



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 31, 2008

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 010-08



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 16, 2008

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
Darren Nichols, DLCD Community Services Division Manager
Thomas Hogue, Policy Analyst
Bill Holmstrom, DLCD Transportation Planner
Pamela Cole, City of Salem

<paa> y/phone

NOTICE OF ADOPTION

D
A
T
E

S
T
A
M
P

DEPT OF

MAR 26 2008

LAND CONSERVATION
AND DEVELOPMENT
For DLCD Use Only

THIS FORM **MUST BE MAILED** BY DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

Jurisdiction: City of Salem Local File Number: CPC/ZC 08-7
Date of Adoption: March 18, 2008 Date Mailed: March 25, 2008
Date this Notice of Proposed Amendment was mailed to DLCD: 1-29-08

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 designation from "Industrial" to "Industrial Commercial" and change the zoning from IBC (Industrial Business Campus) and IP (Industrial Park) to IC (Industrial Commercial) for property approximately 7.94 acres in size and located at 4040 Fairview Industrial Drive SE (Marion County Assessor's Map 083W12B, tax lot 00302).

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME." If you did not give notice to the Proposed Amendment, write "N/A."

Same

Plan Map Changed from: Industrial to: Industrial Commercial
Zone Map Changed from: IBC (Industrial Business Campus) and IP (Industrial Park) to: IC (Industrial Commercial)
Location: 4040 Fairview Industrial Drive SE Acres Involved: 7.94 acres
Specify Density: Previous: _____ New: _____
Applicable Statewide Planning Goals: _____

Was an Exception Proposed: YES NO

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (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

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

Local Contact: Pamela Cole, Associate Planner Phone: (503) 588-6173 Extension: 7509
Address: 555 Liberty Street SE, Room 305 City: Salem
Zip: 97301 E-Mail Address: pcole@cityofsalem.net

DLCD File No: 010-08 (16670)

RESOLUTION NO.: PC 08-7

COMPREHENSIVE PLAN CHANGE/ZONE CHANGE 08-7

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

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

for property located at 4040 Fairview Industrial Drive SE

was filed by State Investments, LLC, Applicant, Jeff Tross, 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 March 18, 2008, 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 18, 2008, herewith attached and by this reference incorporated herein

Section 2. ORDER:

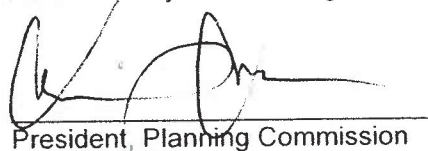
Based upon the foregoing findings and conclusions, it is hereby ordered:

(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) and IP (Industrial Park) 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 as provided for in Chapter 115 of the SRC.
2. Future uses permitted shall be limited to the 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, multi-family dwellings, and manufactured homes.

ADOPTED by the Planning Commission this 18th day of March 2008.



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: April 7, 2008

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 6 No 0 Absent 1 (Lewis)

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)

Grain mill products (204)

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)

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)

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

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 scrap and waste materials (5093), and durable goods, not elsewhere classified (5099)

Wholesale trade-nondurable goods (51) BUT EXCLUDING livestock (5154) and chemicals and allied products (516)

Retail trade

Eating and drinking places (58) BUT EXCLUDING fast food restaurants with drive-through service

Catalog and Mail Order Houses (5961)

Direct Selling Establishments (5963)

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

Mailing, reproduction, commercial art and photography, and stenographic services (733)

Disinfecting and pest control services (7342)

Building cleaning and maintenance services not elsewhere classified (7349)

