



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

4/20/2010

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Salem Plan Amendment
DLCD File Number 004-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Monday, May 03, 2010

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Lisa Anderson-Ogilvie, City of Salem
Gloria Gardiner, DLCD Urban Planning Specialist
Steve Oulman, DLCD Regional Representative
Thomas Hogue, DLCD Regional Representative
Bill Holmstrom, DLCD Regional Representative

<paa> YA



PROF

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DLCD

Notice of Adoption

DEPT OF Land Conservation and Development Mailed

APR 13 2010

LAND CONSERVATION AND DEVELOPMENT

Form DLCD Form 2 (1/07)

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Salem**

Local file number: **CPC/ZC 10-2**

Date of Adoption: **4/6/2010**

Date Mailed: **4/9/2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: **2/18/2010**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

To change the Salem Area Comprehensive Plan Map designation from "Industrial" to "Industrial-Commercial" and the zone district from IBC (Industrial Business Campus) to IC (Industrial Commercial) for property approximately 7.7 acres in size and located at 500 Hawthorne Avenue SE (Marion County Assessor's map 073W36 00522).

Does the Adoption differ from proposal? Please select one

No.

Plan Map Changed from: **Industrial**

to: **Industrial-Commercial**

Zone Map Changed from: **IBC (Industrial Business Campus)**

to: **IC (Industrial Commercial)**

Location: **500 Hawthorne Ave SE, Salem**

Acres Involved: **7.7 acres**

Specify Density: Previous:

New:

Applicable statewide planning goals:

1 **2** **3** **4** **5** **6** **7** **8** **9** **10** **11** **12** **13** **14** **15** **16** **17** **18** **19**

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

DLCD File No. 004-10 (18122) [16088]

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. _____

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

NA

Local Contact: Lisa Anderson-Ogilvie

Phone: (503) 588-6173 Extension: 7581

Address: 555 Liberty St SE, Rm 305

Fax Number: 503-588-6005 LA-^o

City: Salem

Zip: 97301-3513

E-mail Address: lmanderson@cityofsalem.net

RESOLUTION NO.: PC 10-5

COMPREHENSIVE PLAN CHANGE/ZONE CHANGE NO. 10-2

WHEREAS, a petition for a Comprehensive Plan change from "Industrial" to "Industrial-Commercial", and zone change from IBC (Industrial Business Campus) to IC (Industrial Commercial) for approximately 7.7 acres of a property located at 550 Hawthorne Avenue SE was filed by Trans Ocean Products, Inc. with the Planning Commission of the City of Salem, and

WHEREAS, after due notice, a public hearing on the proposed changes was held before the Planning Commission on April 6, 2010, at which time witnesses were heard and evidence received; and

WHEREAS, the Planning Commission having carefully considered the entire record of this proceeding including the testimony presented at the hearing, after due deliberation and being fully advised; NOW THEREFORE

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SALEM, OREGON:

Section 1. FINDINGS:

The Planning Commission hereby adopts as its findings of fact the staff report on this matter dated April 6, 2010, herewith attached and by this reference incorporated herein.

Section 2. ORDER:

Based upon the foregoing findings and conclusions, it is hereby ordered:

- (a) That the Salem Area Comprehensive Plan (SACP) map designation change for the subject property from "Industrial" to "Industrial-Commercial" be GRANTED.
- (b) That the zone change from IBC (Industrial Business Campus) to IC (Industrial Commercial) be GRANTED, subject to the following conditions:


Zone Change Conditions

Condition 1: At the time of development review for any proposed use on the property the proposed development's average daily trips shall be calculated pursuant to the then-current Institute of Transportation Engineers (ITE) Trip Generation manual. Traffic impacts from future use / development on the subject property shall be limited to a maximum of 4,841 average daily trips generated by the proposed use or uses.

Condition 2: The following uses shall not be permitted on the subject property, as referenced by industry group or major group number in the Standard Industrial Classification Manual, 1987.

- 1. Eating and drinking places w/ drive-through window (5812);
- 2. Department stores, variety stores, and miscellaneous general merchandise stores (53);
- 3. Food stores (54);
- 4. Building materials, hardware, garden supply, and mobile home dealers (52);
- 5. Gasoline service stations (5541).

ADOPTED by the Planning Commission this 6th day of April, 2010.



President, Planning Commission

Appeal of a Planning Commission decision is to the Salem City Council (Council), as set forth in Section 114.200 of the Salem Revised Code (SRC). Written notice of an appeal and the applicable fee shall be filed with the Planning Administrator within fifteen days after the record date of the decision. Salem Revised Code 114.210 states that whether or not an appeal is filed, the Council may, by majority vote, initiate review of a Planning Commission decision by resolution filed with the City Recorder. Such a review shall be initiated prior to the adjournment of the first regular Council meeting following Council notification of the Planning Commission decision. Review shall proceed according to SRC Section 114.200.

APPEAL PERIOD ENDS: April 21, 2010

Copies of the staff report containing the Facts and Findings adopted by the Planning Commission are available upon request at Room 305, Civic Center, during City business hours, 8:00 a.m. to 5:00 p.m.

Planning Commission Vote:

LA-0







5 YES 0 NO 1 ABSENT (Goss)

Vicinity Map 500 Hawthorne Ave SE



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Legend

-  Outside Salem City Limits
-  Urban Growth Boundary
-  Taxlots
-  Historic District
-  Schools
-  Parks

0 100 200 400 Feet



CITY OF *Salem*
AT YOUR SERVICE
Community Development Dept.

CITY OF SALEM
PLANNING DIVISION
635 CAPITOL ST. SE. ROOM 600
SALEM, OR 97301-2540

Dept. of Land Conservation & Dev.
ATTN: Plan Amendment Specialist
635 Capitol St NE, Suite 150
Salem OR 97301-2540

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