



Oregon

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NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: April 15, 2015

Jurisdiction: City of Dallas

Local file no.: CPA 14-02

DLCD file no.: 003-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 04/14/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD less than 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.: 003-14 {22547}
Received: 4/14/2015

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Dallas

Local file no.: **CPA 14-02**

Date of adoption: April 6, 2015 Date sent: April 14, 2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

- Yes: Date (use the date of last revision if a revised Form 1 was submitted): Nov 5, 2014
- No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No
If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Jason Locke, Community Development Director

Phone: 503.831.3565 E-mail: jason.locke@dallas0r.gov

Street address: 187 SE Court Street City: Dallas Zip: 97338

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

Goal 1, Citizen Involvement, new chapter in the City Comprehensive Plan

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from to . acres. A goal exception was required for this change.
- Change from to . acres. A goal exception was required for this change.
- Change from to . acres. A goal exception was required for this change.
- Change from to . acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): .

- The subject property is entirely within an urban growth boundary
- The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from	to	. Acres:
Change from	to	. Acres:
Change from	to	. Acres:
Change from	to	. Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: . Acres added: . Acres removed:

Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts: City of Dallas

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

NOTICE OF ADOPTED CHANGE – SUBMITTAL INSTRUCTIONS

1. A Notice of Adopted Change must be received by DLCD no later than 20 days after the ordinance(s) implementing the change has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) as provided in [ORS 197.615](#) and [OAR 660-018-0040](#).

2. A Notice of Adopted Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of Adopted Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of Adopted Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 2 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

This form is available here:

<http://www.oregon.gov/LCD/forms.shtml>

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to plan.amendments@state.or.us with the subject line “Notice of Adopted Amendment.”

Submittals may also be uploaded to DLCD’s FTP site at http://www.oregon.gov/LCD/Pages/papa_submittal.aspx.

E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 2 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of Adopted Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0017 or plan.amendments@state.or.us.

6. **Content:** An administrative rule lists required content of a submittal of an adopted change ([OAR 660-018-0040\(3\)](#)). By completing this form and including the materials listed in the checklist below, the notice will include the required contents.

Where the amendments or new land use regulations, including supplementary materials, exceed 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

7. Remember to notify persons who participated in the local proceedings and requested notice of the final decision. ([ORS 197.615](#))

If you have any questions or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0017 or e-mail plan.amendments@state.or.us.

Notice checklist. Include all that apply:

- Completed Form 2
- A copy of the final decision (including the signed ordinance(s)). This must include city *and* county decisions for UGB and urban reserve adoptions
- The findings and the text of the change to the comprehensive plan or land use regulation
- If a comprehensive plan map or zoning map is created or altered by the proposed change:
 - A map showing the area changed and applicable designations, and
 - Electronic files containing geospatial data showing the area changed, as specified in [OAR 660-018-0040\(5\)](#), if applicable
- Any supplemental information that may be useful to inform DLCD or members of the public of the effect of the actual change

ORDINANCE NO. 1780

An Ordinance amending the Introduction: Organization & Implementation, and Chapter 1 of the Dallas Comprehensive Plan, relating to Citizen Involvement.

WHEREAS, the Dallas Comprehensive Plan is the controlling land use document for the City of Dallas and its Urban Growth Boundary; and

WHEREAS, citizen involvement is the cornerstone of the land use planning process; and

WHEREAS, the City Council of the City of Dallas has determined that it is appropriate to amend the provisions of the Introduction: Organization & Implementation and Chapter 1 of the Dallas Comprehensive Plan, relating to citizen involvement, to strengthen and enhance citizen involvement in the Dallas land use planning process; and

WHEREAS, after due notice, on January 13, 2015, the Dallas Planning Commission held a public hearing on the proposed amendment and at the conclusion thereof recommended to the City Council that the amendments be granted; and

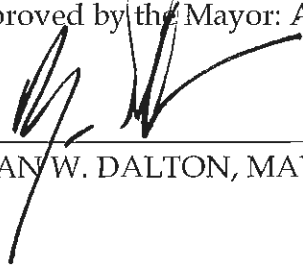
WHEREAS, after due notice, on February 17, 2015, the City Council held a public hearing on the proposed amendments and at the conclusion thereof determined that the amendments, as amended by the City Council, should be adopted and implemented; NOW, THEREFORE,

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. The amendments to the Introduction: Organization & Implementation and Chapter 1 of the Dallas Comprehensive Plan shown on Exhibit A, attached hereto and by reference incorporated herein, are hereby adopted.

