



# AGENDA STAYTON CITY COUNCIL MEETING

Monday, August 20, 2018

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

**CALL TO ORDER**

**7:00 PM**

**Mayor Porter**

**FLAG SALUTE**

**ROLL CALL/STAFF INTRODUCTIONS**

## **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.

## **PRESENTATIONS/COMMENTS FROM THE PUBLIC**

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.*

- a. Employee Recognition for Years of Service – Keith Campbell

## **CONSENT AGENDA**

- a. August 6, 2018 City Council Minutes
- b. OLCC New Outlet Liquor License Application – Snow Peak Brewery Public House

### ***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 other accommodations for persons with disabilities should be made at least 48 hours prior to the meeting. If you require special accommodations contact Deputy City Recorder Alissa Angelo at (503) 769-3425.***

**PUBLIC HEARING**

**Ordinance No. 1024, Amending Land Use Code Regarding Sign Regulations in the Public Zone**

- a. Commencement of Public Hearing
- b. Staff Report – Dan Fleishman
- c. Questions from the Council
- d. Proponents’ Testimony
- e. Opponents’ Testimony
- f. Governmental Agencies
- g. General Testimony
- h. Questions from the Public
- i. Questions from the Council
- j. Staff Summary
- k. Close of Hearing
- l. Council Deliberation
- m. Council Decision on Ordinance No. 1024

**Annexation Application, E. Virginia Street**

- a. Commencement of Public Hearing
- b. Staff Introduction
- c. Applicant Presentation
- d. Staff Report
- e. Questions from the Council
- f. Proponents’ Testimony
- g. Opponents’ Testimony
- h. Governmental Agencies
- i. General Testimony
- j. Questions from the Public
- k. Questions from the Council
- l. Applicant Summary
- m. Staff Summary
- n. Close of Hearing
- o. Council Deliberation
- p. Council Decision on Ordinance No. 1025

**UNFINISHED BUSINESS – None**

**NEW BUSINESS**

**Resolution No. 982, Approving Rate Increases for Water, Wastewater, and Stormwater Facilities**

**Action**

- a. Staff Report – Andy Parks
- b. Council Deliberation
- c. Council Decision

**Neighborhood Improvement Grants**

- a. Staff Report – Dan Fleishman
- b. Council Deliberation

## **STAFF/COMMISSION REPORTS**

### **Finance Department Report – Cindy Chauran & Elizabeth Baldwin**

**Informational**

- a. July 2018 Monthly Finance Department Report

### **Police Chief's Report – Chief Rich Sebens**

**Informational**

- a. July 2018 Statistical Report

### **Public Works Director's Report – Lance Ludwick**

**Informational**

- a. July 2018 Operating Report

### **Planning & Development Director's Report – Dan Fleishman**

**Informational**

- a. July 2018 Activities Report

### **Library Director's Report – Janna Moser**

**Informational**

- a. July 2018 Activities

## **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 MANAGER**

## **BUSINESS FROM THE MAYOR**

## **BUSINESS FROM THE COUNCIL**

## **FUTURE AGENDA ITEMS – September 17, 2018**

- a. Public Hearing Continued – Comprehensive Plan Map and Zoning Map Amendments
- b. Community Grants

## **ADJOURN**

# CALENDAR OF EVENTS

## AUGUST 2018

Monday	August 20	City Council	7:00 p.m.	Community Center (north end)
Monday	August 27	Planning Commission	7:00 p.m.	Community Center (north end)

## SEPTEMBER 2018

Monday	September 3	<b>CITY OFFICES CLOSED IN OBSERVANCE OF LABOR DAY HOLIDAY</b>		
Tuesday	September 4	City Council	<i>Cancelled</i>	
Tuesday	September 11	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Tuesday	September 11	Parks & Recreation Board	6:30 p.m.	Stayton Public Library
Monday	September 17	City Council	7:00 p.m.	Community Center (north end)
Wednesday	September 19	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	September 24	Planning Commission	7:00 p.m.	Community Center (north end)

## OCTOBER 2018

Monday	October 1	City Council	7:00 p.m.	Community Center (north end)
Tuesday	October 2	Parks & Recreation Board	6:30 p.m.	E.G. Siegmund Meeting Room
Tuesday	October 9	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Monday	October 15	City Council	7:00 p.m.	Community Center (north end)
Wednesday	October 17	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	October 29	Planning Commission	7:00 p.m.	Community Center (north end)

## NOVEMBER 2018

Monday	November 5	City Council	7:00 p.m.	Community Center (north end)
Tuesday	November 6	Parks & Recreation Board	6:30 p.m.	E.G. Siegmund Meeting Room
Monday	November 12	<b>CITY OFFICES CLOSED IN OBSERVANCE OF VETERANS DAY HOLIDAY</b>		
Tuesday	November 13	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Monday	November 19	City Council	7:00 p.m.	Community Center (north end)
Wednesday	November 21	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Thursday	November 22	<b>CITY OFFICES CLOSED IN OBSERVANCE OF THANKSGIVING HOLIDAY</b>		
Friday	November 23			
Monday	November 26	Planning Commission	7:00 p.m.	Community Center (north end)

## DECEMBER 2018

Monday	December 3	City Council	7:00 p.m.	Community Center (north end)
Tuesday	December 4	Parks & Recreation Board	6:30 p.m.	E.G. Siegmund Meeting Room
Tuesday	December 11	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Monday	December 17	City Council	7:00 p.m.	Community Center (north end)
Wednesday	December 19	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	December 24	<b>CITY OFFICES CLOSE AT NOON IN OBSERVANCE OF CHRISTMAS HOLIDAY</b>		
Tuesday	December 25	<b>CITY OFFICES CLOSED IN OBSERVANCE OF CHRISTMAS HOLIDAY</b>		

**City of Stayton  
City Council Meeting Action Minutes  
August 6, 2018**

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

**Time Start:** 7:00 P.M.

**Time End:** 7:40 P.M.

**COUNCIL MEETING ATTENDANCE LOG**

COUNCIL	STAYTON STAFF
Mayor Henry Porter	Alissa Angelo, Deputy City Recorder
Councilor Priscilla Glidewell	Keith Campbell, City Manager
Councilor Mark Kronquist	Dan Fleishman, Director of Planning & Development
Councilor Christopher Molin (excused)	Lance Ludwick, Public Works Director
Councilor Brian Quigley	Janna Moser, Library Director
Councilor Joe Usselman	Rich Sebens, Chief of Police

AGENDA	ACTIONS
<b>REGULAR MEETING</b>	
<b>Announcements</b>	
a. Additions to the Agenda	None.
b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.	None.
<b>Presentations / Comments from the Public</b>	
a. Employee Recognition for Years of Service	Mr. Campbell recognized five employees for their years of service with the City of Stayton: <ul style="list-style-type: none"> <li>• Mike Brash (10 years)</li> <li>• Officer Dean Butler (10 years)</li> <li>• Joe Gesek (10 years)</li> <li>• Jackie Schumacher (10 years)</li> <li>• Kendall Smith (20 years)</li> </ul>
b. Steve Poisson	Mr. Poisson, who is Vice President of Revitalize Downtown Stayton (RDS), spoke about the recent complaints regarding code amendments. He requested any action regarding the code amendments be delayed until RDS, the City, and the Mainstreet Program can meet.
c. Samantha Jones	Ms. Jones read a letter to the Council regarding smoking in the downtown area.
d. James McGrory	Mr. McGrory spoke in opposition of the downtown smoking ban.
e. Timothy Keaton	Mr. Keaton, representing the owners and patrons of Rumours, spoke in opposition of the downtown smoking ban.
f. Tom Peterson	Mr. Peterson inquired about the construction of the

<p>g. Penny Hall</p> <p>h. Kris Waters</p> <p>i. Bob Johnson</p> <p>j. Bill Agee</p> <p>k. Mark Waters</p>	<p>detention pond off of Kindle Way and future maintenance. Mr. Ludwick responded.</p> <p>Ms. Hall is the Bar Manager for Red Apple, and spoke in opposition of the downtown smoking ban.</p> <p>Ms. Waters is the owner of Cheers on 1<sup>st</sup> and spoke in opposition of the downtown smoking ban. She inquired about reasoning behind this rule being put into place. Councilors Glidewell and Kronquist stated survey results were provided indicating this was an issue downtown. Councilor Quigley indicated he was not in support and did not vote in support of these code changes.</p> <p>Mr. Johnson spoke in opposition of the downtown smoking ban.</p> <p>Mr. Agee spoke in opposition of the downtown smoking ban.</p> <p>Mr. Waters also spoke in opposition of the downtown smoking ban.</p> <p>Councilor Glidewell encouraged getting a group together to ensure everyone is included on both sides of the downtown smoking issue. Ms. Jones responded to Councilor Glidewell's comments.</p>
<p><b>Consent Agenda</b></p> <p>a. July 16, 2018 City Council Minutes</p> <p>b. Ordinance No. 1023, Amending Stayton Municipal Code 5.5 Relating to Pharmaceutical Drug Disposal</p>	<p>Motion from Councilor Quigley, seconded by Councilor Kronquist, to approve the consent agenda as submitted. <b>Motion passed 4:0.</b></p>
<p><b>Public Hearing</b></p>	<p>None.</p>
<p><b>Unfinished Business</b></p> <p><b>Request to Reopen Hearing, Land Use File #5-04/18</b></p> <p>a. Staff Report</p> <p>b. Council Deliberation</p> <p><b>Housing Study – Follow Up</b></p> <p>a. Staff Report – Dan Fleishman</p> <p>b. Council Deliberation</p>	<p>Mr. Fleishman reviewed the staff report.</p> <p>Motion from Councilor Glidewell, seconded by Councilor Kronquist, to reopen the Public Hearing for Land Use File #5-04/18. <b>Motion passed 4:0.</b></p> <p>Mr. Fleishman reviewed his staff report.</p> <p>The Council directed staff to draft an ordinance for establishing a Housing and Neighborhood Vitality Commission.</p>
<p><b>New Business</b></p>	<p>None.</p>
<p><b>Staff / Commission Reports</b></p>	<p>None.</p>
<p><b>Presentations / Comments from the Public</b></p> <p>a. Dan Morgan</p> <p>b. Judith Mohney</p>	<p>Mr. Morgan inquired about the subdivision off of Kindle Way and fencing of the ditch.</p> <p>Ms. Mohney commended the Police Department on hosting</p>

c. Paige Hook	National Night Out events.  Ms. Hook felt with more civil discourse, the Council would see more community involvement.
<b>Business from the City Manager</b>	Chief Sebens spoke about National Night Out on Tuesday, August 7 <sup>th</sup> in several City parks beginning at 6:00 p.m.  Mr. Campbell shared information on upcoming meetings being hosted by the Army Corp of Engineers regarding the Detroit Downstream Passage Project.
<b>Business from the Mayor</b>	None.
<b>Business from the Council</b>	None.
<b>Future Agenda Items – Monday, August 20, 2018</b>	
a. Public Hearing – Land Use Code Amendments b. Public Hearing – Annexation of a Parcel on E. Virginia Street c. Shaff Road Water Line d. Neighborhood Grants	

APPROVED BY THE STAYTON CITY COUNCIL THIS 20<sup>TH</sup> DAY OF AUGUST 2018, BY A \_\_\_\_ VOTE OF THE STAYTON CITY COUNCIL.

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Henry A. Porter, Mayor

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
Keith D. Campbell, City Manager

Date: \_\_\_\_\_

Transcribed by: \_\_\_\_\_  
Alissa Angelo, Deputy City Recorder



**CITY OF STAYTON**  
**M E M O R A N D U M**

**TO:** Mayor Henry Porter and the Stayton City Council  
**FROM:** Rich Sebens, Chief of Police  
**DATE:** August 20, 2018  
**SUBJECT:** Liquor License- “New Outlet” Application – Snow Peak Brewery Public House

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**ISSUE**

“Snow Peak Brewing Co.” has submitted an application to the City and to OLCC to obtain a Brewing-Public House license. This application is for a “**New Outlet**” for a “**Brewery-Public House**” Liquor License. **Mr. Matthew Spenner and Ms. Crystal Spenner** are the applicants for the LLC of Snow Peak Brewery Co. which will be located at 280 E. Water St. in Stayton. The license application is to brew and sell on-sight. There are four other owners of the business. They are as follows: Mr. Douglas Naugle, Ms. Carissa Naugle, Mr. Christopher Klein, and Ms. Brittany Klein.

**NEW BUSINESS NAME:** Snow Peak Brewing LLC.  
280 East Water St.  
Stayton, Oregon 97383  
B: 503-302-4815

**PRIMARY OWNER(s):** Matthew & Crystal Spenner  
20685 Ferry Rd. SE  
Stayton, OR 97383

**STAFF RECOMMENDATION**

It is the recommendation of the Stayton Police Department to forward this application to the Oregon Liquor Control Commission (OLCC) with a recommendation for approval.

**BACKGROUND INFORMATION**

The location is zoned for this type of business which is a “commercial mixed use” zone. The business will comply with the zoning requirements, prior to this it was a part of the Santiam Water Control District building.

**FACTS AND FINDINGS**

We have conducted a background investigation of the business and applicant. We have found nothing out of the ordinary.

**Based on the application and background investigation, I find no legal authority to recommend denial of this application.**

**MOTION(S)**

No Motions are needed as this is a consent agenda item.

**FISCAL IMPACT:                      N/A**



**CITY OF STAYTON**  
**M E M O R A N D U M**

**TO: Mayor Henry Porter and the Stayton City Council**  
**FROM: Dan Fleishman, Director of Planning and Development**  
**DATE: August 20, 2018**  
**SUBJECT: Ordinance 1024 Amending Land Use Code regarding Sign Regulations in the Public Zone**

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**ISSUE**

The issue before the City Council is a public hearing on a legislative amendment to the Land Use and Development Code that would allow more flexibility in the placement of temporary signs in the Public Zone. Following the public hearing, the Council will be requested to consider Ordinance 1024 to amend the Code.

**BACKGROUND INFORMATION**

At their April meeting, the Planning Commission had a discussion with a representative from the Methodist Church on Fern Ridge Rd regarding sign regulations. The Church requested that the Commission consider an amendment to the Code that would allow temporary or portable signs to be placed within the public right of way. The width of the Fern Ridge Rd right of way means that signs are not visible when placed on private property. The Planning Commission reviewed a possible amendment at their May meeting and scheduled a hearing for the July meeting.

**PROPOSED AMENDMENT**

The amendment proposed by the Planning Commission would allow a temporary sign in the Public/Semi-Public zone to be located within the public right of way if the street right of way is wider than 60 feet, and there is a landscape strip between the curb and sidewalk that exceeds five feet in width.

**RECOMMENDATION**

The Planning Commission has recommended adoption of the amendments. Staff recommends adoption of Ordinance 1024 as presented.

**OPTIONS AND MOTIONS**

The City Council is presented with the following options.

**1. Approve the first consideration of Ordinance 1024**

Move to approve Ordinance No 1024 as presented.

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 the vote is unanimous, Ordinance No. 1024 is enacted and will be presented to the Mayor for his approval.

If the vote is not unanimous, Ordinance No. 1024 will be brought before the Council for a second consideration at the September 17, 2018 meeting.

**2. Approve the Ordinance with modifications**

Move to approve Ordinance No. 1024 with the following changes ... and direct staff to incorporate these changes into the Ordinance before the Ordinance is presented to the City Council for a second consideration.

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 the first consideration is approved, Ordinance No. 1024 will be brought before the Council for a second consideration at its September 17, 2018 meeting.

**3. Retain the Code unchanged**

No motion is necessary.



## ORDINANCE NO. 1024

### AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE TITLE 17, REGARDING TEMPORARY SIGNS IN THE PUBLIC/SEMI-PUBLIC ZONE

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 Title 17 of the Stayton Municipal Code (SMC) as the Land Use and Development Code;

WHEREAS, SMC Title 17, Chapter 16 of the Land Use and Development Code, Section 17.20.140.9-B.A.3 prohibits from being located in a street right of way;

WHEREAS, occasionally within the city the street rights of way are wide enough that a temporary sign outside of the right of way is not visible;

WHEREAS, notice of the proposed amendment was sent to the Department of Land Conservation and Development more than 35 days in advance of the Planning Commission's public hearing;

WHEREAS, the Stayton Planning Commission has initiated the process for amending the Land Use and Development Code, in accordance with Section 17.12.175.3, and following a public hearing has recommended that the Stayton City Council enact the recommended amendments; and

WHEREAS, the Stayton City Council, following a public hearing, notice of which was published in, does find that the amendments proposed by the Planning Commission are appropriate and are consistent with the Comprehensive Plan.

