



AGENDA STAYTON CITY COUNCIL

Monday, June 15, 2026

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

HYBRID MEETING

The Stayton City Council will be holding a hybrid meeting utilizing Zoom video conferencing software. The meeting will be in-person but can also be live streamed on the City of Stayton's YouTube account. Please use the following option to view the meeting:

City Council Regular Session – <https://youtube.com/live/xjBMQ5r1cGE>

Public Comment and Public Hearing Testimony: Meetings allow for in-person, virtual, or written public comment. If a community member has a barrier which prevents them from participating via one of the methods below, they should contact City staff at citygovernment@staytonoregon.gov **no less than three hours prior to the meeting start time** to make arrangements to participate.

Comments and testimony are limited to three minutes. All parties interested in providing public comment or testifying as part of a public hearing shall participate using one of the following methods:

- **In-Person Comment:** Parties interested in providing in-person verbal public comment shall fill out a "Request for Recognition" form available at the meeting. Forms must be filled out and submitted to the Assistant City Manager or designee prior to the meeting start time.
- **Video or Audio Conference Call:** Parties interested in providing virtual public comment shall contact City staff at citygovernment@staytonoregon.gov **at least three hours prior to the meeting start time** with their request. Staff will collect their contact information and provide them with information on how to access the meeting to provide comments.
- **Written Comment:** Written comment submitted to citygovernment@staytonoregon.gov **at least three hours prior to the meeting start time** will be provided to the public body in advance of the meeting and added to the City Council's webpage where agenda packets are posted.

1. CALL TO ORDER

2. FLAG SALUTE

3. ANNOUNCEMENTS

- a. Additions to the agenda
- b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.

4. PUBLIC COMMENT**5. CONSENT AGENDA**

- a. May 27, 2026 City Council Work Session Minutes
- b. June 1, 2026 City Council Regular Session Minutes
- c. June 8, 2026 City Council Work Session Minutes
- d. Resolution No. 26-015, Collective Bargaining Agreement with AFSCME Local 3222

6. PRESENTATIONS**7. PUBLIC HEARING**

- a. **Ordinance No. 26-005, Comprehensive Plan Map and Zone Map Amendments for 579 E. Washington Street *(Begins on Page 58)***
 1. Commencement of Public Hearing
 2. Staff Introduction
 3. Applicant Presentation
 4. Staff Report
 5. Questions from the Council
 6. Public Testimony
 7. Questions from the Council
 8. Applicant Summary
 9. Staff Summary
 10. Close of Hearing
 11. Council Deliberation
 12. Council Decision on Ordinance No. 26-005

8. GENERAL BUSINESS

- a. **Second Reading Ordinance No. 26-004, Annexation and Zone Change at 11641 Shaff Road with Amended Medium Density (MD) Residential Zone *(Begins on Page 107)*** **DECISION**
 1. Staff Report – Jennifer Siciliano
 2. Council Discussion
 3. Council Decision
- b. **Resolution No. 26-016, Imposing and Categorizing Ad Valorem Taxes for the 2026-27 Fiscal Year *(Begins on Page 124)*** **DECISION**
 1. Staff Report – James Brand
 2. Public Comment
 3. Council Discussion
 4. Council Decision
- c. **Resolution No. 26-017, Electing to Receive State Revenue Sharing Funds *(Begins on Page 127)*** **DECISION**
 1. Staff Report – James Brand
 2. Public Comment
 3. Council Discussion
 4. Council Decision

9. COMMUNICATION FROM CITY STAFF**10. COMMUNICATION FROM MAYOR AND COUNCIL****11. 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 accommodations, contact City Hall at (503) 769-3425.

CALENDAR OF EVENTS

| JUNE 2026 | | | | | |
|----------------|--------------|--|------------------|---|--|
| Monday | June 15 | City Council | 5:30 p.m. | E.G. Siegmund Meeting Room | |
| Monday | June 15 | City Council | 6:30 p.m. | https://youtube.com/live/xjBMQ5r1cGE | |
| Wednesday | June 17 | Library Board | <i>Cancelled</i> | | |
| Thursday | June 18 | Public Arts Commission | 6:00 p.m. | City of Stayton – Conference Room | |
| Monday | June 29 | Planning Commission | 7:00 p.m. | Stayton Community Center | |
| JULY 2026 | | | | | |
| Friday | July 3 | CITY OFFICES CLOSED IN OBSERVANCE OF INDEPENDENCE DAY HOLIDAY | | | |
| Monday | July 6 | City Council | 6:30 p.m. | https://youtube.com/live/8N1ZVbno8h8 | |
| Tuesday | July 2 | Parks and Recreation Board | 6:00 p.m. | City of Stayton – Conference Room | |
| Thursday | July 16 | Public Arts Commission | 6:00 p.m. | City of Stayton – Conference Room | |
| Monday | July 20 | City Council | 6:30 p.m. | https://youtube.com/live/sMeErPfScgE | |
| Monday | July 27 | Planning Commission | 7:00 p.m. | Stayton Community Center | |
| AUGUST 2026 | | | | | |
| Monday | August 3 | City Council | 6:30 p.m. | https://youtube.com/live/PdUSPI13lcU | |
| Tuesday | August 4 | Parks and Recreation Board | 6:00 p.m. | City of Stayton – Conference Room | |
| Monday | August 17 | City Council | 6:30 p.m. | https://youtube.com/live/gA7DHCnQPxM | |
| Wednesday | August 19 | Library Board | 6:00 p.m. | Stayton Public Library | |
| Thursday | August 20 | Public Arts Commission | 6:00 p.m. | City of Stayton – Conference Room | |
| Monday | August 31 | Planning Commission | 7:00 p.m. | Stayton Community Center | |
| SEPTEMBER 2026 | | | | | |
| Tuesday | September 1 | Parks and Recreation Board | 6:00 p.m. | City of Stayton – Conference Room | |
| Monday | September 7 | CITY OFFICES CLOSED IN OBSERVANCE OF LABOR DAY HOLIDAY | | | |
| Tuesday | September 8 | City Council | 6:30 p.m. | https://youtube.com/live/qvN2UYyECc4 | |
| Wednesday | September 16 | Library Board | 6:00 p.m. | Stayton Public Library | |
| Thursday | September 17 | Public Arts Commission | 6:00 p.m. | City of Stayton – Conference Room | |
| Monday | September 21 | City Council | 6:30 p.m. | https://youtube.com/live/UwI0JQUf24 | |
| Monday | September 28 | Planning Commission | 7:00 p.m. | Stayton Community Center | |

**Stayton City Council
Work Session
May 27, 2026**

| | |
|---|----------------------------|
| LOCATION: STAYTON COMMUNITY CENTER, 400 W. VIRGINIA, STAYTON | |
| Time Start: 5:34 P.M. | Time End: 6:22 P.M. |

MEETING ATTENDANCE LOG

| | STAYTON STAFF |
|------------------------|--|
| Mayor Brian Quigley | Julia Hajduk, City Manager |
| Councilor Ken Carey | Alissa Angelo, Assistant City Manager |
| Councilor Jordan Ohrt | James Brand, Finance Director |
| Councilor David Patty | Gwen Johns, Police Chief |
| Councilor Steve Sims | Janna Moser, Library Director |
| Councilor Leonard Hays | Jennifer Siciliano, Community & Economic Development |
| | Barry Buchanan, Public Works Director |
| | Melanie Raba, Administrative Special Projects |

| AGENDA | ACTIONS |
|-------------------------------|---|
| Parks and Pool Funding | Discussion regarding budget shortfalls and potential funding options for parks and pool services. |

APPROVED BY THE STAYTON CITY COUNCIL THIS 15th DAY OF JUNE 2026, BY A ____ VOTE OF THE STAYTON CITY COUNCIL.

Date: _____

By: _____
Brian Quigley, Mayor

Date: _____

Attest: _____
Julia Hajduk, City Manager

**City of Stayton
City Council Minutes
June 1, 2026**

LOCATION: STAYTON COMMUNITY CENTER, 400 W. VIRGINIA, STAYTON
Time Start: 6:30 P.M. **Time End:** 7:24 P.M.

COUNCIL MEETING ATTENDANCE LOG

| COUNCIL | STAYTON STAFF |
|------------------------|---|
| Mayor Brian Quigley | Julia Hajduk, City Manager |
| Councilor Ken Carey | Alissa Angelo, Assistant City Manager |
| Councilor Leonard Hays | Gwen Johns, Police Chief |
| Councilor Jordan Ohrt | Janna Moser, Library Director |
| Councilor David Patty | James Brand, Finance Director (excused) |
| Councilor Stephen Sims | Jennifer Siciliano, Community & Economic Development Director |
| | Barry Buchanan, Public Works Director |
| | Melanie Raba, Administrative Special Projects |
| | Randi Heuberger, Assistant Finance Director |

| AGENDA | ACTIONS |
|---|--|
| REGULAR MEETING | |
| Announcements | |
| a. Additions to the agenda | None. |
| b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc. | None. |
| Public Comment | Noreen Chamberland, Stayton Resident spoke regarding a pool pledge event she is coordinating. |
| Consent Agenda | |
| a. May 18, 2026 City Council Work Session Minutes | Motion from Councilor Sims, seconded by Councilor Carey, to approve the Consent Agenda, as presented. |
| b. May 18, 2026 City Council Regular Session Minutes | |
| c. Resolution No. 26-013, Reappointment and New Appointment of Members to the Budget Committee | Councilor Ohrt and Mayor Quigley thanked committee members for their participation. Sims, Carey, Hays, Ohrt, Patty: Yes Motion passed 5:0. |
| Presentations | None. |
| Public Hearing | None. |
| General Business | |
| Resolution No. 26-014, Adopting Fees, Charges, and Rates and Repealing Resolution No. 25-009 | |
| a. Staff Report | Ms. Heuberger reviewed the staff report. |
| b. Public Comment | None. |
| c. Council Discussion | Discussion regarding increased development charges, SDC and Master Plan updates, and updated pool fees. |

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| <p>d. Council Decision</p> <p>Ordinance No. 26-003, Annexation and Zone Change for Property on Golf Lane</p> <p>a. Staff Report</p> <p>b. Council Discussion</p> <p>c. Council Decision</p> <p>Ordinance No. 26-004, Annexation and Zone Change for Property on Shaff Road</p> <p>a. Staff Report</p> <p>b. Council Discussion</p> <p>c. Council Decision</p> | <p>Motion from Councilor Ohrt, seconded by Councilor Patty to approve Resolution No. 26-014 as presented.</p> <p>Sims, Carey, Hays, Ohrt, Patty: Yes Motion passed 5:0.</p> <p>Ms. Siciliano reviewed the staff report.</p> <p>Discussion regarding Whitney Lane concerns, and plan changes.</p> <p>Motion from Councilor Ohrt, seconded by Councilor Patty, to approve Ordinance No. 26-003 as presented.</p> <p>Sims, Carey, Patty: Yes Hays, Ohrt: No Motion passed 3:2.</p> <p>Ms. Siciliano reviewed the staff report.</p> <p>Discussion regarding communication from property owner’s attorney, zone change process, options for non-action if the decision were to go to LUBA.</p> <p>Motion from Councilor Ohrt, seconded by Councilor Patty, to continue the second reading and consideration of Ordinance No. 26-004, regarding the application of Kevin and Paige Butler for annexation (Land Use File #10-08/25), until June 15, 2026.</p> <p>Hays, Ohrt, Sims, Carey: Yes Patty: No Motion passed 4:1.</p> |
| <p>Communications from City Staff</p> | <p>Ms. Hajduk spoke regarding the Lone Oak Cemetery. Discussion regarding penalty for failure to keep up the property maintenance.</p> <p>Ms. Raba provided an update on pledges and donations received in support of the pool.</p> |
| <p>Communications from Mayor and Council</p> | <p>Councilor Sims provided an update on the Planning Commission.</p> <p>Councilor Patty provided an update on the school board.</p> |

| | |
|--|---|
| | <p>Councilor Hays spoke regarding parks and pool funding.</p> <p>Mayor Quigley discussed parking regulations related to yellow-painted curbs.</p> |
|--|---|

APPROVED BY THE STAYTON CITY COUNCIL THIS 1ST DAY OF JUNE 2026, BY A ___ VOTE OF THE STAYTON CITY COUNCIL.

Date: _____

By: _____

Brian Quigley, Mayor

Date: _____

Attest: _____

Julia Hajduk, City Manager

**Stayton City Council
Work Session
June 8, 2026**

LOCATION: STAYTON PUBLIC LIBRARY, 515 N. FIRST AVENUE, STAYTON

Time Start: 5:30 P.M.

Time End: 6:30 P.M.

MEETING ATTENDANCE LOG

| STAYTON STAFF | |
|-----------------------|---|
| Mayor Brian Quigley | Julia Hajduk, City Manager |
| Councilor Ken Carey | Alissa Angelo, Assistant City Manager |
| Councilor Jordan Ohrt | James Brand, Finance Director |
| Councilor David Patty | Gwen Johns, Police Chief (excused) |
| Councilor Steve Sims | Janna Moser, Library Director (excused) |
| Leonard Hays | Jennifer Siciliano, Community & Economic Development |
| | Melanie Raba, Administrative Special Projects (excused) |
| | Natalie McMullen, Aquatic Facility Manager |

| AGENDA | ACTIONS |
|---------------------------|--|
| Fee Updates Review | Follow-up discussion regarding funding challenges and potential options for sustaining parks and pool operations following the Town Hall and a pledge and donation update. |

APPROVED BY THE STAYTON CITY COUNCIL THIS 15TH DAY OF JUNE 2026, BY A ____ VOTE OF THE STAYTON CITY COUNCIL.

Date: _____

By: _____
Brian Quigley, Mayor

Date: _____

Attest: _____
Julia Hajduk, City Manager



CITY OF STAYTON
M E M O R A N D U M

TO: Mayor Brian Quigley and the Stayton City Council
FROM: Alissa Angelo, Assistant City Manager
DATE: June 15, 2026
SUBJECT: Resolution No. 26-015, Collective Bargaining Agreement with AFSCME Local 3222

ISSUE

Whether or not to approve the Collective Bargaining Agreement between the City of Stayton and AFSCME Local 3222, as presented.

ENCLOSURE(S)

- Resolution No. 26-015

BACKGROUND INFORMATION

The AFSCME Local 3222 Collective Bargaining Agreement expires June 30, 2026. City staff met in negotiations with AFSCME Local 3222 beginning January 27, 2026. On May 28th, staff was notified AFSCME members voted to ratify the proposed Collective Bargaining Agreement.

STAFF RECOMENDATION

Staff recommends adoption of the newly negotiated Collective Bargaining Agreement that will be in effect July 1, 2026 through June 30, 2029. The Bargaining Unit members have voted to approve the Agreement as presented.

MOTION(S)

Consent Agenda approval.



**RESOLUTION NO. 26-015
AUTHORIZING THE MAYOR AND CITY MANAGER TO SIGN THE COLLECTIVE
BARGAINING AGREEMENT WITH AFSCME LOCAL 3222**

WHEREAS, the current AFSCME Local 3222 Collective Bargaining Agreement expires June 30, 2026;

WHEREAS, City staff met in negotiations with AFSCME Local 3222 beginning January 27, 2026 through May 5, 2026;

WHEREAS, on May 28th, staff was notified AFSCME members voted to ratify the proposed Collective Bargaining Agreement; and

WHEREAS, staff recommends adoption of the newly negotiated Collective Bargaining Agreement that will be in effect July 1, 2026 through June 30, 2029.

NOW THEREFORE, THE CITY OF STAYTON RESOLVES:

SECTION 1. The Stayton City Council authorizes the Mayor and City Manager to sign the Collective Bargaining Agreement with AFSCME Local 3222 (Exhibit A).

This Resolution shall become effective upon its adoption by the Stayton City Council.

ADOPTED BY THE STAYTON CITY COUNCIL THIS 15TH DAY OF JUNE 2026.

CITY OF STAYTON

Signed: _____, 2026

BY: _____
Brian Quigley, Mayor

Signed: _____, 2026

ATTEST: _____
Julia Hajduk, City Manager

COLLECTIVE BARGAINING AGREEMENT

By and Between

THE CITY OF STAYTON, OREGON

and

AFSCME LOCAL 3222

of

American Federation of State, County & Municipal Employees

July 1, 2026– June 30, 2029

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PREAMBLE

This Agreement is entered into between the City of Stayton, Oregon, hereinafter referred to as the "City," and AFSCME Local 3222 Council 75, hereinafter referred to as the "Union." If any portion of this agreement is in conflict or violation of federal, state, or local law or if a conflict arises, then federal, state, or local law will supersede any agreement set forth herein.

ARTICLE 1 – RECOGNITION

The City of Stayton recognizes the American Federation of State, County and Municipal Employees (AFSCME) Council 75, hereafter referred to as the Union, as the sole and exclusive collective bargaining representative for all full and part time employees employed by the City. Excluded from this bargaining unit are all temporary and seasonal employees, employees in the Police bargaining unit, managers, supervisors, and confidential employees, lifeguards, and employees who work fewer hours than required to be part-time employees as defined in this agreement.

ARTICLE 2 – DEFINITIONS

- 2.1** Regular Full-time Employee. An employee, hired to work at least forty (40) hours per week on a regular basis, who has successfully completed a probationary period of one year as defined in Section 2.4.
- 2.2** Regular Part-Time Employee.
- a. A regular part-time employee is any employee who regularly works less than forty hours per week.
 - b. An employee who regularly works over thirty (30) hours but less than forty (40) hours per week and has successfully completed a probationary period of six (6) months as defined in Section 2.4. Such employees shall be paid at the hourly rate of pay in accordance with the provisions of the applicable pay schedule. Regular part-time employees who work over thirty (30) hours but less than forty (40) shall be entitled to prorated benefits (insurance, sick leave, annual leave, etc.), in addition to the hourly compensation paid for those hours worked by the employee.
 - c. Regular part-time employees shall receive pro-rata holiday pay only for holidays that fall on the employee's regularly scheduled workday. If a holiday falls on a regular part-time employee's non-scheduled day, no holiday pay will be paid.
 - d. An employee who works a regular weekly schedule with the City, but who works less than thirty hours per week but more than ten (10) hours per week shall also be considered a regular employee and covered by this Agreement. Such employees, however, are not entitled to any benefits (insurance benefits, disability, or retirement) under this Agreement.
 - e. Employees approved for positions of less than thirty (30) hours per week must obtain their supervisor's permission prior to exceeding the twenty-nine (29) hour limit in any particular workweek.
- 2.3** Temporary Employee. An employee who is hired to work on a limited or seasonal basis or work no more than nine (9) months in a twelve (12) month period. The nine-month duration of a temporary hire may be extended with agreement of the Union. Temporary employees are not entitled to fringe benefits described in this agreement; (i.e. paid holidays, paid vacation, paid sick leave, insurance, etc.). The City has the right to hire temporary employees as it may determine, to fill the position of an employee on leave of absence, to fulfill work requirements during peak workloads, to complete projects on a timely basis, to cover for employees who are utilizing sick leave, vacation time and paid or unpaid leaves of absences, to cover work requirements in unanticipated or unexpected circumstances, or to carry out work in a shortage of personnel situations as determined by the City. When a temporary employee is hired to cover for an employee on leave, mandated by federal or state laws, the 40 hour and nine-month limitations of this Article shall not apply for the duration of the regular employee's leave entitlement. Temporary employees shall not be hired to replace bargaining unit positions and are intended to be used to supplement the workforce as may be needed periodically. Temporary employees shall be paid on an hourly basis at the appropriate wage step as determined by the City. There shall be no responsibility on the part of the City to re-employ or continue the employment of such employees, nor is there any responsibility on behalf of the Union as to such.

- 2.4** Probationary Employee. An employee appointed to fill a regular position of employment as defined in Section 2.1 or 2.2 who has completed less than the initial one-year period of continuous employment (for full-time employees) or less than the initial six-month period of continuous employment (for part-time employees). During the probationary period, the employee shall be on a trial basis and shall be subject to discharge without cause and without recourse.
- 2.5** Gender-neutral Pronouns. Where pronouns are used herein, both the masculine pronoun (“he”) and the feminine pronoun (“she”) are intended to be gender neutral.

ARTICLE 3 – PURPOSE

The purpose of this Agreement is to provide for wages, hours and working conditions, to promote and ensure harmonious relations, cooperation, understanding between the City and its employees, to encourage economy of operation, elimination of waste, cleanliness of facilities, protection of City property, and safety of employees; and to this end the City pledges itself to give its employees considerate and courteous treatment, and the employees pledge to render loyal and efficient public service. The parties agree to extend to one another proper courtesy and respect.

ARTICLE 4 – MANAGEMENT RIGHTS

- 4.1** Management Generally. The Union recognizes the prerogatives of the City to determine how to provide public services and operate and manage its affairs in all lawful respects. All matters not expressly restricted by the language of this Agreement shall be administered for the duration of this Agreement by the City as the City periodically may determine, in its discretion. The City's prerogatives include, but are not limited to the following matters:
- a. The right to establish any and all lawful work rules and procedures;
 - b. The right to schedule any and all work, overtime work, and any and all methods and processes by which work is performed and services are provided, in a manner most advantageous to the City and consistent with the public interest;
 - c. The right to hire, transfer, layoff and promote employees as deemed necessary by the City;
 - d. The right to discipline an employee as provided in the disciplinary article of this Agreement;
 - e. The right to make any and all determinations as to the size and composition of the work force and the right to make assignments of employees to work locations and shifts;
 - f. The right to assign incidental duties connected with operations, not necessarily enumerated in job descriptions, and nevertheless be performed by employees when requested to do so by the City;
 - g. The right to take whatever action the City deems necessary to provide services in an emergency.
- 4.2** Elected Prerogatives. Nothing in this Agreement shall be interpreted to detract or circumscribe the trust placed in the City Council and/or the City Manager and/or Department Heads and the rights and obligations owed thereby to the citizenry.

ARTICLE 5 – MEMBERSHIP AND UNION AFFAIRS

- 5.1** Union Membership. Public employees have the right to form, join and participate in the activities of labor organizations of their own choosing for the purposes of representation and collective bargaining with their public employer on matters concerning employment relations.
- 5.2** Dues Check Off. The City will provide for payroll deduction of Union dues. The City shall deduct from the end-of-the-month paycheck the amount of dues as stipulated by Oregon AFSCME Council 75 and transmit to the designated individual of Council 75 the total amount deducted. Whether to be a member in the Union shall be each employee's individual choice.
- 5.3** Indemnification. The Union shall indemnify, defend, and hold the City harmless from all suits, actions, proceedings and claims against the City or persons acting on behalf of the City, for any relief sought, where liability arises from the sole application of this Article. In the event that any part of Article 5 shall be declared invalid or that all or any portion of the monthly service fee must be refunded to any non-member, the Union and its members shall be solely responsible for such reimbursement.
- 5.4** Employee Notification Reports.

New Hire Notification: The City shall provide notice to the Union President and AFSCME Staff Representative, as designated by the union to the City, of new hires within the bargaining unit as required by ORS 243.804(4). The Union President or his/her designee and each new employee shall have 30 minutes to meet for a union orientation. The new employee and the Union President/designee shall be on paid status.

Employee Status Notification Report: The City shall provide to the Union electronic information in Excel or comparable, of all employees within the bargaining unit indicating the payment of monthly dues as required under ORS 243.804(4). The information will include:

- Name of all new and terminated employees in the bargaining unit
- Date of hire/separation
- Home or mailing address if available
- FTE status
- Classification name and number
- Employee identification number
- Department / division names and addresses
- Employee's dues amount or voluntary payment contributions for each bargaining unit member

- 5.5** Union Representation. The Union will provide a list of union stewards to the City Manager and notify the City Manager promptly of any changes. Employees shall have the right to request and have present a Steward or duly certified and designated Union Representative at any formal discussion on disciplinary actions, or grievance proceedings. The employee, at their request, shall be given a reasonable opportunity to select a Steward or Representative of their choice from the approved list. If the Union steward selected by the employee or the union representative is unable to meet within

twenty-four (24) hours of a requested meeting, the Union and employee will agree on another steward.

- 5.6** Union Activity on City Time. Upon notification to the City, and with the City's agreement, designated Union Representatives shall have the right to represent employees in the bargaining unit and will be allowed reasonable time on duty to engage in activities identified by ORS 243.798 (a-g) without loss of compensation, seniority, leave accrual or any other benefits.

The parties agree that some Union activities may be carried on outside of working hours. It is further recognized that there are reasonable limited deviations from this policy such as posting of Union notices and distribution of literature, which does not require substantial periods of time. Where such activities cannot reasonably be performed except during scheduled working hours, and where such activities are performed without disruption of employee work performance, they are authorized and may be done without loss of pay to the employees involved.

- 5.7** Stewards. Stewards will be formally identified to the City and will be permitted time to attend investigatory and grievance meetings, and attend meetings called by management without loss of pay or benefits. Stewards will provide reasonable notice to their supervisors before conducting union business while on paid City time and will work with their supervisors and others as necessary to resolve any scheduling conflicts.
- 5.8** AFSCME Staff Representatives. The Union will notify the City in writing of its staff representatives of the Local, Council 75, or International. Upon proper introduction and notice, one staff representative shall have reasonable access to the premises of the City during regular business hours to conduct Union business. Such visits may not interfere with the normal flow of work.
- 5.9** Unless otherwise provided in this Agreement, the internal business of the Union shall be conducted by employees during non-work time.
- 5.10** At the Union's request, the City will make every effort to allow each steward time off for training purposes, subject to the City's operating requirements. Stewards will be allowed to use accrued vacation or compensatory time during such training or will take the time off without pay.
- 5.11** Bulletin Boards. The City agrees to furnish in the library, City Hall, Public Works Shop, and the Waste Water Treatment Plant, a bulletin board to be used exclusively by the Union for the posting of official union notices only. The Union shall keep the bulletin boards neat and orderly. The Union agrees that it will not post material that is profane, obscene, or defamatory of the City or Employer or its representatives or employees. Materials which violate this subsection shall not be posted.

ARTICLE 6 – TERM OF AGREEMENT

The terms of this Agreement shall be in full force and effect from the first day of the month following ratification of this Agreement by the parties and shall remain in full force and effect through June 30, 2029.

Either party may notify the other party of its desire to negotiate a successor agreement no later than the February 1st prior to expiration of this Agreement. Negotiations will commence no later than the March 1st prior to the expiration date of the current Agreement.

The City will allow two employees representing the Union leave without loss of pay for labor management meetings between the City and the Union no less than once per quarter. The selection of the employee representatives shall not interfere with the reasonable operations of the City. The employees are responsible for notifying their direct supervisor of all labor management meetings. These meetings shall not interfere with the reasonable operations of the City.

