



Oregon

Theodore R. Kubongski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

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www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

6/29/2010

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 005-10

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: Tuesday, July 13, 2010

This amendment was submitted to DLCD for review prior to adoption 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: Mark Becketl, City of Salem
Gloria Gardiner, DLCD Urban Planning Specialist
Steve Oulman, DLCD Regional Representative
Bill Holmstrom, DLCD Transportation Planner

<paa> YA



FORM 2

DLCD

Notice of Adoption

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

In person electronic mailed

DATE
STAMP

DEPT OF

JUN 22 2010

LAND CONSERVATION
AND DEVELOPMENT
For Office Use Only

Jurisdiction: **City of Salem**

Local file number: **Ordinance Bill No. 12-10**

Date of Adoption: **April 26, 2010**

Date Mailed: **June 22, 2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 2/19/2010

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other: **Transportation System Plan Amendment**

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

The Salem City Council adopted Ordinance Bill No. 12-10 that amended the Salem Transportation System Plan to create a new collector street between Madras Street SE and Commercial Street SE. The Sections of the Salem Transportation System Plan that were amended included: Map 3-1, Map 3-5, Map 3-9, Table 3-6, and Map 7-1.

Does the Adoption differ from proposal?

The adopted ordinance does not differ from that contained in the 45-Day Notice to DLCD or that proposed before the Salem Planning Commission or City Council.

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

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
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. 005-10 (18123) [16184]

HAND DELIVERED

- 1 (e) McNary Field Airport Master Plan, Salem, Oregon, Hodges and Shutt, May 1979.
2 Adopted June 18, 1979, revised April 27, 1987, and further revised November 24, 1997.
3 (f) Urban Growth Management Program. As amended and adopted July 23, 1979, and as
4 further amended January 11, 1982, and November 28, 1983, and September 23, 1996.
5 (g) Willamette River Greenway Plan, July, 1979. Adopted September 24, 1979.
6 (h) South Liberty Road Corridor Study. Approved December 27, 1982.
7 (i) Salem Transportation System Plan adopted June 28, 1998, and amended February 14,
8 2000, May 14, 2001, January 24, 2005, March 28, 2005, and April 23, 2007, and April
9 19, 2010.
10 (j) Salem Urban Area Public Facilities Plan. Adopted October 12, 1992.

11 **Section 4. Severability.** Each section of this ordinance, and any part thereof, is severable and if
12 any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of
13 this ordinance shall remain in full force and effect.

14 **Section 5. Emergency Clause.** This act being necessary for the immediate preservation of the
15 public peace, health and safety, an emergency is declared to exist, and this ordinance shall be in
16 full force and effect from and after the date of its passage.

17 PASSED by the Council this ~~19th~~^{26th} day of April, 2010.

18 ATTEST:

19 *Kathryn Hall*
20 City Recorder

21 Approved by City Attorney: *[Signature]*

22 Checked by: M. Becketl

23
24 G:\Group\legal\Council\041210 TSP Amd Ord.doc

EXHIBIT 1

FUTURE REPORT: April 7, 2010
FOR COUNCIL MEETING OF: April 12, 2010
AGENDA ITEM NO.: _____
PUBLIC WORKS FILE NO.: _____

TO: MAYOR AND CITY COUNCIL
THROUGH: *FOR* LINDA NORRIS, CITY MANAGER
FROM: PETER FERNANDEZ, P.E., PUBLIC WORKS DIRECTOR *Peter Fernandez*
SUBJECT: AMEND THE SALEM TRANSPORTATION SYSTEM PLAN TO
CREATE A NEW COLLECTOR STREET BETWEEN MADRAS
STREET SE AND COMMERCIAL STREET SE

ISSUE:

Should the City Council advance Ordinance Bill No. 12-10 to second reading after a public hearing on April 19, 2010, to amend the Salem Transportation System Plan to create a new Collector street between Madras Street SE and Commercial Street SE?

RECOMMENDATION:

Staff recommends City Council advance Ordinance Bill No. 12-10 to second reading after the public hearing on April 19, 2010, to amend the Salem Transportation System Plan to create a new Collector street between Madras Street SE and Commercial Street SE.

BACKGROUND:

In December 2008, the City of Salem entered into a purchase and sale agreement with the owners of the Battlecreek property, formerly the Battlecreek Golf Course, to acquire the southernmost 38 acres of the property. The intent of the acquisition was to create a flood control basin and restore the creeks and floodway within the property to a natural state. This acquisition was funded with water/sewer utility rate monies as part of the City's stormwater management system.

In spring 2009, staff entered into discussions with the property owners to explore the possibility of acquiring additional property to address the City's need for a large urban park in southeast Salem. Over the summer, the Salem-Keizer School District also expressed its interest in siting an elementary school on approximately 10.5 acres at the northwest corner of the property to be acquired. The proposed school would be built and open for use as early as September 2012.

On December 14, 2009, the City Council approved a purchase and sale agreement with the property owners for the City to acquire an additional 30 acres of property, with the property owners retaining the northernmost 14 acres for private development and the subsequent sale of 10.5 acres to the School District for use as an elementary school.

Together with the previous purchase, a total of 57.5 acres are to be acquired for park land. It is proposed that this property be classified as a Large Urban Park in the *Salem Comprehensive Parks System Master Plan*. In order to accomplish this goal, it is necessary to amend the *1999 Salem Comprehensive Parks System Master Plan* to establish the Battlecreek Park property as a Large Urban Park.

Battlecreek Park, the proposed elementary school, and the private development to the north, are to be served by construction of a new Collector street, between Madras Street SE and Commercial Street SE at a cost of \$1.7 million. For this street to be funded with Transportation SDCs requires amendments to the Salem TSP and the Transportation SDC Eligible Projects List.

FACTS AND FINDINGS:

1. The Salem TSP was originally adopted on August 24, 1998, and subsequently amended in 2000, 2001, 2005, and 2007. The Salem TSP is a Detailed Plan in the *Salem Revised Code (SRC)* Chapter 64.230(i). An amendment to the Salem TSP is determined to be a Category 1 amendment, pursuant to SRC Chapter 64.050(a). The proposed amendment is consistent with the policies contained in the *Salem Area Comprehensive Plan*.
2. The Salem TSP contains a number of Comprehensive Transportation Policies. The proposed Collector street supports the following policies:

I. Transportation

Goal:

To provide a balanced, multimodal transportation system for the Salem Urban Area that supports the safe and efficient movement of goods and people.

Finding

The proposed Collector street will be constructed to urban Collector standards with two travel lanes (one per direction), bicycle lanes, and sidewalks, thus serving the multimodal travel needs of that area of southeast Salem.

