NOTICE OF ADOPTED AMENDMENT

11/13/2012

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 007-11

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. 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: Wednesday, November 28, 2012

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
Gordon Howard, DLCD Urban Planning Specialist

<paa> YA
Notice of Adoption

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
Date of Adoption: 10/22/2012
Local file number: CPC-NPC-ZC11-04
Date Mailed: 11/7/2012
Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☐ Yes ☐ No Date: 5/6/2011
☐ 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”.
Legislative Comprehensive Plan designation and Zoning designation changes for 146 properties to correct mapping errors and inconsistencies between the Comprehensive Plan and Zone designations.

Does the Adoption differ from proposal? Please select one
No

Plan Map Changed from: Numerous changes to: see attached map
Zone Map Changed from:
Location: 146 properties – see attached maps
Acres Involved:
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...
35-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. 007-11 (18819) [17234]
ADPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated twenty-one (21) days from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision (ORS 197.615).
7. Submit one complete paper copy via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540

9. Need More Copies? Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

http://www.oregon.gov/LCD/forms.shtml

Updated December 30, 2011
October 29, 2012

Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173.

NOTICE OF FINAL DECISION: Ordinance Nos. 30-12 and 31-12
Legislative Changes to the Salem Area Comprehensive Plan Map designations and Zoning Designations for 146 Properties and Associated Neighborhood Plan Changes to the West Salem and Highland Neighborhood Plans

YOU ARE HEREBY NOTIFIED that the City Council of the City of Salem adopted Ordinance No. 30-12 at the October 22, 2012 session. Ordinance No. 30-12 changes the Comprehensive Plan designation and neighborhood plan designation for certain properties. Ordinance No. 31-12 changes the zoning designation for certain properties. A copy of each ordinance is attached.

Any person with standing may appeal the City Council's decision by filing a "Notice of Intent to Appeal" with the Land Use Board of Appeals not later than 21 days after October 29, 2012. Anyone with questions regarding filing an appeal with the Oregon Land Use Board of Appeals should contact an attorney.

The complete case file, including findings, conclusions, modifications, and conditions of approval, if any is available for review at the Community Development Department, 555 Liberty St SE, Room 305, Salem OR 97301. If you have any further questions, you may contact the City of Salem Planning Division at 503-588-6173.

Glenn W. Gross
Urban Planning Administrator

cc: See attached list
ORDINANCE NOS. 30-12 & 31-12

Linda Haglund
Croisan-Illaha Land Use Comm.
3570 Deerfield Dr S
Salem OR 97302

Sam Skillern, Co-Chair
Grant Neigh. Land Use Comm.
1255 Cottage St NE
Salem OR 97301

Donna Dickson, Chair
Lansing N.A. Land Use Comm.
1861 31st Ave NE
Salem OR 97301

Geoffrey James, Chair
Morningside Land Use Comm.
4676 Commercial St SE, No. 8
Salem OR 97302

Mary Warner
Interim Chair, NESCA
1156 25th St NE
Salem OR 97301

H. Thomas Andersen, Chair
SCAN Land Use Committee
787 Cross St SE
Salem OR 97302

Leah McMillian, Chair
SESNA Land Use Committee
498 23rd St SE
Salem OR 97301

Evan White
Sunnyslope NA Land Use Comm.
4553 Brock Loop S
Salem OR 97302

Jim McClure
420 Waldo Ave SE
Salem OR 97302

Rebekah Engle
CAN-DO Land Use Committee
610 Commercial St NE, No. 1
Salem OR 97301

Sarah Brennan, Chair
Faye Wright Neigh. Assoc.
sarabethbrennan@gmail.com

Robert Hornaday, Co-Chair
Highland NA. Land Use Comm.
1240 Columbia St NE
Salem OR 97301

Bud Bibelheimer
Lansing N.A. Land Use Comm.
3203 Roosevelt St NE
Salem OR 97301

Janet Bubl
Morningside Land Use Chair
1115 Morningside Dr SE
Salem OR 97302

Doug Rodgers, NOLA
Chair, Land Use Committee
2250 Brown Rd NE
Salem OR 97305

Steve Liudahl
SCAN Land Use Committee
645 Wildwind Dr SE
Salem OR 97302

Steve Withers, Chair
S Gateway NA Land Use
5434 Salal St SE
Salem OR 97306

Josh Pollock, Chair
W Salem NA Land Use Comm.
1361 Elliott St NW
Salem OR 97304

Salvation Army
ATTN: Ron DeWilde
1865 Bill Frey Dr NE
Salem OR 97301

Susann Kaltwasser, ELNA
Chair / Land Use / Watershed
2797 Islander Ave NW
Salem OR 97304

Eric Bradfield, Co-Chair
Grant Neigh. Land Use Comm.
934 Cottage St NE
Salem OR 97301

Darlene Strozut, Co-Chair
Highland NA. Land Use Comm.
1940 Broadway St NE
Salem OR 97301

Nancy McDaniel, Chair
NEN Land Use Comm.
265 21st St NE
Salem OR 97301

Dwan Muller, Chair
Northgate NA Land Use Comm.
4305 Claxter C t NE, No. 7
Salem OR 97305

Cory Poole, Chair
SEMCA, Land Use
3100 Turner Rd SE - Office
Salem OR 97302

Leonard Nelson
S Salem NA Land Use Comm.
1084 Garlock St So.
Salem OR 97302

Harish S. Patel
SJP, LLC
7615 SW Beveland St
Tigard OR 97223
Instant Fire Protection Co.
ATTN: Mayonne & Pat Thompson
3385 Portland Rd NE
Salem OR 97301

BY EMAIL:

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rebekahengle@yahoo.com

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Vacant, Land Use Comm.
Faye Wright Neighborhood Assoc.

Vacant, Chair
Grant NA Land Use Comm.

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Vacant , Land Use Chair
NE Salem Community Assoc

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Nancy McDaniel
Northeast Neighbors Land Use
nanmcdann@yahoo.com

Jacqueline Schindele
Co-Chair of NEN
jamaschi2@yahoo.com
Ordinance Nos. 30-12 & 31-12

ARETE LLC
C/O BULA REALTY LLC
806 NW 4TH ST
CORVALLIS OR 97330

ATKINSON, KENT A
2065 4TH ST NE
SALEM OR 97301

AYALA, MARIA AUZILIO
2080 17TH ST NE
SALEM OR 97301

BEALS, CARL E & SUE WOODFORD
5198 SKYLINE RD S
SALEM OR 97306

BECK'S LANDING LLC
4485 RIVER RD S
SALEM OR 97302

BELLAMY, MARK
PO BOX 5872
SALEM OR 97304

BERGELAND, ERIK JOHAN
3468 LIVINGSTON ST NE #109
SALEM OR 97301

BRAMBILA, FRANCISCO
PO BOX 5352
SALEM OR 97304

BURK, ALAN &
BURK, DANA
854 PINEHURST AV NE
KEIZER OR 97303

CAPITAL PROFESSIONAL OFFICES
LLC
3737 PORTLAND RD NE
SALEM OR 97301

CLARK, NANCY W
729 HEATHER LANE
WOODLAND CA 95695

CLARK, TODD
2415 5TH ST NE
SALEM OR 97301

COFFIN, VAUGHN L
3526 BROOKS AV NE
SALEM OR 97301

DAKOTA I LLC
10315 72ND AV NE
SALEM OR 97305

DEL RIO DEVELOPMENT INC 55% &
FLYNN D CASE LT &
CASE, FLYNN D TRE 45%
PO BOX 5639
SALEM OR 97304

DELONG, SHERI
8409 CROSBY RD NE
WOODBURN OR 97071

DEUCHEARS, JULIE K GEHRING
4957 MANNING CT NE
SALEM OR 97305

DEUCHEARS, JULIE K GEHRING 50% &
STEIZNER, PAUL C 50%
2125 4TH ST NE
SALEM OR 97301

DORRIS J GOLAY RLT &
GOLAY, DORRIS J TRE
1065 TEOVIOT L NW
SALEM OR 97304

DURBIN, CHARLES J SR &
DURBIN, THERESE F
2015 4TH ST NE
SALEM OR 97301

EASLY, WILLIAM J
PO BOX 13451
SALEM OR 97309

FEY, JOANNE R
559 STATESMAN ST NE
SALEM OR 97301

FIGUEROA, ROSA FRANCO
2235 4TH ST NE
SALEM OR 97301

FIRST TECHNOLOGY CREDIT UNION
PO BOX 2100
BEAVERTON OR 97075

ANDERSON, KENNETH R & LINDA M
1995 SUMMERCREST DR S
SALEM OR 97306

AYALA, MARIA AUZILIO
2080 17TH ST NE
SALEM OR 97301

BELLAMY, MARK
PO BOX 5872
SALEM OR 97304

BRAMBILA, FRANCISCO
<JOHNSON, BOBBY
PO BOX 5352
SALEM OR 97304

Clark, Nancy W
729 HEATHER LANE
WOODLAND CA 95695

Dakota I LLC
10315 72ND AV NE
SALEM OR 97305

Del Rio Development Inc 55% &
Flynn D Case LT &
Case, Flynn D TRE 45%
PO Box 5639
Salem OR 97304

Delong, Sheri
8409 Crosby Rd NE
Woodburn OR 97071

Deuchars, Julie K Gehring
4957 Manning Ct NE
Salem OR 97305

Deuchars, Julie K Gehring 50% &
Steizner, Paul C 50%
2125 4TH ST NE
Salem OR 97301

Dorris J Golay RLT &
Golay, Dorris J TRE
1065 Teviot L NW
Salem OR 97304

Durbin, Charles J SR &
Durbin, Therese F
2015 4TH ST NE
Salem OR 97301

Easley, William J
PO Box 13451
Salem OR 97309

Fey, Joanne R
559 Statesman St NE
Salem OR 97301

Figueroa, Rosa Franco
2235 4TH ST NE
Salem OR 97301

First Technology Credit Union
PO Box 2100
Beaverton OR 97075
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<th>City, State, Zip</th>
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<td>SPIRIT MASTER FUNDING II LLC</td>
<td>PO BOX 3125, SALEM OR 97302</td>
<td>STATE OF OREGON</td>
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<td>STEIZNER, Paul C</td>
<td>2125 4TH ST NE, SALEM OR 97301</td>
<td>STEAGALL, George A II</td>
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<td>TOKYO INTERNATIONAL UNIVERSITY</td>
<td>PO BOX 14040, SALEM OR 97309</td>
<td>SUNTEK OREGON LLC</td>
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<td>PROPERTY TAX, OMAHA NE 68179</td>
<td>STEGALL, George A II</td>
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<td>VENTURA FOODS LLC</td>
<td>40 POINTE DRIVE, BREA CA 92821</td>
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<td>YOUNG, Marilyn L</td>
<td>2045 4TH ST NE, SALEM OR 97301</td>
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<td>WASHINGTON FEDERAL SAVINGS</td>
<td>REO DEPARTMENT, SEATTLE WA 98101</td>
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<td>WONG, Alan H</td>
<td>35965 CARNATION WY, FREMONT CA 94536</td>
<td>STEGALL, George A II</td>
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ORDINANCE BILL NO. 30-12

AN ORDINANCE CHANGING THE COMPREHENSIVE PLAN DESIGNATION AND NEIGHBORHOOD PLAN DESIGNATION FOR CERTAIN PROPERTIES

The City of Salem ordains as follows:

Section 1. Findings.

(a) Salem Revised Code and Salem Area Comprehensive Plan.

(1) The Salem Planning Commission initiated a legislative land use proceeding to conform the comprehensive plan designation and neighborhood plan designation for certain properties more particularly identified on “Exhibit 1,” which is attached hereto and incorporated herein by reference.

(2) Consistency between comprehensive plan and zoning district designations is in the public interest and benefits the public by allowing the safe and healthful development of land and by creating a logical and harmonious land use pattern in the City.

(3) Portland Road, NE – Map 2(a). The Comprehensive Plan designation for those 41 properties identified as items 1-41 on “Exhibit 1” that are located on the western side of Portland Road NE, from Bill Frey Drive NE south to the railroad tracks is Industrial, and the zoning district designation is Industrial Commercial (IC). The IC zone implements the "Industrial Commercial" comprehensive plan map designation. Most of the 41 properties are developed as a combination of industrial, commercial and residential uses, which are consistent with the IC zoning, but in some cases inconsistent with the Industrial Comprehensive Plan designation. A Comprehensive Plan change to Industrial-Commercial, to match the existing zoning and current uses, is most appropriate for these properties.

(4) Fifth Street, NE – Map 4(a). The Comprehensive Plan change for the four properties identified as items 42-45 on “Exhibit 1” is Multi-Family Residential. All four properties are currently developed with single family dwellings and are zoned Single Family Residential (RS). Surrounding designations include Multi-Family Residential to the west, Commercial to the west and south, and Single-Family Residential to the north and east. A Comprehensive Plan change to Single-Family Residential is appropriate because it reflects the use of the properties and the surrounding area.
(5) 2365, 2385, and 2415 5th Street, NE and 535 Pine Street, NE – Map 5(a). The Comprehensive Plan and Neighborhood Plan designations for the four properties identified as items 46-49 on “Exhibit 1” is Commercial. The four properties are zoned Single Family Residential (RS), and developed for single family residences. The properties to the north, south, and east are zoned for and developed with single family dwellings as well. A Comprehensive Plan and Neighborhood Plan change to Single-Family Residential is appropriate for these properties.

(6) 2395 Fifth Street, NE (Map 5(a)(I). The Highland Neighborhood Plan designation for the property identified as item 50 on “Exhibit 1” is Single Family Residential. The Comprehensive Plan designation is Commercial. The zoning district designation for the property is currently Single Family Residential (RS), but is proposed to be changed to Commercial Retail (CR) by separate ordinance. The property is used for commercial development. The property is also adjacent to other property designated Neighborhood Convenience in the Neighborhood Plan. The plan describes the intent of Neighborhood Convenience as providing locations for stores and personal services which are close to residential areas, are easily accessible and are used frequently by neighborhood residents, and therefore, a Neighborhood Plan change from Single Family Residential to Neighborhood Convenience is appropriate.

(7) Fourth Street, NE – Map 6(a). The Comprehensive Plan designation for 35 properties identified as items 51-85 on “Exhibit 1” is Multi-Family Residential. The 35 properties are currently developed as single family dwellings and are zoned Single Family Residential (RS). Surrounding designations include Multi-Family Residential to the west and south, Commercial to the north, and Single-Family Residential to the east. A Comprehensive Plan designation change to Single-Family Residential is appropriate because it reflects the use of the properties and the surrounding area.

(8) Highland School Park – Map 7(a). The Comprehensive Plan designation for the property identified as item 86 on “Exhibit 1” is Community Services – Education and Multi-Family Residential. The current Multiple Family Residential (RM2) and Single Family Residential (RS) zoning will change, by separate ordinance, to Public Education (PE). A Comprehensive Plan designation change to Community Services – Education is
appropriate as it will eliminate the multiple designations and reflects the use of the property as a school park.

(9) 2135 Fairgrounds Road, NE and 1100 Academy Street, NE – Map 8(a) and 8(a)(1). The Comprehensive Plan designation for two properties identified as items 87 and 88 on “Exhibit 1” are Single Family Residential and Multi-Family Residential, and the Highland Neighborhood Plan designation is Single Family Residential. Both properties are zoned General Commercial (CG), and are developed as a parking lot and retail uses respectively. The surrounding designations are Single-Family Residential to the northwest and Commercial to the southeast. A Comprehensive Plan change to Commercial and Neighborhood Plan change to Community Shopping reflects the use of the properties and the current zoning, and is appropriate.

(10) 17th Street, NE – Map 9(a). The Comprehensive Plan designation for the 10 properties identified as items 89-98 on “Exhibit 1” is Parks, Open Space, and Outdoor Recreation. The properties are zoned Single Family Residential (RS) and are all developed with single family dwellings. A Comprehensive Plan change to Single-Family Residential is appropriate as it will reflect the use of the properties and be consistent with the zoning.

(11) Sunnyview Road, NE and Byram Street, NE – Map 10(a). The Comprehensive Plan designation for eight properties identified as items 99-106 on “Exhibit 1” is Multi-Family Residential. The properties are zoned Single Family Residential (RS) and are developed with single family dwellings. A Comprehensive Plan change to Single-Family Residential is appropriate as it will reflect the use of the parcels and be consistent with the zoning.

(12) Sunnyview Road, NE and Hawthorne Avenue, NE – Map 11(a). The Comprehensive Plan designation for the property identified as item 107 on “Exhibit 1” is Single-Family Residential. The property is zoned Public Amusement (PA). The property is owned by the State of Oregon and is vacant except for a detention basin and a cell phone tower. The property is triangular shaped, and abuts Interstate 5 and major and minor arterial streets, which makes it inappropriate for single family residential development. A Comprehensive Plan change to Community Services – Government is
appropriate, because that designation will more accurately reflect the use of the property and the zoning.

