



AGENDA
PHILOMATH CITY COUNCIL
November 25, 2019
Council Chambers; Philomath City Hall

Mission: To promote ethical and responsive municipal government which provides its citizenry with high quality municipal services in an efficient and cost effective manner.

WORK SESSION
5:30 P.M.

- A. ROLL CALL
- B. WORK SESSION
 - 1. Review of 2019 Strategic Plan
- C. ADJOURNMENT

REGULAR MEETING
7:00 P.M.

- A. ROLL CALL
- B. PRESENTATIONS
 - 2. Pacific Power – Celeste Krueger
- C. VISITORS COMMENTS

Any citizen attending Council meetings may speak on any item on the agenda, unless it is the subject of a public hearing which has already been closed. If you wish to speak, please complete a Speaker Request Form and turn in to the City Recorder. Testimony time is limited to 5-minutes per speaker.
- D. OLD BUSINESS
 - 1. Philomath Housing Stability Fund contribution
 - 2. PC19-08 Amendments to Zoning Code, PMC Chapter 18, various sections -- Decision
 - 3. PC19-09 Amendments to Annexation Code, PMC Chapter 18.135 – Decision
 - 4. Formation of 2040 Comprehensive Plan Advisory Group
- E. NEW BUSINESS
 - 1. Removal of public right-of-way easements
 - 2. IGA forming Mid-Valley Prosperity Partnership Economic Strategy and Action Plan – 2019
 - 3. Willamette Valley Visitors Association grant application
- F. COUNCIL REPORTS
- G. STAFF REPORTS
 - 1. City Manager
 - 2. City Attorney
 - 3. Finance Director
 - 4. Police Chief
 - 5. City Recorder
 - 6. Public Works Director

H. INFORMATION & CORRESPONDENCE

1. Philomath Connection ridership for October
2. City website statistics for October
3. Draft Park Advisory Board minutes of October 10, 2019
4. Oregon's 100-Year Water Vision draft vision and information document
5. Letter from Sandy Heath regarding 2040 Comprehensive Plan Advisory Group

I. ADJOURNMENT

CITY MEETING/EVENTS SCHEDULE

(As of 11/20/19)

NOVEMBER 2019

November 25 – 5:30 PM – City Council work session

November 25 – 7:00 PM – City Council meeting

November 28 & 29 – All Day – City offices closed in observance of Thanksgiving Holiday

DECEMBER 2019

December 2 – 6:15 PM – Christmas tree lighting celebration

December 5 – 5:00 PM – Public Works meeting (if needed)

December 9 – 5:30 PM – City Council work session

December 9 – 7:00 PM – City Council meeting

December 10 – 4:00 PM – Police Committee meeting

December 12 – 5:00 PM – Park Advisory Board meeting

December 16 – 6:00 PM – Planning Commission (if needed)

December 23 – 7:00 PM – City Council meeting (if needed)

December 24 – 12:00 Noon to 5:00 PM – City offices closed

December 25 – All Day – City offices closed

All meetings are held at City Hall Council Chambers, 980 Applegate Street, Philomath, unless otherwise indicated. Tentative meetings may be cancelled if there is no business to be conducted. Refer to the City Meetings & Events calendar on the City's website for confirmation of meetings.



Philomath City Council
Agenda Item Summary

Title/Topic: Philomath Family Housing Stability Fund

Meeting Date: November 25, 2019
Department: Administration
Staff Contact: Chris Workman

ISSUE STATEMENT:

Shall the Council approve payment of \$900 to the Philomath Family Housing Stability Fund at Philomath Community Services?

BACKGROUND:

The city manager has been working with the Philomath School District and Philomath Community Services (PCS) on behalf of the City to establish a fund dedicated to assisting Philomath households with getting out of or staying out homelessness situations.

In July 2019, the Council approved social service contributions for the fiscal year 2019-20 as recommended by the Finance & Administration Committee with the exception of the \$900 for the Philomath Family Housing Stability Fund, which was to be held until the City received further direction from that organization. Since then, the City has entered into a memorandum of Understanding with the District and PCS which identifies that the fund will be held by PCS.

Staff is seeking direction from the Council to pay \$900 to the Stability Fund at this time.

COUNCIL OPTIONS:

1. Approve payment of \$900 to the Philomath Family Housing Stability Fund at Philomath Community Services.
2. Do not approve payment of \$900 to the Philomath Family Housing Stability Fund at Philomath Community Services and direct staff on how to proceed.

RECOMMENDED MOTION:

"I move to approve payment of \$900 to the Philomath Family Housing Stability Fund at Philomath Community Services."

ATTACHMENTS

None



Philomath City Council
Agenda Item Summary

Title/Topic: PC19-08 – Various Development Code Amendments

Applicant: City of Philomath
Meeting Date: November 25, 2019
Department: Planning

Staff Contact: Patrick Depa
Email: patrick.depa@co.benton.or.us

Issue Statement:

The proposed Development Code amendments come from a variety of origins and circumstances grounded in guiding new development, increasing safety and applying best planning practices. In looking at the development impacts throughout the community, the Planning Commission recommends this proposed language be incorporated into the City's Code.

This matter comes before the City Council for consideration and action, based on the recommendations of Planning Commission.

Background:

In February 2019, City staff started a conversation with the Planning Commission of amending the development code with a list of specific concerns that have risen up over the past several years. Staff presented fifteen amendment ideas which were narrowed down to seven through multiple work sessions, an open house, and a public hearing.

A public hearing was held before the Planning Commission on September 16, 2019, following which the Commission approved the findings of Fact and recommended approval of the proposed development code amendments to the City Council.

A public hearing was held before the City Council on October 14, 2019. The staff report was presented, followed by testimony of proponents, opponents and neutral parties. At the request of two citizens that provided testimony, the record was left open through October 31, 2019 so additional language related to the parking provisions could be considered. No additional testimony was received during this time period.

The attached redlined version of the recommended code changes are the final versions that the Planning Commission recommends. The final version of these separate sections and sub-section code changes are the ones before the Council for your consideration and action.

Following deliberation, the Council may direct staff to bring the approved language to the Council for consideration in the form of an amending ordinance.

PLANNING COMMISSION OPTIONS:

1. To approve as presented
2. To approve as modified if changes are proposed.
3. To deny any or all parts of the proposed changes.

RECOMMENDED MOTION:

"I move to accept the findings of fact as presented and direct the City Manager have the appropriate ordinance with amending language be presented to the City Council for consideration and action."

ATTACHMENTS

- A. Staff Report dated October 7, 2019
- B. Redlined version of the proposed revisions to PMC
- C. Minutes from City Council meeting on October 14, 2019.



STAFF REPORT

DATE:	October 7, 2019
NATURE OF APPLICATION:	Update the City of Philomath Development Code.
APPLICANT:	City of Philomath
APPLICABLE CRITERIA:	Section 18.105.060 of the Philomath Municipal Code (PMC)
PROPERTY LOCATION:	City Wide
STAFF CONTACT:	Patrick Depa, Associate Planner
FILE NUMBER:	PC19-08

Background

Planning Commission and staff went over these proposed amendments and their intended purpose over the course of several meetings including an open house for the public to read about the changes and comment on them. The attached code amendments are the result of the notes and testimony we took during those meetings.

Summary

The purpose of this update is to recognize changing standards within the community predominately related to commercial and residential parking, manufactured home development standards, temporary storage, housing in the downtown commercial district, the validity of approved plans and pre-existing approvals and new code addressing the protection of the city's existing tree canopy. Some of these code changes are to address the increase in development and to prevent any undesirable projects in the downtown that would throw off the city's downtown main street improvements project.

The purpose of the hearing is to determine if the code amendments are sufficient to address their intended purpose and use and to arrive at a recommendation to the City Council.

The proposed language that would supplant the existing

Section 18.105.060 provides the criteria for Type IV legislative amendments. The decision-making criteria are enumerated under subsection G as follows:

Decision-Making Considerations. The recommendation by the Planning Commission and the decision by the City Council shall be based on consideration of the following factors:

- The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197 (for comprehensive plan amendments only);**

This is not a comprehensive plan amendment. The Statewide Planning Goals and Guidelines are not applicable to amending this language

2. Comments from any applicable federal or state agencies regarding applicable statutes or regulations;

Notice was provided to the Department of Land Conservation and Development. No comments were received from any state or federal agency.

3. Any applicable intergovernmental agreements; and

Intergovernmental agreements address coordination of development aspects and are not applicable to the amendments.

4. Any applicable comprehensive plan policies and provisions of this Code that implement the comprehensive plan. Compliance with Chapter 18.135 PMC shall be required for Comprehensive Plan Amendments, and Land Use District Map and Text Amendments.

Chapter 18.105-060 pertains to legislative amendments specifying that amendments are policy decisions made by the City Council.

The applicable comprehensive plan policies identified by a review of that document relating to this topic include:

Citizen Involvement Policies

1. The City of Philomath shall continue to hold public hearings on all comprehensive plan and zoning ordinance amendments.
2. The City of Philomath shall provide for ongoing citizen involvement in the planning process of continuing to follow the approved Citizen Involvement Program.

Findings: The City has held public open houses and received comments factored into the final documents and the City will hold public hearings before the Planning Commission and City Council to afford the general public the opportunity to be involved.

Housing Policies

1. The City of Philomath shall encourage the development of low cost housing in order to meet the housing needs of elderly, low-income, and handicapped persons.
2. The City will encourage the utilization through incentives for mixed-use zoning to allow people to reside in closer proximity to employment opportunities. *(Added by Ord. #720 on 9/22/03.)*

Findings: The City will continue to seek and support many different varieties of housing choices which is evident in the expansion of the Mobile Home Park Special Standards for Certain Uses and the clarification of preferred residential development in the city's downtown commercial core.

PROPOSED CHANGES TO THE ZONING CODE

Plan Approvals

18.10.050. Validity of approved plans and ~~P~~pre-existing approvals.

A. Developments, including subdivisions, projects requiring development review or site design review approval, or other development applications for which approvals were granted, are subject to the following: prior to the effective date of the ordinance codified in this title, may occur pursuant to such approvals; except that modifications to development approvals shall comply with Chapter 18.130 PMC, Modifications to Approved Plans and Conditions of Approval.

1. **Start of Construction.** Site plan approval is valid for a period of eighteen (18) months from the date of approval. Building permits must be issued and physical construction as set forth below must commence within the eighteen (18) month period.

2. **Extensions.** Upon written application prior to expiration, the planning commission, or city council, as applicable, may authorize an extension of the time limit of the site plan approval for an additional one (1) year. The extension shall be based on evidence from the applicant that the development has a likelihood of commencing construction within the extension period. The planning commission, or city council, as applicable, may require compliance with any amendments to the zoning ordinance adopted since the date of the original approval.

3. **Expiration of Site Plan Approval.** In cases where at least 25% of the construction authorized by a site plan approval is not complete within eighteen (18) months of site plan approval or granting of an extension, the site plan approval shall automatically become null and void and all rights thereunder shall terminate.

B. Amendment of development approvals shall comply with Chapter 18.130 PMC, Modifications to Approved Plans and Conditions of Approval.

BC. All development proposals received by the city after the adoption of this title shall be subject to review for conformance with the standards under this title or as otherwise provided by state law. [Ord. 734 § 1, 2005; Ord. 720 § 7[1.2.5], 2003.]

Manufactured Home Parks

18.35.100 Special standards for certain uses.

D. Manufactured Home Park. Manufactured home parks are allowed on parcels of five (5) acres ~~one acre~~ or larger, subject to compliance with subsections (D)(1) through (D)(5) of this section:

1. Allowed Uses. Single-family residences, manufactured home park manager's office, home occupations, and accessory structures, which are necessary for the operation and maintenance of the manufactured home park (e.g., landscape maintenance).

2. Space. The minimum size pad or space for each home is 2,500 square feet; provided that the overall density of the park does not exceed 12 units per acre. Each space shall be at least 30 feet wide and 40 feet long, in accordance with ORS 446.100(1)(c).
3. Setbacks and Building Separation. The minimum setback between park structures and abutting properties is 10 feet. The minimum setback between park structures and public street right-of-way is 15 feet. At least a 10-foot separation shall be provided between all dwellings. Dwellings shall be placed a minimum of 14 feet apart where flammable or combustible fuel is stored between units. Park structures shall be placed no closer than five feet to a park street or sidewalk/pathway. An accessory structure shall not be located closer than six feet to any other structure or dwelling, except that a double carport or garage may be built which serves two dwellings. When a double carport/garage is built, the carport/garage shall be separated from all adjacent structures by at least three feet.
4. ~~Perimeter~~ Landscaping/Buffering. Manufactured home parks shall be landscaped as follows:
 - a. When manufactured homes are oriented with their back or side yards facing a public right-of-way, the ~~city may require installation of fencing and~~ planting of a six-foot wide landscape buffer between the right-of-way and a manufactured home park **is required** for the privacy and security of residents or aesthetics of the streetscape.
 - b. The park shall provide landscape screening along the park boundary abutting adjacent properties.
 - c. The landscaping screening shall consist of evergreen trees or shrubs of a minimum three (3) feet in height, which are spaced so they provide a semi-continuous screen at maturity. Alternative screening devices subject to prior approval may be utilized if they conceal the manufactured home park as effectively as the required landscaping described above and provided the screening is kept in good repair.
 - d. Exposed ground surfaces in all parts of the manufactured home park shall be paved, covered with stone or other solid material, or protected with grass, trees, or shrubs that are capable of preventing soil erosion. The ground surface in all parts of every manufactured home park shall be graded and equipped to drain all surface water in a safe, efficient manner.
 - e. Minimum 20% of the site shall be dedicated to open space, excluding roads, and shall be designated on the site plan. Should recreational areas also be proposed, these shall also be shown on the plans.
5. House Design (~~Parks Smaller Than Three Acres~~). Manufactured homes in parks ~~smaller than 3 acres~~ shall meet the following design standards, consistent with ORS 197.314(6):
 - a. The manufactured home shall have a pitched roof with a slope not less than three feet in height for each 12 feet in width (14 degrees). ~~;~~ **and**
 - ~~b. The manufactured home shall have exterior siding and roofing which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood appearance siding is considered superior to metal siding and roofing).~~

6. Streets and Sidewalks. All streets within the park shall be constructed and paved in accordance with city standards for local roads as outlined in the City's Transportation System Plan (TSP) unless other standards are approved by the Planning Commission. The manufactured home park shall be provided with a walk system in conformance with city requirements. Two (2) access points shall be provided to a major street to allow a secondary access for emergency vehicles. A boulevard entrance extending to the first intersection of interior park streets shall be interpreted as satisfying this requirement.
7. On Site Sales. The business of selling or storing new and/or used manufactured homes as a commercial operation in connection with the operation of a manufactured home development is prohibited. New or used manufactured homes located on lots within the manufactured home development to be used and occupied on that site may be sold by a licensed dealer and/or broker. This section shall not prohibit the sale of a used manufactured home by a resident of the manufactured home development provided the development permits the sale.
8. Signage. There shall be a maximum of two (2) sixteen (16) square foot monument signs per street frontage with an entrance that shall bear the name and address of the manufactured home park. Such signs shall be located ten (10) feet from the lot line/right-of-way line and shall comply with *Chapter 18.95 Regulating Placement of Signs*.

Multi-family in Commercial Zones

18.40.090
 Special standards for certain uses.

Residential in Commercial District
 Table 18.40.020

-Asterisk added after to "Multifamily" in the C-1, directing multifamily in all commercial zones to the specials standards section of the code.

