

STAYTON PLANNING COMMISSION AGENDA

7:00 pm

Monday, July 29, 2024

HYBRID MEETING

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

- 1. CALL TO ORDER** **Chair McKinley**
- 2. MEETING MINUTES – Approval of March 25, 2024, and May 28, 2024, Minutes**
- 3. DISCUSSION OF CODE AMENDMENT – Permit Land Use “General Merchandise Stores” in the Interchange Development ID Zone**
- 4. DISCUSSION OF CODE AMENDMENT – Change Land Use Layout Code Amendments from a framework to a detailed procedure.**
- 5. LAND USE FILE #3-01/24 –PUBLIC HEARING – Application for Preliminary Partition Plan to divide 313 N Evergreen Ave into 3 parcels, Ross Bochsler, Kardboard Box LLC, PO Box 516, Stayton OR 97383**
 - a. Commencement of Public Hearing**
 - b. Staff Introduction and Report**
 - c. Applicant Presentation**
 - d. Questions from the Commission**
 - e. Questions and Testimony from the Public**
 - f. Applicant Summary**
 - g. Staff Summary**
 - h. Close of Hearing**
 - i. Commission Deliberation**
 - j. Commission Decision**
- 6. OTHER BUSINESS**
- 7. ADJOURN**

DATE OF NEXT MEETING: Monday, August 26, 2024

**STAYTON PLANNING COMMISSION
MEETING MINUTES
Monday, March 25, 2024**

COMMISSIONERS: Larry McKinley -Chair
Dixie Ellard
Peter Bellas
Richard Lewis
Amy Watts -Via Zoom

STAFF MEMBER: Jennifer Siciliano, Community & Economic Development Director
Windy Cudd, Office Specialist

OTHERS PRESENT: Steve Sims, Council President, 2110 E Santiam St, Stayton OR 97383
Dale & Kristine Looper, Applicant, 1660 N 6th Ave, Stayton OR 97383
Carl & Patricia Sampson, Resident, 1732 N 6th Ave, Stayton OR 97383
Sam Moore, 6S Dev., 18333 Preston Rd, Ste 500, Dallas TX 75252
Don Jensen, Jensen Consulting & Dev, 5190 Kale St NE, Salem OR 97305

1. CALL TO ORDER: Chair McKinley called the meeting to order at 7:01 pm

2. OTHER BUSINESS: ANNUAL ETHICS CERTIFICATION

McKinley reminded all Commissioners that there should have been a notice sent to recertify. It is due by April 15th.

3. APPROVAL OF MINUTES: Amy Watts moved, and Bellas seconded to approve the minutes from February 26, 2024, as presented. Passed 5:0.

4. LAND USE FILE #6-02/24 -PUBLIC HEARING -Application for Variance to front setback for garage, Ricki Young, RY Construction, 1125 Stonefield Ct

- a. **Commencement of Public Hearing-** Chair McKinley read the opening statement and opened the hearing at 7:02 pm. No objections were made by the audience to the notice in this case or the jurisdiction of this body to hear the case. There were no declarations of conflict of interest, *ex parte* contact, or bias by members of the Planning Commission.
- b. **Staff Introduction/Report-** The issue before the Planning Commission is a public hearing on an application for a front yard setback variance to a garage entrance. The applicant is proposing to build a new duplex on a vacant lot at 1125 Ridgefield Court, which is one of the vacant lots in Ridgefield Planned Unit Development (PUD).
- c. **Applicant Presentation-** None
- d. **Questions from the Commission-** McKinley asked for clarification of the setbacks. Siciliano answered.
- e. **Questions and Testimony from the Public-** None
- f. **Applicant Summary-** None
- g. **Staff Summary-** Nothing more to add.
- h. **Close of Hearing-** Chair McKinley closed the hearing at 7:09 pm
- i. **Commission Deliberation-** McKinley explained to the Commissioners that there had been approvals made for this exact situation. Granting this variance would be consistent with the same approvals given to lots in this subdivision in the past.
- j. **Commission Decision-** Ellis Moved and Richard Lewis second that the Stayton Planning Commission approve the application for a variance of Land Use File #6-02/24, and adopt the draft order presented by staff. Passed unanimously.

5. LAND USE FILE #12-11/24 PUBLIC HEARING -Application to vacate Right of Way property south of 1732 N 6th Ave. and north of 1660 N 6th Ave.

- a. Commencement of Public Hearing-** Chair McKinley read the opening statement and opened the hearing at 7:11 pm. No objections were made by the audience to the notice in this case or the jurisdiction of this body to hear the case. There were no declarations of conflict of interest, *ex parte* contact, or bias by members of the Planning Commission.

Richard Lewis shared that he had a brief discussion with the City Planning Director regarding the issue with this Land Use Application, no bias was declared. Chair McKinley also noted that he lives just behind this property.

- b. Staff Introduction/Report-** The issue before the Planning Commission is a public hearing on an application to vacate the right of way between the south property line of 1732 N 6th Avenue and the north property line of 1660 N 6th Avenue.
- c. Applicant Presentation-** Applicants both spoke how they have been taking care of this piece of property for years and they would like to have the right to do what they want to it, with the current easement still withstanding.
- d. Questions from the Commission-** McKinley asked about ownership of the piece of Property. Siciliano explained that the City does own it for now but would be transferred equally to the two abutting property owners.
- e. Questions and Testimony from the Public-** None
- f. Applicant Summary-** Nothing to add.
- g. Staff Summary-** Siciliano added that the applicants did get 2/3 of the signatures as required.
- h. Close of Hearing-** Chair McKinley closed the hearing at 7:19 pm
- i. Commission Deliberation-** McKinley reiterated that the property is just a grass parcel and the applicants have maintained it for over 20 years so far.
- j. Commission Decision-** Richard Lewis Moved and Ellis seconded that the Stayton Planning Commission recommend to the Stayton City Council that the right of way between south property line of 1732 N 6th Avenue and the north property line of 1660 N 6th Avenue be vacated and adopt the draft order presented by staff. Passed unanimously.

6. DISCUSSION OF CODE AMENDMENT – Permitted uses in the Interchange Development (ID) Zone.

Open Discussion. Siciliano explained the definition of the Interchange Development Zone and definitions of retail uses. Commissioners discussed that they would like to evaluate projects with non-permitted uses on a one-to-one basis.

7. OTHER BUSINESS –None

8. ADJOURN –Chair adjourned the meeting at 8:25 pm.

STAYTON PLANNING COMMISSION MEETING MINUTES

Tuesday, May 28, 2024

COMMISSIONERS: Larry McKinley -Chair
Dixie Ellard
Peter Bellas
Richard Lewis
Amy Watts -Via Zoom

STAFF MEMBER: Jennifer Siciliano, Community & Economic Development Director
Melanie Raba, Office Specialist, Minutes
Lucas Joyce, Stayton High School Student Representative

OTHERS PRESENT: Steve Sims, Council President, 2110 E Santiam St, Stayton OR 97383
Laura LaRoque, Udell Engineering and Land Surveying,

CALL TO ORDER: Chair **McKinley** called the meeting to order at 7:00 pm

1. **APPROVAL OF MINUTES:** No minutes were presented
2. **LAND USE FILE #4-02/24 -PUBLIC HEARING -Application for Site Plan Review and variance for a 6,005 square foot addition to an existing animal clinic, Michael Reynolds, Dark Horse Enterprises LLC, 1308 N 1st Avenue.**
 - a. **Commencement of Public Hearing-** Chair McKinley read the opening statement and opened the hearing at 7:02 pm. No objections were made by the audience to the notice in this case or the jurisdiction of this body to hear the case. McKinley declared that he has taken his pet to this establishment.
 - b. **Staff Introduction/Report-** The issue before the Planning Commission is a public hearing on an application for a Site Plan Review to ass a 6,005 square foot addition to an existing 5,701 square foot animal clinic with a variance application to lessen bike parking and narrow the landscape buffer for this new addition.
 - c. **Applicant Presentation-** Laura LaRoque spoke about the development project specifics.
 - d. **Questions from the Commission-** Questions regarding street parking and ADA requirements and sidewalk widths. LaRoque answered.
 - e. **Questions and Testimony from the Public-** None
 - f. **Applicant Summary-** None
 - g. **Staff Summary-** Siciliano spoke about waivers and authority.
 - h. **Close of Hearing-** Chair McKinley closed the hearing at 7:25 pm
 - i. **Commission Deliberation-** McKinley spoke about the reasoning of bike parking.
 - j. **Commission Decision-** Ellis Moved and Bellas second that the Stayton Planning Commission approve the application and adopt a draft order as presented. Passed 3:0.
3. **OTHER BUSINESS** –None
4. **ADJOURN** –Chair adjourned the meeting at 7:28 pm.



City of Stayton

Department of Community and Economic Development

362 N. Third Avenue • Stayton, OR 97383

Phone: (503) 769-2998 • Fax (503) 769-2134

jsiciliano@staytonoregon.gov www.staytonoregon.gov

TO: Chairperson Larry McKinley and Planning Commission Members

FROM: Jennifer Siciliano, Director of Community and Economic Development

SUBJECT: Discussion of Code Amendment to Add a Permitted Use with Site Plan Review to the Interchange Development - ID Zoning District

DATE: July 25, 2024

ISSUE

The issue before the Planning Commission is to consider adding a permitted use, with Site Plan Review, of “# 17 General Merchandise Stores” to the Interchange Development (ID) zone. This would be reflected by amending Table 17.16.070.1 Permitted Land Use in the Stayton Land Use and Development Code. The ID zone covers four (4) parcels in the city and has a limited number of permitted uses. A Land Use Code Amendment must either be initiated by the Planning Commission or the City Council per 17.12.175.3. Additionally, a study on the impact on transportation facilities is required to be conducted per 17.12.175.6, and this has been completed by the city’s traffic engineer, Kittelson & Associates, Inc. They conclude that the proposed change would not represent a significant effect on the transportation system as defined by TPR.

BACKGROUND

An applicant, Dollar General, requested a text amendment be made to the ID zone to permit, with a Site Plan Review, “#17 General Merchandise Stores.” The framework process for text amendments is for the Planning Commission to consider a text amendment by calling for a Public Hearing. In January 2024, the Planning Commission voted to hold a future Public Hearing on the matter of Dollar General’s proposed amendment.

Another applicant requested a Text Amendment for a different parcel (201 Whitney Street) also in the ID zone. At the February 2024 Planning Commission meeting, the Commission voted to cancel the Public Hearing for the Dollar General proposed Text Amendment and consider the uses within the ID zone as a whole. At the March 2024 Planning Commission meeting, the uses were discussed as a whole and it was suggested that when an application for a Text Amendment is proposed a Site Plan Review is submitted concurrently.

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Dollar General has since submitted a Site Plan Review with a Public Hearing scheduled for August 29, 2024. Before a Site Plan Review with the use of a “General Merchandise Stores” can be approved, the use needs to be permitted with a Site Plan Review in the ID zone. The Planning Commission can vote at its July 2024 meeting to hold a Public Hearing for a Text Amendment at its August 2024 meeting before the hearing of Dollar General’s Site Plan Review.

See memorandum of January 29, 2024, for additional information.

ANALYSIS

For the Dollar General Site Plan Review to be considered, a Public Hearing for a Text Amendment to add the use “# 17 General Merchandise Stores” needs to be permitted with Site Plan Review in the Interchange Development (ID) zone to be reflected in the Table 17.16.070.1 Permitted Land Use in the Stayton Land Use and Development Code. The Planning Commission should vote to hold a Public Hearing on a Text Amendment. This Text Amendment would only be a recommendation for the City Council. The City Council provides the approval or denial of the Text Amendment.

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TO: Chairperson Larry McKinley and Planning Commission Members

FROM: Jennifer Siciliano, Director of Community and Economic Development

SUBJECT: Discussion of Code Amendment to 17.12.175 Land Use Code Amendments to Change from Framework to a Detailed Procedure

DATE: July 25, 2024

ISSUE

The issue before the Planning Commission is to consider holding a Public Hearing to recommend a detailed procedure for Amending Land Use Code. Stayton Land Use and Development Code 17.12.175 is only a framework as stated within the Code.

BACKGROUND

The Stayton Land Use and Development Code has a procedure for Comprehensive Plan Amendments 17.12.170 with corresponding form, and a procedure for Zoning Map Amendments 17.12.180 with corresponding form. There is a framework for adoption of a Land Use Code Amendment 17.12.175. It is a framework and not a detailed procedure.

