AGENDA
STAYTON CITY COUNCIL MEETING
Monday, December 2, 2013

Stayton Community Center
400 W. Virginia Street
Stayton, Oregon 97383

CALL TO ORDER **7:00 PM** **Mayor Vigil**

FLAG SALUTE

ROLL CALL/STAFF INTRODUCTIONS

PRESENTATIONS/COMMENTS FROM THE PUBLIC

a. TMDL 5th Year Report Presentation by Brenda Kuiken, Sewer System Supervisor

Request for Recognition: If you wish to address the Council, please fill out a green "Request for Recognition" form. Forms are on the table at the back of the room.
Recommended time for presentation is 10 minutes.
Recommended time for comments from the public is 3 minutes.

ANNOUNCEMENTS – PLEASE READ CAREFULLY

Items not on the agenda but relevant to City business may be discussed at this meeting. Citizens are encouraged to attend all meetings of the City Council to insure that they stay informed. Agenda items may be moved forward if a Public Hearing is scheduled.

a. Additions to the agenda
b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.

CONSENT AGENDA

a. November 18, 2013 City Council Action Minutes

Purpose of the Consent Agenda:

In order to make more efficient use of meeting time, resolutions, minutes, bills, and other items which are routine in nature and for which no debate is anticipated, shall be placed on the Consent Agenda. Any item placed on the Consent Agenda may be removed at the request of any council member prior to the time a vote is taken. All remaining items of the Consent Agenda are then disposed of in a single motion to adopt the Consent Agenda. This motion is not debatable. The Recorder to the Council will then poll the council members individually by a roll call vote. If there are any dissenting votes, each item on the consent Agenda is then voted on individually by roll call vote. Copies of the Council packets include more detailed staff reports, letters, resolutions, and other supporting materials. A citizen wishing to review these materials may do so at Stayton City Hall, 362 N. Third Avenue, Stayton, or the Stayton Public Library, 515 N. First Avenue, Stayton.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours prior to the meeting. If you require special accommodations please contact Alissa Angelo, Deputy City Recorder at (503) 769-3425.

PUBLIC HEARING – None

UNFINISHED BUSINESS

Second Reading of Ordinance No. 962, Amendments in the Downtown Zone **Action**

a. Staff Report – Dan Fleishman
b. Council Deliberation
c. Council Decision

NEW BUSINESS

Resolution No. 906, Initiating Annexation of Street Rights of Way, Property Property Currently partially in the City, and City-owned Property **Action**

a. Staff Report – Dan Fleishman
b. Council Deliberation
c. Council Decision

Community Grant Request – Stayton Community Food Bank **Action**

a. Staff Report – Christine Shaffer
b. Council Deliberation
c. Council Decision

STAFF/COMMISSION REPORTS – None

PRESENTATIONS/COMMENTS FROM THE PUBLIC

Recommended time for presentations is 10 minutes.
Recommended time for comments from the public is 3 minutes.

BUSINESS FROM THE CITY ADMINISTRATOR

BUSINESS FROM THE MAYOR

BUSINESS FROM THE COUNCIL

FUTURE AGENDA ITEMS

a. Review of City Charter
b. Storm Water Utility Fee

ADJOURN

CALENDAR OF EVENTS

DECEMBER 2013

Monday	Dec 2	City Council	7:00 p.m.	Community Center (north end)
Tuesday	Dec 3	Parks & Recreation Board	7:00 p.m.	E.G. Siegmund Meeting Room
Tuesday	Dec 10	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Friday	Dec 13	Community Leaders Meeting	7:30 a.m.	Covered Bridge Café
Monday	Dec 16	City Council	7:00 p.m.	Community Center (north end)
Wednesday	Dec 18	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Wednesday	Dec 25	**CITY OFFICES CLOSED IN OBSERVANCE OF CHRISTMAS**		