-Change "the O-R zone" to "a commercial zone"

PHILOMATH MUNICIPAL CODE

18.40.020

**Table 18.40.020
 Land Uses and Building Types Allowed in the Commercial Districts**

C-1 Central Commercial	C-2 General Commercial	O-R Office/Residential
<p><u>Allowed Uses</u></p> <p>(A) Bank or financial institution. (B) Church. (C) Day care centers, including family day care homes. (D) Drive-in or drive-through facilities.* (E) Funeral parlor. (F) Fraternal lodge. (G) Membership club. (H) Multifamily and row housing.* (I) Retail sales and service establishments that do not require the outside storage of goods, supplies or equipment not otherwise identified in this section. (J) Offices. (K) Professional offices. (L) Public buildings and uses including public park, post office, public office, fire station, public community center, public parking lot, and public library. (M) Residences, provided they are in conjunction with another use that is allowed or allowed by an approved conditional use permit. Residences must be located above the allowed use. (N) Recreation vehicles, including travel trailers, camping trailers, fifth-wheel trailers, motor homes, and/or other vehicles designed for temporary occupancy may not be stored or occupied in the zone. (O) Residential care facility. (P) Restaurants including takeout only establishments. (Q) Taverns. (R) Sidewalk displays.</p>	<p><u>Allowed Uses</u></p> <p>(A) All uses allowed in the C-1 zone. (B) Assembly of products. (C) Automobile or trailer sales and service. (D) Car wash. (E) Motels. (F) Service station and vehicle repair shop.</p> <p><u>Conditional Uses</u></p> <p>(A) Light manufacturing.</p>	<p><u>Allowed Uses</u></p> <p>(A) Church, nonprofit religious or philanthropic institution. (B) Office. (C) Home occupation; subject to PMC 18.145.020. (D) Multifamily dwelling.** (E) Family day care home or facility. (F) Parking lot. (G) Residential or child care home or facility.</p> <p><u>Conditional Uses</u></p> <p>The planning commission may grant a conditional use permit for the following uses:</p> <p>(A) Research laboratories. (B) Tower, water tank, or similar structure in conjunction with a building or buildings on the same lot. (C) Funeral parlor. (D) Pharmacy. (E) Community center. (F) Governmental structure or use of land, including park, playground, fire or police station, library, or City Hall. (G) Nursing home, rest home, retirement home, residential care facility, convalescent hospital or similar facility. (H) Membership club. (I) Public and private schools.</p>

Uses marked with an asterisk (*) are subject to the standards in PMC 18.40.090, Special standards for certain uses. Home occupations and temporary uses are subject to the standards in Chapter 18.145 PMC.

** Multifamily dwellings in the ~~O-R~~ zone are subject to the standards of the R-3 zone in Chapter 18.35 PMC. [Ord. 799 § 7, 2015; Ord. 737 § 1, 2006; Ord. 734 § 1, 2005; Ord. 720 § 7[2.2.110], 2003.]
 a commercial

A. Residential Uses. Higher density residential uses, such as multifamily buildings and attached townhomes, are allowed to encourage housing near employment, shopping and services. All residential developments shall comply with the standards in subsections (A)(1) through (A)(6) of this section, which are intended to require mixed-use development;

conserve the community's supply of commercial land for commercial uses; provide for designs which are compatible with a storefront character; avoid or minimize impacts associated with traffic and parking; and ensure proper management and maintenance of common areas. Residential uses that existed prior to the effective date of the ordinance codified in this title are exempt from this section.

1. Mixed-Use Development Required. Residential uses shall be allowed only when part of a mixed-use development (residential with commercial or public/institutional use). Both vertical mixed-use (housing above the ground floor), and horizontal mixed-use (housing on the ground floor) developments are allowed, subject to the standards in subsections (A)(2) through (A)(6) of this section.
2. Limitation on Street-Level Housing. No ~~more than 50 percent of a single~~ street frontage may be occupied by residential uses. This standard is intended to reserve storefront space for commercial uses and public/institutional uses; it ~~does not limit~~ residential uses to above the street level on upper stories or behind street-level storefronts. For parcels with street access at more than one level (e.g., sloping sites with two street frontages), the limitation on residential building space shall apply to all street frontages. Minimal street frontage may be given for stairways or access corridors to residential uses.

Temporary Storage

18.40.090 Special standards for certain uses.

H. Parking of semi-truck and/or tractor/trailers shall not exceed five calendar days.

1. Long-term storage of tractor/trailers is allowed in industrial zoned districts.
2. All parking or storage of tractor/trailers for more than 5 calendar days shall be screened from public view and adjacent residentially zoned properties with a fence no less than six (6) feet tall.
3. Temporary parking of tractor/trailers not approved in this section may apply for a temporary permit through the Planning Commission.

Urban Tree Canopy

Chapter 18.70 LANDSCAPING, ~~AND~~ STREET TREES AND URBAN FOREST

Sections:

18.70.010 Purpose.

18.70.020 Landscape conservation.

18.70.030 New landscaping.

18.70.040 Street trees.

18.70.050 Repealed.

18.70.060 Urban Canopy: Application for tree removal permit.

- 18.70.070 Mitigation.
- 18.70.080 Public nuisance definition.
- 18.70.090 Notice required for nuisances.
- 18.40.100 Violation and penalty.

18.70.010 Purpose.

The purpose of this chapter is to promote community health, safety and welfare by protecting natural vegetation, ~~and~~ setting development standards for new landscaping and street trees, maintaining the urban canopy through a tree removal system and laying out a process for handling nuisance trees and vegetation. Together, these elements of the natural and built environment contribute to the visual quality, environmental health and character of the community. Trees provide climate control through shading during summer months and wind screening during winter. Trees and other plants can also buffer pedestrians from traffic. Walls, fences, trees and other landscape materials also provide vital screening and buffering between land uses. Landscaped areas help to control surface water drainage and can improve water quality, as compared to paved or built surfaces.

~~This chapter is organized into the following sections:~~

~~PMC 18.70.020, Landscape conservation, prevents the indiscriminate removal of significant trees and other vegetation, including vegetation associated with streams, wetlands and other protected natural resource areas. This section cross-references Chapter 18.55 PMC, which regulates development of sensitive lands.~~

~~PMC 18.70.030, New landscaping, sets standards for and requires landscaping of all development sites that require site design review. This section also requires buffering for parking and maneuvering areas, and between different land use districts. Note that other landscaping standards are provided in Division 2, Land Use Districts, for specific types of development.~~

~~PMC 18.70.040, Street trees, sets standards for and requires planting of trees along all streets for shading, comfort and aesthetic purposes. [Ord. 779 § 2, 2012; Ord. 734 § 1, 2005; Ord. 720 § 7[3.2.1], 2003.]~~

18.70.020 Landscape conservation.

A. Applicability. All developments s or sites two (2) acres or larger containing significant vegetation, as defined in subsection (B) of this section, shall comply with the standards of this section. The purpose of this section is to incorporate significant native vegetation into the landscapes of development and protect significant vegetation that is subject to requirements for sensitive lands (Chapter 18.55 PMC). The use of mature, native vegetation within developments is a preferred alternative to removal of vegetation and replanting. Mature landscaping provides summer shade and wind breaks, and allows for water conservation due to larger plants having established root systems.

F. Exemptions. The protection standards in subsection (D) of this section shall not apply in the following situations:

1. Dead, Diseased, and/or Hazardous Vegetation. Vegetation that is dead or diseased, or poses a hazard to personal safety, property or the health of other trees, may be removed. Prior to tree removal, the applicant shall provide a report from a certified arborist or other qualified professional to determine whether the subject tree is diseased or poses a hazard, and any possible treatment to avoid removal, except as provided by subsection (F)(2) of this section.
2. Emergencies. Actions made necessary by an emergency, such as tornado, windstorm, flood, freeze, utility damage or other like disasters, in order to prevent imminent injury or damage to persons or property or restore order, and it is impractical due to circumstances to apply for a permit.

3. Agriculture, Commercial Tree Farm or Orchard. Tree removal or transplanting occurring during use of land for commercial agriculture, orchard(s), or tree farm(s) for nursery or Christmas tree production.
4. Tree removal by the city or a utility within easements, rights-of-way, or on public lands.
5. Abatement of a nuisance as defined in Chapter 9.15.070 PMC or trees owned by the City.

18.70.040 Street trees.

F. Restrictions. No person, except a city employee, contractor hired by the city, or the electrical utility and their authorized agents, shall perform any of the following without first obtaining a permit from the city:

1. Plant, cut, tap, carve, top, remove or transplant any tree, shrub or other plant located in the public right-of-way or on city property. This does not prohibit routine care and pruning; [Ord. 618 § 5, 1993.]
2. Attach any rope, wire, nail, sign, poster or other object to any tree, shrub, or plant located in the public right-of-way or on city-owned property;
3. Dig a tunnel or trench on any public right of way or city-owned or controlled property.

G. Permit Process. Prior to issuing a permit, the city shall ensure that the action proposed conforms to the urban forestry plan and the arboricultural specifications manual. If the city finds that the work performed under the permit is not in conformance with the conditions of the permit, the city may:

1. Nullify the permit;
2. Issue a written work order that the applicant cease and desist all work for which the permit was issued;
3. Impose penalties as defined in this chapter; and
4. Charge to the applicant the cost of steps taken to correct damage done. [Ord. 791 § 3, 2015; Ord. 618 § 4, 1993.]

18.70.050 Fences and walls.

Repealed by Ord. 779. [Ord. 720 § 7[3.2.5], 2003.]

18.70.080 Public nuisance definition.

As defined in PMC 9.15.070. [Ord. 618 § 6, 1993.]

18.70.090 Notice required for nuisances.

Written notice shall be personally provided by door hanger, direct contact or sent by registered mail to the property owner.

- A. The notice shall describe the kind of tree, shrub, or other plant, its location on the property, and the reason for declaring it a nuisance.
- B. The notice shall include suggested actions that may be taken to abate the nuisance.
- C. The notice shall require the elimination of the nuisance no less than 15 days after the notice is sent unless the nuisance is considered a hazard at which point a lesser time of elimination shall be imposed depending on the risk hazard.
- D. The city may have the nuisance abated after 15 days and file the cost of abatement as a lien against the property. [Ord. 791 § 4, 2015; Ord. 618 § 7, 1993.]

18.40.100 Violation and penalty.

Any person who violates any provision of this chapter or who fails to comply with any notice issued pursuant to the provisions of this chapter, upon being found guilty of violations in the municipal court, shall be subject to a fine for each separate offense not to exceed \$500.00 or three times the appraised value of the tree(s) or vegetation, whichever is greater. Each day during which any violation of the provisions of this chapter shall occur or continue shall be a separate offense.

If, as the result of the violation of any provision of this chapter, the injury, mutilation or death of a tree, shrub, or other plant located on city-owned or controlled property is caused, the cost of repair or replacement of such plant shall be borne by the party in violation.
The appraised value of trees shall be determined using methods described in the latest revision of "Valuation of Trees, Shrubs, and Other Plants," as published by the International Society of Arboriculture. [Ord. 618 § 8, 1993.]

Parking

18.75.030 Vehicle parking standards.

The minimum number of required off-street vehicle parking spaces (i.e., parking that is located in parking lots and garages and not in the street right-of-way) shall be determined based on the standards in subsection (A) of this section. The number of required off-street vehicle parking spaces shall be determined in accordance with the following standards. Off-street parking spaces may include spaces in garages, carports, parking lots, and/or driveways if vehicles are not parked in a vehicle travel lane (including emergency or fire access lanes), public right-of-way, pathway or landscape area. For calculating parking spaces, a two-car garage shall be calculated as one parking space towards the parking requirement and a three-car garage shall be calculated as two parking spaces towards the parking requirement. Credit shall be allowed for "on-street parking," as provided in subsection (B) of this section.

A. Vehicle Parking – Minimum Standards.

1. Residential Uses.

- a. Accessory Dwelling. ~~None required.~~ One space per unit.
- b. Manufactured Home Parks. Same as for single-family detached housing.
- c. Multifamily and Single-Family Attached Housing.
 - i. Studio units or one-bedroom units less than 500 square feet: one space/unit.
 - ii. One-bedroom units 500 square feet or larger: one and one-half spaces/unit.
 - iii. Two-bedroom units: one and three-quarters spaces/unit.
 - iv. Three-bedroom or greater units: two spaces/unit.
 - v. Retirement complexes: one space per unit.
- d. Senior Housing. Same as for retirement complexes.
- e. Single-Family and Duplex Housing. A minimum of two parking spaces shall be provided for each detached single-family dwelling or manufactured home on an individual lot with two bedrooms or less.
 - i. Three-bedroom dwellings: three spaces/unit.
 - ii. Four-bedroom dwellings or larger: three spaces/unit.

- B. Credit for On-Street Parking. The amount of off-street parking required for commercial and industrial uses shall be reduced by one off-street parking space for every on-street parking space adjacent to the development, which would not obstruct a required clear vision area, nor any other parking that violates any law or street standard. Credit for on-street parking standards shall not be granted for residential uses. On-street parking shall follow the established configuration of existing on-street parking, except that angled parking may be allowed for some streets, where permitted by city, ODOT and/or county standards. The following constitutes an on-street parking space:
1. Parallel parking, each 24 feet of uninterrupted curb;
 2. Forty-five/sixty degree diagonal, each 16 feet of uninterrupted curb;
 3. Ninety degree (perpendicular) parking, each 10 feet of uninterrupted curb;
 4. Curb space must be connected to the lot which contains the use;

5. On-street parking spaces credited for a specific use may not be used exclusively by that use, but shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces is permitted unless otherwise approved by the city.

C. Parking Location and Shared Parking.

1. Location. Vehicle parking is allowed only on approved parking shoulders (streets), within garages, carports and other structures, or on driveways or parking lots that have been developed in conformance with this title. Specific locations for parking are indicated in Division 2 for some land uses (e.g., the requirement that parking be located to side or rear of buildings, with access from alleys, for some uses). (See also Chapter 18.65 PMC, Access and Circulation.)

2. Driveways in Front Yards. Front yards shall not be paved, with exception of a maximum sixteen (16) foot wide driveway leading to a garage or dedicated parking pad, except homes with a three (3) car garage may have up to a twenty four (24) foot wide driveway.

(a) Single-family residential parking spaces shall consist of a parking strip, driveway, garage, or combination thereof, and shall be located on the premises they are intended to serve.

(b) Single-family residential parking spaces shall be located on hard or pervious concrete, asphalt or permeable/grass pavers. Lawn and yard areas, other than designated parking areas, shall not be utilized for off-street parking. Driveways shall be required to be concrete if the adjoining street is concrete.

(c) A minimum three (3) foot wide lawn or landscape strip shall be required between the edge of parking area pavement and all lot lines to provide adequate room for drainage, snow storage and privacy screening.

(d) Circular drives shall be prohibited unless driveway access points are separated by an interior distance of seventy (70) feet. A minimum lot width of one hundred (100) feet shall be required.

Consolidated Proceedings

18.105.070 General provisions.

D. Applications.

1. Initiation of applications:

- a. Applications for approval under this chapter may be initiated by:

- i. Order of city council;
- ii. Resolution of the planning commission;
- iii. The planning official;
- iv. A record owner of property (person(s) whose name is on the most recently recorded deed) or contract purchaser with written permission from the record owner.

- b. Any person authorized to submit an application for approval may be represented by an agent authorized in writing to make the application on their behalf.