ANALYSIS

The Planning Commission should hold a Public Hearing to recommend a detailed procedure for Amending Land Use Code. The City Planner will review Oregon State Law ORS, as well as other Ordinances in similar municipalities to expand on the framework in 17.12.175 to provide a detailed process for Text Amendments that ensures alignment with Stayton's Comprehensive Plan's text, goals, policies, and actions.

Attachments:

- 17.12.175 Land Use Code Amendment
- 17.12.170 Comprehensive Plan Amendments
- 17.12.180 Zoning Map Amendments

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17.12.175 LAND USE CODE AMENDMENTS

1. **PURPOSE.** This Title must be consistent with the adopted Comprehensive Plan, as amended, and as such is the implementation of the City's land use planning goals and policies. The purpose of this Section is to provide a framework for the adoption of amendments to this Title that meet the criteria of this Section.
2. **DEFINITION:** A Land Use Code amendment is an amendment to the text of this Title, any of the tables or diagrams in this Title, or the addition of new Chapters or Sections to this Title, but does not include an amendment to the Official Zoning Map.

Land Use Code amendments are considered to be legislative amendments and may not be initiated by individual applicants. However, an individual may request the Planning Commission initiate an amendment.
3. **INITIATION:** A Land Use Code amendment may be initiated either by the Planning Commission or City Council by the adoption of a resolution. An individual may request the Planning Commission initiate a Land Use Code amendment by submitting a written request generally describing the proposed amendment.
4. **METHOD OF ADOPTION:** Pursuant to the requirements of Sections 17.12.060 through 17.12.100, Land Use Code amendments shall be adopted by an ordinance passed by the City Council. All proceedings shall be conducted in accordance with this Chapter.
5. **SUBMITTAL REQUIREMENTS:** If an individual would like to request that the Planning Commission initiate a Land Use Code amendment, the following information shall be submitted to the Planning Commission:
 - a. A general description of the issue to be addressed by the amendment, citing the existing the Land Use Code provisions that are proposed to be changed.
 - b. A draft of a proposed amendment, showing current text to be deleted crossed out and proposed text to be added underlined.
6. **IMPACT ON TRANSPORTATION FACILITIES:** Proposals to amend this Title shall be reviewed to determine whether they significantly affect a transportation facility pursuant to Oregon Administrative Rule (OAR) 660-012-0060 (Transportation Planning Rule - TPR). Where the City, in consultation with the applicable roadway authority, finds that a proposed amendment would have a significant effect on a transportation facility, the City shall work with the roadway authority to modify the request or mitigate the impacts in accordance with the TPR and applicable law.

(All of Section 17.12.175 except 17.12.175.6 adopted Ord. 960, Sept. 3, 2013)
(Section 17.12.175.6 adopted Ord. 1034, July 17, 2019)

17.12.170**COMPREHENSIVE PLAN AMENDMENTS**

1. **PURPOSE.** The Comprehensive Plan is the City's official and controlling land use document, guiding public and private activities that affect Stayton's growth, development, and livability. The Plan is intended to be a flexible document, reflecting changing circumstances and community attitudes through occasional amendments. This section provides a process for amending the Comprehensive Plan without violating its integrity or frustrating its purposes. This process applies to proposed amendments to Comprehensive Plan text, goals, policies or actions, and to Comprehensive Plan Map designations.
2. **DEFINITION:** A plan amendment may be the redesignation of an area from one land use classification to another, or a modification to policies or text of the plan. Amendments may either be legislative amendments or quasi-judicial amendments. A legislative amendment is one that is initiated by the City Council or Planning Commission, constitutes a change in policy or a correction of an error in the Plan, and affects a wide number of properties. A quasi-judicial amendment is one that is initiated by a property owner or group of property owners and results in changes in the Comprehensive Plan text or map that impacts a property or a small number of properties. Major revisions, including the updating of all or parts of the plan and affecting the framework or principal elements of the plan, are considered to be legislative amendments and may not be initiated by individual applicants.
3. **INITIATION:** A legislative Comprehensive Plan amendment may be initiated either by the Planning Commission or City Council by the adoption of a resolution. A quasi-judicial Comprehensive Plan amendment may be initiated by an applicant through the submission of an application.
4. **METHOD OF ADOPTION:** Pursuant to the requirements of Sections 17.12.060 through 17.12.100, Comprehensive Plan amendments shall be adopted by an ordinance passed by the City Council. All proceedings shall be conducted in accordance with this Chapter.
5. **SUBMITTAL REQUIREMENTS:** In order to be accepted as complete and processed in a timely manner by the City, applicant-initiated requests for Comprehensive Plan amendments shall include the following materials and information:
 - a. Completed application forms as supplied by the City Planner.
 - b. Evidence of the applicant's right, title or interest in the property for which the amendment is requested, including the latest recorded deed for the property. If the applicant is not the owner the applicant shall submit a purchase and sales contract, option, or other document executed by the owner indicating the applicant's right to proceed with the application.
 - c. A map, drawn to scale, showing the property for which the amendment is requested, surrounding properties within 300 feet, neighboring streets and roads, existing plan designation(s) and zoning district(s) on the property, and the exact extent of requested land use designation(s).
 - d. A narrative statement fully explaining the request and fully addressing the criteria for approval for a plan amendment. If the request is a text-only amendment (e.g., no requested change in land use designation), the statement must fully explain the nature of the requested amendment and provide reasons why the amendment is appropriate and how the Comprehensive Plan will continue to comply with all applicable statewide planning goals and administrative rules. For a Comprehensive Plan Map amendment, the narrative shall include at least the following:
 - 1) A statement of availability, capacity, and status of existing water, sewer, storm drainage, transportation, park, and school facilities.

- 2) A statement of increased demand for the above facilities that will be generated by the proposed change in land use designation. The applicant shall refer to the criteria of the City's facility master plans to determine the methodology used to estimate public facility demands. Information related to an actual development proposal may be included for informational purposes. At minimum, the demand calculations associated with the full range of development potential (min. to max.) under current vs. proposed land use designations shall be addressed in the analysis.
 - 3) A statement of additional facilities required to meet the increased demand and phasing of such facilities in accordance with projected demand. The applicant shall review adopted public facility plans, master plans, and capital improvement programs, and state whether additional facilities are planned or programmed for the subject area. Information related to an actual development proposal may be included for informational purposes. At minimum, the demand calculations associated with the full range of development potential (min. to max.) under current vs. proposed land uses designations shall be addressed in the analysis.
 - 4) A traffic impact analysis in accordance with the requirements of Section 17.26.050.3. The City Engineer shall define the scope of the traffic impact analysis. Information related to an actual development proposal may be included for informational purposes. At minimum, the traffic calculations associated with the full range of development potential (min. to max.) under current vs. proposed land uses designations shall be addressed in the analysis.
 - 5) A statement outlining the method and source of financing required to provide those additional facilities identified in subsection 3) above.
- e. If the application is for a Comprehensive Plan Map amendment, the applicant shall concurrently submit an application for a Zoning Map Amendment.
6. APPROVAL CRITERIA: In order to approve a Comprehensive Plan amendment, the following affirmative findings concerning the action must be able to be made by the decision authority.
- a. Legislative Amendments.
 - 1) The amendment is consistent with the other goals and policies of the Comprehensive Plan, including any relevant area plans, and the statewide planning goals.
 - b. Quasi-judicial Amendments.
 - 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.
 - 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.
 - 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.

- 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).
 - 5) The current Comprehensive Plan Map provides more than the projected need for lands in the existing land use designation.
 - 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.
 - 7) Uses allowed in the proposed designation will not significantly adversely affect existing or planned uses on adjacent lands.
7. PLAN MAP: Whenever any land is redesignated pursuant to a plan amendment, the Comprehensive Plan Map shall be modified to accurately portray such change.

(All of Section 17.12.170 adopted Ord. 960, Sept. 3, 2013)

17.12.180 ZONING MAP AMENDMENTS

1. **PURPOSE.** The Official Zoning Map must be consistent with the adopted Comprehensive Plan Map, as amended, and as such is a reflection of the City's land use planning goals and policies. The Official Zoning Map has also been adopted as part of this Code and covers only the area within the City Limits, whereas the Comprehensive Plan Map covers the entire area within the Urban Growth Boundary. The purpose of this Section is to allow for amendments to the Official Zoning Map that meet the criteria of this Section.

2. **DEFINITION:**

When the Official Zoning Map is amended, there often must be a corresponding change to the Comprehensive Plan Map. There are, however, instances where more than one zone corresponds to a Comprehensive Plan designation. In these situations, the zone may be amended without a Comprehensive Plan Map amendment. Section 17.16.020.2 Classification of Zones, lists the relationship between the Comprehensive Plan Map and the Official Zoning Map designations in the City.

Official Zone Map amendments are classified as legislative or quasi-judicial, depending on how they are initiated and the number of properties involved. A legislative amendment is the amendment of the Official Zoning Map, initiated by the City Council or Planning Commission, either to create a new zoning district that does not exist within Chapter 17.16 or to reclassify a large area of the City from one zoning district to another. A quasi-judicial amendment is one requested by a property owner or group of property owners reclassifying their property from one zoning district to another, provided the new zoning district exists within Chapter 17.16.

3. **INITIATION:** An Official Zone Map amendment may be initiated either by the Planning Commission or City Council by the adoption of a resolution or by an applicant through the submission of an application.

4. **METHOD OF ADOPTION:** Pursuant to the requirements of Sections 17.12.060 through 17.12.100, Official Zone Map amendments shall be adopted by an ordinance passed by the City Council. All proceedings shall be conducted in accordance with this Chapter.

5. **SUBMITTAL REQUIREMENTS:** In order to be accepted as complete and processed in a timely manner by the City, applicant-initiated requests for Official Zone Map amendments shall include the following materials and information:

- a. Completed application forms as supplied by the City Planner.
- b. Evidence of the applicant's right, title or interest in the property for which the amendment is requested, including the latest recorded deed for the property. If the applicant is not the owner the applicant shall submit a purchase and sales contract, option, or other document executed by the owner indicating the applicant's right to proceed with the application.
- c. A map, drawn to scale, showing the property for which the amendment is requested, surrounding properties within 300 feet, neighboring streets, existing Comprehensive Plan Map designation(s) and zoning district(s) on the property and surrounding properties, and the exact extent of requested zoning change.
- c. A narrative statement fully explaining the request and fully addressing the criteria for approval for an Official Zone Map amendment. At a minimum, the narrative shall include:
 - 1) A statement of availability, capacity, and status of existing water, sewer, storm drainage, transportation, park, and school facilities.

- 2) A statement of increased demand for the above facilities that will be generated by the proposed change in zone designation. The applicant shall refer to the City's facility master plans to determine the methodology used to estimate public facility demands. Information related to an actual development proposal may be included for informational purposes. At minimum, the demand calculations associated with the full range of development potential (min. to max.) under current vs. proposed land use designations shall be addressed in the analysis.
 - 3) A statement of additional facilities required to meet the increased demand and phasing of such facilities in accordance with projected demand. The applicant shall review adopted public facility plans, master plans, and capital improvement programs, and state whether additional facilities are planned or programmed for the subject area. Information related to an actual development proposal may be included for informational purposes. At minimum, the demand calculations associated with the full range of development potential (min. to max.) under current vs. proposed land uses designations shall be addressed in the analysis.
 - 4) A traffic impact analysis in accordance with the requirements of Section 17.26.050.3. The City Engineer shall define the scope of the traffic impact analysis. Information related to an actual development proposal may be included for informational purposes. At minimum, the traffic calculations associated with the full range of development potential (min. to max.) under current vs. proposed land uses designations shall be addressed in the analysis.
 - 5) A statement outlining the method and source of financing required to provide those additional facilities identified in subsection 3) above.
6. APPROVAL CRITERIA. In order to approve an Official Zoning Map amendment, the following affirmative findings concerning the action must be able to be made by the decision authority.
- a. Legislative Amendments. The amendment is consistent with the goals and policies of the Comprehensive Plan including any relevant area plans.
 - b. Quasi-judicial Amendments.
 - 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.
 - 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.
 - 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).
 - 4) The purpose of the proposed zoning district satisfies the goals and policies of the Comprehensive Plan.
 - 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.

- 6) The proposed zone amendment satisfies applicable provisions of Oregon Administrative Rules.
 - 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. (Added Ord. 1005, February 2, 2017)
7. ZONING MAP. Whenever any premises are reclassified as to zone or a new zone established, or boundary lines of a zone changed, the Official Zoning Map shall be changed.

