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COMPREHENSIVE PLAN, GENERALLY

64.001. Purpose. The purpose of this Chapter is to adopt a comprehensive plan and urban growth boundary for the City, and to establish procedures for amendments thereto, in order to create a framework whereby land use regulation may be carried out, including, but not limited to, providing for public infrastructure, community growth, and the preservation of natural and historic resources. (Ord No. 6-13)

64.005. Definitions. Except where the context otherwise specifically requires, as used in this Chapter the following words and phrases mean:

- (a) Comprehensive Park System Master Plan means that certain document of that title adopted by Ordinance No. 6-13, enacted May 13, 2013.
- (b) Comprehensive Plan means the generalized, coordinated land use policy document and map for the City that addresses functional and natural systems and activities relating to the use of land within the City.

(c) Comprehensive Plan Map means that certain map, entitled "Salem Area Plan Map, January 12, 1987," as amended by Ordinance No. 1-87, enacted January 12, 1987; and amended by Ordinance No. 1-91, enacted January 14, 1991; Ordinance No. 57-2000, enacted November 13, 2000; Ordinance No. 14-16, enacted December 5, 2016; and as amended by all quasi-judicial amendments to the Comprehensive Plan Map. The Comprehensive Plan Map implements the goals and policies of the Comprehensive Policies Plan.

(d) Comprehensive Policies Plan means that certain document entitled "Salem Area Comprehensive Plan," adopted by Ordinance No. 68-92, enacted October 12, 1992; Ordinance No. 107-94, enacted November 28, 1994; Ordinance No. 81-96, enacted November 12, 1996; Ordinance No. 64-98, enacted August 24, 1998; Ordinance No. 75-99, enacted September 27, 1999; Ordinance No. 58-2000, enacted November 27, 2000; Ordinance No. 43-2002, enacted July 8, 2002; Ordinance No. 68-2002, enacted October 28, 2002; Ordinance No. 52-2003, enacted November 24, 2003; Ordinance No. 2-05, enacted January 24, 2005; Ordinance No. 35-09, enacted May 26, 2009; Ordinance No. 2-09, enacted February 9, 2009; Ordinance No. 6-13, enacted June 10, 2013 and Ordinance 20-15, enacted October 26, 2015. The Comprehensive Policies Plan establishes goals and policies guiding growth and development within the Urban Growth Boundary and the Salem Urban Area, Comprehensive Plan Map designations, and broad categories of land use.

(e) Historic Preservation Plan means that certain document entitled "Salem Historic Preservation Plan, Salem, Oregon 2010-2020," adopted by Ordinance No. 6-13, enacted June 10, 2013.

(f) McNary Field Airport Master Plan means that certain document entitled "McNary Field Airport Master Plan, Salem, Oregon, Hodges and Shutt, May 1979" and adopted by Ordinance No. 172-79, enacted September 24, 1979; amended by Ordinance No. 3-98, enacted January 12, 1998.

(g) Neighborhood Plan means the plan for the land use within a geographic area lying within a neighborhood association's boundaries. As used in this Chapter, the only portions of a Neighborhood Plan that are included as a component of the Comprehensive Plan are the "Goals and Policies" provisions and the general land use maps, including any quasi-judicial amendments to the general land use maps. The adopted Neighborhood Plans are:

(1) The NESCA Neighborhood Plan, Northeast Salem Community Association, May, 1977, adopted by Ordinance No. 102-78, enacted May 22, 1978; and amended by Ordinance No. 105-79, enacted May 21, 1979; Ordinance No. 9-85, enacted January 14, 1985; Ordinance No. 33-85, enacted May 25, 1985; and Ordinance No. 51-85, enacted April 22, 1985.

(2) The CAN-DO Neighborhood Plan, Central Area Neighborhood Development Organization, adopted by Ordinance No. 105-79, enacted June 15, 1979; and amended by Ordinance No. 107-80, enacted September 8, 1980; Ordinance No. 40-84, enacted March 26, 1984; Ordinance No. 94-84, enacted August 13, 1984

(3) Grant Neighborhood Plan, adopted by Ordinance No. 33-83, enacted June 13, 1983.

(4) Sunnyslope Neighborhood Plan, adopted by Ordinance No. 55-83, enacted August 8, 1983.

(5) Liberty-Boone Neighborhood Plan, adopted by Ordinance No. 84-83, enacted December 12, 1983; and amended by Ordinance 9-85, enacted January 14, 1985; Ordinance No. 5-86, enacted January 13, 1986.

(6) East Lancaster Neighborhood Association Neighborhood Plan (ELNA), adopted by Ordinance No. 19-84, enacted January 16, 1984.