JANUARY 2014

Wednesday	**January 1**	**CITY OFFICES CLOSED IN OBSERVANCE OF NEW YEARS DAY**		
Monday	January 6	City Council	7:00 p.m.	Community Center (north end)
Tuesday	January 7	Parks & Recreation Board	7:00 p.m.	E.G. Siegmund Meeting Room
Friday	January 10	Community Leaders Meeting	7:30 a.m.	Covered Bridge Café
Tuesday	January 14	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Wednesday	January 15	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	**January 20**	**CITY OFFICES CLOSED IN OBSERVANCE OF MARTIN LUTHER KING, JR. DAY**		
Monday	January 21	City Council	7:00 p.m.	Community Center (north end)
Monday	January 27	Planning Commission	7:00 p.m.	Community Center (north end)

FEBRUARY 2014

Monday	February 3	City Council	7:00 p.m.	Community Center (north end)
Tuesday	February 4	Parks & Recreation Board	7:00 p.m.	E.G. Siegmund Meeting Room
Monday	February 10	PEG Access Commission	12:00 p.m.	City Hall Conference Room
Tuesday	February 11	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Friday	February 14	Community Leaders Meeting	7:30 a.m.	Covered Bridge Café
Wednesday	February 19	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	**February 17**	**CITY OFFICES CLOSED IN OBSERVANCE OF PRESIDENTS' DAY**		
Tuesday	February 18	City Council	7:00 p.m.	Community Center (north end)
Monday	February 24	Planning Commission	7:00 p.m.	Community Center (north end)

City of Stayton
City Council Meeting Action Minutes
November 18, 2013

LOCATION: STAYTON COMMUNITY CENTER, 400 W. VIRGINIA STREET, STAYTON

Time Start: 7:00 P.M. **Time End:** 9:40 P.M.

COUNCIL MEETING ATTENDANCE LOG

COUNCIL	STAYTON STAFF
Mayor Scott Vigil	Alissa Angelo, Deputy City Recorder
Councilor Emily Gooch	Dan Fleishman, Director of Planning & Development
Councilor Catherine Hemshorn	David Kinney, Public Works Director
Councilor Jennifer Niegel	Louise Meyers, Library Director (excused)
Councilor Henry Porter	Rich Sebens, Police Chief
Councilor Brian Quigley	Christine Shaffer, Interim City Administrator
	David Rhoten, City Attorney
	Pamela Abernathy, Special Counsel

AGENDA	ACTIONS
REGULAR MEETING	
Presentations / Comments from the Public a. Donation to Park Fund from Car Show Committee by Chair Alan Kingsley	Mr. Kingsley was unable to attend. Ms. Shaffer announced the Car Show Committee had presented the City with a check in the amount of $700 for use of the park during the car show this past summer.
Announcements a. Additions to the Agenda b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.	None None
Consent Agenda a. November 4, 2013 City Council Meeting Minutes	Motion from Councilor Gooch, seconded by Councilor Hemshorn, to approve the consent agenda. **Motion passed 4:0 (Niegel abstained).**
Public Hearing **Ordinance No. 962, Amendments in the Downtown Zone** a. Commencement of Public Hearing b. Staff Report – Dan Fleishman c. Questions from Council d. Proponents' Testimony e. Opponents' Testimony	 Mayor Vigil opened the hearing at 7:04 p.m. Mr. Fleishman reviewed his staff report. Discussion of Floor Area Ratio (FAR). None Gerry Aboud, 836 E. Kathy Street spoke in opposition of the proposed minimum FAR.

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f. General Testimony	None
g. Questions from the Public	None
h. Questions from the Council	Discussion on parking, building, and properties in the downtown DRMU zone.
i. Staff Summary	Mr. Fleishman provided a brief summary.
j. Close of Hearing	Mayor Vigil closed the hearing at 7:47 p.m.
k. Council Deliberation	The Council discussed the proposed changes to the minimum FAR. Consensus of the Council was to lower the minimum FAR to 0.20.
l. Council Decision	Motion from Councilor Niegel, seconded by Councilor Hemshorn, to adopt Ordinance No. 962 as amended and bring it back to the December 4, 2013 Council meeting for second consideration. **Motion passed 5:0.**
Presentations / Comments from the Public	
a. Paul Manning, CEO of the Family YMCA of Marion and Polk Counties	Mr. Manning apologized for arriving late and read a statement to the Council. Discussion of filling the Aquatics Manager position, lack of general updates from the YMCA to the Council, and the Stayton Sprint Triathlon. YMCA staff will now provide a report to the Council on a monthly basis.
Ordinance No. 963, Amendments for the Interchange Development Zone	
a. Commencement of Public Hearing	Mayor Vigil opened the hearing at 8:22 p.m.
b. Staff Report – Dan Fleishman	Mr. Fleishman reviewed his staff report.
c. Questions from Council	Discussion of maximum square footages on current approved uses, and the history of the Interchange Development Zone.
d. Proponents' Testimony	Keith Whisenhunt spoke in favor. However, requested the Council consider amending to allow for a 3,000 square foot building. Don Jensen and Jack Yarbrough also spoke in favor but also recommended allowing a 3,000 square foot building.
e. Opponents' Testimony	None
f. General Testimony	None
g. Questions from the Public	David Nielsen, 2069 Cardinal Avenue, asked if there are any legal barriers due to the stipulated

