



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

TO: Mayor Henry Porter and the Stayton City Council
FROM: Dan Fleishman, Director of Planning and Development
DATE: April 1, 2019
SUBJECT: Ordinance 1029 Amending Land Use Code establishing standards for Recreational Vehicle Parks and Campgrounds

ISSUE

The issue before the City Council is the second consideration of Ordinance 1029 which would enact legislative amendments to the Land Use and Development Code to establish development standards for recreational vehicle parks and campgrounds. The City Council held a hearing on the proposed changes at its March 18 meeting, requested some changes to the amendments, and approved the first consideration of the ordinance.

CHANGES TO AMENDMENT

In its first consideration of Ordinance 1029, the City Council requested two changes to the proposed standards. These changes have been incorporated into the revised draft ordinance presented for the second consideration. These changes:

1. Require parking spaces to be provided adjacent to community buildings. This change can be found at the top of page 5 of the revised draft ordinance.
2. Require park management to keep records of guest registration and make the records available for inspect by City staff. This change can be found in paragraph 5.a in the middle of page 6 of the revised draft.

OPINION OF CITY ATTORNEY

There was testimony presented at the Council's public hearing the questioned the City's ability to regulate the length of stay in RV parks. Staff has consulted with the City Attorney on this issue. The City Attorney's reply, in part, was "the City may impose a limit on the length of occupancy of a recreational vehicle located in a recreational vehicle park." The City Attorney noted that ORS 901.110(6), Oregon's Landlord Tenant Act, exempts vacation occupancy from the statute.

RECOMMENDATION

As noted in the City Attorney's review, the 180-day limit on stays, may be excessive, if the Council wants to assure that RV parks are not used for residential purposes. Staff's original recommendation to the Planning Commission was to limit stays to 120 days. The Council should consider an amendment to shorten the allowable length of a stay to between 90 and 120 days.

OPTIONS AND MOTIONS

The City Council is presented with the following options.

1. Approve the second consideration of Ordinance 1029

Move to approve revised Ordinance No 1029 as presented.

The City Recorder shall call the roll and the names of each Councilor present and their vote shall be recorded in the meeting minutes. If the second consideration is approved, Ordinance No. 1029 is enacted and will be presented to the Mayor for his approval.

2. Approve the Ordinance with further modifications

Move to approve Ordinance No. 1029 with the following changes ... and direct staff to incorporate these changes into the Ordinance before the Ordinance is presented to the Mayor for final enactment.

The City Recorder shall call the roll and the names of each Councilor present and their vote shall be recorded in the meeting minutes. If the second consideration is approved, Ordinance No. 1029 will be amended as directed and presented to the Mayor for his signature.