



AGENDA STAYTON CITY COUNCIL MEETING

Monday, January 3, 2017

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

OATH OF OFFICE

- a. Oath of Office for Mayor Henry Porter
- b. Oaths of Office for Councilors Mark Kronquist, Jennifer Niegel, and Brian Quigley

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.*

CONSENT AGENDA

- a. December 5, 2016 City Council Minutes
- b. OLCC Liquor License – “New Outlet” Application – Wolfgang’s Thirst Parlor Tap 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.

BUSINESS FROM THE MAYOR

- a. Appointment to the Library Board **Action**
 - Michelle Wonderling
 - Heather Engberg

- b. Reappointment to the Police Advisory Board **Action**
 - Michael Jaeger
 - Don Walters

- c. Reappointment to the Planning Commission **Action**
 - James Nokes

- d. Appointment to the Parks and Recreation Board **Action**
 - Kathy Hampton

NEW BUSINESS

Appointment of a Council President

Action

- a. Staff Report – Alissa Angelo
- b. Council Deliberation
- c. Council Decision

Appointment of Council Liaisons to Boards and Committees

Action

- a. Staff Report – Alissa Angelo
- b. Council Deliberation
- c. Council Decision

Award of Bid – Pioneer Park Pedestrian Bridge

Action

- a. Staff Report – Lance Ludwick
- b. Council Deliberation
- c. Council Decision

Resolution No. 952, Initiation of Annexation

Action

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

PUBLIC HEARING

Hayden Homes Annexation

- a. Commencement of Public Hearing
- b. Staff Introduction
- c. Applicant Presentation
- d. Staff Report – Dan Fleishman
- 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. 1004

Amending SMC Title 17, Regarding the Criteria for Amendments to the Official Zoning Map

- a. Commencement of Public Hearing
- b. Staff Report – Dan Fleishman
- c. Questions from Council
- d. Proponents’ Testimony
- e. Opponents’ Testimony
- f. General Testimony
- g. Questions from Public
- h. Questions from Council
- i. Staff Summary
- j. Close of Hearing
- k. Council Deliberation
- l. Council Decision on Ordinance No. 1005

UNFINISHED BUSINESS – None

STAFF/COMMISSION REPORTS

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

- a. November 2016 Monthly Finance Department Report

Police Chief’s Report – Chief Rich Sebens **Informational**

- a. November 2016 Statistical Report

Public Works Director’s Report – Lance Ludwick **Informational**

- a. November 2016 Operating Report

Planning & Development Director’s Report – Dan Fleishman **Informational**

- a. November 2016 Activities Report

Library Director’s Report – Janna Moser **Informational**

- a. November 2016 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 ADMINISTRATOR

BUSINESS FROM THE COUNCIL

FUTURE AGENDA ITEMS – January 17, 2017

- a. SDC Code Amendments
- b. Municipal Court Update
- c. SMC Updates – Utility Billing
- d. SMC Update – Marijuana Tax Language Update
- e. Monthly Staff Reports for December

ADJOURN

CITY COUNCIL EXECUTIVE SESSION

Immediately Upon Adjournment of the Regular Council Meeting

The purpose of the session is to consult with legal counsel regarding current litigation or litigation likely to be filed, pursuant to Oregon Revised Statutes 192.660.1(2)(h). Executive Sessions are closed to the public.

CALENDAR OF EVENTS

JANUARY 2017

Monday	January 2	CITY OFFICES CLOSED IN OBSERVANCE OF NEW YEARS DAY HOLIDAY		
Tuesday	January 3	City Council	7:00 p.m.	Community Center (north end)
Wednesday	January 4	Parks & Recreation Board	6:30 p.m.	E.G. Siegmund Meeting Room
Tuesday	January 10	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Friday	January 13	Community Leaders	7:30 a.m.	Covered Bridge Café
Monday	January 16	CITY OFFICES CLOSED IN OBSERVANCE OF MARTIN LUTHER KING, JR. DAY		
Tuesday	January 17	City Council	7:00 p.m.	Community Center (north end)
Wednesday	January 18	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	January 30	Planning Commission	7:00 p.m.	Community Center (north end)

FEBRUARY 2017

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

MARCH 2017

Monday	March 6	City Council	7:00 p.m.	Community Center (north end)
Tuesday	March 7	Parks & Recreation Board	6:30 p.m.	E.G. Siegmund Meeting Room
Friday	March 10	Community Leaders	7:30 a.m.	Covered Bridge Café
Tuesday	March 14	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Wednesday	March 15	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Tuesday	March 20	City Council	7:00 p.m.	Community Center (north end)
Monday	March 27	Planning Commission	7:00 p.m.	Community Center (north end)

APRIL 2017

Monday	April 3	City Council	7:00 p.m.	Community Center (north end)
Tuesday	April 4	Parks & Recreation Board	6:30 p.m.	E.G. Siegmund Meeting Room
Tuesday	April 11	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Friday	April 14	Community Leaders	7:30 a.m.	Covered Bridge Café
Tuesday	April 17	City Council	7:00 p.m.	Community Center (north end)
Wednesday	April 19	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	April 24	Planning Commission	7:00 p.m.	Community Center (north end)

Consent Agenda

**City of Stayton
City Council Meeting Action Minutes
December 5, 2016**

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

Time Start: 7:00 P.M.

Time End: 7:52 P.M.

COUNCIL MEETING ATTENDANCE LOG

COUNCIL	STAYTON STAFF
Mayor Henry Porter	Alissa Angelo, Deputy City Recorder
Councilor Priscilla Glidewell	Keith Campbell, City Administrator
Councilor Ralph Lewis	Dan Fleishman, Director of Planning & Development
Councilor Jennifer Niegel	Rich Sebens, Police Chief
Councilor Brian Quigley	Lance Ludwick, Public Works Director
Councilor Joe Usselman	Janna Moser, Library Director
	David Rhoten, Legal Counsel

AGENDA	ACTIONS
REGULAR MEETING	
Announcements	
a. Additions to the Agenda	None.
b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.	None.
Presentations / Comments from the Public	
a. Julio Salazar, 1125 Wyatt Avenue	Tenants of the apartments located at 1125 Wyatt Street spoke out on the conditions of the building and their apartments. They asked for the owner to be held accountable.
b. Keith Troutman, 1125 Wyatt Avenue	
c. Gary McKillop, 1125 Wyatt Avenue	
d. Kim Ogle, 1125 Wyatt Avenue	
e. Brian Goff, 1125 Wyatt Avenue	
f. Leanne Troutman, 1125 Wyatt Avenue	
Consent Agenda	
a. November 21, 2016 City Council Minutes	Motion from Councilor Niegel, seconded by Councilor Lewis, to accept the consent agenda. Motion passed 5:0.
b. Renewal of Contract for Legal Services	
c. Acceptance of Abstract of Election Results for November 8, 2016	
Public Hearing	None.
Unfinished Business	None.
New Business	
Ordinance No. 1002, Extension of the SCTC Franchise Agreement	
a. Staff Report – Keith Campbell	No further discussion.
b. Council Deliberation	Councilor Niegel stated she currently performs legal work for SCTC. However, it will not cause a bias in this matter.
c. Council Decision	Motion from Councilor Lewis, seconded by Councilor Quigley to approve Ordinance No. 1002, as presented. Motion passed 5:0.

<p>Ordinance No. 1003, Extension of the WAVE Franchise Agreement</p> <p>a. Staff Report – Keith Campbell</p> <p>b. Council Deliberation</p> <p>c. Council Decision</p>	<p>No further discussion.</p> <p>None.</p> <p>Motion from Councilor Lewis, seconded by Councilor Usselman, to approve Ordinance No. 1003, as presented. Motion passed 5:0.</p>
<p>Staff / Commission Reports</p>	<p>None.</p>
<p>Presentations / Comments From the Public</p>	<p>None.</p>
<p>Business from the City Administrator</p>	<p>Mr. Campbell thanked Councilor Lewis for his service on the Stayton City Council for the past two years.</p>
<p>Business from the Mayor</p> <p>a. Parks and Recreation Board Reappointments</p> <ul style="list-style-type: none"> • Dan Brummer • Richard Lewis <p>b. Planning Commission Reappointment</p> <ul style="list-style-type: none"> • Jackie Carmichael 	<p>Motion from Councilor Quigley, seconded by Councilor Niegel, to ratify the Mayor’s reappointments of Dan Brummer and Richard Lewis to the Parks and Recreation Board, and Jackie Carmichael to the Planning Commission.</p> <p>Motion passed 5:0.</p>
<p>Business from the Council</p>	<p>Councilor Quigley requested staff have new rental code available on the counter in City Hall. He also offered thanks to Councilor Lewis for his service on the Council.</p>
<p>Future Agenda Items – Tuesday, January 3, 2017</p> <p>a. Oath of Office for Mayor and Council Members</p> <p>b. Appointment of Council President</p> <p>c. Appointment of Council Liaisons to Boards and Committees</p> <p>d. Zoning Criteria Public Hearing</p> <p>e. Annexation Public Hearing</p>	

APPROVED BY THE STAYTON CITY COUNCIL THIS 3RD DAY OF JANUARY 2017, BY A ____ VOTE OF THE STAYTON CITY COUNCIL.

Date: _____

By: _____

Henry A. Porter, Mayor

Date: _____

Attest: _____

Keith D. Campbell, City Administrator

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: January 3, 2017
SUBJECT: Liquor License-“New Outlet” Application – Limited On-Premises Sales

ISSUE:

“Wolfgang’s Thirst Parlor Tap House” has submitted an application to the City and to OLCC to obtain a liquor sales license. This application is for a **“New Outlet” for a “Limited On-Premises Sales”** Liquor License. Mr. Alan Bender is the owner of Wolfgang’s Thirst Parlor Tap House which will be located at 134 W. Washington St in Stayton. The license application is to sell beer and wine along with food items. The alcoholic beverages will be for on or offsite consumption with “growler” filling available.

NEW BUSINESS NAME: Wolfgang’s Thirst Parlor Tap House, LLC.
134 W Washington St
Stayton, Oregon 97383
B: (503)871-5750

OWNER: Alan Bender
504 NW Sunrise Pl.
PO Box 284
Sublimity, OR 97385

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 retail” zone. The business will be a restaurant, prior to this it has been a retail store.

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



*Business from
the Mayor*



CITY OF STAYTON

APPLICATION FOR COMMISSION/COMMITTEE

NAME OF COMMISSION/COMMITTEE:

Library board

PLEASE CHECK ONE:

New Applicant
 Application for reappointment

Years resided in Stayton: 25

PLEASE PRINT

Name Michelle Wonderling

Address 1323 E Jefferson St Home Ph# _____

Email Address mmwonder@wvi.com Cell Ph# 503-580-0902

Occupation pharmacy technician

Place of Employment Salem Hospital

Business Address 665 Oak St, Salem

Phone 503-814-2755 Email Michelle.Wonderling@SalemHealth.org

1. Please give a brief description of the experience or training that qualifies you for membership on this commission/committee. (If you wish, you may attach a resume or other pertinent material.)

I've been a patron of the Stayton Library for most of my life. Previously, I served on the Stayton Planning Commission for five years.

2. Why do you want to become a member of the above-mentioned commission/committee and what specific contribution would you hope to make?

I believe in the importance of a strong local library that meets the multiple needs of a growing community like ours. I've been very impressed with the changes and growth of the library in the last several years and I would love to be part of the board that keeps it moving forward.

PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION

3. Please list the community concerns related to this commission/committee that you would like to see addressed if you are appointed.

I would like to see the library continue to be a safe, comfortable place for youth of all ages to spend time and for adults to meet and make connections.

4. Briefly describe your present or past involvement in relevant community groups. (Having no previous involvement will not disqualify you for appointment.)

Spending five years on the planning commission taught me that there are as many different opinions as there are people involved in any decision, that no public decisions are made lightly.

5. Are you currently serving on any Advisory Boards, Commissions or Committees? If so, which ones?

I am not currently involved with any committee.

6. How did you learn about this vacancy?

Our Website Word of mouth Other Facebook post

7. Are you employed by, have any business, contractual arrangements or family connections with programs having contractual agreements with the City that might be within the purview of the committee on which you are seeking appointment?

None

Signature of Applicant Michelle Wondolig Date 12/19/16

PLEASE RETURN TO: City of Stayton
362 N. Third Avenue
Stayton, OR 97383

It is the policy of the City to comply with all federal and state statutes on equal employment opportunity. This policy shall be applied without regard to any individual employee or job applicant's sex, race, color, religion, national origin, ancestry, age, marital status, political affiliation, genetic information, veteran status or any other legally protected status per state and federal law.

PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION



CITY OF STAYTON

APPLICATION FOR COMMISSION/COMMITTEE

NAME OF COMMISSION/COMMITTEE:

Library Board

PLEASE CHECK ONE:

- New Applicant
 Application for reappointment

Years resided in Stayton: 8

PLEASE PRINT

Name Heather Engberg

Address 1030 Cooper Court, Stayton Home Ph# 503-769-4393

Email Address Dietcokeoregon@aol.com Cell Ph# —

Occupation Student

Place of Employment Chemeketa Community College

Business Address N/A

Phone N/A Email N/A

1. Please give a brief description of the experience or training that qualifies you for membership on this commission/committee. (If you wish, you may attach a resume or other pertinent material.) I have worked in libraries since high school including the Corvallis Public Library, the Salem Public Library and the Willamette University Library. I was a volunteer at Hammond Elementary Library in Salem in 2014 and I currently am a volunteer at the Stayton Public Library.
2. Why do you want to become a member of the above-mentioned commission/committee and what specific contribution would you hope to make? I think that libraries are a vital part in communities and I would like to help keep Stayton's library an integral part of the community which will include keeping current with new technology that will change the way libraries will be used in the future.

PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION

3. Please list the community concerns related to this commission/committee that you would like to see addressed if you are appointed.

My concern at this time is to make sure the library stays a vital and supported part of Stayton as I believe reading is vital to a person's success in life and the community outreach of the library to school children especially is important to foster this.

4. Briefly describe your present or past involvement in relevant community groups. (Having no previous involvement will not disqualify you for appointment.)

I don't have any relevant involvement.

5. Are you currently serving on any Advisory Boards, Commissions or Committees? If so, which ones?

Not currently serving on any.

6. How did you learn about this vacancy?

Our Website Word of mouth Other (Janna, Library Director)

7. Are you employed by, have any business, contractual arrangements or family connections with programs having contractual agreements with the City that might be within the purview of the committee on which you are seeking appointment?

No

Signature of Applicant Heather Engberg Date 12/14/14

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Stayton, OR 97383

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PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION



CITY OF STAYTON

APPLICATION FOR COMMISSION/COMMITTEE

NAME OF COMMISSION/COMMITTEE:

Stayton Police Advisory Board

PLEASE CHECK ONE:

New Applicant
 Application for reappointment

Years resided in Stayton: 18

PLEASE PRINT

Name Michael Jaeger

Address 1550 Eagle St, Stayton, OR 97383 Home Ph# 503-769-6595

Email Address jaegerm@columbiabank.com Cell Ph# 503-871-0227

Occupation Banker

Place of Employment Columbia Bank

Business Address 1800 Wilco Rd, Stayton, OR 97383

Phone 503-769-7324 Email jaegerm@columbiabank.com

1. Please give a brief description of the experience or training that qualifies you for membership on this commission/committee. (If you wish, you may attach a resume or other pertinent material.)

I have been on the Police Advisory Board for a number of years. I believe this will be my third term.

2. Why do you want to become a member of the above-mentioned commission/committee and what specific contribution would you hope to make?

As a local Bank Manager, I have a pretty good understanding of the community, and I believe I can be a good advocate for the Police Department, as well as a balanced representative of the community to the Police Department.

PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION

3. Please list the community concerns related to this commission/committee that you would like to see addressed if you are appointed.

I appreciate a conservative handling of the marijuana law, for one. I appreciate the Police Department's active community involvement. It provides a positive reflection of the work of the police.

4. Briefly describe your present or past involvement in relevant community groups. (Having no previous involvement will not disqualify you for appointment.)

Stayton Area Rotary Board, Stayton-Sublimity Chamber of Commerce, Various other school, civic, and church leadership boards or positions. Leader of Men's Fraternity.

5. Are you currently serving on any Advisory Boards, Commissions or Committees? If so, which ones?

Yes, listed above.

6. How did you learn about this vacancy?

Our Website Word of mouth Other

7. Are you employed by, have any business, contractual arrangements or family connections with programs having contractual agreements with the City that might be within the purview of the committee on which you are seeking appointment?