(All of Section 17.12.180 adopted Ord. 960, Sept. 3, 2013)

City of Stayton

MEMORANDUM

TO: Chairperson Larry McKinley and Planning Commission Members

FROM: Jennifer Siciliano, Director of Community and Economic Development

DATE: July 22, 2024

SUBJECT: Preliminary Plan for Kardboard Box, LLC and Ross Bochsler for 313 N Evergreen Avenue

120 DAYS ENDS: November 1, 2024.

ISSUE

The issue before the Planning Commission is a public hearing on an application for a Preliminary Partition Plan to divide 313 N Evergreen Avenue into 3 parcels creating Lot 1 - 11,230 square feet with frontage on both W Evergreen Avenue and Ida Street, Lot 2, 11,146 square feet with frontage on W Ida Street and is vacant, and Lot 3, 31,629 square feet with frontage on W High Street.



BACKGROUND

313 N Evergreen is a parcel that is approximately 1.24 acres and fronts W Ida Street, N Evergreen Avenue, and W High Street. Two single-family homes are currently on the property and the proposed preliminary partition plans to provide a separate lot for each of these homes. The three parcel will be vacant and be able to be developed with a residential use.

W High Street is an unimproved local road without sidewalks. N Evergreen Avenue has a substandard sidewalk that will need to be replaced. W Ida Street has substandard sidewalks that also will need replacing and are not up to the current 6-foot standards to be consistent with Stayton's

City of Stayton

Transportation System Plan. The Transportation System Plan has a pedestrian and bike projects scheduled along the frontage of W Ida Street. The pedestrian project is P13 which has the plan to install 6-foot sidewalks along property lines on Ida Street. The bike project B9 plans to add bicycle stripping and signage.

The city has provided three water and sewer connections for future development of Lot 2 as part of Phase II upgrades to Ida Street.

The applicant will need to work with Marion County's Surveyor's Office when recording their final approved plan.

ANALYSIS

This report and the draft order presents the Planning Staffs summary and analysis concerning this application. It was developed with the input of other City departments and agencies.

Attached is an application for preliminary partition plan from Kardboard Box, LLC and Ross Bochslar. The application consists of a stamped plan, a narrative, and an application form. The complete application submission has been posted on the City's website.

The attached draft order provides findings and analysis of each approval criteria for Preliminary Partition Plan.

RECOMMENDATION

The staff recommends option one to approve the draft order as presented.

OPTIONS AND SUGGESTED MOTIONS

Staff has provided the Planning Commission with a number of options, each with an appropriate motion. The Planning Department recommends the fourth option until additional information is provided by city staff.

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

I move the Stayton Planning Commission approve the application for a Preliminary Plan for Kardboard Box, LLC and Ross Bochslar for 313 N Evergreen Avenue, (Land Use File #3-01/24) and adopt the draft order presented by Staff.

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

I move the Stayton Planning Commission approve the application for a Preliminary Plan for Kardboard Box, LLC and Ross Bochslar for 313 N Evergreen Avenue, (Land Use File #3-01/24) and adopt the draft order with the following changes...

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

I move the Stayton Planning Commission deny the application for a Preliminary Plan for Kardboard Box, LLC and Ross Bochslar for 313 N Evergreen Avenue, (Land Use File #3-01/24) and direct staff to modify the draft order to reflect the Planning Commission's discussion and bring a revised draft order for Planning Commission approval at the August 26, 2024, meeting.

4. Continue the hearing until August 26, 2024.

I move the Stayton Planning Commission continue the public hearing on the application for a Preliminary Plan for Kardboard Box, LLC and Ross Bochslar for 313 N Evergreen Avenue, (Land Use File #3-01/24) until August 26, 2024.

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

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I move the Stayton Planning Commission close the hearing on the application for a Preliminary Plan for Kardboard Box, LLC and Ross Bochsler for 313 N Evergreen Avenue, (Land Use File #3-01/24) but maintain the record open to submissions by the applicant until August 5, allowing 7 days for review and rebuttal and then an additional 7 days for the applicant to reply, with final closure of the record on August 26, 2024.

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

I move the Stayton Planning Commission continue the deliberation on the application for a Preliminary Plan for Kardboard Box, LLC and Ross Bochsler for 313 N Evergreen Avenue, (Land Use File #3-01/24) until August 26, 2024.

BEFORE THE STAYTON PLANNING DEPARTMENT

In the matter of) Preliminary Partition Plan
The application of) File # 3-1/24
Ross Bochsler, Kardboard Box, LLC, Applicant)

ORDER OF CONDITIONAL APPROVAL

I. NATURE OF APPLICATION

The application is to divide an existing parcel with two dwellings into three (3) parcels creating one vacate lot and two (2) parcels with a single-family home each.

II. FINDINGS OF FACT

A. GENERAL FINDINGS

1. The owner and applicant are Kardboard Box, LLC and Ross Bochsler.
2. The properties can be described on Marion County Assessors Map as 313 W Evergreen Avenue (tax lot 091W10CC03000).
3. The property has approximately the following frontage: 205 feet along W Ida Street, 200 feet along W Evergreen Ave, and 294 feet along W High Street. The property is approximately 1.25 acres.
4. The property is zoned Medium Density (CG) Residential.
5. The neighboring properties to the north across W High Street are a mix of Low Density (LD) Residential and Light Industrial (IL) zoned parcels. To the east across W Evergreen Avenue, the properties are zoned LD. To the south across W Ida Street, the parcels are zoned LD. The properties to the west across are zoned LD.

B. EXISTING CONDITIONS

The subject property is currently developed with two single family homes: one single-family home fronts W High Street and has the number 650 W High Street and the other home has the address 313 W Evergreen Avenue.

C. PROPOSAL

The proposal is to divide the parcel into three. Lot 1 will be 11,230 square feet with frontage on both W Evergreen Avenue and Ida Street with an existing single-family house with required setbacks. Lot 2 will be 11,146 square feet with frontage on W Ida Street and be vacant. Lot 3 will be 31,629 square feet with frontage on W High Street with an existing single-family house with required setbacks.

D. AGENCY COMMENTS

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

A response from Marion County Building Inspection indicating they are not impacted. SCTC said they have no issues with this development. Stayton Fire Department stated that they had no comments.

Responses were received from Stayton's Public Works, City of Stayton's Transportation and Engineering Consultants, Marion County Surveyor Office, Pacific Power, Northwest Natural Gas, whose comments are reflected in the findings below.

E. PUBLIC COMMENTS

The Community and Economic Development Department received no public comments on this application prior to the hearing.

F. APPROVAL CRITERIA

Partitioning applications are required to satisfy approval criteria contained within the Stayton Municipal Code (SMC) 17.24.040.6 Preliminary Plan Approval Criteria and 17.24.050 Design Standards for Subdivisions and Partitions.

Pursuant to SMC 17.24.040.6 the following criteria must be demonstrated as being satisfied by the application:

Site plan review applications are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Title 17, Section 17.12.220 and Section 17.12.200.

a. *(Repealed).*

b. *Adequate urban services are available to the property.*

Finding: Water, sewer and other urban services are available to these 3 lots created by the partition and are adequate for future development. There is an 8-inch water line on W High Street, and W Evergreen Avenue, and a 16-inch water line in W Ida Street. There is an 8-inch sewer line on W High Street, a 10-inch sewer line W Evergreen Avenue, and a 15-inch sewer line in W Ida Street. Three water and sewer laterals lines are being installed to Lot 2 as part of the city's Phase 2 Ida Street Sanitary Sewer Replacement project.

c. *The proposed parcels or lots meet the minimum dimensional requirements of Section 17.16.070.2.*

Finding: The proposed partition creates three (3) lots that meet the minimum dimensional requirements of SMC 17.16.070.2. The three (3) lots are at least 7,000 square feet and have a lot width of at least 70 feet and an average width of 70 feet. The proposal creates three lots with approximately Lot 1 – 11,230 square feet and frontage of 202 feet, Lot 2 – 11,146 square feet and frontage of 105 feet, and Lot 3 – 31,834 square feet and frontage of 294 feet.

d. *All streets shall be in a location and have a right of way and traveled way width in accordance with the City's Transportation System Plan. Street spacing and location and block dimensions shall meet the standards of Section 17.26.020.5.c.*

Finding: The proposed partition fronts W Ida Street, N Evergreen Avenue, and W High Street. W Ida Street is a collector street and N Evergreen Avenue, and W High Street are local roads. To have a required right-of-way of 60 feet for each road, there needs to be an additional 5 feet (plus additional 1 foot past the sidewalk if needed), 10 feet, and 5 feet (plus additional 1 foot past the sidewalk if needed), respectively.

Condition: Right-of-way areas along frontage are increased to Public Works Design Standards.

- e. *The design standards of Section 17.24.050 below are satisfied as well as the access management standards in Section 17.26.020.*

Finding: This is only a 3-lot partition creating one vacant lot. When the lot is developed, it will need to follow the access management standards. The city's traffic consultant stated that adhering to spacing should be viable.

- f. *The plan complies with the provisions of the Comprehensive Plan and the zoning district(s) in which it is or will be located.*

Finding: The Comprehensive Plan map shows the proposed partition as residential use. It will continue to be residential and vacant use. The parcels will all conform to current zoning. The two parcels (Lot 1 and 3) will have single-family homes that conform to current zoning. The vacant Lot 2 is proposed to be larger than the minimum lot size and have more frontage than required.

- g. *The subdivision or partitioning preliminary plan provides adequate access and utilities to allow future development of the remainder of the parcel and adjacent parcels.*

Finding: To allow adequate access for utilities a 10 foot wide Public Utility Easement (PUE) should run the length of frontage areas in addition to the rights-of-way. For further development of Lot 2, since W Ida Street is a collector road, a 150-foot distance is required from adjacent driveway. Lot 2 has a frontage of 105 feet, so future development shall require strategic driveway placement from the driveway at 609 W Ida Street.

Condition: Ten-foot PUE are added along frontage to be consistent with Public Works Design Standards.

- h. *Multiple Access Roads: Developments of one- and two-family dwellings where the number of dwelling units exceeds 30, multiple-family residential projects having more than 100 dwelling units shall be provided with not less than two approved means of access. Exceptions may be allowed when the proposed CC&Rs for the development will require an automatic sprinkler system approved in accordance with the provisions of ORS 455.610(6).*

Finding: The dwelling units will not exceed 30 since this is not allowed in Medium Density (MD) Residential for this size partition. Density maximum for this zone is 12 units per acre. The parcel to be partitioned is an approximate total of 1.24 acres.

- i. *All applicable standards of Chapter 17.20 are satisfied.*

Finding: There are no standards of Chapter 17.20 applicable to this partitioning.

- j. *All applicable standards of 17.20.180 shall be met and the applicant shall obtain any necessary permits from the Department of State Lands for appropriate mitigation.*

Finding: There are no identified wetlands on this property.

- k. *The name of any proposed subdivision shall not be the same as or similar to any name used on a recorded plat or subdivision in Marion County, except for the use of suffixes such as "town," "place," "court," "addition," or similar generic terms, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party*

files and records the consent of the party that platted the subdivision bearing that name. All plats must continue the block numbers of the plat of the same name last filed. A name shall not be required for a partitioning.

Finding: As a partition, there is no name.

- l. The land division complies with the provisions of ORS 92.090 as amended.*

Finding: The applicable provisions of ORS 92.090 are that a tentative plan for a proposed partition shall not be approved unless the streets and roads are laid out so as to conform to the plats of subdivisions and partitions already approved for adjoining property as to width, general direction and in all other respects; streets and roads held for private use are clearly indicated on the tentative plan and all reservations or restrictions relating to such private roads and streets are set forth thereon; and the tentative plan complies with the applicable zoning ordinances and regulations and the ordinances or regulations adopted under ORS 92.044. There are no streets proposed as part of the partitioning. The MD zone establishes a 7,000 square foot minimum lot size with a minimum of 70 feet of frontage. The proposal is to create three lots with approximately more than 7,000 square feet of lot area and more than 70 feet of frontage.

- m. When any portion of a subdivision or partition is within 100 feet of the North Santiam River or Mill Creek or within 25 feet of the Salem Ditch, the land division and site development shall comply with the requirements of Sections 17.16.090.3, 17.16.090.4, and 17.20.080.2. Conditions, Covenants and Restrictions for the parcels shall assure that the vegetation maintenance standards of Section 17.20.080.2.d will be met.*

Finding: The subject property is not within 100 feet of the North Santiam River or Mill Creek or within 25 feet of the Salem Ditch.

Section 17.24.050 Design Standards for Subdivision and Partition Preliminary Plans.

