

BEFORE THE STAYTON PLANNING DEPARTMENT

In the matter of) Site Plan Review
The application of) File # 11-9/25
Sly Toran, 12309 Miller Road, Gervais, OR 97026, Applicant)

ORDER OF CONDITIONAL APPROVAL

I. NATURE OF APPLICATION

The application is for site plan review for development for two duplexes on 1100 E Santiam Street (taxlot number: 091W11CB02300) in the Medium Density (MD) Residential zone.

II. FINDINGS OF FACT

A. GENERAL FINDINGS

1. The owner and application is Sly Toran, 12309 Miller Road, Gervais, OR 97026.
2. The property can be described on Marion County Assessors Map as tax lot 091W11CB02300.
3. The property has approximately 118 feet of frontage at 1100 E Santiam Street and is approximately 16,910 square feet.
4. The property is zoned Medium Density (MD) Residential.
5. The subject property is surrounded by Medium Density (MD) Residential zoning to the east, south, and west, as well as to the north across E Santiam Street.

B. EXISTING CONDITIONS

The subject property has an existing single-family home with garden shed that is currently vacant.

C. PROPOSAL

The proposal is to develop two duplexes on a 0.42-acre lot located in the Medium Density (MD) Residential zone, consisting of four dwelling units; the site design includes a single driveway providing access to the units, with associated landscaping.

D. AGENCY COMMENTS

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

Responses were received from Stayton Public Works, City of Stayton's Transportation Consultant, and Marion County Public Works whose comments are reflected in the findings below.

City of Salem stated that they had no concerns with the request. Santiam Hospital had no comment or corner. Stayton Fire District stated that they reviewed the application and had no comments. No other review comments were received.

E. ANALYSIS

Site plan review applications are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Title 17, Section 17.12.220.

F. APPROVAL CRITERIA

Pursuant to SMC 17.12.220.5 the following criteria must be demonstrated as being satisfied by the application:

- a. *The existence of, or ability to obtain, adequate utility systems (including water, sewer, surface water drainage, power, and communications), and connections, including easements, to properly serve development in accordance with City's Master Plans and Standard Specifications.*

Finding: Adequate public water and sanitary sewer infrastructure is available to serve the proposed development, and public stormwater infrastructure is present in the vicinity; however, final determination of stormwater adequacy is contingent upon submission and approval of a drainage report, as discussed below.

Water

A 12-inch ductile iron City water main is located along the entire frontage of the subject property on the far side of E Santiam Street. According to the applicant's site plan, the subject property is currently served by this main, which will remain the point of connection for the proposed development. A City fire hydrant is also located on the far side of E Santiam Street directly across from the subject property, providing fire protection. The City's Water Master Plan does not identify any significant water system deficiencies in the vicinity that would be impacted by or require improvement as a result of the proposed development.

Sanitary Sewer

An eight-inch concrete City sanitary sewer main is located along the entire frontage of the subject property on the development side of E Santiam Street. While neither the City's GIS system nor the applicant's site plan currently show a connection to this main, it shall serve as the point of connection for the proposed development. The Wastewater Master Plan does not identify any significant sanitary sewer system deficiencies in the area that would be impacted by the proposed development or that would necessitate off-site improvements.

Storm Drainage

A 12-inch City storm main of unknown material is located on the far side of E Santiam Street along the west frontage of the subject property and transitions to an open ditch along the east frontage. The existing storm main is identified as the point of connection for the proposed development. According to the Storm Water Master Plan, stormwater runoff from the subject property and the surrounding drainage system ultimately discharges to Salem Ditch. The Storm Water Master Plan does not identify any significant stormwater system deficiencies in the vicinity that would be impacted by the proposed development.

The applicant has submitted a site plan showing proposed on-site stormwater improvements, including a private stormwater facility and conveyance system connecting to City infrastructure; however, a drainage report was not submitted with the application. As a result, compliance with City stormwater design standards and the adequacy of the proposed on-site stormwater facilities

cannot be verified at this time. This criterion can be met through submission and approval of a drainage report demonstrating compliance with applicable stormwater standards.