The City of Stayton has their bank accounts with Columbia Bank.

Signature of Applicant Michael Jaym Date 12/5/16

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362 N. Third Avenue
Stayton, OR 97383

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PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION



CITY OF STAYTON

APPLICATION FOR COMMISSION/COMMITTEE

NAME OF COMMISSION/COMMITTEE:

POLICE ADVISORY BOARD

PLEASE CHECK ONE:

New Applicant
 Application for reappointment

Years resided in Stayton: 18

PLEASE PRINT

Name DON WALTERS

Address 450 W LOCUST Home Ph# 503.769.4116

Email Address WALTERS@CI.WILSONVILLE.OR.US Cell Ph# 503.689.5151

Occupation PLANS EXAMINER

Place of Employment CITY OF WILSONVILLE

Business Address 29799 SW TOWN CENTER LP E, WILSONVILLE, OR. 97070

Phone 503.570.1556 Email WALTERS@CI.WILSONVILLE.OR.US

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1. Please give a brief description of the experience or training that qualifies you for membership on this commission/committee. (If you wish, you may attach a resume or other pertinent material.)

I have been on the board for several years. I have a deep interest in police/community interaction and other police issues. Before being on the Police Advisory Board I was the City councilor representative to the 911 committee.

2. Why do you want to become a member of the above-mentioned commission/committee and what specific contribution would you hope to make?

I believe that i am a fair minded person who seeks win/win solutions to problems whenever possible. I am a good problem solver who is willing to serve and to help wherever i can.

PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION

3. Please list the community concerns related to this commission/committee that you would like to see addressed if you are appointed.

I do not know of any specific current community concerns. I would like to see the police department do more to become known to the community on a one-to-one basis. The "cup-with-a-cop" coffee program is a good example.

4. Briefly describe your present or past involvement in relevant community groups. (Having no previous involvement will not disqualify you for appointment.)

I have been on the Police Advisory Board for several years.
I was on the the 911 committee as a representative of the City of Stayton.
i was a City Councilor.

5. Are you currently serving on any Advisory Boards, Commissions or Committees? If so, which ones?

Police Advisory Board

6. How did you learn about this vacancy?

Our Website Word of mouth Other

7. Are you employed by, have any business, contractual arrangements or family connections with programs having contractual agreements with the City that might be within the purview of the committee on which you are seeking appointment?

No

Signature of Applicant



Date

12/13/16

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362 N. Third Avenue
Stayton, OR 97383

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PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION



CITY OF STAYTON

APPLICATION FOR COMMISSION/COMMITTEE

NAME OF COMMISSION/COMMITTEE:

Planning Commission

PLEASE CHECK ONE:

New Applicant
 Application for reappointment

Years resided in Stayton: 11

PLEASE PRINT

Name James Russell (Jim) Noles

Address 656 W. Maple ST. Home Ph# 503 769 7643

Email Address SKookumjim78@GMail.com Cell Ph# 971-304-9765

Occupation Retired

Place of Employment _____

Business Address _____

Phone _____ Email _____

1. Please give a brief description of the experience or training that qualifies you for membership on this commission/committee. (If you wish, you may attach a resume or other pertinent material.) I have 50 plus years in construction.

2. Why do you want to become a member of the above-mentioned commission/committee and what specific contribution would you hope to make? To serve the people of STAYTON as an informed voice on the Planning Commission.

PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION

3. Please list the community concerns related to this commission/committee that you would like to see addressed if you are appointed. *More LOCAL investment, construction and control of housing and mercantile.*

4. Briefly describe your present or past involvement in relevant community groups. (Having no previous involvement will not disqualify you for appointment.) *I served 2 years with The Sentiam Heritage Foundation. I served 25 construction foremen.*

5. Are you currently serving on any Advisory Boards, Commissions or Committees? If so, which ones? *No.*

6. How did you learn about this vacancy?

Our Website Word of mouth Other
The Mayor (Hank Porter) Asked me to serve.

7. Are you employed by, have any business, contractual arrangements or family connections with programs having contractual agreements with the City that might be within the purview of the committee on which you are seeking appointment?

No.

Signature of Applicant

J. R. [Signature]

Date

12-21-16

PLEASE RETURN TO:

City of Stayton
362 N. Third Avenue
Stayton, OR 97383

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PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION



CITY OF STAYTON

APPLICATION FOR COMMISSION/COMMITTEE

NAME OF COMMISSION/COMMITTEE:

Parks & Rec.

PLEASE CHECK ONE:

New Applicant
 Application for reappointment

Years resided in Stayton: 25+

PLEASE PRINT

Name Kathy Hampton

Address 1910 N. Fern, Stayton Home Ph# _____

Email Address kathyslamlaw@gmail.com Cell Ph# 503-409-1836

Occupation Paralegal

Place of Employment Neil F. Lathen, Attorney at Law

Business Address 3040 Commercial Street SE, Suite 200, Salem, Oregon

Phone 503-581-2421 Email nlathen@slamlaw.com

-
-
1. Please give a brief description of the experience or training that qualifies you for membership on this commission/committee. (If you wish, you may attach a resume or other pertinent material.)

I have lived in this area for numerous years and enjoy the outdoors and anything related to improving the condition of the parks and other recreational areas. I am particularly interested in the development of the new dog park. I have been a 4-H dog project leader for Marion County for 20 years. I have been involved in showing dogs for 11 years.

2. Why do you want to become a member of the above-mentioned commission/committee and what specific contribution would you hope to make?

As stated above, I am interested in improving the community and activities that are available to the public.

Curious as to how things work and what happens behind the scenes.

PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION

3. Please list the community concerns related to this commission/committee that you would like to see addressed if you are appointed.

Clean up of the parks, streets, etc. It is sad to see all the trash along the streets and in the parks. Would be great to be able to coordinate with kids who need community hours to arrange work days - volunteer to help pick up trash along the streets and at the parks.

4. Briefly describe your present or past involvement in relevant community groups. (Having no previous involvement will not disqualify you for appointment.)

Community groups - 4-H member growing up and current 4-H project leader.
Member of several dog clubs.

5. Are you currently serving on any Advisory Boards, Commissions or Committees? If so, which ones?

Board member for Cascade Whippet Club
Member of Silver Falls Kennel Club and Northwest Canine Enthusiast Club and Marion County Dog Club.

6. How did you learn about this vacancy?

Our Website Word of mouth Other

7. Are you employed by, have any business, contractual arrangements or family connections with programs having contractual agreements with the City that might be within the purview of the committee on which you are seeking appointment?

None.

Signature of Applicant _____ Date _____

PLEASE RETURN TO: City of Stayton
362 N. Third Avenue
Stayton, OR 97383

It is the policy of the City to comply with all federal and state statutes on equal employment opportunity. This policy shall be applied without regard to any individual employee or job applicant's sex, race, color, religion, national origin, ancestry, age, marital status, political affiliation, genetic information, veteran status or any other legally protected status per state and federal law.

PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION



New Business



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

TO: Mayor Henry Porter and the Stayton City Council
FROM: Alissa Angelo, Deputy City Recorder
DATE: January 3, 2017
SUBJECT: Appointment of Council President

Per the City of Stayton Charter, the Council must elect a president from its membership at the first meeting each year. The president presides in the absence of the mayor and acts as mayor when the mayor is unable to perform duties. It should be noted that when the president is acting as mayor, he / she retains a vote but does not have a tie vote or authority to require reconsideration of ordinances.

MOTION(S)

- 1) Motion to appoint Councilor _____ as Council President for 2017.



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

TO: Mayor Henry Porter and the Stayton City Council
FROM: Alissa Angelo, Deputy City Recorder
DATE: January 3, 2017
SUBJECT: Appointment of Council Liaisons to Boards and Committees

Per Resolution No. 809, City Council Rules, the Mayor may appoint a Council member to serve as a non-voting representative to any City board, committee, or commission (with the exception of the Planning Commission due to the potential for an individual Council member to be challenged regarding ex-parte contacts).

Typically, the Mayor requests that council members volunteer to serve as a liaison to several different boards and committees. Below is a list of these boards and committees, as well as the names of each current Council member that served as the liaison to that board or committee.

Board / Committee	
Adaptive Management Group (AMG)	Councilor Jennifer Niegel
North Santiam School District Board	Councilor Jennifer Niegel
Parks and Recreation Board	
Regional Transportation Advisory Committee (SRAC)	Mayor Henry Porter
Library Board	Councilor Priscilla Glidewell
Santiam Communication Council	Councilor Brian Quigley
Public Safety Commission	Councilor Usselman
Marion County Veterans Task Force	Councilor Jennifer Niegel

MOTION(S)

- 1) Motion to appoint Councilor _____ as the Council liaison to _____.



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

TO: Mayor Henry Porter and the Stayton City Council
THRU: Keith Campbell, City Administrator
FROM: Lance S. Ludwick, P.E. Public Works Director
DATE: January 3rd, 2017
SUBJECT: Award of Contract for Pioneer Park Pedestrian Bridge Replacement

ISSUE

Shall the City award a bid to TS Gray Construction in the amount of \$67,742.00 for replacement of the Pioneer Park Pedestrian Bridge.

ENCLOSURES

1. Minutes from Bid Opening

BACKGROUND INFORMATION

The project includes, but is not limited to, all labor, materials, and equipment necessary to install a new City of Stayton owned 6' x 62' wood pedestrian bridge and concrete abutments, approximately 2600 square feet of 4 inch sidewalk and performance of additional and incidental work as called for in the plans and specifications. The Engineer's Estimate is between \$59,500 and \$73,500.

The project was advertised competitively in the Daily Journal of Commerce and sealed bids were opened on December 29th, 2016.

BIDS RECEIVED

The City received bids from the following firms:

	Contractor	Total
1	TS Gray Construction	\$67,742.00
2	Tom Ayres General Contractor, LLC	\$67,892.04
3	Canyon Contracting, LLC	\$69,913.00
4	Bent LLC	\$73,490.00
5	CG Contractors	\$84,140.00
6	Legacy Contracting	\$85,247.50
7	Glacier Construction	\$89,275.00
8	Elk Mountain	\$95,900.00
9	BRX	\$99,400.00
10	Oregon State Bridge Construction	\$130,500.00

STAFF REVIEW OF BIDS:

City Staff reviewed the low bid and recommends the City award a contract to TS Gray Construction.

OPTIONS

- A. Award of Contract to the lowest responsible bidder in the full contract amount.
- B. Reject all bids.

RECOMMENDATION

Award of Contract to TS Gray Construction in the amount of \$67,742.00.

MOTION:

Move to award the Pioneer Park Bridge Replacement to TS Gray Construction in the amount of \$67,742.00.

City of Stayton
Bid Opening: 2016 Pioneer Park Pedestrian Bridge Replacement
December 29th, 2016 Closed at 2:00 pm

Description: The project includes, but is not limited to, all labor, materials, and equipment necessary to install a new City of Stayton owned 6' x 62' wood pedestrian bridge and abutments, approximately 2600 square feet of 4 inch concrete sidewalk and performance of additional and incidental work as called for in the plans and specifications. The Engineer's Estimate is between \$59,500 and \$73,500.

Attendees: City of Stayton - Michael Schmidt, Kelli Stevens,
The following bids were submitted:

<u>Contractor Name</u>	<u>Amount</u>
1. Bent LLC	\$73,490.00
2. Legacy Contracting	\$85,247.50
3. CG Contractors	\$84,140.00
4. Oregon State Bridge Construction	\$130,500.00
5. Tom Ayres General Contractor, LLC	\$67,892.04
6. BRX	\$99,400.00
7. Glacier Construction	\$89,275.00
8. TS Gray Construction	\$67,742.00
9. Canyon Contracting, LLC	\$69,913.00
10. Elk Mountain	\$95,900.00

The City of Stayton will review the bids and make a recommendation of award to the City. The City Council will award the bid at their January 3rd, 2017 council meeting.

Prepared by:

Kelli Stevens
City of Stayton



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: January 3, 2017
SUBJECT: Resolution Consenting to Annexation of City-owned Property

ISSUE

The issue before the City Council is adoption of a resolution consenting to annexation of City-owned property into the City Limits.

BACKGROUND INFORMATION

On November 1, 2016 Hayden Homes, Inc. submitted an application for annexation of a 27-acre parcel of land (the Lambert property) into the City limits. On December 22, a partitioning plat was recorded with Marion County, dividing the parcel into two and dedicating street right of way to the public. On December 28, the City of Stayton purchased Parcel 2 of the partitioning.

State law requires that owners of property to be annexed consent to the annexation, unless a referendum is held. Resolution 952 is the mechanism for the City to give consent to the annexation of the City-owned property.

RECOMMENDATION

Staff recommends adoption of the draft resolution.

OPTIONS AND MOTIONS

The City Council is presented with the following options.

1. Adopt Resolution 952 as drafted

Move to adopt Resolution 952 as presented.

2. Adopt Resolution 952 with modifications

Move to adopt Resolution 952 with the following changes ...

3. Withhold consent to annexation

No motion necessary

RESOLUTION NO. 952

**A RESOLUTION CONSENTING TO THE ANNEXATION OF CITY-OWNED LAND
LOCATED ON KINDLE WAY INTO THE CITY LIMITS.**

WHEREAS, on November 1, 2016, Joyce Lambert and Rebecca McLellan as Trustees of the Lambert Living Trust, Rebecca Mable McLellan, William Rodney Lambert as owners of that certain real property known as 1103 Shaff Road, more particularly described in Exhibit 1 attached hereto and incorporated herein, and further illustrated on a map shown on Exhibit 2 attached hereto and incorporated herein submitted an application to the City of Stayton for annexation of that property and consented to the annexation of that property into the city limits (Land Use File 22-11/16);

WHEREAS, on December 22, 2016 a partitioning plat was recorded with the Marion County Clerk dividing the property into two parcels and dedicating additional right of way along Kindle Way to the public;

WHEREAS, on December 28, 2016, the City of Stayton purchased Parcel 2 as created by said partitioning plat, which is part of the property subject to annexation under Land Use File 22-11/16;

WHEREAS, it is the desire of the Stayton City Council that city-owned land be within the city limits of the City of Stayton to facilitate its development for municipal purposes and provide for the complete jurisdiction of the City of Stayton over such property;

NOW THEREFORE, BE IT RESOLVED that:

Section 1. Consent to Annexation Proceedings. The Stayton City Council does hereby consent to the annexation into the city limits of the property described as Parcel 2 of Partition Plat 2016-057 and as the successor owner, the City does hereby consent to the annexation as set forth in Land Use File 22-11/16.

