



# Oregon

Theodore R. Kubongski, 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

10/4/2010

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 012-10

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: Monday, October 18, 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  
Thomas Hogue, DLCD Regional Representative  
Angela Lazarean, DLCD Urban Planner  
Bill Holmstrom, DLCD Transportation Planner

<paa> YA



FORM **2**

**DLCD**

# Notice of Adoption

In person  electronic  mailed

**DEPT OF**

**SEP 27 2010**

**LAND CONSERVATION  
AND DEVELOPMENT**

For Office Use Only

PLANNING  
STATEMENT

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/ZC 10-4**

Date of Adoption: **9/21/2010**

Date Mailed: **9/24/2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: 7/30/2010

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".

**To change the Salem Area Comprehensive Plan Map designation from "Developing Residential" and "Industrial" to "Industrial-Commercial" and the zone district from RA (Residential Agriculture) to IC (Industrial Commercial) for property approximately 8.47 acres in size and located at 32<sup>nd</sup> Avenue SE and Trelstad Avenue SE (Marion County Assessor's Map and Tax Lot Number 083W12D 2400/ 2500/ 2502/ 2503).**

Does the Adoption differ from proposal? Please select one

No.

Plan Map Changed from: "Developing Residential" & "Industrial" to: **"Industrial-Commercial"**

Zone Map Changed from: **RA (Residential Agriculture)** to: **IC (Industrial Commercial)**

Location: **32nd Ave SE & Trelstad Ave SE**

Acres Involved: **8.47**

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**

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes  No

DLCD File No. 012-10 (18443) [16350]

If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

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DLCD file No. 990 73 978

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

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Local Contact: **Lisa Anderson-Ogilvie**

Phone: **(503) 588-6173** Extension: **7581**

Address: **555 Liberty St SE, Rm 305**

Fax Number: **503-588-6005**

City: **Salem**

Zip: **97301-**

E-mail Address: **Lmanderson@cityofsalem.net**

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PLANNING DIVISION  
555 LIBERTY ST. SE/ROOM 305  
SALEM, OREGON 97301  
PHONE: 503-588-6173  
FAX: 503-588-6005

# Planning Commission



## RESOLUTION NO.: PC 10-9

## COMPREHENSIVE PLAN CHANGE/ZONE CHANGE NO. 10-04

WHEREAS, a petition to change the Salem Area Comprehensive Plan map designation from "Developing Residential" and "Industrial" to "Industrial-Commercial" and the zone district from RA (Residential Agriculture) to IC (Industrial Commercial) for property approximately 8.47 acres in size and located at 32<sup>nd</sup> Avenue SE and Trelstad Avenue SE (Marion County Assessor's Map and Tax Lot Number 083W12D 2400/ 2500/ 2502/ 2503), and

WHEREAS, after due notice, a public hearing on the proposed changes was held before the Planning Commission on September 21, 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 September 21, 2010, herewith attached and by this reference incorporated herein.

### Section 2. ORDER:

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

- (a) That the Salem Area Comprehensive Plan (SACP) map designation change for the subject property from "Developing Residential" and "Industrial" to "Industrial-Commercial" be GRANTED.
- (b) That the zone district change from RA (Residential Agriculture) to IC (Industrial Commercial) be GRANTED, subject to the following conditions:

### Zone Change Conditions

- Condition 1:** Construct a separate southbound right-turn lane on 36<sup>th</sup> Avenue SE at the intersection of Kuebler Boulevard SE. The public construction plans must be approved and secured prior to the issuance of a building permit that will cause the total number of PM Peak Hour Trips to exceed 300. The right-turn lane improvement must be completed and accepted by the City prior to issuance of final occupancy of the building that would cause more than 300 PM Peak Hour Trips.
- Condition 2:** Construct a second eastbound left-turn lane (for eastbound to northbound traffic), for a dual left-turn lane, on Kuebler Boulevard SE at the intersection with 36<sup>th</sup> Avenue SE. The public construction plans must be approved and secured prior to the issuance of a building permit that will cause the total number of PM Peak Hour Trips to exceed 500. The dual left-turn lane improvements must be completed and accepted by the City prior to issuance of final occupancy of the building that would cause more than 500 PM Peak Hour Trips.
- Condition 3:** Construct an additional northbound through-lane on the Arterial street between Kuebler Boulevard SE and the development entrance near the Interstate 5 overcrossing. The public construction plans must be approved and secured prior to the issuance of a building permit that will cause the total number of PM Peak Hour Trips to exceed 500. The additional

northbound, through-lane improvement must be completed and accepted by the City prior to issuance of final occupancy of the building that would cause more than 500 PM Peak Hour Trips.

