



Oregon

Theodore R. Kubongoski, 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

6/24/2010

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Salem Plan Amendment
DLCD File Number 021-09

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: Friday, July 09, 2010

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 Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Rachel Dixon, City of Salem
Gloria Gardiner, DLCD Urban Planning Specialist
Steve Oulman, DLCD Regional Representative
Cliff Voliva, DLCD Communications Officer
Cliff Voliva, DLCD Communications Officer

<paa> YA



FORM **2**

DLCD

Notice of Adoption

In person electronic mailed

D
A
T
E
S
T
A
M
P

DEPT OF

JUN 18 2010

**LAND CONSERVATION
AND DEVELOPMENT**

For Office Use Only

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Salem**

Local file number: **CA 09-11**

Date of Adoption: **5/24/2010**

Date Mailed: **6/18/2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 12/22/2009

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".
City-initiated amendments to the Salem Revised Code (SRC) Chapter 64.250 – 64.440 (Neighborhood Program and Neighborhood Plans) clarifying the advisory role of neighborhood associations, including additional recognized roles and responsibilities of neighborhood associations, revising the process for annual review of neighborhood association status, revising standards of recognition, clarifying purposes and procedures for development and use of neighborhood plans, refining code and addressing recurring issues.

Does the Adoption differ from proposal? Please select one

Yes. Pg 10, Section 15, SRC 64.320, sentence beginning on line 26 amended to read: "Only the goals and policy statements in a neighborhood plan and generalized land use map shall be considered for adoption as part of the Salem Area Comprehensive Plan."

Plan Map Changed from: **NA**

to:

Zone Map Changed from: **NA**

to:

Location: **NA**

Acres Involved:

Specify Density: Previous: **NA**

New:

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. _____

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

Local Contact: Rachel Dixon *RD*

Phone: (503) 588-6207 Extension: 7503

Address: 555 Liberty St SE, Room 305

Fax Number: 503-588-6005

City: Salem

Zip: 97301-

E-mail Address: rdixon@cityofsalem.net

1 **ENGROSSED**

ORDINANCE BILL NO. 2-10

2 AN ORDINANCE RELATING TO NEIGHBORHOODS, AMENDING SRC 64.250 and SRC
3 64.280; AMENDING AND RENUMBERING SRC 64.290, SRC 64.320, SRC 64.350, SRC
4 64.310, SRC 64.260, SRC 64.270, SRC 64.360, SRC 64.370, SRC 64.380, SRC 64.400, SRC
5 64.410, SRC 64.420, and SRC 64.430; REPEALING SRC 64.300, SRC 64.330, SRC 64.340,
6 SRC 64.390, and SRC 64.440 AND CREATING NEW PROVISIONS

7 *The City of Salem ordains as follows:*

8 **Section 1.** SRC 64.250 is amended to read as follows:

9 **64.250. Purpose of Neighborhood Association Program.** The purpose of the
10 Neighborhood Association Organization Program is: ~~(a)~~ to involve citizens in local
11 government planning and decision-making that as it affects the development of their
12 neighborhoods and the City as a whole; ~~It is the intent of this chapter to provide an~~
13 effective mechanism whereby the citizens of the city sharing common neighborhood identity,
14 goals, and concerns, may form neighborhood associations ~~organizations and undertake an~~
15 ~~become officially recognized as advisory~~ role for bodies to the Council and to all boards and
16 commissions engaged in community planning and development; and ~~(b)~~ to provide a
17 mechanism for citizens, through their neighborhood associations, ~~organization,~~ to provide
18 input to Council on livability and quality of life issues affecting their neighborhood and the
19 City as a whole.

20 **Section 2.** The following SRC 64.255 is added to SRC Chapter 64:

21 **64.255. Definitions.** As used in SRC 64.250-64.335, the following mean:

22 (a) City Manager means the City Manager or the department head charged by the City
23 Manager with the implementation and administration of SRC 64.250-64.335 or that
24 department head's designee.

25 (b) Designated neighborhood means the geographical area of the city encompassed by
26 the neighborhood association.

