



# AGENDA

## STAYTON CITY COUNCIL MEETING

Monday, March 19, 2018

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

**CALL TO ORDER**

**7:00 PM**

**Mayor Porter**

**FLAG SALUTE**

**ROLL CALL/STAFF INTRODUCTIONS**

### **ANNOUNCEMENTS – PLEASE READ CAREFULLY**

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

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

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

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

### **CONSENT AGENDA**

- a. February 20, 2018 City Council Minutes
- b. OLCC Annual License Renewals

#### ***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 of David Patty to the Budget Committee

## **PUBLIC HEARING**

### **Ordinance No. 1016, Amending Land Use Code Regarding Detached Single Family Dwellings that are Nonconforming Uses**

- a. Commencement of Public Hearing
- b. Staff Report – Dan Fleishman
- c. Questions from the Council
- d. Proponents’ Testimony
- e. Opponents’ Testimony
- f. Governmental Agencies
- g. General Testimony
- h. Questions from the Public
- i. Questions from the Council
- j. Staff Summary
- k. Close of Hearing
- l. Council Deliberation
- m. Council Decision on Ordinance No. 1016

### **Ordinance No. 1017, Amending Land Use Code Regarding Effective Dates, Expiration of Approvals, Preliminary Subdivision and Partition Plans, and Submission of Construction Plans and Final Plats**

- a. Commencement of Public Hearing
- b. Staff Report – Dan Fleishman
- c. Questions from the Council
- d. Proponents’ Testimony
- e. Opponents’ Testimony
- f. Governmental Agencies
- g. General Testimony
- h. Questions from the Public
- i. Questions from the Council
- j. Staff Summary
- k. Close of Hearing
- l. Council Deliberation
- m. Council Decision on Ordinance No. 1017

## **UNFINISHED BUSINESS – NONE**

## **NEW BUSINESS**

### **Resolution No. 973, Community Garden Relocation**

**Action**

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

- Resolution No. 974, Resolution Supporting Friends of Old Town Stayton’s Application for Participating in Main Street Status** **Action**
- a. Staff Report – Dan Fleishman and Isaac Kort-Meade
  - b. Council Deliberation
  - c. Council Decision

**STAFF/COMMISSION REPORTS**

- Finance Department Report – Cindy Chauran & Elizabeth Baldwin** **Informational**
- a. February 2018 Monthly Finance Department Report

- Police Chief’s Report – Chief Rich Sebens** **Informational**
- a. February 2018 Statistical Report

- Public Works Director’s Report – Lance Ludwick** **Informational**
- a. February 2018 Operating Report

- Planning & Development Director’s Report – Dan Fleishman** **Informational**
- a. February 2018 Activities Report

- Library Director’s Report – Janna Moser** **Informational**
- a. February 2018 Activities

**PRESENTATIONS/COMMENTS FROM THE PUBLIC**

*Recommended time for presentations is 10 minutes.*

*Recommended time for comments from the public is 3 minutes.*

**BUSINESS FROM THE CITY MANAGER**

**BUSINESS FROM THE MAYOR**

**BUSINESS FROM THE COUNCIL**

**FUTURE AGENDA ITEMS – April 2, 2018**

- a. Housing Study
- b. Food Carts
- c. Library Roof

**ADJOURN**

# CALENDAR OF EVENTS

## MARCH 2018

Monday	March 19	City Council	7:00 p.m.	Community Center (north end)
Wednesday	March 21	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	March 26	Planning Commission	7:00 p.m.	Community Center (north end)

## APRIL 2018

Monday	April 2	City Council	7:00 p.m.	Community Center (north end)
Tuesday	April 3	Parks & Recreation Board	6:30 p.m.	E.G. Siegmund Meeting Room
Tuesday	April 10	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Friday	April 13	Community Leaders	7:30 a.m.	Covered Bridge Café
Monday	April 16	City Council	7:00 p.m.	Community Center (north end)
Wednesday	April 18	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	April 30	Planning Commission	7:00 p.m.	Community Center (north end)

## MAY 2018

Tuesday	May 1	Parks & Recreation Board	6:30 p.m.	E.G. Siegmund Meeting Room
Monday	May 7	Budget Committee	6:00 p.m.	Community Center (north end)
Monday	May 7	City Council	Upon Adjournment of Budget Committee	
Tuesday	May 8	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Friday	May 11	Community Leaders	7:30 a.m.	Covered Bridge Café
Monday	May 14	Budget Committee	6:00 p.m.	Community Center (north end)
Tuesday	May 15	Budget Committee	6:00 p.m.	Community Center (north end)
Wednesday	May 16	Budget Committee	6:00 p.m.	Community Center (north end)
Wednesday	May 16	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	May 21	City Council	7:00 p.m.	Community Center (north end)
Monday	May 31	<b>CITY OFFICES CLOSED IN OBSERVANCE OF MEMORIAL DAY HOLIDAY</b>		
Tuesday	May 29	Planning Commission	7:00 p.m.	Community Center (north end)

## JUNE 2018

Monday	June 4	City Council	7:00 p.m.	Community Center (north end)
Tuesday	June 5	Parks & Recreation Board	6:30 p.m.	E.G. Siegmund Meeting Room
Friday	June 8	Community Leaders	7:30 a.m.	Covered Bridge Café
Tuesday	June 12	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Monday	June 18	City Council	7:00 p.m.	Community Center (north end)
Wednesday	June 20	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	June 25	Planning Commission	7:00 p.m.	Community Center (north end)

## JUNE 2018

Monday	July 2	City Council	7:00 p.m.	Community Center (north end)
Tuesday	July 3	Parks & Recreation Board	6:30 p.m.	E.G. Siegmund Meeting Room
Wednesday	July 4	<b>CITY OFFICES CLOSED IN OBSERVANCE OF FOURTH OF JULY HOLIDAY</b>		
Tuesday	July 10	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Friday	July 13	Community Leaders	7:30 a.m.	Covered Bridge Café
Monday	July 16	City Council	7:00 p.m.	Community Center (north end)
Wednesday	July 18	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	July 30	Planning Commission	7:00 p.m.	Community Center (north end)

**City of Stayton  
City Council Meeting Action Minutes  
February 20, 2018**

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

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

**Time End:** 7:57 P.M.

**COUNCIL MEETING ATTENDANCE LOG**

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

AGENDA	ACTIONS
<b>REGULAR MEETING</b>	
<p><b>Announcements</b></p> <p>a. Additions to the Agenda</p> <p>b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.</p>	<p>None.</p> <p>Councilor Kronquist shared several ex parte contacts including Sunshine Coffee and Pacific Power.</p> <p>Councilor Quigley declared ex parte contact via emails received from Alan Meyer and Pacific Power's attorney.</p> <p>Councilor Glidewell stated it was her understanding she did not need to declare ex parte contact if everyone on the Council received the emails.</p> <p>Councilor Usselman stated he saw the emails from Pacific Power, but did not read them.</p> <p>Councilor Molin stated he read the first couple of lines of the emails and stopped.</p>
<p><b>Presentations / Comments from the Public</b></p>	<p>None.</p>
<p><b>Consent Agenda</b></p> <p>a. February 5, 2018 City Council Minutes</p>	<p>Motion from Councilor Kronquist, seconded by Councilor Usselman, to approve the Consent Agenda as presented.</p> <p><u>Discussion:</u> Councilor Quigley requested a point of</p>

	<p>clarification regarding listing the times the Pacific Power hearing was opened and closed. Mr. Lien explained the hearing was not a formal land use hearing and the minutes are acceptable as they are.</p> <p><b>Motion passed 5:0.</b></p>
<p><b>Public Hearing</b></p>	<p>None.</p>
<p><b>Unfinished Business</b>  <b>PacifiCorp Franchise Hearing</b>  a. Staff Report – Wallace Lien  b. Council Deliberation    c. Council Decision</p>	<p>Mr. Lien acknowledged the communications received by the City Council over the prior weekend from representatives of Pacific Power and asked if the Council would like to reconsider the decision made at the hearing on February 5. He explained the Council can move forward and approve the Order as written or open the record and reconsider. If the desire is to reopen the record, a motion must be made by someone who voted in favor at the prior meeting.</p> <p>Motion from Councilor Glidewell to reopen the record of the PacifiCorp Franchise Hearing. <b>Motion died due to lack of a second.</b></p> <p>Mr. Lien explained if the Council is choosing not to reopen the record, their next step would be to choose one of the two Orders provided in the Council packet. The first Order includes a fine, the second omits the fine.</p> <p>Motion from Councilor Kronquist, seconded by Councilor Usselman, to approve the second Council Order which omits the daily fine.</p> <p><i>Discussion:</i> Councilor Glidewell stated she feels she doesn't have enough information to make a decision. Mr. Lien provided a brief recap of the decision made by Council at the February 5<sup>th</sup> meeting. Councilor Glidewell asked if the City intended to negotiate and Mr. Lien confirmed the City is willing to meet with Pacific Power when they are ready.</p> <p><b>Motion passed 4:0 (Glidewell abstained).</b></p>
<p><b>New Business</b>  <b>Transportation System Plan Update</b>  a. Staff Report – Lance Ludwick</p>	<p>Mr. Ludwick reviewed his staff report.</p> <p>Council discussion of Marion County roads within</p>

	<p>Stayton and if they will pay for any portion of the Plan. Mr. Ludwick was unsure what percentage of the City's roads were County maintained, but indicated he would look into this. Marion County will not be paying for any portion of the Plan but they will provide advisory review.</p>
<p><b>Staff / Commission Reports</b>  <b>Finance Department Report – Cindy Chauran &amp; Elizabeth Baldwin</b>  a. January 2018 Monthly Finance Department Report</p> <p><b>Police Chief's Report – Chief Rich Sebens</b>  a. January 2018 Statistical Report</p> <p><b>Public Works Director's Report – Lance Ludwick</b>  a. January 2018 Operating Report</p> <p><b>Planning &amp; Development Director's Report – Dan Fleishman</b>  a. January 2018 Activities Report</p> <p><b>Library Director's Report – Janna Moser</b>  a. January 2018 Activities</p>	<p>No discussion.</p> <p>Brief review of the statistics and Sgt. Meeks shared the Police Department patrols will have an upcoming focus on speed.</p> <p>Mr. Ludwick provided a reminder of the upcoming Mill Creek Park Master Plan community meeting being held on February 22 at the Community Center from 6:00 p.m. to 8:00 p.m.</p> <p>Brief discussion of the Rail Report and the upcoming Community Garden Public Hearing being held at the Planning Commission meeting.</p> <p>Ms. Moser provided a recap of the recent Art Show and events coming up to celebrate Dr. Seuss's birthday.</p>
<p><b>Presentations / Comments from the Public</b>  a. Kim McGair, PacifiCorp Legal Counsel</p>	<p>Ms. McGair explained a Title Report was sent to Council as had been mentioned at the prior meeting. She feels Mr. Lien was inaccurate and not all facts were presented to the City Council. She stated Pacific Power is looking at funding mechanisms and estimates, and will continue to work with City staff to find a resolution.</p> <p>She stated Pacific Power has not been provided with or seen any plans for this project. Mr. Ludwick stated a set of plans were sent to Pacific Power in June 2017.</p>
<p><b>Business from the City Manager</b></p>	<p>None.</p>
<p><b>Business from the Mayor</b></p>	<p>None.</p>
<p><b>Business from the Council</b></p>	<p>Council discussion of the Community Garden and the upcoming Public Hearing being held at the Planning Commission meeting.</p>
<p><b>Future Agenda Items – Monday, March 5, 2018</b>  a. Annual OLCC License Renewals</p>	

APPROVED BY THE STAYTON CITY COUNCIL THIS 5<sup>TH</sup> DAY OF MARCH 2018, BY A \_\_\_\_ VOTE OF THE STAYTON CITY COUNCIL.

