



AGENDA
PLANNING COMMISSION
Monday, January 26, 2026
at 7:00 p.m.

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

HYBRID MEETING

The Stayton Planning Commission will be holding a hybrid meeting utilizing Zoom video conferencing software. The meeting will be in-person but can also be attended virtually. If you would like to virtually participate in the meeting, please contact the Susan Bender at sbender@staytonoregon.gov to receive an invitation to the online meeting.

1. CALL TO ORDER

2. MEETING MINUTES

- a. Approval of December 29, 2025 Minutes

3. PUBLIC HEARING

LAND USE FILE #7-08/25 – Application for Site Plan Review for development of a triplex on a vacant .24-acre property on Ida Street tax lot 091W10CC03002 in the Medium Density (MD) Residential zone.

- a. Staff Introduction and Report
- b. Applicant Presentation
- c. Questions from the Commission
- d. Questions and Testimony from the Public
- e. Applicant Summary
- f. Staff Summary
- g. Close of Public Hearing
- h. Commission Deliberation
- i. Commission Decision

4. PUBLIC HEARING

LAND USE FILE #11-09/25 – Application for Site Plan Review for development of two duplexes 1100 E Santiam Street tax lot 091W11CB02300 a .42-acre property in the Medium Density (MD) Residential zone.

- a. Staff Introduction and Report
- b. Applicant Presentation
- c. Questions from the Commission
- d. Questions and Testimony from the Public
- e. Applicant Summary
- f. Staff Summary
- g. Close of Public Hearing

- h. Commission Deliberation
- i. Commission Decision

5. PUBLIC HEARING

**LAND USE FILE #16-12/24 – Application for Annexation and Subdivision of three parcels
1) 9164 Golf Club Rd, 2) 9384 Golf Club Rd (part of parcel), and 3) 9474 Golf Club Rd
(part of parcel) to be zoned Medium Density (MD) Residential zone.**

- a. Staff Introduction and Report
- b. Applicant Presentation
- c. Questions from the Commission
- d. Questions and Testimony from the Public
- e. Applicant Summary
- f. Staff Summary
- g. Close of Public Hearing
- h. Commission Deliberation
- i. Commission Decision

6. OTHER BUSINESS

7. ADJOURN

The meeting location is accessible to people with disabilities. A request for an interpreter for the hearing impaired or other accommodations for persons with disabilities should be made at least 48 hours prior to the meeting. If you require special accommodation, contact the Community and Economic Development Department at (503) 769-2998.

**STAYTON PLANNING COMMISSION
MEETING MINUTES**

Monday, January 26, 2026

COMMISSIONERS: Larry McKinley – Chair
Peter Bellas
Amy Watts
Melissa Sutkowski
Steve Baldwin

STAFF MEMBERS: Jennifer Siciliano, Community & Economic Development Director
Susan Bender, Public Works Office Specialist

OTHERS PRESENT: Ross Bochsler representing Kardboard Box, LLC; David Dodson of Willamette Valley Planning; Randy Myers, Applicant; Mark Grenz of Multi-Tech Engineering

CALL TO ORDER: Chairman McKinley called the meeting to order at 7:00 pm. Quorum is present.

APPROVAL OF MINUTES: Ms. Sutkowski moved, and Ms. Watts seconded to approve the minutes from November 24, 2025, as presented. Passed 5:0.

Agenda item Land Use File #7-08/25 – Application for Site Plan Review for development of a tri-plex on a vacant .24-acre property on Ida Street tax lot 091W10CC03002 in the Medium Density (MD) Residential zone.

COMMENCEMENT OF PUBLIC HEARING: Chair McKinley read the opening statement and opened the hearing at 7:00 pm. No objections were made by the audience to the notice in this case or the jurisdiction of this body to hear the case. There were no declarations of conflict of interest, *ex-parte* contact, or bias by members of the Planning Commission.

STAFF INTRODUCTION AND REPORT: This currently vacant property was created as part of a three-lot partition approved on October 22, 2024. The applicant, Ross Bochsler on behalf of Kardboard Box, LLC, submitted an application for Site Plan Review to construct a new triplex residential development. Because the proposal involves a new tri-plex in the MD zone, a Site Plan Review is required.

Staff finds that the majority of the applicable criteria are satisfied, however several items require conditions of approval to ensure full compliance with the Stayton Municipal Code.

APPLICANT PRESENTATION: Mr. Bochsler requests approval with the conditions as presented by staff. Conditions include design details, driveway width, landscaping, and dimensional clarifications, etc. and asks the Commission to adopt the staff report as presented, with the understanding that those items will be addressed.

Questions from commission: One by Mr. Bellas, who questioned the reality of parking since everyone fills their garages with stuff. Applicant is making parking available in garages and in the driveways. Chair McKinley clarified that applicants are only responsible to provide sufficient parking.

PUBLIC TESTIMONY: None

APPLICANT SUMMARY/RESPONSE: No further comments.

STAFF SUMMARY: Staff is satisfied with the application including the conditions of approval and expects to work with the applicant.

Chair McKinley closed the public hearing at 7:17 pm.

COMMISSION DELIBERATION: General discussion of the prior partition action and notes that the development is appropriate for the zoning.

DECISION: Ms. Sutkowski moved that the Planning Commission approve the application for Site plan Review for Ross Bochsler, Kardboard Box, LLC re Ida Triplex, Land Use File #7-08/25 and adopt the draft order as presented by Staff. Mr. Bellas seconded. Motion passed 5:0.

Land Use File #11-09/25 – Application for Site Plan Review for development of two duplexes 1100 E Santiam Street tax lot 091W11CB02300 a .42-acre property in the Medium Density (MD) Residential zone.