27 **Section 3.** SRC 64.290 is renumbered as SRC 64.260 and amended to read as follows:

28 **64.260, 64.290. Procedure for Initial Recognition of Neighborhood Association.**

29 (a) When interest has been expressed by a number of persons who are residents,
30 businesses owners, or property owners to form a neighborhood association, a request may

1 a request shall be made to the City Manager department of community services for city
2 staff assistance. ~~After informal meetings with City staff shall organize informal meetings~~
3 ~~with and interested residents, businesses, and property owners, and shall assist in~~
4 ~~determining the geographical area of the proposed neighborhood association, and provide~~
5 ~~background and information on the neighborhood program. If the residents determine~~
6 ~~that forming a neighborhood association is desirable, one or more neighborhood-wide~~
7 ~~meetings for the area identified for the proposed neighborhood association shall be held~~
8 ~~to increase awareness of the neighborhood program and to allow a formal request for~~
9 ~~recognition as an official neighborhood organization-association to be approved.~~

10 ~~(b) A~~ The request for recognition as an official neighborhood association shall will be
11 considered by the ~~planning commission and forwarded with its recommendation to the~~
12 City Council. If the group requesting recognition satisfies the requirements of SRC
13 64.280(a), the City Council shall adopt a resolution officially recognizing the
14 neighborhood association. The resolution shall include a description of the designated
15 neighborhood. Once the neighborhood association group has been recognized, by
16 council resolution, the council and planning commission will look to the neighborhood
17 association will serve as the official citizen organization for the designated neighborhood.
18 ~~That area of the City.~~

19 **Section 4.** SRC 64.320 is renumbered as SRC 64.265 and amended to read as follows:

20 **64.265.64.320. Notice of Initial Recognition.** ~~Upon formal~~ As soon as practical after
21 recognition by the City Council, the City Manager ~~mayer~~ shall send ~~cause~~ a letter to be sent
22 ~~in his or her name to all property owners, residents, and businesses to known property~~
23 addresses identified within the designated neighborhood identified in the resolution
24 recognizing the neighborhood association. The ~~mayer's~~ letter shall include: ~~the following:~~

25 (a) A statement encouraging all property owners, residents, and businesses within the
26 newly recognized neighborhood association to participate in meetings, preparation of
27 neighborhood plans, and other activities leading to proposals and recommendations to the
28 City government.

29 (b) A map ~~description~~ of the neighborhood boundaries.

30 (c) The names, addresses, and telephone numbers and contact information of all officers

1 of the neighborhood association, organization.

2 ~~(d) A list of all standing committees and a description of each.~~

3 ~~(de) The names and contact information for the City staff of persons and departments~~
4 ~~within city government who will be serving as the primary contacts with the~~
5 ~~neighborhood association, organization.~~

6 **Section 5.** SRC 64.350 is renumbered as SRC 64.270 and amended to read as follows:

7 **64.270.64.350. Incorporation of Newly Annexed Areas-Territory into Neighborhood**

8 **Associations.** Whenever territory an area that is not within the boundaries of an existing
9 neighborhood organization is annexed to the City, and the area is contiguous to a designated
10 neighborhood, that neighborhood association may submit a request to the City Council for
11 the planning commission shall, within 30 days of the effective date of the annexation, solicit
12 the input of affected neighborhood associations and recommend to the council one of the
13 following alternatives:

14 (a) That the territory area be added to the geographical area territory of the an existing
15 neighborhood associationorganization;

16 (b) That the territory area be considered for recognition recognized as the nucleus of a
17 new neighborhood association organization and its residents be citizens encouraged
18 immediately to seek recognition; as a new neighborhood organization; or

19 (c) That the area be recognized considered for recognition as the nucleus of a new
20 neighborhood association, organization, but because it is yet undeveloped, or is of too
21 small, a size, it that the territory should be temporarily represented by another
22 neighborhood association, organization, in which case such an event the neighborhood
23 association making the request temporary representative organization shall function as
24 the neighborhood association for the territory, provided, however that such neighborhood
25 association in all respects as though the area were within its boundaries except that it
26 shall not develop any neighborhood plan for the territory. Newly annexed area.