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

ADOPTED BY THE STAYTON CITY COUNCIL this third day of January, 2017

CITY OF STAYTON

Date: _____, 2017

By: _____
Henry A. Porter, Mayor

Date: _____, 2017

Attest: _____
Keith D Campell, City Administrator

APPROVED AS TO FORM:

David A. Rhoten, City Attorney

EXHIBIT 1

Annexation Area

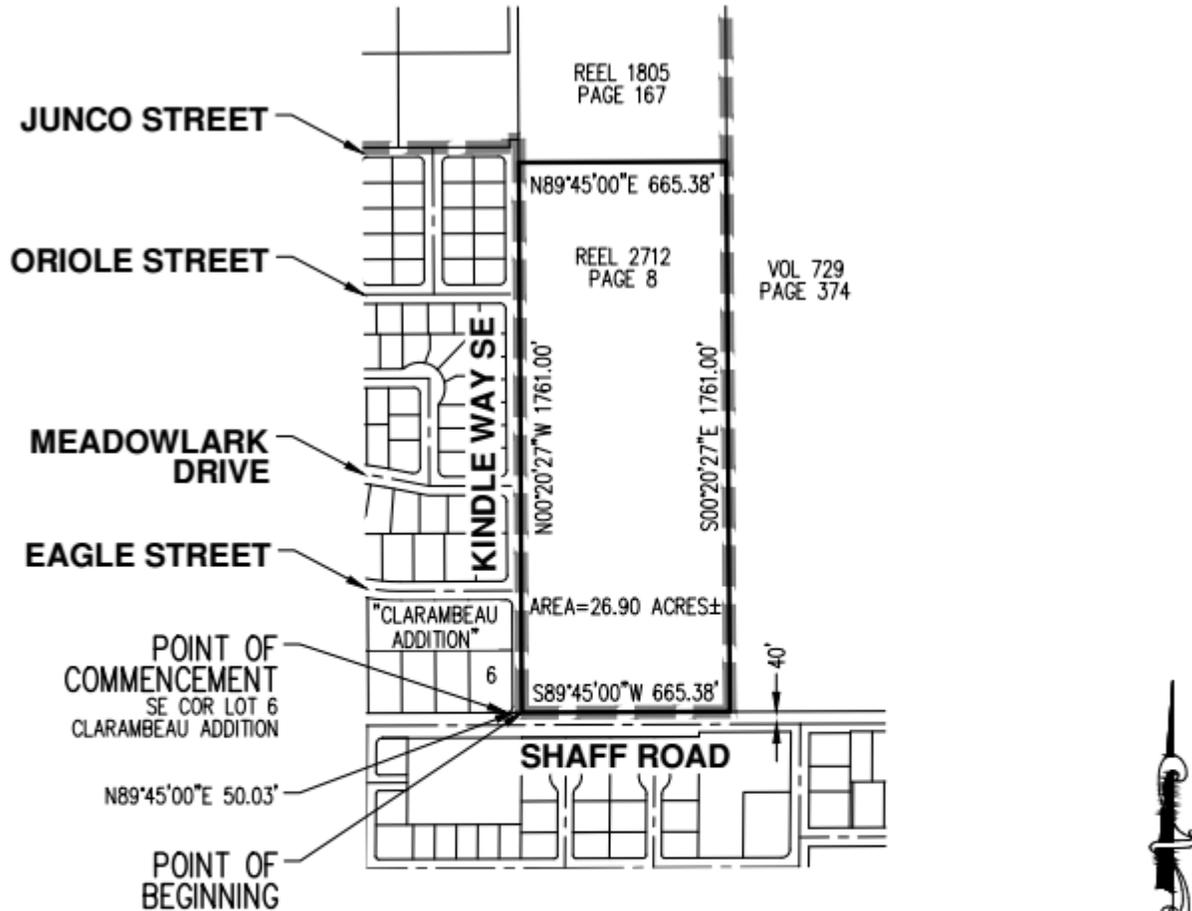
A tract of land located in the Southeast One-Quarter of Section 4, Township 9 South, Range 1 West, Willamette Meridian, Marion County, Oregon, and being more particularly described as follows:

Commencing at the southeasterly corner of Lot 6 of the plat "Clarambeau Addition", also being the northerly right-of-way line of Shaff Road (40.00 feet from centerline); thence along said northerly right-of-way line, North 89°45'00" East 50.03 feet to the easterly right-of-way line of Kindle Way SE, also being the City of Stayton city limits line and the Point of Beginning; thence along said easterly right-of-way line, North 00°20'27" West 1761.00 feet to the northerly line of Reel 2712 Page 8; thence leaving said easterly right-of-way line and said city limits line along said northerly line, North 89°45'00" East 665.38 feet to the easterly line of said deed and the City of Stayton city limits line; thence along said easterly line and said city limits line, South 00°20'27" East 1761.00 feet to the northerly right-of-way line of Shaff Road (40.00 feet from centerline); thence along said northerly right-of-way line and said city limits line, South 89°45'00" West 665.38 feet to the Point of Beginning.

The above described tract of land contains 26.90 acres, more or less.

DRAFT

EXHIBIT 2 Map of Annexation Area



11/1/2016

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/18

PREPARED FOR

SVN COMMERCIAL ADVISORS
1665 LIBERTY ST SE, SUITE 200
SALEM, OR 97302

SCALE 1" = 500 FEET



LEGEND

STAYTON CITY LIMITS

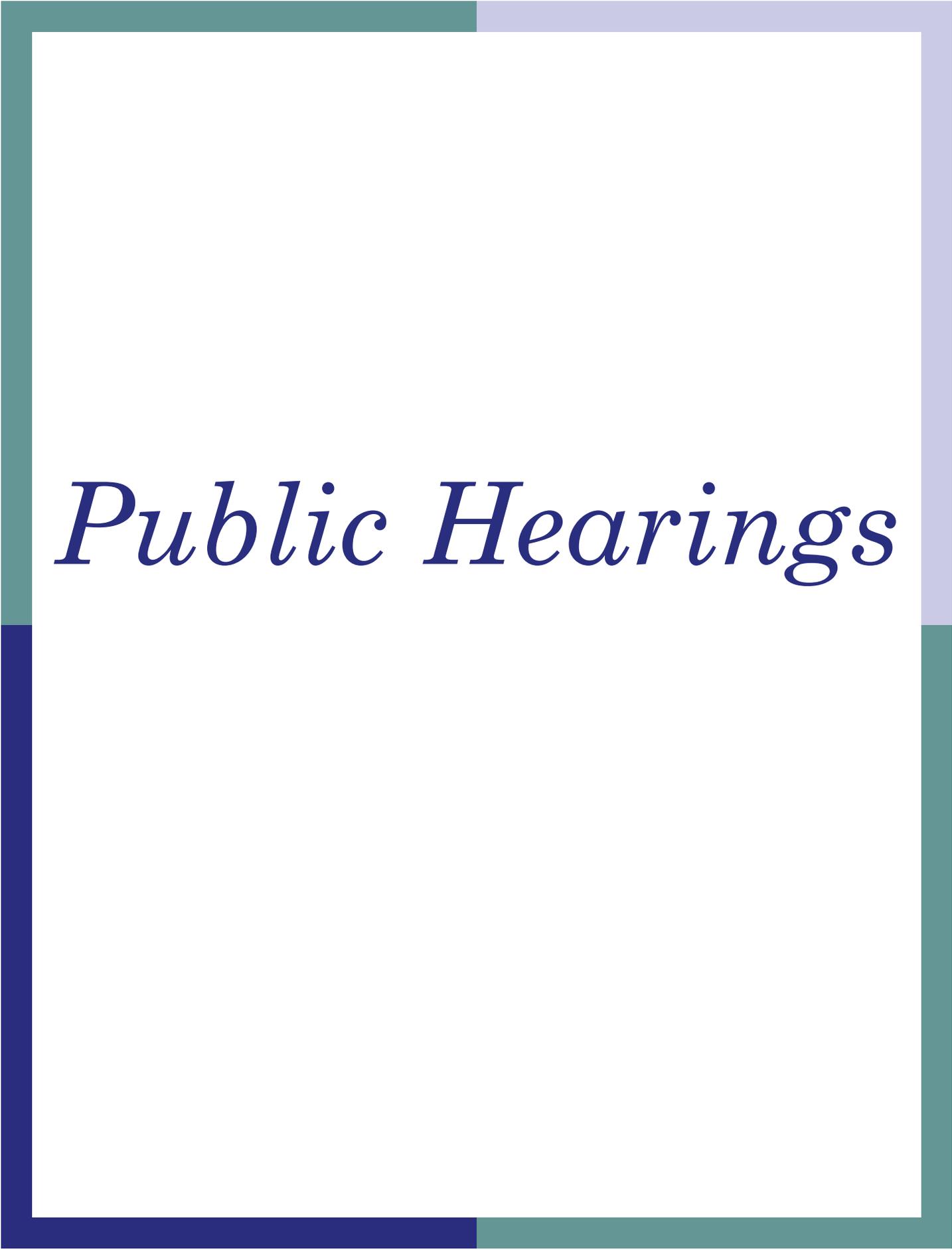
1103 SHAFF RD - STAYTON

EXHIBIT
B

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
P: 503.563.6151 F: 503.563.6152 aks-eng.com



DRWN: WCB
CHKD: NSW
AKS JOB:
5519



Public Hearings



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: January 3, 2017
SUBJECT: Annexation Application, 1103 Shaff Road
120 DAYS ENDS: March 2, 2017

ISSUE

The issue before the City Council is a public hearing on an application for the annexation of approximately 27 acres of land at 1103 Shaff Road and to assign Medium Density Residential zoning to property. Following the public hearing, the Council will be requested to consider an ordinance that will annex the property and amend the Official Zoning Map.

BACKGROUND INFORMATION

The subject property is comprised of a 27-acre lot, currently developed with a single family dwelling. The property is located on Shaff Road between the Stayton Middle School and Kindle Way. 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.

Attached is an application for annexation from Hayden Homes. The application consists of the application form, the applicant's narrative, and a conceptual plan of future development of a portion of the property. Also attached is the order of approval from the Planning Commission, containing its recommendation.

The City Council must reach three independent decisions:

- Does the application meet the criteria for approval for annexation
- If so, which zone to apply to the property
- Whether to issue final approval or refer the annexation to the voters

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

Also enclosed is correspondence from a member of the public. This correspondence focuses mostly on the issue of voter approval, but also touches on one of the criteria for approval.

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 and the City will be constructing a stormwater facility on a portion of the property. The area to be annexed is contiguous to the existing city limits on three sides 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

contains our analysis and recommended conclusions. While there are numerous opportunities for small in-fill development or redevelopment and parcels with room to be partitioned, there are only two potentially available and developable residentially zoned vacant parcels of land of any substantial size within the city limits.

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%) is 11,359 people, requiring an additional 1,281 dwellings beyond the housing inventory existing at the time the analysis was completed. To meet that need, the Comprehensive Plan indicates the expected need of an additional 320 acres of residential to be annexed into the City. Since the time that analysis was conducted, the City has annexed 27 acres of residential land: ten acres in the Phillips Estates subdivision and 17 acres to the east of the Stayton Middle School.

Staff maintains an ongoing inventory of vacant buildable parcels within the City. The inventory is adjusted each time a lot is split, a building permit issued or a building demolished. As of this date, there are 90 vacant residentially zoned lots, totaling 116 acres, within the City limits.

Only one subdivision has been platted in the past five years. The total number of lots in each subdivision platted in the past ten years and the current status regarding vacant lots is shown in the table below.

Subdivisions in Stayton Since 2006

Subdivision Name	Year Platted	No of Lots	Existing Homes	Vacant Lots
Jefferson Place	2007	23	21	2
Mountain Estates No.3	2007	5	5	0
Third Avenue Subdivision	2008	4	4	0
Roth Estates	2009	12	13	0
Phillips Estates, Phase 1	2009	20	16	4
Phillips Estates, Phase 2	2014	26	5	21

In addition, there is a possible third phase of the Phillips Estates subdivision, accounting for a potential of perhaps 10 lots, and the Wildlife Meadows Subdivision with 44 lots that have received preliminary plan approval from the Planning Commission but not yet been platted with Marion County.

Since 2013 there have been three partitionings recorded, creating a total of three new lots. Only one of those lots are vacant today.

Though there are 90 vacant residentially zoned parcels totaling 116 acres in the City, not of all of these parcels are available for development in the near term. There are portions of the City where sanitary sewer service is not available today and not expected to be provided anytime soon. In addition, there are eight parcels that, though zoned residential, are owned by a government entity and not likely to be made available for development. Staff estimates that there are only 78 parcels totaling 55 acres of vacant property within the City limits that is residentially zoned and could be reasonably considered 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 62 lots reasonably available for development. Of these, only nine are large enough to be further divided and only two are larger than one acre. In the MD zone there are 15 vacant lots, of which five are large enough to be further divided. 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 2016 has been at an average annual rate of about 0.8%, with a population change of 930 people. The Marion County Coordinated Growth projection for 2030 is 11,360, reflecting a 1.7% average annual growth rate for the next twenty years. The most recent certified population estimate for the City was 7,745 in July, 2016. At a 1.7% growth rate until 2026, and a steady average household size, there would be the need for 527 new dwelling 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 50 acres of land beyond the vacant land considered reasonably available for development to accommodate this number of homes. While some development may occur at higher densities, it would require applications to rezone land into MD or HD zones. Also, there has been no development of multi-family dwellings in the past 15 years.

The second criterion subject to analysis is that the proposed annexation is compatible with the character of the surrounding area. The property is surrounded by a mix of single family lots ranging in size from 8,000 square feet to 27,000 square feet, duplexes on 13,000 square foot lots, multi-family developments and the Stayton Middle School campus. The proposal is to annex the property for a municipal stormwater facility and a proposed subdivision with lots ranging in size from 7,000 to 12,000 square feet in area.

Finally, the Commission 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.

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 presented a conceptual plan for development of the portion of the property they have under contract for a single family detached subdivision based on that zoning classification. 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.

The Comprehensive Plan also included an analysis of the density of recent development in the City. For residential subdivisions recorded between 2000 and 2009, the density was 2.8 dwelling units per gross acre of land developed, about half of the targeted density.

Since 2009, only one additional subdivision has been recorded, Phase II of Phillips Estates. This subdivision had 26 units on 7.03 acres of land, for a density of 3.7 units per acre. Combined, both phases of the Phillips Estates subdivision have density of 3.7 units per acre.

In the past 16 years, there have been 113 acres of land included in recorded subdivisions. Of these, 80 acres were zoned LD and 33 were zoned MD.

Since 2000, there have been only two developments on land zoned HD: the assisted living facility on N Third Ave in 2000 and a 4-unit apartment on Locust St in 2002.

Within the LD zone there are 62 lots reasonably available for development. Of these, only nine are large enough to be further divided and only two are larger than one acre. In the MD zone there are 15 vacant lots, of which five are large enough to be further divided. 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.

Assigning MD zoning to the subject parcel will assist the City meet its target of 5-6 units per acre of residentially zoned land.

Voter Approval

Chapter 1, Section 4 of the Stayton City Charter requires that an annexation over one acre not required by state law must be approved by the city voters before the annexation takes effect. Section 17.12.210.2.a.2) of the Stayton Municipal Code spells out the details of the process for the annexation of more than one acre of land into the City. The process envisioned by the Code is that following a public hearing, should the City Council determine the criteria for approval are met, the Council will enact a resolution forwarding a measure to the voters of the City at the next available scheduled election.

In March, 2016, the Oregon Legislative Assembly enacted and Governor Brown signed Chapter 51 of the Oregon Laws of 2016. Section 2 of this law applies to cities whose laws require a petition proposing annexation of territory to be submitted to the electors of the city, as Stayton's do. The law requires "the legislative body of the city [to] annex the territory without submitting the proposal to the electors of the city if"

- (a) the territory is within an urban growth boundary adopted by the city;
- (b) the territory will be subject to an acknowledged comprehensive plan of the city;
- (c) at least one lot or parcel within the territory is contiguous to the city limits; and
- (d) the proposal conforms to all other requirement of the city's ordinances.

Chapter 51 was enacted as emergency legislation and became effective upon the governor's signature. A copy of Chapter 51 is attached to this memorandum.

It is staff's determination that all four of the criteria above are met and therefore the Council is required by statute to not refer the application to the voters.

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 Planning Commission has recommended that the City Council follow the City Charter and Code and refer the application to the City's voters.

The staff also recommends approval as reflected in the draft ordinance that is included in the packet. However, staff recommends the City Council, in compliance with state law, issue final approval of the annexation and not refer the application to the voters of the City.

There may be testimony at the public hearing that requires 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 1004

Move to approve the application of Hayden Homes (Land Use File #22-11/16) for annexation and assign Medium Density Residential Zoning to the property by enacting Ordinance No 1004 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. 1004 is enacted and will be presented to the Mayor for his approval.

If the vote is not unanimous, Ordinance No. 1004 will be brought before the Council for a second consideration at the January 16, 2017 meeting.

2. Approve the application and the Ordinance with modifications

Move to approve the application of Hayden Homes (Land Use File #22-11/16) for annexation and assign Medium Density Residential Zoning to the property by enacting Ordinance No 1004 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. 1004 will be brought before the Council for a second consideration at its January 16, 2017 meeting.

3. Approve the application and forward a measure to the voters in compliance with the City Charter

Move to approve the application of Hayden Homes (Land Use File #22-11/16) for annexation and direct staff to present the Council with a draft resolution making findings and conclusions and referring a measure to the voters of the city in compliance with the requirements of the Stayton City Charter and the Stayton Municipal Code.

4. Deny the application

Move to deny the application of Hayden Homes (Land Use File #22-11/16) for annexation and direct staff to prepare a draft Order of Denial for consideration by the City Council.

