



## **CHAPTER 17.20 DEVELOPMENT AND IMPROVEMENT STANDARDS**

Adopted Ord. 894, January 2, 2007  
Amended Ord. 898, August 20, 2007  
Amended Ord. 901, April 16, 2008  
Amended Ord. 902, May 7, 2008  
Amended Ord. 904, June 16, 2008  
Amended Ord. 908 May 6, 2009  
Amended Ord. 909 May 20, 2009  
Amended Ord. 913, September 2, 2009  
Amended Ord. 919, March 18, 2010  
Amended Ord. 920, May 3, 2010  
Amended Ord. 924, October 20, 2010  
Amended Ord. 930, November 18, 2010  
Amended Ord. 937, August 4, 2011  
Amended Ord. 944, March 5, 2012  
Amended Ord. 951, February 21, 2013

Amended Ord. 949, April 17, 2013  
Amended Ord. 962, January 1, 2014  
Amended Ord. 968, May 8, 2014  
Amended Ord. 978, January 14, 2015  
Amended Ord. 985, September 16, 2015  
Amended Ord. 1010, October 20, 2017  
Amended Ord. 1015, February 15, 2018  
Amended Ord. 1024, September 19, 2018  
Amended Ord. 1029, May 1, 2019  
Amended Ord. 1033, July 3, 2019  
Amended Ord. 1034, July 17, 2019  
Amended Ord. 1037, November 6, 2019  
Amended Ord. 1052, February 2, 2022  
Amended Ord. 1059, October 19, 2022  
Amended Ord 1060, May 17, 2023

---

# CHAPTER 17.20

## DEVELOPMENT AND IMPROVEMENT STANDARDS

### SECTIONS

17.20.010	Purpose .....	20 - 1
17.20.020	Interpretation .....	20 - 1
17.20.030	Dimension Restrictions .....	20 - 2
17.20.040	Special Regulations for Accessory Buildings .....	20 - 3
17.20.050	Fences .....	20 - 4
17.20.060	Off-Street Parking and Loading .....	20 - 6
17.20.070	Open Storage Areas and Outdoor Storage Yards .....	20 - 15
17.20.080	Special Street and Riparian Areas .....	20 - 16
17.20.090	Landscaping Requirements .....	20 - 18
17.20.100	Home Occupations .....	20 - 23
17.20.110	Occupancy of Recreational Vehicles .....	20 - 24
17.20.120	Finance Performance Requirements.....	20 - 25
17.20.130	Mobile Home Parks .....	20 - 26
17.20.140	Signs .....	20 - 31
17.20.150	Tree Preservation .....	20 - 42
17.20.160	Wireless Communication Facilities .....	20 - 43
17.20.170	Outdoor Lighting.....	20 - 47
17.20.180	Wetland Protection Areas.....	20 - 52
17.20.190	Multi-family Residential Design Standards .....	20 - 56
17.20.200	Commercial Design Standards .....	20 - 61
17.20.210	Back Lots and Flag Lots.....	20 - 66
17.20.220	Downtown Development Design Standards (Added Ord. 902, May 7, 2008).....	20 - 67
17.20.230	Industrial Design Standards (Added Ord. 908, May 6, 2009) .....	20 - 77
17.20.240	Accessory Dwelling Units (Added Ord. 1010, October 20, 2017).....	20 - 79
17.20.250	Recreational Vehicle Parks and Campgrounds .....	20 - 80
17.20.260	Live Work Units .....	20 - 85

---

---

**17.20.010 PURPOSE**

The intent of this chapter is to designate specific standards and criteria for the development of property within the City. The purpose of these standards and criteria are to require the development and improvement of property within the City in a manner which will not bring about potential land use conflicts, which will comply with all applicable City regulations, which will provide for site development in a logical and efficient manner, and which will promote a safe, healthful, and attractive urban environment within the city.

**17.20.020 INTERPRETATION**

Provisions of this chapter are applied in addition to the standards and criteria of other chapters of this title. Nothing in this chapter is intended to waive or otherwise limit the applicability of other provisions of this title.

**17.20.030****DIMENSIONAL RESTRICTIONS**

1. LOCATION OF BUILDINGS. Every building erected shall be located on a lot as herein defined.
2. YARDS APPLY ONLY TO ONE BUILDING. No required yard or open space provided for any building to comply with requirements of this code shall be considered as providing a yard or open space for any other building. No required yard or open space on an adjoining lot shall be considered as providing a yard or open space on the lot whereon the building is to be erected.
3. SETBACKS. The setback provision cited below modify the building setbacks for Residential Zones cited in Chapter 17.16, but are applicable only to the specific items listed below.
  - a. Front Yard Projections.
    - 1) Planter boxes, chimneys and flues, steps, cornices, eaves, gutters, belt courses, leaders, sills, pilasters, lintels, and other ornamental features which extend horizontally not more than 24 inches from main buildings are exempt from front setback requirements.
    - 2) Uncovered porches and covered unenclosed porches not more than 1 story high, the floors of which are not more than 4 feet above grade, may extend not more than 10 feet beyond the front walls of the building; but in no case shall such projection come closer than 10 feet from the front lot line.
  - b. Side Yard Projections.
    - 1) Cornices, eaves, gutters, and fire escapes, when not prohibited by any other code or ordinance, may project into a required side yard not more than 1/3 the width of the side yard or more than 3 feet, whichever is the lesser.
    - 2) Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, and other ornamental features may project not more than 1 ½ feet into a required side yard, provided, however, that chimneys and flues do not exceed 6 feet in width.
    - 3) Uncovered decks and patios attached to the main building, when 3 feet or less in height from ground level, may be extended to the side yard property line, but in no case shall be closer than 10 feet to a street right-of-way.
  - c. Rear Yard Projections.
    - 1) Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, and other ornamental features may project not more than 1 ½ feet into a required rear yard, provided, however, that chimneys and flues do not exceed 6 feet in width.
    - 2) A fire escape, balcony, outside stairway, cornice, or other unenclosed, unroofed projections may project not more than 5 feet into a required rear yard, provided they are set back at least 6 feet from any property line.
    - 3) Planter boxes, steps, uncovered decks and porches, covered but unenclosed decks and porches, and covered patios, when not more than 1 story high and the floors of which are not more than 4 feet above grade, may extend up to 6 feet into the rear setback.  
(Ord. 898, August 20, 2007)
    - 4) (Repealed, Ord. 898, August 20, 2007)
    - 5) (Repealed, Ord. 898, August 20, 2007)

**17.20.040 SPECIAL REGULATIONS FOR ACCESSORY BUILDINGS**

1. **APPLICATION OF REGULATIONS.** The regulations set forth herein shall apply to all residential zones and to buildings in any other zone used in connection with residential purposes.
2. **HEIGHT.** No portion of an accessory building shall be taller than 8 feet plus one foot for each foot of distance from the lot line to that portion of the accessory building. An accessory building shall be no higher than the main building.
3. **FRONT YARDS.** Any accessory building shall meet the setback requirements of the district in which it is located except on a corner lot. On a corner lot, an accessory structure shall meet the front setback requirement but an accessory structure of less than 200 square feet in floor area and less than 10 feet tall may be located no less than five feet from a front lot line provided the following requirements are met.
  - a. The rear lot line of the lot is also the rear lot line of the abutting lot.
  - b. The accessory structure is located in the rear yard.
  - c. The accessory structure is located behind a site-obscuring fence no less than 6 feet in height.
  - d. There is no driveway entering the street from the front lot line from which the accessory building is less than required front setback.
4. **SIDE YARDS.** Accessory buildings shall have a minimum setback of 5 feet from a side lot line.
5. **REAR YARDS.** An accessory building shall have a minimum setback of 3 feet from the rear lot line.

**17.20.050 FENCES**

1. RESIDENTIAL ZONES. (Amended Ord. 951, February 21, 2013)
  - a. Front Yards.
    - 1) Fences, walls and hedges must be placed on private property and not extend into or over the street right of way.
    - 2) Fences, walls, and hedges that are within 10 feet of a front lot line shall be no more than 48 inches tall and that portion above 24 inches shall be 50% open. A hedge shall not be planted within three feet of the front lot line.
    - 3) On a corner lot, a wall or fence of up to 6 feet in height may be placed within 10 feet of the property line on the front lot line that does not have a driveway entering a street, provided the wall or fence is not located within the sight distance triangle adjacent to a street intersection or driveway entrance to a street. On a corner lot, a hedge of up to 6 feet in height may be placed within 10 feet, but no less than 3 feet, of the property line on the front lot line that does not have a driveway entering a street, provided the hedge is not located within the sight distance triangle adjacent to a street intersection or driveway entrance to a street.
    - 4) Fences, walls or hedges in a front yard more than 10 feet from the property line may be up to 6 feet in height.
    - 5) Notwithstanding the above, a masonry wall up to 7 feet in height may be placed on or within 10 feet of the property line abutting a street when the wall is approved as a part of a site plan approval or a subdivision approval.
  - b. Side and Rear Yards.
    - 1) Fences and walls located within a side or rear yard area may be up to 7 feet in height. Hedges on side and rear yards shall have no height restriction.
    - 2) For lots with double frontage, the yard opposite the front of the house shall be considered a rear yard for the purposes of Section 17.20.050.
2. COMMERCIAL AND DOWNTOWN ZONES. (Amended Ord. 902, May 7, 2008; Amended Ord 1033, July 3, 2019)
  - a. Fences in the front yard must be placed on private property and not extend into or over the street right of way. Fences in the front yard shall
    - 1) be no more than 42 inches tall;
    - 2) be made of wrought iron, tubular steel or aluminum, or wood;
    - 3) have vertical members no more than 1½ inches in diameter or width;
    - 4) have vertical members no less than 4 inches apart; and
    - 5) be painted black, white, silver, brown or dark green.
  - b. Fencing of outdoor service areas shall meet the standards of Section 17.20.200.3.b.4.
  - c. Open fences up to 10 feet in height and solid fences up to 7 feet in height shall be allowed for screening of open storage areas.
  - d. Except as provided in Section 17.20.090.13, fences located in rear and side yards shall be no more than 7 feet in height.

3. INDUSTRIAL ZONES.

- a. Fences shall be set back from the front lot line in order to accommodate the buffering requirements of 17.20.090.12.
- b. Fences shall not be taller than 7 feet in height. In addition, 18 inches over the maximum standard shall be allowed to string barbed wire along the top of the fence for security purposes.

4. USE OF HAZARDOUS MATERIALS. Fences shall not be constructed of or contain any material which will do bodily harm such as barbed wire (except as necessary for security fences in commercial and industrial districts), electric wires (other than stock fences), broken glass, spikes, and any other hazardous or dangerous material.

**17.20.060****OFF-STREET PARKING AND LOADING**

1. **PURPOSE STATEMENT.** The purposes of this section are to ensure adequate off street parking is provided by each land use in a manner that avoids street congestion, minimizes impacts on neighboring properties, increases vehicular and pedestrian safety, and promotes good aesthetic design to create and preserve an attractive community character.
2. **NEW AND EXISTING FACILITIES.** Off street automobile parking areas and off street loading areas as set forth below shall be provided and maintained:
  - a. For any new building.
  - b. When additional seating capacity, floor area, guest rooms, or dwelling units are added to an existing building.
  - c. When the use of a building as identified in Section 17.20.060.7.a is changed and would require additional parking areas or off street loading areas under the provisions of that section.
3. **RESIDENTIAL AND RECREATIONAL VEHICLE PARKING AND STORAGE OF RECREATIONAL PERSONAL PROPERTY RESTRICTIONS.**
  - a. **Motor Vehicles other than Recreational Vehicles.** No parking shall be allowed except on driveways. The side yard and rear yard areas may be used for parking of vehicles unless otherwise prohibited by this title.
  - b. **Recreational Vehicles.** The following standards apply to the off-street parking and storage of recreational vehicles and the storage and parking of recreational personal property within any residential zone:
    - 1) No off-street parking or storage of recreational vehicles or recreational personal property shall be allowed within the front yard except on driveways. Recreational vehicles and recreational personal property may be parked or stored either in a driveway, side yard, or rear yard. On corner lots, recreational vehicles and recreational personal property may be parked or stored in the front yard from which vehicular access is not gained.
    - 2) A maximum of a combination of 3 recreational vehicles and items of recreational personal property may be parked or stored outside a fully enclosed structure on a single lot.
    - 3) Recreational vehicles and trailers shall be required to display a current and valid state registration if parked or stored outside a fully enclosed structure.
    - 4) Recreational vehicles or recreational personal property shall not be parked or stored on any portion of a lot when parking of the vehicle or property inhibits the necessary view of street traffic.
    - 5) No portion of a parked recreational vehicle or recreational personal property may block any portion of a sidewalk.
    - 6) Long-term occupancy of recreational vehicles is prohibited. Temporary occupancy must comply with Section 17.20.110.
    - 7) On-street parking of recreational vehicles and boats is prohibited except in compliance with City traffic code requirements.



- 8) The City Planner may grant a permit for outside storage of a single recreational vehicle or item of recreational personal property in a portion of the front yard when the following circumstances exist:
  - a) The storage area is on a concrete pad.
  - b) The storage area is screened from the street and/or sidewalk by a sight-obscuring hedge or fence. The screening, hedge, or fence must comply with Section 17.20.050.
  - c) The storage area does not create any safety hazards to street traffic.
  - d) The storage area, screening or fencing is continuously maintained.

(Amended Ord. 1029 May 1, 2019)

4. **REDUCTION OF REQUIRED AREAS PROHIBITED.** Off street parking and loading areas which existed on February 1, 1990 shall not be reduced below the required minimum as set forth in this title unless a parking plan is approved by the City Planner as being suitable to meet the needs of the use or uses proposed.
5. **LOCATION.** Off street parking and loading areas shall be provided on the same lot with the main building or use except that in any commercial, industrial, or public district, the parking area may be located within 500 feet of the main building.
6. **JOINT USE.** A parking area may have joint use by 2 or more businesses only when it can be shown that all uses can be adequately served at their respective peak hours and cross-over easement agreements are obtained from all users.
7. **REQUIREMENTS FOR AUTOMOBILE PARKING.** Off-street automobile parking shall be provided in the manner required by subsection 9 of this section and approved by the City Planner in the minimum amounts described in Tables 17.20.060.7 a and b or as determined by Section 17.20.060.7.a.
  - a. **Minimum Required Parking Spaces**

**Table 17.20.060.7.a Residential Parking Requirements**

<b>Residential Uses</b>	<b>Per Unit</b>	<b>Other Requirements</b>
Single Family Dwelling or Duplex	2	
Multi-family Development	1.5	Plus 1 visitor space per 4 units
Elder housing	1	Plus 1 visitor space per 4 units
Residential facility		0.75 spaces per resident for which the facility is licensed
Residential group home	2	

**Table 17.20.060.7.b Commercial and Industrial Parking Requirements**

<b>Commercial and Industrial Uses</b>	<b>Per 1,000 Square Feet</b>	<b>Other Requirements</b>
Auditorium, Theater, Stadium or Similar Use	0	1 space per 3 seats 1 space per 4 seats if associated with a school
Auto Repair Garage, Automotive Body, Paint, Interior, and Glass Repair; Automobile Oil Change & Lubrication Shops	0	4 spaces per bay or area used for repair

**Table 17.20.060.7.b Commercial and Industrial Parking Requirements cont.**

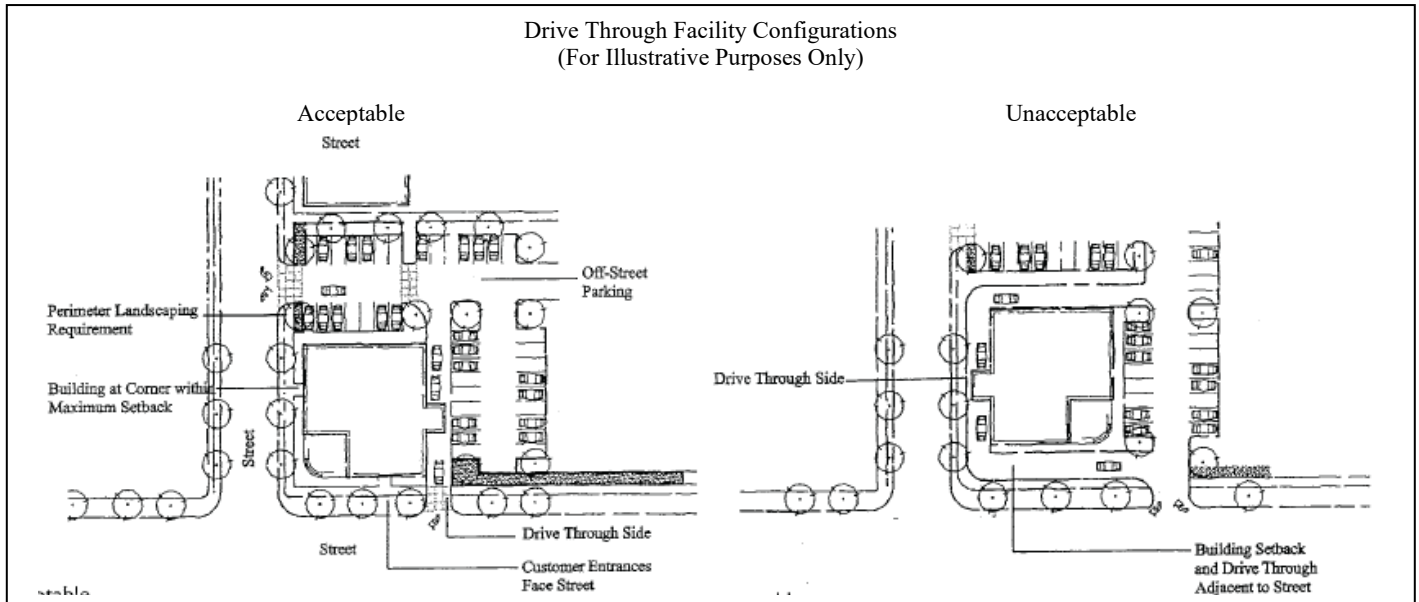
<b>Commercial and Industrial Uses</b>	<b>Per 1,000 Square Feet</b>	<b>Other Requirements</b>
Commercial Banking & Related Activities	3.3	See the requirements of Section 17.20.060.7.g regarding drive-through facilities
Barber Shop or Beauty Parlor	0	3 per station
Family Child Care Center or Day Care Facility	2	Drop-off and pick-up facilities
Churches	0	1 space per 4 seats
Club, Lodge	0	1 space per 3 seats
Construction/Contractor Facility, excluding office	1	
Eating or Drinking Establishments	10	See the requirements of Section 17.20.060.7.g regarding drive-through facilities
Elementary or Middle School	0	2 spaces per classroom plus off street student drop-off and pick-up facilities
Fitness Center	5	
Funeral Homes & Funeral Services	0	1 space per 3 seats
High School	0	6 spaces per classroom plus off street student drop-off and pick-up facilities
Hospital, Nursing Home	0	2 spaces per 1,000 square feet of laboratory and outpatient care plus 0.5 per bed
Hotel, Motel, Boarding House	1	1 space per guest room
Manufacturing	1	
Offices of Physicians, Dentists, & Other Health Practitioners; Outpatient Care Centers	5.5	
Library, Museum	3.5	
Offices for: Finance & Insurance Businesses; Professional Technical Services except offices of Physicians, Dentists, & Other Health Practitioners and Outpatient Care Centers; Information businesses; Real Estate Sales & Rental Companies; Municipal and government buildings	3.5	
Rental Centers	1	1 space per 700 square feet of net area of outdoor storage or display of merchandise
Retail Store	4	
Large Product Retail Store, such as: Automotive Parts, Accessories, & Tire Stores; Building Material & Supplies Dealers; Lawn and Garden Equipment & Supplies Stores; Manufactured Home Dealers	1.6	
Repair & Maintenance Facility	2	
Self-Storage Facility	1	
Spectator Sports & Amusement & Recreation Facilities	8	
Warehouse:0-49,999 sq. feet	1	
Warehouse:50,000 – 99,000 sq. feet	0.5	
Warehouse:100,00 or more	0.3	
Wholesale establishment*	1	Plus 1 space per 700 square feet of net area for sales and display of merchandise.

- 
- b. Calculating Spaces. When the required spaces are calculated by this subsection becomes greater than 1/3 of a space, the number shall be rounded up.
- c. Determining Requirements for an Unlisted Use. When a required number of parking spaces is not specified for a particular use or facility or the Planning staff determines that the specified number of parking spaces is not appropriate, the City Planner shall prescribe a number of vehicle parking spaces or loading berths based on a determination of the traffic generation of the activity (as determined through a Traffic Impact Analysis), the amount or frequency of loading operations thereof, the time of operation of the activity, their location, and such other factors as effect the need for off street parking or loading.
- d. Additional Parking Required. The decision authority may require additional parking beyond the minimum parking requirements of Table 17.20.060.7.b when it finds:
- 1) There are other similar uses in the City of Stayton that provide parking in amount similar to the required minimum and have experienced problems associated with too little parking availability;
  - 2) The site is more than 300 feet from a public parking lot; or
  - 3) There are physical constraints preventing spillover parking from being accommodated off-site such as, topography, adjacent water bodies, barriers to effective and safe pedestrian access, or no adjacent uses or streets.
- e. Downtown Parking Standards. (Added Ord. 902, May 7, 2008, Amended Ord. 930, November 18, 2010)
- 1) Minimum Parking Requirements. (Added Ord. 902, May 7, 2008, Amended Ord. 930, November 18, 2010)  

The provisions of Section 17.20.060.7.a above do not apply within the CCMU, DCMU, and DRMU zones. The City recognizes that the Downtown Zones have provision for public parking and shared parking spaces as well as a supply of on-street parking without adverse affects on traffic movement. Therefore there is no required minimum off-street parking for non-residential uses in the CCMU, DCMU, and DRMU zones. Residential uses in the DCMU and DRMU zones must provide a minimum of 1.0 parking space per dwelling unit. (Added Ord. 902, May 7, 2008, Amended Ord. 930 November 18, 2010)
  - 2) Maximum Off-Street Parking Permitted. (Added Ord. 902, May 7, 2008, Amended Ord. 930, November 18, 2010)  

In order to prevent off-street parking from covering more land area than necessary, a maximum parking limit is established in the CCMU, DCMU, and DRMU zones. In these zones, a property shall not provide more parking spaces than 125% of the minimum otherwise required by Section 17.20.060.7.a for the uses on the property, except a residential use may provide up to 2.0 parking spaces per dwelling unit provided at least one of the spaces is within an enclosed garage. (Added Ord. 902, May 7, 2008, Amended Ord. 930 November 18, 2010)
- f. Drive-Through Facilities Standards. When drive-through uses and facilities are proposed, they shall conform to all of the following standards:
- 1) The service window of drive-through facility shall face to an alley, driveway, or interior parking area, and not a street.

- 2) None of the drive-through facilities (e.g. windows, teller machines, service windows, kiosks, drop-boxes, or similar facilities) are located within 20 feet of a street and shall not be oriented to a street corner. Automatic Teller Machines and kiosks that serve only pedestrians may be oriented to a street.
- 3) The drive-through facility's queuing area shall be adequate for three vehicles in addition to those being serviced and shall not block travel lanes of a parking area or driveway.
- 4) Pedestrian ways shall not cross the dedicated drive-through queuing areas.



- g. Off-street parking reductions. The decision authority may reduce the off-street parking standards of Table 17.20.060.7.b for sites with one or more of the following features:
  - 1) The site has an existing or planned bus stop located adjacent to it, and the site's frontage is improved with a bus stop shelter, consistent with the standards of the applicable transit service provider: Allow up to a 20 percent reduction to the required number of automobile parking spaces;
  - 2) The site has one (1) or more dedicated parking spaces for carpool or vanpool vehicles: Allow up to a 10 percent reduction to the required number of automobile parking spaces;
  - 3) The site has dedicated parking spaces for motorcycles, scooters, or electric carts: Allow reductions to the standard dimensions for these parking spaces;
  - 4) The site has more than one and a half the minimum number of required bicycle parking spaces: Allow up to a 5 percent reduction to the required number of automobile parking spaces.

