



Oregon
Theodore R. Kulongoski, 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

09/01/2009

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 006-09

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: Tuesday, September 15, 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: Pamela Cole, City of Salem
Gloria Gardiner, DLCD Urban Planning Specialist
Steve Oulman, DLCD Regional Representative
Bill Holmstrom, DLCD Transportation Planner
Thomas Hogue, DLCD Regional Representative
Angela Lazarean, DLCD Regional Representative

<paa> YA

FORM 2

DLCD

Notice of Adoption

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

☐ In person ☐ electronic ☐ mailed
DEPT OF
AUG 25 2009
LAND CONSERVATION AND DEVELOPMENT
For DLCD Use Only

Jurisdiction: **City of Salem**

Local file number: **CPC/ZC 09-4**

Date of Adoption: August 18, 2009

Date Mailed: August 21, 2009

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes Date: June 10, 2009

☐ 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 "Community Service-Government" to "Industrial-Commercial" and the zone district from PH (Public and Private Health Services) to IC (Industrial Commercial) for property consisting of approximately 2.7 acres and located at the southeast corner of Kuebler Boulevard SE and Turner Road SE (Marion County Assessor's Map and Tax Lot No. 082W07/00501).

Does the Adoption differ from proposal? No

Plan Map Changed from: Community Service-Government

to: Industrial Commercial

Zone Map Changed from: PH (Public & Private Health Services)

to: IC (Industrial Commercial)

Location: Southeast Corner of Kuebler Blvd SE & Turner Rd SE

Acres Involved: 2.7

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...Yes

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. 006-09 (17630) [15692]

DLCD file No. _____

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

PC
Local Contact: Pamela Cole, Associate Planner

Phone: (503) 588-6173 Extension: 7509

Address: 555 Liberty St SE, Room 305

Fax Number: 503-588-6005

City: Salem

Zip: 97301

E-mail Address: pcole@cityofsalem.net

PLANNING COMMISSION

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

AT YOUR SERVICE

RESOLUTION NO.: PC 09-13

COMPREHENSIVE PLAN CHANGE/ZONE CHANGE 09-4

WHEREAS, a petition for a Comprehensive Plan change from "Community Service-Government" to "Industrial-Commercial" and zone change from PH (Public and Private Health Services) to IC (Industrial Commercial) for property located at the southeast corner of Kuebler Boulevard SE and Turner Road SE, was filed by Steve Ward, Westech Engineering for J. C. Compton Company (Jay C. Compton), Applicant 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 August 18, 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 report(s) on this matter dated August 18, 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 in this matter from "Community Service-Government" to "Industrial-Commercial" be GRANTED;

(b) The zone change from PH (Public and Private Health Services) to IC (Industrial Commercial) for the above defined area be GRANTED, subject to the following conditions:

ZONE CHANGE CONDITIONS OF APPROVAL

1. Traffic impacts from future development shall be limited such that a maximum of 1,600 average daily trips are generated by the proposed use or uses. At the time of development review for any proposed use on the property subject to the restrictive covenant, the proposed development's average daily trips shall be calculated pursuant to the then-current Institute of Transportation Engineers (ITE) Trip Generation Manual. No development on the property shall be allowed that causes average daily trips of the property subject to the covenant to exceed 1,600 average daily trips.

2. The property owner of the subject property shall record in the land records of Marion County, in a form approved by the Salem City Attorney, restrictive covenants that substantively comply with the following restrictions:

No development on the property shall be allowed that causes average daily trips from the development to exceed 1,600 average daily trips, as calculated pursuant to the then-current Institute of Transportation Engineers (ITE) Trip Generation Manual.

These covenants shall run with the land.

These covenants may only be amended or terminated upon the written approval of the City of Salem.

3. Development shall comply with the provisions of the Preliminary Declaration for Urban Growth Area Development Permit No. 07-12.

ADOPTED by the Planning Commission this 18th day of August, 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: September 2, 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.