- Condition 4:** Construct a second northbound left-turn lane (for northbound to westbound traffic) for a dual left-turn lane, on Turner Road SE at the intersection with Kuebler Boulevard SE. The public construction plans must be approved and secured prior to the issuance of a building permit that will cause the total number of PM Peak Hour Trips to exceed 500. The dual left-turn lane improvements must be completed and accepted by the City prior to issuance of final occupancy of the building that would cause more than 500 PM Peak Hour Trips.
- Condition 5:** Construct a second southbound right-turn lane on 36<sup>th</sup> Avenue SE at the intersection of Kuebler Boulevard SE to provide dual right-turn lanes. The public construction plans must be approved and secured prior to the issuance of a building permit that will cause the total number of PM Peak Hour Trips to exceed 700. The additional right-turn lane improvement must be completed and accepted by the City prior to issuance of final
- Condition 6:** Construct an additional southbound through-lane on the Arterial street between Kuebler Boulevard SE and the development entrance near the Interstate 5 overcrossing. The public construction plans must be approved and secured prior to the issuance of a building permit that will cause the total number of PM Peak Hour Trips to exceed 700. The additional southbound through lane improvement must be completed and accepted by the City prior to issuance of final occupancy of the building that would cause more than 700 PM Peak Hour Trips.
- Condition 7:** Construct an additional through-lane on Kuebler Boulevard SE between 36<sup>th</sup> Avenue SE and the northbound Interstate 5 ramp. The public construction plans must be approved and secured prior to the issuance of a building permit that will cause the total number of PM Peak Hour Trips to exceed 700. The additional westbound, through-lane improvement must be completed and accepted by the City prior to issuance of final occupancy of the building that would cause more than 700 PM Peak Hour Trips.
- Condition 8:** Construct a second westbound left-turn lane (for westbound to southbound traffic), for a dual left-turn lane, on Kuebler Boulevard SE at the intersection with 27<sup>th</sup> Avenue SE and necessary receiving lane. The public construction plans must be approved and secured prior to the issuance of a building permit that will cause the total number of PM Peak Hour Trips to exceed 700. The dual left-turn lane improvements must be completed and accepted by the City prior to issuance of final occupancy of the building that would cause more than 700 PM Peak Hour Trips.

ADOPTED by the Planning Commission this 21st day of September, 2010.

  
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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.

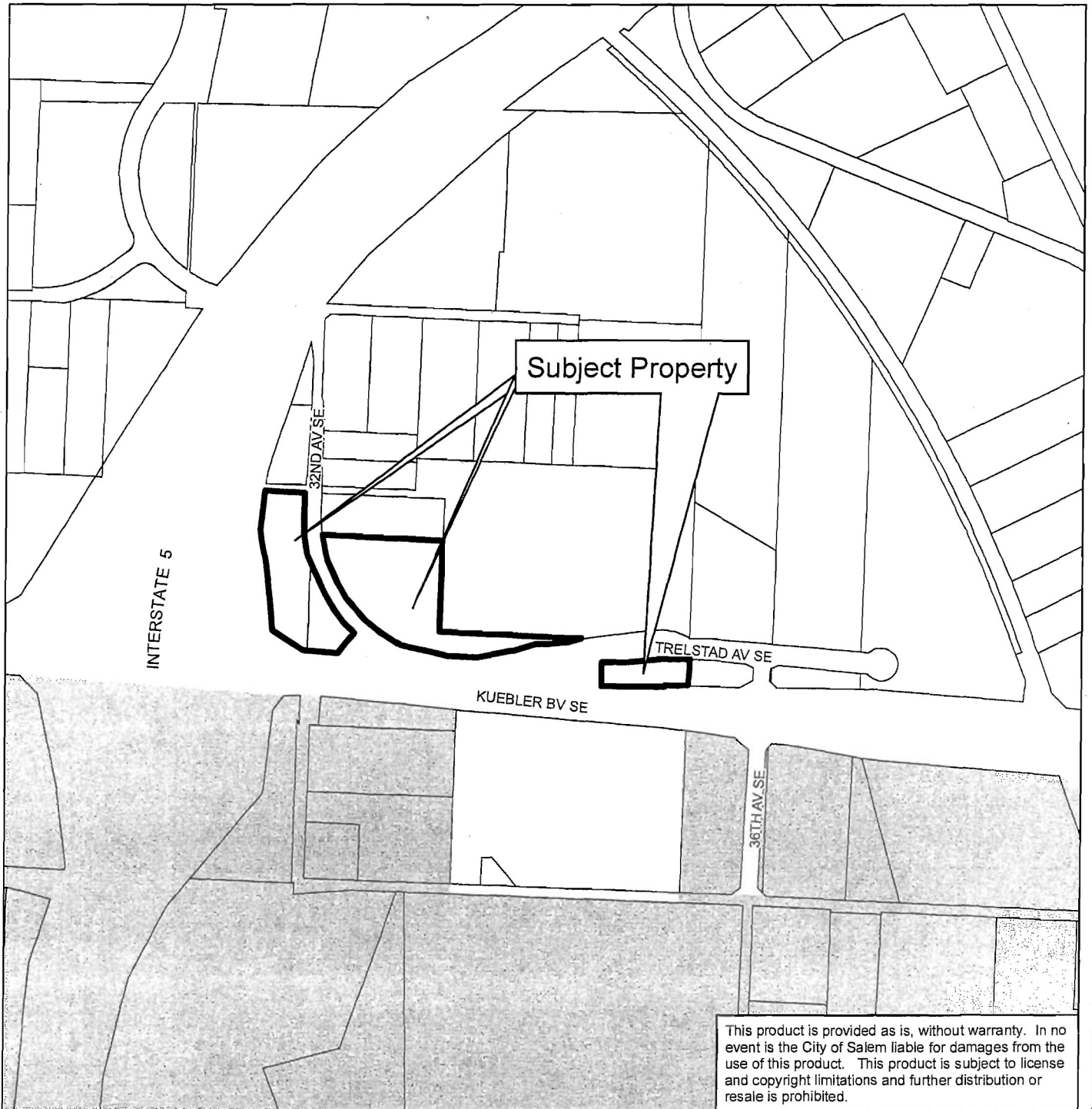
APPEAL PERIOD ENDS: October 6, 2010

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:**







**7 YES      0 NO      0 ABSENT**

# 32nd Avenue SE / Trelstad Avenue SE



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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.

CITY OF SALEM  
PLANNING DIVISION  
555 LIBERTY ST. SE ROOM 305  
SALEM, OR 97301-3503

*Stabo*

DEPT OF

SEP 27 2010

LAND CONSERVATION  
AND DEVELOPMENT

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