



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

July 29, 2008



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Dallas Plan Amendment
DLCD File Number 004-07

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: August 15, 2008

This amendment was submitted to DLCD for review 45 days 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 THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Steve Oulman, DLCD Regional Representative
Jason Locke, City of Dallas

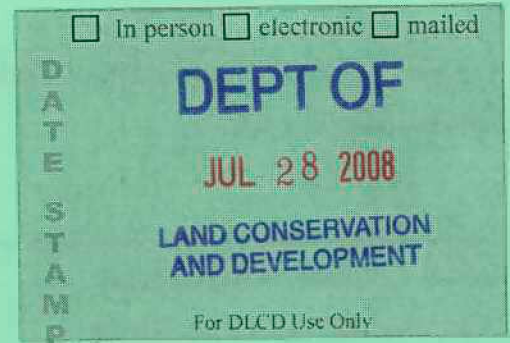
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PROP **2**

DLCD

Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: **Dallas**

Local file number: **ZC 2-07**

Date of Adoption: **7/16/2007**

Date Mailed: **7/24/2008**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 1/18/2007

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".

The Comprehensive Plan Map designation changed from Multi-Family to Central Business District, and the zoning designation is changed from Residential High Density to Central Business District.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **MF**

to: **CBD**

Zone Map Changed from: **RHD**

to: **CBD**

Location: **TL7.5.33BC 11400,12000,12100,11900**

Acres Involved: **0**

Specify Density: Previous: **NA**

New: **NA**

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
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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 # 004-07 (15809)

DLCD file No. _____

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

CITY OF DALLAS

Local Contact: **Jason Locke**

Phone: (503) 831-3565 Extension:

Address: 187 SE Court Street

Fax Number: 503-623-2339

City: **Dallas**

Zip: 97338-

E-mail Address: jason.locke@ci.dallas.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: webserver.lcd.state.or.us. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing mara.ulloa@state.or.us.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to mara.ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

GCJ
ad

ORDINANCE NO. 1676

An Ordinance changing the Comprehensive Plan designation of real property owned by the City of Dallas from Multi-Family to Central Business District and changing the zoning designation of said real property from Residential High Density to Central Business District.

WHEREAS, the City of Dallas submitted a Comprehensive Plan Map amendment application to change the Comprehensive Plan designation of real property owned by the City of Dallas which is described on Exhibit 1 hereto, from Multi-Family to Central Business District and a zone change application to change the zoning designation of said Exhibit 1 real property from Residential High Density to Central Business District; and

WHEREAS, after due notice, the Planning Commission held a public hearing on the applications and at the conclusion thereof recommended to the City Council that the applications be granted; and

WHEREAS, after due notice, the City Council held a public hearing on the applications and at the conclusion thereof found there was substantial evidence that the applications met the requirements of the Dallas Development Code and were in compliance with the Comprehensive Plan and that the applications should be granted; NOW, THEREFORE,

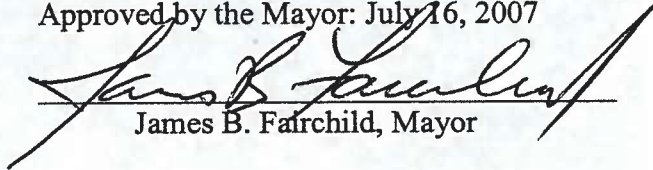
THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. The Comprehensive Plan Map designation of the Exhibit 1 real property is hereby changed from Multi-Family to Central Business District.

Section 2. The zoning designation of the Exhibit 1 real property is hereby changed from Residential High Density to Central Business District.

Section 3. The Findings and Conclusions set forth in the staff report on this matter, and File No. CPC 1-07 and File No. ZC 2-07, first submitted into the record herein in a public hearing before the Planning Commission on May 8, 2007, are hereby adopted and approved as the Findings and Conclusions in support of this Comprehensive Plan Map amendment and zone change.