(Section 17.20.060.7.g added Ord. 1034, July 17, 2019)

## 8. HANDICAPPED/DISABLED PARKING.

- a. Except for single family residences and duplexes, parking spaces and accessible passenger loading zones reserved exclusively for use by handicapped or disabled persons shall be provided in accordance with Table 17.20.060.8.a and shall be located on the shortest possible accessible circulation route to an entrance of the building being accessed:

**Table 17.20.060.8.a Handicapped Parking Requirements**

<b>Total Spaces</b>	<b>Minimum Required H/D Spaces</b>
1 to 25	1
26 to 50	2
51 to 100	4
101 to 200	6
201 to 300	7
<b>301 or more</b>	7 plus 1 for each 50 spaces over 300

- b. Handicapped/disabled parking spaces shall be designated as reserved for such use by a sign showing the international symbol of accessibility. Such a sign shall be designed so as to not be obscured by a vehicle parked in the space.
  - c. Parking spaces for handicapped/disabled persons shall be at least 9 feet wide and 18 feet long, and shall have an abutting access aisle of at least 6 feet in width.
  - d. Passenger loading zones shall provide an access aisle at least 4 feet wide and 20 feet long abutting and parallel to the vehicle pull-up space. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp shall be provided.
9. OFF STREET LOADING REQUIREMENTS. Off street loading space shall be provided and maintained as listed below in the case of new construction, alterations, and changes of use.
- a. The following minimum off-street loading bays or berths shall be provided.
    - 1) Office buildings, hotels, and motels with a gross floor area of more than 25,000 square feet require one bay.
    - 2) Except in the Downtown zones, retail, wholesale, warehouse and industrial operations with a gross floor area of more than 5,000 square feet require the following: (Amended Ord. 902, May 7, 2008, Amended Ord. 930, November 18, 2010)

**Table 17.20.060.9.a Minimum Loading Bay Requirements**

<b>Square Feet (gross floor area)</b>	<b>Number of Bays</b>
5,001 to 40,000	1
40,001 to 70,000	2
70,001 to 100,000	3
100,001 to 140,000	4

Each 90,000 square feet over 140,000 square feet requires one additional bay.

In the Downtown zones loading bays are not required. However, site design for retail trade uses and eating and drinking places shall provide for delivery access from an alley where possible and shall otherwise allow delivery vehicles to park in such a manner as to not block a sidewalk or driveway entrance from a street. (Added Ord. 902, May 7, 2008, Amended Ord. 930, November 18, 2010)

- b. Each loading bay shall be a minimum of 12 feet wide and 14 feet high. Truck parking in front of the bay shall be a minimum of 40 feet long exclusive of streets, alleys, driveway, or sidewalks.
- c. Loading spaces shall be designed so delivery or shipment vehicles do not block access aisles of parking areas, any parking spaces, or extend into a public right-of-way.
- d. No loading area shall be located within 10 feet of a street curb or 5 feet of a front lot line.

## 9-A. BICYCLE PARKING REQUIREMENTS

- 1) The spaces required for bicycle parking is defined in Table 17.20.060.9-A.1. Fractional numbers of spaces shall be rounded up to the next whole space.

**Table 17.20.060.9-A.1 Bicycle Parking Requirements**

<b>Land Use Category</b>	<b>Minimum Required Bicycle Parking Spaces</b>
Residential	
Single-family	Exempt
Multi-family residential, general	1 space per 5 units
Multi-family residential, seniors or with physical disabilities	Exempt
Institutional	
Schools – Elementary	4 spaces per classroom
Schools – Jr. High or Middle School	4 spaces per classroom
Schools – High School	2 spaces per classroom
College	1 space per 10 student
Transit Centers and Park & Ride Lots	5% of auto spaces (or 100% of demand depending on accessibility to bicyclists)
Religious Institutions	1 space per 50 seat capacity
Hospitals	1 space per 20 beds
Libraries, Museums	1 space per 1,000 ft <sup>2</sup>
Commercial	
Retail Sales	1 space per 5,000 ft <sup>2</sup>
Auto-oriented Services	Exempt
Groceries/Supermarkets	1 space per 5,000 ft <sup>2</sup>
Office	1 space per 1,000 ft <sup>2</sup>
Restaurant	1 space per 1,000 ft <sup>2</sup>
Drive-In Restaurant	2 space per 1,000 ft <sup>2</sup>
Shopping Center	1 space per 5,000 ft <sup>2</sup>
Financial Institutions/Banks	1 space per 1,000 ft <sup>2</sup>
Theaters, Auditoriums	1 space per 50 seat capacity
Industrial	
Industrial Park	1 per 10,000 ft <sup>2</sup>
Warehouse	2 or 0.1 space per 1000 ft <sup>2</sup> , whichever is greater
Manufacturing	2 or 0.15 space per 1000 ft <sup>2</sup> , whichever is greater
Other Uses	For uses not defined in this table, The Planning Commission shall have the authority to set bicycle parking requirements.

- a. Bicycle parking spaces shall be at least 6 feet long and 2 feet wide. If the bicycle parking space is covered, then it shall have an overhead clearance of at least 7 feet. For covered bicycle parking, the covering shall extend at least 2 feet beyond the parking area.
- b. To provide for bicycle maneuvering, an aisle of 5 feet shall be provided and maintained beside or between each row of bicycle parking.

(Section 9-A Added Ord. 913, September 2, 2009)

10. DEVELOPMENT REQUIREMENTS. All parking and loading areas shall be developed and maintained as follows: (Amended Ord. 913, September 2, 2009)

- 
- a. The location of parking and loading, except for single family dwellings, duplexes, or triplexes, which may be located within the front yard, shall meet the applicable standards of Sections 17.20.190 or 17.20.200.
  - b. Surfacing. All driveways, parking and loading areas shall be paved with asphalt or concrete surfacing and shall be adequately designed, graded, and drained as required by the Public Works Director. In no case shall drainage be allowed to flow across a public sidewalk. Parking areas containing more than 5 parking spaces shall be striped to identify individual parking spaces.
  - c. Driveways. The following standards shall apply to all driveways:
    - 1) Residential lots with 3 or fewer dwelling units sharing a driveway shall have 16 feet of paved width with 20 feet of clear width.
    - 2) Residential lots with 4 or more dwelling units sharing a driveway shall have 18 feet of paved width with 24 feet of clear width
  - d. Design of parking areas. Except where provided for by subsection 7 of this section parking area design shall comply with Title 12 and Standard Specifications.
    - 1) Entrances and exits shall be clearly marked with pavement markings and/or signs. Entrances and exits should favor right hand turns into and out of the area where possible and should be located at least 50 feet from intersections where possible. (Amended Ord. 913, September 2, 2009)
    - 2) Backing into or across a street, sidewalk, or right-of-way from any parking area shall be prohibited. The perimeter shall prevent access to or from the parking area except at designated entrances and exits. (Amended Ord. 913, September 2, 2009)
  - e. Screening. When any development with over 6 parking spaces or a loading area is adjacent to any residential district, that area shall be screened from all adjacent residential properties. Screening shall be done with an ornamental fence, wall, or hedge at least 4 feet high but not more than 7 feet high, except along an alley.
  - f. Lighting. Any light used to illuminate a parking or loading area shall meet the standards of Section 17.20.170.
11. PARKING AREA LANDSCAPING DESIGN STANDARDS. Landscaping required by the following standards shall be counted towards the overall landscaping requirements of Section 17.20.090. (Amended Ord. 913, September 2, 2009)
- a. Perimeter Landscaping. All parking areas shall be landscaped along the property boundaries as required by 17.20.090.11 (Amended Ord. 913, September 2, 2009)
  - b. Interior Landscaping. Interior landscaping of parking areas with 20 or more parking spaces shall meet the following standards. (Amended Ord. 913, September 2, 2009)
    - 1) One landscaped island shall be required for every 10 parking spaces in a row. The interior islands shall be a minimum of 6 feet in width (as measured from the inside of the curb to the inside of the curb) and shall include a minimum of 1 tree per island.
    - 2) Divider medians between rows of parking spaces, that are a minimum of 6 feet in width (as measured from the inside of the curb to the inside of the curb) may be substituted for interior islands, provided that 1 tree is planted for every 40 feet and shall be landscaped in accordance with Section 17.20.090. 8. Where divider medians are parallel with the buildings, there shall be designated pedestrian crossings to preserve plant materials.

- 3) A row of parking spaces shall be terminated on each end by a terminal island that is a minimum of 6 feet in width (from the inside of the curb to the inside of the curb). The terminal island shall have 1 tree is planted and shall be landscaped in accordance with Section 17.20.090.8.
  - 4) At the sole discretion of the decision authority, the requirement for landscaped islands or medians may be met through the design of additional parking area landscaping if the configuration of the site makes the use of islands or medians impractical. (Amended Ord. 913, September 2, 2009)
  - 5) Approved Parking Area Trees. Tree species for parking area plantings shall be selected from a list of approved species maintained by the Director of Public Works. Other varieties may only be used with approval of the decision authority. (Amended Ord. 913, September 2, 2009)
  - 6) Preservation of existing trees is encouraged in the off street parking area and the City Planner may allow these trees to be credited toward the required total number of trees.
- c. Pedestrian Access. Off street parking areas shall be required to meet the following pedestrian access standards:
- 1) The off street parking and loading plan shall identify the location of safe, direct, well lighted and convenient pedestrian walkways connecting the parking area and the buildings.
  - 2) All pedestrian walkways constructed within parking lots areas be raised to standard sidewalk height. (Amended Ord. 913, September 2, 2009)
  - 3) Pedestrian walkways shall be attractive and include landscaping and trees.



**17.20.070****OPEN STORAGE AREAS AND OUTDOOR STORAGE YARDS**

1. Open Storage Areas. Where allowed by zoning districts, the development and use of open storage areas shall conform to the following standards.
  - a. Open storage areas shall not occupy designated parking areas.
  - b. Open storage areas located between the street right-of-way and the building shall not exceed 25% of the area between the front lot line and a parallel line drawn from the nearest point of the building.
2. Outdoor Storage Yards. Where allowed by zoning districts, the development and use of outdoor storage yards shall conform to the following standards.
  - a. Outdoor storage yards that are adjacent to Commercial or Residential districts or are directly across the street right-of-way from those districts shall be enclosed with an ornamental, sight-obscuring fence or wall of at least 6 feet in height, or a compact evergreen hedge planted at 3 feet in height and capable of obtaining a minimum height of 6 feet.
  - b. If any material or equipment projects above the 6 foot screen, then a screening plan must be submitted to the Planning Commission for approval.
  - c. The surface of such area shall be maintained at all times in a dust-free condition, except that all driveways and loading areas shall be paved as required in Section 17.20.060.10.b.
  - d. Any lighting maintained in conjunction with material and equipment storage areas shall be so oriented as to not shine on or reflect into abutting properties or streets.

**17.20.080****SPECIAL STREET AND RIPARIAN SETBACKS**

1. SPECIAL STREET SETBACKS. On the following named streets there shall be a minimum building setback of 50 feet, measured at right angles from the centerline of the street right-of-way:
  - a. Ida Street, extending from N. Fourth Avenue to the west City limits
  - b. First Avenue, from south City limits to north City limits.
  - c. Washington Street, extending from N. Sixth Avenue to the west city limits.
  - d. N. Sixth Avenue from Washington Street to E. Jefferson Street.
  - e. E. Jefferson Street from N. Sixth Avenue to N. Tenth Avenue.
  - f. East Santiam Road from N. Tenth Avenue to the east City limits on Mehama Road.
  - g. Golf Club Road from Highway 22 to Shaff Road.
  - h. Wilco Road
2. RIPARIAN SETBACK AND VEGETATION MAINTENANCE REQUIREMENTS.
  - a. Application of Riparian Setback Standards. Setbacks for development as defined in this title shall be observed for all lands within the City adjacent to Mill Creek, Salem Ditch, Stayton Ditch, and the North Santiam River.
  - b. Riparian Setback Areas. The riparian setback area for all new development other than a fence, sign, or pedestrian way, except as allowed under c. of this subsection, shall be 15 feet from normal high water along the Salem Ditch, Stayton Ditch and 35 feet along Mill Creek and the North Santiam River.
  - c. Improvements Within Setback Areas. Along the Salem Ditch and Stayton Ditch, decks or patios attached to a dwelling which do not exceed 4 feet above ground level may extend into the setback area no more than 5 feet from normal high water.
  - d. Vegetation Maintenance Standards. Within the riparian setback area, the following standards for maintenance of riparian vegetation shall apply:
    - 1) Along Mill Creek and the North Santiam River, no more of a parcel's existing riparian vegetation shall be removed from the setback area than is necessary for the placement or development, outside of the riparian zone, of use(s) permitted by the zoning district. Vegetation removed in such a manner shall, to the extent practicable, be replaced with similar or the same indigenous vegetation during the next planting season. In no case shall more than 25% by area on any given lot, of existing natural riparian vegetation shall be removed for any reason within the riparian setback area.
    - 2) Dead or diseased vegetation or vegetation which constitutes a hazard to public safety or a threat to existing healthy indigenous vegetation.
      - a) Vegetation to be removed for pedestrian access (pathways) to, or along the waterway.
      - b) Removal of vegetation necessary for the maintenance or placement of artificial or structural shoreline stabilization, provided a showing is made that natural erosion control measures or other non-structural solutions are not feasible and only where applicable state and federal standards are met.

- c) Removal of blackberry vines, scotch broom, or other introduced or invasive species, provided that such vegetation is replaced with other species that are equally suited for ground cover and erosion control.
- 3) Along the Salem Ditch the setback area may be used for residential landscaping adequate to maintain soil stability.
- e. Variance from Riparian Vegetation Requirements. Requests for relief from the above standards shall be processed pursuant to the variance process specified in Section 17.12.190.

**17.20.090 LANDSCAPING AND SCREENING GENERAL STANDARDS**

1. **PURPOSE.** The purposes of this Section are to provide a process and definable standards for landscaping, buffering, and screening of land use within the City of Stayton. The City recognizes the aesthetic and economic value of landscaping and encourages its use: to establish a pleasant community character, unify developments, and buffer or screen unsightly features, to soften and buffer large scale structures and parking lots, and to aid in energy conservation by providing shade from the sun and shelter from the wind, to prevent erosion and dust problems generated as a product of development, to aid in preventing excessive runoff due to increased impervious surfaces, and to protect and promote tree growth.
2. **BASIC PROVISIONS.** Landscaping and screening standards apply to all zones except the Low Density (LD) Residential and Commercial Core Mixed Use. The minimum area of a site to be retained in landscaping shall be as follows: (Amended Ord. 902, May 7, 2008, Amended Ord. 930, November 18, 2010)

**Table 17.20.090.2 Minimum Landscape Percentage**

<b>Zoning District or Use</b>	<b>Minimum Improvement Per Lot</b>
Medium Density (MD) Residential	20%
High Density (HD) Residential	20%
Commercial Retail (CR)	15%
Commercial General (CG)	15%
Downtown Commercial Mixed Use (DCMU)	8%
Downtown Residential Mixed Use (DRMU)	8%
Interchange District (ID)	15%
Industrial Commercial (IC)	15%
Light Industrial (IL)	
Lots 2.00 acres in area or less	15%
Lots larger than 2.00 acres but smaller than 4.00 acres	10%
Lots of 4.00 acres in area or more	8%
Public, Semi-Public (P)	15%

(Amended Ord. 902, May 7, 2008, Amended Ord. 930, November 18, 2010)

3. **SUBMITTAL REQUIREMENTS FOR LANDSCAPE PLAN.** The following information shall be included on a landscape plan:
  - a. Lot dimensions and footprint of structure(s), drawn to scale.
  - b. The dimensions and square footage of all landscaped areas, the total square footage of the parking lot, building square footage, and total number of parking spaces.
  - c. The location and size of the plant species, identified by common and botanical names, and expected size within 5 growing seasons.
  - d. The type and location of landscaping features other than plant materials, including, but not limited to, wetlands, creeks, ponds, sculptures, benches, and trash receptacles.
  - e. Adjacent land-uses. For any residence within 50 feet of the subject site, indicates the building's location and its distance from the subject property boundary.
  - f. Location and classification of existing trees greater than 4 inches caliper and measured at 4 feet above ground. Where the site is heavily wooded, only those trees that will be affected by the proposed development need to be sited accurately. The remaining trees may be shown on the plan in the general area of their distribution.

- 
4. SUBMITTAL REQUIREMENTS FOR IRRIGATION PLAN. The irrigation plan shall indicate the source of water and show the materials, size and location of all components, including back flow or anti-siphon devices, valves, and irrigation heads.
- a. Minimum Landscape Standards.
- 1) Appropriate care and maintenance of landscaping on-site and landscaping in the adjacent public right-of-way is the right and responsibility of the property owner, unless the Code specifies otherwise for general public and safety reasons. If street trees or other plant material do not survive or are removed, materials shall be replaced in kind within 1 year.
  - 2) Significant plant and tree specimens should be preserved to the greatest extent practicable and integrated into the design of the development. Trees of 25 inches or greater in circumference measured at a height of 4 feet above grade are considered significant. Plants to be saved and methods of protection shall be indicated on the detailed planting plan submitted for approval. Existing trees may be considered preserved if no cutting, filling, or compacting of the soil takes place between the trunk of the tree and the area 5 feet outside of the tree's drip line. Trees to be retained shall be protected from damage during construction by a construction fence located 5 feet outside the drip line.
  - 3) Planter and boundary areas used for required plantings shall have a minimum diameter of 5 feet inside dimensions. Where the curb or the edge of these areas are used as a tire stop for parking, the planter or boundary plantings shall be a minimum width of 7½ feet.
  - 4) In no case shall shrubs, conifer trees, or other screening be permitted within the sight distance triangle or where the City Engineer otherwise deems such plantings would endanger pedestrians and vehicles.
  - 5) Landscaped planters and other landscaped features shall be used to define, soften or screen the appearance of off street parking areas and other activity from the public street. Up to 25% of the total required landscaped area may be developed into pedestrian amenities, including, but not limited to sidewalk cafes, seating, water features, and plazas, as approved by the decision authority.
  - 6) All areas not occupied by parking lots, paved roadways, walkways, patios, or building shall be landscaped.
  - 7) All landscaping shall be continually maintained, including necessary watering, pruning, weeding, and replacing.
5. REQUIRED TREE PLANTINGS. Planting of trees is required along public street frontages, and along private drives more than 150 feet long. Trees shall be planted outside the street right-of-way except where there is a designated planting strip or a City-adopted street tree plan.
- a. Street trees species shall be selected from a list of approved species maintained by the Director of Public Works. Other varieties may be used only with approval by the decision authority.
  - b. Spacing of Street Trees. Trees with a medium canopy shall be spaced 20 feet on center. Trees with a large canopy shall be spaced 25 feet on center.
  - c. Trees shall be trimmed to a height that does not impede sight distance, pedestrian traffic or vehicular traffic.

- 
6. TREE PLANTING RESTRICTIONS. Street trees shall not be planted:
    - a. Within 10 feet of fire hydrants and utility poles, unless approved otherwise by the City Engineer.
    - b. Where the decision authority determines the trees may be a hazard to the public interest or general welfare.
    - c. Under overhead power lines, if tree height at mature age exceeds the height of the power line.
  7. IRRIGATION. Due to an increasing public demand for water and the diminishing supply, economic and efficient water use shall be required. Landscaping plans shall include provisions for irrigation. Specific means to achieve conservation of water resources shall be provided as follows:
    - a. Any newly planted landscaped area shall have a permanent underground or drip irrigation system with an approved back flow prevention device.
    - b. Wherever feasible, sprinkler heads irrigating lawns or other high-water demand landscape areas shall be separated so that they are on a separate system than those irrigating trees, shrubbery or other reduced-water requirement areas.
    - c. Irrigation shall not be required in wooded areas, wetlands, along natural drainage channels, or stream banks.
  8. REQUIREMENTS FOR PLANT MATERIALS.
    - a. At least 75% of the required landscaping area shall be planted with a suitable combination of trees, shrubs, evergreens and/or ground cover. The intent of this Section is to avoid large expanses of lawn without other landscaping features and the decision authority shall determine what constitutes a suitable combination of landscape material as part of the review of each landscape plan. (Amended Ord. 913, September 2, 2009)
    - b. Use of native plant materials or plants acclimated to the Pacific Northwest is encouraged to conserve water during irrigation.
    - c. Trees shall be species having an average mature crown spread greater than 15 feet and having trunks which can be maintained in a clear condition so there is over 5 feet without branches. Trees having a mature crown spread less than 15 feet may be substituted by grouping trees to create the equivalent of a 15 foot crown spread.
    - d. Deciduous trees shall be balled and burlapped or in a container, be a minimum of 7 feet in overall height or 1.5 inches in caliper measured at 4 feet above ground, immediately after planting. Bare root trees will be acceptable to plant only during their dormant season.
    - e. Coniferous trees shall be a minimum 5 feet in height above ground at time of planting.
    - f. Shrubs shall be a minimum of 2 feet in height when measured immediately after planting.
    - g. Hedges, where required to screen and buffer off-street parking from adjoining properties shall be planted with an evergreen species maintained so as to form a continuous, solid visual screen, planted with a minimum height of 2 feet.
    - h. Vines for screening purposes shall 30 inches in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet physical barrier requirements as specified.

- i. Turf areas shall be planted in species normally grown as permanent lawns in western Oregon. Either sod or seed are acceptable. Acceptable varieties include improved perennial ryes and fescues used within the local landscape industry.
  - j. Landscaped areas may include architectural features such as sculptures, benches, masonry or stone walls, fences, and rock groupings. The exposed area developed with such features shall not exceed 25% of the required landscaped area.
  - k. Landscaped areas may include minimal areas of non living ground covers where the applicant can demonstrate that plant ground covers are not appropriate. Artificial ground covers such as bark, mulch chips, gravel or crushed stone shall not exceed 15% of the landscaped area. This percentage shall be based on the anticipated size of landscape plants at maturity, not at planting.
  - l. Artificial plants are prohibited in any required landscaped area.
9. REPLANTING NATURAL LANDSCAPE AREAS
- a. Areas that are not affected by the landscaping requirements where natural vegetation has been removed or damaged through construction activity shall be replanted.
  - b. Plant material shall be watered at intervals sufficient to assure survival and growth.
  - c. The use of native plant materials or plants acclimated to the Pacific Northwest is encouraged to reduce irrigation and maintenance demands.
10. LANDSCAPING IN THE PLANTER STRIP. Except for portions allowed for parking, loading, or traffic maneuvering, the planter strip shall be landscaped. The planter strip shall not count as part of the lot area percentage to be landscaped.
11. BUFFER PLANTING-PARKING, LOADING AND MANEUVERING AREAS: Buffer plantings are used to reduce building scale, provide transition between contrasting architectural styles, and generally mitigate incompatible or undesirable views. They are used to soften rather than block viewing. Where required, a variety of plants shall be used to achieve the desired buffering effect.
- a. Buffering is required for any commercial, industrial, or multi-family development with more than 4 parking spaces. Buffering shall occur in the following manner:
    - 1) Any parking area, loading area, or vehicle maneuvering area shall be landscaped along property boundaries. The landscaped area shall meet the minimums in Table 17.20.090.11.a.1

**Table 17.20.090.11.a.1 Buffering Requirements in Feet**

Use of Property	Adjacent Use at Property Line				Adjacent Street		
	Single Family & Duplexes	Multi-Family Dwellings	Commercial	Industrial	Local	Collector	Arterial
Multi-family Dwellings	5	5	5	5	5	5	5
Commercial	10	5	0	0	15	10	10
Industrial	15	10	5	0	15	10	10

- 
- 2) Decorative walls and fences may be used in conjunction with plantings, but may not be used by themselves to comply with buffering requirements and must meet the standards of Section 17.20.050.
    - b. Landscaping with buffer strips may be counted towards meeting minimum percentage landscaping requirements.
  12. SCREENING (HEDGES, FENCES, WALLS, BERMS). Screening is used where unsightly views or visual conflicts must be obscured or blocked and where privacy and security are desired. Fences and walls used for screening may be constructed of wood, concrete, stone, brick, and wrought iron, or other commonly used fencing/wall materials. Acoustically designed fences and walls are also used where noise pollution requires mitigation.
    - a. Height and Capacity. Where landscaping is used for required screening, it shall be at least 6 feet in height and be at least 80 percent opaque, as seen from a perpendicular line of sight, within 2 years following establishment of the primary use of the site.
    - b. Chain Link Fencing. A chain link fence with sight obscuring slats shall qualify for screening only if a landscape buffer is also provided.
    - c. Height Measurement. The height of fences, hedges, walls and berms shall be measured from the lowest adjoining finished grade, except where used to comply with screening requirements for parking, loading, storage, and similar areas. In these cases, height shall be measured from the finished grade of such improvements. Screening is prohibited within the sight distance triangle.
    - d. Berms. Earthen berms up to 6 in height may be used to comply with screening requirements. Slope of berms may not exceed 2:1 and both faces of the slope shall be planted with ground cover, shrubs and trees. Bark mulch or other non-living materials shall not be used as the ground cover for an earthen berm.



