



# 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

June 20, 2008



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

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

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: July 7, 2008**

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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 DATE SPECIFIED ABOVE.**

Cc: Doug White, DLCD Community Services Specialist  
Gary Fish, DLCD Regional Representative  
Chris-Ann Harris, City Of Willamina

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JUN 16 2008

LAND CONSERVATION AND DEVELOPMENT

# 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

For DLCD Use Only

Jurisdiction: *City of Willamina*  
Date of Adoption: *June 12, 2008*

Local file number: *2007-2008 Code Amendments*  
Date Mailed: *6/13/08*

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

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendments
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".  
*Changes to definitions; clarify district requirements for day care, residential care, and pre-schools; changes to requirements for garages, driveways and cul-de-sacs. Revisions to submittal requirements for subdivisions, lot sizes for certain units; modify changes for home occupations and minor variances; clarify permitted housing in an industrial zone, warehousing in industrial zone; and increase fence height.*  
 Does the Adoption differ from proposal? Please select one  
*A few more definitions were added and all dwelling require construction of a garage.*

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                       |
| <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 # 001-07 (16589)*

DLCD file No. \_\_\_\_\_

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

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Local Contact: Chris-Ann Harris Phone: 503-876-3342 (city)  
City of Willamina Phone: (503) 588-6177 (COG) Extension:  
Address: PO Box 629 Fax Number: 503-876-1121 (city)  
Willamina, OR 97396 Fax Number: 503-588-6094 (COG)  
City: Marjorie Mattson, MWVCOG Zip: E-mail Address: charris@cityofwillamina.or.us  
105 1/2 High Street Salem, OR 97301-3667 E-mail Address: mmattson@mwvco.org

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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**. 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**.
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** - ATTENTION: PLAN AMENDMENT SPECIALIST.

## ATTACHMENT A

Willamina Development Code  
2007-08 Proposed Amendments

~~Strikeout~~ indicates text proposed to be deleted  
**Bold** indicates proposed text additions to the document.

The following section addresses changes to the definition section of the Code.

Section 1.102.02

A. Definitions:

**Accessory Residential Dwelling:** A completely separate and subordinate dwelling unit, including facilities for cooking and sanitation, which may be allowed only in conjunction with a single family residence when located on the same lot or parcel as the residence.

**Caretaker for property security:** A privately and formally employed person who is either paid and/or compensated to protect property and assets.

**Density:** The number of dwellings units, ~~mobile~~ **manufactured** homes, or ~~mobile~~ **manufactured** home spaces per gross acre.

**Dwelling – Townhouse:** A ~~multi-family~~ **structure for residential use** so designed that each ~~additional~~ dwelling unit is located upon a separate lot or parcel, **unless developed within an approved planned unit development (PUD).**

**Dwelling-Three Family (Triplex):** A detached building containing three (3) dwelling units designed exclusively for occupancy by three families (3) living independently of each other.

~~**Dwelling Unit:** One or more rooms designed for occupancy by one family and not having more than one cooking facility. Includes a conventional and prefabricated housing which meets Uniform Building Code specifications and is constructed on a permanent foundation.~~

**Dwelling Unit:** A living facility that includes provisions for sleeping, eating, cooking and sanitation, as required by the Uniform Building Code, and not for more than one family or a congregate residence for ten (10) or less persons as allowed by the Uniform Building Code.

~~**Family:** An individual or two or persons related by blood, marriage, adoption or legal guardianship and living together as one housekeeping unit using one kitchen, and providing meals for lodging to not more than two (2) additional persons, excluding servants, living together as one housekeeping unit using one kitchen.~~

**Family:** (1) Two (2) or more persons related by blood, marriage, legal adoption, or guardianship and living together; or, (2) Except as may be modified by the Fair Housing Law as it relates to handicapped persons, a group of not more than five (5) persons who need not be related [as in (1)] living together in a dwelling unit.

**Homeowners Association:** An incorporated non-profit organization operating under recorded land agreements through which:

1. each lot owner is automatically a member; and
2. each lot is automatically subject to a proportionate share of the expenses for the organization's activities, such as maintaining common property.

~~**Livestock:** Domestic animals of types customarily raised or kept on farms for profit or other purposes.~~

**Multiple Family:** Three or more dwellings on one unit of land.

**Preschool:** A facility providing education for children between the ages of 2 and 4 and provides education before the commencement of statutory education.

