



# 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](http://www.lcd.state.or.us)

## NOTICE OF ADOPTED AMENDMENT

May 12, 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 018-07



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: May 28, 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.

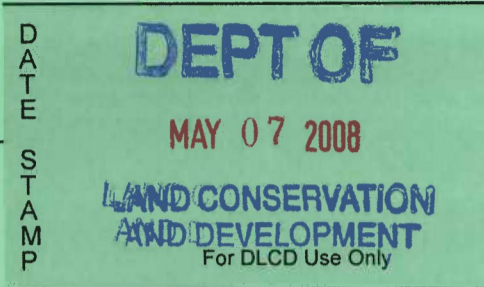
**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Steve Oulman, DLCD Regional Representative  
Cecilia DeSantis Urbani, City of Salem

<paa> ya/

# 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



Jurisdiction: City of Salem Local File Number: CA 07-10  
Date of Adoption: April 7, 2008 Date Mailed: May 5, 2008  
Date this Notice of Proposed Amendment was mailed to DLCD: November 28, 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."

Amended SRC Chapter 161 to allow retail-service uses to be located in multiple locations within the Employment Center (EC) zone except for the Phase 1B property; limited the size for a hotel or motel within the EC zone to 50,000 square feet as required under SRC 161.030 rather than limiting the number of rooms in order to produce a more acceptable economy of scale for a hotel/motel operator; and limited the size of health and fitness clubs within the EC zone to 25,000 square feet as required under SRC 161.030.

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 Changed from: NA to: NA  
Zone Map Changed from: NA to: NA  
Location: NA Acres Involved: NA  
Specify Density: Previous: NA New: NA  
Applicable Statewide Planning Goals: NA

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: Cecilia DeSantis Urbani, Principal Planner Phone: (503) 588-6173 Extension: 7508  
Address: 555 Liberty Street SE, Room 305 City: Salem  
Zip: 97301 E-Mail Address: curbani@cityofsalem.net

DLCD File No: 018-07 (16554)

1 **ORDINANCE BILL NO. 10-08**

2 AN ORDINANCE RELATING TO EMPLOYMENT CENTERS; AMENDING SRC 161.030.

3 *The City of Salem ordains as follows:*

4 **Section 1.** SRC 161.030 is amended to read:

5 **161.030. EC RETAIL-SERVICE CENTER SUBZONE.**

6 (a) Within the identifiable perimeter boundary of any area zoned EC, ~~a single EC~~  
7 Retail-Service Center Subzone may be established upon ~~a one or more lots or~~  
8 parcels, ~~or contiguous lots or parcels, totaling no more than three percent~~The area  
9 ~~of all such subzones shall not exceed a total of 20 acres~~ of the total area lying within  
10 the EC Zone perimeter boundary. For the purposes of this section, the EC Zone  
11 perimeter boundary is defined as the outer extent of the ~~EC Zone, area designated EC,~~  
12 ~~as indicated by a continuous line separating the EC Zone from abutting property~~  
13 ~~having a different zoning designation or designations. The general location of the EC~~  
14 ~~Retail-Service Center Subzone shall be established when a use permitted under this~~  
15 ~~section is commenced on the first lot or parcel.~~

16 (b) The uses set forth in this subsection are the only uses permitted in the EC  
17 Retail-Service Center Subzone. Uses permitted in the EC Retail-Service Center  
18 Subzone are accessory to or in support of other uses in, or the needs of employees and  
19 visitors to, the EC Zone. Uses permitted in the EC Retail-Service Center Subzone are  
20 not permitted in the EC Zone outside of the subzone area.

21 **(1) Retail Sales and Service.**

22 **(A)** "Retail Sales and Service" refers to the sale, lease or rent of new or  
23 used products to the general public, the provision of personal services,  
24 the provision of entertainment, or the provision of product repair or  
25 services for consumer and business goods.

26 **(B)** Examples include activities within the following four subgroups:

27 **(i)** Retail Sales-Oriented. Stores selling, leasing, or renting  
28 consumer home and business goods including art, art supplies,

- 1 bicycles, clothing, dry goods, electronic equipment, fabric,  
 2 furniture, garden supplies, gifts, groceries, hardware home  
 3 improvements, household products, jewelry, pets, pet food,  
 4 pharmaceuticals, plants, printed material, stationery, video, and  
 5 groceries.
- 6 (ii) Personal Service-Oriented. Branch banks; urgent medical care;  
 7 laundromats; photographic studios; photocopy and blueprint  
 8 services; hair, tanning, and personal care services; business,  
 9 martial arts, and other trade schools; dance or music studios;  
 10 veterinarians; and animal grooming.
- 11 (iii) Entertainment-Oriented. Restaurants, cafes, delicatessens,  
 12 taverns, and bars; indoor or outdoor continuous entertainment  
 13 activities such as bowling alleys, ice rinks, and game arcades;  
 14 pool halls; indoor firing ranges; health clubs, gyms,  
 15 membership clubs, and lodges; and hotels, motels, and other  
 16 temporary lodging with an average length of stay of less than  
 17 30 days.
- 18 (iv) Product Repair or Service Oriented. Repair of TVs, bicycles,  
 19 clocks, watches, shoes, guns, appliances and office equipment;  
 20 photo or laundry drop-off; quick printing; recycling drop-off;  
 21 tailor; locksmith; upholsterer.
- 22 (C) The following "Retail Sales and Service" activities are not permitted in  
 23 the EC Retail-Service Center Subzone: sales or leasing of consumer  
 24 vehicles, including passenger vehicles, motorcycles, light and medium  
 25 trucks, and other recreational vehicles; taxidermists; mortuaries;  
 26 kennels; theaters; and recreational vehicle parks.
- 27 (2) Quick Vehicle Servicing.
- 28 (A) "Quick Vehicle Servicing" refers to direct services for motor vehicles

