



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

[www.lcd.state.or.us](http://www.lcd.state.or.us)

## AMENDED NOTICE OF ADOPTED AMENDMENT

December 27, 2007

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Dayville Plan Amendment  
DLCD File Number 001-07



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: January 9, 2008**

This amendment was submitted to DLCD for review 45 days prior to adoption. 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 THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Doug White, DLCD Community Services Specialist  
Jon Jinings, DLCD Regional Representative  
Ruth Moore, City of Dayville

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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

in person  electronic  mailed

DATE  
DEPT OF  
DEC 11 2007  
LAND CONSERVATION  
AND DEVELOPMENT  
For DLCD Use Only

Jurisdiction: City of Dayville

Local file number: #07-03

Date of Adoption: 12-12-07

Date Mailed: 12-17-07

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date:

- |   |   |
|---|---|
| <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:                           |

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

Amend Section 3.030.4 - Setback Requirements of our #03-03 Land Use Regulations in order to change the Setback Requirements within our Residential Farm Zone.

Does the Adoption differ from proposal? Please select one

same

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

- |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |
|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <u>1</u>                            | 2                        | 3                        | 4                        | 5                        | 6                        | 7                        | 8                        | 9                        | 10                       | 11                       | 12                       | 13                       | 14                       | 15                       | 16                       | 17                       | 18                       | 19                       |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes  No

If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

DLCD file No. 001-07(16469)

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

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Local Contact: Ruth Moore Phone: (541) 987-2188 Extension: -  
Address: PO BOX 321 Fax Number: 541 987-2187  
City: Dayville Zip: 97825 E-mail Address: dville@ortelco.net

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### **ADOPTION SUBMITTAL REQUIREMENTS**

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

1. Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:  
**ATTENTION: PLAN AMENDMENT SPECIALIST**  
**DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT**  
**635 CAPITOL STREET NE, SUITE 150**  
**SALEM, OREGON 97301-2540**
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: [webserver.lcd.state.or.us](http://webserver.lcd.state.or.us). To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing [mara.ulloa@state.or.us](mailto:mara.ulloa@state.or.us).
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to [mara.ulloa@state.or.us](mailto:mara.ulloa@state.or.us) - ATTENTION: PLAN AMENDMENT SPECIALIST.

**CITY OF DAYVILLE, DAYVILLE, OREGON**  
**LAND USE AND DEVELOPMENT ORDINANCE AMENDMENT #07-03**

**AN ORDINANCE TO REPLACE LAND USE AND DEVELOPMENT ORDINANCE #03-03,  
SECTION 3.030.4-RESIDENTIAL FARM ZONE "RF" SETBACK REQUIREMENTS.**

4. **SETBACK REQUIREMENTS:** In the Residential Farm Zone, setbacks shall be as follows:
- A. **FRONT YARD:** There shall be a front yard of not less than 20 feet in depth.
  - B. **SIDE YARD:** On the interior lots, there shall be a side yard on each side of the main building and each side yard shall have a width of not less than five (5) feet. On corner lots, the interior side yards shall have a width of not less than five (5) feet, but the side yard on the street side of such corner lot shall not be less than fifteen (15) feet in width.
  - C. **REAR YARD:** There shall be a rear yard of not less than ten (10) feet in depth.
  - D. **LOT AREA:** In the "RF" Zone, the minimum lot or parcel size shall be as follows:
    - 1. Single, two-family and mobile home dwellings: 7500 square feet.
    - 2. Multiple family dwellings: 7500 square feet for two dwellings units, plus:
      - a. 1000 square feet for each additional 1-bedroom dwelling unit;
      - b. 1350 square feet for each additional 2-bedroom dwelling unit;
      - c. 1600 square feet for each additional 3-bedroom dwelling unit;
      - d. 1800 square feet for each additional 4-bedroom dwelling unit.
    - 3. All uses shall have adequate area to meet the property line setback requirements and the off-street parking space requirements of this Ordinance.
    - 4. All uses shall have a frontage on the street of a minimum of 75 feet.


**EMERGENCY DECLARED:** This Ordinance shall be declared an emergency and take effect immediately upon its passage. It is necessary to update the current ordinance in an effort to better accommodate the citizens of Dayville.

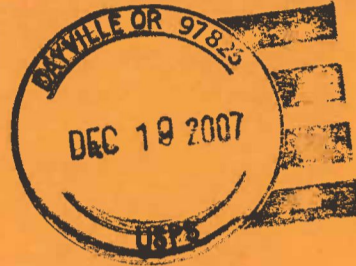
**ENACTMENT:** This Ordinance shall be and is hereby declared to be in full force and effect on the 12<sup>th</sup> day of December, 2007.

**APPROVED AND ENACTED THIS 12<sup>TH</sup> DAY OF DECEMBER, 2007.**

  
Mayor

Attest by the City Recorder this 12<sup>th</sup> day of December, 2007.

  
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FIRST CLASS

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City of Dayville  
P.O. Box 321  
Dayville, OR 97825

**TO:** DLCD  
Attn: Plan Amendment Spec.  
635 Capitol St. NE,  
Suite 150  
Salem, OR 97301-2540