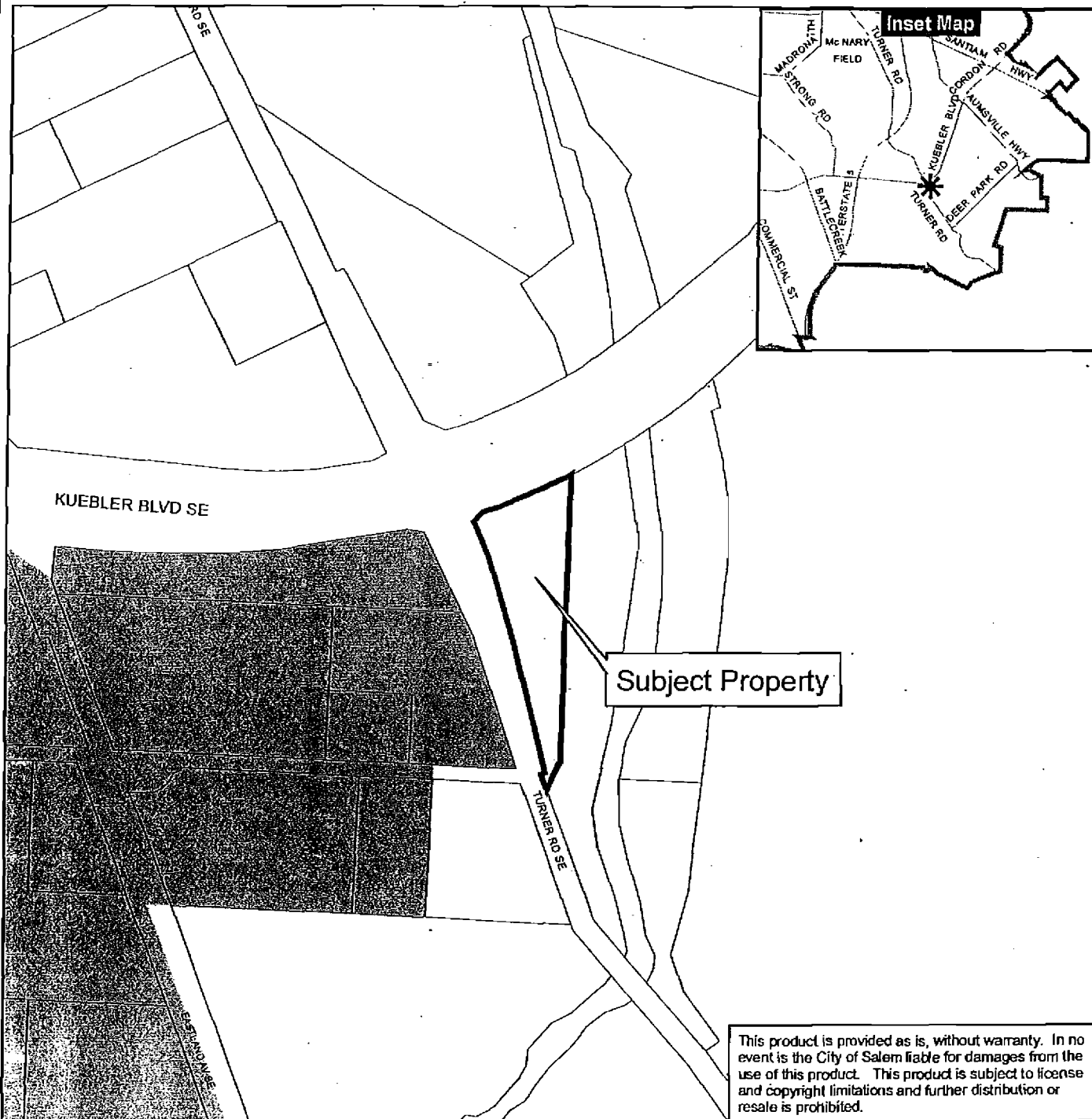
Planning Commission Vote:

Yes 7 No 0 Absent 0

PC

Vicinity Map

Taxlot 082W07 00501



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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.