ARTICLE 7 – EMPLOYEE TRAVEL AUTHORIZATION AND REIMBURSEMENT

- 7.1 General Expectations. All employees of the City are expected to use good judgment regarding the expenditure of the funds for travel expenses.
- 7.2 Approval and Reimbursement. When an employee anticipates submitting a request for travel reimbursement, the employee will obtain prior approval for the trip and the mode of travel from the employee’s supervisor.
- 7.3 Travel on official business outside the City by a single individual should be by City-owned vehicle or private vehicle. If the employee is authorized to use a private vehicle, mileage will be paid at the IRS rate then in effect.
- 7.4 City vehicles will be used for authorized City uses and will not be used for private gain or benefit and City vehicles will be used only by City employees.
- 7.5 Reimbursement for expenses on official trips will only be for expenses incurred during the performance of official duty as a City official for the City’s benefit. Meals and lodging expenses may be reimbursed in compliance with the IRS Taxable Fringe Benefits guide, for State and Local Government Employers. The City will not reimburse an employee for the cost of any alcoholic beverage.
- 7.6 When the employee knows that expenses for an upcoming trip will exceed the listed limits, the employee will request and the department head may approve the additional expenses in compliance with the IRS Taxable Fringe Benefits guide, for State and Local Government Employers.
- 7.7 Within (10) ten business days after the travel has been completed, the employee must turn in receipts for lodging and any other expenses for which reimbursement is claimed.

ARTICLE 8 – DISCIPLINE

- 8.1** Just Cause. The City may impose discipline only for just cause.
- 8.2** Forms of Discipline. Generally, discipline will be progressive in nature, provided however, that the level of discipline imposed will depend on the seriousness of the offense, and progressive discipline will not be required for serious infractions. The disciplinary actions which the City may take against an employee include the following:
- a. oral reprimand, which will be documented in writing; in the supervisors file
 - b. written reprimand;
 - c. suspension without pay;
 - d. reduction of pay for a term in lieu of suspension;
 - e. demotion with a reduction in pay as specified by the City as part of the discipline;
 - f. discharge or termination.
- 8.3** Notice of Discipline. When the City intends to suspend without pay, demote, or discharge an employee for cause, the City shall make available the specified charges and proposed discipline in writing at least three (3) calendar days prior to the effective date of the action, together with a description of the facts on which the proposed discipline is based.
- 8.4** Pre-Disciplinary Due Process. Prior to imposing a suspension without pay, demotion or discharge, the employee shall have the opportunity to refute the charges, correct any misunderstanding of fact, and address the appropriate level of discipline. If an employee is required to attend an investigatory meeting with their supervisor or other member of management which could lead to discipline against the employee, the employee will be allowed to have a union steward or union representative present for the meeting, if requested by the employee. If there is a union steward or union representative available to attend the meeting at the time scheduled by the City, the employee may not postpone the meeting for more than 24 hours in order to obtain a different union representative.
- 8.5** Time Limitations. The time limitations relating to notification of disciplinary action are only for employee notification purposes and shall not affect the validity or disciplinary action taken by the City. In other words, if the City is unable to provide notification in strict adherence to the notification times expressed in subsections hereinabove, such inability shall not affect the validity or effectiveness of any type of disciplinary action against an employee. For forms of discipline listed in Article 8.2, c through f, the City shall make every reasonable effort to provide such notification including sending such notices by mail to the employee's last known address and via telephone call to the employee's personal number on file.
- 8.6** Probationary Employees. A probationary employee may be discharged at any time without cause.
- 8.7** Notice of Discipline to Union. Copies of reprimands and other disciplinary actions taken by the City shall be forwarded to the Council 75 Representative.

- 8.8** Non-embarrassment. Reasonable steps shall be taken to ensure that disciplinary measures are accomplished in a confidential manner. A violation of this section, however, shall not result in the discipline imposed being overturned.
- 8.9** Records of Discipline. References to disciplinary actions in the personnel file shall remain in the file in accordance with the following provisions:
- a. Employees shall be notified when any documentation is placed in their personnel file.
 - b. Written reprimands shall remain in the personnel file for a period of 36 months, provided, however, that if discipline occurs within that 36-month period, prior disciplinary documentation shall remain in the personnel file for 36 months from the date of the last discipline. Other records of discipline enumerated in Article 8.2 (e.g., suspension, reduction of pay, demotion, and discharge) may remain in the personnel file until and unless the City determines the record no longer relevant or timely upon application by an employee.

ARTICLE 9 – GRIEVANCE PROCEDURE

- 9.1** Goodwill. The parties hereto recognize the need for fairness and justice in the adjudication of employee grievances and enter into this Agreement in a cooperative spirit to adjust such actions promptly and fairly at the lowest level possible. If, however, a grievance cannot be resolved through normal means, the grievance will be settled as hereinafter provided.
- 9.2** Grievance Defined. A grievance is defined as a dispute involving the interpretation, application, or alleged violation of any provision of this Agreement.
- 9.3** Presentation. A grievance may be presented by an employee or the Union. Grievances may be heard at any time where practical and feasible.
- 9.4** Time Limits. The time limitations provided are essential to the prompt and orderly resolution of any grievance. The parties will abide by the time limitations, unless an extension of time is mutually agreed to in writing.
- a. The City and the Union may extend the time limits by mutual agreement in writing.
 - b. No grievance shall be valid unless a grievance is submitted at Step 1 within ten (10) working days, (7) working days for loss of wage discipline from its occurrence or the date when the employee knew or should have known of the occurrence.
 - c. If a grievance is not presented within ten (10) working days, (7) working days for loss of wage discipline from its occurrence or the date when the employee knew or should have known of the occurrence, the grievance shall be waived and forever lost. If a grievance is not appealed to the next step within the specified time limit or an agreed extension thereof, it shall be considered waived and forever lost. A grievance not responded to timely shall be advanced to the next step.
- 9.5** Procedure. The grievance procedure shall be as follows:
- Step 1:** The grievance shall be presented in written form to the employee's Department Head within ten (10) working days, seven (7) working days for loss of wages discipline from its occurrence. The Department Head shall arrange a meeting between the aggrieved employee, the steward or Union Representative, the Department Head, and the aggrieved employee's supervisor, if applicable. If the aggrieved employee's supervisor is not included, the Department Head may select a different management representative to attend the meeting. The Department Head shall respond in writing within ten (10) working days after the grievance meeting.
- Step 2:** If the grievance is not resolved to the satisfaction of the parties at **Step 1**, then within ten (10) working days, seven (7) working days for loss of wages discipline of issuance of the Step 1 response, the grievance and response shall be presented to the City Manager. The City Manager shall schedule a meeting with the grieved employee, his/her steward or union representative and their Department head to hear the facts regarding the grievance. The City Manager shall respond in writing within ten (10) working days after the scheduled meeting.

Step 3:

- a) Final and Binding Arbitration. If the grievance is presented and not resolved at Step 2, the Union may refer the dispute to final and binding arbitration.
- b) Notice-Time Limitation. The Union shall notify the City in writing by certified mail of submission to arbitration within ten (10) working days after receipt of the City Manager's findings.
- c) Arbitrator-Selection. After timely notice, the parties will select an arbitrator in the following manner:
 - i. The parties shall request that the Employment Relations Board (ERB) submit a list of seven (7) names from the ERB register. If the parties cannot mutually agree on an arbitrator from the list of seven (7) then the parties shall alternately strike names with the party advancing the grievance striking first. The remaining name shall be the arbitrator.
- d) Decision-Time Limit:
 - i. The arbitrator will meet and hear the matter at the earliest possible date after the selection. After completion of the hearing, a decision shall be entered within thirty (30) calendar days, unless an extension of time is agreed upon as provided for herein.
 - ii. Any decision by the arbitrator shall be final and binding on the parties unless contrary to public policy or in excess of the arbitrator's authority hereinafter provided for.
- e) Limitations, Scope and Power of the Arbitrator:
 - i. The arbitrator shall not have the authority to add to, subtract from, alter, change or modify the provisions of this Agreement.
 - ii. The power of the arbitrator shall be limited to interpretation of or application of the terms of this Agreement or to determine whether there has been a violation of the terms of this Agreement by either the City or the Union.
 - iii. The arbitrator shall consider and decide only the issue raised at **Step 1.** The arbitrator shall not have the authority to consider additions, variations and/or subsequent grievances beyond the grievance submitted at **Step 1.**
 - iv. In conducting the hearing, the arbitrator shall have the power to administer oaths, issue subpoenas, receive relevant evidence, compel the production of books and papers relevant to the hearing, and question witnesses.

f) Arbitration Award-Damages-Expenses:

- i. Arbitration awards shall not extend beyond the date of the occurrence upon which the grievance is based, that date being ten (10) working days or less prior to the initial filing of the grievance.
- ii. The arbitrator may retain jurisdiction of the grievance until such time as the award has been complied with in full.
- iii. The arbitrator shall not have authority to award punitive damages.
- iv. Each party hereto shall pay expenses it incurs as costs associated with the presentation of the case, and one-half the expense of the arbitrator.
- v. If the parties agree in advance, or if both parties decide to obtain a transcript, then the expense of the court reporter and transcript shall be shared equally.

ARTICLE 10 – NO STRIKE-LOCKOUT

- 10.1** Continuity of Service. The City and the Union agree that the public interest requires the efficient and uninterrupted performance of all City services. To this end both pledge their best efforts to avoid or eliminate any conduct contrary to this objective: Neither the Union nor the employees shall cause, condone, or participate in any strike or work stoppage, sympathy strike, slow down or other interference with City functions by employees of the City, and should the same occur, the Union agrees to take appropriate steps to end such interference immediately. City employees who engage in any of the above-referenced activities shall not be entitled to any pay and/or benefits during the period in which he/she is engaged in such activity. Employees who engage in any of the foregoing actions shall be subject to disciplinary action as determined by the City, up to and including termination of employment.
- 10.2** No Lockouts. The City agrees that there will be no lockouts during the term of this Agreement.

ARTICLE 11 – SENIORITY

- 11.1** City Service Seniority. Seniority is determined by an employee's length of continuous service with the City since the employee's last date of hire as a regular employee; or in the case of a part-time employee, from the last date of hire as a regular part-time employee. In the case of layoff, seniority is based on continuous service within a classification within a particular department or division.
- 11.2** Breaks in Service/Loss of Seniority. An employee's seniority shall be broken by voluntary resignation, layoff for a period of twelve (12) consecutive months, discharge for just cause, or retirement. However, if an employee returns to work in any capacity within twelve (12) months, there will be no break in seniority except for the time the employee was not working which will not count as part of continuous service for any purpose. Seniority shall not be earned during an approved unpaid leave of absence; however, an approved leave of absence shall not constitute a break in service or cause a forfeiture of seniority.

ARTICLE 12 – LAYOFF AND RECALL

- 12.1** Layoff Determination. The City may determine when layoffs are necessary. The City may lay off employees when such action is determined to be necessary by reason of lack of work, lack of funds, and/or reorganization of the department with seniority and operational needs considered.
- 12.2** Layoff and Bumping Procedure. When it is necessary to reduce the workforce, the City shall determine the number of employees by classification and department. The Union's Local President will be notified of the number of employees and classifications designated for reduction as soon as practical. Employees will be laid off in the following order giving equal consideration to the employee's qualifications, ability, experience, and seniority within the affected classification, within the affected department or division.
- a. Summer help;
 - b. Temporary employees;
 - c. Probationary employees;
 - d. Employees in regular positions. Employees in regular positions may be laid off. An employee who is laid off by reduction in the workforce shall have the right to bump to his/her last previously held job classification within the affected department or a position in a lower classification within the affected department for which the employee is qualified as determined by the City. In order to bump to a position, the City must agree that the employee has the necessary skill, ability and qualifications to immediately and properly perform the duties of the classification. If the City so agrees, the Employee may bump the least senior employee in the classification, provided the "bumping" employee is more senior than the "bumped" employee, and further provided that the employees who remain must have the necessary skill, ability and qualifications to perform the work required by the City. A bumping employee shall maintain seniority. An employee "bumped" shall have the right to bump in compliance with the preceding procedure. Employees affected by layoff who bump to a lower classification will be placed at the step in the lower pay scale which is closest to and less than the employee's former rate of pay.
- 12.3** Recall. Employees laid off will be eligible for recall for a period of twelve (12) months. No new employees shall be hired by the City in a position in which bargaining unit employees are on layoff until available employees placed on layoff who have previously held the position have been offered re-employment in reverse order of layoff, provided the layoff period does not exceed twelve (12) months and that the employees keep the City advised of their current address. An offer of re-employment shall be in writing and sent by registered or certified mail to the employee. The employee shall have been deemed to have received an offer within four (4) business days after the City mails the offer. An employee so notified must indicate his/her acceptance of recall within ten (10) calendar days from mailing of the notice and shall be back on the job within fourteen (14) calendar days of acceptance of the recall offer or shall forfeit all recall rights under this Article.

ARTICLE 13 – HOURS OF WORK AND OVERTIME

- 13.1** Workday. The normal working day is from 8:00 a.m. to 5:00 p.m. with one (1) hour unpaid uninterrupted lunch for employees in the City. Adjustment in the regular working hours of the employees for the convenience of the City, the employees, and/or the public shall not be construed to be in conflict with this Agreement.
- 13.2** Workweek. The normal workweek consists of five (5) eight (8) hour days, or four (4) ten (10) hour days, between Monday through Friday.
- 13.3** Work Schedules. All employees shall be scheduled to work during the week on a regular shift and each shift shall have regular starting and stop times, except in emergency situations. The parties agree, however, that the City may require employees to work different schedule(s) in order to meet the City's operational needs, as determined by the City in its sole discretion. Should the City determine there is an operational need for alternative work schedules, the City will give the employee at least fourteen (14) days written notice prior to making changes.
- 13.4** Changes. The City will make every effort to provide fourteen (14) working days' notice when making permanent changes to an employee's regular work schedule.
- a. In the event of a short-term need, such as when hours are desired to be shifted to avoid extreme weather situations, the fourteen-day notice shall not be required if agreed upon by both City and employee.
 - b. In the event notice is required and not provided within the timeframe as agreed above the affected employee(s) entire first shift after a change shall be paid at the overtime rate of their respective position.
 - c. An employee who works more than 8 hours in a day may flex their schedule, subject to manager authorization, rather than exceeding 40 hours in a work week.
 - d. An employee may propose to work more or less than 8 hours in a day and flex their schedule provided they work 40 hours in a week. The approval of flex time shall be decided based on operational needs and shall not be arbitrarily applied to employees of similar classification.
 - e. Employee Requested Permanent Schedule Change. Requests by employees for work schedules other than their normal schedule will be considered based on operational and staffing needs by the City. These requests will not be unreasonably denied. The union may appeal a denied request to the City Manager. Permanent schedule change requests will adhere to the following:
 - i. Schedule requests may vary the number of hours worked on a daily basis and the sequencing of these hours but will not exceed forty (40) hours in a workweek.
 - ii. Overtime, for the purposes concerning flexible scheduling, will only be paid for work in excess of forty (40) hours in a week.

iii. Any permanent requested schedule change will be submitted in writing to the supervisor by the employee. The supervisor will respond in writing with approval or denial to the employee.

f. Special Events. The City may schedule, with at least fourteen (14) day notice to affected employees, overtime to support a community event scheduled by the City.

13.5 Overtime: Overtime and compensatory time off for all non-FLSA exempt employees are covered by the following guidelines:

a. No employee will work overtime unless approval is granted in advance by the employee's supervisor.

b. The City will pay an employee their choice of overtime or compensatory time for all management approved hours worked in excess of eight (8) hours in a workday if the employee traditionally works 8-hour shifts, or ten (10) hours in a workday, if an employee traditionally works 10-hour shifts, unless the employee has been authorized to work longer hours and to flex their schedule per section 13.4.a.

i. Overtime and compensatory time are calculated at one and one-half (1.5) times the regular hourly rate of pay.

ii. Employees will be paid in their choice of overtime or compensatory time unless the employee has more than eighty (80) hours of compensatory time, in which case, they will be paid in overtime. Employees may elect to cash out comp hours at the rate earned by the employee at the time the employee receives the payment by making a written request to their manager/supervisor. Employees may cash out up to 40 hours of accrued comp time on any monthly payroll.

c. Overtime and compensatory time off will be computed and rounded up to the nearest one-quarter hour.

d. Compensatory time shall be scheduled and taken off in the same manner as all other personal time off.

e. At the time of an employee's resignation or dismissal, the City will pay the employee for all accumulated overtime and compensatory time off.

13.6 Meal and Rest Periods. Unpaid meal periods of up to one (1) hour will be taken at designated times at or near the midpoint of the workday. Rest periods of fifteen (15) minutes will be permitted as work demands permit and as designated at or near the midpoint of each half-workday. Employees and Department Heads may establish the meal and rest period practices within respective offices of the City, not inconsistent with this Agreement.

13.7 Inclement Weather Policy/Essential Worker Premium. There could be rare or extreme circumstances beyond the control of the City, such as inclement weather, a national crisis, or other emergencies that make one or more of our facilities inaccessible. On such occasions, one or more of the City of Stayton's facilities may be closed for all, or part of a regularly scheduled workday. In such an event, the City Manager (or his/her designee) will make a decision and will endeavor to notify the City management team for the purpose of contacting employees.

In the event of extreme inclement weather conditions, it is recognized that each staff member's ability to safely reach the workplace may be different. The safety and well-being of the employee should guide the employee decision. Staff who cannot report to work in such circumstances should contact their direct supervisor via phone, email, or voicemail.

When a situation exists that would otherwise curtail or close City offices, essential workers having to either remain at work or report to work in-person shall receive time and a half for hours worked during the closure. If essential hours are worked while on overtime, or on a paid holiday, this premium shall be added to the overtime rate of pay.

The following compensation guidelines will apply to non-essential employees:

- a. If there is adverse weather, national crises, or other emergencies, and employee is directed to arrive late by supervisor (under the direction of the City Manager or his/her authorized designee), the employee is paid for late arrival with no charge to leave accrual.
- b. If there is a closure at work due to adverse weather, national crises, or other emergencies, and employee is sent home early by supervisor (under the direction of the City Manager or his/her authorized designee), the employee is paid for the remainder of the workday with no charge to leave accrual.
- c. If City facilities are closed due to adverse weather, national crises, or other emergencies under the direction of the City Manager or his/her authorized designee, the employee is paid for the entire workday, no charge to leave accrual.

ARTICLE 14 – HOLIDAYS

14.1 Recognized Holidays. Employees are entitled to the holidays listed below, with pay:

| | |
|----------------------------|--------------------------------------|
| New Year's Day | January 1 |
| Martin Luther King Jr. Day | 3 rd Monday in January* |
| Presidents' Day | 3 rd Monday in February |
| Memorial Day | Last Monday in May |
| Independence Day | July 4 |
| Labor Day | 1 st Monday in September |
| Veterans Day | November 11 |
| Thanksgiving Day | 4 th Thursday in November |
| Day after Thanksgiving Day | 4 th Friday in November |
| Christmas Eve | December 24 |
| Christmas Day | December 25 |

14.2 Holiday Coordination (Weekends and Earned Leave). Any regular holiday that falls on a Saturday shall be observed on the preceding Friday. Any regular holiday that falls on Sunday shall be observed on the following Monday. Whenever a holiday falls within a vacation period, or during a period when an employee is on sick leave, vacation or sick leave will not be charged for such holiday.

14.3 Holiday Pay.

- a. Work performed on a holiday shall be paid at one and one-half (1.5) times the employee's regular rate of pay in addition to the holiday pay.
- b. To be eligible for holiday pay the employee must work the regular workday before and the regular workday after the paid holiday, unless the employee is on sick leave, vacation, or compensatory time.
- c. Employees eligible for holiday benefits shall receive one (1) day's pay for each observed holiday on which work is not performed. The holiday benefit shall be based upon an eight (8) hour holiday/workday for full-time employees regardless of the hours of the regular work schedule. If an office or department schedules a four-day work week in any week in which a holiday falls, that office shall revert to a five-day, eight (8) hour work schedule. Regular part-time employees will be paid pro-rata holiday pay only for holidays that fall on the employee's regularly scheduled workdays. They will not receive holiday pay for holidays that do not fall on one of their regularly scheduled workdays.
- d. Temporary employees are not eligible for holiday pay.
- e. An employee will receive no holiday pay if the employee accepted scheduled work on a holiday and failed to report for work unless excused by the supervisor.

14.4 Compensatory Time in Lieu of Holiday Time. By mutual agreement, compensatory time may be given in lieu of holiday pay on a one-to-one basis. Such compensatory time must be accrued and used as stated in Article 13 relating to compensatory time.

- 14.5** Employees are entitled to two (2) additional days of holiday leave per fiscal year which shall be a floating holiday, meaning employees can take it at any time within the fiscal year if time off is requested and approved per regular procedures. Unused floating holidays expire at the end of the fiscal year and cannot be carried over to the next year. Employees are not paid for unused floating holidays upon employment termination. For 2026, the floating holidays awarded in January must be used by June 30, 2027. Two floating holidays will be awarded in July 2026 and every July thereafter, expiring June 30th of each year.

ARTICLE 15 – VACATION

15.1 Accruals. Annual leave allowance for regular full-time employees shall be accrued monthly based on the following schedule of annual benefits:

| | |
|---|---|
| 0 through completion of 3 years: | Eighty (80) hours annually |
| 3 years plus 1 day through completion of 5 years: | Ninety-Six (96) hours annually |
| 5 years plus 1 day through completion of 10 years: | One-hundred twenty (120) hours annually |
| 10 years plus 1 day through completion of 15 years: | One-hundred sixty (160) hours annually |
| 15 plus one day or more years: | Two hundred (200) hours annually |

- a. Years of service shall be full years of continuous service with the City as of the original date of hire of the employee, provided there has been no break in service since the original date of hire.
 - b. Regular part-time employees shall be entitled to that fractional part of the vacation that the total number of hours of employment bears to the total number of full-time employment hours.
 - c. Employees may not use earned vacation leave until after they have served the three (3) months.
 - d. Temporary employees are not entitled to any vacation benefit.
- 15.2** Vacation leave is granted to give employees an opportunity to take time off from their job responsibilities and refresh themselves. The City believes it is important for employees to use vacation leave on a regular basis.

- a. Each employee is encouraged to take a minimum of forty (40) hours of vacation leave annually.
- b. If an employee does not use up all accumulated vacation leave by the first day of January of any calendar year, the employee may carry over vacation leave up to the maximum number of hours listed:

| | |
|---|-----------|
| Upon completion of 0 to 5 years of service | 120 hours |
| Upon completion of 5 years plus one day to 10 years of service | 160 hours |
| Upon completion of 10 years plus one day to 15 years of service | 200 hours |
| Upon beginning of 15 years plus one day or more of service | 240 hours |

- c. On the first day of January of a calendar year, an employee will automatically lose any unused vacation the employee has accumulated over the maximum allowed in Section 15.2b. No other compensation will be given to the employee unless granted in accordance with Section 15.3.
- 15.3** In the event an employee's earned vacation will exceed the maximum hours allowed for carryover to the next year, and the employee has taken at least 80 hours of vacation time during the year, the City shall convert up to forty (40) hours of unused vacation time into pay. Additionally, an employee may file a written request with their department head requesting up to forty (40) additional hours of vacation to be carried over for up to one (1) additional year.

- 15.4** All vacations must be scheduled and approved by department heads in advance with due consideration being given to the desires of the employees and to the work requirements facing the department. Vacation schedules may be amended to allow the department to meet emergency situations.
- 15.5** An employee who has completed six (6) months of employment and is terminated or leaves city service for any reason prior to using any or all of his or her vacation will be paid for the unused portion of the vacation time earned.
- 15.6** Employees will not accrue vacation time while on any leave of absence for a period of longer than 30 days, unless required by law.

