



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

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www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: June 17, 2015

Jurisdiction: City of Salem

Local file no.: CA 15-01

DLCD file no.: 002-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 06/10/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 47 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.:

Received:

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See OR 660-018-0040). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use Form 4 for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use Form 5 for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use Form 6 with submittal of an adopted periodic review task.

Jurisdiction: City of Salem

Local file no.: **CA15-01**

Date of adoption: 05/26/2015 Date sent: 6/10/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

- Yes: Date (use the date of last revision if a revised Form 1 was submitted): 03/11/2015
- No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No
If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Amy Dixon, Planner II

Phone: 503-540-2304 E-mail: adixon@cityofsalem.net

Street address: 555 Liberty St SE, Rm 305 City: Salem Zip: 97301

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from _____ to _____ . _____ acres. A goal exception was required for this change.
- Change from _____ to _____ . _____ acres. A goal exception was required for this change.
- Change from _____ to _____ . _____ acres. A goal exception was required for this change.
- Change from _____ to _____ . _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): _____ . _____

- The subject property is entirely within an urban growth boundary
- The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

An amendment to Salem Revised Code Chapter 900 (Sign Code) to allow for the reconstruction of historic signs and to clarify rules for downtown sidewalk signs.

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from	to	. Acres:
Change from	to	. Acres:
Change from	to	. Acres:
Change from	to	. Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: . Acres added: . Acres removed:

Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts:

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

- 1) Transmittal letter and Ordinance No. 7-15
- 2) Public hearing staff report dated April 27 and May 11, 2015
- 3) Staff report dated March 23, 2015



COMMUNITY DEVELOPMENT DEPARTMENT

555 Liberty St. SE / Room 305 • Salem, OR 97301-3503 • (503) 588-6173 • (503) TTY 588-6353 • (503) Fax 588-6005

June 10, 2015

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

**NOTICE OF FINAL DECISION: Ordinance No. 7-15
Amending SRC Chapter 900, Sign Code**

YOU ARE HEREBY NOTIFIED that the City Council of the City of Salem adopted Ordinance No. 7-15 at the May 26, 2015 session. Ordinance No. 7-15 amends the above-referenced chapter relating to signs in historic districts. A copy of the 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, 775 Summer St NE, Suite 330, Salem OR 97301-1283, **not later than 21 days after June 10, 2015**. Anyone with questions regarding filing an appeal with the Oregon Land Use Board of Appeals should contact an attorney.

The complete case file 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.

Lisa Anderson-Ogilvie,
Urban Planning Administrator

Attached: Ordinance No. 7-15

1
2 **ORDINANCE BILL NO. 7-15**

3 AN ORDINANCE RELATING TO HISTORIC SIGNS; AMENDING SRC 900.275

4 *The City of Salem ordains as follows:*

5 **Section 1.** SRC 900.275 is amended to read as follows:

6 **900.275. Historic Districts.** In addition to other regulations applicable to permanent signs
7 within this Chapter, signs in historic districts shall be designed and approved in accordance
8 with SRC Chapter 230, except that reconstruction or installation of historic signs in
9 commercial historic districts are not subject to SRC 900.130(b)(2), 900.130(c), 900.135(b),
10 900.135(c), 900.140(b), 900.140(d), 900.140(e), 900.140(f), 900.145(a), 900.145(b),
11 900.145(e), 900.150(a)(1), 900.150(a)(2), or 900.200.


12 **Section 2. Codification.** In preparing this ordinance for publication and distribution, the City
13 Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but within such
14 limitations, may:

- 15 (a) Renumber sections and parts of sections of the ordinance;
- 16 (b) Rearrange sections;
- 17 (c) Change reference numbers to agree with renumbered chapters, sections or other parts;
- 18 (d) Delete references to repealed sections;
- 19 (e) Substitute the proper subsection, section or chapter, or other division numbers;
- 20 (f) Change capitalization and spelling for the purpose of uniformity;
- 21 (g) Add headings for purposes of grouping like sections together for ease of reference; and
- 22 (h) Correct manifest clerical, grammatical or typographical errors.

