



Oregon

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Dan Fleishman, Planning and Development Director
City of Stayton
362 N. 3rd Avenue
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Delivered via email: dfleishman@ci.stayton.or.us

RE: Proposed Amendments to the City's Residential Zoning and Development Standards; City File No.: 2-02/21; DLCD PAPA File No. 002-21

Dear Dan,

Thank you for the opportunity to review and comment on the proposed residential zoning code amendments.

We laud city leadership for taking on significant housing code work right now. The timing on these proposed amendments is critical. Cities in the Willamette Valley and throughout Oregon are facing major housing crises. In addition, the city of Stayton's gateway location to the Santiam Canyon makes it vital to regional rebuilding and recovery efforts associated with the 2020 Labor Day Wildfires.

The department fully supports the city's proposed adoption of several key amendments to the city's zoning code, namely:

- Removing the 1000 square foot minimum enclosed space requirement for manufactured dwellings;
- Updating accessory dwelling unit (ADU) standards to meet state law;
- Establishing cottage cluster design and development standards;
- Establishing minimum residential density standards; and,
- Modernizing land division application submittal requirements.

Architectural Standard #4 in the city's proposed Cottage Cluster code would require all cottages to be designed within the same "family" of architectural styles. The proposed code offers the following example elements of these styles: a) Similar building/roof form and pitch; b) Similar siding materials; c) Similar porch detailing; and/or d) Similar window trim.

This discretionary standard may be problematic and could have a chilling effect on the city's ability to approve (or withstand appeals on) cottage cluster development proposals. Applicants, decision-makers, and interested parties often have difficulty

ascertaining compliance with discretionary standards. Land use decisions that incorporate terms such as “similar to” or “in the same family of” in the approval criteria may be more difficult to defend on appeal than decisions that rely solely on clear and objective standards.

Cottage cluster developments are generating a lot of interest around the state. By removing this discretionary standard, the city would put the power back in the hands of property owners and design-build professionals to produce compact, energy-efficient, and aesthetically-pleasing cottage designs in a growing and competitive market.

The city’s proposed cottage cluster code is very well-developed and easy to understand. We advise deleting proposed Architectural Standard #4.

If you have questions or would like to further discuss anything in this letter, please do not hesitate to contact me at 541-393-7675 or patrick.wingard@state.or.us.

Best regards,

Patrick Wingard

Patrick Wingard
Regional Representative

Copy. Gordon Howard, Community Services Division Manager