

MEMORANDUM

To: Stanfield Grant TA-23-203 Technical Advisory Committee
Ben Burgener, City Manager
From: Carla McLane, Consultant
Date: March 13, 2023
RE: Development Code Review

This memorandum is designed to capture the following items for discussion: the scope of changes to the Stanfield Development Code (SDC) and policy considerations based on some of those changes, inconsistencies within and recommendations for changes to the Stanfield Municipal Code (SMC), and proposed additions to the Public Works Standards.

Scope of Changes to the SDC and Policy Questions: This section of the memorandum is organized by Chapter and Section of the Development Code. Significant work has been accomplished but there is still work to be done.

Chapter 1

Chapter 1 Section 1 How to use...: Minor changes to this one-page Section. Identifies that Chapter 6 is to be removed.

Chapter 1 Section 2 General Administration: No substantive changes to this Section.

Chapter 1 Section 3 Definitions: While definitions do not in themselves create policy there are several definitions that have been added to the Section. It is recommended that these additions be reviewed.

Chapter 1 Section 4 Enforcement: This portion of the Development Code may be better suited to be relocated to the Municipal Code to allow better connection to the Municipal Court. A discussion to have.

Chapter 2

Chapter 2 Section 1 Residential: There are many changes to this Section to be considered. The following have policy implications:

- Moved Neighborhood Commercial to Section 2 (and changed its name from Downtown to Commercial).
- Moved Density Transfers from Chapter 3 Section 6 to consolidate standards applicable to residential development.
- Square footage limitations are imposed for Accessory Dwellings. They are not for other types of structures. Should square footage be limited?
- Home occupations – Development Review or not? It is required in Chapter 4 Section 2 Development and Site Review.

Chapter 2 Section 2 Commercial: The first item to consider is the change in name from Downtown to Commercial to better reflect the application of these standards to a variety of areas within Stanfield. There is still work to be done with this Section.

Chapter 2 Section 3 General Industrial: There is still work to be done with this Section.

Chapter 2 Section 4 Light Industrial: There is still work to be done with this Section.

Chapter 2 Section 5 Master Planned Development: This has been amended to be applicable in either residential, commercial, or industrial settings. It also provides a framework for Specific Area Plans.

Chapter 2 Section 6 Open Space: Changes to this Section are going to require an amendment to the Zoning Map as well when the adoption process is engaged. The intent is to maintain the OS designation only for the area owned by the UPRR and changing the other locations to be zoned Residential.

Chapter 2 Section 7 Floodplain Overlay District: Changes to this Section are also going to trigger changes to the Zoning Map adding the Floodplain as adopted by both FEMA and the City. This Section is being shortened considerably to simply address the why and where. The Floodplain Development standards will be found in Chapter 3 Section 7. That work continues.

Chapter 2 Section 8 Wetlands Overlay District: This Section is proposed to be removed in its entirety. Standards for wetlands will be included in Chapter 3 Section 6 Other Standards.

Chapter 3

Chapter 3 Section 0 Introduction: No substantive changes.

Chapter 3 Section 1 Access and Circulation: Work continues in this Section. This is where moves to the Public Works Standards will start and continue throughout much of Chapter 3.

Chapter 3 Section 2 Landscaping, Street Trees, Fences and Walls: There are a number of items in this Section that I would ask if the City wants to regulate. There are other items in this Section that could be relocated to the Public Works Standards. And much of this could be in conflict with provisions in the Municipal Code. Need to determine where to house these regulations, then update accordingly. Of particular interest:

- Landscape Conservation – Suggest removal or significant reduction in regulation.
- New Landscaping – Suggest minimizing and simplifying.
- Street Trees – Duplication to the Municipal Code. Suggest reduction in regulation.
- Fences and Walls – Keep this with minor changes. Attempted to address the fence conundrum faced by Beth.

Chapter 3 Section 3 Vehicle and Bicycle Parking: Not a lot of changes to this Section. Having said that many items in this Section are better served in the Public Works Standards. Did relocate the Loading Standards to this Section and make changes to them.

Chapter 3 Section 4 Public Facilities Standards: Not a lot of changes to this Section. Having said that many items in the Section are better served in the Public Works Standards.

Chapter 3 Section 5 Surface Water Management: This section was previously ‘reserved’ and now has a beginning of a Surface Water Management plan in place. What is included could be reduced. The balance of any needed standards is proposed for inclusion in the Public Works Standards.