COMMENCEMENT OF PUBLIC HEARING: Chair McKinley read the opening statement and opened the hearing at 7:20 pm. No objections were made by the audience to the notice in this case or the jurisdiction of this body to hear the case. There were no declarations of conflict of interest, *ex-parte* contact, or bias by members of the Planning Commission.

STAFF INTRODUCTION AND REPORT: The property has approximately 118 feet of frontage on E Santiam Street, and is zoned Medium Density Residential and is currently developed with an existing single-family dwelling and accessory garden shed, both of which are vacant. The applicant, Sly Toran, submitted an application for Site Plan Review to construct two duplex structures served by a single shared driveway from E Santiam Street, with associated parking, on-site utilities, stormwater facilities, and landscaping improvements.

As presented, Staff finds that some of the applicable criteria can be met. However, several elements of the proposal are not in compliance with Stayton Municipal Code. These elements include stormwater documentation, driveway alignment and access spacing, frontage improvements and right-of-way dedication along a designated Major Collector, parking and bicycle facilities, certain multi-family design standards, and specific landscape plan details. These deficiencies can be addressed through conditions of approval requiring revised plans, engineering submittals, and right-of-way and easement dedication. Staff

recommends approval of the application and adoption of the Draft Order as presented, subject to the conditions contained therein.

APPLICANT PRESENTATION: Marc Grenz of Multi-Tech Engineering representing the applicant. Driveway issue easily resolvable, applicant will mirror the plans to address Marion County's concerns. They have recently provided stormwater report to the City. Only deficiency is the final stormwater report. He and applicant are okay with the conditions set out by staff. Question put to Mr. Grenz by Mr. Baldwin, with existing structures on site, how will duplexes fit on the lot? Mr. Grenz responded that those structures will be completely removed.

PUBLIC TESTIMONY: None

APPLICANT SUMMARY/RESPONSE: As previously presented.

STAFF SUMMARY: Staff is satisfied with all of the conditions included.

Chair McKinley closed the public hearing at 7:23.

COMMISSION DELIBERATION: Mr. McKinley stated he drove by the property in question and feels that demolition and construction of new homes will be an improvement to the property. No further discussion.

DECISION: Ms. Sutkowski moved to adopt the recommendation to approve the application for Site Plan Review for Sly Toran, 1100 E Santiam St (Land Use File #11-09/25) and adopt the draft order as presented by Staff. Seconded by Mr. Baldwin. Motion passed 5:0.

Land Use File #16-12/24 – Application for Annexation and Subdivision of three parcels 1) 9164 Golf Club Rd, 2) 9384 Golf Club Rd (part of parcel), and 3) 9474 Golf Club Rd (part of parcel) to be zoned Medium Density (MD) Residential zone.

COMMENCEMENT OF PUBLIC HEARING: Chair McKinley read the opening statement and opened the hearing at 7:28 pm. An objection was made by an audience member to the notice in this case regarding receipt of public notices, but not to the jurisdiction of this body to hear the case. Mr. Randol Blair stated that he did not receive notice of the hearing. Staff responded that they were appreciative he was able to attend despite not receiving notice. Staff further explained that public notice was provided in accordance with applicable requirements, which do not require certified mail, and that notice was mailed to property owners as listed in the current Marion County tax assessor's records. Staff indicated they will verify, moving forward, that notice is sent to all abutters as required. Mr. McKinley declared a conflict as he knows Ms. Yvonne Parsons personally, so he recused himself. Turned meeting over to the Vice Chair, Ms. Watts. Otherwise, there were no declarations of conflict of interest, *ex-parte* contact, or bias by members of the Planning Commission.

STAFF INTRODUCTION AND REPORT: The property in question is approximately 59.63 acres and consists of the three parcels above. The annexation includes an approximately 3,000-foot portion of existing public right-of-way along Golf Club Road SE. The applicant requests annexation into the City of Stayton with application of the Medium Density (MD) Residential zoning district. The applicant, Randy Myers of Brownstone Homes, initially submitted a combined annexation and subdivision application. On January 7, 2026, the subdivision portion of the application was formally withdrawn. The annexation request

remains under consideration. Marion County reviewed the proposed annexation and noted that it did not appear to include the full width of the Golf Club Road SE right-of-way. Marion County expressed a preference that the right-of-way be included within the City limits, given that the City's Urban Growth Boundary extends along the properties bordering the west side of Golf Club Road SE. Staff recommends approval of the application and adoption of the Draft Order as presented, subject to the conditions contained therein.

APPLICANT PRESENTATION: Mr. David Dodson, with Willamette Valley Planning spoke on behalf of the applicant. Randy Myers is in attendance as is Mark Grenz of Multi-Tech Engineering. Mentioned that the original application did include subdivision, but they withdrew due to issues with the phasing of planned construction on their end. They decided to go forward with Annexation application while their other issues are addressed. They do intend to subdivide and construct a phased development. They concur with the recommendation of the staff report. Mr. Baldwin asked for clarification as to annexation impact on neighboring owners. Mr. Dodson replied they are not being forced to annex, that is their own decision. Mr. Bellas commented on 'cherry-stem' developments which reach out to Golf Club Road SE in that while they are technically legal, it can cause legal issues later. He cautions City to be cautious. In addition, Mr. Bellas expressed concern with the proximity of housing developments right next to active agriculture. Ms. Watts questions whether there are other properties available to develop. Mr. Dodson reminded the Commission and residents that the developer pays the cost of utility system developments which then benefit adjacent property owners, and in addition Oregon has a Right-To-Farm law that allows standard agricultural activities. Ms. Watts asked for further clarification on the 3000 foot 'cherry stem' section and what will happen there. Mr. Dodson replied that it would be part of the site development proposal which is the planned next phase.