Finding

The proposed Collector street, through its connection with Madras Street SE and Commercial Street SE, and its travel lanes, bicycle lanes, and sidewalks, is supportive of the following Comprehensive Transportation Policies, as contained on pages 2-3 through 2-7, of the Salem TSP:

- I.3. Regional Mobility
- I.4. Multimodal Transportation System
- I.5. Connectivity and Circulation
- I.6. Supportive of Land Use Plan Designations and Development Patterns
- I.9. Growth Management

- 1.11. Growth Management – Collection of Transportation SDCs
- 1.15. Transportation Safety
- 1.16. Public Safety
- 1.17. Accessibility for People with Disabilities
- 1.20. Neighborhood Livability
- 1.24. Environment

Finding

The Salem TSP Street System Element contains a Goal, Objectives, and Policies for the planning, development, and operation of the City's street system. The proposed Collector street, through its connection with Madras Street SE and Commercial Street SE, and its travel lanes, bicycle lanes, and sidewalks, is supportive of the following Street System policies, as contained on pages 3-1 through 3-6 of the Salem TSP:

- Policy 1.1 Multimodal Capacity
- Policy 1.5 System of Collector Streets
- Policy 1.7 Street Classification System and Basic Design Guidelines
- Policy 2.1 Multimodal Street Design
- Policy 2.4 City of Salem Street Design Standards
- Policy 4.2 Project Identification
- Policy 4.3 Project Design Life
- Policy 4.4 Survey and Determination of Arterial & Collector Street Alignments

3. Per Table 3-1 City of Salem Street Classification System and Basic Design Guidelines, on page 3-7 of the *Salem TSP*, the proposed Collector street meets the guidelines for a Collector street classification.

Function:

A Collector street primarily distributes traffic between neighborhoods, activity centers and the arterial street system. Secondly it provides property access.

Finding:

The proposed Collector street will collect and distribute traffic between Madras Street SE to the north and west, Commercial Street SE to the east, and from the adjacent properties, including a proposed elementary school, Battlecreek Park property, and land zoned for multi-family housing and commercial development. Further analysis needs to be completed on what the appropriate classification of Madras Street SE should be to the west of the new Collector street and how it serves the larger residential neighborhood, including access to Sunnyside Road SE.

Ultimate Design Average Daily Traffic:

A Collector street should carry between 1,600 and 10,000 vehicles per average weekday.

Finding:

The proposed Collector street will carry the vehicle trips generated from the proposed elementary school, Battlecreek Park property, and eventual development of land zoned for multi-family and commercial development. The designation of the street and its design should be sufficient to carry the traffic from these adjacent land uses and traffic that will access from the north, west, and east.

Ultimate Traffic Design:

Has a minimum of two travel lanes, with left-turn pockets, where appropriate; bicycle lanes or route, per Bicycle Plan Map; sidewalks required; on-street parking permitted where possible; minimum right-of-way of 60 feet in width.

Finding:

The proposed Collector street will be designed to meet all of the above guidelines.

4. The specific amendments to the Salem TSP include revisions to:

Map 3-1	Street Plan	(Attachment 3)
Map 3-5	Street Improvement Projects	(Attachment 4)
Map 3-9	Street Improvement Projects–Southeast Salem	(Attachment 5)
Table 3-4	Committed Street Projects	(Attachment 6)
Map 7-1	Bicycle System Plan Map	(Attachment 7)

5. Compliance with Statewide Planning Goals:

Goal 1: Citizen Involvement

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

Finding

The amendment process has allowed for citizen involvement opportunities through time for interested citizens to testify to the Salem Parks and Recreation Advisory Board, and public hearings before the Planning Commission and City Council. The required 45-day notice period, facilitated through the State Department of Land Conservation and Development has given interested parties notice and an opportunity to comment on the proposed amendment. The South Gateway Neighborhood Association is aware of the proposed amendment.

Goal 2: Land Use Planning

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

Finding

The Salem TSP is adopted as a Detailed Plan of SRC Chapter 64.230(i). Amendment of the Salem TSP is determined to be a Category 1 amendment, pursuant to SRC Chapter 64.050(a). The proposed amendment is consistent with the policies contained in the *Salem Area Comprehensive Plan* and the *Comprehensive Transportation Policies*, as contained in the Salem TSP.

Goal 3: Agricultural Lands

To preserve and maintain agricultural lands

Finding

Not applicable to the proposed amendment to the *Salem TSP*

Goal 4: Forest Lands

To preserve forest lands by maintaining the forest land base and to protect the state's forest economy

Finding

Not applicable to the proposed amendment to the *Salem TSP*

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

To protect natural resources and conserve scenic and historical areas and open spaces

Finding

The proposed Collector street will be aligned and constructed in such a manner as to only cross one of the four creeks that converge to the south of the proposed alignment. The crossing of Waln Creek will be constructed in a manner compliant with applicable codes and resource agency requirements. The street is to be designed to a size appropriate to serving the traffic needs of the surrounding neighborhood. There are no known historic or scenic resources that need to be avoided with the alignment of the street.

Goal 6: Air, Water, and Land Resources Quality

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

Finding

The proposed Collector street will be designed and constructed in compliance with all applicable and appropriate stormwater quality treatment processes.

Goal 7: Areas Subject to Natural Disasters and Hazards

To protect people and property from natural hazards

Finding

The area along Battle Creek and associated creeks has been involved in flooding in the past. The City is currently involved in a master planning process for the

Battlecreek Park property that would create a stormwater detention area and enhanced riparian areas within the park. The proposed Collector street will be constructed in such a manner as to be at the appropriate elevation to avoid flooding or adding to flooding concerns.

Goal 8: Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Finding

The proposed Collector street will provide direct access to the proposed Battlecreek Park property. For the park to be classified as a Large Urban Park, it must take access off of a Collector or Arterial street.

Goal 9: Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens

Finding

The proposed Collector street will provide access to a small amount of commercial property to the north at the intersection with Commercial Street SE.

Goal 10: Housing

To provide for the housing needs of citizens of the state

Finding

The proposed Collector street will provide access and circulation to land zoned for multi-family housing to the northside of the street and to a larger residential neighborhood to the north and west.

Goal 11: Public Facilities and Services

To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development

Finding

The proposed Collector street will further develop and enhance the existing street system, by providing appropriately sized street facilities, as well as enhanced access and circulation to adjacent properties and the surrounding neighborhood.

Goal 12: Transportation

To provide and encourage a safe, convenient and economic transportation system

Finding

The proposed Collector street supports the applicable transportation goals, objectives, and policies of the *Salem Area Comprehensive Plan* and Salem TSP. The street will be designed to the proper standards to facilitate traffic circulation, adjacent property access, and will be designed to accommodate multiple travel modes, including motor vehicles, bicycles, pedestrians, and will provide pedestrian access to public transit services located on Commercial Street SE.

Goal 13: Energy and Conservation

To conserve energy

Finding

The proposed Collector street will be constructed to an appropriate size and will contain bicycle lanes and sidewalks, as well as will facilitate access to public transit services on Commercial Street SE.