NOW, THEREFORE, the City of Stayton ordains:

**Section 1. Temporary Sign Regulations Amended.** Section 17.20.140.9-B.a. is hereby amended as follows:

- a. Temporary Signs. No more than two temporary signs per business shall be permitted at any one time. Temporary signs shall conform to the following:
  - 1) A temporary sign shall not exceed 16 square feet in area.
  - 2) The placement of temporary signs shall be limited to a period not exceeding 90 days within any calendar year. This restriction applies to the display of all temporary signs throughout a calendar year and not to each individual sign.
  - 3) ~~A~~Except in a Public/Semi-Public Zone, a temporary sign shall not be located within the public right-of-way or violate vision clearance provisions. In a Public/Semi-Public Zone, a temporary sign may be located in the public right of way, when the right of way exceeds 60 feet in width and there is a landscape strip between curb and sidewalk that exceeds five feet in width. A temporary sign in the public right of way shall be placed a minimum of three feet behind the curb and shall be placed a minimum of 50 feet from a driveway or street intersection.
  - 4) A newly opened business may have a temporary sign for up to 180 days while waiting for a permanent sign to be manufactured and installed.

**Section 2. Effective Date.** This Ordinance shall not become effective until the 30<sup>th</sup> day after adoption by the Stayton City Council and execution by the Mayor, or a representative of the Mayor. In the

event of a timely appeal to LUBA, this Ordinance shall not become effective until the LUBA appeal is finally resolved, including any appeals from the decision of LUBA.

**Section 3.** 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 20<sup>th</sup> day of August, 2018.

CITY OF STAYTON

Signed: \_\_\_\_\_, 2018

BY: \_\_\_\_\_  
Henry A. Porter, Mayor

Signed: \_\_\_\_\_, 2018

ATTEST: \_\_\_\_\_  
Keith D. Campbell,  
City Administrator

DRAFT



**CITY OF STAYTON**  
**M E M O R A N D U M**

**TO: Mayor Henry Porter and the Stayton City Council**  
**FROM: Dan Fleishman, Director of Planning and Development**  
**DATE: August 20, 2018**  
**SUBJECT: Annexation Application, E Virginia St**  
**120 DAYS ENDS: October 27, 2018**

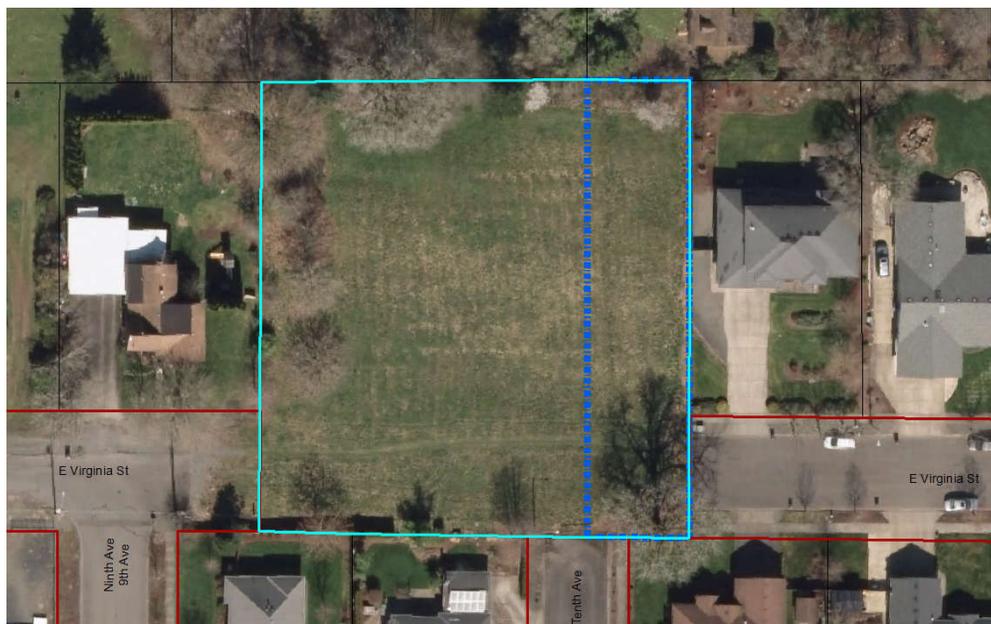
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**ISSUE**

The issue before the City Council is a public hearing on an application for the annexation of approximately 0.25 acres of land on E Virginia Ave and to assign Medium Density Residential zoning to newly annexed territory. Following the public hearing, the Council will be requested to consider Ordinance 1025 that will annex the property and amend the Official Zoning Map.

**BACKGROUND INFORMATION**

The territory proposed for annexation is a portion of 1.1 acre parcel of land. Most of the parcel is in the City Limits, but a portion of the property has not been annexed. The applicant proposed annexation of this portion of the property. The parcel includes the unconstructed portion of E Virginia St. The applicant proposed to complete E Virginia St and divide the parcel into four lots. A March, 2014 aerial photo of the property is below:



## **ANALYSIS**

This report presents the Planning Staff's summary and analysis concerning this application. It was developed after seeking input from other City departments and agencies. As is routine for all applications that appear before the Planning Commission, notice of the application was sent to the City of Stayton Public Works, Stayton Cooperative Telephone Company, Pacific Power, NW Natural Gas, Stayton Fire District, Marion County Public Works, Marion County Planning Division, Santiam Water Control District and the North Santiam School District. No comments were received or concerns raised by these agencies regarding the annexation.

Attached is an application for annexation from Coe Construction. The application was accompanied by a concurrent application to subdivide the property. Only the application for annexation is before the City Council. The application for preliminary plan approval of the subdivision was approved by the Planning Commission, with conditions, contingent upon the successful completion of the annexation process.

The application consists of the application form and the applicant's narrative. It should be noted that the applicant's narrative addresses both the application for annexation and the subdivision application. Also attached is the Planning Commission's order, containing its recommendation on the application for annexation and its approval of the subdivision.

Also included in the packet is correspondence and some photos received from a neighboring property owner. The Planning Commission received a number of emails regarding the applications. The issues addressed in the emails were relative to the subdivision proposal, not the annexation. A summary of the comments is included in the Planning Commission's order.

The City Council must reach two independent decisions:

- Does the application meet the criteria for approval for annexation
- If so, which zone to apply to the property

Information to assist the Council reach each of these decisions is discussed separately below.

### **Annexation Criteria**

Section 17.12.210 of the Land Use and Development Code contains six criteria for approval of applications for annexation. The sixth criterion applies only to contract annexations and is not applicable to this application. The other five criteria are:

- a. Need exists in the community for the land proposed to be annexed.
- b. The site is or is capable of being serviced by adequate City public services including such services as may be provided subject to the terms of a contract annexation agreement between the applicant and the City.
- c. The proposed annexation is property contiguous to existing City jurisdictional limits.
- d. The proposed annexation is compatible with the character of the surrounding area and complies with the urban growth program and policies of the City of Stayton.
- e. The annexation request complies or can be made to comply with all applicable provisions of state and local law.

Criteria b, c, and e are fairly objective and leave little for interpretation. In this case, sewer and water facilities are available to the property. The area to be annexed is an island of unannexed land completely surrounded by the City Limits and provisions of the state law – process and consent of landowners – have been or will be followed.

This leaves the other two criteria for more careful scrutiny and analysis. The “need” for any annexation may always be debated. The draft ordinance that staff has provided to the Council reflects the following analysis and Staff’s recommended conclusions.

The 2013 Stayton Comprehensive Plan update included a Buildable Lands Inventory (BLI). The 2013 BLI provides the following information on projected growth and the need for additional land in the community. At that time, there were 114 lots comprising 106 acres of vacant land inside the City limits in the Low, Medium, and High Density Residential Zones. The projected population for the City in 2030 (at a growth rate of 1.7%) was 11,359 people, requiring an additional 1,281 dwellings. To meet that need, the Comprehensive Plan indicates an additional 320 acres of residential land will need to be annexed into the City. Since the time that analysis was conducted, the City has annexed 40 acres of residential land.

There are currently 91 vacant lots totaling 100 acres within the City limits that are residentially zoned.

Only two subdivisions have been platted in the past 5 years. Four subdivisions have been platted in the past 10 years. The total number of lots in each and the current status is shown in the table below.

Subdivision Name	Year Platted	No of Lots	Existing Homes	Vacant Lots
Roth Estates	2009	12	12	0
Phillips Estates, Phase 1	2009	20	16	4
Phillips Estates, Phase 2	2014	26	5	21
Wildlife Meadows	2017	44	35	11

In addition, there is a possible third phase of the Phillips Estates subdivision, accounting for a potential of 10 lots, and the Lambert Place subdivision with 51 lots that have received preliminary plan approval from the Planning Commission but not yet been platted with Marion County.

Though there are 91 parcels totaling 100 acres in the City and residentially zoned, there are only 57 parcels totaling 58 acres of vacant property within the City limits that are residentially zoned and reasonably available for development. Lack of utility availability, ownership by a governmental entity, wetlands and floodplain issues constrain the ability of the remaining land to be available for development. In addition the City will not issue permits for the 25 vacant lots in the Phillips Estate subdivision until the developer addresses the ongoing stormwater issues. Within the LD zone there are 42 lots reasonably available for development. In the MD zone there are 14 vacant lots. There is only one vacant lot in the High Density Residential Zone. With 4 acres, it has the potential capacity for 50 to 60 dwelling units.

The City’s growth rate from 2000 and 2017 has been at an average annual rate of about 1%, with a population change of 954 people. The Marion County Coordinated Growth projection for 2030 is 11,360, reflecting a 1.6% average annual growth rate for the next twenty years. At a

1.6% growth rate from the most recent certified population estimate of the City, there would be the need for 541 new dwellings units over the next 10 years. At an average of 5 units per acre for single family development, there would be the need for all of the existing vacant land in the City and 65 acres of land beyond the vacant land considered reasonably available for development to accommodate this number of homes.

The second criterion subject to analysis is that the proposed annexation is compatible with the character of the surrounding area and complies with the urban growth program and policies of the City. The property is surrounded by a mix of single family lots and a multifamily development. The portion of the property currently in the City Limits is zoned Medium Density Residential, as are nine houselots to the south and west of the subject property. These MD lots range in size from 7,300 square feet to 16,000 square feet. To the east of the subject property are single family lots, zoned Low Density Residential and ranging in size from 9,579 square feet to 14,193 square feet. The proposal is to annex the portion of the property not within the City Limits for a proposed subdivision with lots ranging in size from 7,047 to 9,116 square feet in area. The MD zoning allows duplexes on each lot, which the applicant intends to build.

Finally, the City Council must find that the proposal complies with the urban growth program and policies of the City of Stayton. The extent that it exists, the urban growth program is contained in Chapter 8 of the Comprehensive Plan and in the City's adopted Master Plans. Comprehensive Plan Chapter 8 contains the justification for the City's Urban Growth Boundary and the policies for coordination of growth within the UGB but outside of the city limits. The City's policies for the development of land in the UGB are really contained in the master plans. The territory to be annexed is the last remaining island of unannexed land surrounded by the City. The portion of the property within the City has been within the City since the City was incorporated.

### **Zone Map Amendment Criteria**

Section 17.12.180.6 of the Land Use and Development Code contains six criteria for approval of applications for zone map amendments. Section 17.12.210 .5, from the annexation procedures section, indicates that "All lands that are annexed to the City shall be zoned in accordance with the designation of the property in the Comprehensive Plan. The specific zone assigned to the land being annexed shall be determined by the City Council in accordance with the proposed uses of the land and the needs identified by the buildable lands analysis in the Comprehensive Plan."

The property is designated Residential by the Comprehensive Plan Map. Chapter 17.16 of the Land Use and Development Code establishes three possible zoning classifications for residential zones:

- **LOW DENSITY RESIDENTIAL (LD).** To provide for single family dwelling units and their accessory uses and, with conditional use approval, other uses compatible with single family dwelling units. Density shall not exceed 6 units per acre. The minimum lot size in the LD zone is 8,000 square feet with an 80-foot lot width requirement.
- **MEDIUM DENSITY RESIDENTIAL (MD).** To provide for single family, duplex, triplex, and mobile home parks, and other compatible uses with conditional approval. Density of

development shall not exceed 12 dwelling units per acre. The minimum lot size in the MD zone is 7,000 square feet with a 70-foot lot width requirement.

- **HIGH DENSITY RESIDENTIAL (HD).** To provide for multifamily residential units, other compatible living units, their accessory structures and, with conditional use approval, other compatible uses. The minimum density shall be 13 units per acre. There shall be no upper limit to the maximum allowable dwelling density. The minimum lot size in the HD zone is 6,000 square feet with a 60-foot lot width requirement.

The task before the City Council is to determine which of the three zones is most appropriate considering the goals and policies of the Comprehensive Plan. The applicant has requested the City apply Medium Density Residential zoning to the property and has submitted a concurrent application for subdivision approval, which has been approved by the Planning Commission contingent upon successful completion of the annexation process. The Planning Commission, following its analysis has recommended Medium Density Residential zoning.

The Comprehensive Plan notes the need for the City's Comprehensive Plan to be coordinated with the Marion County Comprehensive Plan and that the urban growth framework in the County Plan calls for an overall density guideline of between 5 and 6 units per acre of land zoned for residential use. Table 3.8 of the Comprehensive Plan notes that overall, the City had only 3.1 dwelling units per acre of land zoned residential, ranging from as high as 11.4 units per acre for land zoned HD, to 4.6 units per acre in the MD zone to as low as 2.2 units per acre in the LD zone. It should be noted that this includes vacant parcels and parcels with potential for redevelopment and is a density calculation based on the gross acreage of land zone residential, including streets.

Policy LU-1 of the Comprehensive Plan is to adopt a zoning map consistent with the Comprehensive Plan Map. This policy has two implementation actions, one of which is that zoning district boundaries shall follow property lines and rights of way centerlines as much as practicable. In this case where a majority of the property is in the City Limits and zoned MD, it makes sense, and is consistent with the Comprehensive Plan, that the remainder of the property be zoned MD.

### **RECOMMENDATION**

The Planning Commission has recommended approval of the application for annexation and that the City Council assign Medium Density Residential Zoning, as indicated in the attached order.

The staff also recommends approval as reflected in the draft ordinance that is included in the packet.

There may be testimony at the public hearing that requires the findings in the draft ordinance be modified to reflect that testimony.

### **OPTIONS AND MOTIONS**

The City Council is presented with the following options.

**1. Approve the application and the first consideration of Ordinance 1025**

Move to approve the application of Coe Construction, LLC (Land Use File #13-06/18) for annexation and assign Medium Density Residential Zoning to the property by enacting Ordinance No 1025 as presented.

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 the vote is unanimous, Ordinance No. 1025 is enacted and will be presented to the Mayor for his approval.

If the vote is not unanimous, Ordinance No. 1025 will be brought before the Council for a second consideration at the September 17, 2018 meeting.

**2. Approve the application and the Ordinance with modifications**

Move to approve the application of Coe Construction, LLC (Land Use File #13-06/18) for annexation and assign Medium Density Residential Zoning to the property by enacting Ordinance No 1025 with the following changes ... and direct staff to incorporate these changes into the Ordinance before the Ordinance is presented to the City Council for a second consideration.

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 the first consideration is approved, Ordinance No. 1025 will be brought before the Council for a second consideration at its September 17, 2018 meeting.

**3. Deny the application**

Move to deny the application of Coe Construction, LLC (Land Use File #13-06/18) for annexation and direct staff to prepare a draft Order of Denial for consideration by the City Council.

**4. Continue the hearing until September 17, 2018.**

I move the City Council continue the public hearing on the application of Coe Construction for annexation, LLC (Land Use File #13-06/18) until September 17, 2018.

**5. Close the hearing but keep the record open for submission of written testimony.**

I move the City Council close the hearing on the application of Coe Construction, LLC for annexation (Land Use File #13-06/18) but maintain the record open to submissions by the applicant until September 4, allowing 7 days for review and rebuttal and then an additional 7 days for the applicant to reply, with final closure of the record on September 18, 2018.