PUBLIC TESTIMONY: Mr. Charles Hawkins of 9534 Golf Club Road SE read a comment previously submitted to the Commission and the Applicant regarding the annexation of Golf Club Road SE and the transfer of responsibility of that section. In particular, the change in Right of Way (ROW) along that section, which will increase from 54 feet to 100 feet which is the City's standard.

Mr. George Hann of 9264 Golf Club Road SE questions the intent in addressing the stormwater. The general area is already prone to flooding, where will all the water go?

Staff responded to both questions, clarifying the ROW issue and reminding attendees that the question before the Commission is annexation, not development.

Mrs. Betty Hann of 9264 Golf Club Road SE, whose home is on the west side of Golf Club Road SE expressed concern that the entirety of Golf Club Road SE will be annexed. Staff confirmed and clarified the dimensions and confirmed that while the road would be in City limits, it will still be owned by Marion County. Mrs. Hann then expressed concern about the impacts on their well and septic systems and very concerned about traffic.

Ms. Brandi Stapleton of 9263 Golf Club Road SE expressed concerns about receiving only one notice, stormwater runoff concerns, traffic concerns, and the addition of more kids in Stayton schools that are already full.

Mr. Rick Wheatman of 11610 Golf Club Road SE expressed concerns about stormwater runoff and especially traffic load.

Mr. Randol Blair of 9584 Golf Club Road SE expressed concerns about stormwater runoff and flooding, as well as concerns about forced annexation. Requests notices be sent via Certified Mail. Asked the Commission to deny the application.

Mr. Baldwin pointed out to the room that by state law, the Planning Commission cannot consider impacts on schools in their deliberations.

Mr. Carl Gommel (via Zoom) submitted a lengthy document previously, which was included in the Commission's packet. He lives at 12174 Golf Lane and stated he is opposed to the annexation based on his interpretation of existing laws and regulations. He expressed concern about the flooding that is currently occurring, and the legality of the cherry-stem annexation.

APPLICANT SUMMARY/RESPONSE: Mr. Dodson reiterated that the Golf Club Road SE ROW in that the annexation would include a portion of the road, but that the ownership will remain with Marion County. He stated that typically such road improvements such as widening, turning lanes, etc. follow development. He addressed the drainage and flooding issues wherein they are planning to preserve most of the wetlands and lessen the impacts of the development on Mill Creek. He reminded the Commission that the applicant is obligated to address City, County, and State water quality issues. They are planning a detention pond on the property to mitigate the peak flows. He recognizes that traffic and safety are big concerns. The development will include two new public streets with the accompanying gutter and storm drains. The process of development must include traffic studies, and he anticipates a potential turn lane on Golf Club Road SE.

STAFF SUMMARY: Ms. Siciliano reiterated that the issue before the Commission is annexation. She clarified the obligation of the City to send one notice prior to 20 days before the Planning Commission Public Hearing and that Staff will update the abutters list as required. She then discussed the applicable annexation criteria, including community need, adequacy of public services, contiguity to city limits, and consistency with urban growth policies and surrounding character, referencing the 2013 Comprehensive Plan and supporting master plans. She noted that contiguity and right-of-way considerations may require further legal review and suggested the Commission consider a continuance. She also emphasized that both the State and Marion County are aware of the application; while the County has no concerns with annexation itself, it may have concerns related to future development.

Vice-Chair Watts asked about continuing the hearing. Mr. Bellas moved to continue the hearing to the next meeting scheduled for February 23, 2026. Ms. Sutkowski seconded. Motion passed 4:0. With Chair McKinley abstaining.

COMMISSION DELIBERATION: delayed until continuation

DECISION: N/A

ADJOURN: Chair McKinley adjourned the meeting at 8:57 pm.

City of Stayton

MEMORANDUM

TO: Chairperson Larry McKinley and Planning Commission Members

FROM: Jennifer Siciliano, Director of Community and Economic Development

DATE: February 23, 2026

SUBJECT: Annexation – KSD Properties, LLC (Golf Lane)

120 DAYS ENDS: Not applicable – Annexation

ISSUE

The issue before the Planning Commission is a Public Hearing on an application for Annexation of an approximately 21-acre property located on Golf Lane (Tax Lot 091W03B001500). The applicant proposes annexation into the city limits and application of the Medium Density (MD) Residential zoning district.

The Planning Commission held a public hearing on this application in November 2025 and adopted an order recommending approval of the annexation and assigning Low Density (LD) Residential zoning to the property. Prior to the City Council's public hearing, it was determined that the City had not provided the required notice to the state Department of Land Conservation and Development, necessitating the need for this second public hearing.



BACKGROUND

The subject property is approximately 21 acres, vacant, located in Marion County fronting on Golf Lane, and zoned Urban Transition (UT-20). It lies within the Stayton Urban Growth Boundary (UGB) but outside the city limits. The surrounding area consists of a mix of City-zoned and County-zoned properties. The property to the north was annexed in 2019 and is zoned Commercial General (CG). Golf Lane to the east has been annexed into the City limits, while the land immediately across Golf Lane is owned by ODOT. The property to the south consists of large-lot

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single-family homes and remains under Marion County UT-20 zoning. The property to the west is owned by the Stayton Middle School campus, is forested, and is zoned Public/Semi-Public (P).

KSD Properties, LLC submitted an annexation application requesting MD Residential zoning and providing a concept plan for 74 single-family lots, revised from an earlier concept of 92 lots. The Medium Density (MD) zone allows single-family, duplex, and triplex dwellings. If developed at the maximum densities allowed by the MD zone, the site could yield up to 128 duplex units and 30 triplex units, the latter allowed only on lots exceeding 10,500 square feet—10 such lots are shown in the concept plan. This level of multifamily construction exceeds the need identified in the City's 2013 Buildable Lands Inventory (BLI) and is inconsistent with the City's actual growth rate, which has averaged only 0.86% annually between 2000 (population 6,816) and 2025 (population 8,280).