Analysis: Public water and sanitary sewer utilities are available to serve the proposed development, and no deficiencies are identified in the City's adopted Water Master Plan or Wastewater Master Plan that would preclude service. Existing City water and sewer mains are located along the frontage of the subject property and are designated as the points of connection for the proposed development, consistent with City standards. Public stormwater infrastructure is also available in the vicinity, and the Storm Water Master Plan does not identify system deficiencies; however, a drainage report has not been submitted. As a result, compliance with City stormwater design standards and the adequacy of the proposed on-site stormwater facilities cannot be verified at this time. No Master Plan improvements larger than necessary to serve the proposed development are identified at this time.

Condition: This criterion can be met if prior to City approval of any on-site construction or City support of building permit issuance the applicant:

- 1) Submits a final stormwater analysis, report, and supporting documentation for review and approval, demonstrating that the proposed development complies with the Public Works Design Standards (PWDS). The analysis shall account for existing site topography and off-site contributing drainage areas and shall be used to inform the final design of the on-site storm drainage facilities (PWDS 102.10.A.3).
 - 2) Enters into a Development Agreement with the City prior to approval of construction plans, guaranteeing construction of the required on-site storm drainage improvements. The Development Agreement shall stipulate that the City will not support issuance of a certificate of occupancy or other project finalization for the proposed structures until the on-site storm drainage system has been constructed and formally accepted by the City (PWDS 102.09.I, 103.10.B).
 - 3) Constructs the on-site storm drainage system in accordance with the approved stormwater analysis, approved construction plans, and applicable Public Works Design Standards.
- b. *Provisions for safe and efficient internal traffic circulation, including both pedestrian and motor vehicle traffic, and for safe access to the property from those public streets and roads which serve the property in accordance with the City's Transportation System Plan and Standard Specifications.*

Finding: The applicant has submitted a site plan showing proposed internal circulation, a driveway approach, and sidewalk improvements along the E Santiam Street frontage. Marion County Public Works reviewed the proposed access and determined that the driveway location should be mirrored 180 degrees to relocate the shared driveway to the east side of the property so that it more closely aligns with the existing driveway serving 1173 E Santiam Street. The currently proposed driveway location is offset from Ridgefield Court, a private road serving approximately 20 residences, in a manner that would result in undesirable and conflicting left-turn movements during simultaneous egress. The City's engineer similarly identified that the proposed driveway approach does not meet alignment or spacing requirements relative to Ridgefield Court, creating potential turning conflicts. While the City's traffic engineer did not identify sight distance concerns and recommended waiving a transportation assessment letter, both Marion County and City engineering staff

concluded that modifications to the driveway location and frontage improvements along E Santiam Street are necessary to ensure safe and efficient vehicular access and internal circulation. Marion County construction permits will be required for the frontage improvements and for right-of-way restoration associated with utility service extensions.

Analysis: The submitted site plan does not demonstrate compliance with the requirement for safe and efficient internal traffic circulation and access, as the proposed driveway location does not meet spacing or alignment standards relative to Ridgefield Court and would result in conflicting turning movements. A transportation assessment letter is not required, modifications to the driveway location and design are necessary to ensure safe vehicular access and internal circulation consistent with the City's Transportation System Plan and Public Works Design Standards. This criterion can be met through conditions of approval requiring relocation of the driveway, submission of final construction drawings, and execution of a Development Agreement to guarantee completion and acceptance of the required improvements.

Conditions: This criterion can be met by requiring that the applicant:

- (1) As part of the site development permit application, relocate the proposed driveway approach along E Santiam Street so that it is located at least 50 feet from the Ridgefield Court alignment and designed to provide safe and efficient traffic flow, turning movements, and access, consistent with City standards (PWDS 303.07.D);
 - (2) As part of the development application, submit final construction drawings for the proposed driveway and all required public street improvements along the development side of E Santiam Street for review and approval by the Public Works Department, in accordance with the Public Works Design Standards (PWDS 102.09); and
 - (3) Prior to approval of construction plans, enter into a Development Agreement with the City guaranteeing completion of the required on-site storm drainage and public street infrastructure improvements, which shall stipulate that the City will not support issuance of a certificate of occupancy or other project finalization until the required on-site storm drainage system and public infrastructure have been constructed and formally accepted by the City (PWDS 102.09.I, 103.10.B).
- c. *Provision of all necessary improvements to local streets and roads, including the dedication of additional right-of-way to the City and/or the actual improvement of traffic facilities to accommodate the additional traffic load generated by the proposed development of the site.*

