

City of Stayton

MEMORANDUM

TO: Chairperson Larry McKinley and Planning Commission Members
FROM: Jennifer Siciliano, Director of Community and Economic Development
DATE: November 24, 2025
SUBJECT: Site Plan Review – 155 N Second Avenue (Enclosed Porch Addition)
120 DAYS ENDS: March 6, 2026.

ISSUE

The issue before the Planning Commission is a Public Hearing on an application for a Site Plan Review for the enclosure of porch areas at 155 N Second Avenue on an approximately 7,841-square-foot property in the Downtown Commercial Mixed Use (DCMU) zone.



Figure 1 Marion Co. Assessor's Office



Figure 2 Picture taken Nov. 14, 2025, by Planner.

City of Stayton

In an email dated November 13, 2025, the applicant requested that the Public Hearing be continued to December 29, 2025, the next scheduled Planning Commission meeting.

BACKGROUND

On March 5, 2025, during routine field observation, City Planning staff identified unpermitted construction activity at 155 N Second Avenue, specifically the enclosure of existing porch areas on the mixed-use building located on the approximately 7,841-square-foot property. Because no building permit had been issued, the scope, structural implications, and compliance of the work could not be verified. Marion County Building Inspection was contacted and conducted a site visit. The County determined that a building permit could not be reviewed or issued until the property obtained land use approval.

At the time of the observation, the porches had already been enclosed, adding approximately 326 square feet to the original 960-square-foot structure. The building—containing both a thrift store and a residential unit—is located in the Downtown Commercial Mixed Use (DCMU) zone and is subject to the Downtown Development Design Standards under SMC 17.20.220. Because the enclosure increased the building area, it triggered the need for Site Plan Review under SMC 17.12.220.

Following notification from the City, the applicant submitted a Site Plan Review application to request land use approval for the enclosed porch areas and to bring the structure into compliance with applicable zoning and design standards. Upon review, staff determined that while several approval criteria are satisfied, others—including landscaping, exterior finish materials, and streetscape treatment—were not met. Staff has identified options and conditions that could bring the development into compliance; however, it is within the Planning Commission’s discretion to determine whether to require corrective improvements or approve the enclosure as constructed.

ANALYSIS

This report and the draft order present the Planning Staff’s summary and analysis concerning this application. It was developed with the input of other City departments and agencies. Due to the minimal scope of the project, the Stayton Public Works Department has chosen not to submit comments on this application.

Attached is an application and plans for Site Plan Review from Bob Thatcher for JoAnne Drake, owner of The Treasure Hunt Thrift Store. The application consists of an overview, elevations and floor plans, and an application form with permission from the owner of the property, Byron Hatch. The complete application submission has been posted on the City’s website.

The attached draft order provides findings and analysis of each approval criterion for Site Plan Review. The Draft Order of Approval concludes that the application meets all criteria except the following: 17.20.220.3.a (Building placement/streetscape treatment), 17.20.220.3.g (Exterior finish materials), and 17.20.090.8 (Landscaping plant material requirements). Staff have provided conditions under which these deficiencies could be corrected.

RECOMMENDATION

Staff recommends continuing the Public Hearing as requested by the applicant—option one.

Following the continuation, staff recommends approving the draft order as presented. Staff recommends approval of the application subject to the conditions contained in the Draft Order, as

City of Stayton

these conditions provide a clear and feasible path for the applicant to bring the development into compliance within defined timelines.

OPTIONS AND SUGGESTED MOTIONS

Staff has provided the Planning Commission with a number of options, each with an appropriate motion. The Planning Department recommends the first option to continue the hearing as the applicant requested.

1. Continue the hearing until December 29, 2025.

I move the Stayton Planning Commission continue the public hearing on the application for Site Plan Review for JoAnne Drake for 155 N Second Avenue, (Land Use File #6-05/25) until December 29, 2025.

2. Approve the application, adopting the draft order as presented.

I move the Stayton Planning Commission approve the application for Site Plan Review for JoAnne Drake for 155 N Second Avenue, (Land Use File #6-05/25) and adopt the draft order presented by Staff.

3. Approve the application, adopting modifications to the draft order.

I move the Stayton Planning Commission approve the application for Site Plan Review for JoAnne Drake for 155 N Second Avenue, (Land Use File #6-05/25) and adopt the draft order with the following changes...

4. Deny the application, directing staff to modify the draft order.

I move the Stayton Planning Commission deny the application for Site Plan Review for JoAnne Drake for 155 N Second Avenue, (Land Use File #6-05/25) and direct staff to modify the draft order to reflect the Planning Commission's discussion and bring a revised draft order for Planning Commission approval at the December 29, 2025, meeting.

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

I move the Stayton Planning Commission close the hearing on the application for Site Plan Review for JoAnne Drake for 155 N Second Avenue, (Land Use File #6-05/25) but maintain the record open to submissions by the applicant until December 1, allowing 7 days for review and rebuttal and then an additional 7 days for the applicant to reply, with final closure of the record on December 29, 2025.

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

I move the Stayton Planning Commission continue the deliberation on the application for Site Plan Review for JoAnne Drake for 155 N Second Avenue, (Land Use File #6-05/25) until December 29, 2025.

Site Plan Review

Submitted to

City of Stayton
Planning & development Dept.

311 N. 3rd Ave

Stayton, Or 97383

Jennifer Siciliano, Community Development Director

Applicants

Property Owner

The treasure hunt thrift store

155 N. 2nd Ave

Stayton, OR 97383

JoAnne Drake & Byron Hatch

503-999-1899 503-949-4585

Site Location

155 N. 2nd Ave

Stayton, OR 97383

Existing land use

Thrift Store & Residence

Zone designation

DCMU zone

Commercial / Residential

Comprehensive Plan Designation

Commercial

Surrounding Uses

North Commercial / Residential (in ~~beadery~~ remodeling)

South ~~Beadery~~ Commercial (Auto Body)

East Parking Lot

West Parking Lot

Executive Summary

The Treasure hunt Thrift Store request for the permission to enclose the front Porch for the use of additional retail space.

Also the enclosure of the Back Loading dock for the additional ~~bedroom~~ Living space.

Existing Conditions & Proposal

The Front Porch was used for the business and the items were not being seen to there potential.

The back Loading dock was needed for an additional bedroom.

Both the front Porch and back Loading dock were sited by the city for items being stored on the two area's and with them enclosed there is no longer this problem.

Questions

1. A. The enclosed 2 area's are under the existing roof line
So there is no need of additional water, sewer, and storm drainage

B. None of these apply to these area's

There is no water to either area.

There is no sewer to either area

There is no storm sewer to either area

There is no Natural gas to either area

We only have Cell phone's to this property

We do not have TV in either area.

The electrical is run with existing out lights on the outside of the previous building.