(13) Glenn Creek Road, NW - Map 12(a). The Comprehensive Plan designation for a portion of a property identified as item 108 on “Exhibit 1” is Parks, Open Space, and Outdoor Recreation and the West Salem Neighborhood Plan designation is Center. The property is zoned Industrial Park (IP). The property is developed with a parking lot for the adjacent West Salem Courthouse Athletic Club. A Comprehensive Plan change to Industrial and West Salem Neighborhood Plan change to Employment Without Residential is appropriate and will reflect the zoning and use of the property.

(14) 200 Glenn Creek Road, NW – Map 13(a). The Comprehensive Plan designation for a portion of a property identified as item 109 on “Exhibit 1” is Industrial and the West Salem Neighborhood Plan designation is Center. The property is zoned Public Amusement (PA), and is a portion of Wallace Marine Park. A Comprehensive Plan change to Parks, Open Space, and Outdoor Recreation and West Salem Neighborhood Plan change to Existing Parks and Open Space, reflect the use of the property, conforms to its zoning, and are appropriate.

(15) Statesman Street, NE and A Street, NE – Map 14(a). The Comprehensive Plan designation for nine properties identified as items 110-118 on “Exhibit 1” is Multi-Family Residential. The properties are zoned Single Family Residential (RS) and are developed with single family dwellings. A Comprehensive Plan change to Single-Family Residential is appropriate as it will reflect the use of the properties and provide consistent Comprehensive Plan designation and zoning.

(16) 1805 Center Street, NE – Map 15(a). The Comprehensive Plan designation for the property identified as item 119 on “Exhibit 1” is Multi-Family Residential. The property is zoned Commercial Office (CO), and is used as an insurance office. A Comprehensive Plan change to Commercial is appropriate as it will reflect the use of the property and provide consistent Comprehensive Plan designation and zoning.

(17) Ferry Street, SE and State Street – Map 16(a). The Comprehensive Plan designations for five properties identified as items 120-124 on “Exhibit 1” is Multi-Family Residential. The properties are zoned Commercial Office (CO), and are
developed with abutting properties as a medical clinic and parking lot. A Comprehensive
Plan change to Commercial is appropriate as it will reflect the use of the properties and
provide consistent Comprehensive Plan designation and zoning.

(18) **14th Street, SE – Map 17(a).** The Comprehensive Plan designation for the property
identified as item 125 on “Exhibit 1” is Industrial. The property is zoned General
Commercial (CG) and is proposed to be changed to Public Education (PE) by separate
ordinance. The property is owned by Tokyo International University which uses it as a
parking lot. A Comprehensive Plan change to Community Services – Education is
appropriate, because it will be consistent with the current use of the property and
correspond to the proposed PE zoning.

(19) **Liberty Circle, S – Map 19(a).** The Comprehensive Plan designation for two
properties identified as items 126 and 127 on “Exhibit 1” is Single-Family Residential
and Commercial. The properties are zoned Multiple Family Residential (RM2), and are
developed with seven units in a court apartment configuration. A Comprehensive Plan
change to Multi-Family Residential is appropriate as it will reflect the use of the
properties and provide consistent Comprehensive Plan designation and zoning.

(20) **4635 Sunnyside Road, SE – Map 20(a).** The Comprehensive Plan designation for
the property identified as item 128 on “Exhibit 1” is Single-Family Residential. The
property is zoned Public Amusement (PA), and is a portion of Woodmansee Park. A
Comprehensive Plan change to Parks, Open Space, and Outdoor Recreation is
appropriate as it will reflect the use of the property and provide consistent
Comprehensive Plan designation and zoning.

(21) **Boone Road, SE – Map 21(a).** The Comprehensive Plan designation for the
property identified as item 129 on “Exhibit 1” is Commercial. The property is zoned
Multiple Family Residential (RM2), and is developed with a 38-unit multi-family
apartment complex. A Comprehensive Plan change to Multi-Family Residential is
appropriate as it will reflect the use of the parcel and provide consistent Comprehensive
Plan designation and zoning.

(22) **Skyline Village Loop, S – Map 22(a).** The Comprehensive Plan designation for
two properties identified as items 130 and 131 on “Exhibit 1” is Commercial.
The properties are zoned Multiple Family Residential (RM2), and are both developed with a duplex on each property. The abutting properties are zoned RM2 and are also developed with duplexes. A Comprehensive Plan change to Multi-Family Residential is appropriate as it will reflect the use of the properties and provide consistent Comprehensive Plan designation and zoning.

(23) Summercrest Drive, S - Map 24(a). The Comprehensive Plan designation for nine properties identified as items 132 – 140 on “Exhibit 1” is Multi-Family Residential. The properties are zoned Single Family Residential (RS), and are developed with single family dwellings. The surrounding properties to the north and west are zoned Multiple Family Residential (RM2) and are developed with duplexes. The surrounding properties to the south and east are zoned Single Family Residential (RS) and are developed with single family dwellings. A Comprehensive Plan change to Single-Family Residential is appropriate as it will reflect the use of the properties and provide consistent Comprehensive Plan designation and zoning.

(b) Statewide Planning Goals.

(1) Goal 1 – Citizen Involvement. All affected property owners were mailed letters describing the project and how it would affect their property. The letters included a Frequently Asked Questions flyer, a map of their property, a description of the proposed changes, the dates and locations of three Community forums to discuss the project, a link to the City’s project webpage and staff contact information. Three community forums were held in February and March of 2011 in different areas of town to provide property owners a chance to meet with staff to discuss the project. Additionally, a project webpage, which has been created and maintained by staff, provides information on the project including dates of public hearings and staff reports. All property owners were provided notice of the Planning Commission public hearing as required by SRC Chapter 300. The proposal satisfies Goal 1.

(2) Goal 2 – Land Use Planning. The Salem Area Comprehensive Plan (SACP) is acknowledged to be in compliance with the Statewide Planning Goals, and as set forth above, the proposed SACP designation changes making the Comprehensive Plan and zoning district designations consistent is consistent with the goals and policies of the

COUNCIL OF THE CITY OF SALEM, OREGON
SACP.

(3) Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources. There are no known scenic, historic, natural, or cultural resources on the affected parcels. The City’s tree preservation ordinance, historic preservation ordinance, and any applicable wetland standards will continue to regulate the affected properties as applicable.

(4) Goal 6 – Air, Water and Land Resources Quality. Most of the affected properties are developed to City standards for water, sewer, and storm drainage. Any development on the vacant properties will be required to meet City standards. This legislative case has no significant impacts to the quality of the air, water, or land.

(5) Goal 7 – Areas Subject to Natural Disasters and Hazards. There are no known natural hazards existing on the affected parcels. In the event a hazard is identified, the City’s tree protection, landslide, and floodplain development standards will be applied and will ensure compliance with Goal 7.

(6) Goal 8 – Recreational Needs. Portions of three properties that are developed as parks are affected by this legislative change. The affected parcels are: Highland Park, Map 7(a); Wallace Marine Park, Map 13(a); and Woodmansee Park, Map 20(a). These changes will ensure that park lands are given the appropriate Comprehensive Plan designation and zoning designation. Ten properties and a portion of another property are being changed from the Parks, Open Space, and Outdoor Recreation Comprehensive Plan designation and are being given a more appropriate designation based on the use of each property and their current zoning designation. The affected parcels are located at Sunnyview Road, NE and Bycam Street, NE – Map 10(a), and Glenn Creek Road, NW – Map 12(a). These properties are already developed and are not providing recreational opportunities for the City. Therefore, these changes will not remove lands from our recreational needs supply that are being used for other purposes.

(7) Goal 9 – Economic Development. The majority of the affected properties are already developed. Designations for some of the properties will change from a Commercial or Industrial to a non Commercial or Industrial designation. However, these properties are already developed for residential or park uses and are not being removed from the City’s Commercial or Industrial land supply. Designations for other properties
will change to Commercial or Industrial designations; these properties are already
developed with commercial or industrial uses and therefore, the designation changes to
Commercial or Industrial will not add to the City's Commercial or Industrial land supply.

(8) Goal 10 – Housing. The properties that currently have a Multi-Family Residential
designation or zoning that will no longer be designated as Multi-Family Residential are
already developed with either a commercial or industrial use or are existing single family
dwellings that do not have potential for redevelopment due to their location, size, the
surrounding uses, and the general character of the immediate neighborhoods. Therefore,
these changes will not reduce the City's overall supply of developable Multi-Family
Residential land. Other properties are being added to the City's Multi-Family Residential
land supply, which are already developed with apartments, cottage housing, and
duplexes. One large property is partially developed with a single family dwelling and
contains additional vacant land suitable for multi-family residential development. This
property has potential for redevelopment into a multi-family development due to its
location along a major arterial, the surrounding developments, and the general character
of the immediate neighborhood. The parcels that are being added to the City's Single-
Family Residential land supply are already developed with single family dwellings,
except for one parcel which is developed as an elementary school, which is consistent
with the Single-Family Residential designation.

(9) Goal 11 – Public Facilities and Services. The City maintains an infrastructure of
public facilities and services as the framework for urban development. These services are
made available in a timely and orderly fashion resulting in efficient urban development.
The properties are already developed and served by public facilities, or can be readily
served through existing facilities and services. Facilities and services can be provided to
the vacant sites at the time of their development in accordance with the City's public
utilities plans.

(10) Goal 12 – Transportation. The majority of the affected properties are currently
developed and are located on or near fully built out transportation facilities. The proposed
changes to the Comprehensive Plan designations will not cause a significant effect to any
transportation facility, or cause a traffic or operational issue that would be inconsistent
with the Transportation Planning Rule.

(11) **Goal 13 – Energy Conservation.** The proposed new Comprehensive Plan and Neighborhood Plan designations will result in the affected properties having a consistent Comprehensive Plan, Neighborhood Plan, and zoning district designations. Consistent designations for land result in logical and harmonious development, and reduce the need to expand public facilities and development to other vacant land.

(12) **Goal 3 – Agricultural Lands and Goal 4 – Forest Lands.** Goals 3 and 4 are not applicable, because none of the properties subject to this ordinance are designated as agricultural land or forest lands.

(13) **Goal 14 – Urbanization.** Goal 14 is not applicable, because all the affected properties are within the City and within the Urban Growth Boundary, and therefore, are available for urban development.

(14) **Goal 15 – Willamette River Greenway.** Goal 15 is not applicable, because none of the affected properties are within the Willamette River Greenway.

(15) **Goals 16, 17, 18, 19 – Coastal Goals.** Goals 16, 17, 18, and 19 are not applicable, because they apply only to coastal resources.

**Section 2.** Portland Road, NE – Map 2(a). The Comprehensive Plan designations for the forty properties located on the western side of Portland Road NE near Bill Frey Drive NE, identified as Items 1-41 on “Exhibit 1,” and shown on “Exhibit 2” (Map 2(a)) are changed from Industrial (IND) to Industrial-Commercial (IC).

**Section 3.** Fifth Street, NE – Map 4(a). The Comprehensive Plan designations for the four properties located at the southwest corner of Fifth Street, NE and Hickory Street, NE, identified as Items 42-45 on “Exhibit 1,” and shown on “Exhibit 3” (Map 4(a)) are changed from Multi-Family Residential (MF) to Single-Family Residential (SF).

**Section 4.** 2365, 2385, and 2415 5th Street NE and 535 Pine Street NE – Map 5(a). The Comprehensive Plan designations for the properties located at 2365, 2385, and 2415 Fifth Street, NE and 535 Pine Street, NE, identified as Items 46-49 on “Exhibit 1,” and shown on “Exhibit 3” (Map 5(a)) are changed from Commercial (COM) to Single-Family Residential (SF).

**Section 5.** 2395 Fifth Street, NE – Map 5(a)(1). The Highland Neighborhood Plan designation for the property located at 2395 Fifth Street, NE, identified as Item 50 on “Exhibit 1,” and shown...
on “Exhibit 5” (Map 5(a)(1)) is changed from Single Family Residential to Neighborhood Convenience.

Section 6. Fourth Street, NE - Map 6(a). The Comprehensive Plan designation for the 35 properties located on Fourth Street, NE, identified as Items 51-85 on “Exhibit 1,” and shown on “Exhibit 6” (Map 6(a)) are changed from Multi-Family Residential (MF) to Single-Family Residential (SF).

Section 7. Highland School Park – Map 7(a). The Comprehensive Plan designation for a portion of Highland School Park, identified as Item 86 on “Exhibit 1,” and shown on “Exhibit 7” (Map 7(a)) is changed from Multi-Family Residential (MF) to Community Service – Education (CSE).

Section 8. 2135 Fairgrounds Road, NE and 1100 Academy Street, NE – Map 8(a). The Comprehensive Plan designation for a portion of the property located at 2135 Fairgrounds Road, NE, and a portion of the property located at 1100 Academy Street, NE, identified as Item 87 and 88 on “Exhibit 1,” and shown on “Exhibit 8” (Map 8(a)) is changed from Multi-Family Residential (MF) and Single-Family Residential (SF) to Commercial (COM).

Section 9. 1100 Academy Street, NE – Map 8(a)(1). The Highland Neighborhood Plan designations for a portion of the property located at 1100 Academy Street, NE, identified as Item 88 on “Exhibit 1,” and shown on “Exhibit 9” (Map 8(a)(1)) is changed from Single Family Residential to Community Shopping.

Section 10. 17th Street, NE – Map 9(a). The Comprehensive Plan designations for the ten properties located on 17th Street NE, identified as Items 89-98 on “Exhibit 1,” and shown on “Exhibit 10” (Map 9(a)) are changed from Parks, Open Space, and Outdoor Recreation (POS) to Single-Family Residential (SF).

Section 11. Sunnyview Road, NE and Byram Street, NE – Map 10(a). The Comprehensive Plan designations for the eight properties located on Sunnyview Road, NE and Byram Street, NE, identified as Items 99-106 on “Exhibit 1,” and shown on “Exhibit 11” (Map 10(a)) are changed from Multi-Family Residential (MF) to Single-Family Residential (SF).

Section 12. Sunnyview Road, NE and Hawthorne Avenue, NE – Map 11(a). The Comprehensive Plan designation for the property located on Sunnyview Road, NE, between Hawthorne Avenue, NE and Interstate 5, identified as Item 107 on “Exhibit 1,” and shown on
“Exhibit 12” (Map 11(a)) is changed from Single-Family Residential (SF) to Community Service - Government (CSG).

Section 13. Glenn Creek Road, NW - Map 12(a). The Comprehensive Plan and West Salem Neighborhood Plan designations for a portion of the property located on Glen Creek Road, NW, identified as Item 108 on “Exhibit 1,” and shown on “Exhibit 13” (Map 12(a)) are changed as follows:

(a) Comprehensive Plan: from Parks, Open Space, and Outdoor Recreation (POS) to Industrial (IND),

(b) Neighborhood Plan: from Center to Employment Without Residential.

Section 14. 200 Glenn Creek Road, NW - Map 13(a). The Comprehensive Plan and West Salem Neighborhood Plan designations for a portion of the property located at 200 Glen Creek Road, NW, identified as Item 109 on “Exhibit 1,” and shown on “Exhibit 14” (Map 13(a)) is changed as follows:

(a) Comprehensive Plan: from Industrial (IND) to Parks, Open Space, and Outdoor Recreation (POS).

(b) Neighborhood Plan: from Center to Existing Parks and Open Space.

Section 15. Statesman Street, NE and A Street, NE - Map 14(a). The Comprehensive Plan designations for the nine properties located on Statesman Street, NE north of Center Street NE, identified as Items 110-118 on “Exhibit 1,” and shown on “Exhibit 15” (Map 14(a)) are changed from Multi-Family Residential (MF) to Single-Family Residential (SF).

Section 16. 18th Street, NE and Center Street, NE - Map 15(a). The Comprehensive Plan designation for the property located at 1805 Center Street, NE, identified as Item 119 on “Exhibit 1,” and shown on “Exhibit 16” (Map 15(a)) is changed from Multi-Family Residential (MF) to Commercial (COM).

Section 17. Ferry Street, SE and State Street - Map 16(a). The Comprehensive Plan designations for the five properties located on Ferry Street, SE, west of 17th Street, SE, identified as Items 120-124 on “Exhibit 1,” and shown on “Exhibit 17” (Map 16(a)) are changed from Multi-Family Residential (MF) to Commercial (COM).

Section 18. 14th Street, SE - Map 17(a). The Comprehensive Plan designation for a property located on 14th Street, SE, identified as Item 125 on “Exhibit 1,” and shown on “Exhibit 18”
(Map 17(a)) is changed from Industrial (IND) to Community Service – Education (CSE).