(7) Highland Neighborhood Plan, adopted by Ordinance No. 67-84, enacted June 11, 1984.

- (8)** Morningside Neighborhood Plan, adopted by Ordinance No. 67-84, enacted June 11, 1984; and repealed and replaced by Ordinance No. 2-14, enacted April 28, 2014.
- (9)** West Salem Neighborhood Plan, adopted by Ordinance No. 11-2004, enacted March 8, 2004.
- (10)** Northeast Neighbors Neighborhood Association-Southeast Salem Neighborhood Association (NEN-SESNA) Neighborhood Plan, adopted by Ordinance No. 23-14, enacted 03/25/2015. (Ord No. 23-14)
- (h)** Public Facilities Plan means, collectively, those portions of the following plans describing the water, sewer, and storm water facilities needed to support the land uses designated in the Comprehensive Plan Map and lying within the Urban Growth Boundary, listing the public facility project titles, and containing a map or written description of the public facility projects' locations or service areas, but not including descriptions or specifications of the public facility projects:
- (1)** Salem Area Wastewater Management Master Plan.
 - (2)** Stormwater Master Plan.
 - (3)** Water System Master Plan.
- (i)** Public Facilities Support Documents means, collectively, the following plans, other than those portions that comprise the Public Facilities Plan:
- (1)** Salem Area Wastewater Management Master Plan.
 - (2)** Stormwater Master Plan.
 - (3)** Water System Master Plan.
- (j)** Salem Area Wastewater Management Master Plan means that certain document entitled "Salem Area Wastewater Management Master Plan, 1996, CH2M-Hill" and adopted by Ordinance No. 93-96, enacted December 16, 1996; and amended by Ordinance No. 54-2002, enacted September 23, 2002; Ordinance No. 9-05, enacted February 7, 2005, and Ordinance No. 83-07, enacted April 9, 2007.
- (k)** Salem Economic Opportunities Analysis means that certain document of that title adopted by Ordinance 20-15 enacted October 26, 2015.
- (l)** Salem Transportation System Plan means that certain document of that title adopted by Ordinance No. 64-98, enacted August 24, 1998; and amended by Ordinance 9-2000, enacted February 14, 2000; Ordinance No. 27-2001, enacted May 14, 2001; Ordinance No. 2-05, enacted January 25, 2005; Ordinance No. 11-05, enacted March 28, 2005; Ordinance No. 85-07, enacted July 9, 2007; Ordinance No. 119-07, enacted November 5, 2007; Ordinance No. 12-10, enacted April 26, 2010; Ordinance No. 20-12, enacted December 10, 2012; and Ordinance No. 6-14, enacted May 27, 2014, Ordinance 1-16 enacted February 8, 2016 and Ordinance No. 14-16, enacted December 5, 2016.
- (m)** Stormwater Master Plan means that certain document of that title adopted by Ordinance No. 52-2000, enacted September 25, 2000.
- (n)** Support Document means a plan or other document that is prepared as a policy guide for a Comprehensive Plan function or area. Support documents are adopted by ordinance, but are not part of the Comprehensive Plan and are not land use regulations, as defined by ORS 197.015(11).
- (o)** Urban Growth Boundary means that certain legal description and accompanying document entitled "Salem Urban Growth Boundary, Revised September 12, 1988," adopted by Ordinance No. 175-79, enacted September 24, 1979; and amended by Ordinance No. 52-82, enacted March 29, 1982; Ordinance No. 42-86, enacted April 28, 1986; Ordinance No. 77-88, enacted September 13, 1988; and Ordinance No. 9-14, enacted June 23, 2014; and Ordinance No. 14-16, enacted December 5, 2016.
- (p)** Urban Service Area Map means the map of that certain area originally referred to as the "Current Developed Area" originally delineated on the official zoning map by Ordinance No.

129-79, enacted July 23, 1979, and subsequently amended, and readopted by Ordinance No. 6-13, enacted June 10, 2013.

(q) Water System Master Plan means that certain document entitled "Water System Master Plan, 1994, CH2M-Hill" and adopted by Ordinance No. 34-94, enacted April 25, 1994; and amended by Ordinance No. 70-96, enacted September 23, 1996; Ordinance No. 89-99, enacted November 22, 1999; Ordinance No. 8-05, enacted February 7, 2005; and Ordinance No. 96-07, enacted July 9, 2007.