Pursuant to SMC 17.24.050 the following criteria and objectives must be demonstrated as being satisfied by the application for preliminary plan approval of a partitioning:

1. STREETS.

a. Streets shall be in alignment with existing streets in the vicinity of the proposed subdivision, either by prolongation of existing centerlines or by connection with suitable curves. Streets shall conform to the location, alignment, and roadway design as indicated on the official map of streets known as the Future Street Plan and the Roadway Functional Classification Map in the adopted Stayton Transportation System Plan.

b. Streets should intersect at or near right angles as practicable, and in no case shall the angle of intersection exceed 120 degrees.

c. The criteria of a and b above may be modified where the applicant can demonstrate to the decision authority that the topography, or the small number of lots involved, or any other unusual conditions justify such modification.

d. Bikeways and pedestrian ways shall be required in accordance with the City of Stayton Transportation System Plan.

e. Concrete curbs and concrete sidewalks shall be installed on all streets, consistent with the Geometric Design Requirements by Street Functional Classification in the Public Works Design Standards.

In residential neighborhoods, sidewalks shall be placed along the property line whenever possible. In all cases, sidewalks shall be placed 1 foot from the property line on arterial and collector streets.

Findings: No new streets are proposed. The Transportation System Plan does call for (Project P13) to install a 6' sidewalk along W Ida Street. Project B9 of the Transportation System Plan calls for signing and striping of denoting a bike route. The sidewalk along W. Ida Street is currently substandard. Therefore, the frontages of Lot 1 and Lot 2 on W. Ida Street will require the removal of the existing substandard sidewalk and sidewalk ramp. These will need to be replaced with a 6' wide curb-tight sidewalk and compliant sidewalk ramps, in accordance with the PWDS, at the time of development, unless an alternative is approved by the Public Works Director.

In addition, the sidewalk on N Evergreen is substandard. The frontage of Lot 1 along N Evergreen needs to be removed and replaced with a 5' wide curb-tight sidewalk and compliant sidewalk ramps, in accordance with the PWDS, at the time of development, unless an alternative is approved by the Public Works Director

It is unlikely that W High Street will be improved, but the applicant shall agree to a non-remonstrance agreement for its future development.

Condition: Sidewalks along frontage of Lot 1 and 2 along W Ida Street are removed and replaced with six-foot sidewalks, and sidewalks along the frontage of Lot 1 on N Evergreen Avenue are removed and replaced with 5-foot sidewalks. In addition, a non-remonstrance agreement is non-remonstrance agreement between owner of Lot 3 is agreed to with the city to allow future development of W High Street.

2. DEDICATION OF A RIGHT-OF-WAY.

If a parcel of land to be divided includes any portion of a right-of-way or street, the preliminary plan shall show where such right-of-way or street will be dedicated for the purpose or use proposed.

Findings: The preliminary plan is required to show an additional right-of-way of 5' along the frontage of W Ida Street on Lots 1 and 2, additional right-of-way of 10' along the frontage of N Evergreen Avenue on Lots 1 and 3, and additional right-of-way of 5' along frontage of W High Street on Lot 3.

Condition: Add right-of-way areas along frontage are increased shown on Preliminary Plan to be consistent with Public Works Design Standards.

3. DEAD-END STREETS AND CUL-DE-SACS.

When it appears necessary to continue a street into a future subdivision or adjacent acreage, streets shall be dedicated or platted to the boundary of a division without a turn-around. In all other cases, dead-end streets and cul-desacs shall have a turn-around with a radius of not less than 45 feet to the property line. Unless otherwise approved by the decision authority, the length of the street to the cul-de-sac bulb shall not exceed 450 feet in length.

Findings: No dead-end or cul-de-sacs are proposed.

4. RESERVE BLOCK.

- a. Reserve blocks controlling the access to public ways or which will not prove taxable for special improvements may be required by the decision authority, but will not be approved unless such strips are necessary for the protection of the public welfare or of substantial property rights, or both, and in no case unless the land comprising such strips is placed in the name of the City for disposal and dedication for street or road purposes whenever such disposal or dedication has the approval of the decision authority.
- b. In no case shall a reserve block be platted along a street that is dedicated to the required full width.

Findings: No reserve blocks are proposed.

5. STREET WIDTHS.

- a. The location, width, and grade of all streets must conform to the Public Works Design Standards and City's Transportation System Plan. Where the location of a street is not shown in an approved street plan, the arrangement of streets in a development shall either provide for the continuation or appropriate projection of existing principal streets in the surrounding areas or conform to a plan for the neighborhood approved or adopted by the City to meet a particular situation where topographical or other conditions made continuance or conformance to existing streets impractical or where no plan has been previously adopted.
- b. In addition, new streets may be required to be located where the City Engineer determines that additional access is needed to relieve or avoid access deficiencies on adjacent or nearby properties. In determining the location of new streets in a development or street plan, consideration shall be given to maximizing available solar access for adjoining development sites.
- c. When an area within a subdivision is set aside for commercial uses or where probable future conditions warrant, the decision authority may require dedication of streets to a greater width than herein otherwise provided.
- d. The street right-of-way in or along the boundary of a subdivision shall have the minimum width as specified in the Public Works Design Standards.

Temporary dead-end streets. Dead-end streets that may in the future be extended shall have a right-of-way and pavement width that will conform to the development pattern when extended.

e. Additional Right-of-Way Widths.

- 1) Where topographical requirements necessitate either cuts or fill for the proper grading of streets, additional right-of-way width may be required to allow all cut and fill slopes to be within the right-of-way.
- 2) Where bikeways necessitate, additional right-of-way width may be required.

Findings: No new streets are proposed. Yet additional right-of-way areas need to be included to be consistent with the Stayton Transportation System Plan. There needs to be an additional right-of-way of

5' along the frontage of W Ida Street on Lots 1 and 2, additional right-of-way of 10' along the frontage of N Evergreen Avenue on Lots 1 and 3, and additional right-of-way of 5' along frontage of W High Street on Lot 3.

Condition: Right-of-way areas along frontage are increased to Public Works Design Standards.

6. SUBDIVISION BLOCKS.

a. Block lengths and widths shall be determined by giving consideration to the following factors:

- 1) The distance and alignment of existing blocks and streets.
- 2) Topography.
- 3) Lot size.
- 4) Need for and direction of the flow of through and local traffic.

b. Block length and perimeter standards are specified in Section 17.26.020.5.c.

c. Except where topographical or other physical features require otherwise, block widths shall not be less than 180 feet.

Findings: The application is for partitioning. No blocks will be created.

7. MID-BLOCK WALKS.

Where topographical or other conditions make necessary blocks of unusual length, the decision authority may require the Developer to install mid-block pedestrian walks on a right-of-way 20 feet in width, which shall consist of at least 8 feet of hard surfacing throughout the block, and curb to curb, in order to provide easy access to schools, parks, shopping centers, mass transportation stops, or other community services.

Findings: The application is for partitioning. No blocks will be created.

8. LOT SIZE, LOT LINES.

a. Lot sizes shall be as specified in the zoning district in which the land division is being proposed.

b. If topography, drainage, location, or other conditions justify, the decision authority may require greater area and frontage widths on any or all lots within a subdivision, or it may allow smaller area or front line widths if the surrounding area and other conditions justify such requirements.

c. In a cul-de-sac, the minimum lot line fronting the turn-around shall be 40 feet, and in no case shall the lot width be less than 60 feet at the building line.

d. Side lot lines shall be as close to right angles to the front street as practicable.

e. Unless otherwise approved, rear lot lines shall be not less than ½ the width of the front lot lines.

f. The subdividing or partitioning of developed property shall not create lots or parcels that are in violation of the dwelling density limitations of the underlying zone.

Findings: The MD zone requires a 7,000 square foot minimum lot size with a minimum 70 feet of lot width. The proposal creates three lots with approximately Lot 1 – 11,230 square feet and frontage of 202 feet, Lot 2 – 11,146 square feet and frontage of 105 feet, and Lot 3 – 31,834 square feet and frontage of 294 feet.

9. PUBLIC SURVEY MONUMENTS. Any donation land claim, corner, section corner, or other official survey monument within or on the boundary of a proposed subdivision shall be accurately referenced to at least two monuments.

Findings: There are no public survey monuments on the parcel.

10. SEWAGE DISPOSAL.

a. All extensions of the existing City sewage facilities shall be in accordance with the Public Works Design Standards and the City's Wastewater Master Plan. Sewer mains shall be extended to the edge of the subdivision unless otherwise approved by the Public Works Director.

b. If adequate public sewage facilities are not available to the parcel of land proposed for subdivision, or if extension of the existing City sewage facilities to serve the buildings to be constructed in the proposed subdivision does not appear practical and economically feasible because of topographic or other considerations, and if all lots in a subdivision are of proper size and soil conditions are suitable, as determined by percolator or other tests made by or approved by the health officer having jurisdiction, the City may allow individual sewage disposal facilities approved by the health officer to be installed on each lot when and as buildings are erected thereon.

Findings: There is an 8-inch sewer line on W High Street, a 10-inch sewer line W Evergreen Avenue, and a 15-inch sewer line in W Ida Street. Three sewer laterals lines are being installed to Lot 2 as part of the city's Phase 2 Ida Street Sanitary Sewer Replacement project.

11. PUBLIC USE AREAS.

a. Subdivision and partition preliminary plans shall provide a minimum of 5% of the gross area of the subdivision or partition as public recreation area.

b. Such public recreational area shall have access to a public street, and the decision authority may specify the location of such area to be compatible with existing or anticipated recreational development.

c. As an alternative to subsection a. of this section, in cases where such recreational area would not be effectively used because of size or the location of the subdivision or partition, or where agreed upon by the decision authority, the developer shall pay to the City a fee, earmarked for recreational use and development.

Findings: There are no proposed public use areas with this partition and no parks planned for the area in the Parks Master Plan.

12. WATER SUPPLY.

a. All lots shall be served from the established public water system of the City or, if permitted by the decision authority, from community or public wells, of which the water quality and system maintenance

shall be in accordance with the requirements of the Oregon Health Authority and Oregon Water Resources Department.

b. In the event that larger lines are deemed necessary by the City for service to adjoining areas than what would normally be required to serve the area to be subdivided, the City and the Developer will enter into an agreement that specifies what, if any costs the City will reimburse the Developer for the oversizing.

Findings: There is an 8-inch water line on W High Street, and W Evergreen Avenue, and a 16-inch water line in W Ida Street. Three water laterals meter lines are being installed to Lot 2 as part of the city's Phase 2 Ida Street Sanitary Sewer Replacement project.

13. UNDERGROUND UTILITIES.

a. All permanent utility service to lots in a subdivision shall be provided from underground facilities and no overhead utility service to a subdivision shall be permitted with the exception of poles used exclusively for street lighting and other equipment appurtenant to underground facilities that the utility companies have indicated in writing that there would be impractical difficulty to install underground.

Findings: This application is for partitioning. Permanent overhead power lines already exist for the two existing single-family homes on Lots 1 and 3. New overhead utility services are not proposed for the vacant Lot 2.

III. CONCLUSION

Based on the facts above, the Planning Commission concludes that the application meets the requirements for Sections 17.24.040.6, 17.24.050, and 17.26.020 are met, except 17.24.040.6.d., 17.24.040.6.g., 17.24.050.1. Section 17.24.050.2., and Section 17.24.050.5. These sections can be met if prior to the issuance of a building permits on the parcels the applicant submits plans for street, sewer, water, and stormwater improvement to meet Public Works Design Standards. The conditions can be found in their respective criteria findings.

IV. ORDER AND CONDITIONS OF APPROVAL

Based on the conclusions above, the Planning Commission approves the application for preliminary plan to divide 313 N Evergreen Avenue into 3 parcels as shown on sheet C1 dated May 29, 2024 prepared by Levi Warriner from North Santiam Paving Company, Stayton, OR and the accompanying materials that comprising the complete application subject to the attached standard conditions of approval and the following specific conditions for approval:

1. The Final Partitioning Plan shall show additional 5-foot wide right-of-way along frontage of W Ida Street, additional 10-foot wide right-of-way along the frontage of N Evergreen Avenue, and additional 5-foot right-of-way along the frontage on W High Street to meet the requirements of consistency with the Public Works Design Standards.
2. The Final Partitioning Plan shall show additional 10-foot wide Public Utility Easement along all frontages on W Ida Street, N Evergreen Avenue, and W High Street to meet the requirements of consistency with the Public Works Design Standards.