Land Use Application for the Kindle Annexation

Date: November 1, 2016

Submitted to: City of Stayton
362 N. Third Avenue
Stayton, OR 97383

Applicant: Hayden Homes
2464 SW Glacier Place, Suite 110
Redmond, OR 97756



4300 Cherry Avenue NE
Keizer, OR 97303
(503) 400-6028

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Exhibits

- Exhibit A:** Annexation Checklist and Application Form
 - Exhibit B:** Conceptual Plan and Vicinity Map
 - Exhibit C:** Legal Description
-

Land Use Application for the Kindle Annexation

Submitted to:	City of Stayton Department of Planning and Development 362 N. Third Avenue Stayton, OR 97383
Applicant:	Hayden Homes 2464 SW Glacier Place, Suite 110 Redmond, OR 97756
Property Owners:	Lambert LT, et al. 1103 Shaff Road SE Stayton, OR 97383
Applicant's Consultant:	AKS Engineering & Forestry, LLC 4300 Cherry Avenue NE Keizer, OR 97303 Contact: Michael Poissant (michaelp@aks-eng.com) Contact: Joey Shearer (shearerj@aks-eng.com) Phone: (503) 400-6028 Fax: (503) 400-7722
Site Location:	1103 Shaff Road SE
Assessor's Tax Map:	091W04D Tax Lot 300
Site Size:	± 26.72 acres per Marion County Assessor's Map
Land Use Districts:	Residential per the Stayton Comprehensive Plan



I. Executive Summary

Hayden Homes (Applicant) is submitting this application to annex ± 26.72 acres of land into the City of Stayton. The subject site is located northeast of the intersection of Kindle Way SE and Shaff Road SE. Additionally, the application seeks to establish the City's Medium Density Residential (MD) Zoning District on the subject property, which is consistent with the Residential Comprehensive Plan designation that currently applies.

II. Site Description/Setting

The subject property is located in the northwestern corner of the City of Stayton. Effectively, it is a peninsula of unincorporated land located between the Stayton Middle School Property to the east, Quail Run Meadows and Clarambeau Addition subdivisions to the west, and Westown Park subdivision to the south. An existing home site is located in the southeast corner of the property, but the remainder of the property is undeveloped. Abutting properties to the west and south are located within the City of Stayton and contain single-family homes and duplexes. Stayton Middle School abuts the subject property to the east. The subject property is generally flat but slopes gently downward from southeast to northwest.

III. Applicable Review Criteria

SENATE BILL 1573

SECTION 2.

- (1) This section applies to a city whose laws require a petition proposing annexation of territory to be submitted to the electors of the city.
- (2) Notwithstanding a contrary provision of the city charter or a city ordinance, upon receipt of a petition proposing annexation of territory submitted by all owners of land in the territory, the legislative body of the city shall annex the territory without submitting the proposal to the electors of the city if:
 - (a) The territory is included within an urban growth boundary adopted by the city or Metro, as defined in ORS 197.015;
 - (b) The territory is, or upon annexation of the territory into the city will be, subject to the acknowledged comprehensive plan of the city;
 - (c) At least one lot or parcel within the territory is contiguous to the city limits or is separated from the city limits only by a public right of way or a body of water; and
 - (d) The proposal conforms to all other requirements of the city's ordinances.

RESPONSE: Senate Bill (SB) 1573, which was signed into law by Governor Kate Brown on March 15, 2016, requires cities to approve annexations rather than submit them to the electors of the city if those annexations meet the standards listed in Subsection (2), above.

The owners of the subject property consent to the annexation, which includes property exclusively within the Urban Growth Boundary adopted by the City of Stayton. The property is currently designated as Residential in the Stayton Comprehensive Plan and will continue to be subject to the Comprehensive Plan upon annexation. The subject property is a single tax lot and contiguous to the Stayton City Limits on three sides. Finally, as described below, the application conforms to all other applicable requirements of the City's ordinances.

Because this narrative and the accompanying exhibits demonstrate the annexation satisfies the criteria in Senate Bill 1573, the City must approve the annexation without submitting the proposal for referendum.

CITY OF STAYTON LAND USE AND DEVELOPMENT CODE

CHAPTER 17.08 COMPREHENSIVE PLAN

17.08.030 URBAN GROWTH MANAGEMENT

1. The following are the policies and criteria upon which the urban growth of the City shall be based:
 - a. The existing boundaries of the City should remain relatively unchanged until a major portion of the City's usable land has been developed for urban purposes.

RESPONSE: Table 8-3 of the Stayton Comprehensive Plan summarizes the amount of vacant and redevelopment land within the City Limits as of February 2011. Based on the information provided in Table 8-3, approximately 82% of the City's usable residential land was developed as of 2011, as were comparable percentages of the other classifications of land (based on zoning). It is reasonable to assume that development and construction over the preceding years has further captured land previously available for urban purposes. Therefore, the amount of developed land within the City Limits constitutes a major portion of the City's usable land. Additionally, the subject property is surrounded on three sides by land within the City Limits that has already been developed for urban purposes. The criterion is met.

-
-
- b. Extension of the City's urban services should be preceded by a careful evaluation of the facts, with major emphasis given to the overall community costs and benefits.

RESPONSE: Because the subject property is surrounded by urban land and/or residential neighborhoods on three sides, urban services are already available adjacent to the subject property. There is an 8-inch water main in Kindle Way SE, a 10-inch main in Shaff Road SE, and multiple points of access to the City sewer system from the subject property. Future subdivision of the subject property will be preceded by infrastructure improvements to Kindle Way SE and Shaff Road SE, and construction of single-family homes will generate system development charges (SDCs) to offset impacts to public facilities. Therefore, the criteria are met.

-
-
-
- c. Developments which can be served by a gravity flow sewage system should be given priority.

RESPONSE: Per comments and documentation provided by City staff at the October 26, 2016, pre-application conference, the site can be served by a gravity flow sewage system and there are multiple access points to the City system from the subject property. Therefore, the criterion is met.

CHAPTER 17.12 DEVELOPMENT APPROVAL PROCEDURES

17.12.210 ANNEXATIONS

(***)

2. METHOD OF ADOPTION.

a. Major Annexations.

1) A Major Annexation is an annexation that meets one or more of the following characteristics.

- i. Consists of two or more parcels, except proposed annexations that consist of contiguous parcels in the same ownership.
- ii. The area proposed for annexation exceeds 1 acre, except a health hazard annexation. (Amended Ord. 918, March 18, 2010)

RESPONSE: The area of the subject property exceeds 1 acre. Therefore, the planned annexation qualifies as a Major Annexation.

2) Approval procedures. The following procedures shall be followed in the review and approval of an application for a Major Annexation:

- i. Major Annexations are subject to referendum approval. The City Council may schedule a vote on an annexation proposal only in the May or November elections.
- ii. Submission Deadlines. An application for a Major Annexation shall be filed with the City Planner before 5:00 p.m. on the last working day in September for a ballot election in May and the last working day in March for a ballot election in November.

RESPONSE: The procedural requirement that annexations be subject to referendum was invalidated when the Governor signed SB 1573 on March 15, 2016. As discussed above in the response to SB 1573, this Bill obligates the City Council to approve this annexation because the criteria explicit in the Bill have been met. Therefore, the criteria in Section 17.12.210(2)(a)(2) do not apply.

- iii. Planning Commission Proceedings. The Planning Commission shall hold a public hearing in accordance with the requirements of Section 17.12.090. Following the public hearing the Commission shall make findings of fact and conclusions as to whether the criteria of Section 17.12.210.4 below are met. Based on the findings of fact and conclusions, the Planning Commission shall make a recommendation to the City Council regarding the approval of the application.

-
- iv. **City Council Proceedings.** The City Council shall hold a public hearing in accordance with the requirements of Section 17.12.100. Following the public hearing, the City Council shall make findings of fact and conclusions as to whether the criteria of Section 17.12.210.4 below are met. If the Council finds that the criteria of Section 17.12.210.4 have been or will be met, the Council shall enact a resolution scheduling a referendum vote at the next available scheduled election. A decision by the Council approving the annexation, and referring to the voters, shall be final upon adoption for appeal purposes, but shall not be effective until all applicable appeal periods have passed with no appeal having been filed.

RESPONSE: As detailed throughout this narrative, and specifically in the below responses to Subsection 17.12.210(4), the applicable criteria from the Stayton Land Use and Development Code are met.

- 3. **SUBMITTAL REQUIREMENTS.** In order to be accepted as complete and be processed in a timely manner by the City, requests for annexation of territory shall include the following materials and information:
 - a. Completed application forms as supplied by the City Planner.
 - b. Three copies of a site plan, drawn to a scale of 1 inch equals not more than 50 feet, shown as a graphic scale, of the property for which the annexation is requested. The site plan shall depict the surrounding properties, neighboring streets and roads, and existing uses of the property. If the application for annexation is not accompanied by a concurrent application for site plan, subdivision, or other land use approval, three copies of a conceptual plan of proposed uses of the property subsequent to annexation. In addition, 18 reduced copies of the plan sized as 11 inches by 17 inches shall be submitted.
 - c. A plan showing the boundary lines of the properties, certified by a professional land surveyor, and the approximate area of the properties in acres or square feet.
 - d. A legal description of the property, meeting the requirements of ORS 308.225.
 - e. A narrative statement fully explaining the request and fully addressing the criteria for approval of an annexation.

RESPONSE: The required application form has been completed, signed, and attached as Exhibit A. The Conceptual Plan and Vicinity Map, including the required elements, is attached as Exhibit B. The Legal Description of the subject property is included as Exhibit C. Therefore, the required materials and information have been provided.

- 4. **APPROVAL CRITERIA.** In order to approve an application for annexation, the following affirmative findings concerning the action must be made by the decision authority:
 - a. Need exists in the community for the land proposed to be annexed.

RESPONSE: The subject property is designated as Residential in the Stayton Comprehensive Plan. Chapter 6 of the Comprehensive Plan includes a housing needs analysis that projects

housing need within the City to the year 2030. Table 6-10, excerpted below, summarizes this analysis and shows that a need exists for an additional 889 units of detached, single-family homes through 2030.

Table 6-10. Housing Needs Projection

Housing Type	Existing Units	Units Needed by 2030	Additional Units Needed
Single-Family detached	1,930	2,819	889
Single-Family attached and duplexes	371	564	193
Multi-family	607	781	174
Mobile Homes	148	173	25
Total	3,056	4,337	1,281

Based on the housing needs projection and an analysis of residential density since 2000, the buildable lands inventory discussed in Chapter 8 of the Comprehensive Plan concludes that the City can “expect to annex an additional 320 acres of land for residential uses” through the year 2030.

Consistent with its Residential designation in the Comprehensive Plan, MD zoning is planned for the subject property upon annexation. Single-family homes are one of the residential uses permitted in the MD zone. Consistent with the planned zoning, the Conceptual Plan included as Exhibit B shows 50 lots ranging in size from 7,000 square feet to more than 12,000 square feet for the future construction of single-family homes. Future subdivision of the subject property will help satisfy the need for residential land and housing units identified in the Comprehensive Plan. Therefore, the criterion is met.

- 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.*

RESPONSE: Per comments and documentation provided by City staff at the October 26, 2016 pre-application conference, the site can be serviced by adequate public facilities. There is an 8-inch water main in Kindle Way SE, a 10-inch main in Shaff Road SE, and multiple points of access to the City sewer system from the subject property. The planned subdivision of the site will include the provision of adequate water, sewer, stormwater, and franchise utilities in compliance with applicable City requirements. Therefore, the criteria are met.

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

RESPONSE: The subject property is contiguous with the existing City Limits to the west, south, and east. Therefore, the criterion is met.

- 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.*

RESPONSE: Upon annexation to the City, the subject property is planned to be zoned MD. Single-family homes are one of the residential uses permitted in the MD zone. Consistent with

the planned zoning, the Conceptual Plan shows lots ranging in size from 7,000 square feet to more than 12,000 square feet for the future construction of single-family homes.

Properties to the south of Shaff Road SE are zoned MD and generally contain duplexes. To the west, the multiple phases of the Quail Run Meadows subdivision are zoned Low Density Residential (LD). The lots in the Quail Run Meadows subdivision are \pm 8,000 square feet, generally, and contain single-family homes similar in character to the single-family homes that are likely to be built on the subject property.

The City's urban growth program and policies are addressed in the responses to Section 17.08.030. Therefore, the criteria are met.

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

RESPONSE: Compliance with SB 1573 and the applicable provisions of the Stayton Land Use and Development Code are addressed throughout this narrative. Therefore, the criterion is met.

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

RESPONSE: A contract annexation is not planned. Therefore, the criteria do not apply.

- 5. **ZONING OF ANNEXED TERRITORY. 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. This requirement does not prohibit an application to amend the Comprehensive Plan Map concurrent with the application for annexation.**

RESPONSE: The subject property is designated as Residential in the Stayton Comprehensive Plan. Consistent with the Residential designation in the Comprehensive Plan, MD zoning is planned upon annexation. As discussed above in the response to Section 17.12.210(4)(a), the Comprehensive Plan includes projections that the City will need an additional 889 detached, single-family homes by 2030.

Single-family homes are permitted in the MD Zone. Consistent with the planned zoning, the Conceptual Plan included as Exhibit B shows 50 lots for the future construction of single-family homes. Future subdivision of the subject property will help meet an identified need for housing recognized in the Comprehensive Plan. With MD zoning, no amendment to the Comprehensive Plan Map is necessary. Therefore, the planned MD zoning is appropriate for the surrounding context and is justified by the buildable lands analysis in the Comprehensive Plan.

IV. Conclusion

The required findings have been made, and this written narrative and the accompanying documentation demonstrate that the application is consistent with the applicable provisions of Oregon State Law and the City of Stayton Land Use and Development Code. The evidence in the record is substantial and supports approval of the application. Therefore, the Applicant respectfully requests that the City approve this Annexation application.

Exhibit A: Annexation Checklist and Application Form

APPLICATION CHECKLIST FOR ANNEXATION REVIEW

This checklist has been prepared to assist applicants in submitting an application that includes all the submission requirements in Section 17.12.210. Please note that this checklist may paraphrase the requirements from the Code. It is the applicant's responsibility to read and understand the requirements of the Code. Review of an application will not begin until a complete application has been submitted. If you have questions, contact the Planning Department.

Property Owner Authorization: If the applicant is not the owner of the property, the application must include written indication of the applicant's right to file the application. This may be a purchase and sale agreement, an option or other document that gives the applicant some legal interest in the property. If the applicant is to be represented by another individual (planning consultant, engineer, attorney) the application must be accompanied by a notarized statement certifying that the applicant's representative has the authorization of the applicant(s) to file the application.

A site plan drawn to a scale of 1 inch equals not more than 50 feet showing:

- A north point and graphic scale
- Tax map and tax lot numbers.
- Boundary lines of the parcel to be annexed and area of the property in acres or square feet.
- Neighboring streets and roads.
- Existing uses of the property

A site plan is not applicable to this application, though these elements have been incorporated into the attached Vicinity Map and Conceptual Plan

Vicinity Map: The vicinity map may be drawn on the same map as the site plan. All properties, streets, and natural features within 300 feet of the perimeter of the parcel shall be shown on the vicinity map.

Conceptual Plan: If the application for annexation is not accompanied by a concurrent application for site plan, subdivision, or other land use approval, a conceptual plan of the proposed uses of the property.

Legal Description: A legal description of the property proposed to be annexed, meeting the requirements of ORS 08.225, must accompany the application.

Narrative Statement: A narrative answering the questions on the back of this application packet.

BURDEN OF PROOF

This is a quasi-judicial application in which the applicant has the burden of proof. According to law, the applicant must present to the decision maker facts, evidence, analysis, and justification for each and every criteria of SMC 17.12.210.4 in order to carry out that burden of proof. It is important to remember that there is no assumption that the applicant is entitled to this approval. The burden lies with the applicant to prove how the proposal complies with the criteria, not with the City of Stayton.

Stayton Municipal Code Title 17, Land Use and Development, is available online at: www.staytonoregon.gov. Click on the Document Center tab and select Municipal Code.

SUBMIT BY EMAIL



CITY OF STAYTON APPLICATION FOR ANNEXATION

PROPERTY OWNER: Lambert LT, et al.

Address: 1103 Shaff Road

City/State/Zip: Stayton, OR 97383

Phone: Contact Consultant

Email: Contact Consultant

APPLICANT: Hayden Homes - Eric Peterson

Address: 2464 SW Glacier Place, Suite 110

City/State/Zip: Redmond, OR 97756

Phone: Contact Consultant

Email: Contact Consultant

APPLICANT'S REPRESENTATIVE: _____

Address: _____

City/State/Zip: _____

Phone: _____

Email: _____

CONSULTANTS: Please list below planning and engineering consultants.