**17.20.100 HOME OCCUPATIONS**

In addition to any criteria applied by the zoning regulations or conditional use procedures which allow for home occupations, the following criteria and standards apply to such uses:

1. The occupation or activity shall be carried on by the resident or residents of a dwelling as a secondary use. No more than 1 employee (or equivalent of 1 full time employee) who is not a resident of the dwelling may be employed.
2. The home occupation shall be continuously conducted in such a way that does not create any off-premises nuisance including, but not limited to, noise, odors, vibrations, fumes, smoke, fire hazards, hazardous materials, traffic congestion, or electronic, electrical, or electromagnetic interference.
3. The home occupation is not limited as to type of activity, provided that the scale or intensity of the activity does not have the practical effect of rezoning the property to a commercial or industrial use.

To determine if a home occupation does not have the practical effect of rezoning, the number of vehicle trips per day related to the business may not exceed 6 trips per day.

4. The home occupation shall be limited to a maximum area of 0.5 the floor area of the dwelling unit or 500 square feet, whichever is less, and the home occupation shall be located exclusively within the dwelling unit and/or an accessory building.
5. Structural alterations to accommodate home occupations are permitted, provided the residential character of the building(s) and property remains unchanged.
6. The repair or maintenance, including body repair and painting of automobiles, trucks, motorcycles, trailers, recreational vehicles, boats, all-terrain vehicles, and similar vehicles, shall be prohibited.
7. The outdoor storage of materials, products, equipment, or supplies shall be prohibited.
8. Customers and deliveries shall be limited to the hours of 9:00 am to 8:00 pm.
9. The property shall have off-street parking consistent with the parking space requirements in Section 17.20.060.7. One required residential parking space may be substituted for a required employee parking space. In addition, there shall be sufficient room on the premises to load and unload materials, supplies, and products.
10. Signs identifying the business shall be limited to 1 sign containing a maximum of 4 square feet of area. The sign may be attached flat against a wall of the home or accessory building or may be located within a window. Free standing signs and sign illumination shall be prohibited.
11. (Repealed, Ord. 898, August 20, 2007)

**17.20.110**

**OCCUPANCY OF RECREATIONAL VEHICLES**

Occupancy of a recreational vehicle unless located in a recreational vehicle park may be allowed for a period not in excess of 14 days in a 60-day period, provided the unit is parked on private property.

**17.20.120 FINANCE PERFORMANCE REQUIREMENTS**

1. **PURPOSE.** Financial performance requirements are necessary to provide reasonable and prudent guarantees to the City that proposed improvements required as part of an approved subdivision or development are properly implemented by the applicant, and to provide financial assurance to the City in the event that the applicant is unable to complete such improvements and the City is required to assume responsibility for completing the improvements.
2. **APPLICATION.** Financial performance requirements may be imposed as part of subdivision approval, site review approval, or conditional use approval.
3. **DEPOSIT.** The satisfaction of financial performance requirements may take one of the following forms, to be made a part of a financial performance agreement between the City and the applicant:
  - a. Surety bond executed by a surety company authorized to transact business in the State of Oregon.
  - b. Letter of credit or assignments of savings from a bank authorized to transact business in the State of Oregon.
  - c. Personal bond co-signed by at least one additional person together with evidence of financial responsibility and resources of those signing the bond sufficient to provide reasonable assurance of ability to proceed in accordance with the agreement.
  - d. Certified check or cash deposit with the City Recorder, interest upon which shall not be paid to the applicant.
4. Such financial assurance shall be for a sum approved by the City as sufficient to cover the cost of required development, improvements, or repairs, including related engineering and incidental expenses, and to cover the cost of inspection by the City or agents for the City. Financial performance deposits will be reviewed by the City Attorney and placed before the City Council for acceptance.
5. Failure of the applicant to properly carry out required development, improvements, or repairs within the time restrictions imposed as part of the approval action will, at the City's option, bring about forfeiture of the financial performance deposit and enable the City to call on the bond, letter of credit, assignment of savings, or cash deposits to reimburse costs or expenses which incur to the City. If the amount of the financial performance deposit is less than the cost or expense incurred by the City as a result of the applicant's action, the applicant shall be liable to the City for the difference.

**17.20.130 MOBILE HOME PARKS**

1. **PURPOSE.** The regulations contained herein are intended to provide a suitable living environment for the residents of mobile home parks within the City of Stayton and set forth standards of development that will be compatible with adjacent land uses. The requirements and standards set forth in this ordinance are the minimum standards to which a mobile home park must conform before approval.
2. **METHOD OF ADOPTION.** Mobile home parks are subject to site plan review and shall be approved pursuant to the requirements of Sections 17.12.070 through 17.12.100.
3. **SUBMITTAL REQUIREMENTS.** All applications submitted for approval of a mobile home park development shall consist of a preliminary development plan drawn to a scale of 1 inch equals not more than 50 feet. The application shall contain, but not be limited to, the following information in addition to the requirements of Section 17.12.220. (Amended Ord 1060, May 17, 2023)
  - a. Name(s) of person owning and/or controlling the land proposed for the park.
  - b. Name of the mobile home park and address.
  - c. Boundaries and dimensions of the manufactured home park.
  - d. Facility map showing relationship of manufactured home park to adjacent properties and surrounding zoning.
  - e. Location and dimensions of each manufactured home site with each site designated by number, letter, or name.
  - f. Location and dimensions of each existing or proposed building.
  - g. Location and width of park streets and pedestrian ways.
  - h. Location of recreational areas and buildings and common area.
  - i. Location of available fire hydrants.
  - j. Enlarged plot plan of a typical manufactured home space showing location of stand, storage space, parking and sidewalks, utility connections, and landscaping.
  - k. The plan shall indicate positions of the manufactured homes on their stands so that the decision maker may determine entrances, setbacks, etc.
  - l. Access features shall conform to the requirements set forth in Section 17.26.020. Section 17.26.020 also specifies submittal requirements for requesting an access permit and approval.
  - m. A survey plat of the property.
  - n. Schematic design drawings of all new structures.
  - o. A water system plan prepared by a registered civil engineer meeting the requirements for approval of the State of Oregon Health Division.
  - p. A sewerage system plan prepared in accordance with City standards.
  - q. A drainage system plan showing all drainage system improvements on site including storm water runoff calculations showing that the system is sufficient to handle the runoff from a 5-year storm.
  - r. Method of garbage disposal.

- 
- s. Park rules and regulations that will be recorded as deed covenants on the property.
4. DESIGN STANDARDS. The following standards and requirements shall govern the design of a mobile home park. The City may require that specific standards be included within covenants and restrictions to be recorded on the land.
- a. A mobile home park shall not be less than one acre in area. (Amended Ord 1060, May 17, 2023)
  - b. Lots or spaces within the park shall contain a minimum of 3,500 square feet with a width of no less than 35 feet.
  - c. Only 1 manufactured home shall be permitted on a lot or space.
  - d. No building, structure, or land within the boundaries of a mobile home park shall be used for any purpose except for the uses permitted as follows:
    - 1) Manufactured homes for residential uses only, together with the normal accessory uses such as cabana, patio slab, ramada, carport or garage, and storage and washroom building.
    - 2) Private and public utilities and services as permitted by City approval.
    - 3) Community recreation facilities, including swimming pool, for the residents of the park and guests only.
    - 4) One residence for the use of a manager or a caretaker responsible for maintaining or operating the property.
  - e. All manufactured homes shall be located at least 20 feet from the property boundary line abutting upon a public street, 100 feet from the center line of a state highway and at least 10 feet from other boundary lines, except that when a sound deadening fireproof barrier, such as an earthen berm or brick wall is provided, the Planning Commission may allow the 10-foot setback to be reduced to 5 feet, but not the 20-foot setback or the 100-foot setback. (Ord. 898, August 20, 2007) (Amended Ord 1060, May 17, 2023)
  - f. Manufactured homes shall not be located closer than 15 feet from any other manufactured home or permanent building within the manufactured home park nor closer than 10 feet to any park or private roadway. Manufactured home accessory buildings, when not attached to the manufactured home, shall not be closer than 3 feet from any manufactured home or structure.
  - g. Ramadas, cabanas, awnings, carports, and other attached structures shall be considered part of the manufactured home for setback purposes.
  - h. All manufactured homes not having a concrete perimeter foundation shall be provided with a foundation stand which shall be improved to provide adequate support for the placement of the manufactured home. The stand shall be all-weather surfaced with asphalt, concrete, or crushed rock and must be at least as large as the manufactured home placed upon it. The stand shall be constructed so that it will not heave, shift, or settle unevenly under the weight of the manufactured home due to frost action, inadequate drainage, vibration, wind, or other forces acting on the structure.
  - i. All manufactured homes shall be required to provide foundation, minimum exterior finishing, and construction of accessories in compliance with the standards of the zoning district in which they are located. All awnings, carports, cabanas, etc., constructed shall be of material, size, and color and pattern so as to be compatible with the manufactured home and shall comply with applicable codes.

- j. A mobile home park shall have a minimum 40-foot wide property line frontage to either a collector or arterial street.
- k. The mobile home park entrance shall be designed to provide a clearly defined main entry and exit point to the park. Secondary entry points may be required to provide ingress and egress for emergency vehicles. The main entry shall include street lighting and a sign(s) identifying the name of the park and providing direction to the manager's office or residence. Controlled ingress and egress may be installed subject to decision authority approval of design.
- l. Two off street parking spaces shall be provided at each manufactured home space. Also, additional parking space shall be provided in parking areas distributed around the park (not part of the common area) not to be less than 1 parking space per 10 units. All off street parking spaces shall meet City standards.
- m. Adequate street lighting shall be provided within the park in accordance with a plan approved by the Planning Commission.
- n. All utilities shall be installed underground unless otherwise approved by the Planning Commission.
- o. Approved fire hydrants shall be installed so that all manufactured homes, recreational vehicles, and other structures are within 300 feet down the center line of a street of an approved fire hydrant.
- p. The owner or operator of a manufactured home park shall provide individual mail boxes or distribution facilities for incoming mail, and at least 1 collection box for outgoing mail which shall be located in coordination with the post office.
- q. Buffering or screening shall be installed along park boundaries in accordance with a landscaping plan approved by the Planning Commission. All buffering or screening shall be in the form of a sight obscuring fence, wall, evergreen or other suitable planting, at least 6 feet high.
- r. Fences or windbreaks exceeding 42 inches high shall be no closer than 3 feet to any structure or manufactured house. Maximum height of all fences, except swimming pool fences and perimeter barriers, shall be 6 feet.
- s. Swimming pools shall be set back at least 50 feet from the nearest residential area and will have a fence surrounding it 8 feet high which does not obscure vision into the pool area. The swimming pool shall be operated and maintained pursuant to the standards and requirements of the Oregon State Board of Health regulations.
- t. There shall be landscaping within the front and side areas of each manufactured home lot setback and in all open areas of the manufactured home park not otherwise used for park purposes. Landscaping shall be installed in accordance with a landscaping plan approved by the decision authority. The maintenance of the open spaces shall be necessary to continue renewals of the park license.
- u. In the mobile home park, all refuse shall be stored in insect proof, animal proof, water tight containers which should be provided in sufficient numbers and capacity to accommodate all refuse in the park. Refuse containers shall be enclosed by sight obscuring fence or screening and situated on a concrete pad. Refuse shall be collected and disposed of on a regular basis in accordance with City garbage franchise regulations.

- v. If storage yards for recreational vehicles, boats, or trailers are provided, it should be provided at the rate of up to 100 square feet per manufactured home space depending on the clientele served. An 8-foot high sight obscuring fence with a lockable gate should be erected around the perimeter of the storage yard. If no storage space for recreational vehicles is provided, storage shall not be permitted within the park boundaries.
  - w. Pedestrian walkways shall be separated from vehicular traffic ways and maintained to provide safe and convenient movement to all parts of the park and connect to ways leading to destinations outside the park. Sidewalks shall be at least 3 feet wide and be composed of concrete or bituminous concrete at least 3 inches thick.
  - x. Although it will not be necessary for vehicular ways to be improved and maintained to City standards, all vehicular ways shall be based, graded, and paved with asphalt or concrete and shall be continuously maintained by the owner.
  - y. Minimum park street improvement width for shall be 14 feet for a one-way local street and 20 feet for a two-way local street.
5. OPERATIONAL STANDARDS.
- a. Alterations and Additions. The owner and management shall be held responsible for all alterations and additions to a mobile home park, and shall make certain that all permits and inspections are obtained from the proper authorities.
    - 1) Prior to the placement of any unit in a mobile home park a building permit shall be obtained from Marion County through the City of Stayton Public Works Department. (Added Ord. 944, March 5, 2012)
    - 2) All units shall be installed in accordance with the Oregon Manufactured Dwelling Installation Specialty Code. (Added Ord. 944, March 5, 2012)
    - 3) All units shall bear an Oregon insignia of compliance or a Housing and Urban Development Certification Label. (Added Ord. 944, March 5, 2012)
  - b. Electrical Connections. All electrical connections shall comply with the State of Oregon electrical code and be duly inspected.
  - c. Fire Extinguishers. Portable fire extinguishers rated for classes A, B and C shall be kept in service buildings and at other locations conveniently and readily accessible for use by all occupants and be maintained in good operating conditions.
  - d. Fire Hazards. The owner of the park shall be responsible for maintaining the park free of any brush, leaves, and weeds which might facilitate the spread of fires between manufactured homes and other buildings in the park. The owner shall also be responsible to insure that no combustible materials are stowed in, around, or under any manufactured home occupying a manufactured home space.
  - e. Inspections. The building official may check each park a minimum of once a year and submit to the park owner and manager a written report stating whether or not the park is in compliance with these standards. If not in compliance, the owner must make repairs as are required or will be considered to be in violation of this code and subject to enforcement action. An extension of no more than 1 year to make repairs may be made by the decision maker, if it can be shown that risk to public health, safety, or welfare will not be created by this extension.

- 
- f. Management Responsibilities. The owner, operator, resident manager, or similar supervisor or representative of the owner shall be available and responsible for direct management of the manufactured home park while it is in use.
  - g. Refuse Burning. Burning of refuse will not be permitted.
  - h. Refuse and Debris Control. All manufactured home parks shall be maintained free of accumulations of refuse or debris which may provide rodent harborage or breeding places for flies, mosquitoes, or other pests. All units shall have an adequate garbage container as determined by the Marion County Health Officer.
  - i. Storage of Materials. Storage of decomposing combustible or other unhealthy or unsafe materials inside or beneath any manufactured home is not permitted, but may be allowed in an outside accessory building if such installation is approved. (Amended Ord 1060, May 17, 2023)
  - j. Water and Sewer Connections. All manufactured homes, service buildings, etc., shall be connected to an approved water and sewer system.
  - k. Ownership and Maintenance of Water, Sewer and Storm Drainage Facilities. All water and sewer lines within the manufactured home park shall be privately owned, unless the City requests that the lines and public utility easements be granted to the City. Unless the City requires that they be made public, all sewer, water, and storm sewer lines and drainage ways shall be continuously maintained to City standards at the sole obligation and expense of the park owners.
  - l. Park Administration.
    - 1) It shall be the responsibility of the park owner(s) and manager to see that the provisions of this ordinance are observed and maintained within their park, and for failure to do so the owner and manager shall be subject to the penalties provided for violation of this ordinance.
    - 2) Manufactured home park spaces shall be rented or leased only.
    - 3) A minimum of 1/3 of the spaces must be available for occupancy before first occupancy is permitted.



**17.20.140 SIGNS**

1. **PURPOSE.** The purposes of these sign regulations are to provide equitable signage rights; reduce signage conflicts; promote traffic and pedestrian safety; and increase the aesthetic value and economic viability of the city by classifying and regulating the location, size, type, and number of signs and related matters.
2. **PERMIT PROCEDURES.**
  - a. **Permit Required.** No person shall construct or alter any sign without first obtaining a permit from the City Planner.
  - b. **Current Signs.** Owners of legally existing signs shall not be required to obtain a sign permit. (Amended Ord. 985, September 14, 2015)
  - c. **Application Requirements.**
    - 1) An application for a sign permit shall be submitted on a form prescribed by the City.
      - a) Within 7 days of submittal the City Planner shall determine whether the application is complete.
      - b) Within 14 days of submission of a complete application, the City Planner shall either: approve, approve with conditions, or deny the application.
      - c) The decision shall be issued in writing.
    - 2) Sign permits mistakenly issued in violation of these regulations or other provisions of the Code are void. The Stayton City Administrator may revoke a sign permit if it is found that material errors or misstatements of fact were made by the applicant on the permit application.
    - 3) The sign permit does not take the place of any other permits (e.g. structural, mechanical, electrical) which may be required to construct or locate an approved sign. (Amended Ord. 985, September 14, 2015)
  - d. **Permit Fees.** Permit fees shall be established by City Council resolution.
  - e. **Construction and Maintenance.** All signs shall be designed, constructed, and maintained in accordance with the following standards:
    - 1) All signs shall comply with the applicable provisions of the Oregon Structural Specialty Code in effect at the time of the sign permit application and all other applicable structural, electrical, and other regulations. Issuance of a sign permit under these regulations does not relieve the applicant of complying with all other permit requirements. (Amended Ord. 924, September 20, 2010)
    - 2) Except for temporary signs, signs shall be constructed of durable materials and be firmly attached to the ground, to a building, or to another structure by direct attachment to a rigid wall, frame, or structure.
    - 3) All signs shall be maintained in a good structural condition and be readable at all times. Sign supports shall be plumb. Broken faces of signs shall be repaired within 45 days of the date of damage. Failed illumination shall be replaced or repaired within 45 days of the date of failure of the lighting fixture or wiring defect. The provisions of this section shall apply to all signs within the City, including those not meeting these standards on the effective date of this provision. (Amended Ord. 924, September 20, 2010) (Amended Ord. 985, September 14, 2015)

3. SIGNS GENERALLY PERMITTED. Subject to the limitations listed in this subsection, the following signs and sign erection or alterations are permitted in all zones. These signs shall not require a permit and shall not be included when determining compliance with total allowed area:
- a. Painting or otherwise changing the sign face or copy, and maintenance of legally existing signs. If structural changes are made, the sign shall conform in all respects to these regulations.
  - b. Signs not exceeding 32 square feet which advertise the sale, rental, or lease of the premises upon which the sign is located.
  - c. Signs posted by or under governmental authority, including legal notices, traffic, danger, no trespassing, emergency, and signs related to public services or safety.
  - d. One sign, not to exceed 32 square feet, at each street entrance of a residential development or subdivision.
  - e. Incidental signs not exceeding 6 square feet.
  - f. Official national, state, and local government flags and a National League of Families' POW/MIA flag on permanent flag poles designed to allow the raising and lowering of flags:(Amended Ord. 985, September 14, 2015)
    - 1) One flag pole per property is exempt from the provisions of these regulations. (Amended Ord. 985, September 14, 2015)
    - 2) In a residential zone, a flag structure shall not exceed 35 feet. (Amended Ord 937, August 4, 2011)
    - 3) In a Commercial, Industrial or Downtown zone, a flag structure shall not exceed 35 feet or 110 percent of the maximum height of the primary structure on the property, whichever is greater. (Amended Ord 937, August 4, 2011)
    - 4) All structures over 10 feet in height supporting flags require a Building Permit and an inspection(s) of the footing and structure, as per the building code, prior to installation of the structure.
  - g. Signs within a building that are not visible from the street, sidewalk or other public property.
  - h. Signs painted or hung on the inside of a window or door. (Amended Ord. 985, September 14, 2015)
  - i. Commercial murals shall count as a sign in determining total sign area for a business. Murals that do not advertise or identify a business, with a cultural or heritage theme, are not considered commercial signs and are exempt from this Section. (Amended Ord. 985, September 14, 2015)
  - j. Name signs, not exceeding 2 square feet, identifying the occupants of a dwelling.
  - k. Restoration, repair, or replacement of signs that have been demonstrated by the owner to have been in existence since January 1, 1949, provided the sign substantially retains its original appearance and location.
  - l. Temporary and portable signs, no larger than 16 square feet in area, announcing community events. Banners hung with the guy wires located on First Avenue between Cedar and Regis Streets, are permitted for up to four weeks in advance of the event and shall be removed

within 5 days of the end of the event. Banners shall be no larger than 80 square feet in area. (Amended Ord. 913, September 2, 2009)

- m. Other portable signs in conformance with the requirements of Section 17.20.140.9-B.b. (Added Ord. 985, September 14, 2015)

4. PROHIBITED SIGNS. The following signs shall be prohibited:

- a. Balloons or similar tethered objects.
- b. Roof signs.
- c. Signs emitting an odor, visible matter, or sound.
- d. Signs supported by guy wires of any type except for the guy wires located on 1<sup>st</sup> Avenue between Cedar and Regis Streets.
- e. Signs that obstruct a fire escape, required exit, window, or door opening used as a means of egress.
- f. Signs closer than 24 inches horizontally or vertically from any overhead power line or public utility guy wire.
- g. Rotating/revolving signs.
- h. Flashing signs. (Amended Ord. 985, September 14, 2015)
- i. Signs that project into or over driveways or public rights-of-way, except signs that project over a public sidewalk. Such sign shall not be less than eight feet above the ground. (Amended Ord. 985, September 14, 2015)
- j. Signs within the sight clearance triangle that obstruct the required vision areas or represent a hazard to pedestrian or vehicle traffic.
- k. Signs that interfere with, imitate, or resemble any official traffic control sign, signal, or device; emergency lights; or which appear to direct traffic (e.g., a beacon light).
- l. Signs attached to any pole, post, utility pole, or placed by its own stake in the ground in a public right-of-way. This restriction shall not apply to bulletin boards for public use as authorized by the City Council.
- m. [Repealed Ord. 985]
- n. Any new or relocated off-premise sign, unless specifically allowed as a permitted sign in this sign code.
- o. No vehicle or trailer shall be parked for more than 72 hours so as to be visible from a public right-of-way which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or another premises, unless such sign meets the requirements of this section. This provision applies only to a vehicle the primary purpose of which is advertisement; it is not intended to prohibit any form of sign attached to or on a vehicle the primary use of which is for business purposes other than advertising. (Amended Ord. 985, September 14, 2015)
- p. Signs on city property placed by a nongovernmental entity.
- q. Free standing and illuminated signs for all home occupations.