Read for the first time: March 16, 2015
Read for the second time: April 6, 2015
Passed by the City Council: April 6, 2015

Approved by the Mayor: April 6, 2015



BRIAN W. DALTON, MAYOR

ATTEST:



RONALD W. FOGGIN,
CITY MANAGER

APPROVED AS TO FORM:



LANE P. SHETTERLY
CITY ATTORNEY

EXHIBIT A

INTRODUCTION: Organization & Implementation

~~*Citizen Involvement and Plan Update Goals*~~

- ~~A. Encourage citizen involvement in all phases of the comprehensive planning and development review processes.~~
- ~~B. To periodically review and update the Dallas Comprehensive Plan and Dallas Development Code.~~

~~*Citizen Involvement and Plan Update Policies*~~

~~The following policies govern comprehensive plan and development code amendments:~~

- ~~1. The comprehensive plan and implementation measures should be comprehensively reviewed every 7-10 years, in accordance with the LCDC's periodic review schedule.~~
- ~~2. The Dallas Planning Commission shall serve as the Committee for Citizen Involvement and shall be assigned the task of coordinating the citizen involvement program.~~
- ~~3. In addition to the Planning Commission, the Dallas Citizens Advisory Committee shall be involved in the review of legislative plan amendments and revisions to the Dallas Comprehensive Plan Map #1.~~
- ~~4. Proposed amendments to the comprehensive plan and implementation measures shall be considered on an annual basis, and shall be grouped together to allow consideration of cumulative impacts.~~
 - ~~a) The City shall set a certain time period each year, or every other year, for the consideration of minor changes to the Comprehensive Plan.~~
 - ~~b) In addition to the comprehensive plan and statewide planning goals, special studies or other information shall be used as the factual basis to support the change.~~
- ~~1. The City will ensure that the public notification and citizen participation opportunities are provided in the review of all quasi-judicial land use decisions, in accordance with state law.~~

~~*The Dallas Comprehensive Plan*~~

~~The Dallas Comprehensive Plan is the controlling land use document for the City and its Urban Growth Boundary (UGB). From a land use perspective, the comprehensive plan is like a state or federal constitution: it provides the legal framework and long-term vision for implementing plans and land use regulations. The Dallas Comprehensive Plan has been found by the Land Conservation & Development Commission (LCDC) to comply with the 14 applicable "Statewide Planning~~

Goals,” which are, in effect, state planning requirements that must be met by each city and county in Oregon.

The Dallas Comprehensive Plan includes three volumes: Volume I includes goals and policies that provide specific direction in making “quasi-judicial” land use decisions; *i.e.*, decisions that require judgment in the application of general policies to specific situations, such as zone changes, annexations, conditional use permits and major variances. Goals set a general direction and are not intended to be decision criteria. Policies that are written in mandatory language (e.g., “shall,” “must,” “will”) are mandatory in character: they must be followed when Dallas makes a “quasi-judicial” land use decision. In cases where mandatory policies conflict, the City Council may balance these policies in making a decision. Policies that are written in permissive language (e.g., “should,” “may,” “encourage”) indicate the preferred direction of the City, but are not binding on the Council.

Volume I also includes the Comprehensive Plan Map #1, which indicates on a parcel-specific basis, what land uses will be allowed in the long-term. Where Volume I plan policies conflict with the map #1, the specific text of these policies shall control.

Legislative land use decisions (*e.g.*, changes in the text of Volume I or to the Comprehensive Plan Map #1 that apply generally to the City, and not to a specific property or small group of properties) adopted by the City Council must also conform with Volume I goals, policies and maps; or affected goals, policies and maps must be amended by the City Council to be consistent with the Statewide Planning Goals.

Volume II of the Dallas Comprehensive Plan includes background information that served as the basis for Volume I goals and policies. For example, maps of environmentally-significant stream corridors and the justification for the Dallas UGB is included in Volume II. Thus, Volume II forms a part the “legislative history” that supports the goals, policies and plan map.

Principal Implementing Documents

The Dallas Comprehensive Plan is implemented by two principal documents:

1. The **Dallas Development Code (DDC)** sets forth zoning, land division and environmental protection requirements, and is a chapter of the Dallas City Code. The DDC is the land use law of Dallas, unless it is found to be inconsistent with the Dallas Comprehensive Plan. Consistency with DDC requirements is a pre-condition to granting of building permits under the City’s Building Safety Codes, which are based on state building safety regulations.
2. The **Dallas Public Facilities Plan (PFP)** describes sanitary sewer, water, and storm drainage which must be made in order to provide adequate public facilities to support the types and levels of development prescribed in the Dallas Comprehensive Plan. The public facilities plan is supported by adopted facilities master plans and sets priorities for facilities construction through the six-year capital improvements program and the City’s annual budget. The City Engineering staff also maintain construction specification standards documents which set minimum construction standards for public improvements, such as sewer, water and streets.