	judgment on that development. Mr. Fleishman spoke about the requirements of the stipulated judgment.
h. Questions from the Council	Discussion of property and if any nearby properties could house a 3,000 square foot building.
i. Staff Summary	Mr. Fleishman provided a brief summary.
j. Close of Hearing	8:47 p.m.
k. Council Deliberation	Councilor Niegel recommended removing the maximum square footage requirement.
l. Council Decision	Motion from Councilor Niegel, seconded by Councilor Gooch, to approve Ordinance No. 963 as amended. **Motion passed 5:0.**
New Business	
a. ODOT Fund Exchange Agreement	Motion from Councilor Niegel, seconded by Councilor Hemshorn, to authorize the Mayor to execute the Fund Exchange Agreement between the City of Stayton and ODOT in the amount of $90,310.10. **Motion passed 5:0.**
b. City Administrator Recruitment	It was the consensus of the Council to move forward with extensive background checks on the top two candidates.
c. Santiam Water Control District Memorandum of Agreement	Motion from Councilor Hemshorn, seconded by Councilor Niegel, to authorize the interim City Administrator to sign the Memorandum of Understanding with the Santiam Water Control District as presented. **Motion passed 5:0.**
Unfinished Business	
a. Potential Annexation of Various Street Right-of-Ways and other Properties	Motion from Councilor Niegel, seconded by Councilor Gooch to direct staff to return to the December 4, 2013 City Council meeting with a resolution to initiate annexation of the territories identified by staff provided the property owners give consent. *Discussion:* Councilor Quigley asked if the closure of the E. Marion County Justice Court wasn't moving forward, would staff still be pursuing this. Chief Sebens stated no. **Motion passed 5:0.**
Staff / Commission Reports	
a. Finance Director's Report – Christine Shaffer	No discussion.

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b. Police Chief's Report – Rich Sebens	No discussion.
c. Public Works Director's Report – Dave Kinney	Mr. Kinney briefly discussed phase 2 of the sidewalk maintenance program.
d. Planning & Development Director's Report – Dan Fleishman	Brief discussion of the FAR by Councilor Gooch. Mr. Fleishman stated the public hearing is now closed and nothing further can be added to the record at this time.
e. Library Director's Report – Louise Meyers	No discussion.
Presentations / Comments From the Public a. Bill Martinak, 15556 Coon Hollow Road	Inquired about obtaining a copy of the Memorandum of Understanding. Discussion of new fees that will be implemented due to this.
Business from the City Administrator	None
Business from the Mayor	None
Business from the Council	None
Future Agenda Items a. Review of City Charter b. TMDL 5th Year Report	

APPROVED BY THE STAYTON CITY COUNCIL THIS 2ND DAY OF NOVEMBER 2013, BY A ____ VOTE OF THE STAYTON CITY COUNCIL.

Date:_____ By:_____
A. Scott Vigil, Mayor

Date:_____ Attest:_____
Christine Shaffer, Interim City Administrator

Date:_____ Transcribed by:_____
Alissa Angelo, Deputy City Recorder

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City of Stayton

Planning and Development Department

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www.staytonoregon.gov

M E M O R A N D U M

TO: Mayor Scott Vigil and City Council Members

FROM: Dan Fleishman, Director of Planning and Development

DATE: December 2, 2013

SUBJECT: Second Consideration of Revised Ordinance 962 regarding Permitted Uses and Development Standards in the Downtown Zones

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ISSUE

The issue before the City Council is the second consideration of revised Ordinance 962, legislative text amendments to the Stayton Downtown Transportation and Revitalization Plan and the Stayton Land Use and Development Code, Title 17, Chapters 17.16 and 17.20 regarding the permitted uses and development standards in the Downtown Zones.

