

## BEFORE THE STAYTON PLANNING COMMISSION

In the matter of  
the application of  
KSD Properties, LLC

)  
) Annexation  
) File # 5-02/24  
)

### ORDER OF RECOMMENDATION

#### I. NATURE OF APPLICATION

The applicant has submitted an application for annexation of a 21-acre parcel of land fronting Golf Lane (tax lot 091W03B001500) has been submitted, proposing a zoning designation of Medium Density (MD) Residential and including a concept plan for a 74-lot subdivision into city limits.

#### II. PUBLIC HEARING

A public hearing was held on the application before the Stayton Planning Commission on November 24, 2025. At that hearing the Planning Commission reviewed Land Use File #10-08/25 application for annexation was made part of the record.

#### III. FINDINGS OF FACT

##### A. EXISTING CONDITIONS

1. The owners of the property and the applicants are KSD Properties, LLC.
2. The parcel can be described as: taxlot 091W03B001500.
3. The property is currently outside of the City Limits and zoned Marion County Urban Transition (UT-20).
4. The property is approximately 21-acres with frontage on Golf Lane and is currently vacant.
5. The property to the north was annexed into the City in 2019, is zoned Commercial General (CG) and is also owned by KSD Properties, LLC. To the east, Golf Lane, has also been annexed into the City. The property to the south has not been annexed, remains under Marion County jurisdiction, and is zoned Urban Transition (UT-20). The property to the west is within the City limits, is owned by the Stayton Middle School, and is zoned Public/Semi-Public (P).

##### B. PROPOSAL

The proposal is to annex a 21-acre parcel of land fronting Golf Lane (tax lot 091W03B001500) into the city. The applicant has proposed that Medium Density (MD) Residential zoning be applied at the time of annexation.

### C. AGENCY COMMENTS

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

Stayton Public Works provided a memorandum dated November 13, 2025, authored by the City's consultant engineer. In addition, the City's transportation engineering consultant submitted comments in an email of the same date. These comments are incorporated into the findings below.

Stayton Fire District stated that they had no comment. Marion County Public Works stated that they did not have any comment at this time, but they will at time of development. No other review comments were received.

### D. PUBLIC COMMENTS

The Community and Economic Development Department notified all owners of property within 300 feet of the subject property and has received one public comment on these applications prior to the public hearing. Carlos Gonzales of 12173 Golf Lane has submitted concerns about the potential development of the property.

### E. ANALYSIS

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

### F. REVIEW CRITERIA

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

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

**Finding:** The 2013 Stayton Comprehensive Plan update included a Buildable Lands Inventory (BLI). The 2013 BLI provides the following information on projected growth and need for additional land in the community. At that time, there were 106 acres of vacant buildable land inside the City limits in the Low, Medium, and High Density Residential Zones (p. 88 Stayton Comprehensive Plan). The projected population for the City in 2030 (at a medium growth rate of 1.7%) was 11,359 people (p. 12), requiring an additional 1,281 dwellings (p. 71). To meet that need, the City Comprehensive Plan indicates the expected need of additional 320 acres of residential to be annexed into the City (p. 89). Since the time that analysis was conducted, the City has annexed 60 acres of residential land.

The need for 1,281 additional units was broken up into 889 single-family detached dwellings, 193 duplexes, 174 multi-family units, and 25 mobile homes. It is projected that the percentage of homes are needed at the following: single-family detached

dwellings 65%, duplexes (or attached single-family homes) 13%, multi-family units 18%, and mobile homes 4%.

Since the BLI has been calculated, the following is a table of developments, year, type of housing unit, and number.

Project Name	Year	Type	Number
Phillips Estates, Phase 2	2014	single-family home	21
Phillips Estates, Phase 3	2025/26	single-family home	22 (concept plan)
Wildlife Meadows	2017	single-family home	42 (2 duplexes)
Hayden (Lambert Place)	2020	single-family home	51
Fern Ridge	2022	multi-family	72
Shaff Square	2023	multi-family	100

Based on these totals, Stayton's housing needs are as follows: 753 single-family homes, 191 duplex or attached single-family units, 2 multifamily units, and 25 mobile homes.

These projections are based on a higher anticipated growth rate than what has actually occurred, meaning the calculated housing needs may be somewhat overstated. From 2000 to 2024, Stayton's population increased from 6,816 to 8,176—a change of 1,360 people—reflecting an average annual growth rate of approximately 0.76%. The Marion County Coordinated Growth projection of 1.6% average annual growth rate was used in the projected needs.

The annexation request includes a proposed Medium Density (MD) Residential zoning designation with a concept plan for 74 single-family homes. The MD zone, however, also permits duplexes and triplexes. If the 74 lots were developed to the full range of allowed housing types, the site could theoretically accommodate up to 128 duplex units and 30 triplex units. Triplexes are permitted only on lots of at least 10,500 square feet, and 10 of the proposed lots meet this size. Developing up to 30 multifamily units (triplexes) would exceed the number of multifamily units currently needed in the city.

Analysis: The City has a limited number of residential units needed based on the Buildable Lands Inventory (BLI), which assumes a growth rate higher than what has actually occurred. Under these projections, the number of multifamily units allowed in the MD zone would exceed the number needed in the City. If the property were annexed with a Low Density (LD) Residential zoning designation, it would be less likely to exceed the projected need for single-family homes identified in the BLI.

Condition: The annexation application should be approved with a Low Density (LD) Residential zoning designation to better meet the housing needs of the community.