3. Engineered plans and supporting documentation shall be submitted to the City for review and approval prior to issuance of a Site Development Permit:
- a) Site and street improvement plans conforming to the SMC and Public Works Standards. Any new driveway approaches on W Ida Street shall comply with the Public Works Design Standards. This includes removal of sidewalks on frontage of W Ida Street, and N Evergreen Avenue with replacement of a 6-foot sidewalk along W Ida Street, and a 5-foot sidewalk along N Evergreen Avenue. A non-remonstrance agreement for between the city and future development along frontage of W High Street.
 - b) Water system plans conforming to the SMC, Public Works Standards, and meeting the requirements of the Building Official and Fire Code Official. The Developer shall provide written documentation that the Fire Code Official has reviewed and approved all required private fire access, protection devices, and system modifications, unless otherwise deferred in writing by the Fire Code Official.
 - c) Sanitary sewer system plans conforming to the SMC, Public Works Standards, and meeting the requirements of the Building Official.
 - d) A stormwater analysis and report conforming to Public Works Standards. Careful review and consideration of the area's seasonal high groundwater impacts, including the necessary vertical separation requirements, will need to be included in the analysis.
 - e) Stormwater conveyance, quality, and quantity facility plans conforming to Public Works Standards and meeting the requirements of the Building Official. It shall be the responsibility of the Developer to provide an acceptable point of discharge for stormwater from the development which will not harm or inconvenience any adjacent or downstream properties and that conforms to Public Works Standards. An acceptable point of discharge is to be designed by the Design Engineer and approved by the City.
 - f) A stormwater operation and maintenance plan and agreement (as approved by the City) to ensure future operation and maintenance of the stormwater quality and quantity facilities.
 - g) An erosion and sediment control plan for the site grading and earth disturbing activities conforming to Public Works Standards. A 1200-C permit will need to be obtained by the Developer from DEQ for any site disturbance of one or more acres through clearing, grading, excavating, or stockpiling of fill material.

V. OTHER PERMITS AND RESTRICTIONS

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

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

DRAFT

VI. EFFECTIVE DATE

This decision regarding this application is final, but shall not become effective until the 15th day after the mailing of the Notice of Decision in this case, and then only if no appeal to the Stayton City Council is timely filed. In the event of a timely appeal to the City Council, this decision shall not become effective until the appeal is finally resolved, including any appeals from the decision of the City Council to the Oregon Land Use Board of Appeals.

Subject to the Effective Date of this decision set forth herein, the land use approval granted by this decision shall also be effective only when the exercise of the rights granted herein is commenced within one year of the effective date of the decision. Section 17.12.120.7.c requires submittal and acceptance of a draft partition final plat. In case such right has not been exercised or extension obtained, this approval shall be void. A written request for an extension of time may be filed with the Director of Community and Economic Development at least 30 days prior to the expiration date of the approval.

VII. APPEAL DATES

The Planning Commission’s action may be appealed to the Stayton City Council pursuant to Stayton Municipal Code Section 17.12.110 APPEALS within 14 days of the notice of decision.

Planning Commission Chairperson

Date

Jennifer Siciliano,
Director of Community and Economic Development

Date

Standard Conditions of Approval for Land Use Applications

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

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

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

Application Review – 313 N. Evergreen Avenue 3-Lot Partition City of Stayton – Land Use File No. 3-01/24

TO: Jennifer Siciliano/*City Planning and Development Director*

FROM: John Ashley, P.E./*City Engineer*

COPIES: Lance Ludwick, P.E./*Public Works Director*
Michael Schmidt/*Public Works Engineering Technician II*

PROJECT: **Application Review for a three lot partitioning at 313 N. Evergreen
Avenue - 091W10CC, TL03000**

DATE: July 17, 2024

Background

I received a copy of the application and site plan provided by North Santiam Paving Company, for Owner/Developer Kardboard Box, LLC, with a request by the City of Stayton to review and respond. The application is regarding a three lot partitioning of TL03000 located at 313 N. Evergreen Avenue. The existing parcel is approximately 1.25 acres in size with two single family dwellings, and is located along the frontage of W. High Street, N. Evergreen Avenue, and W. Ida Street. A request to develop the vacant parcel is not included as part of the application.

The following land use application review concentrates on the public works aspects and implications of the application, including anticipated impacts to existing public utilities and recommended public improvements. The review findings and public works recommendations are based on a review of the applicable public works portions of the City of Stayton Municipal Code (SMC) and Public Works Design Standards (PWDS), and does not include a review of any other agency's requirements, or any building or other specialty code requirements covered under such building, plumbing, mechanical, electrical, fire, or any other applicable codes and regulations that may be required for the project.

The Developer will be required to obtain any and all required reviews, approvals, and permits required by the Planning Conditions of Approval, SMC, PWDS, Marion County, DEQ, OHA-DWS, Fire Code Official, Building Official, and/or any other agencies having jurisdiction over the work. As such, the Developer shall coordinate with Public Works, Fire Code Official, Building Official, and other appropriate agencies as necessary. The City of Stayton Municipal Code and Public Works Standards are available online at <http://www.staytonoregon.gov>, under the document center and the public works department menus.

It is recommended that City Staff review this memorandum in conjunction with their application review.

Project Overview

Project Site and Access

The application and City GIS mapping show the location of the proposed development to be within Township 9 South, Range 1 West, Section 10CC, Tax Lot 03000. Vehicular access to the existing two lots is shown to remain along N. Evergreen Avenue and W. High Street. Proposed vehicular access for the new lot will be from W. Ida Street. From the tax assessor's map, Tax Lot 03000 is shown to be approximately 1.25 acres in size.

Existing Site Topography and Utilities

Existing site topography was not provided with the application site plan. However, the application site plan does identify existing utilities located along the frontage of the parcel. City GIS mapping indicates that there is an existing 8" gravity sanitary sewer and 8" DI water main within W. High Street, an existing 10" gravity sewer and 8" AC water main within N. Evergreen Avenue, and an existing 15" gravity sanitary sewer, 4" AC water main, and 16" DI water main within W. Ida Street. There is an existing 8" storm drainage system at the intersection of N. Evergreen Avenue and W. High Street, and an existing 10" storm drainage system at the intersection of N. Evergreen Avenue and W. Ida Street.

Construction Phasing

In accordance with PWDS 103.01.B, if a development that has been approved by the City to be constructed in multiple phases, the construction plans for each phase of the development shall be substantially and functionally self-contained and self-sustaining with regard to access, utilities, open spaces, and similar physical features, and shall be capable of substantial occupancy, operation, and maintenance should the subsequent phases of the development not be developed. City approval of the construction plans and the time by which construction must begin of one construction phase, shall be independent of City approval for all other construction phases of the development.

Horizontal and Vertical Datum

In accordance with PWDS 102.03, all elevations on design plans and record drawings shall be based on the NAVD88 Datum, and the horizontal datum shall be based on the Stayton local datum or Oregon State Plain Coordinate System (NAD83).

Findings

Transportation

- **TIA/TAL** – A Transportation Assessment Letter (TAL) will be required as part of future development in accordance with PWDS 302.02 and SMC 17.26.050, unless otherwise waived by the Public Works Director.
- **Right of Way (R/W)** – Right-of-ways shall comply with the SMC and PWDS 312, Geometric Design Requirements by Street Functional Classification at the time of development. Right-of-way dedication at intersections shall be sufficient to at minimum provide 1' clearance behind sidewalks and curb ramps in accordance with PWDS 302.05.C. The standard 10' wide public utility easement shall be provided along the frontage in accordance with PWDS 102.08, unless otherwise approved by the Public Works Director.
 - **W. Ida Street** – W. Ida Street is designated as a Collector under City jurisdiction. PWDS 312 requires a minimum of 60' of R/W for W. Ida Street. From the tax assessor's map, it appears that approximately 5' of additional R/W dedication is needed along the frontage in order to meet the half-width R/W requirement in the PWDS, and any additional R/W dedication that is necessary to provide the required 1' minimum behind the back of walk and sidewalk ramps at the intersection of N. Evergreen Avenue in accordance with the PWDS. The standard 10' wide public utility easement is recommended to be provided along the frontage in accordance with the PWDS.
 - **N. Evergreen Avenue** – N. Evergreen Avenue is designated as a Local Street under City jurisdiction. PWDS 312 requires a minimum of 60' of R/W for N. Evergreen Avenue. From the tax assessor's map, it appears that approximately 10' of additional R/W dedication is needed along the frontage in order to meet the half-width R/W requirement in the PWDS. The standard 10' wide public utility easement is recommended to be provided along the frontage in accordance with the PWDS.
 - **W. High Street** – W. High Street is designated as a Local Street under City jurisdiction. PWDS 312 requires a minimum of 60' of R/W for W. High Street. From the tax assessor's map, it is not clear if there is already 60' of R/W along the frontage of W. High Street. However, the application site plan shows that there is only 25' of half-width R/W along the frontage of W. High Street. As such, it appears that approximately 5' of additional R/W dedication is needed along the frontage in order to meet the half-width R/W requirement in the PWDS. Additional R/W dedication will also be necessary to provide the required 1' minimum behind the back of walk and sidewalk ramps at the intersection of N. Evergreen Avenue in accordance with the PWDS. The standard 10' wide public utility easement is recommended to be provided along the frontage in accordance with the PWDS.
- **Street Improvements** – Street sections shall comply with PWDS 312, Geometric Design Requirements by Street Functional Classification. In accordance with PWDS 302.01.D, it

shall be the responsibility of the Developer to preserve and protect the current pavement condition index rating and the structural integrity of the existing roadways from construction traffic to the satisfaction of the Public Works Director throughout all phases of development. Failure to preserve and protect the roadways may result in the Owner/Developer being responsible for replacing and reconstructing the damaged roadways at the Owner/Developer's expense. It should also be noted that final asphalt concrete pavement and sidewalk sawcut lines for all street improvements will be established by the City Inspector with the Design Engineer and Contractor during construction in accordance with the PWDS.

- **W. Ida Street** – W. Ida Street is considered to be developed along the frontage with asphalt pavement, curb, and substandard sidewalk. As such, the removal of existing substandard sidewalk and substandard sidewalk ramp, and replacement with 6' wide curb tight sidewalk and sidewalk ramps in accordance with the PWDS will be required at the time of development, unless otherwise approved by the Public Works Director.
- **N. Evergreen Avenue** – N. Evergreen Avenue is considered to be developed along the frontage with asphalt pavement, curb, and sub standard sidewalk. As such, the removal of existing substandard sidewalk and replacement with 5' wide curb tight sidewalk will be required at the time of development, unless otherwise approved by the Public Works Director.
- **W. High Street** – W. High Street along the frontage is not developed. As such, a half-street improvement consisting of an asphalt pavement section, curb and gutters, sidewalks, street lighting, and storm drainage in accordance with PWDS 303.02 will be required at the time of development, unless otherwise approved by the Public Works Director. The Local Street typical section shown in PWDS 312 calls for a 34' wide curb to curb street improvement with 5' property line sidewalks.
- **Sight Distance and Clearance Areas** – Adequate sight distance and clearance areas shall be provided in accordance with PWDS 303.06. Landscaping shall be located and designed to prevent obstruction of the sight distances and clear vision areas.
- **Driveway Spacing** – PWDS 303.11.D requires the driveway spacing to be 50' on Local Streets and 150' on Collector Streets from another driveway or from a nearby street intersection. As such, the driveway access spacing and distances will need to be reviewed by the Developer's Traffic Engineer as part of the TAL and reviewed by the City's Traffic Engineer.
- **Street Lighting** – The location of existing street lights shall be reviewed and any additional street lighting shall be provided as necessary at the time of development to comply with PWDS 308, unless otherwise approved by the Public Works Director.
- **Streetscape Appurtenances** – All public and private franchise utility items that currently exist or will be placed in the right-of-way that will impact the sidewalk and/or the landscape strip shall be coordinated and shown on the plans as necessary. Franchise utility poles and other utility structures shall be coordinated with rightful utility owners

and located in accordance with PWDS requirements. Street trees shall be provided in accordance with PWDS 309.05; however, they shall be located and designed to prevent obstruction of the sight distances and clear vision areas.

- **Transportation System Plan** – It does not appear that there are any motor vehicle transportation system improvements identified in Figure 10 of the Transportation System Plan that are needed along the frontage of the proposed development site. However, Figures 3 and 5 of the Transportation System Plan do identify some bike and pedestrian improvements that are needed along the frontage of the proposed development site. The applicant will need to review and comply with the most current recommendations of the Transportation System Plan at the time of development.
- **Parks Master Plan** – The development shall comply with the Parks Master Plan, including the appropriate open space, trails, and landscaping.
- **Engineered Plans** – Prior to City Permit issuance, the Developer shall submit to the City for review and approval engineered site and street improvement plans conforming to the SMC and Public Works Standards.

