



**Fritzie, Martha**

---

EXHIBIT 1  
P-10-2014  
molalla

**From:** Donnelly, Jennifer [jennifer.donnelly@state.or.us]  
**Sent:** Thursday, June 26, 2014 11:31 AM  
**To:** Fritzie, Martha  
**Subject:** Molalla - comp plan

Hi Martha –  
Quick look over of the Molalla Comp plan – it looks good.

on Pg. 85, the Rural Land Protection Policy still has an urban reserve reference, most likely left in by mistake.

I will let you know if the department has any substantial comments.

Cheers,  
jennifer

**Jennifer Donnelly** | Metro Regional Representative  
Community Services Division  
Oregon Department of Land Conservation and Development  
Portland Metro Regional Solutions  
1600 SW Fourth Avenue, Suite 109 | Portland, OR 97201  
Office: (503) 725-2183 | Cell: (971) 239-9451  
[jennifer.donnelly@state.or.us](mailto:jennifer.donnelly@state.or.us) | [www.oregon.gov/LCD/](http://www.oregon.gov/LCD/)

EXCERPTS FROM

EXHIBIT 2  
P-10-2014  
MOLALA

Molalla Comprehensive Plan and Development Code -  
Goal Findings and Conclusions

---

**Table of Contents**

The benefit to the public from the proposed use clearly outweighs the public good from retaining the wetland area

Introduction ..... 3

    Purpose and Organization of these Findings ..... 3

    Applicable Statewide Planning Goals..... 4

Goal 1: Citizen Involvement ..... 5

    Planning Commission and Council Work Sessions..... 5

    Public Hearing Process ..... 5

    Agency Coordination..... 6

    Staff Availability ..... 6

    Goal 1 Conclusion ..... 6

Goal 2: Land Use Planning Process ..... 6

    1. Inter-Jurisdictional Plan Consistency ..... 7

    2. Adequate Factual Base and Consideration of Alternatives ..... 7

    3. Availability of Plans and Implementation Measures ..... 7

    4. Adoption and Review by the City Council..... 7

    Goal 2 Conclusion ..... 8

Goal 5: Natural Resources..... 8

    ESEE Analysis..... 9

    3. Plan Policies ..... 10

    4. Development Code Provisions..... 11

    Goal 5 Conclusion ..... 11

Goal 6: Air, Land and Water Resources Quality..... 11

Goal 7: Areas Subject to Natural Hazards..... 11

    Flood Hazards..... 11

    Landslide Hazards ..... 11

    Goal 7 Conclusion ..... 12

---

## Introduction

In response to unprecedented growth, the city of Molalla has engaged in a multi-year process to establish a community vision and to overhaul the 30-year old *Molalla Comprehensive Plan* or more simply, “the comprehensive plan”.

As noted on the City’s website and in the draft comprehensive plan update, Molalla’s vision can be summarized in a few simple words:

***Molalla – A recreation-oriented and family-friendly community  
with a vibrant downtown and livable neighborhoods***

To realize this vision consistent with Oregon’s statewide planning program, Molalla has worked cooperatively with its citizens and with affected units of government to develop and adopt a series of implementing plans and land use regulations:

- The *Molalla Park and Recreation Master Plan* or “parks plan” (Cogan Owens Cogan, 2009) and
- The *Molalla Development Code* or “development code” (City of Molalla, 2010)
- The *Molalla Urban Reserve* or “urban reserve” (Winterbrook Planning, 2010)

Each of these plans and implementing measures is supported by one or more background studies – each of which has been modified several times to incorporate comments from the public, Clackamas County and affected state agencies. These background documents are adopted by ordinance and referenced as Volume II of the comprehensive plan.

Winterbrook prepared findings in support of the proposed Molalla Urban Reserve in 2009 based on information found in these background studies.

## Purpose and Organization of these Findings

The findings in this document demonstrate why the 2010 version of the comprehensive plan (as implemented by the downtown plan, the parks plan, and the development code), is consistent with applicable statewide planning goals.

The organization of these findings is straightforward: each applicable statewide planning goal is cited and paraphrased, followed by an explanation of why the new comprehensive plan and implementing plans and land use regulations are consistent with the referenced goal.