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

By: \_\_\_\_\_

Henry A. Porter, Mayor

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

Attest: \_\_\_\_\_

Keith D. Campbell, City Manager

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

Transcribed by: \_\_\_\_\_

Alissa Angelo, Deputy City Recorder



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

**TO: Mayor Henry A. Porter and the Stayton City Council**  
**FROM: Rich Sebens, Chief of Police**  
**DATE: March 19, 2018**  
**SUBJECT: 2018 OLCC Annual Renewals (Consent Agenda)**

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**ISSUE**

Annually, the police department reviews the activities occurring at or near the vicinity of all licensed liquor establishments in Stayton. The City Council then gives a recommendation to the Oregon Liquor Control Commission (OLCC) to recommend, deny, or give no recommendation regarding the liquor license renewal process.

**BACKGROUND INFORMATION**

In October 1999 the Council enacted Resolution No. 653, a Resolution Adopting Policy Guidelines and Procedures for Stayton Council Recommendations for Renewal and Issuance of Liquor Licenses. Through these established guidelines and procedures, the City Council ensures equitable and consistent treatment of all liquor license applications. The adoption of this policy protects the interest of the general public by providing consistent direction to staff in the processing of the liquor license.

**FACTS AND FINDINGS**

All 2018 reviews were completed in accordance with Council Resolution No. 653, dated October 7, 1999. Oregon law provides criteria to be used by OLCC for license refusal which can be adopted into criteria for police department recommendations.

The standards and criteria are as follows:

- Fights or assaults
- Liquor law violations by licensee or their employees
- Excessive or obtrusive noise
- Illegal drug use or sales on the premises
- Trespass on private property
- Failure of the licensee to take appropriate action to prevent or control problems caused by patrons on the premise or within the local vicinity.

Council Resolution No. 653, Section (F), Evaluation Guidelines and Criteria

1. A recommendation to deny the renewal application will be made when there are persistent problems involving the types of police calls listed above related to the sales of alcohol.

2. The police department will automatically recommend denial of a renewal application when there is a record of ten arrests, in the prior twelve (12) months, of employees or patrons of the licensed business for unlawful activities related to the sale of service of alcohol under the license either on the premises or in the immediate vicinity.
3. Actions by the licensee, which might tend to mitigate the problems, should be considered. Examples of mitigating actions are seeking and following recommendations by the OLCC, or police, and increased security measures.
4. In addition to the criteria previously outlined, a recommendation for denial of a license renewal may be made when there are persistent problems involving police calls related to the sales or service of alcohol not stemming from calls for assistance from the establishment, within the preceding twelve months, concerning unlawful activities by employees and patrons of the licensed business, either on the licensed premises or in the immediate vicinity thereof.
5. The recommendation by the police department is only one component of the liquor license recommendation process. Community input is a significant factor in a complete review of applications. With all licensing activities, it must be remembered that the City recommends and OLCC gives the final grant or denial.

**RECOMMENDATION**

All liquor license establishments meet the guidelines and policies established by Resolution No. 653 for the year 2018.

Off Premise Sales	Full On-Premise Sales	Limited On-Premise Sales
Bi-Mart	Rumours	Fey Asian
Circle K East	Cheers On 1 <sup>st</sup>	UGO's Pizza
Circle K West	Ixtapa	Moxieberry
Roth's IGA	Mick & Moms	Brewski's
Safeway	Bottle Factory	Wolfgang's Thirst Parlor
Stayton AM-PM	Red Apple	
Stayton Grocery Outlet	Happy Dragon	
Stayton Market and Deli	Moose Lodge #2639	
Stayton Shell		
Stop N Save #3		
Stop N Save #14		
La Esperanza		
Happy Dragon		
Stayton Liquor Store		

**MOTION(S)**

No motion needed as this is a consent agenda item.



# CITY OF STAYTON

## APPLICATION FOR COMMISSION/COMMITTEE

NAME OF COMMISSION/COMMITTEE:

BUDGET COMMITTEE

PLEASE CHECK ONE:

New Applicant  
 Application for reappointment

Years resided in Stayton: 13

PLEASE PRINT

Name DAVID KENNITH PATTY

Address 982 COOPER COURT Home Ph# 503 769 4190

Email Address david.patty101@yahoo.com Cell Ph# 503 856 5832

Occupation RESEARCH ANALYST

Place of Employment OREGON STATE POLICE

Business Address 3565 Trelstad avenue, Salem OR

Phone 503 934 0959 Email dpatty@osp.state.or.us

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 participated in multiple budget driven projects, and am familiar with the constraints. I think that I could assist in fiscally responsible planning and evaluation.

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 know what it is like to try and maximize the benefit of taxpayer dollars. I am a community member who has a vested interest in the success of Stayton, OR

**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.

Honestly I feel that the City is attempting to attain new revenue streams through new fees and involvement. I want to understand why and how it is being spent. I want to ensure there is responsibility in the methods being used in spending. I also want to ensure that public concerns are taking a front seat in this agenda.

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

Aside from prior minor community engagement, I don't believe I have any relevant experience to the inquiry this is regarding.

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

N/A

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?

I don't believe so, but if I find this to be the case, I will happily declare it.

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Signature of Applicant \_\_\_\_\_ Date 02/19/2018

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**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**  
**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: March 19, 2018**  
**SUBJECT: Ordinance 1016 Amending Land Use Code regarding Detached Single Family Dwellings that are Nonconforming Uses**

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**ISSUE**

The issue before the City Council is a public hearing on legislative amendments to the Land Use and Development Code regarding the treatment of single family detached dwellings that are nonconforming uses. Following the public hearing, the Council will be requested to consider Ordinance 1016 to amend the Code.

**BACKGROUND INFORMATION**

Nonconforming uses are defined as uses that are lawfully existing but do not conform to the list of permitted uses in the zone in which they are located. In general, nonconforming uses are uses that were in existence prior to the enactment of the regulations. The Code allows them to continue, but restricts their expansion or enlargement and specifies that should they be discontinued, they may not be resumed.

Single family detached dwellings are not permitted uses in the Commercial Retail, Commercial General, Light Industrial or Downtown Mixed Use zones. From the City's Geographic Information System, staff estimates that there are between 90 and 100 single family dwellings that were in existence prior to the enactment of the Land Use and Development Code and located in these zones.

Under the terms of Section 17.16.050 of the Code, a nonconforming use may not be extended into a different or greater area of the lot on which it is located. Therefore a single family detached dwelling that is a nonconforming use, may not be expanded or enlarged, even though an addition would not otherwise be thought of as expanding the *use*.

**PROPOSED AMENDMENT**

The proposed amendment specifies that an addition to a single family detached dwelling that is a nonconforming use is not considered expanding the use, even though the building is being enlarged. An addition would be permitted onto a nonconforming single family detached

dwelling, provided the addition meets the setback requirements for the zone in which it is located.

## **RECOMMENDATION**

The Planning Commission has recommended adoption of the amendments. Staff recommends adoption of Ordinance 1016 as presented.

## **OPTIONS AND MOTIONS**

The City Council is presented with the following options.

### **1. Approve the first consideration of Ordinance 1016**

Move to approve Ordinance No 1016 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. 1016 is enacted and will be presented to the Mayor for his approval.

If the vote is not unanimous, Ordinance No. 1016 will be brought before the Council for a second consideration at the April 2, 2018 meeting.

### **2. Approve the Ordinance with modifications**

Move to approve Ordinance No. 1016 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. 1016 will be brought before the Council for a second consideration at its April 2, 2018 meeting.

### **3. Retain the Code unchanged**

No motion is necessary.

**ORDINANCE NO. 1016**

**AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE TITLE 17,  
ALLOWING ADDITIONS TO SINGLE FAMILY DWELLINGS THAT ARE  
NONCONFORMING USES**

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, detached single family dwellings are not permitted in the commercial, industrial, and downtown mixed use zones;

WHEREAS, SMC Title 17, Chapter 16 of the Land Use and Development Code, Section 17.16.050.4.b, prohibits a nonconforming use from being extended into a different or greater area of a lot;

WHEREAS, staff has estimated that there are between 90 and 100 detached single family dwellings that are legally existing nonconforming uses throughout the City;

WHEREAS, the owners of these nonconforming dwellings are prohibited from enlarging their homes by Section 17.16.050.4.b;

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

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

WHEREAS, the Stayton City Council, following a public hearing, notice of which was published in the Stayton Mail on March 7, 2018, does find that the amendments proposed by the Planning Commission are appropriate and are consistent with the Comprehensive Plan.

NOW, THEREFORE, the City of Stayton ordains:

**Section 1. Expansion of Nonconforming Uses Restriction Amended.** Section 17.16.050.4.b. is hereby amended as follows:

- a. Expansion. Except for single family detached dwellings, a non-conforming use shall not be extended into a different or greater area of a lot. Single family detached dwellings that are non-conforming uses may be enlarged as long as the dimensional requirements of the district in which they are located are met.

**Section 2. Effective Date.** This Ordinance shall not become effective until the 30<sup>th</sup> day after adoption by the Stayton City Council and execution by the Mayor, or a representative of the Mayor. In the event of a timely appeal to LUBA, this Ordinance shall not become effective until the LUBA appeal is finally resolved, including any appeals from the decision of LUBA.

**Section 3.** A copy of this Ordinance shall be furnished to the State of Oregon, Department of Land Conservation and Development forthwith.

ADOPTED BY THE STAYTON CITY COUNCIL this 19<sup>th</sup> day of March, 2018.

CITY OF STAYTON

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

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

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

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

DRAFT



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

**TO: Mayor Henry Porter and the Stayton City Council**  
**FROM: Dan Fleishman, Director of Planning and Development**  
**DATE: March 19, 2018**  
**SUBJECT: Ordinance 1017 Amending Land Use Code regarding Effective Dates, Expiration of Approvals, Preliminary Subdivision and Partition Plans, and Submission of Construction Plans and Final Plats**

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**ISSUE**

The issue before the City Council is a public hearing on a package of legislative amendments to the Land Use and Development Code regarding the time frame for granting approvals, the effective dates of those approvals, the steps necessary to effectuate an approval, the expiration of approvals, granting extensions to approvals, submission requirements and standards for preliminary plans for subdivisions and partitions, the specifications for construction plans for subdivisions, and the submittal and approval of final plats for partitions and subdivisions. Following the public hearing, the Council will be requested to consider Ordinance 1017 to amend the Code.

**BACKGROUND INFORMATION**

The current Code has a number of ambiguities that need to be clarified regarding the when land use approvals become effective and what happens after that date if the applicant does not carry forth with development. Recent legislation has shortened the time by which a City must take action on certain land use approvals. In addition, some other various administrative amendments are proposed. The amendments were prepared with the input and recommendations from the Public Works Department and the City Engineer.

**PROPOSED AMENDMENTS**

The proposed amendments would:

- Specify that decisions on quasi-judicial applications do not become final until the expiration of the appeal period.
- Shorten the amount of time available to the City to reach a final decision on a very limited type of residential development from 120 days to 100 days. This shorter review period is mandated by a law enacted by the 2017 Legislative Assembly.

- Specify the actions that must be taken in order to keep an application from expiring. The Code currently states the applicant must “exercise the right granted” within one year. The amendments clarify what exercising the rights means.
- Set a time frame for the City to approve a request for an extension of an approval, add some criteria for judging such a request, and specifies that an extension may be for no more than one year.
- Establishes provisions for the City to declare that an approval has lapsed.
- Require some submissions that apply only to subdivisions to apply to partitions as well
- Modify references to the Public Works standards in the criteria for approval for preliminary plan for a subdivision or partitioning
- Require that larger subdivisions provide at least two street connections
- Require that preliminary plans for subdivisions allow for extensions of streets and utilities into neighboring properties or the remainder of the parcel
- Specifies that when incomplete construction plans for subdivisions or partitions are submitted, additional information must be submitted within 181 days of the original submission.
- Clarifies that failure to submit construction drawings within one year of Planning Commission approval or a final subdivision plat within two years of approval of the construction drawings results in expiration of the approval.
- Removes details regarding the contents of the construction plans, and refers to the Public Works Design Standards.
- Modifies the submission requirements for Final Plats

## **RECOMMENDATION**

The Planning Commission has recommended adoption of the amendments. Staff recommends adoption of Ordinance 1017 as presented.

