



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

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www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

05/06/2009

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Larry French, Plan Amendment Program Specialist

SUBJECT: City of Stayton Plan Amendment
DLCD File Number 001-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Monday, May 18, 2009

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Dan Fleishman, City of Stayton
Gloria Gardiner, DLCD Urban Planning Specialist

<paa>

FORM 2

DLCD NOTICE OF ADOPTION

This form **must be mailed** to DLCD **within 5 working days after the final decision** per ORS 197.610, OAR Chapter 660 - Division 18

(See reverse side for submittal requirements)

DEPT OF

APR 29 2009

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: City of Stayton

Local File No.: 11-12/08

(If no number, use none)

Date of Adoption: April 6, 2009
(Must be filled in)

Date Mailed: April 27, 2009
(Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: not applicable

- | | |
|---|--|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input checked="" type="checkbox"/> Land Use Regulation Amendment | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use Regulation | <input type="checkbox"/> Other: _____
(Please Specify Type of Action) |

Summarize the adopted amendment. Do not use technical terms. Do not write [See Attached.]

These amendments to our Land Use and Development establish new standard for development in the industrial zones. Previously development in the industrial zones needed to meet the same design standards as in the commercial zones. These amendments establish more appropriate site design and architectural standards for industrial development.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write [Same.] If you did not give notice for the proposed amendment, write [N/A.]

Changes were made following the City Council hearing to the standards for architectural details, landscaping, parking lot design pedestrian access.

Plan Map Changed from : _____ to _____

Zone Map Changed from: _____ to _____

Location: _____ Acres Involved: _____

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: None

Was an Exception Adopted? Yes No

DLCD File No.: _____

Did the Department of Land Conservation and Development **receive** a notice of Proposed Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: none

Local Contact: Dan Fleishman

Area Code + Phone Number: (503) 769-2998

Address: 362 N Third Avenue

City: Stayton

Zip Code+4: 97383

Email Address: dfleishman@ci.stayton.or.us

ORDINANCE NO. 908**AN ORDINANCE AMENDING THE STAYTON MUNICIPAL CODE, TITLE 17
TO ESTABLISH DESIGN STANDARDS FOR INDUSTRIAL USES**

WHEREAS, Oregon Revised Statutes, Chapter 197 requires municipalities to adopt and implement a comprehensive land use planning program in accordance with statewide planning goals established by the Legislature and the Oregon Land Conservation and Development Commission;

WHEREAS, the Stayton Comprehensive Plan and Title 17, Land Use and Development, of the Stayton Municipal Code (SMC), Section 17.20.200, currently contains site design and architectural standards for all non-residential construction;

WHEREAS, application of these standards has revealed they are inappropriate for industrial development, having been drafted to focus on retail uses and other commercial development;

WHEREAS, the City Council promotes appropriate new industrial development in the City and does not wish to constrain that development through the application of inappropriate standards;

WHEREAS, the City Council finds it desirable to promote the quality of appearance in the industrial zones and minimize the impacts of industrial development on neighboring residential properties;

WHEREAS, following a public hearing, the Stayton Planning Commission has unanimously recommended that the Stayton City Council enact the proposed design standards for industrial developments; and,

WHEREAS, following a public hearing, the Stayton City Council deems the proposed amendments to comply with the provisions of the Comprehensive Plan.

NOW, THEREFORE, the Stayton City Council does ordain as follows:

SECTION 1. Stayton Municipal Code, Title 17, Sections 17.04.100, 17.20.070, and 17.20.200 are amended and new Section 17.20.230 is enacted as shown on Exhibit A attached hereto and incorporated herein.

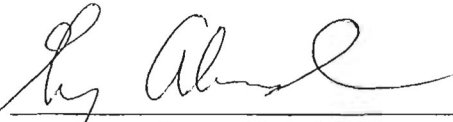
SECTION 2. Upon adoption by the Stayton City Council and Mayor's signing, this Ordinance shall become effective 30 days after the date of signing.

SECTION 3. A copy of this Ordinance shall be furnished to the State of Oregon, Department of Land Conservation and Development forthwith.


ADOPTED BY THE STAYTON CITY COUNCIL this 6th day of April, 2009.

CITY OF STAYTON


Signed: April 8, 2009

BY: 
Gerry Aboud, Mayor

Signed: 4/8, 2009

ATTEST: 
Don Eubank, City Administrator

APPROVED AS TO FORM:


David A. Rhoten, City Attorney

Additions are underlined; deletions are .

Part 1. Amend the definition of Open Storage Area in Section 17.04.100 to read as follows.

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OPEN STORAGE AREA: An area on a lot where the main use stores or displays materials, equipment, finished product, or merchandise or provides long-term parking for vehicles in its fleet.

Part 2. Amend the requirements for Open Storage Areas in Section 17.020.070.1 to establish a standard for the surface material of these areas.

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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.

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b. In Commercial zones, 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. In Industrial Zones, open storage areas located between the street right-of-way and the building shall not exceed 50% of the area between the front lot line and parallel line drawn from the nearest point of the building unless screening is provided in accordance with section 17.20.090.12.

c. Open storage areas must be provided with a stable surface such as crushed stone or gravel and need not be paved except all driveways and loading areas shall meet the requirements of Section 17.20.060.10.b.

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Part 3. Correct a citation in the standards for outdoor storage yards in Section 17.20.070.2.c:

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The surface of such area shall be maintained at all times, except that all driveways and loading areas shall be paved as required in Section 17.20.060.10.b.

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Part 4. Amend Section 17.20.200.1 to indicate that the Commercial Design standards apply only in the Commercial Zones.

Deleted: 17.20.060.9.a and b

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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 in the Commercial Zones to all types of non-residential development and to any building with a mix of non-residential and residential uses. (Ord. 898, August 20, 2007) (Amended Ord. 902, May 7, 2008)

Part 5. Enact a new Section 17.20.230 to establish design standards for development in the Industrial zones.

Deleted: , except in the Downtown zones, where the standards of Section 17.20.220 apply

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17.20.230 INDUSTRIAL DESIGN STANDARDS

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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.

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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 17.20.2004.
- 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.

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

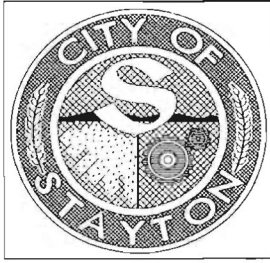
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City of Stayton

Planning Department

Mailing address: 362 N. Third Avenue · Stayton, OR 97383

Office location: 311 N. Third Avenue

Phone: (503) 769-2998 · FAX: (503) 767-2134

Email: dfleishman@ci.stayton.or.us

www.staytonoregon.gov

TO: Plan Amendment Specialist

FROM: Dan Fleishman, City Planner

SUBJECT: Two recent code amendments

DATE: April 27, 2009

The Stayton City Council recently enacted two ordinances amendment our land use and development code. Whereas the Planning Department is completely without any clerical or administrative assistance, I am a bit behind the 5-day requirement to notify you. My apologies. I have included a photocopy of my hand, you may give it a light slap.

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Mailed From 97383
04/27/2009
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CITY OF STAYTON
362 N. THIRD AVENUE
STAYTON, OREGON 97383

TO PLAN AMENDMENT SPECIMEN

DLCD
635 CAPITOL ST NE, SUITE 150
SALEM OR 97301-2540