---

## 5. ILLUMINATION OF SIGNS

- a. No sign shall be comprised of or illuminated by intermittent light except message signs. (Amended Ord. 985, September 14, 2015)
- b. Externally Illuminated Signs
  - 1) The average level of illumination on the vertical surface of the sign shall not exceed 3.0 foot-candles, and the uniformity ratio (the ratio of average to minimum illumination) shall not exceed 2:1.
  - 2) Lighting fixtures illuminating signs shall be carefully located, aimed, and hooded or shielded to prevent direct illumination of public streets or abutting properties.
  - 3) Light fixtures illuminating signs shall be of a type such that the light source (bulb) is not directly visible from adjacent public streets or properties.
  - 4) To the extent practicable, fixtures used to illuminate signs shall be top mounted and directed downward (i.e. below the horizontal).
- c. Internally Illuminated Signs.
  - 1) Internally lit signs are permitted only in the commercial, industrial, public, and downtown zones. (Amended Ord. 985, September 14, 2015)

## 6. NONCONFORMING SIGNS.

- a. Alteration of Nonconforming Sign Faces. Legally existing nonconforming signs are subject to the following provision regarding alteration.
  - 1) A change in sign face alone is allowed without requiring compliance with these regulations.
  - 2) When a nonconforming sign face is damaged or destroyed, such sign face may be restored to its original condition provided such work is completed within sixty days of the damage. However, a sign structure or support mechanism so damaged shall not be replaced except in conformance with the provisions of these regulations.
- b. Permits for Properties with Nonconforming Signs.
  - 1) [repealed Ord. 924]
  - 2) [repealed Ord. 924]
  - 3) Nonconforming Sign Area. All signs in existence as of the date of the permit application shall be included in the total allowed area, number, or size when reviewing applications for new or altered signs to be allowed on the property.
- c. Abatement of Nonconforming Signs.
  - 1) All permanent, free-standing signs, and wall, canopy, projecting or other similar permanent signs in existence on the effective date of these regulations, which are not in conformance with the provisions of these regulations may be repaired, maintained (including a change in sign face) until such time the sign structure is altered, at which time the sign must conform to applicable sign regulations. (Amended Ord. 924, September 20, 2010)
  - 2) [repealed Ord. 924]
  - 3) [repealed Ord. 924]

- 
- 4) Existing permanent signs on properties annexed to the city shall be in conformance with the provisions of these regulations within one year following annexation. Temporary signs shall conform to the regulations within 6 months following annexation. (Amended Ord. 924, September 20, 2010) (Amended Ord. 985, September 14, 2015)
  - d. Abandoned Signs. All signs for a business shall be removed within 30 days after that business ceases to operate on a regular basis. The sign structure shall be maintained in accordance with Section 17.20.140.2.e.3). (Amended Ord. 985, September 14, 2015)
  7. SIGNS IN THE PUBLIC/SEMI-PUBLIC ZONE. The following regulations apply to signs in the Public/Semi-public zone:
    - a. Any combination of wall, canopy, projecting, free-standing, and window signs not exceeding the sign area and height limitations set forth below shall be allowed. (Amended Ord. 985, September 14, 2015)
    - b. Total signage area on a property shall not exceed 64 square feet. However, a use with more than 100,000 square feet of gross floor area may have up to 600 square feet of sign area. (Amended Ord. 985, September 14, 2015)
    - c. Maximum Sign Height.
      - 1) Wall or wall mounted signs shall not project above the parapet or roof eaves.
      - 2) A monument sign shall not exceed 6 feet in height. Any other free-standing sign shall not exceed a total height of 6 feet within the first 10 feet of a property boundary; otherwise, the maximum height is 16 feet.
    - d. Permitted Locations.
      - 1) A wall sign may project no more than 1.5 feet from the building. (Amended Ord. 985, September 14, 2015)
      - 2) A canopy or projection sign may project up to 3 feet from the building, and may project into a street right-of-way. However, any portion of a canopy or projecting sign that projects over a street right-of-way shall be at least 8 feet above ground level. (Added Ord. 985, September 14, 2015)
      - 3) A free-standing sign shall be setback at least 5 feet from any property line.
    - e. [Repealed Ord. 985]
  8. SIGNS IN RESIDENTIAL ZONES. Other than signs permitted under Section 17.020.140.3, signs in the Residential zones are limited to signs for home occupations. Home occupation signs are subject to the provisions of Section 17.020.100.10.
  9. SIGNS IN COMMERCIAL AND INDUSTRIAL ZONES. The following regulations shall apply to signs commercial and industrial zones:
    - a. Signs for businesses not in integrated business centers:
      - 1) Total Allowed Area. The total allowed sign area of all signs for a business not in an integrated business center is two square feet of for each lineal foot of building frontage up to a maximum of 100 square feet.
      - 2) Type, Maximum Number, and Size of Signs. Within the total allowed signage area, one free-standing sign for each street frontage, and one wall, canopy or projecting sign is permitted. A free-standing sign shall be limited to a maximum of 50% of the total allowed sign area. (Amended Ord. 985, September 14, 2015)

- 3) Maximum Sign Height.
    - a) Wall or wall mounted signs shall not project above the parapet or roof eaves.
    - b) A monument sign shall not exceed 6 feet in height. Any other free-standing sign shall not exceed a total height of 6 feet within the first 10 feet of a property boundary; otherwise, the maximum height is 16 feet.
  - 4) Location.
    - a) Wall or canopy signs may project up to 1.5 feet from the building.
    - b) Projecting signs may project up to 3 feet from the building, and may project into a street right-of-way. However, any portion of a canopy or projecting sign that projects over a street right-of-way shall be at least 8 feet above ground level. (Amended Ord. 985, September 14, 2015)
    - c) Monument signs shall not project over street rights-of-way and they shall not be located within a sight clearance triangle or special street setback. Other free-standing signs shall be setback a minimum of 5 feet from any property line. Any sign located within a sight clearance triangle shall either be no taller than 3 feet in height or have the lowest portion of the sign at least 8 feet in height.
- b. Signs for integrated business centers.
- 1) Total Allowed Area.
    - a) Signs attached to a building for an individual business within an integrated business center shall be no larger than one square foot of sign area for each lineal foot of building frontage for the individual business, up to a maximum of 80 square feet per business. If a building is located more than 50 feet from the front lot line, the maximum sign area may be increased by 50%. If a building is located more than 100 feet from the front lot line, the maximum sign area may be increased by 100%. Individual businesses may not assign their unused allowed area to other businesses in the integrated business center.
    - b) Integrated business center. One free-standing sign is permitted for each street on which an integrated business center has frontage. If there is only one street frontage, the sign shall not exceed 150 square feet in area; otherwise, the maximum sign area for each sign shall be 100 square feet.
    - c) Businesses that are located in an individual building within the integrated business center may have one freestanding sign in addition to the freestanding sign for the center. The sign shall be no larger than 40 square feet in sign area, no taller than 8 feet above ground, and shall be located within 30 feet of the building in which the business is located. (Added Ord. 985, September 14, 2015)
  - 2) Maximum Sign Height.
    - a) Wall or wall mounted signs shall not project above the parapet or roof eaves.
    - b) A monument sign shall not exceed 6 feet in height. Any other free-standing sign shall not exceed a total height of 6 feet within the first 10 feet of a property boundary; otherwise, the maximum height is 16 feet.
  - 3) Location.
    - a) Wall or canopy signs may project up to 1.5 feet from the building.

- b) Projecting signs may project up to 3 feet from the building, and may project into a street right-of-way. However, any portion of a projecting sign that projects over a street right-of-way shall be at least 8 feet above ground level. (Added Ord. 985, September 14, 2015)
  - c) Monument signs shall not project over street right-of-way and they shall not be located within a sight clearance triangle or special street setbacks.
  - d) Other free-standing signs shall be setback a minimum of 5 feet from any property line. Any sign located within a sight clearance triangle shall either be no taller than 3 feet in height or have the lowest portion of the sign at least 8 feet in height.
- c. Additional Signs. Within the limitation of this subsection, the types of sign discussed in this subsection do not require a permit and are not included in calculations for allowed area and number of signs:
- 1) When a business has two public entrances on separate building walls, there is permitted one additional wall sign not to exceed 10 square feet in area for the wall where the entrance is not the primary entrance.
  - 2) Directional signs (e.g., “Exit” or “Entrance”) are allowed either as wall or free-standing signs. Each such sign shall be limited to three square feet in area and there shall be no more than two signs per driveway. Free-standing directional signs shall be limited to a height of 4 feet.
  - 3) Order signs describing products and/or order instructions to a customer (e.g., menu boards at a drive-through restaurant) shall be limited to 40 square feet in area and a maximum height of 8 feet. (Amended Ord. 985, September 14, 2015)
- d. [Repealed Ord. 985]
- e. [Repealed Ord. 985]
- 9-A. SIGNS IN THE DOWNTOWN ZONES. The following regulations shall apply to signs in the Downtown Zones. (Added Ord. 902, May 7, 2008)
- a. Sign Types and Maximum Number of Signs. Within the CCMU, DCMU, and DRMU zones, in addition to any combination of wall, canopy, projecting and window signs, one free-standing sign for each street on which the lot fronts may be erected between a building and the front lot line provided the building is at least 20 feet from the front lot line. (Added Ord. 902, May 7, 2008) (Amended Ord. 930, November 18, 2010) (Amended Ord. 985, September 14, 2015)
  - b. Number of Signs. Each business may have one wall, canopy or projecting sign attached to a building for each side of the building facing a street or public sidewalk the business occupies, not including awning signs. (Added Ord. 902, May 7, 2008)
  - c. Total Allowed Area. The total allowed sign area for any wall, canopy or projecting signs for a business is one square foot of sign area per lineal foot of building frontage for the individual business. The maximum sign area for any free-standing sign is 30 square feet. (Added Ord. 902, May 7, 2008) (Amended Ord. 924, September 20, 2010) (Amended Ord. 930, November 18, 2010) (Amended Ord. 985, September 14, 2015)
  - d. Maximum Sign Height. Wall or wall-mounted signs shall not be taller than 20 feet and shall not project above the parapet or roof eaves. A free-standing sign shall not exceed 12 feet in height. (Added Ord. 902, May 7, 2008) (Amended Ord. 924, September 20, 2010) (Amended Ord. 985, September 14, 2015)

- e. Location. (Added Ord. 924, September 20, 2010)
- 1) Wall or canopy signs may project up to 1.5 feet from the building. (Added Ord. 924, September 20, 2010)
  - 2) Projection signs may project up to 3 feet from the building. Any portion of a projection sign that projects over a street right-of-way shall not be less than 8 feet above the ground level. (Added Ord. 924, September 20, 2010) (Amended Ord. 985, September 14, 2015)
  - 3) Free-standing signs shall be setback a minimum of 5 feet from any property line. Any sign located within a sight clearance triangle shall either be no taller than 3 feet in height or have the lowest portion of the sign at least 8 feet in height. (Added Ord. 924, September 20, 2010)
- f. [Repealed Ord. 985]

9-B. TEMPORARY AND PORTABLE SIGNS (Added Ord. 985, September 14, 2015)

- a. Temporary Signs. No more than two temporary signs per business shall be permitted at any one time. Temporary signs shall conform to the following: (Added Ord. 985, September 14, 2015)
- 1) A temporary sign shall not exceed 16 square feet in area. (Added Ord. 985, September 14, 2015)
  - 2) The placement of temporary signs shall be limited to a period not exceeding 90 days within any calendar year. This restriction applies to the display of all temporary signs throughout a calendar year and not to each individual sign. (Added Ord. 985, September 14, 2015)
  - 3) Except in a Public/Semi-Public Zone, a temporary sign shall not be located within the public right-of-way or violate vision clearance provisions. In a Public/Semi-Public Zone, a temporary sign may be located in the public right of way, when the right of way exceeds 60 feet in width and there is a landscape strip between curb and sidewalk that exceeds five feet in width. A temporary sign in the public right of way shall be placed a minimum of three feet behind the curb and shall be placed a minimum of 50 feet from a driveway or street intersection. (Added Ord. 985, September 14, 2015) (Amended Ord. 1024, September 19, 2018)
  - 4) A newly opened business may have a temporary sign for up to 180 days while waiting for a permanent sign to be manufactured and installed. (Added Ord. 985, September 14, 2015)
- b. Portable Signs. No more than one portable sign per business shall be permitted at any one time. Portable signs shall conform to the following: (Added Ord. 985, September 14, 2015)
- 1) Except for public safety, all trailer-mounted reader boards shall be prohibited. (Added Ord. 985, September 14, 2015)
  - 2) The maximum permitted area shall be 12 square feet per display surface. (Added Ord. 985, September 14, 2015)
  - 3) The maximum height shall be four feet above ground level. (Added Ord. 985, September 14, 2015)
  - 4) Except in the Downtown Zones, portable signs for businesses not within an integrated business center shall be located on the property on which the business is located. Portable signs within an integrated business center shall be located between the building and parking area and immediately in front of the business. (Added Ord. 985, September 14, 2015)



- 5) In the Downtown Zones a portable sign may be erected on the public sidewalk in conformance with the following standards (Added Ord. 985, September 14, 2015)
  - a) The portable sign shall be either an A-frame sandwich sign or be a hanging sign supported by a metal frame inserted into a hole the sidewalk provided by the City. (Added Ord. 985, September 14, 2015)
  - b) The portable sign shall be entirely outside of the area of a right-of-way corner that is between the curb and the lines created by extending the property line to the curb face. See Figure 17.20.140.9-A.1 (Added Ord. 985, September 14, 2015)
  - c) A portable sign shall be placed either within six inches of the curb line or within 2 feet of the front lot line, in order to minimize interference with pedestrians. In either location, the sign shall not obstruct a continuous through pedestrian zone of at least six feet in width. See Figure 17.20.140.9-A.2. (Added Ord. 985, September 14, 2015)

Figure 17.20.140.9-A.1  
Placement of Portable Signs in the R-O-W

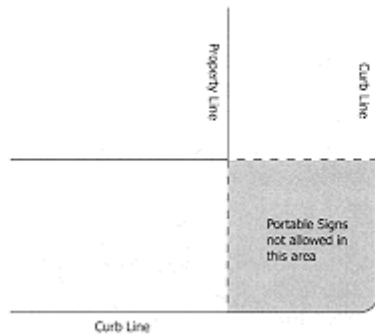
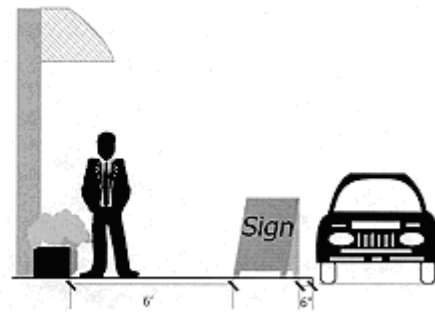


Figure 17.20.140.9-A.2  
Placement of Portable Signs in the R-O-W



- d) The maximum sign area of an A-frame sandwich sign shall be 6 square feet, counting only one side of the sign. The maximum sign area of a hanging sign shall be 4 square feet. (Added Ord. 985, September 14, 2015)
  - e) A portable sign may be erected only during the hours a business is open. (Added Ord. 985, September 14, 2015)
  - 6) A portable sign shall not be illuminated. (Added Ord. 985, September 14, 2015)
  - c. Signs for Temporary Businesses. Temporary businesses may display temporary or portable signs other than trailer-mounted reader boards or any other sign that includes flashing or rotating lights or moving parts. The cumulative size of all such signs may not exceed 32 square feet. No individual sign shall be larger than 16 square feet. All temporary signs must be placed within ten feet of the structure or vehicle used for the temporary business and may not be placed within any public right-of-way. (Added Ord. 985, September 14, 2015)
10. ELECTRONIC MESSAGE SIGNS. Applications for message signs shall be reviewed according to the criteria in this section: (Amended Ord. 898, August 20, 2007) (Amended Ord. 985, September 14, 2015)
- a. Proposed sign is located in a Public, Commercial, or Industrial zone. (Amended Ord. 919, March 18, 2010)
  - b. [Repealed Ord. 985]
  - c. [Repealed Ord. 985]

- d. [Repealed Ord. 985]
- e. The following standards shall apply.
- 1) With the exception of a message sign that displays only the time or temperature, the frequency with which a message or display may be changed shall be no more than once every eight seconds. (Amended Ord. 919, March 18, 2010) (Amended Ord. 985, September 14, 2015)
  - 2) The message or display must change as rapidly as technologically practicable, with no phasing, rolling, scrolling, flashing or blending.
  - 3) The message or display shall be a uniform color on a plain background of a uniform color. (Amended Ord. 919, March 18, 2010) (Amended Ord. 978, January 14, 2015) (Amended Ord. 985, September 14, 2015)
  - 4) The electronic display may comprise no more than 50% of the surface area of a message sign. (Amended Ord. 985, September 14, 2015)
  - 5) No more than one message sign with 2 sides is allowed per lot. (Amended Ord. 985, September 14, 2015)
  - 6) [Repealed Ord. 978]
  - 7) The luminance of the sign shall be limited to no more than 280 candelas per square meter. The applicant shall submit information from the sign manufacturer indicating the luminance will be met as measured with a luminance meter aperture of 1 degree or less, 50 feet directly in front of the sign with the sign in a fully illuminated mode. If the message sign displays white or multi-colored light, the luminance shall be measured in white light. (Added Ord. 919, March 18, 2010) (Amended Ord. 985, September 14, 2015)
  - 8) The sign shall default to the off position in the case of any failure of mechanisms that control luminance or other display features. (Added Ord. 919, March 18, 2010)
- f. [Repealed Ord. 985]
- g. The proposed sign shall comply with all other regulations including, but not limited to, height and placement restriction. (Amended Ord. 985, September 14, 2015)
- h. The provisions of Section 17.20.140.4.n notwithstanding, a message sign dedicated to announcing only community events and public service messages may also display the name or logos of businesses, provided that the business names or logos are not part of the electronic message portion of the sign. (Added Ord. 919, March 18, 2010) (Amended Ord. 985, September 14, 2015)
11. VARIANCES. Any deviation from the standards set forth in these regulations shall be by variance. No variance shall be approved without affirmative findings that the request fully satisfies the following criteria:
- a. There are unique circumstances or conditions of the lot, building, or traffic pattern such that the existing sign regulations create an undue hardship.
  - b. Granting of the variance compensates for those circumstances in a manner equitable with other property owners and is not a special privilege to any business. Any variance granted shall be the minimum necessary to compensate for those conditions and achieve the purpose of this chapter.
  - c. Granting of the variance shall not decrease traffic safety nor detrimentally affect any other identified public welfare considerations.

- d. Granting a variance shall not result in a special advertising advantage in relation to neighboring businesses or businesses of a similar nature. Desire to match standard sign sizes (e.g., chain store signs) shall not be considered as a reason for a variance.
  - e. The need for a variance shall not be the result of condition created by the applicant or a previous owner.
  - f. The variance must be consistent with the purposes of this section.
12. [Repealed, Ord. 898]

**17.20.150 TREE PRESERVATION**

1. **NEW DEVELOPMENT AND REDEVELOPMENT.** Except for tree farms, development sites are vigorously encouraged to preserve existing trees. Site plans for new development, grade and fill plans shall disclose the details of tree removal including numbers of trees, size and species of trees to be removed.
2. **STREET TREES.** Unless specifically authorized in writing by the Public Works Director, or designee, no person shall intentionally damage, cut (save pruning), carve, transplant, or remove any street tree; attach any rope or wire (unless required in order to stabilize the tree), nails, advertising posters, or other contrivance; allow any substance which is harmful to such trees to come in contact with them; or set fire or permit any fire to burn when such fire or the heat thereof will injure any portion of any tree. Private property owners are responsible for the maintenance and replacement of street trees within adjacent public rights-of-way.
3. **HERITAGE TREES.** Unless specifically authorized in writing by the Public Works Director, or designee, no person shall intentionally damage, cut (save pruning), carve, transplant or remove any Heritage tree; attach any rope or wire (unless required in order to stabilize the tree), nails, advertising posters, or other contrivance; allow any substance which is harmful to such trees to come in contact with them; or set fire or permit any fire to burn when such fire or the heat thereof will injure any portion of any tree. A list of community Heritage trees will be kept and maintained by the City Administrator or designee.

Recognition of Heritage Trees. Stayton citizens wishing to have trees recognized by the City as Heritage trees shall submit their request in writing to the City Council. The request shall explain why the subject tree is of exceptional value to the community. A majority vote of approval of the City Council will add the tree to the Heritage Tree list. No tree shall be designated a Heritage tree unless the property owner agrees. Property owners may request the removal of the Heritage Tree designation from trees on their property.

**17.20.160****WIRELESS COMMUNICATION FACILITIES**

1. **PURPOSE.** The provisions of this section are intended to ensure that wireless communication facilities (WCF) are located, installed maintained, and removed in a manner that:
  - a. Minimizes the number of transmission towers throughout the City.
  - b. Minimizes the impact to residential areas.
  - c. Encourages the collocation of WCF.
  - d. Encourages the use of existing buildings, utility and light poles, water towers, and similar structures for locating WCF instead of new towers.
  - e. Ensures that all WCF including support towers, antennas, and ancillary facilities are located and designed to minimize the visual impact on the immediate surroundings and throughout the City, and minimize public inconvenience and disruption. Nothing in this section shall apply to amateur radio antennas, or facilities used exclusively for the transmission or reception of television and radio signals.
  
2. **SITING RESTRICTED.** No WCF may be constructed, modified, installed or otherwise located within the City except as provided in this section. Depending on the type, height, and location of a WCF, it shall be a permitted use not subject to site plan review, or a permitted use subject to site plan review.
  - a. **Outright Permitted Use.** No land use permit is required for a WCF which pursuant to subsections 3 through 5 of this section, is an outright permitted use not subject to site plan review. Such a WCF shall require a building and/or electrical permit, depending on the type of installation.
  - b. **Site Plan Review.** A WCF which, pursuant to subsection 3 through 5 of this section is a permitted use subject to site plan review, and shall be processed in accordance with the site plan review procedures of Section 17.12.220. The approval criteria and standards contained in this section, as well as the criteria of Section 17.12.220, shall govern the approval or denial and any conditions of approval, of the site plan review. In the event of a conflict in criteria or other requirements, this section shall govern.
  
3. **COLLOCATION OF WCF ANTENNAS ON EXISTING BUILDINGS, UTILITY OR LIGHT POLES, AND WATER TOWERS.**
  - a. **Permitted Use.** Such collocation shall be considered an outright permitted use provided that the antennas and ancillary facilities comply with the standards of this section, and the antennas extend no more than 10 feet above and no more than 2 feet horizontally away from the existing structure, and the collocation site is zoned CR, CG, CCMU, DCMU, DRMU, ID, IC, IL, IA or P. (Amended Ord. 902, May 7, 2008) (Amended Ord. 968, May 8, 2014)
  - b. **Site Plan Review.** Such collocation shall be a permitted use subject to a site plan review approval provided that the antennas and ancillary facilities comply with the standards of this section, the antennas extend no more than 20 feet above and no more than 4 feet horizontally away from the existing structure, and the collocation site is zoned HD, CR, CG, CCMU, DCMU, DRMU, ID, IC, IL, IA or P. As part of collocation on a utility or light pole, the existing pole may be replaced if needed for structural soundness provided the total height of the pole and antenna is not increased and the diameter of the pole is not increased by more than 20%. (Amended Ord. 902, May 7, 2008) (Amended Ord. 968, May 8, 2014)

---

#### 4. COLLOCATION OF ADDITIONAL ANTENNAS ON EXISTING WCF TOWER.

- a. Permitted Use. Collocation of additional antenna(s) on an existing WCF support tower shall be considered an outright permitted use if the existing WCF was specifically approved, as part of a prior land use approval (by the City) of a WCF tower, for collocation of additional antennas.
- b. Site Plan Review. Collocation of additional antennas on an existing WCF tower shall be a permitted use subject to site plan review approval if the existing WCF was not specifically approved as part of prior land use approval of a WCF tower, for collocation of additional antennas.