(r) Willamette River Greenway Plan means that certain document entitled "Willamette River Greenway Plan, July, 1979" and adopted by Ordinance No. 157-79, enacted September 24, 1979; and amended by Ordinance No. 14-16, enacted December 5, 2016. (Ord No. 6-13; Ord No. 2-14; Ord No. 6-14; Ord No. 9-14; Ord 20-15; Ord 1-16)

64.010. Rules of Construction. In the event of an ambiguity or conflict in the provisions or components of the Comprehensive Plan, the following rules of construction shall be used:

- (a) The Comprehensive Policies Plan takes precedence over any other component of the Comprehensive Plan.
- (b) The components of the Comprehensive Plan shall be construed as complementary or supplementary wherever possible.
- (c) In the event of irreconcilable conflict in or between a particular component of the Comprehensive Plan, the text shall control over maps, and the more specific text provisions shall control over the more general. In the event of a conflict, all other components of the Comprehensive Plan shall take precedence over a Neighborhood Plan.
- (d) A legal description adopted by ordinance shall supersede any conflicting or uncertain delineation of such area on any map.
- (e) No particular weight shall be accorded to any provision in the Comprehensive Plan by reason of the date of its enactment.
- (f) Statewide Land Use Planning Goals are the final standard to be used in interpreting the Comprehensive Plan, and the Comprehensive Plan shall be interpreted in a manner that is consistent with the Statewide Land Use Planning Goals. (Ord No. 6-13)

64.015. Components of the Comprehensive Plan; Support Documents for the Comprehensive Plan.

- (a) The components of the Comprehensive Plan are:
 - (1) The Comprehensive Policies Plan.
 - (2) The Urban Growth Boundary.
 - (3) The Comprehensive Plan Map.
 - (4) Public Facilities Plan.
 - (5) Salem Transportation System Plan, other than those components setting forth transportation financing programs, as described in OAR 660-012-0040.
 - (6) Comprehensive Park System Master Plan.
 - (7) Urban Service Area Map.
 - (8) Willamette River Greenway Plan.
 - (9) The "Goals and Policies" provisions and the general land use maps in adopted Neighborhood Plans.
- (b) The support documents for the Comprehensive Plan are:
 - (1) Public Facilities Support Documents.
 - (2) Those components of the Salem Transportation System Plan setting forth transportation financing programs, as described in OAR 660-012-0040.
 - (3) Historic Preservation Plan.
 - (4) McNary Field Airport Master Plan.

- (5) Neighborhood Plans, other than the "Goals and Policies" provisions and the general land use maps in adopted Neighborhood Plans that are adopted as part of the Comprehensive Plan.
- (6) Salem Economic Opportunities Analysis

(c) Official Comprehensive Plan Map. The boundaries of the comprehensive plan designations shall be depicted on an official map titled, "Salem Comprehensive Plan Map." The map may be maintained in digital form. (Ord No. 6-13; Ord 20-15)

64.020. Comprehensive Plan Amendments.

(a) Applicability. Amendments to the Comprehensive Plan, other than an amendment to a Plan Map, as that term is defined in SRC 64.025, shall be adopted as provided in this section. The two types of Comprehensive Plan Amendments are Major and Minor. (Ord No. 6-13)

(b) Major Comprehensive Plan Amendment. A Major Comprehensive Plan Amendment is any amendment to the Comprehensive Plan that involves the creation, revision, or implementation of broad public policy generally affecting more than one property owner or affecting a large number of individual properties. (Ord No. 6-13)

(c) Minor Comprehensive Plan Amendment. A Minor Comprehensive Plan Amendment is:

- (1) Any amendment other than a Major Comprehensive Plan Amendment; and
- (2) Any amendment that is necessary to comply with an order, directive, or recommendation of a governmental body responsible for administering state land use law, or to comply with an order of a court having jurisdiction over litigation involving state land use law. As used in this section, "governmental body responsible for administering state land use law" includes, but is not limited to, the Land Use Board of Appeals, the Land Conservation and Development Commission, and the Department of Land Conservation and Development.

(d) Procedure Type. Major and Minor Comprehensive Plan Amendments are legislative land use decisions, and are processed according to the Legislative Procedures under SRC Chapter 300.

(e) Standing to Initiate Comprehensive Plan Amendments.

- (1) Notwithstanding SRC 300.1110, a Major Comprehensive Plan Amendment may only be initiated by the City Council.
- (2) Notwithstanding SRC 300.1110, a Minor Comprehensive Plan Amendment may only be initiated by the City Council, the Planning Commission, or staff.

(f) Criteria.