ARTICLE 16 – FAMILY AND MEDICAL LEAVE

- 16.1** FMLA/OFLA Leave. The City will provide family and medical leave consistent with the federal Family and Medical Leave Act and state law.
- 16.2** Availability. Unpaid leave of absence for up to 12 weeks is provided to eligible employees for certain family or medical reasons. Employees eligible for leave of absence under the Family and Medical Leave Act (“FMLA”) must have worked for the City for 12 months or more and have at least 1,250 hours of service during the 12 months immediately preceding the leave of absence. Employees may request federal Family and Medical Leave for:
- a. The addition of a child to the family through birth, adoption, or placement by foster care,
 - b. A serious health condition of the employee’s spouse, child or parent,
 - c. A serious health condition that prevents an employee from performing his or her job.
- 16.3** Pregnancy Related Leave. An employee with a pregnancy-related disability may be provided with a leave of absence for an additional 12 weeks if she is sick or temporarily disabled by pregnancy. This pregnancy-disability leave is in addition to Federal Family and Medical Leave. To be eligible for such leave, an employee must have worked an average of 25 hours per week during the preceding six months.
- 16.4** Leaves are Concurrent. Any leave, including paid leave, taken for an FMLA- or OFLA-covered reason will run concurrently with FMLA/OFLA leave. Unpaid leaves will run concurrently with unpaid FMLA/OFLA leave where allowed by law. Vacation and accrued sick leave must be substituted for unpaid FMLA/OFLA leave where allowed by law and will not extend the FMLA or OFLA leave entitlement.
- 16.5** Reasonable Notice Required. Employees must give the City thirty (30) days’ notice of the need for leave when it is foreseeable. An employee must make a reasonable effort to schedule treatment for serious health conditions in a manner that does not unduly disrupt business operations.
- 16.6** Medical Certification. The City may require a medical certification of serious health conditions and may require recertification from the employee’s health care provider and second and third opinions from an independent health care provider where appropriate and allowed by law. The City will pay the cost of all second and third medical opinions. The City will require employees returning from leave for their own serious health condition to provide a certification of fitness to return to work.
- 16.7** Leave Calculation Year. The leave calculation year for FMLA/OFLA leave is 12 months starting with the first day leave is taken by the employee (12 month looking forward method).
- 16.8** Bereavement Leave
- a. Under this policy, “Family Member” means the employee’s:
 - i. Spouse or registered domestic partner;

- ii. Child or the child's spouse or registered domestic partner;
- iii. Parent of the parent's spouse or registered domestic partner;
- iv. Sibling or stepsibling or the sibling's or stepsibling's spouse or registered domestic partner;
- v. Grandparent or the grandparent's spouse or registered domestic partner;
- vi. Grandchild or the grandchild's spouse or registered domestic partner; or
- vii. An individual related by blood or affinity whose close association with an employee taking bereavement leave is the equivalent of a family relationship.

b. Employees may take bereavement as follows:

- i. Employees who have worked for the City for at least 180 calendar days and averaged at least twenty-five (25) hours or more per week, may take up to two (2) weeks of unpaid bereavement leave per death of a Family Member, up to a maximum of four (4) weeks per leave year. The leave is unpaid; however, employees will be allowed to use accrued leave to cover the absence.
- ii. Employees who have worked for 90 to 180 days and have experienced a death of a Family Member may use up to 40 hours of accrued sick leave for bereavement purposes.
- iii. Employees who have worked for the City fewer than 90 days may not be eligible for leave; see Human Resources for more information.
- iv. The employee must provide notice to their supervisor and Human Resources as soon as possible after receiving notification of a Family Member's death, and the leave must be completed within 60 days of the date the employee receives notice of the death. Exceptions may be made for memorial services scheduled further in the future

ARTICLE 17 – SICK LEAVE

- 17.1** Accrual. In order to minimize the economic hardships that may result from an unexpected short-term personal or dependent illness or injury, the City provides regular full-time employees with eight (8) hours of accumulated sick leave per month. (Accrual shall begin during the probationary period for those hired to become regular full-time employees upon successful completion of the probationary period.) The City of Stayton will follow and remain compliant of all Federal and State Sick Leave requirements.
- 17.2** Part-time employees will earn sick leave at a rate of 50% of full-time employees and not less than what is required by state law.
- 17.3** Sick leave will be calculated as follows: employees hired on the first day of the month through the 14th day of the month begin earning sick leave that effective the first of that month; employees starting on the fifteenth day of the month through the end of the month begin earning sick leave the following month).
- 17.4** Employees are eligible to use sick leave for the following reasons:
- a. Personal illness or physical disability. Illness requiring more than three (3) consecutive days off requires a doctor's release to return to work.
 - b. Quarantine of an employee by a physician for non-occupationally related disability.
 - c. Illness in the employee's immediate family when the employee is needed to care for a dependent living in the employee's household.
 - d. Medical or dental appointments which cannot be scheduled outside regular workday hours.
 - e. Disability or illness caused by pregnancy will be treated in the same manner as any other temporary physical condition requiring time off.
- 17.5** Employees will be charged sick leave on the basis of one (1) sick leave hour for each duty hour absent.
- 17.6** Bereavement Leave
- a. Under this policy, "Family Member" means the employee's:
 - i. Spouse or registered domestic partner;
 - ii. Child or the child's spouse or registered domestic partner;
 - iii. Parent of the parent's spouse or registered domestic partner;
 - iv. Sibling or stepsibling or the sibling's or stepsibling's spouse or registered domestic partner;
 - v. Grandparent or the grandparent's spouse or registered domestic partner;

- vi. Grandchild or the grandchild's spouse or registered domestic partner; or
- vii. An individual related by blood or affinity whose close association with an employee taking bereavement leave is the equivalent of a family relationship.

b. Employees may take bereavement as follows:

- i. Employees who have worked for the City for at least 180 calendar days and averaged at least twenty-five (25) hours or more per week, may take up to two (2) weeks of unpaid bereavement leave per death of a Family Member, up to a maximum of four (4) weeks per leave year. The leave is unpaid; however, employees will be allowed to use accrued leave to cover the absence.
- ii. Employees who have worked for 90 to 180 days and have experienced a death of a Family Member may use up to 40 hours of accrued sick leave for bereavement purposes.
- iii. Employees who have worked for the City fewer than 90 days may not be eligible for leave; see Human Resources for more information.
- iv. The employee must provide notice to their supervisor and Human Resources as soon as possible after receiving notification of a Family Member's death, and the leave must be completed within 60 days of the date the employee receives notice of the death. Exceptions may be made for memorial services scheduled further in the future

17.7 Notification of Inability to Work: Employees who are unable to report to work due to personal or dependent illness or injury must contact the immediate supervisor on or before scheduled starting time via phone, voicemail, text, or email. If an employee becomes sick during the day, the supervisor or designee must be directly notified before the employee leaves work. When sick leave is taken to care for a dependent, the City expects that other care arrangements will be made as soon as possible, except where leave for dependent care purposes is provided for by family leave laws and employee is eligible for such leave. The employee must comply with the notice requirements under family leave laws, which may provide for later notification of inability to work than is otherwise required by this policy if the need for the leave is unanticipated.

17.8 Unused sick leave benefits may accumulate from year to year to a maximum of six hundred (600) hours.

17.9 The City will allow employees to transfer accumulated sick, vacation and compensatory time to a coworker with a serious injury or illness who has exhausted all accumulated leave. Leave may also be donated to an employee who is caring for a seriously ill family member (per IRS rules for donated leave, a family member is a spouse, child, or parent) or for bereavement purposes and has exhausted all accumulated leave. The receiving employee must be an employee with one year of service with the City and no documented history of abuse of leave for unscheduled absences. The amount of donated leave an employee can receive will be evaluated on a case-by-case basis with final approval from the City Manager.

Any request for leave donations must be made through Human Resources. All communication regarding leave donations will be made by Human Resources.

- 17.10** Employees are not paid for unused sick leave upon employment termination.
- 17.11** Concurrent Leaves: Sometimes more than one type of leave may apply to a situation. Where allowed by federal or state law, leaves will run concurrently. This means that sick leave, workers' compensation leave, leave as a reasonable accommodation for a qualified individual with a disability, FMLA/OFLA leave, unpaid leaves of absence, may all run concurrently and be counted against the employee's family medical leave entitlement. The City may designate any type of leave as FMLA/OFLA leave if the leave is used for a FMLA/OFLA purpose covered by the FMLA and/or OFLA.
- 17.12** Medical Certification: An employee on sick leave that is running concurrently with another type of leave, for example, FMLA leave or personal leave, must provide the medical certification required for any and all applicable types of leave.
- 17.13** Employees will not accrue sick leave while on any leave of absence for a period of longer than 30 days, unless required by law.

ARTICLE 18 – JOB CLASSIFICATIONS AND WAGES

18.1 Wages. Employees shall be compensated in accordance with the job grade and salary range chart attached to this Agreement and marked as Addendum "A." Regular part-time and temporary or seasonal employees shall be compensated for wages in accordance with the hourly rate derived from the salary schedules set forth in this contract.

18.2 New Positions. In the event a new position is created, the City will notify the Union.

18.3 Wage Advancement.

- a. Upon completion of six months of employment, employees eligible for retirement benefits shall be granted a one-time six percent (6%) salary increase for the purpose of offsetting subsequent payroll deductions for retirement plan contributions.
- b. Upon the City's determination that an employee has successfully completed his/her probationary period, the employee shall be granted an annual step increase on their first anniversary date (measured as one full year of service following date of hire).
- c. Regular employees, except those who have reached the top salary step for their classification, may be granted an annual step increase on subsequent anniversary dates (measured as each subsequent full year of service following employee's hire date or date of subsequent promotion, i.e., a promotion will result in a new anniversary date) if they receive a performance rating of at least satisfactory, as reflected in a performance appraisal completed by the employee's supervisor.
- d. Merit Bonus. Employees who have reached the top salary step for their classification shall continue to be subject to annual performance appraisals as a measure of the employee's ongoing performance and as an opportunity to refresh the employee's and supervisor's mutual understanding of the supervisor's performance expectations. Upon a satisfactory evaluation, an employee at the top salary step for their classification will be eligible for an annual percentage bonus based on their annual salary as follows:
 - Exceeds Expectations (2.34 and above): 1%
 - Meets Expectations (2.11 to 2.33): 0.75%
 - Meets Expectations (1.90 to 2.10): 0.5%
 - Meets Expectations (1.67 to 1.89): 0.25%

An employee not meeting expectations following their annual review will not be eligible for the bonus.

- e. All salary step increases are subject to availability of funds and must be recommended by the employee's supervisor and/or Department Head and approved by the City Manager. Annual evaluations shall be done on a timely basis. When an evaluation is not accomplished by an employee's anniversary

date, any merit increase granted to the employee shall be retroactive to the employee's anniversary date. Denial of a merit increase shall not be arbitrary or capricious. Whenever possible, an employee shall be made aware of performance deficiencies upon which a merit increase may be denied and, whenever possible, given an opportunity to correct the deficiency prior to the annual review.

- 18.4** Pay for Temporary Change in Job Grade. Each employee shall be paid at the regular rate of pay for their job grade for all work done, except as follows:
- a. Any employee working out of class at a higher-grade job than the employee's regular rating shall be paid a premium of 10% of their regular rate of pay, beginning with the first day of their working out of class.
- 18.5** Pay Period. Employees will be paid on the last day of the month. If the last day of the month, falls on a Saturday or Sunday, payday will be the preceding Friday.
- 18.6** Time Records. Timecards must serve as an accurate record of the time for which each employee is paid wages. Each employee is expected to record accurately all time spent working on City business.
- 18.7** Longevity Pay. Longevity pay will be tied to merit and awarded to employees who meet or exceed expectations on their annual performance review. Award of longevity pay can be received in addition to the merit bonus (18.3.d).
- a. City employees who have completed ten (10) years of continuous employment with the City will receive a one-time 1% bonus based on their annual salary.
 - b. City employees who have completed fifteen (15) years of continuous employment with the City will receive a one-time 1.25% bonus based on their annual salary.
 - c. City employees who have completed twenty (20) years of continuous employment with the City will receive a one-time 1.5% bonus based on their annual salary.
 - d. City employees who have completed twenty-five (25) years of continuous employment with the City will receive a one-time 1.75% bonus based on their annual salary.
 - e. City employees who have completed thirty (30) years of continuous employment with the City will receive a one-time 2% bonus based on their annual salary.
- 18.8** Bilingual Differential. Employees who are assigned in writing by the City to use their bilingual skills for language translation or interpretation will receive a monthly premium of 3% of their regular base pay. Determination of bilingual differential eligibility shall be made by the City, at its discretion, and may require a demonstration of proficiency which will be paid for by the City. Employees who have not been assigned in writing shall not be required to use these skills.

ARTICLE 19 – OTHER LEAVES OF ABSENCE

- 19.1** Military Leave. The City will grant employees military leave in accordance with applicable state and federal law.
- 19.2** Witness or Jury Duty. When an employee is called for jury duty or is subpoenaed as a witness in court, he/she will not suffer any loss and will receive his/her regular wages while serving on the jury or serving as a witness. Employees serving as jurors or as a witness will transfer to the City any payment he/she receives for the performance of this duty, except mileage reimbursement. The employee will be granted a reasonable time-off duty to serve as a witness or juror without loss of pay, earned vacation, or sick leave. This provision does not apply to any absence when the employee is a plaintiff in the litigation, or a defendant in litigation which did not arise in the course of the employee's employment and does not relate to the performance of the employee's official duties.
- 19.3** Leaves of Absence Without Pay. The City may grant a leave of absence without pay to an employee for good and sufficient reasons as determined by the City, in its sole discretion. Authorized leave of absence without pay shall not interrupt prior or continuous employment; however, the employee shall not be credited with earned annual leave, sick leave or any other benefits during the period of authorized leave of absence. Anniversary dates for the accrual of annual leave shall be adjusted for periods when employees are on authorized leave of absence or leave without pay status. If a leave of absence without pay is granted, the employee shall not accumulate seniority during such absence, will receive no benefits during such absence, and may be reinstated upon return to work from the leave of absence without pay subject to the following:
- a. An employee must have exhausted all applicable paid leaves (sick leave, vacation leave, etc.) prior to being eligible to request a leave of absence without pay; and
 - b. Subject to the City's prior approval, a leave of absence without pay may be for up to twelve (12) months. An employee who is permitted by the City to return to work from a leave of absence without pay shall report to work within 24 hours of the final date of the leave or be subject to termination; and
 - c. If the City approves a leave of absence without pay, approval shall be in writing and shall indicate the starting date and ending date of such leave of absence without pay; and
 - d. The employee's return to work is subject to the City's approval based on the City's sole assessment of availability of positions, workload, service needs, budget constraints and changes in work.

ARTICLE 20 – POLICIES OF GENERAL APPLICATION

The City shall have the right to adopt a “Uniform Personnel Policy and Procedure” document applicable to the bargaining unit which provides for personnel policies not inconsistent with those policies in this Agreement which constitute mandatory subjects of bargaining. If any part of the Uniform Policy conflicts with this Agreement, this Agreement shall prevail until the parties have bargained concerning the subject to impasse or agreement.

20.1 Drug Testing. The City may adopt and enforce a drug testing policy, which may include reasonable suspicion, pre-employment, follow-up, and return-to-work drug and/or alcohol testing. Employees possessing a CDL will also be subject to random and post-accident testing in accordance with DOT regulations. The parties agree that such policy will provide for an opportunity to continue working following a first positive drug or alcohol test, provided the employee complies with the policy’s requirements for continued employment, and that it will provide for immediate termination of employment upon a second positive drug or alcohol test.

20.2 Job Vacancy, Job Posting, Promotions. Employees covered by this Agreement may apply for available positions. Job announcements will be posted in the affected department and on a central bulletin board when a job vacancy or new position becomes available and will reflect, at a minimum:

- a. The department where the opening exists, contact person and telephone number;
- b. Classification specifications and required qualifications (i.e., education, training, skills, experience);
- c. Job title;
- d. Salary range;
- e. Opening and closing date;
- f. Date posted.

It is the City's right and option to determine whether or not to fill a vacant position, and the manner of filling the position. Job announcements will be posted for a minimum of a five (5) workday period. The City has the right to implement outside postings and advertise concurrent with bargaining unit postings.

Any employee or outside applicant applying for a posted position shall comply with the selection process established by the City and complete an employment application form. This application will be submitted to the City Manager. Requirements for the position must be met as described in the appropriate job announcement.

The City shall have the right to select the individual for the available position, whether it be a current employee or an outside applicant. The City shall make the sole determination taking into consideration knowledge, skill, ability, past performance, experience and competence. Changes from a higher to a lower job classification may be made at the request of an employee with the approval of the person responsible for the supervision over them and the Department Head.

20.3 Trial Service Period.

- a. A regular employee who is promoted to another position, shall serve a six (6) month trial service period to demonstrate their fitness to perform the duties of the new position. Should a regular employee who has been promoted within a department fail to qualify for the higher classification or should they decide they do not want the job, the employee shall be returned to their previous job within the department within six (6) months of accepting the position.
- b. A regular employee who is transferred laterally to another position at the same pay grade will not be subject to a new trial service period.
- c. New, full-time employees are subject to a one-year probationary period per Article 2.1.
- d. New part-time employees are subject to a six-month probationary period per Article 2.2.

20.4 Uniforms. For positions where a uniform is required, the City will provide employees with necessary uniform elements.

- a. The City will provide the necessary PPE including rain gear and safety glasses for positions that require them.
- b. Public Works employees working in Public Works – Wastewater, Public Works – Water, Streets, and Parks, shall be provided an annual allowance of up to one thousand dollars (\$1,000) to cover necessary workwear in management approved uniform colors, including but not limited to workpants, logoed shirts, sweatshirts, hats, necessary foot protection (i.e. wool socks), and work boots. Employees can elect to submit receipts for reimbursement or make the necessary purchases using City accounts or cards.
- c. Employees not listed in the above 20.4b, whose job description requires them to spend approximately fifty percent (50%) or more of their work time in the field, shall receive an annual allowance of up to five hundred (\$500) to compensate for this impact.

20.5 Certifications and Licenses. The City shall pay for all fees associated with the maintenance of licenses or certifications which are a condition of employment with the City, including CDLs, and the physical exams associated with CDLs, provided, however, that if health insurance covers the physical exam, the City will pay only the employee's actual out-of-pocket expense for the CDL physical exam.

ARTICLE 21 – ON-CALL AND CALL-BACK PAY

Article 21 shall apply to Public Works employees only.

- 21.1** Public Works field employees and Wastewater Treatment Facility employees will rotate on-call duty and carry a cellphone for after hour emergencies. The phone duties shall be assigned and rotated for 7 days per week.
- a. The designated on-call employee will respond to after-hour emergencies designated and dispatched by METCOM, their supervisor, the department head, or management designee.
 - b. Employees assigned by the City to on-call status will earn their choice of either one (1) hour of pay or one (1) hour of compensatory time off, at their regular rate for each eight (8) hours of on-call time assigned. This is to be paid as an “on-call premium” which shall be paid in addition to wages normally earned in the payroll period.
 - c. When an employee is assigned by the City to on-call status during the twenty-four (24) hour period of a City recognized paid holiday, they will earn their choice of either two (2) hours of pay or two (2) hours of compensatory time off at their regular rate for each eight (8) hours of on-call time assigned.
 - d. When required to report for duty as a result of an after-hours emergency, employees will earn one and one half (1.5) their normal rate of pay for all hours worked with a minimum two (2) hour call-out. When required to report for duty as a result of an after-hours emergency during the twenty-four (24) hour period of a paid holiday, employees will earn double-time and a half (2.5) their normal rate of pay for all hours worked with a minimum of a two (2) hour call-out.
- 21.2** Employees who are designated to be on-call, as described in Sections 21.1 above may, at their discretion, take a service truck home for the duration of the time they are scheduled to be on-call provided that they live within twenty-five (25) miles of the City limits.
- 21.3** Public Works employees who take City vehicles home after-hours shall not use the City vehicles for personal business.
- 21.4** When the on-call person receives a call, they will respond to the emergency within thirty (30) minutes of the call.

ARTICLE 22 – NON-DISCRIMINATION

- 22.1** Union Activities. The City and the Union agree not to discriminate against any employee due to legitimate activities for or against the Union, including membership or non-membership in the Union.
- 22.2** Protected Classifications. The parties agree not to discriminate against any employee due to race, color, national origin, religion, age, sex, sexual orientation, marital or family status, or disability which may be accommodated reasonably.

ARTICLE 23 – COMPLETE AGREEMENT

All employee rights and benefits shall be limited to the express terms of this Agreement. The parties agree that upon the effective date of this Agreement, all prior practices, understandings, grievance settlements, side letters, and any department agreements shall be null and void, whether written or oral. Any new agreements must be in writing and signed by both parties.

ARTICLE 24 – BARGAINING UNIT WORK

The parties agree that no work “belongs” to any particular classification, or to the bargaining unit. Nothing in this Agreement shall limit the right of any individual to perform any work duties, or limit the City’s ability to assign any individual, whether inside or outside the bargaining unit, to perform any duties whatsoever.

ARTICLE 25 – SAVINGS CLAUSE

All expenditures and obligations imposed hereunder must meet requirements of Oregon law, and if applicable, Federal Law. This Agreement shall in all respects, wherever the same may be applicable herein, be subject and subordinate to the ordinances of the City within its statutory jurisdiction and shall further be subject and subordinate to the statutes of the State of Oregon. Should any Article, Section or portion thereof of this Agreement be held unlawful and unenforceable by any court of competent jurisdiction, such decision of the court shall apply only to the specific Article, Section or portion thereof directly specified in the decision. Upon the issuance of such a decision, the parties agree immediately to negotiate a substitute for the invalidated Article, Section or portion thereof.

ARTICLE 26 – SAFETY

- 26.1** Employee Responsibility. Every employee is responsible for safety. To achieve the City goal of providing a safe workplace, everyone must be safety conscious. Employees shall report unsafe or hazardous conditions directly to a supervisor immediately. Employees will participate in all required safety training programs offered by the City.
- 26.2** Management Responsibility. The City acknowledges the importance of providing a safe workplace. The City will follow all applicable state and federal laws related to workplace safety, including maintaining a safety committee in accordance with state law.
- 26.3** Safety Committee. The City shall establish and maintain a Safety Committee which shall follow procedural requirements as set forth in OAR 437-001-0765, “Safety Committees and Safety Meetings.”

ARTICLE 27 – HEALTH AND WELFARE

- 27.1** Health Benefits. The City retains the right to change insurance carrier, and/or plan features, if premium increases in the current plans make such action appropriate, or for any other legitimate business reason. The City agrees that in the event that it determines that such changes are necessary, it will make every effort to continue to offer medical plans with benefits. In the event that the City determines that a change in carrier or plan features becomes necessary under this provision, it will notify the Union of the proposed change(s) and discuss same. The parties acknowledge that they do not have control over tier structure or the plan year configuration of the insurance provider but do recognize the potential duty to bargain significant impacts caused by such changes.

The City shall agree to fund the existing (HRA VEBA) accounts each year. Regular part-time employees with City medical plan coverage, HRA/VEBA contribution paid by the City will be based on the pro-rated benefit outlined in Article 2.2. Employee contributions in future years shall increase by an amount equal to 25% of any premium increases.

- 27.2** Life Insurance. The City shall provide life insurance coverage for each employee in the amount of \$10,000 and shall provide coverage for employees' insured dependents in the amount of \$10,000, both at no cost to the employee.

- 27.3** Retirement. The City shall continue the retirement plan in effect as of July 1, 2004, including employee contributions effective as of that date, provided, however that the City retains the right to change plan administrator and/or plan features, if actuarial valuations or changes in the law make such action appropriate, or for any other legitimate business reason. The City agrees that in the event that it determines that such changes are necessary, it will make every effort to offer substantially equivalent benefits.

In the event that the City determines that a change in the plan is necessary, it will notify the Union of the proposed change(s) and bargain with the Union over the impact of such change(s), upon request from the Union. In the event that the City determines that a change in plan or plan administrator is necessary, the City shall arrange a presentation to employees to explain the change(s) and answer questions.

Notwithstanding the foregoing, the City retains the right to make fiduciary decisions regarding the plan consistent with the plan documents.

Any changes to the plan will apply to all plan participants.

Any plan document changes shall be provided to the Union.

- 27.4** Other Benefit Plans. The City shall continue all other current Benefit Plans, all of which are made available to City employees at the employee's own cost, and with no cost to the City. The City shall continue the foregoing plans as long as the plans are available, and as long as there is no cost to the City to continue those plans. In the event that one or more of the foregoing plans is no longer available, and/or is no longer available at no cost to the City, the City will notify the Union.

- 27.5** Health and Wellness Committee. The City shall schedule informational presentations, provide information and assistance with the health and wellness offerings available through City-County Insurance Services (CIS).

ARTICLE 28 – WAGE SCALE AND COLA

- 28.1** Advancement from one step to the next shall be in accordance with Section 18.3 (B) and (C) of the Collective Bargaining Agreement. The rate of progression for steps on the pay schedule is 3%.
- 28.2** The City of Stayton and AFSCME agree that regular market updates are a priority and should be completed a minimum of once every five (5) years. The City and AFSCME agree to engage McGrath Human Resources Consultants, or a suitable agreed upon equivalent if they are not available, to complete a market update during the fiscal year beginning July 1, 2030. The goal will be to complete the market update prior to beginning negotiations between the City and AFSCME in early 2031.
- 28.3** Cost-of-living adjustment (COLA).
- Effective July 1, 2026, the COLA shall be increased by 3%.
 - Effective July 1, 2027, the COLA shall be increased between 1% to 5% based on the average of the west CPI rate from January to December of the previous year.
 - Effective July 1, 2028, the COLA shall be increased between 1% to 5% based on the average of the west CPI rate from January to December of the previous year.

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS THIS XX DAY OF JUNE 2026.

CITY OF STAYTON, OREGON

COUNCIL 75, AMERICAN FEDERATION OF STATE, COUNTY & MUNICIPAL EMPLOYEES

Brian Quigley
Mayor

Catherine McGuire
Council Representative
Oregon AFSCME Council 75

Julia Hajduk
City Manager

Colby Padua
President Local 3222

Attest:

Alissa Angelo
Assistant City Manager

Dennis Harris
Vice President Local 3222



CITY OF STAYTON
M E M O R A N D U M

TO: Mayor Quigley and the Stayton City Council

FROM: Jennifer Siciliano, Director of Community and Economic Development

DATE: May 15, 2026

SUBJECT: Ordinance - Comprehensive Plan Map and Zone Map Amendments, 579 E Washington Street

ISSUE

The issue before the City Council is a public hearing on applications to amend the Comprehensive Plan Map and the Official Zoning Map for the property at 579 E Washington Street. The Comprehensive Plan Map amendment is from Residential to Downtown. The Official Zoning Map amendment is from Low Density (LD) Residential to Downtown Residential Mixed Use Residential (DRMU). Following the public hearing, the Council will be requested to consider Ordinance 26-005 to amend the Comprehensive Plan Map and the Official Zoning Map.

ENCLOSURE(S)

Draft Ordinance

Exhibit 1 – Planning Commission - Signed Order of Recommendation, Comprehensive Plan and Zoning Map Amendment Applications, and Agency and Department Comments

STAFF RECOMMENDATION

The staff recommendation is reflected in the findings and conclusions contained in the draft ordinance attached to the City Council packet.

The Stayton Planning Commission held a public hearing on May 26, 2026, and unanimously recommended that the City Council approve the applications for a Comprehensive Plan Map Amendment and Official Zoning Map Amendment for 579 E Washington Street. The Planning Commission's signed Order of Recommendation is attached.

The application proposes to amend the Comprehensive Plan Map designation from Residential to Downtown and the Official Zoning Map designation from Low Density Residential (LD) to

Downtown Residential Mixed Use (DRMU). Based on the staff analysis and findings contained in the Planning Commission Order and draft ordinance, staff concurs that the proposed Comprehensive Plan and Zoning Map amendments are consistent with the Stayton Comprehensive Plan, applicable statewide planning goals, and the approval criteria contained in Stayton Municipal Code Chapters 17.12.170 and 17.12.180.

BACKGROUND INFORMATION

The subject property is located at 579 E Washington Street and consists of approximately 0.42 acres. The property is currently designated Residential on the Comprehensive Plan Map and zoned Low Density Residential (LD). The site is developed with a church building. The church use is a legally existing nonconforming use within the LD zone.

The applicant, Charlene Vogel/Santiam Ballet Academy, LLC, has requested approval of a Comprehensive Plan Map Amendment from Residential to Downtown and an Official Zoning Map Amendment from Low Density Residential (LD) to Downtown Residential Mixed Use (DRMU). The purpose of the amendments is to facilitate the adaptive reuse of the existing building as a ballet and dance studio.

The property is located at the northeast corner of E Washington Street and N 5th Avenue. Properties to the north, east, and west are primarily developed with single-family residences in the Low Density Residential zone. Properties south of E Washington Street are zoned Downtown Residential Mixed Use and contain a mix of residential and commercial uses.

Notice of the application was provided to affected agencies, utility providers, surrounding property owners, and the Oregon Department of Land Conservation and Development. No written public comments were received in support of or opposition to the application prior to the public hearing.

The Planning Commission found that the proposed amendments satisfy the applicable approval criteria for Comprehensive Plan Map Amendments and Official Zoning Map Amendments. The Commission concluded that the proposal is consistent with the Comprehensive Plan and statewide planning goals, will not materially impact the City's residential land supply, can be served by existing public facilities and utilities, and is compatible with surrounding land uses. The Planning Commission therefore recommended approval of the applications.

FISCAL IMPACT

Approval of the Comprehensive Plan Map Amendment and Official Zoning Map Amendment will not result in an immediate direct fiscal impact to the City. The proposed amendments may increase the development potential and economic viability of the property, which could support future investment and redevelopment. Any future improvements to the property may increase its assessed value and generate additional property tax revenue for local taxing districts,

including the City. Future development or redevelopment of the property would also be subject to applicable City permit fees and System Development Charges (SDCs), as required by City code.

OPTIONS AND MOTIONS:

Staff has provided the City Council with several options, each with an appropriate motion. The Community and Economic Development Department and Planning Commission recommend the first option.

