



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



## NOTICE OF ADOPTED AMENDMENT

04/21/2009

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

**FROM:** Larry French, Plan Amendment Program Specialist

**SUBJECT:** City of Lake Oswego Plan Amendment  
DLCD File Number 002-08

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

**DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL:** Monday, May 04, 2009

This amendment was submitted to DLCD for review prior to adoption. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

**Cc:** Sarah Selden, City of Lake Oswego  
Gloria Gardiner, DLCD Urban Planning Specialist

Cliff Voliva, DLCD Communications Officer  
Cliff Voliva, DLCD Communications Officer

<paa> YA

APR 14 2009

DEPT OF

**NOTICE OF ADOPTION**  
**Must be filed within 5 Working Days**  
**See OAR 660-18-040**

**Jurisdiction** City of Lake Oswego **Local File No.** LU 08-0031 (Ord. 2512)  
**Date Mailed** 04/13/09 **Date of Approval** 04/07/09  
**Date Proposal was Provided to DLCD** 04/24/08

**Type of Adopted Action (Check all that apply)**

**Comprehensive Plan Amendment**       **Land Use Regulation Amendment**       **New Land Use Regulation**

**Please complete (A) for text amendments and (B) for map amendments**

**A. Summary of Adopted Action** (A brief description is adequate. Please avoid highly technical terms and zone code abbreviations. Please do not write "see attached"):

The City Council approved Ordinance 2512, an ordinance of the City of Lake Oswego amending the Lake Oswego Citizen Involvement Guidelines. Updates include new guidelines for neighborhood association boundary amendments, amendments to the procedure to remove neighborhood association recognition, and clarification on the City's annual meeting to review the citizen involvement program.

**Describe how the Adopted Amendment Differs from the Proposal** (If it is the same, write "Same". If it was not proposed, write "N/A".):

Same

**B. If the Action Amends the Plan or Zone Map, Provide the Following Information for Each Area Which was Changed** (Provide a separate sheet for each area. Multiple sheets can be submitted as a single adoption action. Please include street address whenever possible. Do not use tax lot number alone.):

<b>Previous Plan Designation:</b>	<b>New Plan Designation:</b>
<u>N/A</u>	<u>N/A</u>
<b>Previous Zone:</b>	<b>New Zone:</b>
<u>N/A</u>	<u>N/A</u>

**Location:** citywide

**Acreage involved:**

**Does this change include a Goal exception?**       **Yes**     **No**

**For Residential Changes, Please Indicate the Change in Allowed Density in Units Per Net Acre**

<b>Previous Density</b>	<b>New Density</b>
<u>N/A</u>	<u>N/A</u>

DLCD FILE No 002-08(16865)[15478]

**If Notice of Proposal was not sent to DLCD 45 Days Prior to the Final Hearing Please Indicate Why:**

\_\_\_\_\_ **Statewide Planning Goals are Inapplicable**  
\_\_\_\_\_ **Emergency Circumstances Required Expedited Review**

**List Statewide Goals Which May Apply:**

Goal 1

**List any State or Federal Agencies, Local Government or Local Special Service Districts Which May be Interested in or Impacted by the Adoption:**

N/A

**Direct Questions and Comments to:**

Sarah Selden, Neighborhood Planner  
City of Lake Oswego  
P. O. Box 369  
Lake Oswego, OR 97034  
(Phone) 503-697-6524

**Send To:** Department of Land Conservation and Development  
635 Capitol St. NE, Suite 150  
Salem, OR 97301-2540

**Attach one (1) copy of the Adopted Action to this form and/or three (3) copies of Bound Materials and Maps larger than 8-1/2 by 11 inches.**

**Note:** If more copies of this form are needed, please contact the DLCD office at 503-373-0050, or this form may be duplicated on green paper. Failure to provide notice of an adopted plan or land use regulation amendment results in an extension of the appeal period. Appeals may be filed within 21 days of the date the proposal is mailed to DLCD. Statutes require mailing within 5 days of the action becoming final (See OAR 660-18-040).

**\*\*\*FOR DLCD OFFICE USE\*\*\***

**DLCD File Number** \_\_\_\_\_

ORDINANCE No. 2512

AN ORDINANCE OF THE LAKE OSWEGO CITY COUNCIL AMENDING THE CITIZEN INVOLVEMENT GUIDELINES FOR LAKE OSWEGO, AND ADOPTING FINDINGS LU 08-0031-1700

WHEREAS, a notice of public hearing for consideration of this Ordinance was duly given in the manner required by law; and

WHEREAS, Statewide Planning Goal 1, Citizen Involvement, and Lake Oswego Comprehensive Plan Goal 1, Citizen Involvement, require the City to establish a Citizen Involvement Program; and

