



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

**TO: Mayor Henry Porter and the Stayton City Council**  
**FROM: Dan Fleishman, Director of Planning and Development**  
**DATE: October 18, 2021**  
**SUBJECT: Annexation Application, Gene Jones, 13601 Fern Ridge Rd**

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**ISSUE**

The issue before the City Council is the second consideration of Ordinance 1043, annexing 19 acres of land into the city limits and assigning Medium Density Residential zoning to the property and the Natural Resource Overlay District within 100 feet of Lucas Ditch.

The City Council completed the public hearing on October 11 and approved the first consideration of the Ordinance at that time. Whereas the vote on the first consideration was not unanimous, the City Charter requires the Ordinance return to the Council for a second consideration.

**ANALYSIS**

The Council may recall at the end of hearing on October 11 staff recommended that the findings in Exhibit D of the ordinance be modified to reflect the testimony presented at the hearing. Staff has conferred with the City Attorney and his advice is that the findings should reflect that testimony and that is permissible to amend the ordinance with the second consideration.

The attached revised draft of Ordinance has a number of changes from the draft approved with the first consideration. In the copy included with the packet, these changes are highlighted in yellow. The changes can all be found in Exhibit D, the Council's Findings of Fact, and reflect the testimony provided at the hearing and, in some cases, a response to that testimony. The changes are:

- On page 3, a paragraph has been added summarizing the public hearing testimony
- On page 5, a paragraph has been added regarding the testimony relative to the criteria for a zone map amendment addressing adverse impacts on surrounding land uses
- On page 6, a paragraph has been added regarding the testimony relative to the need for the annexation

- On page 7, a paragraph has been added regarding the testimony relative to the criteria for annexation addressing compatibility

## **RECOMMENDATION**

The staff has enclosed a revised draft ordinance in the packet and recommends that the ordinance be enacted with the suggested revisions reflecting the testimony at the public hearing.

## **OPTIONS AND MOTIONS**

The City Council is presented with the following options.

**1. Approve the second consideration of Ordinance 1043 with the amendments reflecting the testimony at the October 11 hearing.**

Move to enact the revised draft of Ordinance No 1043 as presented.

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 a majority of the Council votes in favor, Ordinance No. 1043 is enacted and will be presented to the Mayor for his approval.

**2. Approve the second consideration of Ordinance 1043 without modification from the draft approved at the first consideration**

Move to enact the draft of Ordinance No 1043 as approved on October 11.

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 a majority of the Council votes in favor, Ordinance No. 1043 is enacted and will be presented to the Mayor for his approval.

**3. Approve the second consideration of Ordinance 1043 with further modifications**

Move to enact the revised draft of Ordinance No 1043 with the following modifications...

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 a majority of the Council votes in favor, Ordinance No. 1043 is enacted and will be presented to the Mayor for his approval.