27 **Section 6.** SRC 64.310 is renumbered as SRC 64.275 and amended to read as follows:

28 **64.275.64.310. Procedures for Annual Review of Neighborhood Association Status.**
29 **Annual Review of Neighborhood Organization Status.**

30 (a) Within ~~60~~sixty days following the an annual general meeting for electing board

1 members, a ~~the neighborhood association shall~~ organization will provide the City
2 Manager Salem Planning Commission with evidence of compliance with the standards
3 set forth in SRC 64.280(b).

4 (b) The report will be reviewed by the City Manager. The City Manager may request
5 such additional information or documentation that the City Manager deems necessary to
6 establish compliance with the standards set forth in SRC 64.280(b). ~~Planning~~
7 ~~commission and city council.~~ If, after review, the City Manger finds that the
8 neighborhood association has established compliance with the standards set forth in SRC
9 64.280(b), then the City Manager shall send a notice to the neighborhood association,
10 indicating continued recognition of the neighborhood association. If, after review, the
11 City Manager finds that the neighborhood association has failed to establish compliance
12 the report establishes indicates noncompliance with the standards set forth in SRC
13 64.280(b), the City Manager shall send a notice of non-compliance to the neighborhood
14 association organization will be asked to take identifying the deficiencies, and the
15 corrective action which would be necessary.

16 (c) Upon receipt of a notice of non-compliance, the neighborhood association shall,
17 within sixty days of the notice, notify the City Manager of the date the corrective action
18 will be completed, or provide the City Manager with an action plan to correct the
19 deficiencies. If the corrective action will take more than three months to complete, then
20 the neighborhood association shall provide an action plan, which shall include a timeline
21 for completion. If corrective action is found necessary by the city council and such
22 action not completed within the date specified by the neighborhood association, or no
23 action plan is provided to the City Manager not taken within 60sixty days following the
24 notice council notifying the neighborhood organization of noncompliance, or timelines in
25 the corrective action plan are not met, recognition of the neighborhood association
26 organization will shall be suspended.

27 (d) A neighborhood association which has had recognition suspended pursuant to
28 subsection (c) of this section may request reinstatement by filing a request with the City
29 Manager, in writing, not later than one year from the date the notice of non-compliance
30 was provided to the neighborhood association. The request shall include documentation

1 demonstrating that the neighborhood association satisfies all criteria set forth in SRC
2 64.280(a) and that it is capable of satisfying all the criteria set forth in SRC 64.280(b). If
3 the City Manager finds that the neighborhood association's request satisfies all criteria set
4 forth in SRC 64.280(a) and that it is capable of satisfying all the criteria set forth in SRC
5 64.280(b), the City Manager shall issue a notice of reinstatement. Recognition of a
6 neighborhood association shall be terminated by resolution of the City Council if the
7 neighborhood association fails to timely request reinstatement as provided in subsection
8 (c) of this section, or fails to demonstrate satisfaction of all criteria set forth in SRC
9 64.280(a) and capability of satisfying all the criteria set forth in SRC 64.280(b) in its
10 request for reinstatement.

11 **Section 7.** SRC 64.280 is amended to read as follows:

12 **64.280. Standards for Recognition ~~Of Neighborhood Organizations.~~**

13 (a) A neighborhood association, in order to obtain initial recognition, organization shall
14 meet and continue to maintain ~~meet~~ conformity with the following minimum standards;
15 for official recognition:

16 (1a) That one or more well-publicized general neighborhood meetings have been
17 held for the purpose of information and approval of boundaries, organizational
18 objectives, and bylaws.

19 (2b) That bylaws provide for the following:

20 (A1) A decision-making process for the ~~organization~~ association.

21 (B2) Minutes of all official board and general meetings to be taken and filed with
22 the ~~department of community services~~ City Manager.

23 (C3) Participation open to any resident, property owner, or business in the
24 neighborhood.

25 (3e) That the ~~organization's~~ association's structure is capable of providing necessary
26 communication between the neighborhood residents and elected and appointed City
27 officials.

28 (4d) That the neighborhood ~~organization~~ association has an awareness of its duties
29 and responsibilities with respect to the neighborhood ~~association~~ organization
30 program.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

~~(5e)~~ That the contiguous geographical boundaries of the neighborhood ~~organization~~ association should be the centerlines, when an arterial street is used as a boundary, or at some other clearly defined and relatively permanent natural or man-made feature.