Read for the first time: July 2, 2007
Read for the second time: July 16, 2007
Passed by the City Council: July 16, 2007
Approved by the Mayor: July 16, 2007


James B. Fairchild, Mayor

ATTEST:



Roger Jordan, City Manager

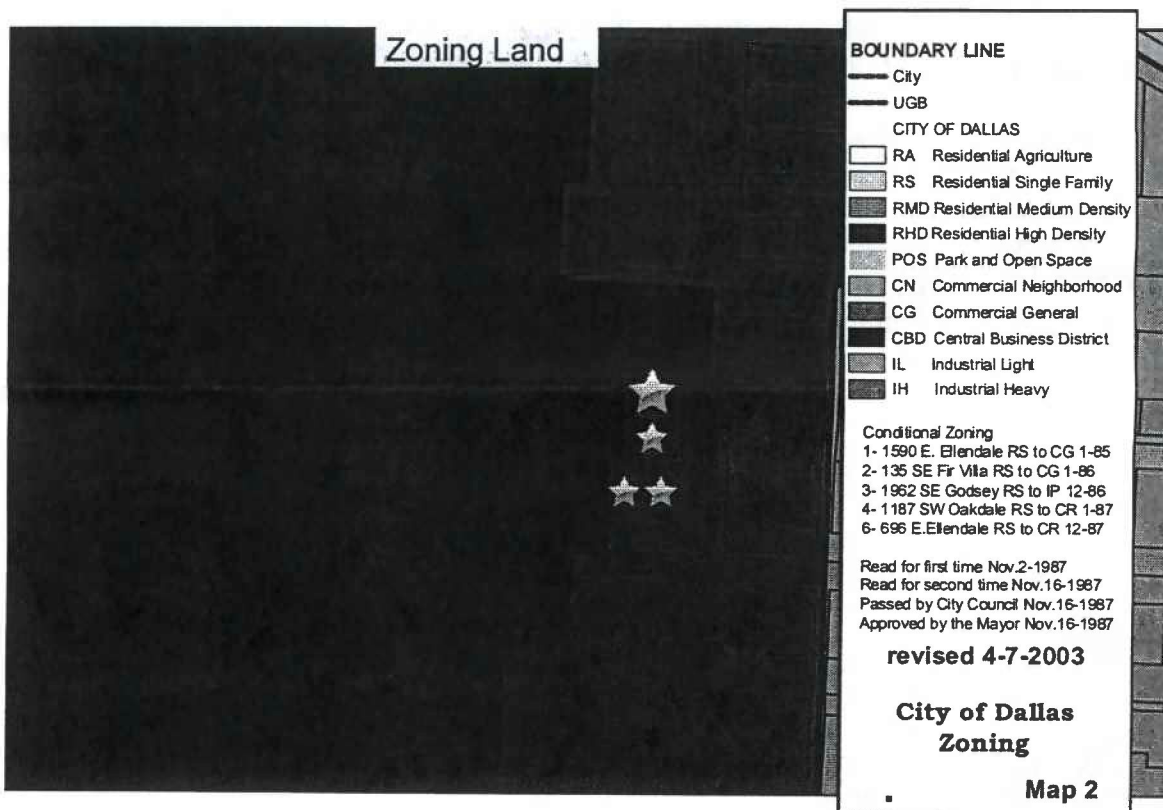
EXHIBIT 1

Zone Change RHD to CBD

Beginning at the Southwest corner of Lot 5 of Block 1 of the Love-Lady's Addition Part of the Original Town of Dallas as recorded in Polk County Oregon; thence East 50.00 Feet along South line of Said Lot 5, thence North 100.00 feet, thence East 14.00 feet, thence North 119.00 feet, thence East 119.00 feet more or less to the Center line of SE Shelton Street, thence South along said Centerline 259.00 more or less to the Center line of SE Washington Street, thence West along said Center line 183.00 feet, thence North 40.00 Feet to point of beginning.

