

ORDINANCE BILL NO. 4-19

AN ORDINANCE RELATING TO URBAN RENEWAL, MAKING A SUBSTANTIAL AMENDMENT TO THE CITY OF SALEM'S NORTH GATEWAY URBAN RENEWAL PLAN AND DIRECTING THAT NOTICE OF APPROVAL BE PUBLISHED

The City of Salem ordains as follows:

Section 1. Findings.

- (a) The City Council of the City of Salem approved the North Gateway Urban Renewal Plan ("Plan") by adoption of Ordinance No. 109-90 on December 10, 1990.
- (b) The proposed Substantial Plan Amendment ("Amendment") to the Plan increases the maximum indebtedness that may be incurred under the Plan and amends Section 601 Urban Renewal Projects and Improvement Activities of the Plan. The Amendment furthers the original objectives in the Plan so that they may be fully accomplished and the urban renewal projects are updated to reflect geographic changes and development needs of the Plan area.
- (c) Section 1100 Procedures for Changes or Amendments in the approved Plan and under state law an amendment increasing the maximum indebtedness of the Plan is a Substantial Plan Amendment and requires the notice, hearing, and approval procedures required by ORS 457.095, and special notice as provided in ORS 457.120.
- (d) Pursuant to the requirements of ORS Chapter 457 and the Plan, the Amendment has been prepared which is attached to this Ordinance as Exhibit A, and incorporated herein by this reference.
- (e) The preparation of the North Gateway Urban Renewal Area Report, and accompanying the Amendment as required by ORS 457.085(3) ("Report"), is attached to this Ordinance as Exhibit B and incorporated herein by this reference.
- (f) The Amendment increases the maximum indebtedness of the Plan to \$101,466,402.
- (g) The maximum indebtedness increase is within a threshold that does not require approval of taxing jurisdictions.
- (h) The Amendment and the Report were forwarded on February 15, 2019 to the governing body of each taxing district affected by the Amendment, and staff has thereafter consulted and conferred with said districts.

(i) On February 22, 2019, the City caused notice of the hearing to be held before the City Council on the Amendment, including the required statements of ORS 457.120(3), to be placed for distribution to postal patrons in the City.

(j) The Amendment and the Report were forwarded to the City of Salem Planning Commission for recommendation, the Planning Commission considered the Amendment and Report on March 5, 2019 and voted that the Amendment conformed to the Salem Comprehensive Plan.

(k) On April 8, 2019, the City Council held a public hearing to review and consider the Amendment, the Report, the Planning Commission recommendation, and to receive public testimony.

Section 2. Additional Findings. The Amendment complies with all requirements of ORS Chapter 457 and the specific criteria of 457.095(1) through (7), in that, based on the information provided in the Report, the Planning Commission recommendation and the public testimony before the City Council:

(a) The process for the adoption of the Amendment has been conducted in accordance with the provisions of Chapter 457 of the Oregon Revised Statutes.

(b) The area designated in the Plan as the North Gateway Urban Renewal Area (“Area”) is blighted, as defined by ORS 457.010(1) and continues to be eligible for inclusion within the Plan because of conditions described in the Report in the Section “Existing Physical, Social, and Economic Conditions,” including the existence of inadequate streets and other rights of way, open spaces and utilization and underdevelopment of property within the Area (ORS 457.010(1) (e) and (g)).

(c) The rehabilitation and redevelopment described in the Amendment to be undertaken is necessary to protect the public health, safety, or welfare of the City because absent the completion of urban renewal projects, the Area will fail to contribute its fair share of property tax revenues to support City services and will fail to develop and/or redevelop according to the goals of the City’s Comprehensive Plan.

(d) The Amendment conforms to the Salem Comprehensive Plan and provides an outline for accomplishing the projects described in the Plan, as more fully described in the Plan as amended by the Amendment and in the Planning Commission Recommendation.

(e) No residential displacement is anticipated as a result of this acquisition and disposition of land and redevelopment activities proposed in the Amendment and therefore the Amendment

does not include provisions to house displaced persons. In the event of unanticipated displacements the Agency would be obligated to provide relocation assistance.

(f) Adoption and carrying out the Plan, as amended by the Amendment is economically sound and feasible in that eligible projects and activities will be funded by urban renewal tax derived from a division of taxes pursuant to Section 1c, Article IX of the Oregon Constitution and ORS 457.440 and other available funding as more fully described in the Section “Financial Analysis of the Plan” of the Report.

(g) City Council hereby incorporates by reference the Substantial Amendment to the North Gateway Urban Renewal Plan, attached to this Ordinance as “Exhibit A” and North Gateway Urban Renewal Area Report, dated January 4, 2019, attached to this Ordinance as “Exhibit B” as support for its above-mentioned findings.

Section 3. Approval. The Amendment to the North Gateway Urban Renewal Plan is hereby approved based upon review and consideration by the City Council of the Plan and Report, and the Planning Commission Recommendation, each of which is hereby accepted and the public testimony in the record.

Section 4. Publication In accordance with ORS 457.095 notice shall be published of the adoption of the Ordinance approving the Amendment, including provisions of ORS 457.095 no later than four days following adoption of this Ordinance.

Section 5. Codification. In preparing this ordinance for publication and distribution, the City Recorder shall not alter the sense, meaning, effect, or substance of this ordinance, but within such limitations, may:

- (a) Renumber sections and parts of sections of the ordinance;
- (b) Rearrange sections;
- (c) Change reference numbers to agree with renumbered chapters, sections, or other parts;
- (d) Delete references to repealed sections;
- (e) Substitute the property subsection, section, or chapter, or other division numbers;
- (f) Change capitalization and spelling for the purpose of uniformity;
- (g) Add headings for purposes of grouping like sections together for ease of reference; and
- (h) Correct manifest clerical, grammatical, or typographical errors.

PASSED by the City Council this _____ day of _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney _____

Checked by: S. Long