2. Consolidated Proceedings. When an applicant applies for more than one type of land use or development permit (e.g., Type II and III) for the same one or more parcels of land, the proceedings shall be consolidated for review and decision.

~~a. If more than one approval authority would be required to decide on the applications if submitted separately, then the decision shall be made by the approval authority having original jurisdiction over one of the applications in the following order of preference: the council, the commission, or the planning official.~~

ba. When proceedings are consolidated:

- i. The notice shall identify each application to be decided;
- ii. The decision on a plan map amendment shall precede the decision on a proposed land use district change and other decisions on a proposed development. Similarly, the decision on a zone map amendment shall precede the decision on a proposed development and other actions; and
- iii. Separate findings and decisions shall be made on each application.

**PHILOMATH CITY COUNCIL
REGULAR MEETING
MINUTES
October 14, 2019**

(Excerpt taken from full minutes of the meeting. Full version of the minutes is available online.)

G. PUBLIC HEARINGS

1. PC19-08 – PMC Chapter 18 Zoning Code Amendments (various) –

a. Public Hearing: Mayor Niemann opened the public hearing at 7:47 p.m. Mr. Brewer read the rules for the hearing. There were no declarations of bias or conflict of interest declared by the Council. Mayor Niemann disclosed a letter received from Planning Commission Chair David Stein that is included in the packet and a verbal contact with Planning Commissioner Peggy Yoder encouraging approval of the amendments. Upon disclosing the contacts, Mayor Niemann declared he could make a fair and unbiased decision.

Presentation of Staff Report – Mr. Workman identified several minor corrections to the agenda item summary, staff report, and proposed amendments. He summarized the proposed amendments and the review process conducted by the Planning Commission.

Testimony by Proponents –

Sandy Heath, Philomath, OR – Ms. Heath questioned if some of the proposed amendments as an overreach by government. She stated they were inappropriate for a rural community.

Jeff Lamb, Philomath, OR – Mr. Lamb stated he had participated in the open house on these proposed amendments. He described a hearing last year for Millpond Crossing that didn't include the process going through the Planning Commission. He stated support for requirements for an environmental assessment managed by the City. Mayor Niemann pointed out that some of Mr. Lamb's comments might be better addressed during the next public hearing.

Catherine Biscoe, Philomath, OR – Ms. Biscoe thanked the Planning Commissioners for their work on the proposed amendments. She stated concerns about the parking requirements under 18.75.030(A) as related to residential housing requirements. She stated the concern that language could be added that specified this only applied when development occurred. She requested the hearing be held open to consider additional language.

Testimony by Opponents –

None.

Testimony by Neutral Parties –

Robert Biscoe, Philomath, OR – Mr. Biscoe stated concerns about the addition of city standards for a residential upgrade making it prohibitive to do the home project. He cited an example of a garage project in Washington in which the required improvements cost more than the project itself.

Rebuttal by Applicant – Mr. Workman stated the development code addresses the criteria being applied at the time of a development application that triggers the requirement to meet current standards.

There was discussion about Ms. Biscoe's request to keep the record open.

MOTION: Councilor Thomas moved, Councilor Edmonds second, to keep the record open until October 31, 2019. Motion APPROVED 7-0 (Yes: Causey, Dark, Edmonds, Jones, Low, Thomas and Niemann; No: None).



Philomath City Council
Agenda Item Summary

Title/Topic: PC19-09 – Annexation Code Amendments

Applicant: City of Philomath
Meeting Date: November 25, 2019
Department: Planning

Staff Contact: Patrick Depa
Email: patrick.depa@co.benton.or.us

ISSUE STATEMENT:

To determine approval, modification or denial of new annexation code language and direct staff to bring the revisions to the Council in the form of an ordinance. The Planning Commission has reviewed and made recommendations to amend and update the City's annexation section of the development code.

This matter comes before the City Council for consideration and action, based on the recommendations of Planning Commission.

BACKGROUND:

In light of SB 1573, with the City's appeal still under consideration by the State Court of Appeals, the City Council directed the Planning Commission to review the criteria for annexation and recommend revisions to ensure sufficient information needed to render an informed decision about an annexation proposal could be provided to the City by an applicant. The Planning Commission sought out multiple annexation procedures in development codes of other Oregon cities of similar populations and land boundaries. With the intent to come up with new review procedures that reflect smart growth principles, the Planning Commission created and added new code that it thought appropriate to incorporate into the City of Philomath development code.

A public hearing was held before the Planning Commission on September 16, 2019, following which the Commission approved the findings of Fact and recommended approval of the proposed development code amendments to the City Council.

A public hearing was held before the City Council on October 14, 2019. The staff report was presented, followed by testimony of proponents, opponents and neutral parties. At the request of a citizen that provided testimony, the record was left open through October 31, 2019 so additional language could be considered. No additional testimony was received during this time period.

The attached amendments and staff report reflect those changes to chapter 18.135 annexation that emerged from many Planning Commission work sessions, a public hearing and an open house which we bring to the council for your consideration and action.

Following deliberation, the Council may direct staff to bring the approved language to the Council for consideration in the form of an amending ordinance.

PLANNING COMMISSION OPTIONS:

1. To approve as presented
2. To approve as modified (if changes are proposed).
3. To deny any or all parts of the proposed changes.

RECOMMENDED MOTION:

"I move to accept the findings of fact as presented in the Staff Report dated September 24, 2019 and direct the City Manager to present the appropriate amending ordinance to the City Council for consideration and action."

ATTACHMENTS

- A. Staff Report dated October 7, 2019
- B. Redlined version of the proposed revisions to PMC 18.135
- C. Minutes of City Council meeting on October 14, 2019



STAFF REPORT

DATE:	October 7, 2019
NATURE OF APPLICATION:	Update and Amend Chapter 18.135 Annexation in the PDC
APPLICANT:	City of Philomath
APPLICABLE CRITERIA:	Section 18.105.060 & 18.135.00 (PMC)
PROPERTY LOCATION:	City Wide
STAFF CONTACT:	Patrick Depa, Associate Planner
FILE NUMBER:	PC19-09

Background

The Planning Commission reviewed the proposed amendments and their intended purpose over the course of several meetings, including an open house for the public to read about the changes and comment on them. The attached code amendments are the result of the notes and testimony taken during those meetings.

Summary

The purpose of this update is to recognize changing standards within the community predominately related to annexation of property currently in the city's urban growth boundary. These amendments are focused on addressing new requirements that help the city determine in greater detail its capacities and limitations on new property proposed to come into our city.

The purpose of the hearing is to determine if the code amendments are sufficient to address their intended purpose and use and to arrive at a recommendation to the City Council.

The proposed language that would supplant the existing Section 18.105.060 provides the criteria for Type IV legislative amendments. The decision-making criteria are enumerated under subsection G as follows:

Decision-Making Considerations. The recommendation by the Planning Commission and the decision by the City Council shall be based on consideration of the following factors:

- 1. The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197 (for comprehensive plan amendments only);**

This is not a comprehensive plan amendment. The Statewide Planning Goals and Guidelines are not applicable to amending this language

- 2. Comments from any applicable federal or state agencies regarding applicable statutes or regulations;**

Notice was provided to the Department of Land Conservation and Development. No comments were received from any state or federal agency.

3. Any applicable intergovernmental agreements; and

Intergovernmental agreements address coordination of development aspects and are not applicable to the amendments.

4. Any applicable comprehensive plan policies and provisions of this Code that implement the comprehensive plan. Compliance with Chapter 18.135 PMC shall be required for Comprehensive Plan Amendments, and Land Use District Map and Text Amendments.

Chapter 18.105-060 pertains to legislative amendments specifying that amendments are policy decisions made by the City Council.

The applicable comprehensive plan policies identified by a review of that document relating to this topic include:

Citizen Involvement Policies

1. The City of Philomath shall continue to hold public hearings on all comprehensive plan and zoning ordinance amendments.
2. The City of Philomath shall provide for ongoing citizen involvement in the planning process of continuing to follow the approved Citizen Involvement Program.

Findings: The City has held public open houses and received comments factored into the final documents and the City will hold public hearings before the Planning Commission and City Council to afford the general public the opportunity to be involved.

Housing Policies

1. Either annexation or delayed annexation must occur in order for City zoning to apply to residential lands currently in the urban fringe.

Findings: The City will continue to seek and support many different varieties of housing choices and will follow smart growth techniques and criteria to evaluate the need for new residentially zoned property to be annexed.

Urbanization Policies

1. The approval of urban development proposals within the urban fringe shall be based upon the availability of City services, contiguity to the City, and approval of delayed annexation.
2. The City of Philomath shall continue to use the delayed annexation procedure as a means of increasing the City's tax base.

3. When considering annexation requests, the City of Philomath should evaluate its ability to provide services to areas proposed for annexation.
4. When considering annexation requests, the City of Philomath shall notify Benton County (as specified in the Urban Fringe Management Agreement between Philomath and Benton County) in order to allow the Count to comment on the request.

Findings: With these new code amendments, the City will be able to make better-informed decisions using the new approach and examination of the all of the City's capacities reviewed in conjunction with the required criteria.

Recommended Motion:

I MOVE THE:

City Council adopt the findings as presented in the staff report for the code amendments to "Chapter 18.135 Annexation" as presented in File No. PC19-09 and that the amendments be approved and the City Manager directed to present to the City Council the appropriate documents.

OR

City Council adopt the Findings of Fact as modified in opposition to the applicable criteria and that the code amendments to "Chapter 18.135 Annexation" as presented in File No. PC19-09 be denied.

PROPOSED CHANGES TO THE ANNEXATION CHAPTER

Chapter 18.135 ANNEXATION

Sections:

- 18.135.010 Purpose.
- 18.135.020 Legislative amendments.
- 18.135.030 Annexations.
- 18.135.040 Record of amendments.
- 18.135.050 Transportation planning rule compliance.

18.135.010 Purpose.

The purpose of this chapter is to provide standards and procedures for legislative and quasi-judicial amendments to this title and the land use district map. These will be referred to as “map and text amendments.” Amendments may be necessary from time to time to reflect changing community conditions, needs and desires, to correct mistakes, or to address changes in the law. [Ord. 720 § 7[4.7.1], 2003.]

18.135.020 Legislative amendments.

Legislative amendments are policy decisions made by city council. They are reviewed using the Type IV procedure in PMC 18.105.060. [Ord. 720 § 7[4.7.2], 2003.]

18.135.030 Annexations.

A. Process. The process of annexation of land to the city allows for orderly expansion of the city and for the adequate provision of public facilities and services. The City Charter requires that annexation, and/or extension of city services beyond city boundaries may only be approved by a majority vote of the electorate.

B. Annexation Filing Deadlines.

1. Unless mandated by state law, all annexation requests approved by the city council shall be referred to the voters in accordance with the requirements of this title and ORS Division 222.
2. Annexation elections are scheduled for May and November. Applications for annexation shall be filed with the planning department before 5:00 p.m. on the second Thursday of November for a ballot election in May and before 5:00 p.m. on the second Thursday of May for a ballot election in November.

C. Requirements for Applications. Applications to the city for initiation of annexation proceedings made by individuals shall be on forms provided by the planning official and shall include the following material:

1. Written consent to the annexation signed by the requisite number of affected property owners, electors, or both, to dispense with an election within the territory to be annexed, as provided by state law.
2. A legal description of the property to be annexed.
3. A map of the area to be annexed, including adjacent city territory.
4. Sufficient information for city staff to allow for the completion of an impact analysis on existing and future city services including: existing water supply and facilities; and existing sewer; drainage; transportation and transit; park and school facilities; and city staffing, including but not limited to police, public works, and city administration.

5. Sufficient information for city staff to allow for the completion of an impact analysis on community partner services including: school facilities; library services; fire services; and emergency medical services.

i. If the applicant asks for agency comment before the hearing and no comments are received, capacity will be presumed to exist for that agency.

ii. If the applicant asks for comment before the hearing and the agency comments that there are no capacity concerns, capacity will be conclusive as to that agency.

iii. If the applicant asks for comment before the hearing and the agency comments that capacity does not exist but can exist, the applicant may enter into an agreement with that agency to achieve capacity.

6. In addition, city staff shall project what additional facilities will be required to serve the development described in the conceptual plan and, if necessary, how such facilities will need to be phased in over time. The application shall provide evidence of the need of the proposal by citing data and statistics that support the annexation.

~~7.5.~~ A statement outlining the method and source of financing required to provide additional facilities.

~~8.6.~~ A conceptual development plan shall be provided by the applicant and shall include the following:

i. A scale drawing of the site showing: the types and intensities of proposed development; existing streets that will be used for access and those streets that may need to be developed for access; the location of watercourses and other significant natural features; location of existing and necessary extension of public water, sanitary sewer, and storm drain facilities; and, existing uses and zoning on adjacent properties.

ii. The conceptual development plan shall contain sufficient detail on the actual or proposed site uses to allow city staff the opportunity to analyze the development's demand for new public infrastructure systems, as well as assess the impact on existing systems. Staff may develop hypothetical site design scenarios or model development at densities other than those proposed by the applicant to assess impact on public infrastructure.

~~9.7.~~ A statement indicating the type and nature of any comprehensive plan text or map amendments or zoning ordinance or zoning map amendments that may be required to complete the planned development.

~~10.8.~~ The application fee established by the city. In addition to the application fee, the planning official shall require a deposit that is adequate to cover any and all election costs.

D. Review of Application. City staff shall review the application and it shall be deemed complete if it contains the material required under this section.

E. Staff Evaluation. City Staff shall prepare a report that considers information submitted by the applicant as well as other sources of relevant information including but not limited to master utility plans, regional and local transportation system plans, and population studies. The report shall include an updated land use inventory with the development status of all other similarly zoned properties. From this information, a finding shall be made that the city has the capacity to provide required utility services in light of commitments already made to other approved developments. The staff evaluation of the application will endeavor to present a report for the public and review bodies that factually evaluate the proposal and may or may not agree with response information provided by the applicant. An annexation request including a future residential development shall be evaluated by city staff at its maximum possible density.

F. Review Criteria. Annexations shall be reviewed by city staff to assure consistency with the purposes of this chapter, policies of the comprehensive plan, all requirements of all city ordinances, and other

applicable policies and standards adopted by the city council and state of Oregon. In addition, a finding shall be made that the city is capable of providing services to the subject property(ies) commensurate with the needs of existing approved and proposed developments. Specifically, all applications for annexation must satisfy the following criteria:

1. Property to be annexed must be located entirely within the Urban Growth Boundary (UBG) of the City.
2. Property to be annexed is, or upon annexation will be, subject to the City's comprehensive plan.
3. At least one lot or parcel of the property to be annexed must be contiguous to the city limits or separated from the city limits only by a public right of way or a body of water.
4. Annexation of the property must be of benefit to the City and community of Philomath.
5. If the property to be annexed is or has been zoned or used for industrial or agricultural purposes, an inventory of known contaminants and how they will be abated by the applicant must be provided with the application for annexation at the time the application is filed.
6. If the property to be annexed is or has been zoned or used for industrial or agricultural purposes, a Phase I Environmental Assessment by a certified company shall be performed prior to annexation.
7. When property to be annexed exceeds 30 acres of developable land, development of the land must occur in phases, as specified in an annexation agreement between the applicant and the City.
8. Properties that include existing development must have a safe pedestrian route to school within 18 months of annexation.