~~(6f)~~ That the territory of the neighborhood is logical, represents a community of interest and identity as a neighborhood, and supports the City's intent that all areas within the city be represented by a neighborhood ~~organization-association~~ and that no area be represented by more than one neighborhood ~~organization-association~~.

(7) Notices of organizational meetings prior to official recognition of the neighborhood association have been distributed to known property owners, residents, and businesses in the proposed designated neighborhood.

~~(g) That the neighborhood organization has met with city staff and formally requested recognition by the planning commission and council.~~

(b) A neighborhood association shall, in order to maintain official recognition, meet the following standards:

(1) The neighborhood association has held an annual well-publicized general neighborhood meeting for the election of board members.

(2) The neighborhood association has made reasonable efforts to notify all residents, property owners, and businesses in the geographical area encompassed by the neighborhood association of board and general meetings, studies, and other activities of the neighborhood association.

(3) The bylaws of the neighborhood association have not been amended to eliminate the requirements of subsection (a)(2) of this section.

(4) Minutes of all official board and general meetings of the neighborhood association have been taken and filed with the City Manager.

(5) The neighborhood association has established one or more civic involvement goals.

(6) If the neighborhood association is organized as a non-profit corporation, that it has maintained its filings with the Oregon Secretary of State, and has maintained its status in good standing.

//////

1 **Section 8.** The following SRC 64.285 is hereby added to SRC Chapter 64:

2 **64.285. Effect of Recognition.** Officially recognized neighborhood associations are not
3 branches of city government but independent organizations, and shall not be deemed public
4 bodies under Oregon law. Any assistance provided to a neighborhood association pursuant
5 to SRC 64.295 shall be deemed a grant, and not payment for services.

6 **Section 9.** SRC 64.260 is renumbered as SRC 64.290 and amended to read as follows:

7 **64.290.64.260. Neighborhood Association Organization Responsibilities.**

8 ~~Responsibilities of~~ An officially recognized neighborhood association should: ~~organization~~
9 ~~include:~~

10 (a) ~~Develop~~ Development of an organization which will maintain itself and further the
11 intent and purpose set forth in SRC 64.250.

12 (b) Establish one or more annual civic involvement goals.

13 (c) Provide a neighborhood-based problem solving process, that will facilitate citizen-
14 based problem solving on issues identified by citizens in the designated neighborhood
15 and provide referrals for resources to assist in the problem solving process.

16 (d) Engage in community-building by developing neighborhood cohesion and by
17 organizing neighborhood citizen involvement activities.

18 (e) Partner with the City to educate and involve citizens in local government decision
19 making.

20 (f) Act as an advisor to the City in legislative land use matters and general quality of life
21 issues affecting the neighborhood.

22 (g) ~~Represent~~ Representation of neighborhood opinion and concerns before public
23 bodies and agencies.

24 (h) Identify ~~Identification of~~ neighborhood resources.

25 (i) Gather ~~Gathering of~~ general data concerning the neighborhood as needed in order to
26 fulfill the responsibilities of the neighborhood association.

27 (j) Identify ~~Identification of~~ neighborhood problems and needs.

28 (k) Hold ~~Holding of~~ neighborhood meetings to disseminate information and determine
29 opinions of area residents, businesses, and property owners.

30 (l) Develop ~~Development of~~ recommendations to appropriate governmental agencies.

- 1 ~~(mh)~~ Prepare Preparation of a neighborhood plan as City staff and funding are available.
2 ~~(ni)~~ Assist Assistance in implementing the adopted neighborhood plan.
3 ~~(oj)~~ Consider Consideration of involvement in community service activities that could
4 benefit the neighborhood or the city in general.
5 ~~(pk)~~ Coordinate Coordination with watershed councils whose boundaries overlap the
6 neighborhood association's organization's boundaries.