C. No

2. There is no need for further traffic Needs.
3. There is no need for Street improvements. added.
4. There is no need for Parking & Loading Area's Added.
5. There is no open Storage or outdoor Storage area's connected to either area.
6. This will help with the overall site of the property allowing merchandise & washing machine & dryer to be inside the building.
7. This is a commercial property and the building is built with the same type of siding and spacing as is already on the existing building and with a new paint job there is not really any difference with the building.
8. This is the smallest building with any others around us. So I would think that this makes us more in line with the size of the other properties.
9. The front porch has added to enable us to extend room to expand the display of merchandise.
10. This construction has not prevented the or taken out any Landscaping that was not already on the property. We have added to the existing Landscape with tree's & potted plants.
11. We do not have walls, Fences or hedges that prevent a direct line of site to the building.
12. The only added maintenance is painting & possible replacement of wood or glass in window's.

17.20.220

Downtown Development Design Standards

3-A.

- 1) We have a shrub in front of the building, also we are growing bulbs and berry bushes for the rest of the area.

Ground cover is growing back as we speak with the flattening of the uneven ground around the property.

- 2) There is no added walkway's need for the enclosed two area's.

2-B.

Between the building and the street we have 2 bushes, 2 trees and 1 planter.

3-B. We are not on a corner lot.

1. The roof has no been changed to add either of the two area's



CITY OF STAYTON REQUEST FOR A PRE-APPLICATION MEETING

APPLICANT: JoAnne Drake
Address: 155 N. 2nd Ave
City/State/Zip: Stayton, Oregon 97383
Phone: (503) 999 - 1899 Email: Jrobin0311@aol.com

PROPERTY OWNER: Byron Hatch

CONSULTANTS: Please list below planning and engineering consultants.

PLANNING

Name: _____
Address: _____
City/State/Zip: _____
Phone: (____) _____ - _____
Email: _____

ENGINEERING

Name: _____
Address: _____
City/State/Zip: _____
Phone: (____) _____ - _____
Email: _____

LOCATION: Identify the location of the property (street address or, if not addressed, the Marion County Assessor's tax lot number, and the closest intersecting streets):

Street Address: 155 N. 2nd Ave
Assessor's Tax Lot Number: 091W10DC11000
Closest Intersecting Streets: N Second Ave / E Florence St

EXISTING ZONE: _____

EXISTING COMPREHENSIVE PLAN DESIGNATION: _____

NAME OF PROPOSED DEVELOPMENT: Enclose Existing Porch and build new Awning

TYPE OF APPLICATION ENVISIONED: ☐ ANNEXATION ☐ CONDITIONAL USE ☐ PARTITION

☒ SITE PLAN REVIEW ☐ SUBDIVISION ☐ MASTER PLANNED DEVELOPMENT

The applicant should provide a map(s) that allow staff to understand the general aspects of the proposed development. Maps do not need to be to professionally prepared, but it is recommended they be drawn to scale. Maps should show:

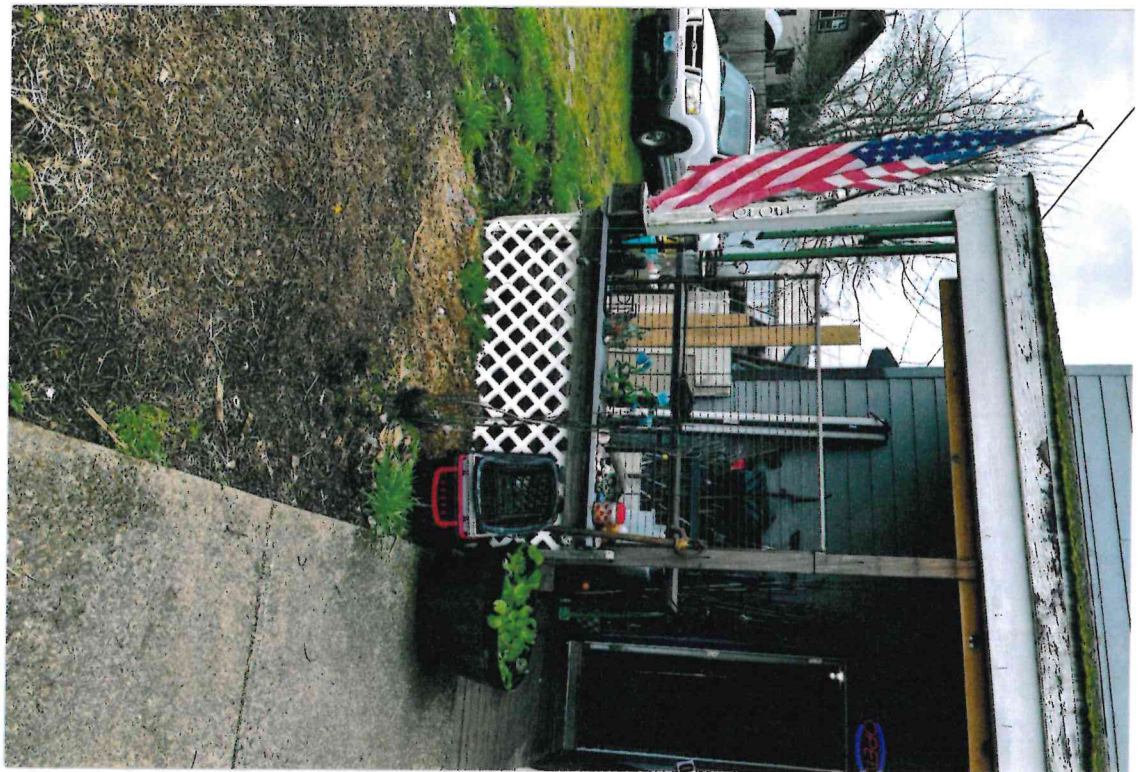
- 1) The approximate topography
- 2) Approximate location of any existing buildings or proposed buildings.
- 3) The approximate location of all proposed driveways, sidewalks and parking facilities.
- 4) The approximate location of all proposed landscaping.
- 5) Approximate location of any proposed land divisions.

Please provide a brief narrative statement detailing the proposed uses for the site.