**6. Close the hearing and record, and continue the deliberation to the next meeting.**

I move the City Council continue the deliberation on the applications for annexation and preliminary subdivision approval of Coe Construction, LLC (Land Use File #13-06/18) until September 17, 2018.





**BEFORE THE STAYTON PLANNING COMMISSION**

In the matter of )  
the applications of ) Annexation  
Coe Construction ) Subdivision  
 ) File # 13-06/18  
 )

**ORDER OF APPROVAL**

**I. NATURE OF APPLICATION**

The applicant has submitted two applications for concurrent review. The applicant is requesting approval to annex 11,361 square feet of a 1.1-acre parcel into the city limits. The applicant is also requesting preliminary plan approval to subdivide the entire parcel into four lots.

**II. PUBLIC HEARING**

A public hearing was held on the application before the Stayton Planning Commission on July 30, 2018. At that hearing the Planning Commission reviewed Land Use File #13-06/18 applications for annexation and subdivision and it was made part of the record.

**III. FINDINGS OF FACT**

**A. EXISTING CONDITIONS**

1. The owner of the property and the applicant is Coe Construction Co.
2. The parcel can be described as: Township 9, Range 1 West of the Willamette Meridian, Section 10DA, Tax Lot 3100.
3. The property is currently partially in the City Limits and zoned Medium Density Residential (MD) and partially outside of the City Limits and zoned Marion County Urban Transition (UT-20).
4. The property is located on E Virginia St where a section of the street has not been dedicated. The entire property is approximately 1.1 acres in area with approximately 214 feet of lot width between the two sections of E Virginia St and approximately 227 feet of depth.
5. The property to the east is zoned Low Density Residential (LD), was annexed in 1994, and is developed with a single family dwelling. The properties to the north, are zoned LD and High Density Residential and is a vacant lot and a lot developed with a multi-family complex. The property to the west is zoned MD, was part of the original Charter for the Town of Stayton, and is developed as a single family home. The properties to the south are zoned MD, were part of the original Charter for the Town of Stayton, and are developed with single family dwellings. Neighboring single family residential properties range in size from 7,300 square feet to 14,300 square feet in area.
6. The property is currently vacant.

## B. PROPOSAL

The proposal is to annex 11,361 square feet of land into the City. The applicant has proposed that Medium Density Residential zoning be applied at the time of annexation. The applicant also proposes to subdivide the property into four lots and complete the construction of E Virginia St on the southern portion of the parcel.

## C. AGENCY COMMENTS

The following agencies were notified of the proposal: City of Stayton Public Works, Stayton Cooperative Telephone Company, Pacific Power, NW Natural Gas, Stayton Fire District, Marion County Public Works, Marion County Planning Division, Santiam Water Control District and the North Santiam School District.

Comments were received from the Stayton Public Works Department through the City Engineer. These comments are incorporated into the findings below.

## D. PUBLIC COMMENTS

The Planning Department notified all owners of property within 300 feet of the subject property. A letter and six printed emails were submitted prior to the public hearing. All of these emails and letters were on the subject of saving a tree that is partially on others' property and partly on the subject property and will be in the dedicated right of way for E Virginia St. These comments are addressed in the findings below.

At the public hearing there was testimony from seven individuals. This testimony was offered in opposition to the applications. Concern was expressed by those testifying regarding the impacts of continuing E Virginia St and speed once it is a through street, about the condition of E Virginia St between N Fourth Ave and N Ninth Ave to handle additional traffic, about the oak tree to be saved, and impact of duplexes on the neighborhood of single family dwellings. This testimony is addressed in the findings below.

## E. ANALYSIS

Annexation applications are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Title 17, Section 17.12.210.

Subdivision applications are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Chapter 17, Section 17.24.040.6, Preliminary Plan Approval Criteria and 17.24.050 Design Standards for Subdivisions and Partitions. In addition, the access management requirements and standards of Section 17.26.020 and the traffic impact Study Requirements of Section 17.26.050 apply.

## F. REVIEW CRITERIA

### **Annexation Criteria**

Pursuant to SMC 17.12.210.4 the following criteria must be demonstrated as being satisfied by the application:

a. *Need exists in the community for the land proposed to be annexed.*

Finding: The 2013 Stayton Comprehensive Plan update included a Buildable Lands Inventory (BLI). The 2013 BLI provides the following information on projected growth and need for additional land in the community. At that time, there were 114 lots comprising 106 acres of vacant land inside the City limits in the Low, Medium, and High Density Residential Zones. The projected population for the City in 2030 (at a growth rate of 1.7%) was 11,359 people, requiring an additional 1,281 dwellings. To meet that need, the City Comprehensive Plan indicates the expected need of additional 320 acres of residential to be annexed into the City. Since the time that analysis was conducted, the City has annexed 40 acres of residential land.

Staff has calculated information on current buildable lands as follows. There are currently 97 vacant lots totaling 97 acres within the City limits that are residentially zoned.

Only two subdivisions have been platted in the past 5 years. Six subdivisions have been platted in the past 10 years. The total number of lots in each and the current status is shown in the table below.

Recent Subdivisions in Stayton

Subdivision Name	Year Platted	No of Lots	Existing Homes	Vacant Lots
Third Avenue Subdivision	2008	4	4	0
Roth Estates	2009	12	12	0
Phillips Estates, Phase 1	2009	20	16	4
Phillips Estates, Phase 2	2014	26	5	21
Wildlife Meadows	2017	44	29	17

In addition, there is a possible third phase of the Phillips Estates subdivision, accounting for a potential of 10 lots, and the Lambert Place with 51 lots that have received preliminary plan approval from the Planning Commission but not yet been platted with Marion County.

Though there are 97 parcels totaling 97 acres in the City and residentially zoned, staff estimates that there are only 87 parcels totaling 59 acres of vacant property within the City limits that is residentially zoned and reasonably available for development. Lack of utility availability, ownership by a governmental entity, wetlands and floodplain issues constrain the ability of the remaining land to be available for development. Within the LD zone there are 72 lots reasonably available for development. In the MD zone there are 14 vacant lots. There is only one vacant lot in the High Density Residential Zone. With 4 acres, it has the potential capacity for 50 to 60 dwelling units.

The City's growth rate from 2000 and 2017 has been at an average annual rate of about 1%, with a population change of 954 people. The Marion County Coordinated Growth projection for 2030 is 11,360, reflecting a 1.6% average annual growth rate for the next twenty years. At a 1.6% growth rate from the most recent certified population estimate of the City, there would be the need for 541 new dwellings units over the next 10 years. At an average of 5 units per acre for single family development, there would be the need for all of the existing vacant land in the City and 60 acres of land beyond the vacant land considered reasonably available for development to accommodate this number of homes.

*b. The site is or is capable of being serviced by adequate City public services, including such services as may be provided subject to the terms of a contract annexation agreement between the applicant and the City.*

Finding: There is a 20-inch water main in E Virginia St. There is a 10-inch sewer main in E Virginia and N Tenth Ave with sewer manhole in N Tenth Ave. There is a 15-inch stormwater main on the subject property.

*c. The proposed annexation is property contiguous to existing City jurisdictional limits.*

Finding: The unannexed portion of the property is an island of unannexed land surrounded by the City.

*d. The proposed annexation is compatible with the character of the surrounding area and complies with the urban growth program and the policies of the City of Stayton.*

Finding: The preliminary subdivision plan submitted with the annexation application shows a four-lot subdivision. The preliminary plan shows lots ranging in size from 7,047 square feet to 9,116 square feet in area. The properties to the south and west that are zoned MD range in size from about 7,200 square feet to 16,400. The properties to the east that are zoned LD range in size from 9,700 square feet to 14,360 square feet.

There was testimony that the planned duplexes would not be compatible with the surrounding single family dwellings. The Commission finds that the property has been zoned MD since 1979 and duplexes are permitted uses in the MD zone.

There was testimony that the proposed street would not be compatible with the existing section of E Virginia St to the west of the subject property. The Commission finds the applicant proposes to construct the missing section of E Virginia St in accordance with the Public Works Design Standards for a local street and the portion of E Virginia St to the west, though not fully improved has a full right of way and a paved section adequate for two-way traffic.

*e. The annexation request complies or can be made to comply with all applicable provisions of state and local law.*

Finding: The criteria of ORS 222 apply to the adoption of an annexation ordinance which is a City Council action. The property owners have consented to the annexation.

*f. If a proposed contract annexation, the terms and conditions, including the cost of City facility and service extensions to the annexed area shall be calculated by the Public Works Director.*

Finding: The proposed annexation is not a contract annexation.

### **Subdivision Criteria**

Pursuant to SMC 17.24.040.6 the following criteria must be demonstrated as being satisfied by the application:

*b. Adequate urban services are available to the property.*

Finding: There is a 20-inch water main in E Virginia St that extends through the subject property. There is a fire hydrant on the south side of E Virginia St about 70 feet from the subject property. There is a 6-inch water main in N Tenth Ave that dead-ends near the south boundary of the subject parcel. The applicant intends to connect the existing water main with individual services for each home. The City Engineer commented that separate water services, water meters, and backflow prevention devices (as appropriate) will be required per the PWDS. The City Engineer noted that the new building on Lot 2 is likely to exceed the maximum 250-foot distance from the existing hydrant. The City Engineer has noted the need for the 6-inch main in N Tenth Ave to be connected to the 20-inch main during construction of the street. A Development Agreement will be required that addresses City reimbursement to the developer for the additional cost of extending the 6-inch main.

There is a 10-inch sewer main in E Virginia St and N Tenth Ave with a manhole in N Tenth Ave. The application proposes to extend the sanitary sewer north from the existing manhole, construct a new manhole and construct a sewer main to the west in E Virginia St. The City Engineer noted that separate sewer services and property line cleanouts are required per the PWDS. A two-way property line cleanout shall be provided at any existing and the new sanitary sewer services in accordance with the PWDS. The City Engineer noted that sanitary sewer shall be constructed with pressure rated pipe due to the shallow depth of the existing system.

There is an existing 15-inch stormwater pipe that traverses the subject property from north to south and continues in to N Tenth Ave. The application proposes street swales along E Virginia St. The City Engineer commented that catch basins will be needed at the intersection of N Tenth Ave and a new storm drainage system will need to be extended along the frontage of the development from the existing 30-inch storm drainage system at N Tenth Ave to serve the intersection N Ninth Ave and the westerly portions of E Virginia St. The City Engineer recommended that the City work with the Developer to complete the parallel 18-inch storm drainage improvements to the north that are identified in the Stormwater Master Plan. The City will work with the Developer to come up with a Development Agreement that is acceptable for both parties for the additional public improvements. The City Engineer further noted that due to the street width and parking along E Virginia St, the number of needed driveway crossings, and the amount of space needed to design a street swale system in the landscape strip between the curb and sidewalk, the proposed E Virginia St stormwater system will need to be designed as a series of planters, or some other stormwater facility type will need to be designed.

- c. *The proposed parcels, lots, or roads are compatible with the existing pattern of development in the area.*

Finding: The properties to the south and west that are zoned MD range in size from about 7,200 square feet to 16,400. The properties to the east that are zoned LD range in size from 9,700 square feet to 14,360 square feet.

- d. *All streets shall be in a location and have a right of way and traveled way width in accordance with in the City's Transportation Plan.*

Finding: The application proposes to construct the “missing section” of E Virginia St. E Virginia St is a local street. To the east of the subject property E Virginia St is fully improved with 38 feet of travel way, curb and gutter and 5-foot property line sidewalks. To the west of the subject property E Virginia St is partially improved with 38 feet of pavement, one curb, and no sidewalks. The Public Works Design Standard for a local street is for a 34-foot improvement in a 60-foot right of way with property line sidewalks. The application proposes dedication of a 60-foot right of way, paving a 34-foot travel way, constructing curb and gutter and planning a property line sidewalks to be constructed when homes are built. The City Engineer noted that the Future Streets Plan of the TSP shows a future collector street being extending from the intersection of N Tenth Ave and E Jefferson St south towards the Salem Ditch, and then east along the North Santiam River to serve future development. However, since most of the area between E Jefferson St and the subject property is already developed, it is unlikely that the City will be able to obtain the necessary right-of-way needed to provide for the extension N Tenth Ave. The City Engineer commented that whereas N Tenth Ave cannot be extended to the north, it is anticipated that E Virginia St will most likely become the Minor Collector Street that will ultimately serve as the primary street network for the future development to the east of the Pioneer Meadows subdivision. The City Engineer recommended that E Virginia St be designed along the frontage of this development to match the existing street section that was constructed as part of Phase 2 of Pioneer Meadows. The City will work with the Developer to come up with a Development Agreement that is acceptable for both parties for the additional public improvements. The City Engineer recommended that a standard 10-foot wide public utility easement be provided along the E Virginia St frontage in accordance with the PWDS.

There were a number of written comments submitted prior to the public hearing and testimony at the public hearing relative to street design and the fate of a mature oak tree on the property. The specifics of street design, sidewalk placement, and whether the tree is removed or saved is not part of the Planning Commission’s application of this standard and will be up to the Public Works Department and City Engineer in review of the construction plans for the subdivision and application of the Public Works Design Standards.

- e. *The design standards of Section 17.24.050 below are satisfied as well as the access management standards in Section 17.26.020.*

*Section 17.24.050*

*1. STREETS.*

- a. *Streets shall be in alignment with existing streets in the vicinity of the proposed subdivision, either by prolongation of existing centerlines or by connection with suitable curves. Streets shall conform to the location, alignment and width as indicated on the official map of streets known as the Future Street Plan in the adopted Stayton Transportation System Plan.*

- b. *Streets should intersect at or near right angles as practicable, and in no case shall the angle of intersection exceed 120 degrees.*
- c. *The criteria of a and b above may be modified where the applicant can demonstrate to the decision authority that the topography, or the small number of lots involved, or any other unusual conditions justify such modification.*
- d. *Bikeways and pedestrian ways shall be required in accordance with the City of Stayton Non-Motorized Plan in the adopted Stayton Transportation System Plan.*
- e. *Concrete curbs and concrete sidewalks shall be installed on all streets. The location and width of sidewalks shall be determined by the decision authority. In making such determination, the decision authority shall take into consideration the topography of the land, the presence of improvements, trees or other plantings, the type of street, and the location of sidewalks, if any, in adjacent areas or subdivision.*  
  
*In residential neighborhoods, sidewalks shall be placed along the property line whenever possible. In all cases, sidewalks shall be placed 1 foot from the property line on arterial and collector streets.*

Finding: The application proposes the construction of E Virginia St to connect the two discontinuous sections of the street. No bikeways or pedestrian ways are included in this area in the Non-Motorized Plan. The application proposes construction of concrete curbs and sidewalks on both sides of E Virginia St. The City Engineer commented that whereas N Tenth Ave cannot be extended to the north, it is anticipated that E Virginia St will most likely become the Minor Collector Street that will ultimately serve as the primary street network for the future development to the east of the Pioneer Meadows subdivision. The City Engineer recommended that E Virginia St be designed along the frontage of this development to match the existing street section that was constructed as part of Phase 2 of Pioneer Meadows. The City will work with the Developer to come up with a Development Agreement that is acceptable for both parties for the additional public improvements. The City Engineer recommended that a standard 10-foot wide public utility easement be provided along the E Virginia St frontage in accordance with the PWDS.

There were a number of written comments submitted prior to the public hearing and testimony at the public hearing relative to street design and the fate of a mature oak tree on the property. The specifics of street design, sidewalk placement, and whether the tree is removed or saved is not part of the Planning Commission's application of this standard and will be up to the Public Works Department and City Engineer in review of the construction plans for the subdivision and application of the Public Works Design Standards.

There was testimony at the public hearing relative to the adequacy of E Virginia St, between N Fourth Ave and N Ninth Ave to handle the traffic of E Virginia becoming a through street. E Virginia St, though not a fully-improved street, does have a 60-

right of way and a paved portion adequate for two-way traffic. Pavement condition is a responsibility of the City, not of the applicant.

2. *DEDICATION OF A RIGHT-OF-WAY. If a parcel of land to be divided includes any portion of a right-of-way or street, the preliminary plan shall show where such right-of-way or street will be dedicated for the purpose or use proposed.*

Finding: The application proposes a 60-foot dedication of right of way for E Virginia St.