7 **Section 10.** SRC 64.270 is renumbered as SRC 64.295 and amended to read as follows:

8 **64.295.64.270. City Support of Neighborhood Associations: Advisory Role to City. City**
9 **Responsibilities.** ~~Once~~ A recognized neighborhood association will, ~~organization is~~
10 ~~officially recognized,~~ it shall be accorded the following services and consideration by the
11 city, subject to availability of resources, as determined by the City Manager, receive the
12 following from the City:

- 13 (a) ~~A City representative to act as liaison staff, who will~~ with other city departments and
14 ~~agencies; to conduct research, and provide information, ; and to assist the neighborhood~~
15 association in organizational development and maintenance and implementation of the
16 neighborhood associations' projects.
17 (b) Mailing, printing, clerical, and graphic services to assist the neighborhood
18 ~~organization~~ association.
19 (c) Grants of financial assistance for communication to members and outreach to the
20 geographic area encompassed by the neighborhood association.
21 (d) ~~Assistance of in the preparation and neighborhood planning team in order to prepare~~
22 ~~and update of a neighborhood plans.~~
23 (e) ~~Timely notice to the neighborhood organization of any proposals affecting the~~
24 geographic area encompassed by the neighborhood association that are to come before
25 advisory boards and City Council.
26 (f) Solicitation of ~~the a~~ neighborhood association's organization's position and
27 reasoning on any issue especially affecting the geographic area encompassed by the that
28 neighborhood association.

29 /////

30 /////

1 **Section 11.** SRC 64.360 is renumbered as SRC 64.300 and amended to read as follows:

2 **64.300,64.360. Neighborhood Plans; Generally.**

3 (a) A neighborhood plan is a written plan embodying citizen desires on encompassing a
4 broad range of concerns and including in a designated ~~the entire neighborhood area.~~ The
5 purpose of a neighborhood plan is to provide more detailed goals and policies for the
6 designated neighborhood as a refinement of and in a manner consistent with the Salem
7 Area Comprehensive Plan. ~~It shall be considered as applying to a shorter time frame than~~
8 ~~the comprehensive plan.~~

9 (b) The neighborhood plan shall be the basis for any neighborhood association's
10 recommendation to any city board, commission, or agency. The city board, commission
11 or agency shall consider the neighborhood plan in making any decision or
12 recommendation which would affect the designated neighborhood. The City Council
13 may consider the neighborhood plan before making any final decision as to the
14 acquisition, construction, or improvement of public facilities in the designated
15 neighborhood.

16 **Section 12.** The following SRC 64.305 is added to SRC Chapter 64:

17 **64.305. Development of a Neighborhood Plan.** The development of a neighborhood plan
18 for a designated neighborhood may be initiated by a recognized neighborhood association, or
19 by the Planning Administrator, after obtaining concurrence from the recognized
20 neighborhood association. The Planning Administrator may initiate the development of a
21 neighborhood plan for any area of the city for which there is no neighborhood association, if
22 authorized by the City Council.

23 **Section 13.** SRC 64.370 is renumbered as SRC 64.310 and amended to read as follows:

24 **64.310,64.370. Scope of Neighborhood Plan.**

25 (a) A neighborhood plan shall ~~should~~ address each of the following elements:

- 26 (1) Land use;
27 (2) Transportation;
28 (3) Public facilities and services;
29 (4) Housing; and
30 (5) Parks, recreation, and open spaces.

1 (b) ~~In addition, the A~~ neighborhood plan may address other subjects of particular
2 concern to the neighborhood, such as:

3 (1) Economic development; activity

4 (2) Social services;

5 (3) Environmental quality; and

6 (4) Urban design.

7 (c) ~~The A~~ neighborhood plan should include the following:

8 (1) Goals and policy statements;

9 (2) Generalized land use map;

10 (3) Such Maps and diagrams as may that assist in showing the application of goal
11 and policy statements in the plan; and

12 (4) Recommendations as to any element addressed in the neighborhood plan.

13 **Section 14.** SRC 64.380 is renumbered as SRC 64.315 and amended to read as follows:

14 **64.315.64.380. Time Frame and Phasing.**

15 (a) Neighborhood plans, ~~particularly maps and detailed land use statements therein,~~
16 ~~should be reviewed biennially and~~ should focus on a time span of at least ~~five to ten~~
17 years.

18 (b) Within the time span of the neighborhood plan, the timing or phasing of specific
19 applications of policies may depend upon the happening of future events, or may depend
20 upon predicted growth over a particular time period. The neighborhood plan should
21 specify the preconditions or timing of such policies and their application.

22 (c) Neighborhood plans should be reviewed periodically.