BACKGROUND

Following the public hearing on November 18, the City Council approved motion to adopt Ordinance 962 with one change and have the revised ordinance brought back at this meeting for further consideration.

During the Council's deliberation on November 18 the consensus of the Council was to amend the Planning Commission's recommendation to further reduce the minimum Floor Area Ratio (FAR) in the Downtown Residential Mixed Use Zone. The Municipal Code currently requires a minimum FAR of 0.35:1. The Planning Commission had recommended a reduction 0.30:1. The Council's consensus was to reduce the minimum FAR to 0.20:1. A revised ordinance incorporating that change is attached for the Council's consideration.

PROPOSAL

As revised, Ordinance 962 would accomplish the following:

- Add a note at the beginning of the Land Use Table to clarify that site plan review is permitted only for new construction or expansion of an existing structure and not for changing the use of an existing structure.
- Add four categories of land use as permitted uses, with site plan review, in the three downtown mixed use zones. These uses are all within the industry grouping of Professional, Scientific and Technical Services and all other uses within this industry grouping are permitted in these zones.

- Distinguish Fitness and Recreation Sports Centers from the broader category of Performing Arts, Spectator Sports, and Amusement and Recreation Facilities. Due to the potential impacts of a larger facility this broader category is listed as a conditional use. Fitness and recreation sports centers would be listed as permitted after site plan review.
- Change Bed and Breakfast facilities from conditional use to permitted after site plan review in the three downtown mixed use zones.
- Reduce the minimum floor area ratio (FAR) in DRMU zone to 0.20:1 and establish one for the Downtown Commercial Mixed Use (DCMU) zone at 0.35. The floor area ratio is the ratio of the total floor area in a building compared to the lot area.
- Align the Code more closely with the Downtown Transportation and Revitalization Plan regarding the minimum building height requirements in the downtown zones.
- Clarify that the setback requirements in Sect 17.20.030 only apply in the residential zones.
- Amend the standards for horizontally applied exterior siding of commercial and mixed use buildings in the downtown zones.

Whereas the minimum FAR and siding standards are specifically referenced in the Downtown Transportation and Revitalization Plan, these changes also require amendment to the Plan. Ordinance 962 contains two different exhibits. The first is Plan amendments and the other Code amendments.

RECOMMENDATION

Staff recommends enactment of the revised Ordinance.

OPTIONS AND SUGGESTED MOTIONS

1. **Approve the second consideration of revised Ordinance 962**

   Move to approve Ordinance No 962 as revised.

   The City Recorder shall call the roll and the names of each Councilor present and their vote shall be recorded in the meeting minutes. If a majority of the City Council votes in the affirmative, Ordinance No. 962 is enacted and will be presented to the Mayor for his approval.

2. **Approve the Ordinance with modifications**

   Move to approve Ordinance No. 962 with the following changes … and direct staff to incorporate these changes into the Ordinance before the Ordinance is presented to the Mayor for final enactment.

   The City Recorder shall call the roll and the names of each Councilor present and their vote shall be recorded in the meeting minutes. If a majority of the City Council votes in the affirmative, Ordinance No. 962 will be revised and presented to the Mayor for his approval.

3. **Retain the Code unchanged**

   No motion is necessary.

ORDINANCE NO. 962

AN ORDINANCE AMENDING THE STAYTON DOWNTOWN TRANSPORTATION AND REVITALIZATION PLAN AND STAYTON MUNICIPAL CODE (SMC) TITLE 17, REGARDING THE PERMITTED USES AND STANDARDS FOR DEVELOPMENT IN THE DOWNTOWN ZONES

WHEREAS, Oregon Revised Statutes, Chapter 197 requires municipalities to adopt and implement a comprehensive land use planning program in accordance with statewide planning goals established by the Legislature and the Oregon Land Conservation and Development Commission;

WHEREAS, the City of Stayton has adopted a Downtown Transportation and Revitalization Plan as an area refinement plan to the Stayton Comprehensive Plan;