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

26 PASSED by the City Council this 26 day of May, 2015.

27 ATTEST:

28 *Quille Mattie*
City Recorder
29 Approved by City Attorney: 

30 Checked by: A. Dixon

FOR CITY COUNCIL MEETING OF:
AGENDA ITEM NO.:

April 27, 2015
4(a)
May 11, 2015
4(a)

TO: MAYOR AND CITY COUNCIL
THROUGH: *Kacey Duncan*
KACEY DUNCAN, INTERIM CITY MANAGER
FROM: GLENN W. GROSS, COMMUNITY DEVELOPMENT DIRECTOR *GWG*
SUBJECT: SUPPLEMENTAL REPORT - AMENDMENTS TO SALEM REVISED
CODE CHAPTER 900 TO ALLOW FOR THE RECONSTRUCTION OF
HISTORIC SIGNS (CA 15-01)

ISSUE:

Should City Council advance Ordinance Bill No. 7-15, amending Salem Revised Code Chapter 900 (Sign Code) in order to allow for the reconstruction of historic signs, to second reading for enactment?

RECOMMENDATION:

Advance Ordinance Bill No. 7-15, amending Salem Revised Code Chapter 900 (Sign Code) in order to allow for the reconstruction of historic signs, to second reading for enactment.

FACTS AND FINDINGS:

This report is to update the staff recommendation to advance Ordinance Bill No. 7-15, which amends Salem Revised Code Chapter 900 (Sign Code) in order to allow for the reconstruction of historic signs, to second reading for enactment.



Lisa Anderson-Ogilvie

Lisa Anderson-Ogilvie, Urban Planning Administrator

Prepared by Amy J. Dixon, Planner II

FOR CITY COUNCIL MEETING OF:
AGENDA ITEM NO.:

March 23, 2015
8.1(a)

TO: MAYOR AND CITY COUNCIL
THROUGH:  LINDA NORRIS, CITY MANAGER
FROM: GLENN W. GROSS, COMMUNITY DEVELOPMENT DIRECTOR 
SUBJECT: AMENDMENTS TO SALEM REVISED CODE CHAPTER 900 TO ALLOW
FOR THE RECONSTRUCTION OF HISTORIC SIGNS
(CA 15-01)

ISSUE:

Should City Council:

- (1) Refer the proposal to the Planning Commission or Historic Landmarks Commission for further deliberation;
- (2) Refer the proposal to a subcommittee for further review;
- (3) Abandon the proposal, or;
- (4) Conduct first reading of Ordinance Bill No. 7-15, which amends Salem Revised Code Chapter 900 (Sign Code) in order to allow for the reconstruction of historic signs, schedule a public hearing on the proposal, and after the hearing, proceed with enactment of an ordinance?

RECOMMENDATION:

Conduct first reading of Ordinance Bill No. 7-15 which amends Salem Revised Code Chapter 900 (Sign Code) in order to allow for the reconstruction of historic signs, schedule a public hearing on the proposal, and after the hearing, proceed with enactment of an ordinance.

SUMMARY AND BACKGROUND:

The proposed code amendment would exempt the installation of replica historic signs in the downtown historic district from some of the sign code standards as long as the sign meets the design standards contained in the historic preservation code.

In 2014, staff was approached by a downtown property owner about replicating a sign that had been on a historic contributing building. Salem Revised Code (SRC) Chapter 230 (Historic Preservation Code) allows for this type of sign with sufficient historical, pictorial, and physical documentation, which the applicant was able to provide. Although, the sign is allowed under SRC Chapter 230, the sign does not meet the design requirements in the Sign Code. After reviewing the Sign and Historic Preservation Codes, it was determined that an amendment to the Sign Code is appropriate to address this and other similar situations. The amendment would exempt the installation of historic signs from some of the

applicable sign standards. The approval criteria for the installation of historic signs or replica of historic signs would be contained in the Historic Preservation Code.

FACTS AND FINDINGS:

Procedural Findings:

1. Under SRC 300.1110(a)(3), legislative land use proceedings may be initiated by staff. Council may schedule a public hearing after first reading; refer the proposal to the Planning Commission or Historic Landmarks Commission for further deliberation; refer the proposal to a subcommittee for further review; or abandon the proposal.
2. Oregon Revised Statutes (ORS) 197.610 and Oregon Administrative Rules (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 35 days prior to the first public hearing. DLCD notice was sent on March 13, 2015.