Finding: The development is located on E Santiam Street, which is designated as a Major Collector in the Stayton Transportation System Plan (TSP). The standard for Major Collectors is a 46-foot-wide improved roadway with curbs, six-foot-wide sidewalks, and eight-foot-wide planter strips within an 80-foot-wide right-of-way. Under the Marion County Rural Transportation System Plan, E Santiam Street is also classified as a Basic Collector, which has a standard cross-section of a 34-foot-wide improvement, including curbs, sidewalks, and bicycle lanes within a 68-foot-wide right-of-way. Existing conditions along the frontage of the subject property consist of an approximately 32-foot-wide turnpike-style roadway within a 60-foot-wide right-of-way. Aside from identifying E Santiam Street as a Major Collector, the Stayton TSP does not identify transportation system deficiencies in the immediate vicinity that would be directly impacted by the proposed development.

The applicant has submitted a site plan showing a proposed driveway and sidewalk improvements along E Santiam Street; however, the plans do not address the full street improvements required for a Major Collector classification. A 10-foot right-of-way dedication is shown on the site plan, a corresponding 10-foot-wide public utility easement (PUE) is not depicted.

Analysis: The submitted site plan does not demonstrate compliance with the full Major Collector street standards along the project frontage, including required right-of-way dedication, public utility easement dedication, and construction of frontage improvements. Accordingly, this criterion can be met through the conditions of approval requiring dedication of right-of-way and public utility easements, construction of frontage improvements to Major Collector standards, submission of final construction drawings, and execution of a Development Agreement to guarantee completion and acceptance of the required public street infrastructure.

Condition: This criterion can be met by requiring that the applicant:

- (1) Prior to City approval of any on-site construction or City support of building permit issuance, dedicate right-of-way along the development side of E Santiam Street to one-half of the ultimate 80-foot-wide right-of-way (40 feet measured from the right-of-way centerline) along the subject property frontage (SMC 12.04.030.1.b);
- (2) Prior to City approval of any on-site construction or City support of building permit issuance, dedicate a 10-foot-wide public utility easement along the development side of E Santiam Street along the subject property frontage (PWDS 102.08.B);
- (3) As part of the site development permit application, construct or otherwise demonstrate through approved plans that street improvements along the development side of E Santiam Street meet current Major Collector street standards, including 23 feet from roadway centerline to the face of curb, 6-foot-wide property-line sidewalks, an 8-foot-wide planter strip, and an accessible pedestrian ramp at the east leg of the Ridgefield Court intersection, with all improvements constructed in accordance with the Public Works Design Standards (PWDS 303.02.C);
- (4) Prior to City approval of any on-site construction or City support of building permit issuance, submit final construction drawings for the required public street infrastructure to the Public Works Department for review and approval, in accordance with the Public Works Design Standards (PWDS 102.09);
- (5) As part of the development application and prior to approval of construction plans, enter into a Development Agreement with the City guaranteeing completion of the required public street infrastructure improvements, which shall stipulate that the City will not support issuance of a certificate of occupancy or other project finalization until the public infrastructure is constructed and accepted by the City (PWDS 102.09.I, 103.10.B); and
- (6) Prior to City support of occupancy for any building permits, construct the required public street infrastructure in accordance with approved plans and applicable Public Works Design Standards, subject to acceptance by the Public Works Department (PWDS 103.10.B).

(7) Obtain all required Marion County construction permits for frontage improvements and right-of-way restoration associated with utility service extensions, and complete such work in accordance with applicable County requirements.

- d. *Provision has been made for parking and loading facilities as required by Section 17.20.060.*

Finding: Seven off-street parking spaces are required for the proposed development. The proposal includes four garage spaces and four additional off-street parking spaces, providing a total of eight parking spaces, which exceeds the minimum requirement. The site plan contains notes about ADA-accessible parking space; however, none are identified on the submitted plans. One bicycle parking space is required. The site plan includes a note indicating six bicycle spaces; however, the bicycle parking spaces are not depicted on the site plan. The site plan shows the driveway at the required clear 24-foot width for developments with four or more dwelling units. The landscape plans show the required perimeter landscaping along the property line adjacent to the parking area, consistent with the landscaping design standards.

Analysis: All requirements of SMC 17.20.060, Off-Street Parking and Loading, are met, except that the site plans do not show the required ADA-accessible parking space pursuant to SMC 17.20.060.8, and the required bicycle parking space SMC 17.20.060.9-A.1).