**Section 19. Liberty Circle, S – Map 19(a).** The Comprehensive Plan designations for portions of two properties located on Liberty Circle, S, identified as Items 126-127 on “Exhibit 1,” and shown on “Exhibit 19” (Map 19(a)) are changed from Single-Family Residential (SF) and Commercial (COM) to Multi-Family Residential (MF).

**Section 20. 4635 Sunnyside Road, SE – Map 20(a).** The Comprehensive Plan designation for a property located at 4635 Sunnyside Road, SE, identified as Item 128 on “Exhibit 1,” and shown on “Exhibit 20” (Map 20(a)) is changed from Single Family Residential (SF) to Parks, Open Space, and Outdoor Recreation (POS).

**Section 21. Boone Road, SE – Map 21(a).** The Comprehensive Plan designation for a property located on Boone Road, SE, identified as Item 129 on “Exhibit 1,” and shown on “Exhibit 21” (Map 21(a)) is changed from Commercial (COM) to Multi-Family Residential (MF).

**Section 22. Skyline Village Loop, S – Map 22(a).** The Comprehensive Plan designations for two properties located on Skyline Village Loop, S, identified as Items 130-131 on “Exhibit 1,” and shown on “Exhibit 22” (Map 22(a)) are changed from Commercial (COM) to Multi-Family Residential (MF).

**Section 23. Summercrest Drive, S – Map 24(a).** The Comprehensive Plan designations for nine properties located on Summercrest Drive, S, identified as Items 132-140 on “Exhibit 1,” and as shown on “Exhibit 23” (Map 24(a)) are changed from Multi-Family Residential (MF) to Single-Family Residential (SF).

**Section 24. Official Salem Area Comprehensive Plan Map.** The Planning Administrator is directed to change the official comprehensive plan map designations as set forth herein.

**Section 25. Severability.** Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.
(Map 17(a)) is changed from Industrial (IND) to Community Service – Education (CSE).

Section 19. Liberty Circle, S - Map 19(a). The Comprehensive Plan designations for portions of two properties located on Liberty Circle, S, identified as Items 126-127 on “Exhibit 1,” and shown on “Exhibit 19” (Map 19(a)) are changed from Single-Family Residential (SF) and Commercial (COM) to Multi-Family Residential (MF).

Section 20. 4635 Sunnyside Road, SE - Map 20(a). The Comprehensive Plan designation for a property located at 4635 Sunnyside Road, SE, identified as Item 128 on “Exhibit 1,” and shown on “Exhibit 20” (Map 20(a)) is changed from Single Family Residential (SF) to Parks, Open Space, and Outdoor Recreation (POS).

Section 21. Boone Road, SE - Map 21(a). The Comprehensive Plan designation for a property located on Boone Road, SE, identified as Item 129 on “Exhibit 1,” and shown on “Exhibit 21” (Map 21(a)) is changed from Commercial (COM) to Multi-Family Residential (MF).

Section 22. Skyline Village Loop, S - Map 22(a). The Comprehensive Plan designations for two properties located on Skyline Village Loop, S, identified as Items 130-131 on “Exhibit 1,” and shown on “Exhibit 22” (Map 22(a)) are changed from Commercial (COM) to Multi-Family Residential (MF).

Section 23. Summercrest Drive, S - Map 24(a). The Comprehensive Plan designations for nine properties located on Summercrest Drive, S, identified as Items 132-140 on “Exhibit 1,” and as shown on “Exhibit 23” (Map 24(a)) are changed from Multi-Family Residential (MF) to Single-Family Residential (SF).

Section 24. Official Salem Area Comprehensive Plan Map. The Planning Administrator is directed to change the official comprehensive plan map designations as set forth herein.

Section 25. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.
PASSED by the City Council this 22nd day of October, 2012.

ATTEST:

Kathy Hall
City Recorder
Approved by City Attorney: DBA

Checked by: L. Anderson-Ogilvie

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**Legend:**
- POS = Parks, Open Space and Outdoor Recreation
- SF = Single-Family Residential
- MF = Multi-Family Residential
- COM = Commercial
- IC = Industrial-Commercial
- IND = Industrial
- CSE = Community Service - Education
- CSG = Community Service - Government
- SFR = Single Family Residential (Highland NP)
- NC = Neighborhood Convenience (Highland NP)
- CS = Community Shopping (Highland NP)
- C = Center (West Salem NP)
- POS = Existing Parks, Open Space (West Salem NP)
- E = Employment without Residential (West Salem Neighborhood Plan)
## CPC-NPC-ZC 11-04 PROPERTY TRACKER

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POS = Parks, Open Space and Outdoor Recreation; SF = Single-Family Residential; MF = Multi-Family Residential; COM = Commercial; IC = Industrial-Commercial; IND = Industrial; CSE = Community Service - Education; CSG = Community Service - Government; SFR = Single Family Residential (Highland NP); NC = Neighborhood Convenience (Highland NP); CS = Community Shopping (Highland NP); C = Center (West Salem NP); POS = Existing Parks, Open Space (West Salem NP); E = Employment without Residential (West Salem Neighborhood Plan).
COMPREHENSIVE PLAN

1993 – Official Designation

NORTH MAP 12a

Recommended
COMPREHENSIVE PLAN
1993 - Official Designation

NORTH MAP
15a

Recommended

EXHIBIT 16
TO: MAYOR AND CITY COUNCIL
THROUGH: LINDA NORRIS, CITY MANAGER
FROM: VICKIE HARDIN WOODS, DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: LEGISLATIVE CHANGES TO THE SALEM AREA COMPREHENSIVE PLAN MAP DESIGNATIONS AND ZONING DESIGNATIONS FOR 146 PROPERTIES AND ASSOCIATED NEIGHBORHOOD PLAN CHANGES TO THE WEST SALEM NEIGHBORHOOD PLAN AND HIGHLAND NEIGHBORHOOD PLAN

ISSUE:

Should the City Council advance Ordinance Bill No. 30-12 and 31-12, approving legislative changes to the Salem Area Comprehensive Plan Map designation and zoning designation for 146 properties and associated neighborhood plan changes to the West Salem Neighborhood Plan and Highland Neighborhood Plan to second reading?

RECOMMENDATION:

Staff recommends that the City Council advance Ordinance Bill No. 30-12 and 31-12, approving legislative changes to the Salem Area Comprehensive Plan Map designation and zoning designation for 146 properties and associated neighborhood plan changes to the West Salem Neighborhood Plan and Highland Neighborhood Plan to second reading.

SUMMARY:

The proposed legislative changes will provide consistent Comprehensive Plan and zoning designations for the 146 effected properties. Based on the Comprehensive Plan designation, zoning designations, the use of the property, and property owner input, changes to the Comprehensive Plan designation or the official zoning designation, or both, were identified for the 146 properties. All property owners were notified by letter and three community forums were held to discuss the project.

BACKGROUND:

The official Salem Area Comprehensive Area Plan (SACP) map is a generalized paper map dated January 12, 1987, as adopted by Salem Revised Code (SRC) 64.210. It is not accurate down to the parcel level, and cannot be easily reproduced.

City staff have been working toward the creation of digital map as the official Comprehensive Plan map to be adopted by the City Council. This map would provide accurate information on specific parcels and would provide more accurate information to the public. This action would be consistent with the adoption of the digital zoning map in February 2002.
Staff has identified 146 properties that have inconsistent Comprehensive Plan and zoning district designations. These inconsistencies should be resolved to be consistent with Oregon Revised Statues (ORS) 197.175(2)(b) which requires local governments to enact land use regulations to be consistent with their comprehensive plans. Staff have identified and recommended changes to the Comprehensive Plan designation or the official zoning district designation (or both) for each property, based on each property's current Comprehensive Plan designation, zoning designation, the use of the property, and property owner input.

FACTS AND FINDINGS:

1. The Planning Commission held a public hearing on the legislative changes on December 20, 2011 and recommends that the City Council approve the changes (Attachment 1).

2. Ordinance No. 30-12 will implement the proposed Comprehensive Plan designation changes and Neighborhood Plan designation changes. Ordinance 31-12 will implement the zoning designation changes.

3. The purpose of these legislative land use changes is to correct mapping errors that have occurred on the unofficial Comprehensive Plan Map so that an official digital map can be adopted. These changes will ensure that the SACP designations and zoning district designations for each property are consistent with each other. These recommended changes take into consideration the transportation network, the location of public facilities and utility systems and the needs of residents.

4. SRC 64.070 states that the criterion used by the City Council in making legislative changes to the SACP shall be what is, in its opinion, in the best interest of the public health, safety and welfare of its citizens; provided, however, that the City Council shall consider and accommodate as much as possible all applicable statewide planning goals.

   As set forth in the staff report presented to the Planning Commission on December 11, 2011 (Attachment 1), the staff believes that the proposed changes to the Comprehensive Plan and zoning district designations for the 146 properties are in the best interest of the public health, safety and welfare of the citizens of the City of Salem, and accommodate and comply with the statewide planning goals and other policies.

Glenn W. Gross, Urban Planning Administrator


Prepared by Lisa Anderson-Ogilvie, Planner III
TO: PLANNING COMMISSION

FROM: GLENN W. GROSS
   URBAN PLANNING ADMINISTRATOR

SUBJECT: LEGISLATIVE CHANGES TO THE SALEM AREA COMPREHENSIVE PLAN MAP DESIGNATIONS AND/OR ZONING DESIGNATIONS FOR 146 PROPERTIES AND ASSOCIATED NEIGHBORHOOD PLAN CHANGES TO THE WEST SALEM NEIGHBORHOOD PLAN AND HIGHLAND NEIGHBORHOOD PLAN

ISSUE

Should the Planning Commission approve a legislative change to the Salem Area Comprehensive Plan Map designation and/or zoning designation for 146 properties and associated neighborhood plan changes to the West Salem Neighborhood Plan and Highland Neighborhood Plan?

RECOMMENDATION

Staff recommends that the Planning Commission approve a legislative change to the Salem Area Comprehensive Plan Map designation and/or zoning designation for 146 properties and associated neighborhood plan changes to the West Salem Neighborhood Plan and Highland Neighborhood Plan.

BACKGROUND

The official Salem Area Comprehensive Area Plan (SACP) map is a generalized paper map dated January 12, 1987, as adopted by Salem Revised Code (SRC) 64.210. It is not accurate to the parcel level, cannot be easily reproduced and is not available for public distribution.

The City would like to adopt a digital map as the official Comprehensive Plan map. This map would provide accurate information on specific parcels and would be available to the public. This action would be consistent with the adoption of the digital zoning map in February 2002.

City staff has previously created an unofficial parcel specific digital Comprehensive Plan map. When this map was created some parcels were mistakenly given the wrong Comprehensive Plan designation due to the generalized nature of the original paper-based Comprehensive Plan map and the parcel specific detail of the unofficial digital map. While this map is an unofficial map the information on this map may have been conveyed to property owners or used by staff when determining a parcel's Comprehensive Plan designation.

After the creation of the unofficial digital map potential mapping errors were identified. Therefore, staff undertook a systematic process to evaluate the history of each parcel to ensure that these were errors and that there were no land use actions in support of the designations. We have verified that these 146 parcels have been given the wrong Comprehensive Plan designation on the unofficial digital map through a mapping error.

As staff reviewed the official Comprehensive Plan designation and the official zoning designation for each of these 146 parcels it became apparent that once the correct Comprehensive Plan designation was applied these properties would have inconsistent Comprehensive Plan designations and zoning designations. These inconsistencies must be resolved because Oregon Revised Statues (ORS) 197.175(2)(b) requires land use regulations to consistently implement the Salem Area Comprehensive Plan. Based on the Comprehensive Plan designation, zoning

CPC-ZC 11-04  December 20, 2011
Revised Statues (ORS) 197.175(2)(b) requires land use regulations to consistently implement the Salem Area Comprehensive Plan. Based on the Comprehensive Plan designation, zoning designations, the use of the property, and property owner input appropriate changes to the Comprehensive Plan designation and/or the official zoning designation were identified for each parcel.

This staff report addresses the proposed changes for each of the affected parcels.

FACTS AND FINDINGS

1. Pursuant to SRC 300.1110(a)(2), the Planning Commission may initiate a legislative land use proceeding by the adoption of a resolution referring the matter to public hearing for review and recommendation to the City Council.

2. ORS 197.610 and OAR 660-018-0020 require that notice be provided to the Department of Land Conservation and Development (DLCD) on any proposed amendment to a local land use regulation at least 45 days prior to the first public hearing. Notice to DLCD was mailed on May 6, 2011.

3. Pursuant to SRC 300.1110(c), public notice was mailed on November 30, 2011, to all the neighborhood associations and interested parties. The notice was published in the Statesman Journal newspaper on December 9, 2011 and December 15, 2011.

4. Salem Revised Code (SRC) Section 64.040(f) defines a major plan change as a single proceeding which amends, supplements, or repeals SRC 64.020 to 64.220 including the comprehensive plan other than a minor plan change. This request is a Category 2 and 3 major plan change, which is a legislative act. Salem Revised Code Section 64.070 establishes the approval criteria for a legislative Comprehensive Plan Map amendment.

5. Citizen and Neighborhood Association Comments

A. All affected neighborhood associations were notified of the proposal and staff presentations were made before the West Salem Neighborhood Association and the Highland Neighborhood Association meeting. As of the date of this staff report no official comments have been received.

B. All property owners were mailed notification of the proposal. Only one property owner submitted written comments. Mr. Harish Patel, owner of the parcel outlined on Map 3, submitted a letter requesting a Commercial designation and a CG (General Commercial) zone for his property. Mr. Patel also requested that all three of his parcels be included in the proposed changes (Attachment 1).

Staff Response: The Commercial designation and CG (Commercial General) zone request for the parcel outlined on Map 3 are reflected in the staff recommendation. Mr. Patel’s other two parcels are not included in the proposed changes. Mr. Patel has objected to only one of his parcels being considered for this change as he wants all three parcels to have the Commercial designation and CG (Commercial General) zoning. Staff explained that only his southern parcel had a mapping error and therefore this is the only parcel that can be included in this project. Staff has provided Mr. Patel with information necessary for him to request a Comprehensive Plan Change and zone change for his remaining parcels.

6. Public and Private Agency Comments

A. Salem Electric has reviewed the proposal and stated that they will provide electrical service according to the rates and policies in effect at the time of development.
B. Salem Keizer Transit reviewed the proposal and indicated that they have no comments.

C. NW Natural Gas has reviewed the proposal and commented that they have no conflict with the proposal.

D. PGE has reviewed the proposal and commented that development cost per tariff and service requirements and a 10 foot PUE is required on all front street lots.

7. City Department Comments

A. The Building and Safety Department has reviewed the proposal and indicated no objections.

B. The Police Department has reviewed the proposal and indicated no objections.

C. The Fire Department has reviewed the proposal and indicated no objections.

D. The Public Works Department, Parks and Transportation Services Division, has reviewed the proposal. The Urban Forester has indicated that he has no comments. The Assistant City Traffic Engineer has reviewed the proposal for consistency with the Transportation Planning Rule. His findings are provided in section 9 of this report.

Legislative Approval Criteria

8. SRC 64.070 states that the criterion used by the City Council in making such changes shall be what is, in its opinion, in the best interest of the public health, safety, and welfare of its citizens; provided, however, that the City Council shall consider and accommodate as much as possible all applicable statewide planning goals.

Finding:

Providing a digital Comprehensive Plan map is in the best interest of the public health, safety, and welfare of its citizens as it will allow staff to provide accurate information to property owners. The current official map is a black and white paper map that does not have parcel lines, making it difficult to discern designations for properties. The unofficial digital map is used by staff to determine designations but has not always been accurate. By making sure the digital map is accurate through this legislative process, and then adopting the digital map as the official map, staff and citizens can be assured that their property’s Comprehensive Plan designation is accurate.

The specific changes for each group of properties (by map number) are addressed individually below (Attachment 2). A table listing each property by map number, tax lot number, and address (where applicable) and the current Comprehensive Plan designation and zoning as well as the recommended changes, is attached to this report (Attachment 3).

Map 1

The official Comprehensive Plan designation of Single-Family Residential will not be changed but will now be accurately shown in our digital Comprehensive Plan map. This is a Zone change for a portion of 4000 Deerhaven Drive NE. This property is developed as Hallman Elementary School. It has a Single-Family Residential Comprehensive Plan designation and currently has a CR (Commercial Retail) zoning designation. The proposal would change the zoning to RS (Single Family Residential), which implements the Single-Family Residential Comprehensive Plan designation. A school is permitted in the RS (Single-Family Residential) zone.
Map 2

This is a Comprehensive Plan designation change for 40 properties located on the western side of Portland Road NE, from Bill Frey Drive NE south to the railroad tracks, from an Industrial Designation to an Industrial-Commercial Designation. The properties are zoned IC (Industrial Commercial) and are within the Portland/Fairgrounds Road Overlay zone. They are mostly developed with a combination of industrial, commercial and residential uses, except for the southern most parcels which are owned by the Urban Renewal Agency of the City of Salem and are currently vacant. Leaving the existing Industrial Comprehensive Plan designation and changing the zoning to an implementing zone (such as General Industrial) would leave many of the uses as non-conforming uses. Therefore, a Comprehensive Plan change to Industrial-Commercial, to match the existing zoning and current uses, is most appropriate for these properties.