- (1) A Major Comprehensive Plan Amendment may be made if:
 - (A) The amendment is in the best interest of the public health, safety, and welfare of the City.
 - (B) The amendment conforms to the applicable Statewide Planning Goals and applicable administrative rules adopted by the Department of Land Conservation and Development.
- (2) A Minor Comprehensive Plan Amendment may be made if:
 - (A) The amendment does not significantly change or amend key principles or policies in the Comprehensive Plan;
 - (B) The amendment does not require substantial changes to plan language to maintain internal plan consistency;
 - (C) The amendment does not require significant factual or policy analysis;
 - (D) The amendment is in the public interest of the public health, safety, and welfare of the City; and

(E) The amendment conforms to the applicable Statewide Planning Goals and applicable administrative rules adopted by the Department of Land Conservation and Development. (Ord No. 6-13)

64.025. Plan Map Amendments.

(a) **Applicability.** Amendments to a Plan Map shall be adopted as provided in this section. The two types of Plan Map amendments are major and minor. As used in this section, "plan map" means the Urban Growth Boundary, the Comprehensive Plan Map, or a general land use map in a Neighborhood Plan.

(1) A Major Plan Map Amendment is:

(A) Any amendment to the Urban Growth Boundary; or

(B) An amendment to either the Comprehensive Plan Map or a general land use map in a Neighborhood Plan, where the amendment involves the creation, revision, or implementation of broad public policy generally affecting more than one property owner or a large number of individual properties.

(2) A Minor Plan Map Amendment is an amendment to either the Comprehensive Plan Map or a general land use map in a Neighborhood Plan, where the amendment affects only a small number of properties or a closely circumscribed set of factual circumstances.

(b) **Standing to Initiate Plan Map Amendments.**

(1) Notwithstanding SRC 300.1110, a Major Plan Map Amendment may only be initiated by the City Council.

(2) Notwithstanding SRC 300.1110, a Minor Plan Map Amendment may only be initiated by the City Council, the Planning Commission, or an owner of property that is the subject of the amendment, or that owner's agent.

(c) **Procedure Type.**

(1) Major Plan Map Amendments are legislative decisions, and are processed according to the Legislative Procedures under SRC Chapter 300.

(2) Minor Plan Map Amendments are quasi-judicial decisions, and are processed as a Type III procedure under SRC Chapter 300.

(d) **Submittal Requirements.**

(1) **Initiation.**

(A) A Major or Minor Plan Map Amendment may be initiated by the City Council by the adoption of a resolution, identifying the property that is the subject of the amendment, and setting forth the public purpose for the amendment.

(B) A Minor Plan Map Amendment may be initiated by the City Council or the Planning Commission by the adoption of a resolution, identifying the property that is the subject of the amendment, and setting forth the public purpose for the amendment, or by an applicant by the submission of an application that complies with paragraph (2) of this subsection.

(2) In addition to the submittal requirements for a Type III application under SRC Chapter 300, an application for an applicant-initiated Minor Plan Map Amendment shall include the following:

(A) An existing conditions plan of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:

(i) The total site area, dimensions, and orientation relative to north;

(ii) The location of existing structures and other improvements on the site, including, but not limited to, buildings, accessory structures, fences, walls, parking areas, and driveways, noting their distance from property lines;

(iii) The location of drainage patterns and drainage courses, if applicable;

(B) A traffic impact analysis, if required by the Director of Public Works.

(e) **Criteria.**

(1) **Major Plan Map Amendment.** A Major Plan Map Amendment may be made if:

(A) The amendment is in the best interest of the public health, safety, and welfare of the City.

(B) The amendment conforms to the applicable Statewide Planning Goals and applicable administrative rules adopted by the Department of Land Conservation and Development.

(2) **Minor Plan Map Amendment.** The greater the impact of the proposed Minor Plan Map Amendment, the greater the burden on an applicant to demonstrate that the criteria are satisfied. A Minor Plan Map Amendment may be made if it complies with the following:

(A) The Minor Plan Map Amendment is justified based on the existence of one of the following:

(i) **Alteration in Circumstances.** Social, economic, or demographic patterns of the nearby vicinity have so altered that the current designations are no longer appropriate.

(ii) **Equally or Better Suited Designation.** A demonstration that the proposed designation is equally or better suited for the property than the existing designation.

(iii) **Conflict Between Comprehensive Plan Map Designation and Zone Designation.** A Minor Plan Map Amendment may be granted where there is a conflict between the Comprehensive Plan Map designation and the zoning of the property, and the zoning designation is a more appropriate designation for the property than the Comprehensive Plan Map designation. In determining whether the zoning designation is the more appropriate designation, the following factors shall be considered:

(aa) Whether there was a mistake in the application of a land use designation to the property;

(bb) Whether the physical characteristics of the property are better suited to the uses in zone as opposed to the uses permitted by the Comprehensive Plan Map designation;

(cc) Whether the property has been developed for uses that are incompatible with the Comprehensive Plan Map designation; and

(dd) Whether the Comprehensive Plan Map designation is compatible with the surrounding Comprehensive Plan Map designations.