#### 5. NEW WCF WITH SUPPORT TOWER.

- a. Site Plan Review. Construction of new WCF with support tower shall be a permitted use and require site plan review approval in the IL, IC, IA, and P zoning districts. Location of antennas on an existing structure on which the antennas extend 20 feet or further above or more than 4 feet horizontally away from the existing structure shall be considered a new WCF. (Amended Ord. 968, May 8, 2014)

#### 6. APPLICATION REQUIREMENTS.

- a. Collocation of WCF Antennas. In addition to application materials required elsewhere in this Code, an applicant shall submit the following information:
  - 1) A description, site plan, and elevation drawing of the proposed antennas and any ancillary structures location, design, and height. The description must include a response to how the proposed facility meets applicable Code standards and requirements.
  - 2) A statement documenting that placement of the antennas is designed to allow future collocation of additional antennas if technologically possible.
  - 3) Plans showing the connection to utilities/ right-of-way cuts, and ownership of utilities and easements. (Amended Ord. 968, May 8, 2014)
  - 4) Documents demonstrating that necessary easements and leases have been obtained.
  - 5) Plans showing how vehicle access and parking will be provided.
  - 6) If ancillary facilities will be located on the ground, a landscape plan and fencing plan, showing how these facilities will be buffered from adjacent property.
- b. Construction of New WCF Tower. In addition to application materials required elsewhere in this Code, an applicant shall submit the following information:
  - 1) A description, site plan, and elevation drawing of the proposed WCF and tower location, design, and height. The description must include a response to how the proposed facility meets applicable Code standards and requirements.
  - 2) The general capacity of the WCF tower in terms of the number and type of antennas it is designed to accommodate.
  - 3) A signed agreement stating that the applicant and any future owners of the WCF will allow collocation with other users, provided all safety, structural, and technological requirements are met.
  - 4) Plans showing the connection to utilities/ right-of-way cuts, and ownership of utilities and easements are required.

- 
- 5) Documents demonstrating that necessary easements and leases have been obtained.
  - 6) Plans showing how vehicle access and parking will be provided.
  - 7) If ancillary facilities are located on the ground, a landscape and fencing plan shall be required showing how these facilities will be buffered from adjacent property.
  - 8) A visual study showing a graphic or computer simulation of the proposed WCF tower, antennas and ancillary facilities from at least 5 points (representing a wide variety of views) within a 2 mile radius. Such points shall be chosen by the applicant with review and approval by the City Planner.
  - 9) Evidence demonstrating collocation is impractical on existing buildings, utility and light poles, water towers, existing WCF towers, and existing WCF sites for reasons of structural support capabilities, safety, available space, receiving or transmitting interference, or failing to meet service coverage area needs.
  - 10) A statement providing the reasons for the location, design, and height of the proposed WCF tower and antennas.
7. STANDARDS FOR WCF SITES. Installation, construction, or modification of all WCF towers, antennas, and ancillary facilities shall comply with the following standards:
- a. Separation between WCF towers. No WCF tower may be constructed within 2,000 feet of any pre-existing WCF tower and no closer than 3,500 feet from Wilderness, Pioneer, and Stayton Riverfront Parks. Tower separation shall be measured by following a straight line from the portion of the base of the proposed tower which is closest to the base of any pre-existing tower.
  - b. Height Limitation. Within the IL, IA, IC and P zoning districts, the maximum tower height shall be 140 feet, as measured from the ground elevation to the highest point of the tower or antennas.
  - c. Collocation. WCF towers shall be designed to accommodate collocation of additional providers antennas:
    - 1) WCF towers at 75 feet or less in height shall be designed to accommodate collocation of at least one additional antenna either outright or through future modification.
    - 2) WCF towers over 75 feet in height shall be designed to accommodate collation of at least two additional antennas either outright or through future modification.
  - d. Setback. In addition to required setbacks in each zoning district, the following setbacks from adjacent property lines and streets shall be required:
    - 1) WCF towers in the IL, IC, IA, and P zoning districts shall setback from all dwellings by a distance equal to one foot greater than the total height of the tower and antennae, and by a distance of 300 feet from any residential zone boundary. (Amended Ord. 968, May 8, 2014)
    - 2) Should the use of “Concealment Technology” be implemented, the decision makers may allow the proposed towers setback to be reduced by 100 feet.
  - e. Buffering. In the IL, IC, IA and P zoning districts, a sight obscuring fence of a minimum height equal to the height of any ground-based ancillary shelters is required around the perimeter of the tower and ancillary structures. Landscaping is required in accordance with Section 17.20.090, and the decision authority may impose a condition on the size of ground-based ancillary facilities to limit the visual impact of such facilities.

---

When a tower is proposed within 1,320 feet of a residential zoning district or when the visual impact study required in Section 17.20.160.6.b.8 demonstrates that the proposed tower will be highly visible from a large geographic area of residences, the tower shall be designed so as to be camouflaged to the greatest extent possible by the use of concealment technology.

- f. Lighting. No lighting shall be permitted on the tower, antennas, or ancillary structures except as required by the Federal Aviation Administration or the Oregon State Aeronautics Division.
  - g. Color. The tower, antennas, ancillary structures and fencing shall be surfaced with nonreflective paint and/or materials. The surfaces must be neutral colors or shades as approved by the City.
  - h. Signs. No signs, striping, graphics or other attention-getting devices are permitted on the tower, ancillary structures, or fencing, except for warning and safety signage with a surface of no more than 4 square feet. Such signage shall be attached to the fence or gate (or structure if no ground-based ancillary structures) and is limited to a maximum of 2 signs.
  - i. Removal of Facilities. All tower, antenna, and ancillary structures shall be removed by the facility owner or property owner within 12 months of the date the facility ceases to be operational. The facility owner shall inform the property owner, in writing, of this condition with a copy submitted to the Planning Department prior to issuance of a building permit.
  - j. Cooperation. A WCF permittee shall cooperate with other wireless communication providers in collocating additional antennae on towers and support structures. A permittee shall exercise good faith in collocating and sharing the permitted site with other providers, provided the shared use does not result in substantial technical impairment of the permitted use. Good faith shall include sharing technical information sufficient to evaluate the feasibility of collocation.
  - k. Maintenance. It is required that a monopole tower maintain original appearance with additional collocation cables and wires to be added internally, and the towers exterior paint be maintained.
  - l. Variance. Any deviations from the standards set forth in these regulations shall be by Variance. No variance shall be approved without affirmative findings that the request fully satisfies the criteria as outlined in Section 17.12.190.
8. FEES. Notwithstanding other fees or deposits for permits required elsewhere in the Code or by resolution, the City Administrator may require that applicants for WCFs (whether for permitted use or site plan review), submit an amount sufficient to recover all of the City's costs in retaining wireless communications consultants to verify statements in the application materials.



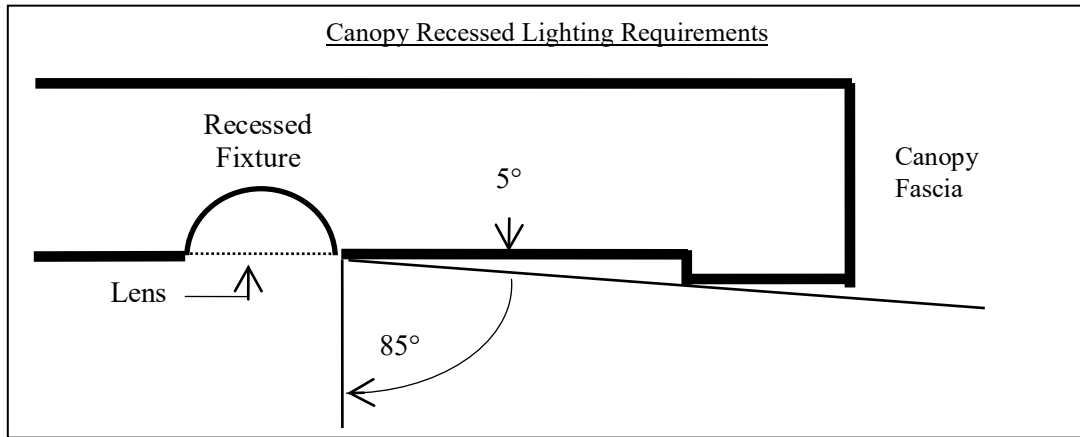
**17.20.170 OUTDOOR LIGHTING**

1. **PURPOSE.** The purposes of these lighting standards are: conserving energy, minimizing light pollution and glare on adjacent properties, protecting residential uses from neighboring commercial or industrial uses, and promoting traffic and pedestrian safety.
2. **GENERAL STANDARDS.** Lighting may be provided which serves security, safety and operational needs but which does not directly or indirectly produce deleterious effects on abutting properties or which would impair the vision of the traveling public on adjacent roadways. Lighting fixtures with more than 800 lumens of light output shall be cut-off fixtures so that the lighting elements are not exposed to normal view by motorists, pedestrians, or from adjacent dwellings. Direct or indirect illumination shall not exceed 0.5 foot candles upon abutting lots in residential use measured at the property line.

Whenever practicable, lighting installations shall include timers, dimmers, and/or sensors to reduce overall energy consumption and eliminate unneeded lighting. When an outdoor lighting installation is being modified, extended, expanded, or added to, the entire lighting installation shall be subject to the requirements of this Section.

- a. Electrical service to outdoor lighting fixtures shall be underground unless the fixtures are mounted directly on utility poles.
  - b. For the purposes of this Section, the mounting height of a lighting fixture shall be defined as the vertical distance from the grade elevation of the surface being illuminated to the bottom of the lighting fixture.
  - c. Holiday lighting during the months of November, December, and January shall be exempt from the provisions of this section, provided that such lighting does not create dangerous glare on adjacent streets or properties.
3. **PROCESS.** When an application for land use approval contains outdoor lighting installation or replacement, the decision authority shall review and approve the lighting installation as part of the application. Lighting installation or replacement that is not part of a land use approval application need not submit a lighting plan or obtain a permit beyond that which may be required by the Electrical Code, but shall meet the standards below.
  4. **NON-RESIDENTIAL LIGHTING STANDARDS.** The following additional standards shall apply to all commercial, industrial, public and semi-public uses:
    - a. **Lighting of Gasoline Station/Convenience Store Aprons and Canopies.** Lighting levels on gasoline station/convenience store aprons and under canopies shall be adequate to facilitate the activities taking place in such locations. Lighting of such areas shall not be used to attract attention to the businesses. Signs allowed under Section 17.20.140 shall be used for that purpose.
      - 1) Areas on the apron away from the gasoline pump islands used for parking or vehicle storage shall be illuminated in accordance with the requirements for parking areas set forth elsewhere in this section. If no gasoline pumps are provided, the entire apron shall be treated as a parking area.
      - 2) Areas around the pump islands and under canopies shall be illuminated so that the minimum horizontal illuminance at grade level is at least 1.0 foot-candle and no more than 5.5 foot-candles. The uniformity ratio shall be no greater than 4:1, and the maximum average illumination level shall be 22.0 foot-candles.

- 3) Light fixtures mounted on canopies shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy or shielded by the fixture or the edge of the canopy so that light is restrained to no more than  $85^{\circ}$  from vertical, as shown in the figure below.



- 4) As an alternative to recessed ceiling lights, indirect lighting may be used where light is beamed upward and reflected down from the underside of the canopy. In this case light fixtures must be shielded so that direct illumination is focused exclusively on the underside of the canopy.
- 5) Lights shall not be mounted on the top or sides (fascias) of the canopy and the sides (fascias) of the canopy shall not be illuminated.
- b. Lighting of Exterior Display/Sales Areas. Lighting levels on exterior display/sales areas shall be adequate to facilitate the activities taking place in such locations. Lighting of such areas shall not be used to attract attention to the businesses. Signs allowed under Section 17.20.140 shall be used for that purpose. The site plan shall designate areas to be considered display/sales areas and areas to be used a parking or passive vehicle storage areas. This designation must be approved by the decision authority.
- 1) Areas designated as parking or passive vehicle storage areas shall be illuminated in accordance with the requirements for parking areas in Section 17.20. 170.4.c.
  - 2) Areas designated as exterior display/sales areas shall be illuminated so that the average horizontal illuminance at grade level is no more than 5.0 foot-candles. The uniformity ratio shall be no greater than 4:1. The average and minimum shall be computed for only that area designated as exterior display/sales area.
  - 3) Light fixtures shall be full cut-off fixtures, and shall be located, mounted, aimed, and shielded so that direct light is not cast onto adjacent streets or properties.
  - 4) Fixtures shall be mounted no more than 20 feet above grade and mounting poles shall be located either inside the illuminated area or no more than 10 feet away from the outside edge of the illuminated area.
  - 5) Except for lighting meeting the standards of Section 17.20.060.4.c, exterior display/sales areas shall be illuminated only when the establishment is open for business.
- c. Lighting of Parking Areas. Parking area lighting shall provide the minimum lighting necessary to ensure adequate vision and comfort in parking areas, and to not cause glare or direct illumination onto adjacent properties or streets. (Amended Ord. 913, September 2, 2009)

- 1) All lighting fixtures serving parking areas shall be full cut-off fixtures. (Amended Ord. 913, September 2, 2009)
- 2) As an alternative in the Downtown Districts, the design for an area may suggest the use of parking area lighting fixtures of a particular “period” or architectural style, as either alternatives or supplements to the lighting described above. (Amended Ord. 913, September 2, 2009)
  - a) If such fixtures are not cut-off fixtures, the maximum initial lumens generated by each fixture shall not exceed 2,000 (equivalent to a 150-watt incandescent bulb).
  - b) Mounting heights of such alternative fixtures shall not exceed 15 feet.
- 3) Parking area lighting shall meet the following mounting height, minimum illumination level, and uniformity ratios.

**Table 17.20.170.4.c.3 Parking area lighting standards**

<b>Feature</b>	<b>Commercial Zones</b>	<b>Downtown Zones</b>	<b>Industrial Zones</b>
Maximum Mounting Height	20 feet	14 feet	25 feet
Minimum Illumination Level	0.3 foot-candle	0.3 foot-candle	0.5 foot-candle
Maximum Average Illumination Level	1.6 foot-candle	2.0 foot-candle	2.6 foot-candle
Uniformity Ratio	4:1	4:1	4:1
<b>Minimum Color Rendering Index</b>	65	65	20

(Amended Ord. 902, May 7, 2008) (Amended Ord. 908, May 20, 2009)

- d. Security Lighting. The purpose of and need for security lighting (i.e. lighting for safety of persons and property) must be demonstrated as part of an overall security plan which includes at least illumination, surveillance, and response, and which delineates the area to be illuminated for security purposes. To the extent that the designated areas is illuminated for other purposes (parking or display), independent security lighting is discouraged.
  - 1) In addition to the application materials required as part of the lighting plan, applications for security lighting installations shall include a written description of the need for a purposes of the security lighting, a site plan showing the area to be secured and the location of all security lighting fixtures, specifications of all fixtures, the horizontal and vertical angles in which light will be directed, and adequate cross-sections showing how light will be directed only onto the area to be secured.
  - 2) All security lighting fixtures shall be shielded and aimed so that illumination is directed only to the designated area and not cast on other areas. In no case shall lighting be directed above a horizontal plane through the top of the lighting fixture, and the fixture shall include shields that prevent the light source or lens from being visible from adjacent properties and roadways. The use of general floodlighting fixtures is discouraged unless the above standards can be met.
  - 3) Security lighting may illuminate vertical surfaces (e.g. building facades and walls) up to a level 8 feet above grade or 8 feet above the bottoms of doorways or entries, whichever is greater.
  - 4) Security lighting fixtures may be mounted on poles located no more than 10 feet from the perimeter of the designated secure area.

- 5) Security lights intended to illuminate a perimeter (such as a fence line) shall include motion sensors and be designed to be off unless triggered by an intruder located with 5 feet of the perimeter.
- 6) Security lighting shall meet the standards of the table below:

**Table 17.20.170.4.d.6 Security area lighting standards**

<b>Feature</b>	<b>Commercial Zones</b>	<b>Downtown Zones</b>	<b>Industrial Zones</b>
Maximum Mounting Height	20 feet	14 feet	25 feet
Maximum Average Horizontal Illumination Level on Ground	1.0 foot-candle	1.0 foot-candle	1.5 foot-candle
Maximum Average Illumination Level on Vertical Surface	1.0 foot-candle	1.0 foot-candle	1.5 foot-candle
<b>Minimum Color Rendering Index</b>	65	65	20

(Amended Ord. 902, May 7, 2008) (Amended Ord. 909, May 20, 2009)

5. MULTI-FAMILY RESIDENTIAL LIGHTING STANDARDS. The following additional standards shall apply to all multi-family developments:
  - a. Lighting of Parking Areas. Parking lot lighting shall provide the minimum lighting necessary to ensure adequate vision and comfort in parking areas, and to not cause glare or direct illumination onto adjacent properties or streets.
    - 1) All lighting fixtures serving parking lots shall be full cut-off fixtures.
    - 2) Parking area lighting shall have a maximum mounting height of 15 feet, a minimum illumination level of 0.3 foot-candles, a maximum illumination level of 1.4 foot candles, a uniformity ratio of 4:1, and a minimum color rendering index of 65.
  - b. Lighting of Pedestrian Walkways. Pedestrian walkways in a multi-family development shall meet the following standards.
    - 1) All lighting fixtures shall be full cut-off fixtures.
    - 2) If pedestrian walkways are adjacent to illuminated parking areas, public rights-of-way or common open space this standard shall be met without the need for additional lighting if the ambient lighting meets the illumination levels, uniformity ratio and minimum color rendering index specified in subsection 5.b.3
    - 3) Pedestrian walkways between parking areas and buildings or adjacent to dwellings and off-street multi-purpose pathways shall use bollard lights with a minimum illumination level of 0.3 foot-candles, a maximum illumination level of 1.2 foot-candles, a uniformity ratio of 4:1, and a minimum color rendering index of 65.
    - 4) The decision authority, in consultation with the Parks and Recreation Commission and the Public Works Director, may require off-street walk and bike trails built within or adjacent to a multifamily development in accordance with the Parks and Recreation Master Plan to be illuminated in accordance with the standards of Section 17.20.1705.b.3) above.
    - 5) Rustic trails built within or adjacent to a multifamily development in accordance with the Parks and Recreation Master Plan shall not be illuminated.

6. PUBLIC LIGHTING STANDARDS. The following additional standards shall apply to all public and semi-public uses.

a. Lighting of Parks and Open Space.

- 1) All lighting fixtures shall be full cut-off fixtures.
- 2) Where illumination is provided, lighting of parks or open space shall have a maximum mounting height of 20 feet, minimum illumination level of 0.3 foot-candles, maximum illumination level of 1.6 foot-candles, uniformity ratio of 4:1, and color rendering index of 65.
- 3) The decision authority, in consultation with the Parks and Recreation Commission and the Public Works Director, shall determine whether off-street walk and bike trails built in accordance with the Parks and Recreation Master Plan, are required to be illuminated in accordance with the standards of Section 17.20.1705.b.3) above.
- 4) Rustic trails built in accordance with the Parks and Recreation Master Plan shall not be illuminated.

**17.20.180****WETLAND PROTECTION AREAS**

1. **PURPOSE.** The purposes of establishing wetland protection areas are:
  - a. To implement the goals and policies of the City of Stayton Comprehensive Plan.
  - b. To satisfy the requirements of Statewide Planning Goal 5.
  - c. To protect Stayton's wetland areas, thereby protecting the hydrologic and ecologic functions these areas provide for the community.
  - d. To protect fish and wildlife habitat.
  - e. To protect water quality and natural hydrology, to control erosion and sedimentation, and to reduce the adverse effects of flooding.
  - f. To protect the amenity values and educational opportunities of Stayton's wetlands as community assets.
  - g. To improve and promote coordination among local, state, and federal agencies regarding development activities near wetlands.
2. **DETERMINATION OF LOCALLY SIGNIFICANT WETLANDS.** Through the process of adopting the local wetlands inventory and adoption of this Section, the City of Stayton has determined which wetlands are locally significant in accordance with rules adopted by Department of State Lands (DSL). Locally significant wetlands are identified on the City of Stayton Local Wetlands Inventory (LWI) map.
3. **WETLAND PROTECTION AREAS, APPLICABILITY, AND APPLICATION SUBMITTAL REQUIREMENTS.**
  - a. Wetland protection areas consist of locally significant wetlands.
  - b. Unless otherwise stated, the City of Stayton shall apply the provisions of Sections 1 through 9 in conjunction and concurrently with the requirements of any other development permit being sought by an applicant. If no other permit is being sought the City Planner shall serve as the approving authority.
  - c. Applications for plan approvals, development permits, building permits, or plans for proposed public facilities on parcels containing a wetland protection area or a portion thereof, shall include the following:
    - 1) A delineation of the wetland boundary completed by a professional wetland scientist, or similar expert, qualified to delineate wetlands in accordance with Oregon Department of State Lands rules. If the proposed project is designed to avoid and development activity within 75 feet of wetlands, a wetland determination report may be provided in place of the delineation.
    - 2) A scale drawing that clearly depicts the wetland boundary, the surface water source, existing trees and vegetation, property boundaries, and proposed site alterations including proposed excavation, fill, structures, and paved areas.
    - 3) Verification that the application packet has been submitted to the Oregon Department of Fish and Wildlife for review and comment.
4. **APPROVAL CRITERIA.** The approving authority shall base its decision on the following criteria in addition to the required criteria for any other permit or approval that is being sought. Approvals shall be based on compliance with all of the following criteria:

- 
- a. The proposed project complies with the provisions of Sections 5 through 8 of this Section.
  - b. Except as otherwise allowed in Section 5, the proposed project will not result in excavation or filling of a wetland or reduction of wetland area on a parcel that has been identified as containing a wetland.
  - c. Except as otherwise allowed in Section 5, the proposed project will not result in development or filling of land within 75 feet of the boundary of wetland that has been identified only on the LWI map or by a determination, but not an approved delineation.
5. ALLOWED ACTIVITIES WITHIN WETLAND PROTECTION AREAS.
- a. Any use, sign, or structure, and the maintenance thereof, that was lawfully existing on the date of adoption of this ordinance [February 1, 2007], is allowed to continue within a wetland protection area. Such use, sign, or structure may continue at a similar level and manner as existed on the date of adoption of this ordinance. The maintenance and alteration of pre-existing ornamental landscaping is permitted within a wetland protection area so long as no additional native vegetation is disturbed. The provisions of this section shall not be affected by any change in ownership of properties containing a wetland protection area.
  - b. The following activities and maintenance thereof are allowed within a wetland protection area, provided that any applicable state or federal permits are secured:
    - 1) Wetland restoration and rehabilitation activities.
    - 2) Restoration and enhancement of native vegetation.
    - 3) Cutting and removal of trees that pose a hazard to life or property due to threat of falling.
    - 4) Removal of non-native vegetation, if replaced with native plant species at similar coverage or density, so that natives are dominant.
    - 5) Normal farm practices such as grazing, plowing, planting, cultivating and harvesting, that meet the following criteria and limitations:
      - a) The farm practices were in existence or occurring on the property on the date of adoption of the provisions herein,
      - b) The farm practices are of no greater scope or intensity than the operations that were in existence on the date of adoption of the provisions herein, and
      - c) Normal farm practices do not include new or expanded structures, roads, or other facilities involving placement of fill material, excavation, or new drainage measures
    - 6) Maintenance of existing drainage ways, ditches, or other structures, to maintain flow at original design capacity and mitigate upstream flooding, provided that management practices avoid sedimentation and impact to native vegetation, and any spoils are placed in uplands.
    - 7) Replacement of a permanent, legal, nonconforming structure in existence on the date of adoption of this ordinance with a structure on the same building footprint, if it does not disturb additional area, and in accordance with the provisions of Section 17.16.050.4.
    - 8) Expansion of a permanent, legal, nonconforming structure in existence on the date of adoption of this ordinance, if the expansion area is not within and does not disturb the wetland protection area, and in accordance with the provisions of Section 17.16.050.4.
    - 9) Emergency stream bank stabilization to remedy immediate threats to life or property.