Water

- **Domestic Water Service and Backflow Prevention** – A utility layout showing water service necessary to serve the site was not provided with the application site plan. Appropriate water services and necessary backflow prevention devices will be required to be installed in accordance with the PWDS at the time of development. Modifications to the existing water system shall comply with the SMC, Public Works Standards, and applicable building/specialty codes. All private utilities will need to be adequately sized and designed by the Design Engineer in accordance with applicable building/specialty codes, and reviewed and approved by the Building Official.
 - Any existing water services proposed to be reused shall be located and inspected prior to reuse. If the existing water service is found by Public Works to be unacceptable for reuse, then a new water service and/or water meter assembly shall be provided.
 - All backflow prevention details will need to be reviewed and approved by the City, Building Official, and the Fire Code Official, as applicable. Only Oregon Health Authority – Drinking Water Services (OHA-DWS) approved backflow devices shall be used.
- **Fire Protection** – Generally, fire hydrant(s) are required to be installed within 250' of any new structure, unless otherwise approved by the Fire Code Official. The Developer shall review and coordinate with the Fire Code Official to ensure compliance with applicable fire codes and regulations. Any necessary water system improvements shall comply with the Public Works Standards and be shown on the engineered plans. The Developer shall provide the necessary fire access, protection devices, and system modifications and meet all other fire protection requirements of the Fire Code Official.

- **Fire Code Official Approval** – Prior to City Permit issuance, the Developer shall provide written documentation showing that the Fire Code Official has reviewed and approved all required fire access, protection devices, and system modifications, unless otherwise approved to be deferred in writing by the Fire Code Official.
- **Water Master Plan** – It does not appear that there are any water master planned improvements identified in Figure 4 of the Water Master Plan that are needed along the frontage of the proposed development site other than to abandon the existing 4" AC water main and install new water service connections to the existing 16" DI water main. However, the applicant will need to review and comply with the most current recommendations of the Water Master Plan at the time of development.
- **Engineered Plans** – Prior to City Permit issuance, the Developer shall submit to the City for review and approval an engineered water system plan conforming to the SMC, Public Works Standards, and meeting the requirements of the Building Official and Fire Code Official. A utility easement in accordance with PWDS 102.08 shall be provided if an approved public water main and/or public fire hydrant is extended outside the public right-of-way.

Sanitary Sewer

- **Sanitary Sewer** – A utility layout showing sanitary sewer service necessary to serve the site was not provided with the application site plans. Appropriate sanitary sewer services will be required to be installed in accordance with the PWDS at the time of development. Modifications to the existing sanitary sewer system shall comply with the SMC, Public Works Standards, and applicable building/specialty codes. All private utilities will need to be adequately sized and designed by the Design Engineer in accordance with the PWDS and applicable building/specialty codes, and reviewed and approved by the Building Official.
 - In accordance with PWDS 506.01.A, each individual building lot shall typically be connected by a single, separate, private, building-sewer/sewer lateral line connected to the public sanitary sewer system. Individual sewer service laterals shall be located no closer than 10' from adjacent property lines (property lines which are perpendicular to public right-of-way). All public service laterals shall extend from the sanitary sewer mainline to the private property line, where a two-way property line cleanout shall be installed. A continuous tracer wire shall be installed from the main to the clean-out of the sewer service lateral at the right-of-way.
 - In accordance with PWDS 506.01.B, laterals which serve individual single-family residences or equivalent dwellings, shall be 4" in diameter, and multi-family dwellings or commercial buildings shall have 6" diameter laterals. Laterals shall not be connected directly to manholes.
- **Wastewater Master Plan** – Figure 12b of the Wastewater Master Plan identifies sanitary sewer main capacity issues from existing sanitary sewer flows within Jettters Way, W. Ida Street, N. Evergreen Avenue, and other areas as indicated in the figure. Until the

downstream replacement projects shown in Figure 15 of the Wastewater Master Plan are completed, any additional sewer flow to this system can only exacerbate the existing capacity issues in the sewer mains. The City recently replaced a downstream portion of the existing sanitary sewer system within W. Ida Street as part of Phase 1 of the W. Ida Street Sanitary Sewer Replacement Project, and is currently in construction of Phase 2 of the project. Phase 2 will replace the existing sanitary sewer within W. Ida Street up to the intersection of N. Evergreen Avenue, and within N. Evergreen Avenue up to the existing bridge. As such, it is recommended that the Developer and City work together to have the appropriate sewer laterals needed for this proposed development project installed as part of Phase 2 of the W. Ida Street Sanitary Sewer Replacement Project.

- **Engineered Plans** – Prior to City Permit issuance, the Developer shall submit to the City for review and approval engineered sanitary sewer plan conforming to the SMC, Public Works Standards, and meeting the requirements of the Building Official.

Stormwater

- **Site Excavation and Grading** – The design, excavation, and grading of the site shall comply with SMC 15.10, and any necessary engineering reports for the design, excavation, and grading of the site shall be provided in accordance with SMC 15.10.090. Excavation and grading setbacks shall comply with SMC 15.10.140. Inspection during construction of the excavation and grading work shall be in accordance with 15.10.170. Upon completion, final asbuilts, reports, and written certification shall be provided to the City in accordance with 15.10.180.
- **Storm Drainage System** – A utility layout showing storm drainage necessary to serve the site was not provided with the application site plan. The storm drainage system for the development shall be designed in accordance with PWDS requirements and design calculations shall be submitted for review at the time of development. All private utilities will need to be adequately sized and designed by the Design Engineer in accordance with the PWDS and applicable building/specialty codes, and also reviewed and approved by the Building Official.
- **Stormwater Analysis and Report** – A stormwater analysis, drainage report and supporting documentation will be required in accordance with PWDS 603.01 at the time of development. Existing site topography, off-site contributing areas, and the high seasonal groundwater elevation will need to be considered and included in the stormwater design. The City is known to have high seasonal groundwater issues, so the potential impacts to the stormwater drainage system and stormwater facilities will need to be considered in the design.
- **Stormwater Quality and Quantity** – In accordance with PWDS 602.01.N, stormwater quality and quantity provisions shall be included as part of the design considerations. The City's thresholds for proposals that are subject to the stormwater quality and quantity requirements are as indicated in PWDS 602.01.N. Unless otherwise specifically approved by the City Engineer, proposals meeting these thresholds must comply with

the stormwater quality (pollution reduction) requirements specified in PWDS 607, the stormwater quantity (flow control) requirements specified in PWDS 608, and the stormwater infiltration requirements specified in PWDS 609. All projects shall comply with the City's stormwater operations and maintenance (O&M) plan and agreement requirements and source control requirements.

- In accordance with PWDS 602.01.N, stormwater shall be surface infiltrated onsite to the maximum extent feasible, before discharging any flows offsite. As previously noted, the City is known to have high seasonal groundwater issues, so if infiltration is proposed, the site's actual infiltration rates (to be determined during wet-weather months) and the seasonal high groundwater elevation for this area will need to be determined and the potential impacts to the stormwater drainage system and stormwater facilities (including the vertical separation requirements) will need to be considered in the design. Per PWDS Table 602.05.C, a 5' minimum vertical separation from the high seasonal groundwater shall be provided, unless otherwise approved. See PWDS 609 for stormwater infiltration requirements.
- Stormwater quality facilities meeting the requirements of PWDS 607 will be required. Stormwater facilities will need to properly function during periods of high seasonal groundwater and the water quality of the groundwater needs to be adequately protected. Best management practices shall be used to minimize any degradation of stormwater quality caused by the development. A stormwater quality manhole shall be provided upstream of vegetated stormwater facilities per PWDS 607.03, unless otherwise approved.
- Stormwater quantity facilities meeting the requirements of PWDS 608 will be required. If retention is proposed, then the stormwater retention facility shall be designed to retain a 100-year storm event per PWDS 602.05.C. If detention is proposed, stormwater quantity facilities will be required to detain post-developed peak runoff rates from the 2-year, 5-year, 10-year, 50-year, and 100-year 24-hour storm events to the respective pre-developed peak runoff rates, and the post-developed peak runoff rate for the 25-year storm event will be required to be detained to the 10-year pre-developed peak runoff rate per PWDS 602.05.C. A downstream capacity analysis may also be required per PWDS 603.01.B.
- Provisions for an adequate and approved emergency overflow system are required to convey the post-developed 100-year storm event flows to an acceptable point of discharge, and an emergency escape route shall be provided in accordance with SWMM requirements. Per SWMM 2.4.2.3, emergency escape routes from stormwater facilities are not the same as a piped overflow and cannot be directly piped to public storm sewer systems. Recommended emergency escape routes include safe overland flow routes to parking lots, streets, landscaped areas, or drainage ways.
- Appropriate setbacks from the edge of the stormwater facility's maximum water surface to the building foundations and property lines shall be provided, unless an

- easement with adjacent property owners is provided in accordance with the SWMM requirements.
- The amount of impervious surface area that has been included in the stormwater calculations shall be shown in the stormwater drainage report narrative and noted on the stormwater plans, including what the impervious surface area calculation includes (e.g., pavements, sidewalks, driveways, driveway approaches, roofs, etc.). The maximum amount of impervious surface area shall be shown for the building to be constructed that has been accounted for in the stormwater facility design. The stormwater facility open water surface area shall be included in the calculations as an impervious open water surface area.
 - Source control measures shall be implemented for the development in accordance with PWDS 602.01.N. The SWMM Source Control Manual defines the source control characteristics and uses and identifies structural source controls that must be implemented to manage the pollutants at their source.
 - **Acceptable Point of Discharge** – It shall be the responsibility of the Developer to provide a suitable discharge location for stormwater from the development which will not harm or inconvenience any adjacent or downstream properties and that conforms to Public Works Standards and any other applicable jurisdictional agency’s requirements. An acceptable point of discharge is to be designed by the Design Engineer and approved by the City.
 - **Stormwater Operation and Maintenance Plan and Agreement** – Stormwater operation and maintenance of any private stormwater facilities will be the obligation of the property owner. As such, a stormwater operation and maintenance plan and agreement (as approved by the City) will be required to ensure future operation and maintenance of private stormwater facilities. See the Public Works Standard forms.
 - **Stormwater Master Plan** – It does not appear that there are any stormwater master planned improvements identified in Figure 11 of the Stormwater Master Plan that are needed along the frontage of the proposed development site. However, the applicant will need to review and comply with the most current recommendations of the Stormwater Master Plan at the time of development.
 - **Engineered Plans** – Prior to City Permit issuance, the Developer shall submit to the City for review and approval engineered stormwater conveyance, quality, and quantity plans, stormwater analysis and report, and an O&M plan and agreement conforming to the SMC, Public Works Standards, and meeting the requirements of the Building Official. A utility easement in accordance with PWDS 102.08 shall be provided if an approved public storm drainage main is extended outside the public right-of-way.

Erosion and Sediment Control

- **Erosion and Sediment Control Plan** – The Developer shall submit to the City for review and approval an erosion and sediment control plan conforming to the SMC and Public Works Standards, and meeting the requirements of DEQ (as applicable). Erosion and

sediment control measures shall be in accordance with PWDS Division 7. A 1200-C permit will need to be obtained by the Developer from DEQ for any site disturbance of one or more acres through clearing, grading, excavating, or stockpiling of fill material.

Franchise Utilities

- **Franchise Utility Improvements** – All franchise utility improvements, including but not limited to, telephone, electrical power, gas and cable TV shall meet the current standards of the appropriate agency as well as Public Works Standards. All franchise utilities shall be located with the 10' PUE and utility plans shall be submitted to the City for review and approval.

Recommended Public Works Conditions of Approval

1. The City of Stayton Standard Conditions of Approval shall apply. All required easements, agreements, and other documentation required by the Planning Conditions of Approval, SMC, PWDS and other agencies having jurisdiction over the work shall be provided to the City for review and approval at the time of development, prior to City Permit issuance.
2. The following engineered plans and supporting documentation shall be submitted to the City for review and approval at the time of development, prior to City Permit issuance.
 - a. Site and street improvement plans conforming to the SMC and Public Works Standards.
 - b. Water system plans conforming to the SMC, Public Works Standards, and meeting the requirements of the Building Official and Fire Code Official. The Developer shall provide written documentation that the Fire Code Official has reviewed and approved all required private fire access, protection devices, and system modifications, unless otherwise deferred in writing by the Fire Code Official.
 - c. Sanitary sewer system plans conforming to the SMC, Public Works Standards, and meeting the requirements of the Building Official.
 - d. A stormwater analysis and report conforming to Public Works Standards. Careful review and consideration of the area's seasonal high groundwater impacts, including the necessary vertical separation requirements, will need to be included in the analysis.
 - e. Stormwater conveyance, quality, and quantity facility plans conforming to Public Works Standards and meeting the requirements of the Building Official. It shall be the responsibility of the Developer to provide an acceptable point of discharge for stormwater from the development which will not harm or inconvenience any adjacent or downstream properties and that conforms to Public Works Standards. An acceptable point of discharge is to be designed by the Design Engineer and approved by the City.