## Applicable Statewide Planning Goals

Applicable statewide planning goals (and implementing administrative rules) include the following:

- Goal 1: Citizen Involvement
- Goal 2: Land Use Planning
- Goal 5: Natural Resources (OAR 660, Division 023)
- Goal 6: Air, Water and Land Resources Quality
- Goal 7: Natural Hazards
- Goal 8: Recreational Needs
- Goal 9: Economy of the State (OAR 660, Division 009)
- Goal 10: Housing (OAR 660, Division 008)
- Goal 11: Public Facilities and Services (OAR 660, Division 011)
- Goal 12: Transportation (OAR 660, Division 012)
- Goal 13: Energy Conservation
- Goal 14: Urbanization (OAR 660, Division 024)

## Goal 1: Citizen Involvement

*To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process*

---

Goal 1 is at the heart of Oregon's planning program. The ability of citizens to participate in all phases of the planning process is critical to Goal 1 compliance. The ability to participate in the process is not, however, the same as giving all participants what they want. After listening and responding to comments from Molalla and rural residents, property owners and businesses, the Council made policy choices that it believed were in the best interest of the community as a whole. In certain cases, this led to an unsatisfactory result for some participants in the process.

### Planning Commission and Council Work Sessions

Between January 2005 and March 2009, Molalla Planning Commission held 149 public work sessions on the comprehensive plan, development code, downtown plan, and park and recreational plan and supporting background documents. Materials considered at each work session were made available at the Planning Department for public review. Each document was revised several times as a result of the public review process. Each series of revised documents was posted on the City's website at <http://www.molallaplanning.com>.

To ensure the full airing of all issues raised, and in addition to the 149 planning commission work sessions, the planning commission and city council held a series of eight joint public work sessions on the comprehensive plan and supporting documents. These work sessions were held from November 2007 to September 2008, on the following dates: 11/13/07 - 11/21/07 - 12/5/07 - 12/12/07 - 2/20/08 - 3/5/08 - 4/6/08 - 9/17/08.

### Public Hearing Process

The planning commission considered public testimony regarding each of the documents cited above at 19 public planning commission hearings. Each was publicly noticed and opportunity for public comments was provided. These hearings were held on the following dates: 10/14/08 - 10/28/08 - 11/5/08 - 11/18/08 - 12/2/08 - 12/9/08 - 4/7/09 - 4/14/09 - 4/28/09 - 5/12/09 - 5/28/09 - 6/16/09 - 7/7/09 - 7/9/09 - 7/14/09 - 7/16/09 - 8/11/09 - 9/1/09 - 9/2/09.

After the planning commission public hearing process, the City Council held nine separate public hearings on the documents between October 2009 and February 2010. These hearings

occurred on the following dates: 10/14/09 - 10/21/09 - 10/28/09 - 11/4/09 - 11/18/09 - 12/2/09 - 12/9/09 - 1/20/10 - 2/10/10.

### **Agency Coordination**

Notice of adoption of the comprehensive plan, downtown plan, park plan and development code was provided to the Department of Land Conservation and Development on August 15, 2008, and DLCD submitted a letter stating official acknowledgement of the submittal on October 30, 2008.

Coordination with Clackamas County staff was extensive. Please see discussion under Goal 2. The record shows that City staff has communicated with the Oregon Department and Land Conservation and Development (DLCD) and Transportation (ODOT) on a regular basis during the course of the 2010 comprehensive plan update. As documented in the record, these meetings and correspondence from these agencies resulted in substantial amendments to the relevant background studies, the comprehensive plan, and development code.

### **Staff Availability**

City staff was responsive to requests for information and to comments from citizens, property owners and businesses. The Planning Director and City Manager held hundreds of meetings with individual citizens, property owners and state agency staff over the last 5 years. Although not everyone was satisfied with the results of these meetings, all had multiple opportunities to interact by telephone, in writing, or in person with responsible staff at the city.

### **Goal 1 Conclusion**

Molalla's public involvement process exceeded Goal 1 requirements. There were a total of 177 publicly noticed work sessions and public hearings on the comprehensive plan, background documents, and implementing plans and land use regulations. Citizens and agency representatives had access to draft documents – either by visiting the planning department or going online. Citizen and agency comments were considered and accommodated in the plan wherever possible, consistent with applicable statewide planning goals and the broader public good as viewed by the City Council.