- 10) Maintenance and repair of existing roads and streets, including repaving and repair of existing bridges, and culverts, provided that such practices avoid sedimentation and other discharges into the wetland or waterway.
- c. New fencing may be permitted by the City Planner where the applicant demonstrates that the following criteria are satisfied:
- 1) The fencing does not affect the hydrology of the site.
  - 2) The fencing does not present an obstruction that would increase flood velocity or intensity.
  - 3) Fish habitat is not adversely affected by the fencing.
  - 4) The fencing is the minimum necessary to achieve the applicant's purpose.
- Applications for new fencing within a wetland protection area shall contain a scale drawing that clearly depicts the wetland area boundary.
6. PROHIBITED ACTIVITIES WITHIN WETLAND PROTECTION AREAS. Except as allowed in Section 5, the following activities are prohibited within a wetland protection area.
- a. Placement of new structures or impervious surfaces.
  - b. Excavation, drainage, grading, fill, or removal of vegetation except for fire protection purposes or removing hazard trees.
  - c. Expansion of areas of landscaping with non-native species, such as a lawn or garden, into the wetland protection area.
  - d. Disposal or temporary storage of refuse, yard debris, or other material.
  - e. Discharge or direct runoff of untreated stormwater.
  - f. Uses not allowed in the list of permitted uses for the underlying zone.
  - g. Any use not specifically allowed in Section 5.
7. CONSERVATION AND MAINTENANCE OF WETLAND PROTECTION AREAS. When approving applications for land divisions, Master Planned Developments, conditional use permits, and site plan review, or for development permits for properties containing a wetland protection area or portion thereof, the approving authority shall assure long term conservation and maintenance of the wetland protection area through one or more of the following methods:
- a. The area shall be protected in perpetuity by a conservation easement recorded on deeds and plats prescribing the conditions and restrictions set forth in Sections 1 through 9, and any imposed by state or federal permits.
  - b. The area shall be protected in perpetuity through ownership and maintenance by a private nonprofit association through a conservation easement or through conditions, covenants, or restrictions (CC&Rs), prescribing the conditions and restrictions set forth in Sections 1 through 9 and any imposed by state or federal permits.
  - c. The area shall be transferred by deed to a willing public agency or private conservation organization with a recorded conservation easement prescribing the conditions and restrictions set forth in Sections 1 through 9 and any imposed by state or federal permits.

[Note: Other mechanisms for long-term protection and maintenance as deemed appropriate and acceptable by the City of Stayton attorney, that are clear and objective standards, could



---

be added to this list. Such mechanisms shall be consistent with the purposes and requirements of this ordinance.]

8. NOTIFICATION AND COORDINATION WITH STATE AGENCIES.

- a. The City of Stayton shall notify the Oregon Department of State Lands in writing of all applications to the City of Stayton for development activities including development applications, building permits, and other development proposals that may affect any wetland identified in the Local Wetlands Inventory. This applies for both significant and non-significant wetlands.
- b. When reviewing wetland development permits authorized under this Section, the approving authority shall consider recommendations from the Oregon Department of Fish and Wildlife regarding OAR 635-415-0000 *et seq.* (Amended Ord. 920, May 3, 2010)

9. VARIANCES.

- a. The Planning Commission shall be the approving authority for applications for variances to the Wetland Protection Area provisions. The procedures of Section 17.12.190 shall be followed for approval of a variance except that the variance criteria of this section shall apply.
- b. Mapping Error Variances and Corrections. The City Planner may correct the location of the wetland protection overlay zone when the applicant has shown that a mapping error has occurred and the error has been verified by the DSL. Delineations verified by DSL shall be used to automatically update and replace LWI mapping. No formal variance application or plan amendment is needed for map corrections where approved delineations are provided.
- c. Hardship Variances. The Planning Commission may grant a variance to the provisions of this ordinance only when the applicant has shown that all of the following conditions exist:
  - 1) Through application of this ordinance, the property has been rendered not buildable.
  - 2) The applicant has exhausted all other options available under this chapter to relieve the hardship.
  - 3) The variance is the minimum necessary to afford relief.
  - 4) No significant adverse impacts on water quality, erosion, or slope stability will result from approval of this hardship variance, or these impacts have been mitigated to the greatest extent possible.
  - 5) Loss of vegetative cover shall be minimized.

**17.20.190****MULTI-FAMILY RESIDENTIAL DESIGN STANDARDS**

1. These standards shall apply to any new attached residential structure. (Amended Ord. 902, May 7, 2008; Ord. 1037, November 6, 2019)
2. SITE DESIGN.
  - a. Maximum Lot Coverage. Lot coverage shall not exceed the percentages shown in Table 17.20.190.2.a:

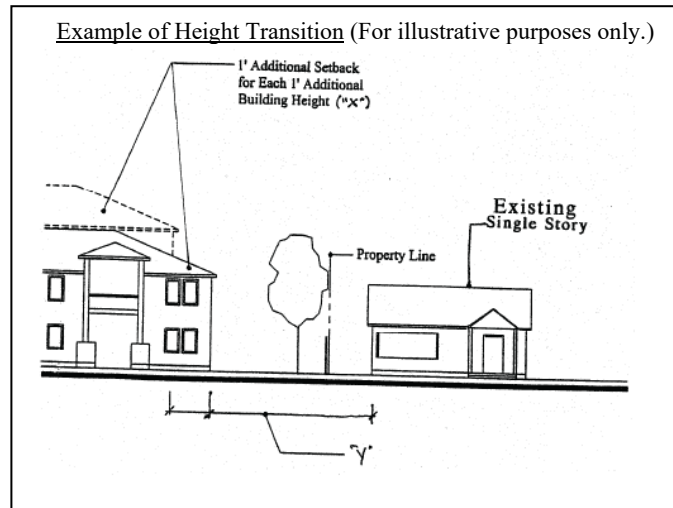
**Table 17.20.190.2.a Maximum Lot Coverage for Multi-family Uses**

Multi-Family Use	Maximum Coverage
Single Family Attached, Duplex or Triplex	50%
Multi-family dwellings	60%

(Amended Ord. 902, May 7, 2008)

Lot coverage is calculated as the percentage of a lot or parcel covered by buildings or structures (as defined by the foundation plan area) and other structures with surfaces greater than 36 inches above the finished grade. It does not include paved surface-level development such as driveways, parking pads, and patios.

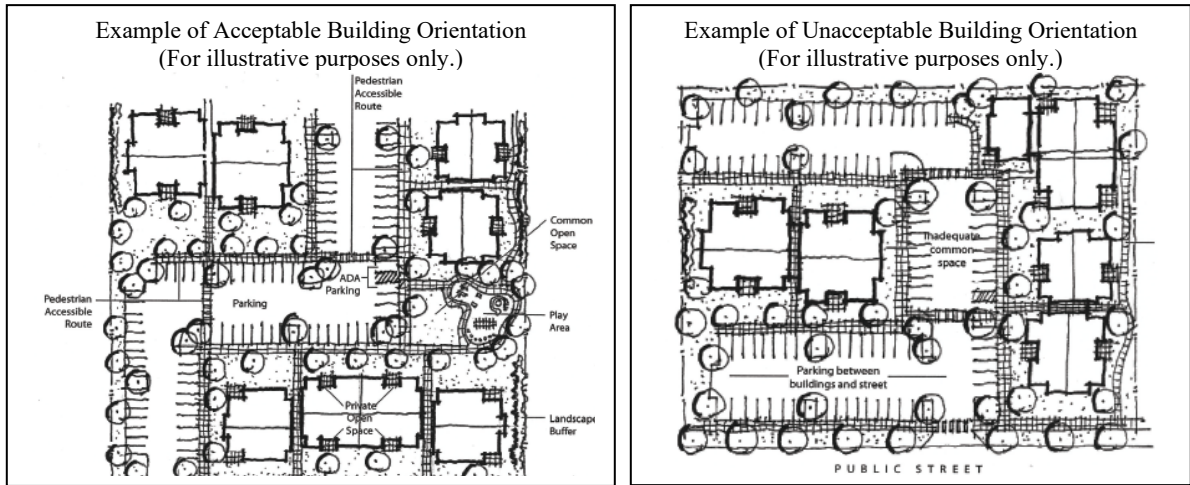
- b. Height Step Down. To provide compatible scale and relationships between new multi-story attached residential structures and adjacent single-family dwellings, the multi-story building(s) shall “step down” to create a building height transition to adjacent single-family building(s). (Amended Ord. 902, May 7, 2008)



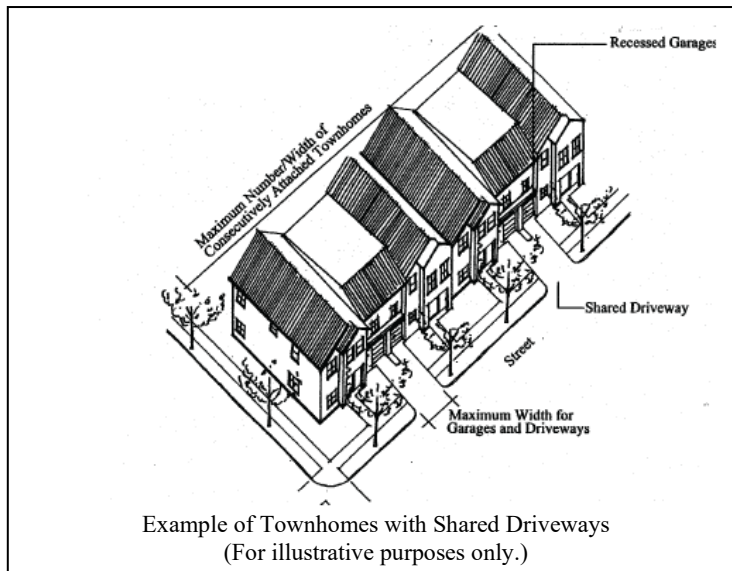
The transition standard is met when the height of any portion of the taller structure does not exceed 1 foot of height for every foot of separation between the adjacent single-family building and that portion of the taller structure. (Amended Ord. 902, May 7, 2008)

- c. Building Orientation Standards. All new attached residential structures shall have buildings that are oriented to the street. The following standards will apply: (Amended Ord. 902, May 7, 2008)
  - 1) All buildings shall comply with the setback standards of the zoning district where the development is located.

- 2) Except as provided in subsections 3 and 4, below, all attached residential structures shall have at least 1 primary building entrance (i.e. dwelling entrance, a tenant space entrance, a lobby entrance, or breezeway/courtyard entrance serving a cluster of units) facing an adjoining street, or if on a side elevation, not more than 20 feet from a front lot line. (Amended Ord. 902, May 7, 2008)



- 3) Any duplex located on a corner lot shall be oriented so that the architectural front of each unit faces a separate street.
- 4) (Repealed Ord. 913, September 2, 2009)
- 5) Off street parking, driveways, and other vehicle areas shall not be placed between buildings and the street(s) to which they are oriented, except that townhouses with



garages that face a street may have 1 driveway access located between the street and primary building entrance for every 2 dwelling units following vehicle areas when the decision authority finds they will not adversely affect pedestrian safety and convenience.

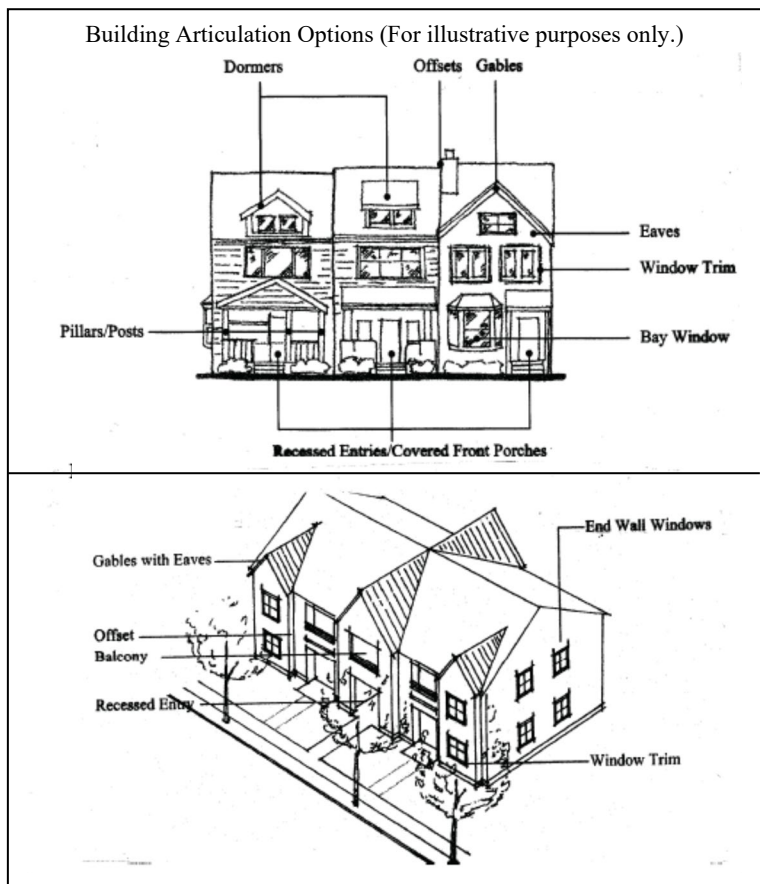
- 6) Parking and maneuvering areas, driveways, active recreation areas, loading areas, and dumpsters shall not be located between attached residential structures and adjacent single family homes. (Amended Ord. 902, May 7, 2008)

- 7) When there is insufficient street frontage for building orientation in a development with multiple buildings to face the street, a primary entrance may be oriented to a common green, plaza or courtyard. When oriented this way, the primary entrance(s) and common green, plaza or courtyard shall be connected to the street by a pedestrian walkway meeting the standards of Section 17.26.020.5.
- 8) Outdoor Service Areas. Trash receptacles shall be oriented away from building entrances and set back at least 10 feet from any public right-of-way and adjacent residences. Outdoor service areas shall be screened with an evergreen hedge or solid fence of materials similar to the primary building of not less than 6 feet in height. If the outdoor service area includes trash receptacles, the receptacle must be accessible to trash pick-up trucks. (Amended Ord. 913, September 2, 2009)

3. ARCHITECTURAL STANDARDS.

a. Building Length. The continuous horizontal distance as measured from end wall to end wall of individual buildings shall not exceed 100 feet.

b. Articulation. All attached residential structures shall incorporate design features to break up large expanses of uninterrupted walls or roof planes. Along the vertical face of all building stories, such elements shall occur at a minimum interval of 30 feet and each floor shall contain at least 2 of the following elements. (Amended Ord. 902, May 7, 2008)



- 1) Recess (e.g. deck, patio, courtyard, entrance or similar feature) that has a minimum depth of 4 feet.
- 2) Extension (e.g. deck, patio, entrance, overhang, or similar feature) that projects a minimum of 2 feet and runs horizontally for a minimum length of 4 feet.
- 3) Dormers with peaked roofs and windows or offsets or breaks in roof elevation of 2 feet or greater in height.

(Amended Ord. 913, September 2, 2009)

c. Street-side facades. All building elevations visible from a street right-of-way shall provide prominent defined entrances and a combination of architectural features as specified in Section 17.20.190.3.e below. (Amended Ord. 913, September 2, 2009)

d. Exterior Stairways. Stairways shall be incorporated into the building design. External stairways, when necessary, shall be recessed into the building, sided using the same siding

materials as the building, or otherwise incorporated into the building architecture. Access balconies and/or outdoor corridors longer than 16 feet shall not be used. No more than 4 units shall access from a single balcony. (Amended Ord. 913, September 2, 2009; Ord. 1037, November 6, 2019)

- e. Design Features. The minimum number of required design features for an attached residential structure is determined by the number of dwelling units in each building as shown in Table 17.20.190.3.e. (Amended Ord. 902, May 7, 2008)

**Table 17.20.190.3.e Minimum Number of Design Features**

<b>Number of Units</b>	<b>Minimum Number of Features</b>
2 - 6	5
7 - 20	8
<b>21 or more</b>	10

The following design features may be used to meet the requirements of this subsection. Features not included on the list may be used if approved by decision authority.

- 1) Dormers
- 2) Gables
- 3) Entries recessed a minimum of 30 inches (Amended Ord. 1037, November 6, 2019)
- 4) Covered porch entries or porticos
- 5) Cupolas or towers
- 6) Pillars or posts
- 7) Eaves; a minimum 18 inches of projection
- 8) Off-sets in building face or roof; a minimum 16 inches
- 9) Window trim; minimum of 3 inches wide
- 10) Bay windows
- 11) Balconies
- 12) Decorative patterns on exterior finish such as: shingles, wainscoting, ornamentation or similar features.
- 13) Decorative cornice or pediments (for flat roofs)

- f. Building Materials. Plain concrete, corrugated metal, plywood, sheet press board, or textured plywood siding with vertical grooves shall not be used as exterior finish material. (Amended Ord. 1037, November 6, 2019)

**4. OPEN SPACE.**

- a. Common Open Space. Of the landscaping required by Section 17.20.090, a minimum of 10% of the site area shall be designated and permanently reserved as common open space in all multi-family developments with more than 10 units, in accordance with the following criteria:
  - 1) The site area is defined as the lot or parcel on which the development is to be located, after subtracting any required dedication of street right-of-way.

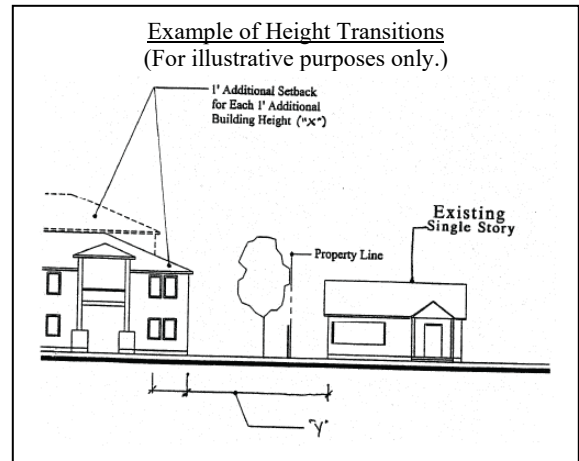
- 2) Streets, driveways, and parking areas, including areas required to satisfy parking area landscape standards, shall not be applied towards the minimum useable open space requirement. (Amended Ord. 913, September 2, 2009)
  - 3) In meeting the common open space standard, the multi-family development shall contain one or more of the following: outdoor recreation area, protection of sensitive lands, play fields, outdoor playgrounds, outdoor sports courts, swimming pools, walking paths, or similar open space amenities for residents.
  - 4) The common open space shall have a minimum average width of 15 feet and a minimum average length of 15 feet.
- b. Private Open Space. Private open space areas shall be required for dwelling units based on all of the following criteria:
- 1) All ground-floor housing units shall have front or rear patios or decks measuring at least 40 square feet. (Amended Ord. 913, September 2, 2009)
  - 2) All upper-floor housing units shall have balconies or porches measuring at least 30 square feet. (Amended Ord. 913, September 2, 2009)
5. LIGHTING. All attached residential structures shall meet the standards of Section 17.20.170. (Amended Ord. 902, May 7, 2008)

**17.20.200****COMMERCIAL DESIGN STANDARDS**

1. **PURPOSE.** The purpose of the commercial standards to ensure that the public health, safety and general welfare are protected and the general interest of the public is served. The standards provide for originality, flexibility, and innovation in site planning and development including architecture, landscaping, parking design and enhancement of the special characteristics that make Stayton a unique place to live. The standards of this section apply to all types of non-residential development and to any building with a mix of non-residential and residential uses, except in the Downtown zones, where the standards of Section 17.20.220 apply. (Ord. 898, August 20, 2007) (Amended Ord. 902, May 7, 2008)
2. **SIZE RESTRICTIONS.**
  - a. All retail stores are limited to 45,000 square feet of gross floor area. (Amended Ord. 949, April 17, 2013)
  - b. Malls are limited to 100,000 square feet of gross floor area with no retail store exceeding 30,000 square feet. (Amended Ord. 949, April 17, 2013)
  - c. A mall that is larger than 30,000 square feet gross floor area shall not be located on a lot that is contiguous with or directly across a street from an existing mall that is larger than 30,000 square feet gross floor area.
3. **SITE DESIGN.**

- a. **Height Step Down.** To provide compatible scale and relationships between new multi-story commercial buildings and existing adjacent single-story dwellings, the multi-story building(s) shall “step down” to create a building height transition to adjacent single-story building(s).

The transition standard is met when the height of any portion of the taller structure does not exceed 1 foot of height for every foot separating that portion of the multi-story building from the adjacent dwelling.

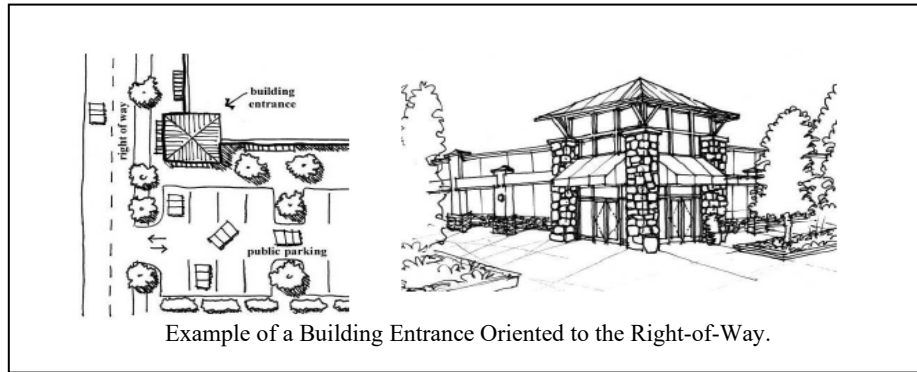


- b. **Building Orientation.** All new commercial developments shall have their buildings oriented to the street. The following standards will apply:

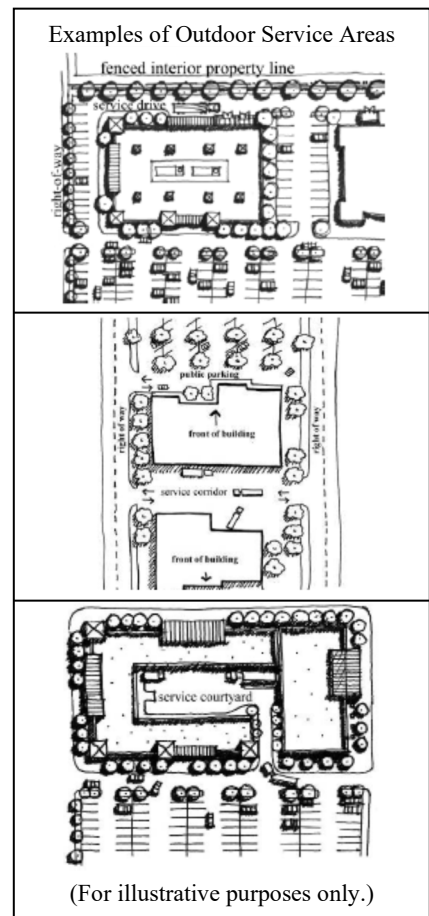
Except as provided in subsections 2 and 3 below, all buildings shall have at least 1 primary building entrance facing an adjoining street (i.e. within 45 degrees of the street property line), or if the building is turned more than 45 degrees from the street (i.e. the front door is on a side elevation), the primary entrance shall not be more than 20 feet from a street sidewalk and a walkway shall connect the primary entrance to the sidewalk.

- 1) In commercial districts, off street parking, driveways, and other vehicle areas shall not be placed between buildings and the street(s) to which they are oriented, except as provided under subsection 3. Off street parking in the commercial districts shall be oriented internally to the site and divided by landscaped areas meeting the standards of Section 17.20.060.10.

- 2) In commercial districts, the building orientation standard may be met with vehicle areas allowed between the street right-of-way and a building's primary entrance when the decision authority finds that the following criteria are met:



- a) Placing vehicle areas between the street right-of-way and the building's primary entrance will not adversely affect pedestrian safety and convenience based on: the distance from the street sidewalk to the building entrance, projected vehicle traffic volumes, available pedestrian walkways, and Section 17.26, Title 12, Standard Specifications and the adopted Transportation System Plan.
  - b) The proposed vehicle areas are limited to 1 driveway meeting the requirements of 17.26, Title 12, Standard Specifications and the adopted Transportation System Plan, with adjoining bays of not more than 8 consecutive parking spaces per bay (including ADA accessible spaces) on the side(s) of the drive aisle.
  - c) The building's primary entrance is connected to an adjoining street by a pedestrian walkway that meets the standards of Section 17.26.020.5.
- 3) When there is insufficient street frontage to orient buildings to the street in a development with multiple buildings, a primary entrance may be oriented to a common green, plaza or courtyard. When oriented this way, the primary entrance(s) and common green, plaza or courtyard shall be connected to the street by a pedestrian walkway meeting the standards of Section 17.26.020.5.
- 4) Outdoor Service Areas. Outdoor service areas shall face either a fenced interior area, side or rear property line, a separate service corridor, a service alley, or a service courtyard.