Given this mismatch between projected and actual growth, and the resulting overproduction of multifamily housing that could occur under MD zoning, staff has concluded that the LD (Low Density Residential) zone more appropriately reflects the housing needs of the community.

ANALYSIS

This report and the draft order present Planning Staff's summary and analysis concerning this application. The analysis was developed with input from City departments, including the City Engineer and the City's transportation engineering consultant.

The current draft order reflects the order adopted by the Planning Commission in November, with updates to reflect the public testimony at the November public hearing and additional description of the contents and conclusions of the transportation impact analysis submitted with the application. There has not been any additional written testimony submitted since the November hearing.

RECOMMENDATION

Staff recommends option one: approval of the draft order as presented with LD (Low Density Residential) zoning rather than the MD zoning requested.

Staff finds that annexation of the property is appropriate and consistent with urban growth policies; however, the LD zoning district best meets the current and projected housing needs of the City.

OPTIONS AND SUGGESTED MOTIONS

Staff has provided the Planning Commission with a number of options, each with an appropriate motion.

1. Approve the application, adopting the draft order of recommendation as presented.

I move the Stayton Planning Commission recommend approval of the application for Annexation for KSD Properties, LLC for a 21-acre property on Golf Lane (Tax Lot 091W03B001500), (Land Use File #5-02/24) and assignment of Low Density Residential zoning to the property, adopting the draft order of recommendation as presented by Staff.

2. Approve the application, adopting modifications to the draft order of recommendation.

I move the Stayton Planning Commission recommend approval of the application for Annexation for KSD Properties, LLC for a 21-acre property on Golf Lane (Tax Lot 091W03B001500), (Land Use File #5-02/24) and assignment of Low Density Residential zoning to the property, adopting the draft order of recommendation with the following changes...

3. Continue the hearing until March 30, 2026.

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I move the Stayton Planning Commission continue the public hearing on the application for Annexation for KSD Properties, LLC for a 21-acre property on Golf Lane (Tax Lot 091W03B001500), (Land Use File #5-02/24) until March 30, 2026.

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

I move the Stayton Planning Commission to recommend denial of the application for Annexation for KSD Properties, LLC for a 21-acre property on Golf Lane (Tax Lot 091W03B001500), (Land Use File #5-02/24) and direct staff to modify the draft order of recommendation to reflect the Planning Commission's discussion and bring a revised draft order of recommendation for Planning Commission approval at the March 30, 2026, 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 Annexation for KSD Properties, LLC for a 21-acre property on Golf Lane (Tax Lot 091W03B001500), (Land Use File #5-02/24) but maintain the record open to submissions by the applicant until March 9, 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 March 30, 2026.

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 Annexation for KSD Properties, LLC for a 21-acre property on Golf Lane (Tax Lot 091W03B001500), (Land Use File #5-02/24) until March 30, 2026.

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), proposing a zoning designation of Medium Density (MD) Residential and including a concept plan for a 74-lot subdivision into city limits.

II. PUBLIC HEARINGS

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. Following that hearing it was discovered that notice had not been provided to the Oregon Department of Land Conservation and Development, as required by ORS 197.610. A second public hearing was held on February 23, 2026.

III. FINDINGS OF FACT

A. EXISTING CONDITIONS

1. The owner of the property and the applicant is 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. Across Golf Lane is land owned by the Oregon Dept of Transportation, obtained as part of the Hwy 22 interchange development project. The properties to the south have not been annexed, remain under Marion County jurisdiction, are zoned Urban Transition (UT-20) and are vacant and developed as single unit dwelling. The property to the west is within the City limits, is part of the Stayton Middle School campus, 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, City of Salem Development Services, 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 prior to each public hearing and has received two public comments on these applications. Carlos Gonzales of 12173 Golf Lane has submitted concerns about the potential development of the property. Carl Gomoll submitted comments. Both Mr. Gonzales and Mr. Gomoll provided testimony at the November public hearing. Two other individuals testified at the November public hearing. Where the public testimony addressed approval criteria, it is summarized and included in the findings below.

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. The projected population for the City in 2030 (at a medium growth rate of 1.7%) was 11,359 people, requiring an additional 1,281 dwellings. To meet that need, the City Comprehensive Plan indicates the expected need of additional 320 acres of residential to be annexed into the City. 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
East Santiam Duplexes	2023	duplexes	18 (9 duplexes)
Shaff Square	2023	multi-family	100

Based on these totals, Stayton’s housing needs are as follows: 753 single-family homes, 182 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 2025, Stayton’s population increased from 6,816 to 8,280—a change of 1,464 people—reflecting an average annual growth rate of approximately 0.86%. 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 provide some of 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: 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

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 at the time of development.

The application included a Transportation Impact Analysis (TIA) prepared by Jenna Bogert, PE. The TIA looked at the projected impacts of a 92-lot residential subdivision, assuming single family dwellings on each lot. The TIA assessed the impacts of development on the intersections of Cascade Highway and the Oregon 22 ramps, the Golf Lane/Park & Ride intersection, the Whitney St intersection, and the Shaff Rd/Fern Ridge Rd intersection. The TIA noted that no intersection improvements were warranted.

Written comments and testimony at the public hearing expressed concerns over traffic impacts. The annexation is not accompanied by a concurrent application for development but includes a conceptual plan for a 74-lot subdivision. Most the public comments addressed the impacts of development, not the annexation of property into the city limits. Development of the subdivision will include a separate application and review process, at which time a thorough review of transportation impacts will be conducted.

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

TIA determined that the development would not trip the thresholds for realignment of Golf Lane.

