



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, October 24, 2022

6:00 PM

Virtual Meeting

This meeting is being conducted virtually, with remote attendance by the governing body. In-person attendance is not possible at this time. Interested persons may view the meeting in real-time on the City of Salem YouTube Channel, thanks to a partnership with CC:Media. Comcast Cable subscribers can watch on CC:Media Channel 21. Please submit comments on agenda items by 5:00 p.m., or earlier, on the day of the meeting at cityrecorder@cityofsalem.net. Public comment and testimony may also be provided during the meeting via Zoom. Please pre-register between 8:00 a.m. and 2:00 p.m. on the day of the meeting using this link <https://bit.ly/COScomment>.

EXECUTIVE SESSION

5:30 p.m. - 5:45 p.m. - City Council
ORS 192.660(2)(h) - Current/Pending Litigation

WORK SESSION

None.

1. OPENING EXERCISES: (Includes call to order, roll call, pledge of allegiance, announcements, proclamations, ceremonial presentations, and Council comment)

Call to Order

Roll Call

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

1.2 COUNCIL AND CITY MANAGER COMMENT

1.3 PROCLAMATIONS

1.3a. [22-490](#) Proclamation recognizing National Disability Employment Awareness Month.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods

Recommendation:

Information Only.

Attachments: [Proclamation - National Disability Employment Awareness Month](#)

- 1.3b. [22-491](#) Proclamation recognizing Veterans Day.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods

Recommendation:

Information Only.

Attachments: [Proclamation - Veterans Day](#)

- 1.3c. [22-502](#) Proclamation recognizing Domestic Violence Awareness Month

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): .

Recommendation:

Information Only

Attachments: [Proclamation Domestic Violence Awareness Month.pdf](#)

Add- New report added.

1.4 PRESENTATIONS

2. PUBLIC COMMENT: (Comment on agenda items other than public hearings and deliberations)

3. CONSENT CALENDAR: (Includes approval of minutes, adoption of routine resolutions, and items of business requiring Council action)

3.1 MINUTES

- 3.1a. [22-487](#) October 10, 2022 Draft City Council Minutes

Attachments: [10-10-22 Draft City Council Minutes](#)

3.2 RESOLUTIONS

- 3.2a. [22-471](#) Revision to the Multiple Unit Housing Tax Incentive Program Standards and Guidelines

Ward(s): Ward 1, 2

Councilor(s): Stapleton, Nishioka

Neighborhood(s): CANDO, SESNA, NEN, SCAN, Highland

Service Area(s): Good Governance; Strong and Diverse Economy; Welcoming and Livable Community

Recommendation:

Adopt Resolution No. 2022-52 updating the Standards and Guidelines for the Program.

Summary:

The proposed changes to the Multiple Unit Housing Tax Incentive Program (Program) implement changes to SRC Chapter 2 recently enacted by City Council to incent providing affordable housing as part of a project under the Program. (Attachment 1)

Attachments: [Standards and Guidelines](#)

[Resolution No. 2022-52](#)

[Core Area Map](#)

3.3 ACTION ITEMS

4. PUBLIC HEARINGS

- 4.a. [22-485](#) Continued Public Hearing - Legislative Zone Change on Commercial Street SE.

Ward(s): Ward 2

Councilor(s): Councilor Nishioka

Neighborhood(s): SCAN

Result Area(s): Natural Environment Stewardship; Safe Community; Safe, Reliable and Efficient Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community.

Recommendation:

Engross Ordinance Bill No. 18-22 for the purpose of rezoning specific properties on Commercial Street SE to MU-II and MU-III and advance to second reading

Summary:

Engrossed Ordinance Bill No. 18-22 rezones properties on Commercial Street SE roughly between Superior Street S and McGilchrist Street SE to Mixed Use-II and Mixed Use-III in response to

City Council's motion at the October 10, 2022 public hearing.

Attachments: [Engrossed Ordinance Bill No. 18-22.](#)

[Exhibit A to Engrossed Ordinance Bill 18-22 - Map of Properties Proposed for MU-II Zo](#)

[Exhibit B to Engrossed Ordinance Bill 18-22 - Map of Properties Proposed for MU-III Z](#)

[Exhibit C to Engrossed Ordinance Bill 18-22 Findings](#)

[List of Properties Subject to Proposed Zone Change](#)

[Comparison of MU-II and MU-III Zones](#)

[Public Comments](#)

5. SPECIAL ORDERS OF BUSINESS: (Items deferred from the Consent Calendar; Mayor and Councilor Items; Items which require a selection among options; or of special importance to Council; management reports; presentations by City boards, commissions, committees, or outside agencies)

6. INFORMATION REPORTS: (Items that require no Council action)

6.a. [22-474](#)

Planning Administrator Decision - A consolidated application for a Replat and Adjustment to reconfigure two parcels into three parcels.
- Approved.