WHEREAS, the City of Stayton has adopted Title 17 of the Stayton Municipal Code as the Land Use and Development Code;

WHEREAS, the Downtown Commercial Mixed Use (DCMU) Zone was created by amendment of the Downtown Transportation and Revitalization Plan and that amendment failed to establish a minimum floor area ratio in the DCMU Zone;

WHEREAS, both the Downtown Transportation and Revitalization Plan and SMC Title 17, Chapter 16, Section 17.16.080.2.c establish a minimum floor area ratio of 0.35 in the Downtown Residential Mixed Use Zone which is not met by more than two-thirds of the existing developed parcels;

WHEREAS, both the Downtown Transportation and Revitalization Plan and SMC Title 17, Chapter 20, Section 17.20.220 establish standards for horizontally applied siding which is not reflective of the range of horizontally applied siding existing in the Downtown Zones;

WHEREAS, the introduction to Table 17.16.070.1 in the SMC could be interpreted as contradicting the provisions of SMC Title 17, Section 17.16.040.4 regarding the change of use of an existing building;

WHEREAS, most but not all professional, scientific and technical services industries are permitted in the Downtown Zones;

WHEREAS, fitness and recreation sports centers are not as likely to have similar impacts on surrounding properties as other performing arts, spectator sports and amusement and recreation facilities and need not be considered a conditional use;

WHEREAS, as mixed use zones it is appropriate to allow bed and breakfast uses in the DRMU and DCMU and Central Core Mixed Use zones without the need for conditional use approval;

WHEREAS, SMC Section 17.16.080.2.F.2) regarding the minimum height of buildings in the Downtown Zones does not reflect the provisions of the Downtown Transportation and Revitalization Plan; and

WHEREAS, the Stayton Planning Commission has initiated the process for amending the Downtown Transportation and Revitalization Plan and SMC, including notice to the Department of Land Conservation and Development, and following a public hearing, has recommended that the Stayton City Council enact the proposed amendments.

NOW, THEREFORE, the City of Stayton ordains:

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Section 1. Stayton Downtown Transportation and Revitalization Plan amended. The Stayton Downtown Transportation and Revitalization Plan is hereby amended as shown on Exhibit A attached hereto and incorporated herein

Section 2. SMC Title 17, Chapters 16 and 20 amended. Stayton Municipal Code, Title 17, Chapters 16 and 20 are hereby amended as shown on Exhibit B attached hereto and incorporated herein.

Section 3. **Effective Date.** This ordinance shall become effective 30 days after adoption by the Stayton City Council and the Mayor's signing.

Section 4. A copy of this Ordinance shall be furnished to the State of Oregon, Department of Land Conservation and Development forthwith.

ADOPTED BY THE STAYTON CITY COUNCIL this 2nd day of December, 2013.

CITY OF STAYTON

Signed: _____, 2013 BY: _____
A. Scott Vigil, Mayor

Signed: _____, 2013 ATTEST: _____
Christine Shaffer,
Interim City Administrator

APPROVED AS TO FORM:

_____
David A. Rhoten, City Attorney

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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

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

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Standard:	CCMU	DRMU & DCMU
(J) Minimum Off-Street Parking Required	None required for commercial uses; 1 space/ unit for residential	None required for commercial; 1 space/ unit for residential
(K) Maximum Off-Street Parking Permitted	Up to 125% of Code requirement for commercial; 1.5 spaces/ unit for attached residential.[5]	Up to 125% of Code requirement for commercial; 1.5 spaces/ unit for attached residential[5]
(L) Screening & Buffering Required	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.~~

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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 hardiplankwith~~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 3rd 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 ~~H~~G.1, above, any material that meets the standards of Paragraph ~~H~~G.1 may be used.

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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
Professional, Scientific and Technical Services						
27	Medical & Diagnostic Laboratories		S	S	S	S
28	Home Health Care Services		S	S	S	S
29	Architectural, Engineering, & Related Services	S	S	S	S	S
32	Scientific Research & Development Services	C/S	S	S	S	S
Arts, Entertainment and Recreation						
46a	Fitness and Recreation Sports Centers	S	S	S	S	S
52	Bed & Breakfast	S	S	~~C~~S	~~C~~S	~~C~~S

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.