Public & Private Participation

Implementation of the comprehensive plan ultimately depends upon the combined efforts of private citizens, businesses, and local, state and federal governments. The private sector implements the

plan by giving it their support and continuous input to the planning process of the plan; by developing their businesses and homes in conformance with the plan; and by initiating community projects such as clean-up, fix-up or paint-up campaigns. Government implements the plan through regulatory controls such as zoning and subdivision ordinances; through the timely placement of public facilities and establishment of public programs; through inducements such as low-interest loans, tax exemptions and direct subsidies; by joint cooperative agreements between one another; and by providing for financing through special grant-in-aids or other financial aids.

One method of implementing the policies of the plan is through intergovernmental cooperative agreements between the City and other public agencies or cities. Many of the policies which the plan encourages the City to perform can best be met through joint arrangements with other agencies. In many cases the burden of solving a problem does not rest entirely with the City. Therefore, the City should seek to join with other agencies in implementing the policies and recommendations of the plan. In other situations, it may be to the City's financial advantage to join with other cities or agencies in an effort to solve a problem common to each of the communities. Through this method, programs and projects that cannot be implemented economically by one community may be initiated by sharing the cost between different cities or agencies. The City of Dallas has worked closely with other municipalities and the County in mutual aid, economic development, and sharing equipment.

Advice and consultation on the part of the Planning Commission, City staff and other City officials can be a very effective tool of implementation. In the course of conducting day-to-day business, individuals can be made aware of the importance of the Comprehensive Plan and a number of alternatives presented to guide development. On a more formal basis, advice and consultation is also given to the City Council.

1.4 — Active Citizen Involvement

~~The success of this and past planning efforts in Dallas is due in large part to the degree of citizen involvement. Local citizens have long had a strong voice in major community projects. Citizen participation will play an even larger role in the future. The first of 14 applicable Statewide Planning Goals and Guidelines (ORS Chapter 197) established by the Land Conservation and Development Commission, requires the development of "...a citizens involvement program that insures the opportunity for citizens to be involved in all phases of the planning process".~~

~~In response to this requirement and because of the City's past accomplishment in the area of citizen involvement, the plan proposes, for routine planning matters through its public hearing process, that the Dallas Planning Commission be assigned the task of coordinating the citizen involvement program. However, when items of a more significant nature, such as plan or ordinance revision or specific studies that are recommended in the plan are involved, it is expected that the Dallas City Council and Planning Commission will draw upon the considerable expertise of the local citizenry — just as it has in the past. In implementing this goal the City has continued its reliance upon the Citizen's Advisory Committee for the Comprehensive Plan. The value of this approach is, of course, that it allows more flexibility as to membership, and that it also allows a greater number of citizens to become involved with the planning process.~~

1.5—Comprehensive Plan and Development Code Revisions

The Dallas Comprehensive Plan should not be perceived as a static document -- a one-time guide to the development of a community. In fact, state law requires that the comprehensive plan and its implementing measures be re-considered every 7-10 years, through the "Periodic Review" process.

Thus, the comprehensive plan should be viewed as a dynamic instrument capable of change to meet the needs of the community. The plan and implementation measures should be revised when public needs and desires change, when state and federal land use laws change, and when development is different in character or rate than originally contemplated. At the same time, because the comprehensive plan was preceded by an extensive citizen and agency involvement effort, it should be given a chance to work. For this reason, major revisions to the plan that would result in a widespread and significant impact beyond an immediate local area should be considered during the "periodic review" process. In contrast, minor plan amendments may be considered on a regular basis, but should be grouped together so that the cumulative effects of plan amendments can be more fully understood.

CITY OF DALLAS COMPREHENSIVE PLAN

CHAPTER 1

CITIZEN INVOLVEMENT



***GOAL: TO ENSURE MEANINGFUL CITIZEN
INVOLVEMENT AND PARTICIPATION IN THE
LAND USE PLANNING PROCESS***

INTRODUCTION

Goal 1 of the Statewide Planning Goals is Citizen Involvement. The City of Dallas, its elected and appointed officials, and city staff, are dedicated to involving citizens in the planning process. This Chapter contains the mechanisms and requirements for Citizen Involvement in Dallas

The Planning Process

The Planning Commission is primarily responsible for making land use decisions and recommending amendments to the Comprehensive Plan and land use regulations.

The City Council is responsible for policy decisions relating to the planning process and for adopting amendments recommended by the Planning Commission. In addition, the Council is responsible for overseeing and giving direction to the Committee for Citizen Involvement (CCI) to ensure that the goal of the citizen involvement program is being met. Citizens are responsible for participation in the planning process, becoming educated about land use issues, and in assisting the City in its evaluation of the planning processes and the Citizen Involvement Program.

The following sections address the Committee for Citizen Involvement, the components of Statewide Planning Goal 1, and contain policy statements and measures to implement the policies. This Chapter constitutes the city of Dallas Citizen Involvement Program (CIP).