## **OPTIONS AND MOTIONS**

The City Council is presented with the following options.

### **1. Approve the first consideration of Ordinance 1017**

Move to approve Ordinance No 1017 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. 1017 is enacted and will be presented to the Mayor for his approval.

If the vote is not unanimous, Ordinance No. 1017 will be brought before the Council for a second consideration at the April 2, 2018 meeting.

### **2. Approve the Ordinance with modifications**

Move to approve Ordinance No. 1017 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. 1017 will be brought before the Council for a second consideration at its April 2, 2018 meeting.

**3. Retain the Code unchanged**

No motion is necessary.

**ORDINANCE NO. 1017**

**AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE TITLE 17,  
REGARDING EFFECTIVE DATES AND EXPIRATION OF APPROVALS,  
SUBMISSION REQUIREMENTS AND STANDARDS FOR PRELIMINARY  
SUBDIVISION AND PARTITION PLANS, SUBMISSION OF  
CONSTRUCTION PLANS, AND FINAL PLATS**

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, Title 17, Chapter 12, Section 17.12.120.1 describes the effective date of a quasi-judicial land use decision, but lacks specificity regarding the effective date and an appeal period;

WHEREAS, Chapter 745 of the Oregon Laws of 2017 requires that the City take final action, including any appeals, on certain applications for approval within 100 days of determining the application is complete;

WHEREAS, Title 17, Chapter 12, Section 17.12.120.7 requires that rights granted by a land use approval be exercised within one year of the effective date of that decision, but does not specify what actions the applicant must take to exercise those rights;

WHEREAS, Title 17, Chapter 12, Section 17.12.120.7 allows for an extension of the approval period but does not provide any criteria by which to judge such a request;

WHEREAS, Title 17, Chapter 24, Section 17.24.040.3 contains the submission requirements for preliminary partition plans and subdivision plans but does not include proper reference to the Public Works Design Standards;

WHEREAS, Title 17, Chapter 24, Section 17.24.040.4 contains submission requirements for preliminary subdivision plans that should also be required of preliminary partition plans;

WHEREAS, the City Council deems it important for applications for preliminary plan approval for subdivisions and partitioning to identify whether there are any Public Works Design Standards they will not be meeting;

WHEREAS, the City Council deems it important for applications for preliminary plan approval for subdivisions and partitioning to demonstrate that streets and utilities can reasonably be extended into neighboring property in order to facilitate development of land within the urban growth boundary;

WHEREAS, Title 17, Chapter 24, Section 17.24.040.6 contains the preliminary plan approval criteria but does not require more than one street connection regardless of the size of a subdivision;

WHEREAS, Title 17, Chapter 24, Section 17.24.050 contains the design standards for subdivision and partition preliminary plans but does not include proper reference to the Public Works Design Standards;

WHEREAS, Title 17, Chapter 24, Section 17.24.060 describes the submission and approval procedures for construction plans for subdivisions and partitions, including the deadlines for submittal, but does not discuss the impacts of submittal of incomplete plans, does not properly reference the Public Works Design Standards, and does not reflect the desired procedures for review and approval of construction plans;

WHEREAS, Title 17, Chapter 24, Section 17.24.070 includes the design standards for construction plans for subdivisions and partitions, but does not properly reference the Public Works Design Standards and unnecessarily duplicates requirements from the Public Works Design Standards;

WHEREAS, Title 17, Chapter 24, Section 17.24.080 contains the requirements for the submittal and review of final plats for subdivisions and partitions and includes substantial unnecessary detail regarding the format of final plats that could be deleted by referencing the Marion County Surveyor's map standards;

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

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

WHEREAS, the Stayton City Council, following a public hearing, notice of which was published in the Stayton Mail on March 7, 2018, does find that the amendments proposed by the Planning Commission are appropriate and are consistent with the Comprehensive Plan.

NOW, THEREFORE, the City of Stayton ordains:

**Section 1. Effective Dates and Deadlines for Actions amended.** Stayton Municipal Code, Title 17, Chapter 12, Section 17.12.120 is hereby amended shown on Exhibit A attached hereto and incorporated herein.

**Section 2. Application and Approval Requirements for Subdivisions and Partitions amended.** Stayton Municipal Code, Title 17, Chapter 24, Section 17.24.040 is hereby amended shown on Exhibit B attached hereto and incorporated herein.

**Section 3. Design Standards for Subdivision and Partition Preliminary Plans amended.** Stayton Municipal Code, Title 17, Chapter 24, Section 17.24.050 is hereby amended shown on Exhibit C attached hereto and incorporated herein.

**Section 4. Submission and Approval Procedures for Construction Plans amended.** Stayton Municipal Code, Title 17, Chapter 24, Section 17.24.060 is hereby amended shown on Exhibit D attached hereto and incorporated herein.

**Section 5. Design Standards for Construction Plans amended.** Stayton Municipal Code, Title 17, Chapter 24, Section 17.24.070 is hereby amended shown on Exhibit E attached hereto and incorporated herein.

**Section 6. Subdivision and Partition Final Plats amended.** Stayton Municipal Code, Title 17, Chapter 24, Section 17.24.080 is hereby amended shown on Exhibit F attached hereto and incorporated herein.

**Section 7. Effective Date.** This Ordinance shall not become effective until the 30<sup>th</sup> day after adoption by the Stayton City Council and execution by the Mayor, or a representative of the Mayor. In the event of a timely appeal to LUBA, this Ordinance shall not become effective until the LUBA appeal is finally resolved, including any appeals from the decision of LUBA.

**Section 8.** 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 19<sup>th</sup> day of March, 2018.

CITY OF STAYTON

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

BY:

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

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

ATTEST:

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

## EXHIBIT A

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

### 17.12.120 EFFECTIVE DATES AND DEADLINES FOR ACTIONS

1. EFFECTIVE DATE. A final decision on a quasi-judicial land use action is intended to provide certainty to the applicants and all parties participating in the process. The effective date of a decision shall be:
  - a) 14 days from the date of the notice of decision for an administrative decision;
  - b) 14 days from the date of the notice of decision for a decision by the Planning Commission;
  - c) 21 days from the date of the notice of decision for a decision by the City Council.If a decision is not appealed pursuant as specified in 17.12.110, the decision becomes final.
2. EVIDENTIARY MATERIAL SUBMITTED. All documents or evidence relied upon by the applicant shall be submitted to the City staff at least 20 days prior to the first evidentiary hearing on the matter.
3. DEADLINES EXCEPT FOR PLAN AMENDMENT.
  - a) The City shall take final action on an application for a multifamily housing of five or more dwellings, at least 50 percent of which will be sold or rented as affordable housing as defined in Section 1 of Chapter 745 of the Oregon Laws of 2017, and which will be subject to a covenant that restrict sales price or rents to maintain affordability, including any appeals within 100 days after the application is submitted and deemed complete.
  - a)b) ~~The City shall take final action on an~~ any other application, except for a comprehensive plan amendment or an annexation, including resolution of all appeals under Section 17.12.~~030-110~~ within 120 days after the application is submitted and deemed complete.
4. MINIMUM TIME FOR REAPPLICATION: An application denied after due consideration may not be resubmitted in less than one (1) year's time unless the applicant can demonstrate that the factual circumstances which brought about the denial no longer exist or are no longer applicable to the proposal.
5. EXTENSIONS. The applicant may elect to waive or grant an extension to the ~~120-day~~ time requirement stated in subsection 3 of this section ~~by oral consent at public hearing or~~ by written statement to the City staff. Such waiver requests shall be made a part of the record on the application. The total of all extensions may not exceed 245 days.
6. TIME CALCULATIONS. Unless otherwise specified, where ever this code refers to "days", that reference is to calendar days, not working days. To calculate the last day for appeal, the date of the notice should be excluded, and the last day of the appeal period should be included. The last day concludes at 5:00 p.m. If the last day falls on a legal

holiday or a weekend, the last day shall be the next regularly scheduled workday thereafter.

7. RIGHT MUST BE EXERCISED. Land use approvals granted under this ~~title~~ Title shall be effective only when the exercise of the right granted therein is commenced within 1 year of the effective date of that decision, unless a longer period be specified or thereafter allowed by the decision authority. Exercising the rights granted by an approval shall require:
  - a) Commencement of construction, with a valid building permit or site development permit, in the case of an application for variance, conditional use, or site plan review;
  - b) Submittal and acceptance of construction plans, as required by Section 17.24.060, in the case of a partitioning or subdivision that requires construction plans; or
  - c) Submittal and acceptance of a draft final plat in the case of a partitioning or subdivision that does not require construction plans.

In case such right has not been exercised or extension obtained the approval shall be void.

8. EXTENSION OF APPROVAL. A written request for an extension of time, filed with the City Planner at least 30 days prior to the expiration date of the approval, shall extend the duration of the one-year period until the decision authority has taken action on the request if the following criteria are met:

- a. Progress has been made on final engineering.
- b. Applications to other regulatory agencies for necessary approvals have been filed.

The decision authority shall, within 31 days of the filing of a request for extension consider whether to grant an extension. An extension shall be granted upon a finding that the criteria above are satisfied and that no changes in this Title have been enacted that would affect the application. Only one (1) extension may be granted of no longer than one year.

## EXHIBIT B

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

### 17.24.040 APPLICATION AND APPROVAL REQUIREMENTS FOR CONVENTIONAL SUBDIVISIONS AND PARTITIONS

1. PURPOSE STATEMENT. Subdivisions and partitions are intended to provide for a permanently wholesome community environment, adequate public services, and safe streets through the accomplishment of property division and development in a traditional manner.
2. APPLICATION FOR APPROVAL OF PRELIMINARY PLANS.
  - a. For any proposed subdivision or partition of land, the applicant shall file 3 copies of the preliminary plan at a scale of 1 inch equals not more than 50 feet and all required supplemental information with the City Planner, following the general application procedural requirements of Section 17.12.030. In addition, 12 reduced copies of the plan sized 11 inches by 17 inches shall be submitted.
3. PRELIMINARY PARTITION PLAN AND SUBDIVISION PLAN SUBMITTAL REQUIREMENTS. Preliminary partition or subdivision plans shall be clearly and legibly drawn. The preliminary partition or subdivision plan shall include or be accompanied by following information:
  - a. Appropriate identification clearly stating the drawing is a preliminary partition or subdivision plan.
  - b. North arrow point, graphic scale, and date of preparation of the preliminary plan.
  - c. Names and addresses of the landowners, applicant, ~~and the~~ engineer of record, surveyor, land planner, landscape architect, or any other person responsible for designing the preliminary plan.
  - d. Map number (township, range, and section) and tax lot number or account of the tract being divided.
  - e. The boundary lines of the tract to be divided and approximate area of the property in acres or square feet, on a plan prepared by a professional land surveyor registered with the State of Oregon.
  - f. The approximate location, widths, and names of existing or platted streets or other public ways (including easements) within or adjacent to the tract, existing buildings and any addresses for the buildings, railroad rights-of-way, and other important features such as section lines and political subdivision boundary lines.
  - g. The location and size of any existing sanitary sewerage systems, for the tract being divided, the approximate location of water mains supply systems, culverts, drainage ways, and other storm drainage systems, and ~~or~~ any other underground utilities or structures within or ~~and~~ immediately adjacent the tract being divided.
  - h. The approximate location, size, and use of all existing and proposed public areas or areas within the proposed subdivision or partition reserved for the common use

of the property owners, a description of the suitability of the area for uses contemplated and any conditions or limitations of such reservations.