Map 3

The official Comprehensive Plan designation of Commercial will not be changed but will now be accurately shown in our digital Comprehensive Plan map. This is a Zone change from IP (Industrial Park) to CG (General Commercial). This property is currently vacant and is located to the north of an extended stay motel and south of additional vacant property. The property to the north is zoned IP (Industrial Park) and the property to the south is zoned CG (General Commercial). Due to its visibility from Interstate 5 the owner has expressed an interest in developing the property as a hotel or motel and requested that we consider a zone change to CG (General Commercial). This zone is compatible with the surrounding zoning and implements the current Comprehensive Plan designation of Commercial.

Map 4

This is a Comprehensive Plan change from Multi-Family Residential to Single-Family Residential for four properties. All four properties are currently developed with single family dwellings and are zoned RS (Single Family Residential). Surrounding designations include Multi-Family Residential to the west, Commercial to the west and south and Single-Family Residential to the north and east. This change is appropriate because it reflects the use of the properties and the surrounding area.

Map 5

This is a Comprehensive Plan designation change and a zone change. The official Comprehensive Plan designation of Commercial will change to Single-Family Residential for 2415, 2365 and 2385 5th Street NE and 535 Pine Street NE. These properties will retain their RS (Single Family Residential) zoning. The Comprehensive Plan designation for 2395 5th Street NE will remain Commercial. This property will have a zone change from RS (Single Family Residential) to CR (Commercial Retail). These changes will result in the following Comprehensive Plan designation and zoning:

- 2415, 2365 and 2385 5th Street NE and 535 Pine Street NE: Single-Family Residential designation and RS (Single Family Residential) zoning
- 2395 5th Street NE: Commercial designation and CR (Commercial Retail) zoning

This Comprehensive Plan change is appropriate for 2415, 2365 and 2385 5th Street NE and 535 Pine Street NE because they are developed with single family dwellings and are currently zoned RS (Single Family Residential). The properties to the north, south and east are zoned for and developed with single family dwellings.

This zone change is appropriate for 2395 5th Street NE because it has been vacant since the
single family was demolished in 1965. It is located on a minor arterial street (Pine Street NE) and is adjacent to commercial property. The owner of the property has stated that this vacant parcel may be purchased by the abutting property owner (Josey's Family Restaurant) in order to expand their parking lot.

*Neighborhood Plan Change:* The Highland Neighborhood Plan designates 2335 5th Street NE as Single Family Residential on the plan’s land use map. This change would result in a change to the Highland Neighborhood Plan. The parcel is adjacent to a Neighborhood Convenience designated area. The plan describes the intent of Neighborhood Convenience as providing locations for stores and personal services which are close to residential areas, are easily accessible and are used frequently by neighborhood residents. This parcel will most likely be incorporated into an existing restaurant use and it is therefore appropriate for it to have a Neighborhood Convenience designation.

*Map 6*

This is a Comprehensive Plan designation change for 35 properties located on 4th Street NE. The official Comprehensive Plan designation will change from Multi-Family Residential to Single-Family Residential. All properties are currently developed as single family dwellings and are zoned RS (Single Family Residential). Surrounding designations include Multi-Family Residential to the west and south, Commercial to the north and Single-Family Residential to the east. This change is appropriate because it reflects the use of the properties and the surrounding area.

*Map 7*

This is a Comprehensive Plan designation change and a zone change for a portion of Highland School Park. The official Comprehensive Plan designation of Community Services – Education and Multi-Family Residential will change to Community Services – Education. The current RM2 (Multiple Family Residential) and RS (Single Family Residential) zoning will change to PE (Public Education). These changes are appropriate as they will eliminate split designations and zoning for the property and will reflect the use of the property as a school park.

*Map 8*

This is a Comprehensive Plan designation change for two parcels to a Commercial designation. A portion of 1100 Academy Street NE is designated as Single-Family Residential and a portion of 2135 Fairgrounds Road NE is designated as Multi-Family Residential on the official Comprehensive Plan map. Both properties are zoned CG (General Commercial) and are developed as a parking lot and a flea market respectively. The surrounding designations are Single-Family Residential to the northwest and Commercial to the southeast. The change to a Commercial designation reflects the use of the parcels and the current zoning.

*Neighborhood Plan Change:* The Highland Neighborhood Plan designates a portion of 1100 Academy Street NE Single Family Residential on the plan’s land use map. This change would result in a change to the Highland Neighborhood Plan. The Highland Plan states that the intent of the Community Shopping designation is to provide locations for a wide variety of goods and services, including both convenience stores for neighborhood residents and shopping facilities for a market area consisting of several neighborhoods. A change to a Community Shopping designation is appropriate because the parcel is developed with a parking lot and has not been in residential use. Redevelopment of this parcel to a residential use in unlikely because the abutting parcels to the immediate west and east are both developed as parking lots and this parcel is not within one of the mixed use nodes of the overlay zone.
Map 9

This is a Comprehensive Plan designation change for 10 parcels on 17th Street NE. The official Comprehensive Plan designation of Parks, Open Space, and Outdoor Recreation will change to Single-Family Residential. The parcels are currently zoned RS (Single Family Residential) and are all developed with single family dwellings. This change is appropriate as it will reflect the use of the parcels and provide consistent Comprehensive Plan designation and zoning.

Map 10

This is a Comprehensive Plan designation change for 8 parcels on Sunnyview Road NE and Byram Street NE. The official Comprehensive Plan designation of Multi-Family Residential will change to Single-Family Residential. The parcels are currently zoned RS (Single Family Residential) and are all developed with single family dwellings. This change is appropriate as it will reflect the use of the parcels and provide consistent Comprehensive Plan designation and zoning.

Map 11

This is a Comprehensive Plan designation change for one parcel located on Sunnyview Road NE, between Hawthorne Avenue NE and Interstate 5. The official Comprehensive Plan designation of Single-Family Residential will change to Community Services - Government. The zoning designation of PA (Public Amusement) will remain the same. The parcel is owned by the State of Oregon and is vacant except for a detention basin and a cell phone tower. The triangle shaped parcel abuts Interstate 5 and a major and minor arterial which makes it inappropriate for single family residential development. The proposed change will more accurately reflect the use of the property and the zoning.

Map 12

This is a Comprehensive Plan designation change for a portion of a parcel located on Glen Creek Road NW. The official Comprehensive Plan designation of Parks, Open Space, and Outdoor Recreation will change to Industrial. The current IP (Industrial Park) zoning designation will remain the same. The parcel is developed with a parking lot for the adjacent West Salem Courthouse Athletic Club. The proposed change will provide one Comprehensive Plan designation for the entire parcel and will reflect the zoning and use of the parcel.

Neighborhood Plan Change: The proposed change also requires a change to the West Salem Neighborhood Plan for this property. The 2004 plan shows this property as "recommended for land use change." The plan recommended that the property be redesignated as a Center. The Center designation allows for residential, neighborhood retail, restaurant, employment, public space, and civic uses. The recommended change was not implemented and the property is currently developed as a parking lot for the adjacent West Salem Courthouse Athletic Club. The Neighborhood Center Mixed-Use (NCMU) zone has been adopted by the City Council but has not yet been applied to any specific parcels. There is no evidence that NCMU zone will be requested by the owners of this parcel or in fact applied to this parcel in the near future. Therefore, a change to the West Salem Neighborhood Plan in conjunction with the proposed Comprehensive Plan change is appropriate for this parcel.

Map 13

This is a Comprehensive Plan designation change for a portion of a parcel located on Glen Creek Road NW. The official Comprehensive Plan designation of Industrial will change to Parks, Open Space, and Outdoor Recreation. The current PA (Public Amusement) zoning
designation will remain the same. This parcel is a portion of Wallace Marine Park. This change will reflect the u zoning and use of the parcel.

**Neighborhood Plan Change:** The proposed change also requires a change to the West Salem Neighborhood Plan for this property. The 2004 plan shows this property as “recommended for land use change.” The plan recommended that the property be redesignated as a Center. The Center designation allows for residential, neighborhood retail, restaurant, employment, public space, and civic uses. The recommended change was not implemented and the property is a portion of Wallace Marine Park. The Neighborhood Center Mixed-Use (NCMU) zone has been adopted by the City Council but has not yet been applied to any specific parcels. There is no evidence that NCMU zone will be requested by the owners of this parcel (the City) or in fact applied to this parcel in the near future. Therefore, a change to the West Salem Neighborhood Plan in conjunction with the proposed Comprehensive Plan change is appropriate for this parcel.

**Map 14**

This is a Comprehensive Plan designation change for 9 parcels on Statesman Street NE north of Center Street NE. The official Comprehensive Plan designation of Multi-Family Residential will change to Single-Family Residential. The parcels are currently zoned RS (Single Family Residential) and are all developed with single family dwellings. This change is appropriate as it will reflect the use of the parcels and provide consistent Comprehensive Plan designation and zoning.

**Map 15**

This is a Comprehensive Plan designation change for a parcel located on the corner of 18th Street NE and Center Street NE. The official Comprehensive Plan designation of Multi-Family Residential will change to Commercial. The current CO (Commercial Office) zoning designation will remain. The parcel is in use as an insurance office and has been for many years. This change is appropriate as it will reflect the use of the parcel and provide consistent Comprehensive Plan designation and zoning.

**Map 16**

This is a Comprehensive Plan designation change for 5 parcels on Ferry Street SE, just west of 17th Street SE. The official Comprehensive Plan designation of Multi-Family Residential will change to Commercial. The current CO (Commercial Office) zoning designation will remain. The parcels are developed with abutting and adjacent parcels as a physician's clinic and parking lot. This change is appropriate as it will reflect the use of the parcels and provide consistent Comprehensive Plan designation and zoning.

**Map 17**

This is a Comprehensive Plan designation change and a zone change for a parcel located on 14th Street SE to the east of the Union Pacific Railroad tracks. The official Comprehensive Plan designation of Industrial will change to Community Services - Education. The current zoning of CG (General Commercial) will change to PE (Public Education). The parcel is owned by Tokyo International University which uses it as a parking lot. These changes are appropriate as the current CG (General Commercial) zoning does not implement the official Industrial Comprehensive Plan designation and neither reflects the use of the property.

**Map 18**

The official Comprehensive Plan designation of Multi-Family Residential will not be changed but will now be accurately shown in our digital Comprehensive Plan map. This is a Zone CPC-ZC 11-04 Page 7 December 20, 2011
change for two parcels on Lee Street SE and Mission Street SE. The current zoning of GC
(General Commercial) will be changed to RM2 (Multiple Family Residential). Both parcels
are odd shaped, vacant and owned by the State of Oregon. They are surrounded by RM2
(Multiple Family Residential) zoned property. This change is appropriate as it will reflect the
use of the parcels and provide consistent Comprehensive Plan designation and zoning.

Map 19

This is a Comprehensive Plan designation change for two parcels located on Liberty Circle
S. The official Comprehensive Plan designation of Single-Family Residential and
Commercial will change to Multi-Family Residential. The current RM2 (Multiple Family
Residential) zoning designation will remain the same. The parcels are developed with seven
units in a court apartment configuration. This change is appropriate as it will reflect the use
of the parcels and provide consistent Comprehensive Plan designation and zoning.

Map 20

This is a Comprehensive Plan designation change for a portion of a parcel located on
Sunnyside Road SE. The official Comprehensive Plan designation of Single-Family
Residential will change to Parks, Open Space, and Outdoor Recreation. The current PA
(Public Amusement) zoning designation will remain the same. This parcel is a portion of
Woodmansee Park. This change is appropriate as it will reflect the use of the parcels and
provide consistent Comprehensive Plan designation and zoning.

Map 21

This is a Comprehensive Plan designation change for a parcel located on Boone Road SE.
The official Comprehensive Plan designation of Commercial will change to Multi-Family
Residential. The current RM2 (Multiple Family Residential) zoning designation will remain
the same. This parcel is developed with a 38-unit multi-family apartment complex. This
change is appropriate as it will reflect the use of the parcel and provide consistent
Comprehensive Plan designation and zoning.

Map 22

This is a Comprehensive Plan designation change for two parcels located on Skyline Village
Loop S. The official Comprehensive Plan designation of Commercial will change to Multi-
Family Residential. The current RM2 (Multiple Family Residential) zoning designation will remain
the same. These parcels are both developed with a duplex. The abutting parcels are
zoned RM2 (Multiple Family Residential) and are also developed with duplexes. This
change is appropriate as it will reflect the use of the parcels and provide consistent
Comprehensive Plan designation and zoning.

Map 23

The official Comprehensive Plan designation of Multi-Family Residential will not be changed
but will now be accurately shown in our digital Comprehensive Plan map. This is a Zone
change for one parcel located on Skyline Road S. The current RA (Residential Agriculture)
zoning designation will change to RM2 (Multiple Family Residential). The parcel is a large lot
with one single family dwelling located on it. The surrounding parcels to the north and east
are zoned RM2 (Multiple Family Residential) and are developed with duplexes. Due to the
size of the parcel and its location along a major arterial it is an appropriate parcel for
redevelopment for multi-family units. This zone change is appropriate because the RM2
(Multiple Family Residential) zoning will implement the existing Multi-Family Residential
Comprehensive Plan designation.

Map 24
This is a Comprehensive Plan designation change for 9 parcels located on Summercrest Drive S. The official Comprehensive Plan designation of Multi-Family Residential will change to Single-Family Residential. The current RS (Single Family Residential) zoning designation will remain the same. The surrounding parcels to the north and west are zoned RM2 (Multiple Family Residential) and are developed with duplexes. The surrounding parcels to the south and east are zoned RS (Single Family Residential) and are developed with single family dwellings. These parcels are developed with single family dwellings. This change is appropriate as it will reflect the use of the parcels and provide consistent Comprehensive Plan designation and zoning.

Statewide Planning Goals

9. SRC 64.070 states that the proposal shall consider and accommodate as much as possible all applicable statewide planning goals.

Goal 1 – Citizen Involvement

All affected property owners were mailed letters describing the project and how it would affect their property on January 31, 2011. The letters included a Frequently Asked Questions flyer, a map of their property, a description of the proposed changes, the dates and locations of three Community forums to discuss the project, a link to the City’s project webpage and staff contact information.

Three community forums were held in February and March of 2011 in different areas of town to provide property owners a chance to meet with staff to discuss the project. Additionally, a project webpage, which has been created and maintained by staff, provides information on the project including dates of public hearings and staff reports.

All property owners were provided notice of the Planning Commission public hearing as required by SRC Chapter 300. This satisfies Citizen Involvement described in Goal 1.

Goal 2 – Land Use Planning

The Salem Area Comprehensive Plan (SACP) is acknowledged to be in compliance with the Statewide Planning Goals.

Goal 3 – Agricultural Lands

There are no known agricultural lands on the affected parcels.

Goal 4 – Forest Lands

There are no known forest lands on the affected parcels.

Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources

There are no known scenic, historic, natural, or cultural resources on the affected parcels. The City’s tree preservation ordinance, historic preservation ordinance and any applicable wetland standards will continue to apply to the affected parcels as applicable.

Goal 6 – Air, Water and Land Resources Quality

Most of the affected parcels are developed to City standards for water, sewer, and storm drainage. Any development on the vacant parcels will be required to meet City standards. This legislative case has no significant impacts to the quality of the air, water or land.
Goal 7 – Areas Subject to Natural Disasters and Hazards

There are no known natural hazards existing on the affected parcels. In the event a hazard is identified, the City’s tree protection, landslide, and floodplain development standards will be applied and will ensure compliance with Goal 7.

Goal 8 – Recreational Needs

Three portions of parcels that are developed as parks are affected by this legislative change. The affected parcels are: Map 7: Highland Park; Map 13: Wallace Marine Park; and Map 20: Woodmansee Park. These changes will ensure that park lands are given the appropriate Comprehensive Plan designation and zoning designation.

Ten parcels and a portion of another parcel are being changed from the Parks, Open Space, and Outdoor Recreation Comprehensive Plan designation and are being given a more appropriate designation based on the use of the property and their current zoning. The affected parcels are on Map 10 and Map 12. These parcels are already developed and are not providing recreational opportunities for the City. Therefore, these changes will not remove lands from our recreational needs supply.