### **Goal 2: Land Use Planning Process**

*To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual base for such decisions and actions*

---

## **1. Inter-Jurisdictional Plan Consistency**

Molalla has coordinated extensively with Clackamas County and affected state agencies in the plan development and adoption process. There were four primary coordination issues: (a) co-adoption of a coordinated 20-year population projection for the Molalla urban area; (b) co-adoption of the Molalla Comprehensive Plan as it applies outside the Molalla city limits; (c) co-adoption of an urban reserve boundary; and (d) co-adoption of interim development standards to limit development on rural residential land outside the UGB.

It is anticipated that the first issue – that of a coordinated 20-year population projection – will be addressed when the City moves forward with a UGB amendment in 2010-11. The City will be working with Clackamas County staff, appointed and elected officials over the coming months towards co-adoption of items b-d.

## **2. Adequate Factual Base and Consideration of Alternatives**

The comprehensive plan is supported by several background studies that provide the factual basis and alternatives analysis required by Goal 2. Each of these background studies has been amended prior to adoption by the City Council to consider and accommodate comments from citizens, Clackamas County or affected state agencies.

- *Molalla Economic Profile* (E. Hovee, 2004)
- *City of Molalla Residential Land Needs Report* (Winterbrook Planning, 2009)
- *Buildable Lands Inventory Methods and Maps for Molalla UGB and URA* (Winterbrook Planning and the City of Molalla, 2007)
- *Urban Reserve Findings* (Winterbrook Planning, 2010)
- *Downtown & OR 211 Streetscape Plan* (Cogan Owens Cogan, 2008)
- *Molalla Downtown Master Plan* (Cogan Owens Cogan, 2009)
- *City of Molalla Historical Resources Inventory* (Projected 2010)
- *Molalla Local Wetlands Inventory* (Pacific Habitat Services, 2004)
- *Capital Improvements Plan Summary Findings and Recommendations* (City of Molalla, 1999 - 2004)

## **3. Availability of Plans and Implementation Measures**

All background documents and each of the seven drafts of the comprehensive plan and development code were available to the public at city hall and on the city's webpage. City staff also made themselves available to meet with citizens and state agencies, and respond to their questions, upon request.

## **4. Adoption and Review by the City Council**

The City Council (will have / has) adopted the comprehensive plan, the downtown plan, the park plan and the development code by ordinance. The adopting ordinance and the

---



comprehensive plan itself (page 2-4) make it clear that the supporting documents were adopted as part of the comprehensive plan and serve as the factual basis for consideration of alternatives leading up to plan adoption.

## Goal 2 Conclusion

Molalla’s comprehensive plan includes a series of background studies that provide the factual basis and analysis of alternatives required by Goal 2. The comprehensive plan is implemented by a series of functional or area plans, as well as the newly-minted *Molalla Development Code*. Background studies, the comprehensive plan, functional plans and the development code have undergone extensive revisions over the last five years of public and agency involvement.

Molalla has coordinated extensively with Clackamas County staff and affected state agencies – particularly with DLCD and ODOT – in the development and modification of these planning documents. Following an extensive public involvement process, the City Council has adopted final versions of these planning documents by ordinance. Molalla complies with Goal 2.

## Goal 5: Natural Resources

*To protect natural resources and conserve scenic and historic areas and open spaces*

---

Goal 5 is implemented by the “Goal 5 rule” – OAR 660, Division 023. This rule requires cities to address riparian corridors, wetlands and wildlife habitat. The rule does not require cities to prepare scenic or historic inventories.

Molalla’s Local Wetland Inventory (LWI) was completed in 2004. This inventory addresses wetlands, streams and associated fish and wildlife habitat values within the existing UGB. As part of the comprehensive plan update process, Winterbrook Planning prepared an inventory of Goal 5 resource sites in alternative urban reserve expansion areas immediately outside the existing Molalla urban growth boundary (UGB). (*Molalla Natural Resources Report*, Winterbrook 2008) This inventory describes and maps riparian corridors, wetlands and associated wildlife habitat.