Public Outreach

1. On January 15, 2015, Staff presented information to the Historic Landmarks Commission on the conflict between the Sign Code and the Historic Preservation Code. Historic Landmarks Commission took action and voted to recommend that staff pursue an amendment to allow historic or replication of historic signs to be reviewed pursuant to the Historic Preservation Code. Their recommendation is attached. (Attachment A)
2. On February 17, 2015, staff presented information to Central Area Neighborhood Development Association (CAN-DO). Their letter of support is attached (Attachment B)
3. On February 24, 2015, staff presented information to the Downtown Advisory Board. They took action and voted to recommend an amendment that would address the issue and allow historic or replication of historic signs. Their recommendation is attached. (Attachment C)

Proposed Amendments

SRC 900.275: Reassigns review and approval of historic or replica of historic sign to SRC Chapter 230 (Historic Preservation Code).

Code Amendment Approval Criteria and Analysis

SRC 110.085 establishes the following approval criteria which must be met in order for a code amendment to be approved:

1. *The amendment is in the best interest of the public health, safety, and welfare of the City; and*

Finding: The proposed amendments to allow for historic or reconstruction of historic signs is in the best interest of the public health, safety, and welfare of the City because the amendments make it possible to install historic signs to better meet the needs of the community, including business owners and patrons of downtown.

2. *The amendment conforms with the Salem Area Comprehensive Plan, applicable Statewide Planning Goals, and applicable administrative rules adopted by the Department of Land Conservation and Development.*

Finding: 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 proposed amendment was reviewed for conformance with the applicable SACP goals and policies. The following SACP goal relates to the proposed amendments:

Goal 1 – Citizen Involvement: *To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

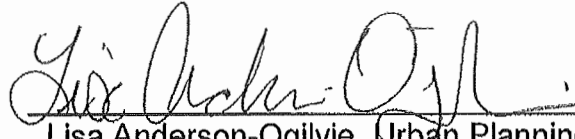
The proposed amendments conform to this goal because staff has presented to various organizations and as required by SRC Chapter 300, legislative land use proceedings require public notice and hearing that will afford the public an opportunity to review, comment, and take part in the approval process.

Goal 5 – Natural Resources, Scenic And Historic Areas, and Open Spaces: *To protect natural resources, scenic and historic areas, and open spaces resources for present and future generations.*

The proposed amendment is consistent with this goal by modifying and clarifying the standards applicable to signs on historic buildings and structures to ensure that designated structures are preserved. The proposed amendments reassign review of historic or replica of historic sign to Historic Preservation Code.

Alternatives:

1. Refer the proposal to the Planning Commission or Historic Landmarks Commission for further deliberation;
2. Refer the proposal to a subcommittee for further review; or
3. Abandon the proposal.



Lisa Anderson-Ogilvie, Urban Planning Administrator

- Attachments:
- A. Historic Landmarks Commission Recommendation
 - B. Letter in Support from Central Area Neighborhood Development Association (CAN-DO)
 - C. Downtown Advisory Board Recommendation

Prepared by Amy J. Dixon, Planner II

G:\CD\PLANNING\CASE APPLICATION Files 2011-On\CODE AMENDMENTS\CA15-01 - Ch 900 - Review of Reconstructed Historic Signs (Amy)\CA15-01 staff report.docx



ATTACHMENT A

COMMUNITY DEVELOPMENT DEPARTMENT

555 Liberty St. SE / Room 305 • Salem, OR 97301-3503 • (503) 588-6173 • (503) TTY 588-6353 • (503) Fax 588-6005

January 21, 2015

Mayor Anna M. Peterson and Salem City Council
555 Liberty St. SE
Salem, OR 97301

RE: Code Amendment- Sign Code

Dear Mayor Peterson and City Councilors:

At the Salem Historic Landmarks Commission meeting on January 15, 2015, the Salem Historic Landmarks Commission heard an overview of the proposed code amendments to the sign code and voted unanimously to recommend support of the proposed changes. Currently the historic code encourages the reconstruction and restoration of historic signs within the Salem Downtown Historic District, and the Historic Landmarks Commission strongly supports amending the sign code to allow this as well.

Thank you very much for the opportunity to review and comment on the proposed amendment to the sign code.

Sincerely,

Andrew Hendrie, Chair
Historic Landmarks Commission



To: Mayor Anna Peterson, Members of the Salem City Council and Salem City Manager

From: The Central Area Neighborhood Development Organization (CANDO)

Date: March 9, 2015

Re: Proposed SRC amendments concerning historic signs

The CANDO Board joins the Salem Historic Landmarks Commission in recommending amendments to the SRC sign code being developed by City Staff (Amy Dixon and Kimberli Fitzgerald) that would eliminate impediments to the reconstruction and restoration of historic signs within the Salem Downtown Historic District when those signs comply with the applicable provisions of the historic code.

