

ORDINANCE NO. _____

An ordinance making certain determinations and findings relating to and approving the South Dallas Urban Renewal Plan and directing that notice of approval be published.

WHEREAS, Dallas Development Commission – Urban Renewal Agency (“Agency”), as the duly authorized and acting urban renewal agency of the City of Dallas, Oregon, is proposing to undertake certain urban renewal activities in a designated area within the City pursuant to ORS Chapter 457; and

WHEREAS, the Agency, pursuant to the requirements of ORS Chapter 457, has caused the preparation of the South Dallas Urban Renewal Plan dated August 15, 2022 and attached hereto as Exhibit A (the “Plan”) and incorporated hereby by reference, and the Plan authorizes certain urban renewal activities within the South Dallas Urban Renewal Area (the “Area”); and

WHEREAS, the Agency has caused the preparation of a certain Urban Renewal Report dated August 15, 2022 attached hereto as Exhibit B (the “Report”) and incorporated hereby by reference to accompany the Plan as required under ORS 457.087; and

WHEREAS, the Agency forwarded the Plan and Report to the Dallas Planning Commission (the “Planning Commission”) for review and recommendation. The Planning Commission considered the draft Plan and Report on July 12, 2022 and adopted a finding that the Plan conformed with the Dallas Comprehensive Plan; and

WHEREAS, the draft Plan and the Report were forwarded on June 21, 2022 to the governing body of each taxing district affected by the Plan, and the Agency has thereafter consulted and conferred with each taxing district; and

WHEREAS, on July 26, 2022 the City met with representatives of Polk County to review the draft Plan, including proposed maximum indebtedness for the Plan; and

WHEREAS, the City Council has not received any written recommendation from the governing bodies of the affected taxing districts; and

WHEREAS, on July 19, 2022, the City caused notice of the hearing to be held before the Council on the draft Plan, including the required statements of ORS 457.120(3), to be mailed to utility customers within City’s incorporated limits; and

WHEREAS, on August 1, 2022 the City Council held a public hearing to review and consider the draft Plan, the draft Report, the recommendation of the Dallas Planning Commission and the public testimony received on or before that date and to receive additional public testimony; and

WHEREAS, the City Council found that the Plan conforms with all applicable legal requirements; and

WHEREAS, after consideration of the record presented through this date, the City Council does by this Ordinance desire to approve the Plan;

NOW THEREFORE, THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. The Plan complies with all applicable requirements of ORS Chapter 457 and the specific criteria of 457.095, in that, based on the information provided in the Report, the Dallas Planning Commission Recommendation, and the public testimony before the City Council:

1. The process for the adoption of the Plan, has been conducted in accordance with the applicable provisions of Chapter 457 of the Oregon Revised Statutes and all other applicable legal requirements;
2. The area designated in the Plan as the South Dallas Urban Renewal Area ("Area") is blighted, as defined by ORS 457.010(1) and is eligible for inclusion within the Plan because of conditions described in the Report in the Section "Existing Physical, Social, and Economic Conditions and Impacts on Municipal Services", including the existence of inadequate streets and other rights of way, open spaces and utilities and underdevelopment of property within the Area (ORS 457.010(1)(e) (g) and (h) and;
3. The rehabilitation and redevelopment described in the Plan to be undertaken by the Agency is necessary to protect the public health, safety or welfare of the City because absent the completion of urban renewal projects, the Area will fail to contribute its fair share of property tax revenues to support City services and will fail to develop and/or redevelop according to the goals of the City's Comprehensive Plan;
4. The Plan conforms to the Dallas Comprehensive Plan and provides an outline for accomplishing the projects described in the Plan, as more fully described in XIII of the Plan and in the Dallas Planning Commission recommendation;
5. No residential displacement will occur as a result of the acquisition and disposition of land and redevelopment activities proposed in the Plan and therefore the Plan does not include provisions to house displaced persons;
6. Acquisition is an eligible component of the Plan and is necessary to cure blight the Area and to promote economic prosperity.
7. Adoption and carrying out the Plan is economically sound and feasible in that eligible projects and activities will be funded by urban renewal tax revenues derived from a division of taxes pursuant to section 1c, Article IX of the Oregon Constitution and ORS 457.440 and other available funding as more fully described in the Sections III through VI of the Report;

8. The City shall assume and complete any activities prescribed it by the Plan; and
9. The Agency consulted and conferred with affected overlapping taxing districts prior to the Plan being forwarded to the City Council.

Section 2: The South Dallas Urban Renewal Plan is hereby approved based upon review and consideration by the City Council of the Plan and Report, the Dallas Planning Commission Recommendations, each of which is hereby accepted, and the public testimony in the record.

Section 3: The City Manager shall forward forthwith to the Agency a copy of this Ordinance.

Section 4: The Agency shall thereafter cause a copy of the Plan to be recorded in the Records of Polk County, Oregon.

Section 5: City Administrator, in accordance with ORS 457.115, shall publish notice of the adoption of the Ordinance approving the Plan including the provisions of ORS 457.135, in the Polk County Itemizer no later than four days following adoption of this Ordinance.

Read for the first time: August 1, 2022
Read for the second time: August 15, 2022
Passed by the City Council: August 15, 2022
Approved by the Mayor: August 15, 2022

BRIAN W. DALTON, MAYOR

ATTEST:

APPROVED AS TO FORM:

BRIANLATTA,
CITY MANAGER

LANE P. SHETTERLY,
CITY ATTORNEY