

ORDINANCE No. 670

**AN ORDINANCE MAKING CERTAIN DETERMINATIONS AND FINDINGS
RELATING TO AND APPROVING THE FIRST AMENDMENT TO THE
WINSTON URBAN RENEWAL PLAN**

WHEREAS, the City Council of the City of Winston approved the Winston Urban Renewal Plan on December 18, 2006 to provide tax increment funding and urban renewal authority to foster the redevelopment of the area included in the Plan. The Winston Urban Renewal Plan, is referred to herein as the "Plan"; and

WHEREAS, the Urban Renewal Agency of the City of Winston ("Agency"), as the duly authorized and acting urban renewal agency of the City of Winston, Oregon, is proposing to change the Plan to revise Section 800 Property Acquisition and Disposition Procedures and Section 1100 Plan Amendments (the "Amendment").

WHEREAS, under the terms of Sections 800 and 1100 of the Plan acquisition of land for development by the public or private sector requires the City Council to pass a non-emergency ordinance, and also requires consultation with taxing districts and presentation to the Planning Commission; and

WHEREAS, the Agency, pursuant to the requirements of ORS Chapter 457, has prepared the Amendment which is attached to this Ordinance as Exhibit A, and incorporated herein by this reference; and

WHEREAS, the Amendment and the Report were forwarded on May 26, 2015 to the governing body of each taxing district, and the Agency has therefore consulted with said districts; and

WHEREAS, the Amendment was forwarded to the City of Winston Planning Commission on May 29th, 2015; and

WHEREAS, on June 1, 2015 the City Council reviewed and considered the Amendment; and

WHEREAS, after consideration of the record presented through this date, the City Council does by this Ordinance desire to approve the Amendment.

NOW THEREFORE, THE COUNCIL OF THE CITY OF WINSTON HEREBY ORDAINS THAT:

Section 1. The Amendment complies with all requirements of ORS Chapter 457 and the specific criteria of 457.085(i), requirements for amendments.

Section 2: The taxing districts were consulted on the Amendment.

Section 3: The Amendment was presented to the Planning Commission.

First Reading by the Winston City Council, June 1, 2015.

Second Reading by the Winston City Council, June 1, 2015.

Attachments: Exhibit A – Winston Urban Renewal Plan First Amendment
Exhibit B – Winston Planning Commission Memorandum
Exhibit C – Taxing Jurisdictions Consultation

Sharon K. Harrison, Mayor

ATTEST:

David M. Van Dermark, City Manager

To: Winston Planning Commission
From: David Van Dermark, City Manager
Date: May 27, 2015

Re: Proposed Amendment to the Winston Urban Renewal Plan

The Winston City Council is considering adoption of an ordinance to amend the Winston Urban Renewal Plan to change the provisions of the acquisition and amendment sections of the Plan, Sections 800 and 1100 respectively. You are being sent this notification because the present verbiage in the plan requires presentation to the planning commission upon acquisition of property. Since we are considering changing this section, we feel it necessary to follow those steps, including presentation to the planning commission.

Presently, Sections 800 and 1100 require that acquisition of property for private or public use must be done through a process that exceeds the statutory requirements for urban renewal agencies. These sections require a city council approved non-emergency ordinance, consultation taxing districts and presentation to the planning commission. ORS 457 only requires that properties to be acquired are identified in the urban renewal plan. The Winston Urban Renewal Agency is asking the Winston City Council to change this provision. The amendment is shown as an attachment to this memorandum. If the amendment passes, acquisition will only have to be noted in the plan, as required by statute. This can be done by the Winston Urban Renewal Agency through a resolution that will amend the plan.

The amendment does not change provisions of acquisition by eminent domain.

If you have any questions, please feel free to contact me.

David Van Dermark
541.679.6739
City Manager
201 NW Douglas Blvd.
Winston, Oregon 97496
david.vandermark@winstoncity.org

Attachment A: First Amendment to the Winston Urban Renewal Plan

Deleted language is shown in ~~crossout~~, new language is shown in *italics*

1. A new Page is inserted before the Introduction to state:

The First Amendment to the Winston Urban Renewal Plan was approved by the City Council on DATE, 2015 by Ordinance No. _____ . The amendment changed Sections 800 Property Acquisition and disposition Procedures and Section 1100 Plan Amendments.

800. Property Acquisition and Disposition Procedures

A. Acquisition requiring City Council approval.

Acquisitions described in section 800 A1 and A2 of this plan will require an amendment as set forth in Section 1100 B2. City Council ratification is required for Renewal Agency acquisitions for the following purposes:

- ~~1. Acquisition of land for development by the public or private sector.~~
- ~~2.~~ 1. Acquisition for any purpose that requires the use of the agency's powers of eminent domain.