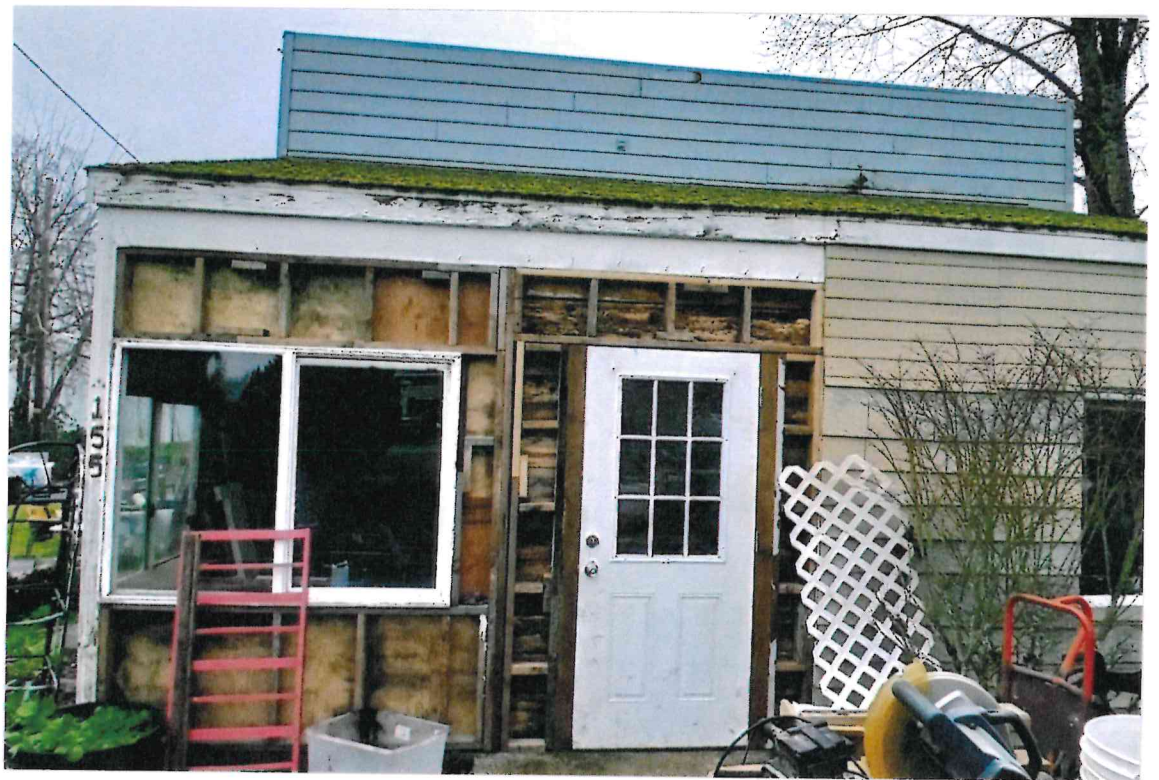
To expand the usable space for my business and get more merchandise out to the public for sale.

Pre-application meetings are held on Thursday afternoons. Once the City Planner has determined adequate information has been submitted and the \$500 pre-application fee has been paid, a pre-application meeting will be scheduled within 2-3 weeks.

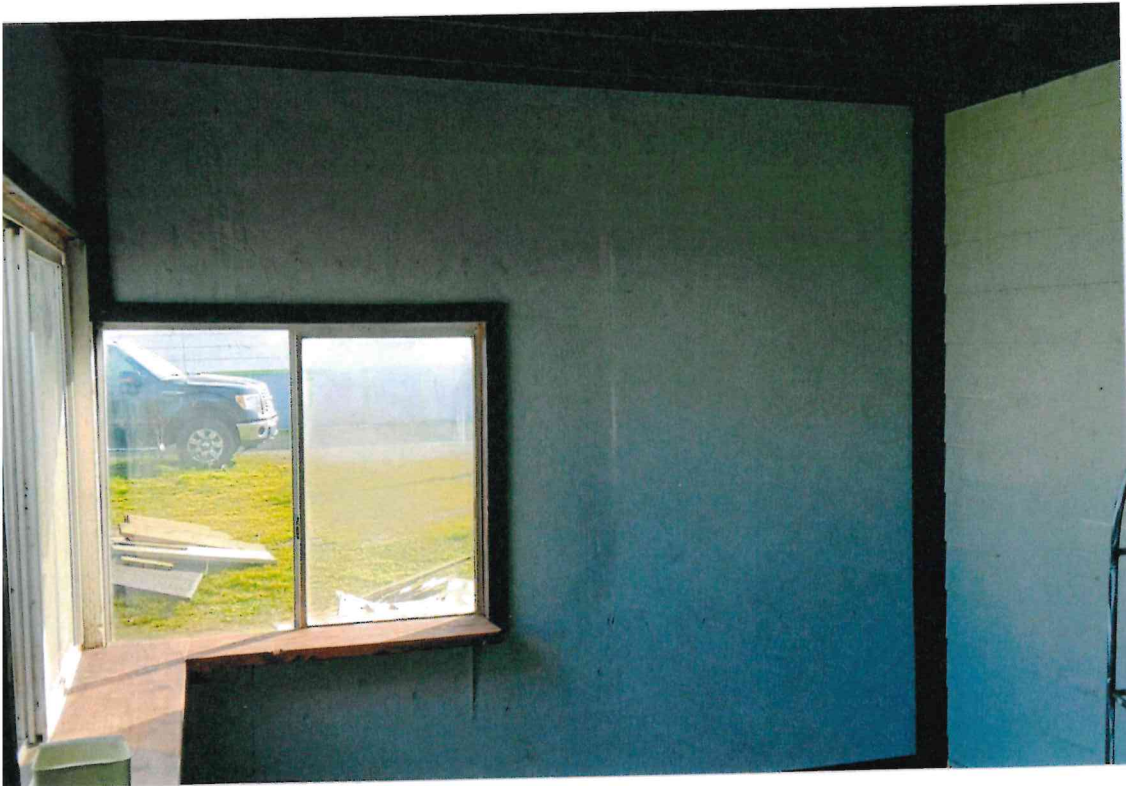
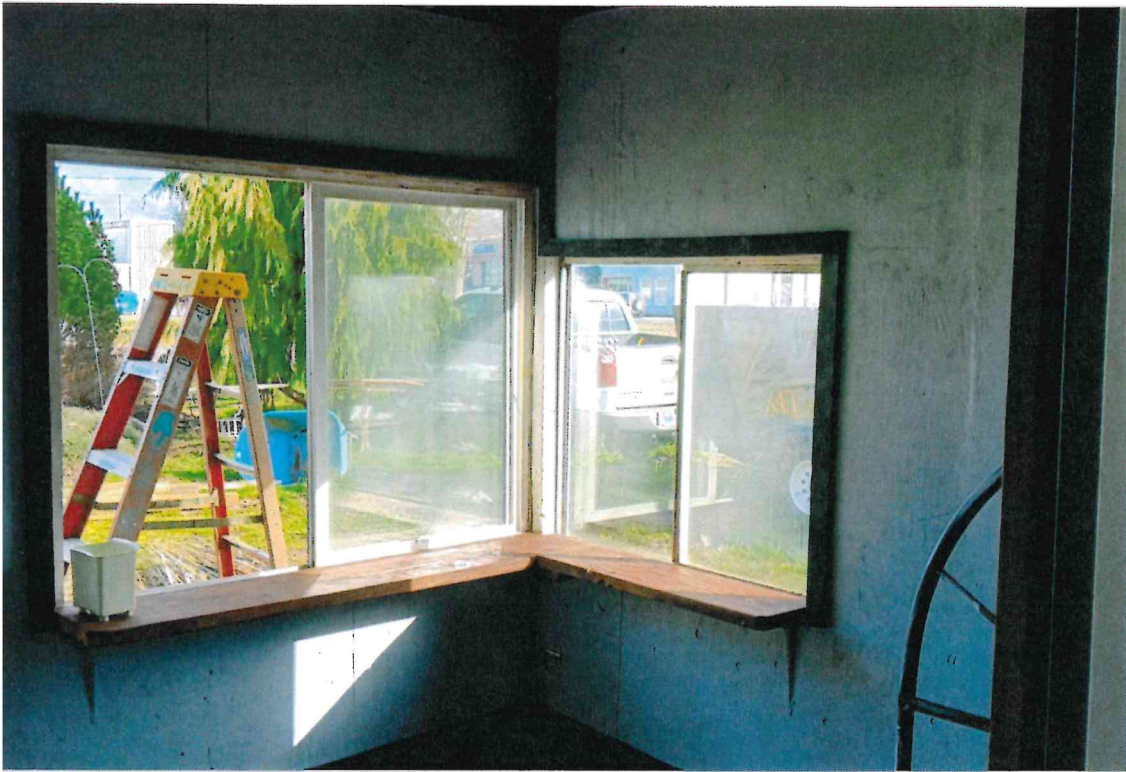