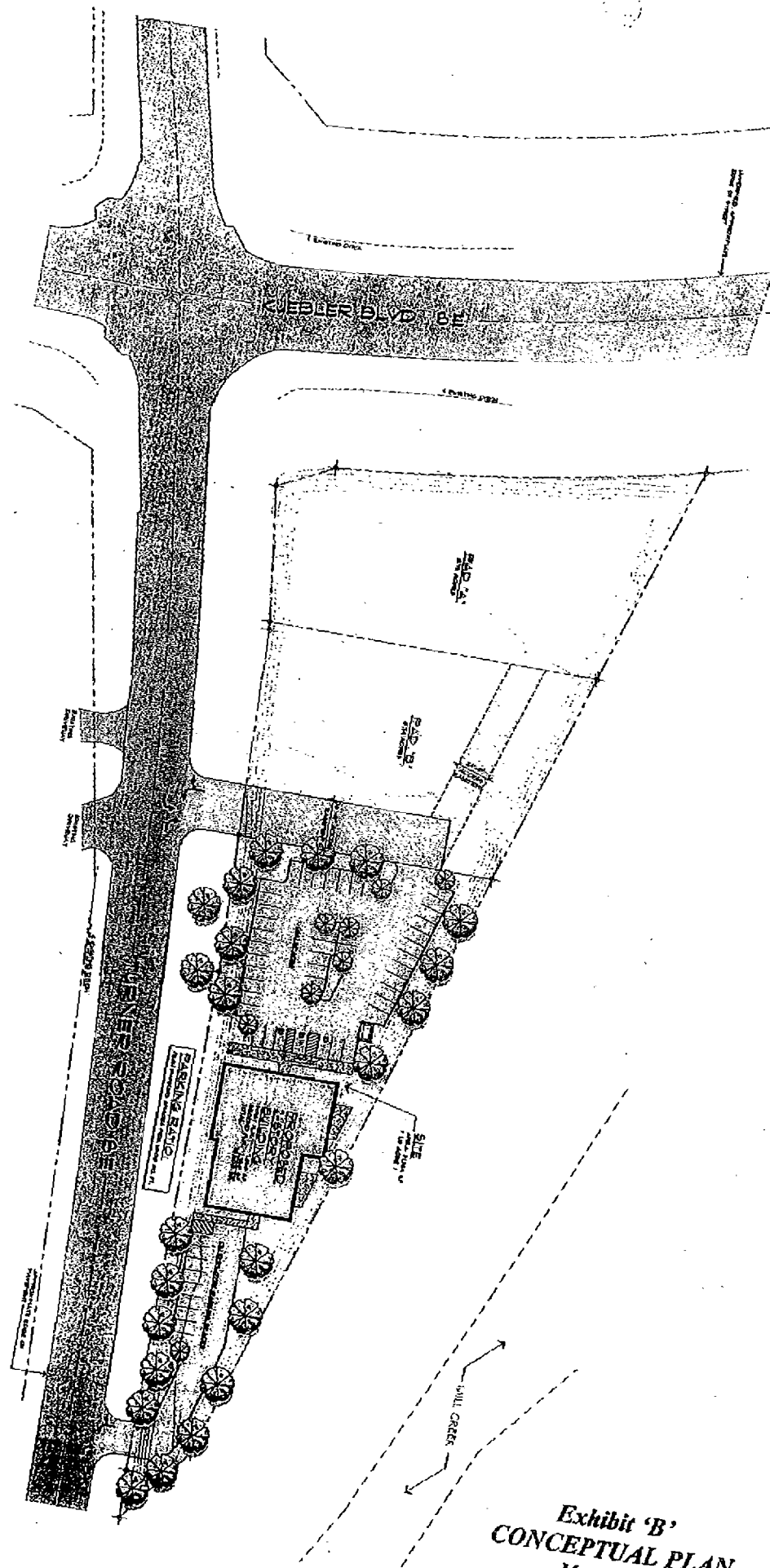


Exhibit 'B'
CONCEPTUAL PLAN
May 1, 20 9

CITY OF SALEM
PLANNING DIVISION
155 LIBERTY ST SE ROOM 305
SALEM, OR 97301-3503

ATTN: Plan Amendment Specialist

51062

Dept. of Land Conservation & Dev
635 Capitol St NE, Suite 200
Salem OR 97301-2540