Goal 14: Urbanization

To provide an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside the urban growth boundaries, to ensure efficient use of land, and to provide for livable communities

Finding

The alignment of the proposed Collector street will provide needed access and circulation to a proposed elementary school, a proposed park property, multi-family housing, and commercial development. The street alignment is located entirely within the Urban Growth Boundary, city limits, and Urban Services Area.

Goal 15: Willamette River Greenway

Not applicable to the proposed amendment to the *Salem TSP*.

Goal 16: Estuarine Resources

Not applicable to the *Salem TSP*.

Goal 17: Coastal Shorelands

Not applicable to the *Salem TSP*.

Goal 18: Beaches and Dunes

Not applicable to the *Salem TSP*.

Goal 19: Ocean Resources

Not applicable to the *Salem TSP*.

6. Staff submitted the required 45-day notice of intent to amend its Comprehensive Plan to the Oregon State Department of Land Conservation and Development on February 19, 2010. City staff held a Work Session with the Salem Planning Commission on March 2, 2010, on the proposed Salem TSP amendment. On March 16, 2010, the Planning Commission adopted Resolution No. 10-1, initiating the formal land use process of amending the *Salem Transportation System Plan*. The Planning Commission held a public hearing on April 6, 2010. The Planning Commission recommended approval of the proposed amendment.
7. A public hearing date is scheduled for City Council to take testimony on the proposed amendment to the Salem TSP on April 19, 2010.
8. If Council approves the Salem TSP amendment, it will be asked to amend the Transportation SDC Eligible Project List in May 2010. Council will be asked to amend the List to make the construction of the Collector street's eligible components funded through the use of Transportation SDC funds. Currently, up to \$1.7 million in Transportation SDC funds are planned to be used to construct the street.



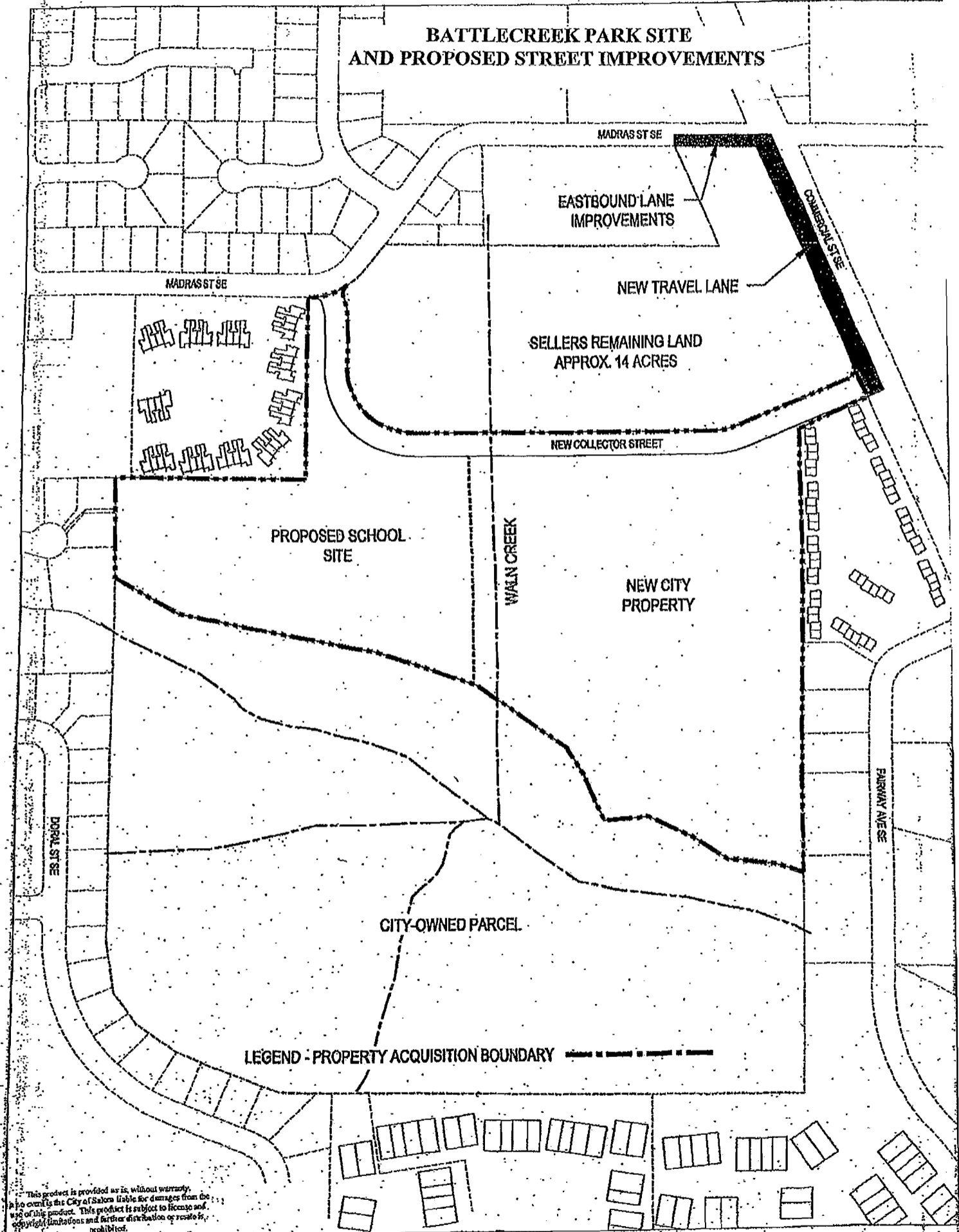
Mark Bechtel, AICP
Parks and Transportation Services
Manager

Attachments:

1. Aerial View of Vicinity
2. Property Acquisition Map and Future Collector Street
3. Revisions to Map 3-1 Street Plan
4. Revisions to Map 3-5 Street Improvement Projects
5. Revisions to Map 3-9 Street Improvement Projects – SE
6. Table 3-4 Committed Street Projects
7. Map 7-1 Bicycle System Plan Map
8. Planning Commission Action Sheet

