

## RESOLUTION NO. 906

### A RESOLUTION INITIATING THE ANNEXATION OF NINE SEGMENTS OF STREET RIGHT OF WAY, THE REMAINDER OF PARCELS CURRENTLY PARTIALLY WITHIN THE CITY LIMITS AND A CITY-OWNED PARCEL ON E PINE STREET INTO THE CITY LIMITS.

WHEREAS, it is within the City of Stayton's power under ORS 222.111(2) to initiate the annexation of territory into the City Limits;

WHEREAS, there are streets that are partially within the City;

WHEREAS, the Stayton Middle School campus and Wilderness Park are only partially within the City;

WHEREAS, there are four privately owned tax parcels that are partially within the City, with homes on two of them split by the City Limits;

WHEREAS, the jurisdiction of the Stayton Police Department extends only within the City Limits;

WHEREAS, the Stayton City Council desires to clarify the jurisdiction of the Stayton Police Department to assure that the Stayton Police Department is the primary agency to respond to calls for service on city streets, on city-owned property, in city parks and at the Stayton Middle School;

WHEREAS, the North Santiam School District and the Santiam Water Control District have consented in writing to the annexation of their Property;

NOW THEREFORE, BE IT RESOLVED that:

**Section 1. Initiation of Minor Annexation Proceedings.** The Stayton City Council does hereby initiate Minor Annexation proceedings under Stayton Municipal Code Section 17.12.210.2.b to annex the following territories into the City Limits:

- A. That portion of the Shaff Road right of way west of Wilco Road and Golf Club Road to the center of Salem Ditch, approximately 0.9 acres of land;
- B. The northern portion of the Shaff Road right of way, west of the Stayton Middle School and east of Kindle Way, approximately 0.6 acres of land;
- C. The Kindle Way right of way, adjacent to the Phillips Estates Phase I subdivision, approximately 0.4 acres of land;
- D. The northern portion of the Fern Ridge Road right of way, south of Marion County Assessor's Map 091W02 Lot 600, approximately 0.5 acres of land;

**Section 2. Initiation of Major Annexation Proceedings.** The Stayton City Council does hereby initiate Major Annexation proceedings under Stayton Municipal Code Section 17.12.210.2.a to annex the following territories into the City Limits:

- A. The northern portion of the Shaff Road right of way, west of Cascade Highway to Marion County Assessor's Map 091W04D Lot 1200, approximately 1.3 acres of land;
- B. The Cascade Highway right of way, north of Shaff Road to the center of Mill Creek, approximately 3.0 acres of land;

- C. The Fern Ridge Road right of way, north of Marion County Assessor's Map 091W011A Lot 300 and Map 091W11BA Lot 100, east to the Highway 22 right of way, approximately 2.7 acres of land;
- D. The E Jefferson Street right of way, adjacent to the Jefferson Place subdivision, approximately 1.4 acres of land;
- E. The Stayton Road/W Washington St right of way, west of Wilco Road and the Wilco Road right of way, south of the Union Pacific Railroad, approximately 6.0 acres of land;
- F. That portion of the Stayton Middle School property north of Mill Creek, identified as a portion of Marion County Assessor's Map 091W04D Lot 100, approximately 37 acres of land;
- G. That portion of Wilderness Park that is in Township 9 Range 1 West, Section 11, identified as the eastern portion of Marion County Assessor's Map 091W11C Lot 1400, approximately 17 acres of land;
- H. The property at 2635 E Pine St, identified as Marion County Assessor's Map 091W11AC Lot 100, approximately 4.4 acres of land.

**Section 3. Public Hearing Scheduled.** The Stayton Planning Commission shall hold a public hearing on the proposed annexation on December 30, 2013 in accordance with Stayton Municipal Code Title 17, Chapter 17.12, Section 17.12.210.2.a.2)iii.

This Resolution shall become effective upon adoption by the Stayton City Council.

ADOPTED BY THE STAYTON CITY COUNCIL this 2<sup>nd</sup> day of December, 2013

CITY OF STAYTON

Date: 12-2-, 2013

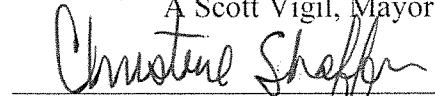
By:



A. Scott Vigil, Mayor

Date: 12/4, 2013

Attest:



Christine Shaffer, Interim City Administrator

APPROVED AS TO FORM:



David A. Rhoten, City Attorney

**EXHIBIT A**  
**Amendments to the Downtown Transportation and Revitalization Plan**

Additions are underlined; Deletions are ~~crossed out~~.

