



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

NOTICE OF ADOPTED AMENDMENT

March 17, 2008

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Salem Plan Amendment
DLCD File Number 002-08



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: March 31, 2008

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

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

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

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

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NOTICE OF ADOPTION

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MAR 10 2008

LAND CONSERVATION
AND DEVELOPMENT

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: CPC/ZC 07-10

Date of Adoption: March 4, 2008 Date Mailed: March 7, 2008

Date this Notice of Proposed Amendment was mailed to DLCD: December 31, 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."

Changed the Salem Area Comprehensive Plan map designation from "Single-Family Residential" to "Multi-Family Residential" and the zone district from RA (Residential Agricultural) to RM2 (Multiple Family Residential) for property approximately .57 acres in size and located in the 2400 Blk of Fisher Road NE (Marion County Assessor's map and tax lot number 072W18CC04500).

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

Same

Plan Map Changed from: Single Family Residential to: Multi Family Residential

Zone Map Changed from: RA (Residential Agriculture) to: RM2 (Multiple Family Residential)

Location: 2400 Block of Fisher Road NE Acres Involved: 0.57

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: Lisa Anderson, Associate Planner Phone: (503) 588-6173 Extension: 7581

Address: 555 Liberty Street SE, Room 305 City: Salem

Zip: 97301 E-Mail Address: lmanderson@cityofsalem.net

DLCD File No: 002-08 (16618)

RESOLUTION NO.: PC 08-4

COMPREHENSIVE PLAN CHANGE/ZONE CHANGE 07-10

WHEREAS, a petition for a Comprehensive Plan change from

Single Family Residential to Multi-Family Residential,

and zone change from

RA (Residential Agriculture) to RM2 (Multiple Family Residential)

for property located in the

2400 Block of Fisher Road NE

was filed by

Greater Northwest Construction, Terry Bergamo, Applicant
NW Land Development Services, Steve Kay, Representative

with the Planning Commission of the City of Salem, and

WHEREAS, after due notice, a public hearing on the proposed changes was held before the Planning Commission on March 4, 2008, at which time witnesses were heard and evidence received; and

WHEREAS, the Planning Commission having carefully considered the entire record of this proceeding including the testimony presented at the hearing, after due deliberation and being fully advised; NOW THEREFORE

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SALEM, OREGON:

Section 1. FINDINGS:

The Planning Commission hereby adopts as its findings of fact the staff report(s) on this matter dated March 4, 2008, herewith attached and by this reference incorporated herein.

Section 2. ORDER.

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

(a) The proposed Comprehensive Plan change in this matter from Single Family Residential to Multi-Family Residential be granted;

(b) The zone change from RA (Residential Agriculture) to RM2 (Multiple Family Residential) for the above defined area be granted, subject to the following conditions:

1. At the time of building permit the applicant shall improve the accessway and provide a sidewalk connection from the development to Fisher Road NE. The sidewalk will be placed within the improved access easement or adjacent to the access easement. The sidewalk shall measure at least 3 feet in width and shall be paved. The sidewalk shall be separated from the vehicle portion of the accessway by curbs, stripes, or raised pavement markers

ADOPTED by the Planning Commission this 4th day of March 2008.


President, Planning Commission

Appeal of a Planning Commission decision is to the Salem City Council (Council), as set forth in Section 114.200 of the Salem Revised Code (SRC). Written notice of an appeal and the applicable fee shall be filed with the Planning Administrator within fifteen days after the record date of the decision. Salem Revised Code 114.210 states that whether or not an appeal is filed, the Council may, by majority vote, initiate review of a Planning Commission decision by resolution filed with the City Recorder. Such a review shall be initiated prior to the adjournment of the first regular Council meeting following Council notification of the Planning Commission decision. Review shall proceed according to SRC Section 114.200.