1. Approve the application, enact Ordinance 26-005 as presented.

I move to approve Ordinance 26-005, approving the applications submitted by Charlene Vogel/Santiam Ballet Academy, LLC (Land Use File #7-04/26) for a Comprehensive Plan Map Amendment and Official Zoning Map Amendment for the property located at 579 E Washington Street as presented by Staff.

The City Recorder shall call the roll and the names of each Councilor present, and their vote shall be recorded in the meeting minutes. If the vote is unanimous, Ordinance No. 26-005 is enacted and will be presented to the Mayor for his approval.

If the vote is not unanimous, Ordinance No. 26-005 will be brought before the Council for a second consideration at the July 6, 2026, meeting.

2. Approve the application, enact Ordinance 26-05 with amendments.

I move to approve Ordinance 26-005 approving the applications submitted by Charlene Vogel/Santiam Ballet Academy, LLC (Land Use File #7-04/26) for a Comprehensive Plan Map Amendment and Official Zoning Map Amendment for the property located at 579 E Washington Street with the following amendments and direct staff to prepare findings and conclusions to support that decision.

The City Recorder shall call the roll and the names of each Councilor present and their vote shall be recorded in the meeting minutes. If the first consideration is approved, Ordinance No. 26-005 will be brought before the Council for a second consideration at its July 6, 2026, meeting.

3. Deny the application and adopt findings and conclusions to substantiate the decision.

I move that the City Council deny the applications submitted by Charlene Vogel/Santiam Ballet Academy, LLC (Land Use File #7-04/26) for a Comprehensive Plan Map Amendment and Official Zoning Map Amendment for the property located at 579 E Washington Street and direct staff to prepare an order of denial with findings and conclusions to support that decision.

4. Continue deliberation to the next meeting.

I move that the City Council continue deliberations on the applications submitted by Charlene Vogel/Santiam Ballet Academy, LLC (Land Use File #7-04/26) for a Comprehensive Plan Map Amendment and Official Zoning Map Amendment for the property located at 579 E Washington Street until July 6, 2026.

ORDINANCE NO. 26-005

**AN ORDINANCE AMENDING THE STAYTON COMPREHENSIVE
PLAN AND THE STAYTON ZONING MAP FOR PROPERTY LOCATED
AT 579 E WASHINGTON STREET**

WHEREAS, Charlene Vogel/Santiam Ballet Academy, LLC has submitted applications for a Comprehensive Plan Map amendment from Residential to Downtown and an Official Zoning Map amendment from Low Density Residential (LD) to Downtown Residential Mixed Use (DRMU) for property located at 579 E Washington Street; and

WHEREAS, the subject property is Tax Lot 3200 as shown on Marion County Assessor's Map 091W10DB and is addressed as 579 E Washington Street; and.

WHEREAS, the subject property is designated Residential by the Comprehensive Plan Map and zoned Low Density Residential (LD) by the Official Zoning Map; and

WHEREAS, the subject property consists of approximately 0.42 acres and is developed with a building previously used as a place of worship, associated parking, and landscaping; and

WHEREAS, the neighboring properties to the north, east, and west are zoned Low Density Residential (LD) and are primarily developed with single-family dwellings, and properties south of E Washington Street are zoned Downtown Residential Mixed Use (DRMU) and developed with a mixture of residential and commercial uses; and

WHEREAS, applications for an amendment to the Comprehensive Plan Map are required to satisfy approval criteria contained in Stayton Municipal Code (SMC) Section 17.12.170.6; and

WHEREAS, applications for an amendment to the Official Zoning Map are required to satisfy approval criteria contained in SMC Section 17.12.180.6; and

WHEREAS, following a public hearing on May 26, 2026, the Stayton Planning Commission unanimously adopted an Order recommending approval of the applications; and

WHEREAS, the Stayton City Council held a public hearing on June 15, 2026, and, pursuant to SMC 17.12.170.6 and SMC 17.12.180.5, makes the following findings regarding each of the approval criteria:

Section 17.12.170.6 Comprehensive Plan Amendment Approval Criteria.

- 1) *The amendment is consistent with the goals and policies of the Comprehensive Plan, including any relevant area plans, and the statewide planning goals. In the case of a Comprehensive Plan Map amendment, the requested designation for the site shall be evaluated against relevant Comprehensive Plan policies and the decision authority shall find that the requested designation on balance is more supportive of the Comprehensive Plan as a whole than the old designation.*

Findings: The Comprehensive Plan describes the purposes of the Downtown and Residential designations. However, no other direction is provided in the Plan as to the location of these areas. Goals and Policies within the Comprehensive Plan that provide some direction regarding this application include the goal for public facilities and services that urban development will occur in areas with existing services and the goal to enhance and protect the vitality of the existing commercial and service sector. The subject site is served by existing utilities and will not require an extension of the public

services. This application has been submitted to allow future conversion of a legally existing nonconforming use to a ballet/dance studio.

- 2) *The current Comprehensive Plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation and the addition of this property to the inventory of lands so designated is consistent with projected needs for such lands in the Comprehensive Plan.*

Findings: The subject property is directly across the street from the existing DRMU zone on the south side of E Washington St. While there are six vacant parcels in the DRMU, not of the vacant parcels are as large as the subject property. The existing building has been vacant for more than three years.

- 3) *Compliance is demonstrated with the statewide land use goals that apply to the subject properties or to the proposed land use designation. If the proposed designation on the subject property requires an exception to the Goals, the applicable criteria in the LCDC Administrative Rules for the type of exception needed shall also apply.*

Findings:

The pertinent Statewide Land Use Goals are Goals 5, 7, 9, and 10. Goal 5 is to protect natural resources and conserve scenic and historic areas and open spaces. There are no “Goal 5 Resources” identified in the Comprehensive Plan on or adjacent to the subject property. Goal 7 is to protect people and property from natural hazards. There are no natural hazards identified on or adjacent to the subject property.

Goal 9 is to provide adequate opportunities for a variety of economic activities. The property is currently designated Residential and has been a legally existing nonconforming use. Amendment of the Comprehensive Plan Map designation to Downtown would increase opportunity for economic activity in the City and would implement the adopted Economic Development Strategy of supporting the expansion of existing businesses.

Goal 10 is to provide for the housing needs of the citizens of the state. The proposed amendment would reduce the amount of land designated for residential use. However, the Comprehensive Plan indicates that there were 950 acres of land designated for residential growth in the urban growth area. The Comprehensive Plan indicated that approximately 460 acres of land would be needed for residential growth during the planning period. This amendment would result in a decrease of about 0.04% in the amount of available land for residential development, and still leave a surplus of almost 500 acres above what was projected to be needed during the planning period.

- 4) *Existing or anticipated transportation facilities are adequate for uses permitted under the proposed designation and the proposed amendment is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060).*

Findings: The applicant submitted an analysis of the potential impacts of the Comprehensive Plan Map amendment on the transportation system. The analysis was prepared by Christopher Clemow, PE. The analysis estimated that under the current LD zoning and Residential designation the worst-case traffic generation would be 9 daily trips with one PM peak hour trip. The analysis projected traffic generation from a 10-unit townhouse development or a medical dental office building as the worst-case scenario under the proposed zoning, with daily trip generation of 148 trips. The analysis

noted that amendments that result in 400 or more added trips are deemed likely to have a significant impact on the transportation system. The analysis concluded that the proposed amendment is not expected to have significant effect on the surrounding transportation system.

The analysis was reviewed by the City's transportation engineering consultant, who concluded that the applicant's analysis did not adequately evaluate the full range of reasonably foreseeable trip-generating uses permitted under the proposed Downtown Residential Mixed Use designation and recommended preparation of a full Traffic Impact Analysis evaluating the broader development potential allowed under the proposed Comprehensive Plan and zoning designations.

Based on the existing development pattern, the relatively small size of the subject property, the adaptive reuse nature of the proposal, and the requirement for future transportation review should the site redevelop or intensify in the future, staff finds that the proposed amendment is not expected to result in a significant effect on the surrounding transportation system.

- 5) *The current Comprehensive Plan Map provides more than the projected need for lands in the existing land use designation.*

Findings: There are approximately 1,824 acres of land within the Urban Growth Boundary currently designated Residential. The Comprehensive Plan indicated that there were approximately 921 buildable acres of land inside the Urban Growth Boundary and outside of the City limits. Since that time, approximately 119 acres of residential land have been annexed into the City, along with approximately 8 acres of commercial land and 10 acres of industrial land. The Comprehensive Plan also indicated that the City would need approximately 460 acres of land for residential development during the planning period and that there were approximately 144 acres of buildable residential land within the City limits at the time of adoption. The Comprehensive Plan identified approximately 950 acres of land designated for residential growth within the Urban Growth Boundary.

Based on the approximately 119 acres of residential land annexed since adoption of the Comprehensive Plan, the remaining estimated residential land need is approximately 341 acres during the planning period. This amendment would reduce the amount of land available for residential development by approximately 0.42 acres and would still leave a substantial surplus of residential land above the amount projected to be needed during the planning period.

- 6) *Public facilities and services necessary to support uses allowed in the proposed designation are available or are likely to be available in the near future.*

Findings: The subject property at 579 E Washington Street is located within a developed area of the City and is currently served by existing public facilities and utilities. There is an existing 1 1/4-inch water main in N 5th Avenue and an existing 3/4-inch water service connection serving the existing building. There is also an existing 8-inch sanitary sewer main in N 5th Avenue and an existing 4-inch sewer service connection serving the property.

- 7) *Uses allowed in the proposed designation will not significantly adversely affect existing or planned uses on adjacent lands.*

Findings: Neighboring properties on the north side E Washington St are all single family dwellings in the LD zone. The neighboring properties in the south side of E Washington are mix of residential and commercial uses and zoned DRMU. Abutters in the sounding area were notified and staff did not receive any comments for or against development.

Section 17.12.180.6 Official Zoning Map Amendment Approval Criteria. Pursuant to SMC 17.12.180.6.b the following criteria must be demonstrated as being satisfied by the application for Zoning Map amendment:

- 1) *The proposed zone is consistent with the Comprehensive Plan map designation for the subject property unless a Comprehensive Plan Map amendment has also been applied for and is otherwise compatible with applicable provisions of the Comprehensive Plan.*

Findings: There is a concurrent application to amend the Comprehensive Plan Map designation from Residential to Downtown.

- 2) *Existing or anticipated services (water, sanitary sewers, storm sewers, schools, police and fire protection) can accommodate potential development in the subject area without adverse impact on the affected service area.*

Findings: The subject property at 579 E Washington Street is located within a developed area of the City and is currently served by existing public facilities and utilities. There is an existing 1 1/4-inch water main in N 5th Avenue and an existing 3/4-inch water service connection serving the existing building. There is also an existing 8-inch sanitary sewer main in N 5th Avenue and an existing 4-inch sewer service connection serving the property.

- 3) *Existing or anticipated transportation facilities are adequate for uses permitted under the proposed zone designation and the proposed amendment is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060).*

Findings: The applicant submitted an analysis of the potential impacts of the Zoning Map amendment on the transportation system. The analysis was prepared by Christopher Clemow, PE. The analysis estimated that under the current LD zoning and Residential designation the worst-case traffic generation would be 9 daily trips with one PM peak hour trip. The analysis projected traffic generation from a 10-unit townhouse development or a medical dental office building as the worst-case scenario under the proposed zoning, with daily trip generation of 148 trips. The analysis noted that amendments that result in 400 or more added trips are deemed likely to have a significant impact on the transportation system. The analysis concluded that the proposed amendment is not expected to have significant effect on the surrounding transportation system.

The analysis was reviewed by the City's transportation engineering consultant, who concluded that the applicant's analysis did not adequately evaluate the full range of reasonably foreseeable trip-generating uses permitted under the proposed Downtown Residential Mixed Use designation and recommended preparation of a full Traffic Impact Analysis evaluating the broader development potential allowed under the proposed Comprehensive Plan and zoning designations.

Based on the existing development pattern, the relatively small size of the subject property, the adaptive reuse nature of the proposal, and the requirement for future

transportation review should the site redevelop or intensify in the future, staff finds that the proposed amendment is not expected to result in a significant effect on the surrounding transportation system.

- 4) *The purpose of the proposed zoning district satisfies the goals and policies of the Comprehensive Plan.*

Findings: Three categories of Comprehensive Policies are appropriate to look at with this application: housing, economic, and land use.

Policy HO-4 is to encourage the maintenance, conservation and enhancement of existing residential areas and housing stock. The property is currently developed with a church building that was a legally existing nonconforming use.

There are no economic policies in the Comprehensive Plan directly related to this application. Though not part of the of Comprehensive Plan, in August 2019, the City Council adopted a set of Economic Development Strategies. Among the guiding principles in the Strategies is to place existing businesses first. This amendment would facilitate the relocation and expansion of an existing business.

Policy LU-1 is that the City will adopt a zoning map consistent with the Comprehensive Plan Map. This policy is to be implemented by an action that zoning district boundaries are to follow property lines and rights of way centerlines as much as practicable.

- 5) *Balance is maintained in the supply of vacant land in the zones affected by the zone change to meet the demand for projected development in the Comprehensive Plan. Vacant land in the proposed zone is not adequate in size, configuration or other characteristics to support the proposed use or development. A Zone Map Amendment shall not eliminate all available vacant land from any zoning designation.*

Findings: There are 13 vacant lots within the city that are zoned LD, with a combined area of 25.5 acres. There are 6 vacant lots of zoned DRMU, with a combined acreage of 1.21 acres. The subject property is not vacant and is legally existing nonconforming use.

- 6) *The proposed zone amendment satisfies applicable provisions of Oregon Administrative Rules.*

Findings: The applicant provided an analysis required by OAR 660-012-0060. Notice was provided to the Department of Land Conservation and Development more than 35 days prior to the first evidentiary hearing on these applications as required by OAR 660-018-0020.

- 7) *The physical characteristics of the property proposed for rezoning are appropriate for the proposed zone and the potential uses allowed by the proposed zone will not have an adverse impact on the surrounding land uses.*

Findings: The subject property is flat and level. The property is already developed with a building. None of the abutting residents provided comments either in support of or in opposition to the application.

WHEREAS, pursuant to the findings above, the City Council concludes that the Comprehensive Plan amendment and Zoning Map amendment are compliant with all applicable review criteria.

NOW, THEREFORE, the City of Stayton ordains:

Section 1. Comprehensive Plan Map Changed. Based on the Findings and Conclusions set forth above, the Stayton Comprehensive Plan Map is amended as follows:

The Stayton Comprehensive Plan Map is amended to change the designation of Tax Lot 3200, Marion County Assessor’s Map 091W10DB, located at 579 E Washington Street, from Residential to Downtown.

A portion of the revised Comprehensive Plan Map, illustrating the amendments to the Comprehensive Plan Map is included as Exhibit A, attached hereto and incorporated herein.

Section 2. Zoning Map Changed. Based on the Findings and Conclusions set forth above, the Stayton Official Zoning Map is amended as follows:

The Stayton Official Zoning Map is amended to change the zoning designation of Tax Lot 3200, Marion County Assessor’s Map 091W10DB, located at 579 E Washington Street, from Low Density Residential (LD) to Downtown Residential Mixed Use (DRMU).

A portion of the revised Official Zoning Map, illustrating the amendments to the Official Zoning Map is included as Exhibit B, attached hereto and incorporated herein.

Section 3. Effective Date. This ordinance shall become effective 30 days after adoption by the Stayton City Council and the Mayor’s signing.

Section 4. A copy of this Ordinance shall be furnished to the State of Oregon, Department of Land Conservation and Development forthwith.

ADOPTED BY THE STAYTON CITY COUNCIL this 15th day of June, 2026.

CITY OF STAYTON

Signed: _____, 2026

BY:

Brian Quigley, Mayor

Signed: _____, 2026

ATTEST:

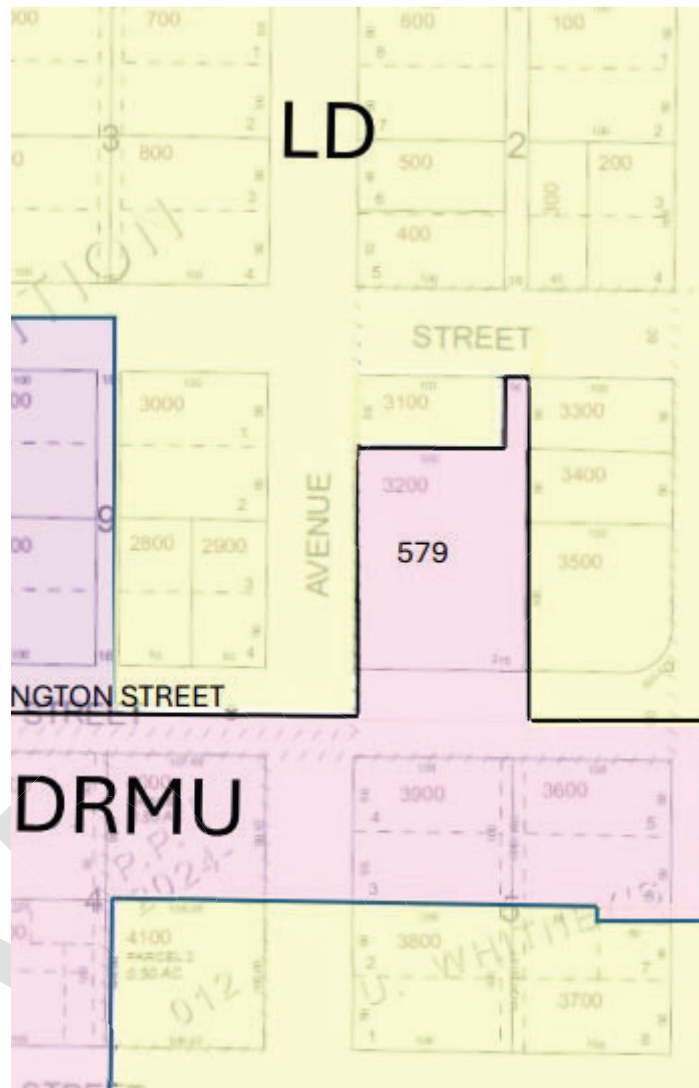
Julia Hajduk, City Manager

EXHIBIT A, EXCERPT FROM REVISED COMPREHENSIVE PLAN MAP



DRAFT

EXHIBIT B, EXCERPT FROM OFFICIAL ZONING MAP



BEFORE THE STAYTON PLANNING COMMISSION

| | | |
|--|---|----------------------------------|
| In the matter of |) | |
| The application for |) | Comprehensive Plan Map Amendment |
| Charlene Vogel/Santiam Ballet Academy, LLC |) | Official Zoning Map Amendment |
| |) | File # 7-04/26 |
| |) | |

RECOMMENDATION OF APPROVAL

I. NATURE OF APPLICATION

The applicant has submitted applications for a Comprehensive Plan Map amendment from Residential to Downtown and an Official Zoning Map amendment from Low Density Residential to Downtown Residential Mixed Use.

II. PUBLIC HEARING

A public hearing was held on the applications before the Stayton Planning Commission on May 26, 2026. At that hearing the Planning Commission reviewed Land Use File #7-04/26, applications for Comprehensive Plan Map amendment and Official Zoning Map amendment, and it was made part of the record.

III. FINDINGS OF FACT

A. GENERAL FACTS

1. The owner of the property is the Oregon Pacific District Church of the Nazarene.
2. The applicant is Charlene Vogel/Santiam Ballet Academy, LLC, who has presented a purchase and sales agreement to establish their right to file an application.
3. The property is tax lot 3200 as shown on Map 91W10DB.
4. The property is addressed as 579 E Washington St.
5. The property is currently designated Residential by the Comprehensive Plan and is zoned Low Density Residential (LD).
6. The property is 0.42 acres in area. The property has 116 feet of frontage on E Washington St, 150 feet of frontage on N Fifth Ave and 16 feet of frontage on E Jefferson St.
7. The property is developed with a building that was previously used as a place of worship and associated parking and landscaping. The place of worship was a legally existing nonconforming use.
8. The neighboring property to the north is zoned LD and is developed with a single family dwelling. The neighboring properties to the east are zoned LD and are developed with single family dwellings. The neighboring property to the south, across E Washington St, is zoned Downtown Residential Mixed Use (DRMU)

and is developed with a single family dwelling. The neighboring property to the southwest, across the intersection, is zoned DRMU and is developed as dental office. The neighboring properties to the west are zoned LD and developed with single family dwellings.

9. The proposal is to amend the Comprehensive Plan Map designation for the subject property from Residential to Downtown and the zoning from Low Density (LD) Residential to Downtown Residential Mixed Use (DRMU), to allow for the future establishment of a dance studio.

B. AGENCY COMMENTS

The following agencies were notified of the proposal: City of Stayton Public Works, Santiam Water Control District, Wave Broadband, Stayton Cooperative Telephone Company (SCTC), Pacific Power, Northwest Natural Gas, Stayton Fire District, Stayton Police Department, North Santiam School District, Marion County Public Works, Marion County Planning Division, and Santiam Hospital. A notice of Post-Adoption Plan Amendment was filed with the Oregon Department of Land Conservation and Development on April 17, 2026.

Responses were received from SCTC stating that they have no issue with the change. Santiam Hospital said that they had no comment or concern. Comments were received from Public Works and the City's transportation planning consultant that are reflected in the findings below.

C. PUBLIC COMMENTS

The surrounding property owners were notified of the public hearing and the applications and notice appeared on the City's website. A sign was posted on the property providing notice of the public hearing. No comments were received from the public prior to the public hearing.

D. ANALYSIS

Comprehensive Plan Map amendments are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Chapter 17.12, Section 17.12.170.6. Official Zoning Map amendments are required to satisfy approval criteria contained within SMC Chapter 17.12, Section 17.12.180.6.

E. APPROVAL CRITERIA

Section 17.12.170.6 Comprehensive Plan Amendment Approval Criteria.

Pursuant to SMC 17.12.170.6.b the following criteria must be demonstrated as being satisfied by the application for a Comprehensive Plan amendment:

- 1) *The amendment is consistent with the goals and policies of the Comprehensive Plan, including any relevant area plans, and the statewide planning goals. In the case of a Comprehensive Plan Map amendment, the requested designation for the site shall be evaluated against relevant Comprehensive Plan policies and the decision authority shall find that the requested designation on balance is more supportive of the Comprehensive Plan as a whole than the old designation.*

Finding: The Comprehensive Plan describes the purposes of the Downtown and Residential designations. However, no other direction is provided in the Plan as to the location of these areas. Goals and Policies within the Comprehensive Plan that provide some direction regarding this application include the goal for public facilities and services that urban development will occur in areas with existing services and the goal to enhance and protect the vitality of the existing commercial and service sector. The subject site is served by existing utilities and will not require an extension of the public services. This application has been submitted to allow future conversion of a legally existing nonconforming use to a ballet/dance studio.

- 2) *The current Comprehensive Plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation and the addition of this property to the inventory of lands so designated is consistent with projected needs for such lands in the Comprehensive Plan.*

Finding: The subject property is directly across the street from the existing DRMU zone on the south side of E Washington St. While there are six vacant parcels in the DRMU, not of the vacant parcels are as large as the subject property. The existing building has been vacant for more than three years.

- 3) *Compliance is demonstrated with the statewide land use goals that apply to the subject properties or to the proposed land use designation. If the proposed designation on the subject property requires an exception to the Goals, the applicable criteria in the LCDC Administrative Rules for the type of exception needed shall also apply.*

Finding: The pertinent Statewide Land Use Goals are Goals 5, 7, 9, and 10. Goal 5 is to protect natural resources and conserve scenic and historic areas and open spaces. There are no “Goal 5 Resources” identified in the Comprehensive Plan on or adjacent to the subject property. Goal 7 is to protect people and property from natural hazards. There are no natural hazards identified on or adjacent to the subject property.

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Goal 10 is to provide for the housing needs of the citizens of the state. The proposed amendment would reduce the amount of land designated for residential use. However, the Comprehensive Plan indicates that there were 950 acres of land designated for residential growth in the urban growth area. The Comprehensive Plan indicated that approximately 460 acres of land would be needed for residential growth during the planning period. This amendment would result in a decrease of about 0.04% in the amount of available land for residential development, and still leave a surplus of almost 500 acres above what was projected to be needed during the planning period.

- 4) *Existing or anticipated transportation facilities are adequate for uses permitted under the proposed designation and the proposed amendment is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060).*

Finding: The applicant submitted an analysis of the potential impacts of the Comprehensive Plan Map amendment on the transportation system. The analysis was prepared by Christopher Clemow, PE. The analysis estimated that under the current LD zoning and Residential designation the worst-case traffic generation would be 9 daily trips with one PM peak hour trip. The analysis projected traffic generation from a 10-unit townhouse development or a medical dental office building as the worst-case scenario under the proposed zoning, with daily trip generation of 148 trips. The analysis noted that amendments that result in 400 or more added trips are deemed likely to have a significant impact on the transportation system. The analysis concluded that the proposed amendment is not expected to have significant effect on the surrounding transportation system.

The analysis was reviewed by the City's transportation engineering consultant, who concluded that the applicant's analysis did not adequately evaluate the full range of reasonably foreseeable trip-generating uses permitted under the proposed Downtown Residential Mixed Use designation and recommended preparation of a full Traffic Impact Analysis evaluating the broader development potential allowed under the proposed Comprehensive Plan and zoning designations.

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- 5) *The current Comprehensive Plan Map provides more than the projected need for lands in the existing land use designation.*

Finding: There are approximately 1,824 acres of land within the Urban Growth Boundary currently designated Residential. The Comprehensive Plan indicated that there were approximately 921 buildable acres of land inside the Urban Growth Boundary and outside of the City limits. Since that time, approximately 119 acres of residential land have been annexed into the City, along with approximately 8 acres of commercial land and 10 acres of industrial land. The Comprehensive Plan also indicated that the City would need approximately 460 acres of land for residential development during the planning period and that there were approximately 144 acres of buildable residential land within the City limits at the time of adoption. The Comprehensive Plan identified approximately 950 acres of land designated for residential growth within the Urban Growth Boundary.

Based on the approximately 119 acres of residential land annexed since adoption of the Comprehensive Plan, the remaining estimated residential land need is approximately 341 acres during the planning period. This amendment would

reduce the amount of land available for residential development by approximately 0.42 acres and would still leave a substantial surplus of residential land above the amount projected to be needed during the planning period.

- 6) *Public facilities and services necessary to support uses allowed in the proposed designation are available or are likely to be available in the near future.*

Finding: The subject property at 579 E Washington Street is located within a developed area of the City and is currently served by existing public facilities and utilities. There is an existing 1 1/4-inch water main in N 5th Avenue and an existing 3/4-inch water service connection serving the existing building. There is also an existing 8-inch sanitary sewer main in N 5th Avenue and an existing 4-inch sewer service connection serving the property.

- 7) *Uses allowed in the proposed designation will not significantly adversely affect existing or planned uses on adjacent lands.*

Finding: Neighboring properties on the north side E Washington St are all single family dwellings in the LD zone. The neighboring properties in the south side of E Washington are mix of residential and commercial uses and zoned DRMU. Abutters in the sounding area were notified and staff did not receive any comments for or against development.