**Residential Care Home:** A home licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.825 which provides residential care alone or in conjunction with treatment and training or a combination thereof of five or fewer individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility.

**Retaining Walls:** A structure or barrier constructed for the purpose of stabilizing soil, retarding erosion, or terracing a parcel or site. Such walls are not considered structures for the purposes of compliance with setback requirements.

1. Retaining walls over four (4) feet in height require a building permit.
2. Any part of a retaining wall that goes above grade will be considered a fence.
3. Fences or retaining walls are to be measured from grade level.

**Substantial Conformance:** The comparison of the final plat or final development plat/building permit with the approved preliminary plat or plan to determine if the applicable standards are in compliance within 10 percent of the original approval.

**Unit: See Dwelling Unit.**

**Variance, Minor: A variance request to change a quantifiable standard by ~~20%~~ **10 percent** or less.**

The following section addresses changes to the Code requirements relative to day care facilities, pre-schools, lot width and frontage on cul-de-sacs in several different zoning districts, property line setbacks, minimum density requirements, garages/carports for single-family dwellings, residential care facilities, minimum lot area requirements, caretaker for property security, clarification of mini-warehouse within an industrial zoning district, driveway grades, and fencing.

## **SINGLE-FAMILY ZONING DISTRICT (R-1)**

### Section 2.101.02 Permitted Uses

Unless otherwise subject to Conditional Uses provisions or requirements of this Ordinance, the following uses and their accessory uses are permitted in the R-1 zone:

- G. Residential Care Home
- H. Day care facility (serving fewer than 13 children)**

### Section 2.101.03 Conditional Uses

The following uses are permitted as conditional uses, provided that such uses are approved in accordance with Section 3.103.

- B. Public or private school, **including pre-school**
- G. Farming, excluding livestock

### Section 2.101.04.A. Minimum Lot Dimensions

- 2. The minimum lot width at the front building line shall be 60 feet **including lots located on a cul-de-sac. (For frontage requirements, see Section 2.308.)**

### Section 2.101.04.B. Minimum Yard Setback Requirements

- 1. All principal and conditional use structures shall maintain the following minimum yard setbacks (see pages 129-130 for accessory structures):
  - a. Front Yard ~~20~~15 feet
  - b. Rear Yard 20 feet

- c. Side Yard (Int) 7.5 feet  
Side Yard (Adjacent to Street) ~~20~~15 feet
- d. **Garages** 20 feet

Section 2.101.05 Development Standards

- C. Density. When R-1 land is subdivided, the **minimum density shall be four (4) dwelling units per acre and the** maximum density shall be six (6) units per acre.
- K. Garage. **A garage of like material and color of the single-family/two-family dwelling is required. The garage shall be a minimum of 240 square feet in size and shall meet building code requirements**

**TWO-FAMILY RESIDENTIAL (R-2)**

Section 2.102.02 Permitted Uses

Unless otherwise subject to Conditional Use provisions or requirements of this Ordinance, the following uses and their accessory uses are permitted in the R-2 zone.

- B. Single-family attached dwelling unit/**townhouse**.
- C. Duplex dwelling ~~unit~~ **on an individual lot or parcel**.
- I. Residential **Care Home**
- J. **Day care facility (serving fewer than 13 children)**

Section 2.102.03 Conditional Uses

The following uses are permitted as conditional uses, provided that such uses are approved in accordance with Section 3.103.

- B. Public or private school, **including pre-school**
- J. **Triplex**
- K. **Residential Care Facility**

Section 2.102.04 Dimensional Standards

The following dimensional standards shall be the minimum requirements for all development in the R-2 District except for modifications permitted under Section 2.402, General Exceptions.

A. Minimum Lot Area

1. Single-family dwelling, including single-family manufactured homes ~~and duplexes~~: 6,000 s.f.; single-family attached dwelling: 3,000 s.f. per dwelling unit.
2. **Duplex: 7,500 s.f.**
3. **Triplex: 9,000 s.f.**
24. Public utility structures: Lot area shall be adequate to contain all proposed structures within the required yard setbacks.

Section 2.102.04 Dimensional Standards

The following dimensional standards shall be the minimum requirements for all development in the R-2 District except for the modifications permitted under Section 2.402, General Exceptions.