PLANNING

Name: Joey Shearer, AKS Engineering

Address: 4300 Cherry Avenue NE

City/State/Zip: Keizer, OR 97303

Phone: 503-563-6151

Email: shearerj@aks-eng.com

ENGINEERING

Name: Michael Poissant, AKS Engineering

Address: 4300 Cherry Avenue NE

City/State/Zip: Keizer, OR 97303

Phone: 503-400-6028

Email: michaelp@aks-eng.com

Select one of the above as the principal contact to whom correspondence from the Planning Department should be addressed:

owner applicant applicant's representative planning consultant engineer

LOCATION:

Street Address: 1103 Shaff Road

Assessor's Tax Lot Number and Tax Map Number: 091W04D Tax Lot 300

Closest Intersecting Streets: Shaff Road and Kindle Way SE

CURRENT COMPREHENSIVE PLAN DESIGNATION: Residential

ZONE MAP AND COMPREHENSIVE PLAN DESIGNATION WITH ANNEXATION: Medium Density Residential

QUESTIONS TO BE ADDRESSED IN NARRATIVE STATEMENT

The Stayton Planning Commission, with assistance from the Planning Department and the Public Works Department will use the information provided by the applicant to analyze the merits of this application. A decision to approve or deny the application is made based on how well the applicant presents information to show the application meets the standards and criteria set forth in the Stayton Land Use and Development Code 17.12.210.5. Please provide the following information in full and attach a narrative statement to this application.

1. **NEED:** What is the demonstrated need for this property to be annexed into the City?
2. **ADEQUATE UTILITIES:** How will the proposed annexation obtain or maintain adequate utility systems (including water, sewer, surface water drainage, power, and communications), and connections, including easements, to properly serve the subject property in accordance with accepted City standards?

All public improvements must meet City of Stayton standard specifications. All design plans must be approved by the City prior to construction. The City will inspect all construction.

Please see attached narrative.

a. List public services currently available to the site:

- Water Supply: _____ - inch line available in _____ Street.
- Sanitary Sewer: _____ - inch line available in _____ Street.
- Storm Sewer: _____ - inch line available in _____ Street.
- Natural Gas: _____ - inch line available in _____ Street.
- Telephone: is (or) is not available in _____ Street.
- Cable TV: is (or) is not available in _____ Street.
- Electrical: is (or) is not available in _____ Street.

b. Will existing City public services need to be replaced or upgraded to accommodate the demands created by the annexation? yes no

3. Is the subject property contiguous to the city limits? yes no
4. Is the proposed annexation compatible with the character of the surrounding area and does it comply with the urban growth program and policies of the City?
5. Does the proposed annexation comply, or be made to comply with all applicable provisions of state and local law?
6. If the proposed annexation is a contract annexation, does the proposal include the cost of City facility and service extensions as calculated by the Public Works Director?

SIGNATURE OF APPLICANT: Rebecca McCallahan 10/26/2016 10/26/2016 | 9:26 AM PDT William P. Lambert

DO NOT WRITE BELOW THIS LINE

Application received by: _____ Date: _____ Fee Paid: \$ _____ Receipt No. _____

Land Use File# _____

Exhibit B: Conceptual Plan and Vicinity Map



AKS ENGINEERING & FORESTRY, LLC
 4300 CHERRY AVE NE
 KEIZER, OR 97103
 P: 503.400.6028
 F: 503.400.7722
 aks-eng.com

ENGINEERING • SURVEYING • NATURAL RESOURCES
 FORESTRY • PLANNING • LANDSCAPE ARCHITECTURE

KINDLE ANNEXATION
SHAFF RD AND KINDLE RD
STAYTON OREGON
 TAX LOT MAP 091W04D

CONCEPTUAL PLAN

DESIGNED BY: DMK
 DRAWN BY: MWJ
 CHECKED BY: JMP
 SCALE: AS NOTED
 DATE:



REVISIONS

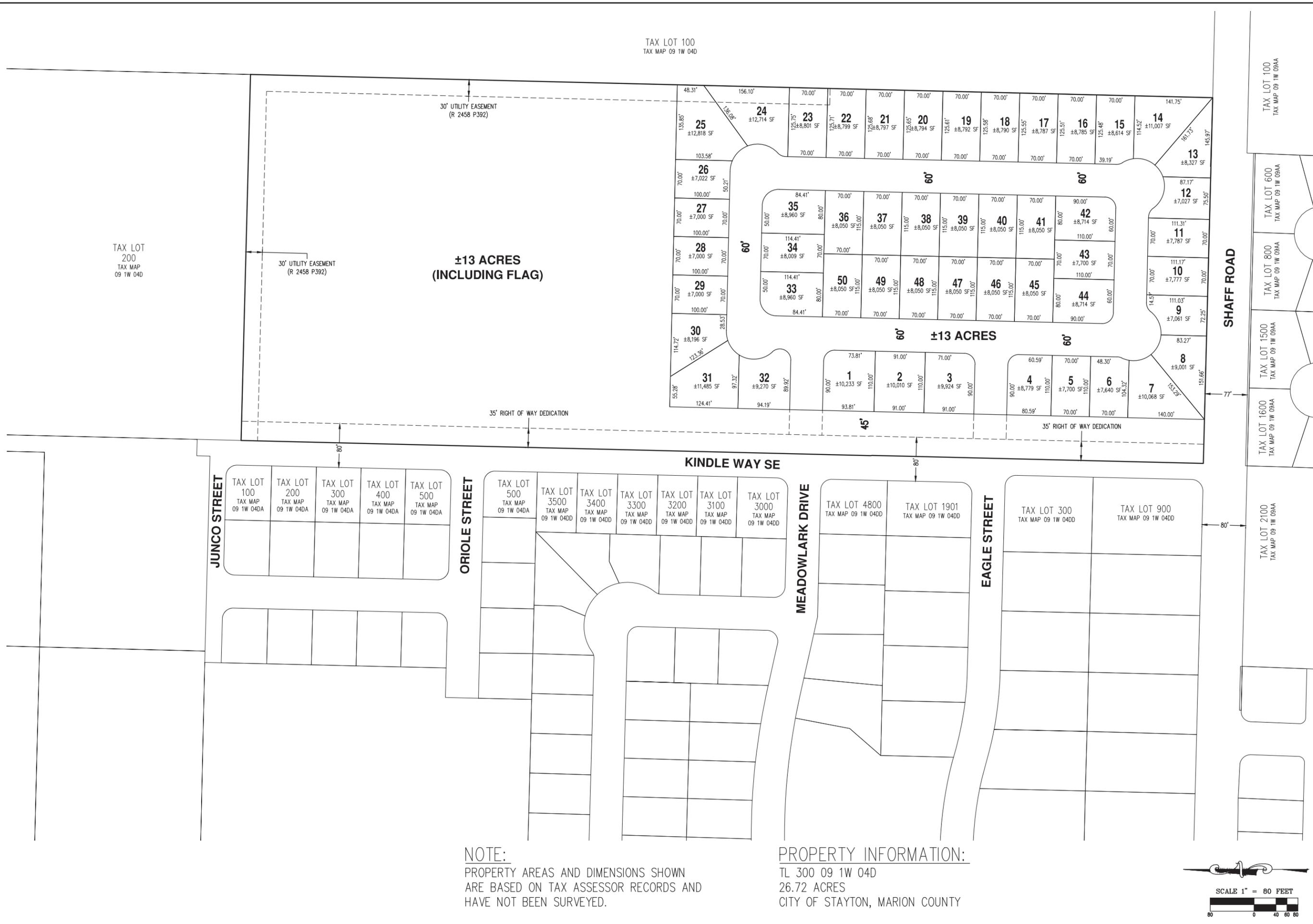
JOB NUMBER
5519
 SHEET
C1

TAX LOT 100
 TAX MAP 09 1W 04D

TAX LOT 200
 TAX MAP 09 1W 04D

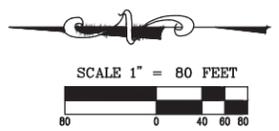
**±13 ACRES
 (INCLUDING FLAG)**

±13 ACRES



NOTE:
 PROPERTY AREAS AND DIMENSIONS SHOWN
 ARE BASED ON TAX ASSESSOR RECORDS AND
 HAVE NOT BEEN SURVEYED.

PROPERTY INFORMATION:
 TL 300 09 1W 04D
 26.72 ACRES
 CITY OF STAYTON, MARION COUNTY





STAYTON MIDDLE SCHOOL
 TAX LOT 100
 TAX MAP 09 1W 04D

±13 ACRES (INCLUDING FLAG)

KINDLE WAY SE

PROPERTY INFORMATION:
 TL 300 09 1W 04D
 26.72 ACRES
 CITY OF STAYTON, MARION COUNTY

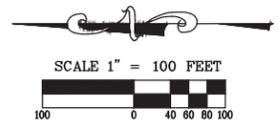


Exhibit C: Legal Description



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 F: (503) 563-6152

AKS Job #5519

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM-KEIZER, OR

EXHIBIT C

Annexation Description

A tract of land located in the Southeast One-Quarter of Section 4, Township 9 South, Range 1 West, Willamette Meridian, Marion County, Oregon, and being more particularly described as follows:

Commencing at the southeasterly corner of Lot 6 of the plat "Clarambeau Addition", also being the northerly right-of-way line of Shaff Road (40.00 feet from centerline); thence along said northerly right-of-way line, North 89°45'00" East 50.03 feet to the easterly right-of-way line of Kindle Way SE, also being the City of Stayton city limits line and the Point of Beginning; thence along said easterly right-of-way line, North 00°20'27" West 1761.00 feet to the northerly line of Reel 2712 Page 8; thence leaving said easterly right-of-way line and said city limits line along said northerly line, North 89°45'00" East 665.38 feet to the easterly line of said deed and the City of Stayton city limits line; thence along said easterly line and said city limits line, South 00°20'27" East 1761.00 feet to the northerly right-of-way line of Shaff Road (40.00 feet from centerline); thence along said northerly right-of-way line and said city limits line, South 89°45'00" West 665.38 feet to the Point of Beginning.

The above described tract of land contains 26.90 acres, more or less.

11/1/2016

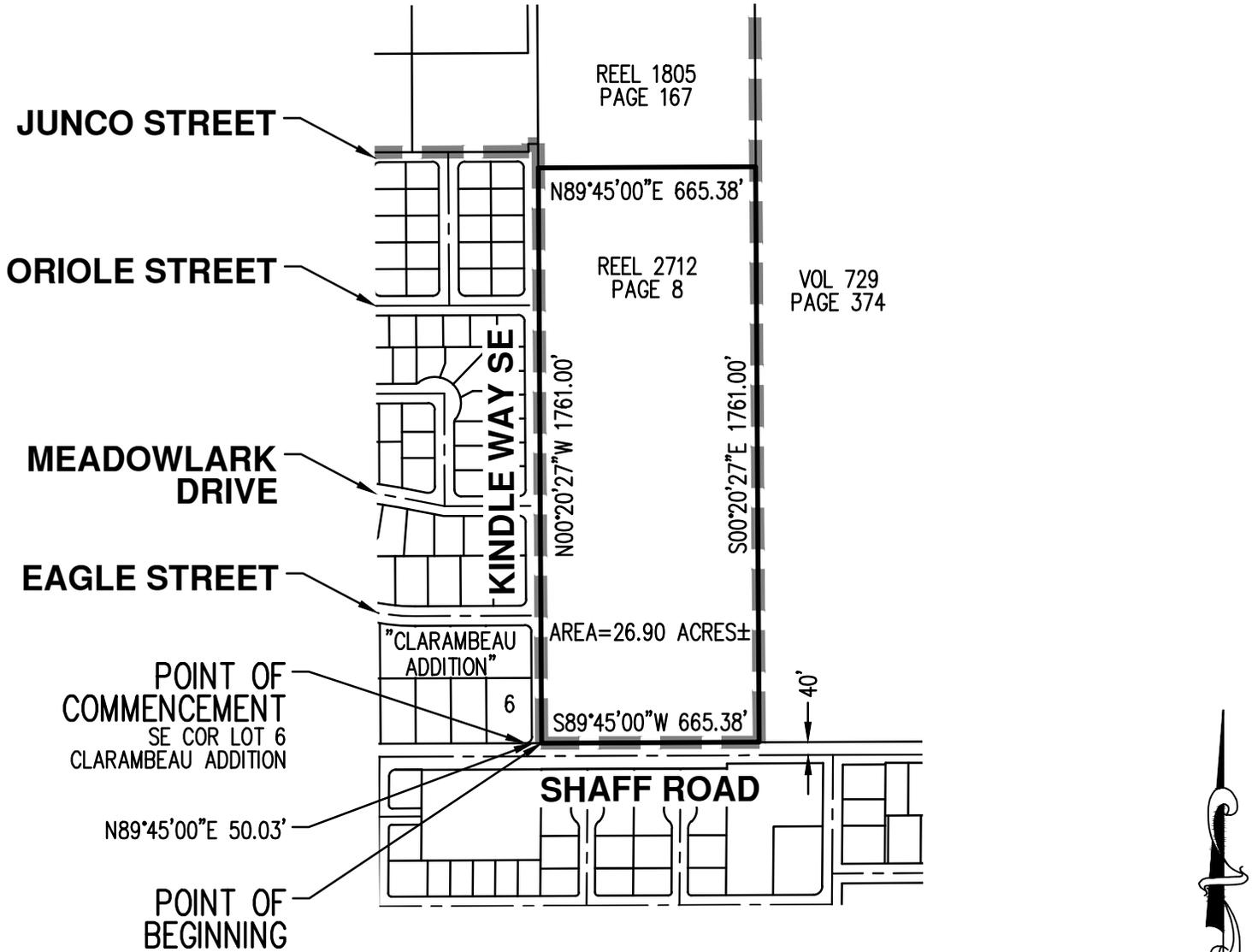
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

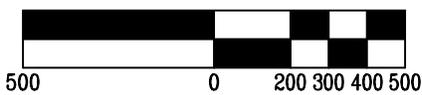
RENEWS: 6/30/18

EXHIBIT B

A TRACT OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 4,
TOWNSHIP 9 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
MARION COUNTY, OREGON



SCALE 1" = 500 FEET



11/1/2016

PREPARED FOR

SVN COMMERCIAL ADVISORS
1665 LIBERTY ST SE, SUITE 200
SALEM, OR 97302

LEGEND

STAYTON CITY LIMITS

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS
RENEWS: 6/30/18

1103 SHAFF RD - STAYTON	
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com	
AKS	

EXHIBIT B
DRWN: WCB CHKD: NSW
AKS JOB: 5519

Re: the Kindle annexation honor the ordinance let the taxpayers vote

Annexations, like natural disasters, place extra burdens on community systems. Like natural disasters annexations raise the costs of maintaining, increasing and extending services for public health and safety, schools, water/sewer, streets, trash removal and much more.

It is true SB 1573 provides an alternate method for adopting annexations. But that method snubs city charters and eliminates voting on annexations in Stayton and 31 other communities where voting is allowed. That's why the League of Oregon Cities and the cities of Philomath and Corvallis have asked the court to decide whether SB 1573 is constitutional.

Fortunately SB 1573 doesn't affect referenda so citizens can petition as always and put annexations on the ballot. But there is a difference between having the citizens gear up and fund campaigns and having their cities automatically put annexations on the ballot. That's one reason why both Philomath and Corvallis are honoring their charters and allowing their citizens to exercise their right to vote.

But regardless of what SB 1573 says, our constitution says only Oregonians decide what rights and responsibilities they want to vote into their city charters and live by. Our constitution effectively bars the legislature from interfering in city charters.

Art XI

Section 2. Formation of corporations; municipal charters; intoxicating liquor regulation. ...The Legislative Assembly shall not enact, amend or repeal any charter or act of incorporation for any municipality, city or town. The legal voters of every city and town are hereby granted power to enact and amend their municipal charter, ..." Oregon State Constitution.

The Stayton City budget is already at capacity; expenditures appear to match revenue. ("Overall, revenue for fiscal year 2017 is budgeted to increase \$378,800, 11.1%. Budgeted expenditures total \$4,014,700, an increase of \$443,492, 12.4%. City of Stayton Annual Budget p 23.)

How will the Kindle annexation change that balanced budget? What are the anticipated costs for services to the Kindle annexation? Will the city have to go into debt to cover those costs?

I have studied both Stayton code and the applicant's statement, both ignore community concerns about whether the annexation is necessary; how the costs of extending and maintaining services to the annexation are shared by the applicant and the community; how the costs will be met for additional classrooms and extensions of all community services.