COMMITTEE FOR CITIZEN INVOLVEMENT

The Planning Commission shall function as the Committee for Citizen Involvement (CCI) for the City of Dallas. The CCI may recommend or request that the City Council appoint, from time to time, a Citizen Advisory Committee (CAC) to assist the Planning Commission. In addition, the City Council may appoint a Citizens Advisory Committee when it is determined to be necessary in order to review and provide feedback or guidance to the Planning Commission on issues of wide-ranging impact such as major revisions to the Comprehensive Plan or land development regulations. The Council shall set the parameters and make-up of the CAC, and shall endeavor to include a representative cross section of the community and/or subject matter experts as warranted.

The Planning Commission shall function as the Committee for Citizen Involvement (CCI) for the city of Dallas. The CCI may recommend that the City Council appoint, from time to time, a Citizen Advisory Committee (CAC) to assist the CCI in matters related to long range planning, specific projects, and/or Comprehensive Plan review.

Responsibilities

- 1) The CCI, under the direction of the City Council, shall ensure that the Citizen Involvement Program is being implemented.
- 2) The CCI shall make an annual written report to the City Council that assesses the effectiveness and overall implementation of the Citizen Involvement Program. Copies will be distributed to all Standing Committee members. The annual report should incorporate both quantitative and qualitative measures of citizen involvement efforts (e.g. number and types of communication methods used; number of participants at public hearings; number of website hits; number of non-required citizen involvement events; citywide survey results measuring community attitudes on public information and awareness).
- 3) The CCI shall assist citizens and citizen groups in becoming aware of opportunities provided by the Citizen Involvement Program.
- 4) The CCI shall make recommendations to the City Council for improving the Citizen Involvement Program, as necessary.
- 5) The CCI shall perform such other duties as directed by the City Council.

TWO-WAY COMMUNICATION

Policy: To provide mechanisms which will promote effective two-way communication between citizens and the policy/decision makers.

Implementation Measures:

- 1) All meetings shall be open to the public as required by State law, and as appropriate to the body.
- 2) All public meetings shall be scheduled at times and in places which are conducive to citizen participation.
- 3) Appropriate notice of all public meetings shall be given, including the date and agenda of the meeting. Notice shall be given through advertisements in local newspapers and by posting notices in public places. In no case shall a meeting be noticed less than 24 hours before it is scheduled to occur.
- 4) The City will maintain City Bulletin Boards in public places that contain meeting agendas and other information.

5) The City will promote the City website as a source of information as well as a communication tool for residents to communicate with the City. In addition, the City will continue to expand the use of social media and technology to interact with citizens.

6) The City will conduct, at least every two years, a citywide survey regarding city issues.

7) The City Council will host an annual Town Hall meeting to discuss selected topics of interest to the public.

8) The City will continue to develop outreach programs with service clubs, schools, and other organizations in order to provide planning information and education.

9) A City Newsletter will be sent out via e-mail and distributed by other appropriate methods.

CITIZEN INFLUENCE

Policy: To provide citizens an opportunity to be involved in the planning process.

Implementation Measures:

1) In addition to topics scheduled for discussion, there shall be an opportunity at meetings of public bodies for the public to provide input for items which do not appear on the meeting's agenda.

2) Staff will hold informal, well-publicized educational workshops on proposed revisions to the Comprehensive Plan, Land Development Regulations and other planning topics that have potential widespread impact prior to the hearing. Workshops will be open to the public for participation and discussion. Questions and concerns will be conveyed to the decision-making bodies.

TECHNICAL INFORMATION

Policy: To ensure that all documents and information which will assist citizens in effectively participating in the planning process are available to the public in an understandable form subject to the requirements of state and local laws.

Implementation Measures:

1) The City shall place appropriate planning documents on the website in a timely manner.

2) The City will continue to update planning counter materials, maps, and development pamphlets to reflect regulation and policy changes.

FEEDBACK MECHANISMS

Policy: To ensure that the governing bodies will respond to citizens land use planning questions and concerns.

Implementation Measures:

- 1) The City will continue to implement established mechanisms for responding to questions at Planning Commission and City Council meetings.
- 2) All specific written questions from citizens will be responded to in writing in a timely fashion, with an initial response not to exceed 20 calendar days from the date of receipt.
- 3) The rationale used by a governing body for making policy decisions shall be recorded and made available for review by the general public.

FINANCIAL SUPPORT

Policy: To ensure that there are adequate resources devoted to the Citizen Involvement Program.

Implementation Measures:

- 1) The City budget shall contain a Citizen Involvement Program line item. The amount budgeted shall be recommended yearly by the CCI. The Community Development Director shall include this recommendation in the appropriate Department Budget.
- 2) City staff will assist the CCI in implementing the Citizen Involvement Program and will provide technical assistance to citizens.

Adopted by Ordinance1780