



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Coastal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>



NOTICE OF ADOPTED AMENDMENT

May 4, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Philomath Plan Amendment
DLCD File Number 004-05

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: May 17, 2006

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: Gloria Gardiner, DLCD Urban Planning Specialist
Marguerite Nabeta, DLCD Regional Representative
Jim Minard, City of Philomath

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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

(See reverse side for submittal requirements)

DEPT OF

APR 27 2006

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: CITY OF PHILOMATH Local File No.: PC 05-04 (If no number, use none)

Date of Adoption: 4/24/06 (Must be filled in) Date Mailed: 4/27/06 (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 8/25/06

- Comprehensive Plan Text Amendment
Comprehensive Plan Map Amendment
[X] Land Use Regulation Amendment
Zoning Map Amendment
New Land Use Regulation
Other:

(Please Specify Type of Action)

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

CORRECT DEVELOPMENT CODE ERRORS - MISSING OR DELETED SECTIONS, INCORRECT REFERENCES, AND NON EXISTENT DIAGRAMS

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

FOUND SEVERAL MORE CORRE ERRORS NEEDING CORRECTING

Plan Map Changed from: NA to NA

Zone Map Changed from: NA to NA

Location: Acres Involved:

Specify Density: Previous: New:

Applicable Statewide Planning Goals: 1, 2

Was an Exception Adopted? Yes: No: X

DLCD File No.: 004-05 (14645)

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: No:
If no, do the Statewide Planning Goals apply. Yes: No:
If no, did The Emergency Circumstances Require immediate adoption. Yes: No:
Affected State or Federal Agencies, Local Governments or Special Districts: NONE

Local Contact: Jim Minard Area Code + Phone Number: (541) 929-6148
Address: P.O. Box 400
City: Philomath OR Zip Code+4: 97370

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 (2) Copies 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. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
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 copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to Larry.French@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

PHILOMATH ORDINANCES

ORDINANCE #737

AN ORDINANCE AMENDING ORDINANCE #720 AS IT RELATES TO CORRECTIONS TO THE PHILOMATH DEVELOPMENT CODE.

WHEREAS, the City has identified a number of typographical, scribner and reference errors within the Philomath Development Code which was adopted in 2003 as a part of the City's Periodic Review, and

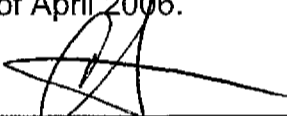
WHEREAS, the City has provided appropriate notice and conducted two public hearings regarding its intent to make corrections to the Development Code,

NOW THEREFORE, The City of Philomath ordains as follows:

Section 1. The City incorporates those corrections identified in Exhibit "A" attached hereto, as a part of the Philomath Development Code.

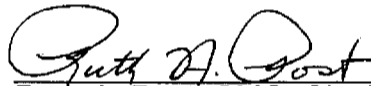
PASSED by the Council on this 24th day of April 2006.

APPROVED by the Mayor on this 24th day of April 2006.



Chris Nusbaum, Mayor

ATTEST:



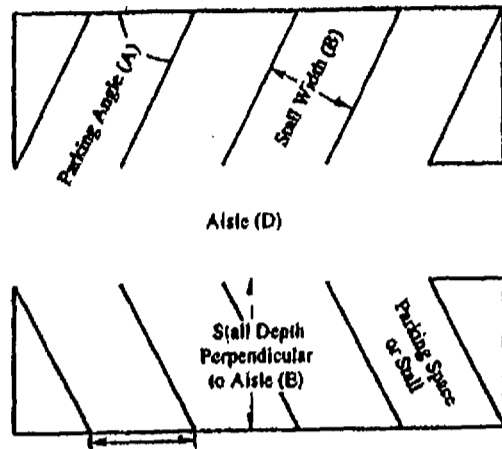
Ruth A. Post, CMC, City Recorder

EXHIBIT "A"