B. Acquisition not requiring City Council approval

3. *Acquisition of land for development by the public or private sector.*

1100. Plan Amendments

B. Other Amendments Requiring Approval by Ordinance the City Council

- ~~2. Acquisition of property for purposes specified in Section 800A1 and 800A2 of this plan.~~

C. Minor Amendments

5. *Acquisition of land for development by the public or private sector.*

Winston Dillard School District #116
600 NW Elwood Drive
Winston, OR 97496

Date: May 26, 2015

Re: Proposed Amendment to the Winston Urban Renewal Plan

The Winston City Council is considering adoption of an ordinance to amend the Winston Urban Renewal Plan to change the provisions of the acquisition and amendment sections of the Plan, Sections 800 and 1100 respectively. You are being sent this notification because the present verbiage in the plan requires consultation with taxing districts upon acquisition of property. Since we are considering changing this section, we feel it necessary to follow those steps, including consultation with taxing districts.

Presently, Sections 800 and 1100 require that acquisition of property for private or public use must be done through a process that exceeds the statutory requirements for urban renewal agencies. These sections require a city council approved non-emergency ordinance, consultation taxing districts and presentation to the planning commission. ORS 457 only requires that properties to be acquired are identified in the urban renewal plan. The Winston Urban Renewal Agency is asking the Winston City Council to change this provision. The amendment is shown as an attachment to this letter. If the amendment passes, acquisition will only have to be noted in the plan, as required by statute. This can be done by the Winston Urban Renewal Agency through a resolution that will amend the plan.

The amendment does not change provisions of acquisition by eminent domain.

If you have any questions, please feel free to contact me.

Sincerely,

David Van Dermark, City Manager
541.679.6739
201 NW Douglas Blvd.
Winston, Oregon 97496
david.vandermark@winstoncity.org

OSU Extension Service
1134 SE Douglas Ave
Roseburg, OR 97470

Date: May 26, 2015

Re: Proposed Amendment to the Winston Urban Renewal Plan

The Winston City Council is considering adoption of an ordinance to amend the Winston Urban Renewal Plan to change the provisions of the acquisition and amendment sections of the Plan, Sections 800 and 1100 respectively. You are being sent this notification because the present verbiage in the plan requires consultation with taxing districts upon acquisition of property. Since we are considering changing this section, we feel it necessary to follow those steps, including consultation with taxing districts.

Presently, Sections 800 and 1100 require that acquisition of property for private or public use must be done through a process that exceeds the statutory requirements for urban renewal agencies. These sections require a city council approved non-emergency ordinance, consultation taxing districts and presentation to the planning commission. ORS 457 only requires that properties to be acquired are identified in the urban renewal plan. The Winston Urban Renewal Agency is asking the Winston City Council to change this provision. The amendment is shown as an attachment to this letter. If the amendment passes, acquisition will only have to be noted in the plan, as required by statute. This can be done by the Winston Urban Renewal Agency through a resolution that will amend the plan.

The amendment does not change provisions of acquisition by eminent domain.

If you have any questions, please feel free to contact me.

Sincerely,

David Van Dermark
541.679.6739
City Manager
201 NW Douglas Blvd.
Winston, Oregon 97496
david.vandermark@winstoncity.org

Bob Young, Manager
Winston Dillard Water District
121 NW Douglas Blvd
Winston, OR 97496

Date: May 26, 2015

Re: Proposed Amendment to the Winston Urban Renewal Plan

The Winston City Council is considering adoption of an ordinance to amend the Winston Urban Renewal Plan to change the provisions of the acquisition and amendment sections of the Plan, Sections 800 and 1100 respectively. You are being sent this notification because the present verbiage in the plan requires consultation with taxing districts upon acquisition of property. Since we are considering changing this section, we feel it necessary to follow those steps, including consultation with taxing districts.

Presently, Sections 800 and 1100 require that acquisition of property for private or public use must be done through a process that exceeds the statutory requirements for urban renewal agencies. These sections require a city council approved non-emergency ordinance, consultation taxing districts and presentation to the planning commission. ORS 457 only requires that properties to be acquired are identified in the urban renewal plan. The Winston Urban Renewal Agency is asking the Winston City Council to change this provision. The amendment is shown as an attachment to this letter. If the amendment passes, acquisition will only have to be noted in the plan, as required by statute. This can be done by the Winston Urban Renewal Agency through a resolution that will amend the plan.

The amendment does not change provisions of acquisition by eminent domain.

If you have any questions, please feel free to contact me.

Sincerely,

David Van Dermark
541.679.6739
City Manager
201 NW Douglas Blvd.
Winston, Oregon 97496
david.vandermark@winstoncity.org

Dr. Joe Olson
Umpqua Community College
1140 Umpqua College Road
Roseburg, OR 97470

Date: May 26, 2015

Re: Proposed Amendment to the Winston Urban Renewal Plan

The Winston City Council is considering adoption of an ordinance to amend the Winston Urban Renewal Plan to change the provisions of the acquisition and amendment sections of the Plan, Sections 800 and 1100 respectively. You are being sent this notification because the present verbiage in the plan requires consultation with taxing districts upon acquisition of property. Since we are considering changing this section, we feel it necessary to follow those steps, including consultation with taxing districts.

