



# City of Stayton

## Department of Planning and Development

362 N. Third Avenue • Stayton, OR 97383

Phone: (503) 769-2998 • Fax (503) 769-2134

[dfleishman@ci.stayton.or.us](mailto:dfleishman@ci.stayton.or.us)

[www.staytonoregon.gov](http://www.staytonoregon.gov)

March 6, 2017

Chair Senator Michael Dembrow, Vice-Chair Alan Olsen, members of the Senate Committee on Environment and Natural Resources:

I am writing in opposition to SB 865 which would require local governments to submit notice to an irrigation district, drainage district or water control district prior to approving a plat for a subdivision or partitioning.

The City of Stayton, and most other local governments, includes notice of an application for approval for a tentative plan for subdivision or partitioning to other units of government during the land use process. This is the appropriate time for other units of local government, such as the aforementioned districts to comment to the city or county that has received the application, not submittal of the plat.

The review and approval of a tentative plan, as envisioned in ORS 92.040, is the opportunity for these districts to provide comment to the city or county, not when the plat is presented for approval. In most cities and counties in Oregon, the application for tentative plan approval is when the land use process occurs and there is ample opportunity for public input, including from other units of local government. Here in Stayton, the Santiam Water Control District is notified of all land use applications processed by the City, whether the application directly impacts them or not. The District is notified at least 20 days prior to the first evidentiary hearing on the application and requested to comment on the application.

In the case of a subdivision or partition, the application for tentative plan approval is when public comment occurs. Once approval is granted by the Planning Commission, the applicant constructs the streets and utilities. Then, the plat is submitted to the City for approval. At the time of plat approval, it is most likely too late to mitigate any impacts on the other units of local government. Approval of the plat, in Stayton, is treated as a ministerial action. It is not appropriate to involve the Districts in reviewing the plat.

Enactment of SB 865 would create unnecessary delay and complication in the plat approval process.

Sincerely,

Dan Fleishman,  
Planning & Development Director

**THE CITY OF STAYTON IS AN EQUAL OPPORTUNITY EMPLOYER AND SERVICE PROVIDER**

**POLICE**  
386 N. THIRD AVENUE  
STAYTON, OR 97383  
(503) 769-3423  
FAX (503) 769-7497

**PLANNING AND  
DEVELOPMENT**  
362 N. THIRD AVENUE  
STAYTON, OR 97383  
(503) 769-2998  
FAX (503) 767-2134

**PUBLIC WORKS**  
362 N. THIRD AVENUE  
STAYTON, OR 97383  
(503) 769-2919  
FAX (503) 767-2134

**WASTEWATER**  
950 JETTERS WAY  
STAYTON, OR 97383  
(503) 769-2810  
FAX (503) 769-7413

**LIBRARY**  
515 N. FIRST AVENUE  
STAYTON, OR 97383  
(503) 769-3313  
FAX (503) 769-3218