WHEREAS, the City has adopted Citizen Involvement Guidelines in order to establish an effective and responsible program for citizen involvement in the land use planning process in Lake Oswego; and

WHEREAS, as required by Statewide Planning Goal 1 and Lake Oswego Comprehensive Plan Goal 1, the City has also established a Commission for Citizen Involvement to assist with developing and maintaining the Citizen Involvement Program; and

WHEREAS, a public hearing was held before the Planning Commission (which also serves as the Commission for Citizen Involvement) on September 22, 2008 to review proposed changes to the Citizen Involvement Guidelines; and

WHEREAS on March 3, 2009, the Lake Oswego City Council held a public hearing and reviewed the Planning Commission's recommended amendments to the Citizen Involvement Guidelines;

Now, therefore, the City of Lake Oswego ordains as follows:

Section 1. The City Council hereby adopts the Findings and Conclusions attached as Exhibit A (LU 08-0031-1700).

Section 2. The Citizen Involvement Guidelines for Lake Oswego are hereby amended as follows:

The PROCEDURES AND METHODS section of the Guidelines is amended by making changes to subsection C.4, and by adding subsection C.5., as follows (new text shown with **bold, underlined type**, deleted text shown with ~~strikeout type~~):

- “4. Procedure to Remove Recognition: It is in the best interest of the community and city government for neighborhood associations to remain active. **The City recognizes, however, that neighborhood associations may become more or less active depending on issues facing the neighborhood at a particular time. Neighborhoods will be allowed some flexibility to remain less involved when their attention is not needed on neighborhood issues. If a neighborhood association has not been organized and actively involved in solving current problems for**

three years, the City will notify all members of the association to encourage reactivation of their association and offer assistance in complying with the Citizen Involvement Guidelines.

The City Council can, however, consider removing a neighborhood association's recognized status upon CCI's recommendation if any of the following occur.

- a. Failure to adhere to the association by-laws or the Citizen Involvement Guidelines.
- b. ~~, or failure of the officers~~ Failure of the association's officers to keep the members of the neighborhood association informed of City actions, plans, or policies affecting them.

~~The Council may terminate an association's recognition by notifying the association in writing of its intention and reasons for doing so and providing the association~~ Should the neighborhood association fail to pursue these strategies and comply with the Neighborhood Association Criteria, the City will provide written notice of the intent to remove recognition to all members of the association. The notice shall set forth the City's reasons for removing the neighborhood association's recognized status. The association is entitled to an opportunity to appear before the Commission for Citizen Involvement and show cause for its continuance continued recognition. The City Council may complete termination of the association's recognition by written notice.

5. Neighborhood Boundary Amendments: Neighborhood association boundaries shall be reviewed by the Commission for Citizen Involvement during Periodic Review of the City's Comprehensive Plan and on an as-needed basis.

Neighborhood associations or citizens may propose neighborhood boundary amendments to the Commission for Citizen Involvement at any meeting of the Commission. Proposals for boundary amendments must explain the reason for the desired amendment, should demonstrate that the request is not based on a narrow issue, and demonstrate that a boundary amendment is the best way to resolve the problem when compared to alternative approaches. The group requesting the amendment must also demonstrate how many members of the affected association/s or area/s support the proposed change. The Commission may ask the neighborhood to explore alternative approaches to resolve the issue, such as association bylaw changes or new communication strategies. If the Commission recommends amending the neighborhood boundary after these

alternatives are explored, its recommendation will be considered by the City Council for a final decision.”

Section E of the PROCEDURES AND METHODS section of the Guidelines is amended as follows (new text in **bold, underlined type**):

“E. Evaluation of Continuing Citizen Participation

The Commission for Citizen Involvement shall hold at least one meeting annually to evaluate the citizen involvement program. Notice of the meeting shall be given to all neighborhood associations and other organizations and groups with an interest in citizen involvement of the opportunity to be heard. The notice and agenda shall clearly state that those wanting to testify can raise for consideration by the CCI any issue not on the agenda which relates to citizen involvement.

In addition to meetings to meet continuing responsibilities, the CCI will meet annually with City Council to evaluate these Citizen Involvement Guidelines. The CCI will then prepare drafts of any proposed changes for presentation to Council for approval.”

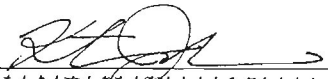
Enacted at the regular meeting of the City Council of the City of Lake Oswego held on the 7th day of April, 2009.