**Part 1.** On Page 39 of the Revised Downtown Transportation and Revitalization Plan amend Table 2 as follows:

**Table 2 Downtown District Development Standards**

<b>Standard:</b>	<b>CCMU</b>	<b>DRMU &amp; DCMU</b>
<b>(A) Minimum Lot Size</b>	None	None
<b>(B) Minimum Floor Area Ratio (FAR)</b>	.5 : 1 <sup>6</sup>	<u>DCMU -- .35 : 1<sup>6</sup></u> <u>DRMU -- .20 : 1<sup>6</sup></u>
<b>(C) Minimum Residential Density</b>	12 units/ acre <sup>1</sup>	12 units/ acre <sup>1</sup>
<b>(D) Maximum Residential Density</b>	None	None
<b>(E) Minimum Building Setbacks</b>	0 feet front, side and rear for commercial; 5 feet front and 10 feet rear for single-family attached dwellings <sup>2</sup>	0 feet front, side and rear for commercial; 5 feet front and 10 feet rear for single-family attached dwellings <sup>2</sup>
<b>(F) Maximum Building Setbacks</b>	<u>Commercial</u> 10 feet front <sup>3</sup> ; None for side and rear. <u>Residential</u> 20 feet front <sup>2</sup> ; None for side and rear	20 feet front <sup>2,4</sup> ; None for rear and side
<b>(G) Minimum Building Height</b>	2 stories or a minimum of 20 feet	2 stories or a minimum of 20 feet
<b>(H) Maximum Building Height</b>	4 stories, which in total is not to exceed 60 feet	4 stories, which in total is not to exceed 60 feet
<b>(I) Ground Floor Window Standards Apply</b>	Yes	Yes

<b>Standard:</b>	<b>CCMU</b>	<b>DRMU &amp; DCMU</b>
<b>(J) Minimum Off-Street Parking Required</b>	None required for commercial uses; 1 space/ unit for residential	None required for commercial; 1 space/ unit for residential
<b>(K) Maximum Off-Street Parking Permitted</b>	Up to 125% of Code requirement for commercial; 1.5 spaces/ unit for attached residential. <sup>5</sup>	Up to 125% of Code requirement for commercial; 1.5 spaces/ unit for attached residential <sup>5</sup>
<b>(L) Screening &amp; Buffering Required</b>	No	No

**Table 2 Notes**

- 1 Minimum residential density applies to residential projects only. There is no minimum density for residential uses in a mixed-use development.
- 2 For single-family attached dwellings with direct auto access from the street, the garage entrance must be less than 5 feet from the street property line, or more than 18 feet from the street property line. There is no maximum setback for attached dwellings on a single lot which are located behind commercial buildings.
- 3 A maximum front setback of up to 20 feet may be permitted when enhanced pedestrian spaces and amenities are provided.
- 4 The maximum front setback may be exceeded when enhanced pedestrian spaces and amenities are provided.
- 5 For commercial uses, when included in a mixed-use development, the maximum amount of off-street parking permitted is 125% of the parking required in Section 17.20.060. When not included in a mixed-use development, the maximum amount of off-street parking permitted is 50% of parking required in Section 17.20.060.
- 6 These are minimum floor area ratios, expressed as the ratio of floor area to site area. There is no maximum permitted floor area ratio.

**Part 2.** On **Page 47** of the Revised Downtown Transportation and Revitalization Plan amend the **exterior finish materials requirements for non-residential and mixed use buildings** as follows:

**I. Exterior finish materials.** The purpose of this standard is to require high quality materials that are complementary to the traditional materials used in downtown Stayton.

1. Smooth concrete block, plain concrete, corrugated metal, full-sheet plywood, synthetic stucco, and sheet pressboard are not allowed as exterior finish material, except as secondary finishes if they cover no more than 10 percent of the surface area of each facade. Composite boards manufactured from wood or other products, such as hardboard or hardiplank, may be used when the visible portion of the board product is less than 6 inches wide.

2. Where wood products are used for siding, the siding must be shingles, or horizontal siding, not shakes.
3. Where horizontal siding is used, it must be shiplap or clapboard siding composed of boards composite boards manufactured from wood or other products, such as hardboard or hardiplank with an exposure of 3 to 6 inches, or vinyl or aluminum siding which is in a clapboard or shiplap pattern where the boards in the pattern are 6-10 inches or less in width.

**Part 3.** On Page 51 of the Revised Downtown Transportation and Revitalization Plan amend the **exterior finish materials requirements for non-residential and mixed use buildings** as follows:

**G. Exterior finish materials.** The purpose of this standard is to require high quality materials that are complementary to the traditional materials used in downtown Stayton.

1. Along 3<sup>rd</sup> Avenue, commercial and mixed use buildings shall be constructed of materials complementary to existing materials including textured pre-cast concrete block, clay (terra cotta) tile, brick, stucco and wood frame.
2. Smooth concrete block, plain concrete, corrugated metal, full-sheet plywood, synthetic stucco, and sheet pressboard are not allowed as exterior finish material, except as secondary finishes if they cover no more than 10 percent of the surface area of each facade. Composite boards manufactured from wood or other products, such as hardboard or hardiplank, may be used when the board product is less than 6-10 inches wide. Foundation material may be plain concrete or plain concrete block when the foundation material does not extend for more than 3 feet above the finished grade level adjacent to the foundation wall.
3. Where there is an exterior alteration to an existing building, the exterior finish materials on the portion of the building being altered or added must visually match the appearance of those on the existing building. However, if the exterior finishes and materials on the existing building do not meet the standards of Paragraph HG.1, above, any material that meets the standards of Paragraph HG.1 may be used.