Molalla also adopted plan policies and land use regulations to protect inventoried riparian corridors and wetlands in a manner similar to the “safe harbor” provisions of OAR 660-023-0090 (riparian corridors) and -0100 (wetlands). In accordance with OAR 660-023-0070, riparian corridors and wetlands protected through the Goal 5 process are removed from the city’s buildable lands inventory (BLI).

Molalla is committed to a goal of creating an inventory and preserving historically significant sites and structures within the Molalla UGB. This *Historical Resources Inventory* is expected to be completed in 2010.

### **ESEE Analysis**

The draft comprehensive plan calls for protecting riparian corridors and wetlands in a manner “similar to” Goal 5 safe harbor provisions. Generally, these safe harbors require protection of:

- Locally significant wetlands that are separate from riparian corridors to the delineated wetland edge.
- Riparian corridors, including wetlands next to a stream, for a distance of 50 feet from the top to stream bank or edge of associated wetland.

Molalla proposes to vary from this safe harbor in two ways:

1. **Isolated wetlands** may be modified in accordance with the strict environmental impact criteria found in Section 18.7.150.C, where “necessary to accommodate reasonable development of a property.”
2. **The 50-foot streambank setback** may be modified in accordance with the strict environmental impact criteria found in Section 18.7.150.D provided that the average setback remains 50 feet or more *and* the setback is not reduced below 25 feet.

### **Economic Consequences**

The economic consequences of these minor adjustments to the safe harbor provisions of Goal 5 are generally positive. The modifications provide greater flexibility in the application of protection standards to isolated wetlands and riparian corridors, thereby increasing the usable area of private and public property. This will have a positive economic impact.

It is recognized that protecting wetlands and stream corridors have positive economic consequences – in terms of their flood storage capacity and positive effect on land values for adjoining properties. However, the avoidance and mitigation requirements of the aforementioned code requirements will minimize any potential adverse economic impacts resulting from impacts to isolated wetland or altered riparian corridors.

### **Environmental Consequences**

The environmental consequences are mixed. While the safe harbor provisions do not allow any reduction in isolated wetland area or riparian corridor setbacks, the more moderate approach taken by the city *only* allows such modifications after an exhaustive environmental review and with appropriate and effective mitigation. Therefore, it is unlikely that there will be severe adverse economic consequences resulting from application of the city’s more moderate and flexible standards.

For example, a setback reduction must include removal of invasive plant species from the protected setback area, and replacement with native species. There are several similar provisions that would likely result in increased environmental protection within the modified riparian setback area.

### *Social Consequences*

Wetlands and stream corridors provide protected urban open spaces which have positive social values to those living near, travelling through, or working in the vicinity of these important natural features. The city's more flexible process takes these social consequences into account. For example, to modify an isolated wetland, the approval authority must find that "The benefit to the public from the proposed use clearly outweighs the public good from retaining the wetland area" and that the wetland is integrated into the overall project design. Reduction of stream setbacks cannot reduce the average setback below 50 feet – while maintaining a minimum 25-foot setback area. This provision could allow people to interact on a more intimate basis with the natural feature – while preserving its overall functions and values.

On balance, the social consequences of the city's approach do not have serious adverse social consequences and would likely have social benefits.

### *Energy Consequences*

The energy consequences of the city's approach are minimal. Trees associated with wetland and streams provide positive energy impacts by reducing heat island in urban areas and mitigating the adverse affects of sun and wind on energy for home heating. The decision criteria and mitigation requirements for isolated wetlands and riparian corridors ensure that major reductions in native vegetation will not occur. Therefore, it is unlikely that the energy conservation benefits of riparian corridors and wetlands will be adversely impacted.

### *ESEE Conclusion*

The relatively minor variations from the safe harbor provisions of Goal 5 are minimal in terms of the ESEE consequences. Economic consequences are generally positive, with few if any major adverse environmental, social and energy consequences.

## **3. Plan Policies**

The comprehensive plan includes policies to protect inventoried stream corridors and wetlands. These policies as they applied to water resources are supported by the ESEE analysis above.

- Goal 5 Water Resources Policies 1-8; and
- Goal 5 Historic Resource Policies 1-14.