The TIA was reviewed by the City's transportation planning consultant who noted that the TIA is based on the previous submission of 92 single-family homes. The consultant recommended that the TIA be updated to reflect the current conceptual plan for 74 lots determine if realignment of Golf Lane is necessary. Marion County had no comments on the TIA.

Stormwater Drainage

The City's engineering consultant has stated that 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

The City's engineering consultant has stated that the 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

The City's engineering consultant has stated that the 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, and 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 property lies within the Stayton Urban Growth Boundary and is designated Residential in the Comprehensive Plan. Applying either the LD or MD zone upon annexation matches that designation and maintains consistency with the planned future character of the area. With the recent new construction of multi-family and duplex developments in the City, development of the property as MD would potentially exceed the need for duplex and multifamily housing as identified in the Comprehensive Plan.

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. The application requested MD zoning be assigned to the property. This criterion could be met if the zoning assigned at the time of annexation is LD.
2. 17.20.210.4.b. This section requires the site is capable of being serviced by adequate city public services. The TIA submitted with the application was based on a different number of housing units than included in the conceptual plan. This criterion could be met if an updated TIA is submitted based on the correct number

of housing units in the conceptual plan which demonstrates that the realignment of Golf Lane is not required under the City and County’s May 2003 Memorandum of Understanding.

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. Prior to the City Council public hearing, the applicant shall submit an updated Traffic Impact Analysis (TIA) that reflects the correct number of housing units in the conceptual plan, 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.

Larry McKinley, Chairperson

Date

Jennifer Siciliano,
Community and Economic Development Director

Date

LAND USE FILE #5-02/24 – (Reheard due to notice) – Application for Annexation of an approximately 21-acre property on Golf Lane tax lot 091W03B001500 into the City Limits to be zoned as Medium Density (MD) Residential.

Additional information found at the following webpage:

Application, Narrative, and Responses:

<https://www.staytonoregon.gov/page/open/5842/0/Revised%20Narrative%20Package%20Application%20and%20Narrative.pdf>

Combined Comments:

<https://www.staytonoregon.gov/page/open/5842/0/Combined%20Comments>

Additional Kittelson Comments:

<https://www.staytonoregon.gov/page/open/5842/0/Combined%20Kittelson%20Additional>

City of Stayton

MEMORANDUM

TO: Chairperson Larry McKinley and Planning Commission Members

FROM: Jennifer Siciliano, Director of Community and Economic Development

DATE: February 23, 2026

SUBJECT: Annexation – Kevin and Paige Butler (Shaff Rd)

120 DAYS ENDS: Not applicable – Annexation

ISSUE

The issue before the Planning Commission is a Public Hearing on an application for Annexation of an approximately 17-acre property located on Golf Lane (Tax Lot 091W03B001500). The applicant proposes annexation into the city limits and application of the High Density (HD) Residential zoning district.



BACKGROUND

The subject property is approximately 17 acres of vacant land, located in Marion County fronting on Shaff Rd, and currently zoned Urban Transition (UT-20). It lies within the Stayton Urban Growth Boundary (UGB) but outside the city limits. The surrounding area consists of a mix of City-zoned and County-zoned properties. The property to the north consists of a large-lot single-family home and is also used for agriculture. The properties to the east were annexed in 2020 and are zoned HD and Commercial General (CG). The HD property is a 100-unit multifamily development. The CG property is vacant. The properties to the south are a vacant 44-acre parcel, zoned Light Industrial and a 1.7-acre parcel not yet annexed, zoned Marion County UT-20 and developed with a single-family dwelling. The property to the west is outside of the Urban Growth Boundary and is a 44-acre parcel zoned Exclusive Farm Use by Marion County. This property is in the same ownership as the subject parcel.

City of Stayton

ANALYSIS

This report and the draft order present Staff's summary and analysis concerning this application. The analysis was developed with input from City departments, including the City Engineer and the City's transportation engineering consultant.

Kevin and Paige Butler submitted an annexation application requesting HD zoning. A concurrent application for development was not submitted, and instead of providing a concept plan for future development the application included an engineering memorandum detailing how the property could be served by city utilities.

The HD zone allows multi-family dwellings, attached single-family dwellings, and mobile home parks. The minimum density permitted in the HD zone is 13 units per acre, with no upper limit. If developed at the minimum density allowed by the HD zone, the site would require a minimum of 408 dwelling units.

A careful review of the applicant's narrative identifies several areas where clarification would help ensure the record before the Commission is accurate and complete. As noted above, the High Density (HD) zone establishes a minimum density requirement but does not include a maximum density standard; however, the narrative references a maximum density requirement in several instances, which does not reflect the current code provisions. In addition, the narrative references a 2021 Comprehensive Plan Housing Needs Analysis, but the City did not complete a housing needs analysis in 2021.

Criterion a of the approval criteria requires the Planning Commission and Council to make a finding that there is need in the community for the land proposed to be annexed. The following information is presented to assist the Commission in making that determination. The adopted Comprehensive Plan includes 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. The projected population for the City in 2030 (at a medium growth rate of 1.7%) was 11,359 people, requiring an additional 1,281 dwellings. To meet that need, the City Comprehensive Plan indicates the expected need of additional 320 acres of residential to be annexed into the City. 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)
Wildlife Meadows	2017	single-family home	42 (2 duplexes)
Hayden (Lambert Place)	2020	single-family home	51
Fern Ridge	2022	multi-family	72
East Santiam Duplexes	2023	duplexes	18 (9 duplexes)
Shaff Square	2023	multi-family	100

City of Stayton

Based on these totals, Stayton's housing needs are as follows: 753 single-family homes, 182 duplex or attached single-family units, 2 multifamily units, and 25 mobile homes.