Presently, Sections 800 and 1100 require that acquisition of property for private or public use must be done through a process that exceeds the statutory requirements for urban renewal agencies. These sections require a city council approved non-emergency ordinance, consultation taxing districts and presentation to the planning commission. ORS 457 only requires that properties to be acquired are identified in the urban renewal plan. The Winston Urban Renewal Agency is asking the Winston City Council to change this provision. The amendment is shown as an attachment to this letter. If the amendment passes, acquisition will only have to be noted in the plan, as required by statute. This can be done by the Winston Urban Renewal Agency through a resolution that will amend the plan.

The amendment does not change provisions of acquisition by eminent domain.

If you have any questions, please feel free to contact me.

Sincerely,

David Van Dermark
541.679.6739
City Manager
201 NW Douglas Blvd.
Winston, Oregon 97496
david.vandermark@winstoncity.org

Winston Dillard Fire District #5
250 SE Main
Winston, OR 97496

Date: May 22, 2015

Re: Proposed Amendment to the Winston Urban Renewal Plan

The Winston City Council is considering adoption of an ordinance to amend the Winston Urban Renewal Plan to change the provisions of the acquisition and amendment sections of the Plan, Sections 800 and 1100 respectively. You are being sent this notification because the present verbiage in the plan requires consultation with taxing districts upon acquisition of property. Since we are considering changing this section, we feel it necessary to follow those steps, including consultation with taxing districts.

Presently, Sections 800 and 1100 require that acquisition of property for private or public use must be done through a process that exceeds the statutory requirements for urban renewal agencies. These sections require a city council approved non-emergency ordinance, consultation taxing districts and presentation to the planning commission. ORS 457 only requires that properties to be acquired are identified in the urban renewal plan. The Winston Urban Renewal Agency is asking the Winston City Council to change this provision. The amendment is shown as an attachment to this letter. If the amendment passes, acquisition will only have to be noted in the plan, as required by statute. This can be done by the Winston Urban Renewal Agency through a resolution that will amend the plan.

The amendment does not change provisions of acquisition by eminent domain.

If you have any questions, please feel free to contact me.

Sincerely,

David M. Van Dermark, City Manager
541.679.6739
201 NW Douglas Blvd.
Winston, Oregon 97496
david.vandermark@winstoncity.org

Douglas County Commissioners
1136 SE Douglas Avenue, Rm 217
Roseburg, OR 97471

Date: May 26, 2015

Re: Proposed Amendment to the Winston Urban Renewal Plan

The Winston City Council is considering adoption of an ordinance to amend the Winston Urban Renewal Plan to change the provisions of the acquisition and amendment sections of the Plan, Sections 800 and 1100 respectively. You are being sent this notification because the present verbiage in the plan requires consultation with taxing districts upon acquisition of property. Since we are considering changing this section, we feel it necessary to follow those steps, including consultation with taxing districts.

Presently, Sections 800 and 1100 require that acquisition of property for private or public use must be done through a process that exceeds the statutory requirements for urban renewal agencies. These sections require a city council approved non-emergency ordinance, consultation taxing districts and presentation to the planning commission. ORS 457 only requires that properties to be acquired are identified in the urban renewal plan. The Winston Urban Renewal Agency is asking the Winston City Council to change this provision. The amendment is shown as an attachment to this letter. If the amendment passes, acquisition will only have to be noted in the plan, as required by statute. This can be done by the Winston Urban Renewal Agency through a resolution that will amend the plan.

The amendment does not change provisions of acquisition by eminent domain.

If you have any questions, please feel free to contact me.

Sincerely,

David Van Dermark
541.679.6739
City Manager
201 NW Douglas Blvd.
Winston, Oregon 97496
david.vandermark@winstoncity.org

Douglas Education Service District
1871 NE Stephens
Roseburg, OR 97470

Date: May 26, 2015

Re: Proposed Amendment to the Winston Urban Renewal Plan

The Winston City Council is considering adoption of an ordinance to amend the Winston Urban Renewal Plan to change the provisions of the acquisition and amendment sections of the Plan, Sections 800 and 1100 respectively. You are being sent this notification because the present verbiage in the plan requires consultation with taxing districts upon acquisition of property. Since we are considering changing this section, we feel it necessary to follow those steps, including consultation with taxing districts.

Presently, Sections 800 and 1100 require that acquisition of property for private or public use must be done through a process that exceeds the statutory requirements for urban renewal agencies. These sections require a city council approved non-emergency ordinance, consultation taxing districts and presentation to the planning commission. ORS 457 only requires that properties to be acquired are identified in the urban renewal plan. The Winston Urban Renewal Agency is asking the Winston City Council to change this provision. The amendment is shown as an attachment to this letter. If the amendment passes, acquisition will only have to be noted in the plan, as required by statute. This can be done by the Winston Urban Renewal Agency through a resolution that will amend the plan.

The amendment does not change provisions of acquisition by eminent domain.

If you have any questions, please feel free to contact me.

Sincerely,

David Van Dermark
541.679.6739
City Manager
201 NW Douglas Blvd.
Winston, Oregon 97496
david.vandermark@winstoncity.org