



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Salem, Oregon 97301-2524

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NOTICE OF ADOPTED AMENDMENT

March 1, 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 023-05

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: March 15, 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
Rob Hallyburton, DLCD Community Services Division Manager
Cecillia Urbani, City of Salem

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FEB 22 2006

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

Jurisdiction City of Salem

Local File Number CA 05-10

(if no number, use none)

Date of Adoption February 13, 2006

Date Mailed February 17, 2006

(must be filled in)

(Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD November 4, 2005

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."

Amended SRC 150.020(i)(8), to delete the restrictions on signage that is visible from outside the building for eating establishments in the CO (Commercial Office) zone.

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: Cecilia Urbani, Principal Planner Area Code + Phone Number: (503) 588-6173, ext. 7508

Address: 555 Liberty Street SE, Room 305

City: Salem

Zip Code+4: 97301-3503

Email Address: curbani@cityofsalem.net

DLCD File No: 023-05 (14805)

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(c) Transportation services:

(1) Arrangement of passenger transportation (472);

(d) Retail trade:

(1) News dealers and newsstands (5994).

(e) Finance, insurance, and real estate:

(1) Depository Institutions (60);

(2) Nondepository Credit Institutions (61);

(3) Security and commodity brokers, dealers, exchanges and services (62);

(4) Insurance carriers(63);

(5) Insurance agents, brokers and service (64);

(6) Real estate (65);

(7) Holding, and other investment companies (67).

(f) Services:

(1) Bed and breakfast establishments;

(2) Photographic Studio Portrait (7221);

(3) Beauty shop (723);

(4) Barber Shop (724);

(5) Funeral service and crematories (726);

(6) Consumer credit reporting agencies, mercantile reporting agencies, and adjustment and collection agencies (732);

(7) Direct mail advertising services (7331);

(8) Stenographic services; and reproduction services, not elsewhere classified (7338);

(9) News syndicates (7383);

(10) Personnel supply services (736);

(11) Computer and data processing services (737);

(12) Detective agencies and protective services (7381);

(13) Business services, not elsewhere classified - where not more than 20 percent of the

- 1 gross floor area is devoted to retail sales or display (7389);
- 2 (14) Automobile Parking (7521) EXCLUDING Parking Structures;
- 3 (15) Offices of physicians (801);
- 4 (16) Offices of dentists (802);
- 5 (17) Offices of osteopathic physicians (803);
- 6 (18) Offices of other health practitioners (804);
- 7 (19) Medical and dental laboratories (807);
- 8 (20) Outpatient care facilities (8093);
- 9 (21) Legal Services (81);
- 10 (22) Correspondence schools (8249) and vocational schools (824);
- 11 (23) Schools and educational services, not elsewhere classified (829);
- 12 (24) Individual and family services (832);
- 13 (25) Child day care services (835);
- 14 (26) Social services, not elsewhere classified (839);
- 15 (27) Business associations (861);
- 16 (28) Professional membership organizations (862);
- 17 (29) Labor unions and similar labor organizations (863);
- 18 (30) Civic, social, and fraternal organizations (864);
- 19 (31) Political organizations (865);
- 20 (32) Engineering, Accounting, Research, Management, and Related Services (87);
- 21 (33) Services, not elsewhere classified (899);
- 22 **(g) Public administration:**
- 23 (1) Executive offices (911);
- 24 (2) Executive and legislative combined (913);
- 25 (3) Fire protection (9224);
- 26 (4) Public Finance, taxation, and monetary policy (93);
- 27 (5) Administration of human resources programs (94);
- 28 (6) Administration of environmental quality and housing programs (95);

1 (7) Administration of economic programs (96);

2 (8) National security and international affairs (97).

3 (h) **Other uses:**

4 (1) Community or neighborhood clubs;

5 (2) Swimming pools, whether or not open to the public for a fee;

6 (3) Playgrounds, parks;

7 (4) Public buildings and structures, such as libraries, fire stations;

8 (5) Right-of-way for electric service lines, gas mains, communications and CATV lines,
9 water lines, sewer lines; and

10 (6) Public utility structures and buildings such as pump stations, reservoirs,
11 radiomicrowave relay stations, telephone substations, and electric substations.

12 (7) Transit stop shelters.

13 (8) On-site response actions in accordance with applicable law to discharges of oil and
14 releases of hazardous substances, pollutants, and contaminants.

15 (i) **Accessory uses and structures;**

16 (1) Customary residential accessory buildings and structures for private use of the
17 property and its occupants;

18 (2) A garage or parking area serving the main building or use;

19 (3) Storage for commercial vehicles used in connection with any use listed in subsections
20 (d) to (f) of this section, or kept by the occupant of a dwelling unit with a maximum of
21 one commercial vehicle per dwelling unit;

22 (4) Sleeping quarters for domestic employees of the resident of the main building;

23 (5) Guest houses and guest quarters not in the main building provided such houses and
24 quarters are and remain dependent upon the main building for either kitchen or bathroom
25 facilities or both, and the guest facilities are used for temporary lodging and not as a
26 place of residence;

27 (6) Home occupations; and

28 (7) The taking of boarders or leasing of rooms by a resident family, providing the total

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number of boarders and roomers does not exceed two in any dwelling unit.

(8) Eating places (5812) in buildings devoted principally to uses otherwise permitted as main uses under SRC 150.020 to 150.040; ~~provided that the entrance to the eating place is within the building and not directly from the outside, that the only sign advertising the eating place visible from outside the building is a non-illuminated window or wall sign not more than two square feet in area, and that not more than 25 percent of the floor area of a one story building and not more than 50 percent of the floor area of a building over one story is occupied by the eating place.~~

Section 2. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

PASSED by the Council this 13th day of February, 2006 .

ATTEST:

Kathy Hall
City Recorder

Approved by City Attorney: *[Signature]*

Checked By: *P. Urbani*

G:\Group\LEGAL1\Council\020606 Commercial Office Zone ord.wpd

CERTIFICATION OF MAILING

STATE OF OREGON)
CITY OF SALEM)

I, Judy Copeland, do hereby certify that I, on the 17th day of February, 2006 caused to be sent interoffice to the Department of Land Conservation and Development Notice of Adoption for Code Amendment 05-10 - amending SRC 150.020(i)(8), to delete the restrictions on signage that is visible from outside the building for eating establishments in the CO (Commercial Office) zone.

A copy of which is filed in the case file.

DATED at Salem, Oregon, this 17th day of February 2006



Judy Copeland, Staff Assistant