Comp. Plan Change Multi Family to CBD

Beginning at the Southwest corner of Lot 5 of Block 1 of the Love-Lady's Addition Part of the Original Town of Dallas as recorded in Polk County Oregon; thence West 40.00 Feet along North line of SE Washington Street, thence North 125.00 feet, thence East 40.00 feet, thence South 25.00 feet, thence East 64.00 feet, thence North 119.00 feet, thence East 86.00 feet more or less to the West line of SE Shelton Street, thence South along said West line 219.00 more or less to the North line of SE Washington Street, thence West along said North line 150.00 feet to point of beginning.



**CITY OF DALLAS
PLANNING COMMISSION**

**APPLICATION COMPLETE:
APRIL 20, 2007**

**STAFF REPORT
DATE: MAY 1, 2007**

FILE NO.	COMP. PLAN CHG 1-07 ZONE CHG 2-07
HEARING DATE	MAY 8, 2007 7:30 P.M. CITY HALL COUNCIL CHAMBERS 187 SE COURT STREET DALLAS, OREGON 97338
OWNERS	CITY OF DALLAS
REQUEST	COMPREHENSIVE PLAN MAP 1 CHANGE ZONE CHANGE
LOCATION	TAX LOT 7.5.33 BC 11400, 12000, 12100 AND A PORTION OF 11900
RECOMMENDATION	APPROVAL TO COUNCIL

**CITY OF DALLAS
PLANNING COMMISSION
COMMUNITY DEVELOPMENT TEAM
STAFF REPORT**



HEARING DATE:	MAY 8, 2007
APPLICATION TYPE:	ZONE CHANGE COMPREHENSIVE PLAN MAP 1 CHANGE
OWNERS:	CITY OF DALLAS
LOCATION:	TAX LOT 7.5.33 BC 11400, 12000, 12100 AND A PORTION OF 11900
COMPREHENSIVE PLAN MAP NO. 1 LAND USE DESIGNATION:	MULTI FAMILY CENTRAL BUSINESS DISTRICT

PROJECT DESCRIPTION: This is a request for Tax Lot 7.5.33 BC 11400, 12000, 12100 and a portion of 11900 to change the Comprehensive Plan Map #1 designation from Multi Family to Central Business District and the zoning designation on Tax Lot 7.5.33 BC 11400, 12000, 12100 and a portion of 11900 from RHD-Residential High Density to CBD –Central Business District.

Location	Comp. Plan	Proposed	Zoning	Proposed
T.L. 7.5.33 BC 11400	Multi Family	CBD	CBD / RHD	CBD
T.L. 7.5.33 BC 12000	Multi Family	CBD	RHD	CBD
T.L. 7.5.33 BC 12100	Multi Family	CBD	RHD	CBD
T.L. 7.5.33 BC 11900	CBD	CBD	RHD	CBD

CRITERIA:

Street. SE Washington Street and SE Shelton Street are improved streets with curbs and sidewalks.

FINDINGS: The street system is adequate to serve the subject property for the proposed use.

Water. Existing is a 6” CI line in SE Shelton Street.

FINDINGS: The water system is adequate to serve the subject property.

Storm. Existing is a 15” concrete storm line in SE Washington Street and a 12” concrete storm line SE Shelton Street that serves the subject property.

FINDINGS: The storm system is adequate to serve the subject property.

Sanitary. Existing is a 10” sanitary line SE Washington Street that serves the subject property.

FINDINGS: The sanitary system is adequate to serve the subject property.

Public Notice: The City has provided public notice identifying the owner/applicant, describing the project, location, and the scheduled date of the public hearing. The notice has been mailed to all property owners within 100 feet of the subject property.

Standards for Review:
Dallas Development Code.

Article I Procedures:

1.3.40 Complete Application Required
Complies. A complete application has been filed.
1.3.60-1.3.140 Public Hearings
Complies. Proper notice was issued.

