



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

October 13, 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 003-06



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: November 1, 2006

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 THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Jason Locke, DLCD Regional Representative
Mcrae Carmichael, City Of Salem

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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

DEPT OF

Jurisdiction City of Salem

Local File Number CA 06-2
(if no number, use none)

OCT 11 2006

Date of Adoption 10-2-06
(must be filled in)

Date Mailed 10-9-06
(Date mailed or sent to DLCD)

LAND CONSERVATION AND DEVELOPMENT

Date the Notice of Proposed Amendment was mailed to DLCD 2-17-06

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."

Amend the Salem Revised Code Chapters 130.400(f) and 133.210(a) to adjust the measurement and angle of allowable slope for driveways for on individual lots. The current requirement is for 15% with approval from the Public Works director for a 20% slope. This is to eliminate the review and use the same maximum slope for all lots.

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 NA to NA

Zone Map Change From NA to NA

Location: NA Acres Involved: NA

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: McRae Carmichael, Principal Planner Area Code + Phone Number: (503) 588-6173, ext. 7409

Address: 555 Liberty Street SE, Room 305 City: Salem

Zip Code+4: 97301-3503 Email Address: mcarmichael@cityofsalem.net

DLCD File No: 003-06
(15023)

1 course of development and construction, and permanent measures shall be taken thereafter to
2 prevent erosion from foreseeable sources. All cut and fill surfaces subject to erosion shall be
3 planted with living materials that will thrive with little or no maintenance once established. On
4 slopes likely to be extensively disturbed by later construction, an interim ground cover may be
5 planted or other suitable temporary measures taken, to be supplemented by the permanent ground
6 cover or shrubs and trees when the site is finally developed and landscaped. Anticipated
7 methods of erosion control, including type and spacing of ground cover, shall be indicated on
8 individual building permit applications. Placement of all permanent erosion control measures
9 on a lot shall be initiated within six months of the date of occupancy of any building on the lot
10 and completed within one year of such occupancy. If such measures are considered ineffective,
11 the director of public works shall prescribe alternate measures to control erosion. Upon the
12 failure of the person responsible to institute such measures within 30 days of notice to do so, the
13 director of public works shall obtain competitive bids and let a contract in the name of the City
14 of Salem for the performance of such work. All costs incurred thereby shall become a lien
15 against the property to be assessed, collected, and enforced as provided for dangerous buildings
16 in SRC 56.390(b).

17 (f) **Driveways.** The maximum ~~difference in elevationslope~~ between the curblineslope and
18 finished floor level of the garage or carport for driveways serving individual lots shall be ~~on a~~
19 ~~slope of 15~~20 percent; provided, however, the director of public works may permit a difference
20 in elevation not exceeding a 20 percent slope provided that there is no slope exceeding 25
21 percent between any two points ~~along the midline of~~in the driveway, and that adequate vertical
22 curves or ramps are used in the driveway to assure usability by a standard size American
23 automobile.

24 (g) **Cut and fill slopes.** The fill slope shall begin no closer than two feet to the edge of the
25 curb. Cut and fill slopes shall not exceed two horizontal to one vertical, provided that the
26 director of public works may approve slopes not exceeding one to one upon certification by a
27 qualified engineer or geologist that the slope will remain stable under foreseeable conditions.
28 Cut and fill areas shall comply with all the requirements of SRC chapter 65 wherever those

1 requirements are more restrictive than those stated in this subsection.

2 **Section 2.** SRC 133.210 is amended to read:

3 **133.210. DRIVEWAY DEVELOPMENT STANDARDS.** All driveways shall conform to the
4 following development standards:

5 (a) **Grade.** The maximum ~~difference~~ slope between the curblineline and finished floor level of
6 the garage or carport for driveways serving individual lots shall ~~not exceed 15 percent slope~~
7 ~~20 percent; provided, however, the director of public works may permit a difference in elevation~~
8 ~~not exceeding a 20 percent slope provided that there is no slope exceeding 25 percent between~~
9 ~~any two points along the midline of the driveway, and that adequate vertical curves or ramps~~
10 ~~are used in the driveway to assure usability by a standard size American automobile.~~

11 (b) **Surfacing.** The surface of driveways shall be of hard surface material meeting the
12 standards of the director of public works. Driveways serving developments on lots created
13 pursuant to SRC 63.039 shall not be required to have a hard surface.

14 (c) **Drainage.** All driveways shall be well drained and the provisions for drainage shall be
15 approved by the director of public works.

16 (d) **Street access.** The entries and exits of driveways on a public street shall conform to the
17 provisions of SRC Chapter 80 as well as the specific provisions of this zoning code.

18 (e) **Width of driveways.** Driveways, other than those which are an integral part of a
19 parking, loading or vehicle storage area and not simply a means of access to such area, shall not
20 exceed the maximum width specified for driveway access to a street in SRC 80.060 to 80.080.
21 Minimum driveway widths are specified in Table 133-4. Where the driveway street access
22 permitted under SRC 80.060 to 80.090 is less than the minimum driveway width specified in
23 Table 133-4, the width specified in SRC Chapter 80 shall be maintained at the property line, and
24 widened to that specified in Table 133-4 within five feet inside the property line.

25 (f) **"No Parking" signs.** Where a driveway is an integral part of a parking, loading or
26 vehicle storage area and not simply a means of access to such area, one "no parking" sign for
27 every 60 feet of length of such driveway shall be erected, but in no event shall less than two such
28 signs be erected.

1 (g) **Turnarounds.** If a driveway serving more than two parking or loading spaces serving
2 a use other than a single family dwelling has only one point of access to a public street, or does
3 not loop to a single street access, a turnaround area approved by the director of public works
4 shall be provided.

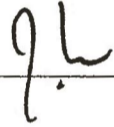
5 (h) The provisions of this section shall be construed as supplementary to and not a
6 modification.

7 **Section 3. Severability.** Each section of this ordinance, and any part thereof, is severable, and if any
8 part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance
9 shall remain in full force and effect.

10 PASSED by the Council this 2nd day of October, 2006 .

11 ATTEST:

12 
13 City Recorder

14 Approved by City Attorney: 
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17 Checked by: L. Van de Water

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