



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

March 19, 2007

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 002-07



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: April 2, 2007

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
Larry Ksionzyk, DLCD Community Development Planning Specialist
Kevin Russell, City of Salem

<paa> ya/email

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

MAR 12 2007

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction City of Salem Local File Number CPC/ZC 07-1
(if no number, use none)

Date of Adoption March 6, 2007 Date Mailed March 9, 2007
(must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD January 11, 2007

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."

To change the Salem Area Comprehensive Plan designation from "Industrial" to "Industrial Commercial" and to change the zoning designation from IBC (Industrial Business Campus) to IC (Industrial Commercial) for property approximately 66.27 acres in size and located at 3930, 3990 and 3992 Fairview Industrial Dr SE (Marion County Assessor's map page and tax lot number 083W02/ Lots 1800, 1801 and 083W01 / Lot 00800.

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 Industrial Commercial

Zone Map Change From IBC (Industrial Business Campus) to IC (Industrial Commercial)

Location: 3390, 3990 and 3992 Fairview Industrial Dr SE Acres Involved: 66.27

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: Kevin Russell, Associate Planner Area Code + Phone Number: (503) 588-6173, ext. 7597

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

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

DLCD File No: 002-07 (15806)

RESOLUTION NO.: PC 07-4

COMPREHENSIVE PLAN CHANGE/ZONE CHANGE 07-1

WHEREAS, a petition for a Comprehensive Plan change from "Industrial" to "Industrial Commercial,"

and zone change from IBC (Industrial Business Campus) to IC (Industrial Commercial)

for property located at 3930, 3990 and 3992 Fairview Industrial Drive SE

was filed by Cascadia Canyon, LLC

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 March 6, 2007, 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 March 6, 2007, 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 "Industrial" to "Industrial Commercial" be granted;

(b) The zone change from IBC (Industrial Business Campus) to IC (Industrial Commercial) for the above defined area be granted, subject to the following conditions:

(1) All future uses and development shall be required to adhere to the development standards identified in the IBC zoning district, or as amended in the IBC zone. Those standards include: 1) Height; 2) Lot Area and Dimensions; 3) Yards Adjacent to Streets; 4) Yards Adjacent to other Districts; 5) Side and Rear Yards; 6) Lot Coverage; 7) Open Storage; 8) Landscaping; 9) Off-Street Parking and Loading; and 10) Lighting, unless a variance is approved provided for in Chapter 115 of the SRC.

(2) Future uses permitted shall be limited to the following uses identified in Exhibit 1. The uses identified as conditional uses under the IC zone shall apply with the exclusion of Residential care facilities, single family dwellings and manufactured homes.

ADOPTED by the Planning Commission this 6th day of March, 2007.

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 27, 2007

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: 6 Yes 0 No 1 Absent (Wiles)

Exhibit 1: IC (Industrial Commercial) Zoning District Use Matrix

Agriculture and forestry

Agricultural production - crops (01)

Landscape and horticultural services (078)

Timber tracts (081)

Forest nurseries and gathering of forest products

Forestry services (085)

Construction

Building construction - general contractors and operative builders (15)

Construction - special trade contractors (17)

Manufacturing

Dairy products (202)

Canned, frozen and preserved fruits, vegetables and food specialities (203)

Canned, frozen and preserved fruits, vegetables and food specialities (203)

Bakery products (205)

Candy and other confectionery products (2064 & 2068)

Chocolate and cocoa products (2066)

Chewing gum (2067)

Beverages (208)

Miscellaneous food preparations and kindred products (209)

Tobacco manufacturers (21)

Textile mill products (22)

Apparel and other finished products made from fabrics and similar materials (23)

Wood kitchen cabinets (2434)

Paperboard containers and boxes (265)

Printing, publishing, and allied industries (27)

Leather and leather products (31) BUT EXCLUDING leather tanning and finishing (311)

Metal cans and shipping containers (341)

Cutlery, hand tools and general hardware (342)

Heating equipment, except electric and warm air, and plumbing fixtures (343)

Metal forgings and stampings (346)

Computer and office equipment (357)

Exhibit 1: IC (Industrial Commercial) Zoning District Use Matrix

Electronic and other electrical equipment and components, except computer equipment (36) BUT EXCLUDING storage batteries (3691) and primary batteries, dry and wet (3692)
Motor vehicles and motor vehicle equipment (371)
Aircraft and parts (372)
Measuring, analyzing, and controlling instruments; medical and optical goods; watches and clocks (38) BUT EXCLUDING photographic equipment and supplies (386)
Signs and advertising specialties (3993)
Transportation communication, electric, gas, and sanitary services
Railroad transportation (40)
Motor freight transportation and warehousing (42)
US Postal Service (43)
Transportation services (47)
Communication (48)
Wholesale trade
Wholesale trade-durable goods (50) BUT EXCLUDING automobiles and other motor vehicles (5012), lumber and other construction materials (503), coal and other minerals and ores (5052), construction and mining machinery and equipment (5082), and scrap and waste materials (5093)
Wholesale trade-nondurable goods (51) BUT EXCLUDING livestock (5154) and chemicals and allied products (516)
Retail trade
Eating and drinking places (58)
Direct Selling Establishments (5963)
Catalog and Mail Order Houses (5961)
Finance, insurance and real estate
Depository Institutions (60)
Nondepository Credit Institutions (61)
Security and commodity brokers, dealers, exchanges and services (62)
Insurance carriers (63)
Insurance agents, brokers, and services (64)
Real estate (65)
Holding and other investment offices (67)
Services
Hotels and motels (701) BUT EXCLUDING casino hotels