Article II Zoning Districts and Use Categories:

Chapter 2.4 Commercial Zoning Districts
Chapter 2.3 Multi Family Residential Zoning Districts
Chapter 2.7 Land Use Categories

Article III Specific Land Use Review Procedures:

Chapter 3.2 Development Review
Complies. The applicant has submitted a proper site plan for review.
Chapter 3.7 Comprehensive Plan and Zoning Map Amendments
Chapter 3.7.40 Review Criteria.
Complies the zone change implements the Comprehensive Plan.
Complies.

- 1) The zone change as proposed is in conformance with the Comprehensive Plan Map 1 with the comprehensive plan proposed changes.
- 2) Adequate public facilities are available to meet the demand for services that may result from potential development allowed on the rezoned site.
- 3) All public facilities projects identified in Chapter VII of the Dallas Comprehensive Plan which serve the area where the zone change is proposed are constructed to serve the site.
- 4) Sanitary sewer, water and storm drainage collection and distribution systems are adequate to handle the loads required by the rezoning.
- 5) Streets serving the proposed site are adequate to accommodate increased vehicular, bicycle and pedestrian traffic safely and efficiently.
- 6) Complies with applicable Statewide Planning Goals.
- 7) Complies with all applicable Goals and Policies of the Dallas Comprehensive Plan (Volume I).

Chapter 3.7.50 Decision Options.

- (1) Quasi-Judicial/Legislative Amendments. In the case of a quasi-judicial or legislative zone change (whether or not a Comprehensive Plan amendment is proposed), the review body may:
 - (a) approve the zone change;
 - (b) approve the zone change with conditions;
 - (c) reduce the area of the zone change (provided that adequate public notice has been provided); or
 - (d) deny the zone change.

Article IV Development Standards:

Chapter 4.1 General Development Standards
Complies. The lots conform to the minimum standards.

Conclusions: The staff has concluded the following regarding this Zone Change request:

- 1) A proper application has been made and hearing notice given.
- 2) The application is in conformance with the standards listed above.

Summary and Conditions:

If it appears to the Planning Commission that the criteria for approval have been met, then this Comprehensive Plan Map 1 and Zone change request could be recommended to the City Council for approval.

COMMUNITY DEVELOPMENT TEAM

BOUNDARY LINE

City

UGB

CITY OF DALLAS

- RA Residential Agriculture
- RS Residential Single Family
- RMD Residential Medium Density
- RHD Residential High Density
- POS Park and Open Space
- CN Commercial Neighborhood
- CG Commercial General
- CBD Central Business District
- IL Industrial Light
- IH Industrial Heavy

Conditional Zoning

- 1- 1590 E. Ellendale RS to CG 1-85
- 2- 135 SE Fir Villa RS to CG 1-86
- 3- 1962 SE Godsey RS to IP 12-86
- 4- 1187 SW Oakdale RS to CR 1-87
- 6- 696 E.Ellendale RS to CR 12-87