Chapter 3 Section 6 Other Standards: This was and is a catch all Section. Density Transfer was relocated to Chapter 2 Section 1 Residential, Solid Waste Storage was a placeholder and is now Wetlands, Solid Waste Storage was a place holder with options for Solid Waste being incorporated into the General and Light Industrial Sections, and Environmental Performance deleted. Changes are still needed to the telecommunications and signs subsections. Alternatively those standards could be incorporated into other Sections or relocated to the Municipal Code.

Chapter 3 Section 7 Floodplain Design Standards: This section will be replaced almost in its entirety with the model code provided by the State. That work is still pending.

Chapter 3 Section 8 Loading Standards: This Section has been relocated to Chapter 3 Section 3 Vehicle and Bicycle Parking.

Chapter 4

Chapter 4 Section 0 Introduction: This Section has been relocated to Chapter 1 Section 1 How to use.

Chapter 4 Section 1 Applications and Procedures: There are a number of changes to this Section to align it with Oregon Revised Statute relative to public notice and other public meeting requirements. There are several areas that are recommended for change that should be considered. They include:

- Retain Posting – the suggestion is to not.
- Boundary for Mailing could be reduced from 250 to 100 feet – the suggestion is to reduce.
- Reduce and clarify the appeal period is 12-days.
- Require an Impact Study when appropriate, i.e., for larger projects or projects with an identified impact to be considered.
- Added allowance for parties with eminent domain to be applicants for a project. This has become an issue and many jurisdictions include similar language.
- Moved Expedited Land Divisions to Chapter 4 Section 3 Land Divisions.
- Moved Wetlands Notification Provisions to Chapter 3 Section 6 Other Standards.

Chapter 4 Section 2 Development and Site Review: Have only reviewed at a cursory level but do have identified changes to incorporate. This is where the requirement for Home Occupations to obtain a Development Review permit is at (see earlier comment).

Chapter 4 Section 3 Land Divisions and Lot Line Adjustments: This Section has only had a cursory level review. Expedited Land Divisions has been relocated to this Section. Much of this Section is required to be consistent with Oregon Revised Statute Chapter 92 Subdivisions and Partitions.

Chapter 4 Section 4 Conditional Use Permits: This Section has only had a cursory level review. Not much is identified to be amended.

Chapter 4 Section 5 Master Planned Developments: A subsection was added to this Section to provide more clarity on how to use this Section and what it benefits are.

Chapter 4 Section 6 Modifications: Some language is proposed to provide further clarity to how this Section is used.

Chapter 4 Section 7 Map and Text Amendments: Subsection have been amended to create better clarity.

Chapter 4 Section 8 Code Interpretation: A section on Authorization of Similar Uses has been added for additional clarity.

Chapter 4 Section 9 Miscellaneous: This Section deals with three temporary use permits. Still contemplating if this is the best location or if they could be relocated. There could be other permits that could be added as well. These could also be considered for inclusion in the Municipal Code.

Chapter 4 Section 10 Traffic Impact Study: Amended subsection 4.10.200 for clarity and to be more consistent with the Model Code.

Chapter 5

Chapter 5 Exceptions to Code Standards: Deleted this introduction as it duplicates Chapter 1 Section 1 How to use.

Chapter 5 Section 1 Variances: This Section has only been reviewed cursory. Need to add provisions for Hardship Dwelling opportunities.

Chapter 5 Section 2 NonConforming Uses and Developments: Added language to provide clarity.

Chapter 6

Chapter 6 Map Amendments: This Chapter has been deleted as it has not been used to date and revisions are retained in other ways than by housing them within the Development Code.

Inconsistencies within and recommendations for changes to the Municipal Code: The Stanfield Municipal Code (SMC) is designed to regulate and provide guidance to the City Council and staff on a myriad of issues that include general administrative actions; business activities; animals; health and safety; vehicles and traffic; streets, sidewalks, and public places; public services; buildings and construction; subdivisions; and the floodplain. When considering how to regulate activities within a community multiple options are available to include the SMC, the Development Code, and the Public Works Standards.

Part of the work associated with this update to the SDC also includes a review of the Comprehensive Plan, review of the SMC to determine inconsistencies, and to determine how to best use the Public Works Standards to provide guidance to the development process.

