



Oregon

Theodore R. Kubongski, Governor

Department of Land Conservation and Development

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Salem, OR 97301-2540

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www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

03/06/2009

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Salem Plan Amendment
DLCD File Number 001-09

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, March 25, 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

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LAND CONSERVATION
AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: City of Salem

Local File Number: CPC/ZC 08-16

Date of Adoption: February 24, 2009

Date Mailed: February 26, 2009

Date the Notice of Proposed Amendment was Mailed to DLCD: December 30, 2008

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

☐ 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 "Multi Family Residential" to "Commercial" and the zone district from RM2 (Multi-Family Residential) to CR (Retail Commercial), for property consisting of approximately 0.68 acres and located at 145 21st Street SE (Marion County Assessor's Map and Tax Lot number: 073W26AC / 12900).

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." SAME

Plan Map changed from: Multiple Family Residential

To: Commercial

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

To: CR (Commercial Retail)

Location: 145 21st Street SE

Acres Involved: 0.68 acres

Specify Density: Previous:

New:

Applicable Statewide Planning Goals: 1, 2, 6, 7, 9, 10, 11, 12, 14,

Was an Exception Proposed: ☐ YES ☒ NO

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

Forty-five (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

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

Local Contact: Aaron Panko, Assistant Planner
Address: 555 Liberty Street SE, Room 305
Fax Number: (503) 588-6005

Phone: (503) 588-6173 Extension: 7556
City: Salem Zip: 97301
E-Mail Address: apanko@cityofsalem.net

DLCD File No.

001-09 (17304)

RESOLUTION NO.: PC 09-3

COMPREHENSIVE PLAN CHANGE/ZONE CHANGE 08-16

WHEREAS, a petition for a Comprehensive Plan change from "Multi-Family Residential" to "Commercial", and zone change from RM2 (Multi-Family Residential) to CR (Retail Commercial) for property located at 145 21st Street SE, was filed by Ron Ped 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 February 24, 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 on this matter dated February 24, 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 "Multi Family Residential" to "Commercial" be GRANTED;
- (b) The zone change from RM2 (Multi-Family Residential) to CR (Commercial Retail) for the above defined area be GRANTED; subject to the following condition.

Condition 1: Limit the number of average vehicle trips per day to 127.

ADOPTED by the Planning Commission this 24th day of February, 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.

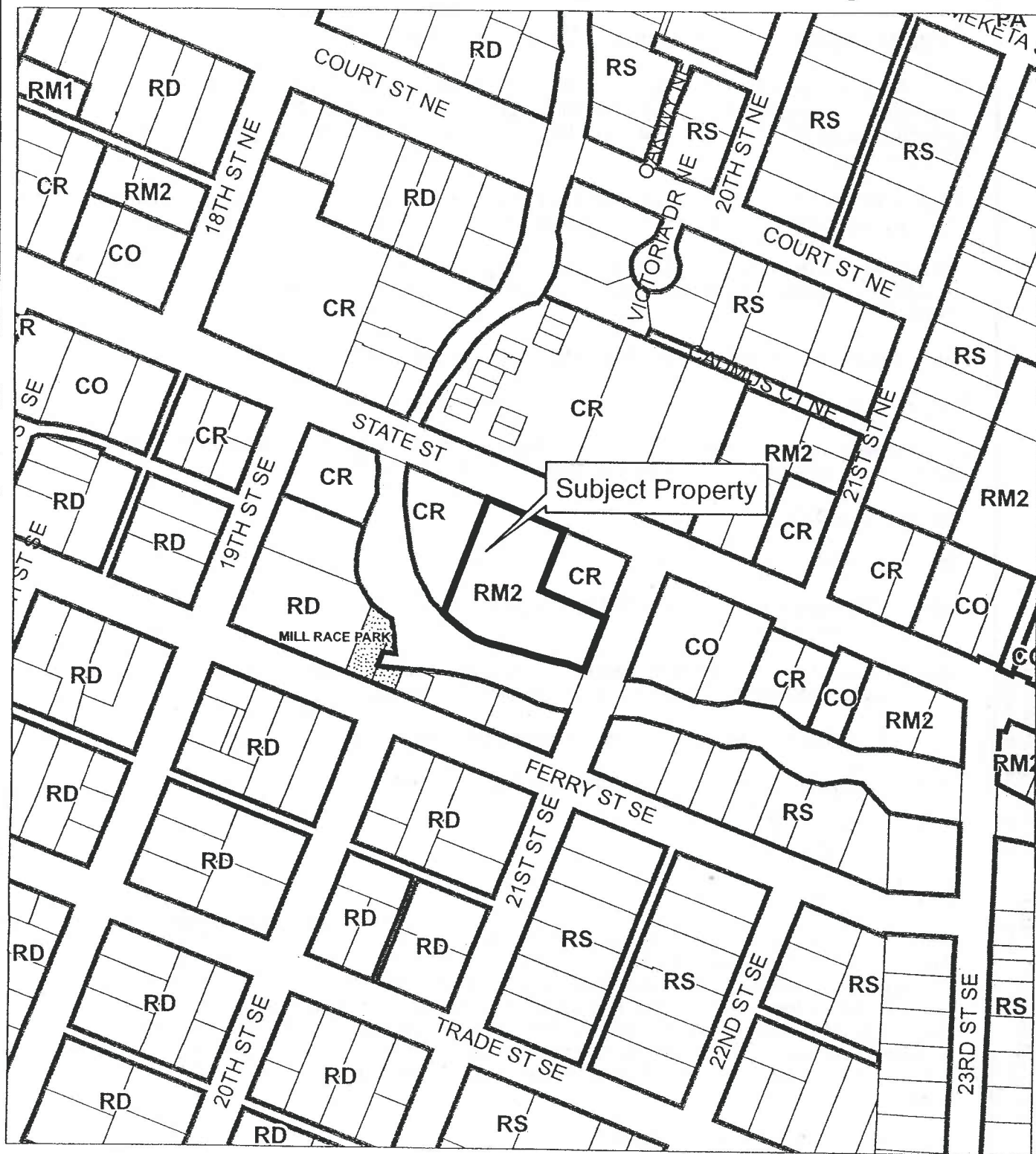
APPEAL PERIOD ENDS: **March 13, 2009**

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 6 No 0 Absent 1 (Goss)

Comprehensive Plan Change/Zone Change 08-16



Legend

- | | |
|---------------------------|---------|
| Base Zoning | Taxlots |
| Urban Growth Boundary | Parks |
| Outside Salem City Limits | Schools |

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AT YOUR SERVICE
Community Development Dept.

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State