Goal 9 – Economic Development

The majority of the affected parcels are already developed. Some of the parcels will be changed from a Commercial or Industrial Comprehensive Plan designation or equivalent zoning to a non-Commercial or Industrial designation. However, these parcels are already developed for residential or park use and therefore are not being removed from the City’s Commercial or Industrial land supply.

Additionally, 10 parcels will change to Commercial or Industrial designations; all of these parcels are already developed with commercial or industrial uses and therefore, will not be adding to the City’s Commercial or Industrial land supply.

Goal 10 - Housing

The parcels that currently have a Multi-Family Residential designation or zoning that will no longer be designated as Multi-Family Residential are already developed with either a commercial or industrial use or are existing single family dwellings that do not have a great potential for redevelopment due to their location, the surrounding uses and the general character of the immediate neighborhoods. Therefore, these changes will not be reducing the City’s overall supply of Multi-Family Residential land.

The parcels that are being added to the City’s Multi-Family Residential land supply are already developed with apartments, cottage housing and duplexes except for one large parcel that is developed with a single family dwelling and one vacant parcel. The single family dwelling parcel has potential for redevelopment into a multi-family development due to its location along a major arterial, the surrounding developments and the general character of the immediate neighborhood. The vacant parcel is small and irregularly shaped but is surrounded by multi-family land and could be combined with adjacent parcels for redevelopment.

The parcels that are being added to the City’s Single-Family Residential land supply are already developed with single family dwellings, except for one parcel which is developed as an elementary school.
The parcels that currently have a Single-Family Residential designation or zoning that will no longer be designated for as Single-Family Residential are developed as parks, a commercial parking lot and apartments. Two of the parcels are vacant and are not suitable for single family residential development due to their location on a major arterial, the adjacent developments and the irregular parcel shape. One parcel is currently developed with a single family dwelling but is located on a large parcel and is surrounded by multi-family dwellings and is suitable for redevelopment for multi-family. Therefore, these changes will not be reducing the City's overall supply of Single-Family Residential land.

Goal 11 – Public Facilities and Services

The City maintains an infrastructure of public facilities and services as the framework for urban development. These services are made available in a timely and orderly fashion resulting in efficient urban development. The majority of the sites are already developed and served by public facilities. Facilities and services can be provided to the vacant sites at the time of their development in accordance with the City's public utilities plans.

Goal 12 – Transportation

None of the changes of either the Comprehensive Plan or Zoning of the 146 properties will cause a traffic or operational issue that would be inconsistent with the Transportation Planning Rule.

Map 1
This is a downgrade in the Zoning from CR (Retail Commercial) to RS (Single Family Residential). There is a reduction in the potential traffic that could be generated by the change in zoning. This change in zoning will not have a significant effect on the transportation system.

Map 2
This is an upgrade in the Comprehensive Plan from IND (Industrial) to IC (Industrial Commercial). The properties identified on this map are currently zoned IC (Industrial Commercial) and are developed to a mix of industrial and commercial uses consistent with the IC zoning. The proposed change modifies the Comprehensive Plan designation to be consistent with the existing zoning and development patterns. This change in the Comprehensive Plan will not have a significant effect on the transportation system because the area is already fully built out.

Map 3
This is an upgrade in Zoning from IP (Industrial Park) to CG (General Commercial). The property is currently classified as COM (Commercial) in the Comprehensive Plan. The property is currently undeveloped, however, given the existing Commercial Comprehensive Plan designation, higher traffic levels are already assumed on the transportation system. The change in zoning will not have a significant effect on the transportation system.

Map 4
This is a downgrade in the Comprehensive Plan from MF (Multi Family Residential) to SF (Single Family Residential). There is a reduction in the potential traffic that could be generated by the change in zoning and the properties area already developed with single family homes. This change in Comprehensive Plan will not have a significant effect on the transportation system.

Map 5
This is a combination of a downgrade of the Comprehensive Plan from COM (Commercial) to SF (Single Family Residential) for four parcels and an upgrade of the Zoning on one parcel from RS (Single Family Residential) to CR (Commercial Retail). The net result of the
changes in the Comprehensive Plan and Zoning is a reduction in the potential traffic that could be generated. These changes will not have a significant effect on the transportation system.

Map 6
This is a downgrade of the Comprehensive Plan from MF (Multi Family Residential) to SF (Single Family Residential). There is a reduction in the potential traffic that could be generated by the change in Comprehensive Plan designation. This change will not have a significant effect on the transportation system.

Map 7
This is a combination of a downgrade of the Comprehensive Plan from MF (Multi Family Residential) to CSE (Community Service – Education) and downgrade in the Zoning from RM2 (Multiple Family Residential 2) and RS (Single Family Residential) to PE (Public/Private Education). The property is currently owned by the City of Salem and developed as a city park and will not be redeveloped to a more intensive use. These changes will not have a significant effect on the transportation system.

Map 8
This is an upgrade of the Comprehensive Plan from MF (Multi Family Residential) and SF (Single Family Residential) to COM (Commercial). The property is currently zoned CG (General Commercial) and is fully developed as a retail center. There is no change to the traffic generated by the change in Comprehensive Plan designation. This change will not have a significant effect on the transportation system.

Map 9
This is an upgrade of the Comprehensive Plan from POS (Parks, Open Space) to RS (Single Family Residential). The properties are currently zoned RS (Single Family Residential) and all of the lots are currently developed with single family homes. There is no change to the traffic generated by the change in Comprehensive Plan designation. This change will not have a significant effect on the transportation system.

Map 10
This is a downgrade of the Comprehensive Plan from MF (Multi Family Residential) to SF (Single Family Residential). The properties are currently zoned RS (Single Family Residential) and all of the lots are currently developed with single family homes. There is no change to the traffic generated by the change in Comprehensive Plan designation. This change will not have a significant effect on the transportation system.

Map 11
This is a downgrade of the Comprehensive Plan from SF (Single Family Residential) to CSG (Community Service – Government). The property is owned by the Oregon Department of Transportation and is currently undeveloped. This property is currently used as a stormwater detention facility for Interstate 5. This change will not have a significant effect on the transportation system.

Map 12
This is an upgrade of the Comprehensive Plan from POS (Parks, Open Space) to IND (Industrial). There is no change to the zoning, which remains IP (Industrial Park). The property is currently developed as a parking lot to accommodate the required parking for the Courthouse Athletic Club. The alignment of Marine Drive NW cuts through the eastern portion of the area. There is the potential to increase the traffic generated by the change in Comprehensive Plan designation by two additional PM peak vehicles. This change will not have a significant effect on the transportation system.
This is a downgrade of the Comprehensive Plan from IND (Industrial) to POS (Parks, Open Space). The current Zoning of the property is PA (Public Amusement) and is developed as a portion of Wallace Marine Park. The property is located within the Willamette River floodway and as such is not developable. This change will not have a significant effect on the transportation system.

Map 14
This is a downgrade of the Comprehensive Plan from MF (Multi Family Residential) to SF (Single Family Residential). The properties are currently zoned RS (Single Family Residential) and all of the lots are currently developed with single family homes. There is a reduction in the potential traffic that could be generated by the change in Comprehensive Plan designation. This change will not have a significant effect on the transportation system.

Map 15
This is an upgrade of the Comprehensive Plan from MF (Multi Family Residential) to COM (Commercial). The property is currently zoned CO (Commercial Office) and is developed with an office use in a single family home. The potential increase in traffic from Multi Family to Commercial Office is five additional vehicles in the PM peak hour. This change will not have a significant affect on the transportation system.

Map 16
This is an upgrade of the Comprehensive Plan from MF (Multi Family Residential) to COM (Commercial). The property is currently zoned CO (Commercial Office) and is developed as a medical office. There is no change to the traffic generated by the change in Comprehensive Plan designation. This change will not have a significant affect on the transportation system.

Map 17
This is a combination of a downgrade of the Comprehensive Plan from IND (Industrial) to CSE (Community Service – Education) and downgrade in the Zoning from CG (General Commercial) to PE (Public/Private Education). The property is currently owned by the Tokyo International University and currently developed as a parking lot and a sports field. There is no change to the traffic generated by the change in Comprehensive Plan designation. These changes will not have a significant effect on the transportation system.

Map 18
This is a downgrade in the Zoning from CG (General Commercial) to RM2 (Multiple Family Residential 2). There is a reduction in the potential traffic that could be generated by the change in zoning. This change in zoning will not have a significant effect on the transportation system.

Map 19
This is a combination of a downgrade of the Comprehensive Plan from COM (Commercial) to MF (Multi Family Residential) and an upgrade from SF (Single Family Residential) to MF (Multi Family Residential). The property is currently fully developed as multi-family residential. There is a reduction in the potential traffic that could be generated by the change in Comprehensive Plan designation. These changes will not have a significant effect on the transportation system.

Map 20
This is a downgrade of the Comprehensive Plan from SF (Single Family Residential) to POS (Parks, Open Space). The property is currently developed as a portion of Woodmansee Park. This change will not have a significant effect on the transportation system.
This is a downgrade of the Comprehensive Plan from COM (Commercial) to MF (Multi Family Residential). The property is currently fully developed as multi-family residential. There is no change to the traffic generated by the change in Comprehensive Plan designation. These changes will not have a significant effect on the transportation system.

Map 22
This is a downgrade of the Comprehensive Plan from COM (Commercial) to MF (Multi Family Residential). The property is currently fully developed with residential uses. There is no change to the traffic generated by the change in Comprehensive Plan designation. These changes will not have a significant effect on the transportation system.

Map 23
This is an upgrade in Zoning from RA (Residential Agriculture) to RM2 (Multiple Family Residential 2). The property is currently classified as MF (Multi Family Residential) in the Comprehensive Plan. The property is currently developed with a single family home, however, given the existing Comprehensive Plan designation, higher traffic levels were already assumed on the transportation system. The potential increase in traffic from RA to RM2 is eight additional vehicles in the PM peak hour. The change in zoning will not have a significant effect on the transportation system.

Map 24
This is a downgrade of the Comprehensive Plan from MF (Multi Family Residential) to SF (Single Family Residential). The properties are currently zoned RS (Single Family Residential) and all of the lots are currently developed with single family homes. There is no change to the traffic generated by the change in Comprehensive Plan designation. This change will not have a significant effect on the transportation system.

Goal 13 – Energy Conservation

The parcels are located along developed streets within the City’s transportation system. This results in the parcels being consistent with the energy conservation requirements of this Goal.

Goal 14 – Urbanization

The proposal does not affect the Urban Growth Boundary and is consistent with the goal to maintain a compact and efficient urban area. This proposal complies with Goal 14.

Consistency with the Salem Area Comprehensive Plan

10. The Salem Area Comprehensive Plan (SACP) is the long-range plan for guiding development in the Salem urban area. The overall goal of the plan is to accommodate development in a timely, orderly, and efficient arrangement of land uses and public facilities and services that meet the needs of present and future residents of the Salem urban area.

The intent of the SACP is to ensure that the anticipated urban land needs are met. The Plan’s approach to this is to phase urbanization and rezonings over time which allows the City and property owners to be responsive to changing and evolving land demands while recognizing existing zoning.

SACP II.A.1. states that, the land use pattern that is shown on the map recognizes the zoning that has developed over time, with general designations of the land uses that are expected to be developed, as a result of: (1) demand, (2) the plan policies and intent statements, and (3) implementing regulations and processes. This Plan recognizes that the land use and zoning are expected to change during the time span of the Plan as conditions change. Additionally, SACP II.G.1. states that the zoning code shall be compatible and
consistent with the intent of the SACP.

The purpose of these legislative land use changes is to correct mapping errors that have occurred on the unofficial Comprehensive Plan Map so that an official digital map can be adopted. These changes will ensure that the zoning is compatible with the SACP designations. The recommendation for many of the properties is for a Comprehensive Plan designation change and/or a zone change. These recommended changes take into consideration the transportation network, the location of public facilities and utility systems and the needs of residents as required by the SACP (SACP11.A.1). The SACP allows for changes to designations and zoning over time that is compatible with the current land uses and meets land demands. The proposed changes are in compliance with the intent of the SACP.

Attachments:  
(1) Letter from Mr. Harish Patel, dated March 4, 2011  
(2) Maps 1-24 of recommended changes  
(3) Property Tracker table

Prepared by Lisa Anderson-Ogilvie, Planner III
March 4, 2011

Kim S. Moreland, AICP
City of Salem
Community Development Dept.
555 Liberty St. SE/ Room 305
Salem, Oregon 97301-3513

RE: (3573 Fisher Road NE) Landowner comment on Area Comprehensive Plan

Dear Ms. Moreland,

Thank you for sending the information on the proposed changes for the Salem Area Proposed Comprehensive Plan and Zoning Maps Designations. Property that we own on Fisher Road is affected by this proposal and we do not agree with the suggested changes, therefore we are asking that our property be allowed to retain its current classification.

In the current comprehensive plan our property is zoned Commercial with the land use zoned as Industrial Park. Under the proposed changes in the Comprehensive Plan it would change to Industrial with the land use remaining Industrial Park. Although the permitted use may not change we feel going from commercial to industrial diminishes the desirability and value of the area for future commercial development. We further believe the proposed change will deter higher quality commercial development around our property.

We originally purchased this land with the goal of developing a national brand hotel but with the economy’s turndown in 2008 and funding for hotel projects gone we have put our project on hold and are now waiting for the economy to recovery. When the timing is right to seek new funding for our project it will require a new appraisal and we strongly believe our property will have greater appeal and obtain a higher appraised value if the current comprehensive zoning remains in place.

Although we have no objection to the overall goals of the comprehensive plan and the city’s desire to be industrial friendly we are formally opposing changing the current comprehensive zone on our parcel.

Sincerely yours,

Harish S. Patel
SJP, LLC
Enc: Notice of zoning change
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**Legend:**
- SF = Single Family Residential
- MF = Multi-Family Residential
- COM = Commercial
- IC = Industrial
- C = Community Service
- E = Education
- G = General Commercial
- CR = Commercial Retail
- CO = Commercial Office
- R = Residential
- RA = Residential Agriculture
- POS = Parks, Open Space, and Outdoor Recreation
- * = Industrial Park
- PE = Public Education
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| 073W15DA09000 |                     | MF                  | SF                                    | RS                    | RS                    | RS                |

POS = Parks, Open Space and Outdoor Recreation; SF = Single-Family Residential; MF = Multi-Family Residential; COM = Commercial; IND = Industrial; CSE = Community Service; Education; OSG = Other Special Gathering; Government; RA = Residential Agriculture; RS = Residential; CR = Commercial Retail; G = General Commercial; IC = Industrial Commercial; I = Industrial Park; TP = Public Education; P = Public Amusement.
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POS = Parks/Open Space and Outdoor Recreation; SF = Single-Family Residential; MF = Multi-Family Residential; COM = Commercial; IND = Industrial; CSE = Community Service; ED = Education; CSG = Community Service - Government; RA = Residential Agriculture; RM2 = Multiple Family Residential; GC = General Commercial; CR = Commercial Retail; CO = Commercial Office; IC = Industrial; PE = Public Education; PA = Public Amusement.
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**Abbreviations:**
Parks, Open Space and Outdoor Recreation (POS), Single Family Residential (SF), Multi-Family Residential (MF), Commercial (COM), Industrial (IND), Community Service - Education (CS), Community Service - Government (CG), Single Family Residential (RF), Multiple Family Residential (RMF), Commercial Office (OC), Commercial Retail (CR), Public Education (PE).
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POS = Parks/Open Space and Outdoor Recreation; SF = Single-Family Residential; MF = Multi-Family Residential; COM = Commercial; IC = Industrial Commercial; IND = Industrial; CSE = Community Service - Education; CSG = Community Service - Government; RA = Residential Agriculture; RS = Residential Residential; RM2 = Multiple Family Residential; CG = General Commercial; CR = Commercial Retail; CO = Commercial Office; IO = Industrial Commercial; IP = Industrial Park; PE = Public Education; PA = Public Amusement.
ORDINANCE BILL NO. 31-12
AN ORDINANCE CHANGING THE ZONING DISTRICT DESIGNATION FOR CERTAIN PROPERTIES

The City of Salem ordains as follows:

Section 1. Findings. (a) Salem Revised Code and Salem Area Comprehensive Plan.

(1) The Salem Planning Commission initiated a legislative land use proceeding to conform the zoning district designation for certain properties more particularly identified on “Exhibit 1,” which is attached hereto and incorporated herein by reference.

(2) Consistency between the comprehensive plan and zoning district designations is in the public interest and benefits the public by allowing the safe and healthful development of land and by creating a logical and harmonious land use pattern in the City.

(3) The Salem Area Comprehensive Plan (SACP) is the long-range plan for guiding development in the Salem urban area. The overall goal of the plan is to accommodate development in a timely, orderly, and efficient arrangement of land uses and public facilities and services that meet the needs of present and future residents of the Salem urban area. Making the zoning and comprehensive plan designations for land within the City consistent with each other supports the orderly and efficient development of land, and is therefore consistent with the SACP.