Read for first time Nov.2-1987

Read for second time Nov.16-1987

Passed by City Council Nov.16-1987

Approved by the Mayor Nov.16-1987

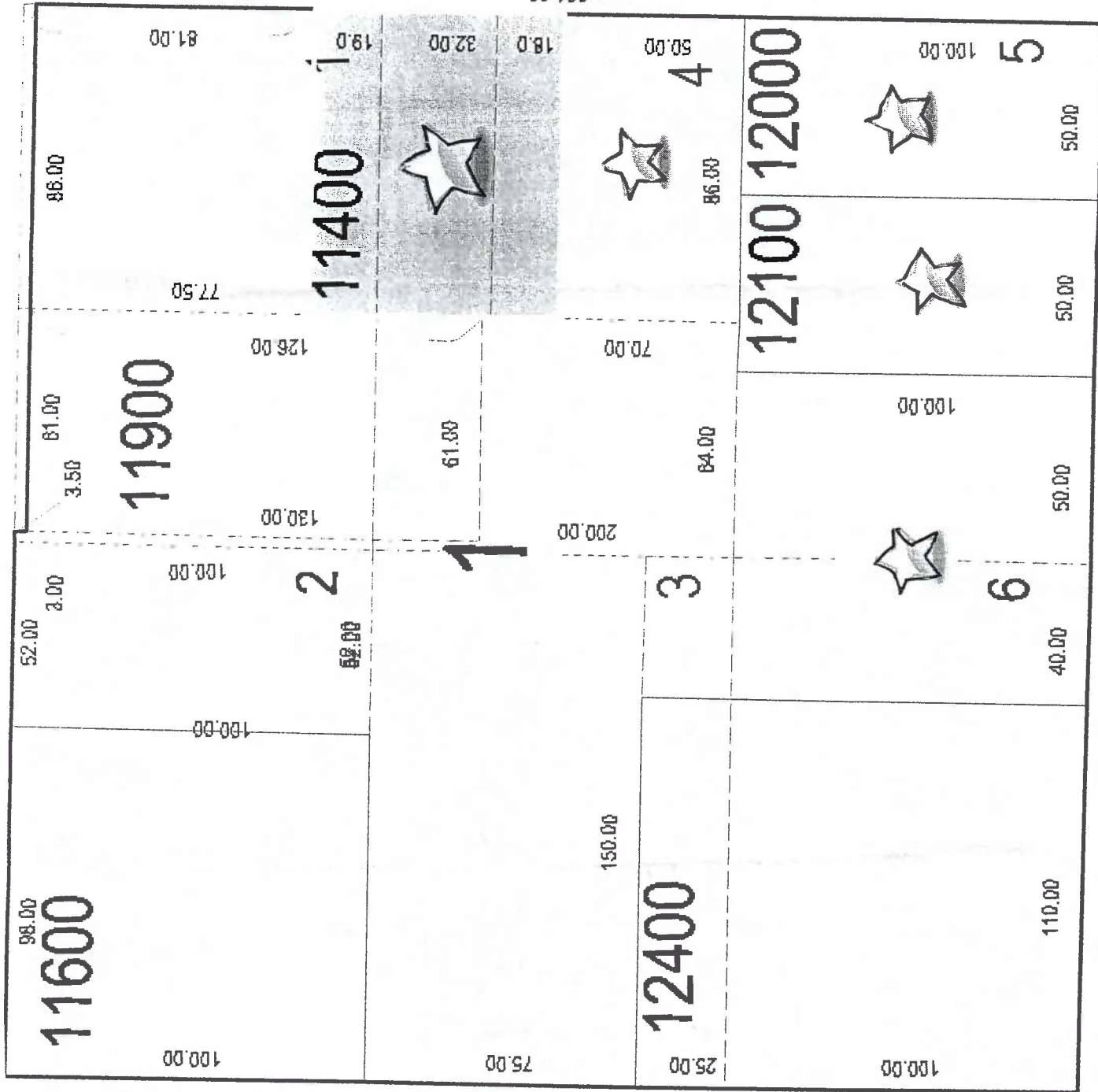
revised 4-7-2003

City of Dallas

SF

88.00

301.83



~~JEFFERSON~~

SF

88.00

LOVE-

LADY

ADDITION

11900

12100

00700



77.50

126.00

130.00

20.00

200.00

100.00

86.00

20.00

18.00

32.00

19.00

301.83

100.00

75.00

110.00

MAIN ST

- Applicant Lot
- Buffer_of_Applicant_Lot



SE MILL ST

SE JEFFERSON ST