November 1, 2025

Jennifer Siciliano
Community & Economic Development Director
Department of Planning
362 N. Third Avenue
Stayton, OR 97383

Re: Land Use File #6-05/25 – Additional Information and Agreement

Dear Ms. Siciliano:

Thank you for your letter dated August 13, 2025, regarding my Site Plan Review application for 155 N Second Avenue. I have addressed the items identified as incomplete and provide this letter as a written agreement under Section 17.12.050.1 of the Land Use and Development Code, confirming how the technical issues are resolved.

Owner Approval

Byron Hatch, owner of the property, consents to this application (Exhibit A).

Scope of Improvements

The only improvements are the enclosure of a previously covered porch and patio. There is no change to the building footprint, drainage, utilities, or property boundaries. No excavation occurred or will occur.

Responses to Technical Requirements

1. Graphic Scale (17.12.220.4.b.2)

No changes to the structure footprint or site; existing documents remain accurate.

2. Topography (17.12.220.4.b.3)

No grading or land alteration; topography unchanged.

3. Boundary Lines (17.12.220.4.b.6)

Property remains 0.18 acres. Distances from building to lot lines:

- North: 9 ft 5 in
- East: 53 ft 11 1/16 in
- South: 38 ft 9 in
- West: 0 ft

See Exhibit B.

4. Utilities (17.12.220.4.b.8)

No changes to water, sewer, or underground utilities; no digging occurred.

5. Stormwater Plan (17.12.220.4.b.9)

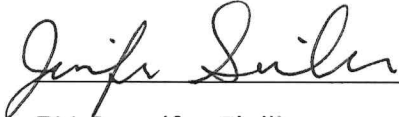
Drainage unchanged; porch and patio were already covered.

I affirm that no further changes will be made under this application. Please accept this letter as confirmation that all technical requirements are satisfied for approval.

Sincerely,
JoAnne Drake

 11/3/2025

Accepted: City of Stayton



BY: Jennifer Siciliano

ITS City Planner



Date

Exhibit A

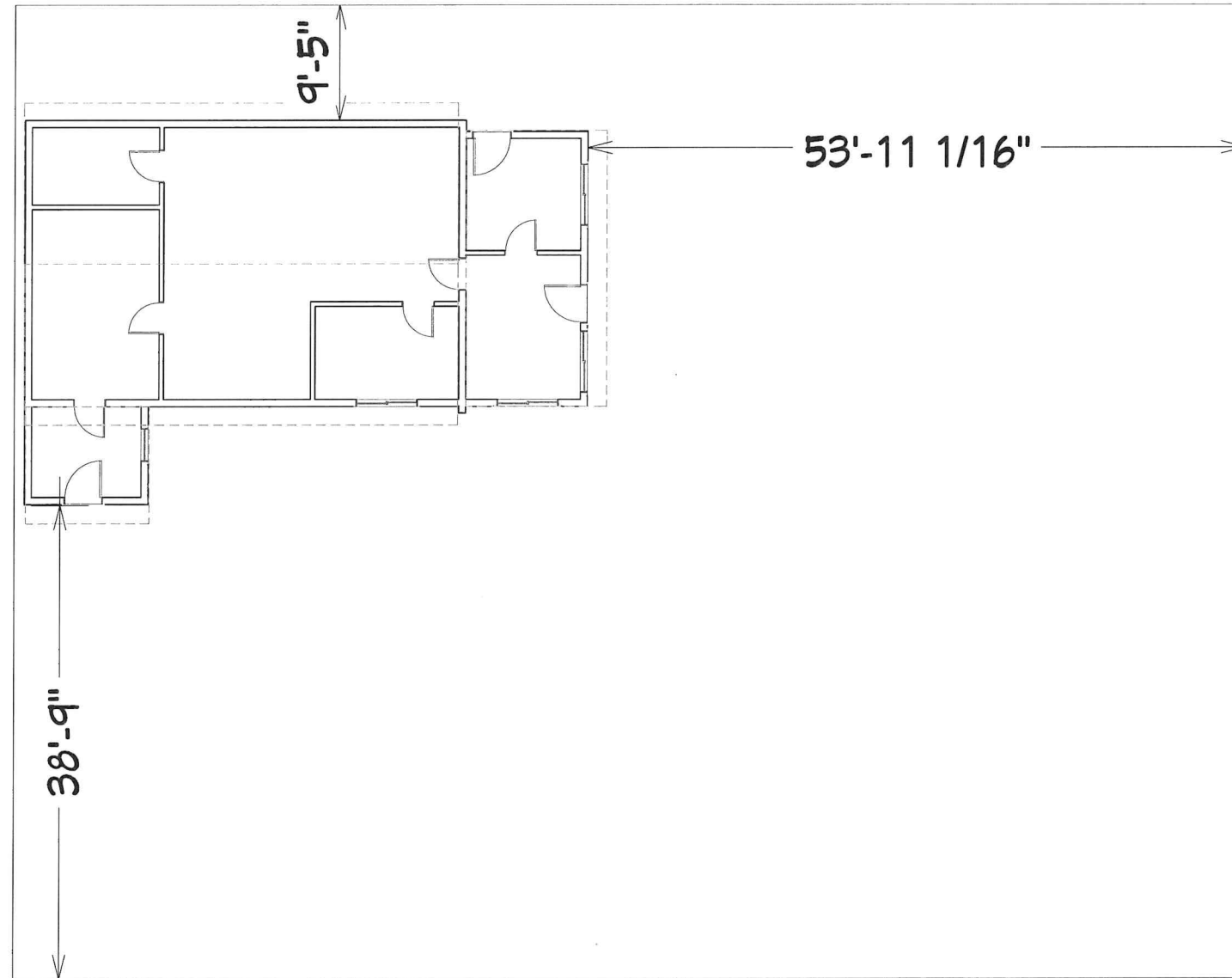
CONSENT TO APPLY FOR SITE PLAN REVIEW

I, Byron Hatch, grant JoAnne Drake permission to apply for a Site Plan Review for the property that I own at 155 N Second Avenue, Stayton, Oregon 97383.

