



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

04/22/2009

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

FROM: Larry French, Plan Amendment Program Specialist

SUBJECT: City of Salem Plan Amendment
DLCD File Number 002-09

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: Wednesday, May 06, 2009

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.

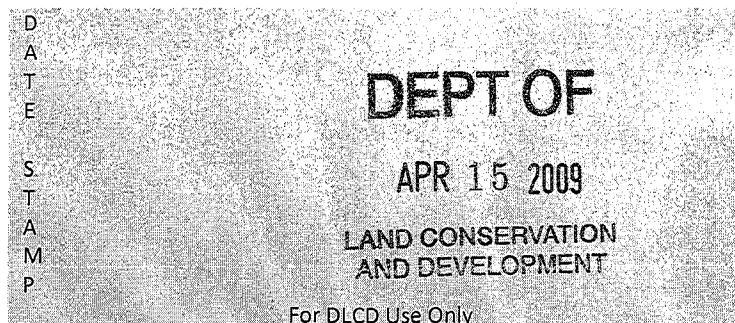
***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Aaron Panko, City of Salem
Gloria Gardiner, DLCD Urban Planning Specialist
Steve Oulman, DLCD Regional Representative

<paa> YA

NOTICE OF ADOPTION

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: City of Salem

Local File Number: CPC/ZC 09-1

Date of Adoption: April 7, 2009

Date Mailed: April 13, 2009

Date the Notice of Proposed Amendment was Mailed to DLCD: February 4, 2009

Is this a **REVISED** Proposal previously submitted to DLCD: YES x NO Date Submitted:

 Comprehensive Plan Text Amendment

 x Comprehensive Plan Map Amendment

 Land Use Regulation Amendment

 x Zoning Map Amendment

 New Land Use Regulation

 Other:

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

Changed the Salem Area Comprehensive Plan map designation from "Multiple Family Residential" to "Commercial" and changed the zoning from RM 2 (Multi-Family Residential) to CO (Commercial Office) for property approximately 0.17 acres in size and located at 1705 Commercial Street SE (Marion County Assessor's Map 073W34BA, tax lot 09700).
Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME." If you did not give notice of the Proposed Amendment, write "N/A."

Plan Map changed from: Multiple Family Residential

To: Commercial

Zone Map Changed from: RM2 (Multi-Family Residential)

To: CO (Commercial Office)

Location: 1705 Commercial Street SE

Acres Involved: 0.17 acres

Specify Density: Previous:

New:

Applicable Statewide Planning Goals:

Was an Exception Proposed: YES x NO

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment

Forty-five (45) days prior to first evidentiary hearing? x Yes No

If no, do the statewide planning goals apply? Yes No

If no, did Emergency Circumstances require immediate adoption? Yes No

Affected State of Federal Agencies, Local Governments or Special Districts:

Local Contact: Aaron Panko, Assistant Planner

Phone: (503) 588-6173 Extension: 7556

Address: 555 Liberty Street SE, Room 305

City: Salem

Zip: 97301

Fax Number: (503) 588-6005

E-Mail Address: apanko@cityofsalem.net

DLCD File No: 002-09(17357)[15475]

PLANNING COMMISSION

PLANNING DIVISION
555 LIBERTY ST. SE/ROOM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005

City of Salem
AT YOUR SERVICE

RESOLUTION NO.: PC 09-5

COMPREHENSIVE PLAN CHANGE/ZONE CHANGE 09-1

WHEREAS, a petition for a Comprehensive Plan change from "Multiple Family Residential" to "Commercial" and the zone change from RM2 (Multi-Family Residential) to CO (Commercial Office),

for property located at 1705 Commercial Street SE

was filed by William Davis, Applicant; Jeff Tross, Representative 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 7, 2009, 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 reports on this matter dated April 7, 2009, herewith attached and by this reference incorporated herein.

Section 2. ORDER:

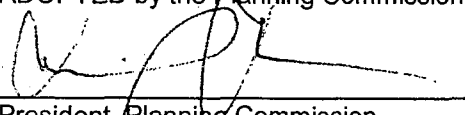
Based upon the foregoing findings and conclusions, it is hereby ordered:

(a) The proposed Comprehensive Plan change "Multiple Family Residential" to "Commercial" in this matter from to be granted;

(b) The zone change from RM2 (Multi-Family Residential) to CO (Commercial Office) for the above defined area be granted, subject to the following conditions:

Condition 1: Limit the number of average vehicle trips per day to 90.

ADOPTED by the Planning Commission this 7th day of April, 2009.