Section 17.12.180.6 Official Zoning Map Amendment Approval Criteria.

Pursuant to SMC 17.12.180.6.b the following criteria must be demonstrated as being satisfied by the application for Zoning Map amendment:

- 1) *The proposed zone is consistent with the Comprehensive Plan map designation for the subject property unless a Comprehensive Plan Map amendment has also been applied for and is otherwise compatible with applicable provisions of the Comprehensive Plan.*

Finding: There is a concurrent application to amend the Comprehensive Plan Map designation from Residential to Downtown.

- 2) *Existing or anticipated services (water, sanitary sewers, storm sewers, schools, police and fire protection) can accommodate potential development in the subject area without adverse impact on the affected service area.*

Finding: The subject property at 579 E Washington Street is located within a developed area of the City and is currently served by existing public facilities and utilities. There is an existing 1 1/4-inch water main in N 5th Avenue and an existing 3/4-inch water service connection serving the existing building. There is also an existing 8-inch sanitary sewer main in N 5th Avenue and an existing 4-inch sewer service connection serving the property.

- 3) *Existing or anticipated transportation facilities are adequate for uses permitted under the proposed zone designation and the proposed amendment is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060).*

Findings: The applicant submitted an analysis of the potential impacts of the Zoning Map amendment on the transportation system. The analysis was

prepared by Christopher Clemow, PE. The analysis estimated that under the current LD zoning and Residential designation the worst-case traffic generation would be 9 daily trips with one PM peak hour trip. The analysis projected traffic generation from a 10-unit townhouse development or a medical dental office building as the worst-case scenario under the proposed zoning, with daily trip generation of 148 trips. The analysis noted that amendments that result in 400 or more added trips are deemed likely to have a significant impact on the transportation system. The analysis concluded that the proposed amendment is not expected to have significant effect on the surrounding transportation system.

The analysis was reviewed by the City's transportation engineering consultant, who concluded that the applicant's analysis did not adequately evaluate the full range of reasonably foreseeable trip-generating uses permitted under the proposed Downtown Residential Mixed Use designation and recommended preparation of a full Traffic Impact Analysis evaluating the broader development potential allowed under the proposed Comprehensive Plan and zoning designations.

Based on the existing development pattern, the relatively small size of the subject property, the adaptive reuse nature of the proposal, and the requirement for future transportation review should the site redevelop or intensify in the future, staff finds that the proposed amendment is not expected to result in a significant effect on the surrounding transportation system.

- 4) *The purpose of the proposed zoning district satisfies the goals and policies of the Comprehensive Plan.*

Findings: Three categories of Comprehensive Policies are appropriate to look at with this application: housing, economic, and land use.

Policy HO-4 is to encourage the maintenance, conservation and enhancement of existing residential areas and housing stock. The property is currently developed with a church building that was a legally existing nonconforming use.

There are no economic policies in the Comprehensive Plan directly related to this application. Though not part of the of Comprehensive Plan, in August 2019, the City Council adopted a set of Economic Development Strategies. Among the guiding principles in the Strategies is to place existing businesses first. This amendment would facilitate the relocation and expansion of an existing business.

Policy LU-1 is that the City will adopt a zoning map consistent with the Comprehensive Plan Map. This policy is to be implemented by an action that zoning district boundaries are to follow property lines and rights of way centerlines as much as practicable.

- 5) *Balance is maintained in the supply of vacant land in the zones affected by the zone change to meet the demand for projected development in the*

Comprehensive Plan. Vacant land in the proposed zone is not adequate in size, configuration or other characteristics to support the proposed use or development. A Zone Map Amendment shall not eliminate all available vacant land from any zoning designation.

Findings: There are 13 vacant lots within the city that are zoned LD, with a combined area of 25.5 acres. There are 6 vacant lots of zoned DRMU, with a combined acreage of 1.21 acres. The subject property is not vacant and is legally existing nonconforming use.

- 6) *The proposed zone amendment satisfies applicable provisions of Oregon Administrative Rules.*

Findings: The applicant provided an analysis required by OAR 660-012-0060. Notice was provided to the Department of Land Conservation and Development more than 35 days prior to the first evidentiary hearing on these applications as required by OAR 660-018-0020.

- 7) *The physical characteristics of the property proposed for rezoning are appropriate for the proposed zone and the potential uses allowed by the proposed zone will not have an adverse impact on the surrounding land uses.*

Findings: The subject property is flat and level. The property is already developed with a building. None of the abutting residents provided comments either in support of or in opposition to the application.

IV. CONCLUSION

Based on the facts above, the Planning Commission concludes that the application meets the requirements established in SMC Sections 17.12.170.6 and 17.12.180.6.

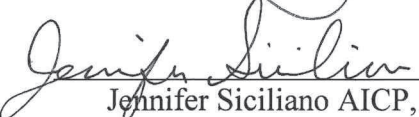
V. ORDER

Based on the conclusion above, the Planning Commission recommends to the City Council that the City Council approve the applications for Comprehensive Plan Map amendment and Official Zoning Map amendment.



Planning Commission Chairperson

5/28/2026
Date



Jennifer Siciliano AICP,

5/28/2026
Date

Director of Community and Economic Development



CITY OF STAYTON APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

PROPERTY OWNER: Oregon Pacific District Church of the Nazarene

Address: PO Box 217

City/State/Zip: Lebanon, Or. 97355

Phone: () - - Email: _____

APPLICANT: Charlene Vogel / Santiam Ballet Academy LLC

Address: 41244 Delaney Rd. SE

City/State/Zip: Salem Or. 97317

Phone: (541) 521-7601 Email: _____

APPLICANT'S REPRESENTATIVE: _____

Address: _____

City/State/Zip: _____

Phone: () - - Email: _____

CONSULTANTS: Please list below planning and engineering consultants.

PLANNING

ENGINEERING

Name: _____

Name: Chris Clemow

Address: _____

Address: _____

City/State/Zip: _____

City/State/Zip: _____

Phone: () - -

Phone: (541) 579-8315

Email: _____

Email: _____

Select one of the above as the principal contact to whom correspondence should be addressed:

- owner
- applicant
- applicant's representative
- planning consultant
- engineer

COMPREHENSIVE PLAN TEXT AMENDMENT

COMPREHENSIVE PLAN MAP AMENDMENT

CURRENT COMPREHENSIVE PLAN MAP DESIGNATION: LD

PROPOSED COMPREHENSIVE PLAN MAP DESIGNATION: DRMU

LOCATION:

Street Address: 579 E Washington St.

Assessor's Tax Map and Lot Number(s): Map 91W10DB Tax lot 3200

Closest Intersecting Streets: Washington, 5th Ave, Jefferson

SIGNATURE OF APPLICANT: Charlene Vogel

DO NOT WRITE BELOW THIS LINE

Application received by: _____ Date: _____ Fee Paid: \$ _____ Receipt No. _____

Land Use File# _____



CITY OF STAYTON
APPLICATION FOR AN OFFICIAL ZONE MAP AMENDMENT

PROPERTY OWNER: Oregon Pacific District of the Nazarene

Address: PO Box 217

City/State/Zip: Lebanon, Or. 97305

Phone: () - - Email: _____

APPLICANT: Charlene Vogel / Santiam Ballet Academy LLC

Address: 41244 Delaney Rd. SE.

City/State/Zip: Salem Or. 97317

Phone: (541) 521 - 7601 Email: _____

APPLICANT'S REPRESENTATIVE: _____

Address: _____

City/State/Zip: _____

Phone: () - - Email: _____

CONSULTANTS: Please list below planning and engineering consultants.

PLANNING

ENGINEERING

Name: _____

Name: Chris Clemow

Address: _____

Address: _____

City/State/Zip: _____

City/State/Zip: _____

Phone: () - -

Phone: (541) 579-8315

Email: _____

Email: _____

Select one of the above as the principal contact to whom correspondence should be addressed:

- owner applicant applicant's representative planning consultant engineer

LOCATION:

Street Address: 579 E Washington St.

Assessor's Tax Lot Number and Tax Map Number: Map 91W100B Tax Lot 3200

Closest Intersecting Streets: Washington, 5th Ave, Jefferson

CURRENT ZONE MAP DESIGNATION: LDR

PROPOSED ZONE MAP DESIGNATION: DR mu

SIGNATURE OF APPLICANT: Charlene Vogel

DO NOT WRITE BELOW THIS LINE

Application received by: _____ Date: _____ Fee Paid: \$ _____ Receipt No. _____

Land Use File# _____

Statement of Availability, Capacity, and Status of Public Facilities and Services

Subject Property: 579 E. Washington Street, Stayton, Oregon

Proposed Use: Dance School (adaptive reuse of existing structure)

Water Service:

The subject property is served by the City of Stayton municipal water system. Existing infrastructure is adequate to support the proposed use, with sufficient capacity for domestic and fire flow needs.

Sanitary Sewer Service:

The property is connected to the City's sanitary sewer system, which has adequate capacity to accommodate the proposed use without upgrades.

Storm Drainage:

Existing stormwater facilities adequately manage runoff. No increase in impervious surface is proposed.

Transportation Facilities:

East Washington Street provides adequate access. Traffic generated by the dance school is expected to be comparable to or less than the previous church use.

Parks and Recreation:

Existing parks serve the area. The proposed use does not increase demand on public park facilities.

School Facilities:

The property is within the North Santiam School District. The proposed use does not impact school capacity.

Conclusion:

All necessary public facilities and services are available and adequate to support the proposed use.

Section 17.12.1809.6 Official Zoning Map Amendment Approval Criteria.

- 1) *The proposed zone is consistent with the Comprehensive Plan map designation for the subject property unless a Comprehensive Plan Map amendment has also been applied for and is otherwise compatible with applicable provisions of the Comprehensive Plan.*

There is a concurrent application to amend the Comprehensive Plan Map designation from Residential to DRMU.

- 2) *Existing or anticipated services (water, sanitary sewers, storm sewers, schools, police and fire protection) can accommodate potential development in the subject area without adverse impact on the affected service area.*

There is a 12-inch water main on E Washington St. There is a 8-inch sewer main in E Washington St. There is a 10-inch storm main in E Washington St.

- 3) *Existing or anticipated transportation facilities are adequate for uses permitted under the proposed zone designation and the proposed amendment is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060)*

The applicant submitted an analysis of potential impacts of the Comprehensive Plan Map amendment on the transportation system. The analysis was prepared by Chris Clemow, PE, PTOE. The analysis estimated that under current LD and Residential designation the worst-case traffic generation would be 1 peak hour trips. The analysis projected traffic generation from a medical-dental office building as the worst-case scenario under the proposed zoning, with a net increase of 14 peak hour trips. The analysis concluded that all of the study intersections would function within their applicable mobility standards under a worst-case scenario for the proposed changes.

- 4) *The purpose of the proposed zoning district satisfies the goals and policies of the Comprehensive Plan.*

Three categories of Comprehensive Policies are appropriate to look at with this application: housing, land use and economic development.

Policy HO-4 is to encourage the maintenance, conservation and enhancement of existing residential areas and housing stock. The subject property is developed as a church, has been vacant since 2020 and never been developed as a residence.

Policy LU-1 is that the City will adopt a zoning map consistent with the Comprehensive Plan Map. This policy is implemented by an action that zoning district boundaries are to follow property lines and rights of way centerlines as much as practicable.

POLICY LU-6 is that the central business area of Stayton shall continue to be the primary retail business area of the community. The proposed zoning amendment would expand the DRMU area to an area adjacent to the central business district.

POLICY EC-1 is to maintain downtown Stayton as an area for retail shops, restaurants, entertainment, government offices, and professional offices.

POLICY EC-2 is to enhance and protect the vitality of the City's existing commercial and service sector while maintaining a level of retail growth that is proportional to the size of the city.

This proposal provides for a compatible mix of residential, commercial, and civic uses that support a vibrant, walkable community environment. The proposed dance school is a community-serving recreational and educational use that aligns with the district's purpose. The use contributes to neighborhood vitality, promotes pedestrian activity, and provides a local service amenity without introducing adverse impacts typically associated with higher-intensity commercial development. Additionally, the adaptive reuse of the existing building supports sustainability and preservation of neighborhood character

- 5) *Balance is maintained in the supply of vacant land in the zones affected by the zone change to meet the demand for projected development in the Comprehensive Plan. Vacant land in the proposed zone is not adequate in size, configuration, or other characteristics to support the proposed use or development. A Zone Map Amendment shall not eliminate all available vacant land from any zoning designation.*

There are 78 vacant lots in the City that are zoned LD, with a combined area of 36.4 acres. There is one vacant lot in the DRMU zone. The subject has historically been a church and the proposed use would allow the existing building to conform to standards and allow use of the building to continue.

- 6) *The proposed zone amendment satisfies applicable provision of Oregon Administrative Rules.*

The applicant provided an analysis required by OAR 660-012-0060

- 7) *The physical characteristics of the property proposed for rezoning are appropriate for the proposed zone and the potential uses allowed by the proposed zone will not have an adverse impact on the surrounding land uses.*

The subject property is flat and level. The property is already developed with a building and parking area. No physical characteristics, natural resources or hazards are identified that create obstacles or prevent its use in the proposed zone or for the proposed use.

Exhibit B – Narrative Statement in Support of Comprehensive Plan Map Amendment and Zoning Map Amendment

579 East Washington Street, Stayton, Oregon

- 1. The amendment is consistent with the goals and policies of the Comprehensive Plan, including any relevant area plans, and the statewide planning goals. In the case of a Comprehensive Plan Map amendment, the requested designation for the site shall be evaluated against relevant Comprehensive Plan policies and the decision authority shall find that the requested designation on balance is more supportive of the Comprehensive Plan as a whole than the old designation.*

Downtown Residential Mixed Use district is intended to provide opportunities for “residential, commercial and mixed use developments as part of the downtown area,” and is intended to become a neighborhood of mainly moderate-density residential uses while also allowing appropriate commercial uses and mixed-use development. The downtown zoning provisions further state that these districts implement the Downtown Stayton Transportation & Revitalization Plan, which envisions a pedestrian-oriented district accommodating intensive commercial, residential, and mixed-use development.

The requested amendment is more supportive of the Comprehensive Plan as a whole than the existing low-density residential designation because the subject property is already improved with a nonconforming church building rather than a detached single-family dwelling pattern that the low-density designation is intended to preserve. The requested change would reduce the inconsistency between the existing built form and the mapped designation by assigning a downtown mixed-use designation to a parcel already developed with an urban-scale institutional structure capable of adaptive reuse. That form of reuse advances Comprehensive Plan objectives favoring efficient use of land, reinvestment in developed areas, a wider range of activity and housing opportunities in and around downtown, and a land use pattern that better coordinates with urban services and pedestrian access.

The proposal is also consistent with relevant statewide goals, particularly Goal 2 (Land Use Planning), Goal 9 (Economic Development), Goal 10 (Housing), Goal 11 (Public Facilities and Services), Goal 12 (Transportation), Goal 13 (Energy Conservation), and Goal 14 (Urbanization). Oregon’s statewide planning framework requires local comprehensive plans and implementing regulations to be consistent with those goals, and this amendment supports urban redevelopment and a more compact land use pattern within city limits rather than outward expansion.

2. The current Comprehensive Plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation and the addition of this property to the inventory of lands so designated is consistent with projected needs for such lands in the Comprehensive Plan.

The subject property has historically been used as a church building that is already non conforming within the LD designation. As a practical matter, the existing map designation underutilizes a developed site located on East Washington Street and does not adequately accommodate adaptive reuse of the existing structure for a low-impact instructional use such as a dance school.

The requested designation also responds to a limited inventory of downtown-designated land. The Stayton Comprehensive Plan's buildable lands inventory shows that, citywide, downtown-designated land is relatively scarce compared with residential, commercial, and industrial categories. Within city limits, the Plan identifies only 35 gross acres of downtown land, including 22 gross acres in the DRMU zone, and only 4 vacant and 1 buildable properties within the downtown categories. The Plan further notes that there is no land designated for downtown uses outside the city limits but inside the urban growth boundary, meaning the downtown land supply is inherently constrained. Adding this property to the downtown inventory is therefore consistent with the need to maintain and modestly expand opportunities for downtown-compatible mixed-use redevelopment without requiring expansion into undeveloped fringe areas.

On balance, the addition of this parcel to the downtown mixed-use inventory is a modest, site-specific adjustment that better aligns the map with existing conditions, supports downtown reinvestment, and incrementally increases the supply of land available for downtown-compatible uses, including mixed-use and residential opportunities contemplated by the Comprehensive Plan and downtown revitalization planning documents.

3. Compliance is demonstrated with the statewide land use goals that apply to the subject properties or to the proposed land use designation. If the proposed designation on the subject property requires an exception to the Goals, the applicable criteria in the LCDC Administrative Rules for the type of exception needed shall apply

Goal 1 is in regard to citizen involvement. The application is subject to the public hearing standards established in SMC 17.12.090 and 17.12.100 and Oregon Revised Statutes 227.160 to 186

Goal 2 is in regard to land use planning. The City's adopted Comprehensive Plan was acknowledged by the Department of Land Conservation and Development (DLCD) in May 2013. No exception is required whereas this is an amendment within the existing city limits.

Goal 3 is in regard to the preservation of agricultural lands. The property for this application is located inside the City Limits and zoned with City urban development zones.

Goal 4 is in regard to the preservation of forest lands. The property for this application is located inside the City Limits and zoned with City urban development zones.

Goal 5 is in regard to open spaces, scenic and historic areas, and natural resources. There are no "Goal 5 Resources" identified in the Comprehensive Plan on or adjacent to the subject properties

Goal 6 is in regard to air, water and land resources. The property for this application is located inside the City Limits and zone with City urban development zones.

Goal 7 is in regard to areas subject to natural disasters and hazards. There are no identified natural hazards on this property.

Goal 8 is in regard to recreation. The City has a Parks Master Plan that addresses the recreational needs of the community. This property is not identified for any future recreational facilities.

Goal 9 is to provide adequate opportunities for a variety of economic activities. The DRMU amendment to the subject property would support this by increasing the opportunity for economic activity in the City and would implement the adopted Economic Development Strategy of supporting the expansion of existing business as well as reinvesting in a preexisting building

Goal 10 is to provide for the housing needs of the state. The proposed amendment would not decrease the amount of land used because the DRMU district is expressly intended to allow moderate-density residential and mixed-use development, thereby expanding rather than restricting housing opportunities over time. According to City of Stayton Comprehensive Plan, there are 921 residential acres with 114 vacant and 138 buildable lots whereas there are only 22 acres and 1 buildable lot within the DRMU zoning.

Goal 11 is to plan and develop a timely, orderly and efficient arrangement of public facilities and services. The parcel is served by public water and sewer without any extension of facilities needed.

Goal 12 is to provide and encourage a safe, convenient, and economic transportation system. The City has an adopted Transportation System Plan. The applicant submitted an analysis of potential impacts of the Comprehensive Plan Map amendment on the transportation system. The analysis was prepared by Chris Clemow, PE, PTOE. The analysis estimated that under current LD and Residential designation the worst-case traffic generation would be 1 peak hour trips. The analysis projected traffic generation from a medical-dental office building as the worst-case scenario under the proposed zoning, with a net increase of 14 peak hour trips. The analysis concluded that all of the study intersections would function within their applicable mobility standards under a worst-case scenario for the proposed changes.

Goal 13 is to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities. The proposed amendment does not impact the City's urban growth boundary and is completely within City Limits.

Goals 15-19 are regarding the Willamette River Greenway, estuarine resources, coastal shorelands, beaches and dunes, and ocean resources, respectively. The City is not located on the Willamette River or on the Oregon Coast.

4) Existing or anticipated transportation facilities are adequate for uses permitted under the proposed designation and the proposed amendment is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060)

The applicant submitted an analysis of potential impacts of the Comprehensive Plan Map amendment on the transportation system. The analysis was prepared by Chris Clemow, PE, PTOE. The analysis estimated that under current LD and Residential designation the worst-case traffic generation would be 1 peak hour trips. The analysis projected traffic generation from a medical-dental office building as the worst-case scenario under the proposed zoning, with a net increase of 14 peak hour trips. The analysis concluded that all of the study intersections would function within their applicable mobility standards under a worst-case scenario for the proposed changes.

The proposal does not redesignate the property for an intensive auto-oriented use, does not require a change in roadway functional classification, and does not appear likely to materially degrade the performance of existing transportation facilities. Rather, it would reuse an existing structure for an instructional use in an area where walking, short local trips, and downtown access are anticipated parts of the transportation context.

5) The current Comprehensive Plan Map provides more than the projected need for lands in the existing land use designation

There are 1,825 acres of land in the UGB currently designated as Residential. The Comprehensive Plan indicates that there are 921 buildable acres of land inside the UGB, and outside the City Limits. Since that time, there have been about 73 acres of residential land annexed. The Plan also indicates that the City will need approximately 460 acres of land for residential development over the course of the planning period, and that there were 144 acres of buildable land in the city zoned for residential use. The Comprehensive Plan indicates that there were 950 acres of land designated for residential growth in the urban growth area. This amendment will not create a deficiency in lands designated for the existing low-density residential category. The Stayton Comprehensive Plan identifies a substantial inventory of land in the low-density residential designation. The buildable lands inventory shows that low-density residential land is the largest single zoning category in the city, with **667 gross acres** and a significant amount of vacant and redevelopment-capable land. By contrast, downtown-designated land is comparatively limited. Removing one already-developed parcel from the low-density inventory therefore will not materially impair the City's ability to meet

projected need for low-density residential land, particularly where the site is currently occupied by a nonconforming church building rather than contributing to the low-density detached housing stock in the manner originally contemplated by the designation.

For that reason, the current map provides more than adequate low-density residential land to absorb the loss of this single parcel, while the proposed amendment better serves the City's need for flexible downtown-compatible land supply.

6) Public facilities and services necessary to support uses allowed in the proposed designation are available or are likely to be available in the near future.

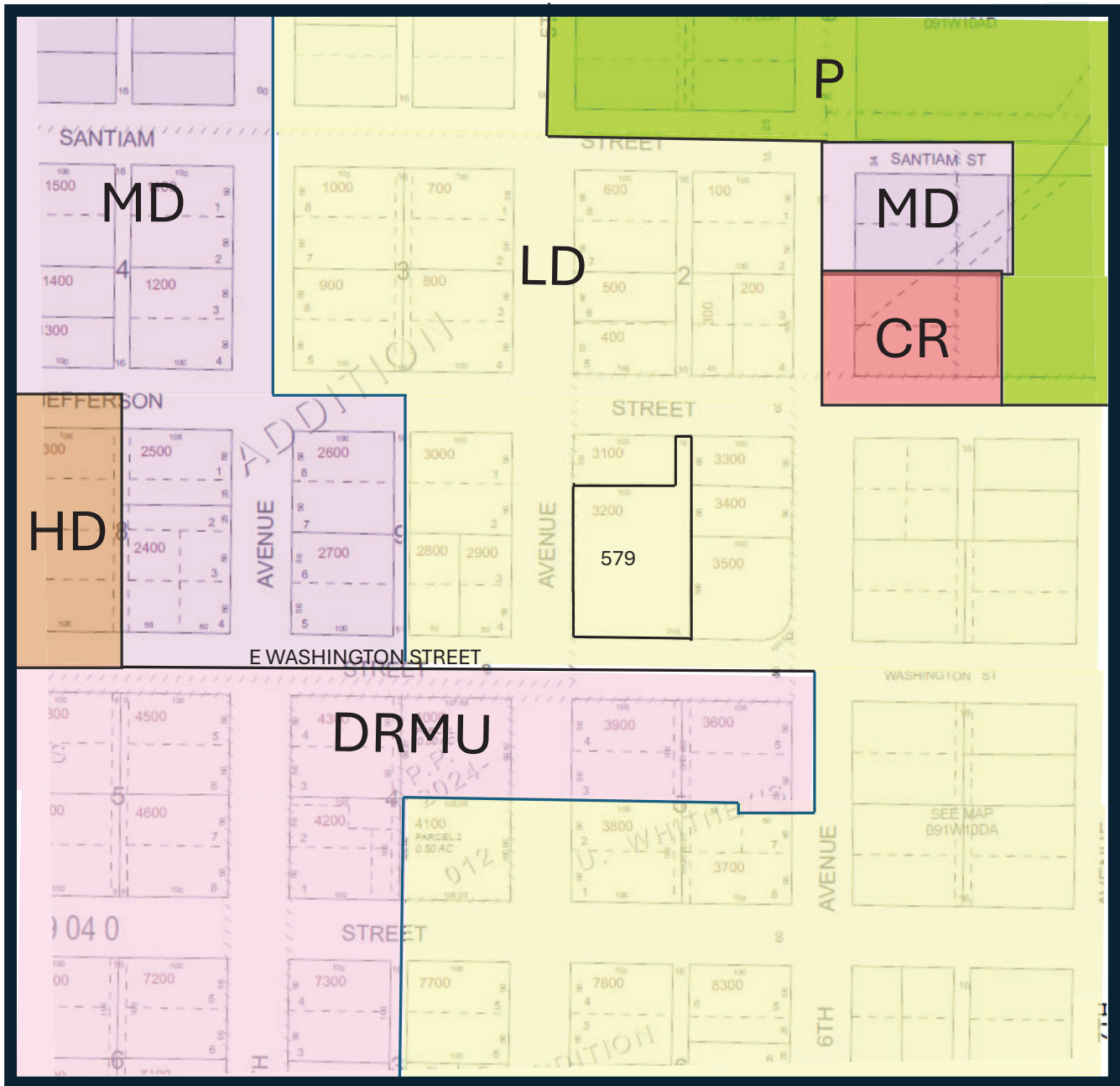
The public facilities and services necessary to support the uses allowed in the proposed designation are available, or are likely to be available in the near future, because the subject property is already developed and located within the city. The site has historically been served as an institutional use and is not an undeveloped greenfield requiring major extension of urban infrastructure. Water, sewer, storm drainage, police, fire, and street access are therefore either already available or can reasonably be expected to continue to serve the site subject to ordinary development review and utility connection requirements.

There is a 12 -inch water main in E Washington St. There is an 8- inch sewer main in E Washington St. There is a 10-inch storm main in E Washington St.

7) Uses allowed in the proposed designation will not significantly adversely affect existing or planned uses on adjacent lands.

Neighboring properties to the east are all single family dwellings, Neighboring properties to the south or in the DRMU corridor and consist of a law office, a single family dwelling and a dental office, properties to the west are all single family dwellings and properties to the north are single family dwellings. The proposed zone change will not significantly affect an existing or planned transportation facility, and TPR and Stayton Municipal Code criteria are satisfied without additional analysis.

