipate will be incurred in the current year
 - b. The allocation factors and percentages used to allocate shared expenses
 - c. The actual and expected Operating Ratios for the preceding and current year
2. The 2019 Reviewed Financial Statement for RWO – Valley (attached)

We are hopeful that business activities will get back to normal in the next few months. When that happens, we are expecting that fuel costs and other expenses will increase consistent with our projections. As a result, we are proposing the following:

- Defer the rate adjustment until at least August 1st. This date can be changed if we have not yet returned to normal operations.
- Use the CPI data that was released in March 2020, showing a 2.9% increase over last year. We expect that due to the current economic situation, the CPI for upcoming months will not accurately reflect the changes in expenses we expect to see after the crisis.
- We will provide rate sheets showing the current rates, proposed changes, and effective date 30 days prior to the proposed effective date.
- We will treat August 1st as the effective date for this and future adjustments. Currently, because we invoice 3 months ahead, rate adjustments may not be reflected on our statements because rate increases are not approved prior to invoicing. One time each year, after the rate increase is approved, our customers can receive a revised statement for months already invoiced. Revised statements have been a source of frustration for some customers. Changing the effective date will allow us to align the rate adjustment with the residential billing cycle so that our customers do not receive revised statements. This will reduce confusion and call volumes.

We appreciate the opportunity to provide these essential services to our neighbors. We take this obligation seriously, and we are committed to keeping our operations running during this difficult time.

Please let me know when you would like us to attend a council meeting to review this proposal. Feel free to give us a call or email if you have any questions, need any additional information, or if you would



like hard copies of these documents. You can reach me at 503-474-4839, or Dave Larmouth at 503-437-0103.

Respectfully,

A handwritten signature in black ink, appearing to read 'Carl Peters', with a long horizontal flourish extending to the right.

Carl Peters
General Manager

Recology Western Oregon - Valley 2019 Results of Operations and 2020-21 Projections