SACP II.A.1. states that, the land use pattern that is shown on the map recognizes the zoning that has developed over time, with general designations of the land uses that are expected to be developed, as a result of: (1) demand, (2) the plan policies and intent statements, and (3) implementing regulations and processes. This Plan recognizes that the land use and zoning are expected to change during the time span of the Plan as conditions change.

SACP II.G.1. states that the zoning code shall be compatible and consistent with the intent of the SACP.

The purpose of these legislative zone changes is to correct inconsistency between the zoning designation and SACP designations that have occurred on the unofficial Comprehensive Plan Map so that an official digital map can be adopted. These changes will ensure that the zoning is compatible with the SACP designations. The recommended
changes take into consideration the transportation network, the location of public
facilities and utility systems, and the needs of residents as required by the SACP
(SACP11.A.1). The SACP allows for changes to designations and zoning over time that
is compatible with the current land uses and meets land demands. The proposed changes
are in compliance with the intent and purpose of the SACP.

(4) Hallman Elementary School - Map 1(b). The zoning designation for the property
identified as item 1 on “Exhibit 1” is Commercial Retail (CR), and has a Single-Family
Residential Comprehensive Plan designation. The property is developed as Hallman
Elementary School. A zone change from Commercial Retail (CR) to Single Family
Residential (RS) zoning for the property is appropriate, because it conforms to the Single-
Family Residential Comprehensive Plan designation, and is consistent with the use.

(5) 3573 Fisher Road, NE – Map 3(b). The zoning designation for the property
identified as item 2 on “Exhibit 1” is Industrial Park (IP), and the comprehensive plan
designation is Commercial. The property is currently vacant and is located to the north of
an extended stay motel and south of additional vacant property. The property to the north
is zoned Industrial Park (IP) and the property to the south is zoned General Commercial
(CG). Due to its visibility from Interstate 5 the owner has expressed an interest in
developing the property as a hotel or motel and requested that the City consider a zone
change to General Commercial (CG). A zone change to General Commercial (CG) is
compatible with the surrounding zoning and implements the current Comprehensive Plan
designation of Commercial.

(6) 2395 5th St, NE – Map 5(b). The zoning designation for the property identified as
item 3 on “Exhibit 1” is Single Family Residential (RS), and the Comprehensive Plan
designation is Commercial. The property has been vacant since the single family
residence was demolished in 1965. It is located on a minor arterial street (Pine Street,
NE) and is adjacent to commercial property. The owner of the property has stated that the
property may be purchased by the owner of the abutting property in order to expand the
parking lot for an existing commercial use. A zone change to Commercial Retail (CR) is
appropriate, because it conforms to the Commercial comprehensive plan designation and
is consistent with the adjacent use.
(7) 2120 Broadway St, NE – Map 7(b). The zoning designation for the property identified as item 4 on “Exhibit 1” is Multiple Family Residential (RM2) and Single Family Residential (RS), and the Comprehensive Plan designation is Community Services – Education and Multi-Family Residential. The property is part of Highland School Park. The Comprehensive Plan designation is proposed to be changed to Community Services – Education by separate ordinance. A zone change to Public Education is appropriate, because the zone change along with the Comprehensive Plan change will eliminate split zoning and comprehensive plan designations for the property and will reflect the use of the property as a school park.

(8) 14th St, SE – Map 17(b). The zoning designation for the property identified as item 5 on “Exhibit 1” is General Commercial (CG), and the Comprehensive Plan designation is Industrial. The property is owned by Tokyo International University, which uses it as a parking lot. The Comprehensive Plan designation is proposed to be changed to Community Services – Education by separate ordinance. A zone change to Public Education (PE) is appropriate as the proposed Public Education zoning and Community Services – Education comprehensive plan designation are consistent with each other and reflect the use of the property.

(9) Lee Street, SE and Mission Street, SE – Map 18(b). The zone designation for two properties identified as items 6 and 7 on “Exhibit 1” are General Commercial (CG), and the Comprehensive Plan designation is Multi-Family Residential. Both parcels are odd shaped, vacant and owned by the State of Oregon. They are surrounded by Multiple Family Residential (RM2) zoned property. A zone change to Multiple Family Residential (RM2) is appropriate for the properties as it is consistent with the Comprehensive Plan designation and use and zoning of adjacent properties.

(10) 5198 Skyline Road, S – Map 23(b). The zoning designation for the property identified as item 8 on “Exhibit 1” is Residential Agriculture (RA), and the Comprehensive Plan designation is Multi-Family Residential. The property is a large lot with one single family dwelling located on it. The surrounding parcels to the north and east are zoned Multiple Family Residential (RM2) and are developed with duplexes. Due to the size of the parcel and its location along a major arterial it is an appropriate property
for redevelopment for multi-family units. A zone change to Multiple Family Residential (RM2) is appropriate, because it implements the existing Multi-Family Residential Comprehensive Plan designation, and is consistent with the use and zoning of adjacent properties.

Section 2. 4000 Deerhaven Drive, NE. The zoning designation for that portion of the property located at 4000 Deerhaven Drive NE, as identified as Item 1 on “Exhibit 1,” and as shown on “Exhibit 2” (Map 1(b)) is changed from Commercial Retail (CR) to Single Family Residential (RS).

Section 3. 3573 Fisher Road, NE. The zoning designation for property located at 3573 Fisher Road, NE as identified as Item 2 on “Exhibit 1,” and shown on “Exhibit 3” (Map 3(b)) is changed from Industrial Park (IP) to General Commercial (CG).

Section 4. 2395 Fifth Street, NE. The zoning designation for property located at 2395 Fifth Street, NE, as identified as Item 3 on “Exhibit 1,” and shown on “Exhibit 4” (Map 5(b)) is changed from Single Family Residential (RS) to Commercial Retail (CR).

Section 5. Highland Park. The zoning designation for a portion of Highland School Park, as identified as Item 4 on “Exhibit 1,” and shown on “Exhibit 5” (Map 7(b)) is changed from Multiple Family Residential 2 (RM2) and Single Family Residential (RS) to Public and Private Education (PE).

Section 6. 14th Street, SE. The zoning designation for a property located on 14th Street, SE, identified as Item 5 on “Exhibit 1,” and shown on “Exhibit 6” (Map 17(b)) is changed from General Commercial (CG) to Public and Private Education (PE).

Section 7. Lee Street, SE. The zoning designation for two properties located on Lee Street, SE and Mission Street, SE, identified as Items 6 and 7 on “Exhibit 1,” and shown on “Exhibit 7” (Map 18(b)) are changed from General Commercial (CG) to Multiple Family Residential 2 (RM2).

Section 7. 5198 Skyline Road, S. The zoning designation for a property located at 5198 Skyline Road, S, identified as Item 8 on “Exhibit 1,” and shown on “Exhibit 8” (Map 23(b)) is changed from Residential Agriculture (RA) to Multiple Family Residential 2 (RM2).

Section 10. Official Zoning District Maps. The Planning Administrator is directed to change the official zoning district map designations as set forth herein.
Section 11. Severability. Each section of this ordinance and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

PASSED by the City Council this 22nd day of October, 2012.

ATTEST:

_____________________________
City Recorder

Approved by City Attorney:

Checked by: L. Anderson-Ogilvie

ORDINANCE 31-12- Page 5

COUNCIL OF THE CITY OF SALEM, OREGON
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RA – Residential Agriculture; RS – Single Family Residential; RM2 – Multiple Family Residential; CG – General Commercial; CR – Commercial Retail; IP – Industrial Park; PE – Public Education.
TO:  MAYOR AND CITY COUNCIL
THROUGH:  LINDA NORRIS, CITY MANAGER
FROM:  VICKIE HARDIN WOODS, DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT:  LEGISLATIVE CHANGES TO THE SALEM AREA COMPREHENSIVE PLAN MAP DESIGNATIONS AND ZONING DESIGNATIONS FOR 146 PROPERTIES AND ASSOCIATED NEIGHBORHOOD PLAN CHANGES TO THE WEST SALEM NEIGHBORHOOD PLAN AND HIGHLAND NEIGHBORHOOD PLAN

ISSUE:

Should the City Council advance Ordinance Bill No. 30-12 and 31-12, approving legislative changes to the Salem Area Comprehensive Plan Map designation and zoning designation for 146 properties and associated neighborhood plan changes to the West Salem Neighborhood Plan and Highland Neighborhood Plan to second reading?

RECOMMENDATION:

Staff recommends that the City Council advance Ordinance Bill No. 30-12 and 31-12, approving legislative changes to the Salem Area Comprehensive Plan Map designation and zoning designation for 146 properties and associated neighborhood plan changes to the West Salem Neighborhood Plan and Highland Neighborhood Plan to second reading.

SUMMARY:

The proposed legislative changes will provide consistent Comprehensive Plan and zoning designations for the 146 effected properties. Based on the Comprehensive Plan designation, zoning designations, the use of the property, and property owner input, changes to the Comprehensive Plan designation or the official zoning designation, or both, were identified for the 146 properties. All property owners were notified by letter and three community forums were held to discuss the project.

BACKGROUND:

The official Salem Area Comprehensive Area Plan (SACP) map is a generalized paper map dated January 12, 1987, as adopted by Salem Revised Code (SRC) 64.210. It is not accurate down to the parcel level, and cannot be easily reproduced.

City staff have been working toward the creation of digital map as the official Comprehensive Plan map to be adopted by the City Council. This map would provide accurate information on specific parcels and would provide more accurate information to the public. This action would be consistent with the adoption of the digital zoning map in February 2002.
Staff has identified 146 properties that have inconsistent Comprehensive Plan and zoning district designations. These inconsistencies should be resolved to be consistent with Oregon Revised Statues (ORS) 197.175(2)(b) which requires local governments to enact land use regulations to be consistent with their comprehensive plans. Staff have identified and recommended changes to the Comprehensive Plan designation or the official zoning district designation (or both) for each property, based on each property's current Comprehensive Plan designation, zoning designation, the use of the property, and property owner input.

FACTS AND FINDINGS:

1. The Planning Commission held a public hearing on the legislative changes on December 20, 2011 and recommends that the City Council approve the changes (Attachment 1).

2. Ordinance No. 30-12 will implement the proposed Comprehensive Plan designation changes and Neighborhood Plan designation changes. Ordinance 31-12 will implement the zoning designation changes.

3. The purpose of these legislative land use changes is to correct mapping errors that have occurred on the unofficial Comprehensive Plan Map so that an official digital map can be adopted. These changes will ensure that the SACP designations and zoning district designations for each property are consistent with each other. These recommended changes take into consideration the transportation network, the location of public facilities and utility systems and the needs of residents.

4. SRC 64.070 states that the criterion used by the City Council in making legislative changes to the SACP shall be what is, in its opinion, in the best interest of the public health, safety and welfare of its citizens; provided, however, that the City Council shall consider and accommodate as much as possible all applicable statewide planning goals.

As set forth in the staff report presented to the Planning Commission on December 11, 2011 (Attachment 1), the staff believes that the proposed changes to the Comprehensive Plan and zoning district designations for the 146 properties are in the best interest of the public health, safety and welfare of the citizens of the City of Salem, and accommodate and comply with the statewide planning goals and other policies.

Glenn W. Gross, Urban Planning Administrator


Prepared by Lisa Anderson-Ogilvie, Planner II

G:\CD\PLANNING\CASE APPLICATION FILES 2011-On\CPC-ZC Comp Plan Change-Zone Change\2011\1-Staff Reports\CC report CPC-NPC-ZC 11-04.docx
TO: PLANNING COMMISSION
FROM: GLENN W. GROSS
URBAN PLANNING ADMINISTRATOR
SUBJECT: LEGISLATIVE CHANGES TO THE SALEM AREA COMPREHENSIVE PLAN MAP DESIGNATIONS AND/OR ZONING DESIGNATIONS FOR 146 PROPERTIES AND ASSOCIATED NEIGHBORHOOD PLAN CHANGES TO THE WEST SALEM NEIGHBORHOOD PLAN AND HIGHLAND NEIGHBORHOOD PLAN

ISSUE

Should the Planning Commission approve a legislative change to the Salem Area Comprehensive Plan Map designation and/or zoning designation for 146 properties and associated neighborhood plan changes to the West Salem Neighborhood Plan and Highland Neighborhood Plan?

RECOMMENDATION

Staff recommends that the Planning Commission approve a legislative change to the Salem Area Comprehensive Plan Map designation and/or zoning designation for 146 properties and associated neighborhood plan changes to the West Salem Neighborhood Plan and Highland Neighborhood Plan.

BACKGROUND

The official Salem Area Comprehensive Area Plan (SACP) map is a generalized paper map dated January 12, 1987, as adopted by Salem Revised Code (SRC) 64.210. It is not accurate to the parcel level, cannot be easily reproduced and is not available for public distribution.

The City would like to adopt a digital map as the official Comprehensive Plan map. This map would provide accurate information on specific parcels and would be available to the public. This action would be consistent with the adoption of the digital zoning map in February 2002.

City staff has previously created an unofficial parcel specific digital Comprehensive Plan map. When this map was created some parcels were mistakenly given the wrong Comprehensive Plan designation due to the generalized nature of the original paper-based Comprehensive Plan map and the parcel specific detail of the unofficial digital map. While this map is an unofficial map the information on this map may have been conveyed to property owners or used by staff when determining a parcel's Comprehensive Plan designation.

After the creation of the unofficial digital map potential mapping errors were identified. Therefore, staff undertook a systematic process to evaluate the history of each parcel to ensure that these were errors and that there were no land use actions in support of the designations. We have verified that these 146 parcels have been given the wrong Comprehensive Plan designation on the unofficial digital map through a mapping error.

As staff reviewed the official Comprehensive Plan designation and the official zoning designation for each of these 146 parcels it became apparent that once the correct Comprehensive Plan designation was applied these properties would have inconsistent Comprehensive Plan designations and zoning designations. These inconsistencies must be resolved because Oregon Revised Statues (ORS) 197.175(2)(b) requires land use regulations to consistently implement the Salem Area Comprehensive Plan. Based on the Comprehensive Plan designation, zoning
Revised Statutes (ORS) 197.175(2)(b) requires land use regulations to consistently implement the Salem Area Comprehensive Plan. Based on the Comprehensive Plan designation, zoning designations, the use of the property, and property owner input appropriate changes to the Comprehensive Plan designation and/or the official zoning designation were identified for each parcel.

This staff report addresses the proposed changes for each of the affected parcels.

FACTS AND FINDINGS

1. Pursuant to SRC 300.1110(a)(2), the Planning Commission may initiate a legislative land use proceeding by the adoption of a resolution referring the matter to public hearing for review and recommendation to the City Council.

2. ORS 197.610 and OAR 660-018-0020 require that notice be provided to the Department of Land Conservation and Development (DLCD) on any proposed amendment to a local land use regulation at least 45 days prior to the first public hearing. Notice to DLCD was mailed on May 6, 2011.

3. Pursuant to SRC 300.1110(c), public notice was mailed on November 30, 2011, to all the neighborhood associations and interested parties. The notice was published in the Statesman Journal newspaper on December 8, 2011 and December 15, 2011.

4. Salem Revised Code (SRC) Section 64.040(f) defines a major plan change as a single proceeding which amends, supplements, or repeals SRC 64.020 to 64.220 including the comprehensive plan other than a minor plan change. This request is a Category 2 and 3 major plan change, which is a legislative act. Salem Revised Code Section 64.070 establishes the approval criteria for a legislative Comprehensive Plan Map amendment.

5. Citizen and Neighborhood Association Comments
   
   A. All affected neighborhood associations were notified of the proposal and staff presentations were made before the West Salem Neighborhood Association and the Highland Neighborhood Association meeting. As of the date of this staff report no official comments have been received.

   B. All property owners were mailed notification of the proposal. Only one property owner submitted written comments. Mr. Harish Patel, owner of the parcel outlined on Map 3, submitted a letter requesting a Commercial designation and a CG (General Commercial) zone for his property. Mr. Patel also requested that all three of his parcels be included in the proposed changes (Attachment 1).

   Staff Response: The Commercial designation and CG (Commercial General) zone request for the parcel outlined on Map 3 are reflected in the staff recommendation. Mr. Patel’s other two parcels are not included in the proposed changes. Mr. Patel has objected to only one of his parcels being considered for this change as he wants all three parcels to have the Commercial designation and CG (Commercial General) zoning. Staff explained that only his southern parcel had a mapping error and therefore this is the only parcel that can be included in this project. Staff has provided Mr. Patel with information necessary for him to request a Comprehensive Plan Change and zone change for his remaining parcels.

6. Public and Private Agency Comments
   
   A. Salem Electric has reviewed the proposal and stated that they will provide electrical service according to the rates and policies in effect at the time of development.
B. Salem Keizer Transit reviewed the proposal and indicated that they have no comments.