#### **4. Development Code Provisions**

The Molalla Development Code provisions implementing the comprehensive plan policies referenced above are found in Section 18.7.100 related to “Sensitive Lands.”

#### **Goal 5 Conclusion**

Molalla’s protection of historic resources and significant water resources complies with Goal 5.

#### **Goal 6: Air, Land and Water Resources Quality**

*To maintain and improve the quality of the air, water and land resources of the state*

---

Goal 6 requires cities and counties to adopt policies to coordinate with the Oregon Department of Environmental Quality (DEQ) to ensure that air, land and water quality resources are not degraded.

The comprehensive plan includes such coordination policies: Goal 6 Policies 1-15.

#### **Goal 7: Areas Subject to Natural Hazards**

*To protect people and property from natural hazards*

---

Molalla has inventoried its natural hazards as required by Goal 7. There are two categories of natural hazards affecting land within the Molalla UGB and the proposed urban reserve area:

- Flood hazards
- Landslide and erosion hazards

#### **Flood Hazards**

The comprehensive plan includes policies to ensure that development within the floodplain meets FEMA (Federal Emergency Management Agency) location and construction requirements (*Molalla Comprehensive Plan*, Goal 7 Natural Hazards). These policies are implemented by several chapters in the development code. Although limited development may be permitted within the 100-year floodplain under local regulations:

#### **Landslide Hazards**

The comprehensive plan includes policies to ensure that development on slopes of 25% or greater is controlled to minimize landslide and erosion hazards (*Molalla Comprehensive Plan*,

# City of Molalla

mailed 7/15/14  
gr

EXHIBIT 3  
P-10-2014  
MOLALLA

## NOTICE OF PUBLIC HEARINGS

MOLALLA PLANNING COMMISSION  
and  
MOLALLA CITY COUNCIL

DATE & TIME: **August 6, 2014, 7:00 p.m.** Planning Commission  
**September 10, 2014, 7:00 p.m.** City Council

PLACE: Molalla Adult Center, 315 Kennel Avenue, Molalla

FILE NO: P-10-2014, Legislative text amendments to the  
Molalla Comprehensive Plan

PURPOSE/PROPOSAL:

File #P-10-2014 is a proposal to adopt an updated Comprehensive Plan for the city. This proposal includes a substantial revision of the city's Comprehensive Plan and an updated Parks, Recreation and Trails Master Plan.

In 2010, the City of Molalla adopted a substantial revision of its 1980 Comprehensive Plan. The 2010 draft included an Urban Reserve Area (URA), which was subsequently rejected by the Clackamas County Board of Commissioners in April 2011. As a result, the 2010 draft Comprehensive Plan was never acknowledged by the State. Over the last several years, city staff has been working with the county, state and other agencies to make necessary revisions to the Plan to make it comply with all the applicable regulations. The current proposal (file# P-10-2014) is the result of that work and contains amendments the 2010 draft Comprehensive Plan, including the removal of all references to the proposed URA and associated population projections; and a comprehensive edit for clarity, consistency and ability to implement.

The amendments included in file #P-10-2014, are available at  
<http://www.cityofmolalla.com/planning/page/planning-and-permitting-services>.

---

You may attend, offer testimony or seek information at the hearings. Any correspondence received in advance of the hearings will be forwarded to the Planning Commission and/or City Council.

The staff report relating to this application will be available for inspection seven (7) days prior to the first hearing, at the Clackamas County Planning Division, 150 Beaver Creek Road, Oregon City, OR 97045. Copies will be available for a reasonable cost.

For further information, contact Martha Fritzie at 503-742-4529.

*City of Molalla  
Comp Plan Amendment  
Notice  
Mailed 7/15/14*

ODOT – REGION 1  
SETH BRUMLEY  
123 NW FLANDERS  
PORTLAND OR 97209

MOLALLA FIRE DISTRICT #73  
JOE MISSO  
P.O. BOX 655  
MOLALLA, OR 97038

MOLALLA RIVER SCHOOL DISTRICT  
P.O. BOX 188  
MOLALLA, OR 97038

MOLALLA RIVER WATCH  
PO BOX 687  
MOLALLA OR 97038-0867

MIKE SIMMONS  
30765 S. WALL ST.  
COLTON, OR 97017

SUSAN HANSEN  
PO BOX 50  
MOLALLA, OR 97038

**NOTICE OF PUBLIC HEARINGS  
SCHEDULED ON PROPOSED COMPREHENSIVE PLAN AMENDMENTS**

The City of Molalla Planning Commission and City Council will hold public hearings to consider proposed amendments to the City's Comprehensive Plan. The proposed amendments include a substantial revision of the city existing Comprehensive Plan, originally adopted in 1980, as well as an updated Parks, Recreation and Trails Master Plan.