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

Finding: There the site is capable of being served by adequate City public services. While the property is not currently connected to City utilities, the City's adopted

master plans (Transportation, Water, Stormwater, and Wastewater) provide clear pathways for extending services. At the time of development, the applicant will be required to construct or extend infrastructure to meet all applicable standards, ensuring the property can be fully and adequately served.

#### Streets

The site is capable of being served by adequate transportation facilities once required improvements are constructed at the time of development. Golf Lane, which forms the eastern boundary of the property, is designated as a future City Collector and will need to be improved to Collector standards, including curbs, sidewalks, street trees, street lighting, and adequate pavement width. Internal Local streets will also need to be constructed within the property as shown on the conceptual plan. Although the nearest City intersections are approximately 1,000 to 1,500 feet away, the Transportation System Plan identifies future projects—such as the realignment of Golf Lane and its eventual extension west—that will improve connectivity. Emergency vehicle access will need to comply with the Stayton Municipal Code, Public Works Design Standards, and Fire District requirements.

There is a 2003 City–County Memorandum of Understanding for the Sublimity Interchange Area Management Plan allows Golf Lane to remain in its current location as long as vehicle queues from the Whitney Street signal do not interfere with turning movements on Golf Lane and County safety and operational standards are met. The applicant submitted a Traffic Impact Analysis (TIA) that takes into a previous submission of 92 single-family homes. A TIA will be need to be actuate to determine if realignment of Golf Lane is necessary.

#### Stormwater Drainage

The site can be served by the City’s storm drainage system once infrastructure is extended and required stormwater facilities are constructed. The property is not currently served by City storm drainage, with the nearest storm system approximately 1,500 feet southeast at Whitney Street and Cascade Highway SE. Existing shallow ditches along Golf Lane do not connect to an approved discharge point. At development, a complete stormwater management system—including flow control, water-quality treatment, and conveyance—will be required in accordance with the Stormwater Master Plan and Public Works Design Standards. Stormwater from this property ultimately drains to Mill Creek, and nearby existing detention and wetland features will remain protected under the Master Plan.

#### Water

Water service can be provided to the site through future extensions of City water infrastructure identified in the Water Master Plan. No City water system currently exists near the property, and the nearest 12-inch water main, located approximately 1,500 feet to the southeast, is part of the Upper Pressure Zone and cannot serve this area. The property lies within the Mill Creek Upper Pressure Service Area, where necessary infrastructure has not yet been built. The Water Master Plan includes a future Mill Creek Booster Station near the intersection of Golf Lane and Cascade Highway SE and a 12-inch distribution main to be extended through Golf Lane. At

the time of development, the property will be required to extend the water system and meet all emergency water supply and fire flow requirements.

#### Sanitary Sewer

Sanitary sewer service can be extended to the property as part of future development. The site is located within the Mill Creek Pump Station Basin, and the nearest sanitary sewer mains are a 12-inch main located approximately 1,800 feet southeast at Martin Drive and Cascade Highway SE, and another 12-inch main located about 2,300 feet northwest in Golf Lane. The property is not currently served by City sewer infrastructure, and connection to either main will require engineering analysis demonstrating adequate capacity for additional flows. The Wastewater Facilities Planning Study does not identify significant system deficiencies in the vicinity that would affect the ability to serve the site.

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

Finding: The property is adjacent to the City limits to the north, east and to the west.

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

Finding: The property to the north is zoned Commercial General (CG) and is not yet developed. To the east, Golf Lane has been annexed into the City, though the property across the road is owned by the Oregon Department of Transportation. The property to the south contains large-lot single-family homes and remains under Marion County jurisdiction. To the west, the Stayton Middle School campus includes a forested area used for cross-country races.

The proposed annexation is compatible with the surrounding area and aligns with the City's adopted urban growth policies. The property lies within the Stayton Urban Growth Boundary and is designated Residential in the Comprehensive Plan. Applying the Medium Density Residential (MD) zone upon annexation matches that designation and maintains consistency with the planned future character of the area. The annexation also supports orderly, contiguous growth and allows development to occur in coordination with City policies. Accordingly, the proposed annexation and MD zoning are compatible with the Comprehensive Plan and the City's long-range land use program.

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

Finding: The criteria of ORS 222 apply to the adoption of an annexation ordinance which is a City Council action. The property owners have consented to the annexation. The property is contiguous to the existing city limits and is located entirely within the City of Stayton's Urban Growth Boundary. The acknowledged Stayton Comprehensive Plan designates this area as Residential.

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

Finding: The proposed annexation is not a contract annexation.

#### **IV. CONCLUSION**

Based on the facts above, the Planning Commission concludes that the application meets the requirements for Sections 17.12.210.4 Annexation Approval Criteria, except for the following:

1. 17.20.210.4a. This section requires that the need exists in the community for the land proposed to be annexed.
2. 17.20.210.4.b. This section requires the site is capable of being serviced by adequate city public services.

#### **V. RECOMMENDATION**

Based on the Findings and Conclusions above, the Planning Commission recommends approval of the application for annexation to the City Council and amendment of the Official Zoning Map to designate the property as Low Density (LD) Residential with the following conditions:

1. The applicant shall submit an updated Traffic Impact Analysis (TIA) that reflects the correct number of conceptual housing units, includes accurate traffic counts and calculations, and demonstrates—subject to approval by the City’s traffic engineer—that realignment of Golf Lane is not required under the City and County’s May 2003 Memorandum of Understanding.

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Larry McKinley, Chairperson

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Date

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Jennifer Siciliano,  
Community and Economic Development Director

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Date