



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

AMENDED NOTICE OF ADOPTED AMENDMENT

December 12, 2007



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Salem Plan Amendment
DLCD File Number 011-07

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: December 28, 2007

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

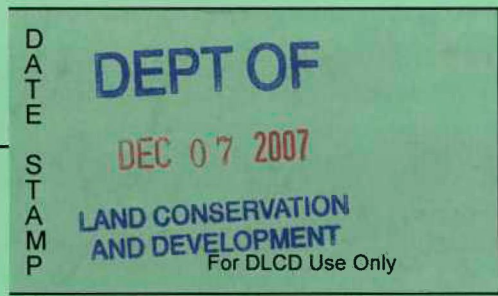
If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

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

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Jason Locke, DLCD Regional Representative
Bryce Bishop, City of Salem

<paa> yal

NOTICE OF ADOPTION



THIS FORM **MUST BE MAILED** BY DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

Jurisdiction: City of Salem Local File Number: CA 07-4
Date of Adoption: November 13, 2007 Date Mailed: December 5, 2007
Date this Notice of Proposed Amendment was mailed to DLCD: August 8, 2007

Comprehensive Plan Text Amendment Comprehensive Plan Map Amendment
 Land Use Regulation Amendment Zoning Map Amendment
 New Land Use Regulation Other: _____

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

Amended Salem Revised Code (SRC) Chapter 143B (Portland/Fairgrounds Road Overlay Zone) to remove the minimum Floor-Area-Ratio (FAR) requirement from Area 1: The Pine Street Mixed-Use Area of the Portland/Fairgrounds Road Overlay Zone.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME." If you did not give notice for the Proposed Amendment, write "N/A."

Same

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

Was an Exception Proposed: _____ YES NO

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (45) days prior to first evidentiary hearing? Yes No
If no, do the statewide planning goals apply? Yes No
If no, did Emergency Circumstances require immediate adoption? Yes No

Affected State of Federal Agencies, Local Governments or Special Districts:

Local Contact: Bryce Bishop, Associate Planner Phone: (503) 588-6173 Extension: 7599
Address: 555 Liberty Street SE, Room 305 City: Salem
Zip: 97301 E-Mail Address: bbishop@cityofsalem.net

DLCD File No: 011-07(16293)

1 **A BILL FOR ORDINANCE NO. 120-07**

2 AN ORDINANCE RELATING TO THE PORTLAND/FAIRGROUNDS ROAD OVERLAY
3 ZONE; AMENDING SRC 143B.170.

4 *The City of Salem ordains as follows:*

5 **Section 1.** SRC 143B.170 is amended to read:

6 **143B.170. DEVELOPMENT DENSITY.**

7 (a) Non-residential uses and mixed-use developments shall be developed at a minimum
8 Floor Area Ratio (FAR) of .50 within defined mixed-use areas, **except within Area I, where**
9 **there is no minimum FAR requirement.**

10 (b) Residential uses shall be developed at a minimum density of 20 dwelling units per
11 acre, except where the second floor of a mixed-use building is entirely used for housing.
12 Residential density shall be a non-variable standard.

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

16 PASSED by the Council this 13th day of November, 2007.

17 ATTEST:

18 *Kathy Hall*
19 City Recorder

20 Approved by City Attorney: *[Signature]*

21 Checked by: B. Bishop

22
23 G:\GROUP\LEGAL\Council\102207 Portland_Fairgrounds Road Overlay Zone ord.wpd

CERTIFICATION OF MAILING

STATE OF OREGON)
CITY OF SALEM)

I, Judy Copeland, do hereby certify that I, on the 5th day of December 2007 caused to be sent interoffice to the Department of Land Conservation and Development Notice of Adoption for Code Amendment 07-4

A copy of which is filed in the case file.

DATED at Salem, Oregon, this 5th day of December 2007



Judy Copeland, Staff Assistant

CITY OF *Salem*
AT YOUR SERVICE
COMMUNITY DEVELOPMENT
Planning Division
555 Liberty St. SE / Room 305
Salem, OR 97301-3513

X

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