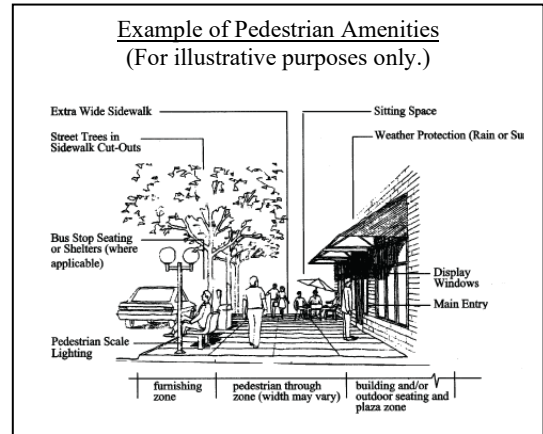
- a) If the location of an outdoor service area as proscribed by this Section is difficult to accommodate because of site considerations, the decision authority may determine that the service area may be located in another location with additional screening requirements.
- b) Screening of outdoor service areas. Screening shall be provided at the ends of all service corridors or courtyards.



- i. Outdoor service areas shall be screened either with a solid evergreen hedge or solid fence of materials similar to the rest of the development that is a minimum of 6 feet in height.
- ii. Screening from public view by chain-link fence with or without slats is prohibited.

4. ARCHITECTURAL STANDARDS.

- a. Pedestrian Orientation. The design of all buildings on a site shall support a safe and attractive pedestrian environment. This standard is met when the decision authority finds that all of the following criteria are met:
  - 1) Primary building entrances shall open directly to the outside and, if not abutting a street, shall have walkways connecting them to the street sidewalk.
  - 2) Corner buildings shall have corner entrances or shall provide a least 1 entrance within 20 feet of the street corner or street plaza.
  - 3) Ground floor windows or window displays shall be provided along at least 45% of the building's ground floor street-facing elevations(s); windows and display boxes shall be integral to the building design.
  - 4) Primary building entrance(s) are designed with weather protection such as awnings, canopies, overhangs, or similar features.
  - 5) Drive-through facilities, when allowed, shall conform to Section 17.20.860.6.t.
- b. Human Scale design. The design of all buildings on a site shall be at a scale that is safe and inviting.



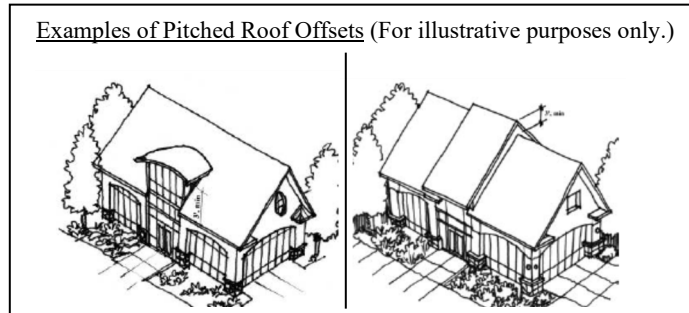
- 1) Regularly spaced and similarly shaped windows are provided on all building stories.
- 2) Ground floor retail spaces shall have display windows on the ground floor. At a minimum, the lower edge of the display windows shall be no higher than 4 feet above the sidewalk and the top edge shall be no less than 7 feet above the sidewalk. (Ord. 898, August 20, 2007)

- 3) On multi-story buildings, ground floors are defined and separated from upper stories by appropriate architectural features that visually identify the transition from ground floor to upper story. These features should be compatible with the surrounding architecture. Such features include, but are not limited to: cornices, trim, awnings, canopies, arbors, trellises, overhangs, string courses, or other design features.

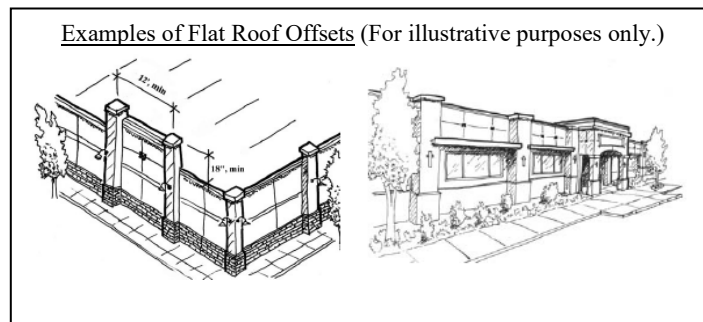
c. Standards for breaks in building length.

- 1) For all buildings more than 50 feet long:

- a) A pitched roof building shall have a break in the roof plane or wall plane, or articulation of the building face at least every 50 feet.



- b) A flat roof building shall have a horizontal or vertical change in the wall plane, or articulation of the building face at least every 50 feet.



- 2) Horizontal and vertical offsets required by this Section shall relate to the overall design and organization of the building, its entrances, and door and window treatments. Features shall be designed to emphasize building entrances.
- 3) Offsets should be grouped and organized in a manner to provide variation in scale and massing rather than providing a series of identical repeating masses.
- 4) Exceptions.
  - a) For walls not visible from public view.
  - b) An exception to the horizontal offset provisions for zero lot line setbacks on interior or side yards to enable a building to utilize the property fully.
  - c) Exceptions to the horizontal offset provisions for buildings abutting the public sidewalk.

When a building abuts a public sidewalk, the horizontal offset provisions may be reduced from a depth of 3 feet to 12 inches

- 5) Standards for massing.

- a) Building(s) with a pitched/false pitched roof. No building shall have a sloping roof plane more than 50 feet in length measured at the eave line without a break in the roof plane between the ridge/peak and the eave line at least 3 feet in height and 12 feet wide.

A combination of offsets and breaks in the roof plane may be used to satisfy this requirement. The total width of the offset combination shall not be less than 12 feet wide.

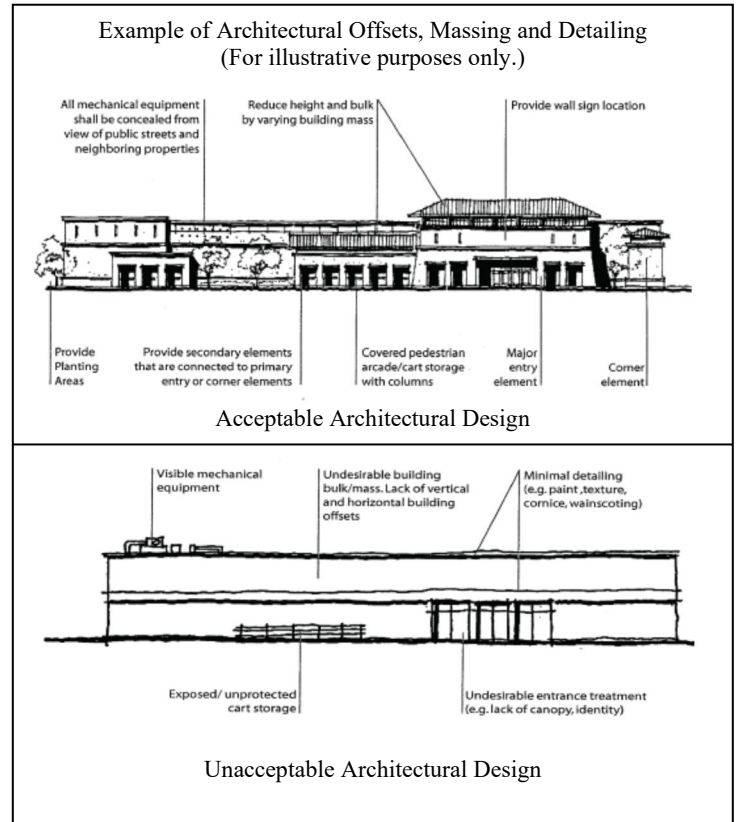
- b) Building(s) with a flat roof. No building shall have a wall plane more than 50 feet in length without a horizontal or vertical break in the cornice line at least 18 inches in height or 3 feet in depth and at least 12 feet wide.

A combination of horizontal and vertical offsets may be used to satisfy this requirement. The total width of the offset combination shall not be less than 12 feet wide.

- c) Grouping, variation and a combination of features is desirable to avoid repetition of offsets that are identical in size and shape.

5. LIGHTING. All new commercial development shall provide a lighting plan that meets the standards of Section 17.20.170.

- a. Rooftop Illumination. Buildings shall not have rooftop illumination other than indirect spot lighting



**17.20.210 BACK LOTS AND FLAG LOTS**

1. **PURPOSE.** The purposes of this section are to provide flexibility in the creation of new lots, while assuring proper access to city streets and services.
2. **BACK LOTS.** A back lot may be created only by partition. A new back lot shall not be created in a subdivision.
  - a. The driveway serving a back lot shall have a minimum pavement width of 14 feet and maximum pavement width of 20 feet. The driveway shall be centered within an access easement.
  - b. The easement for access to a back lot shall have a minimum width of 6 feet wider than the driveway throughout its entire length.
3. **FLAG LOTS.** A flag lot may be created either by partition or within a subdivision.
  - a. The lot area occupied by the flag driveway shall not be counted as part of the required minimum lot area of that zoning district.
  - b. Flag lot driveways shall be separated by at least twice the minimum frontage requirement of that zoning district.
  - c. The flag lot driveway shall have a minimum pavement width of 14 feet and maximum pavement width of 20 feet. This supersedes the requirements contained in Standard Specifications for Public Works Construction, Section 300 – Street Design Standards, 2.22, for minimum and maximum driveway widths.
  - d. The pole of a flag lot shall have a minimum width of 6 feet wider than the driveway throughout its entire length.

(Amended Ord. 913, September 2, 2009)

**17.20.220****DOWNTOWN DEVELOPMENT DESIGN STANDARDS** (Added

Ord. 902, May 7, 2008)

1. Purpose. The following design standards apply to all commercial, attached residential, and mixed-use structures located within the Downtown Zones. The purpose of these standards is to assure a high quality, pedestrian-oriented development pattern in the downtown area consistent with the vision expressed in the Downtown Transportation and Revitalization Plan. The provisions of this section do not change the range of uses permitted on a property except as described in this section.
2. Design Standards for Attached Residential Structures. The standards of this section apply to development of attached residential structures in the Downtown Zones.
  - a. Landscaping. The purpose of this standard is to create an attractive landscaped area when residential structures are set back from the front lot line. In addition to the requirements of Section 17.20.090, landscaping must be provided between structures and the street, as follows:
    - 1) Foundation landscaping. All street-facing elevations must have landscaping along their foundation. The landscaped area may be along the outer edge of a porch instead of the foundation. This landscaping requirement does not apply to portions of the building facade that provide access for pedestrians or vehicles to the building. The foundation landscaping must meet the following standards:
      - a) The landscaped area must be at least 3 feet wide;
      - b) There must be at least one three-gallon shrub for every 3 lineal feet of foundation. Shrubs shall meet the plant material requirements of Section 17.20.090.8; and
      - c) Ground cover plants must cover the remainder of the landscaped area in accordance with Section 17.20.090.8.
    - 2) Front yard trees. There must be at least one tree in front of each residential structure. On corner lots, there must be one tree for each 30 feet of frontage on the side street. Tree selection is subject to an approved tree list maintained by the Public Works Director.
  - b. Building setback on public streets and public plazas. The purpose of this standard is to reinforce the existing development pattern in downtown Stayton where buildings are placed close to the street.
    - 1) Primary buildings must not be set back from the front lot line more than 20 feet.
    - 2) A primary building may be set back from the front lot line more than 20 feet where the building has frontage on a public plazas and the following standards are met.
      - a) A building wall that faces the plaza must be at the edge of the public plaza. Where the site has two frontages that are on the plaza, this standard must be met on both frontages. Where there are more than two such frontages, this standard must be met on any two frontages; and
      - b) For ground floor residential uses, the building wall may be set back from the lot line to allow for a front porch at a main entrance. The maximum setback is 6 feet. The area between the building and an adjacent plaza must be hard-surfaced for use by pedestrians as an extension of the sidewalk.

- 
- c. Residential buffer. The purpose of this standard is to provide a transition in scale where a Downtown Zone is adjacent to a residential zone. Where a site in a Downtown Zone abuts or is across a street from an LD or MD zone, the following is required:
- 1) On sites that abut an LD or MD zone the following must be met:
    - a) In the portion of the site within 25 feet of the residential zone, the building height limits are those of the adjacent residential zone; and
    - b) A 10 foot deep area landscaped to the standards of Section 17.20.090 must be provided along any lot line that abuts the residential zone.
  - 2) On sites across the street from a LD or MD zone the following must be met:
    - a) On the portion of the site within 15 feet of the intervening street, the height limits are those of the residential zone across the street; and
    - b) A 10 foot deep area landscaped to the standards of Section 17.20.090 must be provided along the lot line across the street from the residential zone. Pedestrian and bicycle access is allowed, but may not be more than 6 feet wide.
- d. Avoid large monumental building elevations. The purpose of this standard is to provide for variety and articulation of buildings similar to the existing development pattern in downtown Stayton. In addition to the Architectural Standards set out in Section 17.20.190.3, the front elevation of large structures must be divided into smaller areas or planes. When the front elevation of a structure is more than 750 square feet in area, the elevation must be divided into distinct planes of 500 square feet or less. For the purpose of this standard, areas of wall that are entirely separated from other wall areas by a projection, such as the porch or a roof over a porch, are also individual building wall planes. This division may be accomplished by any feature found in Section 17.20.190.3.b.
- e. Roofs. The purpose of this standard is to require traditional roof forms consistent with existing development patterns in downtown Stayton. Roofs should have significant pitch, or if flat, be designed with a cornice or parapet. Primary structures must have either:
- 1) A sloped roof with a pitch that is no flatter than 6/12 and no steeper than 12/12; or
  - 2) A roof with a pitch of less than 6/12 if either:
    - a) The space on top of the roof is used as a deck or balcony that is no more than 150 square feet in area and is accessible from an interior room; or
    - b) A cornice or parapet that meets the following:
      - i. There must be two parts to the cornice or parapet. The top part must project at least 6 inches from the face of the building and be at least 2 inches further from the face of the building than the bottom part of the cornice or parapet; and
      - ii. The cornice or parapet shall be at least 18 inches high on buildings less than 30 feet in height and at least 24 inches high on buildings 30 feet or greater in height.
- f. Main entrance. The purpose of this standard is to locate and design building entrances that are safe, accessible from the street, and have weather protection.
- 1) Location of main entrance. The main entrance of the primary structure must face the street lot line or plaza. Where there is more than one front lot line or plaza, the entrance

may face either of them or to the corner. For residential developments there are the following exceptions:

- a) For buildings that have more than one main entrance only one entrance must meet this requirement.
  - b) Entrances that face a shared landscaped courtyard are exempt from this requirement.
- 2) Front porch at main entrances to residential uses in a mixed-use development. In the DCMU and DRMU Zones, there must be a front porch at the main entrance to residential portions of a mixed-use development, if the main entrance faces a street. If the porch projects out from the building it must have a roof. If the roof of a required porch is developed as a deck or balcony it may be flat. If the main entrance is to a single dwelling unit, the covered area provided by the porch must be at least 6 feet wide and 4 feet deep. If the main entrance is to a porch that provides the entrance to 2 or more dwelling units, the covered area provided by the porch must be at least 9 feet wide and 7 feet deep. (Amended Ord. 930, November 18, 2010)
- g. Vehicle areas. The purpose of this standard is to emphasize the traditional development pattern in downtown Stayton where buildings connect to the street, and where vehicular parking and loading areas are of secondary importance.
- 1) Alleys. If the site is served by an alley, access for motor vehicles must be from the alley, not from a street frontage.
  - 2) Vehicle areas between the building and the street. Except for allowed parking in front of approved garages, there are no vehicle areas allowed between the building and the street. If a site is a corner lot, this standard must be met on both frontages. If a site has more than two front lot lines, this standard must be met on two frontages.  
  
Each dwelling unit in an attached residential structure is allowed one 9-foot wide driveway.
  - 3) Parking areas in the front yard. Except for allowed parking in front of approved garages, parking areas may not be located in the front yard.
  - 4) Attached garages. When parking is provided in a garage attached to the primary structure and garage doors face a street all of the following standards must be met:
    - a) The garage must not be more than 40 percent of the length of the building frontage or 8 feet long, whichever is greater.
    - b) The front of the garage shall be set back at least 4 feet from the front facade of the house.
    - c) Unless the garage serves three or more residential units, garage doors that are part of the street-facing elevations of a primary structure may be no more than 75 square feet in area.
    - d) There may be no more than one garage door per 16 feet of building frontage.
  - 5) Driveways. Driveways for attached residential structures must meet the following.
    - a) Driveways may be paired so that there is a single curb-cut providing access to two attached houses. The maximum width allowed for the paired driveway is 18 feet.
    - b) There must be at least 18 feet between single or paired driveways. The distance between driveways is measured along the front lot line.

- 
- h. Foundation material. The purpose of this standard is to minimize the impact of exposed foundations. Plain concrete block or plain concrete may only be used as exposed foundation material if the foundation material is not revealed more than 18 inches above the finished grade level adjacent to the foundation wall. Otherwise, exterior finish materials must be used.
  - i. Exterior finish materials. The purpose of this standard is to require high quality materials that are complementary to the traditional materials used in downtown Stayton.
    - 1) Smooth concrete block, plain concrete, corrugated metal, full-sheet plywood, synthetic stucco, and sheet pressboard are not allowed as exterior finish material, except as secondary finishes if they cover no more than 10 percent of the surface area of each facade.
    - 2) Where wood products are used for siding, the siding must be shingles, or horizontal siding, not shakes or board and batten.
    - 3) Where horizontal siding is used, it must be shiplap or clapboard siding composed of boards, composite boards manufactured from wood or other products, such as hardboard or hardiplank, vinyl or aluminum siding which is in a clapboard or shiplap pattern when the visible portion of the board product is at least 4 ½ inches and no more than 10 inches wide.
  - j. Windows. The purpose of this standard is to require the design of buildings, particularly windows, to follow original traditions established by older buildings in downtown Stayton. Street-facing windows must meet the following. Windows in rooms with a finished floor height 4 feet or more below grade are exempt from this standard:
    - 1) Each window must be square or have the vertical dimension greater than the horizontal dimension;
    - 2) A horizontal window may be created when:
      - a. Two or more vertical windows are grouped together to provide a horizontal opening in the wall facade, and they are either all the same size, or no more than two sizes are used. Where two sizes of windows are used in a group, the smaller window size must be on the outer edges of the grouping. The windows on the outer edges of the grouping must be vertical; the center window or windows may be vertical, square, or horizontal; or
      - b. There is a band of individual lites across the top of the horizontal window. These small lites must be vertical and cover at least 20 percent of the total height of the window.
  - k. Trim. The purpose of this standard is to require the design of buildings, particularly the use of trim around major building elements, to follow original traditions established by older buildings in downtown Stayton. Trim must mark all building rooflines, porches, windows and doors on all elevations. The trim must be at least 3½ inches wide. Buildings with an exterior material of stucco or masonry are exempt from this standard.
  - l. Roof-mounted equipment. The purpose of this standard is to minimize the visual impact of roof-mounted equipment. All roof-mounted equipment, including HVAC facilities and satellite dishes and other communication equipment, must be screened in one of the following ways. Solar heating or solar electric panels are exempt from this standard:
    - 1) A parapet as tall as the tallest part of the equipment;



- 
- 2) A screen around the equipment that is as tall as the tallest part of the equipment; or
  - 3) The equipment is set back from the street-facing perimeters of the building 3 feet for each foot of height of the equipment.
- m. Exterior stairs and fire escapes. The purpose of this standard is to minimize the visual impact of fire escapes and exterior stairs. Exterior stairs, other than those leading to a main entrance, must be at least 40 feet from all streets. Fire escapes must be at least 40 feet from all streets.
  - n. Roof eaves. The purpose of this standard is to require the design of buildings, particularly projecting roof eaves, to follow original traditions established by older buildings in downtown Stayton. Roof eaves must project from the building wall at least 12 inches on all elevations. Buildings that take advantage of the cornice option are exempt from this standard.
  - o. Trash Receptacles. The purpose of this standard is assure that the location of trash receptacles does not detract from the visual appeal of downtown Stayton. In addition to the standards of Section 17.20.190.2.c.8, trash receptacles must be stored in the rear yard.
3. Standards for All Commercial and Mixed Use Structures. The standards in this section apply to development of all structures in the Downtown zones that are not used exclusively for residential use. These standards also apply to exterior alterations in these zones.
    - a. Building placement and the street. The purpose of this standard is to create an attractive area when commercial or mixed-use structures are set back from the property line. Landscaping, an arcade, or a hard-surfaced expansion of the pedestrian path must be provided between a structure and the street. All street-facing elevations must meet one of the following options. Structures built to the front lot line are exempt from the requirements of this subsection. Where there is more than one front lot line, only those frontages where the structure is built to the front lot line are exempt from the requirements of this paragraph.
      - 1) Foundation landscaping option. All street-facing elevations must have landscaping along their foundation. This landscaping requirement does not apply to portions of the building facade that provide access for pedestrians or vehicles to the building. The foundation landscaping must meet all of the following standards:
        - a) The landscaped area must be at least 3 feet wide.
        - b) There must be at least one shrub, meeting the plant material requirements of Section 17.20.090.8, for every 3 lineal feet of foundation.
        - c) Ground cover plants must cover the remainder of the landscaped area in accordance with Section 17.20.090.8.
      - 2) Hard-surface sidewalk extension option. The area between the building and the street lot line must be hard-surfaced for use by pedestrians as an extension of the sidewalk.
        - a) The building walls may be set back no more than 6 feet from the street lot line, unless the hard-surfaced area is designated as a public plaza.
        - b) For each 100 square feet of hard-surface area between the building and the street lot line at least one of the following amenities must be provided. Structures built within 2 feet of the street lot line are exempt from the requirements of this paragraph.
          - i. A bench or other seating;

- ii. A tree;
  - iii. A landscape planter;
  - iv. A drinking fountain;
  - v. A kiosk.
- b. Reinforce the corner. The purpose of this standard is to emphasize the corners of buildings at street intersections as places with high levels of pedestrian activity and visual interest. On structures with at least two frontages on the corner where two public sidewalks meet:
- 1) The primary structures on corner lots at the property lines must be within 6 feet of both street lot lines. Where a site has more than one corner, this requirement must be met on only one corner;
  - 2) At least one of the street-facing walls must be at least 40 feet long;
  - 3) The highest point of the building's street-facing elevations must be within 25 feet of the corner;
  - 4) The location of a main building entrance must be on a street-facing wall and either at the corner, or within 25 feet of the corner; and
  - 5) Parking areas or entrances to parking areas are not permitted within 40 feet of the corner.
- c. Avoid large monumental building elevations. The purpose of this standard is to provide for variety and articulation of buildings similar to the existing development pattern in downtown Stayton. The front elevation of large structures must be divided into smaller areas or planes. When the front elevation of a structure is more than 750 square feet in area, the elevation must be divided into distinct planes of 500 square feet or less. For the purpose of this standard, areas of wall that are entirely separated from other wall areas by a projection, such as the porch or a roof over a porch, are also individual building wall planes. This division can be accomplished by features found in Section 17.20.200.4.
- d. Residential Buffer. The purpose of this standard is to provide a transition in scale where the Downtown Zone is adjacent to a residential zone. Where a site in a Downtown Zone abuts or is across a street from a residential zone, the following is required:
- 1) On sites that abut an LD or MD zone the following must be met:
    - a) In the portion of the site within 25 feet of the residential zone, the building height limits are those of the adjacent residential zone; and
    - b) A 10-foot deep area landscaped to the standards of Section 17.20.090 must be provided along any lot line that abuts the residential zone.
  - 2) On sites across the street from a residential zone the following must be met:
    - a) On the portion of the site within 15 feet of the intervening street, the height limits are those of the residential zone across the street; and
    - b) A 10-foot deep area landscaped to the standards of Section 17.20.090 must be provided along the property line across the street from the residential zone. Pedestrian and bicycle access is allowed, but may not be more than 6 feet wide.
- e. Building Orientation and Primary Entrance: The purpose of this section is to require buildings and entrances to be oriented to the street, with windows looking out onto and

surveying the street, in order to make walking safer and direct. Requirements for orientation and primary entrances are intended to provide for convenient, direct, and accessible pedestrian access to and from public sidewalks; provide a safe, pleasant and enjoyable pedestrian experience by connecting activities within a structure to the adjacent sidewalk; and promote walking to and between retail and commercial activities.

