

## ORDINANCE NO. 2017-09

### AN ORDINANCE, OF THE CITY OF SEASIDE, OREGON, MAKING CERTAIN DETERMINATIONS AND FINDINGS RELATING TO AND APPROVING THE SOUTHEAST SEASIDE URBAN RENEWAL PLAN AND DIRECTING THAT NOTICE OF APPROVAL BE PUBLISHED

**WHEREAS**, the Urban Renewal Agency of the City of Seaside, named the Seaside Improvement Commission (“Agency”), as the duly authorized and acting urban renewal agency of the City of Seaside, Oregon, is proposing to undertake certain urban renewal activities in a designated area within the City pursuant to ORS Chapter 457; and

**WHEREAS**, the Agency, pursuant to the requirements of ORS Chapter 457, has caused the preparation of the Southeast Seaside Urban Renewal Plan attached hereto as Exhibit A (the “Plan”). The Plan authorizes certain urban renewal activities within the Southeast Seaside Urban Renewal Area (the “Area”); and

**WHEREAS**, the Agency has caused the preparation of a certain Urban Renewal Report dated August 28, 2017 attached hereto as Exhibit B (the “Report”) to accompany the Plan as required under ORS 457.085(3); and

**WHEREAS**, the Agency forwarded the Plan and Report to the City’s Planning Commission (the “Commission”) for review and recommendation. The Commission considered the Plan and Report on July 11, 2017 and passed a motion adopting a finding that the Plan conformed with the Seaside Comprehensive Plan; and

**WHEREAS**, the Plan and the Report were forwarded June 29, 2017 to the governing body of each taxing district affected by the Plan, and the Agency has therefore consulted and conferred with each taxing district; and

**WHEREAS**, on July 26, 2017 the City met with representatives of Clatsop County to review the Plan, including proposed maximum indebtedness for the Plan; and

**WHEREAS**, on July 26, 2017 Clatsop County voted by resolution to support the Plan; and

**WHEREAS**, the City Council has not received written recommendations from the governing bodies of the affected taxing districts; and

**WHEREAS**, on July 14, 2017 the City caused notice of the hearing to be held before the Council on the Plan, including the required statements of ORS 457.120(3), to be mailed to utility customers within City’s incorporated limits and a direct mailing to unincorporated property owners; and

**WHEREAS**, on August 14, 2017 the City Council held a public hearing to review and consider the Plan, the Report, the recommendation of the Seaside Planning Commission, and the public testimony received on or before that date and to receive additional public testimony; and

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

**NOW THEREFORE, THE COUNCIL OF THE CITY OF SEASIDE HEREBY ORDAINS THAT:**

**Section 1:** The Plan complies with all applicable 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 Seaside Planning Commission Recommendation and the public testimony before the City Council:

1. The process for the adoption of the Plan, has been conducted in accordance with the applicable provisions of Chapter 457 of the Oregon Revised Statutes and all other applicable legal requirements;

2. The area designated in the Plan as the Southeast Seaside Urban Renewal Area (“Area”) is blighted, as defined by ORS 457.010(1) and is eligible for inclusion within the Plan because of conditions described in the Report in the Section “Existing Physical, Social, and Economic Conditions and Impacts on Municipal Services”, including the existence of inadequate streets and other rights of way, open spaces and utilities and underdevelopment of property within the Area (ORS 457.010(1)(e) and (g));

3. The rehabilitation and redevelopment described in the Plan to be undertaken by the Agency 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 the goals of the City’s Comprehensive Plan;

4. The Plan conforms to the Seaside Comprehensive Plan and provides an outline for accomplishing the projects described in the Plan, as more fully described in the Plan and in the Seaside Planning Commission Recommendation;

5. No residential displacement will occur as a result of the acquisition and disposition of land and redevelopment activities proposed in the Plan and therefore the Plan does not include provisions to house displaced persons;

6. No acquisition of property is anticipated as a result of the Plan. If property is acquired for right of way improvements, it will be added to the Plan as property to be acquired; and

7. Adoption and carrying out the Plan is economically sound and feasible in that eligible projects and activities will be funded by urban renewal tax revenues 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;

8. The City shall assume and complete any activities prescribed it by the Plan; and

9. The Agency consulted and conferred with affected overlapping taxing districts prior to the Plan being forwarded to the City Council.

**Section 2:** The Southeast Seaside Plan is hereby approved based upon review and consideration by the City Council of the Plan and Report, the Seaside Planning Commission Recommendations, which is hereby accepted, and the public testimony in the record.

**Section 3:** The City Administrator shall forward forthwith to the Agency a copy of this Ordinance.

**Section 4:** The Agency shall thereafter cause a copy of the Plan to be recorded in the Records of Clatsop County, Oregon.

**Section 5:** The City Administrator, in accordance with ORS 457.115, shall publish notice of the adoption of the Ordinance approving the Plan including the provisions of ORS 457.135, in The Daily Astorian no later than Friday, September 1, 2017 following the adoption of this Ordinance.

**ADOPTED** by the City Council of the City of Seaside on this \_\_\_\_ day of \_\_\_\_\_, 2017, by the following roll call vote:

YEAS:  
NAYS:  
ABSTAIN:  
ABSENT:

**SUBMITTED** to and **APPROVED** by the Mayor on this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
JAY BARBER, MAYOR

ATTEST:

\_\_\_\_\_  
Mark J. Winstanley, City Manager