Any review criteria that cannot be satisfied at the time the application is filed with the City may be satisfied through an annexation agreement between the applicant and the City. Annexation agreements shall be filed with the Benton County Recorder and shall run with the land.

G. If any studies are required at the time an annexation application is filed, the City shall contract for the study and the cost of the study shall be added to the application fee paid by the applicant at the time of submittal.

H.G. Concurrent Application for comprehensive plan map or zoning map amendments. Application(s) for comprehensive plan map and/or zoning map amendments may be made concurrent with an application for annexation of territory. City approval of map amendments may be made contingent upon approval of the annexation.

H.H. Annexation by Consent of All Owners of Land. When all the owners of land in the territory to be annexed consent in writing to the annexation of their land in the territory and file a statement of their consent with the city, the following procedures shall apply:

1. The planning commission shall hold at least one public hearing on the annexation request.
2. Application for said annexation must be filed, with payment of the appropriate fee, not less than 30 days prior to the date of the public hearing.
3. Notice of the public hearing shall be published in a newspaper of general circulation in the city not less than five days or more than 15 days prior to the date of the public hearing. Notice shall also be posted at six public places within the city not less than five days or more than 15 days prior to the date of the public hearing.
4. Written notice of a requested annexation shall be mailed to all owners of the property not less than 20 days prior to the date of the hearing. If the property to be annexed is less than five acres, notice shall be mailed to all owners within 200 feet of the exterior boundary of the subject property. If the property to be annexed is greater than five acres, notice shall be mailed to all owners within 400 feet of the exterior boundary of the subject property. In those instances where

an approved annexation would create an island of unincorporated property, those affected property owners shall be notified of this potential.

5. The public hearing shall be conducted according to the requirements established for Type IV applications.

6. Should the public hearing be continued to a specific date by oral pronouncement prior to the closing of such hearing, and such pronouncement shall serve as sufficient notice of such continuance to all applicants, adverse parties, and interested persons.

7. Within 45 days following the public hearing, unless a continuance is announced, the commission shall make specific findings of fact. Based on the findings, the commission shall render a decision which shall recommend either that the application be approved and submitted to the voters at the next available election according to the requirements above, or be denied.

a. If the commission recommends that the application be granted and set for the election, the commission shall transmit to the council a copy of the application, a scale drawing of the site, the minutes of the public hearing, a tape recording of the meeting, the decision and findings of the commission, and any other materials deemed necessary for a decision by the council.

b. If the commission recommends that the application be denied, no further proceedings shall be held by either the commission or council, unless an appeal of the commission's decision is filed by the applicant or by an interested party within 15 calendar days of the commission's decision.

8. Upon receipt of the commission's recommendation of approval, the council shall call for a public hearing on the proposed subject to the notice requirements for a Type IV application.

9. In the event of an appeal of a planning commission decision, the council shall hold a public hearing following the procedures in a Type IV application.

J. Annexation by Non-Unanimous Triple Majority Consent Petition. When more than half, but not all, of the owners of land in the territory to be annexed who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory consent in writing to the annexation of their land in the territory, the following procedures shall apply:

1. The planning commission shall hold at least one public hearing on the annexation request.

2. Application for the annexation must be filed, with payment of the appropriate fee, not less than 30 days prior to the date of the public hearing.

3. Notice of the public hearing shall be published in a newspaper of general circulation in the city not less than five days or more than 15 days prior to the date of the public hearing. Notice shall also be posted at six public places within the city not less than five days or more than 15 days prior to the date of the public hearing.

4. Written notice of a requested change shall be mailed to all owners of the property not less than 20 days prior to the date of the hearing. If the property to be annexed is less than five acres, notice shall be mailed to all owners within 200 feet of the exterior boundary of the subject property. If the property to be annexed is greater than five acres, notice shall be mailed to all owners within 400 feet of the exterior boundary of the subject property. In those instances where an approved annexation would create an island of unincorporated property, those affected property owners shall be notified of this potential.

5. The public hearing shall be conducted according to the requirements established for a Type IV application.

6. Should the public hearing be continued to a specific date by oral pronouncement prior to the close of such hearing, and such pronouncement shall serve as sufficient notice of such continuance to all applicants, adverse parties, and interested persons.

7. Within 45 days following the public hearing, unless a continuance is announced, the commission shall make specific findings of fact. Based on the findings, the commission shall render a decision that shall recommend either that the application be approved and submitted to the voters at the next available election according to the requirements of subsection (H)(7)(b) of this section, or denied.
8. If the commission recommends that the application be granted and set for the election, the commission shall transmit to the council a copy of the application, a scale drawing of the site, the minutes of the public hearing, a tape recording of the meeting, the decision and findings of the commission, and any other materials deemed necessary for a decision by the council.
9. If the commission recommends that the application be denied, no further proceedings shall be held by either the commission or council, unless an appeal of the commission's decision is filed by the applicant or by an interested party within 15 calendar days of the commission's decision.
10. Upon receipt of the commission's recommendation of approval, the council shall call for a public hearing on the proposed subject to the notice requirements stated for a Type IV application.
11. In the event of an appeal of a planning commission decision, the council shall hold a public hearing following the procedures for a Type IV application.

KJ. Findings and Decision. In the event the city council holds a public hearing on an annexation request, the city council may adopt the planning commission findings for approval or denial of the annexation, supplement the record as appropriate in the circumstances, or reject the findings of the planning commission and adopt new findings.

LK. Health Hazard Annexation. The city shall annex those areas constituting a health hazard in accordance with Oregon Revised Statutes, taking into consideration the ability of the city to provide necessary services. Annexation of areas constituting a health hazard are not subject to voter approval.

ML. Island Annexation. The following policies are adopted for island annexations:

1. The city shall attempt not to create islands of unincorporated territory within the corporate limits of the city. If such an island is created, the city council may set a time for a public hearing for the purpose of determining if the annexation should be submitted to the voters.
2. Written notice to property owners by first class mail will be made prior to annexation to allow for property owner responses. Failure to receive notice shall not in any way invalidate the annexation procedure that may be subsequently undertaken by the city.
3. Annexation of an island shall be by ordinance, subject to approval by the voting majority of the electorate.

NM. Comprehensive Plan and Zoning Designations.

1. The comprehensive plan map designation of the property at the time of annexation shall be used as a criterion to determine whether or not the proposed request complies with the Philomath comprehensive plan. A redesignation of the comprehensive plan map may be requested concurrent with annexation. The proposed redesignation shall then be used to determine compliance with the Philomath comprehensive plan.
2. Simultaneous application for annexation and a zone change is allowed; provided, that the zone change ordinance does not take effect until and unless the property is properly annexed to the city and incorporated within the city limits.

ON. Information on Proposed Annexation. The city newsletter shall be used to present an applicant's conceptual plan along with a summary of the city staff's analysis of the development's impact on

public infrastructure. Other information to be presented shall include a vicinity map, size of the property, its current zoning and zoning upon annexation, a description of any comprehensive plan text or map amendment or zoning ordinance text or map amendment that is required and any other information that may assist in the explanation of the proposal. Annexation information in the city newsletter and on the election ballot shall include the following disclaimer statement:

The conceptual plan associated with this annexation request may change. Any development proposal on this property shall require review and approval by the planning commission at a public hearing. Any future owner of this property who may propose a different development plan must pass through the same plan review process and public hearing. The city is not speaking in favor or against this conceptual plan.

Annexation requests submitted by the city are not required to contain a disclaimer statement.

P. Election Procedures.

1. Pursuant to ORS 222.130(1), the statement of chief purpose in the ballot title for a proposal for annexation shall contain a general description of the boundaries of each territory proposed to be annexed. The description shall use streets and other generally recognized features. Notwithstanding ORS 250.035, the statement of chief purpose shall not exceed 150 words.
2. Pursuant to ORS 222.130(2), the notice of an annexation election shall be given as provided in ORS 254.095 and 254.205, except that in addition the notice shall contain a map indicating the boundaries of each territory proposed to be annexed.
3. Pursuant to ORS 222.111(7), two or more proposals for annexation of territory may be voted upon simultaneously; however, each proposal shall be stated separately on the ballot and voted on separately.

Q. Setting of Boundaries and Proclamation of Annexation. If the annexation is approved, the city council, by resolution or ordinance, shall set the final boundaries of the area to be annexed by a legal description and proclaim the annexation (ORS 222.170(3)).

R. Submission of Annexation Reports. The city shall report all changes in the boundaries of the city to the county clerk, county assessor, and the state of Oregon as required by Oregon Revised Statutes.
SR. Exceptions. The city council may authorize an exception to any of the requirements of this section. An exception shall require a favorable vote of six or more council members and findings that indicate the basis for the exception. Any exception so approved shall not be in violation of state law or any applicable provisions of the City Charter.

S. Zoning of Annexed Areas. The city council shall designate all areas annexed to the city with a zone or zones. The city council shall provide notice in accordance with a Type IV application and conduct a public hearing prior to designating city zoning for annexed property. Designation of areas annexed by the city shall be subject to one of the following procedures:

1. If the proposed zoning designation corresponds to the comprehensive plan map designation for the property being annexed, the city council shall conduct a public hearing on the proposed zoning designation for the affected property. Notice for the hearing shall be provided for in accordance with a Type IV application, except all published and mailed notice shall be provided 20 days in advance of the hearing. Following the public hearing, the city council shall adopt an ordinance that assigns the zoning designation for the affected property.
2. If the proposed zoning designation does not correspond to the comprehensive plan map designation for the property being annexed, the proposal shall be reviewed by the planning commission as a comprehensive plan map amendment and zoning map designation pursuant to a Type IV application. Following planning commission review, the city council shall conduct a public hearing. Following the hearing, the city shall adopt an ordinance that designates the zoning

of the affected properties, adopts approved amendments to the comprehensive plan map, if necessary.

3. The city may approve a comprehensive plan map amendment and/or zone designation for property prior to annexation and may specify that the plan map amendment and zone designation shall not become final unless the property is annexed to the city within a specified time.

T. The City is under no obligation to condemn, exercise eminent domain, or pay for the extension of services to an annexed property. [Ord. 720 § 7[4.7.3], 2003.]

18.135.040 Record of amendments.

The planning official shall maintain a record of amendments to the text of this title and the land use districts map in a format convenient for public use. [Ord. 720 § 7[4.7.4], 2003.]

18.135.050 Transportation planning rule compliance.

A. When a development application includes a proposed comprehensive plan amendment or land use district change, the proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-012-0060. Significant means the proposal would:

1. Change the functional classification of an existing or planned transportation facility. This would occur, for example, when a proposal causes future traffic to exceed the capacity of “collector” street classification, requiring a change in the classification to an “arterial” street, as identified by the comprehensive plan/transportation system plan; or
2. Change the standards implementing a functional classification system; or
3. Allow types or levels of land use that would result in levels of travel or access what are inconsistent with the functional classification of a transportation facility; or
4. Reduce the level of service of the facility below the minimum acceptable level identified in the comprehensive plan/transportation system plan.

B. Amendments to the comprehensive plan and land use standards which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the transportation system plan. This shall be accomplished by one of the following:

1. Limiting allowed land uses to be consistent with the planned function of the transportation facility;
2. Amending the transportation system plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the transportation planning rule; or
3. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation. [Ord. 720 § 7[4.7.5], 2003.]

**PHILOMATH CITY COUNCIL
REGULAR MEETING
MINUTES
October 14, 2019**

(Excerpt taken from full minutes of the meeting. Full version of the minutes is available online.)

G. PUBLIC HEARINGS

2. PC19-09 – PMC Chapter 18.135 Annexation Code Amendments –

a. Public Hearing: Mayor Niemann opened the public hearing at 8:21 p.m. Mr. Brewer read the rules for the hearing. There were no conflicts of interest or bias declared by the Council. Mayor Niemann declared the email from Planning Commission Chair David Stein and personal contact with Planning Commissioner Peggy Yoder encouraging approval of the proposed amendments. Upon declaration, Mayor Niemann stated he could make a fair and unbiased decision.

Presentation of Staff Report – Mr. Workman noted several minor corrections to the agenda item summary and staff report and summarized the proposed amendments.

Proponents:

Jeff Lamb, Philomath, OR – Mr. Lamb stated concerns that previous industrial or mill sites should be required to perform an environmental assessment and be monitored by the City. He suggested that the City should make the decisions regarding selecting consultants to perform required studies. Mr. Brewer stated that 18.35.030(G) addresses that concern. Mr. Lamb stated that Millpond Crossing had used an unlicensed consultant to perform their environmental assessment.

Catherine Biscoe, Philomath, OR – Ms. Biscoe stated the Beelart annexation appeal would be heard by the Supreme Court but has not been heard yet. She stated the importance of the cost of infrastructure improvements and requested water usage evaluations be based on an aggregate of all approved developments. She requested any variances also be determined by the same Type III or Type IV process as the original approval. She stated these criteria are relevant in light of the case that will be heard by the Supreme Court. Ms. Biscoe requested that the public hearing be continued.

Neutral Parties:

Robert Biscoe, Philomath, OR – Ms. Biscoe stated he appreciated the process that was used to develop these amendments and commended the Planning Commission and staff for their work.

Rebuttal by Applicant:

Mr. Workman corrected Mr. Lamb's testimony, stating that the Millpond Crossing environmental assessment consultant was licensed in the state of Oregon but used an incorrect California stamp; and as soon as that was discovered, it was corrected.

Councilor Dark requested the spelling of "render" be corrected on the agenda item summary page and that the Comprehensive Plan Urbanization Policy #3 on the staff report be changed to "shall" instead of "should". Mayor Niemann corrected UGB on Page 2 of the proposed amendments under 18.135.030(F)(1). Councilor Dark stated support for any development to be required to perform an environmental impact study in addition to other studies including infrastructure.

MOTION: Councilor Jones moved, Councilor Low second, to leave the record open until October 31, 2019. Motion APPROVED 7-0 (Yes: Causey, Dark, Edmonds, Jones, Low, Thomas and Niemann; No: None).

Mayor Niemann closed the public hearing at 8:40 p.m.



UPDATED 11/19/2019

Philomath City Council
Agenda Item Summary

Title/Topic: Formation of 2040 Comprehensive Plan Technical Advisory Committee

Meeting Date: November 25, 2019
Department: Planning
Staff Contact: Chris Workman

ISSUE STATEMENT:

Shall the Council approve the slate of volunteer community members to serve on the 2040 Comprehensive Plan Technical Advisory Committee, to assist with reviewing the analysis completed by the planning consultant?

BACKGROUND:

At last month's City Council meeting, the Council formed the special advisory committee and agreed to have the city manager recommend community members willing to serve on a small committee tasked with reviewing the technical reports completed by the planning consultant.

If awarded, the City will hire a consultant to complete the following reports:

- Economic Opportunities Analysis
- Buildable Lands Inventory
- Housing Needs Analysis
- Main Street Plan

It is expected to take six to nine months to complete all the reports. As the reports are completed, they will be posted to the City's website along with an opportunity for citizens to provide feedback. Once all the reports are complete, the City will begin the process of reaching out to all community stakeholders and interested parties to review the reports and work together on establishing policies to be included in an update of the comprehensive plan.

The City will host multiple meetings, including hearings, open houses, town halls, round tables, and other outreach to minority and underrepresented segments of the population to ensure everyone has an opportunity to participate in forming the policies that will make up the bulk of the update.

Once approved, the reports and updated policies will be sent to the Department of Land Conservation and Development (DLCD) for review. If they are compliant with the State Land-Use Goals, DLCD will provide notice of approval and the City Council can move forward with approving the updated Comprehensive Plan by way of ordinance.