C. NW Natural Gas has reviewed the proposal and commented that they have no conflict with the proposal.

D. PGE has reviewed the proposal and commented that development cost per tariff and service requirements and a 10 foot PUE is required on all front street lots.

7. City Department Comments
   A. The Building and Safety Department has reviewed the proposal and indicated no objections.
   B. The Police Department has reviewed the proposal and indicated no objections.
   C. The Fire Department has reviewed the proposal and indicated no objections.
   D. The Public Works Department, Parks and Transportation Services Division, has reviewed the proposal. The Urban Forester has indicated that he has no comments. The Assistant City Traffic Engineer has reviewed the proposal for consistency with the Transportation Planning Rule. His findings are provided in section 9 of this report.

Legislative Approval Criteria

8. SRC 64.070 states that the criterion used by the City Council in making such changes shall be what is, in its opinion, in the best interest of the public health, safety, and welfare of its citizens; provided, however, that the City Council shall consider and accommodate as much as possible all applicable statewide planning goals.

Finding:

Providing a digital Comprehensive Plan map is in the best interest of the public health, safety, and welfare of its citizens as it will allow staff to provide accurate information to property owners. The current official map is a black and white paper map that does not have parcel lines, making it difficult to discern designations for properties. The unofficial digital map is used by staff to determine designations but has not always been accurate. By making sure the digital map is accurate through this legislative process, and then adopting the digital map as the official map, staff and citizens can be assured that their property’s Comprehensive Plan designation is accurate.

The specific changes for each group of properties (by map number) are addressed individually below (Attachment 2). A table listing each property by map number, tax lot number, and address (where applicable) and the current Comprehensive Plan designation and zoning as well as the recommended changes, is attached to this report (Attachment 3).

Map 1

The official Comprehensive Plan designation of Single-Family Residential will not be changed but will now be accurately shown in our digital Comprehensive Plan map. This is a Zone change for a portion of 4000 Deerhaven Drive NE. This property is developed as Hallman Elementary School. It has a Single-Family Residential Comprehensive Plan designation and currently has a CR (Commercial Retail) zoning designation. The proposal would change the zoning to RS (Single Family Residential), which implements the Single-Family Residential Comprehensive Plan designation. A school is permitted in the RS (Single
Family Residential) zone as a special use.

Map 2

This is a Comprehensive Plan designation change for 40 properties located on the western side of Portland Road NE, from Bill Frey Drive NE south to the railroad tracks, from an Industrial Designation to an Industrial-Commercial Designation. The properties are zoned IC (Industrial Commercial) and are within the Portland/Fairgrounds Road Overlay zone. They are mostly developed with a combination of industrial, commercial and residential uses, except for the southern most parcels which are owned by the Urban Renewal Agency of the City of Salem and are currently vacant. Leaving the existing Industrial Comprehensive Plan designation and changing the zoning to an implementing zone (such as General Industrial) would leave many of the uses as non-conforming uses. Therefore, a Comprehensive Plan change to Industrial-Commercial, to match the existing zoning and current uses, is most appropriate for these properties.

Map 3

The official Comprehensive Plan designation of Commercial will not be changed but will now be accurately shown in our digital Comprehensive Plan map. This is a Zone change from IP (Industrial Park) to CG (General Commercial). This property is currently vacant and is located to the north of an extended stay motel and south of additional vacant property. The property to the north is zoned IP (Industrial Park) and the property to the south is zoned CG (General Commercial). Due to its visibility from Interstate 5 the owner has expressed an interest in developing the property as a hotel or motel and requested that we consider a zone change to CG (General Commercial). This zone is compatible with the surrounding zoning and implements the current Comprehensive Plan designation of Commercial.

Map 4

This is a Comprehensive Plan change from Multi-Family Residential to Single-Family Residential for four properties. All four properties are currently developed with single family dwellings and are zoned RS (Single Family Residential). Surrounding designations include Multi-Family Residential to the west, Commercial to the west and south and Single-Family Residential to the north and east. This change is appropriate because it reflects the use of the properties and the surrounding area.

Map 5

This is a Comprehensive Plan designation change and a zone change. The official Comprehensive Plan designation of Commercial will change to Single-Family Residential for 2415, 2365 and 2385 5th Street NE and 535 Pine Street NE. These properties will retain their RS (Single Family Residential) zoning. The Comprehensive Plan designation for 2395 5th Street NE will remain Commercial. This property will have a zone change from RS (Single Family Residential) to CR (Commercial Retail). These changes will result in the following Comprehensive Plan designation and zoning:

2415, 2365 and 2385 5th Street NE and 535 Pine Street NE: Single-Family Residential designation and RS (Single Family Residential) zoning
2395 5th Street NE: Commercial designation and CR (Commercial Retail) zoning

This Comprehensive Plan change is appropriate for 2415, 2365 and 2385 5th Street NE and 535 Pine Street NE because they are developed with single family dwellings and are currently zoned RS (Single Family Residential). The properties to the north, south and east are zoned for and developed with single family dwellings.

This zone change is appropriate for 2395 5th Street NE because it has been vacant since the
single family was demolished in 1965. It is located on a minor arterial street (Pine Street NE) and is adjacent to commercial property. The owner of the property has stated that this vacant parcel may be purchased by the abutting property owner (Josey's Family Restaurant) in order to expand their parking lot.

Neighborhood Plan Change: The Highland Neighborhood Plan designates 2395 5th Street NE as Single Family Residential on the plan's land use map. This change would result in a change to the Highland Neighborhood Plan. The parcel is adjacent to a Neighborhood Convenience designated area. The plan describes the intent of Neighborhood Convenience as providing locations for stores and personal services which are close to residential areas, are easily accessible and are used frequently by neighborhood residents. This parcel will most likely be incorporated into an existing restaurant use and it is therefore appropriate for it to have a Neighborhood Convenience designation.

Map 6

This is a Comprehensive Plan designation change for 35 properties located on 4th Street NE. The official Comprehensive Plan designation will change from Multi-Family Residential to Single-Family Residential. All properties are currently developed as single family dwellings and are zoned RS (Single Family Residential). Surrounding designations include Multi-Family Residential to the west and south, Commercial to the north and Single-Family Residential to the east. This change is appropriate because it reflects the use of the properties and the surrounding area.

Map 7

This is a Comprehensive Plan designation change and a zone change for a portion of Highland School Park. The official Comprehensive Plan designation of Community Services -- Education and Multi-Family Residential will change to Community Services -- Education. The current RM2 (Multiple Family Residential) and RS (Single Family Residential) zoning will change to PE (Public Education). These changes are appropriate as they will eliminate split designations and zoning for the property and will reflect the use of the property as a school park.

Map 8

This is a Comprehensive Plan designation change for two parcels to a Commercial designation. A portion of 1100 Academy Street NE is designated as Single-Family Residential and a portion of 2135 Fairgrounds Road NE is designated as Multi-Family Residential on the official Comprehensive Plan map. Both properties are zoned CG (General Commercial) and are developed as a parking lot and a flea market respectively. The surrounding designations are Single-Family Residential to the northwest and Commercial to the southeast. The change to a Commercial designation reflects the use of the parcels and the current zoning.

Neighborhood Plan Change: The Highland Neighborhood Plan designates a portion of 1100 Academy Street NE Single Family Residential on the plan's land use map. This change would result in a change to the Highland Neighborhood Plan. The Highland Plan states that the intent of the Community Shopping designation is to provide locations for a wide variety of goods and services, including both convenience stores for neighborhood residents and shopping facilities for a market area consisting of several neighborhoods. A change to a Community Shopping designation is appropriate because the parcel is developed with a parking lot and has not been in residential use. Redevelopment of this parcel to a residential use is unlikely because the abutting parcels to the immediate west and east are both developed as parking lots and this parcel is not within one of the mixed use nodes of the overlay zone.
Map 9

This is a Comprehensive Plan designation change for 10 parcels on 17th Street NE. The official Comprehensive Plan designation of Parks, Open Space, and Outdoor Recreation will change to Single-Family Residential. The parcels are currently zoned RS (Single Family Residential) and are all developed with single family dwellings. This change is appropriate as it will reflect the use of the parcels and provide consistent Comprehensive Plan designation and zoning.

Map 10

This is a Comprehensive Plan designation change for 8 parcels on Sunnyview Road NE and Byram Street NE. The official Comprehensive Plan designation of Multi-Family Residential will change to Single-Family Residential. The parcels are currently zoned RS (Single Family Residential) and are all developed with single family dwellings. This change is appropriate as it will reflect the use of the parcels and provide consistent Comprehensive Plan designation and zoning.

Map 11

This is a Comprehensive Plan designation change for one parcel located on Sunnyview Road NE, between Hawthorne Avenue NE and Interstate 5. The official Comprehensive Plan designation of Single-Family Residential will change to Community Services – Government. The zoning designation of PA (Public Amusement) will remain the same. The parcel is owned by the State of Oregon and is vacant except for a detention basin and a cell phone tower. The triangle shaped parcel abuts Interstate 5 and a major and minor arterial which makes it inappropriate for single family residential development. The proposed change will more accurately reflect the use of the property and the zoning.

Map 12

This is a Comprehensive Plan designation change for a portion of a parcel located on Glen Creek Road NW. The official Comprehensive Plan designation of Parks, Open Space, and Outdoor Recreation will change to Industrial. The current IP (Industrial Park) zoning designation will remain the same. The parcel is developed with a parking lot for the adjacent West Salem Courthouse Athletic Club. The proposed change will provide one Comprehensive Plan designation for the entire parcel and will reflect the zoning and use of the parcel.

Neighborhood Plan Change: The proposed change also requires a change to the West Salem Neighborhood Plan for this property. The 2004 plan shows this property as "recommended for land use change." The plan recommended that the property be redesignated as a Center. The Center designation allows for residential, neighborhood retail, restaurant, employment, public space, and civic uses. The recommended change was not implemented and the property is currently developed as a parking lot for the adjacent West Salem Courthouse Athletic Club. The Neighborhood Center Mixed-Use (NCMU) zone has been adopted by the City Council but has not yet been applied to any specific parcels. There is no evidence that NCMU zone will be requested by the owners of this parcel or in fact applied to this parcel in the near future. Therefore, a change to the West Salem Neighborhood Plan in conjunction with the proposed Comprehensive Plan change is appropriate for this parcel.

Map 13

This is a Comprehensive Plan designation change for a portion of a parcel located on Glen Creek Road NW. The official Comprehensive Plan designation of Industrial will change to Parks, Open Space, and Outdoor Recreation. The current PA (Public Amusement) zoning
designation will remain the same. This parcel is a portion of Wallace Marine Park. This change will reflect the zoning and use of the parcel.

*Neighborhood Plan Change:* The proposed change also requires a change to the West Salem Neighborhood Plan for this property. The 2004 plan shows this property as "recommended for land use change." The plan recommended that the property be redesignated as a Center. The Center designation allows for residential, neighborhood retail, restaurant, employment, public space, and civic uses. The recommended change was not implemented and the property is a portion of Wallace Marine Park. The Neighborhood Center Mixed-Use (NCMU) zone has been adopted by the City Council but has not yet been applied to any specific parcels. There is no evidence that NCMU zone will be requested by the owners of this parcel (the City) or in fact applied to this parcel in the near future. Therefore, a change to the West Salem Neighborhood Plan in conjunction with the proposed Comprehensive Plan change is appropriate for this parcel.

**Map 14**

This is a Comprehensive Plan designation change for 9 parcels on Statesman Street NE north of Center Street NE. The official Comprehensive Plan designation of Multi-Family Residential will change to Single-Family Residential. The parcels are currently zoned RS (Single Family Residential) and are all developed with single family dwellings. This change is appropriate as it will reflect the use of the parcels and provide consistent Comprehensive Plan designation and zoning.

**Map 15**

This is a Comprehensive Plan designation change for a parcel located on the corner of 18th Street NE and Center Street NE. The official Comprehensive Plan designation of Multi-Family Residential will change to Commercial. The current CO (Commercial Office) zoning designation will remain. The parcel is in use as an insurance office and has been for many years. This change is appropriate as it will reflect the use of the parcel and provide consistent Comprehensive Plan designation and zoning.

**Map 16**

This is a Comprehensive Plan designation change for 5 parcels on Ferry Street SE, just west of 17th Street SE. The official Comprehensive Plan designation of Multi-Family Residential will change to Commercial. The current CO (Commercial Office) zoning designation will remain. The parcels are developed with abutting and adjacent parcels as a physician's clinic and parking lot. This change is appropriate as it will reflect the use of the parcels and provide consistent Comprehensive Plan designation and zoning.

**Map 17**

This is a Comprehensive Plan designation change and a zone change for a parcel located on 14th Street SE to the east of the Union Pacific Railroad tracks. The official Comprehensive Plan designation of Industrial will change to Community Services - Education. The current zoning of CG (General Commercial) will change to PE (Public Education). The parcel is owned by Tokyo International University which uses it as a parking lot. These changes are appropriate as it will reflect the use of the parcel and provide consistent Comprehensive Plan designation and zoning.

**Map 18**

The official Comprehensive Plan designation of Multi-Family Residential will not be changed but will now be accurately shown in our digital Comprehensive Plan map. This is a Zone.
change for two parcels on Lee Street SE and Mission Street SE. The current zoning of GC (General-Commercial) will be changed to RM2 (Multiple Family Residential). Both parcels are odd shaped, vacant and owned by the State of Oregon. They are surrounded by RM2 (Multiple Family Residential) zoned property. This change is appropriate as it will reflect the use of the parcels and provide consistent Comprehensive Plan designation and zoning.

Map 19

This is a Comprehensive Plan designation change for two parcels located on Liberty Circle S. The official Comprehensive Plan designation of Single-Family Residential and Commercial will change to Multi-Family Residential. The current RM2 (Multiple Family Residential) zoning designation will remain the same. The parcels are developed with seven units in a court apartment configuration. This change is appropriate as it will reflect the use of the parcels and provide consistent Comprehensive Plan designation and zoning.

Map 20

This is a Comprehensive Plan designation change for a portion of a parcel located on Sunnyside Road SE. The official Comprehensive Plan designation of Single-Family Residential will change to Parks, Open Space, and Outdoor Recreation. The current PA (Public Amusement) zoning designation will remain the same. This parcel is a portion of Woodmansee Park. This change is appropriate as it will reflect the use of the parcels and provide consistent Comprehensive Plan designation and zoning.

Map 21

This is a Comprehensive Plan designation change for a parcel located on Boone Road SE. The official Comprehensive Plan designation of Commercial will change to Multi-Family Residential. The current RM2 (Multiple Family Residential) zoning designation will remain the same. This parcel is developed with a 38-unit multi-family apartment complex. This change is appropriate as it will reflect the use of the parcel and provide consistent Comprehensive Plan designation and zoning.

Map 22

This is a Comprehensive Plan designation change for two parcels located on Skyline Village Loop S. The official Comprehensive Plan designation of Commercial will change to Multi-Family Residential. The current RM2 (Multiple Family Residential) zoning designation will remain the same. These parcels are both developed with a duplex. The abutting parcels are zoned RM2 (Multiple Family Residential) and are also developed with duplexes. This change is appropriate as it will reflect the use of the parcels and provide consistent Comprehensive Plan designation and zoning.

Map 23

The official Comprehensive Plan designation of Multi-Family Residential will not be changed but will now be accurately shown in our digital Comprehensive Plan map. This is a Zone change for one parcel located on Skyline Road S. The current RA (Residential Agriculture) zoning designation will change to RM2 (Multiple Family Residential). The parcel is a large lot with one single family dwelling located on it. The surrounding parcels to the north and east are zoned RM2 (Multiple Family Residential) and are developed with duplexes. Due to the size of the parcel and its location along a major arterial it is an appropriate parcel for redevelopment for multi-family units. This zone change is appropriate because the RM2 (Multiple Family Residential) zoning will implement the existing Multi-Family Residential Comprehensive Plan designation.

Map 24
This is a Comprehensive Plan designation change for 9 parcels located on Summercrest Drive S. The official Comprehensive Plan designation of Multi-Family Residential will change to Single-Family Residential. The current RS (Single Family Residential) zoning designation will remain the same. The surrounding parcels to the north and west are zoned RM2 (Multiple Family Residential) and are developed with duplexes. The surrounding parcels to the south and east are zoned RS (Single Family Residential) and are developed with single family dwellings. These parcels are developed with single family dwellings. This change is appropriate as it will reflect the use of the parcels and provide consistent Comprehensive Plan designation and zoning.

Statewide Planning Goals

9. SRC 64.070 states that the proposal shall consider and accommodate as much as possible all applicable statewide planning goals.