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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.

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City of Stayton

M E M O R A N D U M

TO: Mayor Scott Vigil and City Council Members

FROM: Dan Fleishman, Planning and Development Director

DATE: December 2, 2013

SUBJECT: Resolution 906, Initiating Annexation of Street Rights of Way, Property currently Partially in the City, and City-owned Property

ISSUE

The issue before the City Council is whether to adopt Resolution 906 initiating the annexation process for ten sections of street right of way, portions of two publicly-owned parcels that are currently partially in City Limits, portions of four privately owned parcels that are partially in the City Limits, and one City-owned parcel that is not within the City. This issue was presented to the City Council at the November 18 meeting and the City Council directed staff to prepare the resolution.

BACKGROUND

Over time, as the City has annexed territory into the City Limits, the annexations have not always included the entirety of the street right of way. This results, for instance, in a vehicle traveling west on Shaff Road from Cascade Highway/First Ave. starting outside of the City, entering the City, leaving the City, re-entering the City, and finally leaving the City a second time before the vehicle crosses Salem Ditch. This can present difficulty for the Stayton Police Department and Marion County Sherriff's Office in determining jurisdiction on traffic accidents or other public safety incidents.

In addition, there are a number of properties partially within the City Limits, with two residential properties appearing to have the City Limits passing through the house. Finally, the City's Pine Street water reservoir is not located in the City.

Placing these properties within the City will facilitate law enforcement activities by clarifying the jurisdiction of the Stayton Police Department.

ANALYSIS

Street Rights of Way

There are ten street "right of way" segments that staff has identified that could be brought into the City Limits. Since the November 18 City Council meeting, staff's research has revealed an additional section. These ten segments are:

- Shaff Road (3 separate segments between Salem Ditch and Cascade Highway
- Kindle Way (the northern portion)

- Cascade Highway, between Shaff Road and Highway 22
- Fern Ridge Road (2 segments between Foot Hills Church and Highway 22)
- E Jefferson St, east of N 19th Ave
- Wilco Road, south of the Union Pacific railroad (this is a new addition to the list since November 18)
- W Washington St/Stayton Road, west of Wilco Rd (this is an expansion since November 18)

Four of the above segments are smaller than one acre and could be annexed by the City Council. The other six are large enough that voter approval is required.

Publicly Owned Parcels

Both the Stayton Middle School property and Wilderness Park (owned by the Santiam Water Control District) are partially within the City and partially out of the City. While the City has executed an agreement with the Santiam Water Control District to allow the Police Department to exercise its jurisdiction outside of the City Limits, we have no such agreement with North Santiam School District. At their November 21 meeting, the North Santiam School District Board of Directors voted to consent to annexation. Staff has contacted the staff of the Santiam Water Control District and has not yet received a response.

Whereas the portions of these parcels that are outside of the City are more than one acre, these annexations would need to be sent to the voters for approval.

Privately Owned Parcels

There are four tax parcels off of Scenic View Dr that are partially within the City. All of these parcels receive City water and sewer service. The City Limits appear to cross right through two of the homes. Again, police agency jurisdiction would be clarified if the entire property was within the City.

Staff has written the four property owners to inform them of the possible annexation proceedings. The letter included a form to return to grant or withhold consent for annexation. As of the date of preparation of this memorandum, none of the property owners has responded. Staff will update the City Council on Monday evening regarding any forms received. Staff recommends that property be annexed only with the consent of the owner.

Pine Street/Water Reservoir

A portion of Pine St is not dedicated as street right of way and is part of the tax parcel on which the City's Pine St water reservoir is located. The entire parcel is located outside of the City. This parcel is larger than one acre and would require voter approval.

A public hearing before the Planning Commission has been scheduled for December 30. Notice to neighboring property owners will be mailed no later than December 10. The Planning Commission's recommendation will come back to the City Council, which must hold a second pubic hearing. For the parcels or portions of rights of way under one acre in size, the City Council may enact an ordinance which will finalize the annexation procedure. For those larger than one acre, staff will present the City Council with a resolution sending the annexations to the voters for

approval. Our target is the May 2014 election, which means the resolution will need to be approved by the City Council no later than its second meeting in February. Once the voters approve the annexations, staff will return to the City Council with an ordinance, which will finalize the process.

