



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: April 26, 2016
Jurisdiction: City of Philomath
Local file no.:
DLCD file no.: 003-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 04/25/2016. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 38 days prior to the first evidentiary hearing.

Appeal Procedures

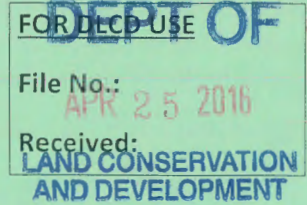
Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION



Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation no more than 20 days after the adoption. (See OAR 660-018-0040). The rules require that the notice include a completed copy of this form. This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review. Use Form 4 for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use Form 5 for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use Form 6 with submittal of an adopted periodic review task.

Jurisdiction: CITY OF PHILOMATH

Local file no.: PC15-06

Date of adoption:

Date sent: 4-19-16

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 12-1-15

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Jim Minard City Planner

Phone: 541-929-6148

E-mail: jim.minard@ci.philomath.or.us

Street address: 980 APPLEGATE

City: Philomath

Zip: 97370

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

NA

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from change. to acres. A goal exception was required for this change.
Change from change. to NA acres. A goal exception was required for this change.
Change from change. to acres. A goal exception was required for this change.
Change from change. to acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres: Non-resource – Acres:
Forest – Acres: NA Marginal Lands – Acres:
Rural Residential – Acres: Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres: Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres: Non-resource – Acres: NA
Forest – Acres: Marginal Lands – Acres:
Rural Residential – Acres: Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres: Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

SEC. 18.135.040

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from to Acres:
Change from to Acres:
Change from to Acres:
Change from to Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: Acres added: Acres removed:

Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts:

DLCD

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

ADOPTED ORDINANCE

**CITY OF PHILOMATH
ORDINANCE #806**

AN ORDINANCE AMENDING PHILOMATH MUNICIPAL CODE CHAPTER 18.35 REGARDING LOT STANDARDS FOR R-3 MULTIFAMILY RESIDENTIAL HOUSING DISTRICT.

WHEREAS, Chapter 18.35 of the Philomath Municipal Code provides lot standards for residential districts; and,

WHEREAS, land use application PC15-06 proposed amendment of the lot standards for the R-3 High Density Residential Housing District; and,

WHEREAS, the amendments proposed higher densities for multifamily development restricted to properties adjacent to a collector or arterial street; and,

WHEREAS, on January 18, 2016, the Philomath Planning Commission held a public hearing on PC15-06 and recommended approval to the City Council; and,

WHEREAS, on March 14, 2016, the Philomath City Council held a public hearing on PC15-06 and accepted the findings of fact as presented.

NOW, THEREFORE, THE CITY OF PHILOMATH ORDAINS AS FOLLOWS:

Section 1. Section 18.35.040, Lot standards, is amended to read as follows:

Table 18.35.040 – Lot Standards

Land Use District	Lot Area	Lot Width/Depth	Related Standards
R-1 Single-Family Residential	Minimum: 7,000 square feet. 10,000 square feet for duplex dwellings. Maximum: 150 percent of minimum.	Minimum width: 12 feet. Maximum depth: Three times the lot width; except as may be required by this title (e.g., to protect sensitive lands, etc.).	Lot coverage: 35 percent. Building height: 30 feet.


Land Use District	Lot Area	Lot Width/Depth	Related Standards
R-2 Duplex-Residential	Minimum: 6,000 square feet. 8,000 square feet for duplex dwellings and 3,600 square feet for each additional dwelling. Maximum: 150 percent of minimum.	Minimum width: 12 feet. Maximum depth: Three times the lot width; except as required to protect sensitive lands, etc.	Lot coverage: 40 percent. Building height: 30 feet.
R-3 Multifamily Residential Housing (More than Three Units)	Minimum: 5,000 square feet. 7,200 square feet for duplex dwellings and 2,500 square feet for each additional dwelling. High Density Development*: Studio/1 BD – 1,500 SF 2 BD – 1,800 SF 3 BD – 2,100 SF 4+ BED – 2,400 SF Maximum area: None.	Minimum width: 12 feet. Maximum depth: None.	Lot coverage: 80 percent – inclusive of impervious vehicular surfaces. Building height: 40 feet.
Manufactured Home Parks	See PMC 18.35.100 for manufactured home park standards.		

*Restricted to properties adjacent to collector and arterial streets as identified in the City's Transportation System Plan (TSP).

PASSED by the Council this 11th day of April 2016.

APPROVED by the Mayor this 11th day of April 2016.

SIGNED:


 Rocky Sloan, Mayor

ATTEST:


 Ruth Post, MMC, City Recorder

City of Philomath
Administration
PO Box 400
Philomath OR 97370-0400

DEPT OF

APR 25 2016

LAND CONSERVATION
AND DEVELOPMENT

PORTLAND OR 970

20 APR 2016 PM 5 L



ATT: PLAN AMENDMENTS

DLCD

635 CAPITOL ST NE, STE 150

SALEM OR 97301-2540

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