All new buildings that are not exclusively residential in the Downtown Zones shall comply with the following standards for Building Orientation and Primary Entrance:

- 1) All buildings shall have their primary entrances face an abutting street, rather than a parking area. The primary entrance is defined as the principal entry through which people enter the building. A building may have more than one primary entry, as defined in the Uniform Building Code.
- 2) Buildings shall have a primary entrance connecting directly between the street and the building interior. This entrance shall be open to the public during all business hours.
- 3) Primary building entrances shall be architecturally emphasized and visible from the street.
- 4) Exterior lighting should be an integral part of the architectural and landscape design. The minimum lighting level for building entries is 4 foot-candles. Lighting shall be a pedestrian scale, between 3 feet and 12 feet in height and the source light shall be shielded to reduce glare.
- 5) For building facades over 100 feet in length facing a street, two or more building entrances on the street must be provided.
- 6) At a minimum, building entrances shall incorporate arcades, roofs, porches, alcoves, porticoes or awnings that protect pedestrians from the rain and sun. Rain and sun protection is encouraged along all street frontages. (Amended Ord 1015, February 15, 2018)
  - a) When installing new awnings, they shall extend out from the building front to cover at least two-thirds of the sidewalk unless a building is setback from the front property line or it is shown that such a distance will interfere with existing trees, poles, etc., to provide pedestrian protection from the elements. Awnings shall be maintained in good repair and kept clean and free of moss and algae. (Added Ord 1015, February 15, 2018)
  - b) Awnings shall be flat or sloping. Awnings shall be made of metal, wood, canvas or similar materials. Rounded bubble or plastic awnings are prohibited. Fully glazed awnings are not permitted. (Added Ord 1015, February 15, 2018)
  - c) Awnings shall fit within the window bays either above the main glass or the transom light so as not to obscure or distract from significant architectural features. (Added Ord 1015, February 15, 2018)
  - d) The color of the awning shall be compatible and attractive with its attached building. (Added Ord 1015, February 15, 2018)
  - e) Lighting which provides illumination to the sidewalk and signage is required from dusk until midnight. (Added Ord 1015, February 15, 2018)
  - f) Awnings shall be a minimum of eight feet above the sidewalk. (Added Ord 1015, February 15, 2018)
- 7) If the building has frontage on more than one street, the building shall provide a primary entrance oriented to one of the streets, or a single entrance to the corner where two streets intersect.

- 
- f. Vehicle areas. The purpose of this standard is to emphasize the traditional development pattern in downtown Stayton where buildings connect to the street, and where vehicular parking and loading areas are of secondary importance.
- 1) Alleys. If the site is served by an alley, access for motor vehicles must be from the alley, not from a street frontage.
  - 2) Vehicle areas between the building and the street. Except for allowed parking in front of approved garages, there are no vehicle areas allowed between the building and the street. If a site is a corner lot, this standard must be met on both frontages. If a site has more than two front lot lines, this standard must be met on two frontages.
  - 3) Access to vehicle areas and adjacent residential zones. Access to vehicle areas must be located at least 20 feet from any adjacent residential zone.
  - 4) Parking area coverage. No more than 35 percent of the site may be used for vehicle parking areas. (Amended Ord. 913, September 2, 2009)
  - 5) Vehicle area screening. Where vehicle areas are across a local street from a residential zone, there must be a 6-foot wide landscaped area along the front lot line that meets the standards of Section 17.20.090.
- g. Exterior finish materials. The purpose of this standard is to require high quality materials that are complementary to the traditional materials used in downtown Stayton.
- 1) Along 3rd Avenue, commercial and mixed use buildings shall be constructed of materials complementary to existing materials including textured pre-cast concrete block, clay (terra cotta) tile, brick, stucco and wood frame.
  - 2) Smooth concrete block, plain concrete, corrugated metal, full-sheet plywood, synthetic stucco, and sheet pressboard are not allowed as exterior finish material, except as secondary finishes if they cover no more than 10% of the surface area of any facade. Composite boards manufactured from wood or other products, such as hardboard or hardiplank, may be used when the visible portion of the board product is at least 4 ½ inches and no more than 10 inches wide. Foundation material may be plain concrete or plain concrete block when the foundation material does not extend for more than 3 feet above the finished grade level adjacent to the foundation wall.
  - 3) Where there is an exterior alteration to an existing building, the exterior finish materials on the portion of the building being altered or added must visually match the appearance of those on the existing building. However, if the exterior finishes and materials on the existing building do not meet the standards of Section 17.20.220.4.g.1, above, any material that meets the standards of Section 17.20.220.4.g.1 may be used.
  - 4) Predominant colors shall be earth tones, defined as shades of green, red, gray, brown and yellow with a light reflecting value of no less than 15 or no more than 50%. A palette of approved colors shall be maintained in the office of the Planning and Development Department for reference. (Amended Ord 1015, February 15, 2018)
    - a) Contrasting colors shall be used to accentuate and highlight trim, windows, and other building features, and are exempt from the color palette and light reflecting values required for the body of the building. The City Planner shall approve the combination of colors used for body and trim as consistent with the overall theme desired for the downtown area. (Added Ord 1015, February 15, 2018)

- 
- b) Buildings on the National Register of Historic Places shall be exempt from these requirements. (Added Ord 1015, February 15, 2018)
- h. Roof-mounted equipment. The purpose of this standard is to minimize the visual impact of roof-mounted equipment. All roof-mounted equipment, including HVAC facilities and satellite dishes and other communication equipment, must be screened in one of the following ways. Solar heating and solar electric panels are exempt from this standard.
- 1) A parapet as tall as the tallest part of the equipment;
  - 2) A screen around the equipment that is as tall as the tallest part of the equipment; or
  - 3) The equipment is set back from the street-facing perimeters of the building 3 feet for each foot of height of the equipment.
- i. Ground floor windows. The purpose of this standard is to require interesting and active ground floor uses where activities within buildings have a positive connection to pedestrians in downtown Stayton. All exterior walls on the ground level which face a front lot line, sidewalk, plaza or other public open space or right-of-way must meet the following standards:
- 1) The windows must be at least 50% of the length and 25% of the ground level wall area. Ground level wall areas include all exterior wall areas up to 9 feet above the finished grade.
  - 2) Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows set into the wall. The bottom of the windows must be no more than 4 feet above the adjacent exterior grade.
- j. Distinct ground floor. The purpose of this standard is to emphasize the traditional development pattern in downtown Stayton where the ground floor of buildings is clearly defined. The ground level of the primary structure must be visually distinct from upper stories. This separation may be provided by:
- 1) A cornice above the ground level;
  - 2) An arcade;
  - 3) Changes in material or texture; or
  - 4) A row of clerestory windows on the building's street-facing elevation.
- k. Roofs. The purpose of this standard is to encourage traditional roof forms consistent with existing development patterns in downtown Stayton.
- 1) In the CCMU Zone, roofs shall be flat, and designed with a cornice or parapet. Buildings must have a roof with a pitch of less than 6/12 and a cornice or parapet that meets the following:
    - a) There must be two parts to the cornice or parapet. The top part must project at least 6 inches from the face of the building and be at least 2 inches further from the face of the building than the bottom part of the cornice or parapet.
    - b) The height of the cornice or parapet is based on the height of the building as follows:
      - i. Buildings 10 feet or less in height must have a cornice or parapet at least 12 inches high.

- ii. Buildings greater than 10 feet and less than 30 feet in height must have a cornice or parapet at least 18 inches high.
  - iii. Buildings 30 feet or greater in height must have a cornice or parapet at least 24 inches high.
- 2) In the DCMU and DRMU Zones, roofs shall be flat, and designed with a cornice or parapet, or steeply pitched. Buildings must have:
- a) A sloped roof with a pitch that is no flatter than 6/12 and no steeper than 12/12; or
  - b) A roof with a pitch of less than 6/12 and a cornice or parapet that meets the standards of Section 17.20.220.3.k.1)b) above. (Amended Ord. 930 November 18, 2010)
- (All of Section 17.20.220 added Ord. 902, May 7, 2008)

**17.20.230 INDUSTRIAL DESIGN STANDARDS** (Added Ord. 908, May 6, 2009)

1. **PURPOSE.** The purpose of the industrial design standards is to provide for originality, flexibility, and innovation in site planning and development in the Industrial Zones while maintaining a standard that improves the appearance of the zones and protects neighboring residential properties from the potential impacts of industrial development. The standards of this section apply to all new construction, additions and exterior alterations in the Industrial Zones.

2. **SITE DESIGN.**

a. **Height Step Down.** To provide compatible scale and relationships between new multi-story industrial buildings and existing adjacent dwellings not in an industrial zone, the multi-story building shall “step down” to create a building height transition to adjacent single-story dwellings.

The transition standard is met when the height of any portion of the taller structure does not exceed 3 feet in height for every 2 feet separating that portion of the multi-story building from the adjacent dwelling. This provision shall apply to any industrial building with a vertical wall height of 14 feet or more, regardless of whether the interior contains more than one story.

b. **Outdoor Service Areas.** Outdoor service areas shall either face an interior area, side or rear property line, a separate service corridor, a service alley, or a service courtyard.

1) If the location of an outdoor service area as proscribed by this Section is difficult to accommodate because of site considerations, the decision authority may determine that the service area may be located in another location with additional screening requirements.

2) **Screening of outdoor service areas.** Screening shall be provided when an outdoor service area is adjacent to a property in residential use or adjacent to a residential zone. Screening shall also be provided to soften the effects of outdoor service areas as they may be viewed from a public street.

a. Outdoor service areas shall be screened either with evergreen hedge or solid fence of materials similar to the rest of the development that is a minimum of 6 feet in height.

b. When the outdoor service area is more than 300 feet from a neighboring residence, screening is not required.

c. **Parking Areas.** In addition to the requirements of Section 17.20.060, parking areas shall meet the requirements of Section 17.20.090.12.

3. **ARCHITECTURAL STANDARDS.**

a. **Pedestrian Orientation.** The design of all new buildings on a site shall support a safe pedestrian environment. This standard is met when the decision authority finds that all of the following criteria are met:

1) Primary building entrances shall have walkways connecting to the street sidewalk.

2) Any portion of an industrial building that is used for sales to the public shall meet the architectural standards of Section 17.20.200.4.

b. Standards for breaks in building facade.

- 1) For all buildings more than 75 feet long:
  - a) A pitched roof building shall have a break in the roof plane or wall, or articulation of the building face at least every 50 feet.
  - b) A flat roof building shall have a horizontal or vertical change in the wall plane, or articulation of the building face at least every 50 feet.
  - c) Wall changes may be accomplished by use of differing architectural materials or building siding and need not be physical changes in the wall plane.
  - d) Horizontal and vertical offsets required by this Section shall relate to the overall design and organization of the building, its entrances, and door and window treatments. Features shall be designed to emphasize building entrances.
  - e) The above standards shall not apply to walls not visible from a public street or from neighboring residential properties within the city limits.
4. LIGHTING. All new industrial development shall provide a lighting plan that meets the standards of Section 17.20.170.

(Added Ord. 908, May 6, 2009)



**17.20.240 ACCESSORY DWELLING UNITS** (Added Ord. 1010, Oct. 20, 2017)

1. **PURPOSE.** The purpose of these standards is to provide for opportunity for the construction or placement of a small dwelling unit that is accessory to and subordinate to the principal dwelling unit on a single family lot without requiring additional lot area for the lot.
2. **LOCATION PERMITTED.** One accessory dwelling unit may be located on a lot with a single family detached dwelling in a Residential Zone. (Amended Ord 1052, February 2, 2022)
3. **TYPES OF ACCESSORY DWELLING UNITS PERMITTED.** An accessory dwelling may be created by any of the following means:
  - a. Division of an existing single family detached dwelling to include an accessory dwelling unit.
  - b. Addition to an existing single family detached dwelling to create an accessory dwelling unit.
  - c. Creation of an accessory dwelling unit in an existing accessory building.
  - d. Construction or placement of an accessory building on the parcel detached from the principal dwelling unit.
4. **SETBACKS.** If attached to the principal dwelling unit, the accessory dwelling unit shall meet the minimum setback requirements of Section 17.16.070.3.a. Detached accessory dwelling units shall meet the setback and height restrictions of Section 17.20.040.
5. **GROSS FLOOR AREA.** The minimum gross floor area permitted for an accessory dwelling unit shall be 250 square feet. The maximum gross floor area permitted for an accessory dwelling unit shall be 800 square feet. Creation of an accessory dwelling unit shall not reduce the gross floor area of the principal dwelling unit below 1,000 square feet.
6. [Repealed Ord 1052, February 2, 2022)
7. [Repealed Ord 1052, February 2, 2022)
8. **CODE COMPLIANCE.** The accessory dwelling unit shall meet all applicable structural, electrical, plumbing, fire, and life safety codes.

**17.20.250****RECREATIONAL VEHICLE PARKS AND CAMPGROUNDS**

(Added Ord. 1029, May 1, 2019)

1. PURPOSE. The purposes of this Section shall be
  - a. to provide rules, regulations, requirements and standards for development of recreational vehicle parks and campgrounds in the City ensuring that the public health, safety and general welfare are protected;
  - b. to promote orderly growth and development together with the conservation, protection and proper use of land.
  - c. to minimize the impacts of recreational vehicle parks and campgrounds on neighboring properties;
  - d. to assure the comfort and protection of the occupants of recreational vehicle parks and campgrounds; and
  - e. to make proper provision for all public facilities in recreational vehicle parks and campgrounds.
2. METHOD OF ADOPTION. Recreational vehicle parks and campgrounds are subject to site plan review and shall be approved pursuant to the requirements of Sections 17.12.070 through 17.12.100.
3. SUBMITTAL REQUIREMENTS. All applications submitted for approval of a recreational vehicle park or campground development shall consist of a preliminary development plan to a scale of 1 inch equals not more than 50 feet. The application shall contain, but not be limited to, the following information in addition to the requirements of Section 17.12.220.
  - a. Name(s) of person owning and/or controlling the land proposed for the park.
  - b. Name of the recreational vehicle park or campground and address.
  - c. Boundaries and dimensions of the recreational vehicle park or campground.
  - d. Facility map showing relationship of the recreational vehicle park or campground to adjacent properties and surrounding zoning.
  - e. Location and dimensions of each site with each site designated by number.
  - f. Location and dimensions of each existing or proposed building.
  - g. Location and width of park streets and pedestrian ways.
  - h. Location of recreational areas and buildings and common area.
  - i. Location of available fire hydrants.
  - j. Enlarged plot plan of a typical site showing location of the pad for a recreational vehicle or tent, fire ring, picnic table, parking, utility connections, and landscaping.
  - k. Access features shall conform to the requirements set forth in Section 17.26.020. Section 17.26.020 also specifies submittal requirements for requesting an access permit and approval.
  - l. A survey plat of the property.
  - m. Building elevation drawings of all new structures.

- 
- n. A water system plan meeting Public Works Design Standards.
  - o. A sewerage system plan prepared in accordance with Public Works Design Standards.
  - p. A preliminary storm water report and drainage system plan showing all drainage system improvements on site including storm water runoff calculations in accordance with Public Works Design Standards.
  - q. Location of and method of garbage collection and disposal.
  - r. Park rules and regulations.
4. DESIGN STANDARDS. The following standards and requirements shall govern the design of a recreational vehicle park or campground. The design shall also meet other applicable standards and requirements of this Chapter and the approval criteria of Section 17.12.220. Where there is a difference between the standards of this Section and any other provision of this Code, the more stringent standard shall apply.
- a. A recreational vehicle park or campground shall not be less than 3 acres in area.
  - b. Individual spaces shall contain a minimum of 1,500 square feet with a width of no less than 30 feet for any space designed to accommodate a recreational vehicle and a minimum of 1,000 square feet with a width of no less than 20 feet for any space designed to accommodate a tent only.
  - c. Only one recreational vehicle shall be permitted on a space.
  - d. No building, structure, or land within the boundaries of a recreational vehicle park or campground shall be used for any purpose except for the uses permitted as follows:
    - 1) Recreational vehicles, together with the normal accessory uses such as cabana, patio slab, ramada, and storage and washroom buildings.
    - 2) Private and public utilities and services as permitted by City approval.
    - 3) Community recreation facilities, including swimming pool, for the residents of the park and guests only.
    - 4) One residence for the use of a manager or a caretaker responsible for maintaining or operating the property.
  - e. All recreational vehicle or camping spaces shall be located at least 30 feet from the property boundary line abutting upon a public street, and at least 15 feet from other property lines, except that when a sound-deadening fireproof barrier, as an earthen berm or masonry wall is provided, the Planning Commission may allow the 15-foot setback to be reduced to 5 feet, but shall not reduce the 30-foot setback.
  - f. Recreational vehicles shall not be located closer than 25 feet from any other recreational vehicle or permanent building within the recreational vehicle park.
  - g. Each site shall be provided with an asphalt or concrete pad for the placement of a recreational vehicle a minimum of 12 feet wide.
  - h. The recreational vehicle park or campground entrance shall be designed to provide a clearly defined main entry and exit point to the park. Secondary entry points may be required to provide ingress and egress for emergency vehicles. The main entry shall include street lighting and a sign(s) identifying the name of the facility and providing direction to the manager's office or residence. Controlled ingress and egress may be installed subject to decision authority approval of design.

- i. Two off street parking spaces shall be provided at each recreational vehicle space. Also, additional parking space shall be provided in parking areas distributed around the park (not part of the common area) not to be less than 1 parking space per 10 spaces for parks of 100 spaces or less, and 1 parking space per 20 spaces for each space over 100. Parking spaces shall be provided adjacent to bathhouses and other community buildings.
- j. Each space shall be provided with a picnic table with benches and a fire ring or barbeque apparatus approved by the Fire Marshall.
- k. Adequate street lighting shall be provided within the park in accordance with a plan approved by the decision authority.
- l. All utilities shall be installed underground unless otherwise approved by the decision authority.
- m. Approved fire hydrants shall be installed so that all recreational vehicles, and other structures are within 250 feet of an approved fire hydrant as measured along the center line of a street.
- n. Buffering or screening shall be installed along park boundaries in accordance with a landscaping plan approved by the Planning Commission. All buffering or screening shall be in the form of a sight-obscuring fence, wall, evergreen or other suitable planting, at least 6 feet high. A chain link fence with slats may not be used as a sight-obscuring fence.
- o. A pet waste disposal bag dispensing station shall be provided for each 25 sites.
- p. Landscaping shall be installed in accordance with a landscaping plan approved by the decision authority.
- q. Trash receptacles for the disposal of solid waste materials shall be provided in convenient locations for the use of occupants of the park, screened from open view and located within 200 feet of each recreational vehicle space. Refuse containers shall have tight-fitting lids, covers or closable tops, and shall be durable, rust-resistant, water-tight, rodent-proof and washable and shall be enclosed by sight obscuring fence or screening and situated on a concrete pad. There shall be a minimum of four cubic feet of solid waste receptacle per space. Refuse shall be collected and disposed of on a regular basis in accordance with City garbage franchise regulations.
- r. If storage yards for vehicles, boats, or trailers are provided, the storage yard shall be provided at the rate of up to 100 square feet per recreational vehicle space depending on the clientele served. An 8-foot high sight obscuring fence with a lockable gate shall be erected around the perimeter of the storage yard. If no storage yard for is provided, storage shall not be permitted within the park boundaries.
- s. If pedestrian walkways are provided separate from the vehicular ways within the park, they shall be at least 5 feet wide and be composed of concrete or bituminous concrete at least 3 inches thick.
- t. All vehicular ways and parking areas within the park or campground shall be designed to provide safe and convenient access to all spaces and to facilities for common use by occupants, shall be graded to drain and surfaced with asphalt or concrete to maintain proper drainage and shall be continuously maintained by the owner.
- u. Minimum park street improvement width for shall be 14 feet for a one-way local street and 24 feet for a two-way street.

- v. Each recreational vehicle space shall be provided with municipal water and municipal sanitary sewage service. All recreational vehicles staying in the park shall be connected to the water and sewage service. Up to ten percent of the total spaces may be without water and/or sewer if proposed and approved as such at time of application approval.
  - w. Each space in a park shall be within 500 feet of a building that contains toilets and showers.
  - x. Each recreational vehicle space shall be provided with electrical service. Up to ten percent of the total spaces may be without electrical service if proposed and approved as such at time of application approval.
  - y. The park or campground shall provide one utility building or room containing a minimum of one clothes washing machine, one clothes drying machine for each thirty (30) spaces and shall include space for clothes sorting and folding.
  - z. Each site shall be marked for identification for safety and security reasons. Markers must be easily readable from the driveways in day or night conditions.
5. OPERATIONAL STANDARDS.
- a. Occupancy of space shall be limited to 180 consecutive days. Guests must check out for a minimum of 7 days between stays. Park management shall keep records of guest registration and shall make those records available for inspection by City staff on a quarterly basis.
  - b. Electrical Connections. All electrical connections shall comply with the State of Oregon electrical code and be duly inspected.
  - c. Water Connections. All connections of water to a site and to an occupied recreational vehicle shall comply with the State of Oregon Plumbing Specialty Code, and the City of Stayton Public Works Design Standards.
  - d. Sewer Connections. All sewer connections shall comply with the State of Oregon Plumbing Specialty Code and the City of Stayton Public Works Design Standards.
  - e. Fire Extinguishers. Portable fire extinguishers approved by the Fire Marshall shall be kept in service buildings and at other locations conveniently and readily accessible for use by all occupants and be maintained in good operating conditions.
  - f. Fire Hazards. The owner of the park shall be responsible for maintaining the park or campground free of any brush, leaves, and weeds which might facilitate the spread of fires between sites and buildings in the park.
  - g. Inspections. The Building Official may check the park a minimum of once a year and submit to the park or campground owner and manager a written report stating whether or not the park is in compliance with these standards. If not in compliance, the owner must make repairs as are required or will be considered to be in violation of this Code and subject to enforcement action.
  - h. Refuse Burning. Burning of refuse shall not be permitted.
  - i. Park Administration. It shall be the responsibility of the owner(s) to see that the provisions of this Section are observed and maintained within their facility, and for failure to do so shall be subject to the penalties provided for violation of this Title. There shall be an on-site resident manager.

- j. Park owners shall initiate procedures to assume title or ownership of any derelict, abandoned and inoperable recreational vehicles and personal property no more than 30 days after their abandonment.

(Added Ord. 1029, May 1, 2019)

**17.20.260****LIVE-WORK UNITS**

(Added Ord. 1059, October 19, 2022)

The following provisions shall apply to any newly created live-work unit.

1. **PURPOSE.** Whereas live-work units are permitted in zones where single family dwellings are not permitted uses, the purpose of these regulations is to distinguish between a single family dwelling with a permissible home occupation and a dwelling in a live-work unit in a building with only one dwelling unit.
2. **LOCATION OF BUSINESS USE.** The business use of live-work units shall be located on the ground floor and be accessible directly from the outside without proceeding through the residential portion of the unit.
3. **MIX OF COMMERCIAL/RESIDENTIAL SPACE.** No more than 50% of the unit floor area may be dedicated to the residential use.
4. **OFF-STREET PARKING.** The minimum off-street parking shall be the minimum required for either the commercial use or the dwelling, in accordance Section 17.20.060, but not both.
5. **COMPLIANCE WITH OTHER CODES.** The unit shall be approved by the Building Official as compliant with applicable structural codes and life/safety codes.

(Added Ord. 1059, October 19, 2022)