RECOMMENDATION

City staff recommends the City Council adopt Resolution 906 initiating annexation proceedings.

OPTIONS AND MOTIONS:

Staff has provided the City Council with several options, each with an appropriate motion.

1. **Adopt Resolution 906 as presented, initiating the annexation process.**

   I move that the City Council adopt Resolution 906 as presented by Staff, initiating the annexation of street rights of way and other territories.

2. **Adopt Resolution 906 with modifications, initiating the annexation process.**

   I move that the City Council adopt Resolution 906 with the following changes …, initiating the annexation of street rights of way and other territories.

3. **Take no Action**

   No motion is necessary

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;

E. The northern portion of the property at 1510 Gossamere Lane, identified as a portion of Marion County Assessor's Map 091W11BA Lot 600, approximately 0.7 acres of land;

F. The northern portion of the property at 1650 Scenic View Dr, identified as a portion of Marion County Assessor's Map 091W11BA Lot 1100, approximately 0.3 acres of land; and

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:

DRAFT

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 northern portion of the property at 2000 Scenic View Dr, identified as a portion of Marion County Assessor's Map 091W11BA Lot 800, approximately 2.2 acres of land;

I. The northern portion of the property at 2020 Scenic View Dr, identified as a portion of Marion County Assessor's Map 091W11BA Lot 1000, approximately 1.8 acres of land;

J. 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 2nd day of December, 2013

CITY OF STAYTON

Date:_____, 2013 By: _____
A Scott Vigil, Mayor

Date:_____, 2013 Attest: _____
Christine Shaffer, Interim City Administrator

APPROVED AS TO FORM:

_____
David A. Rhoten, City Attorney

DRAFT

MEMORANDUM

TO: **Mayor Scott Vigil and Stayton City Councilors**

FROM: **Christine Shaffer, Finance Director**

DATE: **December 2, 2013**

SUBJECT: **Community Grant Request**

ISSUE:

A Grant Application has been received requesting Community Grant Funds to support our Local Community Food Bank.

BACKGROUND INFORMATION:

The Finance Department has received The following Community Grant Application.

Stayton Community Food Bank	$505.00

The Food Bank is requesting a grant to offset the cost of one month of rent for their building, a budget has been supplied with this request.

FISCAL IMPACT:

The balance in the Community Grant fund is $500.00.

OPTIONS:

1. Award Community Grants as directed by the City Council.
2. Do not award a Community Grant funds at this time

City of Stayton Community Grant Application

Date of Application: 11-14-13
Application Submitted to:

ORGANIZATION INFORMATION
Name of organization: Stayton Community Food Bank
Legal name, if different:
Address: 155 North Second Ave
City, State, Zip: Stayton OR 97358
Phone: 503-769-4088 Fax: Website:
Contact person regarding this application: Stella Cruson, Treas
Title: TREAS Phone: 503 480-5888 E-mail: lil.sister@att.net

Is your organization an IRS 501©(3) not for profit? X Yes ____ No
93-0853417

PROPOSAL INFORMATION
Please type a 1 page summary of request and attach it to this application, along with program or agency annual budget.

Population Served:

If your Agency has previously received grant funds from the City of Stayton, please list the year and amount of grant funds received.

Funds are being requested for (check one)
X General operating support
____ Start-up costs
____ Capital
____ Project/program support
____ Technical assistance
____ Other (please specify)____

Project dates (if applicable): N/A
Fiscal year end: June

BUDGET
Dollar amount requested: $ 500.00
Total annual organization budget: $
Total project budget $
Operating:

AUTHORIZATION
Name and title of top paid staff or board chair: * ALL volunteer board members
Stella Cruson Name
Treasurer Position
Signature: Stella Cruson Date: 11-14-13

For office use only:	
Date Received:	Completed:
Proposal:	Approved: ____ Yes ____ No

City of Stayton Signature:

City Administrator (staff report to be forwarded to City Council for approval)

November 14, 2013

City of Stayton
362 N third Ave
Stayton OR 9738

The Stayton Community Food Bank respectfully requests a donation of $505 to pay one month's rent for our building.