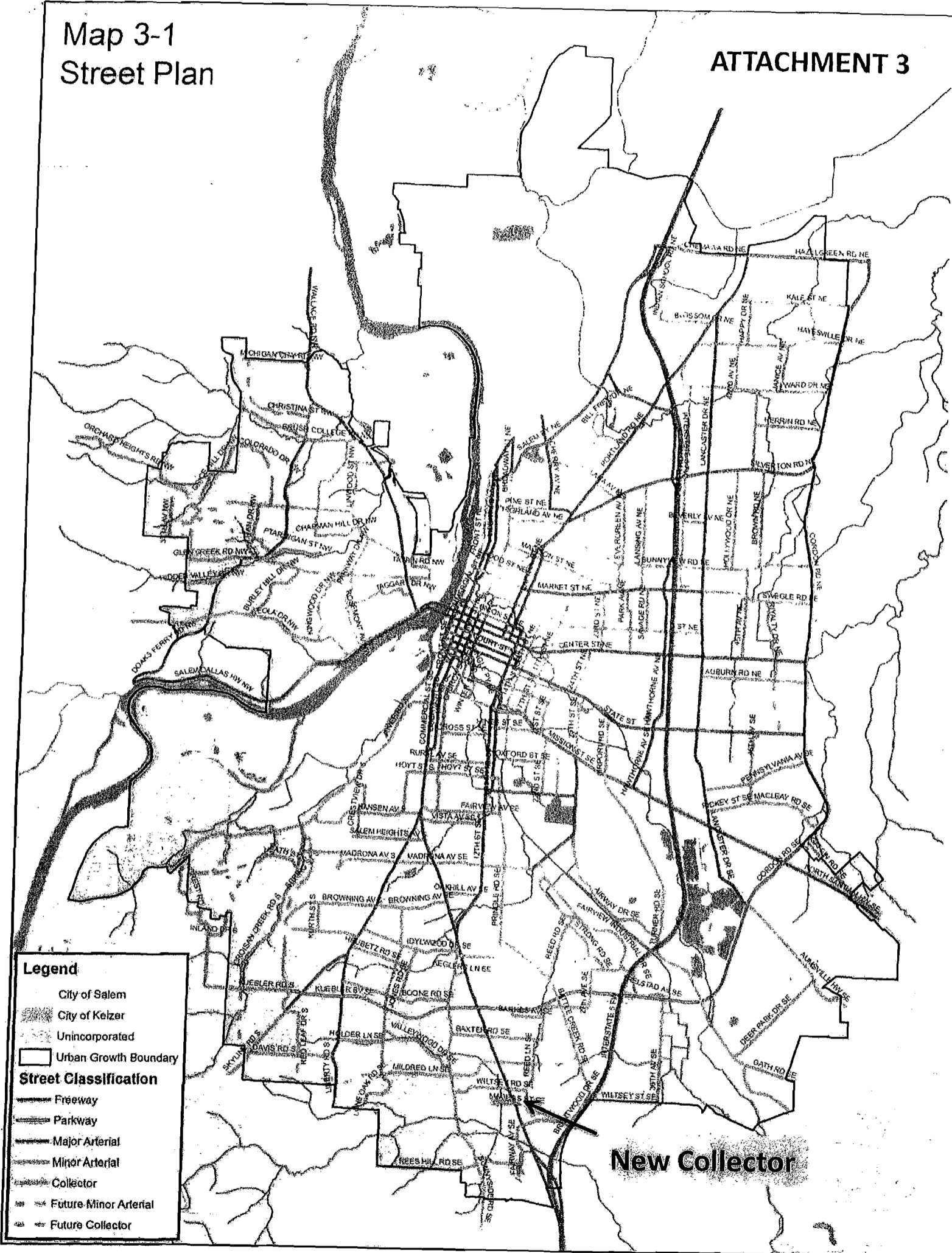
Ward 4
April 7, 2010





Map 3-1
Street Plan

ATTACHMENT 3



Legend

- City of Salem
- City of Keizer
- Unincorporated
- Urban Growth Boundary

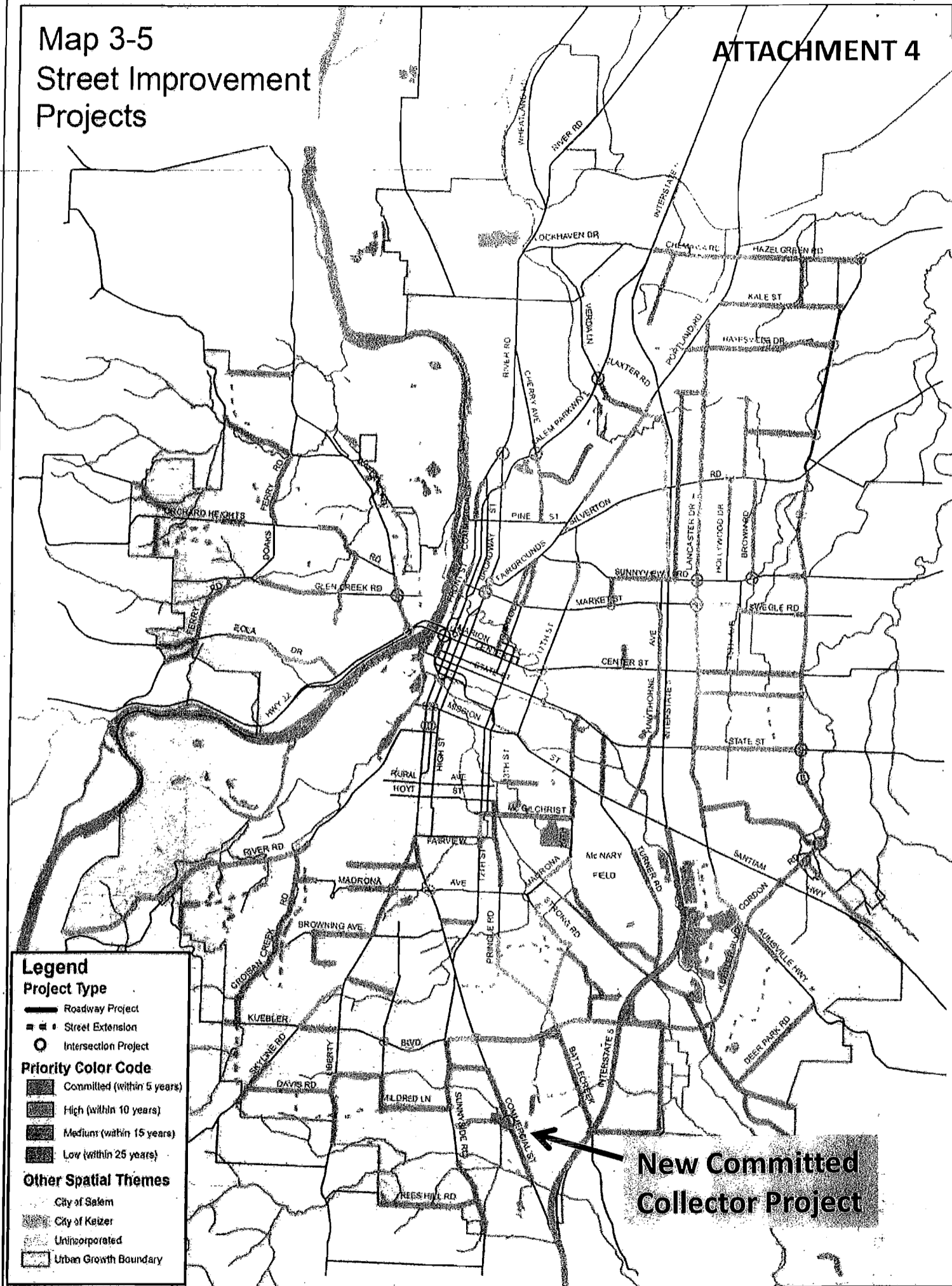
Street Classification

- Freeway
- Parkway
- Major Arterial
- Minor Arterial
- Collector
- Future Minor Arterial
- Future Collector

