



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

8/17/2009

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 009-09

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: Monday, August 31, 2009

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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

FOR 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

<input type="checkbox"/> In person	<input type="checkbox"/> electronic	<input type="checkbox"/> mailed
Aug 10, 2009		
For DLCD Use Only		

Jurisdiction: City of Salem

Local file number: CPC/ZC 09-6

Date of Adoption: August 4, 2009

Date Mailed: August 6, 2009

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes Date: June 19, 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 "Multi Family Residential" to "Commercial" and the zone district from RM2 (Multi-Family Residential) to CR (Retail Commercial), for property consisting of approximately 0.5 acres and located at 4122 Liberty Road S (Marion County Assessor's Map and Tax Lot number: 083W09AA / 05800).

Does the Adoption differ from proposal? No

Plan Map Changed from: Multiple Family Residential to: **Commercial**

Zone Map Changed from: RM2 (Multiple Family Residential) to: CR (Retail Commercial)

Location: 4122 Liberty Road So. Acres Involved: 0.5

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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. 009-09 (17643) [15668]

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 09-11

COMPREHENSIVE PLAN CHANGE/ZONE CHANGE 09-6

WHEREAS, a petition for a Comprehensive Plan map change from "Multi-Family Residential" to "Commercial," and zone change from RM2 (Multi-Family Residential) to CR (Retail Commercial) for property located at 4122 Liberty Road S

was filed by Faisal Saad, Applicant; Jack R. Lowery, 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 August 4, 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 4, 2009, 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 "Multi-Family Residential" to "Commercial" be GRANTED.
- B. That the zone change for the subject property from RM2 (Multi-Family Residential) to CR (Retail Commercial) be GRANTED.

ADOPTED by the Planning Commission this 4th 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.

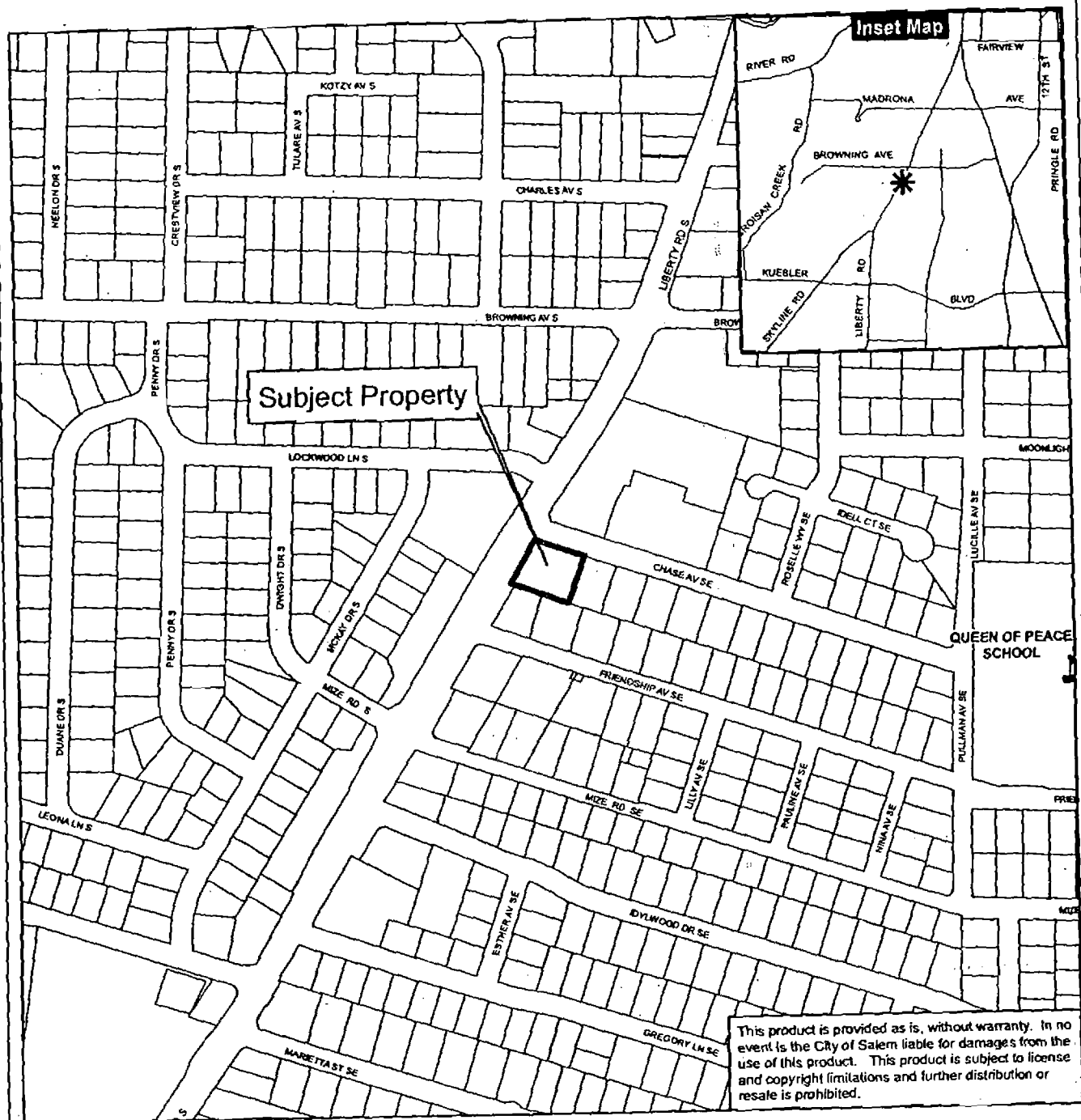
APPEAL PERIOD ENDS: August 19, 2009

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 3 No 0 Absent 2 (Gallagher Lewis) ABSTAINED 1 (Budke)

Vicinity Map 4122 Liberty Road S



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.

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 09-11

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Planning Commission Vote:

Yes 3 No 0 Absent 2 (Gallagher Lewis) ABSTAINED 1 (Budke)

Vicinity Map 4122 Liberty Road S

Subject Property

Inset Map

QUEEN OF PEACE SCHOOL

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

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