3. *DEAD-END STREETS AND CUL-DE-SACS. When it appears necessary to continue a street into a future subdivision or adjacent acreage, streets shall be dedicated or platted to the boundary of a division without a turn-around. In all other cases, dead-end streets and cul-de-sacs shall have a turn-around with a radius of not less than 45 feet to the property line. Unless otherwise approved by the decision authority, the length of the street to the cul-de-sac bulb shall not exceed 450 feet in length.*

Finding: The application proposes a 60-foot dedication of right of way for E Virginia St, connecting two discontinuous sections of the street.

4. *RESERVE BLOCK.*

- a. *Reserve blocks controlling the access to public ways or which will not prove taxable for special improvements may be required by the decision authority, but will not be approved unless such strips are necessary for the protection of the public welfare or of substantial property rights, or both, and in no case unless the land comprising such strips is placed in the name of the City for disposal and dedication for street or road purposes whenever such disposal or dedication has the approval of the decision authority.*
- b. *In no case shall a reserve block be platted along a street that is dedicated to the required full width.*

Finding: No reserve block are included in the proposal.

5. *STREET WIDTHS.*

- a. *The location, width, and grade of all streets must conform to any approved transportation master plan or recorded subdivision plat. Where the location of a street is not shown in an approved street plan, the arrangement of streets in a development shall either provide for the continuation or appropriate projection of existing principal streets in the surrounding areas or conform to a plan for the neighborhood approved or adopted by the City to meet a particular situation where topographical or other conditions made continuance or conformance to existing streets impractical or where no plan has been previously adopted.*
- b. *In addition, new streets may be required to be located where the City Engineer determines that additional access is needed to relieve or avoid access deficiencies on adjacent or nearby properties. In determining the*

*location of new streets in a development or street plan, consideration shall be given to maximizing available solar access for adjoining development sites.*

- c. When an area within a subdivision is set aside for commercial uses or where probable future conditions warrant, the decision authority may require dedication of streets to a greater width than herein otherwise provided.*
- d. The street right-of-way in or along the boundary of a subdivision shall have the minimum width as specified in Standard Specifications for Public Works Construction, Section 300 - Street Design Standards, 2.07, except a boundary street may be half such width where it is apparent that the other half will be dedicated from adjacent properties.*
- e. Temporary dead-end streets. Dead-end streets that may in the future be extended shall have a right-of-way and pavement width that will conform to the development pattern when extended.*
- f. Additional Right-of-Way Widths.*
  - 1) Where topographical requirements necessitate either cuts or fill for the proper grading of streets, additional right-of-way width may be required to allow all cut and fill slopes to be within the right-of-way.*
  - 2) Where bikeways necessitate, additional right-of-way width may be required.*

Finding: The application proposes to construct the “missing section” of E Virginia St. E Virginia St is a local street. To the east of the subject property E Virginia St is fully improved with 38 feet of travel way, curb and gutter and 5-foot property line sidewalks. To the west of the subject property E Virginia St is partially improved with 38 feet of pavement, one curb, and no sidewalks. The Public Works Design Standard for a local street is for a 34-foot improvement in a 60-foot right of way with property line sidewalks. The application proposes dedication of a 60-foot right of way, paving a 34-foot travel way, constructing curb and gutter and planning a property line sidewalks to be constructed when homes are built. The City Engineer recommended that E Virginia St be designed along the frontage of this development to match the existing street section that was constructed as part of Phase 2 of Pioneer Meadows. The City will work with the Developer to come up with a Development Agreement that is acceptable for both parties for the additional public improvements. The City Engineer recommended that a standard 10-foot wide public utility easement be provided along the E Virginia St frontage in accordance with the PWDS.

#### *6. SUBDIVISION BLOCKS.*

- a. Block lengths and widths shall be determined by giving consideration to the following factors:*
  - 1) The distance and alignment of existing blocks and streets.*
  - 2) Topography.*
  - 3) Lot size.*

- 4) *Need for and direction of the flow of through and local traffic.*
- b. *Block length and perimeter standards are specified in Section 17.26.1020.5.c.*
- c. *Except where topographical or other physical features require otherwise, block widths shall not be less than 180 feet.*

Finding: There are no new blocks created with this proposal.

- 7. *MID-BLOCK WALKS. Where topographical or other conditions make necessary blocks of unusual length, the decision authority may require the developer to install mid-block pedestrian walks on a right-of-way at least 6 feet in width, which shall be hard surfaced throughout the block, and curb to curb, in order to provide easy access to schools, parks, shopping centers, mass transportation stops, or other community services.*

Finding: No need for a mid-block walk was identified by the City Engineer.

8. *LOT SIZE, LOT LINES.*

- a. *Lot sizes shall be as specified in the zoning district in which the land division is being proposed.*
- b. *If topography, drainage, location, or other conditions justify, the decision authority may require greater area and frontage widths on any or all lots within a subdivision, or it may allow smaller area or front line widths if the surrounding area and other conditions justify such requirements.*
- c. *In a cul-de-sac, the minimum lot line fronting the turn-around shall be 40 feet, and in no case shall the lot width be less than 60 feet at the building line.*
- d. *Side lot lines shall be as close to right angles to the front street as practicable.*
- e. *Unless otherwise approved, rear lot lines shall be not less than ½ the width of the front lot lines.*
- f. *The subdividing or partitioning of developed property shall not create lots or parcels that are in violation of the dwelling density limitations of the underlying zone.*

Finding: The minimum lot size in the MD zone is 7,000 square feet, with a minimum 70-foot lot width. The application proposes the creation of two “interior lots” and two flag lots. The two interior lots will be 7,047 square feet and 7,055 square feet in area and will have a minimum of 87 feet of frontage. The two flag lots exceed 9,000 square feet in area, excluding the “pole portion” of the lot. Lot side lines are perpendicular to the front lot lines. The interior lots are rectangular in shape except. The flag lot driveways are separated by 174 feet. The maximum allowable density in the MD zone is 12 dwelling units per acre. If each lot in the proposed subdivision was constructed with a duplex, the density would be 7.3 dwelling units per acre.

9. *PUBLIC SURVEY MONUMENTS. Any donation land claim, corner, section corner, or other official survey monument within or on the boundary of a proposed subdivision shall be accurately referenced to at least two monuments.*

Finding: There are no public survey monuments in the vicinity of the proposed partition.

10. *SEWAGE DISPOSAL.*

- a. *All extensions of the existing City sewage facilities shall be in accordance with the adopted Wastewater Master Plan. Sewer mains shall be extended to the edge of the subdivision unless otherwise approved by the Public Works Director.*
- b. *If adequate public sewage facilities are not available to the parcel of land proposed for subdivision, or if extension of the existing City sewage facilities to serve the buildings to be constructed in the proposed subdivision does not appear practical and economically feasible because of topographic or other considerations, and if all lots in a subdivision are of proper size and soil conditions are suitable, as determined by percolator or other tests made by or approved by the health officer having jurisdiction, the City may allow individual sewage disposal facilities approved by the health officer to be installed on each lot when and as buildings are erected thereon.*

Finding: There is a 10-inch sewer main in E Virginia St and N Tenth Ave with a manhole in N Tenth Ave. The application proposes to extend the sanitary sewer north from the existing manhole, construct a new manhole and construct a sewer main to the west in E Virginia St, terminating in a manhole near the west boundary of the subdivision.

11. *PUBLIC USE AREAS.*

- a. *Subdivision and partition preliminary plans shall provide a minimum of 5% of the gross area of the subdivision or partition as public recreation area.*
- b. *Such public recreational area shall have access to a public street, and the decision authority may specify the location of such area to be compatible with existing or anticipated recreational development.*
- c. *As an alternative to subsection a. of this section, in cases where such recreational area would not be effectively used because of size or the location of the subdivision or partition, or where agreed upon by the decision authority, the developer shall pay to the City a fee, earmarked for recreational use and development.*

Finding: There are no proposed public use areas with this subdivision and no parks planned for the area in the Parks Master Plan. Each new home will pay a Parks System Development Charge earmarked for improvements to the City's parks.

12. WATER SUPPLY.

- a. *All lots shall be served from the established public water system of the City or, if permitted by the decision authority, from community or public wells, of which the water quality and system maintenance shall be in accordance with the requirements of the Oregon Board of Health or the county health officer.*
- b. *In the event that larger lines are deemed necessary by the City for service to adjoining areas than what would normally be required to serve the area to be subdivided, the City will pay the additional costs of such larger lines based on the current rate schedule adopted by the City.*

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Finding: There is a 20-inch water main in E Virginia St that extends through the subject property. There is a 6-inch water main in N Tenth Ave that dead-ends near the south boundary of the subject parcel. The applicant intends to connect the existing water main with individual services for each home. The City Engineer has noted the need for the 6-inch main in N Tenth Ave to be connected to the 20-inch main during construction of the street. The City will work with the Developer to come up with a Development Agreement that is acceptable for both parties for the additional public improvements.

13. UNDERGROUND UTILITIES.

- a. *All permanent utility service to lots in a subdivision shall be provided from underground facilities and no overhead utility service to a subdivision shall be permitted with the exception of poles used exclusively for street lighting and other equipment appurtenant to underground facilities that the utility companies have indicated in writing that there would be impractical difficulty to install underground.*
- b. *The subdivider shall provide underground electricity and telephone service and wiring for future street lighting. The subdivider shall also provide such present street lighting, gas lines, and cable television or other data transmission lines as are available within 500 feet of the proposed subdivision.*

Finding: The application indicates electrical and telecommunication services will be underground.

17.26.020 criteria

2. *NUMBER OF ALLOWED ACCESSES. A single-family residential lot may request up to two driveways on a local street. A single-family residential lot may have only one driveway on any other classification of street. If two residential driveways are requested from a single-family lot, then it shall be subject to spacing standards of 17.26.020.3.b.*

---

Finding: ~~The application indicates that one driveway will be provided for each lot.~~

3. LOCATION OF ACCESSES.

Finding: The Code requires that driveways entering a local street be separated by 50 feet. The application shows the driveways separated by more than more than 60 feet.

- f. *The plan complies with the provisions of the Comprehensive Plan and the zoning district(s) in which it is or will be located.*

Finding: Single family detached dwellings and duplexes are allowed uses in the MD zone. The new lots will exceed the minimum lot size requirement.

- g. *All applicable standards of Chapter 17.20 are satisfied.*

Finding: Section 17.20.210 regulates the creation of flag lots. Section 17.20.210.3 requires that the lot area occupied by the flag driveway not be counted as part of the required minimum lot area. The two flag lots exceed the minimum lot area requirement of the MD zone without including the pole portion of the lots. Section 17.20.210.3 further requires that flag lot driveways be separated by at least twice the minimum frontage requirement of the zoning district. The two pole portions of the flag lots are separated by more than 140 feet.

- h. *All applicable standards of 17.20.180 shall be met and the applicant shall obtain any necessary permits from the Department of State Lands for appropriate mitigation.*

Finding: There are no identified wetlands on this property.

- i. *The name of any proposed subdivision shall not be the same as or similar to any name used on a recorded plat or subdivision in Marion County, except for the use of suffixes such as "town," "place," "court," "addition" or similar generic terms, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the subdivision bearing that name. All plats must continue the block numbers of the plat of the same name last filed. A name shall not be required for a major partitioning.*

Finding: The applicant has reserved the name Virginia Street Terrace with the Marion County Surveyor.

- j. *Compliance exists with the provisions of ORS 92.090 as amended.*

Finding: The requirements of state law for a tentative partitioning plat are that (a) the streets and roads are laid out so as to conform to the plats of subdivisions and partitions already approved for adjoining property as to width, general direction and in all other respects unless the city or county determines it is in the public interest to modify the street or road pattern; (b) streets and roads held for private use are clearly indicated on the tentative plan and all reservations or restrictions relating to such private roads and streets are set forth thereon; and (c) The tentative plan complies with the applicable zoning ordinances and regulations and the ordinances or regulations adopted under ORS 92.044 that are then in effect for the city or county within which the land described in the plan is situated.

The proposed street is in alignment with the existing portions of E Virginia St. The proposed parcels exceed the minimum lot size of the MD zone.

- k. *When any portion of a subdivision or partition is within 100 feet of the North Santiam River or Mill Creek or within 25 feet of the Salem Ditch, the proposed project will not have an adverse impact on fish habitat.*

**Finding:** The subject property is not within 100 feet of the North Santiam River or Mill Creek or within 25 feet of the Salem Ditch.

#### IV. CONCLUSION

Based on the above findings, the Planning Commission concludes that the application meets the criteria for approval in SMC 17.12.210.4, Section 17.24.040, 17.24.050, and 17.26.020 except

1. Section 17.24.050.5.a. This section requires the width of all street to conform to any recorded subdivision plat. The application proposes a travel way width of 34 feet for the new section of E Virginia St. The constructed section of E Virginia St in the Pioneer Meadows subdivision is 38 feet. This standard could be met if the street improvement plans were modified to provide a 38-foot travel way.
2. Section 17.24.050.12. This section requires that the City pay the additional costs of oversized lines. The 6-inch water main in N Tenth Ave needs to be extended to connect to the 20-inch water main in E Virginia St. This standard could be met if the developer connects the 6-inch water main in N Tenth Ave to the 20-inch water main in E Virginia St during construction of E Virginia St and is reimbursed for the additional costs by the City.

#### V. ORDER

Based on the Findings and Conclusions above, the Planning Commission recommends approval of the application for annexation to the City Council and amendment of the Official Zoning Map to designate the property as Medium Density Residential. Further, contingent on the final approval of the annexation, the Planning Commission approves the application for preliminary approval of the subdivision, as shown on a 9-sheet set of plans entitled "Virginia Street Terrace Preliminary Subdivision Plans" prepared by AKS Engineering & Forestry LLC, dated June 22, 2018 and the accompanying materials on file in the Planning and Development Department subject to the attached standard conditions of approval with the following conditions of approval.

1. The following engineered plans and supporting documentation shall be submitted to Public Works Department for review and approval prior to the initiation of construction of any public improvements:
  - a. A street improvement plan conforming to Public Works Standards for E Virginia St. The plans shall be modified from those submitted with the application so that E Virginia St is designed to match the existing street section that was constructed as part of Phase 2 of Pioneer Meadows. The City will work with the Developer to come up with a Development Agreement that is acceptable for both parties for the additional public improvements. A 10-foot wide Public Utilities Easement shall be provided along the frontage all lots.
  - b. Water system plans conforming to Public Works Standards and meeting the requirements of the Building and Fire Code Official. The Developer shall provide written documentation that the Fire Code Official has reviewed and approved all

required private fire access, protection devices, and system modifications, unless otherwise deferred by the Fire Code Official. The water system plans shall include extension of the 6-inch water main in N Tenth Ave to connect to the 20-inch water main in E Virginia St. The City will work with the Developer to come up with a Development Agreement that is acceptable for both parties for the additional public improvements.

- c. Sanitary sewer system plans conforming to Public Works Standards and meeting the requirements of the Building Official.
  - d. A stormwater analysis conforming to Public Works Standards. Careful review and consideration of the area's seasonal high groundwater impacts will need to be included in the analysis. Revisions to the proposed stormwater facility design will be necessary in order to comply with PWDS that will affect the overall stormwater facility size, location, and other design parameters. This will impact the overall lot configuration and/or structure locations.
  - e. Stormwater conveyance, quality, and quantity facility plans conforming to Public Works Standards. It shall be the responsibility of the Developer to provide an acceptable point of discharge for stormwater from the development which will not harm or inconvenience any adjacent or downstream properties and that conforms to Public Works Standards. An acceptable point of discharge is to be designated by the Design Engineer and approved by the City. The stormwater plans shall include construction of an 18-inch storm drainage pipe running parallel to the existing 15-inch storm drainage pipe. The City will work with the Developer to come up with a Development Agreement that is acceptable for both parties for the additional public improvements.
  - f. Covenants, Conditions, and Restrictions (CC&Rs) and a stormwater operation and maintenance plan/agreement (as approved by the City) to ensure future operation and maintenance of the stormwater quality and quantity facilities. The CC&Rs and stormwater operation and maintenance agreement shall be recorded in the Marion County Deed Records prior to recording of the final plat.
  - g. An erosion and sediment control plan for the site grading and earth disturbing activities conforming to Public Works Standards. A 1200-C permit will need to be obtained by the Developer from DEQ for any site disturbance of one or more acres through clearing, grading, excavating, or stockpiling of fill material.
2. With the engineered plans submitted to the Public Works Department the applicant shall submit a draft Development Agreement that details the costs of public improvements for which the developer requests reimbursement from the City. The City will work with the Developer to come up with a Development Agreement that is acceptable for both parties for the additional public improvements.
  3. Prior to submitting a draft Final Plat for review by the City, the applicant shall complete all street improvements.
  4. The Final Plat shall include a storm drainage easement along the existing 15-inch storm

drainage pipe. The easement shall conform to the PWDS and be wide enough to accommodate the existing and the parallel 18-inch storm drain pipe.