SYDER

SE COURT ST

POLK COUNTY

POLK COUNTY

HAPLING TR & S

SCHMUCKER

JOHNSON

BOATWRIGHT

CHILCOTE

COD

COD

COD

STEEL

POLK COUNTY

COD

COD

SOFTEN

COD

COD

SE SHELTON ST

SE LYLE ST

SW WASHINGTON ST

SE WASHINGTON ST

REITH INC

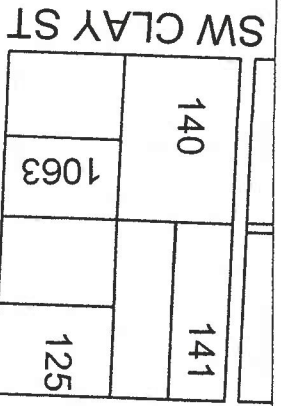
KUTZER

WING TR

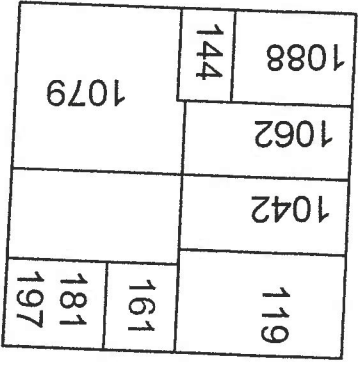
BLAINE

SCHOPP

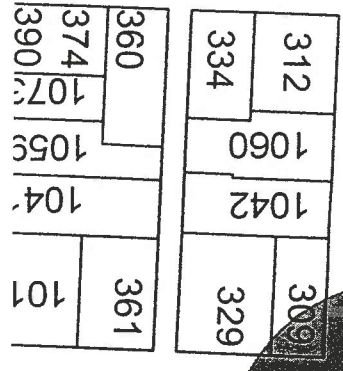
SE CLAY ST



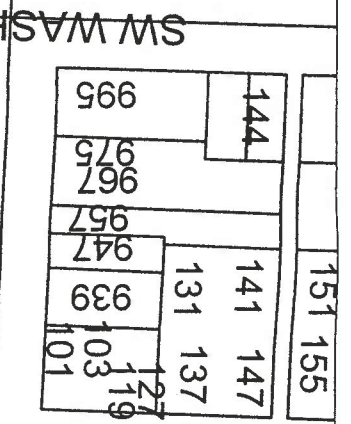
MAIN ST



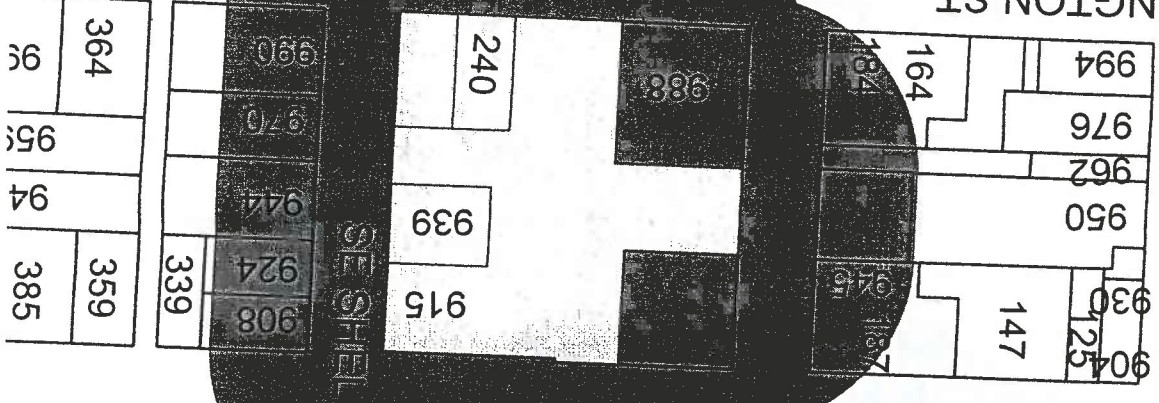