These projections are based on an anticipated growth rate almost twice as high than what has actually occurred, meaning the calculated housing needs may be somewhat overstated. From 2000 to 2025, Stayton's population increased from 6,816 to 8,280—a change of 1,464 people—reflecting an average annual growth rate of approximately 0.86%. The Marion County Coordinated Growth projection of 1.7% average annual growth rate was used in the projected needs.

The development of more than 400 multifamily units exceeds the need identified in the City's BLI and is inconsistent with the City's actual growth rate, which has averaged only 0.86% annually between 2000 and 2025. While these 400 units could potentially be developed as attached single-family housing, that total would still exceed the identified need of 182 units.

Given this mismatch between projected and actual growth, and the resulting overproduction of multifamily housing that could occur under HD zoning, staff has concluded that the LD (Low Density Residential) zone more appropriately reflects the housing needs of the community.

The City received comments from the Santiam Water Control District, with a number of requests concerning action on this application. Some of the SWCD's comments addressed stormwater impacts of future development. However, most of the comments from the SWCD do not address the approval criteria that the Planning Commission must apply to the application. These comments are summarized below and Staff's response is provided in order to place the response into the record.

- SWCD has stated that a property owner may not discharge stormwater into the Salem Ditch without SWCD approval. SWCD has stated that the Salem Ditch is at capacity and further development, without controls, will cause facility damage, flooding, and water quality degradation. The City and the SWCD entered into a Memorandum of Understanding in 2014 regarding stormwater discharges into SWCD facilities, including the Salem Ditch. Following execution of the MOU, the City amended the stormwater control sections of the City's Public Works Design Standards (Division 6) to restrict stormwater discharges from development to no more than predevelopment discharge rates, and for some design storms at less than the predevelopment discharge rate, to require downstream capacity analysis, and to prohibit new discharge points into a SWCD facility without a written approval from the SWCD.
- The SWCD raised the issue of Statewide Planning Goal 6 and the obligation of the City to assure that future development complies with state and federal environmental statutes and rules. The statewide planning goals are applicable to the development of the City's comprehensive plan and land use regulations, not the individual application of the land use regulations to a specific land use or limited land use project (See *Gottman v. Clackamas County*). The Comprehensive Plan and Title 17 have been acknowledged and found consistent with the statewide planning goals.
- The SWCD requested that the City's approval of this application include conditions that protect the SWCD's compliance with the Total Maximum Daily Load requirements. This application is solely for the annexation of property into the city limits and not for development approval. Bringing the property into the city limits will not impact the TMDL responsibilities of the SWCD or the City.
- The SWCD raised the issue that the application did not accurately identify the property to be annexed, due to the SWCD's maintenance easement and use rights encumbering the property. The applicant provided a copy of the recorded partition plat that established the

City of Stayton

parcel to be annexed. The annexation of the property into the city limits will not have any impact on the SWCD's easement rights. The existence of easements does not need to be part of the legal description of the territory to be annexed. Further, SWCD notes it needs a minimum of 30 feet from the ditch edge remain undeveloped to allow their maintenance of the ditch. Upon annexation, the property will be subject to the 100-foot wide Natural Resource Overlay District which prohibits most development activity in order to maintain water quality and protect riparian habitat.

- The SWCD noted the responsibility of the City to coordinate its planning responsibilities with other units of government, including the SWCD. The City has complied with this requirement by including the SWCD in the drafting of the Comprehensive Plan in 2011 through 2013, the drafting of the Stormwater Master Plan, the drafting of the Public Works Design Standards, and by notifying the SWCD of this application and requesting their input. A local government is not required to “accede to every request that may be made” by another unit government (see *Brown v. Coos County*).
- The SWCD raised a concern over the potential loss of their water rights due to conversion of the property from agricultural use to urban development. This issue is not related to an approval criterion and is beyond the control of the City. Further, annexation of the property is not converting the use of the property, only the jurisdictional boundaries of the City.
- The SWCD, finally, raised the issue their contract with the applicant to deliver irrigation water. The SWCD requested the applicant sign a Termination of Contract as part of the annexation process. This issue is not related to an approval criterion and is beyond the control of the City. Further, annexation of the property does not mean that delivery of irrigation water to the property will cease, only that the jurisdictional boundaries of the City are expanded.

RECOMMENDATION

Staff recommends option one: approval of the draft order as presented with LD (Low Density Residential) zoning rather than the HD zoning requested.

Staff finds that annexation of the property is appropriate and consistent with urban growth policies; however, the LD zoning district best meets the current and projected housing needs of the City.

OPTIONS AND SUGGESTED MOTIONS

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

1. Approve the application, adopting the draft order of recommendation as presented.

I move the Stayton Planning Commission recommend the application for Annexation for Kevin and Paige Butler for a 17-acre property on Shaff Rd (Tax Lot 091W03B001500), (Land Use File #10-08/25) and adopt the draft order of recommendation as presented by Staff.

2. Approve the application, adopting modifications to the draft order of recommendation.

I move the Stayton Planning Commission to recommend the application for Annexation for Kevin and Paige Butler for a 17-acre property on Shaff Rd (Tax Lot 091W03B001500), (Land Use File #10-08/25) and adopt the draft order of recommendation with the following changes...

City of Stayton

3. Continue the hearing until March 30, 2026.

I move the Stayton Planning Commission continue the public hearing on the application for Annexation for Kevin and Paige Butler for a 17-acre property on Shaff Rd (Tax Lot 091W03B001500), (Land Use File #10-08/25) until March 30, 2026.