5. With submittal of the Final Plat for approval by the City, the applicant shall submit verification by a registered professional engineer that the final sight distances at all intersections and driveway entrances within the subdivision meet the standards of Section 17.26.020.3.h.

Though not a condition of approval placed upon the application, the Planning Commission takes note of the written comments and testimony at the public hearing regarding the existing mature oak tree on the property. The Planning Commission urges the Public Works Director and the City Engineer to take all efforts to preserve the tree.

## VI. OTHER PERMITS AND RESTRICTIONS

The applicant is herein advised that the use of the property involved in this application may require additional permits from the City or other local, state or federal agencies.

The City of Stayton land use review and approval process does not take the place of, or relieve the Applicant of responsibility for acquiring such other permits, or satisfy any restrictions or conditions there on. The land use permit approval herein does not remove, alter, or impair in any way the covenants or restrictions imposed on this property by deed or other instrument.

According to Section 17.12.120.7 this approval shall be effective only when the right granted herein is commenced within one year of the effective date of the decision. Therefore engineered plans and supporting documentation must be submitted to the Public Works Department no later than August 15, 2019.

## VII. EFFECTIVE DATE

This decision regarding the subdivision application is final, but shall not become effective until the 15th day after the mailing of the Notice of Decision in this case, and then only if no appeal to the Stayton City Council is timely filed. In the event of a timely appeal to the City Council, this decision shall not become effective until the appeal is finally resolved, including any appeals from the decision of the City Council to the Oregon Land Use Board of Appeals.

Subject to the Effective Date of this decision set forth herein, the land use approval granted by this decision shall also be effective only when the exercise of the rights granted herein is commenced within one year of the effective date of the decision. In case such right has not been exercised or extension obtained, the approval shall be void. A written request for an extension of time may be filed with the Director of Planning and Development at least 30 days prior to the expiration date of the approval.

## VIII. APPEAL DATES

The Planning Commission's action may be appealed to the Stayton City Council pursuant to Stayton Municipal Code Section 17.12.110 APPEALS within 14 days of the notice of decision.



Ralph Lewis, Chairperson



Date



Dan Fleishman,  
Planning and Development Director

8/7/18  
Date

## Standard Conditions of Approval for Land Use Applications

### General

1. **Approved Land Use Plans** - Minor variations to the approved land use plans shall be permitted provided the development substantially conforms to the submitted land use plans, conditions of approval, and all applicable standards contained in the Stayton Municipal Code (SMC) and City of Stayton Public Works Standards. The applicant shall be responsible for all costs relating to the development, including the design and construction of any required public improvements identified for the project in the approved land use plans, the conditions of approval, the SMC, and Public Works Standards.
2. **City Approvals** - The applicant shall obtain any and all required reviews, approvals, and permits from the City prior to construction of the project.
3. **Change in Use** - Any change in the use of the premises from that identified in the application shall require the City Planner to determine that the proposed use is an allowed use and that adequate parking is provided for the development.
4. **Landscaping** - The applicant shall remain in substantial conformance to the approved landscaping plan and follow the criteria established in SMC 17.20.090 for maintenance and irrigation. Dead plants shall be replaced within six months with a specimen of the same species and similar size class.

### Prior to Engineered Plan Approval

5. **Design Standards** - All public and privately financed public improvements within the project shall be prepared, signed, and stamped by a Professional Engineer registered in the State of Oregon and shall be designed to the most current edition of the Public Works Standards plus the requirements of the SMC in effect at the time the engineered plans are submitted. (SMC 12.08.310.1)
6. **Engineered Plans** - The applicant's design engineer shall submit engineered plans for review and approval of all required public improvements identified for the project in the approved land use plans, the conditions of approval, the SMC and Public Works Standards. Engineered plans shall be reviewed by the City and signed approved by the City Engineer or Public Works Director, prior to issuance of City permits. All conditions of approval for the project will need to be met to the satisfaction of the City Planner and Public Works Director prior to approval of the engineered plans.
7. **Surveys** – Surveys for public improvements shall be performed under the direction of a Professional Land Surveyor registered in the State of Oregon.
8. **Utility Coordination** - Utility companies and public agencies as applicable shall be notified early in the design process and in advance of construction to coordinate all parties impacted by the construction.
9. **Agency Approvals** - The applicant shall obtain any and all required reviews, approvals, and permits from all City, State and Federal agencies having jurisdiction

over the work. This may include, but is not limited to, the City, Marion County, DEQ, OHA-DWS, DSL, Fire Code Official, Building Code Official, etc. Written documentation of all required agency approvals as applicable shall be submitted to the City prior to approval of the engineered plans.

### **Prior to Construction**

10. **Developer Agreement** – Where public improvements are required, the applicant shall submit to the City an approved (by City Attorney) Developer-Engineer-City Agreement signed and notarized by the applicant and the design engineer, or a signed Developer-Engineer of Record Agreement (for minor privately financed public improvements) signed by the applicant and the design engineer, prior to issuance of City permits.
11. **Permits, Insurance, and Indemnification** – All required permits, insurance, and indemnification shall be obtained by the applicant and provided to the City in accordance with the Public Works Standards prior to construction. A 1200C permit shall be secured by the applicant if required under the rules of the Oregon State DEQ.
12. **Design Engineer’s Estimate** – Where public improvements are required, an estimate performed by the design engineer of the total estimated project cost shall be provided to the City for review and acceptance. This is needed to determine the amount of bonding required for the project.
13. **Performance Bond** - Where public improvements are required, a performance bond, or other form of performance guarantee acceptable to the City Manager and City Attorney, is required to be in place, prior to issuance of City permits. The applicant shall provide a performance bond in the amount of 125% of the total estimated project cost in accordance with the Public Works Standards. The performance bond shall be in a form acceptable to the Public Works Director.
14. **Pre-Construction Conference** - Where public improvements are required, a pre-construction conference shall be held prior to construction in accordance with the Public Works Standards.

### **During Construction and Project Completion**

15. **Construction Specifications** - Where public improvements are required, all public and privately financed public improvements within the project shall be constructed to the most current edition of the Public Works Standards plus the requirements of the SMC in effect at the time the engineered plans are submitted. (SMC 12.08.310.1)
16. **Construction Inspection**- Where public improvements are required, all public improvements shall be inspected by the design engineer, or a qualified individual under their supervision, in accordance with the Public Works Standards to assure the construction is following the approved engineered plans. At least three days prior to construction, the applicant shall notify the Public Works Director in writing of the date when the applicant proposes to commence construction. The written notification shall include the name and phone number of the contracting company and the

responsible contact person. Any supplemental inspection by the City does not relieve the applicant or the design engineer of providing the required inspection.

17. **Project Completion** - Where public improvements are required, the public improvements and public utilities shall be fully constructed and a project completion report that certifies to the City that the project was constructed according to the approved plans and specifications and that the correct required testing and inspections were satisfactorily performed shall be provided by the design engineer in accordance with the Public Works Standards. Unless the required public improvements are deferred under a non-remonstrance or other agreement approved and signed by the City, a notice of final completion and provisional acceptance of the public improvements is to be provided by the City to the applicant following the completion of construction, prior to the recording of the final plat and prior to any building permit applications being accepted or issued. Construction items must be completed within a specified period of time provided in the approval letter or the approval of any additional building permits will be withdrawn by the City.
18. **Warranty Bond** - Where public improvements are required, after completion and provisional acceptance of the public improvements by the City, the applicant shall provide a 1-year warranty bond in the amount of 30% of the performance bond amount in accordance with the Public Works Standards. The warranty bond shall be in a form acceptable to the Public Works Director.
19. **Record Drawings** - Where public improvements are required, the applicant shall submit to the City, reproducible record drawings and an electronic file of all public improvements constructed during and in conjunction with the project within three months of the completion of construction. Field changes made during construction shall be drafted on the plans in the same manner as the original plans with clear indication of all modifications (strike out old with new added beside). Record drawings shall be submitted prior to provisional acceptance of the construction, initiating the one-year maintenance period.
20. **Warranty Bond Release and Final Acceptance** – Where public improvements are required, the release of the warranty bond and final acceptance of the public improvements will be in accordance with SMC 12.04.310 and the Public Works Standards
21. **SDCs and Other Utility Fees** - Systems Development Charges and other utility fees (Mill Creek Sewer Interceptor, etc.) as applicable, will be applied to the project at the time of issuance of a building permit.

Names, Addresses and/or email addresses of those participating in the hearing process

(all addresses are Stayton OR 97383, unless otherwise noted)

Jordan Ohrt	885 E Virginia St	
Jim Umsted	1125 E Virginia St	
Jim Weaver	1002 E Virginia St	jweaver852@live.com
Jackie Sparks	1145 E Virginia St	
Ron Sowerby	1761 E Burnett St	
Kevin Beck	1865 E Burnett St	salemjeep@gmail.com
Brian Quigley	1013 E Virginia St	14flat@gmail.com
Judy Skinner	610 E Cedar St	skinner@wvi.com
Sue Masse	610 E Cedar St	smasse@wvi.com
Nicole Michaelson	800 N Seventh Ave #1	michaelson.nicole@gmail.com
Julia McFerron	1272 E Jefferson St	juliamcferron@gmail.com
Jennifer Rowan	14252 Fern Ridge Rd SE	jenrowan817@yahoo.com
Margie Thompson	364 Seven Springs Loop Statesville, NC 28625	margiewv1@gmail.com

ORDINANCE NO. 1025

AN ORDINANCE ANNEXING INTO THE CITY OF STAYTON CERTAIN REAL PROPERTY LOCATED ON E VIRGINIA ST; AND AMENDING THE CITY OF STAYTON ZONING MAP FROM MARION COUNTY URBAN TRANSITIONAL (UT) TO CITY OF STAYTON MEDIUM DENSITY RESIDENTIAL (MD).

WHEREAS, Coe Construction, LLC has initiated annexation of that certain real property located in the southwest quarter of Section 11, Township 9 South, Range 1 West, Willamette Meridian, Marion County, Oregon, more particularly described in Exhibit A attached hereto and incorporated herein, and further illustrated on a map shown in Exhibit B attached hereto and incorporated herein;

WHEREAS, Coe Construction, LLC, representing a majority of the property owners of the property, has consented to the annexation of the property;

WHEREAS, on June 1, 2018, pursuant to ORS 222.125 and Stayton Municipal Code (SMC) Section 17.12.210, Coe Construction, LLC, filed with the City of Stayton, Oregon, an annexation application and a request to assign Medium Density Residential Zoning to the annexed territory;

WHEREAS, the territory to be annexed is a portion of the property owned by Coe Construction, LLC and a majority of the property has been within the City Limits since the original formation of the City of Stayton;

WHEREAS, the applicant's proposal is to annex the property with the intent of constructing a residential subdivision on the property;

WHEREAS, a public hearing was held on the application before the Stayton Planning Commission on July 30, 2018;

WHEREAS, the territory to be annexed is an island of unannexed land completely surrounded by the City Limits;

WHEREAS, the portion of the property in the City Limits is zoned Medium Density Residential;

WHEREAS, territory to be annexed is currently zoned Urban Transition (UT-20), and the applicant has requested that the territory to be annexed be zoned Medium Density (MD) Residential in accordance with the Stayton Comprehensive Plan Map;

WHEREAS, the City of Stayton City Council held a public hearing as required by law on August 20, 2018;

WHEREAS, the City of Stayton City Council makes findings of fact regarding the application as contained in Exhibit C attached hereto and incorporated herein;

WHEREAS, the City of Stayton City Council concludes, based on the findings of fact contained in Exhibit C that the application meets the criteria for approval in SMC 17.12.210.5;

NOW THEREFORE, the City of Stayton ordains:

**Section 1.** Pursuant to ORS 222.125, the Stayton City Council hereby proclaims the annexation to the City of Stayton, Oregon, of territory in the southwest quarter of Section 11, Township 9 South, Range 1 West, Willamette Meridian, Marion County, Oregon, the legal description of which is described in Exhibit A, which is attached hereto and by reference incorporated herein.

**Section 2.** Pursuant to ORS 222.005 the Stayton City Recorder shall provide by certified mail to all public utilities, telecommunication facilities, and franchise holders operating within the City a written notice of each site address to be annexed as recorded on the Marion County assessment and tax roles, a

legal description and map of the proposed boundary change, and a copy of this ordinance. This notice shall be mailed within (10) ten working days of the passage of this Ordinance.

**Section 3.** Pursuant to ORS 222.010 the Stayton City Recorder shall, within ten (10) days of the passage of this Ordinance, send to the Marion County Clerk and Marion County Assessor a report of the annexation including a detailed legal description of the new boundaries established by the City.

**Section 4.** Pursuant to ORS 308.225(2) the Stayton City Recorder shall provide to the Oregon Department of Revenue a copy of this Ordinance, containing the legal description and map of the territory being annexed.

**Section 5.** Pursuant to ORS 222.177 the Stayton City Recorder shall provide to the Oregon Secretary of State a copy of this Ordinance, containing the legal description and map of the territory being annexed, and a copy of documents indicating consent of the property owner.

**Section 6.** The Stayton Official Zoning Map is hereby amended to include the annexed territory as Medium Density Residential.

**Section 7.** Upon adoption by the Stayton City Council and the Mayor's signing, this Ordinance shall become effective 30 days after the date of signing.

ADOPTED BY THE CITY COUNCIL this 20th day of August, 2018.

CITY OF STAYTON

Signed: \_\_\_\_\_, 2018

BY: \_\_\_\_\_  
Henry A Porter, Mayor

Signed: \_\_\_\_\_, 2018

ATTEST: \_\_\_\_\_  
Keith D. Campbell, City Administrator

## EXHIBIT A, Annexation Area

A tract of land located in the Southwest One-Quarter of Section 11, Township 9 South, Range 1 West, Willamette Meridian, Marion County, Oregon, being more particularly described as follows:

Beginning at the northwest corner of Lot 44 in the plat of "Pioneer Meadows – Phase II" filed in Book 41 of plats at Page 40, records of Marion County, Oregon, said northwest corner being on a westerly line of said plat; thence South  $01^{\circ}46'19''$  West along said westerly line of said plat and also along the city limits line for the City of Stayton a distance of 226.24 feet to a point on the south right-of-way line of East Virginia Street, said point also being on a northerly line of said plat; thence North  $88^{\circ}13'00''$  West along said northerly line of said plat and also along the city limits line for the City of Stayton a distance of 49.93 feet to the west line of said Section 11; thence leaving said northerly line of said plat North  $01^{\circ}36'44''$  East along said west line of said Section 11 and also along the city limits line for the City of Stayton a distance of 226.00 feet to the southwest corner of that certain tract of land conveyed to Douglas J. Mack filed in Reel 1696 of Deeds at Page 567, records of Marion County, Oregon; thence leaving said west line of said Section 11 South  $88^{\circ}29'32''$  East along the south line of said Mack tract and also along the city limits line for the City of Stayton a distance of 50.56 feet to the Point of Beginning.

The above described tract of land contains 11,361 square feet, more or less.