Regarding classrooms; research in Austin, Texas (2014) reported facility costs required for each new student were: \$24,470 for elementary schools; \$25,495 for middle schools; \$47,500 for high schools.

When bonds are required to fund the costs of increasing capacity all local property owners must pay but the new development will pay a small fraction of the costs.

Given the extreme impacts of the Kindle annexation and the lack of information about it, council should encourage all the citizens to consider all the impacts and vote.

Steve Frank, Stayton City Council (2007 - 2011).

CHAPTER 51

AN ACT

SB 1573

Relating to boundary changes; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2016 Act is added to and made a part of ORS 222.111 to 222.180.

SECTION 2. (1) This section applies to a city whose laws require a petition proposing annexation of territory to be submitted to the electors of the city.

(2) Notwithstanding a contrary provision of the city charter or a city ordinance, upon receipt of a petition proposing annexation of territory submitted by all owners of land in the territory, the legislative body of the city shall annex the territory without submitting the proposal to the electors of the city if:

(a) The territory is included within an urban growth boundary adopted by the city or Metro, as defined in ORS 197.015;

(b) The territory is, or upon annexation of the territory into the city will be, subject to the acknowledged comprehensive plan of the city;

(c) At least one lot or parcel within the territory is contiguous to the city limits or is separated from the city limits only by a public right of way or a body of water; and

(d) The proposal conforms to all other requirements of the city's ordinances.

(3) The territory to be annexed under this section includes any additional territory described in ORS 222.111 (1) that must be annexed in order to locate infrastructure and right of way access for services necessary for development of the territory described in subsection (2) of this section at a density equal to the average residential density within the annexing city.

(4) When the legislative body of the city determines that the criteria described in subsection (2) of this section apply to territory proposed for annexation, the legislative body may declare that the territory described in subsections (2) and (3) of this section is annexed to the city by an ordinance that contains a description of the territory annexed.

SECTION 3. This 2016 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2016 Act takes effect on its passage.

Approved by the Governor March 15, 2016
 Filed in the office of Secretary of State March 15, 2016
 Effective date March 15, 2016

BEFORE THE STAYTON PLANNING COMMISSION

In the matter of
The application of
Hayden Homes

)
) Annexation &
) Zone Map Amendment
) File # 22-11/16
)

ORDER OF APPROVAL

1. NATURE OF APPLICATION

The applicant is requesting approval to annex approximately 27 acres of property into the city limits and to assign Medium Density Residential Zoning to the property. The proposal is to annex the property with the intent of constructing a single family residential subdivision on a portion of the property. The City of Stayton will be purchasing the remainder of the property for a stormwater detention facility.

II. PUBLIC HEARING

A public hearing was held on the application before the Stayton Planning Commission on November 28, 2016. At that hearing the Planning Commission reviewed Land Use File #22-11/16, application for annexation and it was made part of the record. Following the public testimony, the Planning Commission voted to continue the hearing until December 27. Notice of both hearings was mailed to all owners of property within 300 feet of the subject property, published in the *Stayton Mail*, and posted at the City Hall, Stayton Public Library and Stayton Community Center, and on the subject property.

III. FINDINGS OF FACT

A. EXISTING CONDITIONS

1. At the time of application, the owners of the property were Joyce Lambert and Rebecca McLellan as Trustees of the Lambert Living Trust, Rebecca Mable McLellan, and William Rodney Lambert. Since the application was filed, Joyce Lambert is deceased, leaving Ms. McLellan as the sole trustee of the Lambert Living Trust. Since the application was filed the property has been partitioned into two parcels and Parcel 2 has been sold. The City of Stayton is now the owner of Parcel 2. A portion of the property has been dedicated to the public with the partitioning.
2. The parcel can be described as Township 9, Range 1 West of the Willamette Meridian, Section 4D, tax lots 300 and 301.
3. The property is currently zoned Marion County Urban Transition (UT-20). The Stayton Comprehensive Plan designates the property as Residential.
4. The property is located at the intersection of Shaff Road and Kindle Way. The property has 665 feet of frontage on Shaff Road and 1,761 feet of frontage on Kindle Way.
5. The property to the east is zoned Public/Semi-Public, was annexed in 1968 and is developed as the Stayton Middle School. The property to the north, is outside of the city limits, is zoned Marion County UT-20, and is developed with a single family dwelling.

The properties to the west across Kindle Way are zoned Low Density Residential (LD), were annexed in 1979 and are developed as single family homes. The properties to the south across Shaff Rd are zoned Medium Density (MD) and High Density (HD) Residential, were annexed in 1915 and 1961, and are developed with duplexes and a multifamily development. Neighboring single family residential properties range in size from 8,000 square feet to 27,600 square feet in area.

6. The property is currently developed with a single family dwelling and associated outbuildings. The existing home is served by a well and septic system. The City of Stayton has received preliminary approval from Marion County Planning Division to partition the property into two parcels. The final partitioning plat will dedicate additional right of way for Kindle Way and will create two parcels. The final partitioning plat is expected to be recorded before the end of December, 2016.

B. PROPOSAL

The proposal is to annex approximately 27 acres of land into the City. The applicant has requested that Medium Density Residential zoning be applied at the time of annexation. The applicant has submitted a concept plan showing a proposed single family subdivision with 50 lots and the creation of new streets 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.

No comments were received from any of the review agencies.

D. PUBLIC COMMENTS

Written testimony was submitted at the November public hearing jointly from the Fair Housing Council of Oregon and Housing Land Advocates. These organizations questioned compliance of the staff report and draft order with the requirements of Statewide Planning Goal 10. Following additional information in a supplemental staff report and revised findings, reflected below, these organizations expressed satisfaction with compliance with Statewide Planning Goal 10.

Oral testimony was presented at the November public hearing by six individuals in opposition to the application. Marion Barker, stated his concern with the traffic safety on Shaff Rd. Steve Frank, stated his concerns with Senate Bill 1573, and that the City of Stayton does not need more homes or new students within the community. Mr. Frank expressed his opinion that the annexation will place a burden on the community and schools. David Farley questioned the annexation of the property, and the looks of the property once developed. Mr. Farley asked the Commission members to pay close attention to the aesthetics of the development once brought to the Planning Commission for development approval. Farley stated he was not in favor of the Medium Density zoning. Dan Morgan questioned the improvements that will be required along Shaff Road for the applicant. Mr. Morgan also stated his concerns with the traffic on Shaff Road during school hours and stated that Kindle Way is currently a very narrow street and there may be more congestion to come with this new development. Joe Shindelus was not in favor of the Medium Density zoning or the Senate Bill. Eric Whisman stated his concern for facts that seem

to be missing in the presentation regarding the ability of municipal facilities and services to handle this type of new infrastructure. Mr. Whisman also questioned whether or not a traffic study has been completed.

This order has been amended in response to the comments received from the public.

E. ANALYSIS

The amendment of the Official Zoning Map must meet the criteria contained within SMC Title 17, Section 17.12.180 ZONE MAP AMENDMENTS. Annexation applications are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Title 17, Section 17.12.210 ANNEXATIONS.

F. REVIEW CRITERIA

Pursuant to SMC 17.12.180.6 the following criteria 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.

- 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 10-inch water main in Shaff Rd and an 8-inch water main in Kindle Way. There is a sewer manhole in Kindle Way near the Shaff Rd intersection with a 12-inch outlet. There is a sewer manhole in Kindle Way at the Meadowlark Dr intersection with an 8-inch outlet. There is an 18-inch sewer main on the east side of 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 Stayton Transportation System Plan anticipated the development of this parcel as residential with the density of development in the range of what is proposed.

- 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 62 vacant lots reasonably available for development within the LD zone, of which nine are large enough to be further divided and that there are 15 vacant lots in the MD zone, of which five are large enough to be further divided. 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 one additional subdivision has been platted, with a density of 3.7 units per acre. Assigning MD zoning would assist the City meet its density goal.

- 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. All annexations of residential property since the adoption of the Comprehensive Plan have been zoned Low Density. By assigning MD zoning to this parcel 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 27 acres of residential land.

Staff has calculated approximate information on current buildable lands as follows. There are currently 90 vacant lots totaling 116 acres within the City limits that are residentially zoned.

Only one subdivision has 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
Jefferson Place	2007	23	21	2
Mountain Estates No.3	2007	5	5	0
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

In addition, there is a possible third phase of the Phillips Estates subdivision, accounting for a potential of 10 lots, and the Wildlife Meadows Subdivision with 44 lots that have received preliminary plan approval from the Planning Commission but not yet been platted with Marion County.

Though there are 90 parcels totaling 116 acres in the City and residentially zoned, staff estimates that there are only 78 parcels totaling 55 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 62 lots reasonably available for development. In the MD zone there are 15 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 2015 has been at an average annual rate of about 1.2%, with a population change of 900 people. The Marion County Coordinated Growth projection for 2030 is 11,360, reflecting a 1.7% average annual growth rate for the next twenty years. At a 1.7% growth rate from the most recent certified population estimate of the City, there would be the need for 580 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 10-inch water main in Shaff Rd and an 8-inch water main in Kindle Way. There is a sewer manhole in Kindle Way near the Shaff Rd intersection with a 12-inch outlet. There is a sewer manhole in Kindle Way at the Meadowlark Dr intersection with an 8-inch outlet. There is an 18-inch sewer main on the east side of the subject property.

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

Finding: The property is contiguous to the City Limits on the east, west and south sides.

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: A concept plan for a single family subdivision has been submitted by the applicant. The concept plan shows lots ranging in size from 7,000 square feet to 12,000 square feet in area. The properties to the west are single family homes located in the Quail Run and Phillips Estates subdivisions on lots of about 8,000 square feet. The properties to the south are duplexes on 13,000 square foot lots and a multifamily development.

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. Chapter 51 of the Oregon Laws of 2016 requires a city to annex the territory without submitting the proposal to the electors if the territory is within the urban growth boundary, the territory will be subject to an acknowledged comprehensive plan, the territory is contiguous to the city limits, and the proposal conforms to all other requirements of the city's ordinances.

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.

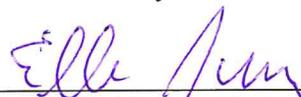
Finding: The proposed annexation is not a contract annexation.

IV. CONCLUSION

Based on the above findings, the Planning Commission concludes that the application for annexation meets the criteria for approval in SMC 17.12.210.4, that the criteria for approval of an amendment to the Official Zoning Map in SMC 17.12.180.6 are met, and that based on identified need in the comprehensive plan for needed housing that Medium Density Residential zoning is appropriate.

V. ORDER

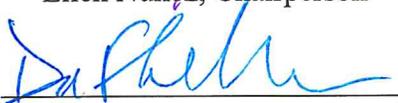
Based on the Findings and Conclusions above, the Planning Commission recommends approval of this application to the City Council and amendment of the Official Zoning Map to designate the property as Medium Density Residential. Further, the Planning Commission recommends that the City Council refer the annexation to the electors of the City, in conformance with the City Charter and Stayton Municipal Code.



Ellen Nunez, Chairperson



Date



Dan Fleishman, Planning and Development Director



Date

ORDINANCE NO. 1004

AN ORDINANCE ANNEXING INTO THE CITY OF STAYTON CERTAIN REAL PROPERTY LOCATED AT 1103 SHAFF ROAD; AND AMENDING THE CITY OF STAYTON ZONING MAP FROM MARION COUNTY URBAN TRANSITIONAL (UT) TO CITY OF STAYTON MEDIUM DENSITY RESIDENTIAL (MD).

WHEREAS, Hayden Homes, Inc. has initiated annexation of that certain real property located at 1103 Shaff Rd, Stayton, Marion County, Oregon, more particularly described in Exhibit 1 attached hereto and incorporated herein, and further illustrated on a map shown in Exhibit 2 attached hereto and incorporated herein;

WHEREAS, Rebecca M McLellan, as a joint owner and as a trustee of the Lambert Living Trust, and William R Lambert, as a joint owner of a portion of the property, and the City of Stayton as the owner of a portion of the property represent a majority of the property owners of the property, have consented to the annexation of the property;

WHEREAS, on November 1, 2016, pursuant to ORS 222.125 and Stayton Municipal Code (SMC) Section 17.12.210, the applicants, Hayden Homes, 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 applicant's proposal is to annex the property with the intent of constructing a single family residential subdivision on a portion of the property;

WHEREAS, the City of Stayton is the owner of the remainder of the property;

WHEREAS, a public hearing was held on the application before the Stayton Planning Commission on November 28, 2016 and continued until December 27, 2016;

WHEREAS, the application consists of two parcels, as shown on a Partition Plat filed with the Marion County Surveyors office;

WHEREAS, the property is contiguous to the City Limits on three sides;

WHEREAS, the property is currently zoned Urban Transition (UT-20), and the applicant has requested that the property 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 January 3, 2017;

WHEREAS, the City of Stayton City Council makes findings of fact regarding the application as contained in Exhibit 3 attached hereto and incorporated herein;

WHEREAS Chapter 51 of the Oregon Laws of 2016 requires the City Council to finalize the annexation and not forward the application to the voters of the City as required by City Charter and SMC Section 17.12.210.2.a.2); and

WHEREAS, the City of Stayton City Council concludes, based on the findings of fact contained in Exhibit 3 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 at 1103 Shaff Road, the legal description of which is described in Exhibit 1, 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 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 3rd day of January, 2017.

CITY OF STAYTON

Signed: _____, 2017

BY: _____
Henry A Porter, Mayor

Signed: _____, 2017

ATTEST: _____
Keith D. Campbell, City Administrator

APPROVED AS TO FORM:

David A. Rhoten, City Attorney

EXHIBIT 1, Annexation Area

A tract of land located in the Southeast One-Quarter of Section 4, Township 9 South, Range 1 West, Willamette Meridian, Marion County, Oregon, and being more particularly described as follows:

Commencing at the southeasterly corner of Lot 6 of the plat "Clarambeau Addition," also being the northerly right-of-way line of Shaff Road (40.00 feet from centerline); thence along said northerly right-of-way line, North 89°45'00" East 50.03 feet to the easterly right-of-way line of Kindle Way SE, also being the City of Stayton city limits line and the Point of Beginning; thence along said easterly right-of-way line, North 00°20'27" West 1761.00 feet to the northerly line of Reel 2712 Page 8; thence leaving said easterly right-of-way line and said city limits line along said northerly line, North 89°45'00" East 665.38 feet to the easterly line of said deed and the City of Stayton city limits line; thence along said easterly line and said city limits line, South 00°20'27" East 1761.00 feet to the northerly right-of-way line of Shaff Road (40.00 feet from centerline); thence along said northerly right-of-way line and said city limits line, South 89°45'00" West 665.38 feet to the Point of Beginning.

The above described tract of land contains 26.90 acres, more or less.