	RWO - Valley Total			City of Willamina		
	2019 Calendar Year Actual	2020-21 Projected Rate Year	Allocation Method	2019 Calendar Year Actual	Adjustments and Projected Changes	2020-21 Projected Rate Year
REVENUE				Rate Adj. % >>>	2.90%	
Collection Services - Residential	\$ 6,743,338	\$ 6,962,555	Actual	\$ 166,140	\$ 4,359	\$ 170,499
Collection Services - Commercial	\$ 3,880,346	\$ 4,006,734	Actual	\$ 64,951	\$ 1,342	\$ 66,293
Collection Services - Debris Box	\$ 1,312,986	\$ 1,402,818	Actual	\$ 13,499	\$ 1,859	\$ 15,357
COLLECTION SERVICES:	\$ 11,936,671	\$ 12,372,106	Actual	\$ 244,589		\$ 252,149
Proposed Rate Adjustment			Actual		\$ 7,312	\$ 7,312
Revenue - DB Disposal	\$ 830,052	\$ 878,522	Actual	\$ 2,140	\$ 114	\$ 2,254
Revenue - Medical Waste	\$ 156,197	\$ 157,330	Actual	\$ 713	\$ 79	\$ 792
Revenue - Other (fees & related)	\$ 27,829	\$ 29,544	Actual	\$ 1,680	\$ (285)	\$ 1,395
Non-Franchised Revenue	\$ 715,147	\$ 792,758	Actual	\$ -	\$ -	\$ -
Total Revenue	\$ 13,665,896	\$ 14,230,261		\$ 249,122	\$ 14,780	\$ 263,902
Franchise Fees	\$ (513,980)	\$ (533,398)	Actual	\$ (6,420)		\$ (6,801)
Revenue w/o Franchise Fees	\$ 13,151,916	\$ 13,696,863		\$ 242,702		\$ 257,101
LABOR EXPENSES						
Operational Personnel	\$ 1,506,101	\$ 1,664,317	Labor Hours	\$ 31,598	\$ 3,319	\$ 34,917
Payroll Taxes	\$ 133,737	\$ 147,786	Labor Hours	\$ 2,806	\$ 295	\$ 3,101
Medical Insurance	\$ 366,910	\$ 420,386	Labor Hours	\$ 7,698	\$ 1,122	\$ 8,820
Other Benefits	\$ 163,005	\$ 172,471	Labor Hours	\$ 3,420	\$ 199	\$ 3,618
Total Labor Expense	\$ 2,169,753	\$ 2,404,960		\$ 45,521	\$ 4,935	\$ 50,456
DISPOSAL						
Disposal Charges - Outside Source	\$ 765,609	\$ 801,359	Vessel Weights	\$ 43,316	\$ 2,023	\$ 45,338
Disposal Charges - Inter-Company	\$ 1,359,278	\$ 1,391,297	Vessel Weights	\$ -	\$ -	\$ -
Medical Waste & Supplies	\$ 78,751	\$ 80,326	Med. Waste	\$ 379	\$ 8	\$ 387
Total Disposal Expense	\$ 2,203,638	\$ 2,272,982		\$ 43,695	\$ 2,030	\$ 45,725
OPERATIONAL EXPENSES						
Fuel	\$ 363,801	\$ 337,275	Franchised Labor	\$ 8,579	\$ (626)	\$ 7,954
Repairs and Maintenance	\$ 1,222,264	\$ 1,266,894	Franchised Labor	\$ 28,824	\$ 1,052	\$ 29,876
Business Taxes and PUC	\$ 144,155	\$ 156,626	Franchised Labor	\$ 3,400	\$ 294	\$ 3,694
Supplies & Uniforms	\$ 20,777	\$ 21,062	Labor Hours	\$ 436	\$ 6	\$ 442
Operational Supplies/Safety	\$ 40,153	\$ 42,132	Labor Hours	\$ 842	\$ 42	\$ 884
Contract Labor	\$ -	\$ -	Labor Hours	\$ -	\$ -	\$ -
Depreciation and Amortization	\$ 6,714	\$ 6,739	Franchised Labor	\$ 158	\$ 1	\$ 159
Operational Lease and Rent	\$ 806,111	\$ 852,500	Franchised Labor	\$ 19,010	\$ 1,094	\$ 20,104
Insurance Expense	\$ 176,434	\$ 182,700	Labor Hours	\$ 3,702	\$ 131	\$ 3,833
Yard Debris/wood & Other Funding	\$ 1,310,081	\$ 1,341,103	Program	\$ -	\$ -	\$ -
Recycling Expense	\$ 1,086,202	\$ 1,086,709	Recycling	\$ 26,318	\$ 12	\$ 26,331
Purchase Recyclables	\$ -	\$ -	Recycling	\$ -	\$ -	\$ -
Operational Lease and Rent - N/F	\$ 117,164	\$ 123,906	Actual	\$ -	\$ -	\$ -
Fuel - Non-Franchised (N/F)	\$ 128,434	\$ 119,421	Actual	\$ -	\$ -	\$ -
Repairs and Maintenance - N/F	\$ 378,087	\$ 391,320	Actual	\$ -	\$ -	\$ -
Business Taxes and PUC - N/F	\$ 45,928	\$ 47,535	Actual	\$ -	\$ -	\$ -
Depreciation and Amortization N/F	\$ 5,146	\$ 4,762	Actual	\$ -	\$ -	\$ -
Commercial Activities Tax	\$ -	\$ 67,574	Labor Hours	\$ -	\$ 1,418	\$ 1,418
Other Operational	\$ 42,432	\$ 43,971	Labor Hours	\$ 890	\$ 32	\$ 923
Total Operations Expense	\$ 5,893,882	\$ 6,092,229		\$ 92,160	\$ 3,457	\$ 95,616
SUBTOTAL	\$ 2,884,643	\$ 2,926,692		\$ 61,326	\$ 3,977	\$ 65,304
ADMINISTRATIVE EXPENSES						
Management Services	\$ 406,179	\$ 426,908	Computed	\$ 7,474	\$ 443	\$ 7,917
Administrative Services	\$ 1,218,539	\$ 1,280,724	Computed	\$ 22,421	\$ 1,330	\$ 23,751
Non-Admin. Labor	\$ 6,216	\$ -	Franchised Labor	\$ 147	\$ (147)	\$ -
Office Supplies	\$ 21,309	\$ 16,288	Customers	\$ 697	\$ (164)	\$ 533
Postage	\$ 25,437	\$ 22,347	Customers	\$ 832	\$ (101)	\$ 731
Billing services	\$ 57,219	\$ 58,982	Customers	\$ 1,872	\$ 58	\$ 1,929
Dues and Subscriptions	\$ 23,725	\$ 23,957	Customers	\$ 776	\$ 8	\$ 784
Telephone	\$ 87,829	\$ 88,478	Customers	\$ 2,873	\$ 21	\$ 2,894
Bank Service Charges	\$ 46,900	\$ 49,831	Customers	\$ 1,534	\$ 96	\$ 1,630
Professional fees	\$ 26,341	\$ 28,191	Customers	\$ 862	\$ 61	\$ 922
Travel	\$ 19,260	\$ 18,635	Customers	\$ 630	\$ (20)	\$ 609
Advertising and Promotions	\$ 6,021	\$ 8,532	Customers	\$ 197	\$ 82	\$ 279
Business Meals	\$ 8,727	\$ 7,047	Customers	\$ 285	\$ (55)	\$ 230
Education & Training	\$ 4,380	\$ 7,796	Customers	\$ 143	\$ 112	\$ 255
Contributions	\$ 48,970	\$ 26,863	Customers	\$ 1,602	\$ (723)	\$ 879
Bad Debt	\$ 63,072	\$ 65,685	Customers	\$ 2,063	\$ 85	\$ 2,148
Other Administrative	\$ 7,001	\$ 7,981	Customers	\$ 229	\$ 32	\$ 261
Total Admin Expense	\$ 2,077,125	\$ 2,138,245		\$ 44,635	\$ 1,117	\$ 45,753
EARNINGS FROM OPERATIONS	\$ 807,518	\$ 788,447		\$ 16,691	\$ 2,860	\$ 19,551
Interest Income	\$ (11,403)	\$ (12,578)	Not Allocated	\$ -	\$ -	\$ -
Loss on Asset Disposal	\$ (102)	\$ -	Not Allocated	\$ -	\$ -	\$ -
NET INCOME BEFORE TAX	\$ 819,023	\$ 801,025		\$ 16,691	\$ 2,860	\$ 19,551
Operating Margin	6.23%	5.85%		6.88%	2.90%	7.60%
Calculated Operating Ratio	93.49%	94.05%		92.46%	proposed adj %	92.05%