# EXHIBIT B

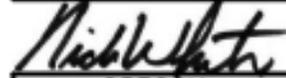
MAP FOR ANNEXATION LEGAL DESCRIPTION  
 A TRACT OF LAND LOCATED IN THE SW 1/4 OF SEC. 11,  
 T9S, R1W, W.M., MARION COUNTY, OREGON

REEL 2122  
 PAGE 030

SECTION 10  
 SECTION 11

REEL 1696  
 PAGE 567

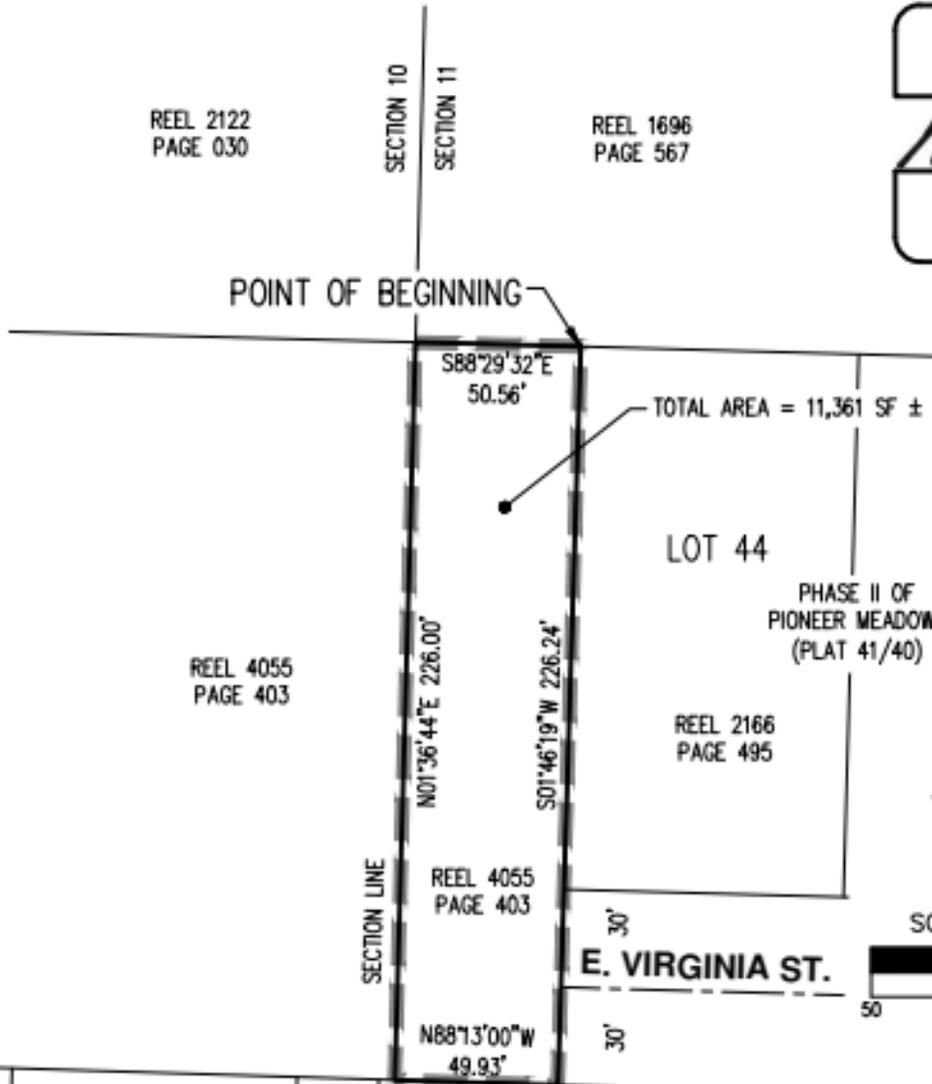
REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR



OREGON  
 JANUARY 9, 2007  
 NICK WHITE  
 70652LS

RENEWS: 6/30/18

POINT OF BEGINNING



TOTAL AREA = 11,361 SF ±

LOT 44

PHASE II OF  
 PIONEER MEADOWS  
 (PLAT 41/40)

PREPARED FOR  
 COE CONSTRUCTION CO  
 7070 SW BAYLOR STREET  
 PORTLAND, OR 97223

REEL 4055  
 PAGE 403

REEL 2166  
 PAGE 495

SECTION LINE

REEL 4055  
 PAGE 403

E. VIRGINIA ST.



SCALE: 1" = 50 FEET



REEL 3784  
 PAGE 300

N. 10TH AVE.

25' 25'

REEL 3475  
 PAGE 458

### LEGEND

 CITY OF STAYTON CITY LIMITS LINE

DATE: 31 MAY 2018

CITY OF STAYTON ANNEXATION

EXHIBIT  
**B**

AKS ENGINEERING & FORESTRY, LLC  
 12965 SW HERMAN RD, STE 100  
 TUALATIN, OR 97062



DRWN: KLY  
 CHKD: NSW  
 AKS JOB:  
 6595

P: 503.563.6151 F: 503.563.6152 aks-eng.com

## EXHIBIT C, CITY COUNCIL FINDINGS OF FACT

### LAND USE FILE #13-06/18

#### A. EXISTING CONDITIONS

1. The owner of the property and the applicant is Coe Construction Co.
2. The parcel can be described as: Township 9, Range 1 West of the Willamette Meridian, Section 10DA, Tax Lot 3100.
3. The property is currently partially in the City Limits and zoned Medium Density Residential (MD) and partially outside of the City Limits and zoned Marion County Urban Transition (UT-20).
4. The property is located on E Virginia St where a section of the street has not been dedicated. The entire property is approximately 1.1 acres in area with approximately 214 feet of lot width between the two sections of E Virginia St and approximately 227 feet of depth.
5. The property to the east is zoned Low Density Residential (LD), was annexed in 1994, and is developed with a single family dwelling. The properties to the north, are zoned LD and High Density Residential and is a vacant lot and a lot developed with a multi-family complex. The property to the west is zoned MD, was part of the original Charter for the Town of Stayton, and is developed as a single family home. The properties to the south are zoned MD, were part of the original Charter for the Town of Stayton, and are developed with single family dwellings. Neighboring single family residential properties range in size from 7,300 square feet to 14,300 square feet in area.
6. The property is currently vacant.

#### B. PROPOSAL

The proposal is to annex 11,361 square feet of land into the City. The applicant has proposed that Medium Density Residential zoning be applied at the time of annexation. The applicant also proposes to subdivide the property into four lots and complete the construction of E Virginia St on the southern portion of the parcel. The preliminary plan for subdivision was approved by the Stayton Planning Commission, contingent upon final completion of the annexation process.

#### C. AGENCY COMMENTS

The following agencies were notified of the proposal: City of Stayton Public Works, Stayton Cooperative Telephone Company, Pacific Power, NW Natural Gas, Stayton Fire District, Marion County Public Works, Marion County Planning Division, Santiam Water Control District and the North Santiam School District.

#### D. PUBLIC COMMENTS

The Planning Department notified all owners of property within 300 feet of the subject property. A letter and six printed emails were submitted prior to the Planning Commission's public hearing. All of these emails and letters were on the subject of saving a tree that is partially on others' property and partly on the subject property and will be in the dedicated right of way for E Virginia St. These comments are addressed in the findings below.

At the Planning Commission's public hearing there was testimony from seven individuals. This testimony was offered in opposition to the application. Concern was expressed by those testifying regarding the impacts of continuing E Virginia St and speed once it is a through street, about the condition of E Virginia St between N Fourth Ave and N Ninth Ave to handle additional traffic, about the oak tree to

be saved, and impact of duplexes on the neighborhood of single family dwellings. This testimony is addressed in the findings below.

#### E. ANALYSIS

The amendment of the Official Zoning Map must meet the criteria contained within SMC Title 17, Section 17.12.180.6. Annexation applications are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Title 17, Section 17.12.210.4.

#### F. REVIEW CRITERIA

Pursuant to SMC 17.12.180.6 the following criteria for approval of a zone map amendment must be demonstrated as being satisfied by the application:

- 1) *The proposed zone is consistent with the Comprehensive Plan map designation for the subject property unless a Comprehensive Plan Map amendment has also been applied for and is otherwise compatible with applicable provisions of the Comprehensive Plan.*

Finding: The Comprehensive Plan map designates the property as Residential. The requested zoning designation is Medium Density Residential. Policy LU-1 states it is the policy of the City to adopt a zoning map consistent with the Comprehensive Plan map and one of the actions under this policy is that zoning district boundaries shall follow property lines and rights of way centerlines as much as practicable. Whereas the portion of the property currently in the City is zoned MD, the proposal to zone the newly annexed territory MD would comply with this action step and policy.

- 2) *Existing or anticipated services (water, sanitary sewers, storm sewers, schools, police and fire protection) can accommodate potential development in the subject area without adverse impact on the affected service area.*

Finding: There is a 20-inch water main in E Virginia St. There is a 10-inch sewer main in E Virginia and N Tenth Ave with sewer manhole in N Tenth Ave. There is a 15-inch stormwater main on the subject property. The North Santiam School District, Stayton Police Department, and Stayton Fire District were notified of the application and did not express any concerns with impacts of the proposed zoning application or potential development on their abilities to provide services.

- 3) *Existing or anticipated transportation facilities are adequate for uses permitted under the proposed zone designation and the proposed amendment is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060).*

Finding: The adopted Transportation System Plan includes growth projections for the entire urban growth area, used in determining the transportation improvements necessary as the City grows, dividing the urban growth area into a number of “traffic analysis zones.” The TAZ that is bounded by E Santiam St, N 15<sup>th</sup> Ave, E Burnett includes the subject property. Figure 6-2 of the TSP shows that the TSP was based on an assumption that this TAZ would see an increase of less than 50 housing units between the year 2000 and 2025. Figure 1-2 of the TSP, the Future Street Plan, shows the missing section of E Virginia Street as future neighborhood collector or local street. The Stayton Transportation System Plan anticipated the development of this parcel as residential with the density of development in the range of what is proposed, anticipated the completion of E Virginia St, and existing or anticipated transportation facilities will be adequate for the uses permitted under the proposed zone designation. Approval of this application will not significantly affect a transportation facility and therefore complies with the Transportation Planning Rule.

- 4) *The purpose of the proposed zoning district satisfies the goals and policies of the Comprehensive Plan.*

Finding: Policy HO-1 calls for the City to encourage development of housing that meets the needs of all income groups of existing and future residents. The action to implement this policy is to assure that an adequate supply of land in all residential zones is available for development within the City. Staff reports that there are currently 42 vacant lots reasonably available for development within the LD zone, of which nine are large enough to be further divided and that there are 14 vacant lots in the MD zone, of which five are large enough to be further divided, including the subject property. Further, the Comprehensive Plan notes that the established residential density guideline for Stayton is between 5 and 6 housing units per gross acre of residentially zoned land. During the period between 2000 and the drafting of the Comprehensive Plan the subdivisions recorded were at a density of only 2.8 units per acre. Since the time of drafting the comprehensive plan only two additional subdivisions have been platted, with a combined density of 3.5 units per acre. The proposed subdivision, if duplexes are built on each lot, would have a density of 7.3 units per acre. Assigning MD zoning would assist the City meet its density goal.

Policy LU-1 states it is the policy of the City to adopt a zoning map consistent with the Comprehensive Plan map and one of the actions under this policy is that zoning district boundaries shall follow property lines and rights of way centerlines as much as practicable. Whereas the portion of the property currently in the City is zoned MD, the proposal to zone the newly annexed territory MD would comply with this action step and policy.

5) *Balance is maintained in the supply of vacant land in the zones affected by the zone change to meet the demand for projected development in the Comprehensive Plan. Vacant land in the proposed zone is not adequate in size, configuration or other characteristics to support the proposed use or development. A Zone Map Amendment shall not eliminate all available vacant land from any zoning designation.*

Finding: The Comprehensive Plan projects that 70% of the new housing units will be single-family detached, 15% of the new housing units will be single-family attached or duplexes, and that 13% will be multifamily. The proposed MD zoning would potentially allow single family attached, duplexes, triplexes and a mobile home park. Of the two annexations of residential property since the adoption of the Comprehensive Plan, one has been zoned Low Density and one zoned Medium Density. The subdivision approved in the MD zoned territory is proposed for single family dwellings. By assigning MD zoning to the territory to be annexed, the City will be providing for a slightly higher density and providing the potential for housing types other than single family detached.

Annexation of the subject property and assigning MD zoning would increase the supply of MD zoned land without decreasing the supply of land in any other zone. The annexation and assignment of zoning would not eliminate any available vacant land.

6) *The proposed zone amendment satisfies applicable provisions of Oregon Administrative Rules.*

Finding: The applicable Oregon Administrative Rules are OAR 660-012-0060 regarding transportation planning and OAR 660-008-0010 regarding the allocation of buildable lands. OAR 660-012-0060 requires certain measures if the proposed rezoning significantly affects a transportation facility. The Stayton Transportation System Plan anticipated development of the subject property in the range of density proposed. OAR 660-008-0010 requires that sufficient buildable land be designated on the comprehensive plan map to satisfy the needs by type and density range as determined in the housing needs projection. The requested assigning of MD zoning does not change the designation on the comprehensive plan map and assists the city meet the identified need for housing in the comprehensive plan.

Pursuant to SMC 17.12.210.4 the following criteria must be demonstrated as being satisfied by the application:

a. *Need exists in the community for the land proposed to be annexed.*

Finding: The 2013 Stayton Comprehensive Plan update included a Buildable Lands Inventory (BLI). The 2013 BLI provides the following information on projected growth and need for additional land in the community. At that time, there were 114 lots comprising 106 acres of vacant land inside the City limits in the Low, Medium, and High Density Residential Zones. The projected population for the City in 2030 (at a growth rate of 1.7%) was 11,359 people, requiring an additional 1,281 dwellings. To meet that need, the City Comprehensive Plan indicates the expected need of additional 320 acres of residential to be annexed into the City. Since the time that analysis was conducted, the City has annexed 40 acres of residential land.

Staff has calculated information on current buildable lands as follows. There are currently 97 vacant lots totaling 97 acres within the City limits that are residentially zoned.

Only two subdivisions have been platted in the past 5 years. Six subdivisions have been platted in the past 10 years. The total number of lots in each and the current status is shown in the table below.

Recent Subdivisions in Stayton

Subdivision Name	Year Platted	No of Lots	Existing Homes	Vacant Lots
Third Avenue Subdivision	2008	4	4	0
Roth Estates	2009	12	12	0
Phillips Estates, Phase 1	2009	20	16	4
Phillips Estates, Phase 2	2014	26	5	21
Wildlife Meadows	2017	44	33	13

In addition, there is a possible third phase of the Phillips Estates subdivision, accounting for a potential of 10 lots, and the Lambert Place with 51 lots that have received preliminary plan approval from the Planning Commission but not yet been platted with Marion County.

Though there are 97 parcels totaling 97 acres in the City and residentially zoned, staff estimates that there are only 57 parcels totaling 58 acres of vacant property within the City limits that is residentially zoned and reasonably available for development. Lack of utility availability, ownership by a governmental entity, wetlands and floodplain issues, and violations of City approval constrain the ability of the remaining land to be available for development. Within the LD zone there are 42 lots reasonably available for development. In the MD zone there are 14 vacant lots. There is only one vacant lot in the High Density Residential Zone. With 4 acres, it has the potential capacity for 50 to 60 dwelling units.

The City's growth rate from 2000 to 2017 has been at an average annual rate of about 1%, with a population change of 954 people. The Marion County Coordinated Growth projection for 2030 is 11,360, reflecting a 1.6% average annual growth rate for the next twenty years. At a 1.6% growth rate from the most recent certified population estimate of the City, there would be the need for 541 new dwellings units over the next 10 years. At an average of 5 units per acre for single family development, there would be the need for all of the existing vacant land in the City and 65 acres of land beyond the vacant land considered reasonably available for development to accommodate this number of homes.

*b. The site is or is capable of being serviced by adequate City public services, including such services as may be provided subject to the terms of a contract annexation agreement between the applicant and the City.*

Finding: There is a 20-inch water main in E Virginia St. There is a 10-inch sewer main in E Virginia and N Tenth Ave with sewer manhole in N Tenth Ave. There is a 15-inch stormwater main on the subject property.

*c. The proposed annexation is property contiguous to existing City jurisdictional limits.*

Finding: The unannexed portion of the property is an island of unannexed land surrounded by the City.

*d. The proposed annexation is compatible with the character of the surrounding area and complies with the urban growth program and the policies of the City of Stayton.*

Finding: The preliminary subdivision plan submitted with the annexation application shows a four-lot subdivision. The preliminary plan shows lots ranging in size from 7,047 square feet to 9,116 square feet in area. The properties to the south and west that are zoned MD range in size from about 7,200 square feet to 16,400. The properties to the east that are zoned LD range in size from 9,700 square feet to 14,360 square feet.

There was testimony at the Planning Commission public hearing that the planned duplexes would not be compatible with the surrounding single family dwellings. The Commission found that the property has been zoned MD since 1979 and duplexes are permitted uses in the MD zone. The City Council also finds that the property has been zoned MD since 1979, that duplexes are permitted uses in the MD zone, and that policy of the City is that zoning boundaries follow parcel boundaries.