EXHIBIT 2, Map of Annexation Area

Map 1. Showing a tract of land, located in the Southeast quarter of Section 4, Township 9 South, Range 1 West, Willamette Meridian, Marion County, Oregon

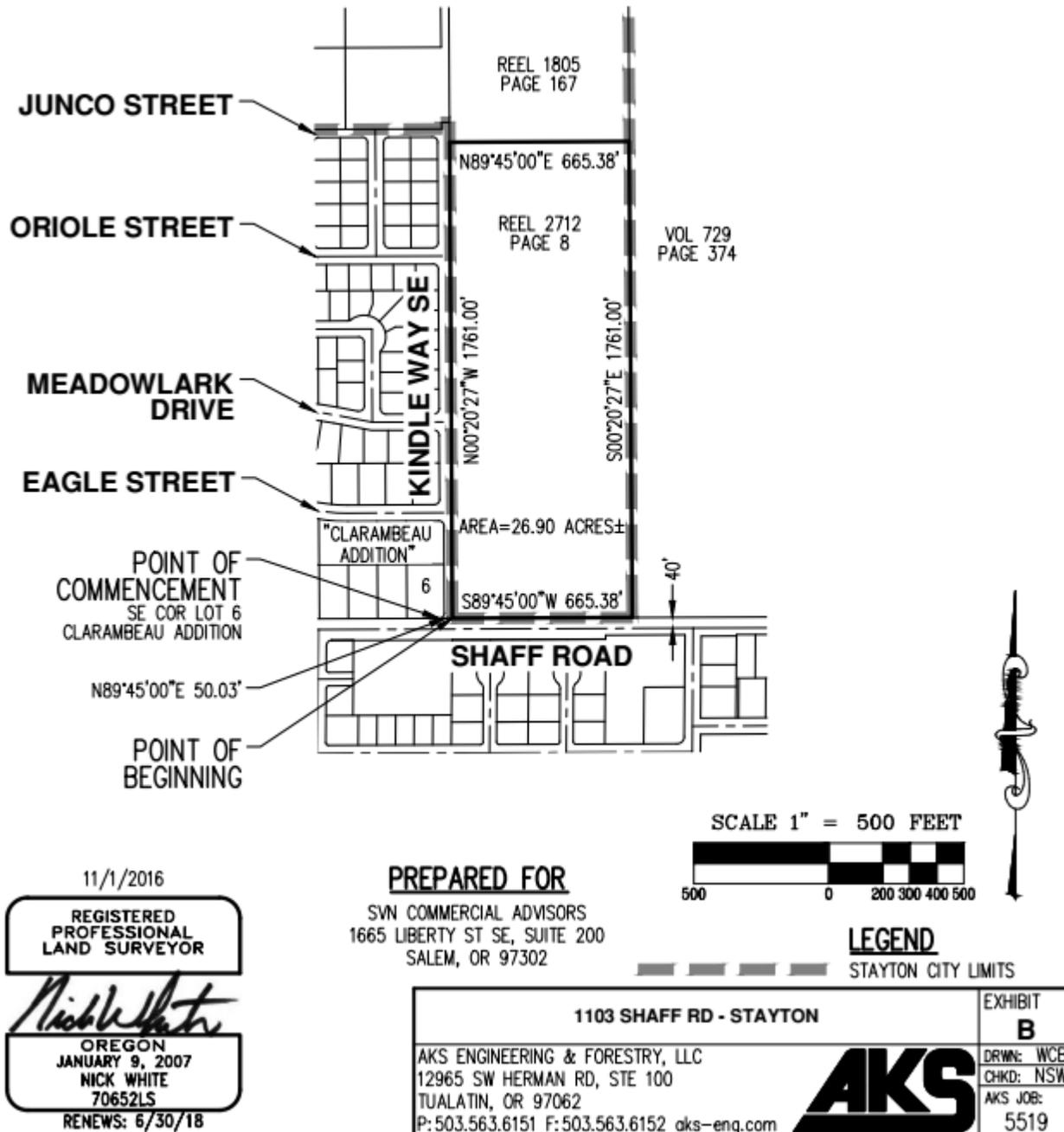


EXHIBIT 3, CITY COUNCIL FINDINGS OF FACT

LAND USE FILE #22-11/16

A. EXISTING CONDITIONS

1. At the time of application, the owners of the property were Joyce Lambert and Rebecca McLellan as Trustees of the Lambert Living Trust, Rebecca Mable McLellan, and William Rodney Lambert. Since the application was filed, Joyce Lambert is deceased, leaving Ms. McLellan as the sole trustee of the Lambert Living Trust. Since the application was filed, the property has been partitioned into two parcels and Parcel 2 has been sold. The City of Stayton is now the owner of Parcel 2.
2. The applicant is Hayden Homes who has a purchase and sales contract on Parcel 1 of the partitioning.
3. The properties can be described as Township 9, Range 1 West of the Willamette Meridian, Section 4D, tax lots 300 and 301.
4. The property is currently zoned Marion County Urban Transition (UT-20).
5. The property is located at the intersection of Shaff Road and Kindle Way. The property has 665.38 feet of frontage on Shaff Road and 1,761 feet of frontage on Kindle Way.
6. The property to the east is zoned Public/Semi Public, was annexed in 1968 and is developed as the Stayton Middle School. The property to the north, is zoned Marion County UT-20 and is developed with a single family dwelling. The properties to the west across Kindle Way are zoned Low Density Residential (LD), were annexed in 1979 and are developed as single family homes. The properties to the south across Shaff Rd are zoned Medium Density (MD) and High Density (HD) Residential, were annexed in 1915 and 1961, and are developed with duplexes and a multifamily development. Neighboring single family residential properties range in size from 8,000 square feet to 27,600 square feet in area.
7. The property is currently developed with a single family dwelling and associated outbuildings. The existing home is served by a well and septic system. The City of Stayton received approval from Marion County Planning Division to partition the property into two parcels. The final partitioning plat dedicated additional right of way for Kindle Way and created two parcels. The final partitioning plat was recorded in December 22, 2016.

B. PROPOSAL

The proposal is to annex approximately 27 acres of land into the City. The applicant has requested that Medium Density Residential zoning be applied at the time of annexation. The applicant has submitted a concept plan showing a proposed single family subdivision with 50 lots and the creation of new streets 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.

No comments were received from any of the review agencies.

D. PUBLIC COMMENTS

The Planning Department notified all owners of property within 300 feet of the subject property of all public hearings on the proposed annexation and notices of the Planning Commission hearing and City Council hearing were published in the *Stayton Mail*.

Written testimony was submitted at the Planning Commission public hearing jointly from the Fair Housing Council of Oregon and Housing Land Advocates. These organizations questioned compliance of the staff report and draft order with the requirements of Statewide Planning Goal 10. Following additional information in a supplemental staff report and revised findings, reflected below, these organizations expressed satisfaction with compliance with Statewide Planning Goal 10.

Oral testimony was presented at the November Planning Commission public hearing by six individuals in opposition to the application. Marion Barker, stated his concern with the traffic safety on Shaff Rd. Steve Frank, stated his concerns with Senate Bill 1573, and that the City of Stayton does not need more homes or new students within the community. Mr. Frank expressed his opinion that the annexation will place a burden on the community and schools. David Farley questioned the annexation of the property, and the looks of the property once developed. Mr. Farley asked the Commission members to pay close attention to the aesthetics of the development once brought to the Planning Commission for development approval. Farley stated he was not in favor of the Medium Density zoning. Dan Morgan questioned the improvements that will be required along Shaff Road for the applicant. Mr. Morgan also stated his concerns with the traffic on Shaff Road during school hours and stated that Kindle Way is currently a very narrow street and there may be more congestion to come with this new development. Joe Shindelus was not in favor of the Medium Density zoning or the Senate Bill. Eric Whisman stated his concern for facts that seem to be missing in the presentation regarding the ability of municipal facilities and services to handle this type of new infrastructure. Mr. Whisman also questioned whether or not a traffic study has been completed.

E. ANALYSIS

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F. REVIEW CRITERIA

Pursuant to SMC 17.12.180.6 the following criteria 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.

- 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 10-inch water main in Shaff Rd and an 8-inch water main in Kindle Way. There is a sewer manhole in Kindle Way near the Shaff Rd intersection with a 12-inch outlet. There is a sewer manhole in Kindle Way at the Meadowlark Dr intersection with an 8-inch outlet. There is an 18-inch

sewer main on the east side of 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 Shaff Road, Kindle Way, Mill Creek and Oakmont Lane includes the subject property, property to the north, the Middle School and the approved but not yet platted Wildlife Meadows subdivision. Figure 6-2 of the TSP shows that the TSP was based on an assumption that this TAZ would see an increase of between 15 and 200 housing units between the year 2000 and 2025. The Wildlife Meadows subdivision will contain 48 housing units. Complete build-out of the subject property in Medium Density Zoning would be about 100 homes. 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 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 62 vacant lots reasonably available for development within the LD zone, of which nine are large enough to be further divided and that there are 15 vacant lots in the MD zone, of which five are large enough to be further divided. 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 one additional subdivision has been platted, with a density of 3.7 units per acre. Assigning MD zoning would assist the City meet its density goal.

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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. All annexations of residential property since the adoption of the Comprehensive Plan have been zoned Low Density. By assigning MD zoning to this parcel 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 27 acres of residential land.

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Phillips Estates, Phase 1	2009	20	16	4
Phillips Estates, Phase 2	2014	26	5	21

In addition, there is a possible third phase of the Phillips Estates subdivision, accounting for a potential of 10 lots, and the Wildlife Meadows Subdivision with 44 lots that have received preliminary plan approval from the Planning Commission but not yet been platted with Marion County.

Though there are 90 parcels totaling 116 acres in the City and residentially zoned, staff estimates that there are only 78 parcels totaling 55 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 62 lots reasonably available for development. In the MD zone there are 15 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 2015 has been at an average annual rate of about 1.2%, with a population change of 900 people. The Marion County Coordinated Growth projection for 2030 is 11,360, reflecting a 1.7% average annual growth rate for the next twenty years. At a 1.7% growth rate from the most recent certified population estimate of the City, there would be the need for 580 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 10-inch water main in Shaff Rd and an 8-inch water main in Kindle Way. There is a sewer manhole in Kindle Way near the Shaff Rd intersection with a 12-inch outlet. There is a sewer manhole in Kindle Way at the Meadowlark Dr intersection with an 8-inch outlet. There is an 18-inch sewer main on the east side of the subject property.

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

Finding: The property is contiguous to the City Limits on the east, west, and south sides.

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: A concept plan for a single family subdivision has been submitted by the applicant. The concept plan shows lots ranging in size from 7,000 square feet to 12,000 square feet in area. The properties to the west are single family homes located in the Quail Run and Phillips Estates subdivisions on lots of about 8,000 square feet. The properties to the south are duplexes on 13,000 square foot lots and a multifamily development.

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, by submission of the application and by adoption of Resolution 952. Chapter 51 of the Oregon Laws of 2016 requires a city to annex the territory without submitting the proposal to the electors if 1) the territory is within the urban growth boundary, 2) the territory will be subject to an acknowledged comprehensive plan, 3) the territory is contiguous to the city limits, and 4) the proposal conforms to all other requirements of the city's ordinances. The City of Stayton Comprehensive Plan was acknowledged in 2013. The territory to be annexed is within the City's urban growth boundary. The territory is contiguous to the city limits on three sides. The other findings contained herein demonstrate the requirements of the City's code have been met.

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 Porter and the Stayton City Council
FROM: Dan Fleishman, Director of Planning and Development
DATE: January 3, 2017
SUBJECT: Proposed Code Amendment regarding Criteria for Approval of Zone Map Amendments

ISSUE

The issue before the City Council is a public hearing on legislative amendments to the Land Use and Development Code to add a new criterion to the list of criteria for approval of an amendment to the Official Zoning Map. Following the public hearing, the Council will be requested to consider an ordinance to amend the Code.

BACKGROUND INFORMATION

This past summer several Council members expressed frustration over the existing criteria for approval for Zoning Map amendments and requesting staff return with ideas on addressing the potential impact of a zone change on the neighborhood. These ideas were discussed several times in October and the City Council requested the Planning Commission initiate the process for a Code amendment.

ANALYSIS

Section 17.12.180.6.b includes six criteria for approval of an application for a Zone Map amendment. These criteria address Comprehensive Plan policies and adequacy of public facilities for any possible development that may result from the amendment. However, they do not address possible impacts on the neighborhood.

The proposed amendment would create an additional criterion for approval that would require a finding that the physical characteristics of the property proposed for rezoning are appropriate for the proposed zone and the potential uses allowed by the proposed zone will not have an adverse impact on the surrounding land uses.

RECOMMENDATION

The Planning Commission has recommended approval, 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 draft ordinance be modified to reflect that testimony.

OPTIONS AND MOTIONS

The City Council is presented with the following options.

1. Approve the first consideration of Ordinance 1005

Move to approve Ordinance No 1005 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. 1005 is enacted and will be presented to the Mayor for his approval.

If the vote is not unanimous, Ordinance No. 1005 will be brought before the Council for a second consideration at the January 17, 2017 meeting.

2. Approve the Ordinance with modifications

Move to approve Ordinance No. 1005 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. 1005 will be brought before the Council for a second consideration at its January 17, 2017 meeting.

3. Return the Ordinance to Staff for further refinement

Move to direct staff to modify Ordinance No. 1005 with the following changes ... and present the Ordinance to the City Council for further discussion and consideration at the January 17 meeting.

4. Retain the Code unchanged

No motion is necessary.

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

6. APPROVAL CRITERIA. In order to approve an Official Zoning Map amendment, the following affirmative findings concerning the action must be able to be made by the decision authority.
 - a. Legislative Amendments. The amendment is consistent with the goals and policies of the Comprehensive Plan including any relevant area plans.
 - b. Quasi-judicial Amendments.
 - 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.
 - 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.
 - 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).
 - 4) The purpose of the proposed zoning district satisfies the goals and policies of the Comprehensive Plan.
 - 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.
 - 6) The proposed zone amendment satisfies applicable provisions of Oregon Administrative Rules.
 - 7) The physical characteristics of the property proposed for rezoning are appropriate for the proposed zone and the potential uses allowed by the proposed zone will not have an adverse impact on the surrounding land uses.

ORDINANCE NO. 1005

AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE (SMC) TITLE 17, REGARDING THE CRITERIA FOR AMENDMENTS TO THE OFFICIAL ZONING MAP

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, Section 17.16.020 establishes the Official Zoning Map of the City;

WHEREAS, SMC Title 17, Chapter 12, Section 17.12.180 establishes the procedures and criteria for approval of amendments to the Official Zoning Map;

WHEREAS, the City Council has determined that the current criteria for approval of amendments to the Official Zoning Map do not provide adequate protection to neighborhoods from proposed zoning amendments;

WHEREAS, upon request from the City Council, the Stayton Planning Commission has initiated the process for amending the Land Use and Development Code and following a public hearing, has recommended that the Stayton City Council enact proposed amendments; and

WHEREAS, the Stayton City Council, following a public hearing, does find that the amendments recommended by the Planning Commission are appropriate.

NOW, THEREFORE, the City of Stayton ordains:

Section 1. SMC Title 17, Chapter 12 amended. Stayton Municipal Code, Title 17, Chapter 12, Section 17.12.180.6 is hereby amended by adding a seventh criterion to the approval criteria to read:

[7\) The physical characteristics of the property proposed for rezoning are appropriate for the proposed zone and the potential uses allowed by the proposed zone will not have an adverse impact on the surrounding land uses.](#)

Section 2. Effective Date. This ordinance shall become effective 30 days after adoption by the Stayton City Council and the Mayor's signing.

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 3rd day of January, 2017.

CITY OF STAYTON

Signed: _____, 2017

BY: _____
Henry A. Porter, Mayor

Signed: _____, 2017

ATTEST: _____
Keith D. Campbell,
City Administrator

APPROVED AS TO FORM:

David A. Rhoten, City Attorney

DRAFT



*Staff / Commission
Reports*



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, Utility Billing Clerk
DATE: January 3, 2017
SUBJECT: Monthly Finance Department Report

Departmental Activity

	November 2016	October 2016
Utility Billing		
Number of Bills Mailed	2,670	2,667
Number of Bills Emailed	380	385
Delinquent Notices Sent Out	504	508
Courtesy Delinquent Notices Sent to Landlords	150	153
Notified of Impending Shut-Off & Penalty	186	129
Customers with Interrupted Services Non-Payment	32	18
Services Still Disconnected	5	2
Accounts Payable		
Number of Checks Issued	145	179
Total Amount of Checks	\$537,963.51	\$330,475.95



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: January 3, 2017
SUBJECT: Staff Report

Below you will see the stats for the Police Department for the month of November 2016.