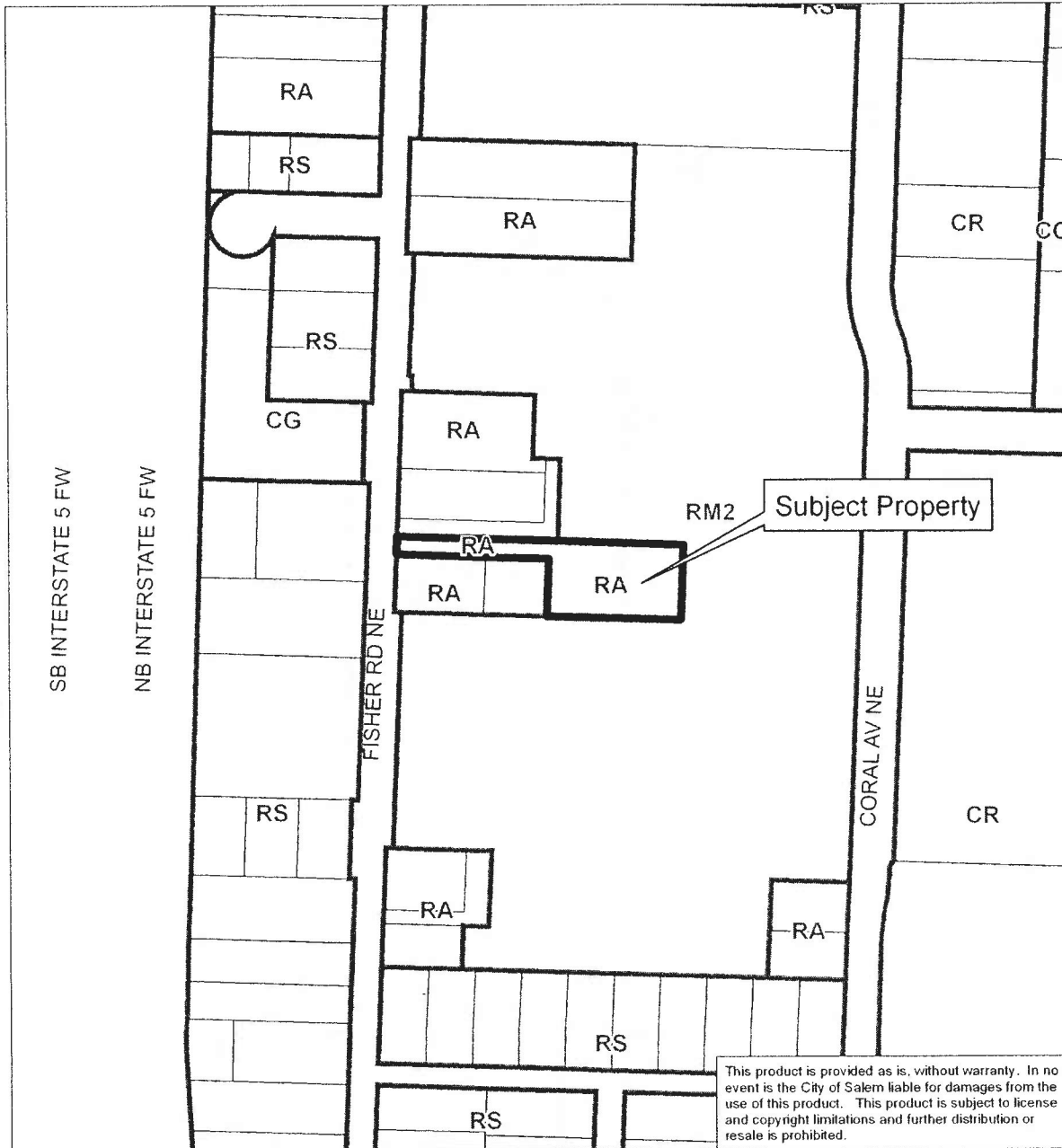
APPEAL PERIOD ENDS: March 20, 2008

Copies of the staff report containing the Facts and Findings adopted by the Planning Commission are available upon request at Room 305, Civic Center, during City business hours, 8:00 a.m. to 5:00 p.m.