AYES: Hennagin, Johnson, Moncrieff, Tierney

NOES: None

ABSTAIN: None

EXCUSED: Mayor Hoffman, Jordan, Olson

  
\_\_\_\_\_  
Jack D. Hoffman, Mayor Kristin Johnson  
Presiding Officer

Dated: 4/9/09

ATTEST:

  
\_\_\_\_\_  
Robyn Christie, City Recorder

APPROVED AS TO FORM

  
\_\_\_\_\_  
David Powell, City Attorney

Ordinance No. 2512

Page 3 of 3

BEFORE THE CITY COUNCIL  
OF THE CITY OF LAKE OSWEGO

A REQUEST FOR A LEGISLATIVE TEXT ) LU 08-0031-1700  
AMENDMENT TO THE CITIZEN ) (*City of Lake Oswego*)  
INVOLVEMENT GUIDELINES )  
[ORDINANCE No. 2512] ) FINDINGS AND CONCLUSIONS

**NATURE OF PROCEEDING**

This matter came before the City Council pursuant to a recommendation by the Lake Oswego Planning Commission to amend the text of the adopted Citizen Involvement Guidelines for Lake Oswego (CIG), for the purpose of clarifying and updating provisions relating to neighborhood boundary amendments, the procedure to remove neighborhood association recognition and the annual meeting to review the citizen involvement program.

**HEARINGS**

The Planning Commission held a public hearing and considered this application at its meetings of June 9, 2008 and September 22, 2008. The City Council held a public hearing and considered the Planning Commission's recommendation at its meeting of March 3, 2009.

**CRITERIA AND STANDARDS**

**A. City of Lake Oswego Community Development Code**

LOC 50.75.005	Legislative Decision Defined
LOC 50.75.010	Criteria for Legislative Decision
LOC 50.75.015	Required Notice to DLCD
LOC 50.75.020	Planning Commission Recommendation Required
LOC 50.75.025	City Council Review and Decision
LOC 50.75.030	Effective Date of Legislative Decision

FINDINGS AND CONCLUSIONS (LU 08-0031-1700)

1 – [City of Lake Oswego, LU 08-0031-1684]

**EXHIBIT A**

**B. Statewide Planning Goals or Administrative Regulations**

Statewide Planning Goal 1, Citizen Involvement  
(City Comprehensive Plan, Goal 1 – Citizen Involvement, Policies 1, 2, 3, 5 and 6)

Statewide Planning Goal 2, Land Use Planning  
(City Comprehensive Plan, Goal 2 – Land Use Planning, Section 1, Land Use Policies and Regulations, Policy 23)

**FINDINGS AND REASONS**

The City Council incorporates the staff Council Report, dated February 17, 2009 for LU 08-0031 (with all exhibits) and the May 23, 2008 Staff Report (with all exhibits) and supplemental reports, as support for its decision, together with the minutes of the Planning Commission meeting of June 9, 2008 and September 22, 2008, the entire record of the proceedings before the Planning Commission and the entire record of the proceedings before the City Council. To the extent they are consistent with the approval granted herein, the City Council adopts by reference its oral deliberations in this matter.

**CONCLUSION**

The City Council concludes that LU 08-0031-1700 complies with all applicable criteria and is consistent with applicable Statewide Goals and Lake Oswego Comprehensive Plan Policies, and that the recommended changes should be incorporated into the Citizen Involvement Guidelines.





DEPT OF

APR 14 2009

LAND CONSERVATION  
AND DEVELOPMENT

## CITY OF LAKE OSWEGO NOTICE OF COUNCIL DECISION

**File Number:** LU 08-0031 (Ordinance 2512)

**Applicant:** City of Lake Oswego

**Location of Property:** Citywide

**Date of Decision:** April 7, 2009

**Description of Decision:**

The City Council approved Ordinance 2512, an ordinance of the City of Lake Oswego amending the Lake Oswego Citizen Involvement Guidelines. Updates include new guidelines for neighborhood association boundary amendments, amendments to the procedure to remove neighborhood association recognition, and clarification on the City's annual meeting to review the citizen involvement program.

**How to Obtain More Information:** The decision is available for review. A copy may be obtained at the following address:

Lake Oswego City Recorder's Office      503-675-3984  
Lake Oswego City Hall  
380 A Avenue, Third Floor  
P. O. Box 369  
Lake Oswego, OR 97034

**Right to Appeal:** This decision may be appealed by filing a written Notice of Intent to Appeal with the State of Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of the decision of April 7, 2009. For more information, contact LUBA at:

Land Use Board of Appeals      503-373-1265  
550 Capitol Street NE, Suite 235  
Salem, OR 97301-2552

neopost<sup>®</sup>  
04/13/2009  
US POSTAGE

FIRST-CLASS MAIL

\$01.00<sup>®</sup>



ZIF 97034  
041L11209172



City of Lake Oswego  
PO Box 369  
Lake Oswego, OR 97034

Dept of Land Conservation & Development  
635 Capitol St. NE, Suite 150  
Salem, OR 97301-2540