23 **Section 15.** SRC 64.400 is renumbered as SRC 64.320 and amended to read as follows:

24 **64.320.64.400. Elements of Neighborhood Plan Which May Be Adopted as Part of the**
25 **Salem Area Comprehensive Plan.**

26 (a) Only the goals and policy statements in a of the neighborhood plan, and any
27 generalized land use map, projecting those goals and policies, shall be considered for
28 adoption; as part of the Salem Area Comprehensive Plan. The goals, policies and
29 generalized land use map that are adopted shall be consistent with the Salem Area
30 Comprehensive Plan and the statewide planning goals. Specific recommendations as to

1 land use zoning or public improvements shall not be adopted, but ~~may~~ should be
2 considered in making legislative land use decisions affecting the designated
3 neighborhood and acted upon separately.

4 (b) In the event of any conflict between an adopted neighborhood plan and the Statewide
5 Planning Goals, the Salem Area Comprehensive Plan, or the Salem Revised Code, the
6 Statewide Planning Goals, the Salem Area Comprehensive Plan, or the Salem Revised
7 Code shall control.

8 **Section 16.** SRC 64.410 is renumbered as SRC 64.325 and amended to read as follows:

9 **64.325.64.410. Process for Development Initiation of Neighborhood Plans.**

10 (a) Property owners, residents, and businesses within the designated neighborhood shall
11 be afforded maximum opportunity for involvement in all phases of the preparation of a
12 neighborhood plan. Notification of all general neighborhood and board meetings where
13 the proposed neighborhood plan will be discussed, and notification of the process by
14 which the neighborhood plan is being prepared shall be given by the neighborhood
15 association, as provided in SRC ~~64.330 and 64.340.~~

16 (b) Proposed neighborhood plans must be presented at a minimum of two informational
17 ~~neighborhood public~~ meetings ~~in the designated neighborhood.~~ In addition to these
18 public meetings, the neighborhood association ~~organization is encouraged to should~~ use
19 other means ~~of contacting citizens to obtain their input and review of the neighborhood~~
20 ~~plan. A specific effort should be made by neighborhood organizations to obtain the~~
21 ~~opinions of from~~ property owners, residents, and businesses who would be directly
22 affected by the proposed neighborhood plan.

23 (c) The final draft neighborhood plan shall be adopted by resolution of the neighborhood
24 association's ~~organization's~~ governing board and affirmed by vote of the membership at a
25 general or annual ~~neighborhood~~ meeting.

26 (d) The process for ~~official~~ adoption of the neighborhood plan by the City is deemed
27 initiated upon a filing of the ~~that~~ resolution and a copy of the final draft neighborhood
28 plan with the Planning Administrator, ~~secretary of the planning commission.~~

29 /////

30 /////

1 **Section 17.** SRC 64.420 is renumbered as SRC 64.330 and amended to read as follows:

2 **64.330.64.420. Planning Commission Action on Neighborhood Plans.**

3 (a) ~~Prior to holding public hearing as provided in SRC 64.080, The Planning~~
4 ~~Commission and official representatives of the neighborhood association shall hold a~~
5 ~~joint work session with representatives of the neighborhood organization. The purpose of~~
6 ~~such work session shall be to give the Planning Commission and the neighborhood~~
7 ~~organization an opportunity to exchange comments about the neighborhood plan, to~~
8 ~~identify any areas of potential disagreement, and to give the neighborhood association~~
9 ~~organization an opportunity to refine its plan. prior to the public hearing. Such work~~
10 ~~session should shall be held within four weeks of the date receipt of the final draft~~
11 ~~neighborhood plan is filed with the Planning Administrator. At such work session the~~
12 ~~neighborhood association organization shall demonstrate prove compliance with the~~
13 ~~provisions of SRC 64.325. 64.410.~~

14 (b) Based upon the work session described in subsection (a) of this section the
15 neighborhood ~~association organization~~ shall, within ~~60~~sixty days after the work session,
16 submit a notice of completion to the Planning Administrator, which shall include any
17 additions, modifications, or deletions it wishes to make to it's the final draft
18 neighborhood plan, or a statement that notify the Planning Commission that it wishes to
19 make no changes.