There was testimony at the Planning Commission public hearing that the proposed street would not be compatible with the existing section of E Virginia St to the west of the subject property. The Commission found the applicant proposes to construct the missing section of E Virginia St in accordance with the Public Works Design Standards for a local street and the portion of E Virginia St to the west, though not fully improved has a full right of way and a paved section adequate for two-way traffic. The City Council concurs with the Planning Commission's finding.

*e. The annexation request complies or can be made to comply with all applicable provisions of state and local law.*

Finding: The criteria of ORS 222 apply to the adoption of an annexation ordinance which is a City Council action. The property owners have consented to the annexation.

*f. If a proposed contract annexation, the terms and conditions, including the cost of City facility and service extensions to the annexed area shall be calculated by the Public Works Director.*

Finding: The proposed annexation is not a contract annexation.



**CITY OF STAYTON**  
**M E M O R A N D U M**

**TO:** Mayor Henry A. Porter and the Stayton City Council  
**Via:** Keith Campbell, City Manager  
**FROM:** Andy Parks, Finance Consultant  
**DATE:** August 20, 2018  
**SUBJECT:** A resolution approving rate increases for water, wastewater, and stormwater utilities.

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**ISSUE**

Consider increasing City's water, wastewater and stormwater utility fees by 2.8%, consistent with the adopted fiscal year 2018-19 budget.

**STAFF RECOMMENDATION**

Staff recommends that Council approve Resolution No. 982, which provides for an inflation based adjustment to water, wastewater and stormwater utility fees of 2.8% effective October 1, 2018.

**BACKGROUND INFORMATION**

Consistent with the City's fiscal policies, annually the City Manager reviews the City's fees and charges necessary to adequately fund the operation of the City's utilities and other services. During the review the need for additional revenue for the City's utilities was identified. At a minimum an inflationary adjustment to adequately fund cost increases for personnel, materials and services and capital requirements was recommended.

Additionally, 5-year forecasts prepared for the City's utility funds indicate similar annual inflationary rate adjustments will be necessary, and consistent with the fiscal policies, incremental rate adjustments are recommended rather than double digit rate adjustments when circumstances make rate adjustments critical for a particular need.

As noted in the budget deliberations, the potential exists for greater percentage rate adjustments for stormwater and possibly for water and wastewater utilities pending the completion of the stormwater construction project and additional financial and operational

analysis of capital requirements for water and wastewater operations. No other rate adjustments are anticipated during fiscal year 2018-19.

**FACTS AND FINDINGS**

Inflation during the March 2017-February 2018 period was 2.8% (CPI-U).

The City’s labor costs associated with labor agreements, retirement benefits and health care costs increased by inflation of approximately 2.8%.

The City’s cost for materials and services, such as electricity, professional services, dumping, supplies, have all been impacted by inflation.

The City’s cost for construction for capital projects has increased by more than the CPI during the past year.

**FISCAL IMPACT**

The estimated additional revenue generated in FY 2018-19 due to the rate increase in each utility is:

Water	\$52,000
Stormwater	8,000
Wastewater	95,600

The additional revenue will offset additional labor, material and service, and capital outlay costs attributable to inflation.

**OPTIONS**

1. Approve the attached resolution as presented.
2. Amend the resolution as desired.
3. Not approve the resolution, in which case, the City will need to adjust spending to adjust for reduced revenue.

**MOTION(S)**

For Option 1: Offer a motion to approve Resolution No. 982, approving utility rate increases by the change in the consumer price index of 2.8%

For Option 2: Offer a motion to approve Resolution No. 982, as amended to include.....

For Option 3: No motion necessary.

**RESOLUTION NO. 982**

**A RESOLUTION APPROVING CHANGES TO UTILITY CHARGES**

WHEREAS, Stayton Municipal Code (SMC) Titles 13.16.440; 13.32; and 13.24.1190 require rates be established to pay for the costs of operating the City’s water, stormwater and sanitary sewer utilities;

WHEREAS, such rates are to be set in Resolution form by the Stayton City Council;

WHEREAS, operating costs and capital facilities costs have increased due to inflation, since rates for each utility were last increased;

WHEREAS, water rates have not been adjusted since July 2010; stormwater rates since April 2017, and wastewater rates since July 2014;

WHEREAS, the Budget Committee approved and the City Council adopted the fiscal year 2018-19 budget including rate adjustments of the percentage change in the consumer price index over the past year of 2.8%; and,

WHEREAS, the Stayton City Council deems it appropriate and timely that utility rates be adjusted to adequately provide resources to properly operate and maintain the City’s utility systems in accordance with the adopted master plans.

NOW THEREFORE, BE IT RESOLVED that:

Effective October 1, 2018, the City of Stayton’s utility rates are as follows:

**SECTION 1. WATER RATES**

		<u>Present</u>	<u>10/1/18</u>	<u>Change</u>	<u>% Change</u>
a.	Base rate:	\$ 11.71	\$ 12.04	\$ 0.33	2.80%
b.	Meter charge per size of meter:				
	3/4" to 5/8"	6.79	6.98	0.19	2.80%
	1"	17.01	17.49	0.48	2.80%
	1.25"	25.42	26.13	0.71	2.80%
	1.5"	33.93	34.88	0.95	2.80%
	2"	54.21	55.73	1.52	2.80%
	3"	101.72	104.57	2.85	2.80%
	4"	169.53	174.28	4.75	2.80%
	6"	338.97	348.46	9.49	2.80%
	8"	542.38	557.57	15.19	2.80%
	10"	779.72	801.55	21.83	2.80%

Fire line schedule: Fire line charges shall be for the maintenance of the line only;  
Does not include any water usage.

c.

Meter size:	Present	10/1/18	Change	% Change
3"	14.06	14.45	0.39	2.80%
4"	15.88	16.32	0.44	2.80%
6"	30.79	31.65	0.86	2.80%
8"	50.22	51.63	1.41	2.80%

Fire standby charge: A fire standby charge shall be levied on each occupancy served by City water. In occupancies that are served by more than one water service, the charge shall be levied only on one service.

d.

Customer type	Present	10/1/18	Change	% Change
<b>Residential</b>				
1 to 3 units	4.96	5.10	0.14	2.80%
4 to 15 units	20.47	21.04	0.57	2.80%
16 to 34 units	133.10	136.83	3.73	2.80%
<b>Other occupancies</b>				
<b>Square fee of building</b>				
up to 3,086	4.96	5.10	0.14	2.80%
3,087 - 12,345	20.47	21.04	0.57	2.80%
12,346 - 27,777	133.10	136.83	3.73	2.80%
27,778 - 49,382	315.56	324.40	8.84	2.80%
49,383 and over	616.35	633.61	17.26	2.80%

e.

Commodity charge: Rate per 1000 gallons of water use:	Present	10/1/18	Change	% Change
	1.15	1.18	0.03	2.80%

**SECTION 2 SANITARY SEWER RATES**

Class	Loading	Present	10/1/18	Change	% Change
A	Up to 4,000 gallons/month	\$ 42.60	\$ 43.79	\$ 1.19	2.80%
B	Up to 6,000 gallons/month	56.99	58.59	1.60	2.80%
C	Up to 10,000 gallons/month	106.40	109.38	2.98	2.80%

	Over 10,000 gallons/month (cost per thousand gallons)	10.64	10.94	0.30	2.80%
D	Commercial Recreational Vehicles	42.60	43.79	1.19	2.80%
E	Waste Disposal per gallon	0.46	0.473	0.013	2.80%

#### WINTER CONSUMPTION AND ASSIGNMENT OF USER CLASSES

Water consumption for the months of October through March shall be used to classify users except that the following classes are hereby established:

Single family units and manufactured homes	Class B
Duplexes with individual water meters, per unit	Class B
Apartments, per unit	Class B

New users to the system, other than houses and apartments, shall be billed based on actual water usage. Allowances for high summer water usage may be taken into account by the Finance Director for the City of Stayton. Accounts in which there is no correlation between water usage and sewerage discharge, as determined above, will be individually calculated by the Finance Director.

#### SECTION 3. STORM DRAINAGE USER FEES

Class	Category	Present	10/1/18	Change	% Change
<b><i>Residential</i></b>					
1	Single family residential dwelling unit	\$ 5.50	\$ 5.65	\$ 0.15	2.80%
2	Duplexes (per dwelling unit)	5.50	5.65	0.15	2.80%
3	Mobile home or manufactured home park (per MH)	5.50	5.65	0.15	2.80%
4	Multi-family residential (per dwelling unit)	3.30	3.39	0.09	2.80%
<b><i>Non-residential</i></b>					
	Square feet of impervious surface area				
Category 1	Up to 2,500	5.50	5.65	0.15	2.80%
Category 2	2,501 - 5,000	8.25	8.48	0.23	2.80%
Category 3	5,001 -10,000	16.50	16.96	0.46	2.80%
Category 4	10,001 - 15,000	27.50	28.27	0.77	2.80%
Category 5	15,001 - 20,000	38.50	39.58	1.08	2.80%
Category 6	20,001 - 30,000	55.00	56.54	1.54	2.80%
Category 7	30,001 - 40,000	77.00	79.16	2.16	2.80%
Category 8	40,001 or more	99.00	101.77	2.77	2.80%

ASSIGNMENT OF USER CLASSES

In accordance with SMC Chapter 13.32 each residential and non-residential developed property in the City shall be assigned to a category of use in proportion to the amount of impervious surface on the property. The Finance Director may review and modify the category of use assignment, either upon request of the customer or as warranted, as permitted in SMC Chapter 13.32.

SECTION 4 APPEALS

In accordance with SMC Chapter 13.32, any utility customer who disputes any interpretation given by the City as to the category of use assigned to such owner's property may request a review and appeal such interpretation.

SECTION 5. REPEAL

Resolution numbers 858, 907, and 908 are hereby repealed effective October 1, 2018.

APPROVED BY THE STAYTON CITY COUNCIL THIS 20<sup>TH</sup> DAY OF AUGUST, 2018.

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Henry A. Porter, Mayor

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
Keith D. Campbell, City Manager



**CITY OF STAYTON**  
**M E M O R A N D U M**

**TO: Mayor Henry Porter and the Stayton City Council**  
**FROM: Dan Fleishman, Director of Planning and Development**  
**DATE: August 20, 2018**  
**SUBJECT: Neighborhood Improvement Grants**

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**ISSUE**

The issue before the City Council is providing feedback to staff in the development of the Neighborhood Improvement Grant program and application process.

**BACKGROUND INFORMATION**

The FY 2019 includes \$5,000 in a new line item for Neighborhood Improvement Grants. Staff has developed a concept of how the grant program will be structured and grants awarded. Staff is looking for feedback from the City Council on the conceptual framework, objectives, and assessment criteria.

In summary, the proposal is that an application must be received from a group of at least three individuals who have come together to promote a project in their neighborhood. One individual must be designated as the lead applicant for dealing with City staff, if the application is chosen for funding. Projects may fall into two categories: neighborhood improvement projects or neighborhood livability initiatives.

Improvement projects are ones that improve a public or shared space within a neighborhood or strengthen neighborhood identity. Examples include landscape improvements or maintenance, signage, or benches. Improvement projects may be on either public property such as planting street trees or improvements to a park, or private property such as coordinated improvements to front yards.

Livability Initiatives are those that strengthen social connections, increase safety, address a neighborhood challenge or serve seniors or low income community members. Example could include organizing a neighborhood emergency response network, providing outreach to social services on behalf of those in need, or creating a cooperative daycare organization.

A draft of the copy to be produced in a brochure format is attached for review and critique by the Council.

Staff envisions that the applications will be available by mid-September and must be returned between October 1 and November 30. Staff would review the applications and provide an

assessment to the City Council for final award of the grants. A draft of the assessment criteria is attached.

# Neighborhood Improvement Grants

Neighborhood Improvement Grants are part of a new program offered by the City of Stayton. The goal of the program is to help neighbors work together to accomplish common goals that support the overall health, vitality, and livability of the place they call "home." The City of Stayton offers these grants to groups of at least three neighbors that are willing to match funding through cash, in-kind donation, and volunteer hours.

Grant funds may be spent on public improvements identified by the neighborhood or on private improvements. Examples of public improvements are new and replacement play equipment or landscaping in parks, street tree plantings, or construction or replacement of sidewalks. An example of private improvements would be coordinated improvement to front yard landscaping.

This is a competitive grant program. Applications are reviewed by City staff, and selected grants are awarded by the City Council. 2018-19 is the first year of these grants. A total of \$5,000 is available to disperse. Individual grant amounts are expected to typically be in the range of \$1,500 to \$3,000 each.

Awardees will be required to complete a brief summary of the project outcomes and submit a minimum of two visual items to illustrate the project (photos, printed materials, etc).

## Application Review Criteria

**Who can apply?** Applications must be submitted by a group of at least three neighbors may apply for funding that will benefit a clearly defined geographic area within the Stayton city limits. The group must authorize one individual to manage the grant contracts and funds.

**When is the funding available?** Neighborhood Improvement Grant money comes from the FY 18-19 city budget. Money became available on July 1, 2018 and must be dispersed and spent before June 30, 2019.

**What are the program objectives?** The Neighborhood Improvement Grant Program has two primary objectives. Grant applications may address any or all of the objectives and no single objective is prioritized higher than the other for receiving funding. The objectives are:

- **Neighborhood Improvement Projects** - The funds may be used to improve a public or shared space within a neighborhood or to strengthen neighborhood identity. This may include items such as landscape improvements and maintenance, signage, natural features management, benches, painting, or certain exterior improvements. Landscape improvements may be on public property – such as planting street trees or improvements to a park – or on private property – such as coordinated improvements to front yards.

- **Neighborhood Livability Initiatives** - Funds may be used to provide education and outreach opportunities that strengthen the social connections in a neighborhood, increase safety, address a neighborhood challenge, or conflict or serve senior or low income community members.

Applications will be reviewed based on the following:

1. Degree to which neighborhood, and livability objectives are met
2. The number of people benefiting or participating
3. Demonstrated level of support from the neighborhood in terms of matching funds and/or in-kind contributions (e.g. volunteers or donations)

## How to Apply

**Application Period:** October 1, 2018 – November 30, 2018

**Deadline:** Applications must be received before 5pm on Friday, November 30, 2018. Late applications will not be accepted.

1. **Develop your idea** based on the program objectives and attend the Grant Application Workshop (*Note: the workshop is optional*) on October 8, 2018 at 6:30 pm in the Library meeting room.
2. **Complete the Application** - Applications can be completed electronically or in hardcopy. Hardcopy applications are available at City Hall, or mailed upon request.

[Grant Application Packet](#) - *available now!*

[Budget Worksheet \(blank\)](#)

Two reference documents are available to help with the application process - please review before submitting your application.

[Sample Completed Budget Worksheet](#) (for reference purposes only)

[Grant Evaluation Criteria](#) (for reference purposes only)

3. **Submit the completed application.**

Electronic submissions are preferred, but the form can also be printed and mailed or delivered to the addresses listed below.

**Email submittal:** [dfleishman@ci.stayton.or.us](mailto:dfleishman@ci.stayton.or.us)

**Mail or Delivery submittal:** Dan Fleishman  
Planning & Development Director  
362 N Third Ave  
Stayton, OR 97383



## Neighborhood Improvement Grant Assessment Criteria

Project Name

Date Submitted

Group/Organization

<b>THRESHOLD CRITERIA</b>	<b>Yes</b>	<b>No</b>
Project occurs within City limits		
Project can be completed within award year		
Project is likely to be accomplished within the proposed planned budget		
Project does not result in new or on-going costs to the city		
Other funding is limited or unavailable		
Matching fund and in-kind donation estimates appear reasonable		

<b>GRANT OBJECTIVES</b>	<b>Yes</b>	<b>No</b>
Strengthens communication and builds relationships between neighbors		
Promotes inclusivity and diversity		
Fosters leadership development		
Creates or improves a shared space within the neighborhood		
Improves the overall appearance of the neighborhood		
Provides a new or improves an existing asset in the neighborhood		
Strengthens neighborhood identity		
Increases health and/or safety		
Addresses a neighborhood conflict or challenge		
Other (if applicable; please describe)		

Comments

Reviewed By \_\_\_\_\_ Date \_\_\_\_\_



**CITY OF STAYTON**  
**M E M O R A N D U M**

**TO:** Mayor Henry Porter and the Stayton City Council  
**FROM:** Cindy Chauran, Associate Accountant  
Elizabeth Baldwin, Accounting Clerk  
**DATE:** August 20, 2018  
**SUBJECT:** Monthly Finance Department Report

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	July 2018	June 2018
Number of Bills Mailed	2,397	2,381
Number of Bills Emailed	361	356
Number of Bills on Auto-Pay	611	604
Delinquent Notices Sent Out	522	485
Courtesy Delinquent Notices Sent to Landlords	144	149
Notified of Impending Shut-Off & Penalty	101	172
Customers Issued Payment Extensions	21	21
Customers with Interrupted Services Non-Payment	19	39
Services Still Disconnected	1	0
Number of Checks Issued	108	180
Total Amount of Checks	\$649,793.25	\$548,107.44



**CITY OF STAYTON**  
**M E M O R A N D U M**

**TO:** Mayor Henry Porter and the Stayton City Council  
**FROM:** Rich Sebens, Chief of Police  
**DATE:** August 20, 2018  
**SUBJECT:** Staff Report

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Below you will see the stats for the Police Department for the month of July 2018.