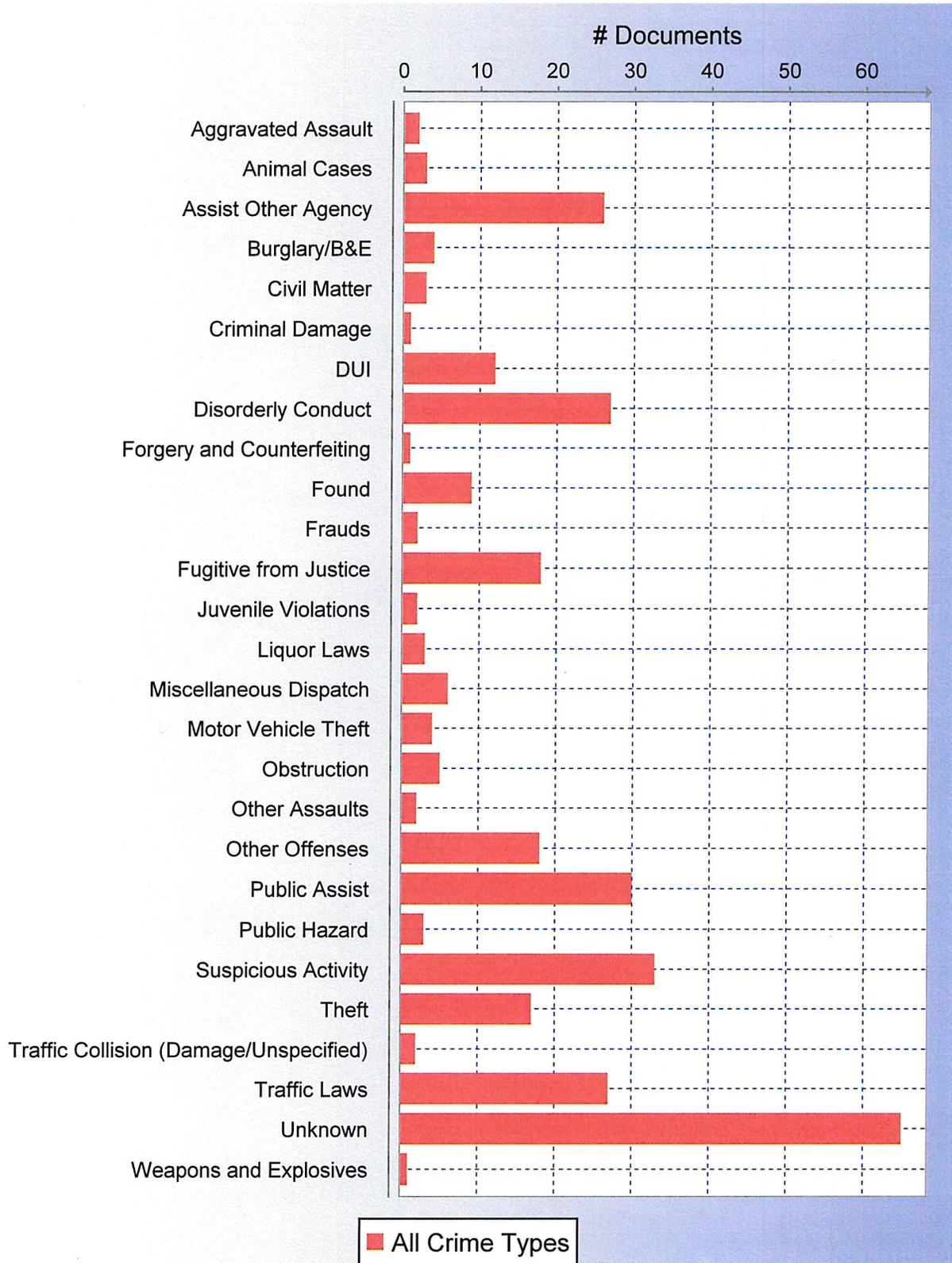
	November 2016	Year to Date 2016	November 2015	Year to Date 2015
Police Activity	740	8833	797	8808
Investigated Incidents	262	3310	270	3628
Citations/Warning	123/227	1182/2123	84/198	996/1909
Traffic Accidents	6	111	11	95
Juvenile Abuse	2	35	1	36
Arrests	46	633	25	471
Ordinance Complaints	42	273	NA	NA
Reserve Volunteer Hrs.	293.50	3040.5	386.43	3719.14
Citizen Volunteer Hrs.	2	547	16	51
Peer Court Referrals:	2	20	2	46

STATYON POLICE DEPARTMENT CONSOLIDATED MONTHLY CATEGORIZED REPORT-NIBRS 11/1/2016 - 11/30/2016

PERSON	CRIMES				CRIMES CLEARED BY ARREST & EXCEPTION				PERCENT CLEARED				PERSONS ARRESTED			
	11/1/16 to 11/30/16	1/1/16 to 11/30/16	1/1/15 to 11/30/15	% Change Yr to Yr	11/1/16 to 11/30/16	1/1/16 to 11/30/16	1/1/15 to 11/30/15	11/1/16 to 11/30/16	1/1/16 to 11/30/16	1/1/15 to 11/30/15	11/1/16 to 11/30/16	Juv	Adult	Total	1/1/16 to 11/30/16	1/1/15 to 11/30/15
NON-CRIMINAL																
ACCIDENT-INJURY	0	13	10	30.0%	0	15	10	0.0%	100.0%	62.5%	0	0	0	0	12	10
ACCIDENT-PROPERTY	2	51	50	2.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	0
ALL OTHER NON-CRIMINAL	199	2,410	2,572	-6.3%	0	1	0	0.0%	100.0%	0.0%	0	0	0	0	2	1
NON CRIM DOMESTIC DISTURB	8	124	131	-5.3%	0	42	60	50.0%	70.0%	74.1%	0	4	4	4	37	64
NON-CRIMINAL TOTALS	209	2,598	2,763	-6.0%	0	15	10	0.0%	100.0%	62.5%	0	0	0	0	12	10
PERSON																
AGGRAVATED ASSAULT	0	15	16	-6.3%	0	15	10	0.0%	100.0%	62.5%	0	0	0	0	12	10
KIDNAPPING	0	1	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	0
OFFENSE AGAINST FAMILY	0	1	2	-50.0%	0	1	0	0.0%	100.0%	0.0%	0	0	0	0	2	1
OTHER ASSAULTS	6	60	81	-25.9%	3	42	60	50.0%	70.0%	74.1%	0	4	4	4	37	64
RAPE	0	2	2	0.0%	0	1	0	0.0%	50.0%	0.0%	0	0	0	0	0	0
RESTRAINING ORDER VIOLATION	1	9	14	-35.7%	1	6	14	100.0%	66.7%	100.0%	0	1	1	1	7	13
ROBBERY	0	2	2	0.0%	0	1	2	0.0%	50.0%	100.0%	0	0	0	0	1	2
SEX OFFENSES	0	19	14	35.7%	0	8	10	0.0%	42.1%	71.4%	0	0	0	0	3	3
PERSON TOTALS	7	109	131	-16.8%	4	74	96	57.1%	67.9%	73.3%	0	5	5	5	62	93
PROPERTY																
ARSON	0	0	3	-100.0%	0	0	2	0.0%	0.0%	66.7%	0	0	0	0	0	2
BURGLARY - BUSINESS	0	2	5	-60.0%	0	0	1	0.0%	0.0%	20.0%	0	0	0	0	0	1
BURGLARY - OTHER STRUCTURE	1	5	8	-37.5%	0	1	2	0.0%	20.0%	25.0%	0	0	0	0	2	1
BURGLARY - RESIDENCE	2	15	23	-34.8%	0	6	5	0.0%	40.0%	21.7%	0	0	0	0	5	4
COUNTERFEITING/FORGERY	1	10	4	150.0%	1	4	0	100.0%	40.0%	0.0%	0	1	1	1	19	2
EXTORTION/BLACKMAIL	0	0	1	-100.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	0
FRAUD	3	38	52	-26.9%	1	10	19	33.3%	26.3%	36.5%	0	1	1	1	16	14
LARCENY																
Pickpocket	0	2	1	100.0%	0	0	1	0.0%	0.0%	100.0%	0	0	0	0	0	0
Purse Snatching	1	3	3	0.0%	0	0	1	0.0%	0.0%	33.3%	0	0	0	0	0	1
Shoplifting	5	42	57	-26.3%	1	22	36	20.0%	52.4%	63.2%	0	1	1	1	22	41
Theft from a Motor Vehicle	1	63	71	-11.3%	0	5	3	0.0%	7.9%	4.2%	0	0	0	0	5	3
Theft of MV Parts/Accessories	0	0	6	-100.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	0
Theft of Bicycle	1	14	29	-51.7%	0	2	4	0.0%	14.3%	13.8%	0	0	0	0	2	4
Theft from Building	0	19	19	0.0%	0	2	2	0.0%	10.5%	10.5%	0	0	0	0	5	3
From Coin Operated Machine	0	1	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	0

PROPERTY TOTALS	CRIMES				CRIMES CLEARED BY ARREST & EXCEPTION				PERCENT CLEARED				PERSONS ARRESTED			
	11/1/16 to 11/30/16	11/1/16 to 11/30/16	11/1/15 to 11/30/15	% Change Yr to Yr	11/1/16 to 11/30/16	11/1/16 to 11/30/16	11/1/15 to 11/30/15	11/1/16 to 11/30/16	Juv	Adult	Total	11/1/16 to 11/30/16				
PROPERTY TOTALS	22	389	482	-19.3%	6	88	108	27.3%	22.6%	22.4%	0	9	9	0	130	111
SOCIETY																
ALL OTHER	13	149	162	-8.0%	7	51	62	53.8%	34.2%	38.3%	0	9	9	0	47	23
ANIMAL	0	1	1	0.0%	0	1	0	0.0%	100.0%	0.0%	0	0	0	0	1	0
CURFEW	0	10	18	-44.4%	0	9	18	0.0%	90.0%	100.0%	0	0	0	0	5	25
CUSTOMY-MENTAL	0	8	8	0.0%	0	7	6	0.0%	87.5%	75.0%	0	0	0	0	8	8
CUSTOMY-PROTECTIVE	0	2	0	0.0%	0	2	0	0.0%	100.0%	0.0%	0	0	0	0	0	0
DISORDERLY CONDUCT	2	50	45	11.1%	3	37	40	0.0%	74.0%	88.9%	1	0	1	0	45	42
DR WHILE SUSP	3	12	12	0.0%	0	12	12	100.0%	100.0%	100.0%	0	3	3	0	12	12
DRIVING UNDER INFLUENCE	9	59	52	13.5%	9	59	52	100.0%	100.0%	100.0%	0	9	9	0	59	52
ELUDING	1	9	3	200.0%	1	7	2	100.0%	77.8%	66.7%	0	2	2	0	10	3
ESCAPE	0	1	1	0.0%	0	1	1	0.0%	100.0%	100.0%	0	0	0	0	1	1
FAIL TO DISPLAY DL	1	2	5	-60.0%	1	2	5	100.0%	100.0%	100.0%	0	1	1	0	2	4
FUGITIVE	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	25	150
HIT & RUN	4	47	36	30.6%	1	7	11	25.0%	14.9%	30.6%	0	1	1	0	8	9
LIQUOR LAWS	0	11	9	22.2%	0	8	8	0.0%	72.7%	88.9%	0	0	0	0	14	19
MIP TOBACCO	2	6	6	0.0%	2	6	6	100.0%	100.0%	100.0%	2	0	2	0	6	6
NARCOTICS/DRUGS	8	54	53	1.9%	7	48	52	87.5%	88.9%	98.1%	1	9	10	0	66	70
PROP RECOV - FOR OTHER AGENCY	0	3	1	200.0%	0	1	0	0.0%	33.3%	0.0%	0	0	0	0	0	0
RECKLESS DRIVING	2	18	5	260.0%	2	17	4	100.0%	94.4%	80.0%	0	2	2	0	17	4
RUNAWAY	0	12	11	9.1%	0	9	10	0.0%	75.0%	90.9%	0	0	0	0	9	10
SEX OFFENSES	0	0	3	-100.0%	0	0	2	0.0%	0.0%	66.7%	0	0	0	0	0	3
TRESPASS	2	78	86	-9.3%	2	55	59	100.0%	70.5%	68.6%	0	2	2	0	34	30
VEH RECOV - FOR OTHER AGENCY	1	4	2	100.0%	0	1	1	0.0%	25.0%	50.0%	0	0	0	0	0	0
WARRANT	15	152	124	22.6%	14	149	123	93.3%	98.0%	99.2%	0	0	0	0	2	3
WEAPONS	1	5	4	25.0%	0	3	4	0.0%	60.0%	100.0%	1	0	1	0	5	4
SOCIETY TOTALS	64	693	647	7.1%	49	492	478	76.6%	71.0%	73.9%	5	63	68	0	554	478
GRAND TOTALS	302	3,789	4,023	-5.8%												

Crime Types





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

TO: Mayor Henry Porter and the Stayton City Council
FROM: Kelli Stevens, Administrative Assistant
DATE: January 3rd, 2017
SUBJECT: Public Works Monthly Operating Report for November 2016

- | <u>KEY ACTIVITIES</u> | <u>STATUS</u> |
|---------------------------|---|
| • WWTP Facility | Effluent flows: 78.41 million gallons were treated during November. The highest flow was 4.09 million gallons on November 25 th and the lowest flow was 1.71million gallons on November 13 th . The average flow was 2.61 million gallons. Total rainfall for November was 7.95 inches. |
| • WTP | Highest production day was 2,670,000 gallons on November 17 th , 2016. |
| • Water System | Replaced 10 meters. Repair to meter service at 222 N Gardner Avenue. Winterized pump stations and Water Treatment Plant. Repair to Pond Cleaner. |
| • Streets | Swept 352 curb miles and removed approximately 402 cubic yards of material. Fall Clean-up on November 12 th brought in 60 yards of material and 120 pounds of food was donated to the Stayton Food Bank. |
| • Parks | Volunteers: Community Service - 0 hours, Volunteer – 0 hours.
Life skills High School Students – 0 hours. Total = 0 hours.
Parks Board Volunteer Hours – 6 hours total –6 Volunteers. |
| • Building Permits | |

<u>Permit Type</u>	<u>Issued</u>	<u>SDC's Paid</u>
New Single Family Dwelling	2	\$14,721.00
Residential Building Addition/Alter/Other		
Commercial Building Addition/Alter/Other	2	
Electrical	1	
Mechanical	3	
Plumbing		
TOTAL	8	\$14,721.00

One (1) Residential SDC = \$10,883.00 + \$707.00 for Mill Creek SDC + Storm Water SDC \$1919.00 or \$2752.00



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: January 3, 2017
SUBJECT: Report of Activities for November, 2016

Continued to work with Friends of Old Town Stayton

Planning Commission meeting reviewed one development proposal and one annexation request; held public hearing on Code Amendments

Attended Marion County Circuit Court hearing on suit from Riemenschnieder

Attended 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: January 03, 2017
SUBJECT: November Library report

In November, Casle and Lisa hosted our Stuffed Animal Sleepover. Iris Nason highlighted the evening with her Stretch, Dance & Play program. Over 120 children and parents attended the event. Afterwards the stuffed animals had a sleepover in the library and got into lots of mischief before falling asleep. Children loved seeing the pictures of what their animals did overnight.

We participated in National Novel Writing Month. Stephanie held Write-ins every Saturday in November for people to come in and work on their novel.

Stephanie, Emily and Ellie held a Harry Potter Party to celebrate the release of *Fantastic Beasts and Where to Find Them*. Fans of all ages got sorted, made wands, tried out the photo booth and much more. It was great fun.

Our Art Club has grown and our Lego Club, Rock the Block, is increasing popular. Our adult book club, Tea Time for Booklover's, read *The Marriage of Opposites* by Alice Hoffman.

Upcoming events to mark on your calendars:

- Adults: Candle Making January 12th at 5:30pm
- Friends of the Library Book Sale at the Library January 12-14
- Teens: Duct Tape Everything! January 13th at 3:30pm
- Free Books at Last – Children's Book Giveaway January 16th 10am-2pm
- Oregon Author Visit – Cat Winters January 19th at 7pm

2016-2017 Monthly Library Statistics

	July	August	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	2016-17 YTD	2015-16 FY
TOTAL CHECKOUTS	11,971	11,124	9,957	10,001	10,369								53,422	125,970
OTHER CIRCULATION SERVICES														
Self check out	3,997	3,916	3,119	3,066	3,264								17,362	42,637
Library2Go (ebooks +)	782	825	747	798	793								3,945	8,893
INCOME RECEIVED														
Non-resident cards	\$465.00	\$112.00	\$200.00	\$70.00	\$260.00								\$1,107.00	\$6,996.00
Fines: overdue & lost books	\$834.93	\$591.09	\$659.68	\$617.02	\$1,017.64								\$3,720.36	-\$12,478.54
Room fees	\$0.00	\$0.00	\$0.00	\$250.00	\$205.00								\$455.00	\$4,135.50
												TOTAL	\$5,282.36	-\$1,347.04
REFERENCE QUESTIONS														
In-Person, by phone and computer help	480	508	568	540	576								2,672	5,395
NEW PATRON CARDS														
	97	67	63	54	69								350	1,051
INTERNET USE														
	1,035	1,137	933	925	934								4,964	13,230
PROGRAM ATTENDANCE														
Children & adults at storytime	678	181	358	375	606								2,198	5,618
Teens	55	0	6	15	8								84	326
Adults	13	16	9	17	35								90	619
Outreach	17	300	218	671	609								1,815	6,953
												TOTAL	4,187	13,516
MEETING ROOM ATTENDANCE														
	27	65	97	287	47								523	5,889
PATRON VISITS														
	8,006	7,102	5,675	6,751	7,513								35,047	80,146
VOLUNTEER HOURS														
	212	260	188	178	171								1,008	2,770