Tentative Replat and Class 1 Adjustment Case No. REP-ADJ22-08 - Bill Pennebaker, Honu Custom Homes LLC - 1372 Overview St NW.

Ward(s): 1

Councilor(s): Stapleton

Neighborhood(s): WSNA

Recommendation:

Information Only.

Attachments: [Land Use Decision REP-ADJ22-08](#)

[Public Comment received by 3:00 p.m., 10-24-2022](#)

Add - Written Testimony.

6.b. [22-475](#)

Purchases approved administratively from September 1, 2022 through September 30, 2022.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

Recommendation:

Information only.

Summary:

Specific awards and the sources of funds for all contracts administratively awarded, renewed, or modified during the month of September. Included in the report are procurement contracts and public contracting activities with a current fiscal year impact and annual contracts.

Attachments: [Purchases approved administratively September 2022.pdf](#)

6.c. [22-480](#)

Planning Commission Decision - UPDATED proposal is to change the Comprehensive Plan Map designation and zoning from "Single Family Residential" with RA (Residential Agriculture) zoning to "Mixed Use" and MU-II (Mixed Use) and MU-III (Mixed Use) zoning.
- Approved.

Remand of Minor Comprehensive Plan Change and Zone Change Case No. CPC-ZC21-04 - Doug Sproul, Boone Road Commercial LLC - 2900 Block of Kuebler Blvd SE

Ward(s): 4
Councilor(s): Leung
Neighborhood(s): SGNA

Recommendation:

Information Only.

Attachments: [Land Use Remand Decision CPC-ZC21-04](#)

6.d. [22-489](#)

Hearings Officer Decision - Proposed development of a new mixed-use building containing 71-dwelling units and 11,998 square feet of retail commercial floor area. - Approved.

Variance / Class 3 Site Plan Review / Class 2 Adjustment Case No. VAR-SPR-ADJ22-02 - 5775 Commercial Street SE - Multi-Tech Engineering on behalf of Bo Rushing

Ward(s): 4
Councilor(s): Leung
Neighborhood(s): SGNA

Recommendation:

Information Only.

Attachments: [Land Use Decision VAR-SPR-ADJ22-02](#)

6.e. [22-493](#)

Airport Terminal Design Cost Estimates

Ward(s): 2
Councilor(s): Nishioka

Neighborhood(s): SEMCA
Result Area(s): Safe, Reliable and Efficient Infrastructure; Strong and Diverse Economy

Recommendation:

Information only.

Summary:

In response to Council direction to provide cost estimates to complete design work for the airport terminal infrastructure project, two potential options are presented that reflect minimal improvements to meet TSA and building and safety code requirements. The first addresses renovation while the other addresses renovation and expansion.

Attachments: [Public Comments received by 3:00 p.m., 10-24-2022](#)

Add - Written Testimony.

7. ORDINANCES

7.1 FIRST READING:

7.1a. [22-478](#) 2022 Unified Development Code Update

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): or All Neighborhoods
Result Area(s): Good Governance; Strong and Diverse Economy;
Welcoming and Livable Community.

Recommendation:

Conduct a public hearing on Ordinance No. 22-22 for the purpose of amending the Unified Development Code to respond to a Land Use Board of Appeals decision, implement changes in State law and rules, add new temporary uses, and address other issues and advance to second reading

Summary:

This proposed code amendment updates the Unified Development Code to respond to a Land Use Board of Appeals decision, implement changes in State law and rules, add new temporary uses, and address other issues that have recently arisen.

Attachments: [Ordinance Bill No. 22-22](#)
[Exhibit A to Ordinance Bill No. 22-22 - Code Amendment](#)
[Exhibit B to Ordinance Bill No. 22-22 - Findings](#)
[Map of Impacted Properties](#)

7.1b. [22-479](#) Naming an unnamed connection between Rosewood Drive NW and

Manorview Lane NW as Westside Circle NW (Street Name Change Case No. SNC22-01).

Ward(s): Ward 8

Councilor(s): Councilor Varney

Neighborhood(s): West Salem Neighborhood Association

Result Area(s): Safe Community

Recommendation:

Conduct a public hearing and proceed to second reading of Ordinance Bill No. 23-22 (Attachment 1) to consider naming an unnamed connection between Rosewood Drive NW and Manorview Lane NW as Westside Circle NW.