President, Planning Commission

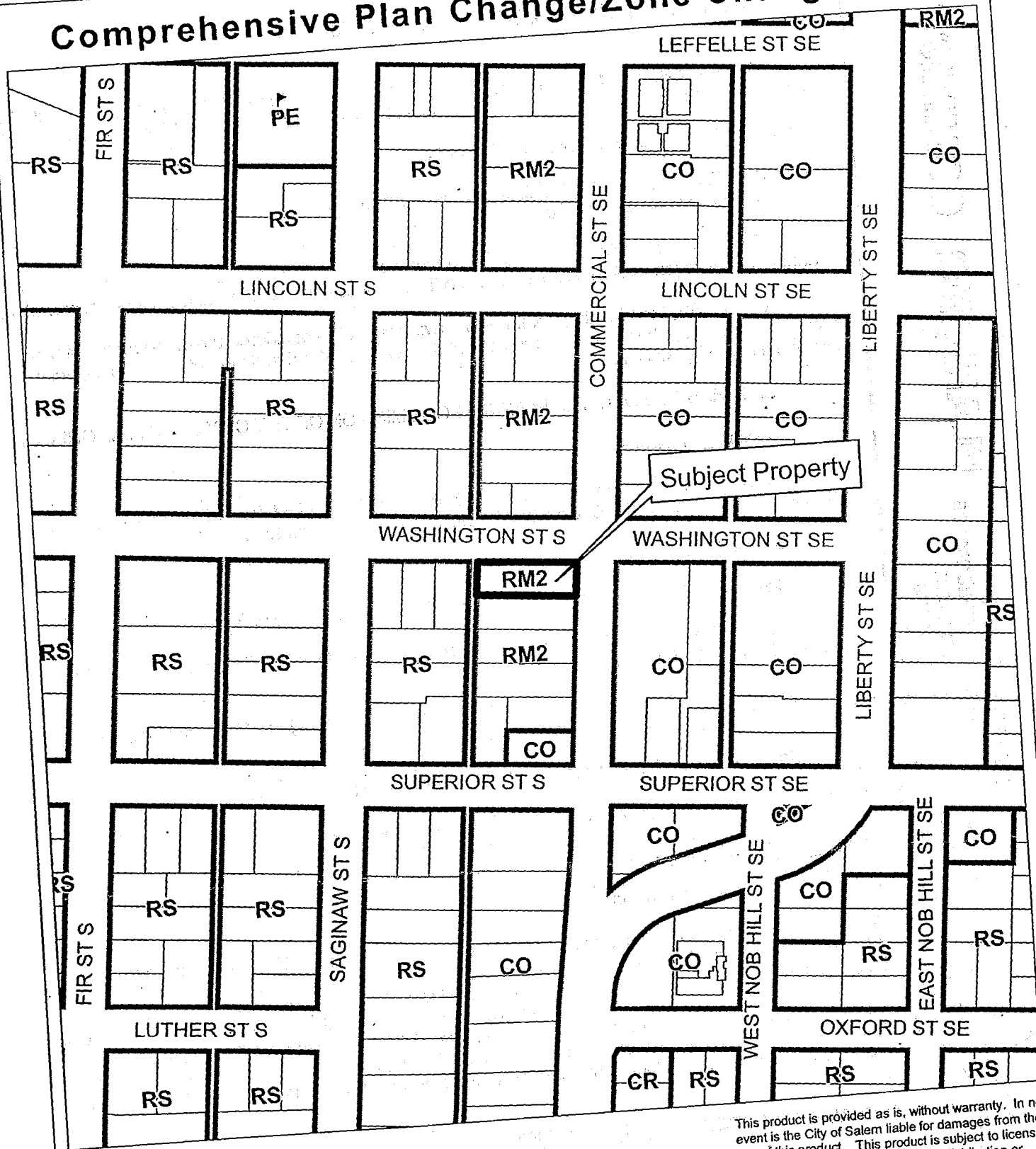
Appeal of a Planning Commission decision is to the Salem City Council (Council), as set forth in Section 114.200 of the Salem Revised Code (SRC). Written notice of an appeal and the applicable fee shall be filed with the Planning Administrator within fifteen days after the record date of the decision. 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 27, 2009

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:
Yes 7 No 0 Absent 0

Comprehensive Plan Change/Zone Change 09-1



Legend

- Base Zoning
- Urban Growth Boundary
- Outside Salem City Limits

- Taxlots
- Parks
- Schools



0 50 100 200 Feet

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

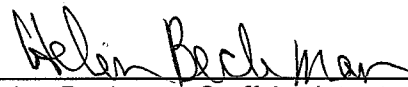
CERTIFICATION OF MAILING

STATE OF OREGON)
CITY OF SALEM)

I, Helen Beckman, do hereby certify that I, on the 13th day of April, 2009, caused to be sent interoffice to the Department of Land Conservation and Development Notice of Adoption for Comprehensive Plan Change/Zone Change No. 09-1.

A copy of which is filed in the case file.

DATED at Salem, Oregon, this 13th day of April, 2009.



Helen Beckman, Staff Assistant

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CITY OF *Salem*
AT YOUR SERVICE
COMMUNITY DEVELOPMENT
Planning Division
555 Liberty St. SE / Room 305
Salem, OR 97301-3513

DEPARTMENT OF LAND CONSERVATION &
DEVELOPMENT
635 CAPITOL STREET NE, SUITE 200
SALEM, OR 97301-2540