- i. A proposed general plan for ~~draining~~ collecting, treating, and detaining surface stormwater runoff from the development, developed in accordance with the City's Public Works Design Standards and the Stormwater Master Plan. Preliminary Stormwater calculations shall accompany the plan showing how the proposal will meet stormwater quality and quantity requirements.
- j. The proposed street pattern or layout showing the name and widths of the proposed streets and alleys in accordance with the City's Public Works Design Standards and City Transportation Systems Plan.
- k. Existing and proposed easements, together with their dimensions, purpose, and restrictions on use.
- l. Proposed ~~means and~~ location and size of sanitary sewerage disposal systems, and water supply systems, stormwater facilities, and storm drainage systems in accordance with the City's Public Works Design Standards and the City's Wastewater and Water Master Plans.
- m. Proposed parcels, dimensions, sizes, and boundaries. Residential parcels shall be numbered consecutively. Parcels that are to be used for other than residential purposes shall be identified with letters.
- n. Predominant natural features such as water courses (including direction of their flow), wetlands, rock outcroppings, and areas subject to flooding or other natural hazards.
- o. Copies of all existing or proposed restrictions or covenants affecting the property.
- p. An appropriate space on the face of the plan to indicate the action of the Planning Commission, including the date of the decision.
- q. An inventory of existing trees and any proposals for tree removal, detailing numbers of trees, size, and species of trees to be removed as required by Section 17.20.150.
- r. A proposed plan showing access features required in Section 17.26.020, specifically Section 17.26.020.6.
- s. Either a Transportation Assessment Letter or a Transportation Impact Analysis in accordance with the provisions of Section 17.26.050. Five copies of the traffic impact analysis shall be submitted.
- t. A plan showing soils information and any proposed cuts or fills of more than 24 inches.
- u. The location and functional characteristics of any wetlands on the property to be divided as shown in the City of Stayton Local Wetlands and Riparian Inventory, July 1998.
- v. A statement indicating the proposed timing of installation of all proposed improvements.

- w. A Design Modification Request if the applicant proposes to not meet any design requirement in the Public Works Design Standards.
  - x. Future Development Plan. Submission of a future development plan is required when it is evident that the property to be divided can be further divided or provides street or utility connections to adjacent property. The future development plan shall be submitted at the same time that the preliminary plan for either subdivision or partition is submitted and shall contain the following information:
    - (1) Any potential future lots (lot size shall be depicted).
    - (2) Existing and proposed utilities including water, sewer and storm drains.
    - (3) Streets and access points for potential future lots.
4. **ADDITIONAL SUBMITTAL REQUIREMENTS FOR PRELIMINARY SUBDIVISION PLANS.** Preliminary subdivision plans shall show all information cited below in addition to submittal requirements cited above.
- a. Topography within and adjacent to the proposed subdivision. The base for such information shall be the data obtained from any official bench mark in Marion County or the City of Stayton providing its location, description, and elevation are furnished. Contour intervals shall be no greater than 2 feet for slopes of less than 10% and no greater than 5 feet for slopes of more than 10%.
  - b. A vicinity map clearly showing the relationship of the proposed subdivision to surrounding developments and streets, ~~storm drainage, sewer, water, and utility services.~~
  - c. An outline of areas proposed for partial recording of a final plat if phased recording is proposed.
  - ~~d. A plan showing soils information and any proposed cuts or fills of more than 24 inches.~~
  - ~~e. The location and functional characteristics of any wetlands on the property to be divided as shown in the City of Stayton Local Wetlands and Riparian Inventory, July 1998.~~
  - ~~f. A statement indicating the proposed timing of installation of all proposed improvements.~~
  - ~~g.~~ d. The plan shall otherwise conform to the requirements of ORS 92.090 as amended.
  - e. If a phased development of a subdivision is proposed, then the plan shall illustrate the phases of development and a timeline for the phases.
  - ~~h.~~ f. Such additional information as the applicant may have been requested to submit at any pre-application meetings with City Staff. If, upon initial investigation by the decision authority, it is found that further information is necessary, it shall be furnished by the applicant.
5. **REVIEW AND APPROVAL PROCEDURES: PRELIMINARY PLAN.** The decision authority shall review and act upon the preliminary subdivision or partition plan pursuant

to the procedures in Sections 17.12.070 through 17.12.100 except where modifications to that procedure are indicated below.

- a. A preliminary plan shall be considered an application and shall be processed as such.
  - b. In the review of a preliminary plan by the Planning Commission, the Commission shall consider the review comments of the Public Works Director and the City Engineer. Reports from the City Engineer and Public Works Director, and any comments received from local and state agencies shall be made a part of the City Planner's report.
  - c. The action of the decision authority shall be noted on 2 copies of the preliminary plan, including reference to any attached documents describing conditions. One copy shall be provided to the applicant and the other shall be placed on file with the City Planner.
  - d. Approval of a preliminary plan subject to this section shall be valid for a period of one year from the date of approval.
6. PRELIMINARY PLAN APPROVAL CRITERIA. In determining whether to approve a subdivision or partition preliminary plan, the decision authority shall determine that the applicant has demonstrated the following criteria and standards have been or will be met:
- a. (Repealed, Ord. 898, August 20, 2007)
  - b. Adequate urban services are available to the property.
  - c. The proposed parcels, lots, or roads are compatible with the existing pattern of development in the area.
  - d. All streets shall be in a location and have a right of way and traveled way width in accordance with the City's Transportation System Plan.
  - e. The design standards of Section 17.24.050 below are satisfied as well as the access management standards in Section 17.26.020.
  - f. The plan complies with the provisions of the Comprehensive Plan and the zoning district(s) in which it is or will be located.
  - g. The subdivision or partitioning preliminary plan provides adequate access and utilities to allow future development of the remainder of the parcel and adjacent parcels.
  - ~~7~~.h. Multiple Access Roads: Developments of one- and two-family dwellings where the number of dwelling units exceeds 30, multiple-family residential projects having more than 100 dwelling units and where vehicle congestion, adverse terrain conditions or other factors that could limit access, as determined by the fire code official, shall be provided with not less than two approved means of access. Exceptions may be allowed when the proposed CC&Rs for the development will require an automatic sprinkler system approved in accordance with the provisions of ORS 455.610(6).
  - ~~a~~.i. All applicable standards of Chapter 17.20 are satisfied.

- b.i. All applicable standards of 17.20.180 shall be met and the applicant shall obtain any necessary permits from the Department of State Lands for appropriate mitigation.
- e.k. The name of any proposed subdivision shall not be the same as or similar to any name used on a recorded plat or subdivision in Marion County, except for the use of suffixes such as "town," "place," "court," "addition," or similar generic terms, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the subdivision bearing that name. All plats must continue the block numbers of the plat of the same name last filed. A name shall not be required for a partitioning.
- d.l. Compliance exists with the provisions of ORS 92.090 as amended.
- e.m. When any portion of a subdivision or partition is within 100 feet of the North Santiam River or Mill Creek or within 25 feet of the Salem Ditch, the proposed project will not have an adverse impact on fish habitat.

## EXHIBIT C

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

### 17.24.050 DESIGN STANDARDS FOR SUBDIVISION AND PARTITION PRELIMINARY PLANS

Subdivisions and partition preliminary plans shall meet the following criteria and objectives. These are broad criteria and planning objectives. Detailed engineering and design will be reviewed with the ~~final plat~~construction plans.

#### 1. STREETS.

- a. Streets shall be in alignment with existing streets in the vicinity of the proposed subdivision, either by prolongation of existing centerlines or by connection with suitable curves. Streets shall conform to the location, alignment, and width as indicated in the Public Works Design Standards and on the official map of streets known as the Future Street Plan in the adopted ~~Stayton-City's~~ Transportation System Plan, ~~and the Public Works Design Standards~~.
- b. Streets should intersect at or near right angles as practicable, and in no case shall the angle of intersection exceed 120 degrees.
- c. The criteria of a and b above may be modified where the applicant can demonstrate to the decision authority that the topography, or the small number of lots involved, or any other unusual conditions justify such modification.
- d. Bikeways and pedestrian ways shall be required in accordance with the ~~City of Stayton~~ Non-Motorized Plan in the adopted ~~City's Stayton~~ Transportation System Plan.
- e. Concrete curbs and concrete sidewalks shall be installed on all streets. The location and width of sidewalks shall be determined by the decision authority. In making such determination, the decision authority shall take into consideration the topography of the land, the presence of improvements, trees or other plantings, the type of street, and the location of sidewalks, if any, in adjacent areas or subdivision.

In residential neighborhoods, sidewalks shall be placed along the property line whenever possible. In all cases, sidewalks shall be placed 1 foot from the property line on arterial and collector streets.

2. DEDICATION OF A RIGHT-OF-WAY. If a parcel of land to be divided includes any portion of a right-of-way or street, the preliminary plan shall show where such right-of-way or street will be dedicated for the purpose or use proposed.
3. DEAD-END STREETS AND CUL-DE-SACS. When it appears necessary to continue a street into a future subdivision or adjacent acreage, streets shall be dedicated or platted to the boundary of a division without a turn-around. In all other cases, dead-end streets and cul-de-sacs shall have a turn-around with a radius of not less than 45 feet to the property line. Unless otherwise approved by the decision authority, the length of the street to the cul-de-sac bulb shall not exceed 450 feet in length.

4. RESERVE BLOCK.

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

5. STREET WIDTHS.

- a. The location, width, and grade of all streets must conform to the Public Works Design Standards and City's Transportation System Plan ~~to any approved transportation master plan or recorded subdivision plat~~. Where the location of a street is not shown in an approved street plan, the arrangement of streets in a development shall either provide for the continuation or appropriate projection of existing principal streets in the surrounding areas or conform to a plan for the neighborhood approved or adopted by the City to meet a particular situation where topographical or other conditions made continuance or conformance to existing streets impractical or where no plan has been previously adopted.
- b. In addition, new streets may be required to be located where the City Engineer determines that additional access is needed to relieve or avoid access deficiencies on adjacent or nearby properties. In determining the location of new streets in a development or street plan, consideration shall be given to maximizing available solar access for adjoining development sites.
- c. When an area within a subdivision is set aside for commercial uses or where probable future conditions warrant, the decision authority may require dedication of streets to a greater width than herein otherwise provided.
- d.  
~~d.~~—The street right-of-way in or along the boundary of a subdivision shall have the minimum width as specified ~~in Standard Specifications for Public Works Construction, Section 300—Street Design Standards, 2.07, except a boundary street may be half such width where it is apparent that the other half will be dedicated from adjacent properties.~~ in the Public Works Design Standards.
- e. Temporary dead-end streets. Dead-end streets that may in the future be extended shall have a right-of-way and pavement width that will conform to the development pattern when extended.
- f. Additional Right-of-Way Widths.
  - 1) Where topographical requirements necessitate either cuts or fill for the proper grading of streets, additional right-of-way width may be required to allow all cut and fill slopes to be within the right-of-way.