Condition: This criterion can be met by submitting revised site plans to the City Planner for approval prior to any on-site construction or issuance of building permits that demonstrate the location and design of the required ADA-accessible parking space in compliance with SMC 17.20.060.8 and the required bicycle parking space in compliance with SMC 17.20.060.9-A.1.

- e. *Open storage areas or outdoor storage yards shall meet the standards of Section 17.20.070*

Finding: There will be no open storage areas or outdoor storage yards.

- f. *Site design shall minimize off site impacts of noise, odors, fumes or impacts.*

Finding: There will be no off-site noise, odors or fumes from the proposed development project.

- g. *The proposed improvements shall meet all applicable criteria of Section 17.20.190 Multi-Family Residential Design Standards*

Finding:

17.20.190 MULTI-FAMILY RESIDENTIAL DESIGN STANDARDS

2. Site Design.

a. Although the narrative indicates a proposed lot coverage of 45 percent, the site plans do not provide building square footage, and compliance with the lot coverage standard cannot be verified.

b. Height Step Down.

Building footprints are not depicted on the adjacent parcels.

c. Building Orientation Standards.

1) The building layout complies with standard setbacks for Medium Density (MD) Residential.

- 2) Off street parking is oriented internally to the site. Primary building entrances face the internal driveway and parking areas.
- 3) Not on corner lot.
- 4) Repealed.
- 5) Driveways and off-street parking are not placed between the building and the street.
- 6) Parking and driveways are not located between attached residential structures and adjacent single-family homes.
- 7) Primary building entrances face the internal driveway and parking areas.
- 8) No outdoor service areas are shown.

3. Architectural Standards.

- a. Building Length. The narrative states that each proposed building is 43 feet in width. The elevations and site plan do not specify the building length, and compliance with the maximum allowed building length of 100 feet cannot be verified.
- b. Articulation. The narrative states that the proposed buildings will have a covered entrance that extends at least 4 feet from the building and will include offsets of at least 2 feet to break up the roof elevations.
- c. Street-side facades. The narrative states the side of the buildings provide windows and architectural features like offsets.
- d. Exterior Stairways. There are no exterior stairways proposed.
- e. Design Features. The narrative states that the buildings will both have dormers with windows, gables, covered entryways, pillars, eaves, and balconies. The buildings are required to have at least five of the listed design features. Six are listed.
- F. Building Materials. The proposed buildings will not use prohibited exterior finish material.

4. Open Space.

- a. Common Open Space. Not applicable, as the development does not include more than 10 units.
- b. Private open space.
 - 1) The narrative states that all units will have a patio of the required 40 square feet.
 - 2) Not applicable, as the development are townhouses, with no upper-floor housing units.

5. Lighting. No lighting plan was submitted or required. The narrative stated that lighting will be located on the building facades and side yards.

Analysis: 2.a. The application does not clearly show that the proposed coverage does not exceed the maximum permitted. It is unclear that criteria are met.

2.b. The application does not show that the development will create a "step down" for building height transition. It is unclear that criteria are met.

2.c. The site plans show the correct standard setbacks. The entrances are oriented internally to the site and face the internal driveway and packing area. The criteria are met.

3.a. The narrative states the width of the building at 43 feet and does not mention the length. The building measurements are not included in the site plan or elevations. It is unclear that criteria are met.

b. - f. The narrative proposes the appropriate architectural standards. The criteria are met.

4. The narrative states that each unit will include a patio meeting the required 40 square feet, and the site plan identifies the patio locations; however, measurements are not provided. The criteria are met.

5. Lights were not depicted on building facades and side yards and are not required. The applicant has met this criterion.

Condition: Provide a revised site plan that: (1) identifies the building square footage and demonstrates that total lot coverage does not exceed 50 percent and that building length does not exceed 100 feet; and (2) shows the distance between the proposed duplexes and the single-family homes at 1260 E Santiam Street and 1119 E Jefferson Street, and demonstrates that this spacing creates an appropriate “step-down” in building height to adjacent single-family homes.

h. *(Repealed Ord. 913, September 2, 2009)*

i. *(Repealed Ord. 913, September 2, 2009)*

j. *Landscaping of the site shall prevent unnecessary destruction of major vegetation, preserve unique or unusual natural or historical features, provide for vegetative ground cover and dust control, present an attractive interface with adjacent land uses and be consistent with the requirements for landscaping and screening in Section 17.20.090.*

