



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

February 21, 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 017-06



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: March 6, 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
Jason Locke, DLCD Regional Representative
Matthew Crall, DLCD Transportation Planner
Bryce Bishop, City of Salem

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NOTICE OF ADOPTION

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DEPT OF

FEB 14 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: CA 06-7

Date of Adoption: February 5, 2008 Date Mailed: February 12, 2008

Date this Notice of Proposed Amendment was mailed to DLCD: September 20, 2006/June 21, 2007

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."

Amendment to the Edgewater Street/Wallace Road Area Overlay zone (specifically Area 5: Edgewater Street Corridor) (SRC Chapter 143D) to prohibit automobile-oriented uses with certain other uses that are inconsistent with the intent of the West Salem Neighborhood Plan and to address residential density requirements for mixed-use developments in the same area.

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

Adopted amendment removes the maximum residential density limitation applicable to residential uses in mixed-use buildings only. Use restriction element of amendment separated from density element for additional consideration.

Plan Map Changed from: NA to: NA

Zone Map Changed from: NA to: NA

Location: West Salem Acres Involved: NA

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: Bryce Bishop, Interim Senior Planner Phone: (503) 588-6173 Extension: 7599

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

Zip: 97301 E-Mail Address: bbishop@cityofsalem.net

DLCD File No: 017-06 (15573)

A BILL FOR ORDINANCE NO. 127-07

1 AN ORDINANCE RELATING TO REMOVING THE MAXIMUM DENSITY RESTRICTION FOR
2 RESIDENTIAL USES WITHIN MIXED-USE BUILDINGS LOCATED WITHIN THE EDGEWATER
3 STREET CORRIDOR (AREA 5) OF THE EDGEWATER STREET/WALLACE ROAD AREA
4 OVERLAY ZONE; AMENDING SRC 143D.210.

5 *The City of Salem Ordains as Follows:*

6 **Section 1.** SRC 143D.210 is amended to read:

7 **143D.210. DEVELOPMENT DENSITY.**

8 (a) The number of dwelling units permitted on a lot or parcel shall be calculated by dividing the
9 area in square feet by 43,560 and multiplying that figure by the minimum or maximum density
10 identified in subsections (b) or (c) of this section. A calculation of density resulting in a fraction
11 shall be rounded to the next highest whole number.

12 (b) Within Area 5, residential uses, except for mixed-use developments, shall be developed at
13 a minimum density of eight (8) dwelling units per acre up to a maximum of fourteen (14)
14 dwelling units per acre.

15 (c) Residential uses within mixed-use buildings shall be developed at a minimum density of one
16 (1) dwelling unit per acre. ~~There is no maximum residential density requirement.~~

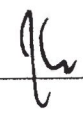
17 (d) Development density shall be a non-variable standard.

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

21 PASSED by the Council this 4th day of February, 200~~7~~⁸ /

22 ATTEST: 

23 **DEPUTY** City Recorder

24 Approved by City Attorney: 

26 Checked By: B. Bishop

27 G:\GROUP\LEGAL\Council\112607 West Salem Neighborhood Plan ord.wpd