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

I move the Stayton Planning Commission to recommend denial of the application for Annexation for Kevin and Paige Butler for a 17-acre property on Shaff Rd (Tax Lot 091W03B001500), (Land Use File #10-08/25) and direct staff to modify the draft order of recommendation to reflect the Planning Commission's discussion and bring a revised draft order of recommendation for Planning Commission approval at the March 30, 2026 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 Annexation for Kevin and Paige Butler for a 17-acre property on Shaff Rd (Tax Lot 091W03B001500), (Land Use File #10-08/25) but maintain the record open to submissions by the applicant until March 9, 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 March 30, 2026.

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 Annexation for Kevin and Paige Butler for a 17-acre property on Shaff Rd (Tax Lot 091W03B001500), (Land Use File #10-08/25) until March 30, 2026.

BEFORE THE STAYTON PLANNING COMMISSION

In the matter of
the application of
Kevin and Paige Butler

)
) Annexation
) File # 10-08/25
)

ORDER OF RECOMMENDATION

I. NATURE OF APPLICATION

The applicant has submitted an application for annexation of a 17-acre parcel of land fronting Shaff Road (tax lot 091W04C001901), proposing a zoning designation of High Density (HD) Residential.

II. PUBLIC HEARING

A public hearing was held on the application before the Stayton Planning Commission on February 23, 2026. At that hearing the Planning Commission reviewed Land Use File #10-08/25 application for annexation and it was made part of the record.

III. FINDINGS OF FACT

A. EXISTING CONDITIONS

1. The owner of the property is Kevin Butler and the applicants are Kevin and Paige Butler.
2. The parcel can be described as: taxlot 091W04C001901.
3. The property is currently outside of the City Limits and zoned Marion County Urban Transition (UT-20).
4. The property is approximately 17 acres with frontage on Shaff Rd, frontage along the Salem Ditch, and is currently vacant.
5. The property is designated Residential by the Comprehensive Plan Map with a 100-foot wide Natural Resource Overlay District along the Salem Ditch.
6. The property to the north has not been annexed into the City, remains under Marion County jurisdiction, is zoned Urban Transition (UT-20), and is an 11-acre parcel used for a single-family residence and agriculture. The properties to the east were annexed into the City in 2020, are zoned HD and Commercial General and are developed with a multifamily development and vacant, respectively. One of the properties to the south, across Shaff Rd is zoned Light Industrial, is vacant except for a storage shed, and is used for agriculture. The other property across Shaff Rd is has not been annexed into the City, remains under Marion County jurisdiction, is zoned Urban Transition (UT-20), and is a 1.7-acre parcel used for a single-family residence. The property to the west is outside of the Urban Growth Boundary and is a 44-acre parcel zoned Exclusive Farm Use by Marion County.

B. PROPOSAL

The proposal is to annex a 17-acre parcel of land fronting Shaff Rd (tax lot 091W04C001901) into the city. The applicant has proposed that High Density (HD) 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, City of Salem Development Services, and the North Santiam School District.

Stayton Public Works provided a memorandum dated December 10, 2025, authored by the City's consultant engineer. In addition, the City's transportation engineering consultant submitted comments during the preapplication phase and had no further review comments during the application process. Santiam Water Control District submitted comments expressing concern over stormwater impacts on the Salem Ditch. These comments are incorporated into the findings below.

City of Salem replied they were not impacted by the application. 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.

The Santiam Water Control District (SWCD) also submitted comments not directly related to stormwater impacts or to the approval criteria. The SWCD raised the issue of Statewide Planning Goal 6 and the obligation of the City to assure that future development complies with state and federal environmental statutes and rules. The statewide planning goals are applicable to the development of the City's comprehensive plan and land use regulations, not the individual application of the land use regulations to a specific land use or limited land use project. The Comprehensive Plan and Title 17 have been acknowledged and found consistent with the statewide planning goals.

The SWCD requested that the City's approval of this application include conditions that protect the SWCD's compliance with the Total Maximum Daily Load requirements. This application is solely for the annexation of property into the city limits and not for development approval. Bringing the property into the city limits will not impact the TMDL responsibilities of the SWCD or the City.

The SWCD raised the issue that the application did not accurately identify the property to be annexed, due to the SWCD's maintenance easement and use rights encumbering the property. The applicant provided a copy of the recorded partition plat that established the parcel to be annexed. The annexation of the property into the city limits will not have any impact on the SWCD's easement rights. The existence of easements does not need to be part of the legal description of the territory to be annexed.

The SWCD noted the responsibility of the City to coordinate its planning responsibilities with other units of government, including the SWCD. The City has complied with this

requirement by including the SWCD in the drafting of the Comprehensive Plan in 2011 through 2013, the drafting of the Stormwater Master Plan, the drafting of the Public Works Design Standards, and by notifying the SWCD of this application and requesting their input.

The SWCD raised a concern over the potential loss of their water rights due to conversion of the property from agricultural use to urban development. This issue is not related to an approval criterion and is beyond the control of the City.

The SWCD, finally, raised the issue their contract with the applicant to deliver irrigation water. The SWCD requested the applicant sign a Termination of Contract as part of the annexation process. This issue is not related to an approval criterion and is beyond the control of the City.

D. PUBLIC COMMENTS

The Community and Economic Development Department notified all owners of property within 300 feet of the subject property and has received no public comment on the application prior to the public hearing.

