



# City of Stayton

*Department of Planning and Development*

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## MEMORANDUM

**TO:** Chairperson Ralph Lewis and Planning Commission Members  
**FROM:** Dan Fleishman, Director of Planning and Development  
**DATE:** September 28, 2020  
**SUBJECT:** Fourth Draft Proposed Code Amendments Regarding Residential Zoning

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### ISSUE

The issue before the Planning Commission is the review of the fourth draft of proposed Code amendments to completely reorganize the City's residential zoning. The Planning Commission has discussed these amendments at various times between the fall and winter and again at the July and August meetings.

### CHANGES FROM THIRD DRAFT

At the August meeting the Commission reviewed the third draft and received comments from Jesse Lovrien that the proposed minimum densities and minimum lot width requirements were still incompatible. One of Mr. Lovrien's other comments was that the City's stormwater requirements and the requirement for open space in our subdivision standards made meeting the minimum density requirement more difficult. Mr. Lovrien suggested that either the minimum density requirement be lowered or narrower lots be allowed in the LD and MD zones.

Included with the packet are the "typical" density/lot size diagrams I had provided to the Commission last winter. Without providing for open space or stormwater facilities, a density of 6 units per acre would be feasible with 60-foot lots and that 7 units per acre would be feasible with 50-foot lots. The provision of some lots for duplexes in the MD zone would further allow the density requirement to be met. The duplexes constructed in the Wildlife Meadows subdivision show how well duplexed can be integrated into a single family neighborhood.

The Planning Commission could either further reduce the lot width requirements or reduce the minimum density requirement in the LD and MD zones. The fourth draft includes a minimum of 4.5 units per acre in the LD zone with a minimum lot width of 60 feet. 7,200 sq ft lots at 60 X 120 provide about 4.8 units per acre. The fourth draft also includes a minimum of 7 units per acre in the MD zone with a minimum lot width of 50 feet. 4,500 sq ft lots at 50 X 90 provides for 7.3 units per acre.

Reviewing the statistics in the February staff report reveals that since 2000, the average density of all subdivisions platted in the City has been only 3.0 units per acre, with the most dense subdivision in that time being 5.3 units per acre.

While Section 17.24.050.11.a requires that a minimum of 5% of any subdivision or partition be provided as a public recreation area, this has not been enforced on a regular bases for at least the past twenty years. A review of recorded plats shows that since 1999 the following subdivisions did not provide any open space or public recreation area: Ridgefield (1999), Mountain Estates No. 1

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(2000), Mountain Estates No. 2 (2001), Village Creek (2001), Pemberton Estates (2003), Jefferson Place (2007), Mountain Estates No. 3 (2007), Third Avenue (2008), Phillips Estates Phase 1 (2009); Roth Estates (2009), and Phillips Estates Phase 2 (2014). Oakridge Vista (2002) dedicated less than 3% of the subdivision to the City in a strip of land that would not have otherwise been buildable.

Since the enactment of the City's Parks System Development Charge, the City has not enforced the 5% public recreation area requirement, as requiring dedication of land and charging an SDC on the homes in the development would be double charging.

Therefore, the fourth draft of the amendments now includes amendments to Chapter 17.24 as well as Chapter 17.16. In addition to changes to Section 17.24.050.11 on the requirement for public recreation areas, there also some changes to the submission requirements reflecting our current practice of electronic submissions, and other changes that better coordinate the land division standards with the other changes in the amendment package as far reference to lot sizes and density.

Rather than a blanket requirement of 5% of a subdivision or partition being available for public recreation, the proposed amendment ties the need to dedicate land for recreation to the designated future parks and open space areas in the City's Parks and Recreation Master Plan. The amendment recognizes that should a dedication requirement be beyond the rough proportionality of the impact of the development, compensation is required.

Once the Planning Commission is ready to proceed, I will:

- Post the proposed amendments on the City Website as a separate page, with a method of individuals to express their opinions or suggest changes to the proposed amendments;
- Schedule a public Zoom meeting outside of the regular planning commission meeting schedule for people to discuss the proposed amendments.
- Provide a briefing to the City Council – most likely at their November 19 meeting; and
- Schedule a public hearing for the November Planning Commission meeting. The 35-day notice requirement to DLCD means we can't hold the hearing at the October meeting.