	<b>July 2018</b>	<b>Year to Date 2018</b>	<b>July 2017</b>	<b>Year to Date 2017</b>
<b>Police Activity</b>	<b>753</b>	<b>4680</b>	<b>986</b>	<b>6746</b>
<b>Investigated Incidents</b>	<b>177</b>	<b>1113</b>	<b>441</b>	<b>2628</b>
<b>Citations/Warning</b>	<b>102/78</b>	<b>456/662</b>	<b>142/172</b>	<b>973/678</b>
<b>Traffic Accidents</b>	<b>2</b>	<b>41</b>	<b>1</b>	<b>43</b>
<b>Juvenile Abuse</b>	<b>3</b>	<b>21</b>	<b>2</b>	<b>32</b>
<b>Arrests</b>	<b>33</b>	<b>249</b>	<b>72</b>	<b>392</b>
<b>Ordinance Complaints</b>	<b>58</b>	<b>253</b>	<b>52</b>	<b>353</b>
<b>Reserve Volunteer Hrs.</b>	<b>0</b>	<b>260.50</b>	<b>138.50</b>	<b>859.70</b>
<b>Citizen Volunteer Hrs.</b>	<b>82.5</b>	<b>0</b>	<b>16.75</b>	<b>129.70</b>
<b>Peer Court Referrals:</b>	<b>8</b>	<b>68</b>	<b>5</b>	<b>28</b>

# STATYON POLICE DEPARTMENT CONSOLIDATED MONTHLY CATEGORIZED REPORT-NIBRS 7/1/2018 - 7/31/2018

PROPERTY	CRIMES				CRIMES CLEARED BY ARREST & EXCEPTION				PERCENT CLEARED				PERSONS ARRESTED			
	7/1/18 to 7/31/18	1/1/18 to 7/31/18	1/1/17 to 7/31/17	% Change Yr to Yr	7/1/18 to 7/31/18	1/1/18 to 7/31/18	1/1/17 to 7/31/17	7/1/18 to 7/31/18	1/1/18 to 7/31/18	1/1/17 to 7/31/17	7/1/18 to 7/31/18	Juv	Adult	Total	1/1/18 to 7/31/18	1/1/17 to 7/31/17
<b>NON-CRIMINAL</b>																
ACCIDENT-INJURY	1	8	5	60.0%												
ACCIDENT-PROPERTY	3	28	39	-28.2%												
ALL OTHER NON-CRIMINAL	109	581	2,016	-71.2%												
NON CRIM DOMESTIC DISTURB	8	20	86	-76.7%												
<b>NON-CRIMINAL TOTALS</b>	<b>121</b>	<b>637</b>	<b>2,146</b>	<b>-70.3%</b>												
<b>PERSON</b>																
AGGRAVATED ASSAULT	1	7	12	-41.7%	1	7	11	100.0%	100.0%	91.7%	0	0	0	11	12	
OFFENSE AGAINST FAMILY	0	5	7	-28.6%	0	2	7	0.0%	40.0%	100.0%	0	0	0	3	3	
OTHER ASSAULTS	4	25	58	-56.9%	3	11	41	75.0%	44.0%	70.7%	0	3	3	16	51	
RAPE	0	1	3	-66.7%	0	0	1	0.0%	0.0%	33.3%	0	0	0	0	0	
RESTRAINING ORDER VIOLATION	0	0	4	-100.0%	0	0	3	0.0%	0.0%	75.0%	0	0	0	0	2	
ROBBERY	0	0	3	-100.0%	0	0	3	0.0%	0.0%	100.0%	0	0	0	0	3	
SEX OFFENSES	2	6	11	-45.5%	0	1	6	0.0%	16.7%	54.5%	0	0	0	3	6	
<b>PERSON TOTALS</b>	<b>7</b>	<b>44</b>	<b>98</b>	<b>-55.1%</b>	<b>4</b>	<b>21</b>	<b>72</b>	<b>57.1%</b>	<b>47.7%</b>	<b>73.5%</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>33</b>	<b>77</b>	
<b>PROPERTY</b>																
ARSON	1	4	0	0.0%	0	2	0	0.0%	50.0%	0.0%	0	0	0	2	0	
BURGLARY - BUSINESS	0	3	2	50.0%	0	0	1	0.0%	0.0%	50.0%	0	0	0	0	1	
BURGLARY - OTHER STRUCTURE	0	4	2	100.0%	0	1	0	0.0%	25.0%	0.0%	0	0	0	1	3	
BURGLARY - RESIDENCE	0	11	13	-15.4%	0	0	4	0.0%	0.0%	30.8%	0	0	0	0	6	
COUNTERFEITING/FORGERY	0	12	5	140.0%	0	5	2	0.0%	41.7%	40.0%	0	0	0	10	6	
EXTORTION/BLACKMAIL	0	1	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	
FRAUD	4	28	20	40.0%	0	7	7	0.0%	25.0%	35.0%	0	0	0	6	6	
LARCENY																
Shoplifting	5	33	42	-21.4%	3	21	22	60.0%	63.6%	52.4%	2	2	4	22	25	
Theft from a Motor Vehicle	3	41	30	36.7%	0	1	1	0.0%	2.4%	3.3%	0	0	0	0	1	
Theft of MV Parts/Accessories	0	5	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	
Theft of Bicycle	1	12	8	50.0%	1	3	2	100.0%	25.0%	25.0%	0	0	0	2	4	
Theft from Building	1	11	4	175.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	1	1	
All Other Larceny	9	57	40	42.5%	0	11	8	0.0%	19.3%	20.0%	0	0	0	13	14	
LARCENY	19	159	124	28.2%	4	36	33	21.1%	22.6%	26.6%	2	2	4	38	45	
MOTOR VEHICLE THEFT	0	10	7	42.9%	0	0	2	0.0%	0.0%	28.6%	0	0	0	0	8	
STOLEN PROPERTY	0	0	1	-100.0%	0	0	1	0.0%	0.0%	100.0%	0	0	0	1	1	
VANDALISM	3	54	57	-5.3%	2	11	10	66.7%	20.4%	17.5%	0	1	1	8	15	

PROPERTY TOTALS	CRIMES				CRIMES CLEARED BY ARREST & EXCEPTION				PERCENT CLEARED				PERSONS ARRESTED			
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27	286	231	23.8%	6	62	60	22.2%	21.7%	26.0%	2	3	5	66	91		
<b>SOCIETY</b>																
ALL OTHER	8	77	87	-11.5%	1	11	22	12.5%	14.3%	25.3%	0	0	0	11	23	
ANIMAL	1	1	2	-50.0%	0	0	0	0.0%	0.0%	0.0%	0	2	2	2	0	
CURFEW	2	12	15	-20.0%	2	11	13	100.0%	91.7%	86.7%	2	0	2	21	20	
CUSTODY-MENTAL	4	5	4	25.0%	4	5	4	100.0%	100.0%	100.0%	0	4	4	5	4	
CUSTODY-PROTECTIVE	0	1	2	-50.0%	0	1	0	0.0%	100.0%	0.0%	0	0	0	0	0	
DISORDERLY CONDUCT	2	18	31	-41.9%	2	17	26	100.0%	94.4%	83.9%	2	4	6	28	30	
DR WHILE SUSP	0	3	15	-80.0%	0	3	15	100.0%	100.0%	100.0%	0	0	0	3	16	
DRIVING UNDER INFLUENCE	3	26	49	-46.9%	2	25	49	66.7%	96.2%	100.0%	0	3	3	26	51	
ELUDING	1	2	7	-71.4%	0	0	7	0.0%	0.0%	100.0%	0	1	1	1	7	
ESCAPE	0	1	2	-50.0%	0	1	2	0.0%	100.0%	100.0%	0	0	0	0	3	
FAIL TO DISPLAY DL	0	0	1	-100.0%	0	0	1	0.0%	0.0%	100.0%	0	0	0	0	1	
FUGITIVE	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	1	
HIT & RUN	1	22	27	-18.5%	0	5	7	0.0%	22.7%	25.9%	0	0	0	5	6	
LIQUOR LAWS	1	7	7	0.0%	1	7	7	100.0%	100.0%	100.0%	0	1	1	12	20	
MIP TOBACCO	0	5	2	150.0%	0	5	2	0.0%	100.0%	100.0%	0	0	0	7	2	
NARCOTICS/DRUGS	0	22	44	-50.0%	0	19	41	0.0%	86.4%	93.2%	0	0	0	25	68	
PROP RECOV - FOR OTHER AGENCY	0	1	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	
RECKLESS DRIVING	1	4	12	-66.7%	1	4	12	100.0%	100.0%	100.0%	0	1	1	4	13	
RUNAWAY	0	9	10	-10.0%	0	8	5	0.0%	88.9%	50.0%	0	0	0	9	6	
TRESPASS	5	27	53	-49.1%	2	11	16	40.0%	40.7%	30.2%	0	0	0	12	19	
VEH RECOV - FOR OTHER AGENCY	0	6	5	20.0%	0	2	0	0.0%	33.3%	0.0%	0	0	0	0	0	
WARRANT	11	81	102	-20.6%	10	78	100	90.9%	96.3%	98.0%	0	0	0	0	7	
WEAPONS	0	5	4	25.0%	0	5	4	0.0%	100.0%	100.0%	0	0	0	5	4	
<b>SOCIETY TOTALS</b>	40	335	481	-30.4%	25	218	333	62.5%	65.1%	69.2%	4	27	31	268	430	
<b>GRAND TOTALS</b>	195	1,302	2,956	-56.0%												



**CITY OF STAYTON**  
**M E M O R A N D U M**

**TO: Mayor Henry Porter and the Stayton City Council**  
**FROM: Lisa Meyer, Administrative Assistant**  
**DATE: August 20, 2018**  
**SUBJECT: Public Works Monthly Operating Report for July 2018**

**KEY ACTIVITIES**

**STATUS**

- **WWTP Facility** Effluent flows: 33.59 million gallons were treated during July. The highest flow was 1.57 million gallons on the 31<sup>st</sup> and the lowest flow was .78 million gallons on the 25<sup>th</sup>. The average flow was 1.08 million gallons. Total rainfall for July was .05 inches. Repairs made and new parts installed at Mill Creek Pump Station after power outage. Hauled 145 dry tons of biosolids to the Energy from Waste Facility in Brooks, OR for disposal. Generator installed at Wilco Pump Station. Dryer repairs and service completed. Blower #3 back in service after repairs made.
- **WTP** Highest production day was 7,400,000 gallons on July 18<sup>th</sup>, 2018.
- **Water System** Replaced 14 meters. Installed 7 new meters with radio readers. Replaced a water service at 248 W Ida St. Performed maintenance on 8 hydrants. Maintenance included replacing gaskets, cleaning threads (for opening and closing), and some additional flushing. Cleaned water filters beds 1 & 3.
- **Streets** Swept 240 curb miles and collected 140 cubic yards of material. Slurry sealed streets in Quail Run Subdivision and Whitney, Hobson, Grier, and Weldon area. Mowed the city's right of ways in town.
- **Parks** Volunteers:  
Community Service: Total # of Volunteers = 0, Total # of hours = 0
- **Building Permits**

<u>Permit Type</u>	<u>Issued</u>	<u>SDC's Paid</u>
New Single Family Dwelling- 705 RABBIT RUN ST 2158, 2235, 2271, 2295 DEER AVE	5	\$76,600.00
Residential Addition	1	\$0.00
Commercial Building Addition/Alteration/Other	1	
Residential Plumbing	1	
Residential Electrical	1	
<b>TOTAL</b>	<b>9</b>	<b>\$76,600.00</b>

*One (1) Residential SDC = \$11,626.00 + \$755.00 for Mill Creek SDC + Storm Water SDC \$2,049.00 or \$2,939.00*



**CITY OF STAYTON**

**M E M O R A N D U M**

**TO: Mayor Henry Porter and the Stayton City Council**  
**FROM: Dan Fleishman, Director of Planning and Development**  
**DATE: August 20, 2018**  
**SUBJECT: Report of Activities for July, 2018**

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Assisted Revitalize Downtown Stayton with RARE interviews

Attended River Fusion 22 planning meeting and No Santiam River Regional Tourism Marketing Committee meeting

Working with Public Works Department staff, improvements to the Geographic Information System continued



## CITY OF STAYTON

# M E M O R A N D U M

**TO:** Mayor Porter and the Stayton City Council

**FROM:** Janna Moser - Library Director

**DATE:** August 20, 2018

**SUBJECT:** July Library report

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Summer reading continued throughout July. Children decorated their own “Libraries Rock” t-shirts, visited with local firefighters, met Smokey Bear, and built their own wobblebots. The Creature Teachers brought a variety of wildlife to meet and learn about. Angel Ocasio entertained with his comedy, magic and music. The University of Oregon’s Museum of Natural and Cultural History brought rocks and fossils for children to dig into and explore. Brad Clark headlined the Summer Reading party with his music and storytelling.

The teens made music boxes, rain sticks and guitar picks. They painted art inspired by sound waves and played life-size Angry Birds in the park behind the library. Adults and teens created sheet music art. A Polynesian dance and cultural group, Paradise of Samoa, performed a live show of traditional and contemporary music from the Pacific Islands.

Thank you to our Summer Reading Program supporters: Stayton Friends of the Library, Stayton Family Memorial Pool, Stayton A&W, Bi-Mart Corp., Daily Buzz Coffee Company, Dairy Queen, Enchanted Forest, Oregon Coast Aquarium, Oregon Garden, Oregon State Fair, Stayton Papa Murphy’s, Pietro's Pizza, and the Portland Trailblazers.

Upcoming events to mark on your calendars:

- Teens: DIY Back to School – August 22 at 4:00pm
- Adults: Book Discussion Group – August 29 at 5:30
- Children: Art Club – September 10 at 3:30pm
- Adults & Teens: DIY Book Binding – September 13 at 5:30pm
- Teens: Build Your Own Rice Krispie Treats – September 19 at 4:00pm
- Stayton History Presentation – September 27 at 7:00pm

2018-2019 Monthly Library Statistics															
	July	August	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	2018-19 YTD	2017-18 YTD	
<b>TOTAL CHECKOUTS</b>	14,656												14,656	142,290	
<b>OTHER CIRCULATION SERVICES</b>															
Self check out	4,530												4,530	46,557	
Library2Go (ebooks +)	1,217												1,217	11,292	
<b>INCOME RECEIVED</b>															
Non-resident cards	\$35.00												\$35.00	\$1,946.50	
Fines: overdue & lost books	\$2,452.23												\$2,452.23	\$13,179.57	
Room fees	\$180.00												\$180.00	\$1,810.75	
													<b>TOTAL</b>	<b>\$2,667.23</b>	<b>\$16,936.82</b>
<b>REFERENCE QUESTIONS</b>															
In-Person, by phone and computer help	596												596	5,488	
<b>NEW PATRON CARDS</b>	89												89	780	
<b>INTERNET USE</b>	934												934	11,497	
<b>PROGRAM ATTENDANCE</b>															
Children & adults at Children's Programs	998												998	7,400	
Teens	60												60	278	
Adults	36												36	1,025	
Outreach	0												0	2,542	
													<b>TOTAL</b>	<b>1,094</b>	<b>11,245</b>
<b>MEETING ROOM ATTENDANCE</b>	63												63	1,559	
<b>PATRON VISITS</b>	8,475												8,475	83,881	
<b>VOLUNTEER HOURS</b>	234												234	2,453	