(B) The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed plan map designation;

(C) The proposed plan map designation provides for the logical urbanization of land;

(D) The proposed land use designation is consistent with the Salem Area Comprehensive Plan and applicable Statewide planning goals and administrative rules adopted by the Department of Land Conservation and Development; and

(E) The amendment is in the public interest and would be of general benefit. (Ord No. 6-13; Ord No. 15-16; Ord No. 16-16, Ord No. 20-16, Ord No. 25-16)

64.030. Support Document Amendments.

(a) **Applicability.** Amendments to a support document shall be adopted as provided in this section.

(b) Standing to Initiate Amendments to Support Document.

(1) The City Council may initiate an amendment to a support document by the adoption of a resolution, which shall state whether the matter is to be referred to another Review Authority for public hearing and recommendation.

(2) Staff may initiate an amendment to a support document by preparing an ordinance bill and placing the ordinance on the City Council agenda for first reading. The City Council may schedule a public hearing on the ordinance bill, may refer the ordinance bill to Review Authority for its review and recommendation, may refer the ordinance to a subcommittee for further review, prior to holding a public hearing, or may decline to advance the ordinance to second reading.

(c) Public Hearings. No public hearing is required for an amendment to a support document. The City Council, may, in its discretion, hold a public hearing, in which case the procedures generally applicable for public hearings under the Council Rules for the City of Salem shall be followed.

(d) Form of Adoption. Amendments to support documents shall be adopted by ordinance.

(e) Appeals. Appeals of final decisions amending a support document shall be by writ of review. (Ord No. 6-13)

NEIGHBORHOOD ASSOCIATION PROGRAM

64.250. Purpose of Neighborhood Association Program The purpose of the Neighborhood Association Program is to involve citizens in local government planning and decision-making that affects their neighborhoods and the City as a whole; to provide an effective mechanism whereby the citizens of the city sharing common neighborhood identity, goals, and concerns, may form neighborhood associations and undertake an advisory role for the Council and all boards and commissions engaged in community planning and development; to provide a mechanism for citizens, through their neighborhood associations, to provide input to Council on livability and quality of life issues affecting their neighborhood and the City as a whole; and to provide a mechanism for local community involvement, neighborhood improvement, and volunteer opportunities. (Ord No. 118-77; Ord No. 56- 2000; Ord No. 2-10; Ord No. 6-13)

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

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

(b) Designated neighborhood means the geographical area of the city encompassed by the neighborhood association. (Ord No. 2-10)

64.260. Procedure for Initial Recognition of a Neighborhood Association.

(a) When interest has been expressed by a number of persons who are residents, businesses owners, or property owners to form a neighborhood association, a request may be made to the City Manager for staff assistance. City staff shall organize informal meetings with interested residents, businesses, and property owners, and shall assist in determining the geographical area of the proposed neighborhood association, and provide background and information on the neighborhood program. If the residents determine that forming a neighborhood association is desirable, one or more meetings for the area identified for the proposed neighborhood association shall be held to increase awareness of the neighborhood program and to allow a request for recognition as an official neighborhood association to be approved.

(b) A request for recognition as an official neighborhood association shall be considered by the City Council. If the group requesting recognition satisfies the requirements of SRC 64.280(a), the City Council shall adopt a resolution officially recognizing the neighborhood association. The resolution shall include a description of the designated neighborhood. Once

the neighborhood association has been recognized, the neighborhood association will serve as the official citizen organization for the designated neighborhood. (Ord No. 118-77; Ord No. 56-2000; Ord No. 42-09; Ord No. 2-10)

64.265. Notice of Initial Recognition. As soon as practical after recognition by the City Council, the Director shall make a reasonable effort to publicize and notify addresses within the designated neighborhood identified in the resolution recognizing the neighborhood association. The notification shall include:

- (a) A statement encouraging all property owners, residents, and businesses within the newly recognized neighborhood association to participate in meetings, preparation of neighborhood plans, and other activities leading to proposals and recommendations to the City.
- (b) A map of the neighborhood boundaries.
- (c) The names and contact information of all officers of the neighborhood association.
- (d) The names and contact information for the City staff who will be serving as the primary contacts with the neighborhood association. (Ord No. 118-77; Ord No. 56-2000; Ord No. 2-10; Ord No. 6-13)

64.270. Incorporation of Newly Annexed Territory into Neighborhood Associations. Whenever territory is annexed to the City, and the area is contiguous to a designated neighborhood, that neighborhood association may submit a request to the City Council for one of the following alternatives:

- (a) That the territory be added to the geographical area of the neighborhood association;
- (b) That the territory be considered for recognition as a new neighborhood association and its residents be encouraged immediately to seek recognition; or
- (c) That the area be considered for recognition a new neighborhood association, but because it is yet undeveloped, or is too small, that the territory should be temporarily represented by another neighborhood association, in which case the neighborhood association making the request shall function as the neighborhood association for the territory, provided, however that such neighborhood association shall not develop any neighborhood plan for the territory. (Ord No. 118-77; Ord No. 56-2000; Ord No. 2-10)

64.275. Annual Review of Neighborhood Association Status.

- (a) Within sixty days following the annual general meeting for electing board members, a neighborhood association shall provide the City Manager with evidence of compliance with the standards set forth in SRC 64.280(b).
- (b) The report will be reviewed by the City Manager. The City Manager may request such additional information or documentation that the City Manager deems necessary to establish compliance with the standards set forth in SRC 64.280(b). If, after review, the City Manger finds that the neighborhood association has established compliance with the standards set forth in SRC 64.280(b), then the City Manager shall send a notice to the neighborhood association, indicating continued recognition of the neighborhood association. If, after review, the City Manager finds that the neighborhood association has failed to establish compliance with the standards set forth in SRC 64.280(b), the City Manager shall send a notice of non-compliance to the neighborhood association identifying the deficiencies, and the corrective action which would be necessary.
- (c) Upon receipt of a notice of non-compliance, the neighborhood association shall, within sixty days of the notice, notify the City Manager of the date the corrective action will be completed, or provide the City Manager with an action plan to correct the deficiencies. If the corrective action will take more than three months to complete, then the neighborhood association shall provide an action plan, which shall include a timeline for completion. If

corrective action is not completed within the date specified by the neighborhood association, or no action plan is provided to the City Manager within sixty days following the notice of noncompliance, or timelines in the corrective action plan are not met, recognition of the neighborhood association shall be suspended.

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

neighborhood association satisfies all criteria set forth in SRC 64.280(a) and that it is capable of satisfying all the criteria set forth in SRC 64.280(b). If the City Manager finds that the neighborhood association's request satisfies all criteria set forth in SRC 64.280(a) and that it is capable of satisfying all the criteria set forth in SRC 64.280(b), the City Manager shall issue a notice of reinstatement. Recognition of a neighborhood association shall be terminated by resolution of the City Council if the neighborhood association fails to timely request reinstatement as provided in subsection (c) of this section, or fails to demonstrate satisfaction of all criteria set forth in SRC 64.280(a) and capability of satisfying all the criteria set forth in SRC 64.280(b) in its request for reinstatement. (Ord No. 118-77; Ord No. 2-10)

64.280. Standards for Recognition.

(a) A neighborhood association, in order to obtain initial recognition, shall meet the following standards:

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

(2) That bylaws provide for the following:

(A) A decision-making process for the association.

(B) Minutes of all official board and general meetings to be taken and filed with the City Manager.

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

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

(4) That the neighborhood association has an awareness of its duties and responsibilities with respect to the neighborhood association program.

(5) That the contiguous geographical boundaries of the neighborhood 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.

(6) 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 association and that no area be represented by more than one neighborhood association.

(7) Notices of organizational meetings prior to official recognition of the neighborhood association have been publicized to known property owners, residents, and businesses in the proposed designated neighborhood via written or electronic notice, as resources allow.

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

(1) The neighborhood association has held an annual general neighborhood meeting for the election of board members. A reasonable effort shall be made to publicize the meeting to members by mail, newsletter, posted notices, telephone call, electronic mail, or other available means of communication.

(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. (Ord No. 118-77; Ord No. 21-95; Ord No. 56-2000; Ord No. 35-2001; Ord No. 42-09; Ord No. 2-10; Ord No. 6-13)

64.285. Effect of Recognition. Officially recognized neighborhood associations are not branches of city government but independent organizations, and shall not be deemed public bodies under Oregon law. Any assistance provided to a neighborhood association pursuant to SRC 64.295 shall be deemed a grant, and not payment for services. (Ord No. 2-10)