1. Section 1.2.6(A) change Chapter "5" to Chapter "4".
2. Definitions, "Boulevard": delete reference to Chapter 3.4.
3. Definitions, Development: delete "Development site/area".
4. Definitions, Property line: Amend as follows:
 - Property line: a the legal boundary for a lot or parcel
 - Property line, front: that property line abutting a street, other than an alley, over which primary vehicular access is gained.
 - Property line, rear: that property line that is opposite and most distant from the front property line.
 - Property line, side street: that property line adjacent to a street other than the front property line.
 - Property line, side: that property line other than a front or rear.
5. Definitions, Riparian corridor boundary: amend reference of section "5" to Section 2.5.200(B).
6. Definitions, Vision Clearance, delete reference to "Figure 3.1.2N".
7. Section 2.1.180(C)(3) should read, "Off-street parking, drives or other vehicle areas shall not be placed between buildings and streets ~~where building~~ unless otherwise required.
8. Table 2.1.110, R-1, Permitted (5): change "Article XXIII) to "Home occupations, subject to Section 4.9.2".
9. Sections 2.1.160 and 170 change: See "Lot Standards Matrix" to Table 2.1.130".
10. Table 2.2.110, O-R Allowed Uses (c) should read: "Home occupations, subject to section 4.9.2".
11. Section 2.2.120(B)(1), last sentence, delete "and subject to the buffering requirements below".
12. Section 2.2.120(C) last sentence, delete "and subject to the buffering requirements below".
13. Table 2.3.110, delete reference to "*" at the bottom of the table to read, "Industrial users shall require a Conditional Use Permit *****".

14. Section 2.3.160(B) delete "standards for such equipment in Chapter 3.6.2. as well as the".
15. Section 3.1.3(B)(2), second sentence, delete "as measured".
16. Section 3.3.3(E) incorporate Figures 3.3.3E and F (attached).
17. Section 3.5.300(A) amend "steep slopes" to "Uses Allowed – Steep Slopes"
18. Section 4.3.110 add punctuation to read, "Where a development site consists of, is located in, or near areas *****".
19. Section 4.4.4(C)(13) delete last sentence.
20. Section 4.5.100, first bullet, amend to read "Implement the development standards of Chapter 2, by providing a means for master planning large development sites".
21. Section 4.5.110(A) amend to read, "Subdivisions required to conform to the Master Planned Neighborhood Development standards of Chapter 2".
22. Section 4.9.2(D) amend to read "Signs shall comply with Chapter 3.7".

Figure 8.8.8.E - Parking Stall Dimensions (See 8.8.8.F for Disabled Parking)



Minimum Parking Space and Aisle Dimensions						
Angle (A)	Type	Width (B)	Curb Length (C)	1 Way Aisle Width (D)	2 Way Aisle Width (D)	Stall Depth (E)
0° (Parallel)	Standard	8 ft.	22 ft. 6 in.	12 ft.	24 ft.	8 ft.
	Compact	7 ft. 6 in.	19 ft. 6 in.	12 ft.	24 ft.	7 ft. 6 in.
	Disabled					
30°	Standard	9 ft.	18 ft.	12 ft.	24 ft.	17 ft.
	Compact	7 ft. 6 in.	15 ft.	12 ft.	24 ft.	14 ft.
	Disabled					
45°	Standard	9 ft.	12 ft. 6 in.	12 ft.	24 ft.	19 ft.
	Compact	7 ft. 6 in.	10 ft. 6 in.	12 ft.	24 ft.	16 ft.
	Disabled					
60°	Standard	9 ft.	10 ft. 6 in.	18 ft.	24 ft.	20 ft.
	Compact	7 ft. 6 in.	8 ft. 6 in.	15 ft.	24 ft.	16 ft. 6 in.
	Disabled					
90°	Standard	9 ft.	9 ft.	24 ft.	24 ft.	19 ft.
	Compact	7 ft. 6 in.	7 ft. 6 in.	22 ft.	24 ft.	15 ft.
	Disabled					

Figure 8.8.8.F - Disabled Person Parking Requirements

Minimum Number of Accessible Parking Spaces ADA Standards for Accessible Design 4.1.2 (5)			
Total Number of Parking spaces Provided (per lot)	Total Minimum Number of Accessible Parking Spaces (60" & 96" aisles)	Van Accessible Parking Spaces with min. 96" wide access aisle	Accessible Parking Spaces with min. 60" wide access aisle
Column A			
1 to 25	1	1	0
26 to 50	2	1	1
51 to 75	3	1	2
76 to 100	4	1	3
101 to 150	5	1	4
151 to 200	6	1	5
201 to 300	7	1	6
301 to 400	8	1	7
401 to 500	9	2	7
501 to 1000	2% of total parking provided in each lot	1/8 of Column A*	7/8 of Column A**
1001 and over	20 plus 1 for each 100 over 1000	1/8 of Column A*	7/8 of Column A**

* one out of every 8 accessible spaces ** 7 out of every 8 accessible parking spaces