New Collector

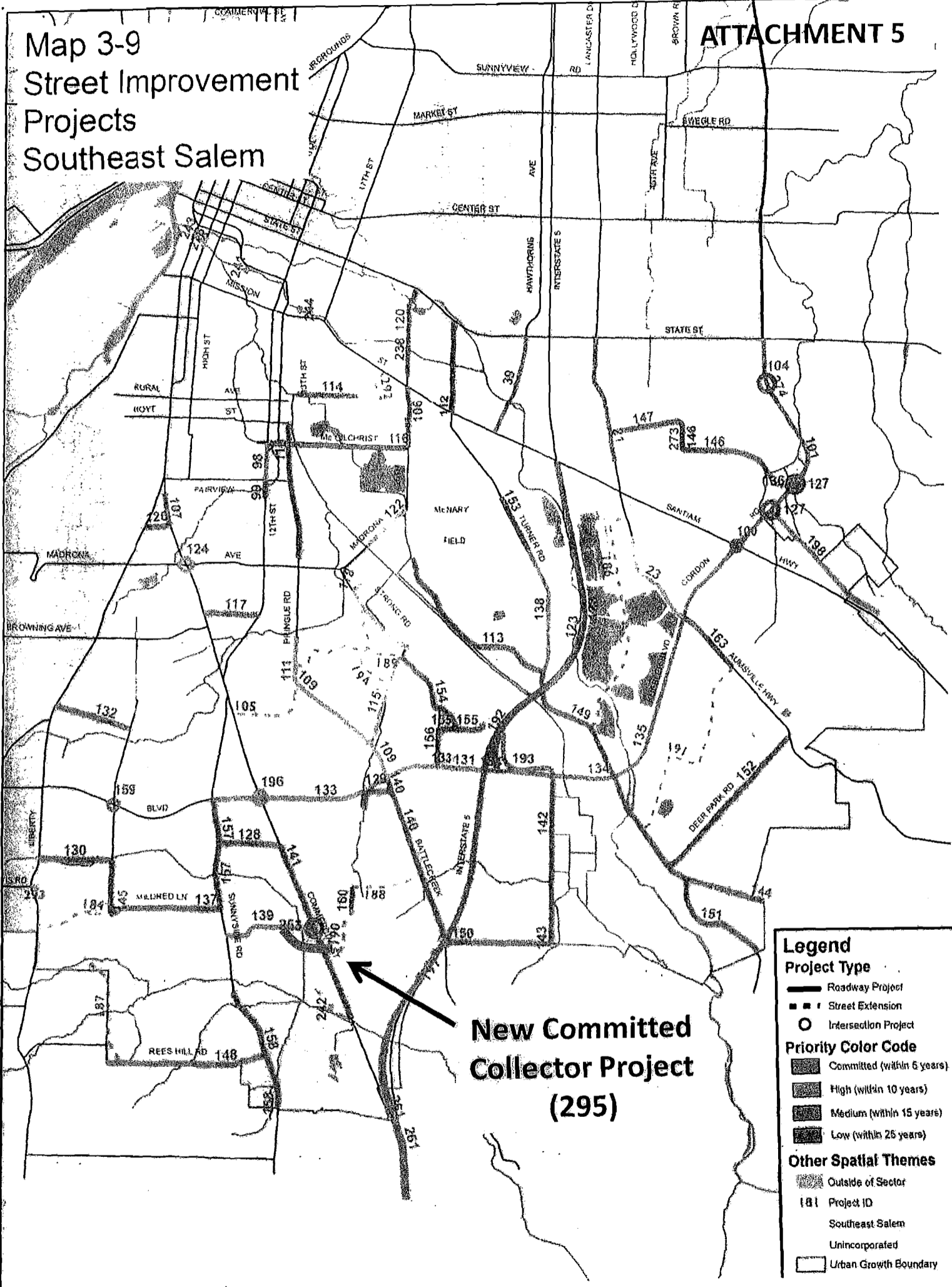
**Map 3-5
Street Improvement
Projects**

ATTACHMENT 4



Map 3-9
Street Improvement
Projects
Southeast Salem

ATTACHMENT 5



**New Committed
Collector Project
(295)**

Legend

Project Type

- Roadway Project
- - - Street Extension
- Intersection Project

Priority Color Code

- Committed (within 6 years)
- High (within 10 years)
- Medium (within 15 years)
- Low (within 25 years)

Other Spatial Themes

- Outside of Sector
- Project ID
- Southeast Salem
- Unincorporated
- Urban Growth Boundary

ATTACHMENT 6

**Proposed Test Revisions to the Street System Element of the Salem Transportation System Plan
2/19/2010**

page 3-19 (add text)

COMMITTED PROJECTS

See Map 3-5 for the location of each of these projects.

New Collector Street (Between Madras Street SE and Commercial Street SE)

Funds have been identified in the FY 2010-1011 Budget to construct a new collector street connection between Madras Street SE and Commercial Street SE. This new collector will be constructed to collector street standards with bicycle lanes. A bridge crossing will be required over Waln Creek.