SE CLAY ST



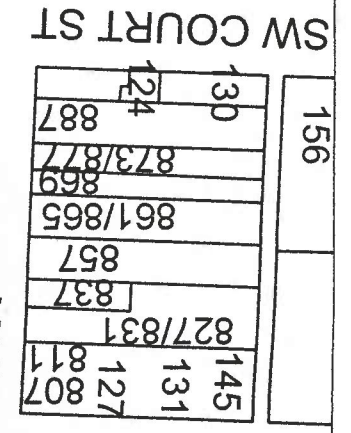
SE WASHINGTON ST



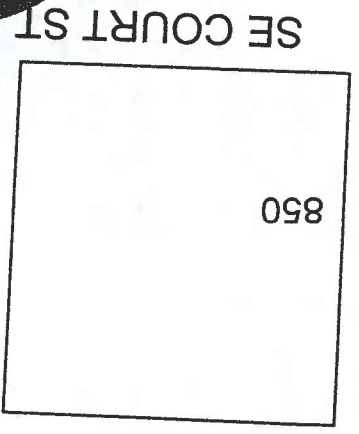
SW WASHINGTON ST



SE SHELLTON ST

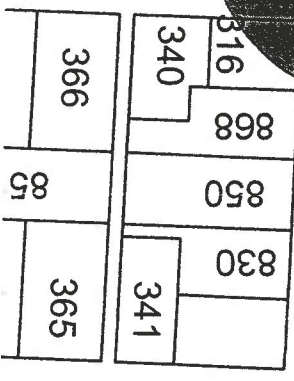


MAIN ST

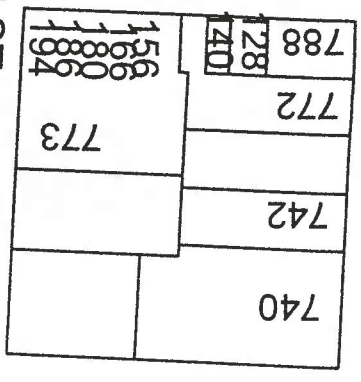
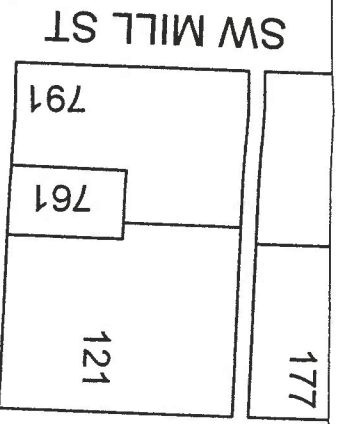


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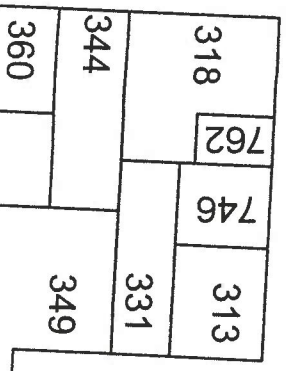
SE JEFFERSON ST



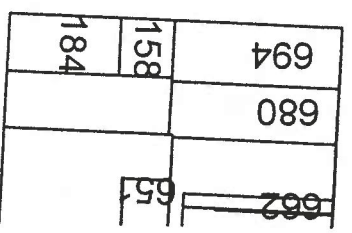
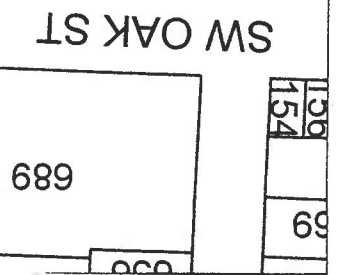
SE MILL ST