Summary:

Capital Manor, a retirement community in west Salem, expanded its facilities to include new multi-family units. The units opened in 2020 and are referred to as the Westside Villas. The Westside Villas are currently addressed off Salem-Dallas Highway NW, which has caused confusion for first responders. Naming this connection between Rosewood Drive NW and Manorview Lane NW as Westside Circle NW will facilitate improved emergency response. Following first ordinance reading, a public hearing will be scheduled to consider this street name change.

Attachments: [Ordinance Bill No. 23-22](#)
[Resolution No. 2022-50](#)

7.2 SECOND READING:

7.2a. [22-413](#) Revision to the Salem Revised Code Section 2.825 related to the Multiple Unit Housing Tax Incentive Program

Ward(s): Wards 1 and 2

Councilor(s): Stapleton and Nishioka

Neighborhood(s): CANDO, SESNA, NEN, SCAN, Highland

Result Area(s): Good Governance; Strong and Diverse Economy;

Welcoming and Livable Community

Recommendation:

Pass Ordinance Bill No. 19-22 to amend SRC 2.825 related to Multiple-Unit Housing Tax Incentive Program amending the requirements of the Program.

Summary:

As an incentive to create multiple-unit housing in the downtown core, the City of Salem offers an abatement of ad valorem taxes through its Multiple Unit Housing Tax Incentive Program (Program). In recent coordination with other taxing districts with which the City partners, there is a desire that future projects utilizing the Program

include an affordable housing component. The proposed revisions will set requirements to which applicants must adhere to be considered for participation in the Program.

Attachments: [Ordinance Bill No. 19-22](#)

[Exhibit A to Ordinance Bill No. 19-22](#)

[Core Area Map](#)

7.2b. [22-488](#)

Amendments to SRC chapter 97 - Human Rights, adding housing status as a protected class and other updates as recommended by the Salem Human Rights Commission - Ordinance Bill No. 21-22

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe Community; and Welcoming and Livable Community.

Recommendation:

Pass Ordinance Bill No. 21-22.

Summary:

At its January 10, 2022 meeting, City Council adopted recommendations from the Salem Human Rights Commission and directed staff to prepare amendments to SRC chapter 97, Human Rights, to add housing status as a protected class under the City Code, revise references to gender identity and sexual orientation in SRC 97.085. Ordinance Bill No. 21-22 adds housing status as a protected class under the chapter, amends some definitions, and makes other updates to the chapter.

Attachments: [ORDINANCE BILL 21-22.docx](#)

[Exhibit A - SRC chapter 97 amendments, Ordinance Bill No. 21-22.docx](#)

[Equity Lens Workgroup Recommendation.pdf](#)

[Written Testimony](#)

8. PUBLIC COMMENT: (Other than agenda items)

9. ADJOURNMENT

Individuals needing special accommodations such as sign language, foreign language interpreters or equipment for the hearing impaired must request such services at least 48 hours prior to the meeting. To request accommodations or services, please call 503-588-6255 or 503-588-6003 (TTD/TTY 503-588-6439), or by e-mail at: cityrecorder@cityofsalem.net at least two business days in advance.

Si necesita ayuda para comprender esta información, por favor llame 503-588-6003.

UPCOMING PUBLIC HEARINGS, AND WORK SESSIONS

- a. [22-484](#) Until further notice, all meetings, public hearings, and work sessions will be conducted virtually. Real-time remote viewing is available online at CC:Media YouTube Channel and can also be viewed on Comcast Cable CC:Media Channel 21.

CITY COUNCIL PUBLIC HEARINGS:

Ordinance Bill No. 22-22, Proposed Code Amendment Updates to the Unified Development Code to respond to a Land Use Board of Appeals Decision
Monday, November 14, 2022 at 6:00 p.m.

Ordinance Bill No. 23-22, Relating to Naming an Unnamed Connection between Rosewood Drive NW and Manorview Lane NW as Westside Circle NW
Monday, November 14, 2022 at 6:00 p.m.

Petitioner-Initiated Annexation of Territory located at 5536 Skyline Road S (Annexation Case No. C-752)
Monday, November 14, 2022 at 6:00 p.m.

Considering a Petition to Vacate Cross Street SE west of 20th Street SE
Monday, November 14, 2022 at 6:00 p.m.

Petitioner-Initiated Annexation of Territory located at 3880 Mahrt Avenue SE and Land Adjacent (Annexation Case No. C-751)
Monday, November 28, 2022 at 6:00 p.m.

Petitioner-Initiated Annexation of Territory located at 3821 Ibex Street NE (Annexation Case No. C-750)
Monday, November 28, 2022 at 6:00 p.m.