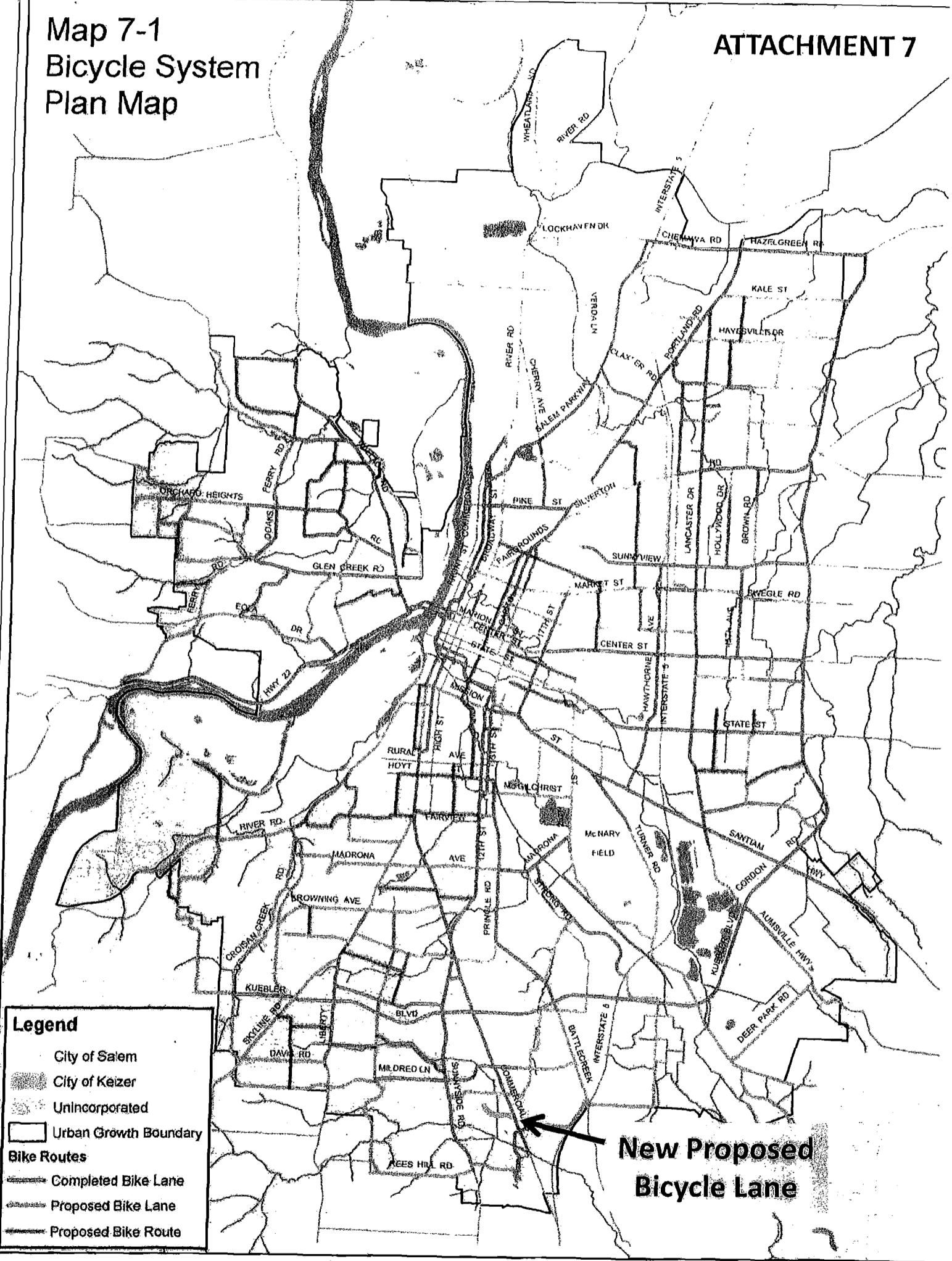
pages 3-59 through 3-61 (add text to table)

Table 3-4 Committed Street Improvement Projects

Street	Location	Project Description	ID	Project Type	Cost Estimate	Wards	Neighborhoods	Lead Agency
New Collector Street	Connect between Madras Street SE and Commercial Street SE	Construct a new Collector Street to full urban collector standards with bicycle lanes and sidewalks, includes bridge across Waln Creek	295	Roadway & Bridge	\$2,100,000	4	South Gateway	Salem

**Map 7-1
Bicycle System
Plan Map**

ATTACHMENT 7



Legend

- City of Salem
- City of Keizer
- Unincorporated
- Urban Growth Boundary
- Bike Routes**
- Completed Bike Lane
- Proposed Bike Lane
- Proposed Bike Route

**New Proposed
Bicycle Lane**

ISSUE: *Salem Transportation System Plan Amendment*

DATE OF DECISION: April 6, 2010

APPLICANT: City of Salem

PURPOSE OF REQUEST:

To recommend to City Council adoption of the proposed amendment to the *Salem Transportation System Plan* (Salem TSP) to create a new Collector street between Madras Street SE and Commercial Street SE.

ACTION:

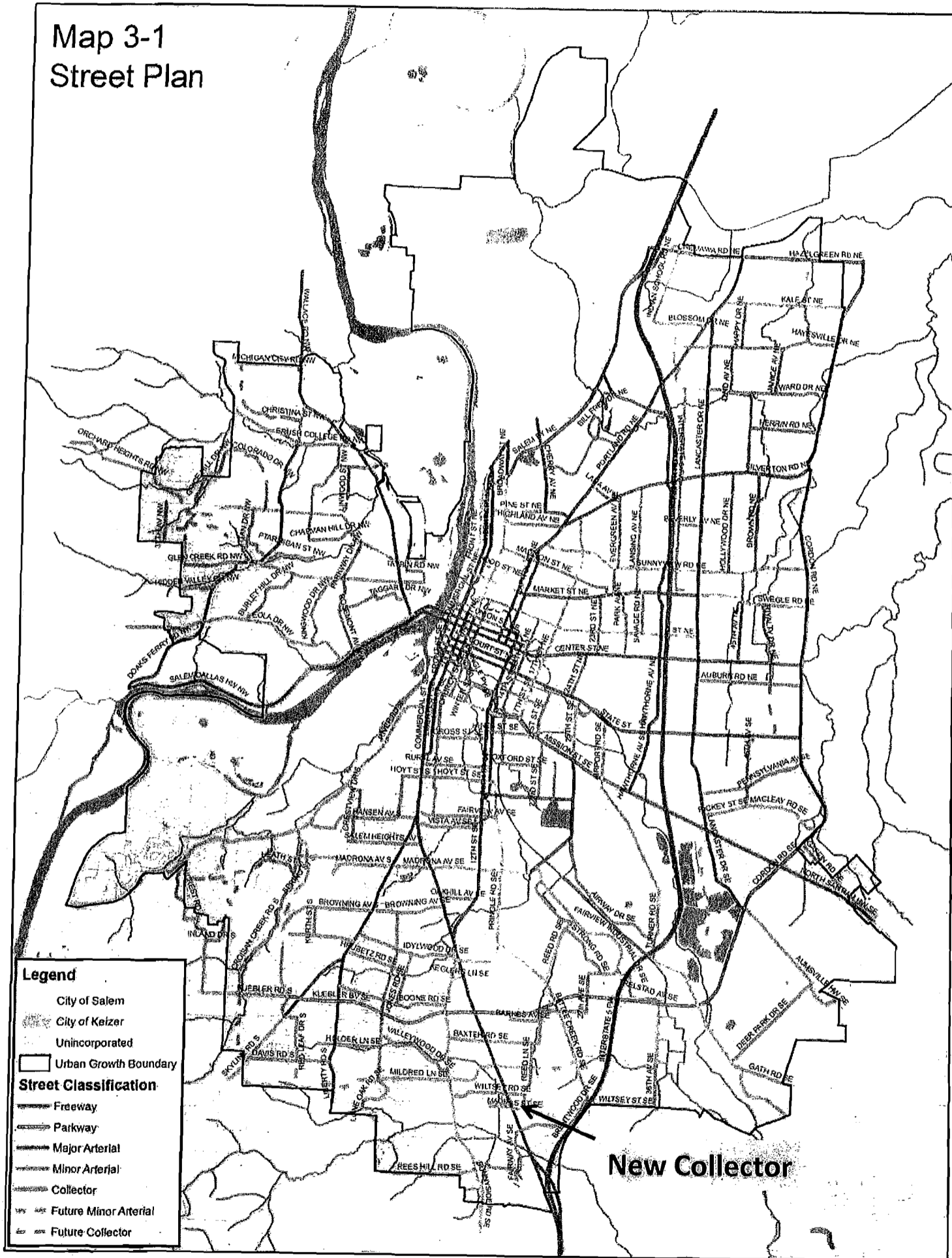
The Planning Commission recommends that City Council approve amendment of the *Salem Transportation System Plan*, a Detailed Plan in the Salem Revised Code (SRC) Chapter 64.230(i), to create a new Collector street between Madras Street SE and Commercial Street SE.

