



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

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www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

8/16/2010

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Salem Plan Amendment
DLCD File Number 009-10

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: Friday, August 27, 2010

This amendment was submitted to DLCD for review 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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Lisa Anderson-Ogilvie, City of Salem
Gloria Gardiner, DLCD Urban Planning Specialist
Steve Oulman, DLCD Regional Representative
Bill Holmstrom, DLCD Transportation Planner
Thomas Hogue, DLCD Regional Representative

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FORM **2**

DLCD

Notice of Adoption

In person electronic mailed

DATE
STAMP

DEPT OF

AUG 09 2010

**LAND CONSERVATION
AND DEVELOPMENT**

For Office Use Only

This Form 2 must be mailed to DLCD within 5-Working Days after the Final Ordinance is signed by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Salem**

Local file number: **CPC/NPC/ZC 10-3**

Date of Adoption: **8/3/2010**

Date Mailed: **8/5/2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 6/18/2010

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".

Comprehensive Plan change from "Industrial" to "Industrial-Commercial", and zone change from IP (Industrial Park) to IC (Industrial Commercial) and concurrent change to the Northeast Salem Community Association (NESCA) Neighborhood Plan for property located at 3371 and 3381 'D' Street NE

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from: "Industrial"

to: "Industrial-Commercial"

Zone Map Changed from: IP (Industrial Park)

to: IC (Industrial Commercial)

Location: **3371 & 3381 'D' St NE**

Acres Involved: **8.09**

Specify Density: Previous:

New:

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

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

DLCD file No. 009-10 (18364) [16263]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

None

Local Contact: ^{LA} Lisa Anderson-Ogilvie, Planner II

Phone: (503) 588-6173 Extension: 7581

Address: 555 Liberty St SE, Rm 305

Fax Number: 503-588-6005

City: Salem

Zip: 97301-3513

E-mail Address: lmanderson@cityofsalem.net

RESOLUTION NO.: PC 10-7

**COMPREHENSIVE PLAN CHANGE/NEIGHBORHOOD PLAN CHANGE/
 ZONE CHANGE NO. 10-3**

WHEREAS, a petition for a Comprehensive Plan change from "Industrial" to "Industrial-Commercial", and zone change from IP (Industrial Park) to IC (Industrial Commercial) and concurrent change to the Northeast Salem Community Association (NESCA) Neighborhood Plan for property located at 3371 and 3381 'D' Street NE was filed by The Hitchman Foundation (c/o Kent Aldrich) 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 August 3, 2010, 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 on this matter dated August 3, 2010, 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 IP (Industrial Park) to IC (Industrial Commercial) for the above defined area be granted,
- (c) With a concurrent change to the Northeast Salem Community Association (NESCA) Neighborhood Plan, subject to the following condition:

Condition 1: At the time of development review for any proposed use on the subject property, the proposed development's average daily trips shall be calculated pursuant to the then-current Institute of Transportation Engineers (ITE) Trip Generation manual. Traffic impacts from future development on the subject property shall be limited to a maximum of 8,773 average daily trips generated by the proposed use or uses.

ADOPTED by the Planning Commission this 3rd day of August, 2010.



 President, Planning Commission

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, no later than 5:00 p.m., August 18, 2010. Any person who presented evidence or testimony at the hearing may appeal the decision. The appeal must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapters 64 and 113. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The City Council will review the appeal at a public hearing. After the hearing, the City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

APPEAL PERIOD ENDS: August 18, 2010

The case file and 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.

