

RESOLUTION NO. 2016-35

A RESOLUTION INITIATING MAJOR COMPREHENSIVE PLAN AMENDMENTS PERTAINING TO THE SALEM RIVER CROSSING PREFERRED ALTERNATIVE TO AMEND THE SALEM TRANSPORTATION SYSTEM PLAN, MODIFY THE URBAN GROWTH BOUNDARY, TAKE AN EXCEPTION TO STATEWIDE PLANNING GOAL 15 (WILLAMETTE RIVER GREENWAY), AND AN AMENDMENT TO CHAPTER 64 OF THE SALEM REVISED CODE TO AMEND THE DEFINITIONS OF THE SALEM TRANSPORTATION SYSTEM PLAN AND THE URBAN GROWTH BOUNDARY

Whereas, the Salem River Crossing refers to the environmental planning process that the City of Salem has been working on with the Oregon Department of Transportation (ODOT), the City of Keizer, Marion County, Polk County, the Salem Area Mass Transit District, the Salem-Keizer Area Transportation Study, and the Federal Highway Administration to identify the preferred location for a new bridge crossing of the Willamette River in the Salem-Keizer area; and

Whereas, the Salem River Crossing Oversight Team recommended a preferred alternative in February 2014, and work is underway to document the preferred alternative in the Final Environmental Impact Statement; and

Whereas, the State Agency Coordination Rule (Oregon Administrative Rule 731-015-0075(3)) requires that ODOT rely on affected cities and counties to make all plan amendments and zone changes necessary to achieve compliance with the statewide planning goals and compatibility with local comprehensive plans prior to completion of the Final Environmental Impact Statement; and

Whereas, land use actions are required to demonstrate consistency with Statewide Planning Goals 12 (Transportation), 14 (Urbanization), and 15 (Willamette River Greenway); and

Whereas, the Salem Transportation System Plan (TSP) is a component of the Salem Area Comprehensive Plan as referenced in Salem Revised Code (SRC) 64.015(a)(5); and

Whereas, it is necessary to amend the Salem TSP to include the project and make associated changes to maintain consistency with the Salem TSP and the Salem Area Comprehensive Plan; and

Whereas, the City of Salem and the City of Keizer share an Urban Growth Boundary (UGB); and

Whereas, the Salem River Crossing preferred alternative, including portions of Marine Drive NW, extend outside the UGB; and

Whereas, modifying the UGB to include approximately 35.7 acres needed to accommodate this regional transportation facility will address compliance with statewide planning goals; and

Whereas, the land proposed for inclusion in the UGB will be given a comprehensive plan designation of Parks, Open Space, and Outdoor Recreation; and

Whereas, pursuant to the Salem Area Comprehensive Plan, the cities of Salem and Keizer and the counties of Marion and Polk have adopted, by legal description, the Salem-Keizer UGB for the Salem and Keizer urban areas and shall review the UGB upon the request of one of the jurisdictions; and

Whereas, an amendment to the Salem-Keizer UGB may be initiated by any one of the four jurisdictions (cities of Salem and Keizer and counties of Marion and Polk), but the other affected jurisdictions must concur in the amendment; and

Whereas, the UGB is a component of the Salem Area Comprehensive Plan; and

Whereas, within urban areas, Goal 15 and OAR 660-004-0022(6) prohibit locating uses or structures that are not water-dependent or water-related within the Greenway setback without an exception; and

Whereas, as defined in statewide planning goals, roads and highways are not generally considered water-dependent or water-related uses; and

Whereas, an exception to Goal 15 is necessary to allow the bridge project within the Greenway; and

Whereas, modifying the UGB, amending the Salem Transportation System Plan, and taking an exception to Statewide Planning Goal 15 are considered major comprehensive plan amendments under SRC 64.020(b); and

Whereas, major amendments to the Salem Area Comprehensive Plan must be initiated by the City Council as set forth in SRC 64.020(e)(1); and

Whereas, an amendment to SRC Chapter 64, Comprehensive Planning, is required to update the definitions of the Salem Transportation System Plan (SRC 64.005(l)) and the UGB (SRC 64.005(o)); and

Whereas, amendments to the SRC may be initiated by the City Council pursuant to SRC 300.1110(a)(1); and

Whereas, major amendments to the Salem Area Comprehensive Plan and all code amendments are legislative procedures pursuant to SRC Chapter 300; and

Whereas, notification to the Department of Land Conservation and Development is required under SRC 300.1110(d); and

Whereas, at least one hearing is required in a legislative land use proceeding; and

Whereas, a public hearing shall be held before the City Council on the proposed major comprehensive plan amendments and the proposed amendment to SRC Chapter 64 and shall not be referred to any other review authority; and

Whereas, notice of the City Council public hearing shall be given in accordance with SRC 300.1110(e);

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SALEM, OREGON,
RESOLVES AS FOLLOWS:

Section 1. The City Council hereby initiates a comprehensive plan amendment and an amendment to SRC Chapter 64 to consider incorporating the Salem River Crossing preferred alternative into the Salem Transportation System Plan.

Section 2. The City Council hereby initiates a comprehensive plan amendment and an amendment to SRC Chapter 64 to amend the Salem-Keizer Urban Growth Boundary, and take an exception to Statewide Planning Goal 15, Willamette River Greenway.

Section 3. That a public hearing on the matter be set for a future date before the City Council.

Section 3. This resolution is effective upon adoption.

ADOPTED by the City Council this _____ day of _____, 2016.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: _____ J.Warncke