The Planning Commission further recommends to the City Council that the Transportation SDC Eligible Projects List be amended to include construction of the Collector's eligible project components.

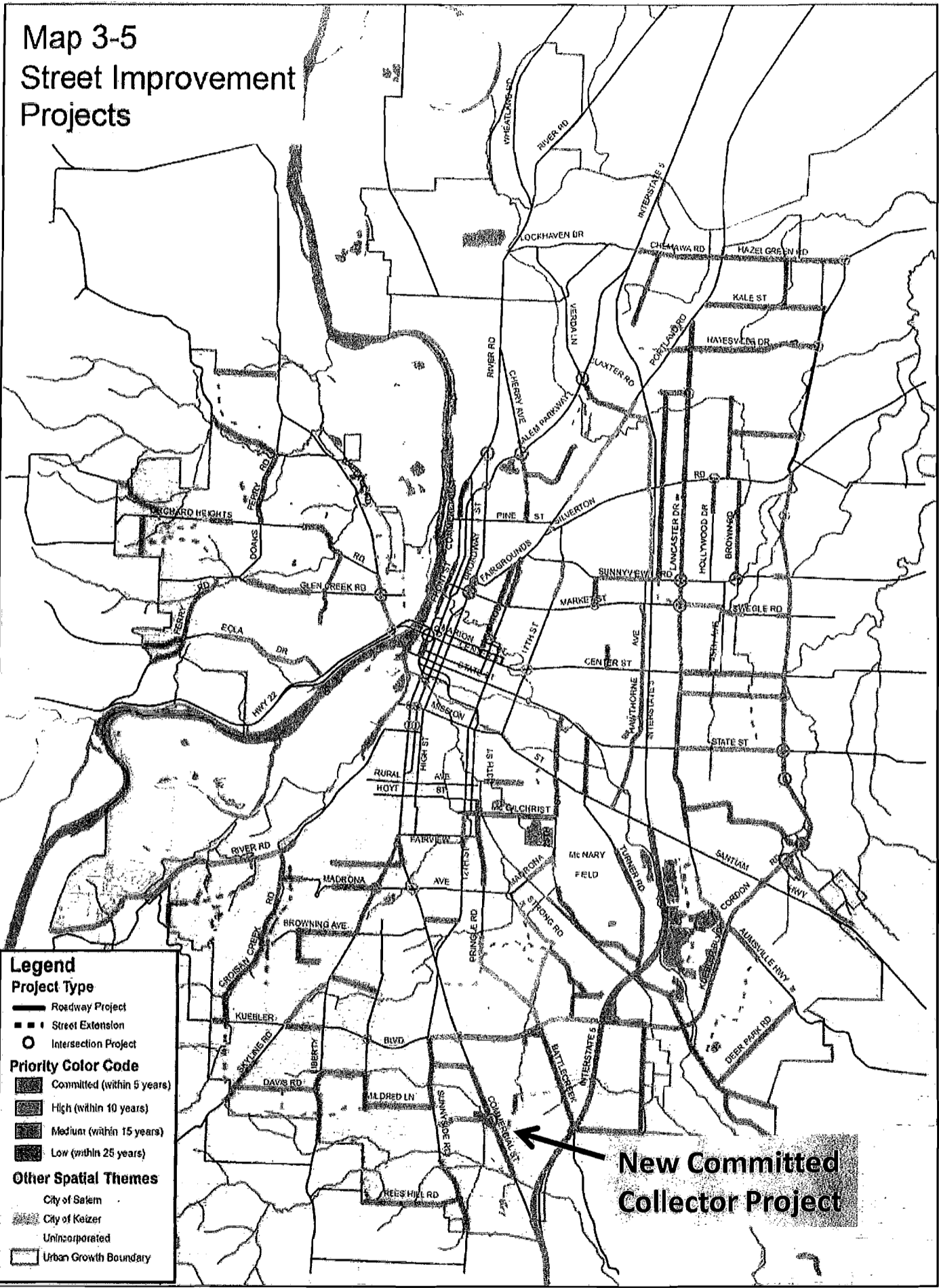
PLANNING COMMISSION VOTE

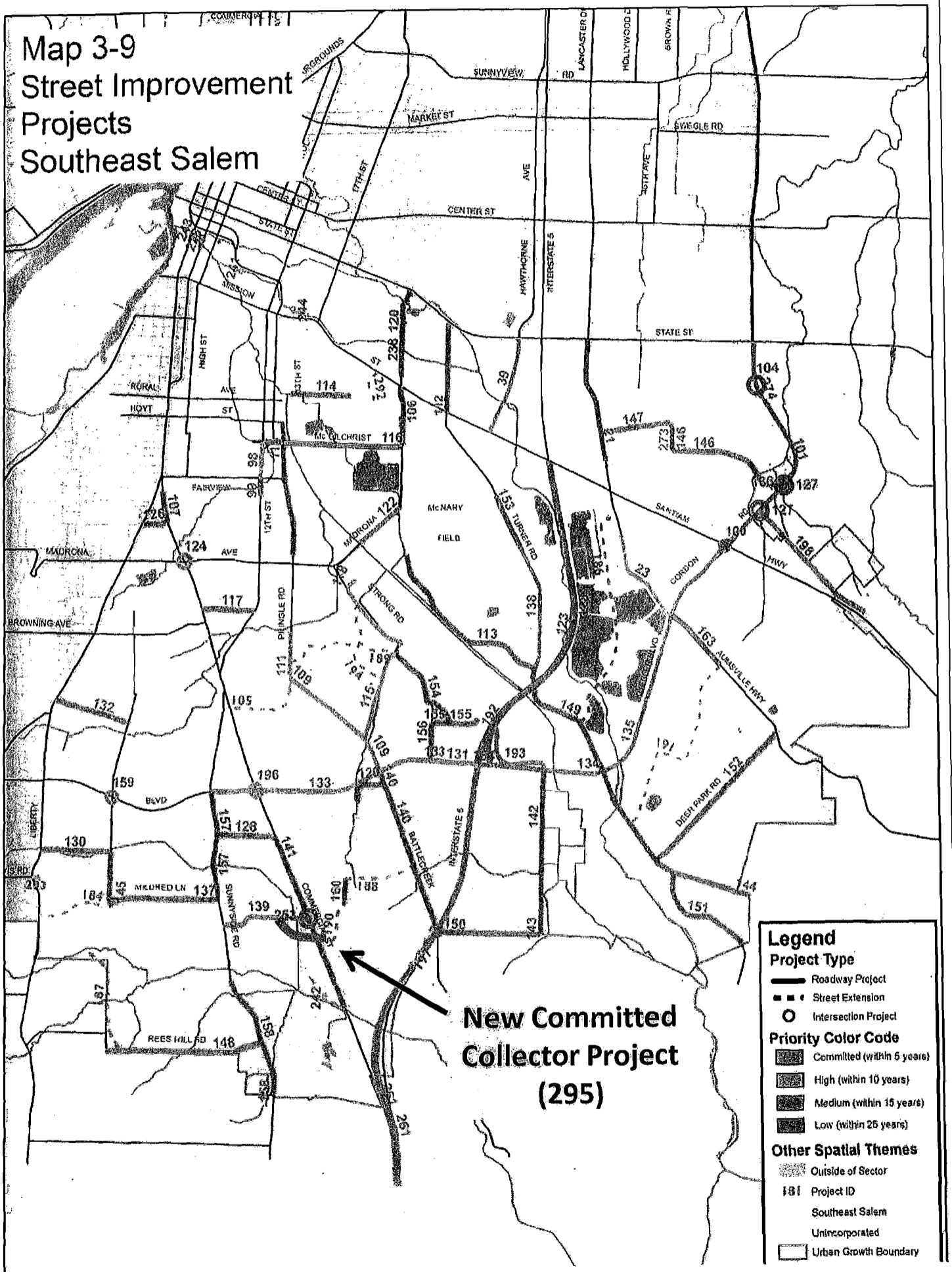
5 YES 0 NO 1 ABSENT (Goss)