Based on a cursory review of the SMC Table of Contents several Chapters or Sections should be reviewed by the TAC based on the recommendations that follow. Some Chapters or Sections are called out because they provide guidance as to how actions should be accomplished.

SMC Title and Chapter	Proposed Action
Title 2 Chapter 2.08 Planning Commission	Delete 2.08.030.b Composition
Title 2 Chapter 2.08 Planning Commission	Confirm 2.08.040 Organization
Title 2 Chapter 2.08 Planning Commission	Confirm 2.08.050 Scope of Activities Recreation, Housing, and Zoning
Title 2 Chapter 2.16 Real Property Compensation	Implements Measure 37
Title 2 Chapter 2.24 Comprehensive Plan	Update Adoption Ordinance Number and Date at conclusion of this current update
Title 2 Chapter 2.36 Parks and Recreation Committee	Balance with 2.08.050 to determine responsibility for Parks Master Planning process
Title 5 Chapter 5.04 Business Licenses	Balance with Home Occupations in the Residential District
Title 5 Chapter 5.06 Mobile Food Venders	Recommend regulating activities within the SMC and locations within the SDC
Title 5 Chapter 5.08 Alcoholic Liquor	Recommend regulating activities within the SMC and locations within the SDC
Title 5 Chapter 5.16 Merchant Police	Should be referenced when activities that will utilize this type of service are proposed under the SDC
Title 5 Chapter 5.60 Transient Room Tax	Should be referenced when lodging or related activities are proposed under the SDC
Title 6 Chapter 6.12 Livestock and Poultry	Should be referenced when activities are proposed that have livestock or poultry included
Title 8 Chapter 8.24 Automobile Wrecking Yards	Recommend removal from the SMC and place regulations within the SDC including areas where it could be allowed
Title 8 Chapter 8.28 Junkyards	Recommend removal from the SMC and place regulations within the SDC including areas where it could be allowed
Title 10 Chapter 10.20 One-way Streets	Consider relocating to the PW Standards
Title 10 Chapter 10.30 Occupied RV Parking	Entire section should be reviewed for legality. May need to be removed
Title 12 Chapter 12.20 Tree Planting	Recommend regulating activities within the SMC and remove Street Tree and Nuisance ??? from the SDC

Title 12 Chapter 12.30 Streetscape Plan	Confirm how plan connects to the SDC regulations Ordinance 417-2015 (adopted 11/17/2015)
Title 13 Chapter 13.20 Standard Specifications for Public Works	Requires Public Works Standards are adopted by Resolution by the City Council
Title 15 Chapter 15.12 Historical Landmarks	Recommend regulating activities within the SDC and removing this Chapter from the SMC
Title 16 Subdivisions	Title is blank and could be removed. Alternatively, it could be renamed Development Code and reflect the current adoption date, ordinance number, and general provisions.
Title 17 Floodplain	Recommend removal from the SMC and place regulations within the SDC

Proposed Additions to the Public Works Standards: There are many regulations or standards within the SDC that may be better served in the Public Works Standards. Much of Chapter 3 could be converted into the Public Works Standards creating a clearer distinction between the land use approval process and the standards that are applicable to development.

Chapter 3 Section 1 Access and Circulation:

- Access Permit Requirements
- Access Options
- Access Spacing
- Number of Access Points
- Shared Driveways
- Driveway Openings (including location and width)
- Construction Requirements
- Sidewalk Design and Construction

Chapter 3 Section 2 Landscaping, Street Trees, Fences and Walls:

- Landscape Conservation (if it is retained at all)
- Landscaping Design Standards (unless moved to the SMC)
- Street Trees (unless moved to the SMC)

Chapter 3 Section 3 Vehicle and Bicycle Parking:

- Parking Stall Dimensions
- Disabled Parking Requirements
- Bicycle Parking Requirements
- Loading Area Requirements

Chapter 3 Section 4 Public Facilities Standards:

- Street Location, Width, and Grade
- Minimum Rights-of-Way and Street Sections
- Cul-de-sac Dimensions
- Grades and Curves
- Curb, Curb Cuts, Ramps, and Driveway Approaches
- Street Signs
- Street Light Standards
- Street Cross Sections

Chapter 3 Section 5 Surface Water Management: This Section is being designed to provide the Performance Standard and then have the implementation be housed within the Public Works Standards.