64.290. Neighborhood Association Responsibilities. An officially recognized neighborhood association should:

- (a) Develop an organization which will maintain itself and further the intent and purpose set forth in SRC 64.250.
- (b) Establish one or more annual civic involvement goals.
- (c) Provide a neighborhood-based problem solving process, that will facilitate citizen-based problem solving on issues identified by citizens in the designated neighborhood and provide referrals for resources to assist in the problem solving process.
- (d) Engage in community-building by developing neighborhood cohesion and by organizing neighborhood citizen involvement activities.
- (e) Partner with the City to educate and involve citizens in local government decision making.
- (f) Act as an advisor to the City in legislative land use matters and general quality of life issues affecting the neighborhood.
- (g) Represent neighborhood opinion and concerns before public bodies and agencies.
- (h) Identify neighborhood resources.
- (i) Gather general data concerning the neighborhood as needed in order to fulfill the responsibilities of the neighborhood association.
- (j) Identify neighborhood problems and needs.
- (k) Hold neighborhood meetings to disseminate information and determine opinions of area residents, businesses, and property owners.
- (l) Develop recommendations to appropriate governmental agencies.
- (m) Prepare a neighborhood plan as City staff and funding are available.
- (n) Assist in implementing the adopted neighborhood plan.
- (o) Consider involvement in community service activities that could benefit the neighborhood or the city in general.
- (p) Coordinate with watershed councils whose boundaries overlap the neighborhood association's boundaries. (Ord No. 118-77; Ord No. 56-2000; Ord No. 2-10)

64.292. Consolidation of Neighborhood Associations. For two or more Neighborhood Associations to consolidate into a single entity, the following procedure should be followed:

- (a) That each neighborhood involved in the consolidation hold one or more well publicized

neighborhood meetings for the purpose of information and approval of the consolidation procedure.

(b) Once each Neighborhood Association involved has approval to consolidate from its board members after the required meetings, additional meetings as necessary shall be held to produce an acceptable new set of by-laws, calendar of meeting dates, select the new board members, assign new officers, committee chairs, and members, and select an effective date to establish the new Neighborhood Association.

(c) As closely as possible, the City Manager and City Council shall be advised as to the consolidation of the Neighborhood Associations on, or about, the effective date. (Ord No. 6-13)

64.295. City Support of Neighborhood Associations; Advisory Role to City. A recognized neighborhood association will, subject to availability of resources, as determined by the City Manager, receive the following from the City:

(a) City staff, who will conduct research, provide information, and assist the neighborhood association in organizational development and maintenance and implementation of the neighborhood associations' projects.

(b) Distribution, printing, clerical, and graphic services to assist the neighborhood association.

(c) Grants of financial assistance for communication to members and outreach to the geographic area encompassed by the neighborhood association.

(d) Assistance in the preparation and update of neighborhood plans.

(e) Timely notice of any proposals affecting the geographic area encompassed by the neighborhood association that are to come before advisory boards and City Council.

(f) Solicitation of a neighborhood association's position and reasoning on any issue especially affecting the geographic area encompassed by the neighborhood association. (Ord No. 118-77; Ord No. 56-2000; Ord No. 2-10; Ord No. 6-13)

NEIGHBORHOOD PLANS

64.300. Neighborhood Plans, Generally.

(a) A neighborhood plan is a written plan embodying citizen desires on a broad range of concerns in a designated neighborhood. The purpose of a neighborhood plan is to provide detailed goals and policies for the designated neighborhood in a manner consistent with the Salem Area Comprehensive Plan.

(b) The neighborhood plan shall be the basis for any neighborhood association's recommendation to any city board, commission, or agency. The city board, commission or agency shall consider the neighborhood plan in making any decision or recommendation which would affect the designated neighborhood. The City Council may consider the neighborhood plan before making any final decision as to the acquisition, construction, or improvement of public facilities in the designated neighborhood. (Ord No. 118-77; Ord No. 2-10)

64.305. Development of a Neighborhood Plan. The development of a neighborhood plan for a designated neighborhood may be initiated by a recognized neighborhood association, or by the Planning Administrator, after obtaining concurrence from the recognized neighborhood association. The Planning Administrator may initiate the development of a neighborhood plan for any area of the city for which there is no neighborhood association, if authorized by the City Council. (Ord No. 2-10)

64.310. Scope of Neighborhood Plan.

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

(1) Land use;

- (2) Transportation;
 - (3) Public facilities and services;
 - (4) Housing; and
 - (5) Parks, recreation, and open spaces.
- (b) A neighborhood plan may address other subjects of particular concern to the neighborhood, such as:
- (1) Economic development;
 - (2) Social services;
 - (3) Environmental quality; and
 - (4) Urban design.
- (c) A neighborhood plan should include the following:
- (1) Goals and policy statements;
 - (2) Generalized land use map;
 - (3) Maps and diagrams that assist in showing the application of goal and policy statements; and
 - (4) Recommendations as to any element addressed in the neighborhood plan. (Ord No. 118-77; Ord No. 2-10)