Exhibit A – Current Zoning



Reference Map: Marion County 09 1W 10DB
Zoning per City of Stayton Zoning Map

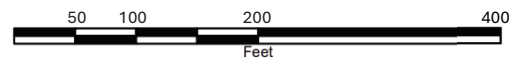
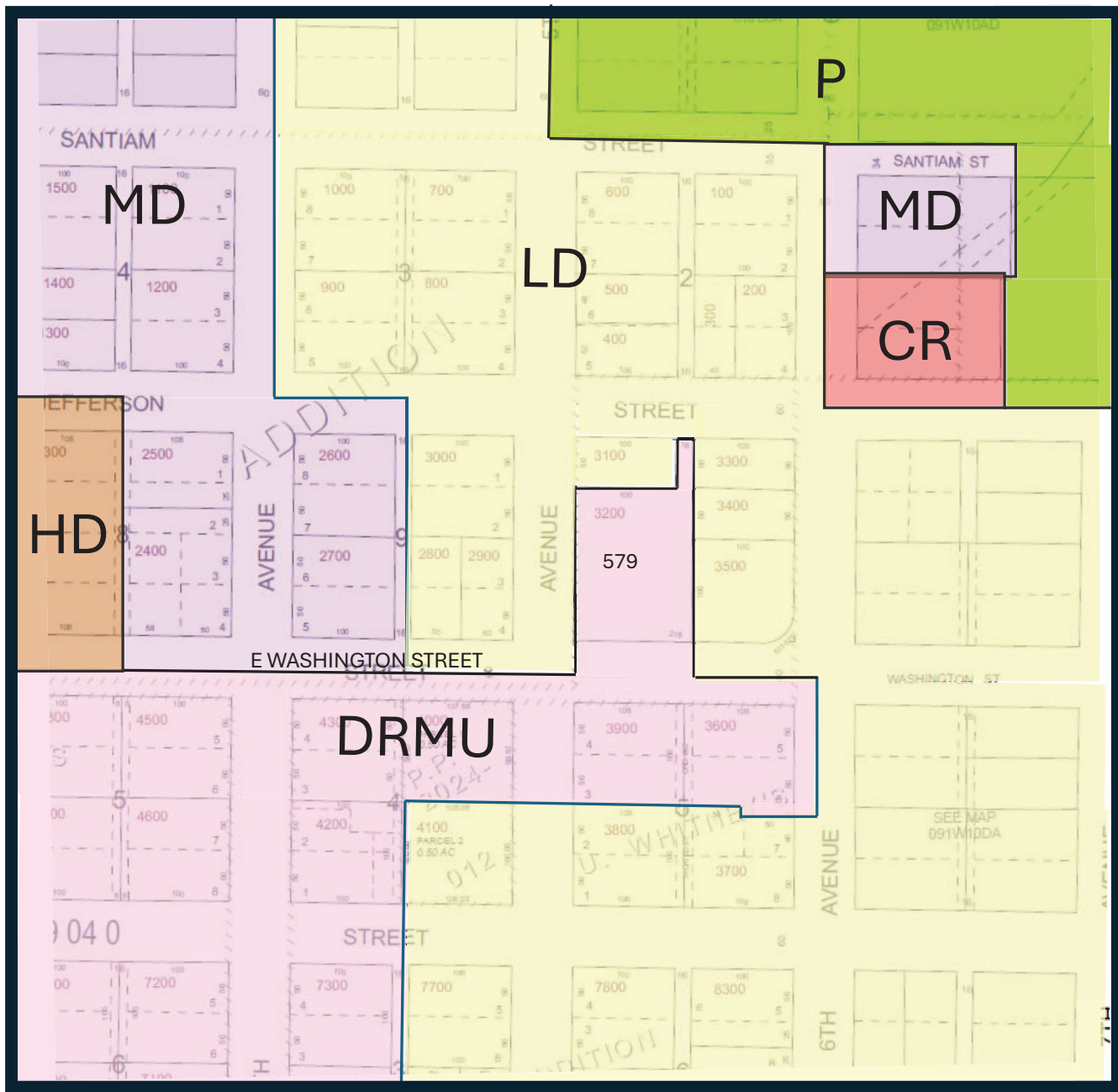
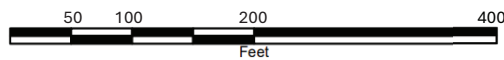


Exhibit B – Proposed Zoning



Reference Map: Marion County 09 1W 10DB
Zoning per City of Stayton Zoning Map



ADDENDUM TO REAL ESTATE SALE AGREEMENT

1 RE: Real Estate Sale Agreement No. 26-396 Dated 12/30/2025 Addendum C

2 Buyer: Santiam Ballet Academy

3 Seller: Oregon Pacific District Church of the Nazarene

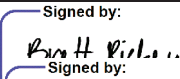
5 The real property described as: 579 E Washington St, Stayton OR, Parcel ID 534557 / Tax Lot
6 091W10DB03200.

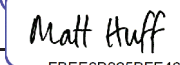
9 SELLER AND BUYER HEREBY AGREE THE FOLLOWING SHALL BE A PART OF THE REAL ESTATE SALE AGREEMENT REFERENCED ABOVE.

- 10 1. Buyer and Seller agree to extend Financing Contingency to July 20, 2026.
- 11 2. Seller may continue to market property and procure backup offers through the duration
12 of this transaction.
- 13 3. Seller rejects Addendum B proposed on 3/11/2026 and submits Addendum C.
- 14 4. Buyer releases following Conditions to Purchase:
 - 15 a. Preliminary Title Report dated January 20, 2026, AmeriTitle File Number
16 1050722 and has no objections to the report.
 - 17 b. All property inspections and proceeds without Seller concessions toward repairs.
- 18 5. Upon fully execution of Addendum C, Earnest Money will be non-refundable and applied
19 to purchase price.
- 20 6. Closing to occur on or before 7/31/2026.

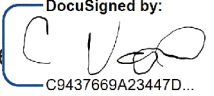
21 ALL REMAINING TERMS AND CONDITIONS NOT OTHERWISE MODIFIED SHALL REMAIN IN FULL FORCE AND EFFECT.

22 _____

23 Buyer Signature  Signed by: _____ Date 3/16/2026 | 10:31 AM PDT a.m. _____ p.m.

24 Buyer Signature  Signed by: _____ Date 3/16/2026 | 11:49 AM PDT a.m. _____ p.m.

25 _____

26 Seller Signature  DocuSigned by: _____ Date 3/18/2026 | 10:46 PM PDT a.m. _____ p.m.

27 Seller Signature _____ Date _____ a.m. _____ p.m.

28 _____

29 Selling Licensee: Chad Jones Listing Licensee: Kelsey Oran



April 13, 2026

Santiam Ballet Academy
Attention: Charlene Vogel
395 N 3rd Avenue
Stayton, Oregon 97383

Sent via email to: santiamballet@gmail.com

Re: **579 E Washington Street Comprehensive Plan Map Amendment and Zone Change – Stayton, Oregon**
Transportation Planning Rule Analysis

C&A Project Number 20260302.00

Dear Ms. Vogel,

This Transportation Planning Rule (TPR) analysis supports the proposed Stayton Comprehensive Plan map amendment and zone change for the property located at 579 E Washington Street, Stayton, Oregon. The following items are presented:

1. Property Description and Proposed Land Use Actions
2. Study Parameters
3. Agency Transportation Plan Review
4. Existing Conditions
5. Development Potential
6. Transportation Analysis
7. Summary

1. PROPERTY DESCRIPTION AND PROPOSED LAND USE ACTIONS

The subject property is located at 579 E Washington Street, Stayton, Oregon. It is identified as tax lot 3200 on Marion County Assessor's map 09-1W-10DB and is approximately 0.42 acres. The property has frontage on and access to E Jefferson Street to the north, E Washington Street to the south, and N 5th Avenue to the west. The property is currently developed with a church.

Proposed land use actions include a Stayton Comprehensive Plan map amendment changing the Plan designation from *Residential* to *Downtown*, and a corresponding zone change from *Low Density Residential* (LD) to *Downtown Residential Mixed Use* (DRMU).

A specific development plan is not part of this land use action. Additionally, the existing church use is considered a nonconforming use in the LD zone. Rezoning the property to DRMU will allow the church to become a conforming use.

2. STUDY PARAMETERS

Criteria to be Addressed

The proposed land use actions include a Comprehensive Plan map amendment and zone change, and a transportation analysis is necessary to address the following:

- Transportation Planning Rule (TPR) criteria outlined in Oregon Administrative Rule (OAR) 660-012-0060
- Stayton Municipal Code Section 17.26.050 – Transportation Impact Analysis Requirements

It is further noted that the proposed land use actions do not contemplate a specific development application; therefore, for analysis purposes, reasonable worst-case development scenarios are assumed in the current and proposed zones.

3. AGENCY TRANSPORTATION PLAN REVIEW

Stayton Transportation System Plan (TSP)

The Stayton Transportation System Plan (TSP) does not identify any transportation system capacity deficiencies in the project area; however, it includes several transportation infrastructure projects, as presented in the following table. This list includes “High” Priority (also identified as “Tier I”) projects that are financially-constrained and are assumed to be constructed within the 2040 planning period.

Most City streets have sidewalks on both sides of the roadway and enhanced crossings at key intersections and mid-block locations; however, several streets, including those in the study area, have sidewalk gaps. Accordingly, the TSP pedestrian plan includes projects to fill in the gaps in the sidewalks along the City’s arterial and collector streets.

A few major roadways within the City have on-street bike lanes or other bicycle facilities, but many do not. Accordingly, the TSP bicycle plan includes projects to fill in the gaps in the bicycle network along the City’s arterial and collector streets.

TABLE 1 – STAYTON TSP PROJECT EXCERPTS

| Project Number | Roadway | Segment/Cross-Street | Project | Priority | Cost Estimate |
|---|-----------------------|--|--|----------|---------------|
| <i>Pedestrian Plan Improvement Projects</i> | | | | | |
| P37 | Sixth Avenue | Washington Street to Jefferson Street (both sides) | Install a 6-foot sidewalk on the curb line | Tier III | \$80K |
| P38 | Jefferson Street | Sixth Avenue to Tenth Avenue (both sides) | Install a 6-foot sidewalk on the property line | Tier III | \$370K |
| <i>Bicycle Plan Improvement Projects</i> | | | | | |
| B5 | Washington Street | First Avenue to Sixth Avenue (both sides) | Restripe to a 6-foot bike lane | Tier I | \$210k |
| B6 | Sixth Avenue | Washington Street to Jefferson Street (both sides) | Restripe to a 6-foot bike lane | Tier I | \$40K |
| <i>Motor Vehicle Plan Improvement Projects</i> | | | | | |
| M4 | Sixth Avenue S-Curves | | All-Way Stop control at E Jefferson Street | High | \$630K |

4. EXISTING CONDITIONS

Roadway Facilities

The following table summarizes existing roadway classifications and characteristics within the study area.

| TABLE 2 – EXISTING ROADWAY CHARACTERISTICS | | | | | | |
|--|---------------------------|-------|-------------------|-----------------|---------------|-------------------|
| Roadway | Functional Classification | Lanes | Speed Limit (MPH) | Sidewalks | Bicycle Lanes | On-Street Parking |
| E Washington Street | Minor Arterial | 2 | 25 | North Side Only | No | Yes |
| E Jefferson Street | Residential Local | 2 | 25 | Yes | No | Yes |
| N 5 th Avenue | Residential Local | 2 | 25 | East Side Only | No | Yes |
| N 6 th Avenue | Minor Arterial | 2 | 25 | Yes | No | Yes |

Safety Analysis

When evaluating intersection safety, consideration is given to the total number and types of crashes occurring, as well as the number of vehicles entering the intersection. This leads to the concept known as the “crash rate.” Specific to intersections, it is typically expressed as the number of crashes per one million vehicles entering the intersection (CMEV). A critical crash rate analysis is then performed by comparing the subject intersection to the published statewide 90th percentile intersection crash rates at comparable/reference intersections. Crash rates close to or exceeding 1.0 CMEV, or the 90th percentile, require further analysis.

Study area crash data were obtained from the Oregon Department of Transportation (ODOT) for five years from January 1, 2020, through December 31, 2024. The following table presents the study intersection crash rates and the results of the critical crash analysis. Crash data and crash rate calculations are attached for reference.

| TABLE 3 – INTERSECTION CRASH RATES | | | | | | | | | | |
|--|------|------|------|------|------|-------|-------------------|-----------------------------------|--|---------------------------|
| Intersection | 2020 | 2021 | 2022 | 2023 | 2024 | Total | Crash Rate (CMEV) | Reference Population ¹ | 90 th Percentile Crash Rate | Over or under Crash Rate? |
| E Washington Street / N 5 th Avenue | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Urban 4ST | 0.408 | Under |
| E Washington Street / N 6 th Avenue | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Urban 4ST | 0.408 | Under |
| E Jefferson Street / N 5 th Avenue | 1 | 0 | 0 | 1 | 0 | 2 | — ² | Urban 4ST | 0.408 | Under ² |
| E Jefferson Street / N 6 th Avenue | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Urban 4ST | 0.408 | Under |

¹ 4ST is a four-leg minor stop-control intersection.

² The intersection entering volume is not known; however, it is estimated to be high enough that with only two recorded crashes in the past five years, the resulting crash rate is less than the 90th-percentile crash rate. Regardless, an additional crash evaluation is performed.

Except at the E Jefferson Street/N 5th Avenue intersection, which is evaluated further below, there are no recorded crashes at the study intersections, and observed crash rates are less than the 1.0 CMEV threshold and the 90th percentile crash rate of the reference population, indicating the intersections are considered relatively safe, and further safety analysis is not warranted.

The following table summarizes the crashes associated with the E Jefferson Street/N 5th Avenue intersection.

| TABLE 4 – INTERSECTION CRASH TYPES AND SEVERITY | | | | | | | |
|---|-----------------------------|-------------|--------------|------------|-----------|---------|-------|
| Intersection | Crash Type | | | | | | Total |
| | Rear End | Turn/ Angle | Fixed Object | Side swipe | Ped/ Bike | Other | |
| E Jefferson Street / N 5 th Avenue | 0 | 2 | 0 | 0 | 0 | 0 | 2 |
| | Crash Severity ¹ | | | | | | Total |
| | PDO | C | B | A | Fatal | Unknown | |
| | 1 | 0 | 0 | 1 | 0 | 0 | 2 |

¹ PDO – Property Damage Only; Injury C – Possible Injury/Complaint of Pain; Injury B – Non-Incapacitating Injury; Injury A – Incapacitating Injury/Bleeding, Broken Bones; Fatal Injury – Fatality

Based on a detailed review of the crash data, both crashes are “turn/angle”, which are common at unsignalized intersections. Both crashes resulted from a motorist on a minor stop-controlled approach (N 5th Avenue) not yielding the right-of-way to a motorist on the major roadway (E Jefferson Street). In one crash, the driver was distracted.

There does not appear to be an easily correctable safety deficiency, nor does the number of crashes appear excessive. Therefore, crash-related mitigation is neither recommended nor necessary as part of this land use action.

5. DEVELOPMENT POTENTIAL

Development Assumptions

The Proposed land use actions include a Stayton Comprehensive Plan map amendment changing the Plan designation from *Residential* to *Downtown*, and a corresponding zone change from *Low Density Residential (LD)* to *Downtown Residential Mixed Use (DRMU)*. The proposed land use actions do not contemplate a specific development application. Accordingly, this transportation analysis evaluates impacts from reasonable worst-case development scenarios in the current and proposed zones, as follows:

Current LD Zone Assumptions

- The purpose of the LD zone is to provide for single-family dwelling units, and their accessory uses, and, with conditional use approval, other uses compatible with single-family dwelling units. Density shall not exceed 6 units per acre.
- Considering the property size, reasonable worst-case development is assumed to be one single-family residence.

Proposed DRMU Zone Assumptions

- The purpose of the DRMU zone is to provide opportunities for residential, commercial, and mixed-use developments within the downtown area. This designation applies to property north, west, and east of the 3rd Avenue central core area, intended to become neighborhoods composed mainly of moderate-density residential uses, ranging from 12 to 30 units per acre, including attached residential structures, condominiums, and townhouses, while also allowing appropriate commercial uses and mixed-use developments.
- The maximum building footprint for any building occupied entirely by a commercial or non-residential use shall be 10,000 square feet.
- The minimum floor area ratio (FAR) for the construction of a new building is 0.20, and there is no maximum FAR.
- The minimum residential density is 12 dwelling units per acre, and there is no maximum density restriction.
- There is no minimum front-yard setback requirement for non-residential or mixed-use buildings, and residential buildings shall have a minimum 5-foot setback. There is no minimum side-yard setback requirement. There is no minimum rear-yard setback requirement for non-residential or mixed-use buildings, and residential buildings shall have a minimum 10-foot setback.
- The minimum building height shall be 2 stories or 20 feet, and the maximum building height shall be 4 stories, which in total shall not exceed 60 feet.
- As identified in Stayton Municipal Code Section 17.16.070.1, with site plan approval, the higher trip-generating permitted uses include: moderate-density residential uses; retail trade uses; finance and insurance uses; professional, scientific, and technical services uses; arts, entertainment, and recreation uses; and general office uses.
- Considering the property size, geographic location, and compatibility with the existing neighborhood uses, the higher trip-generating uses that are practical/reasonable include moderate-density residential uses and professional/medical office uses. As such, reasonable worst-case development is assumed to be either 10 attached single-family residences (at a density of 20 dwelling units per acre) or a 5,500 square-foot medical/dental office use (resulting in a 0.30 FAR).

Development Trip Generation

Using the above-identified development assumptions, trip generation in the current and proposed Stayton zones is estimated using the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 12th Edition, and practices from the ITE *Trip Generation Handbook*, 3rd Edition. Trip generation is as follows:

| TABLE 3 – DEVELOPMENT TRIP GENERATION – STATON ZONING | | | | | | |
|--|----------|----------|--------------------------|---------------------------|-----------|-----------|
| Reasonable Worst-Case Development Assumption | ITE Code | Size | Daily Trips ¹ | PM Peak Hour ¹ | | |
| | | | | Enter | Exit | Total |
| Current LD Zone | | | | | | |
| Single-Family Detached Housing | 210 | 1 DU | 9 | 1 | 0 | 1 |
| Proposed DRMU Zone | | | | | | |
| Single-Family Attached Housing | 215 | 10 DUs | 69 | 3 | 2 | 5 |
| — OR — | | | | | | |
| Medical-Dental Office Building | 720 | 5,500 SF | 148 | 4 | 11 | 15 |
| Change in Trip Generation with Proposed Zone Change | | | 139 | 3 | 11 | 14 |

¹ Trip generation estimated using the *Average Rate* for Land Uses 210 and 215, and the *Fitted Curve* for Land Use 720 per recommended practice in the ITE *Trip Generation Handbook*, 3rd Edition.

As identified in the table above, the reasonable worst-case development in the proposed DRMU zone is a 5,500-square-foot medical-dental office building, which generates an additional 139 daily and 14 PM peak hour trips over the current LD zone.

6. TRANSPORTATION ANALYSIS

Transportation Planning Rule (TPR) Criteria

OR 660-012-0060 (1) states, “If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.”

OAR 660-012-0060 (9) states, “Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.

(a) The proposed zoning is consistent with the existing comprehensive plan map designation, and the amendment does not change the comprehensive plan map;

(b) The local government has an acknowledged TSP, and the proposed zoning is consistent with the TSP; and

(c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule, but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.”

Stayton Municipal Code Section 17.26.050 – Transportation Impact Analysis Requirements

The Stayton Municipal does not specifically identify the transportation analysis thresholds for a Comprehensive Plan amendment and/or a zone change that does not include a specific development application; however, assuming that the requirements are the same as for a specific development application, they are as follows:

1. When a Transportation Impact Analysis is Required. A TIA shall be required when:

- a. The development generates 25 or more peak-hour trips or 250 or more daily trips.*
- b. An access spacing exception is required for the site access driveway(s), and the development generates 10 or more peak-hour trips or 100 or more daily trips.*
- c. The development is expected to impact intersections that are currently operating at the upper limits of the acceptable range of level of service during the peak operating hour.*
- d. The development is expected to significantly impact adjacent roadways and intersections that have previously been identified as high crash locations or areas that contain a high concentration of pedestrians or bicyclists, such as at schools.*

2. *When a Transportation Assessment Letter is Required. If a TIA is not required, the applicant's traffic engineer shall submit a transportation assessment letter to the City indicating that the proposed land use action is exempt. This letter shall outline the trip-generating characteristics of the proposed land use and verify that the site-access driveways or roadways meet City of Stayton sight-distance requirements and roadway design standards.*

The Public Works Director may waive the requirement for a transportation assessment letter if a clear finding can be made that the proposed land use action does not generate 25 or more peak-hour trips or 250 or more daily trips and the existing and or proposed driveway(s) meet the City's sight-distance requirements and access spacing standards

Evaluation of Agency Criteria

Based on the materials contained in the *Development Potential* section, reasonable worst-case development in the proposed DRMU zone generates an additional 139 daily and 14 PM peak-hour trips over the current LD zone. Accordingly, the proposed land use actions do not meet the City's thresholds requiring a transportation impact analysis.

The proposed land use actions do not contemplate a specific development application. Accordingly, the applicant is not requesting an access spacing exception.

Based on materials contained in the Stayton TSP, any potential property redevelopment is not expected to impact intersections that are currently operating at the upper limits of the acceptable range of level of service during the peak operating hour.

Based on the materials contained in the *Safety Analysis* section, any potential property redevelopment is not expected to significantly impact adjacent roadways and intersections previously identified as high-crash locations or areas with a high concentration of pedestrians or bicyclists.

Overall, the proposed zone change will not significantly affect an existing or planned transportation facility, and TPR and Stayton Municipal Code criteria are satisfied without additional analysis. Noting that the proposed land use actions do not include a specific development application, additional transportation analysis may be necessary to address Stayton Municipal Code requirements at the time of development (as part of a future, specific development land use application).

7. SUMMARY

The following conclusions and recommendations are made based on the materials contained in this analysis:

1. The subject property is located at 579 E Washington Street, Stayton, Oregon. It is identified as tax lot 3200 on Marion County Assessor's map 09-1W-10DB and is approximately 0.42 acres. The property has frontage on and access to E Jefferson Street to the north, E Washington Street to the south, and N 5th Avenue to the west. The property is currently developed with a church.
2. Proposed land use actions include a Stayton Comprehensive Plan map amendment changing the Plan designation from *Residential* to *Downtown*, and a corresponding zone change from *Low Density Residential (LD)* to *Downtown Residential Mixed Use (DRMU)*.

3. A specific development plan is not part of this land use action. Additionally, the existing church use is considered a nonconforming use in the LD zone. Rezoning the property to DRMU will allow the church to become a conforming use.
4. The Stayton Transportation System Plan (TSP) does not identify any transportation system capacity deficiencies in the project area; however, it includes several transportation infrastructure projects that are assumed to be constructed within the 2040 planning period.
5. Except at the E Jefferson Street/N 5th Avenue intersection, there are no recorded crashes at the study intersections, and observed crash rates are less than the 1.0 CMEV threshold and the 90th percentile crash rate of the reference population, indicating the intersections are considered relatively safe, and further safety analysis is not warranted.
6. At the E Jefferson Street/N 5th Avenue intersection, there are two “turn/angle” crashes, which are common at unsignalized intersections. There does not appear to be an easily correctable safety deficiency, nor does the number of crashes appear excessive. Therefore, crash-related mitigation is neither recommended nor necessary as part of this land use action.
7. Reasonable worst-case development in the proposed DRMU zone is a 5,500-square-foot medical-dental office building, which generates an additional 139 daily and 14 PM peak hour trips over the current LD zone.
8. The proposed land use actions do not meet the City of Stayton's thresholds requiring a transportation impact analysis; the applicant is not requesting an access spacing exception; any potential property redevelopment is not expected to impact intersections that are currently operating at the upper limits of the acceptable range of level of service during the peak operating hour nor is it expected to significantly impact adjacent roadways and intersections previously identified as high-crash locations or areas with a high concentration of pedestrians or bicyclists.
9. Overall, the proposed zone change will not significantly affect an existing or planned transportation facility, and TPR and Stayton Municipal Code criteria are satisfied without additional analysis. Noting that the proposed land use actions do not include a specific development application, additional transportation analysis may be necessary to address Stayton Municipal Code requirements at the time of development (as part of a future, specific development land use application).

Sincerely,



Christopher M. Clemow, PE, PTOE
 Transportation Engineer

Attachments: Crash Data



RENEWS 31 DECEMBER 2027

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
 TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
 URBAN NON-SYSTEM CRASH LISTING

WASHINGTON ST at 5TH AVE, City of Stayton, Marion County, ALL Crashes Severity, 01/01/2020 to 12/31/2024

CDS380
 04/10/2026

CITY OF STANTON, MARION COUNTY

| SER# | INVEST | RD DPT | UNLOC? | D | R | J | S | W | D | DATE | CLASS | CITY STREET | RD CHAR | INT-TYPE | INT-REL | OFFRD | WTHR | CRASH | SPCL USE | TRLR QTY | MOVE | PH TYPE | SVRTY | E | X | RES | LOC | ACT | EVENT | CAUSE |
|------|--------|--------|--------|---|---|---|---|---|---|------|-------|---------------|---------|----------|---------|-------|-------|-------|----------|----------|------|---------|-------|---|---|-----|-----|-----|-------|-------|
| | | | | | | | | | | | | FIRST STREET | DIRECT | (MEDIAN) | INT-REL | RNDBT | SURF | COLL | OWNER | | FROM | | | | | | | | | |
| | | | | | | | | | | | | SECOND STREET | | LESS | TRAF- | DRVMY | LIGHT | SVRTY | VH TYPE | | TO | | | | | | | | | |
| | | | | | | | | | | | | LRS | LOCIN | (#LANES) | CONTL | | | | | | | | | | | | | | | |

Disclaimer: The information contained in this report is compiled from individual driver and police crash reports submitted to the Oregon Department of Transportation as required in ORS 811.720. The Crash Analysis and Reporting Unit is committed to providing the highest quality crash data to customers. However, because submittal of crash reports is the responsibility of the individual driver, the Crash Analysis and Reporting Unit can not guarantee that all qualifying crashes are represented nor can assurances be made that all details pertaining to a single crash are accurate. Note: Legislative changes to DMV's vehicle crash reporting requirement, effective 01/01/2004, may result in fewer proper damage only crashes being eligible for inclusion in the Statewide Crash Data File.