B. Minimum Yard Setbacks Requirements

1. All principal and conditional use structures shall maintain the following minimum yard setbacks. (See pages 129-130 for accessory structures.):
  - a. Front Yard **2015** feet
  - b. Rear Yard **2015** feet
  - c. Side Yard (interior) 7.5 feet  
Side Yard (attached units, attached side) 0 feet  
Side Yard (Adjacent to Street) **2015** feet
  - d. **Garages 20 feet**
- D. Minimum Lot Width and Frontage 60 feet
  - a. **Cul-de-sac/frontage 40 feet**
  - b. **Cul-de-sac/width at front building line 60 feet**



Section 2.102.05 Development Standards

- C. Density. When R-2 land is subdivided, the **minimum density shall be five (5) units per acre and the** maximum density shall be seven (7) units per acre.
- K. Garage. A garage of like material and color of the *single family/two-family dwelling(s)* is required. The garage shall be of a *minimum* of 240 square feet in size and shall meet building code requirements.

**MULTIPLE-FAMILY RESIDENTIAL (R-3)**

Section 2.103.02 Permitted Uses

Unless otherwise subject to Conditional Use provisions or requirements of this Ordinance, the following uses and the accessory uses are permitted in the R-3 zone:

- K. **Residential Home and Residential Facilities**
- L. **Day care facility (serving fewer than 13 children)**

Section 2.103.03 Conditional Uses

The following uses are permitted as conditional uses, provided that such uses are approved in accordance with Section 3.103.

- B. Public or private school, **including pre-school**

- F. ~~Residential care facility.~~

**Reletter G. through J. to letters F. through I.**

- J. **Day care facility (serving 13 or more children)**

Section 2.103.04 Dimensional Standards

The following dimensional standards shall be the minimum requirements for all development in the R-3 District except for modification permitted under Section 2.402, General Exceptions.

- B. **Minimum Yard Setback Requirements**

- 1. All principal and conditional use structures shall maintain following minimum yard setbacks:

- a. Front Yard **2015 feet**

- b. Rear Yard 2015 feet
- c. Side Yard (single family, duplex, triplex, **apartment**) 7 5 feet  
 (attached units, attached side) 0 feet  
~~(apartment, townhouse, condominium)~~ 5 feet  
 (all units adjacent a street) 2015 feet
- d. **Garages** 20 feet
- D. Minimum Lot Width and Frontage 50 feet
  - a. **Cul-de-sac/frontage** 40 feet
  - b. **Cul-de-sac/width at front building line** 50 feet

Section 2.103.05 Development Standards

All development in the R-3 Districts shall comply with the applicable provisions of Section 2.400 of this Ordinance. In addition, the following specific standards shall apply:

- C. Density. Subdivisions and multi-family development within the R-3 zone shall comply with the following density requirements:
  1. Subdivisions and manufactured home parks: The **minimum density shall be six (6) units per acre and the maximum density shall be eight (8) units per acre.**
  2. Multi-family: The **minimum density shall be eight (8) units per acre.** The maximum density shall be 14 units per acre.
- L. **Garage/Carport. A garage of like material and color of the *single-family/two-family dwelling(s)* is required. The garage shall be a minimum of 240 square feet in size and shall meet building code requirements.**

**GENERAL COMMERCIAL (C-1)**

Section 2.104.02 Permitted Uses

The following uses and their accessory uses are permitted in the C-1 zone, subject to a Site Plan Review:

- O. Service related businesses such as barber shops, beauty shops, advertising

agencies, **daycare facilities**, self-serve laundry, dry cleaning, printing or photocopying, or other activities where the primary activity is the providing of a service to retail customers.

## INDUSTRIAL ZONE (M-1)

### Section 2.108.02.A Permitted Uses

Unless otherwise subject to Conditional Use provisions or requirements of this Ordinance, the following uses and their accessory uses are permitted in the Industrial District:

- A. Dwelling for a caretaker **for property security as defined by the Code** ~~or a watchman~~, including a manufactured home.
- C. Commercial activities:
- 7. Freight terminals, including load docks, storage, warehousing and wholesale istribution, **and cold storage lockers and similar personal storage facilities such as mini-storage warehouses.**
- 8. **Personal storage such as mini-storage warehouse facilities.**

This section notes changes to General Development Standards and Supplemental Standards for Special Uses as noted per applicable section.