Finding: The proposed development provides 55% landscaped area, which exceeds the 20 percent minimum required in the Medium Density (MD) Residential zone. The applicant has submitted landscape plan submittals in accordance with SMC 17.20.090.3 with a few noted exceptions: dimensions and footprint of structures (3.a.) and does not show adjacent land-uses for residence within 50 feet of the subject site (3.e.). No separate irrigation plan was submitted; however, the landscape plans indicate that the landscaping will be irrigated by an automatic underground system, as required. Three frontage trees are proposed as street trees and are identified as upright European hornbeam; however, the plans do not specify planting spacing. Street trees are required to be spaced 20 feet on center, or 25 feet on center for large-canopy trees. The landscape plans demonstrate compliance with plant material requirements, including the requirement that at least 75 percent of the landscaped area be planted with a suitable combination of trees, shrubs, evergreens, and/or ground cover. The plans also indicate that trees and shrubs meet the required caliper and height at planting. However, multifamily developments with more than four parking spaces are required to provide a five-foot-wide landscape buffer (11.a.1.). While a buffer area is shown on the landscape plans, the plans do not specify its width; the required buffer width is five feet.

Analysis: All requirements of SMC 17.20.090 for landscaping are met, except the landscape plan must be revised to include the dimensions of the building footprint, the distance to adjacent residences, the required spacing for frontage trees, and the width of the required landscape buffer, which must be shown as five feet.

Condition: This criterion can be met by submitting a revised landscape plan to the City Planner for approval prior to any on-site construction or issuance of building permits that demonstrates

the dimensions of the building footprint, the distances to adjacent residences, the required spacing of frontage trees of at least 20 feet from center, and the required five-foot-wide landscape buffer for parking areas associated with multifamily development.

- k. *The design of any visual, sound, or physical barriers around the property such as fences, walls, vegetative screening, or hedges, shall allow them to perform their intended function without undue adverse impact on existing land uses.*

Finding: No barriers are proposed only required buffer planting around parking areas.

- l. *The lighting plan satisfies the requirements of Section 17.20.170.*

Finding: The submitted plans do not propose any outdoor lighting for parking areas or pedestrian walkways. This complies with SMC 17.20.170.5, Multi-Family Residential Lighting Standards, which provide that such lighting may be installed but is not required. If outdoor lighting for parking areas or pedestrian walkways were proposed in the future, it would be required to comply with SMC 17.20.170.5.a, Lighting of Parking Areas, and SMC 17.20.170.5.b, Lighting of Pedestrian Walkways.

- m. *The applicant has established continuing provisions for maintenance and upkeep of all improvements and facilities.*

Finding: The property owner will be responsible for upkeep and maintenance of the development. As part of a Site Development Permit, the applicant will be required to submit a stormwater operations and maintenance (O&M) plan to be approved by the Public Works Department.

- n. *When any portion of an application is within 100 feet of the North Santiam River or Mill Creek or within 25 feet of Salem Ditch, the proposed project will not have an adverse impact on fish habitat.*

Findings: The proposed development site is not within 100 feet of the North Santiam River or Mill Creek or within 25 feet of the Salem Ditch. This criterion is not applicable.

- o. *Notwithstanding the above requirements the decision authority may approve a site plan for a property on the National Register of Historic Places that does not meet all of the development and improvement standards of Chapter 17.20 and the access spacing standards of Chapter 17.26 provided the decision authority finds that improvements proposed are in conformance with Secretary of the Interior's Standards for Treatment of Historic Properties, the site will provide safe ingress and egress to the public street system, and that adequate stormwater management will be provided.*

Finding: This criterion is not applicable since no building on the property is listed on the National Register of Historic Places.

III. CONCLUSION

Based on the facts above, the Planning Commission concludes that the application meets the requirements for Sections 17.12.220 Site Plan Review, 17.20.060 Off-Street Parking and Loading, 17.20.090 Landscaping Requirements, 17.20.170 Outdoor Lighting, and 17.20.190 Multi-Family Residential Design Standards, except for the following.

1. 17.12.220.5.a. This criterion requires the existence of, or ability to obtain, adequate utility systems, including surface water drainage, to serve the proposed development in accordance with the City's Master Plans and Standard Specifications. While public water and sanitary sewer utilities are available and adequate, a drainage report has not been submitted; therefore, compliance with City stormwater design standards and the adequacy of the proposed on-site stormwater facilities cannot be verified.