To assist in reviewing the analysis provided by the consultant, it would benefit the City to establish a technical advisory committee made up of cross-section of community stakeholders.

Recognizing the need for a smaller, more nimble committee that works well together, and the fact that hundreds of individuals are likely capable to participate on such a committee, the following criteria was used to come up with recommendations:

- Objective
- Critical Thinking
- Vested in the City/Community
- Willingness to Serve

I've made contact with each of the following individuals and they are all willing to serve:

Helen Bennett	Rotary President / Local Business Owner
Mike Bussard	High School Principal
Craig Hendricks	2017 Citizens' Academy Participant
Alyssa Lewis	Chamber of Commerce President / Citizens Bank
Bethany Longwell	Sales Associate, ServePro
Bill Mayer	Industrial Property Owner, American Investment
Sandy McHenry	Local Business Owner, Eats and Treat Café
Troy Muir	Local Business Owner, True Value / Developer
Pat VanRooyen	Plant Manager, Georgia Pacific

At its November 18th meeting, the Planning Commission passed a motion recommending the City Council add at least two Planning Commission members to the Technical Advisory Committee. Planning Commission Chair David Stein, Commissioner Joseph Sullivan and Commissioner Peggy Yoder all indicated they were interested in serving on the committee.

COUNCIL OPTIONS:

1. Approve the slate of volunteer community members to serve on the 2040 Comprehensive Plan Technical Advisory Committee as presented.
2. Approve the slate of volunteer community members and at least two Planning Commission members for the 2040 Comprehensive Plan Technical Advisory Committee as recommended by the Planning Commission.
3. Approve specific individuals to serve on the Committee.

RECOMMENDED MOTION:

“I move to approve the slate of volunteer community members to serve on the 2040 Comprehensive Plan Technical Advisory Committee as presented.”

or

“I move to approve the slate of volunteer community members and Planning Commissioners _____ to serve on the 2040 Comprehensive Plan Technical Advisory Committee as presented.”

or

“I move to approve the following individuals to serve on the 2040 Comprehensive Plan Technical Advisory Committee: _____.”

ATTACHMENTS

None



Philomath City Council Agenda Item Summary

Title/Topic: Removal of Public Right-of-way Easements

Meeting Date: November 25, 2019
Issue Lead: Mayor Eric Niemann
Staff: City Manager Chris Workman

ISSUE STATEMENT

Shall the Council approval the requested removal of two public right-of-way easements with acceptance of a new easement and completed roadway between N 12th and N 11th Streets?

BACKGROUND

City planners have long desired to improve ingress and egress on N 12th Street, especially relating to emergency situations. Currently, the only access all 100+ residential homes on N12th Street and the five dead-end streets that stub out from it have is at Pioneer Street. One solution has been to add east-west connecting streets over to N 11th Street. Most of the lots between N 11th and N 12th are already fully developed, so it has been very difficult to find locations to make these important connections.

When the owner at 706 N 12th Street applied to partition their lot over five years ago, the City was able to get a 25' public right-of-way easement along the southern boundary of the property. Similarly, when the owner at 662 N 12th Street applied for a partition about four years ago, the City was able to get a 25' public right-of-way easement along the northern boundary of the property. Together, these two easements gave the city 50' of public right of way from N 12th Street toward N 11th Street, but not all the way through as one other property lies between the Cities easements and N 11th Street. This access is referred to as the northern alignment.

The desire to punch all the way through to N 11th Street along this northern alignment faced an obstacle when the property owner to the west submitted an application to partition that did not allow for the continuation of the 50' public right-of-way across his property. The City was not in a position to purchase the property, so, alternatively, staff negotiated a 25' public right-of-way easement across the property at a more southern alignment.



The owner of 662 N 12th is willing to pay for the extension of the current driveway from N 12th Street through to N 11th Street, if the City is willing to remove the easement along their northern boundary. The question before the Council is the value of a new 25' easement from the 662 N 12th Street that aligns with the 25' easement on the N 11th Street property and a paved emergency access between N 11th and 12th Streets. This proposed route is referred to as the southern alignment. With this new aligned easement in place, and the inability to acquire additional right-of-way to the west without having to purchase property, the 25' easements at the northern alignment are of little value to the City.



The city attorney is working with the planner and property owners to record the necessary legal instruments to safeguard the City's objectives and assure the property owners of our intent to proceed. If the Council is agreeable, staff will proceed with acquiring the new 25' right-of-way along the southern alignment and removing the two 25' easements along the abandoned north alignment. The property owner at 662 N 12th street will bear the full cost of recording the new easement and constructing the through access.

Removal of these two northern easements will affect the property owners Baier, 706 N 12th Street; Ross, tax lot 11000 on N 12th Street; and Gibbs, 662 N 12th Street. All three property owners have contacted the City and expressed their desire for the easements to be removed.

COUNCIL OPTIONS

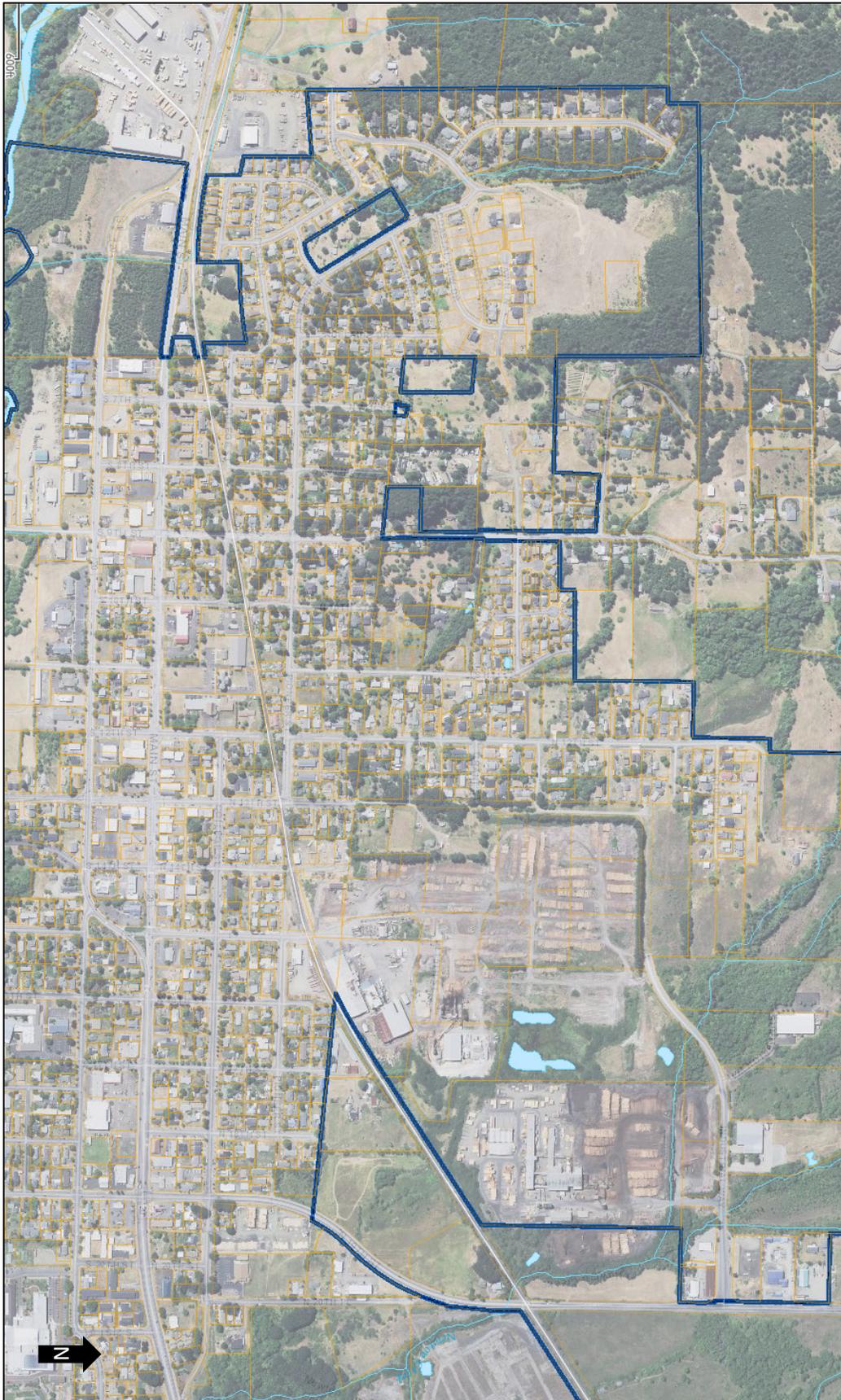
1. Approve the removal of the public right-of-way easements along the abandoned northern alignment.
2. Do not approve the removal of the right-of-ways and provide staff direction on how to proceed with this request.

RECOMMENDED MOTION

"I move to approve removal of the public right-of-way easements along the abandoned northern alignment between N 11th Street and N 12th Street and direct staff to proceed with all legal arrangements needed to secure a paved access along the southern alignment."

ATTACHMENTS

- A. Map of N 12th Street area
- B. Letter from Toshiko Baier, 706 N 12th Street



City of Philomath
980 Applegate Street
Philomath, Oregon 97370

08/27/2019

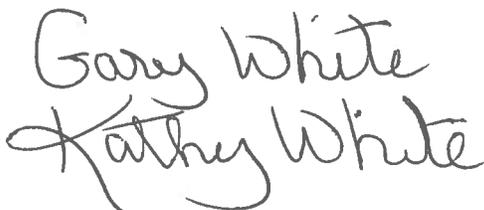
Attention: Chris Workman-City Manager

Toshiko N Baier
706 N 12th Street
Philomath, Oregon 97370

I would like to ask that the 25' City of Philomath easement on the south side of my property 706 N 12th Street to be extinguished and returned to me at such time as the 25' emergency access road is completed on Benton County Assessor Map 12-6-12BB, Tax Lot 10900 owned by Lori and Richard Gibbs.

Thank You,

Toshiko N Baier





Title/Topic: IGA Forming Mid-Valley Partnerships (MVP) and Approving the Action Plan

Meeting Date: November 25, 2019
Department: Administration
Staff Contact: Chris Workman

ISSUE STATEMENT:

Shall the Council approve the intergovernmental agreement forming the Mid-Valley Partnership group and approve the 2019 Action Plan?

BACKGROUND:

As noted within the agreement, the rural cities of Adair Village, Lebanon, Brownsville, Monroe, Halsey, Philomath, Harrisburg and Sweet Home are desirous to enhance economic development activities that better serve the public. The cities will utilize resources such as personnel time, capacities, facilities and funding to promote the vision, strategy and goals set forth in the agreement.

About 18 months ago, the City partnered with these same cities, then affectionately referred to as "The Great Eight," to apply for a state grant to help fund entrepreneurial efforts within rural Linn and Benton Counties. The state-recognized and award-winning combined efforts have been fruitful and garnered encouragement from Business Oregon. We recognize that although entrepreneurialism is an important aspect of economic and community development, it is not everything. Other opportunities to combine efforts and address additional challenges are also believed to have great potential.

The city managers of each city have served as the technical advisory committee of the group since its inception, which will continue to be the case with the approval of the agreement by all participating cities.

Attached to the agreement is an Economic Strategy and Action Plan developed by the technical advisory committee over the past several months with the assistance of consultant John Morgan of MorganPCS Group, and a list of deliverables anticipated to be produced.

This is a three-year agreement to continue to monitor the work of Oregon RAIN and leverage additional benefits of working together on economic development related issues identified in the Action plan. There is no direct cost associated with signing the agreement. Any desired expenditures of the group would come back to the various city councils for consideration.

Upon acceptance, the city manager and mayor are directed to sign the agreement on behalf of the City.

COUNCIL OPTIONS:

1. Approve the intergovernmental agreement forming the Mid-Valley Partnership group and approve the 2019 Action Plan.
2. Do not approve the intergovernmental agreement forming the Mid-Valley Partnership group and approve the 2019 Action Plan.

RECOMMENDED MOTION:

"I move to approve the intergovernmental agreement forming the Mid-Valley Partnership group and approve the 2019 Action Plan and direct the city manager and mayor to sign the agreement on behalf of the City."

ATTACHMENTS

- A. Intergovernmental Agreement between Various Municipal Corporations of the State of Oregon



INTERGOVERNMENTAL AGREEMENT BETWEEN VARIOUS MUNICIPAL CORPORATIONS OF THE STATE OF OREGON

PARTIES TO THE AGREEMENT

This agreement made and entered into this ____ day of November 2019, by and between the following municipalities:

Adair Village	Lebanon
Brownsville	Monroe
Halsey	Philomath
Harrisburg	Sweet Home

All listed cities are municipal corporations of the State of Oregon, hereinafter called CITIES, and hereby partner for the formation of the Mid-Valley Partnership, hereinafter called MVP, for the purpose of building economic development capacities for the region. This will be accomplished by creating a joint economic development organization as identified in Exhibit A – “Mid-Valley Prosperity Partnership Economic Strategy and Action Plan – 2019” and by creating the deliverables listed in Exhibit B.

PURPOSE

The CITIES are desirous of enhancing economic development activities that better serve the public. The CITIES will utilize resources such as personnel time, capacities, facilities and funding to promote the vision, strategy and goals set forth herein. This agreement is authorized and provided for by the provisions of ORS 190.010.

IN CONSIDERATION OF THE MUTUAL CONVENANTS CONTAINED HEREIN, THE PARTIES AGREE TO THE FOLLOWING TERMS, PROVISIONS AND CONDITIONS:

1. **Financial Obligations by CITIES.** CITIES shall cost share expenses on mutually agreed to terms allowed and authorized by each CITIES governing body

through the CITIES manager, administrator or authorized designee. Responsibility to meet financial obligations will be the sole responsibility of every political subdivision who is a party to this agreement.

During FY 19-20, expenditures by each City shall be within existing appropriate budgeted funds. A work program and budget will be developed by the Operations Group and proposed to each City in the FY 20-21 and subsequent budget processes.

2. **Service to be Performed by Third-Party Agents.** CITIES shall ensure performance of any services rendered on behalf of CITIES.
3. **Term.** This agreement shall be from November 1st, 2019 through and including June 30, 2022. However, the CITIES shall continue until all agents and third-party obligations are met once officially authorized by this agreement. The CITIES shall review the terms of the agreement and mutually determine if any amendments are desired. For any modification(s) to be effective, any amendment, modification or otherwise shall be in writing and approved by all parties and placed as an attachment or appendices to this agreement.
4. **Indemnification.** To the fullest extent permitted by law, and in accordance with the Oregon Constitution and the Oregon Tort Claims Act, each party to this Agreement shall indemnify, defend, save, and hold harmless the other party and its officers, employees and agents from and against all claims, actions, liabilities, damages, losses, or expenses, arising from actions derived for the purpose of this agreement:

Failure or refusal of one party to perform or fulfill its responsibilities under this Contract or any law, through no fault of the other party. The obligations or rights under this section may not be delegated or assigned without the express consent of the other parties.

The obligations contained in this section shall survive the termination of this Agreement.
5. **Entire Agreement.** This Agreement signed by all parties is the parties' final and entire Agreement and supersedes all prior and contemporaneous oral or written communications between the parties, their agent and representatives. There are no representations, promises, terms, conditions or obligations other than those contained herein.
6. **Venue.** Resolution of any disputes arising out of the performance of this contract shall be maintained in the Circuit Court of Linn County and/or Benton County as a last resort.
7. **Intent.** The intent of this Agreement is to cooperatively create a working relationship that will be mutually beneficial.