## Section 2.203 **OFF-STREET PARKING AND LOADING**

### Section 2.203 08 Parking and Loading Area Development Requirements

All parking and loading areas, ~~except those for single family dwellings~~, shall be developed and maintained as follows:

- C. (revised heading) Driveways **Dimensions:**
- D. **Driveway Grade: The maximum grade for a driveway shall be 10 percent.**

**Reletter D. through L. as E. through M.**

- G. (add heading) **Surfacing:**
- H. (add heading) **Minimize Disturbances:**
- I. (add heading) **Maneuvering within right-of-way:**

J. (add heading) Service Drives:

K. (add heading) Vision Clearance:

L. (add heading) Safety:

M. (add heading) Parking at Boundary:

## DEVELOPMENT STANDARDS FOR LAND DIVISIONS

### Section 2.208.03 Standards for Lots or Parcels

C. Access: All lots and parcels created after the effective date of this Ordinance shall provide a minimum frontage, on an existing and proposed public street, equal to the minimum lot width required by the underlying zone. The following exceptions shall apply:

5. **Lots fronting on a cul-de-sac shall maintain a minimum frontage dimension of 40 feet as measured along the curve.**

## YARD AND LOT STANDARDS

Section 2.209.03 No parking in Front Yards, Yards Adjacent to a Street, **Garages Required.** (May 2008 additions to this section)

Letters **A.** and **B.** are added to the separate the existing text.

**C. All building permits for new single-family and two-family dwelling units are required to include a garage for parking. See zone district development standards specific to size and design (R-1, R-2, and R-3). Installation of a carport is not permitted.**

**When property owners of existing dwellings choose to replace a dwelling or to add/replace uncovered or covered parking, the construction of a garage is required according to the zone district development standards specific to size and design. (This requirement also applies to manufactured homes.)**

### Section 2.209.09 Fences, Walls and Hedges

A. Height, location: Fences, walls and hedges may be located in any required yard or along the edge of any yard, subject to the maintenance of clear-vision area. A fence, wall, or hedge may not exceed ~~six~~ **eight (8)** feet in height without approval of a variance. **Fences exceeding six (6) feet in height shall require a**

**building permit.** Fences and walls shall not exceed a height of four (4) feet in height, measured from grade level, and shall be located between the front of a building and the front property line.

- C. Swimming pool **and water feature** requirements: All swimming pools **wading pools, ponds and similar water features shall be enclosed by a locking fence at least six (6) feet in height shall comply with building code requirements for the installation of fences.** A dwelling may be used to meet part of the enclosure requirement. ~~No swimming pool or fence shall be located in a clear-vision area.~~

## PLANNED UNIT DEVELOPMENT (PUD)

### 2.302.04 Uses Permitted

A. In a Planned Unit Development only the following uses are permitted:

1. Residential Uses, **including townhouses.**

## 2.303 MANUFACTURED HOMES ON INDIVIDUALS LOTS

(revisions added May 2008)

### 2.303.02 General Standards

G. The manufactured home shall have a garage ~~or carport~~ constructed of like materials **and be a minimum of 240 square feet in size.** ~~A jurisdiction may require an attached or detached garage in lieu of a carport where such is consistent with the predominant construction of immediately surrounding dwellings.~~

L. The manufactured home and any manufactured home accessory buildings shall be constructed and maintained in conformance with the state and federal safety construction standards, applicable at the time of placing the manufactured home. The home shall bear the Oregon "Insignia of Compliance."

M. Except for a structure which conforms to the state definition of a manufactured home accessory structure, no other extensions shall be attached to a manufactured home, except for a garage constructed to the standards of the Oregon State Structural Speciality Code. **(See Letter G. above.)** No attached extension shall exceed a height of fourteen (14) feet or the roof line of the manufactured home, whichever is greater.

## TRADITIONAL NEIGHBORHOOD DESIGN (TND) DEVELOPMENT

### Section 2.310.02 General Requirements

- E. Density. The density limitation of the underlying zone shall apply to a TND Development. In addition, the following minimum density requirements shall apply:
1. R-1 Zone: Four (4) dwelling units per acre.
  2. R-2 and R-3 Zone: ~~Six~~ **Five (5)** dwelling units per acre.

### Section 2.310.04 General Design Requirements

- C. Accessory Residence. One accessory residence ("granny flat") shall be permitted for each lot, subject to the following use and development standards.
2. Design. The accessory residence must be residential in character with an exterior finish similar to the primary residence **and provide the same three design elements as selected for the primary residence (2.103.04, letter B).**

The following proposed amendments address procedural changes for several land use applications and submittal requirements for subdivision applications.