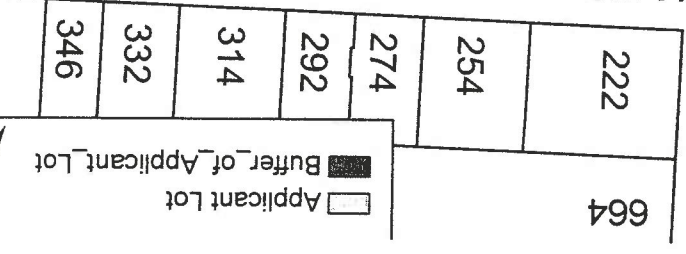
SE OAK ST



SE OAK ST



SE OAK ST



Applicant Lot

Buffer of Applicant Lot

TAXLOT OWNER	AGENT	M_ADDRESS	M_CITY	M_STATE	ZIP	PRIMARY_SI
BC 6600 POLK COUNTY		850 MAIN ST	DALLAS	OR	97338	884 JEFFERSON ST SE DALLAS
BC 8100 SNYDER LOUISE M		316 COURT ST SE	DALLAS	OR	97338	316 COURT ST SE DALLAS
BC 11200 CITY OF DALLAS		P O BOX 67	DALLAS	OR	97338	
BC 11600 POLK COUNTY PUPPL		850 MAIN ST	DALLAS	OR	97338	
BC 11900 CITY OF DALLAS		P O BOX 67	DALLAS	OR	97338	240 WASHINGTON ST SE DALLAS (M)
BC 12500 APLING GERALDINE R, TRUST		7866 EAGLE DR NW	REDMOND	OR	97756	908 SHELTON ST SE DALLAS
BC 12700 SCHMUCKER JAMES G & TAMMI D		924 SHELTON ST SE	DALLAS	OR	97338	924 SHELTON ST SE DALLAS
BC 11400 CITY OF DALLAS		187 COURT ST SE	DALLAS	OR	97338	939 SHELTON ST SE DALLAS
BC 11100 CITY OF DALLAS		P O BOX 67	DALLAS	OR	97338	944 SHELTON ST SE DALLAS
BC 12800 JOHNSON DOUGLAS R & GEORGETTA		944 SHELTON ST SE	DALLAS	OR	97338	
BC 11000 CITY OF DALLAS		P O BOX 67	DALLAS	OR	97304	988 JEFFERSON ST SE DALLAS
BC 12400 SOLHEIM RICHARD E & SHARON E		425 RIGGS ST NW	SALEM	OR	97351	970 SHELTON ST SE DALLAS
BC 12900 BOATWRIGHT JERRY		1070 MONMOUTH ST	INDEPENDENCE	OR	97303	164 WASHINGTON ST SE DALLAS (M)
BC 10700 STEELE HORACE W & BEATRICE M	YAN ANDY & MAY, AGT	7625 BROKEN TOP AVE NE	DALLAS	OR	97338	274 WASHINGTON ST SE DALLAS
BC 12100 CITY OF DALLAS		P O BOX 67	DALLAS	OR	97338	288 WASHINGTON ST SE DALLAS
BC 12000 CITY OF DALLAS		P O BOX 67	SALEM	OR	97301	990 SHELTON ST SE DALLAS (M)
BC 13000 CHILCOTE KEITH C & SARAH W		2983 D ST NE	INDEPENDENCE	OR	97351	201 WASHINGTON ST SE DALLAS
ICB 8700 REITH, INC		P O BOX 483	MONMOUTH	OR	97361	271 WASHINGTON ST SE DALLAS (M)
ICB 8501 KUTZER KEITH & RHONDA R		15860 AIRLIE RD	DALLAS	OR	97338	291 WASHINGTON ST SE DALLAS
ICB 8400 TALLON MICHAEL & SHERRI, LIVING TR ET AL	TALLON MICHAEL DENNIS & SHERRI DEY, TRS	387 COURT ST SW	DALLAS	OR	97338	309 WASHINGTON ST SE DALLAS
ICB 8200 BLAINE TIMOTHY L & DAWN K		309 WASHINGTON ST SE	DALLAS	OR	97338	
ICB 8100 SCHOPP DENNIS L & NANCY JO L		60 HAWORTH RD	PASCO	WA	99301-8722	329 WASHINGTON ST SE DALLAS (M)

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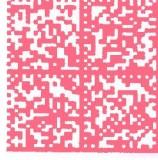
4/18/07



City of Dallas

P.O. Box 67
Dallas, Oregon 97338

PRESORTED
FIRST CLASS



02 1A
0004634961 JUL 25 2008
MAILED FROM ZIP CODE 97338

DEPT OF LAND CONSERVATION & DEVELOPMENT
ATTN: PLAN AMENDMENT SPECIALIST
635 CAPITOL STREET NE, SUITE 150
SALEM OR 97301-2540

E-GDSH 97301