Exhibit 1: IC (Industrial Commercial) Zoning District Use Matrix

Mailing, reproduction, commercial art and photography, and stenographic services (733)
Disinfecting and pest control services (73420)
Building Cleaning and maintenance services not elsewhere classified (7349)
Photofinishing laboratories (7384)
Miscellaneous repair services (76)
Welding repair (7692)
Repair shops and related services, not elsewhere classified (7699)
Motion pictures (78)
Amusement and recreation services (79) BUT EXCLUDING casinos, racing, including track operation (7948) and entertainment establishments, except as permitted as a special use in SRC 155.030(a)(2)
Health services (80) BUT EXCLUDING hospitals (806)
Legal services (81)
Educational services (82)
Vocational school; except vocation high schools, not elsewhere classified (8249)
Social services (83) BUT EXCLUDING residential care (836)
Child day care services (835)
Membership organizations (86)
Civic, social, and fraternal organizations (864)
Engineering, Accounting, Research, Management, and Related Services (87)
Research development and testing laboratories (873)
Testing laboratories (8734)
Management, consulting, and public relations services (874)
Management and public relations services (8749)
Services not elsewhere classified (899)
Public Administration
General government, not elsewhere classified (919)
Fire protection (9224)
Executive Offices (911)
Finance, taxation, and monetary policy (93)
Administration of human resources programs (94)
Administration of environmental quality & housing programs (95)

Exhibit 1: IC (Industrial Commercial) Zoning District Use Matrix

Administration of economic programs (96)
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Other uses

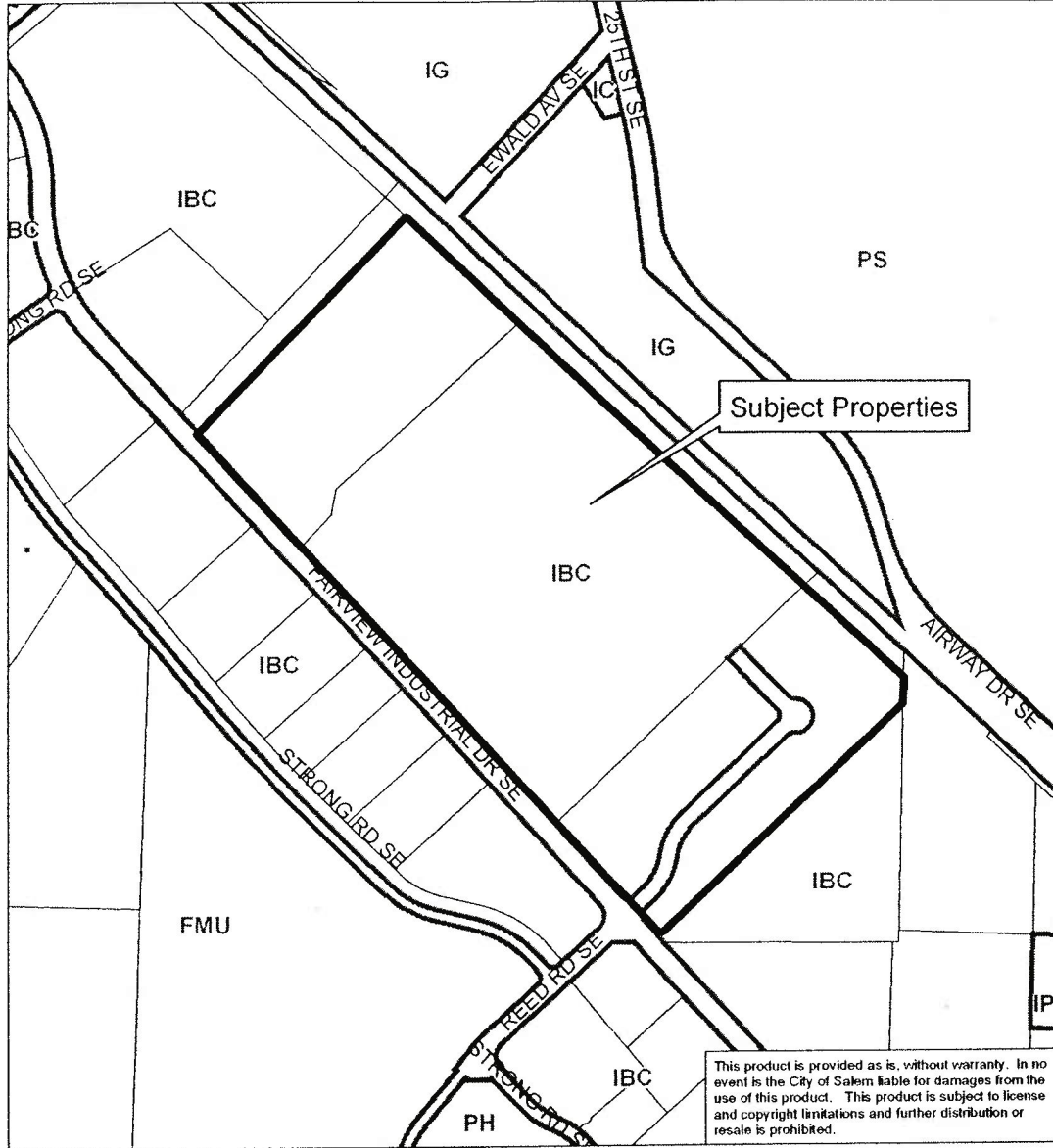
Utilities-truck and equipment storage and parking, and material storage yard.

Accessory building and uses normal and incidental to the uses permitted in this district
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Transit stop shelters

VICINITY MAP

Comprehensive Plan Change/Zone Change 07-1



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Legend

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

0 125 250 500 Feet



CITY OF Salem
AT YOUR SERVICE
Community Development Dept.