This standard can be met by submitting a final stormwater analysis, report, and supporting documentation for review and approval prior to any on-site construction or City support of building permit issuance, and by constructing the approved stormwater facilities in accordance with the Public Works Design Standards.

2. 17.12.220.5.b. This criterion requires provisions for safe and efficient internal traffic circulation and safe access to the site. The submitted site plan does not demonstrate compliance, as the proposed driveway location does not meet alignment or spacing standards relative to Ridgefield Court and would result in conflicting turning movements.

This standard can be met by relocating the driveway to meet spacing requirements, submitting final construction drawings for review and approval, and entering into a Development Agreement to guarantee completion and acceptance of the required improvements.

3. 17.12.220.5.c. This criterion requires provision of all necessary improvements to local streets and roads, including right-of-way dedication and frontage improvements. The submitted site plan does not demonstrate compliance with Major Collector street standards along E Santiam Street, including required right-of-way dedication, public utility easement dedication, and construction of full frontage improvements.

This standard can be met by dedicating the required right-of-way and public utility easement, constructing frontage improvements to Major Collector standards, submitting final construction drawings, entering into a Development Agreement, and obtaining all required Marion County construction permits.

4. 17.20.060.8. This criterion requires provision of an ADA-accessible parking space. The site plan does not depict a required ADA-accessible parking space.

This standard can be met by submitting revised site plans showing one ADA-accessible parking space in compliance with SMC 17.20.060.8.

5. 17.20.060.9-A.1. This criterion requires provision of bicycle parking. The site plan does not depict the required bicycle parking space.

This standard can be met by submitting revised site plans showing the required bicycle parking space in compliance with SMC 17.20.060.9-A.1.

6. 17.20.190.2.a., 17.20.190.2.b., and 17.20.190.3.a. These criteria require compliance with maximum lot coverage, a step-down in building height adjacent to single-family residential

development, and a maximum building length of 100 feet. The site plans and elevations do not provide sufficient information to verify building square footage, building length, or distances to adjacent single-family residences; therefore, compliance with these standards cannot be confirmed.

These standards can be met by submitting revised site plans and elevations that demonstrate compliance with lot coverage, building length, and height step-down requirements.

7. 17.20.090.3, 17.20.090.7, and 17.20.090.11.a.1. These criteria require complete landscape plan information, including structure dimensions, distances to adjacent residences, street tree spacing, and a five-foot-wide landscape buffer for parking areas. The submitted landscape plans do not provide all required dimensions or spacing information.

This standard can be met by submitting a revised landscape plan that shows building footprint dimensions, distances to adjacent residences, street tree spacing of at least 20 feet on center, and a clearly labeled five-foot-wide landscape buffer.

IV. ORDER

Based on the conclusions above, the Planning Commission approves the application for site plan review as shown on Cover Sheet SDR1, Existing Conditions SDR2, Site Plan SDR3, Open Space SDR4, Grading Plan SDR5, Private Storm Drainage SDR6, Private Sanitary Sewer SDR7, and Private Domestic Water Plan SDR8 all dated November 11, 2025 and prepared by Multi/Tech Engineering, Salem, Stayton, Oregon; Elevations Drawings 1, dated August 30, 2022 prepared by Brad Eisele, Home Design, Independence, Oregon; Report of Infiltration Testing, dated February 25, 2025, by Carlson Geotechnical, Tigard, Oregon; and Landscaping plans Cover Sheet L0.0 and L1.1 by Laurus Designs, LLC, Silverton, Oregon dated August 28, 2025; the application; and all accompanying materials comprising the complete application, subject to the attached standard conditions of approval and the following specific conditions of approval:

1. Prior to any on-site construction or issuance of building permits, the applicant shall submit revised site plans to the City Planner for review and approval that demonstrate the following:
 - a. One ADA-accessible parking space in compliance with SMC 17.20.060.8.
 - b. One bicycle parking space in compliance with SMC 17.20.060.9-A.1.
 - c. Building square footage demonstrating that total lot coverage does not exceed 50 percent and that building length does not exceed 100 feet.
 - d. Distances between the proposed duplexes and the single-family homes at 1260 E Santiam Street and 1119 E Jefferson Street demonstrating an appropriate step-down in building height.
2. Prior to any on-site construction or issuance of building permits, the applicant shall submit a revised landscape plan to the City Planner for review and approval that demonstrates:
 - a. Dimensions of the building footprint.
 - b. Distances to adjacent residential properties.
 - c. Frontage tree spacing of at least 20 feet on center.
 - d. A clearly labeled five-foot-wide landscape buffer adjacent to parking areas associated with the multifamily development.