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

where the driver generally waits in the car while the service is being performed. Full-serve and mini-serve gas stations are always classified as a primary use under Quick Vehicle Servicing, rather than an accessory use, even when the gas station is operated in conjunction with other uses.

(B) Examples include full-service and mini-serve gas stations; car washes; quick lubrication services. Repair and service of consumer motor vehicles, motorcycles, and light and medium trucks are not permitted.

(3) Daycare.

(A) "Daycare" refers to day or evening care of two or more children outside of the children's homes, the daytime care of teenagers or adults who need assistance or supervision, for a fee.

(B) Examples include preschools, nursery schools and adult daycare programs.

(c) Development Standards in the EC Retail-Service Center Subzone.

(1) Except as specifically provided in this subsection, uses in the EC Retail-Service Center Subzone shall comply with all development standards generally applicable in the EC zone.

(2) No single use in the EC Retail-Service Center Subzone shall occupy more than 25,000 square feet of total floor area, ~~except provided, however:~~

~~(A) for A hotel or motel ~~may~~ which shall occupy not more than 50,000 square feet of total floor area. ~~have up to 100 guest rooms, regardless of total floor area; and~~~~

~~(B) A health and fitness club shall occupy not more than 40,000 square feet of total floor area.~~

(3) Pedestrian Standards in EC Retail-Service Center Subzone.

(A) Connections between streets and entrances. Pedestrian connections are required between building entrances and frontages or transit stops, if

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

the transit stop is located within the frontage for the building, in the EC Retail-Service Center Subzone according to the following standards:

(i) For sites with one frontage, a straight line pedestrian connection shall be provided between the main entrance of each building on a lot or parcel and the adjacent street. The connection may not be more than 20 feet longer than, or a distance equal to 120 percent of, a line drawn perpendicular from the entrance of the building to the sidewalk closest to the building, or the closest improved right-of-way if there are no sidewalks.

(ii) For sites with more than one frontage:

(a) The pedestrian connection required by subsection (c)(3)(A)(i) of this section must be met for the main entrance of each building on the lot or parcel and the adjacent street fronting the main entrance; and

(b) A pedestrian connection, which does not have to be a straight line, shall be provided between every other entrance and to the frontage for that entrance; provided, however, that if fifty percent or more of the building facade is within ten feet of the street, no pedestrian connection is required.

(B) Internal connections. An on-site pedestrian circulation system shall connect all buildings within the EC Retail-Service Center Subzone, and provide connections to parking areas, bicycle parking areas, recreational areas, common outdoor areas, and any pedestrian amenities.

(C) No Pedestrian Circulation System Required in Certain Circumstances.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

No pedestrian connections or pedestrian circulation system is required if physical or topographical conditions exist that makes the connection or circulation system impracticable. Physical and topographical conditions include, but are not limited to, steep slopes, wetlands or other bodies of water where a connection or circulation system could not reasonably be provided.

**(D)**

- Materials.**
- (i)** Pedestrian connections or circulation systems shall be hard-surfaced and not less than six feet wide.
- (ii)** Portions of the pedestrian circulation system that cross driveways, parking areas, or loading areas must be clearly identified, by use of grade changes at least four inches in height, different paving materials, or other similar methods. Striping shall not be used as a method of identification of the pedestrian circulation system.
- (iii)** Portions of the pedestrian circulation system that are parallel and adjacent to an auto travel lane shall be a raised path or separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier approved by the Director of Public Works or the Director's designee. If a raised path is used, the path shall be at least four inches high, and the each end of the raised portions shall be equipped with curb ramps. Bollard spacing shall be no further apart than five feet on center.

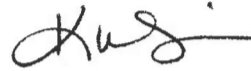
**(E)**

**Lighting.** Illumination for the on-site pedestrian circulation system shall be not less than 3 foot-candles at all points along the system.


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

4 PASSED by the Council this 7th day of April, 2008.

5 ATTEST:

6 

7 DEPUTY City Recorder

8 Approved by City Attorney: 

9  
10 Checked By: C. Urbani

11 G:\GROUP\LEGAL\Council\031008 Employment Center ord.wpd

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



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

DEPT OF  
MAY 07 2008  
LAND CONSERVATION  
AND DEVELOPMENT

DEPARTMENT OF LAND CONSERVATION &  
DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 200  
SALEM, OR 97301-2540

X