Byron Hatch
Byron Hatch

11-1-25
Date

TAX LOT 091W10DC11000



2ND AY III

P4

PLOT PLAN

The Treasure Hunt Thrift Store
155 2nd Ave N
Stayton, OR 97383

[illegible]



THE TREASURE HUNT THRIFT STORE

Layout Page Table			
Label	Title	Description	Comments
P-1	PROJECT OVERVIEW		
P1	Floor Plan		
P2	ELEVATIONS		
P3	ELEVATIONS		
P4	PLOT PLAN		

REVISION TABLE		REVISION BY	DESCRIPTION
NUMBER	DATE		

The Treasure Hunt Thrift Store
155 2nd Ave N
Stajton, OR 971383

PROJECT OVERVIEW

DRAWINGS PROVIDED BY:
Bob Thatcher
503-931-4761

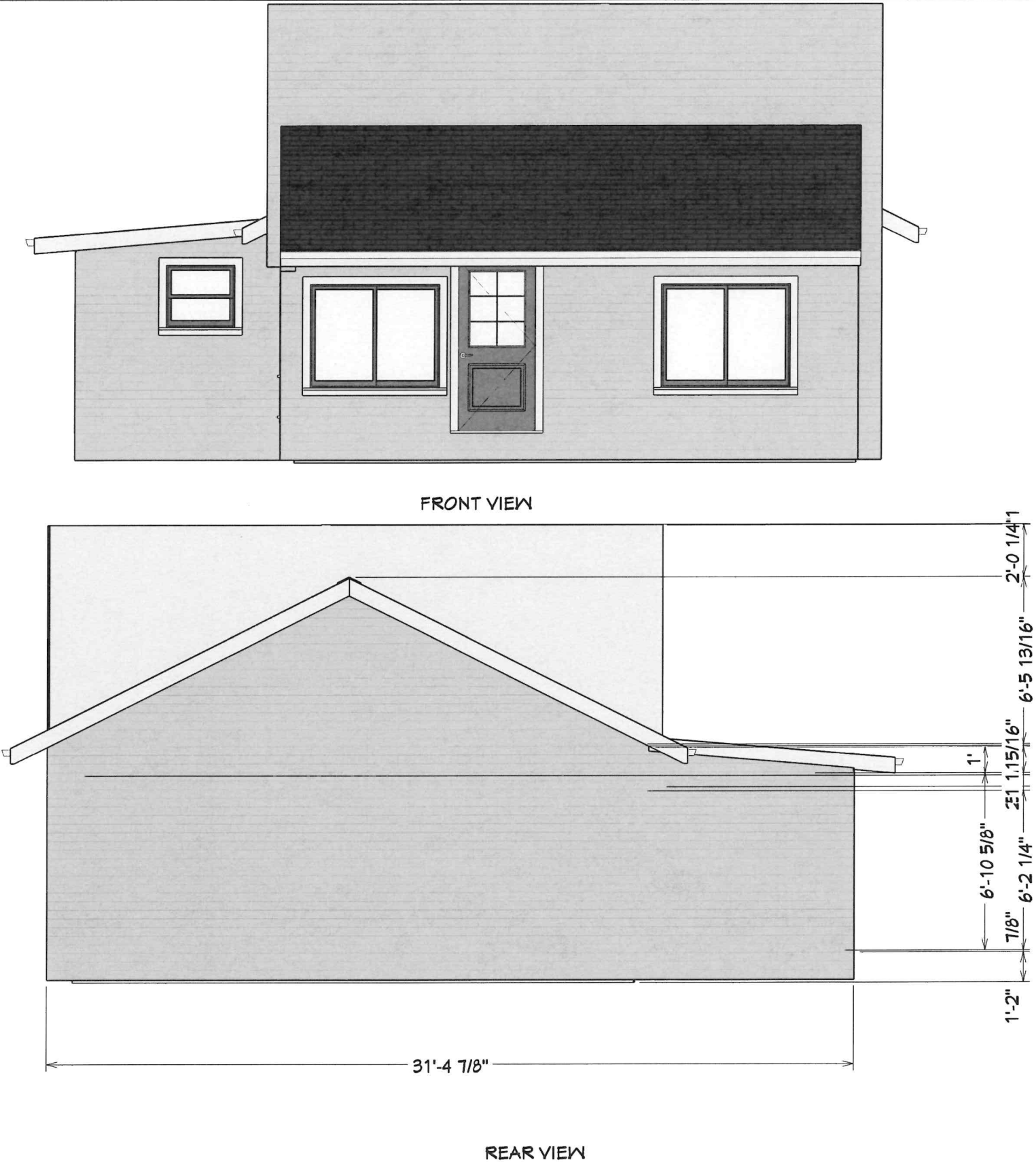
DATE:

6/30/2025

SCALE:

SHEET:

P-1



FRONT VIEW

REAR VIEW

REVISION TABLE	
NUMBER	DATE

The Treasure Hunt Thrift Store
155 2nd Ave N
Stayton, OR 971363

ELEVATIONS

DRAWINGS PROVIDED BY:
Bob Thatcher
503-931-4761

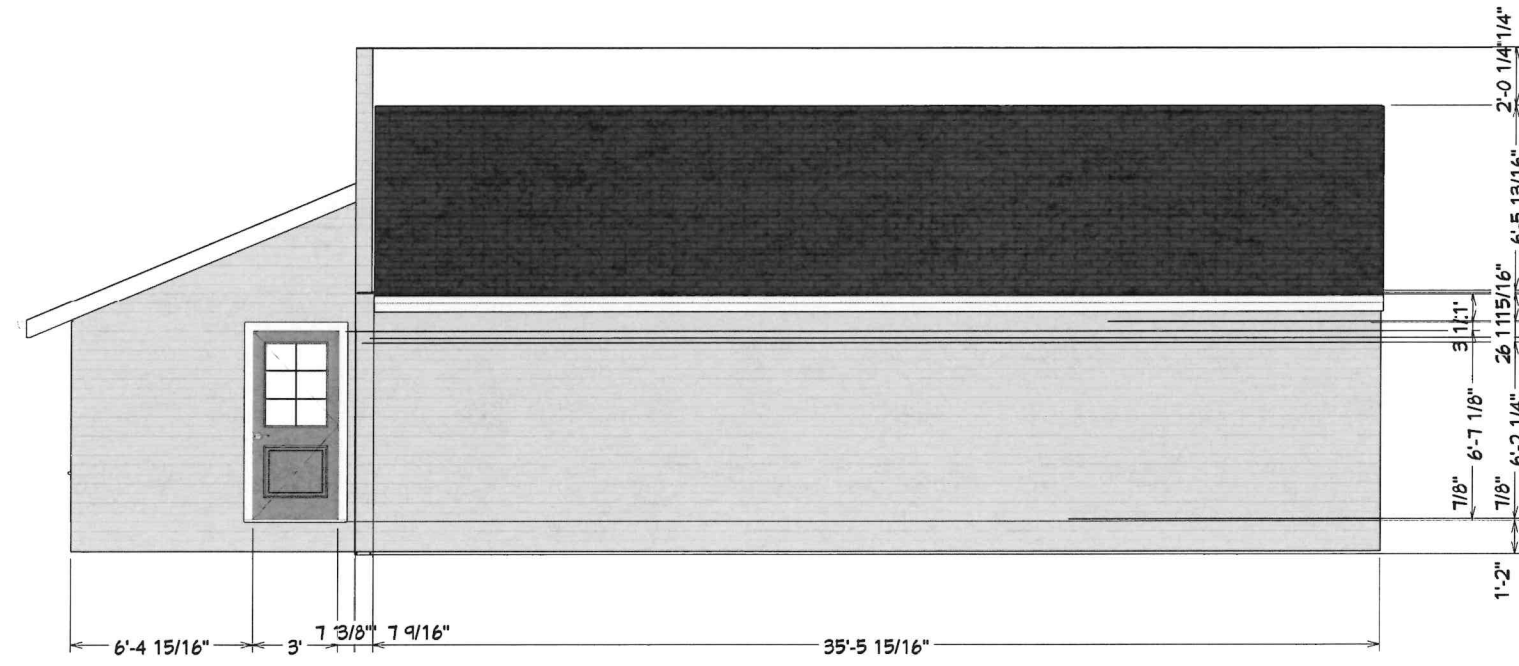
DATE:

6/30/2025

SCALE:

SHEET:

P2



RIGHT SIDE VIEW



LEFT SIDE VIEW

--

REVISION TABLE	
NUMBER	DATE

The Treasure Hunt Thrift Store
155 2nd Ave N
Stayton, OR 971363

ELEVATIONS

DRAWINGS PROVIDED BY:
Bob Thatcher
503-931-4761

DATE:

6/30/2025

SCALE:

SHEET:

P3

From: [Laurel Christian](#)
To: [Jennifer Siciliano](#)
Subject: RE: [EXTERNAL]Request for Comments on Application for 155 N 2nd Avenue- Site Plan Review - LU # 6-05/25
Date: Monday, November 10, 2025 12:10:29 PM

CAUTION: This email originated from **Outside Your Organization**. Exercise caution when opening attachments or on clicking links from unknown senders. Please contact Information Technology for assistance.

Hi Jennifer,

The proposed development is not located near the City of Salem water transmission mains that that travel through Stayton. No City of Salem concerns with this request. Thank you for the opportunity to review.

Thank you,

Laurel Christian

Infrastructure Planner III

City of Salem | Community Planning and Development | Development Services

Find us at the Development Services Division Offices: [440 Church St SE, 5th Floor](#)

Mailing Address: P.O. Box 14300, Salem, OR 97309

lchristian@cityofsalem.net | Office: 503-584-4632

[Facebook](#) | [YouTube](#) | [LinkedIn](#) | www.cityofsalem.net

From: Jennifer Siciliano <jsiciliano@staytonoregon.gov>

Sent: Thursday, November 6, 2025 10:51 AM

To: Adam Kohler <Adam.Kohler@PacifiCorp.com>; Astound Construction Team <oregonconstruction@astound.com>; Barry Buchanan <bbuchanan@staytonoregon.gov>; breich@co.marion.or.us; brents@santiamwater.gov; brian.kelley@nwnatural.com; Caleb Cox <ccox@kittelson.com>; Christopher Clark <Christopher.clark@pacificorp.com>; dfreitag@santiamhospital.org; Doug Kintz <doug.kintz@staytonfire.org>; Erik Hoefer <erik@sctcweb.com>; Gwen Johns <gjohns@staytonoregon.gov>; Janelle Shanahan <jshanahan@co.marion.or.us>; Alley, Jay <Jay.Alley@staytonfire.org>; John Eckis <johnneckis@sctcweb.com>; John Rasmussen <jasmussen@co.marion.or.us>; Kendall Smith <ksmith@staytonoregon.gov>; kinman@co.marion.or.us; Lee Loving <lee.lovings@nsantiam.k12.or.us>; Lyle Misbach <misbachl@aks-eng.com>; Max Heller <mheller@kittelson.com>; Max Hepburn <mhepburn@co.marion.or.us>; MCPW Engineering <mcldep@co.marion.or.us>; Michael Schmidt <mschmidt@staytonoregon.gov>; Nicole Willis <nicole.willis@pacificorp.com>; oregonconstruction@wavebroadband.com; planning@co.marion.or.us; Richard Walker (richardw@aks-eng.com) <richardw@aks-eng.com>; Development Services <developmentsservices@cityofsalem.net>; Susan Wright <swright@kittelson.com>; Troy Wheeler <twheeler@co.marion.or.us>; Wayne.clevenger@pacificorp.com

Cc: Susan Bender <sbender@staytonoregon.gov>

Subject: [EXTERNAL]Request for Comments on Application for 155 N 2nd Avenue- Site Plan Review - LU # 6-05/25

CAUTION! This email came from outside the City of Salem. Do not click links or open attachments unless you recognize the sender. For guidance on identifying legitimate senders/emails, please review the IT Intranet Cyber Security Page.

The City of Stayton has received an application for Site Plan Review to expand an existing 960-square-foot commercial building by enclosing porch areas totaling approximately 326 square feet. The property is located at 155 N. Second Avenue (Tax Lot No. 091W10DC11000) within the Downtown Commercial Mixed Use (DCMU) zone. The building includes both a thrift store and a residential unit.

This application is somewhat unique, as the enclosure work was completed prior to obtaining Planning Commission approval. Building permits are still required, and Marion County Building Inspection is awaiting confirmation of planning approval before proceeding with building permit inspection. While the overall building footprint has not expanded, the project involves the enclosure of existing porch areas, which must comply with DCMU design standards.

The application materials include a handwritten narrative, site plans, and photographs of the work in progress. For your review, I have attached the Request for Comments form.

Please provide any comments or recommendations by **November 13, 2025**.

From: [Jay Alley](#)
To: [Jennifer Siciliano](#)
Subject: RE: Request for Comments on Application for 155 N 2nd Avenue- Site Plan Review - LU # 6-05/25
Date: Thursday, November 6, 2025 3:18:25 PM

CAUTION: This email originated from **Outside Your Organization**. Exercise caution when opening attachments or on clicking links from unknown senders. Please contact Information Technology for assistance.

Stayton Fire District has no comments on this application.