64.315. Time Frame and Phasing.

- (a) Neighborhood plans should focus on a time span of at least ten years.
- (b) Within the time span of the neighborhood plan, the timing or phasing of specific applications of policies may depend upon the happening of future events, or may depend upon predicted growth over a particular time period. The neighborhood plan should specify the preconditions or timing of such policies and their application.
- (c) Neighborhood plans should be reviewed periodically. (Ord No. 118-77; Ord No. 2-10)

64.320. Elements of Neighborhood Plan Which May be Adopted as Part of the Salem Area Comprehensive Plan.

- (a) 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. The goals, policies and generalized land use map that are adopted shall be consistent with the Salem Area Comprehensive Plan and the statewide planning goals. Specific recommendations as to land use or public improvements shall not be adopted, but may be considered in making legislative land use decisions affecting the designated neighborhood.
- (b) In the event of any conflict between an adopted neighborhood plan and the Statewide Planning Goals, the Salem Area Comprehensive Plan, or the Salem Revised Code, the Statewide Planning Goals, the Salem Area Comprehensive Plan, or the Salem Revised Code shall control. (Ord No. 118-77; Ord No. 2-10)

64.325. Process for Development of Neighborhood Plans.

- (a) Property owners, residents, and businesses within the designated neighborhood shall be afforded maximum opportunity for involvement in all phases of the preparation of a neighborhood plan. Notification of all general neighborhood and board meetings where the proposed neighborhood plan will be discussed, and notification of the process by which the neighborhood plan is being prepared shall be given by the neighborhood association.
- (b) Proposed neighborhood plans must be presented at a minimum of two informational public meetings. In addition to these public meetings, the neighborhood association should use other means to obtain input and review of the neighborhood plan from property owners, residents, and businesses who would be directly affected by the proposed neighborhood plan.
- (c) The final draft neighborhood plan shall be adopted by resolution of the neighborhood

association's governing board and affirmed by vote of the membership at a general or annual meeting.

(d) The process for adoption of the neighborhood plan by the City is deemed initiated upon a filing of the resolution and a copy of the final draft neighborhood plan with the Planning Administrator. (Ord No. 118-77; Ord No. 2-10)

64.330. Planning Commission Action on Neighborhood Plans.

(a) The Planning Commission and official representatives of the neighborhood association shall hold a joint work session exchange comments about the neighborhood plan, to identify any areas of potential disagreement, and to give the neighborhood association an opportunity to refine its plan. Such work session should be held within four weeks of the date the final draft neighborhood plan is filed with the Planning Administrator. At such work session the neighborhood association shall demonstrate compliance with SRC 64.325.

(b) Based upon the work session described in subsection (a) of this section the neighborhood association shall, within sixty days after the work session, submit a notice of completion to the Planning Administrator, which shall include any additions, modifications, or deletions it wishes to make to the final draft neighborhood plan, or a statement that it wishes to make no changes.

(c) The Planning Commission shall hold a public hearing on the final draft neighborhood plan within thirty days following the submission of the notice of completion by the neighborhood association under subsection (b) of this section. Notice of the hearing shall be given as provided for major plan changes in SRC 64.080. The Planning Commission shall forward its recommendation concerning the neighborhood plan to the City Council, within thirty days of the conclusion of its deliberations, unless the neighborhood association requests a further work session as provided in subsection (d) of this section.

(d) If, after the public hearing before the Planning Commission, the neighborhood association so requests, the Planning Commission shall schedule a further joint work session to be held for the purposes and in the manner specified in subsection (a) of this section. The request shall be made within seven days of the close of the public hearing, and the work session should be held within thirty days of the request. The neighborhood association shall proceed as provided in subsection (b) of this section. Within thirty days of receipt of the notice of completion, the Planning Administrator shall forward the final draft neighborhood plan, as modified, along with the Planning Commission's recommendations to the City Council. (Ord No. 118-77; Ord No. 53-82; Ord No. 2-10)

64.335. Council Adoption of Neighborhood Plan. The City Council shall hold a public hearing on the final draft neighborhood plan within 120 days following receipt of the Planning Commission's recommendation from the Planning Administrator. Notice of the hearing shall be given as provided for major plan changes in SRC 64.080. Following public hearing, City Council shall either recommend changes to the neighborhood plan or adopt such portions thereof it deems appropriate. If the City Council recommends changes, the neighborhood association may either revise the neighborhood plan and resubmit it for adoption by the City Council or it may notify the City Council that it declines to amend its plan further, in which case the City Council may adopt the plan as originally submitted or abandon the adoption process. (Ord No. 118-77; Ord No. 53-82; Ord No. 2-10)