- f. A stormwater operation and maintenance plan and agreement (as approved by the City) to ensure future operation and maintenance of the stormwater quality and quantity facilities.
- g. An erosion and sediment control plan for the site grading and earth disturbing activities conforming to Public Works Standards. A 1200-C permit will need to be obtained by the Developer from DEQ for any site disturbance of one or more acres through clearing, grading, excavating, or stockpiling of fill material.



City of Stayton

Department of Community and Economic Development

362 N. Third Avenue • Stayton, OR 97383

Phone: (503) 769-2998 • Fax (503) 769-2134

jsiciliano@staytonoregon.gov

www.staytonoregon.gov

REQUEST FOR COMMENTS ON PROPOSED LAND USE ACTION

DATE: July 5, 2024

TO: Stayton Police Department Stayton Fire District
 North Santiam School District Stayton Public Works
 Marion County Public Works Pacific Power
 Stayton Cooperative Telephone Northwest Natural
 Santiam Water Control District Wave Broadband

FROM: City of Stayton Community and Economic Development Department

RE: **Land Use File 3-01/24** – Application for preliminary partition plan of a 1.25-acre parcel to divide into 3 lots: Lot 1 – 11,230 square feet, Lot 2 – 11,146 square feet, and Lot 3 – 31,834 square feet. It is located at 313 N Evergreen Avenue and is zoned Medium Residential Density (MD).

APPLICANT: Ross Bochsler, P.O. Box 516, Stayton, OR

TAX MAP/LOT NUMBER: 091W10CC3000

DECISION CRITERIA: Stayton Municipal Code (SMC) 17.24.040.6 Preliminary Plan Approval Criteria;

APPLICATION DEEMED COMPLETE: July 5, 2024

PUBLIC HEARING DATE: July 29, 2024

The City of Stayton is soliciting comments which you may wish to contribute to Stayton’s review of the above described land use case. Any questions should be directed to Jennifer Siciliano, Community and Economic Development Director, 362 N. Third Avenue, Stayton, Oregon 97383, (503) 769-2998 or at jsiciliano@staytonoregon.gov.

In order for staff to process this application in a timely manner, comments need to be in our office by **July 18, 2024**. You may make your comments to city staff by phone, email, or letter. You may use the response form below.

Failure to reply or participate in a hearing will be interpreted as no objection to the proposal.

PLEASE CHECK THE APPROPRIATE ITEMS:

- We are not affected by the proposal.
- We have reviewed the proposal and have no comments.
- We would like to receive a copy of the staff decision/report in this case.
- Our comments are attached.
- Our comments are:

By: Jay Allen

Date: 7-8-2024

Agency: Stayton Fire District

THE CITY OF STAYTON IS AN EQUAL OPPORTUNITY EMPLOYER AND SERVICE PROVIDER

POLICE
 386 N. THIRD AVENUE
 STAYTON, OR 97383
 (503) 769-3423
 FAX (503) 769-7497

**COMMUNITY AND
 ECONOMIC
 DEVELOPMENT**
 362 N. THIRD AVENUE
 STAYTON, OR 97383
 (503) 769-2998
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PUBLIC WORKS
 362 N. THIRD AVENUE
 STAYTON, OR 97383
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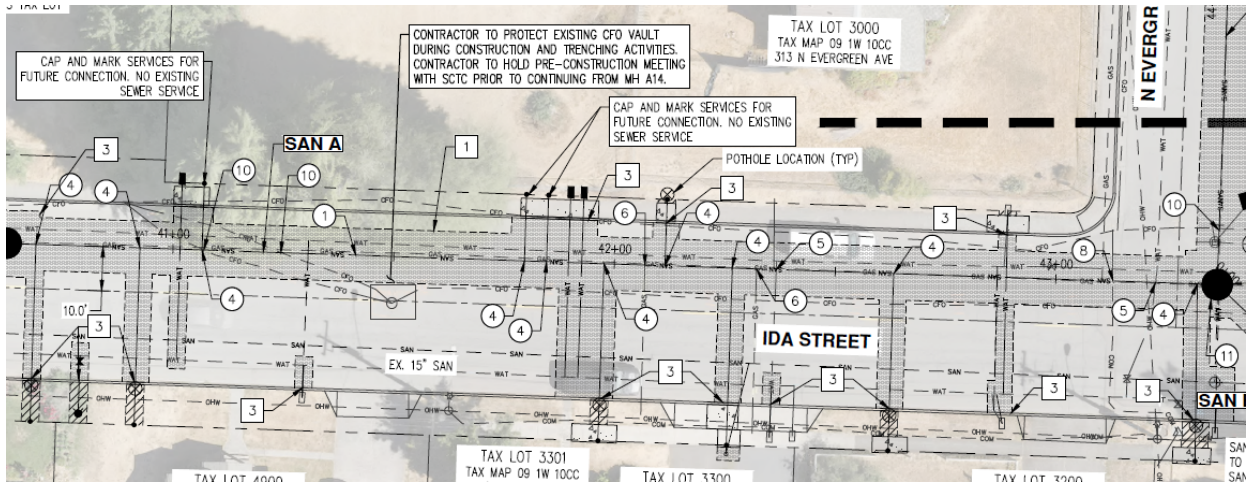
WASTEWATER
 950 JETTERS WAY
 STAYTON, OR 97383
 (503) 769-2810
 FAX (503) 769-7413

LIBRARY
 515 N. FIRST AVENUE
 STAYTON, OR 97383
 (503) 769-3313
 FAX (503) 769-3218

From: Michael Schmidt
To: Jennifer Siciliano; jashley@ashleyengr.com
Subject: Evergreen partition
Date: Wednesday, July 17, 2024 9:57:29 AM
Attachments: image001.png
image002.png
image003.png

FYI.

With the Ida SS Replacement Ph. 2 project, Lot 2 in the Evergreen Partition proposal is to have three (3) new water service and sewer laterals installed.



Michael Schmidt
311 N 3rd Avenue
Stayton, OR 97383
(503) 769-2919
mschmidt@staytonoregon.gov

Comments on Planning Action: Stayton-Kardboard Box LLC Partition Application

Date 8 / 08 / 2024 Person Commenting Kent Inman

Subdivision:

- 1. Subdivision name must be approved per ORS 92.090.
- 2. Must be surveyed and platted per ORS 92.050.
- 3. Subdivision plat must be submitted for review.
- 4. Checking fee and recording fees required.
- 5. Per ORS 92.065 - Remaining monumentation bond may be required if some of the plat monuments have not been set and/or the installation of street and utility improvements has not been completed, or other conditions or circumstances cause the delay (or resetting) of monumentation.
- 6. A current or updated title report must be submitted at the time of review. Title reports shall be no more than 15 days old at the time of approval of the plat by the Surveyor's Office, which may require additional updated reports.

Partition:

- 1. Per ORS 92.055 – Parcels over 10 acres can be unsurveyed.
- 2. Parcels ten acres and less must be surveyed.
- 3. Per ORS 92.050, plat must be submitted for review.
- 4. Checking fee and recording fees required.
- 5. A current or updated title report must be submitted at the time of review. Title reports shall be no more than 15 days old at the time of approval of the plat by the Surveyor's Office, which may require additional updated reports.

Property Line Adjustment:

- 1. The adjusted line must be surveyed and monumented per ORS 92.060 (7).
- 2. Survey checking fee required at the time of review.

(See Page 2 for additional comments)

Property Line Adjustment (continued):

- ___ 4. Property line adjustment deeds shall be recorded with the Marion County Clerk's Office. Per ORS 92.190 (4): The deed shall contain the names of the parties, the description of the adjusted line, references to original recorded documents and signatures of all parties with proper acknowledgment.

- ___ 5. A re-plat (**in the form of a partition plat**) is required, due to the adjustment of a partition plat parcel line or subdivision lot line. A property line adjustment deed for the area being transferred shall be recorded with the Marion County Clerk's Office. As per ORS 92.190 (4): The deed shall contain the names of the parties, the description of the adjusted line, references to original recorded documents and signatures of all parties with proper acknowledgment.

The deeds conveying the re-platted parcels shall be recorded after the recording of the re-plat.

Re-plat: (Re-configuration of lots or parcels and public easements within a recorded plat)

- ___ 1. Must comply with all provisions per ORS 92.185 (6)
- ___ 2. Must be surveyed and platted per ORS 92.050, and the plat submitted for review.
- ___ 3. Checking fee and recording fees required.
- ___ 4. A current or updated title report must be submitted at the time of review.
- ___ 5. The portion of the subdivision or partition plat proposed for replatting contains utility easement(s) that will need to be addressed. Per ORS 92.185 (4), when a utility easement is proposed to be realigned, reduced in width or omitted by a replat, all affected utility companies or public agencies shall be notified, consistent with a governing body's notice to owners of property contiguous to the proposed plat. Any utility company that desires to maintain an easement subject to vacation must notify the governing body in writing within 14 days of the mailing or other service of the notice.

Other comments specific to this Planning Action:

From: [Johnson, Blake](#)
To: [Jennifer Siciliano](#)
Cc: [Schurter, Andrew](#)
Subject: RE: [External]Request for Comments on Application for Preliminary Partition Plan
Date: Thursday, July 18, 2024 11:57:45 AM
Attachments: [image001.png](#)
[Ida & Evergreen Request for Comments Departments.pdf](#)

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I have reviewed this and identified two services that enter this location, one from Ida St and the other comes in from High St.

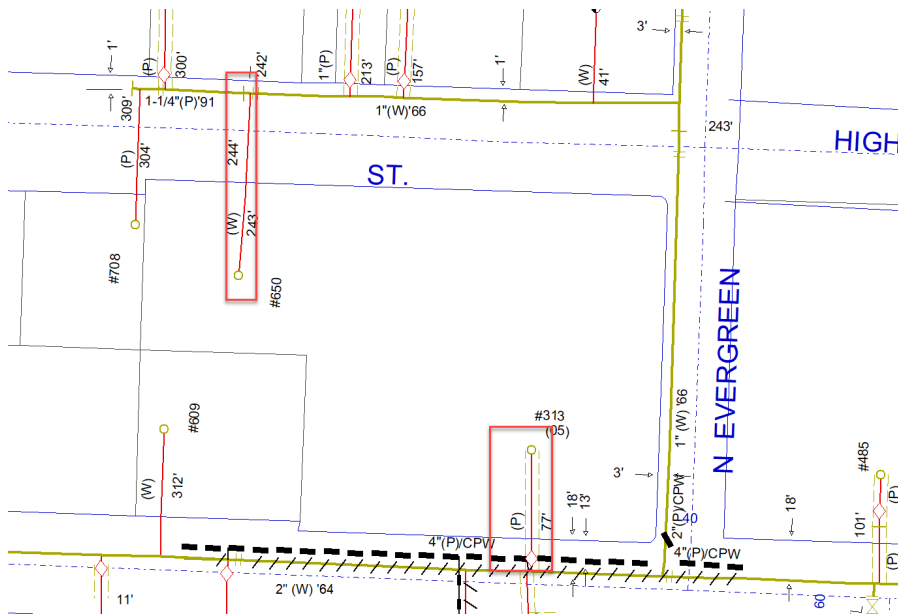
These will need to be abandoned prior to and demolition to the existing structures that they are serving.

Additionally, we have mains on all streets surrounding the property, if there will be any ROW improvements on Ida, Evergreen, or High St. the potential is there for conflicts with our facilities. And we would need to be notified early on to get these facilities relocated.

Developer can find our Facilities relocation request form online at NW Natural's website.

Please let me know if you have any questions.

