



Oregon

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March 28, 2024

Chris Workman
City Manager
City of Philomath



RE: DLCD Comments on the City of Philomath Climate-Friendly Area Study

Dear Mr. Workman,

Thank you for submitting your climate-friendly area (CFA) study in compliance with Oregon Administrative Rule (OAR) 660-012-0315(4) and (5). The department published the study on our website for public comment on January 29, 2024. We received no public comments on it. This comment letter from DLCD should be considered during your next step in the CFA process, which is to determine which climate-friendly area or areas the city will designate and to adopt zoning and development standards, as needed, to implement the CFA requirements.

OAR 660-012-0315(4) lists the required elements of a CFA study, which include the following:

- a) Maps showing the location and size of all potential climate-friendly areas.
- b) Preliminary calculations of zoned residential building capacity. (not applicable)
- c) A community engagement plan for the designation of climate-friendly areas.
- d) Analysis of how each potential climate-friendly area complies, or may be brought into compliance, with the requirements of OAR 660-012-0310(2).
- e) A preliminary evaluation of existing development standards within potential climate-friendly areas and changes to the standards necessary to comply with CFA requirements.
- f) Plans for achieving fair and equitable housing outcomes in climate-friendly areas, including analysis of whether zone changes for CFAs might displace residents who are members of state and federal protected classes.

Your submitted materials meet the requirements in OAR 660-012-0315(4). We appreciate the work you have done thus far and your timely submittal!

The following comments are intended to inform your community's next step, which is to select a promising site of 25 acres or larger and adopt appropriate CFA zoning standards for the area, to the extent that such standards are not addressed under the current zoning of the site. The requirements and findings for this step of the process may be found in OAR 660-012-0315(6). Related to that process, we are happy to support work on urban design code, climate-friendly area zoning, multimodal transportation gap summary, and parking reform and management work for Philomath.

Here is some of the preliminary data we have gleaned from your study and other sources:

2023 Population Estimate (PSU):	5,823	Requirement for Cities with a population between 5,001 and 10,000: Designate at least one climate-friendly area of at least 25 acres.
Methodology:	Prescriptive (0320(8))	
Primary CFA Requirements:	15 DU/acre 50 foot allowed bldg. height	

We're very pleased to see that the designation of a climate-friendly area aligns well with Philomath's 2020 Main Street Plan, as well as the Downtown Safety and Streetscape Project. As noted in the study, these projects will improve access and safety, and will enhance and revitalize the people-friendly and pedestrian-oriented downtown area in Philomath.

The urgency of climate change prompts us to do what we can to reduce climate pollution. Facilitating mixed-use development has been shown to significantly reduce the length and number of vehicle trips needed for residents, workers, and visitors to meet their daily needs. Additionally, well-planned mixed-use neighborhoods allow for healthier lifestyles, less expensive infrastructure costs over time, and promote local businesses, services, and community vibrancy. We are excited to help to expand these opportunities in Philomath.

Your study shows several CFA options are under consideration, all centered around Philomath's downtown area. The rules are fairly flexible regarding CFA location, but we note that a couple of potential configurations (Sites B and C from Public Meeting #2) do not appear to meet the minimum 750-foot dimensional requirement because they are narrower than 750 feet. Those areas should either be expanded in width or removed from consideration.

Thank you for including analysis of the potential for displacement of underserved populations using neighborhood typologies and the methodology provided in the Portland State University Anti-Displacement Toolkit. Although your analysis finds none of the neighborhoods in Philomath correspond with neighborhood typologies that suggest there is a displacement risk, this large-scale toolkit is intended as a supplement to local knowledge, which may be quite a bit more detailed than the U.S. Census data used in the toolkit. Consequently, if you determine that CFA designation may have the potential to displace members of underserved populations in your community, you should adopt measures to mitigate such displacement concurrent with adopting zoning amendments (OAR 660-012-0315(6)(d)). You can find a thorough list of potential measures on the "List of Tools, Actions, and Policies" maintained as part of the department's housing production strategy program at the following link:

[Full Cover Letter and HPS List with links.pdf \(oregon.gov\)](#)

We note that your study mentions that Philomath Fire Department staff have expressed concerns about allowing construction taller than 40 feet, due to a lack of equipment able to fight fires at that height. We would be concerned if the City were to adopt a height limit in your development code if development proposals to that limit would be rejected. Unbuildable "paper capacity" is not in line with the intent of the climate-friendly area requirements.

To this point, recent amendments to Rule 0320 allow cities to designate CFAs with lower height allowances. Specifically, OAR 660-012-0320(9) now allows an alternative approach for cities with a population of 5,001 to 10,000 to designate a CFA with either a minimum residential density of 15 units per acre or a minimum floor area ratio of 1.0, if the development code allows for a zoned building capacity of at least 60,000 square feet per net acre. Depending upon setbacks and other requirements in your development code, it may be possible to meet these standards with building heights of 40 feet or less. Demonstrating that an existing zone provides adequate zoned capacity for development per the amended rule can be as simple as providing examples of recent development under the current zoning standards that have met or surpassed the 60,000 square feet per net acre threshold. We would be happy to discuss the alternative standards with you if you are interested in pursuing that approach.

Thanks again for your submitted study. We appreciate the good work you have done and look forward to supporting the CFA designation process yet to come. Please feel free to contact me, at (503) 602-0238, or at kevin.young@dlcd.oregon.gov if you have any questions or need further assistance.

Sincerely,

Kevin Young

Kevin Young, DLCD Senior Urban Planner

Cc: Brenda Ortigoza Bateman, DLCD Director
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