Jay Alley

Fire Chief

Stayton Fire District

Office 503-769-2601

Cell 503-932-7805

[Jay.alley@staytonfire.org](mailto:jay.alley@staytonfire.org)

“TO PROVIDE OUTSTANDING SERVICE WITH COMMITMENT TO SAVING LIVES AND PROPERTY”

From: Jennifer Siciliano <jsiciliano@staytonoregon.gov>
Sent: Thursday, November 6, 2025 10:51 AM
To: Adam Kohler <Adam.Kohler@PacifiCorp.com>; Astound Construction Team <oregonconstruction@astound.com>; Barry Buchanan <bbuchanan@staytonoregon.gov>; breich@co.marion.or.us; Brent Stevenson <BrentS@santiamwater.gov>; brian.kelley@nwnatural.com; Caleb Cox <ccox@kittelson.com>; Christopher Clark <Christopher.clark@pacificorp.com>; dfreitag@santiamhospital.org; Doug Kintz <Doug.Kintz@staytonfire.org>; Erik Hoefer <erik@sctcweb.com>; Gwen Johns <gjohns@staytonoregon.gov>; Janelle Shanahan <jshanahan@co.marion.or.us>; Jay Alley <Jay.Alley@staytonfire.org>; John Eckis <johnneckis@sctcweb.com>; John Rasmussen <jasmussen@co.marion.or.us>; Kendall Smith <ksmith@staytonoregon.gov>; kinman@co.marion.or.us; Lee Loving <lee.loveing@nsantiam.k12.or.us>; Lyle Misbach <misbachl@aks-eng.com>; Max Heller <mheller@kittelson.com>; Max Hepburn <mhepburn@co.marion.or.us>; MCPW Engineering <mcldep@co.marion.or.us>; Michael Schmidt <mschmidt@staytonoregon.gov>; Nicole Willis <nicole.willis@pacificorp.com>; oregonconstruction@wavebroadband.com; planning@co.marion.or.us; Richard Walker <richardw@aks-eng.com> <richardw@aks-eng.com>; Salem Development Services <developmentsservices@cityofsalem.net>; Susan Wright <swright@kittelson.com>; Troy Wheeler <twheeler@co.marion.or.us>; Wayne.clevenger@pacificorp.com
Cc: Susan Bender <sbender@staytonoregon.gov>
Subject: Request for Comments on Application for 155 N 2nd Avenue- Site Plan Review - LU # 6-05/25

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The application materials include a handwritten narrative, site plans, and photographs of the work in progress. For your review, I have attached the Request for Comments form.

Please provide any comments or recommendations by **November 13, 2025**.

Thank you for your time and assistance in reviewing this application.

From: [Danny Freitag](#)
To: [Jennifer Siciliano](#)
Subject: Re: [External]Request for Comments on Application for 155 N 2nd Avenue- Site Plan Review - LU # 6-05/25
Date: Thursday, November 6, 2025 10:53:55 AM
Attachments: [Outlook-ScreenShot.png](#)

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Santiam Hospital Ambulance has no comment or concern.

Thank you,

Danny Freitag
Ambulance Director
Santiam Hospital & Clinics
(503) 798-1335
dfreitag@santiamhospital.org



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From: Jennifer Siciliano <jsiciliano@staytonoregon.gov>
Sent: Thursday, November 6, 2025 10:50 AM
To: Adam Kohler <Adam.Kohler@PacifiCorp.com>; Astound Construction Team <oregonconstruction@astound.com>; Barry Buchanan <bbuchanan@staytonoregon.gov>; breich@co.marion.or.us <breich@co.marion.or.us>; Brent Stevenson <BrentS@santiamwater.gov>; brian.kelley@nwnatural.com <brian.kelley@nwnatural.com>; Caleb Cox <ccox@kittelson.com>; Christopher Clark <Christopher.clark@pacificorp.com>; Danny Freitag <dfreitag@santiamhospital.org>; Doug Kintz <doug.kintz@staytonfire.org>; Erik Hofer <erik@sctcweb.com>; Gwen Johns <gjohns@staytonoregon.gov>; Janelle Shanahan <jshanahan@co.marion.or.us>; Jay Alley <jay.alley@staytonfire.org>; John Eckis <johneckis@sctcweb.com>; John Rasmussen <jasmussen@co.marion.or.us>; Kendall Smith <ksmith@staytonoregon.gov>; kinman@co.marion.or.us <kinman@co.marion.or.us>; Lee Loving <lee.loving@nsantiam.k12.or.us>; Lyle Misbach <misbachl@aks-eng.com>; Max Heller <mheller@kittelson.com>; Max Hepburn <mhepburn@co.marion.or.us>; MCPW Engineering <mcldep@co.marion.or.us>; Michael Schmidt <mschmidt@staytonoregon.gov>; Nicole Willis <nicole.willis@pacificorp.com>; oregonconstruction@wavebroadband.com <oregonconstruction@wavebroadband.com>; planning@co.marion.or.us <planning@co.marion.or.us>; Richard Walker <richardw@aks-eng.com> <richardw@aks-eng.com>; Salem Development Services <developmentservices@cityofsalem.net>; Susan Wright <swright@kittelson.com>; Troy Wheeler <twheeler@co.marion.or.us>; Wayne.clevenger@pacificorp.com <Wayne.clevenger@pacificorp.com>
Cc: Susan Bender <sbender@staytonoregon.gov>
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This application is somewhat unique, as the enclosure work was completed prior to obtaining Planning Commission approval. Building permits are still required, and Marion County Building Inspection is awaiting confirmation of planning



Outlook

Re: Pre-Application for Site Plan Review - 155 N 2nd Avenue

From Caleb Cox <ccox@kittelson.com>**Date** Tue 5/6/2025 11:16 AM**To** Jennifer Siciliano <jsiciliano@staytonoregon.gov>**Cc** Max Heller <mheller@kittelson.com>; Susan Wright <swright@kittelson.com>

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Hi Jennifer,

Expanding the enclosed area of this building could alter the trip generation for the business. Based on a google maps aerial view, it looks like the new enclosed area is about 75 square feet (Please have the applicant confirm this is correct). Using ITE land use code 814 - Variety Store, the additional area would generate less than 1 new peak hour trip, which does not trigger a need for a TIA. The owner is also not proposing any change to their access. Based on the low number of trips, we recommend waiving the requirement for a transportation assessment letter.

Thanks,

Caleb Cox, PE
Senior Engineer

Kittelson & Associates, Inc.
Transportation Engineering & Planning
503.535.7453 (direct)

From: Jennifer Siciliano <jsiciliano@staytonoregon.gov>**Sent:** Friday, April 25, 2025 2:32 PM

To: Adam Kohler <Adam.Kohler@PacifiCorp.com>; Astound Construction Team <oregonconstruction@astound.com>; Brent Stevenson <brents.swcd@wvi.com>; Caleb Cox <ccox@kittelson.com>; Doug Kintz <doug.kintz@staytonfire.org>; Erik Hoefer <erik@sctcweb.com>; Gwen Johns <gjohns@staytonoregon.gov>; Janelle Shanahan <jshanahan@co.marion.or.us>; Jay Alley <jay.alley@staytonfire.org>; John Eckis <johneckis@sctcweb.com>; John Rasmussen <jrasmussen@co.marion.or.us>; Julia Hajduk <jhajduk@staytonoregon.gov>; Kendall Smith <ksmith@staytonoregon.gov>; Lee Loving <lee.loving@nsantiam.k12.or.us>; Marion County Assessor <assessor@co.marion.or.us>; Max Heller <mheller@kittelson.com>; Max Hepburn <mhepburn@co.marion.or.us>; MCPW Engineering <mcldep@co.marion.or.us>; Michael Schmidt <mschmidt@staytonoregon.gov>; Nicole Willis <nicole.willis@pacificorp.com>; Richard Walker (richardw@aks-eng.com) <richardw@aks-eng.com>; Robery Lee <rlee@wavebroadband.com>; Salem Development Services <developmentservices@cityofsalem.net>; Susan Wright <swright@kittelson.com>; Troy Wheeler <twheeler@co.marion.or.us>; Wayne.clevenger@pacificorp.com <Wayne.clevenger@pacificorp.com>

Cc: Pauly Norby <pnorby@staytonoregon.gov>**Subject:** Pre-Application for Site Plan Review - 155 N 2nd Avenue

[External Sender]

Hello All,

Please see attached pre-application form and materials for a Site Plan Review for a mixed-use building in the Downtown District on 2nd Avenue. The meeting will be held virtually (or in-person) on May 15, 2025, at 2 PM. A separate email invite will be sent.