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. The projected population for the City in 2030 (at a medium growth rate of 1.7%) was 11,359 people, requiring an additional 1,281 dwellings. To meet that need, the City Comprehensive Plan indicates the expected need of additional 320 acres of residential to be annexed into the City. 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)
Wildlife Meadows	2017	single-family home	42 (2 duplexes)
Hayden (Lambert Place)	2020	single-family home	51
Fern Ridge	2022	multi-family	72
East Santiam Duplexes	2023	duplexes	18 (9 duplexes)
Shaff Square	2023	multi-family	100

Based on these totals, Stayton’s housing needs are as follows: 753 single-family homes, 182 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 2025, Stayton’s population increased from 6,816 to 8,280—a change of 1464 people—reflecting an average annual growth rate of approximately 0.86%. 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 High Density (MD) Residential zoning designation. Although the applicant did not submit a conceptual plan, the application included an engineering analysis based on development at 24 units per acre, or a total of 408 multifamily units. Development of over 400 multifamily units 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 twice as high than what has actually occurred in the past 25 years. Even under this high projection, the number of multifamily units allowed in an HD zone would exceed the number needed in the City. If the property were annexed with a Low Density (LD) Residential zoning designation, it would provide some of 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: The property is not currently connected to City utilities. Three of the City’s adopted master plans (Transportation, Water, and Wastewater) provide clear pathways for extending services. The adopted Stormwater master plan indicates that a stormwater detention facility is proposed for construction on this property. 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

Shaff Road, which forms the southern boundary of the property, is designated as a Major Collector and will need to be improved to Collector standards, including curbs, sidewalks, street trees, street lighting, and adequate pavement width. In addition, the preliminary design of the future roundabout at the intersection of Shaff Road and Golf Club Road identifies a potential 44-foot wide easement area outside the public right-of-way for Pacific Power transmission lines, for a large storm drainage conveyance swale, and an additional easement for a large stormwater facility located at the southeasterly corner of the parcel. Emergency vehicle access will need to comply with the Stayton Municipal Code, Public Works Design Standards, and Fire District requirements at the time of development.

Stormwater Drainage

The property is located within the North Salem Ditch Basin for purposes of the City's stormwater design and analysis. The applicant's engineering memo states that both public and private storm systems are planned to discharge into the Salem Ditch with a 30-inch outfall. The City's engineering consultant has stated that the nearest existing storm drain manhole is approximately 400 feet east of the property and on the south side of Shaff Rd. The preliminary design of the future roundabout at the Shaff Rd/Golf Club Rd intersection identifies the need for a large storm drainage conveyance swale along the north side of Shaff Rd. The City's engineer consultant noted that Salem Ditch is not considered to have any available capacity for increased runoff or flows. The engineer consultant also pointed out that there is a wetland along the Salem Ditch as well as significant hydric soils running north to south through the middle of the property.

The Santiam Water Control District (SWCD) is the owner and operator of the Salem Ditch. In a December 10, 2025 communication the SWCD raised a number of concerns with the application. SWCD has stated that a property owner may not discharge stormwater into the Salem Ditch without SWCD approval. SWCD has stated that the Salem Ditch is at capacity and further development, without controls, will cause facility damage, flooding, and water quality degradation. The City and the SWCD entered into a Memorandum of Understanding in 2014 regarding stormwater discharges into SWCD facilities, including the Salem Ditch. Following execution of the MOU, the City amended the stormwater control sections of the City's Public Works Design Standards (Division 6) to restrict stormwater discharges from development to no more than predevelopment discharge rates, and for some design storms at less than the predevelopment discharge rate, to require downstream capacity analysis, and to prohibit new discharge points into a SWCD facility without a written approval from the SWCD.

SWCD also asserts that it holds use rights to the property and that the city must recognize and must incorporate these use rights and the corresponding appropriate setbacks into development plans. The Comprehensive Plan map provides for a 100-foot wide Natural Resources Overlay District (NROD) along the Salem Ditch, which, when implemented, would prohibit any new buildings within the NROD.

No development is proposed with this application. At development, a complete stormwater management system—including flow control, water-quality treatment, conveyance, and an acceptable point of discharge—will be required in accordance with the Municipal Code, the Stormwater Master Plan and Public Works Design Standards.

Water

The property is not currently served by the City's water system. The applicant's engineering memo states that the property can be served by water and points out improvements and extensions of the system called for in the 2006 Water Distribution Facilities Planning Study. The City's engineering consultant has stated that the nearest City water facility is a 10-inch main located in Wilco Road, approximately 400 feet east of the property. The Water Master Plan includes a future 10-inch water main along Shaff Rd and a 12-inch distribution main along Salem Ditch along the western portion of the property. 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

The property is not currently served by the City's sewer system. The applicant's engineering memo states that serving the property is feasible by connection to a sewer stub at the intersection of Golf Club Rd and Shaff Rd. The City's engineering consultant has stated that connection 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 south and east.

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: One of the property to the east is zoned Commercial General (CG) and is not yet developed. The other property to the east, was recently developed as a 100-unit multifamily development. The properties to the south are vacant land zoned industrial and 2-acre single family dwelling site. To the west, property is outside of the Stayton Urban Growth Boundary and is agricultural land. To the north, is land not yet annexed into the city and is a large lot residential property also used for agriculture.

The property lies within the Stayton Urban Growth Boundary and is designated Residential in the Comprehensive Plan. Applying any residential zone upon annexation matches that designation and maintains consistency with the planned future character of the area. With the recent new construction of multi-family and duplex developments in the City, development of the property as HD would

potentially exceed the need for multifamily housing as identified in the Comprehensive Plan.

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. The application requested HD zoning be assigned to the property. This criterion could be met if the zoning assigned at the time of annexation is LD.

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 Residential with a 100-foot wide Natural Resources Overlay District along the Salem Ditch.

Larry McKinley, Chairperson

Date

Jennifer Siciliano,
Community and Economic Development Director

Date

LAND USE FILE #10-08/25 – Application for Annexation of an approximately 17.01-acre property on 11641 Shaff Road taxlot 091W04C001901 to be zoned High Density (HD) Residential zone.

Additional information found at the following webpage:

Application, and Narrative:

<https://www.staytonoregon.gov/page/open/5937/0/Application%20and%20Narrative%20Documents>

Combined Comments:

<https://www.staytonoregon.gov/page/open/5937/0/Combined%20Comments>