



# 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)



## NOTICE OF ADOPTED AMENDMENT

01/22/2013

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Siletz Plan Amendment  
DLCD File Number 001-12

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: Wednesday, February 06, 2013

This amendment was submitted to DLCD for review 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 Acknowledgment or 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. **NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.**

Cc: Sheryl Simmons, City of Siletz  
Gordon Howard, DLCD Urban Planning Specialist  
Patrick Wingard, DLCD Regional Representative

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FORM **2**

**DLCD**

# Notice of Adoption

This Form 2 must be mailed to DLCD within **20-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

☐ In person ☐ electronic ☐ mailed

**DEPT OF**

**JAN 17 2013**

**LAND CONSERVATION AND DEVELOPMENT**

**DATE STAMP**

For Office Use Only

Jurisdiction: *City of Siletz*

Local file number:

Date of Adoption: *Jan. 10, 2013*

Date Mailed: *1-16-13*

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: *11-27-12*

☐ Comprehensive Plan Text Amendment

☐ Comprehensive Plan Map Amendment

☐ Land Use Regulation Amendment

☐ Zoning Map Amendment

☒ New Land Use Regulation

☐ Other:

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

*Text Amendment to Siletz Municipal Code to allow and regulate chickens and ducks in city limits; Zones SR/Single-Family Residential and GR/General Residential. Amend other sections of Code for purposes of consistency.*

Does the Adoption differ from proposal? Please select one *NO.*

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

**1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19**  
☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

Was an Exception Adopted? ☐ YES ☒ NO *NA*

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No *NA*

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

**DLCD file No.** 001-12 (19604) [17324]



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

Local Contact: Cheryl Simmons

Address: 215 W. Buford St.

City: Siletz

Zip: 97380

Phone: (503) 444-2521 Extension:

Fax Number: - -

E-mail Address:

## ADOPTION SUBMITTAL REQUIREMENTS

**This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18**

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on **light green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on **8½ - 11x17 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us).

**ORDINANCE NO. 192****AN ORDINANCE AMENDING SECTIONS OF CHAPTER 17.16 AND 17.20  
OF THE SILETZ MUNICIPAL CODE TO ALLOW CHICKENS & DUCKS  
WITHIN THE CITY LIMITS OF THE CITY OF SILETZ WITH RESTRICTIONS**

**WHEREAS**, the City of Siletz is amending sections of Chapter 17 Zoning Ordinance of the Siletz Municipal Code; and

**WHEREAS**, the City Council of the City of Siletz conducted a Public Hearing on the Siletz Municipal Code Amendments on the 10<sup>TH</sup> day of January 2013.

**NOW THEREFORE BE IT RESOLVED THAT THE CITY OF SILETZ ORDAINS AS FOLLOWS:**

1. That a copy of Document A which lists the approved and adopted amendments to the Siletz Municipal Code Chapters 17 Zoning Ordinance be incorporated into the Siletz Municipal Code Book.
2. That except as herein specifically amended in Document A that all other sections of the Siletz Municipal Code are in full effect and force.

**Chapter 17.16 Residential Zones (SR & GR)**

**17.16.010, 17.16.020 – Uses Permitted Outright**

In the residential areas of the SR and GR Zones the following uses and their accessory uses are permitted outright subject to the applicable provisions of Chapters 17.16.010, 17.16.020 and 17.20.015.

17.16.010 – No. 4. Agricultural use of land provided that no livestock shall be raised or kept on the premises and provided further that no commercial structure shall be constructed or maintained on the premises. For purposes of this section 17.16.010, chickens and ducks are not considered to be livestock. The keeping of chickens and ducks are subject to the provisions of Chapter 17.20 Supplementary Regulations.

17.16.20 – No. 6. Agricultural use of land provided that no livestock shall be raised or kept on the premises provided further that no commercial structure shall be constructed or maintained on the premises. For purposes of this section 17.16.010, chickens and ducks are not considered to be livestock. The keeping of chickens and ducks are subject to the provisions of Chapter 17.20 Supplementary Regulations.

### **Chapter 17.20 Supplementary Regulations**

(Proposed New Section 17.20.015)

The purpose of this section is to allow for a limited number of chickens and/or ducks on certain properties with standards in order for chickens and/or ducks to assist in insect control and provide eggs for food. The following standards shall be required for the keeping of chicken and/or ducks as allowed by Section 17.16.010 and 17.16.020 of this title.

- a. A Permit shall be obtained from the City prior to keeping of chickens and/or ducks on properties within the city. Permit fee to be established annually by the Siletz City Council and runs from January to December and is renewed annually.
- b. The keeping of chickens and ducks shall be permitted on properties used for single- family and two-family residential properties. Chickens and ducks shall be contained on the same premises where the owner of the birds resides.
- c. Properties that one-half acre or less are allowed no more than a combination of six (6) chickens and ducks. Properties exceeding one-half acre are allowed no more than a combination of the ten (10) chickens and ducks.
- d. The keeping of roosters shall be prohibited.
- e. Chickens and ducks shall be contained within the premises throughout the day. Chickens and ducks shall be contained throughout the night within an enclosed coop or other structures to prevent dogs, coyotes, cats, raccoons and other predators and pests from accessing the birds. Enclosures containing the chickens and ducks that are separated from the main building may be located within five (5) feet of a rear property line and five (5) feet of the side property lines if the structure is no more than fifteen

(15) feet in height. Structures over fifteen (15) feet must meet the standard setbacks.

- f. Food for chickens and ducks shall be stored in a secure area and in a metal or vermin proof container. When food is secured for the night, all food containers shall be secured.
- g. Chicken and/or duck enclosures shall be kept in good working and sanitary condition, and shall not cause odor or noise nuisances.

Also to be amended in the Siletz Municipal Code -

Pg. 130 – No. 13 - excluding chickens and ducks

Pg. 132 – No. 13 – excluding chickens and ducks

Pg. 145 – e. – excluding chickens and ducks

**WHEREAS**, the provisions of this ordinance are found to be necessary to preserve the peace, health and welfare of the citizens of the City of Siletz, an emergency is hereby declared to exist and this ordinance shall take effect and be in full force immediately upon its adoption by the City Council and approval by the Mayor.

Approved for its first reading by title only on this 10<sup>th</sup> day of January, 2013

Approved and Adopted upon its second reading by title only on this 10<sup>th</sup> day of January, 2013 by the following vote:

Yeas: 4  
Nays: 0  
Absent: 0  
Abstain: 0

Approved and signed by the Mayor on this 10<sup>th</sup> day of January, 2013.

ATTEST:

Sheryl Summaris  
CITY RECORDER

John S. Robin  
MAYOR

LINCOLN COUNTY  
PLANNING & DEVELOPMENT  
210 SW 2nd STREET  
NEWPORT, OR 97365



DEPT OF

Plan Amendment Specialist

DLCO

LAND CONSERVATION  
DEPARTMENT

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