Michael Livingston
CANDO Chair

MINUTES

Downtown Advisory Board

Tuesday, February 24, 2015-- 12:00 P.M.

PW Traffic Control Conference Room

Civic Center, Room 325

This Action Agenda/Minutes complements the MP3 recording of the meeting, which may be reviewed at www.cityofsalem.net/DAB1. CALL TO ORDER

Call to Order and Roll Call: 12:00 PM

Roll Call: Christian Bryant, Chair; Jennifer Martin, Vice-Chair; Garth Brandaw; Brad Compton; Paul Gehlar; Jill Munger; Maria Palacio; Bill Puntney; Dana Vugteveen;

Excused: Brian Moore; Allan Pollock

Unexcused: David Fox; Tyler Jackson

Staff: Renee Frazier; Anita Sandoval; Sheri Wahrgren, Kimberli Fitzgerald

2. APPROVAL OF AGENDA

Motion: Move to approve the agenda for February 24, 2015, as presented.

Motion by: Board Member Martin

Seconded by: Board Member Puntney

Action: Approved the agenda for February 24, 2015, as presented.

Vote: Aye: Unanimous **Motion PASSES**

3. APPROVAL OF MINUTES

Motion: Move to approve the Minutes from February 12, 2015, as presented.

Motion by: Board Member Vugteveen

Seconded by: Board Member Puntney

Action: Approved the Minutes from February 12, 2015, as presented.

Vote: Aye: Unanimous **Motion PASSES**

4. REPORT ON COMMITTEES - None5. PUBLIC COMMENT on items not on the agenda - None.6. ACTION ITEMSa) **FY 2015-16 Riverfront-Downtown Urban Renewal Budget – Renee Frazier**

Handout – RF Revenue and Expenditures – Proposed FY 2015-16 Budget

Ms Frazier reviewed the discussion from the last meeting, noting there is approximately \$1.7 M to be allocated.

Motion: Move to recommend \$2.5M for Property Acquisition and \$710,590 for an Opportunity Fund.

Motion by: Board Member Vugteveen

Seconded by: Board Member Puntney

Comments & Questions: Vugteveen, Martin, Gehlar, Wahrgren, Bryant, Brandaw, Palacio

Amended Motion: Move to recommend \$2.5 M for Property Acquisition; \$250,000 for the Loan Program; and \$460,590 for an Opportunity Fund.
Second by: Board Member Puntney
Vote: *Aye: Unanimous* **Motion PASSES**

b) **Sign Code amendment to exempt historic and replica signs - Kimberli Fitzgerald**

Handout – Vintage photograph of sign on location

New owners of the Grand Theater are wanting to reconstruct a historic sign on the building. Currently the size/scale of the original historic sign would not be allowed under the existing sign code. The proposed amendment will allow historic contributing buildings the option to either have signage approved under the current code or to reconstruct historic signage with supporting documentation and historic review/approval.

Motion: Move to approve to support the amendment to the Sign Code as presented.

Motion by: Board Member Brandaw

Seconded by: Board Member Gehlar

Action: Approved recommending support to amend the Sign Code as presented.

Vote: *Aye: Unanimous* **Motion PASSES**

Comments and Questions: Martin, Gehlar, Vugteveen

7. **OLD BUSINESS** -

a) **SKEF Grant Exemption**

Handout – Withdrawal letter from SKEF

A letter was submitted to the Mayor and Agency Board withdrawing SKEF's request to apply for a Capital Toolbox Grant Program.

Comments and Questions: Wahrgren

8. **NEW BUSINESS**

a) **What's Happening?**

Jennifer Martin provided a brief update on the Shire property (old Delon Auto group site). The site is comprised of five lots; two of those lots are still available on the Commercial Street Side for about \$5M with an approximate price per square foot of \$35.00.

b) **Police Facility**

Jennifer Martin provided a brief update on the potential use of RDURA funds for the police facility. It has been determined those monies cannot be used for due diligence as it would require an amendment to add the project to the RDURA Plan. The next task force meeting is March 11 – 6-8 pm - location tbd.

Comments and Questions: Brandaw, Martin

ADJOURN

Chair Bryant adjourned the meeting at 1:10 PM. The next meeting will be held on Tuesday, March 24 2015, in the Public Works Traffic Control Conference Room.