Planning Commission Vote:

Yes 7 No 0

Comprehensive Plan Change/Zone Change 07-10



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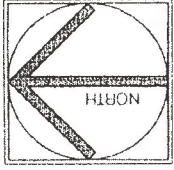
Legend

- Base Zoning
- Urban Growth Boundary
- Outside Salem City Limits
- Taxlots
- Parks
- Schools

0 50 100 200 Feet

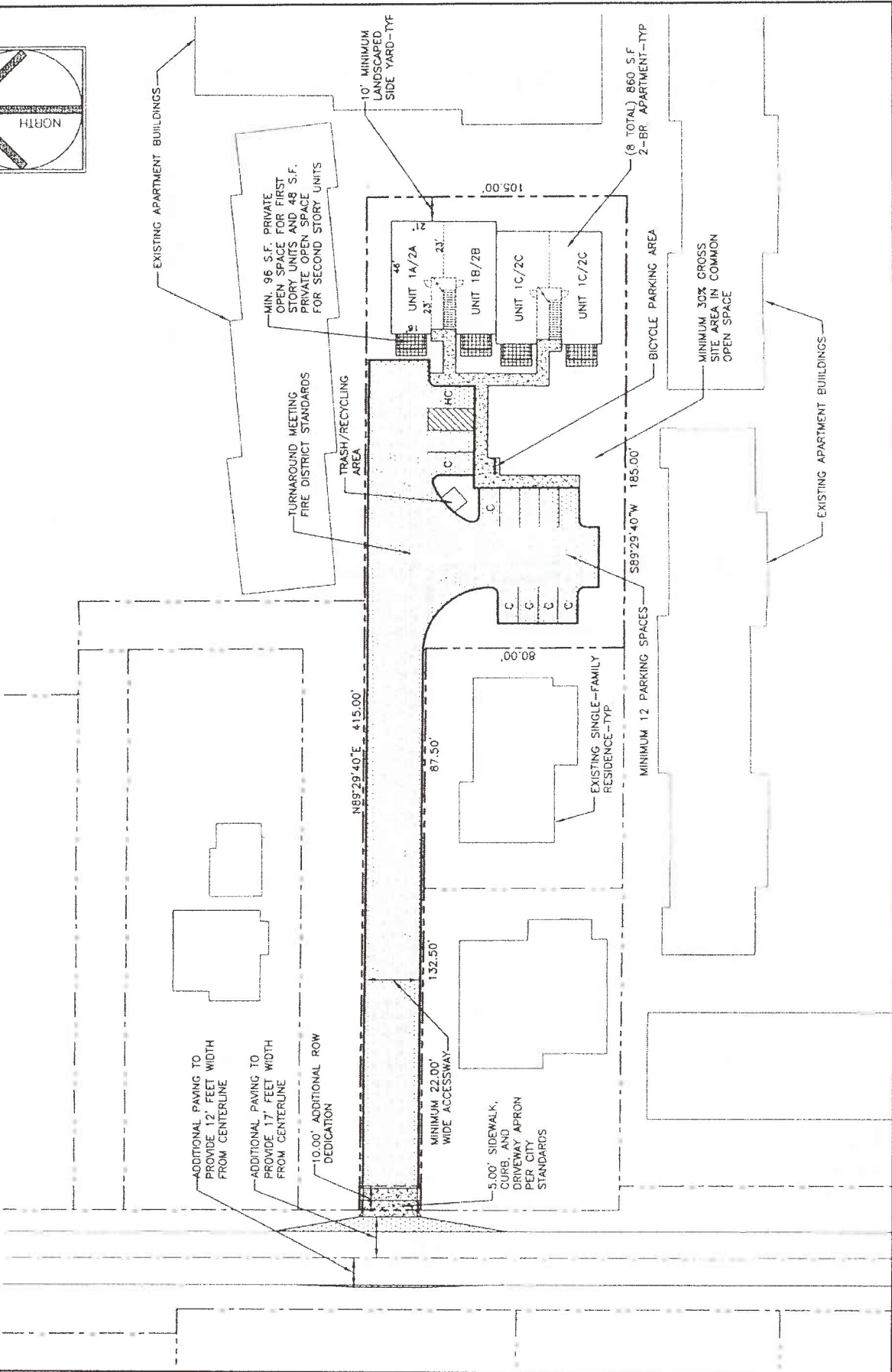


CITY OF *Salem*
AT YOUR SERVICE
Community Development Dept.



PREPARED FOR

TERRY BERGAMO
1500 WEST WYOMING STREET
520 CANT STREET
SILVERTON, OR 97381



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

X

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