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING

CITY OF STANTON, MARION COUNTY WASHINGTON ST at 6TH AVE, City of Stayton, Marion County, ALL Crashes Severity, 01/01/2020 to 12/31/2024

CDS380
04/10/2026

| SER# | INVEST | RD DPT | UNLOC? | D C S V L K LAT | CLASS | CITY STREET | RD CHAR | INT-TYPE | INT-REL | OFFRD | WTHR | CRASH | SPCL USE | TRLR QTY | MOVE | PH TYPE | SVRTY | E X RES | LOC | ACT EVENT | CAUSE |
|--------------------|-----------------|--------------|---------------|-----------------|-------|-------------|---------|----------|---------|-------|-------|-------|----------|----------|------|---------|-------|-----------|-----|-----------|-------|
| P E L G N H R TIME | E A U I C O DAY | FIRST STREET | SECOND STREET | LRS | DIST | FROM | LONG | LESS | TRAF- | RNDBT | SURF | COLL | OWNER | VH TYPE | FROM | PRTC | INJ | G E LICNS | PED | ERROR | |
| | | | | | | | | (#LANES) | CONTL | DRVMY | LIGHT | SVRTY | | | TO | | | | | | |

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OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
 TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
 URBAN NON-SYSTEM CRASH LISTING

JEFFERSON ST at 5TH AVE, City of Stayton, Marion County, ALL Crashes Severity, 01/01/2020 to 12/31/2024
 1 - 2 of 2 Crash records shown.

| SER# | INVEST | RD DFT | UNLOC? | D C S V L K LAT | MO | DATE | CLASS | CITY STREET | RD CHAR | INT-TYPE | INT-REL | OFFRD | WTHR | CRASH | COLL | DRVWY | LIGHT | SVRTY | VH TYPE | WH TYPE | SPCL USE | TRLR QTY | OWNER | PH TYPE | INJ | SVRTY | E X RES | LOC | ERROR | ACT EVENT | CAUSE | |
|-------|---------|---------|--------|-----------------|----|------|-------|--------------|---------|----------|-----------|-------|------|----------|------|-----------|-------|--------|---------|---------|----------|----------|-------|---------|-----|-------|---------|-----|-------|-----------|-------|-------|
| 00487 | N N N N | N N N N | | 02/03/2020 | 19 | | | JEFFERSON ST | INTER | CROSS | N | | CLR | ANGL-OTH | 01 | NONE | 9 | STRGHT | | | | | | | | | | | | | | 02 |
| NONE | | | | | | | | 5TH AVE | CN | | STOP SIGN | N | DRY | ANGL | | N/A | | E -W | | | | | | | | | | | | | 000 | 00 |
| N | | | | | | | | | 01 | 0 | | N | DAY | PDO | | PSNGR CAR | | | 01 | DRVR | NONE | 00 | Unk | UNK | | | | | | 000 | 00 | |
| N | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 000 | 00 |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 000 | 00 |
| 03272 | N N N N | N N N N | | 09/11/2023 | 19 | | | JEFFERSON ST | INTER | CROSS | N | | CLR | ANGL-OTH | 01 | NONE | 0 | STRGHT | | | | | | | | | | | | | | 27,02 |
| CITY | | | | | | | | 5TH AVE | CN | | STOP SIGN | N | DRY | ANGL | | PRVTE | | N -S | | | | | | | | | | | | | 000 | 00 |
| N | | | | | | | | | 03 | 0 | | N | DAY | INJ | | PSNGR CAR | | | 01 | DRVR | NONE | 80 | M | OR-Y | | | | | | 028,016 | 038 | 27,02 |
| N | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 000 | 00 |
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| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 000 | 00 |

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OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING

JEFFERSON ST at 6TH AVE, City of Stayton, Marion County, ALL Crashes Severity, 01/01/2020 to 12/31/2024

CDS380
04/10/2026

CITY OF STANTON, MARION COUNTY

| SER# | INVEST | RD DPT | UNLOC? | D | R | J | S | W | DATE | CLASS | CITY STREET | RD CHAR | INT-TYPE | INT-REL | OFFRD | WTHR | CRASH | SPCL USE | TRLR QTY | MOVE | PH TYPE | SVRTY | E | X | RES | LOC | ACT | EVENT | CAUSE |
|------|--------|--------|--------|---|---|---|---|---|------|-------|---------------|---------|----------|---------|-------|-------|-------|----------|----------|------|---------|-------|---|---|-----|-----|-----|-------|-------|
| | | | | | | | | | | | FIRST STREET | DIRECT | (MEDIAN) | | RNDBT | SURF | COLL | | | FROM | | | | | | | | | |
| | | | | | | | | | | | SECOND STREET | | LESS | TRAF- | DRVMY | LIGHT | SVRTY | OWNER | | | | | | | | | | | |
| | | | | | | | | | | | LRS | LOCIN | (#LANES) | CONTL | | | | VH TYPE | | TO | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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From: [Michael Schmidt](#)
To: [Jennifer Siciliano](#)
Cc: [Barry Buchanan](#)
Subject: RE: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26
Date: Monday, May 18, 2026 3:03:21 PM
Attachments: [image001.png](#)

Jennifer,

Given that the project is only for the change of the Comp Plan with a Zone Change, what you identified would be the available public utility services. Any future improvements will require review and may require public right-of-way improvements.



Michael Schmidt

Public Works

311 N. 3rd Ave
 Stayton, OR 97383
 Phone (503)-769-2919

From: Jennifer Siciliano <jsiciliano@staytonoregon.gov>
Sent: Monday, May 18, 2026 2:57 PM
To: Michael Schmidt <mschmidt@staytonoregon.gov>
Cc: Barry Buchanan <bbuchanan@staytonoregon.gov>
Subject: RE: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26

Hello Michael,

I need these comments by the end of the day if there are any. Public Works may not have any comments since this is a Comp Plan/ Zone Change.

I wrote in the staff report:

“The subject property at 579 E Washington Street is located within a developed area of the City and is currently served by existing public facilities and utilities. There is an existing 1 1/4-inch water main in N 5th Avenue and an existing 3/4-inch water service connection serving the existing building. There is also an existing 8-inch sanitary sewer main in N 5th Avenue and an existing 4-inch sewer service connection serving the property.”

- Jennifer

From: Jennifer Siciliano
Sent: Thursday, May 14, 2026 12:17 PM
To: Michael Schmidt <mschmidt@staytonoregon.gov>
Cc: Barry Buchanan <bbuchanan@staytonoregon.gov>
Subject: RE: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26

Hello Michael,

Since Lyle is not giving me comments for this application, I still some from Public Works to answer criteria Section 17.12.170.6.6) . Public facilities and services necessary to support uses allowed in the proposed designation are available or are likely to be available in the near future.

From: [Caleb Cox](#)
To: [Jennifer Siciliano](#); [Max Heller](#)
Cc: [Susan Wright](#)
Subject: Re: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26
Date: Friday, May 15, 2026 2:04:40 PM

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Hi Jennifer, thanks for forwarding Dan's comments. We used to work with him before he retired from the City. Is he back providing support these days?

We do have a different opinion on this application, which we've summarized below. There's a lot to this, so please let me know if you'd like to set up a call to discuss further, and maybe Dan would like to participate too.

1. The application form notes a comprehensive plan designation change from "LD" to "DRMU", these are Zoning codes, not comp plan designations. I suspect the applicant meant to say that they want a change from the "Residential" designation to the "Downtown" designation, then, a corresponding zone change from LD to DRMU.
2. Per 17.12.170.5.d.2, a comp plan amendment requires a traffic impact analysis with traffic calculations associated with the full range of development potential (min. to max.) under the current vs. proposed land use designations. The applicant's traffic memo notes a TIA isn't required because their proposed "max." development doesn't exceed the 25 peak hour trip threshold. However, this is not the correct way to look at it. In this case, the proposed comp plan amendment is the trigger for the TIA, not the peak hour trip threshold. (However, this difference in interpretation becomes irrelevant based on bullet number 3 below)
3. The applicant's TPR analysis memo says: *"Considering the property size, geographic location, and compatibility with the existing neighborhood uses, the higher trip-generating uses that are practical/reasonable include moderate-density residential uses and professional/medical office uses."*
 - a. We don't agree with this statement. Reviewing the City's zoning code, The DRMU zone allows other retail uses such as food and beverage stores which could include coffee shops, restaurants, convenience stores, drive thrus, etc.. All of these have much higher trip generation potential and would be reasonable developments that fit within the context of the area. For example, there is already an existing 7/11 convenience store one block away. Here's a few potential land uses for reference, but this is not an exhaustive list, and there may be others with an even higher trip generating potential.

| ITE Land Use | ITE Code | AM Peak Hour Trip Gen (per 1000 sq. ft.) |
|-------------------------------------|----------|--|
| Convenience Store | 851 | 63.76 |
| Fast Food Restaurant w/o Drive Thru | 933 | 39.55 |
| Coffee Shop w/o Drive-Thru | 936 | 91.02 |

All of this to say, Our recommendation is to have the applicant prepare a full traffic study that evaluates a more realistic full range of development potential under the proposed DRMU zone. Additionally, the TPR analysis will need to be updated to reflect the higher end of development potential under the "Downtown" comp plan designation. Guidance for scoping this TIA can be found in the City's code, however, we would recommend the applicant's traffic engineer reach out to us to confirm the scope before beginning.

Thanks,

Caleb Cox, PE
 Senior Engineer

Kittelson & Associates, Inc.
 Transportation Engineering & Planning
 503.228.5230
 503.535.7453 (direct)

From: Jennifer Siciliano <jsiciliano@staytonoregon.gov>
Sent: Thursday, May 14, 2026 10:27 AM
To: Max Heller <mheller@kittelson.com>
Cc: Caleb Cox <ccox@kittelson.com>; Susan Wright <swright@kittelson.com>
Subject: RE: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26

[External Sender]

Hello Max,

I was working with Dan Fleishmen on this application and he sent me a draft recommendation for approval for the upcoming planning commission meeting. He drafted the following language:

“The applicant submitted an analysis of the potential impacts of the Comprehensive Plan Map amendment on the transportation system. The analysis was prepared by Christopher Clemow, PE. The analysis estimated that under the current LD zoning and Residential designation the worst-case traffic generation would be 9 daily trips with one PM peak hour trip.. The analysis projected traffic generation from a 10-unit townhouse development or a medical dental office building as the worst-case scenario under the proposed zoning, with daily trip generation of 148 trips. The analysis noted that amendments that result in 400 or more added trips are deemed likely to have a significant impact on the transportation system. The analysis concluded that the proposed amendment is not expected to have significant effect on the surrounding transportation system. The analysis was reviewed by the City’s transportation planning consultant who agreed with the methodology and conclusions.”

How does this fit with your comments?

Thank you,

Jennifer

From: Jennifer Siciliano
Sent: Tuesday, May 12, 2026 4:27 PM
To: 'Max Heller' <mheller@kittelson.com>
Cc: Caleb Cox <ccox@kittelson.com>; Susan Wright <swright@kittelson.com>
Subject: RE: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26

Hello Max,

Sorry it took awhile to get back to you. Please see attached document.

Sincerely,

Jennifer

From: Max Heller <mheller@kittelson.com>
Sent: Tuesday, May 5, 2026 6:02 PM
To: Jennifer Siciliano <jsiciliano@staytonoregon.gov>
Cc: Caleb Cox <ccox@kittelson.com>; Susan Wright <swright@kittelson.com>
Subject: Re: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26

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From: [John Eckis](#)
To: [Jennifer Siciliano](#)
Cc: [Adam Kohler](#); [Astound Construction Team](#); [Barry Buchanan](#); [breich@co.marion.or.us](#); [Brent Stevenson](#); [brian.kelley@nwnatural.com](#); [Caleb Cox](#); [Christopher Clark](#); [dfreitag@santiamhospital.org](#); [Doug Kintz](#); [Erik Hoefler](#); [Gwen Johns](#); [Janelle Shanahan](#); [Jay Alley](#); [John Rasmussen](#); [Kendall Smith](#); [kinman@co.marion.or.us](#); [Lee Loving](#); [Lyle Misbach](#); [Max Heller](#); [Max Hepburn](#); [MCPW Engineering](#); [Michael Schmidt](#); [Nicole Willis](#); [oregonconstruction@wavebroadband.com](#); [planning@co.marion.or.us](#); [Richard Walker \(richardw@aks-eng.com\)](#); [Salem Development Services](#); [Susan Wright](#); [Troy Wheeler](#); [Wayne.clevenger@pacificorp.com](#); [Susan Bender](#); [Dan Fleishman](#)
Subject: Re: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26
Date: Wednesday, April 22, 2026 11:56:11 AM
Attachments: [Request for Comments Departments \(5\) \(1\).pdf](#)

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SCTC has no issue with this.

Thank You

John Eckis
SCTC Engineer
502 North Second Ave.
P.O. Box 477 Stayton Or 97383
Cell 503-932-3794
Office 503-769-3754

On Wed, Apr 22, 2026 at 11:27 AM Jennifer Siciliano <jsiciliano@staytonoregon.gov> wrote:

The City of Stayton has received an application for a Comprehensive Plan Map amendment from Residential to Downtown and an application to change the zoning from Low Density (LD) Residential to Downtown Residential Mixed Use (DRMU) for 579 E Washington Street.

The application and narrative materials are included and our usual request for comments form. **Please submit comments by May 6, 2026.**

Sincerely,

Jennifer Siciliano, AICP

Community and Economic Development Director

311 N. 3rd Ave

Stayton, OR 97383

Phone 503-769-2998

Like us on Social Media for News, Promotions, and other information!!



From: [Danny Freitag](#)
To: [Jennifer Siciliano](#)
Subject: Re: [External]FW: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26
Date: Wednesday, April 22, 2026 11:47:01 AM
Attachments: [Outlook-ScreenShot.png](#)

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

Good morning,

No comment or concern.

Thank you,

Danny Freitag, BAS, Paramedic
 Ambulance Director
 Santiam Hospital & Clinics
 Cell: (503) 798-1335 | dfreitag@santiamhospital.org
<https://santiamhospital.org>



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From: Jennifer Siciliano <jsiciliano@staytonoregon.gov>
Sent: Wednesday, April 22, 2026 11:39 AM
To: Bryce.Junker@astound.com <Bryce.Junker@astound.com>; dbfleshman@outlook.com <dbfleshman@outlook.com>; donald.rayburn@astound.com <donald.rayburn@astound.com>; Jerry.Benson@Astound.com <Jerry.Benson@Astound.com>; Alicia.Flores@Astound.com <Alicia.Flores@Astound.com>; Jackson.Federico@astound.com <Jackson.Federico@astound.com>; Derek.Anderson@Astound.com <Derek.Anderson@Astound.com>; Brent.Tomlinson@Astound.com <Brent.Tomlinson@Astound.com>; Javier.Reyna@astound.com <Javier.Reyna@astound.com>; misbachl@aks-eng.com <misbachl@aks-eng.com>; richardw@aks-eng.com <richardw@aks-eng.com>; Danny Freitag <dfreitag@santiamhospital.org>
Subject: [External]FW: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26

CAUTION-EXTERNAL: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe. Please forward this email to helpdesk@santiamhospital.org if you believe this email is suspicious.

The City of Stayton has received an application for a Comprehensive Plan Map amendment from Residential to Downtown and an application to change the zoning from Low Density (LD) Residential to Downtown Residential Mixed Use (DRMU) for 579 E Washington Street.

The application and narrative materials are included and our usual request for comments form. **Please submit comments by May 6, 2026.**

Sincerely,

Jennifer Siciliano, AICP
 Community and Economic Development Director

311 N. 3rd Ave



CITY OF STAYTON
M E M O R A N D U M

TO: Mayor Quigley and the Stayton City Council

FROM: Jennifer Siciliano, Director of Community and Economic Development

DATE: June 15, 2026

SUBJECT: Second Reading - Ordinance No. 26-004, Annexation and Zone Change at 11641 Shaff Road with amended Medium Density (MD) Residential Zone.

ISSUE

The issue before the City Council is the second reading of Ordinance No. 26-004, the annexation of an approximately 17.01-acre property located at 11641 Shaff Road. The applicant proposed annexation into the city limits and application of the High Density (HD) Residential zoning district. As part of its approval of the first reading of the ordinance, the City Council amended the proposal to Medium Density (MD) Residential zoning.

ENCLOSURE

For Council's reference, both the original Ordinance and an amended Ordinance are included in the packet. If Council proceeds with the amended ordinance, an additional continuance is needed to prepare updated findings. Council is also reminded to refer to the packet from May 18, 2026 meeting packet for the complete record on this project.

BACKGROUND INFORMATION

The City Council held a public hearing on May 18, 2026, on this application. At that hearing, the Council received a staff presentation, heard testimony from the applicant's representative, and received public testimony regarding the proposed annexation.

Following deliberation, the City Council voted 3-2 to approve the application on first reading with amendments. Specifically, the Council approved annexation of the property but amended the proposed zoning designation from the requested High Density (HD) Residential zoning district to the Medium Density (MD) Residential zoning district.

Because the Council's action differed from the applicant's original request and from the Planning Commission recommendation, staff requested additional time to prepare revised findings and conclusions supporting the Council's amended decision and zoning designation. As a result, the second reading of Ordinance No. 26-004 was continued to June 15, 2026.

Staff continue to work on revised findings to support the Medium Density zoning and needs additional time. However, subsequent to the May 18, 2026 meeting, staff became aware that there may have been confusion regarding the motion to amend and adopt the ordinance with Medium Density zoning. Under Council's Rules, a motion to reconsider may be made by a Councilor who voted on the prevailing side of the original motion. If a motion to reconsider is made, seconded, and approved by a majority vote of the Council, the Council would then reconsider the prior action approving the annexation with the Medium Density (MD) Residential zoning designation.

Should reconsideration occur, the Council may consider the following actions:

1. A motion to reconsider the May 18, 2026, vote;
2. A motion to approve the first reading of the annexation with the amended Medium Density (MD) Residential zoning designation; and, depending on the outcome of that vote,
3. A motion to approve the first reading of the annexation with the originally requested High Density (HD) Residential zoning designation.

FISCAL IMPACT

Upon annexation, the property will be assessed as City property at the next assessment cycle and will begin contributing City property taxes. Because the property is currently vacant, the immediate increase in tax revenue will be minimal.

OPTIONS AND MOTIONS:

Staff have provided the City Council with several options, each with an appropriate motion. Staff recommends the first option.

Reconsideration motion.

1. Reconsider the motion of Ordinance 26-004 with Medium Density (MD) Residential.

I move to reconsider the City Council's May 18, 2026 motion approving Ordinance No. 26-004, regarding the application of Kevin and Paige Butler for annexation (Land Use File #10-08/25), with the amendment changing the zoning designation from High Density (HD) Residential to Medium Density (MD) Residential.

Voting on Ordinance 26-004, the application of Kevin and Paige Butler for annexation (Land Use File # 10-08/25) with Medium Density (MD) Residential.

1. Approve the application, Ordinance 26-004 with the amendment to Medium Density (MD) Residential.

I move to approve Ordinance 26-004, approving the application of Kevin and Paige Butler for annexation (Land Use File # 10-08/25) with the amendment of Medium Density (MD)

Residential and direct staff to continue to prepare an order of approval with findings and conclusions to support that decision.

The City Recorder shall call the roll and the names of each Councilor present, and their vote shall be recorded in the meeting minutes. This would be the second consideration.

2. Continue deliberation to the next meeting.

I move that the City Council continue deliberations on the application of Kevin and Paige Butler for annexation (Land Use File # 10-08/25) with amendments of Medium Density (MD) Residential until July 7, 2026.

If the reconsideration passes and the Medium Density amendment does not pass, the question reverts to the original Ordinance proposal which is: For approval of Ordinance 26-004, the application of Kevin and Paige Butler for annexation (Land Use File # 10-08/25) with High Density (HD) Residential.

1. Approve the application, enact Ordinance 26-004 as presented.

I move to approve Ordinance 26-004, approving the application of Kevin and Paige Butler for annexation (Land Use File # 10-08/25) as presented by Staff.

The City Recorder shall call the roll and the names of each Councilor present, and their vote shall be recorded in the meeting minutes. If the vote is unanimous, Ordinance No. 26-004 is enacted and will be presented to the Mayor for his approval.

If the vote is not unanimous, Ordinance No. 26-004 will be brought before the Council for a second consideration at the July 7, 2026, meeting.

2. Approve the application, enact Ordinance 26-004 with amendments.

I move to approve Ordinance 26-26-004 approving the application of Kevin and Paige Butler for annexation (Land Use File # 10-08/25) with the following amendments.

The City Recorder shall call the roll and the names of each Councilor present and their vote shall be recorded in the meeting minutes. If the first consideration is approved, Ordinance No. 26-004 will be brought before the Council for a second consideration at its July 7, 2026, meeting.

3. Deny the application and adopt findings and conclusions to substantiate the decision.

I move that the City Council deny the application of Kevin and Paige Butler for annexation (Land Use File # 10-08/25) and direct staff to prepare an order of denial with findings and conclusions to support that decision.

4. Continue deliberation to the next meeting.

I move that the City Council continue deliberations on the application of Kevin and Paige Butler for annexation (Land Use File # 10-08/25) until July 7, 2026.



ORDINANCE NO. 26-004

ANNEXING REAL PROPERTY LOCATED ON SHAFF ROAD (MAP TAX LOT 091W04C001901) AND CHANGING THE ZONE FROM MARION COUNTY URBAN TRANSITIONAL (UT-20) TO CITY OF STAYTON MEDIUM DENSITY RESIDENTIAL (MD)

WHEREAS, Kevin and Paige Butler have initiated annexation of certain real property located on Shaff Road, Marion County, Oregon, identified as Map Tax Lot 091W04C001901, more particularly described in Exhibit 1 attached hereto and incorporated herein, and further illustrated on a map shown in Exhibit 2 attached hereto and incorporated herein; and

WHEREAS, the owner of the property is Kevin and Paige Butler; and

WHEREAS, the annexation area consists of approximately 17 acres; and

WHEREAS, the property is currently located outside the City limits of Stayton and is zoned Marion County Urban Transition (UT-20); and

WHEREAS, the territory proposed for annexation lies within the City of Stayton Urban Growth Boundary and is designated Residential on the Stayton Comprehensive Plan Map, with a 100-foot wide Natural Resource Overlay District along the Salem Ditch; and

WHEREAS, upon annexation the property will be zoned Medium Density (MD) Residential, consistent with the Comprehensive Plan designation, the City's long-range residential land use policies and findings within the staff report and Planning Commission recommendation; and

WHEREAS, on February 23, 2026, and April 27, 2026, the Stayton Planning Commission held duly noticed public hearings on the annexation request (File No. 10-08/25); and

WHEREAS, the Planning Commission reviewed the application materials, agency comments, and public testimony, and thereafter adopted findings of fact and conclusions determining that the application satisfies the annexation approval criteria in Stayton Municipal Code Section 17.12.210.4; and

WHEREAS, the Planning Commission recommended that the City Council approve the annexation and amend the Stayton Official Zoning Map to apply Medium Density (MD) Residential zoning to the annexed property; and

WHEREAS, the City Council held a public hearing as required by law and reviewed the Planning Commission recommendation and findings of fact, which are attached as Exhibit 3 and incorporated herein; and

WHEREAS, the City Council concludes that the annexation application satisfies the approval criteria contained in SMC 17.12.210.4.

NOW THEREFORE, THE STAYTON CITY COUNCIL ORDAINS AS FOLLOWS:

- SECTION 1.** Pursuant to ORS 222.125, the Stayton City Council hereby proclaims the annexation to the City of Stayton, Oregon, of approximately 17 acres consisting of the property located on Shaff Road identified as Map Tax Lot 091W04C001901, the legal description of which is set forth in Exhibit 1, attached hereto and incorporated herein by reference.

- SECTION 2.** Pursuant to ORS 222.005, the Stayton City Recorder shall provide by certified mail to all public utilities, telecommunication facilities, and franchise holders operating within the City a written notice of the annexation including the site address, legal description, and map of the territory annexed, along with a copy of this Ordinance. Such notice shall be mailed within ten (10) working days following passage of this Ordinance.

- SECTION 3.** Pursuant to ORS 222.010, the Stayton City Recorder shall, within ten (10) days of passage of this Ordinance, file with the Marion County Clerk and Marion County Assessor a report of the annexation including the legal description and map of the territory annexed.

- SECTION 4.** Pursuant to ORS 308.225(2), the Stayton City Recorder shall provide to the Oregon Department of Revenue a copy of this Ordinance including the legal description and map of the annexed territory.

- SECTION 5.** The Stayton Official Zoning Map is hereby amended to include the annexed territory and designate the property as Medium Density (MD) Residential with a 100-foot wide Natural Resource Overlay District along the Salem Ditch.

- SECTION 6.** Upon adoption by the Stayton City Council and signature by the Mayor, this Ordinance shall become effective thirty (30) days after the date of signing.

ADOPTED BY THE STAYTON CITY COUNCIL THIS 15TH DAY OF JUNE 2026.

Signed: _____, 2026

BY: _____
Brian Quigley, Mayor

Signed: _____, 2026

ATTEST: _____
Julia Hajduk, City Manager



ORDINANCE NO. 26-004

ANNEXING REAL PROPERTY LOCATED ON SHAFF ROAD AND CHANGING THE ZONE FROM MARION COUNTY URBAN TRANSITIONAL (UT-20) TO CITY OF STAYTON HIGH DENSITY RESIDENTIAL (HD).

WHEREAS, Kevin and Paige Butler have initiated annexation of certain real property located on Shaff Road, Marion County, Oregon, identified as Map Tax Lot 091W04C001901, more particularly described in Exhibit 1 attached hereto and incorporated herein, and further illustrated on a map shown in Exhibit 2 attached hereto and incorporated herein; and

WHEREAS, the owner of the property is Kevin and Paige Butler; and

WHEREAS, the annexation area consists of approximately 17 acres; and

WHEREAS, the property is currently located outside the City limits of Stayton and is zoned Marion County Urban Transition (UT-20); and

WHEREAS, the territory proposed for annexation lies within the City of Stayton Urban Growth Boundary and is designated Residential on the Stayton Comprehensive Plan Map, with a 100-foot wide Natural Resource Overlay District along the Salem Ditch; and

WHEREAS, upon annexation the property will be zoned High Density (HD) Residential, consistent with the Comprehensive Plan designation, the City's long-range residential land use policies and findings within the staff report and Planning Commission recommendation; and

WHEREAS, on February 23, 2026, and April 27, 2026, the Stayton Planning Commission held duly noticed public hearings on the annexation request (File No. 10-08/25); and

WHEREAS, the Planning Commission reviewed the application materials, agency comments, and public testimony, and thereafter adopted findings of fact and conclusions determining that the application satisfies the annexation approval criteria in Stayton Municipal Code Section 17.12.210.4; and

WHEREAS, the Planning Commission recommended that the City Council approve the annexation and amend the Stayton Official Zoning Map to apply High Density (HD) Residential zoning to the annexed property; and

WHEREAS, the City Council held a public hearing as required by law and reviewed the Planning Commission recommendation and findings of fact, which are attached as Exhibit 3 and incorporated herein; and

WHEREAS, the City Council concludes that the annexation application satisfies the approval criteria contained in SMC 17.12.210.4.

NOW THEREFORE, THE STAYTON CITY COUNCIL ORDAINS AS FOLLOWS:

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- SECTION 6.** Upon adoption by the Stayton City Council and signature by the Mayor, this Ordinance shall become effective thirty (30) days after the date of signing.