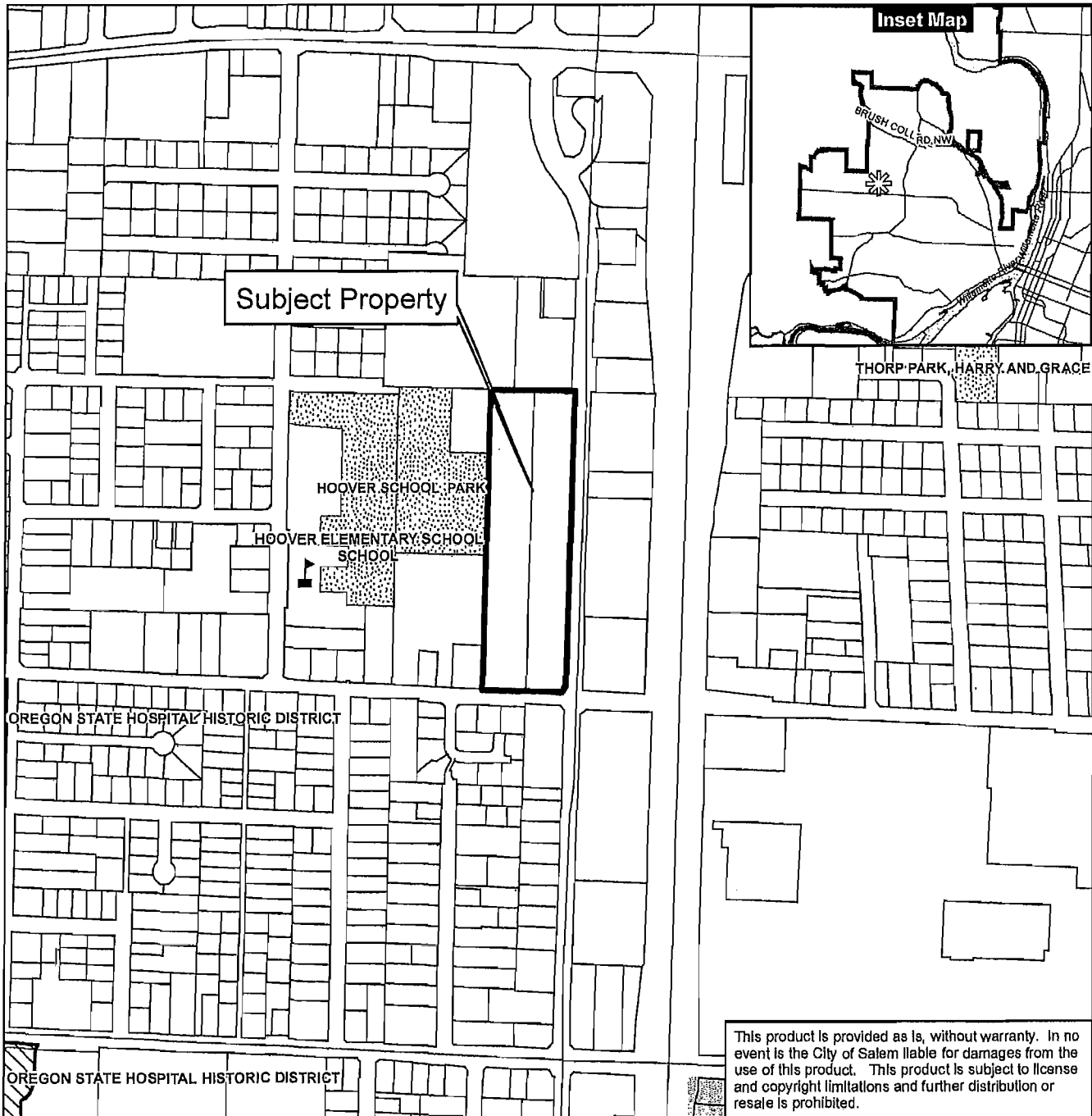
Planning Commission Vote:

Yes 6 No 0 Absent 1 (Lewis)

LA 0







G:/CD/Planning/Helen/Action Sheets-Decisions/PC Resos/ PC Reso 10-7 for CPC-NPC-ZC 10-3 D St NE.doc

Vicinity Map 3371 and 3381 D Street NE



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Legend

-  Outside Salem City Limits
-  Urban Growth Boundary
-  Taxlots
-  Historic District
-  Schools
-  Parks

0 100 200 400 Feet



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

State

CITY OF SALEM
PLANNING DIVISION
355 LIBERTY ST SE ROOM 305
SALEM OR 97601-3503

Dept. of Land Conservation & Dev.
ATTN: Plan Amendment Specialist
635 Capitol St NE, Suite 150
Salem OR 97301-2540