- 2) Where bikeways necessitate, additional right-of-way width may be required.
6. SUBDIVISION BLOCKS.
    - a. Block lengths and widths shall be determined by giving consideration to the following factors:
      - 1) The distance and alignment of existing blocks and streets.
      - 2) Topography.
      - 3) Lot size.
      - 4) Need for and direction of the flow of through and local traffic.
    - b. Block length and perimeter standards are specified in Section 17.26.~~1020.5.c.~~
    - c. Except where topographical or other physical features require otherwise, block widths shall not be less than 180 feet.
  7. MID-BLOCK WALKS. Where topographical or other conditions make necessary blocks of unusual length, the decision authority may require the ~~developer~~ Developer to install mid-block pedestrian walks on a right-of-way ~~at least 620~~ feet in width, which shall ~~be consist of at least 8 feet of~~ hard surfaced surfacing throughout the block, and curb to curb, in order to provide easy access to schools, parks, shopping centers, mass transportation stops, or other community services.
  8. LOT SIZE, LOT LINES.
    - a. Lot sizes shall be as specified in the zoning district in which the land division is being proposed.
    - b. If topography, drainage, location, or other conditions justify, the decision authority may require greater area and frontage widths on any or all lots within a subdivision, or it may allow smaller area or front line widths if the surrounding area and other conditions justify such requirements.
    - c. In a cul-de-sac, the minimum lot line fronting the turn-around shall be 40 feet, and in no case shall the lot width be less than 60 feet at the building line.
    - d. Side lot lines shall be as close to right angles to the front street as practicable.
    - e. Unless otherwise approved, rear lot lines shall be not less than ½ the width of the front lot lines.
    - f. The subdividing or partitioning of developed property shall not create lots or parcels that are in violation of the dwelling density limitations of the underlying zone.
  9. PUBLIC SURVEY MONUMENTS. Any donation land claim, corner, section corner, or other official survey monument within or on the boundary of a proposed subdivision shall be accurately referenced to at least two monuments.
  10. SEWAGE DISPOSAL.
    - a. All extensions of the existing City sewage facilities shall be in accordance with the ~~adopted~~ Public Works Design Standards and the City's Wastewater Master Plan.

Sewer mains shall be extended to the edge of the subdivision unless otherwise approved by the Public Works Director.

- b. If adequate public sewage facilities are not available to the parcel of land proposed for subdivision, or if extension of the existing City sewage facilities to serve the buildings to be constructed in the proposed subdivision does not appear practical and economically feasible because of topographic or other considerations, and if all lots in a subdivision are of proper size and soil conditions are suitable, as determined by percolator or other tests made by or approved by the health officer having jurisdiction, the City may allow individual sewage disposal facilities approved by the health officer to be installed on each lot when and as buildings are erected thereon.

#### 11. PUBLIC USE AREAS.

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

#### 12. WATER SUPPLY.

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

#### 13. UNDERGROUND UTILITIES.

- a. All permanent utility service to lots in a subdivision shall be provided from underground facilities and no overhead utility service to a subdivision shall be permitted with the exception of poles used exclusively for street lighting and other equipment appurtenant to underground facilities that the utility companies have indicated in writing that there would be impractical difficulty to install underground.

~~The subdivider shall provide underground electricity and telephone service and wiring for future street lighting. The subdivider shall also provide such present street lighting, gas lines, and cable television or other data transmission lines as are available within 500 feet of the proposed subdivision.~~

## EXHIBIT D

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

### 17.24.060 SUBMISSION AND APPROVAL PROCEDURES FOR CONSTRUCTION PLANS

#### 1. CONSTRUCTION PLANS SUBMITTAL REQUIREMENTS.

- a. Submittal Deadline. No later than one (1) year from the effective date of approval of the preliminary plan for a major partition or subdivision the applicant shall submit three (3) ~~two~~ sets of construction plans to the ~~City Planner~~ Public Works Department. The applicant shall also submit all construction plans and other required documents to the City in electronic form. Failure to submit construction plans within one (1) year of the effective date of approval shall result in expiration of the approval.
- b. Conformance to Preliminary Plan. The construction plans shall substantially conform to the preliminary plan as approved.
- c. Preparation. All construction plans shall be prepared by a professional engineer registered with the State of Oregon.
- d. Format. Construction plans shall be clearly and legibly drawn to a standard engineer's scale in a manner which allows all detail to be easily read. The overall size of construction plans shall be 22 inches by 34 inches. Construction plans consisting of more than one sheet shall be bound or stapled on the left side. The format shall meet requirements set forth in the Public Works Design Standards.
- e. Construction Plans Information. The construction plans shall be drawn in accordance with and contain the information specified in the ~~required by~~ Public Works Design Standards ~~Specifications~~.

#### 2. REVIEW AND APPROVAL OF CONSTRUCTION PLANS.

- a. Approval of construction plans shall be a routine administrative action.
- b. The ~~City Planner~~ Public Works Department shall issue a written ~~receipt~~ acknowledgement indicating the date the construction plans and other required documents were ~~submitted~~ received by the City.
- c. The ~~City Planner~~ Public Works Director shall forward the construction plans and other required documents to the City Engineer for review and approval.
- d. Within 14 days of submittal of the construction plans and other required documents, the City Engineer shall determine if the ~~plans are~~ submittal is complete. If the City Engineer determines the ~~construction plans~~ submittal is ~~are~~ incomplete, the applicant shall be notified in writing of the additional information that must be submitted in order for the Public Works Director to ~~complete~~ initiate City review of the ~~construction plans~~ submittal. Failure of the applicant to provide a complete application within 181 days of the original submission shall result in the construction plans and other required documents being considered withdrawn. City staff shall notify the applicant that the application is considered withdrawn.

- e. Within 21 days of determining the ~~construction plans are~~ submittal is complete, the City Engineer shall determine whether the construction plans and other required documents are in general conformance with the requirements of this Title, Title 12, the Public Works Design Standards ~~Specifications~~, and any conditions of approval.
- f. If any portion of the construction plans and other required documents ~~are~~ is not in conformance with the required ~~standards or specifications~~ Public Works Standards, the applicant shall be informed in writing of the necessary changes ~~in the plan~~ to bring them into conformity.
- g. Once the City Engineer has determined that the construction plans and other required documents generally conform to ~~all applicable standards or specifications~~ the Public Works Standards, the City Engineer shall notify ~~the applicant and~~ the engineer of record who prepared the plans in writing that a specified number of copies of the approved plans to be provided for ~~the City Engineer's signature~~ City Engineer approval.
- h. Upon City Engineer approval of the construction plans ~~and signing of the approved construction plans by the City Engineer~~, the applicant ~~is authorized~~ shall obtain all necessary agency approvals and shall obtain all necessary permits to schedule a preconstruction conference prior to commencement of construction. ~~This conformance and all subsequent~~ Design and construction activities shall be in accordance with the requirements set forth in the Public Works Standards. ~~shall conform to the Standard Specifications.~~

## EXHIBIT E

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

### 17.24.070 DESIGN STANDARDS FOR CONSTRUCTION PLANS

1. STREET IMPROVEMENTS, SIDEWALKS, UNDERGROUND UTILITIES, AND SURFACE DRAINAGE.
  - a. All street improvements, including pavement, curbs, sidewalks, underground utilities, and surface drainage shall be in accordance with the requirements set forth in the Public Works Design Standards Specifications.
  - b. All utilities and public agencies shall be made aware of the street construction so that every chance is provided to install conduit where the actual placement of lines is not practical and to advise them of penalties for street excavation during the first 5 years after construction.
  - c. Construction plans involving public improvements shall not receive approval until such time as the City Engineer is satisfied that the following street improvements will be completed in accordance with the Public Works Standards Specifications:
    - ~~1) Clearing and grading to full right-of-way limits.~~
    - ~~2) Storm drainage facilities both within and outside of right-of-way limits.~~
    - ~~3) Base and pavement materials for roadways in place and compacted.~~
    - ~~4) Bikeways, including striping and signing, if required.~~
    - ~~5) Signage and traffic signalization, if required.~~
    - ~~6) Access management standards as specified in Section 17.26.020.~~
2. SEWAGE DISPOSAL. Construction plans shall not receive approval until such time as the City Engineer is satisfied that the sewage disposal facilities will be completed in accordance with the Public Works Standards.
  - ~~a. The existing public sewage facilities shall be extended to serve the buildings to be constructed in the proposed subdivision or partition at the subdivider's expense.~~
  - ~~b.a.~~ In the event that larger lines are deemed necessary by the ~~Director of~~ Public Works Director for service to adjoining areas than what would normally be required to serve the entire area to be subdivided, the City and the Developer will enter into an agreement that specifies what, if any costs the City will reimburse the Developer for the oversizing. ~~will pay the additional costs of such larger lines.~~
3. WATER INSTALLATION. The applicant shall install the complete water system for such portion of the area as is being platted, including mains, hydrants, service stubs, and meter boxes. Such installation shall ~~be done to Standard Specifications~~ comply with the Public Works Standards and those imposed by any state or federal authority. Water mains shall be extended to the edge of the subdivision unless approved otherwise by the Public Works Director.

4. UNDERGROUND UTILITIES.

- a. The construction plans shall include written evidence that the applicant has made necessary arrangements with utility companies and other persons or corporations affected by the installation of underground utility lines and facilities. Easements for utility facilities shall be provided by the applicant as set forth on the approved preliminary plan. In the case of a partition, a utility easement document may be required for recording by the City.
- b. The applicant shall obtain all necessary permits for the placement of all underground utilities prior to the start of construction.

5. RADIUS AT STREET INTERSECTIONS.

- a. The property line radius at street intersections ~~where one or more of the streets creating the intersection shall meet the design requirements set forth in the Public Works Design Standards. has a designated right of way width of 80 feet or more shall be the square root of the interior angle at the intersection. The distance shall be increased to the next full foot above the figure established by such formula.~~
  - b. ~~The minimum angle of any intersection shall be 40 degrees.~~

6. STREET GRADES. ~~No S~~street grade shall meet the design requirements set forth in the Public Works Design Standards.~~be in excess of 8% unless the decision authority, in the review of the preliminary plan, has found that because of the size and shape of the property or topographic conditions a steeper grade is necessary~~

7. STREET TREES. The construction plans shall include a plan for street trees to be planted in the parking strip behind the curb line in accordance with the Public Works Design Standards Specifications.
- a. ~~Street trees shall be selected from a list of approved species maintained by the Public Works Director.;~~
  - b. ~~All trees shall have at least a 1½ inch caliper trunk measured at 4 feet above the ground.~~
  - c. ~~Trees shall be spaced 30 to 40 feet apart and shall be planted no closer than 35 feet from any intersection.~~
  - d. ~~The placement of street trees may be waived if the Public Works Director finds existing street trees exist or proposed trees will interfere with existing trees, landscaping, public or private utilities.~~

## EXHIBIT F

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

### 17.24.080 SUBDIVISION AND PARTITION FINAL PLATS

#### 1. FINAL PARTITION PLAT SUBMITTAL REQUIREMENTS

- a. Conformance to Preliminary Plan. The plat shall substantially conform to the preliminary plan as approved.
- b. Submittal Deadline. If a partitioning does not involve the construction of a street, the final plat shall be submitted no later than one year from the date of approval of the preliminary plan by the Planning Commission. ~~The~~ Otherwise, final plat shall be submitted following substantial completion of construction of the public improvements, but no later than two years from the date of approval of the construction plans. Failure to submit a final plat within two years of approval of the construction plans shall result in expiration of the approval of the partition.
- c. Preparation. All final plats for partitions shall be prepared by a professional land surveyor registered with the State of Oregon.
- d. Format. All plats shall be prepared in accordance with the Marion County Surveyor's Map Standards. ~~clearly and legibly drawn to a standard engineer's scale in a manner which may be microfilmed without loss of detail. The drafting material and lettering thereon shall have characteristics of adequate strength and permanency as well as suitability for copying and as specified by ORS 92.080 and the county surveyor. The overall size of plats shall be 22 inches by 34 inches.~~
  - 1) ~~Survey Requirements. Surveys for partitions shall:~~
  - 2) ~~Comply with ORS 209.250 as amended, and~~
  - 3) ~~Comply with the survey mapping standards set by the Marion County Surveyor.~~
  - 4) ~~Plat Information. Notwithstanding the requirements of subsection e. above, the partition plat shall contain or be accompanied by the following information:~~
  - 5) ~~The boundary lines with distance and bearings, the name and exact location and widths of existing or recorded streets intersecting the boundary of the tract.~~
  - 6) ~~The lengths of arc, radii, internal angles, lengths, and bearings of the tangents, and the length and bearings of chords.~~
  - 7) ~~The area of each parcel in square feet, or if a parcel is larger than one acre, to the nearest 1/100th acre.~~
  - 8) ~~The dimensions shown on the map shall be of such accuracy that the error of closure on any portion shall not exceed one foot in 10,000 feet. Copies of closure calculation sheets may be requested.~~
  - 9) ~~The location of the parcel by one-fourth Section and Township, Range.~~

