

Dan Fleishman

From: John Ashley, P.E. <jashley@ashleyengr.com>
Sent: Friday, July 15, 2022 1:17 PM
To: Dan Fleishman; Lance Ludwick
Subject: RE: Request for Comments on Annexation and Comprehensive Plan Amendment Applications

Dan/Lance,

I think the main concern for public works would be primarily with regards to the existing structures, and when connection to public utilities will be required and what will be required when development occurs.

As such, does it make sense to include the need for a Development Deferral Agreement that specifies that frontage improvements and connection to public utilities are deferred until such time as each parcel is developed (e.g. Site Development Permit or Building Permit, as deemed appropriate by the Public Works Director), and that the individual responsible for development of the parcel shall be responsible for improving the street frontages and connecting to public utilities (including any offsite public utility improvements needed to serve the development) in accordance with the PWDS, SMC, and Marion County Public Works Standards in effect at the time of development, or earlier for the connection to public utilities if required by SMC 13.16 and SMC 13.24. There may need to also be something in the Agreement with regards to the existing sewer, water, and stormwater systems, and that the property owner is to maintain compliance with OHA-DWS, DEQ, and Marion County permits/requirements for those existing systems. The final executed Development Deferral Agreement will need to be recorded with Marion County Oregon Deed Records by the Developer (or concurrently if there is to be a recording of a final plat).

For sewer, it is my understanding that per SMC 13.24.770, a connection to a public sewer is required when ". a public sewer is available to or on the property and/or at a property line of said property and the structures or buildings are within one hundred meters [328 feet] of the public sewer.", unless an exception to the use of public sewers is granted to the property owner in accordance with SMC 13.24.780. Any modifications to the existing sanitary sewer system will need to comply with DEQ and Public Works Standards and meet the requirements of the Building Official at the time the sewer system improvement is made. Also, at the time the sewer system improvement is made, any existing septic tank systems on the property will need to be located and pumped out, and either abandoned, filled and capped, or removed, in accordance with Oregon DEQ and Marion County Sanitarian requirements.

For water, I did not find in SMC 13.16 where it gives a distance as to when a water connection will be required, unless you know of one. However it does say that in accordance with SMC 13.16.390, ".each single-family dwelling, each dwelling unit in a two-family dwelling, each dwelling unit in a three-family dwelling, and each non-residential establishment shall have a separate water service line and water meter, provided that if special circumstances of construction render metering of such individual service impractical the Public Works Director may waive such requirements." As such, a separate water service and water meter will need to be provided for each dwelling and non-residential establishment in accordance with SMC 13.16.390 at the time of development. Any modifications to the existing water system will need to comply with OHA-DWS and Public Works Standards, and meet the requirements of the Building Official at the time the water system improvement is made. Also, at the time the water system improvement is made, any existing water wells on the property will need to be located and abandoned per Oregon Water Resources Department and OHA-DWS requirements. Prior to well abandonment, it is recommended that the City work with the Developer to complete the necessary documentation for the City to assume any existing water rights associated with the well(s), and have them transferred to the City where applicable and allowed by the Oregon Water Resources Department.

For stormwater, they will need to comply with Public Works Standards and make any necessary stormwater system improvements at the time of development.

Your thoughts/comments???

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-----Original Message-----

From: Dan Fleishman [mailto:dfleishman@staytonoregon.gov]

Sent: Monday, June 27, 2022 4:26 PM

To: Adam Maurer; Andy Gardner; Brandon Reich; Brent Stevenson (brents.swcd@wvi.com); brian.kelley@nwnatural.com; Caleb Cox; Cooper.Whitman@pacificorp.com; Darrell Hammond (d5h@nwnatural.com); David Frisendahl; Erik Hoefler; Jack Carriger (Jack.Carriger@staytonfire.org); Janelle Shanahan; Jay Alley; John Ashley, P.E.; John Eckis; John Rasmussen (jasmussen@co.marion.or.us); Kent Inman; Kristi Wheeler; Lance Ludwick; Marion Co Planning Div; Max Hepburn; MCPW Engineering; Michael Schmidt; Nicole Willis; Phil Jones; Robert Lee; Salem Development Services; Susan Wright; Troy Wheeler; WAVE Construction Team (oregonconstruction@wavebroadband.com)

Subject: Request for Comments on Annexation and Comprehensive Plan Amendment Applications

The City of Stayton has received an application for annexation of approximately 11 acres of property on Golf Club Rd, Marion Co Assessor's Map/Lot 091W04C00700, 00800, 00900, and 01000. The properties are addressed as 9694 and 9704 Golf Club Rd. The property is a mix of commercial and industrial uses and two single family dwellings. No additional development activity is anticipated at this time.

The property, though outside of the City Limits, is designated as Residential by the Comprehensive Plan Map. The property was developed in the 1970s as the shops and yard for the Emery & Sons construction company. Since Emery & Sons moved out a number of years ago there has been a variety of commercial and industrial uses on the property. The owner is requesting the Comprehensive Plan designation be amended from Residential to Industrial.

The application materials include an application forms, the applicant's narrative, and transportation planning rule analysis.

The public hearing will be held on July 25. Responses are needed by July 15, please.

Thank you for your assistance.

Dan Fleishman
Planning and Development Director
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I am working from home several days a week. On Tuesdays and Thursday, you will generally be able to reach me at 541-207-2558.