The amendments included in file #P-10-2014, are available at <http://www.cityofmolalla.com/planning/page/planning-and-permitting-services>. The public may review and comment on the proposed amendments before and/or at the public hearings.

**Planning Commission Public Hearing**

7:00 p.m., August 6, 2014

Molalla Adult Center, 315 Kennel Avenue, Molalla

**City Council Public Hearing**

7:00 p.m., September 10, 2014

Molalla Adult Center, 315 Kennel Avenue, Molalla

For more information: Martha Fritzie (503) 742-4529, [mfritzie@clackamas.us](mailto:mfritzie@clackamas.us)

## Fritzie, Martha

---

**From:** Renhard, Darcy  
**Sent:** Monday, July 14, 2014 4:22 PM  
**To:** Fritzie, Martha  
**Subject:** FW: Public Notice Request: City of Molalla Comprehensive Plan

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** [LLOhmann@CanbyHerald.com](mailto:LLOhmann@CanbyHerald.com) [<mailto:LLOhmann@CanbyHerald.com>]  
**Sent:** Monday, July 14, 2014 4:21 PM  
**To:** Renhard, Darcy  
**Subject:** RE: Public Notice Request: City of Molalla Comprehensive Plan

Hi Darcy,

I have this legal scheduled to run in the Molalla Pioneer on July, 23, 2014.

Thank you!  
Linda



Linda Lohmann, Sales Associate  
THE CANBY HERALD  
241 N Grant Street  
Canby, OR 97013  
[www.canbyherald.com](http://www.canbyherald.com)  
Phone: 503-266-6831

---

**From:** Renhard, Darcy [<mailto:DRenhard@co.clackamas.or.us>]  
**Sent:** Monday, July 14, 2014 3:28 PM  
**To:** Linda Lohmann  
**Subject:** Public Notice Request: City of Molalla Comprehensive Plan

RE: The Planning Commission and Molalla City Council Public Hearing Agendas – August 6th, 2014 and September 10th, 2014.

Attached is a copy of the Molalla City Council agenda items for August 6th and September 10th, 2014. This agenda **must** be published in the Molalla Pioneer on or before July 25, 2014.

Please return two (2) copies of the Affidavit of Publication together with your statement. Please send to:  
Clackamas County  
**Land Use and Zoning**  
**Attn: Darcy Renhard**  
150 Beaver Creek Road  
Oregon City, OR 97045.

When submitting your statement, please refer to the publication date and **file number** of this agenda. Thank you.





June 19, 2014

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

To Plan Amendment Specialist:

In 2010, the City of Molalla adopted a substantial revision of its 1980 Comprehensive Plan, which included an Urban Reserve Area (URA), which was subsequently rejected by the Clackamas County Board of Commissioners in April 2011. Since then, city staff has been working with the County, DLCD and other agencies to make necessary revisions to the Plan to make it comply with all the applicable regulations. The current proposal (file# P-10-2014) amends the March 2010 Comprehensive Plan by removing all references to the proposed URA and associated population projections; incorporates the county's coordinated population forecast that was adopted in March 2013 (per ORS195.034); and includes a comprehensive edit to the text in the 2010 draft to eliminate repetition, clarify verbiage and remove policies that the City cannot realistically implement.

The mark-up draft included with this notice reflects the difference from the March 2010 Plan rather than changes from the 1980 Plan, because the changes are so substantial from the existing Plan. Comments previously provided by DLCD regarding the 2010 draft have been incorporated into this current version. The city's current acknowledged Plan (1980) can be found on the city's website at <http://www.cityofmolalla.com/planning/page/long-range-planning>.