20 (c) The Planning Commission shall hold a public hearing on the final draft neighborhood
21 plan within ~~30~~thirty days following the submission of the notice of completion by the
22 neighborhood association ~~under organization's action described in subsection (b) of this~~
23 ~~section. Notice of the such hearing shall be given as provided for major plan changes in~~
24 ~~SRC 64.080. The Planning Commission shall forward its recommendation concerning~~
25 ~~the neighborhood plan to the City Council, recorder along with the recommendations~~
26 ~~within thirty 15-days of the conclusion of its deliberations, thereafter unless the~~
27 ~~neighborhood association organization requests a further work session as provided in~~
28 ~~subsection (d) of this section.~~

29 (d) If, after the public hearing before the Planning Commission, the neighborhood
30 ~~association organization~~ so requests, the Planning Commission shall schedule a further

1 joint work session to be held for the purposes and in the manner specified in subsection
2 (a) of this section. The request shall be made within seven days of the close of the public
3 hearing, and the work session ~~should~~ shall be held within ~~thirty~~14 days of the request.
4 The neighborhood association shall proceed as provided in subsection (b) of this section.
5 Within ~~thirty~~15 days of receipt of the notice of completion, after the joint work session
6 the Planning Administrator ~~Commission~~ shall forward the final draft neighborhood plan,
7 as modified, the neighborhood plan to the city recorder along with the Planning
8 Commission's its recommendations to the City Council.

9 **Section 18.** SRC 64.430 is renumbered as SRC 64.335 and amended to read as follows:

10 **64.335.64.430. Council Adoption Action of Neighborhood Plan.** The City Council shall
11 hold a public hearing on the final draft neighborhood plan within 120 days following receipt
12 of the Planning Commission's recommendation from the Planning Administrator. Notice of
13 the hearing shall be given as provided for major plan changes in SRC 64.080. Following
14 public hearing, as provided in SRC 64.420, the ~~common~~ City Council shall either
15 recommend changes to the neighborhood plan or adopt such portions thereof it deems as are
16 deemed appropriate, under SRC 64.390. If the City Council recommends changes, the
17 neighborhood ~~association~~ organization may either revise it's the neighborhood plan and
18 resubmit it for adoption by the City Council or it may notify the City Council that it declines
19 to amend its plan further, in which case the City Council may adopt the plan as originally
20 submitted or abandon the adoption process. ~~In no event shall the council adopt any portion~~
21 of a neighborhood plan which portion is in conflict with the rest of the comprehensive plan.

22 **Section 19.** SRC 64.300, SRC 64.330, SRC 64.340, SRC 64.390, and SRC 64.440 are hereby
23 repealed.

24 ~~**64.300. Recognition of Existing Neighborhood Organizations.** A neighborhood~~
25 ~~organization which was officially recognized by resolution of the common council on or~~
26 ~~before the effective date of this ordinance shall be deemed recognized for purposes of this~~
27 ~~chapter without further proceedings.~~

28 ~~**64.330. Notification of Neighborhood Action; City Policy.**~~

29 ~~(a) It is the policy of the City of Salem that pursuant to the requirements of this chapter,~~
30 ~~all affected property owners, residents, and businesses be reasonably notified of~~

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

~~(c) The common council shall consider the neighborhood plan before making any final decision as to the acquisition, construction, or improvement of public facilities in the neighborhood.~~

Section 20. Recognition of Existing Neighborhood Associations. A neighborhood association which was officially recognized by resolution of the City Council on or before the effective date of this ordinance shall be deemed recognized for purposes of this Chapter without further proceedings.

Section 21. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

PASSED by the City Council this 24th day of May, 2010.

ATTEST:

Katherine Hall
City Recorder

Approved by City Attorney: [Signature]

Checked by: B. Rogers

G:\Group\legal\Council\020810 Neighborhood Associations-engrossed.doc

CITY OF SALEM
PLANNING DIVISION
155 LIBERTY ST. SE ROOM 305
SALEM, OR 97301-3503

DEPT OF

JUN 18 2010

LAND CONSERVATION
AND DEVELOPMENT

HAND DELIVERED

Dept. of Land Conservation & Dev.
ATTN: Plan Amendment Specialist
635 Capitol St NE, Suite 150
Salem OR 97301-2540