- ~~10) Names and addresses of the applicant, owner, mortgagee, if any, the person preparing the map, and partition number.~~
- ~~11) A north arrow, graphic scale, and the date the plat was prepared.~~
- ~~12)e. All easements provided for public services, utilities, access, or any type must be shown on the face of the plat along with the recorder's number if filed for record. If the easement is not recorded, a copy of the executed easement document capable of being reproduced must be provided to the City.~~
- ~~13) Zoning classification.~~
- ~~14) Basis of bearing and the course of either a section corner, 1/16 corner or a donation land claim corner or a lot corner of a platted subdivision and the basis or source document, if not by survey, of the course to a corner.~~
- ~~15) A written legal description of all parcels contained in the land partition. An additional sheet of the same quality and size as required for the partition plat may be used.~~
- ~~16)f. A line for the approval signature of the City Administrator or his designee, and the date and any other lines which show approvals required by the City shall be placed on the plat.~~
- ~~2. Additional information made a condition of the preliminary plan.~~
- ~~3. A notarized document complying with state law for recordation showing water rights claimed or a disclaimer.~~
- ~~4. Information and data in addition to the above as may be required by ORS 92.090, as amended.~~

## ~~5.2.FINAL SUBDIVISION PLAT SUBMITTAL REQUIREMENTS~~

- a. Submittal Deadline. The final ~~map plat~~ shall be submitted ~~following substantial completion of construction of the public improvements but~~ no later than two years from the date of approval of the construction plans. Failure to submit a final plat within two years from the date of approval of the construction plans shall result in expiration of the approval of the subdivision. ~~If deemed necessary by the decision authority, a 6-month extension to the one-year period may be made by written request of the applicant, submitted to the City Planner prior to the expiration of the 1-year deadline from approval.~~
- b. Preparation. All plats shall be prepared by a licensed land surveyor registered with the State of Oregon.
- c. Format. All plats shall be prepared in accordance with the Marion County Surveyor's Maps Standards. ~~clearly and legibly drawn at a scale of one inch equals no more than 60 feet in a manner which may be microfilmed without loss of detail. The drafting material and lettering thereon shall have characteristics of adequate strength and permanency as well as suitability for copying and as specified by ORS 92.080 and the county surveyor. The overall size of plats shall be 22 inches by 34 inches.~~

- ~~d. Plat Information. Notwithstanding the requirements of subsection c above, the plat shall contain or be accompanied by the following information:~~
- ~~e. The affidavit of the surveyor who did the plat and survey work, certifying that plat complies with:~~
- ~~f. ORS 209.250, as amended, and~~
- ~~g. The survey mapping standards set by the Marion County Surveyor.~~
- ~~h. Date, north point, and graphic scale.~~
- ~~i. A sufficient legal description to define the location and boundaries of the plat area.~~
- ~~j. The lot lines for all lots within the plat area with dimensions in feet and hundredths of feet. When front lot lines are on a curve or arc, the front line distance shall be indicated on the final plat by bearing and chord distance.~~
- ~~k. The location and dimensions of all existing and proposed public or private roads and names as appropriate. This shall include any adjacent future streets and other street improvements designated in the City's Transportation System Plan. Also, adjacent driveways and other access features must be shown on both sides of the roadway in the site vicinity.~~
- ~~l. A description and location of all permanent reference monuments.~~
- ~~m. The width and location of all existing or proposed public utility easements.~~
- ~~n. A graphic designation of all areas being reserved for common use and the conditions being imposed thereon.~~
- ~~o. A designation of all areas covered by water and the location, width, and direction of flow of all watercourses.~~
- ~~p. The location of any wetlands, delineated in accordance with the requirements of the Oregon Department of State Lands.~~
- ~~q. A designation of any area being dedicated by the applicant, including its purpose, and an effective written dedication thereof.~~
- ~~r. A notarized document complying with state law for recordation showing water rights claimed or a disclaimer.~~
- ~~s. A designation of any special notice, requirement, or restriction required by the City as a condition of approval.~~
- ~~t. Information and data in addition to the above as may be required by ORS 92.050, as amended.~~
- d. In the event the applicant plans to utilize the provisions of ORS 92.060 as pertains to "Delayed Monumentation," the applicant shall notify the Marion County Surveyor and Planning Department and report said fact on the final plat.
- ~~u.e.~~ Accompanying Materials. The plat shall be accompanied by the following:
  - 1) An exact reproducible transparency which complies with the requirements of subsection 17.24.040.7.c.

- 2) A title report issued by a title insurance company verifying ownership of all property that is to be dedicated to the public.
- 3) ~~Computational sheets for all boundary lines and of all lot lines.~~ A subdivision guarantee report issued by a title insurance company in the name of the owner(s) of the land, showing all parties whose consent is necessary for the division and their interest in the premises and all encumbrances, covenants, and other restrictions pertaining to the subject property.
- 4) A copy of all documents relating to establishment and maintenance of private facilities including the final development plan as approved, concurrent with the conditions, covenants, and restrictions.
- 5) A copy of any documents relating to special notice, requirement, or restriction required by the City as a condition of approval.

**6.3. APPROVAL PROCEDURES AND CRITERIA FOR FINAL PARTITION PLATS AND SUBDIVISION PLATS.**

- a. Procedure. Approval of final partition plans shall be routine administrative actions.
- b. Approval Criteria. The City Planner shall recommend to the City Administrator that the final partition or subdivision plat be approved only if the following criteria are found to be satisfied:

1) The Public Works Director has determined the construction of the public improvements is substantial complete.

~~1)2)~~ 2) The final plat and any supporting documents are in substantial conformity with the approved preliminary plan. Changes from the approved preliminary plan may be approved when the City Planner finds that they are minor modifications.

~~2)3)~~ 3) Any conditions imposed by the decision authority have been satisfied and/or assured through bonding agreement(s).

~~e. If a proposed subdivision is not in a location where the City's Parks Master Plan has designated a new park, the applicant shall, with submission of the final plat, submit a certified check for a sum equal to 5% of the total assessed value of the land being platted, at the time of platting, as computed by the county assessor for the coming calendar year under the procedures set forth in ORS 92.095 as amended. Such payment shall be accompanied by a statement of assessed value from the office of the county assessor.~~

~~d.c.~~ Approval. Final partition and subdivision plats shall be considered approved when the administrator's signature and dates thereof have been written on the face of the plats and the plats have been recorded.

~~e.d.~~ Notice. Approval or denial of a final partition or subdivision plat shall be in writing to the applicant or the applicant's representative.

~~f.e.~~ Staff approval of a final partition or subdivision plat is the final decision of the City, and is not a land use decision or a limited land use decision as defined in ORS 197.015.

~~g.f.~~ ~~For subdivisions, financial~~ Financial performance guarantees shall be required for public improvements that have not been constructed by the applicant and inspected and approved by the City in accordance with Section 17.20.120.

~~h.g.~~ The final plat, along with any conditions, covenants and restrictions, and development plan shall be recorded within 30 days of final plat approval. Within 45 days of final plat approval, applicant shall submit to the City Planner a copy of the final plat with the recording number referenced on the final plat.

~~7.4.~~ PHASED DEVELOPMENT. An applicant may choose to phase the development of a subdivision by submittal of a final plat that contains only a portion of the approved preliminary plan. The final plat of the first phase must be submitted to the City Planner within 3 years of the date of preliminary plan approval, and must be accompanied by a drawing that shows all of the subsequent phases of development. A final plat for each subsequent phase must be filed within 2 years of the submission of the final plat for the previous phase. Failure to submit a final plat for a phase of the subdivision within 2 years of the submission of the final plat for the previous phase shall result in expiration of the preliminary approval for the unplatted portions. Prior to approval of the final plat of any phase, the applicant shall demonstrate to the City Planner that each phase of the subdivision would be substantially and functionally self-contained and self-sustaining with regard to access, utilities, open spaces, and similar physical features; and be capable of substantial occupancy, operation, and maintenance should the subsequent phases of the subdivision not be developed.

~~8.5.~~ COPIES OF RECORDED PLATS TO BE FURNISHED. The final plat shall be recorded pursuant to ORS 92.120. Within 15 days after the recording of a plat with Marion County, the applicant or his representative shall furnish the City 3 prints from the reproduction of the recorded plat.

~~9.6.~~ EXCEPTIONS TO SUBDIVISION REGULATIONS. If an applicant requests that any of the requirements set forth in these regulations be waived, the Planning Commission shall be the decision-authority ~~and the application shall follow the criteria and procedures set forth in Section 17.12.190.~~



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

**TO: Mayor Henry A. Porter and the Stayton City Council**  
**FROM: Lance S. Ludwick P.E., Director of Public Works**  
**DATE: March 19, 2018**  
**SUBJECT: Resolution No. 973, Community Garden Relocation**

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**ISSUE**

Shall the City relocate the Community Garden to land owned by Norpac Foods, Inc. (Norpac) located on N Evergreen Ave, south of the Salem Ditch?

**BACKGROUND INFORMATION:**

In November 2016 a proposal to construct a Dog Park in the downtown corridor was brought to the City Council for consideration. The proposal called for the construction of a Community Dog Park at the location of the Community Garden located at Fourth Avenue and Florence Street.

The 2016 proposal called for closing the Community Garden temporarily until another location for it could be found. The proposal was first brought to the Parks Board Advisory Committee and the Planning Commission for review and consideration. Both the Parks Board and the Planning Commission approved of the proposal and advanced the proposal to the City Council for consideration. The City Council voted 4-1 to conditionally close the Community Garden and construct a Community Dog Park in its place.

The conditions of this approval were as follows:

- 1). \$25,000 would be raised through community fundraising efforts which would be donated to the City and applied to the dog park construction fund.
- 2). The Parks Board would work to find another location for the Community Garden.

Condition 1 was met and the Community Dog Park constructed and the project was complete in August 2017.

In late 2016, Mayor Porter spoke to Randy Bentz of Norpac about the potential of using some Norpac property for a Community Garden. Norpac seemed interested in the partnership. In September of 2017 the Public Works Department contacted Mr. Bentz about the availability of

the Norpac property along N Evergreen Street that Clarence Adams had gardened in previous years. Norpac was interested in a partnership with the City. Norpac proposed a renewable lease that could be renewed every three (3) years for (\$1/yr.). A Temporary Public Use Easement was crafted and executed in February 2018; the easement document is enclosed as Exhibit A.

A Land Use Application for Site Plan Review was filed with the City of Stayton Planning Department on January 31<sup>st</sup>, 2018. Land Use File # 3-01/18 for Site Plan Review was brought before the Planning Commission on February 26<sup>th</sup>, 2018 for consideration. Three (3) proponents testified in favor of the proposal and with zero (0) opponents. The Planning Commission voted 5-0 in favor of the Proposal.

### **FISCAL IMPACT**

The fiscal impact to the City for this proposal is estimated to be \$ 6,200 for the installation of a water meter, the irrigation system, and the man-hours for City employees to construct the garden.

The cost of the water is estimated to be \$500 per year and it will be passed through to the renters of garden plots. An annual audit of the water consumption for the garden will set prices for the garden plots the following year.