2019 Results of Operations and 2020-21 Projections



	RWO - Valley Total			City of Willamina		
	2019 Calendar Year Actual	2020-21 Projected Rate Year	Allocation Method	2019 Calendar Year Actual	Adjustments and Projected Changes	2020-21 Projected Rate Year
Allocation Data:						
Revenue (All RWO-VAL)	\$ 13,665,896	\$ 14,230,261		\$ 249,122		\$ 263,902
Revenue Percent	100.00%	100.00%		1.82%		1.85%
2019 Labor Hours	100%	100%		2.10%		2.10%
2019 Disposal - Outside Source	100%	100%		5.66%		5.66%
2019 Disposal - Inter-Company	100%	100%		0.00%		0.00%
2019 Recycling	100%	100%		2.42%		2.42%
2019 Customer Count	100%	100%		3.27%		3.27%
2019 Yard Debris	100%	100%		0.00%		0.00%
2019 Medical Waste	100%	100%		0.48%		0.48%
2019 Franchised Labor	100%	100%		2.36%		2.36%
Operating Ratio Calculation						
Total Expenses:						
Total Labor	\$ 2,169,753	\$ 2,404,960		\$ 45,521		\$ 50,456
Total Disposal	\$ 2,203,638	\$ 2,272,982		\$ 43,695		\$ 45,725
Total Operational	\$ 5,893,882	\$ 6,092,229		\$ 92,160		\$ 95,616
Total Administrative	\$ 2,077,125	\$ 2,138,245		\$ 44,635		\$ 45,753
Total	\$ 12,344,398	\$ 12,908,416		\$ 226,011		\$ 237,550
Less Non Allowable Expenses:						
Interest on Purchase of routes	\$ -	\$ -		\$ -		\$ -
Contributions	\$ (48,970)	\$ (26,863)		\$ (1,602)		\$ (879)
Amortization	\$ -	\$ -				
Allowable Expenses	\$ 12,295,428	\$ 12,881,553		\$ 224,409		\$ 236,671
Revenue						
Revenue w/o Franchise Fees	\$ 13,151,916	\$ 13,696,863		\$ 242,702		\$ 257,101
Revenue (net of Pass Through)	\$ 13,151,916	\$ 13,696,863		\$ 242,702		\$ 257,101
Operating Ratio:						
Allowable Expenses divided by Revenue (w/o Franchise Fees)	\$ 12,295,428 \$ 13,151,916	\$ 12,881,553 \$ 13,696,863		\$ 224,409 \$ 242,702		\$ 236,671 \$ 257,101
Calculated Operating Ratio	<u>93.49%</u>	<u>94.05%</u>		<u>92.46%</u>	proposed adjustment 2.90%	<u>92.05%</u>
				\$ -		