I have enclosed our annual report as well as a copy or our budget. As you can see, our operating expenses have outgrown our donation income due to the increased number of people needing food. Please note that the Food Bank is operated solely by volunteers. There are no salaried positions.

Please contact me if you have any questions.
Thank you for your consideration.

Stella Cruson, Treasurer
503-480-5888
lil.sister@att.net

Stayton Community Food Bank

155 2nd St
Stayton, OR 97383

Annual Report

Fiscal Year July 2012-June 30, 2013

Stayton Community Food Bank has been in operation since the fall of 1982. Organized by the local Ministerial Association, it was planned to provide food for those in need in our community by coordinating efforts of local organizations, & individuals. Our goal was to provide nutritionally balanced food boxes suitable to family size and individual needs. Throughout those years we have received food from the United States Dept of Agriculture (USDA), and Oregon Food Bank through Marion Polk Food Share since 1987. However, the majority comes from you, our local community in the form of food & cash donations.

Our needs have increased. Although our number of households each month remains at about 240, the number of people per household has increased greatly. Each month 575 of these are adults. Over 80 boxes each month are for households of singles or couples-many seniors on limited incomes. The number of homes with more than 6 people has increased from 22 to 26 per month. Many families include 3 generations with extra adults. Several have 10-15 at home from month to month. The ratio of adults to children is around 2-1. The 323 children needing food is greatly affected during the summer months when they are not being fed a noon meal at school. Summer leaves them needing extra support.

Our community is traditionally generous. You support food drives through churches and organizations such as the annual winter holiday Lions Club and Knights of Columbus school drives. Safeway and Roth's provide ongoing support with bread and bakery items. They also have extra collections around the holidays. Stayton Area Rotary Club, Curves for Women, and letter carriers promote spring drives. Stayton Phone Company(SCTC), Grocery Outlet, local churches, and summer community functions are picking up when the winter food supply is exhausted. In the past year almost 9000 pounds was donated by local gardens & orchards. Members of Beta Sigma Phi continue to be official sorters at our secondary storage building, which is donated by Mike Adams.

Our local donations for the last fiscal year increased from 83,000 pounds to 90,000. All this is greatly appreciated.

Congratulations and thanks to you and our all volunteer staff for the tremendous support.

Todd Jensen

Todd Jensen, Board Chair

Edna M Rickman

Edna Rickman, Manager

STAYTON COMMUNITY FOOD BANK TREASURER'S REPORT

JUL 2012 - JUN 2013

	JAN	FEB	MAR	APR	MAY	JUN	BI-ANNUAL TOTAL	ANNUAL TOTAL
SAVINGS	9.42	9.42	9.42	9.42	9.42	9.42		
CHECKING								
Donations	3,397.82	487.00	795.02	1,525.66	1,885.00	840.00	8,930.50	34,734.13
Interest	1.75	2.32	0.98	0.45	0.35	0.29	6.14	12.77
Expernses*	-2,482.30	-4,397.89	-2,345.44	-2,672.72	-3,474.05	-3,454.41	-18,826.81	-36,727.93
*Expenses								
Rent	505.00	505.00	505.00	505.00	505.00	505.00	3,030.00	6,060.00
Utilities	137.65	127.95	111.95	102.59	93.22	0.00	573.36	1,157.78
Food Purchased	1,602.72	1,654.96	1,700.71	1,760.03	2,681.47	2,711.09	12,110.98	25,543.19
Supplies	16.37	53.98	27.78	183.85	75.96	54.80	412.74	563.23
Office Supplies						29.99	29.99	29.99
Appreciation Luncheon							0.00	200.00
Annual Liability Insurance							0.00	504.00
Vacuum Cleaner	53.58						53.58	53.58
Copier & Toner	67.98						67.98	67.98
Postage	99.00				18.40		117.40	117.40
State Tax		56.00					56.00	56.00
Marion Polk Food Share - Thank You		2,000.00					2,000.00	2,000.00
MPFS - Monthly Donation				100.00	50.00	50.00	200.00	200.00
Bank Expense - Checks				21.25			21.25	21.25
Annual State Corporation Fee					50.00		50.00	50.00
New Utility Cart						76.49	76.49	76.49
Gas - Edna's Car						27.04	27.04	27.04