IN WITNESS WHEREOF, the CITIES by resolution duly adopted by its respective CITIES Council cause this agreement to be signed by its Mayor and attested by the CITIES Recorder, all on the day and year first above written.

**[Signature Pages to be added individually
to the agreement upon execution.]**

Introduction

Linn and Benton Counties are the heart of the southern part of Oregon's Willamette Valley, stretching east and west from the top of the Cascades to the top of the Coast Range. It is a region with long Native American history and heritage, and the history of pioneers from the eastern United States traveling on the Oregon Trail to reach this land which was and is rich in natural resources and opportunity. The two counties historically have been central to Oregon's agriculture and timber economies. This has included not only raising and harvesting crops and timber, it has included industries for processing, packaging, and shipping finished timber and agriculture products. These industries historically have been the foundation of employment, culture, and society in the two counties.

But, the economic foundation of the region was greatly shaken with the significant reduction of timber harvesting starting in the early 1980's. This eliminated jobs in the woods, jobs in the mills, and jobs in the supporting business community. It created a stagnant and diminishing population and economic base in the cities in the region, especially the smaller cities.

Agriculture remained strong, but the nature of the agriculture industry changed with growing commoditization, technology impacts, and global trade.

During the last two decades, high-technology businesses have located in the region bringing new dimensions to the economy with new employment, capital investment, and assessed valuation. The bulk of the high-tech growth has been in the large cities in the region, specifically Corvallis and Albany. However, the promise of becoming a high-tech hub was tempered with the Hewlett-Packard facility in Corvallis starting strong with employment to major reductions in jobs over time. This is a symptom of the global market and changing technologies encouraging large corporate businesses to rethink their systems, processes, and locations.

Competitive advantage is key to attracting and retaining businesses such as HP, and just as critical in attracting and retaining businesses and investment of all sizes and in all locations.

Starting with the "Rural Linn County Economic Development Proposal" created by leaders from rural cities in Linn County in 2015, leaders from several rural Linn communities continued to meet to discuss economic development strategies for the region. In the fall of 2017, eight cities from rural Linn and Benton Counties applied for a Rural Opportunities Initiative Grant through Business Oregon to partner with RAIN to bring a Venture Catalyst to the region to work with local entrepreneurs. These cities seek to continue the intra-city effort to create efficient and effective structures for furthering the economic objectives of the region beyond the Rural Opportunities Initiative grant and the work done through RAIN.

The initial eight-city collaborative consists of Sweet Home, Lebanon, Brownsville, Halsey, Harrisburg, Monroe, Adair Village, and Philomath. Together they take the name "Mid-Valley Partnership, or MVP. This Strategic Action Plan is the framework for the cities to work together to accomplish common economic goals and respond to common economic opportunities.

The eight-city initial collaborative reviewed the Rural Linn County Economic Development proposal created in 2016. This strategy document is based on that work, seeking to update and expand its scope to meet needs of the broader Linn-Benton region beyond the RAIN project.

Assessment of the Environment, Opportunity, and Needs

- Economic growth is happening throughout Oregon with historically high employment rates, high business investment, high levels of export, and high revenue and profit. However, this growth is primarily happening in larger cities which have the capacity to attract and support this level of economic development. Oregon's rural communities continue to not share this high level of economic prosperity.
- In the Linn-Benton region, Corvallis and Albany have great capacity for supporting economic development in dedicated city staff and active economic development organizations. This capacity allows these larger cities to effectively respond to queries from potential businesses and investors, to respond to Business Oregon and other organizations when they disseminate requests for information on behalf of potential businesses, and to facilitate the siting, development, operation, and growth of new businesses.
- None of the cities in this partnership have the same capacity to participate in these high-level economic development activities. There is no framework to cooperate with or even complement the efforts of Albany and Corvallis in attracting new business investment into the region. The smaller communities get left behind.
- There is significant opportunity for bringing economic investment to the eight cities in the partnership if the cities understand how to position and leverage their individual and joint assets, and how to respond to opportunities.

The best opportunity for economic investment in these communities may lie in working collaboratively, recognizing several things:

- The economic, housing, and services markets no longer focus on individual communities, but instead on systems tying together regions with multiple communities.
- Smaller cities can now compete with any larger city as a location for business investment due to the advent and growing availability of high-speed and high-capacity internet connections.
- Smaller cities have the competitive advantage of small-town livability.
- Each of the partners has assets and opportunities unique to themselves, but potentially stronger when tied together and leveraged.

This strategy is a commitment by each of the cities to work toward a partnership agreement to act as a coordinated economic development entity to accomplish three primary goals:

- To develop a coordinated story about the assets and opportunities available in each of the partner cities, and in the network of the cities working together.
- To research, identify, and pursue economic opportunities created by looking at the partner cities and region as a single economic, housing, and services system.

- To be able to respond to requests for information, invitations to respond to opportunities, create and implement regional economic development strategies, and advocacy for the region's interests.

Assets to Promote and Leverage

The managers and administrators of the Mid-Valley Prosperity Partnership met in August 2019 to build the foundation for the update of prior strategic planning. In that meeting, the leaders identified several assets of the region that create significant economic opportunity. These are in addition to assets identified in earlier work. These are:

- Higher Education – Two major research universities and one technology focused community college are in the immediate region. This presents great opportunity for using land and resources in the eight cities to help the education institutions pursue and expand their research and development programs.
- Traded Sector – While agriculture and timber economies were historically based on growing and harvesting, the expectation in today's economic world is traded sector where the raw materials created by farm and forest activities are processed locally in manufacturing, food processing, and creation of finished products and distribution of those products globally. The cities each have land and resources to expand traded sector businesses.
- Agriculture Businesses – The Willamette Valley, along with all of Oregon, is marked by family farms rather than large scale corporate farming. These farms compete well relying on the power of co-ops to create competitive abilities. However, these systems can be fragile. Strengthening family farms by creating traded sector vertical integration is highly important to the future. As well, providing farmers with additional income streams to diversify their business models will help preserve the family farm foundation of the region. These additional income streams may include produce and meat sales on-site, restaurant services on-site, farm-stays, and other activities.
- Telecommuters and Home-Based Businesses – With the advent of high-speed internet access to all communities, the opportunity exists to attract telecommuters and homebased businesses that can operate completely remotely. These foot-loose entrepreneurs may find livability opportunities in the eight cities where they can operate and succeed on a global scale to be highly attractive.
- Micro-businesses – Generally cannot afford the startup costs necessary in a larger city. The eight cities can provide incubator and micro-business support infrastructure, possible in conduction with the higher institution institutions, and likely at lower costs.
- Available Infrastructure – The Mid-Valley is poised for economic success for many reasons including extensive infrastructure. Not only is the area laced with surface trucking and automobile links including I-5 and several major highways, it has two major rail lines, pipelines, and a regional and several general aviation airports. Each of the cities has sewer, water, and storm systems with capacity to meet development needs. Broadband internet services are widely available. Energy including natural gas and electricity are available at

highly competitive rates. Now under development is a very large containerized freight transfer facility linking trucking to rail amplifying the efficiency of freight movement in the mid-Willamette Valley.

- Physical Alignment – The cities are close together and aligned on a general east/west axis across the Valley. They are connected by state highways. The I-5 corridor is crossed by similar city alignments east and west of Salem and east and west of Eugene. The fact these alignments to the north and south are anchored by large cities gives those aligned regions greater economic opportunity. The Linn-Benton aligned cities have not rallied in the past around common interests and opportunities but have great potential to thrive if the east/west physical alignment is amplified by an east/west economic alignment especially recognizing the north/south links offered by I-5 including easy access to commercial aviation at Mahlon Sweet Field in Eugene.
- Affordability and Ease of Development – The rural communities have more streamlined and less extensive codes than the surrounding larger cities coupled with a “How can we get to yes?” attitude. Land and development costs and fees are generally less than in larger communities. The communities support economic development and, working together, can be a formidable competitor for investment in retention, expansion, and creation of businesses.

Strategy

1. [Establish a rural-focused primary point of contact collaborating with all existing services and organizations to align, focus, and leverage resources and connect entrepreneurs to resources](#)

Existing, relocating, or start-up businesses can all benefit from assistance to successfully implement their growth strategies. A plethora of services and support organizations currently exist at state and local levels to help, but it is difficult for owners of businesses of any size to easily tap into these critical resources. By creating an entity to focus on these rural Linn County interests and represent them to other organizations, the Partnership will ensure those resources are better aligned, leveraged, and accessed in our communities.

As a result of fostering collaboration and helping align and focus resources for the eight rural cities:

- The Partnership will collect, catalog, and share relevant information, organizations, and services, and will help enable businesses to access and utilize needed resources. This will include an asset map to discover and understand the potential available in the region.
- The services to be cataloged shall be broad based including workforce development, finance, small business management assistance, and other important resources to help businesses succeed.
- By connecting existing and potential businesses to these resources, the Partnership will facilitate economic growth and employment opportunities.
- Where resources do not exist, or are not at the needed scale, MVP will identify those needs and work to see they are addressed.

- MVP will be a voice for businesses in rural Linn and Benton counties when working with regional, state, and global entities.
- MVP will plan for realizing the economic potential of the region looking for those places to connect needs and opportunities.

Outcomes

- A complete inventory of local land use and zoning laws and mapping with the means to keep it updated.
- A complete and constantly updated database of land and buildings available for new business development.
- A catalog of business services including banks, accounting, legal, commercial real estate firms, and other professional services available to business owners and entrepreneurs, as well as the government service of Business Oregon, Worksource Oregon, the Small Business Administration, and other economic development organizations.
- Assistance in knowledge of, understanding, and navigating state, county, and local rules and regulations.
- MVP becomes a behind-the-scenes partner helping new or existing businesses make the decisions to locate or expand locally and to increase their success.
- A recognizable organization and regional point of contact to provide advocacy and leadership in regional economic development efforts, serving as a credible entity to work with businesses, the Regional Solutions Team, other state and federal agencies, institutions of higher education, and the Legislature and Congress. Advocacy through the Cascade West Council of Governments and the League of Oregon Cities is currently underway.

2. Connect new entrepreneurs with learning opportunities and start-up support.

A prominent commercial real estate broker recently commented, “I see lots of potential entrepreneurs with great ideas and nothing else.” The “nothing else” these potential businesses lack is financial support for initial purchases, technical assistance, management support, legal training and support, and market research.

- MVP will use its developed network of existing contacts, organizations, and services to assist current and emerging entrepreneurs with accessing the tools and resources they need to bring their ideas to fruition. For example, understanding market rents for vacant storefronts in various communities, guidance or help in developing business plans, or referrals for legal and professional advice on organizational structures and business practices.

Outcomes

- MVP is employing a rural business accelerator approach using the business incubator model developed by RAIN and services such as those provided by Senior Corps of Retired Executives (SCORE).

- The entrepreneur development work is critical to the region and the partnership will continue to sponsor and carry out this work and the program's recommendations.

3. Help link existing and potential employers with a skilled and trained workforce

A reliable source of trained people is critical to attracting new business and retaining existing businesses. Educational programs are underway through other organizations in the county to develop basic work skills. Linn Benton Community College, the City of Albany, Linn County and several local high schools have various programs to assist people of all ages to upgrade their skills, thus enhancing their employability. Worksource Oregon provides extensive information on training and employment opportunities. In addition, employers frequently have job specific training programs. However, existing employers also have made clear the need for basic or soft skills, i.e. timeliness, personal reliability, grooming.

- MVP will support the efforts of all these trainers to produce a skilled workforce to meet current and future needs.
- MVP will cooperate with Worksource Oregon and local workforce development entities to identify needs, opportunities, and systems for creating a larger and better prepared workforce.
- MVP will include training and employment information in both its asset mapping and its publicly available information database.
- MVP will advocate as needed for rural training programs matching the needs of existing and potential rural employers.

Outcomes

- Businesses are matched with trained workforce.
- Businesses are attracted to the region due to an existing, skilled workforce.

4. Advocate for the rural communities and the goals of this partnership for improved market conditions, and improved legislative, regulatory, or government laws, policies, and programs, particularly those directed at workforce readiness and development.

Rural areas generally lack a voice or a seat at the negotiating table. They may not be aware of government programs funding or facilitating economic development efforts, or may lack the capacity to access them. Having a voice, particularly one connected to existing economic development service organizations, is critical to participating in these efforts. Further, ensuring small, rural oriented employers can be heard when legislative or regulatory changes are proposed is also important in maintaining employment and job growth.

- MVP will work with state, county and local governments to ensure regulations and legislation are designed to stimulate rather than stifle local rural business growth including land use regulations, local fees and charges, building permit processes, and civil engineering requirements.

- MVP will work to simplify this task by developing knowledge and contacts within existing organizations.
- Oregon Cascade West Council of Governments is a regional resource for community and economic development efforts. MVP will work with OCWCOG to help leverage economic development programs and services. Oregon Cascade West Council of Governments also provides an advocacy platform to advance policy recommendations to better equip rural settings for economic development. Creating effective relationships with State officials is crucial for effective State involvement.

Action Plan

In order to pursue and accomplish the four goals of the Mid-Valley Partnership, a common structure for working together and getting things done is critical to create. It is evident a formal agreement must be created to establish a formal entity to carry out this work. This entity needs to be funded, housed, and staffed appropriately to meet these needs:

- Facilitate and lead the ongoing work of the partnership.
- Staff resources to pursue the four goals above working with the leaders of the Partnership to set priorities for specific actions and a detailed work plan to achieve them.
- Continue to plan and pursue a detailed and specific economic strategy based on what the partner cities can accomplish working together leveraging the resources and assets of the region.
- Seek outside funding when appropriate to support the work.
- Develop the materials, narrative, and story to be universally used by the Partnership to effectively communicate what is needed to have an entrepreneur understand the assets, resources, and opportunities of the partner communities both individually and together.
- Serve as the primary point of contact for inquiries from Oregon agencies, other economic development organizations, local governments, and existing and potential business entities.

To create this entity, a joint effort and structure will be created by an Intergovernmental Agreement between the partner cities. As the joint effort finds success, the structure of the entity might need to change, but is determined to be appropriate at this time to use an IGA to create agreement on the structure and direction of the economic development entity, to create a system of governance, and to create the financial structure defining each city's contribution.

It is also determined the initial organization needs to be streamlined and focused on creating the required structure and achieving the initial identified goals.

The Intergovernmental Agreement will be drafted with these elements:

- Operational Group to Pursue the Outcomes and Strategies of this Plan
 - ▶ The City Manager or Administrator from each city.
 - ▶ Other staff as needed.

- Administration
 - ▶ The Cities of Lebanon and Sweet Home will jointly be the conveners and managers of the logistics and records of the meetings and activities.
 - ▶ The City of Lebanon will be the fiscal agent for the new entity.
 - ▶ The Operational Group will determine the need for staff and capital resources to carry out the work of the new entity after the first year.

- Finance
 - ▶ The existing working group will determine the needed structure of staffing and resources to carry out the first year of the regional entity. This to be reflected in the IGA.
 - ▶ The existing working group will determine the needed budget to carry out the first year of the regional entity with this to be reflected in the IGA.
 - ▶ The existing working group will determine the contribution needed from each of the partner cities, proportioned in an equitable manner. This will be incorporated into the IGA.