### **OPTIONS**

The City Council is presented with the following options:

- 1. Approve Resolution No. 973, regarding the relocation of the Community Garden.**
- 2. Approve Resolution No. 973, with modifications as directed by Council.**
- 3. Take no action and instruct staff to find an alternative location for the Community Garden.**

**RESOLUTION NO. 973**

**A RESOLUTION APPROVING THE RELOCATION OF THE COMMUNITY GARDEN**

WHEREAS, the Community Garden located at 4<sup>th</sup> Avenue and Florence Street in Stayton Oregon was replaced by the Community Dog Park in 2017;

WHEREAS, as a condition of the replacing the Community Garden with the Community Dog Park staff was to find another location for the Community Garden;

WHEREAS, Norpac Food, Inc. (Norpac) has granted the City a renewable lease that can be renewed every (3) years to place the Community Garden on Norpac Property;

WHEREAS, a Temporary Public Use Easement was crafted and executed in February 2018 for the Community Garden to be placed on the Norpac property; and

WHEREAS, the Community Garden will be relocated to Norpac property locate on N. Evergreen Street, south of the Salem Ditch.

NOW THEREFORE, BE IT RESOLVED that

The City of Stayton will relocate the Community Garden to the Norpac property located on N. Evergreen Street, south of the Salem Ditch.

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

ADOPTED BY THE STAYTON CITY COUNCIL this 19<sup>th</sup> day of March, 2018.

CITY OF STAYTON

Date: \_\_\_\_\_, 2018

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

Date: \_\_\_\_\_, 2018

Attest: \_\_\_\_\_  
Keith D Campbell, City Administrator



**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  
Isaac Kort-Meade, FOTS Program Coordinator**  
**DATE: March 19, 2018**  
**SUBJECT: Proposed Resolution Supporting Friends of Old Town  
Stayton's Application for Participating Main Street Status**

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**ISSUE**

The issue before the City Council is consideration of a resolution supporting the application of the Friends of Old Town Stayton for status in the Oregon Main Street Program at the "Transforming Downtown" level.

**BACKGROUND INFORMATION**

When the Oregon Main Street program was reestablished in 2008, the program established four different levels of participation: Affiliate level, Exploring Downtown, Transforming Downtown, and Performing Downtown. At that time, the Planning Department submitted an application for the City of Stayton to become a member at the "Exploring Downtown" level.

In order to move from Exploring Downtown level to the Transforming Downtown level a community must maintain an independent nonprofit downtown organization, guarantee a dedicated local program representative who will serve as the local program coordinator with a minimum of 16 hours per week, and commit to learning and using the national Main Street Approach®.

With the establishment of the Friends of Old Town Stayton and the group now having a part-time program coordinator, the time is ripe for FOTS to assume the community's affiliation with the Main Street Program and move into the Transforming Downtown level.

The application to the state program requires a resolution of support from the local governing body.

**ANALYSIS**

Resolution 974 expresses support for downtown revitalization efforts and the FOTS application.

**RECOMMENDATION**

Staff recommends adoption of Resolution 974 as presented.

## **OPTIONS AND MOTIONS**

The City Council is presented with the following options.

**1. Approve Resolution 974**

Move to approve Resolution 974 as presented.

**2. Approve Resolution 974 with modifications**

Move to approve Resolution 974 with the following changes ...

**3. Return Resolution 974 to staff for modification.**

Move to direct staff to modify Resolution 974 to ... and present a revised resolution to the City Council at the April 2, 2018 meeting.

**4. Take no Action.**

No motion necessary.

**RESOLUTION NO. 974**

**A RESOLUTION COMMITTING SUPPORT FOR FRIENDS OF OLD TOWN STAYTON**

WHEREAS, Friends of Old Town Stayton (“FOTS”) is applying to the “Transforming Downtown” tier of the Oregon Main Street (“OMS”) Program;

WHEREAS, the Downtown Stayton Transportation and Revitalization Plan, adopted by the City Council in September 2007, establishes a vision statement: “A unified thriving downtown district serves as the community’s focal point with a mix of retail, professional offices, government, cultural, social and recreational opportunities, innovative housing and parks and supply of adequate parking”;

WHEREAS, FOTS has a mission statement of: “Building on Stayton’s rich history to foster a quality downtown core that is economically strong; accessible and safe for pedestrians and cyclists, with beautiful spaces for people to gather” and a vision statement of: “A downtown Stayton that is a thriving destination location due to its unique offerings and beautiful setting”;

WHEREAS, the City Council recognizes the mission and vision of FOTS is in accordance with the city’s vision for downtown development;

WHEREAS, the City Council recognizes that FOTS has hosted events, created promotions, supported amendments to the Municipal Code, and made design changes in the downtown area which have benefited businesses, brought residents and tourists downtown, and made steps in achieving the aforementioned mission and vision;

WHEREAS, the City Council recognizes that previous financial commitments to FOTS, including \$5,000 earmarked from the Planning budget for downtown improvements, and \$8,000 to support the hiring of a Resource Assistance to Rural Environments (“RARE”) participant, have allowed FOTS to achieve City goals and benefit the City government; and

WHEREAS, the City Council recognizes that moving into the “Transforming Downtown” tier of the OMS system will allow FOTS to increase its capacity and continue to improve downtown and work towards the previous stated goals.

NOW THEREFORE, BE IT RESOLVED that the City Council supports the efforts of FOTS to improve downtown Stayton.

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

ADOPTED BY THE STAYTON CITY COUNCIL this 19<sup>th</sup> day of March, 2018.

CITY OF STAYTON

Date: \_\_\_\_\_, 2018

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

Date: \_\_\_\_\_, 2018

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



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

**TO:** Mayor Henry Porter and the Stayton City Council  
**FROM:** Cindy Chauran, Associate Accountant  
Elizabeth Baldwin, Utility Billing Clerk  
**DATE:** March 19, 2018  
**SUBJECT:** Monthly Finance Department Report

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	February 2018	January 2018
Number of Bills Mailed	2,368	2,364
Number of Bills Emailed	325	322
Number of Bills on Auto-Pay	560	550
Delinquent Notices Sent Out	511	513
Courtesy Delinquent Notices Sent to Landlords	162	168
Notified of Impending Shut-Off & Penalty	144	119
Customers Issued Payment Extensions	30	24
Customers with Interrupted Services Non-Payment	24	17
Services Still Disconnected	0	0
Number of Checks Issued	144	329
Total Amount of Checks	\$210,817.39	\$266,376.71



CITY OF STAYTON  
MEMORANDUM

**TO:** Mayor Henry Porter and the Stayton City Council  
**FROM:** Rich Sebens, Chief of Police  
**DATE:** March 19, 2018  
**SUBJECT:** Staff Report

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

	February 2018	Year to Date 2018	February 2017	Year to Date 2017
<b>Police Activity</b>	<b>656</b>	<b>1401</b>	<b>856</b>	<b>1685</b>
<b>Investigated Incidents</b>	<b>172</b>	<b>358</b>	<b>256</b>	<b>601</b>
<b>Citations/Warning</b>	<b>29/126</b>	<b>129/280</b>	<b>110/262</b>	<b>205/449</b>
<b>Traffic Accidents</b>	<b>8</b>	<b>16</b>	<b>7</b>	<b>12</b>
<b>Juvenile Abuse</b>	<b>4</b>	<b>6</b>	<b>4</b>	<b>5</b>
<b>Arrests</b>	<b>40</b>	<b>77</b>	<b>38</b>	<b>72</b>
<b>Ordinance Complaints</b>	<b>19</b>	<b>69</b>	<b>31</b>	<b>68</b>
<b>Reserve Volunteer Hrs.</b>	<b>58</b>	<b>195</b>	<b>149.75</b>	<b>330.53</b>
<b>Citizen Volunteer Hrs.</b>	<b>0</b>	<b>0</b>	<b>33.57</b>	<b>56.57</b>
<b>Peer Court Referrals:</b>	<b>6</b>	<b>9</b>	<b>4</b>	<b>8</b>

# STAYTON POLICE DEPARTMENT CONSOLIDATED MONTHLY CATEGORIZED REPORT-NIBRS 2/1/2018 - 2/28/2018

PERSON	CRIMES				CRIMES CLEARED BY ARREST & EXCEPTION				PERCENT CLEARED				PERSONS ARRESTED			
	2/1/18 to 2/28/18	1/1/18 to 2/28/18	1/1/17 to 2/28/17	% Change Yr to Yr	2/1/18 to 2/28/18	1/1/18 to 2/28/18	1/1/17 to 2/28/17	2/1/18 to 2/28/18	1/1/18 to 2/28/18	1/1/17 to 2/28/17	2/1/18 to 2/28/18	Juv	Adult	Total	1/1/18 to 2/28/18	1/1/17 to 2/28/17
<b>NON-CRIMINAL</b>																
ACCIDENT-INJURY	0	3	1	200.0%	0	1	4	0.0%	100.0%	80.0%	0	0	0	0	3	3
ACCIDENT-PROPERTY	6	11	6	83.3%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	1	0
ALL OTHER NON-CRIMINAL	83	180	459	-60.8%	0	0	11	0.0%	0.0%	64.7%	0	0	0	0	21	21
NON CRIM DOMESTIC DISTURB	1	2	16	-87.5%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	0
<b>NON-CRIMINAL TOTALS</b>	<b>90</b>	<b>196</b>	<b>482</b>	<b>-59.3%</b>												
<b>PERSON</b>																
AGGRAVATED ASSAULT	0	1	5	-80.0%	0	1	4	0.0%	100.0%	80.0%	0	0	0	0	3	3
OFFENSE AGAINST FAMILY	2	2	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	0
OTHER ASSAULTS	1	5	17	-70.6%	0	0	11	0.0%	0.0%	64.7%	0	0	0	0	21	21
RAPE	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	0
RESTRAINING ORDER VIOLATION	0	0	2	-100.0%	0	0	1	0.0%	0.0%	50.0%	0	0	0	0	1	1
ROBBERY	0	0	1	-100.0%	0	0	1	0.0%	0.0%	100.0%	0	0	0	0	1	1
SEX OFFENSES	1	1	1	0.0%	0	0	0	0.0%	0.0%	0.0%	0	1	1	1	1	1
<b>PERSON TOTALS</b>	<b>4</b>	<b>9</b>	<b>26</b>	<b>-65.4%</b>	<b>0</b>	<b>1</b>	<b>17</b>	<b>0.0%</b>	<b>11.1%</b>	<b>65.4%</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>5</b>	<b>26</b>
<b>PROPERTY</b>																
ARSON	1	1	0	0.0%	1	1	0	100.0%	100.0%	0.0%	1	0	0	1	1	0
BURGLARY - BUSINESS	0	1	1	0.0%	0	0	1	0.0%	0.0%	100.0%	0	0	0	0	0	0
BURGLARY - OTHER STRUCTURE	0	0	1	-100.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	1
BURGLARY - RESIDENCE	2	4	4	0.0%	0	0	1	0.0%	0.0%	25.0%	0	0	0	0	0	1
COUNTERFEITING/FORGERY	0	4	0	0.0%	0	2	0	0.0%	50.0%	0.0%	0	0	1	1	5	4
FRAUD	7	12	5	140.0%	3	5	2	42.9%	41.7%	40.0%	0	1	1	1	3	2
LARCENY																
Shoplifting	2	8	8	0.0%	1	4	3	50.0%	50.0%	37.5%	1	0	0	1	3	4
Theft from a Motor Vehicle	5	17	6	183.3%	0	1	1	0.0%	5.9%	16.7%	0	0	0	0	0	1
Theft of Bicycle	1	3	2	50.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	0
Theft from Building	2	3	1	200.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	0
All Other Larceny	9	16	6	166.7%	3	3	3	33.3%	18.8%	50.0%	0	0	0	0	1	1
LARCENY	19	47	23	104.3%	4	8	7	21.1%	17.0%	30.4%	2	3	3	4	4	5
MOTOR VEHICLE THEFT	0	0	3	-100.0%	0	0	1	0.0%	0.0%	33.3%	0	0	0	0	0	11
STOLEN PROPERTY	0	0	1	-100.0%	0	0	1	0.0%	0.0%	100.0%	0	0	0	0	0	0
VANDALISM	9	22	17	29.4%	2	3	2	22.2%	13.6%	11.8%	2	0	0	2	1	1
<b>PROPERTY TOTALS</b>	<b>38</b>	<b>91</b>	<b>55</b>	<b>65.5%</b>	<b>10</b>	<b>19</b>	<b>15</b>	<b>26.3%</b>	<b>20.9%</b>	<b>27.3%</b>	<b>5</b>	<b>5</b>	<b>10</b>	<b>20</b>	<b>23</b>	