Thank you,



Blake Johnson
NW Natural – Field Engineering
W:971.979.6859 m: 503.833.2519
nwnatural.com

From: Jennifer Siciliano <jsiciliano@staytonoregon.gov>
Sent: Friday, July 5, 2024 11:03 AM
To: Adam Kohler <Adam.Kohler@PacifiCorp.com>; breich@co.marion.or.us; Brent Stevenson <brents.swcd@wvi.com>; Kelley, Brian <Brian.Kelley@nwnatural.com>; Christopher Clark <Christopher.clark@pacificorp.com>; Hammond, Darrell <Darrell.Hammond@nwnatural.com>; dfreitag@santiamhospital.org; Doug Kintz <doug.kintz@staytonfire.org>; Erik Hoefler <erik@sctcweb.com>; Gwen Johns <gjohns@staytonoregon.gov>; Janelle Shanahan <jshanahan@co.marion.or.us>; Jay Alley <jay.alley@staytonfire.org>; John Eckis <johneckis@sctcweb.com>; John Rasmussen <jrasmussen@co.marion.or.us>; Kendall Smith <ksmith@staytonoregon.gov>; kinman@co.marion.or.us; Lance Ludwick <lludwick@staytonoregon.gov>; Lee Loving <lee.lovings@nsantiam.k12.or.us>; Max Hepburn <mhepburn@co.marion.or.us>; MCPW Engineering <mcldep@co.marion.or.us>;

From: [Clevenger, Wayne \(PacifiCorp\)](#)
To: [Jennifer Siciliano](#); [Kohler, Adam \(PacifiCorp\)](#); [breich@co.marion.or.us](#); [Brent Stevenson](#); [brian.kelley@nwnatural.com](#); [d5h@nwnatural.com](#); [dfreitag@santiamhospital.org](#); [Doug Kintz](#); [Erik Hoefer](#); [Gwen Johns](#); [Janelle Shanahan](#); [Jay Alley](#); [John Eckis](#); [John Rasmussen](#); [Kendall Smith](#); [kinman@co.marion.or.us](#); [Lance Ludwick](#); [Lee Loving](#); [Max Hepburn](#); [MCPW Engineering](#); [Michael Ruiz-Leon](#); [Michael Schmidt](#); [Willis, Nicole \(PacifiCorp\)](#); [oregonconstruction@wavebroadband.com](#); [planning@co.marion.or.us](#); [rlee@waveboardband.com](#); [Salem Development Services](#); [Susan Wright](#); [Troy Wheeler](#)
Cc: [John Asley, P.E.](#); [Caleb Cox](#)
Subject: RE: [INTERNET] Request for Comments on Application for Preliminary Partition Plan
Date: Monday, July 8, 2024 5:58:16 AM

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We do not see any obvious conflicts currently, however, the responsibility to notify Pacific Power lies with the developer.

If questions surface, please reach out to address concerns.

Please remove Christopher Clark (Pacific Power) from your message distribution list.

From: Jennifer Siciliano <jsiciliano@staytonoregon.gov>
Sent: Friday, July 5, 2024 11:03 AM
To: Kohler, Adam (PacifiCorp) <Adam.Kohler@PacifiCorp.com>; breich@co.marion.or.us; Brent Stevenson <brents.swcd@wvi.com>; brian.kelley@nwnatural.com; Clark, Christopher (PacifiCorp) <Christopher.clark@pacificorp.com>; d5h@nwnatural.com; dfreitag@santiamhospital.org; Doug Kintz <doug.kintz@staytonfire.org>; Erik Hoefer <erik@sctcweb.com>; Gwen Johns <gjohns@staytonoregon.gov>; Janelle Shanahan <jshanahan@co.marion.or.us>; Jay Alley <jay.alley@staytonfire.org>; John Eckis <johnneckis@sctcweb.com>; John Rasmussen <jasmussen@co.marion.or.us>; Kendall Smith <ksmith@staytonoregon.gov>; kinman@co.marion.or.us; Lance Ludwick <lludwick@staytonoregon.gov>; Lee Loving <lee.loving@nsantiam.k12.or.us>; Max Hepburn <mhepburn@co.marion.or.us>; MCPW Engineering <mcldep@co.marion.or.us>; Michael Ruiz-Leon <mruiz-leon@kittelson.com>; Michael Schmidt <m Schmidt@staytonoregon.gov>; Willis, Nicole (PacifiCorp) <nicole.willis@pacificorp.com>; oregonconstruction@wavebroadband.com; planning@co.marion.or.us; rlee@waveboardband.com; Salem Development Services <developmentervices@cityofsalem.net>; Susan Wright <swright@kittelson.com>; Troy Wheeler <twheeler@co.marion.or.us>; Clevenger, Wayne (PacifiCorp) <Wayne.clevenger@pacificorp.com>
Cc: John Asley, P.E. <jashley@ashleyengr.com>; Caleb Cox <ccox@kittelson.com>
Subject: [INTERNET] Request for Comments on Application for Preliminary Partition Plan

THIS MESSAGE IS FROM AN EXTERNAL SENDER.

Look closely at the **SENDER** address. Do not open **ATTACHMENTS** unless expected. Check for **INDICATORS** of phishing. Hover over **LINKS** before clicking. [Learn to spot a phishing message](#)

The City of Stayton has received an application for a Preliminary Partition Plan of a 1.25-acre parcel to divide into 3 lots: Lot 1 – 11,230 square feet, Lot 2 – 11,146 square feet, and Lot 3 – 31,834 square feet. It is located at 313 N Evergreen Avenue and is zoned Medium Residential Density (MD).

The application materials include the applicant's form, narrative, and preliminary plan with exhibits. I have attached our usual request for comments form.

Please send responses by **July 18, 2024**.

Thank you for your assistance.

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

From: [Michael Ruiz-Leon](#)
To: [Jennifer Siciliano](#)
Cc: [Caleb Cox](#); [Susan Wright](#)
Subject: RE: Request for Comments on Application for Preliminary Partition Plan
Date: Thursday, July 18, 2024 3:02:16 PM

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Hi Jennifer,

I hope you are doing well.

The proposed site partition plan is not proposing a change in existing land uses or development. The plan involves partitioning TAX LOT 3000 to create 3 lots. The partitions won't trigger a full traffic impact study, however, should the lots be developed the driveway access locations should meet City standards.

W Ida Street is a collector roadway and therefore requires 150' spacing between driveways per Table 17.26.020.3.h. Based on a preliminary review, adhering to this spacing should be viable.

Thanks, and let us know if you have any questions!

Michael Ruiz-Leon

Engineering Associate/Planner
(he/him)

[Kittelson & Associates, Inc.](#)
Transportation Engineering / Planning
503.535.7445 (direct)

From: Jennifer Siciliano <jsiciliano@staytonoregon.gov>
Sent: Friday, July 5, 2024 11:03 AM
To: Adam Kohler <Adam.Kohler@PacifiCorp.com>; breich@co.marion.or.us; Brent Stevenson <brents.swcd@wvi.com>; brian.kelley@nwnatural.com; Christopher Clark <Christopher.clark@pacificorp.com>; d5h@nwnatural.com; dfreitag@santiamhospital.org; Doug Kintz <doug.kintz@staytonfire.org>; Erik Hoefer <erik@sctcweb.com>; Gwen Johns <gjohns@staytonoregon.gov>; Janelle Shanahan <jshanahan@co.marion.or.us>; Jay Alley <jay.alley@staytonfire.org>; John Eckis <johnneckis@sctcweb.com>; John Rasmussen <jrasmussen@co.marion.or.us>; Kendall Smith <ksmith@staytonoregon.gov>; kinman@co.marion.or.us; Lance Ludwick <lludwick@staytonoregon.gov>; Lee Loving <lee.loving@nsantiam.k12.or.us>; Max Hepburn <mhepburn@co.marion.or.us>; MCPW Engineering <mcldep@co.marion.or.us>; Michael Ruiz-Leon <mruiz-leon@kittelson.com>; Michael Schmidt <mschmidt@staytonoregon.gov>; Nicole Willis <nicole.willis@pacificorp.com>; oregonconstruction@wavebroadband.com; planning@co.marion.or.us; rlee@waveboardband.com; Salem Development Services <developmentsservices@cityofsalem.net>; Susan Wright <swright@kittelson.com>; Troy Wheeler <twheeler@co.marion.or.us>; Wayne.clevenger@pacificorp.com
Cc: John Asley, P.E. <jashley@ashleyengr.com>; Caleb Cox <ccox@kittelson.com>
Subject: Request for Comments on Application for Preliminary Partition Plan

[External Sender]

The City of Stayton has received an application for a Preliminary Partition Plan of a 1.25-acre parcel to divide into 3 lots: Lot 1 – 11,230 square feet, Lot 2 – 11,146 square feet, and Lot 3 – 31,834 square feet. It is located at 313 N Evergreen Avenue and is zoned Medium Residential Density (MD).

The application materials include the applicant's form, narrative, and preliminary plan with exhibits. I have attached our usual request for comments form.

Please send responses by **July 18, 2024**.

From: [John Eckis](#)
To: [Jennifer Siciliano](#)
Cc: [Adam Kohler](#); [breich@co.marion.or.us](#); [Brent Stevenson](#); [brian.kelley@nwnatural.com](#); [Christopher Clark](#); [d5h@nwnatural.com](#); [dfreitag@santiamhospital.org](#); [Doug Kintz](#); [Erik Hoefler](#); [Gwen Johns](#); [Janelle Shanahan](#); [Jay Alley](#); [John Rasmussen](#); [Kendall Smith](#); [kinman@co.marion.or.us](#); [Lance Ludwick](#); [Lee Loving](#); [Max Hepburn](#); [MCPW Engineering](#); [Michael Ruiz-Leon](#); [Michael Schmidt](#); [Nicole Willis](#); [oregonconstruction@wavebroadband.com](#); [planning@co.marion.or.us](#); [rlee@waveboardband.com](#); [Salem Development Services](#); [Susan Wright](#); [Troy Wheeler](#); [Wayne.clevenger@pacificorp.com](#); [John Asley, P.E.](#); [Caleb Cox](#)
Subject: Re: Request for Comments on Application for Preliminary Partition Plan
Date: Monday, July 8, 2024 7:19:26 AM

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SCTC has no issue with this development.

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

GO BIG ASK FOR GIG

On Fri, Jul 5, 2024 at 11:03 AM Jennifer Siciliano <jsiciliano@staytonoregon.gov> wrote:

The City of Stayton has received an application for a Preliminary Partition Plan of a 1.25-acre parcel to divide into 3 lots: Lot 1 – 11,230 square feet, Lot 2 – 11,146 square feet, and Lot 3 – 31,834 square feet. It is located at 313 N Evergreen Avenue and is zoned Medium Residential Density (MD).

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Please send responses by **July 18, 2024**.

Thank you for your assistance.

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

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City of Stayton

Department of Community and Economic Development

362 N. Third Avenue • Stayton, OR 97383

Phone: (503) 769-2998 • Fax (503) 769-2134

jsiciliano@staytonoregon.gov

www.staytonoregon.gov

REQUEST FOR COMMENTS ON PROPOSED LAND USE ACTION

DATE: July 5, 2024

TO: Stayton Police Department	Stayton Fire District
North Santiam School District	Stayton Public Works
Marion County Public Works	Pacific Power
Stayton Cooperative Telephone	Northwest Natural
Santiam Water Control District	Wave Broadband

FROM: City of Stayton Community and Economic Development Department

RE: **Land Use File 3-01/24** – Application for preliminary partition plan of a 1.25-acre parcel to divide into 3 lots: Lot 1 – 11,230 square feet, Lot 2 – 11,146 square feet, and Lot 3 – 31,834 square feet. It is located at 313 N Evergreen Avenue and is zoned Medium Residential Density (MD).

APPLICANT: Ross Bochsler, P.O. Box 516, Stayton, OR

TAX MAP/LOT NUMBER: 091W10CC3000

DECISION CRITERIA: Stayton Municipal Code (SMC) 17.24.040.6 Preliminary Plan Approval Criteria;

APPLICATION DEEMED COMPLETE: July 5, 2024

PUBLIC HEARING DATE: July 29, 2024

The City of Stayton is soliciting comments which you may wish to contribute to Stayton’s review of the above described land use case. Any questions should be directed to Jennifer Siciliano, Community and Economic Development Director, 362 N. Third Avenue, Stayton, Oregon 97383, (503) 769-2998 or at jsiciliano@staytonoregon.gov .

In order for staff to process this application in a timely manner, comments need to be in our office by **July 18, 2024**. You may make your comments to city staff by phone, email, or letter. You may use the response form below.

Failure to reply or participate in a hearing will be interpreted as no objection to the proposal.

PLEASE CHECK THE APPROPRIATE ITEMS:

- We are not affected by the proposal.
- We have reviewed the proposal and have no comments.
- We would like to receive a copy of the staff decision/report in this case.
- Our comments are attached.
- Our comments are: **Fire Separation Distances are met as proposed for existing structures.**

By: Troy Wheeler, Sr. Plans Examiner

Date: July 8, 2024

Agency: Marion County Building Inspection

THE CITY OF STAYTON IS AN EQUAL OPPORTUNITY EMPLOYER AND SERVICE PROVIDER

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STAYTON, OR 97383
(503) 769-3423
FAX (503) 769-7497

**COMMUNITY AND
ECONOMIC
DEVELOPMENT**
362 N. THIRD AVENUE
STAYTON, OR 97383
(503) 769-2998
FAX (503) 767-2134

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STAYTON, OR 97383
(503) 769-2919
FAX (503) 767-2134

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FAX (503) 769-7413

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