Map 3-1 Street Plan



Map 3-5 Street Improvement Projects





Text Revisions to the Street System Element of the Salem Transportation System Plan

page 3-19 (add text)

COMMITTED PROJECTS

See Map 3-5 for the location of each of these projects.

New Collector Street (Between Madras Street SE and Commercial Street SE)

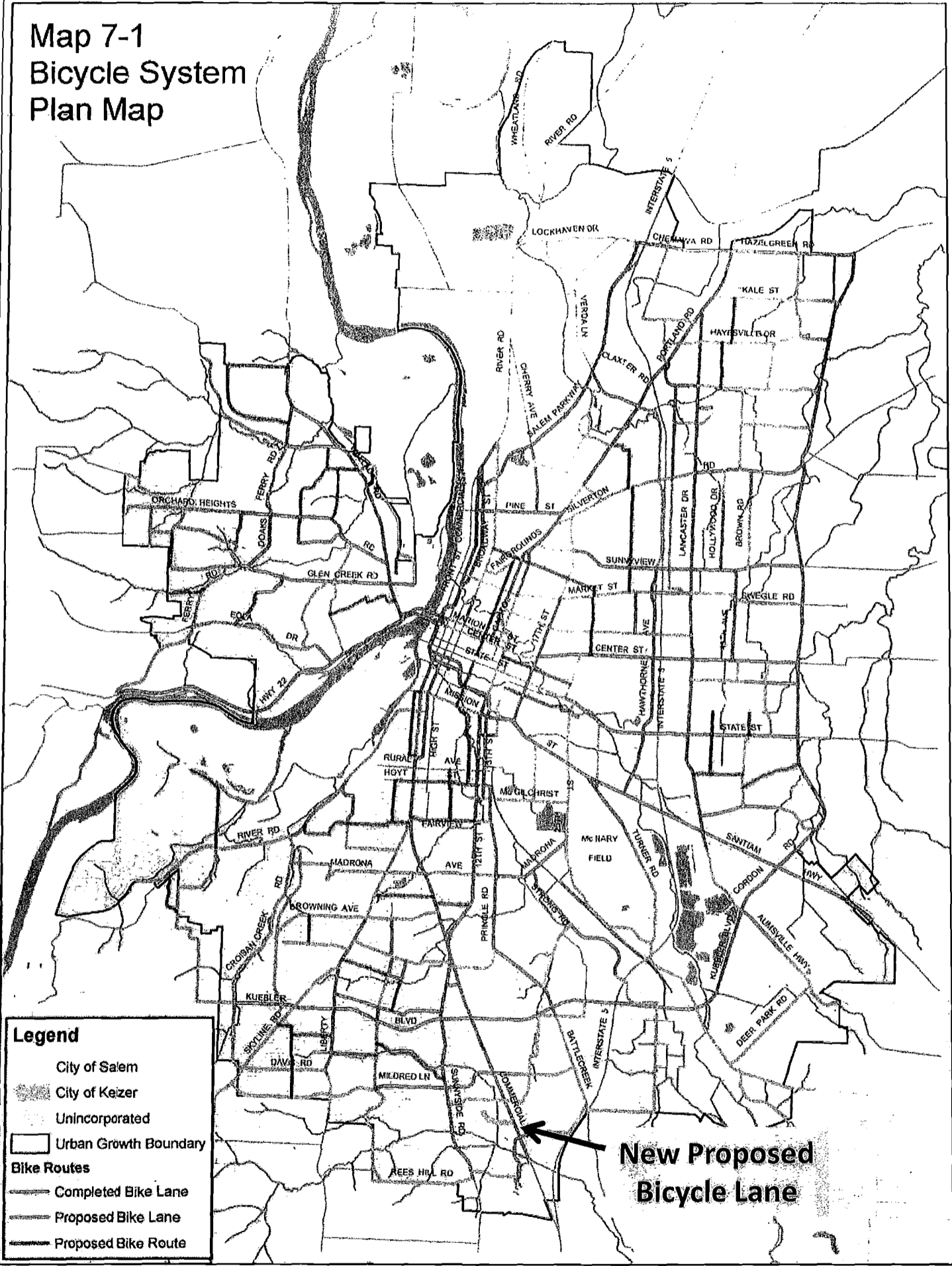
Funds have been identified in the FY 2010-1011 Budget to construct a new collector street connection between Madras Street SE and Commercial Street SE. This new collector will be constructed to collector street standards with bicycle lanes. A bridge crossing will be required over Waln Creek.

pages 3-59 through 3-61 (add text to table)

Table 3-4 Committed Street Improvement Projects

Street	Location	Project Description	ID	Project Type	Cost Estimate	Wards	Neighborhoods	Lead Agency
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Map 7-1 Bicycle System Plan Map



Legend

- City of Salem
- City of Keizer
- Unincorporated
- Urban Growth Boundary
- Bike Routes**
- Completed Bike Lane
- Proposed Bike Lane
- Proposed Bike Route

**New Proposed
Bicycle Lane**