Exemption from Competitive Bidding Requirement and Use of an Alternative Contracting Method for Design/Build Services - Audio Video (AV) Design, Install, and Maintenance Annual Contract
Monday, November 28, 2022 at 6:00 p.m.

SALEM HOUSING AUTHORITY PUBLIC HEARINGS:

URBAN RENEWAL AGENCY PUBLIC HEARINGS:

CITY COUNCIL WORK SESSIONS:

2022 Policy Agenda Progress Report
Monday, November 21, 2022 at 6:00 p.m.

BUDGET COMMITTEE MEETINGS

SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS

Neighborhood - Annual Meeting Date - Councilor
Northeast Neighbors (NEN) - November 8, 2022 - Stapleton, Nishioka
Southeast Salem (SESNA) - November 15, 2022 - Nishioka, Phillips

MEETING PROCEDURES

City Council meets on the second and fourth Mondays of each month at 6:00 p.m. All meetings are in the Council Chambers, Room 240, 555 Liberty St. SE.

The Mayor, who is the presiding officer, is elected at large for a term of two years. Councilors are elected for four year terms for each of the City's eight Wards. These nine officers comprise the Council who make the policy decisions for municipal activity and pass its ordinances and regulations.

Because the Mayor and Councilors' positions are part time, without pay, the Council appoints a City Manager who is responsible for the administration and execution of the City's policies and ordinances.

The City Council generally follows Robert's Rules of Order, but has adopted supplementary rules that may be found on the City's website at:
[http://www.cityofsalem.net/Pages/council rules.aspx](http://www.cityofsalem.net/Pages/council%20rules.aspx).

THE CONSENT CALENDAR

The Consent Calendar allows the Council to save time by acting on everything listed on that part of the agenda with one motion instead of considering each item separately. If a City Councilor believes a matter on the Consent Calendar deserves further discussion, the Councilor can request that item be removed from the Consent Calendar and considered separately under "Special Orders of Business."

PUBLIC COMMENT

There are two times at every regular City Council meeting when the public has an opportunity to address the City Council. The first time is immediately prior to the Consent Calendar. This time is reserved for questions or statements regarding items appearing on the agenda, except public hearings and the merits of land use issues. The second time is at the end of the agenda. At this time, you can address the City Council on any matter of public concern, other than an agenda item. The Mayor will announce the time for public comment, and invite persons to address the City Council. Each person has three minutes to address the City Council. The time light on the podium will flash yellow when you have one minute left, and will turn red when your time has expired.

HOW TO GET YOUR COMMENTS INCLUDED AS PART OF THE AGENDA

Any written comments that you wish to be given to the City Council that are about an item on an agenda must be submitted to the City Recorder by 3:30 p.m. on the day of the City Council meeting when the item will be considered. For complete information on submitting communications to Council, please refer to Council Rule 6: Communications:
[https://www.cityofsalem.net/Pages/council rules.aspx](https://www.cityofsalem.net/Pages/council%20rules.aspx).

If you have some matter that you wish to have the City Council consider in the future, you are encouraged to submit your suggestion in writing to the City Manager at 555 Liberty Street SE, Room 220, Salem, OR, or by e mail to: manager@cityofsalem.net.

PUBLIC HEARINGS

The City Council can hold public hearings to consider legislative, quasi judicial or administrative matters. To testify at a hearing, you may sign up on the Hearing Roster located near the east entrance to the Council Chambers before the Mayor convenes the meeting. At the time for the hearing on the agenda, the Mayor will announce when the public hearing is open. If you have signed up to speak, come forward to the podium when the Mayor calls your name. State your name and either your address or the ward you live in. If you wish to receive notice of any written decision reached at the hearing, you must provide the City Recorder your address. When you have finished speaking, the Mayor will ask the Council if there are any questions for you, so please remain at the podium for a moment.

The time limit is 3 minutes per person for legislative and administrative hearings. The time limits for quasi judicial hearings in non land use cases are as follows:

1. Staff Presentation – 15 minutes
2. Affected Party – 15 minutes
3. Neighborhood Associations – 5 minutes
4. Other Interested Persons – 3 minutes per person
5. Rebuttal by Affected Party – 7 minutes

Time limits for quasi judicial land use hearings are governed by Rule 19 of the Council Rules. Parties to land use cases are encouraged to review that rule as time limits vary depending on the nature of the hearing. Further information can be obtained by contacting the Planning Administrator at 503 588 6173 or email at: lmanderson@cityofsalem.net.

Timer lights are located on the podiums. A flashing yellow light means you have one minute left; a red light means your time has expired.