3. Prior to City approval of any on-site construction or City support of building permit issuance, the applicant or the applicant's engineer shall submit a final stormwater analysis, drainage report, and supporting documentation for review and approval in accordance with the Public Works Design Standards (PWDS). The analysis shall account for existing site topography and all off-site contributing drainage areas and shall inform the final design of the on-site storm drainage facilities (PWDS 102.10.A.3).
4. Prior to City approval of any on-site construction or City support of building permit issuance, an Operation and Maintenance (O&M) plan and agreement shall be submitted for all privately owned and maintained stormwater quality and quantity control facilities. The O&M plan shall be attached to the drainage report, incorporated into any declaration of covenants for the project, and recorded as part of the O&M Agreement (PWDS 603.01.m).
5. As part of the site development permit application, the applicant or the applicant's engineer shall relocate the proposed driveway approach along E Santiam Street so that it is located at least 50 feet from the Ridgefield Court alignment and is designed to provide safe and efficient traffic flow, turning movements, and access, consistent with City standards (PWDS 303.07.D).
6. Prior to City approval of any on-site construction or City support of building permit issuance, the applicant shall dedicate right-of-way along the development side of E Santiam Street to one-half of the ultimate 80-foot-wide right-of-way (40 feet measured from the right-of-way centerline) along the subject property frontage (SMC 12.04.030.1.b).
7. Prior to City approval of any on-site construction or City support of building permit issuance, the applicant shall dedicate a 10-foot-wide public utility easement (PUE) along the development side of E Santiam Street along the subject property frontage (PWDS 102.08.B).
8. As part of the site development permit application, the applicant shall construct or otherwise demonstrate through approved plans that street improvements along the development side of E Santiam Street meet current Major Collector street standards, including 23 feet from roadway centerline to the face of curb, six-foot-wide property-line sidewalks, an eight-foot-wide planter strip, street lighting, street trees, and an accessible pedestrian ramp at the east leg of the Ridgefield Court intersection. All improvements shall be designed and constructed in accordance with the Public Works Design Standards in effect at the time of construction plan submittal (PWDS 303.02.C).
9. Prior to City approval of any on-site construction or City support of building permit issuance, the applicant or the applicant's engineer shall submit final construction drawings to the Public Works Department for the proposed driveway approach, public sidewalk improvements, storm drainage system, and all required public infrastructure, in accordance with the Public Works Design Standards (PWDS 102.09).
10. As part of the development application and prior to approval of construction plans, the applicant shall enter into a Development Agreement with the City guaranteeing completion of the required on-site storm drainage and public street infrastructure improvements. The Agreement shall stipulate that the City will not support issuance of a certificate of occupancy or other project

finalization until all required storm drainage and public infrastructure improvements are constructed and accepted by the City (PWDS 102.09.I, 103.10.B).

11. The applicant shall obtain all required Marion County construction permits for frontage improvements and right-of-way restoration associated with utility service extensions and shall complete such work in accordance with applicable County requirements.
12. Prior to City support of occupancy or other finalization for any building permit on the subject property, the applicant shall construct all required on-site storm drainage systems and public infrastructure improvements in accordance with approved plans and applicable Public Works Design Standards, and such improvements shall be completed and accepted by the City (PWDS 103.10.B).

V. OTHER PERMITS AND RESTRICTIONS

The applicant is herein advised that the use of the property involved in this application may require additional permits from the City or other local, State or Federal agencies.

The City of Stayton Land Use review and approval process does not take the place of, or relieve the Applicant of responsibility for acquiring such other permits, or satisfy any restrictions or conditions there on. The land use permit approval herein does not remove, alter, or impair in any way the covenants or restrictions imposed on this property by deed or other instrument.

In accordance with Section 17.12.120.7, the land use approval granted by this decision shall be effective only when the exercise of the rights granted herein is commenced within 1 year of the effective date of the decision. In case such right has not been exercised or extension obtained, the approval shall be void. A written request for an extension of time may be filed with the City Planner at least 30 days prior to the expiration date of the approval.