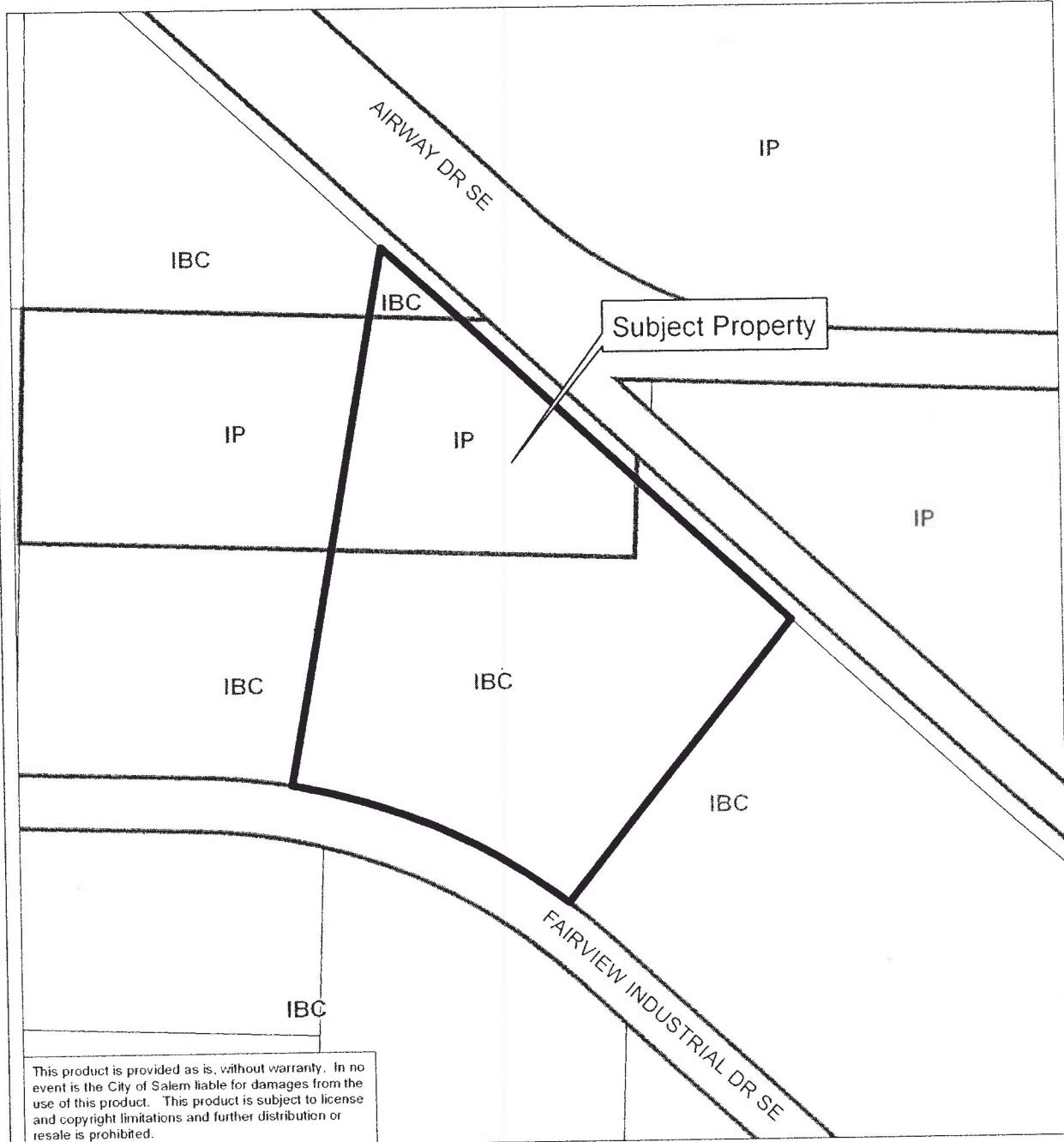
Computer programming, data processing, and other computer related services (737)

Photofinishing laboratories (7384)

Miscellaneous repair services (76)

Exhibit 1: IC (Industrial Commercial) Zoning District Use Matrix
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 vocational 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
Executive offices (911)
General government, not elsewhere classified (919)
Fire protection (9224)
Finance, taxation, and monetary policy (93)
Administration of human resources programs (94)
Administration of environmental quality and housing programs (95)
Administration of economic programs (96)
Other uses
Accessory buildings and uses normal and incidental to the uses permitted in this district
Transit stop shelters

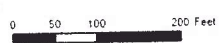
Comprehensive Plan Change/Zone Change 08-7



This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

Legend

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



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