Goal 1 – Citizen Involvement

All affected property owners were mailed letters describing the project and how it would affect their property on January 31, 2011. The letters included a Frequently Asked Questions flyer, a map of their property, a description of the proposed changes, the dates and locations of three Community forums to discuss the project, a link to the City’s project webpage and staff contact information.

Three community forums were held in February and March of 2011 in different areas of town to provide property owners a chance to meet with staff to discuss the project. Additionally, a project webpage, which has been created and maintained by staff, provides information on the project including dates of public hearings and staff reports.

All property owners were provided notice of the Planning Commission public hearing as required by SRC Chapter 300. This satisfies Citizen Involvement described in Goal 1.

Goal 2 – Land Use Planning

The Salem Area Comprehensive Plan (SACP) is acknowledged to be in compliance with the Statewide Planning Goals.

Goal 3 – Agricultural Lands

There are no known agricultural lands on the affected parcels.

Goal 4 – Forest Lands

There are no known forest lands on the affected parcels.

Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources

There are no known scenic, historic, natural, or cultural resources on the affected parcels. The City’s tree preservation ordinance, historic preservation ordinance and any applicable wetland standards will continue to apply to the affected parcels as applicable.

Goal 6 – Air, Water and Land Resources Quality

Most of the affected parcels are developed to City standards for water, sewer, and storm drainage. Any development on the vacant parcels will be required to meet City standards. This legislative case has no significant impacts to the quality of the air, water or land.
Goal 7 – Areas Subject to Natural Disasters and Hazards

There are no known natural hazards existing on the affected parcels. In the event a hazard is identified, the City’s tree protection, landslide, and floodplain development standards will be applied and will ensure compliance with Goal 7.

Goal 8 – Recreational Needs

Three portions of parcels that are developed as parks are affected by this legislative change. The affected parcels are: Map 7: Highland Park; Map 13: Wallace Marine Park; and Map 20: Woodmansee Park. These changes will ensure that park lands are given the appropriate Comprehensive Plan designation and zoning designation.

Ten parcels and a portion of another parcel are being changed from the Parks, Open Space, and Outdoor Recreation Comprehensive Plan designation and are being given a more appropriate designation based on the use of the property and their current zoning. The affected parcels are on Map 10 and Map 12. These parcels are already developed and are not providing recreational opportunities for the City. Therefore, these changes will not remove lands from our recreational needs supply.

Goal 9 – Economic Development

The majority of the affected parcels are already developed. Some of the parcels will be changed from a Commercial or Industrial Comprehensive Plan designation or equivalent zoning to a non-Commercial or Industrial designation. However, these parcels are already developed for residential or park use and therefore are not being removed from the City’s Commercial or Industrial land supply.

Additionally, 10 parcels will change to Commercial or Industrial designations; all of these parcels are already developed with commercial or industrial uses and therefore, will not be adding to the City’s Commercial or Industrial land supply.

Goal 10 - Housing

The parcels that currently have a Multi-Family Residential designation or zoning that will no longer be designated as Multi-Family Residential are already developed with either a commercial or industrial use or are existing single family dwellings that do not have a great potential for redevelopment due to their location, the surrounding uses and the general character of the immediate neighborhoods. Therefore, these changes will not be reducing the City’s overall supply of Multi-Family Residential land.

The parcels that are being added to the City’s Multi-Family Residential land supply are already developed with apartments, cottage housing and duplexes except for one large parcel that is developed with a single family dwelling and one vacant parcel. The single family dwelling parcel has potential for redevelopment into a multi-family development due to its location along a major arterial, the surrounding developments and the general character of the immediate neighborhood. The vacant parcel is small and irregularly shaped but is surrounded by multi-family land and could be combined with adjacent parcels for redevelopment.

The parcels that are being added to the City's Single-Family Residential land supply are already developed with single family dwellings, except for one parcel which is developed as an elementary school.
The parcels that currently have a Single-Family Residential designation or zoning that will no longer be designated for as Single-Family Residential are developed as parks, a commercial parking lot and apartments. Two of the parcels are vacant and are not suitable for single family residential development due to their location on a major arterial, the adjacent developments and the irregular parcel shape. One parcel is currently developed with a single family dwelling but is located on a large parcel and is surrounded by multi-family dwellings and is suitable for redevelopment for multi-family. Therefore, these changes will not be reducing the City's overall supply of Single-Family Residential land.

Goal 11 – Public Facilities and Services

The City maintains an infrastructure of public facilities and services as the framework for urban development. These services are made available in a timely and orderly fashion resulting in efficient urban development. The majority of the sites are already developed and served by public facilities. Facilities and services can be provided to the vacant sites at the time of their development in accordance with the City’s public utilities plans.

Goal 12 – Transportation

None of the changes of either the Comprehensive Plan or Zoning of the 146 properties will cause a traffic or operational issue that would be inconsistent with the Transportation Planning Rule.

Map 1
This is a downgrade in the Zoning from CR (Retail Commercial) to RS (Single Family Residential). There is a reduction in the potential traffic that could be generated by the change in zoning. This change in zoning will not have a significant effect on the transportation system.

Map 2
This is an upgrade in the Comprehensive Plan from IND (Industrial) to IC (Industrial Commercial). The properties identified on this map are currently zoned IC (Industrial Commercial) and are developed to a mix of industrial and commercial uses consistent with the IC zoning. The proposed change modifies the Comprehensive Plan designation to be consistent with the existing zoning and development patterns. This change in the Comprehensive Plan will not have a significant effect on the transportation system because the area is already fully built out.

Map 3
This is an upgrade in Zoning from IP (Industrial Park) to CG (General Commercial). The property is currently classified as COM (Commercial) in the Comprehensive Plan. The property is currently undeveloped, however, given the existing Commercial Comprehensive Plan designation, higher traffic levels are already assumed on the transportation system. The change in zoning will not have a significant effect on the transportation system.

Map 4
This is a downgrade in the Comprehensive Plan from MF (Multi Family Residential) to SF (Single Family Residential). There is a reduction in the potential traffic that could be generated by the change in zoning and the properties area already developed with single family homes. This change in Comprehensive Plan will not have a significant effect on the transportation system.

Map 5
This is a combination of a downgrade of the Comprehensive Plan from COM (Commercial) to SF (Single Family Residential) for four parcels and an upgrade of the Zoning on one parcel from RS (Single Family Residential) to CR (Commercial Retail). The net result of the
changes in the Comprehensive Plan and Zoning is a reduction in the potential traffic that could be generated. These changes will not have a significant effect on the transportation system.

**Map 6**
This is a downgrade of the Comprehensive Plan from MF (Multi Family Residential) to SF (Single Family Residential). There is a reduction in the potential traffic that could be generated by the change in Comprehensive Plan designation. This change will not have a significant effect on the transportation system.

**Map 7**
This is a combination of a downgrade of the Comprehensive Plan from MF (Multi Family Residential) to CSE (Community Service – Education) and downgrade in the Zoning from RM2 (Multiple Family Residential 2) and RS (Single Family Residential) to PE (Public/Private Education). The property is currently owned by the City of Salem and developed as a city park and will not be redeveloped to a more intensive use. These changes will not have a significant effect on the transportation system.

**Map 8**
This is an upgrade of the Comprehensive Plan from MF (Multi Family Residential) and SF (Single Family Residential) to COM (Commercial). The property is currently zoned CG (General Commercial) and is fully developed as a retail center. There is no change to the traffic generated by the change in Comprehensive Plan designation. This change will not have a significant effect on the transportation system.

**Map 9**
This is an upgrade of the Comprehensive Plan from POS (Parks, Open Space) to RS (Single Family Residential). The properties are currently zoned RS (Single Family Residential) and all of the lots are currently developed with single family homes. There is no change to the traffic generated by the change in Comprehensive Plan designation. This change will not have a significant effect on the transportation system.

**Map 10**
This is a downgrade of the Comprehensive Plan from MF (Multi Family Residential) to SF (Single Family Residential). The properties are currently zoned RS (Single Family Residential) and all of the lots are currently developed with single family homes. There is no change to the traffic generated by the change in Comprehensive Plan designation. This change will not have a significant effect on the transportation system.

**Map 11**
This is a downgrade of the Comprehensive Plan from SF (Single Family Residential) to CSG (Community Service – Government). The property is owned by the Oregon Department of Transportation and is currently undeveloped. This property is currently used as a stormwater detention facility for Interstate 5. This change will not have a significant effect on the transportation system.

**Map 12**
This is an upgrade of the Comprehensive Plan from POS (Parks, Open Space) to IND (Industrial). There is no change to the zoning, which remains IP (Industrial Park). The property is currently developed as a parking lot to accommodate the required parking for the Courthouse Athletic Club. The alignment of Marine Drive NW cuts through the eastern portion of the area. There is the potential to increase the traffic generated by the change in Comprehensive Plan designation by two additional PM peak vehicles. This change will not have a significant effect on the transportation system.
This is a downgrade of the Comprehensive Plan from IND (Industrial) to POS (Parks, Open Space). The current Zoning of the property is PA (Public Amusement) and is developed as a portion of Wallace Marine Park. The property is located within the Willamette River floodway and as such is not developable. This change will not have a significant effect on the transportation system.

Map 14
This is a downgrade of the Comprehensive Plan from MF (Multi Family Residential) to SF (Single Family Residential). The properties are currently zoned RS (Single Family Residential) and all of the lots are currently developed with single family homes. There is a reduction in the potential traffic that could be generated by the change in Comprehensive Plan designation. This change will not have a significant effect on the transportation system.

Map 15
This is an upgrade of the Comprehensive Plan from MF (Multi Family Residential) to COM (Commercial). The property is currently zoned CO (Commercial Office) and is developed with an office use in a single family home. The potential increase in traffic from Multi Family to Commercial Office is five additional vehicles in the PM peak hour. This change will not have a significant affect on the transportation system.

Map 16
This is an upgrade of the Comprehensive Plan from MF (Multi Family Residential) to COM (Commercial). The property is currently zoned CO (Commercial Office) and is developed as a medical office. There is no change to the traffic generated by the change in Comprehensive Plan designation. This change will not have a significant affect on the transportation system.

Map 17
This is a combination of a downgrade of the Comprehensive Plan from IND (Industrial) to CSE (Community Service - Education) and downgrade in the Zoning from CG (General Commercial) to PE (Public/Private Education). The property is currently owned by the Tokyo International University and currently developed as a parking lot and a sports field. There is no change to the traffic generated by the change in Comprehensive Plan designation. These changes will not have a significant effect on the transportation system.

Map 18
This is a downgrade in the Zoning from CG (General Commercial) to RM2 (Multiple Family Residential 2). There is a reduction in the potential traffic that could be generated by the change in zoning. This change in zoning will not have a significant effect on the transportation system.

Map 19
This is a combination of a downgrade of the Comprehensive Plan from COM (Commercial) to MF (Multi Family Residential) and an upgrade from SF (Single Family Residential) to MF (Multi Family Residential). The property is currently fully developed as multi-family residential. There is a reduction in the potential traffic that could be generated by the change in Comprehensive Plan designation. These changes will not have a significant effect on the transportation system.

Map 20
This is downgrads of the Comprehensive Plan from SF (Single Family Residential) to POS (Parks, Open Space). The property is currently developed as a portion of Woodmansee Park. This change will not have a significant effect on the transportation system.

Map 21
This is a downgrade of the Comprehensive Plan from COM (Commercial) to MF (Multi Family Residential). The property is currently fully developed as multi-family residential. There is no change to the traffic generated by the change in Comprehensive Plan designation. These changes will not have a significant effect on the transportation system.

*Map 22*
This is a downgrade of the Comprehensive Plan from COM (Commercial) to MF (Multi Family Residential). The property is currently fully developed with residential uses. There is no change to the traffic generated by the change in Comprehensive Plan designation. These changes will not have a significant effect on the transportation system.

*Map 23*
This is an upgrade in Zoning from RA (Residential Agriculture) to RM2 (Multiple Family Residential 2). The property is currently classified as MF (Multi Family Residential) in the Comprehensive Plan. The property is currently developed with a single family home, however, given the existing Comprehensive Plan designation, higher traffic levels were already assumed on the transportation system. The potential increase in traffic from RA to RM2 is eight additional vehicles in the PM peak hour. The change in zoning will not have a significant effect on the transportation system.

*Map 24*
This is a downgrade of the Comprehensive Plan from MF (Multi Family Residential) to SF (Single Family Residential). The properties are currently zoned RS (Single Family Residential) and all of the lots are currently developed with single family homes. There is no change to the traffic generated by the change in Comprehensive Plan designation. This change will not have a significant effect on the transportation system.

**Goal 13 – Energy Conservation**
The parcels are located along developed streets within the City's transportation system. This results in the parcels being consistent with the energy conservation requirements of this Goal.

**Goal 14 – Urbanization**
The proposal does not affect the Urban Growth Boundary and is consistent with the goal to maintain a compact and efficient urban area. This proposal complies with Goal 14.

**Consistency with the Salem Area Comprehensive Plan**

10. The Salem Area Comprehensive Plan (SACP) is the long-range plan for guiding development in the Salem urban area. The overall goal of the plan is to accommodate development in a timely, orderly, and efficient arrangement of land uses and public facilities and services that meet the needs of present and future residents of the Salem urban area. The intent of the SACP is to ensure that the anticipated urban land needs are met. The Plan's approach to this is to phase urbanization and rezonings over time which allows the City and property owners to be responsive to changing and evolving land demands while recognizing existing zoning.

SACP II.A.1. states that, *the land use pattern that is shown on the map recognizes the zoning that has developed over time, with general designations of the land uses that are expected to be developed, as a result of: (1) demand, (2) the plan policies and intent statements, and (3) implementing regulations and processes. This Plan recognizes that the land use and zoning are expected to change during the time span of the Plan as conditions change. Additionally, SACP II.G.1. states that the zoning code shall be compatible and*
consistent with the intent of the SACP.

The purpose of these legislative land use changes is to correct mapping errors that have occurred on the unofficial Comprehensive Plan Map so that an official digital map can be adopted. These changes will ensure that the zoning is compatible with the SACP designations. The recommendation for many of the properties is for a Comprehensive Plan designation change and/or a zone change. These recommended changes take into consideration the transportation network, the location of public facilities and utility systems and the needs of residents as required by the SACP (SACP11.A.1). The SACP allows for changes to designations and zoning over time that is compatible with the current land uses and meets land demands. The proposed changes are in compliance with the intent of the SACP.

Attachments: (1) Letter from Mr. Harish Patel, dated March 4, 2011
   (2) Maps 1-24 of recommended changes
   (3) Property Tracker table

Prepared by Lisa Anderson-Ogilvie, Planner III
March 4, 2011

Kim S. Moreland, AICP
City of Salem
Community Development Dept.
555 Liberty St. SE / Room 305
Salem, Oregon 97301-3513

RE: (3573 Fisher Road NE) Landowner comment on Area Comprehensive Plan

Dear Ms. Moreland,

Thank you for sending the information on the proposed changes for the Salem Area Proposed Comprehensive Plan and Zoning Maps Designations. Property that we own on Fisher Road is affected by this proposal and we do not agree with the suggested changes, therefore we are asking that our property be allowed to retain its current classification.

In the current comprehensive plan our property is zoned Commercial with the land use zoned as Industrial Park. Under the proposed changes in the Comprehensive Plan it would change to Industrial with the land use remaining Industrial Park. Although the permitted use may not change we feel going from commercial to Industrial diminishes the desirability and value of the area for future commercial development. We further believe the proposed change will deter higher quality commercial development around our property.

We originally purchased this land with the goal of developing a national brand hotel but with the economy's downturn in 2008 and funding for hotel projects gone we have put our project on hold and are now waiting for the economy to recovery. When the timing is right to seek new funding for our project It will require a new appraisal and we strongly believe our property will have greater appeal and obtain a higher appraised value if the current comprehensive zoning remains in place.

Although we have no objection to the overall goals of the comprehensive plan and the city's desire to be industrial friendly we are formally opposing changing the current comprehensive zone on our parcel.

Sincerely yours,

Harsh S. Patel
SJP, LLC

Enc: Notice of zoning change
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**Legend:**
- POS = Park, Open Space, and Outdoor Recreation
- SF = Single Family Residential
- MF = Multi-Family Residential
- IND = Industrial
- CSE = Community, Service, Education
- CSG = Community Service
- GOV = Government
- PA = Residential Agriculture
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**Notes:**
Parks: Open Space and Outdoor Recreation; SF: Single Family Residential; MF: Multi-Family Residential; COM: Commercial; IC: Industrial Commerical; IND: Industrial; CSE: Community Service; ED: Education; CSG: Community Service; GOV: Government; RA: Residential Agriculture; RS: Residential Single Family; RM2: Multiple Family Residential; CR: Commercial Retail; CO: Commercial Office; IG: Industrial; P: Industrial Park; PE: Public Education; PA: Public Amusement.
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