As shown in the attached photos, the structure has already been constructed without obtaining the required building permits or planning department approval. Before Marion County can take enforcement action related to the building permit, the Planning Department must first complete its review. According to the Tax Assessor, the original building was 960 square feet. However, the occupants have enclosed both the front porch and a side area, and the extent of the enclosed space is currently unknown. Mixed-use buildings in the Downtown District are subject to extensive design standards, which must be reviewed as part of the planning process.

Jennifer

Jennifer Siciliano
Stayton Community and Economic Development Director
311 N. Third Ave.
Stayton, OR 97383
Phone: (503) 769-2998



City of Stayton

Community and Economic Development

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April 14, 2025

Bryon Hatch

P.O. Box 553

Stayton, OR 97383

To Mr. Hatch,

On March 5, 2025, I observed the construction and enclosure of a porch in progress at the building located at 155 N 2nd Avenue, Stayton, OR 97383. No building permit was obtained for this work, so as to the true accurate nature of these changes are unclear. What can be viewed from the outside of the building, the work is in violation of the Stayton Land Use and Development Code, Stayton Municipal Code (SMC) Sections 17.04.010 SHORT TITLE, and must be remedied.

SMC 17.04.070 COMPLIANCE states that *“No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of the Stayton Land Use and Development Code and other applicable regulations including all permits and licenses required.”*

A Site Plan Review approval must be obtained. The first step in the Site Plan Review process is to submit a completed pre-application form with \$500 associated fees. Once the pre-application is held, a second step will be to submit a completed Site Plan Review application with associated deposit. Depending on the need figured out at the pre-application meeting, the Site Plan Review may be an administrative process where a \$900 deposit will be requested or a Public Hearing at a future Planning Commission meeting that will require a \$1,700 deposit.

The tenant did stop by and pick up the pre-application form for a Site Plan Review on March 21, 2025, but has not returned the form, nor paid the \$500. **Contact the Community and Economic Development Department for a pre-application form and pay a \$500 fee by April 28, 2025.**

Site Plan Review is required when SMC 17.12.220.3.REQUIREMENTS FOR SITE PLAN REVIEW. f. *“Improvements exceeding 15% of existing development by area, not including the area of internal roadways, parking and loading areas, and landscaping.”* The Marion County Tax Assessor states that the building structure was 960 square feet. If 144 square feet or more was constructed or that much of a porch was enclosed, then a Site Plan Review is required.

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The building structure does not conform to the City of Stayton's Zoning SMC 17.16 and Downtown Development Design Standards SMC 17.20.220. Prior to this construction, this building was a Non-Conforming structure SMC 17.16.050 according to SMC Chapter 17.16 ZONING. SMC 17.16.050.3. b. *"A Non-conforming structure may be altered or enlarged provided the addition or alteration is no more nonconforming than the existing structure. ..."* The addition does create more nonconformity, so it is not allowed.

This property is located in the Downtown Commercial Core Mixed-Use (DCMU) zone. The district purpose of this is defined in SMC 17.16.060.8-A. DOWNTOWN COMMERCIAL MIXED USE. *"To promote compact commercial and mixed commercial-residential development the portion of the 2nd Avenue that has traditionally had a concentration of automobile repair and other auto-oriented businesses. Residential uses are permitted, ranging from 12 - 30 units per acre, including attached residential structures, condominiums, and townhouses, but also allowing appropriate commercial uses and mixed use developments."*

The setbacks in the DCMU, cannot be more 20 feet from the front lot line – SMC 17.16.080.2.e.3)a)ii. *"Within the DCMU or DRMU Zone, a building shall not be more than 20 feet from the front lot line. ..."* SMC 17.16.080.2.f.2) *"In the CCMU, DCMU, or DRMU zones the minimum building height shall be 2 stories or 20 feet. The minimum building height standard applies to new commercial, residential, and mixed-use buildings. ..."*

In addition to zoning requirements, there are Downtown Development Design Standards. The purpose of these design standards according to SMC 17.20.220.1. Purpose. *"The following design standards apply to all commercial, attached residential, and mixed-use structures located within the Downtown Zones. The purpose of these standards is to assure a high quality, pedestrian-oriented development pattern in the downtown area consistent with the vision expressed in the Downtown Transportation and Revitalization Plan. The provisions of this section do not change the range of uses permitted on a property except as described in this section."*

17.20.220 DOWNTOWN DEVELOPMENT DESIGN STANDARDS 3. Standards for All Commercial and Mixed Use Structures. i. Ground floor windows. 1) *"The windows must be at least 50% of the length and 25% of the ground level wall area. Ground level wall areas include all exterior wall areas up to 9 feet above the finished grade."* and 2) *"Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows set into the wall. The bottom of the windows must be no more than 4 feet above the adjacent exterior grade."* k. Roofs. 2) *"In the DCMU and DRMU Zones, roofs shall be flat, and designed with a cornice or parapet, or steeply pitched. Buildings must have: a) A sloped roof with a pitch that is no flatter than 6/12 and no steeper than 12/12; or b) A roof with a pitch*

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of less than 6/12 and a cornice or parapet that meets the standards of Section 17.20.220.3.k.1)b) above.” There are additional SMC 17.20. Development and Improvement Standards that need to be review through a Site Plan Review. It is the responsibility for the applicant to supply this information.

If by **April 28th, 2025**, you have not started the process of obtaining approval for a Site Plan Review by paying and filling out a pre-application form, the City will begin formal enforcement proceedings as provided by the Code.

SMC 17.04.110 VIOLATIONS AND PENALTIES

1. Any person, firm, or corporation who violates any provision of this Title is punishable upon conviction by a fine as provided in subsection 2 of this section. Each day that the violation persists shall be deemed as a separate offense.
2. Violation of any portion of this code is punishable by a fine of not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00) for each infraction.
3. The remedies provided hereunder are cumulative and not exclusive. In addition to the penalties provided above and those specifically set out in particular sections of this code, the City, by and through its authorized personnel, may pursue any remedy provided by law including the institution of injunction, mandamus, abatement, or other appropriate proceeding to prevent, temporarily or permanently enjoin, or abate a code violation.

If you have any questions or need further clarification, do not hesitate to reach out to the Community and Economic Development Department.

Sincerely,

Jennifer Siciliano

Director of Community Planning and Economic Development, City Planner, Zoning Official

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