SOCIETY	CRIMES				CRIMES CLEARED BY ARREST & EXCEPTION	PERCENT CLEARED				PERSONS ARRESTED					
	2/1/18 to 2/28/18	1/1/18 to 2/28/18	1/1/17 to 2/28/17	% Change Yr to Yr		2/1/18 to 2/28/18	1/1/18 to 2/28/18	1/1/17 to 2/28/17	2/1/18 to 2/28/18	1/1/18 to 2/28/18	1/1/17 to 2/28/17	Juv	Adult	Total	
ALL OTHER	11	24	14	71.4%	1	3	3	9.1%	12.5%	21.4%	0	1	1	3	3
ANIMAL	0	0	1	-100.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0
CURFEW	1	2	1	100.0%	1	2	1	100.0%	100.0%	100.0%	1	0	1	2	1
CUSTODY-MENTAL	0	0	1	-100.0%	0	0	1	0.0%	0.0%	100.0%	0	0	0	0	1
CUSTODY-PROTECTIVE	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0
DISORDERLY CONDUCT	2	2	9	-77.8%	2	2	8	100.0%	100.0%	88.9%	1	2	3	3	13
DR WHILE SUSP	1	2	5	-60.0%	1	2	5	100.0%	100.0%	100.0%	0	1	1	2	6
DRIVING UNDER INFLUENCE	6	12	15	-20.0%	6	12	15	100.0%	100.0%	100.0%	0	6	6	12	17
ELUDING	0	0	2	-100.0%	0	0	1	0.0%	0.0%	50.0%	0	0	0	0	1
ESCAPE	0	0	1	-100.0%	0	0	1	0.0%	0.0%	100.0%	0	0	0	0	1
FAIL TO DISPLAY DL	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0
FUGITIVE	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0
HIT & RUN	2	7	8	-12.5%	0	0	0	0.0%	0.0%	0.0%	1	13	14	27	32
LIQUOR LAWS	1	2	1	100.0%	1	2	1	100.0%	100.0%	100.0%	1	0	1	2	1
MIP TOBACCO	2	3	0	0.0%	2	3	0	100.0%	100.0%	0.0%	3	0	3	5	0
NARCOTICS/DRUGS	2	9	7	28.6%	1	7	7	50.0%	77.8%	100.0%	0	1	1	8	7
RECKLESS DRIVING	0	2	6	-66.7%	0	2	5	0.0%	100.0%	83.3%	0	0	0	2	5
RUNAWAY	3	5	1	400.0%	2	4	1	66.7%	80.0%	100.0%	2	0	2	4	1
TRESPASS	3	5	10	-50.0%	1	2	1	33.3%	40.0%	10.0%	0	2	2	3	1
VEH RECOV - FOR OTHER AGENCY	1	1	3	-66.7%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0
WARRANT	13	26	23	13.0%	13	26	22	100.0%	100.0%	95.7%	0	0	0	0	1
WEAPONS	0	0	2	-100.0%	0	0	2	0.0%	0.0%	100.0%	0	0	0	0	2
<b>SOCIETY TOTALS</b>	<b>48</b>	<b>102</b>	<b>110</b>	<b>-7.3%</b>	<b>31</b>	<b>67</b>	<b>74</b>	<b>64.6%</b>	<b>65.7%</b>	<b>67.3%</b>	<b>9</b>	<b>26</b>	<b>35</b>	<b>73</b>	<b>93</b>
<b>GRAND TOTALS</b>	<b>180</b>	<b>398</b>	<b>673</b>	<b>-40.9%</b>											



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

**TO: Mayor Henry Porter and the Stayton City Council**  
**FROM: Lisa Meyer, Administrative Assistant**  
**DATE: March 19, 2018**  
**SUBJECT: Public Works Monthly Operating Report for February 2018**

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**KEY ACTIVITIES**                      **STATUS**

- **WWTP Facility**                      Effluent flows: 51.41 million gallons were treated during February. The highest flow was 2.42 million gallons on the 1<sup>st</sup> and the lowest flow was 1.36 million gallons on the 16<sup>th</sup>. The average flow was 1.84 million gallons. Total rainfall for February was 2.48 inches.
  
- **WTP**                                      Highest production day was 1,981,000 gallons on February 2, 2018.
  
- **Water System**                      Replaced 3 meters. Repaired a meter stop on Green Acres. Notified several users of high usage. Repaired a water service on Third Avenue.
  
- **Streets**                                 Swept 120 curb miles and collected 80 cubic yards of material. Replaced street signs on Fern Ridge, First Avenue and Ida Street to the new standards. Used 700 pounds of cold patch mix to fill potholes.
  
- **Parks**                                    Volunteers:  
     Community Service: Total # of Volunteers = 0, Total # of hours = 0  
     Parks Board: Total # of Volunteers = 5, Total # of hours = 5
  
- **Building Permits**

<u>Permit Type</u>	<u>Issued</u>	<u>SDC's Paid</u>
New Single Family Dwelling	0	\$0.00
Residential Addition/Alteration/Other	1	\$0.00
Commercial Building Addition/Alteration/Other	2	\$0.00
Residential Plumbing	1	\$0.00
<b>TOTAL</b>	<b>4</b>	<b>\$0.00</b>

*One (1) Residential SDC = \$11,288.00 + \$733.00 for Mill Creek SDC + Storm Water SDC \$1990.00 or \$2854.00*



**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: March 19, 2018**  
**SUBJECT: Report of Activities for February, 2018**

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Attended Traffic Safety Workshop

Prepared supplemental information for application for Community Development Block Grant  
Housing Rehabilitation Grant

Attended biennial conference of Oregon City Planning Directors Association

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

March 13, 2018

Dan Fleishman, Planning Director  
City of Stayton  
3962 N. Third Avenue  
Stayton, OR 97383

RE: Award for Community Development Block Grant, Stayton Housing Rehabilitation,  
Project # H17011

Dear Mr. Fleishman:

Congratulations on your successful application for the above-referenced project! You will be receiving a grant for \$400,000 from the Oregon Community Development Block Grant program. This program, administered by Business Oregon Infrastructure Finance Authority, provides grant funds to cities and counties to upgrade public infrastructure, develop community facilities and provide essential services to the workforce and your citizens.

Please note that the legal obligations for funding and for reimbursement of project expenses are subject to execution of a contract between your jurisdiction and the state acting by and through Oregon Business Development Department.

Contract documents will be sent to you shortly for your review and signature.

Funds cannot be obligated or spent for any activity until the environmental review process described in Chapter 3 of the Grant Management Handbook has been completed for each activity. Grant administration and engineering are exempt from environmental review and can be started as soon as your Certifying Officer completes a Finding of Exemption for those two activities.

We encourage you to expand public awareness of your project's purposes and benefits through events and the media. Please notify us of any event celebrating your project.

We look forward to working as a partner with you to complete this important project. If you need assistance, please contact me at 503-986-0104 or email: [Becky.Baxter@oregon.gov](mailto:Becky.Baxter@oregon.gov).

Sincerely,

*for*   
Becky Baxter, CDBG Program and Policy Coordinator  
Business Oregon

Enclosure: Grant Management Handbook

C: Renata Wakeley, Valley Development Initiatives



**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: March 19, 2018**  
**SUBJECT: February Library report**

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In February, the library held a Local Art Show. Local artists of all ages brought in art of all types and styles to be displayed. We started the two-week show with an opening reception. We had a wonderful turnout. Stephanie is planning on making it an annual event.

Adults made soy-based candles at our DIY program. Teens worked with paper circuits to make light up cards. The library has been hosting AARP Tax help every Saturday. They will be here to provide tax assistance through April 14th.

Julie, our Early Literacy Outreach Coordinator, completed her first full month of outreach. She did 33 storytimes in February and read to over 500 children. We could not do this amazing level of outreach without the support of the Stayton Library Foundation.

The Friends of the Library are preparing for the April Book Sale. It will be April 12-14 at the Community Center.

Upcoming events to mark on your calendars:

- AARP Tax Aide - Saturdays 10:00am-2:00pm
- Children & Teens: Makey Makey & Squishy Circuits – March 22 at 4:00pm
- Speaker: LaRee Johnson – March 22 at 7:00pm
- Teens: Duct Tape Crafts – March 29 at 4:00pm
- Friends of the Library Book Sale – April 12-14
- Local Author Fair – May 5

2017-2018 Monthly Library Statistics														
	July	August	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	2017-18 YTD	2016-17 YTD
<b>TOTAL CHECKOUTS</b>	12,761	12,616	11,204	11,545	11,029	10,705	11,983	10,829					<b>92,672</b>	<b>126,579</b>
<b>OTHER CIRCULATION SERVICES</b>														
Self check out	4,086	4,177	3,703	3,688	3,427	3,472	3,994	3,459					<b>30,006</b>	<b>39,895</b>
Library2Go (ebooks +)	910	972	947	970	1022	1,069	1,163	1,026					<b>8,079</b>	<b>9,917</b>
<b>INCOME RECEIVED</b>														
Non-resident cards	\$89.50	\$130.00	\$177.00	\$175.00	\$142.00	\$105.00	\$332.00	\$185.00					<b>\$1,335.50</b>	<b>\$2,180.20</b>
Fines: overdue & lost books	\$1,121.79	\$1,917.07	\$1,235.71	\$600.29	\$875.99	\$755.19	\$1,606.61	\$522.74					<b>\$8,635.39</b>	<b>\$10,821.37</b>
Room fees	-\$31.25	\$25.00	\$115.00	\$90.00	\$197.00	\$60.00	\$420.00	\$0.00					<b>\$875.75</b>	<b>\$1,332.00</b>
												<b>TOTAL</b>	<b>\$10,846.64</b>	<b>\$14,333.57</b>
<b>REFERENCE QUESTIONS</b>														
In-Person, by phone and computer help	584	364	352	356	360	404	508	496					<b>3,424</b>	<b>6,035</b>
<b>NEW PATRON CARDS</b>														
	65	89	58	48	43	57	84	68					<b>512</b>	<b>796</b>
<b>INTERNET USE</b>														
	938	1,122	1,066	1,116	880	907	957	824					<b>7,810</b>	<b>11,398</b>
<b>PROGRAM ATTENDANCE</b>														
Children & adults at Children's Programs	761	58	427	414	469	439	754	441					<b>3,763</b>	<b>7,229</b>
Teens	17	20	32	35	30	34	13	7					<b>188</b>	<b>150</b>
Adults	57	31	43	47	28	34	155	246					<b>641</b>	<b>764</b>
Outreach	0	0	0	0	0	0	166	558					<b>724</b>	<b>4,054</b>
												<b>TOTAL</b>	<b>5,316</b>	<b>12,197</b>
<b>MEETING ROOM ATTENDANCE</b>														
	33	54	91	158	155	110	166	104					<b>871</b>	<b>1,621</b>
<b>PATRON VISITS</b>														
	7,645	7,690	6,285	6,585	5,480	5,567	8,280	6,559					<b>54,091</b>	<b>79,782</b>
<b>VOLUNTEER HOURS</b>														
	254	210	170	211	200	187	219	169					<b>1,619</b>	<b>2,392</b>