VI. APPEAL DATES

The Planning Commission's action may be appealed to the Stayton City Council pursuant to Stayton Municipal Code Section 17.12.110 APPEALS.

Planning Commission Chairperson

Date

Jennifer Siciliano,
Director of Community and Economic Development

Date

DRAFT

Standard Conditions of Approval for Land Use Applications

1. Minor variations to the approved plan shall be permitted provided the development substantially conforms to the submitted plans, conditions of approval, and all applicable standards contained in the Stayton Land Use and Development Code.
2. **Permit Approval:** The applicant shall obtain all necessary permits and approvals from the City of Stayton prior to construction of the project.
3. **Change in Use** - Any change in the use of the premises from that identified in the application shall require the City Planner to determine that the proposed use is an allowed use and that adequate parking is provided on the parcel.
4. **Landscaping** - The applicant shall remain in substantial conformance to the approved landscaping plan and follow the criteria established in SMC 17.20.090 for maintenance and irrigation. Dead plants shall be replaced within six months with a specimen of the same species and similar size class.
5. **Utilities** - Utility companies shall be notified early in the design process and in advance of construction to coordinate all parties impacted by the construction.
6. **Agency Approval** - The Developer shall be responsible for all costs relating to the required public improvements identified in the approved plan and the specific conditions of approval and within the City Ordinances and Standard Specifications. The developer is also responsible for securing design approval from all City, State and Federal agencies having jurisdiction over the work proposed. This includes, but is not limited to, the City of Stayton, the Fire District, Marion County, DEQ, ODHS (water design), DSL, 1200C (state excavation permit), etc
7. **Construction Bonding** - Bonding shall be required if there are any public improvements. Prior to start of construction of any public improvement, the developer shall provide a construction bond in the amount of 100% of the total project costs, plus added City costs associated with public construction. The bond shall be in a form acceptable to the Director of Public Works.
8. **Inspection** - At least five days prior to commencing construction of any public improvements, the Developer shall notify the Director of Public Works in writing of the date when (s)he proposes to commence construction of the improvements, so that the City can arrange for inspection. The written notification shall include the name and phone number of the contracting company and the responsible contact person. City inspection will not relieve the developer or his engineer of providing sufficient inspection to enforce the approved plans and specifications.
9. **Public Works Standards** - Where public improvements are required, all public and private public works facilities within the development will be designed to the City of Stayton, Standard Specifications, Design Standards & Drawings (PW Standards) plus the requirements of the Stayton Municipal Code (SMC). (SMC 12.08.310.1)
10. **Engineered Plans** - Where public improvements are required, the applicant's engineer shall submit design plans for approval of all public improvements identified on the approved plan or as specified in conditions of approval. All design plans must meet the Stayton PW Standards. Engineered construction plans and specifications shall be reviewed by the City

Engineer and signed approved by the City Engineer, or Stayton Public Works Department, prior to construction.

11. **Street Acceptance** - Where public improvements are required, acceptance of completed public street improvements associated with the project shall be in accordance with SMC 12.04.210.
12. **Construction Approval** - All public improvements and public utilities shall be fully constructed and a letter of substantial completion provided by the City Engineer prior to any building permit applications being accepted or issued unless the required improvements are deferred under a non-remonstrance or other agreement approved and signed by the City. Construction items must be completed within a specified period of time provided in the approval letter or the approval of any additional building permits will be withdrawn by the City.
13. **Maintenance Bond** - After completion and acceptance of a public improvement by the City, the developer shall provide a 1-year maintenance bond in the amount of 30% of the construction bond amount. The bond shall be in a form acceptable to the Director of Public Works.
14. **As-Builts** - Where public improvements are required, the developer shall submit to the City, reproducible as-built drawings and an electronic file of all public improvements constructed during and in conjunction with this project. Field changes made during construction shall be drafted to the drawings in the same manner as the original plans with clear indication of all modifications (strike out old with new added beside). As-built drawings shall be submitted prior to final acceptance of the construction, initiating the one-year maintenance period.
15. **Drainage Permit** – A 1200C permit will be secured by the developer if required under the rules of the Oregon State DEQ.
16. **SDC** - Systems Development Charges are applied to the project at the time of issuance of a building permit.