Along with the proposed Comprehensive Plan revisions, we will be asking the city to adopt the following documents (also included in this packet):

1. *The City of Molalla Parks, Recreation and Trails Master Plan* (updated January 2014)
2. *Downtown Molalla Development and OR 211 Streetscape Plan* (July 13, 2007)

Please direct any written comments me. I am available at (503) 742-4529 or [mfritzie@clackamas.us](mailto:mfritzie@clackamas.us) to answer any questions.

Sincerely,

Martha Fritzie,  
Senior Planner



# NOTICE OF A PROPOSED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.:

Received:

Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation **at least 35 days before the first evidentiary hearing.** (See OAR 660-018-0020 for a post-acknowledgment plan amendment and OAR 660-025-0080 for a periodic review task). The rules require that the notice include a completed copy of this form.

Jurisdiction: **City of Molalla**

Local file no.: **P-10-2014**

Please check the type of change that best describes the proposal:

- Urban growth boundary (UGB) amendment** including more than 50 acres, by a city with a population greater than 2,500 within the UGB
- UGB amendment** over 100 acres by a metropolitan service district
- Urban reserve designation**, or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB
- Periodic review task** – Task no.:
- Any other change** to a comp plan or land use regulation (*e.g.*, a post-acknowledgement plan amendment)

Local contact person (name and title): Martha Fritzie, Sr. Planner, Clackamas County

Phone: 503-742-4529 E-mail: mfritzie@clackamas.us

Street address: 150 Beaver Creek Rd City: Oregon City Zip: 97045-

**Briefly summarize the proposal** in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

**In March 2010, the City of Molalla adopted a substantial revision of its Comprehensive Plan, which, for a several reasons, was not acknowledged. Since then, city staff has been working with the county and DLCD to make necessary revisions to that Plan. The current proposal amends the March 2010 Plan by removing all references and forecasts related to an urban reserve area; incorporating the county's coordinated population forecast, adopted per ORS 195; and editing for clarity and consistency.**

Date of first evidentiary hearing: 08/06/2014

Date of final hearing: 09/10/2014

This is a revision to a previously submitted notice. Date of previous submittal:

Check all that apply:

- Comprehensive Plan text amendment(s)
- Comprehensive Plan map amendment(s) – Change from \_\_\_\_\_ to \_\_\_\_\_  
Change from \_\_\_\_\_ to \_\_\_\_\_

New or amended land use regulation

Zoning map amendment(s) – Change from \_\_\_\_\_ to \_\_\_\_\_  
Change from \_\_\_\_\_ to \_\_\_\_\_

An exception to a statewide planning goal is proposed – goal(s) subject to exception:

Acres affected by map amendment:

Location of property, if applicable (site address and T, R, Sec., TL):

## NOTICE OF A PROPOSED CHANGE – SUBMITTAL INSTRUCTIONS

1. Except under certain circumstances,<sup>1</sup> proposed amendments must be submitted to DLCDD's Salem office at least 35 days before the first evidentiary hearing on the proposal. The 35 days begins the day of the postmark if mailed, or, if submitted by means other than US Postal Service, on the day DLCDD receives the proposal in its Salem office. **DLCDD will not confirm receipt of a Notice of a Proposed Change unless requested.**

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

3. **Hard-copy submittal:** When submitting a Notice of a Proposed Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 1 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](mailto:plan.amendments@state.or.us) with the subject line "Notice of Proposed Amendment."

Submittals may also be uploaded to DLCDD's FTP site at [http://www.oregon.gov/LCD/Pages/papa\\_submittal.aspx](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 1 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of a Proposed 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](mailto:plan.amendments@state.or.us).

6. **Text:** Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCDD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. **Staff report:** Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

8. **Local hearing notice:** Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.

9. **Maps:** Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. A paper map must be legible if printed on 8½" x 11" paper. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.

10. **Goal exceptions:** Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

<sup>1</sup> 660-018-0022 provides:

(1) When a local government determines that no goals, commission rules, or land use statutes apply to a particular proposed change, the notice of a proposed change is not required [a notice of adoption is still required, however]; and

(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review such that the local government cannot submit the proposed change consistent with the 35-day deadline, the local government may submit the proposed change to the department as soon as practicable. The submittal must include a description of the emergency circumstances.

<http://www.oregon.gov/LCD/Pages/forms.aspx>