



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Coastal Fax: (503) 378-6033

Second Floor/Director's Office Fax: (503) 378-5518

Third Floor/Measure 37 Fax: (503) 378-5318

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

November 22, 2006

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 025-05



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: December 8, 2006

This amendment was submitted to DLCD for review 45 days 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 THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Jason Locke, DLCD Regional Representative
Matthew Crall, DLCD Transportation Planner
Judith Moore, City of Salem

<paa> yal



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

LAND CONSERVATION
AND DEVELOPMENT
NOV 17 2006

DEPT OF

Jurisdiction City of Salem

Local File Number CPC/ZC 05-12

(if no number, use none)

Date of Adoption November 7, 2006

Date Mailed November 15, 2006

(must be filled in)

(Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD July 25, 2006

☐ Comprehensive Plan Text Amendment ☒ Comprehensive Plan Map Amendment

☐ Land Use Regulation Amendment ☒ Zoning Map Amendment

☐ New Land Use Regulation

Other: _____

(Please specify Type of Action)

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

Changed the Comprehensive Plan from Industrial to Single Family Residential and Multiple Family Residential and the zone district from IBC (Industrial Business Campus) and IP (Industrial Park) to RS (Single Family Residential) (132.59 acres), RM1 (Multiple Family Residential) (7.26 acres) and RM2 (Multiple Family Residential) (8.89 acres) for property a total of 148.74 acres and located on the 4400 through 5200 Block of Kale Road NE.

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 Change From Industrial to Single Family Residential and Multiple Family Residential

Zone Map Change From IBC (Industrial Business Campus) and IP (Industrial Park) to RS (Single Family Residential), RM1 (Multiple Family Residential) and RM2 (Multiple Family Residential)

Location: 4400 through 5200 Block of Kale Road NE

Acres Involved: 148.74

Specify Density: Previous: _____

New: _____

Applicable Statewide Planning Goals: _____

Was an Exception adopted? ☐ Yes ☒ No

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing?** ☒ Yes ☐ No

If no, do the Statewide Planning Goals apply. ☐ Yes ☐ No

If no, did the Emergency Circumstances Required immediate adoption. ☐ Yes ☐ No

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

Local Contact: Judith Moore, Senior Planner Area Code + Phone Number: (503) 588-6173, ext. 7556

Address: 555 Liberty Street SE, Room 305

City: Salem

Zip Code+4: 97301-3503

Email Address: jimoore@cityofsalem.net

DLCD File No: 025-05 (14808)

RESOLUTION NO.: PC 06-18

COMPREHENSIVE PLAN CHANGE/ ZONE CHANGE NO. 05-12

WHEREAS, a petition for Comprehensive Plan Change from

"Industrial" to "Single Family Residential" and "Multiple Family Residential"

and a zone change from

IBC (Industrial Business Campus) and IP (Industrial Park) to RS (Single Family Residential – 132.59 acres), RM1 (Multiple Family Residential – 7.26 acres) and RM2 (Multiple Family Residential – 8.89 acres)

for property located at

4400 - 5200 Blocks of Kale Rd NE

was filed by

Granada Land Company (Larry Epping)

with the Planning Commission of the City of Salem, and

WHEREAS, after due notice, a public hearing on the proposed plan was held before the Planning Commission on November 7, 2006, 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 dated November 7, 2006, herewith attached and by this reference incorporated herein.

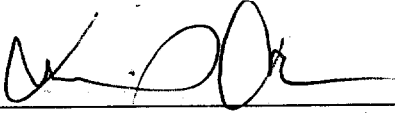
Section 2. ORDER:

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 "Single Family Residential" and "Multifamily Residential" be GRANTED.
- B. That the zone change from IP (Industrial Park) and IBC (Industrial Business Campus) to RS (Single Family Residential) and RM1 and RM2 (Multiple Family Residential) for the subject property be GRANTED, subject to the following conditions:
 1. The applicant shall dedicate sufficient right-of-way to equal a half-width of 36 feet along Kale Road NE and construct a 23-foot half-street improvement on the development side of Kale Road NE when the property is developed.
 2. The applicant shall link the proposed development to adequate water facilities; and adequate sewer facilities.

3. The applicant shall provide a 30-foot wide buffer along the boundary of those properties designated RS (Single Family Residential) to buffer the proposed residential land from Industrial Designated and agriculturally zoned land, respectively. In addition, a sight-obscuring fence shall be required on the eastern boundary on the portion that abuts the urban growth boundary. Those boundaries that abut residentially designated land (RS, RM1 and RM2) shall not be subject to this condition.
4. The applicant shall provide appropriate Multiple Family Residential bufferyards as required by SRC 132 along the periphery of that property designated RM1 or RM2.

ADOPTED by the Planning Commission this 7th day of November, 2006.