## EXHIBIT B

### Amendments to the Stayton Municipal Code Title 17, Chapters 16 and 20

Additions are underlined; Deletions are ~~crossed-out~~.

**Part 1.** Amend Stayton Municipal Code, Title 17, Chapter 16, **Section 17.16.070.1** to change the description of the meanings of the symbols in the table, as follows.

1. PERMITTED AND CONDITIONAL USES. The land uses permitted in each district are shown in Table 17.16.070.1. When a property is in an overlay zone, the stricter regulations of the two zones shall apply.

P = Permitted Use

C = Conditional Use

S = Permitted Use after Site Plan Review for new construction or expansion of an existing structure. See Section 17.16.040.4 for existing structures.

C/S = Conditional Use after Site Plan Review  
= Prohibited Use

**Part 2.** Amend Stayton Municipal Code, Title 17, Chapter 16, **Table 17.16.070.1 Permitted Land Use** to allow several uses in the Downtown Zones that are currently not permitted, to add a new use to the table, and to change how Bed and Breakfast establishments are permitted. (Note that columns in the table that are not proposed to be changed are not shown below.)

		CR	CG	CCMU	DCMU	DRMU
<b>Professional, Scientific and Technical Services</b>						
27	Medical & Diagnostic Laboratories		S	<u>S</u>	<u>S</u>	<u>S</u>
28	Home Health Care Services		S	<u>S</u>	<u>S</u>	<u>S</u>
29	Architectural, Engineering, & Related Services	S	S	<u>S</u>	<u>S</u>	<u>S</u>
32	Scientific Research & Development Services	C/S	S	<u>S</u>	<u>S</u>	<u>S</u>
<b>Arts, Entertainment and Recreation</b>						
<u>46a</u>	<u>Fitness and Recreation Sports Centers</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
52	Bed & Breakfast	S	S	<del>S</del>	<del>S</del>	<del>S</del>

**Part 3.** Amend **Section 17.16.080.2.c.3)** to specify the minimum floor area ratio in the DCMU zone and reduce the minimum floor area ratio in the DRMU zone.

- 3) The minimum floor area ratio for the construction of a new building in the CCMU Zone shall be 0.5:1; ~~and in the DRMU-DCMU Zone shall be 0.35:1~~ and in the DRMU Zone shall be 0.20:1. There is no maximum floor area ratio in these zones.

**Part 4.** Amend **Section 17.16.080.2.F.2)** to clarify the minimum height requirement and better reflect the policy of the Downtown Transportation and Revitalization Plan.

- 2) Minimum. In the CCMU, DCMU, or DRMU zones the minimum building height shall be 2 stories or 20 feet. The minimum building height standard applies to new commercial, residential, and mixed-use buildings. It does not apply to community service buildings, accessory structures, one-time additions or expansions of non-conforming buildings of no more than 25% and less than 1,000 square feet, or to buildings with less than 1,000 square feet of floor area.

Part 5. Amend Section 17.20.030.3 to clarify that the provisions of that section only apply to reduce the setback requirements of Chapter 17.16.

2. SETBACKS. The setback provision cited below modify the building setbacks ~~cited in zoning districts~~ for Residential Zones cited in Chapter 17.16, but are applicable only to the specific items listed below.

Part 6. Amend Section 17.20.220.2.i to change the standard for siding for attached residential buildings.

- i. Exterior finish materials. The purpose of this standard is to require high quality materials that are complementary to the traditional materials used in downtown Stayton.
  - 1) Smooth concrete block, plain concrete, corrugated metal, full-sheet plywood, synthetic stucco, and sheet pressboard are not allowed as exterior finish material, except as secondary finishes if they cover no more than 10 percent of the surface area of each facade. ~~Composite boards manufactured from wood or other products, such as hardboard or hardiplank, may be used when the visible portion of the board product is less than 6 inches wide.~~
  - 2) Where wood products are used for siding, the siding must be shingles, or horizontal siding, not shakes or board and batten.
  - 3) Where horizontal siding is used, it must be shiplap or clapboard siding composed of boards, composite boards manufactured from wood or other products, such as hardboard or hardiplank with an exposure of 3 to 6 inches, or vinyl or aluminum siding which is in a clapboard or shiplap pattern where the boards in the pattern are 6 inches or less in width. when the visible portion of the product is at least 4 ½ inches and no more than 10 inches wide.

Part 7. Amend Section 17.20.220.3.g.2) to change the standard for siding for non-residential and mixed use buildings.

- 2) Smooth concrete block, plain concrete, corrugated metal, full-sheet plywood, synthetic stucco, and sheet pressboard are not allowed as exterior finish material, except as secondary finishes if they cover no more than 10% of the surface area of any facade. Composite boards manufactured from wood or other products, such as hardboard or hardiplank, may be used when visible portion of the board product is at least 4 ½ inches and no more less than 6-10 inches wide. Foundation material may be plain concrete or plain concrete block when the foundation material does not extend for more than 3 feet above the finished grade level adjacent to the foundation wall.