ADOPTED BY THE STAYTON CITY COUNCIL THIS 15TH DAY OF JUNE 2026.

Signed: _____, 2026

BY: _____
 Brian Quigley, Mayor

Signed: _____, 2026

ATTEST: _____
 Julia Hajduk, City Manager

PARTITION PLAT NO. 2022-16
 LOCATED IN THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 9 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, MARION COUNTY, OREGON
 DATE: OCTOBER 15, 2021
 SHEET 2 OF 2

MARION COUNTY APPROVALS

ACCEPTANCE OF DEDICATION:

BY: Danith Bar 3/17/2022
 CHAIRPERSON OR VICE-CHAIRPERSON DATE
 MARION COUNTY BOARD OF COMMISSIONERS

BY: Brandon Reich 3-10-22
 MARION COUNTY PLANNING COMMISSION DIRECTOR DATE
 PLANNING CASE NO.: PAR 20-015

 APPROVED THIS 11th DAY OF March, 2022

BY: [Signature]
 MARION COUNTY SURVEYOR

 APPROVED THIS 15 DAY OF March, 2022

BY: Tom Roffling by Kaylyn
 MARION COUNTY ASSESSOR

 ALL TAXES, FEES, ASSESSMENTS, OR OTHER CHARGES AS PROVIDED BY O.R.S. 92.095 HAVE BEEN PAID THROUGH 30 June 2022
 APPROVED THIS 15th DAY OF March, 2022

BY: [Signature]
 MARION COUNTY TAX COLLECTOR

 STATE OF OREGON)
) SS
 COUNTY OF MARION)

I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT NO. 2022-16 WAS RECEIVED FOR RECORDING ON THE 17th DAY OF March, 2022 AT 4:34 O'CLOCK P.M., AND RECORDED IN THE BOOK OF PARTITION PLATS. ALSO REFERENCED IN THE MARION COUNTY DEED RECORDS IN REEL, 4605, AT PAGE 251.

BILL BURGESS, MARION COUNTY CLERK

BY: Cristian Perez Garcia
 DEPUTY COUNTY CLERK

NARRATIVE

THE PURPOSE OF THIS PLAT IS TO PARTITION THAT TRACT OF LAND DESCRIBED IN DEED REEL 3996 PAGE 250, MARION COUNTY DEED RECORDS. THE BASIS OF BEARINGS WAS ESTABLISHED ALONG THE WEST LINE OF PARTITION PLAT NUMBER 2021-67, RECORDED AS REEL 4539 PAGE 171, MARION COUNTY RECORDS.

THE SOUTH LINE, BEING A PORTION OF THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 4, WAS ESTABLISHED BY HOLDING THE FOUND BRASS DISKS AT THE SOUTHWEST CORNER AND THE SOUTHEAST CORNER OF SAID SOUTHWEST ONE-QUARTER.

THE NORTH RIGHT-OF-WAY LINE OF THE SHAFF ROAD SE (MARKET ROAD NO. 86), WAS ESTABLISHED BY HOLDING A LINE PARALLEL WITH AND 25.00 FEET NORTHERLY OF THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 4.

THE WEST LINE, BEING THE WESTERLY LINE OF SECTION 4, WAS ESTABLISHED BY HOLDING A FOUND 2-1/2 INCH BRASS DISK AT THE SOUTHWESTERLY CORNER OF SECTION 4 AND A 3-1/4 INCH ALUMINUM CAP AT THE WEST QUARTER CORNER OF SECTION 4.

THE NORTH LINE WAS ESTABLISHED BY HOLDING FOUND IRON RODS PER MCSR 7749 AND MCSR 26345.

THE EAST LINE WAS ESTABLISHED BY HOLDING RECORD BEARING AND DISTANCE PER PARTITION PLAT NO. 2021-67 AND FOUND IRON RODS PER MCSR 23684 AND MCSR 7749 WITH THE CENTER LINE OF THE SALEM FLOURING MILLS DITCH.

SURVEYOR'S CERTIFICATE

I, ABRAHAM KAHNAMOOIAN, DO HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS, THE LANDS REPRESENTED ON THE ANNEXED MAP, SITUATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 4, TOWNSHIP 9 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF STAYTON, MARION COUNTY, OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, BEING A FOUND 5/8-INCH IRON ROD LOCATED AT THE NORTHWEST CORNER OF MARION COUNTY PARTITION PLAT NUMBER 2021-67; THENCE ALONG THE WEST LINE OF SAID PARTITION PLAT, SOUTH 23°36'32" EAST 984.18 FEET TO THE CENTERLINE OF SHAFF ROAD SE, ALSO BEING THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 4; THENCE ALONG SAID SOUTH LINE, NORTH 88°42'41" WEST 2131.81 FEET TO A 2-1/2-INCH BRASS DISK AT THE SOUTHWEST CORNER OF SAID SOUTHWEST ONE-QUARTER; THENCE ALONG THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER, NORTH 01°40'20" EAST 1646.22 FEET TO THE SOUTH LINE OF REEL 2594, PAGE 159, MARION COUNTY DEED RECORDS, FROM WHICH A 5/8-INCH IRON ROD BEARS SOUTH 88°24'59" EAST 0.20 FEET; THENCE ALONG SAID SOUTH LINE, SOUTH 88°24'59" EAST 1330.48 FEET TO AN IRON BOLT AT THE NORTHEAST CORNER OF REEL 3996, PAGE 250, MARION COUNTY DEED RECORDS; THENCE ALONG THE EAST LINE OF SAID DEED, SOUTH 01°52'50" WEST 742.47 FEET TO A POINT ON THE CENTER LINE OF SALEM WATER DITCH, ALSO BEING THE SOUTHWEST CORNER OF REEL 1220, PAGE 584, MARION COUNTY DEED RECORDS; THENCE ALONG THE SOUTH LINE OF SAID DEED, SOUTH 88°05'06" EAST 383.69 FEET TO THE INITIAL POINT.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 62.29 ACRES, MORE OR LESS.

DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS THAT KEVIN BUTLER, IS THE OWNER OF THE LAND SHOWN ON THE ANNEXED MAP AND AS DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, AND HAS CAUSED THE SAME TO BE SURVEYED AND PARTITIONED IN ACCORDANCE WITH THE PROVISIONS OF THE OREGON REVISED STATUTES CHAPTER 92. KEVIN BUTLER DOES HEREBY DEDICATE TO THE PUBLIC, A RIGHT-OF-WAY AS SHOWN HEREON.

[Signature]
 KEVIN BUTLER

ACKNOWLEDGMENT

STATE OF OREGON)
) SS
 COUNTY OF MARION)

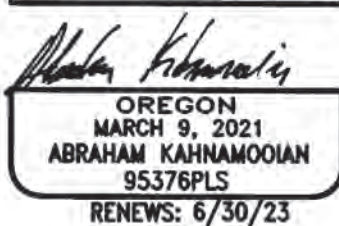
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 25th DAY OF February, 2022 BY KEVIN BUTLER

[Signature]
 NOTARY SIGNATURE
Rhonda Michelle Mackey
 NOTARY PUBLIC - OREGON

COMMISSION NO. 982993A
 MY COMMISSION EXPIRES January 9, 2023

CONSENT AFFIDAVIT

A PARTITION PLAT CONSENT AFFIDAVIT BY IRENE JOYCE DOZLER, TRUSTEE OF THE PAUL AND IRENE JOYCE DOZLER REVOCABLE LIVING TRUST DATED FEBRUARY 9, 1995, FOR THAT INSTRUMENT RECORDED IN REEL 3996, PAGE 251, MARION COUNTY DEED RECORDS HAS BEEN RECORDED IN REEL 4605, PAGE 250, MARION COUNTY RECORDS.



PLAT NOTES

1. THIS PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL SET FORTH IN MARION COUNTY PARTITION CASE FILE NO. 20-015.
2. THIS PLAT IS SUBJECT TO RIGHT OF THE PUBLIC AND OF GOVERNMENTAL BODIES IN AND TO THAT PORTION OF THE PREMISES HEREIN DESCRIBED LYING BELOW THE HIGH WATER MARK OF SALEM WATER DITCH.
3. THIS PLAT IS SUBJECT TO AN ELECTRIC TRANSMISSION, AND DISTRIBUTION LINE EASEMENT TO PACIFIC POWER AND LIGHT COMPANY RECORDED IN VOLUME 649, PAGE 163, MARION COUNTY DEED RECORDS. NO ABOVE GROUND EVIDENCE WAS FOUND OF WHERE THE EASEMENT MIGHT BE LOCATED.

PREPARED FOR

KEVIN BUTLER
 11641 SHAFF ROAD
 STAYTON, OREGON 97383

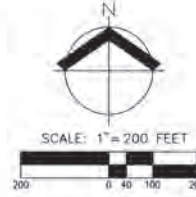
| | | |
|--------------------------|--|--|
| JOB NAME: 11461 SHAFF RD | AKS ENGINEERING & FORESTRY, LLC 3700 RIVER RD N, STE 1 KEIZER, OR 97303 503.400.6028 WWW.AKS-ENG.COM | |
| JOB NUMBER: 8455 | | |
| DRAWN BY: AK | | |
| CHECKED BY: JFS | | |
| DRAWING NO.: 8455 | ENGINEERING · SURVEYING · NATURAL RESOURCES FORESTRY · PLANNING · LANDSCAPE ARCHITECTURE | |

PARTITION PLAT NO. 2022-16

LOCATED IN THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 9 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, MARION COUNTY, OREGON
DATE: OCTOBER 15, 2021
SHEET 1 OF 2

LEGEND

- SET 5/8" X 30" IRON ROD W/YPC INSCRIBED "AKS ENGR."
- FOUND 5/8" IRON ROD W/YPC INSCRIBED "AKS ENGR."; PER PP NO. 2021-67; HELD UNLESS NOTED OTHERWISE
- DENOTED FOUND MONUMENTS AS NOTED; HELD UNLESS NOTED OTHERWISE
- IP IRON PIPE
- IR IRON ROD
- W/YPC WITH A YELLOW PLASTIC CAP
- PP NO. PARTITION PLAT NUMBER PER MARION COUNTY SURVEY RECORDS
- MCSR SURVEY NUMBER PER MARION COUNTY SURVEY RECORDS
- PUE PUBLIC UTILITY EASEMENT
- REEL OR REEL AND PAGE MARION COUNTY DEED RECORDS
- PR CALCULATED RECORD
- CH CHAINS
- ROW RIGHT-OF-WAY



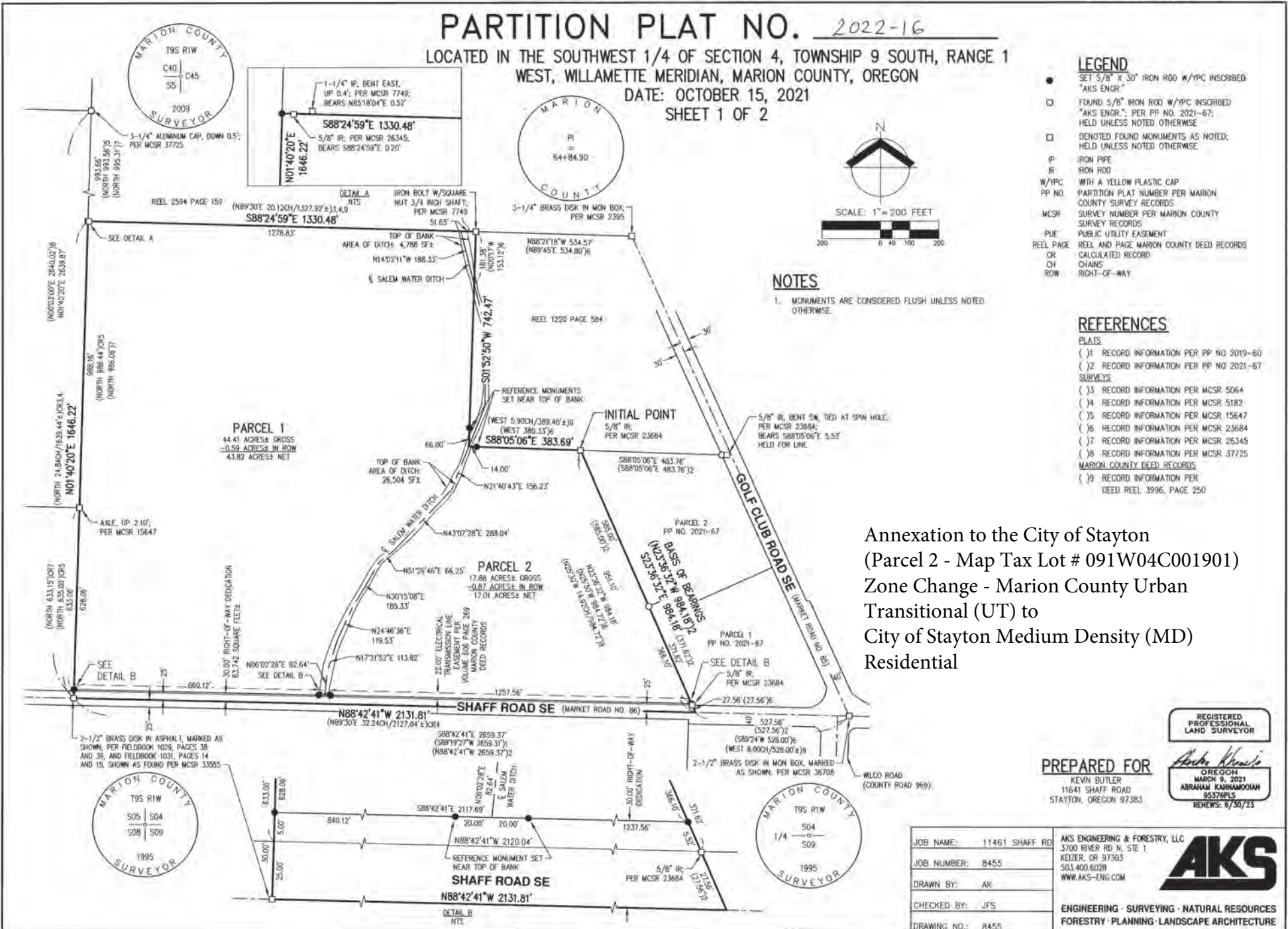
NOTES

1. MONUMENTS ARE CONSIDERED FLUSH UNLESS NOTED OTHERWISE.

REFERENCES

- PLATS**
- () 1 RECORD INFORMATION PER PP NO 2019-60
 - () 2 RECORD INFORMATION PER PP NO 2021-67 SURVEYS
 - () 3 RECORD INFORMATION PER MCSR 5064
 - () 4 RECORD INFORMATION PER MCSR 5182
 - () 5 RECORD INFORMATION PER MCSR 15647
 - () 6 RECORD INFORMATION PER MCSR 23684
 - () 7 RECORD INFORMATION PER MCSR 26345
 - () 8 RECORD INFORMATION PER MCSR 37725 MARION COUNTY DEED RECORDS
 - () 9 RECORD INFORMATION PER DEED REEL 3996, PAGE 250

Annexation to the City of Stayton
(Parcel 2 - Map Tax Lot # 091W04C001901)
Zone Change - Marion County Urban
Transitional (UT) to
City of Stayton Medium Density (MD)
Residential



REGISTERED
PROFESSIONAL
LAND SURVEYOR

PREPARED FOR
KEVIN BUTLER
11641 SHAFF ROAD
STAYTON, OREGON 97383

Archie Khawis
OREGON
MARCH 9, 2021
ABRAHAM KAHNAMOJIAN
95376PLS
RENEWS: 6/30/23

| | |
|--------------|----------------|
| JOB NAME: | 11461 SHAFF RD |
| JOB NUMBER: | 8455 |
| DRAWN BY: | AK |
| CHECKED BY: | JFS |
| DRAWING NO.: | 8455 |

AKS ENGINEERING & FORESTRY, LLC
3700 RIVER RD N, STE 1
KEIZER, OR 97303
503.400.6028
WWW.AKS-ENG.COM



ENGINEERING · SURVEYING · NATURAL RESOURCES
FORESTRY · PLANNING · LANDSCAPE ARCHITECTURE

EXHIBIT 3, City Council Finding of Fact

Land Use File #10-08/25

A. EXISTING CONDITIONS

1. The owner and applicant of the property is Kevin and Paige Butler.
2. The parcel can be described as: taxlot 091W04C001901 parcel proposed for annexation can be described as tax lot 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. Additionally, a Post Acknowledgement Plan Amendment (PAPA) was submitted to Oregon Department of Land Conservation and Development (DLCD) for notice file no. 002-26.

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.

The City received a letter from the Oregon Department of Land Conservation and Development dated February 23, 2026, stating that, pursuant to Oregon House Bill 2001 and Oregon House Bill 2889, the City should utilize the Oregon Housing Needs Analysis allocations established for each local government. The letter indicates that, pursuant to the January 1, 2026 publication, the City of Stayton's 20-year housing need within the Urban Growth Boundary is 1,058 dwelling units, distributed across income categories as follows: 271 units at 0–30% Area Median Income (AMI); 204 units at 31–60% AMI; 113 units at 61–80% AMI; 171 units at 81–120% AMI; and

300 units above 120% AMI. Additionally, a virtual meeting with DLCD was held on March 26, 2026, to further discuss and clarify their comments.

D. PUBLIC COMMENTS

The Community and Economic Development Department notified all owners of property within 300 feet of the subject property and did not receive written public comment prior to the public hearing. At the April 27, 2026, Planning Commission public hearing, Mrs. Chamberland of 1624 E Burnett Street expressed concern regarding state land use requirements and the impacts of growth on City infrastructure and schools. Mr. Aaron Frichtl of 12326 Golf Lane expressed concern regarding the impacts of annexation on City infrastructure, maintenance obligations, and public services. No additional comments were received regarding this application.

E. ANALYSIS

The annexation applications satisfies 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 |
| Shaff Square | 2023 | multi-family | 100 |

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

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

The City’s Comprehensive Plan Housing Goal (Chapter 6) states: “Existing and future residents will be provided a choice of housing types in safe and healthful housing.” While the City currently provides a range of housing types, application of the High Density (HD) Residential zone to the subject property would further expand those opportunities. The HD zone permits single-family attached dwellings, duplexes, and multi-family dwellings (four + units per building), with a minimum density of 13 dwelling units per acre.

The applicant has not submitted a conceptual plan. On a gross basis consistent with HD standards, the approximately 17-acre site could accommodate a minimum of 221 dwelling units, consistent with the minimum density of 13 units per acre. Although the applicant did not submit a conceptual plan, the application did include an engineering analysis based on development at 24 units per acre, or a total of 408 multifamily units.

In 2023, the State adopted a new methodology for determining housing needs through the Oregon Housing Needs Analysis (OHNA). Under ORS 197A.018, “needed housing” is defined as housing by affordability level, type, characteristics, and location necessary to accommodate a city’s allocated housing need over the applicable 20-year planning period. The OHNA represents a shift from a locally derived housing needs analysis to a statewide, regionally informed methodology that accounts for both future growth and existing unmet need resulting from underproduction of housing.

As described in the Department of Administrative Services (DAS) January 1, 2026, methodology, housing need now includes both projected future demand and existing unmet need, including suppressed household formation due to housing costs and limited supply. The methodology allocates a share of regional housing need to each local government. Stayton is located within the Willamette Valley region, and, consistent with state policy, urban housing needs are to be accommodated within Urban Growth Boundaries.

The DAS 2026 analysis identifies a 20-year housing need within Stayton’s Urban Growth Boundary of 1,058 dwelling units, distributed across income levels as follows: 271 units at 0–30% Area Median Income (AMI); 204 units at 31–60% AMI; 113 units at 61–80% AMI; 171 units at 81–120% AMI; and 300 units above 120% AMI.

Analysis: Under the State’s revised methodology, housing needs include both existing unmet needs resulting from underproduction and projected future demand, which is allocated at the regional level and accommodated within Urban Growth Boundaries by local jurisdictions.

This annexation would increase the City’s supply of buildable residential land and capacity, supporting its ability to provide a range of housing types and accommodate identified housing needs consistent with the City’s Comprehensive Plan Housing Goal, Statewide Planning Goal 10, ORS 197.296, and the OHNA framework.

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 properties 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 with a 20-unit density per acre. 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 extend the high density residential area and provide a transition to the commercial area – Commercial General (CG) – directly adjacent to this parcel.

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



CITY OF STAYTON
M E M O R A N D U M

TO: Mayor Brian Quigley and the Stayton City Council
FROM: James Brand, Finance Director
DATE: June 15, 2026
SUBJECT: Resolution No. 26-016, Imposing and Categorizing Ad Valorem Taxes for the 2026-27 Fiscal Year

ISSUE

Shall the City Council approve Resolution No. 26-016 to impose and categorize Ad Valorem taxes for the 2026-27 fiscal year.

STAFF RECOMMENDATION

Staff recommends approval of Resolution No. 26-016 as presented.

BACKGROUND INFORMATION

On June 16, 2025, the Stayton City Council adopted the 2025-27 Budget which assumed levying the City's maximum established permanent tax rate of \$3.328 per \$1,000 of assessed value, and levying the City's two local option tax levies: \$0.5600 per \$1,000 for the Library and \$1.10 per \$1,000 of assessed value for Recreation, respectively. Since no Recreation Levy was approved by voters, there is no longer an option for the City to impose taxes for the Recreation Levy.

A public hearing was held on June 16, 2025, and another public hearing is being held today before the Stayton City Council, as required by Oregon Budget Law, to receive public input regarding the levying of taxes.

FISCAL IMPACT

The City Budget assumes passage of these taxes to support the General Fund and the Library Fund. If the City were to levy less than the full amount of taxes, services would need to be reduced in each impacted fund.

OPTIONS AND MOTIONS

The City Council is presented with the following options:

1. **Adopt the Resolution as presented.**

Motion to approve Resolution No. 26-016 as presented.

2. Adopt the Resolution as amended.

Motion to approve Resolution No. 26-016 as amended.

3. Do not adopt the resolution.

Take no action and elect not to impose Ad Valorem taxes.



**RESOLUTION NO. 26-016
IMPOSING AND CATEGORIZING AD VALOREM TAXES
FOR THE 2026-27 FISCAL YEAR**

WHEREAS, the City Budget Officer prepared the 2025-27 budget for the City of Stayton commencing July 1, 2025 which relies on Ad Valorem Tax revenues; and

WHEREAS, the proposed budget was adopted by the City Council on June 16, 2025; and

WHEREAS, the City Council held a public hearing prior to adopting the budget to receive comments from citizens; and

WHEREAS, the Stayton City Council has considered the public testimony received.

NOW, THEREFORE, THE CITY OF STAYTON RESOLVES:

SECTION 1. Imposing and Categorizing Ad Valorem Property Taxes. The following ad valorem property taxes are hereby imposed and categorized upon the assessed value of all taxable property within the City for tax year 2026-27:

General Government Limitation

- a) At the rate of \$3.3280 per \$1,000 for the permanent rate tax.
- b) At the rate of \$0.5600 per \$1,000 for the library local option tax.

ADOPTED BY THE STAYTON CITY COUNCIL THIS 15TH DAY OF JUNE 2026.

CITY OF STAYTON

Signed: _____, 2026

BY: _____
Brian Quigley, Mayor

Signed: _____, 2026

ATTEST: _____
Julia Hajduk, City Manager



CITY OF STAYTON
M E M O R A N D U M

TO: Stayton City Council

FROM: James Brand, City Finance Director

DATE: June 15, 2026

SUBJECT: Resolution No. 26-017, Electing to Receive State Revenue Sharing Funds

BACKGROUND INFORMATION

ORS 221.760 provides that cities located within a county having more than 100,000 inhabitants must provide four or more of the following municipal services to be eligible to receive State Revenue Sharing funds:

- Police protection
- Fire protection
- Street construction, maintenance, and lighting
- Sanitary sewers
- Storm sewers
- Planning, zoning, and subdivision control
- One or more utility services

The City of Stayton resides in Marion County, which has more than 100,000 inhabitants and the City provides services including police protection, street construction/maintenance, sanitary sewers, storm sewers, and planning/zoning. The City held a public hearing on possible uses of these funds before the Budget Committee meeting on May 12th, 2025, and at the City Council meeting on June 15th, 2026. The City requests the Council to pass a resolution to elect the City to receive State Revenue Sharing funds for Fiscal Year 2027.

Once the resolution is approved, the Finance Director will complete a survey required by the Oregon Dept. of Administrative Services (DAS) that certifies the City's eligibility to receive State Shared Revenues in accordance with ORS 221.760. The survey also requires an upload of the City's resolution electing to receive these funds per ORS 221.770.

FISCAL IMPACT

The City's 2025-27 budget assumes receipt of the following estimated State Revenue Sharing funds:

| Revenue | Fund | 2025-27 Adopted Budget | Purposes |
|-----------------------|-------------|---------------------------------------|--------------------|
| Liquor tax | General | \$283,883 | Unrestricted |
| Marijuana tax | General | \$240,000 | Unrestricted |
| State Revenue Sharing | General | \$169,616 | Unrestricted |
| Cigarette tax | General | \$9,274 | Unrestricted |
| State gas tax | Street | <u>\$1,500,000</u> | Street maintenance |
| | | \$2,202,773 | |

OPTIONS AND MOTIONS

The City Council is presented with the following options.

1. Adopt Resolution No. 26-017 as presented.

- a) Move to adopt Resolution No. 26-017, as presented declaring the City's Election to Receive State Revenue Sharing funds.

2. Adopt Resolution No. 26-017 as amended.

- a) Move to amend Resolution No. 26-017.

3. Not Adopt Resolution No. 26-017.

- a) Do not approve the attached Resolution to comply with State Revenue Sharing Law and be ineligible to receive these funds.



**RESOLUTION NO. 26-017
DECLARING THE CITY’S ELECTION TO RECEIVE STATE SHARED REVENUES**

WHEREAS, the City of Stayton has included in its 2025-27 budget specific revenues that the State of Oregon is willing to distribute; and

WHEREAS, Oregon Revised Statue 221.770 requires that a city may not be included in apportionments or receive distributions of State Revenue Sharing unless it elects to receive distributions by enactment of an ordinance or resolution expressing that election; and

WHEREAS, public comment was taken at the meeting of the Budget Committee on May 12th, 2025, and a public meeting was held on June 15th, 2026, giving the citizens an opportunity to comment on the use of State Revenue Sharing;

NOW THEREFORE, THE CITY OF STAYTON RESOLVES:

SECTION 1. The City Council hereby elects to receive State Shared Revenues for the 2026-27 fiscal year within the 2025-27 budget.

This Resolution shall become effective upon its adoption by the Stayton City Council.

ADOPTED BY THE STAYTON CITY COUNCIL THIS 15th DAY OF JUNE 2026.

CITY OF STAYTON

Signed: _____, 2026

BY: _____
Brian Quigley, Mayor

Signed: _____, 2026

ATTEST: _____
Julia Hajduk, City Manager