### Section 3.101.01 **Type 1 Actions**

Type I actions are administrative review processed by the City staff. The review standards are generally clear and objective and allow little or no discretion. The process is further divided into two parts:

- A. Type I-A: A ministerial action reviewed by staff based on clear and objective standards. No conditions may be placed on the decision and notice of decision is sent only to the applicant. Section 3.202 lists the notice requirements. Appeal is to the Planning Commission. The following actions are processed under the Type I-A procedure:
1. Lot Line Adjustment
  2. Minor Variance\*
  3. Signs
  4. Fence Permit
  5. **Home Occupation**

**\*Requires a written notice a minimum of fourteen (14) days prior decision according to 3.202.01 B.**

B. Type 1-B: A ministerial action reviewed by the Planning Commission based on generally clear and objective standards with some discretion afforded the Planning Commission. Conditions may be placed on the decision and notice is sent to the applicant and property owners within the required notice area. Section 3.202 lists the notice requirements. Appeal is to the City Council. The following actions are processed under the Type I-B procedure:

1. Partitions
2. Site Plan Review
- ~~3. Home Occupation~~
4. Expedited Land Division

(As a reference: 3.202.01 B. is as follows:

*Written notice of any Type 1-B action shall be mailed to the applicant and all property owners, including county and state agencies responsible for roads and highways, within 100 feet of the subject property a minimum of 14 days prior to the decision.)*

### 3.101.05 Substantial Conformance

**City staff or its designee shall determine for Type I-B, Type II, and Type III at the time of final plat or final plan approval that the development is within substantial conformance of all applicable development standards, including but not limited to: lot dimensions, lot size, structure height, yard standards, number of lots/dwellings, on-site parking requirements, landscaping, and signage.**

**Review for substantial conformance does not allow approval of any reduction in the minimum required by a development standard or any increase in the maximum allowable under a development standard.**

### 3.105.08 Expiration of Approval

- A. Site Plan Review approval shall be effective for a period of one year from the date of approval. ~~if substantial construction of approved plan has not begun~~ **shall begin** within the one year period.
- B. Site Plan Review approval shall be voided immediately if construction on the site is a departure from the approval plan. **Substantial conformance, as defined in Section 1.200, is determined according to Section 1.101.05.**

### 3.106 PARTITIONS

#### 3.106.05 Process for Final Plat Approval

- B. Final Approval: If the partition plat is consistent with the approved preliminary plat, and if the conditions of approval have been satisfied, the City Recorder, after consultation with city engineer and planner, shall mark a copy of the survey plat "APPROVE" and shall retain one copy for the City 's files. **See Section 3.101.05.**

### 3.107 SUBDIVISIONS AND PLANNED UNIT DEVELOPMENTS

#### 3.107.02 Submittal Requirements

- A. The following submittal requirements shall apply to all major partition applications and to Preliminary Plan applications for subdivisions and PUDs.
2. In addition to the information listed in Subsection 3.106.03 of this ordinance, applicants for subdivisions, and planned unit development shall submit the following:
- h. Streets proposed and their names, approximate grade, and radius of curves.
  - j. **Existing site topography with** ~~C~~ contour lines at two **(2)** foot intervals if 10% **percent** or less slope, five **(5)** foot intervals if exceeding 10% ~~percent~~ slope, and a statement of the source of contour information.
  - k. **Proposed grading and topographical changes with contour lines at two (2) foot intervals if 10 percent or less slope, five (5) foot intervals if exceeding 10 percent slope.**
  - ~~k~~l. All areas to be offered for public dedication.

#### 3.107.05 Final Plat Review of Subdivisions

- A. The final subdivision plat shall be submitted to the Planning Commission for review. The Planning Commission shall review the plat to assure compliance with the approved preliminary plat and with conditions of approval. **See Section 3.101.05.** The Planning Commission Chairman person shall signify Planning Commission approval by signing the recorder's plat sheet and exact duplicate.





340069  
MID - WILLAMETTE VALLEY  
COUNCIL OF GOVERNMENTS  
105 High Street S.E.  
Salem, OR 97301-3667



**FIRST CLASS**

Attn: Plan Amendment Specialist  
DLCD  
635-Capitol St NE, Suite 150  
Salem OR 97301-2540