Next Steps

ACTION	RESPONSIBILITY	TIMEFRAME
Draft the Intergovernmental Agreement (IGA)	Subcommittee	Completed by November 1 st , 2019
Develop a presentation summarizing this Plan to be presented to the City Councils of the eight cities with the recommendation to approve the IGA. The presentations will be made by members of the working group including the city managers and administrators.	Subcommittee to develop presentation	Ready to use by November 15 th , 2019
Enter into a three-year IGA based on the Goals, Outcomes, and structure outlined above	Advocacy and Council support by each City Manager and Administrator	Target for IGA approval is December 31 st , 2019
Deliver the presentation to other cities as requested with an invitation to consider joining the partnership	Entire Group	As requested
Define the Scope of Work and Staffing Needs to carry out the Plan	Operation Committee	March 2020
Develop a financial plan for on-going operations to submit as part of each City's 20-21 and subsequent budget processes	Operations Committee	March 2020 and subsequent years
Revise this strategy as needed and update the IGA	Operation committee	Completed within three years of adoption of the initial IGA.

EXHIBIT 'B'

Deliverables

(Projected over the life of the agreement)

Marketing

- ★ The creation of a professional logo.
- ★ Branding: packaging the story of the region for the general public; specifically geared to the clientele the collective is attempting to attract and retain.
- ★ The creation of a professional website.

Asset Mapping

- ★ Develop a comprehensive list of resources to meet the purpose of this partnership including but not limited to:
 - The State of Oregon
 - Non-profit
 - Financial Resources
 - Angel Investors
 - Market Sectors
 - Higher Education Assets
 - Rural Advantages
 - Natural Aspects
 - Amenities
- ★ Oregon Prospector
 - Populate available property with uniformity.
 - Devote resources to maintain this important data base.
 - Identify all relevant information.

Contract Management & Personnel

- ★ Determine how to accomplish necessary objectives.
 - Create work requirements
 - Develop budgetary needs.
 - Agree to means of execution.

EXHIBIT B

- ★ RAIN Entrepreneurship
 - Continue to monitor efforts.
 - Ensure objectives are met per State agreements and obligations.
- ★ Personnel
 - Discuss advantages of hiring personnel.
 - Identify the capacities of existing personnel.
 - Determine housing and equipment needs.



Philomath City Council Agenda Item Summary

Title/Topic: Willamette Valley Visitors Association Grant Application

Meeting Date: November 25, 2019
Department: Administration
Staff Contact: Chris Workman

ISSUE STATEMENT

Shall the City Council direct the City Manager to apply to Willamette Valley Visitors Association for a grant in cooperation with the Philomath Frolic & Rodeo?

BACKGROUND

The City applied for a Travel Oregon Competitive Grant in 2018 but was unsuccessful. This is a different grant provided by Willamette Valley Visitors Association (WVVA). The grant awards eligible applicants for projects that contribute to the development and improvement of local communities throughout the state. To be eligible for funding, projects must be for tourism purposes and demonstrate a direct tie to the mission of WVVA.

The Philomath Frolic & Rodeo, Inc. is requesting the City submit an application for \$40,000 to help pay for a strategic plan for Skirvin Park. Now that the City owns the property and the Frolic & Rodeo is in a position to manage the grounds and events throughout the year, a professional strategic plan is desired to identify needed improvements to existing facilities and new facilities that will attract more events throughout the months of operation. The Frolic & Rodeo will provide the needed match for the grant (10%) and, once the strategic plan is complete, begin a capital campaign to raise money for the recommended improvements.

The top two key initiatives of the grant program are (1) Maximize the economic return on public and private investments in Oregon, and (2) Drive year-round destination-oriented travel from Oregon's key domestic and international markets¹ by aligning and optimizing local opportunities. The Philomath Frolic & Rodeo believes that Skirvin Park is underutilized. If the right facilities are put in place to meet the needs of the community, it will become an increasingly valuable asset to the community.

The Philomath Frolic & Rodeo has already reached out to the planning consultant that recently completed the strategic plan for the Tillamook County Fairgrounds, 3J Consulting. This consultant subcontracts with an architectural firm to provide mapping and modeling as well as a marketing firm to complete a needs analysis. 3J Consulting's proposal for a complete strategic plan for Skirvin Park is attached. It is also looking at the consultant that

recently completed the master plan project at Benton County Fairgrounds, but no final selection has been made yet

COUNCIL OPTIONS

1. Direct the City Manager to submit the grant application to WVVA
2. Direct the City Manager not to submit the grant application to WVVA

CITY MANAGER RECOMMENDATION

Approve the application to the WVVA grant on behalf of the Philomath Frolic & Rodeo for \$40,000 toward a strategic plan for Skirvin Park.

RECOMMENDED MOTION

“I move to direct the City Manager to apply to Willamette Valley Visitors Association Grant in cooperation with the Philomath Frolic & Rodeo.”

ATTACHMENTS

- A. 3J Consulting Proposal

3J CONSULTING

9600 SW NIMBUS AVENUE, SUITE 100
BEAVERTON, OREGON 97008
PH: (503) 946.9365
WWW.3JCONSULTING.COM

October 31, 2019

Chris Workman, President
Philomath Frolic & Rodeo
P.O. Box 522
Philomath, OR 97370
Pfr.president@gmail.com

Mr. Workman and the Philomath Frolic & Rodeo Board:

3J Consulting is pleased to submit this proposal to assist the Philomath Frolic & Rodeo with a master plan to identify needed improvements to existing facilities and new facilities needed to attract more events throughout the months of operation. 3J Consulting will manage the planning process, lead stakeholder engagement activities and provide expert civil engineering and land use services. LRS Architects will lead the site plan design, assessing existing facilities and recommending needed improvements. ECONorthwest will conduct research related to past and current events hosted at the Frolic & Rodeo, project future demand, and recommend program and marketing priorities.

I will manage the project and serve as the primary contact for the consultant team. We look forward to discussing this opportunity with you. Thank you!

Sincerely,
3J CONSULTING, INC.



Steve Faust, Project Manager
9600 SW Nimbus Avenue, Suite 100
Beaverton, OR 97008
O: (503) 946-9365 x207
steve.faust@3j-consulting.com



Proposed Scope of Work

Task 1. Project Kick-off

Prior to visiting the site, we will review existing zoning to fully understand allowed uses and standards under the code. Our team will visit the Philomath Frolic & Rodeo to participate in a site tour of facilities and observe existing conditions. During the tour or at a kick-off meeting with Board members immediately following the tour, the team will discuss key issues and opportunities for the site. We also will define project tasks, deliverables, timelines and identify key stakeholders. On the same trip, we will conduct interviews with additional stakeholders or follow up with phone interviews to gain a full understanding of what works well at the Frolic & Rodeo and what could be improved. If desirable, we also may administer an online survey to reach a broader audience.

Following the kick-off meeting, we will review any relevant plans and documents related to the site.

Documents may include (as available):

- Survey (boundary and topographic)
- Site plan (building location)
- Utility plan
- Environmental (hazardous materials)
- Wetlands survey
- Geotechnical report
- Title Report (encumbrances, easements, and restrictions)
- Building documents (plans, elevations)
- Site documents for adjacent right-of-way improvements

We will use the information gathered to create a shared vision for the future of the site and prepare base documents for planning.

Task 2. Existing Conditions

We will prepare a report that documents current conditions of the site and facilities: site zoning and features; building layout, condition and architecture; infrastructure condition and capacity; traffic circulation and parking; and pedestrian circulation and safety. The report also will identify opportunities for future improvements. We will assess information related to events and activities in the context of other competing facilities, including recent events and fees charged at the venue. The analysis will look at the historical and current uses of Frolic & Rodeo facilities, documenting the number and type of events that occurred at the venue in the recent past. The analysis will include the following information about events, where data is available: type of event, event organizers, number of attendees, facilities used, date and duration of the event, event frequency, and revenues from the events (e.g. rent and other payment for use of grounds and facilities). The outcomes of this analysis will be high-level recommendations about opportunities to increase revenues from Frolic & Rodeo activities in the context of other competing facilities.

Task 3. Site Master Plan

Based on the information gathered in previous tasks, we will prepare a preliminary land use, facility and circulation site plan. The preliminary site plan will identify needed improvements to the site and facilities and propose new facilities required to accommodate desired uses. The report may include a 3D massing, views and highlights study. We will present the preliminary master plan to the Board and key stakeholders at a meeting to discuss plan options and gather comments. We will incorporate Board comments into a revised site master plan and final 3D massing views. Once the Board approves the revised site plan, we will prepare the Master Plan Report, incorporating the site plan, 3D massing views and narrative. The Master Plan will include concept level cost estimates for proposed improvements and a brief description of potential funding tools.

The tables below illustrate our process for completing the Master Plan within a five-month time frame and \$39,000 budget.

Master Plan Timeline

Philomath Frolic & Rodeo Master Plan Timeline	Month 1	Month 2	Month 3	Month 4	Month 5
Tasks					
Task 1. Project Kick-off	■				
Task 2. Existing Conditions					
Task 3. Site Master Plan				■	
■ Stakeholder Outreach					

Master Plan Budget

Philomath Frolic & Rodeo Master Plan Cost Estimate	3J Consulting					LRS Architects				ECONorthwest					TOTAL
	SF	AM	AJ	Expense	3J Subtotal	SM	GS	Expense	LRS Subtotal	BG	EP	Analyst	Expense	ECO Subtotal	
Tasks	\$154	\$140	\$84			\$225	\$150			\$165	\$150	\$100			
Task 1. Project Kick-off	16	22	4	\$100	\$5,980	4	16	\$100	\$3,400	2	10		\$100	\$1,930	\$11,310
Task 2. Existing Conditions	6	14			\$2,884	6	26		\$5,250	2	12	22		\$4,330	\$12,464
Task 3. Site Plan	16	32		\$152	\$7,096	6	36	\$150	\$6,900	2	6			\$1,230	\$15,226
Total Hours	38	68	4	-----	110	16	78	-----	94	6	28	22	-----	56	-----
Total Fees	\$5,852	\$9,520	\$336	\$252	\$15,960	\$3,600	\$11,700	\$250	\$15,550	\$990	\$4,200	\$2,200	\$100	\$7,490	\$39,000

PHILOMATH CONNECTION RIDERSHIP SUMMARY

2019-2020 SUMMARY TOTAL RIDES -	5,745	DAYS OF SERVICE-	104	AVG RIDE/DAY-	55
2018-2019 SUMMARY TOTAL RIDES -	16,323	DAYS OF SERVICE-	306	AVG RIDE/DAY-	53
2017-2018 SUMMARY TOTAL RIDES -	17,953	DAYS OF SERVICE-	279	AVG RIDE/DAY-	64
2016-2017 SUMMARY TOTAL RIDES -	18,859	DAYS OF SERVICE-	257	AVG RIDE/DAY-	73
2015-2016 SUMMARY TOTAL RIDES -	17,387	DAYS OF SERVICE-	237	AVG RIDE/DAY-	73

MONTH	DAYS OF SVC	TOTAL FOR MONTH	AVERAGE RIDES PER DAY
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2019-2020

JULY	26	1,381	53
AUGUST	27	1,337	50
SEPTEMBER	24	1,191	50
OCTOBER	27	1,836	68
NOVEMBER	25		0
DECEMBER	25		0
JANUARY	26		0
FEBRUARY	25		0
MARCH	26		0
APRIL	26		0
MAY	25		0
JUNE	26		0

2018-2019

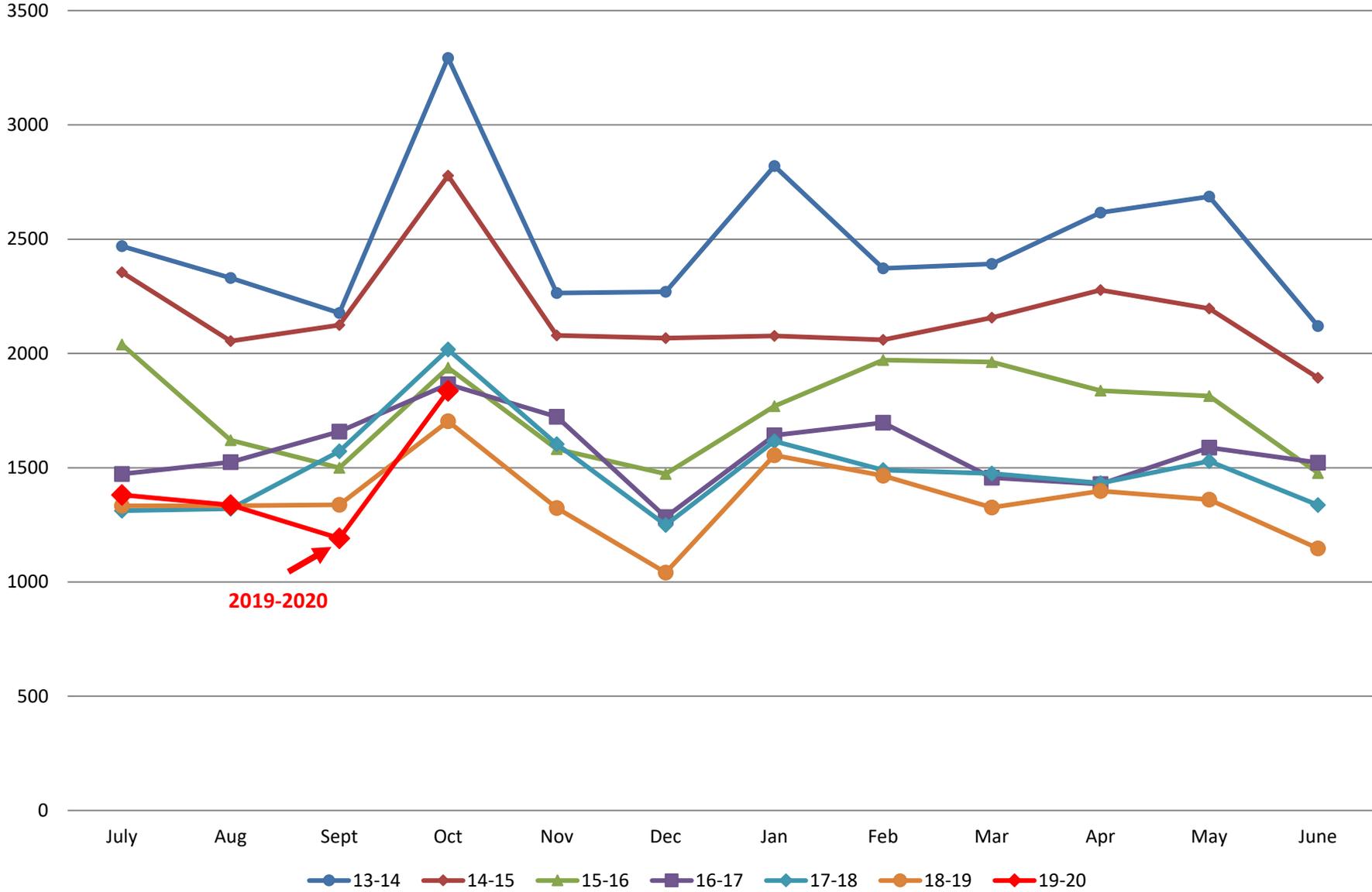
JULY	27	1,333	49
AUGUST	24	1,338	56
SEPTEMBER	27	1,703	63
OCTOBER	25	1,324	53
NOVEMBER	25	1,041	42
DECEMBER	26	1,555	60
JANUARY	24	1,465	61
FEBRUARY	26	1,326	51
MARCH	26	1,398	54
APRIL	26	1,360	52
MAY	25	1,147	46
JUNE			