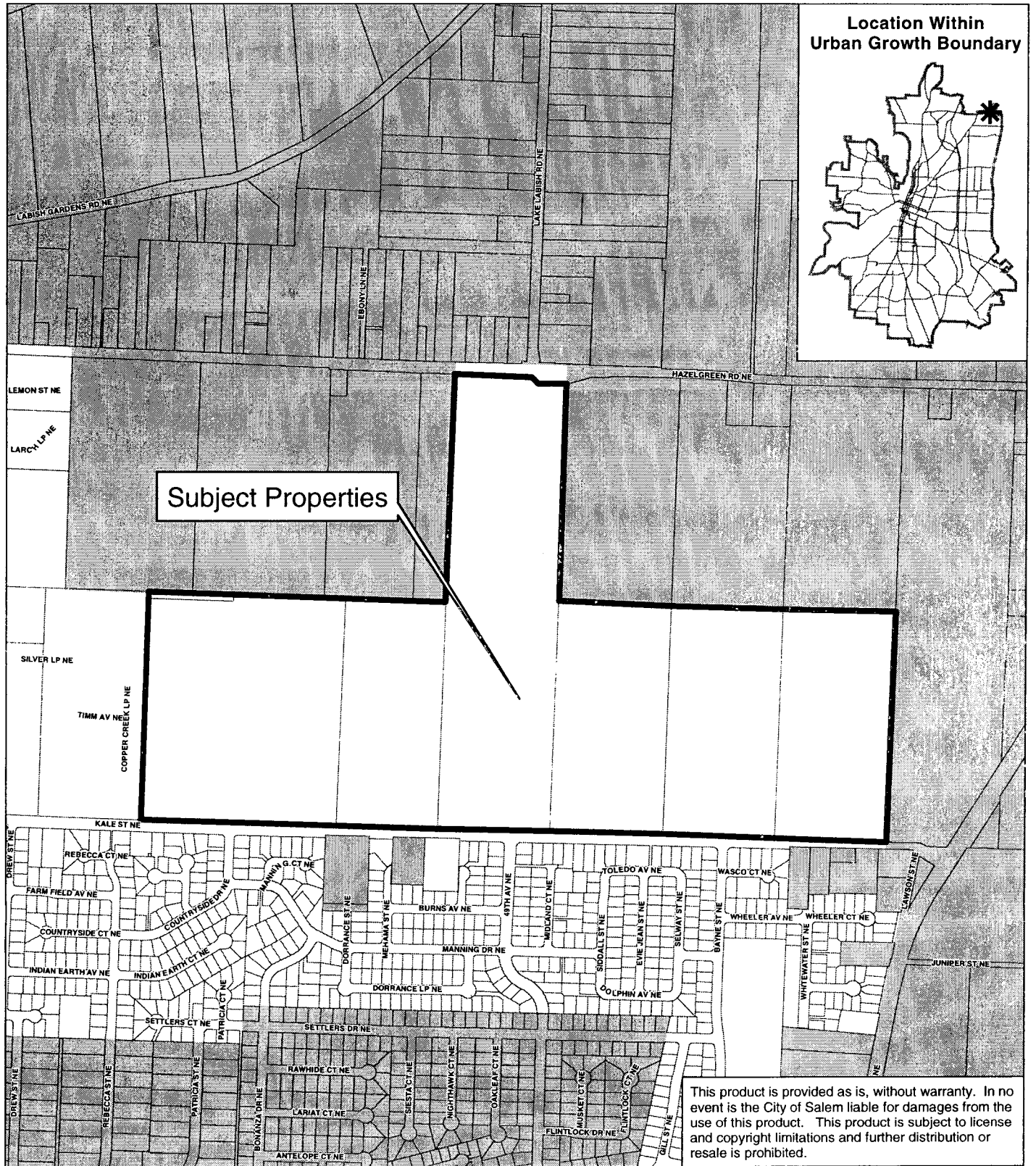
President, Planning Commission

APPEAL PERIOD ENDS: November 30, 2006

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 5 NO 1 (Bennett) ABSENT 1 (Wiles)

Vicinity Map - Kale Road NE



Created: 11-02-05



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

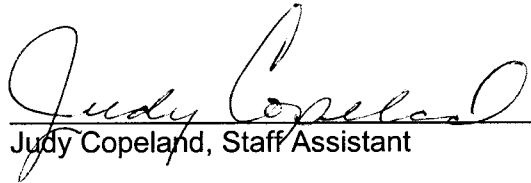
CERTIFICATION OF MAILING

STATE OF OREGON)
CITY OF SALEM)

I, Judy Copeland, do hereby certify that I, on the 15th day of November 2006 caused to be sent interoffice to the Department of Land Conservation and Development Notice of Adoption for CPC/ZC 05-12

A copy of which is filed in the case file.

DATED at Salem, Oregon, this 15th day of November 2006



Judy Copeland, Staff Assistant