RIDERSHIP BY WEEK FOR THE MONTH

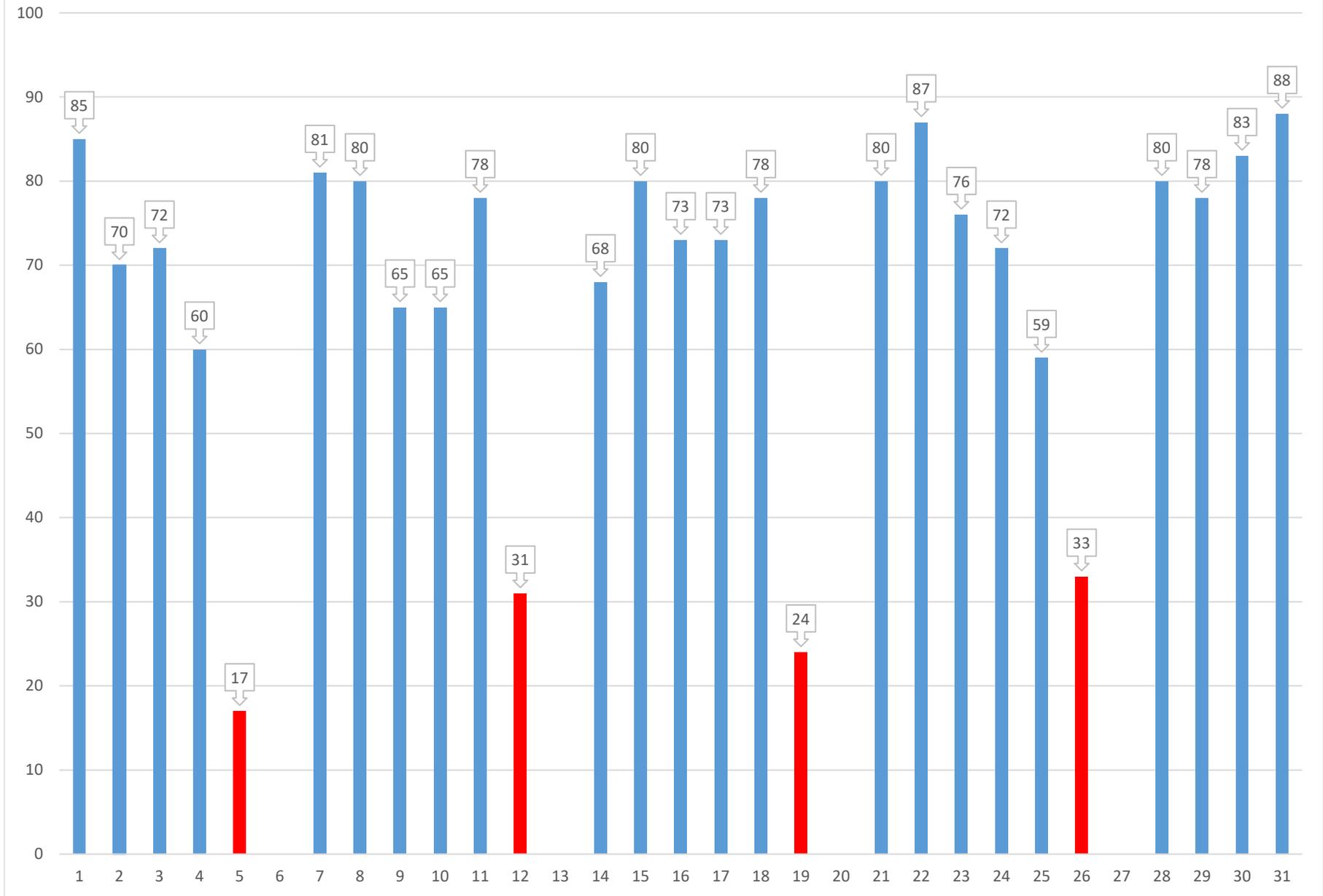
PC ROUTE	*10/1-5	*10/7-12	*10/14-19	*10/21-26	*10/28-31
	304	400	396	407	329

MONTHLY TOTAL 1,836

Philomath Connection Bus Ridership Monthly Totals



Daily Philomath Connection Riders: October 2019



Audience Overview ✓

SAVE EXPORT SHARE INSIGHTS

Oct 1, 2019 - Oct 31, 2019

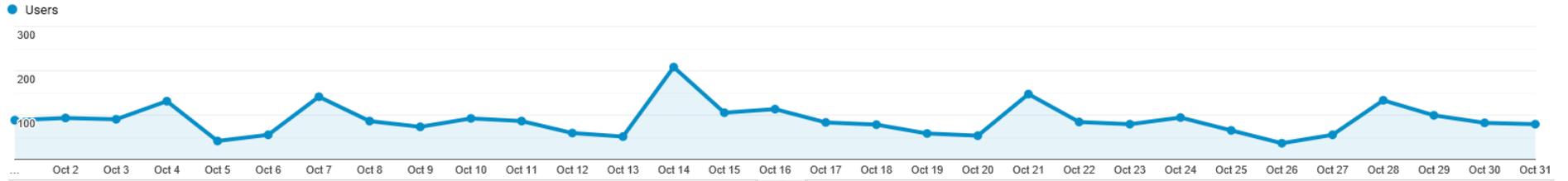
All Users
100.00% Users

+ Add Segment

Overview

Users vs. Select a metric

Hourly Day Week Month



Users 2,108	New Users 1,790	Sessions 3,416	Number of Sessions per User 1.62	Pageviews 8,968	Pages / Session 2.63
Avg. Session Duration 00:02:44	Bounce Rate 50.94%				



Data from Google Analytics

PHILOMATH PARK ADVSORY BOARD

Minutes

Thursday, October 10, 2019
City Hall, 980 Applegate St., Philomath OR
5:00 PM

1. ROLL CALL:

Present: Committee Chair: Dale Collins; Committee Secretary: Izzie Elliott; Committee Members: Carol Leach, Mal Miner, Lindy Young, Caleb Unema.
Community Guests: Robert Biscoe and Michael Sprouse.

2. APPROVAL OF MINUTES:

2.1 Minutes of August 8, 2019 – Minutes approved with one slight comment by Carol. She pointed out that the Music in the Park 2020 date of May 23 is a very early “Memorial Day”, and we should check with the schools to make sure this works for them to participate. Dale will check with school personnel.

3. BUSINESS:

3.1 Flossie Overman Discovery Park update – The rock is going in at the Flossie Overman Park. Dale says it is looking good. Lindy asked about planting shrubs and volunteered to help. Caleb said his wife would also volunteer, and he said he would check with OSU Garden Club regarding assistance with planting.

3.2 Park Master Plan update – Chris Workman is not present so we will held off on this report.

3.3 Skate park discussion – Izzie would like to explore the idea of raising funds to improve the skate park. She will wait for further discussion and ask Spencer what information he has gathered regarding the subject. Izzie did comment that she called the Mannis Family twice (to ask if they were still interested in leading this campaign) but no response.

3.4 Dog park discussion – Izzie would like to explore the idea of funding a dog park in honor of her sister Mary Elliott. She wanted to gather conversation from the group about the where and whys of dog parks in Philomath. Lindy commented that she has seen residents use the Mary River Park as a dog park. Caleb mentioned that he has noticed dog poops while Frisbee playing. Mal mentioned that he did remember that the door to door survey included a question and many people were interested in a dog park on the other side of the highway. More discussion about use and mis-use of dog parks here and elsewhere occurred with more discussion to resume after research is gathered.

3.5 Other business – Dale passed out information about a Fitness Feature at parks. Some questions came up about the Photo Contest and when winning photos will be hung up in the Board Room.

3.6 Questions/concerns from guests – Robert asked about Flossie Park and if plant stock was pre-determined. Yes, was the answer. Lindy offered to go to Shonnards to check on their stock. Comment that the Skirvin Memorial Park on 13th is looking good.

ADJOURNMENT

Minutes submitted by Izzie Elliott.



Oregon's 100-Year Water Vision

Preparing a Secure, Safe, and Resilient Water Future for All Oregonians

Vision

To address changes in climate and population dynamics, Oregon will steward its water resources to ensure clean and abundant water for our people, our economy and our environment, now and for future generations. Strategic investments will result in resilient natural and built water systems across the state to support safe and healthy communities, vibrant local economies and a healthy environment.

Premise

Many areas of Oregon are known for clean and reliable water. This is due to both favorable climate and the infrastructure we built in the 19th and 20th centuries to effectively move water from its source to where it is used.

As has been identified in Oregon's Integrated Water Resources Strategy, three forces combine to place significant stress on Oregon's water:

- 1) Climate change and associated increases in fire, drought and flooding,
- 2) A half century of underinvestment in built and natural water infrastructure, and
- 3) Our changing population and associated development – growing in some areas, shrinking in others.

These factors impact the quality and quantity of water for our communities, including water in our rivers, lakes, reservoirs and aquifers. Simply put, if we are not willing to roll up our sleeves and work together to invest in our natural and built water systems, we place the safety of our communities, the health of our people and environment, and Oregon's economic future at risk.

Goals

◆ Health

Secure, safe, accessible, and healthy water for current and future Oregonians.

◆ Economy

Adequate and clean ground and surface water to support economic vitality for all Oregonians.

◆ Environment

Adequate cool, clean water for native fish and wildlife to thrive, and healthy watersheds that can store and filter water naturally.

◆ Safety

Resilient water supply and flood protection systems that can face natural hazards like earthquakes, floods and drought.

Problem Statement

Oregon's water infrastructure has served us well, but is showing its age. We have underinvested in natural and built infrastructure to meet current challenges and have not adapted systems to meet the needs of a vibrant Oregon for the next 100 years.

- ✓ Without modern water supply systems and water conservation approaches that combine to provide reliable access to water, including in emergencies, Oregonians risk not having water available when it's needed for healthy people and communities, food production, tribal treaty rights, and a thriving economy.
- ✓ Without resilient built and natural infrastructure that provides cool and clean water across all Oregon watersheds, our people – and our fish and wildlife – are increasingly vulnerable to the health risks associated with lack of access to adequate, clean water.
- ✓ Without upgraded levees, dams, stormwater systems, tide gates and the natural protection of wetlands and estuaries, our communities will be less safe and at increased risk of damage and economic hardship from localized and catastrophic flooding.
- ✓ Without access to relevant water data for effective decision-making, cross-agency coordination, and intentional approaches to test new ideas, built and natural water systems will perennially fall short of providing for Oregon's in-stream and out-of-stream water needs, including tribal treaty obligations.
- ✓ Without strong capacity across all Oregon communities to plan for their water future, and effective ways to ensure strategic water investment decisions are coordinated across and between local, regional, state, tribal and federal agencies, communities will not be prepared to take advantage of large-scale water infrastructure funding opportunities or collaborative and innovative partnerships.
- ✓ Without coordinated built and natural water infrastructure investments, Oregonians - including Oregon's federally recognized tribes and those in disproportionately impacted and rural communities – may be unable to access adequate clean water and return it to our rivers for downstream users, fish, and wildlife.

Our Shared Water Future

Oregon's water future is already being shaped by climate and population changes. How we choose to steward our water resources now will determine if we pass a legacy of clean and abundant water to future generations of Oregonians so they can enjoy a vibrant economy and live in a quality environment. The investments we make now in natural and built water infrastructure will support a prosperous Oregon in the 21st century and beyond.

Sandy Heath
340 N 13th St.
Philomath OR 97370

November 25, 2019

Re: City Council and Updated 2040 Group

I would like to address the Council specifically.

On Oct. 20, 2019 I contacted Mr. Workman to express my interest in participating in the 2040 Comp Plan Advisory Group. I explained that this issue has been very important to me for more than a year and would be honored to help bring representation of the citizens in the community to the table.

I am a retired higher education professional with plenty of experience serving on committees and in groups.

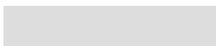
Mr. Workman made it clear that he feels that I would not be a good candidate because I have been a "member of a special interest group, GPS. Grow Philomath Sensibly." GPS is not a special interest group but a Political Action Committee group of citizens that feels strongly about educating and helping citizens to participate in their local government issues and their city's direction through Civics.

The individuals that Mr. Workman is recommending to you does not show that it would be a diverse group. I believe that all but (1) are business owners or business representatives. It's my understanding that many, even though they are Philomath business owners, do not reside within our city.

I would like to recommend that the Council request that the group be formed through an open process. Officials should show that Philomath is interested in what the entire community would like their town to look and feel like in 10-20 or 30 years. The livability of our town is not all about following the money, but listening to your population.

Thanks for listening

2040 Plan



Oct 20, 2019,
2:21 PM

sandra heath
<sandylynnheath@gmail.com>

to Chris, bcc: me, bcc: Ruth

Hello Chris,

I am reaching out to you in regards to the 2040 Comp Plan Advisory Group.

This is a very important issue for me and I would be honored to participate.

I feel that I can bring great representation of the citizens in the community to the table and would be honored to do so.

Thanks for your consideration,

Sandy Heath



Oct 21, 2019,

12:25 PM

Chris Workman

to me

Sandy,

I appreciate your interest. As I stated at the council meeting, the primary goal is to recruit objective community members that look at the city's future holistically. These committees don't function well when committee members come from special interest groups.

The committee's meetings will be open to the public and the city will be putting out a survey to gather information. I would encourage you to participate in in the process in those ways.

Thank you,

Chris

From: sandra heath [sandylynnheath@gmail.com]

Sent: Sunday, October 20, 2019 2:21 PM

To: Chris Workman

Subject: 2040 Plan

Hello Chris,

I am reaching out to you in regards to the 2040 Comp Plan Advisory Group.

This is a very important issue for me and I would be honored to participate.

I feel that I can bring great representation of the citizens in the community to the table and would be honored to do so.

Thanks for your consideration, Sandy Heath

Clarifications

Fri, Oct 11,
3:44 PM

sandra heath
<sandylynnheath@gmail.com>

to eric.niemann, Chris,
Joan.Swanson

Mayor Niemann and Chris Workman

- Today's *Gazette Times* printed an "As I See It" editorial submitted by *Grow Philomath Sensibly*.
- I wanted to clarify that I alone am not the author. The paper has made some changes to the original and printed only my name as the author and not the group as a whole. Thank you for understanding.
-
- Also, I see on the agenda for Monday night's meeting that there will be a formation of a 2040 Comprehensive Plan Advisory Group. I would be interested in hearing more about that.

Thank you again, have a good weekend

Sandy Heath



Wed, Oct 16,
2:12 PM

Chris Workman
<Chris.Workman@philomathoregon.gov>

to Eric, me

Sandy,

It's unfortunate that you were named as the author when you didn't write the letter. As you now know, there are a number of untrue statements, mischaracterizations, slanderous accusations, and false premises in the letter that show a lack of objectivity and credibility in Grow Philomath Sensibly. Hopefully that's something that can get cleaned up in order to establish a more favorable reputation in the community and with city officials.

Sincerely,

Chris Workman

Philomath City Manager

541-929-6148

"Never too busy to help."

Disclaimer: This e-mail message is a public record of the City of Philomath. The contents may be subject to public disclosure under Oregon Public Records Law and subject to the State of Oregon Records Retention Schedules. (OAR:166.200.0200-405)

Fri, Oct 25,
12:05 PM

sandra heath
<sandylynnheath@gmail.com>