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503-588-6173*

** CORRECTED **

DECISION OF THE PLANNING COMMISSION

**COMPREHENSIVE PLAN MAP AMENDMENT / NEIGHBORHOOD PLAN MAP
CHANGE / ZONE CHANGE PLAN REVIEW CASE NO. CPC-NPC-ZC17-01**

APPLICATION NO. : 17-102923-ZO & 17-103729-ZO

NOTICE OF DECISION DATE: MARCH 8, 22, 2017

REQUEST: A City-Initiated Change of Comprehensive Plan Map designation from Single Family Residential to Multi-Family Residential, change of Neighborhood Plan Map designation from Single Family to Multi-family, and zone change from Residential Agriculture (RA) to Multiple Family Residential (RM2) for two units of land totaling 1.28 acres in area and located at 4220, 4230, and 4240 Sunnyview Road NE (Marion County Assessors map and tax lot numbers 072W19AB / 03600 and 03700).

APPLICANT: City-initiated

LOCATION: ~~4420~~, 4220, 4230, and 4240 Sunnyview Road NE / 97305

CRITERIA: Salem Revised Code Chapter 265.005(e)

FINDINGS: Pursuant to ORS 197.010(1), an amendment to the Comprehensive Plan Map must be approved by the City Council. Accordingly, upon hearing evidence presented at the public hearing, the Planning Commission may forward a recommendation to the City Council on the Comprehensive Plan Map Change and Neighborhood Plan Map Change and approve or deny the associated applications contingent on the City Council's decision.

The Zone Change findings are in the attached Staff Report dated March 7, 2017.

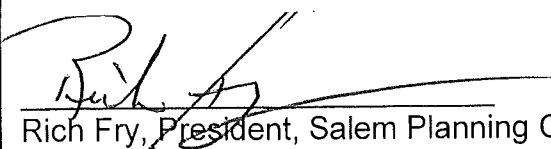
DECISION: The Planning Commission **GRANTED** the **Zone Change** in Case No. CPC-NPC-ZC17-01 as follows:

APPROVED the proposed Zone Change from Residential Agriculture (RA) to Multiple Family Residential (RM2) subject to the following condition:

Condition 1: Approval of the zone change shall be contingent on the City Council's approval of the consolidated comprehensive plan map change and neighborhood plan map change.

VOTE:

Yes 9 No 0 Absent 0


Rich Fry, President, Salem Planning Commission

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005


CITY OF SALEM
AT YOUR SERVICE

Public Hearing Date: March 7, 2017
Notice of Decision Mailing Date: March 8, 22, 2017
Decision Effective Date: ~~March 24,~~ April 7, 2017

Case Manager: Bryan Colbourne, bcolbourne@cityofsalem.net



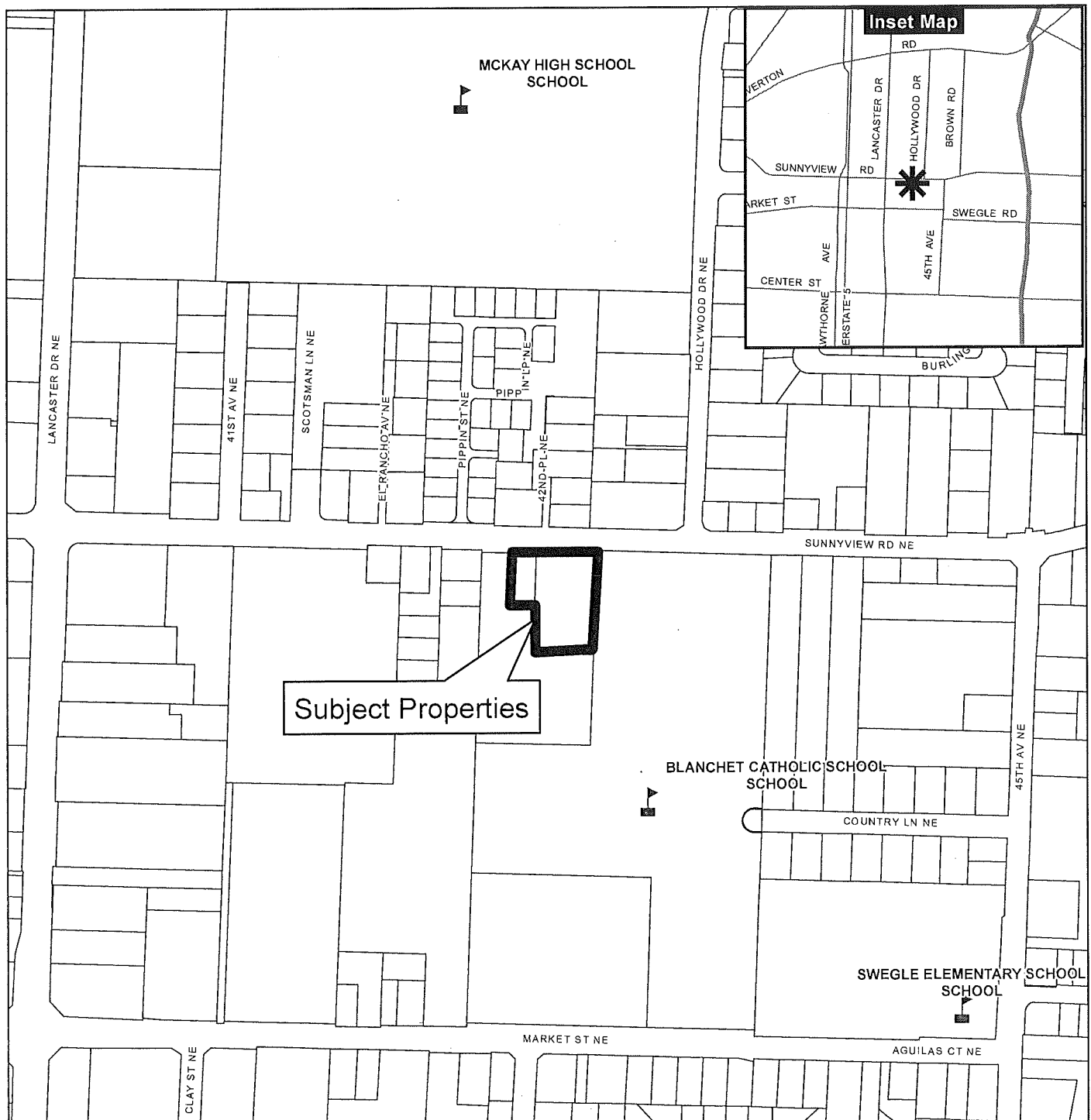
This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, no later than **5:00 p.m., March 23, April 6, 2017.** Any person who presented evidence or testimony at the hearing may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter 265. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The City Council will review the appeal at a public hearing. After the hearing, City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

<http://www.cityofsalem.net/planning>

Vicinity Map

4220, 4230 & 4240 Sunnyview Road NE



Legend

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools

- Parks

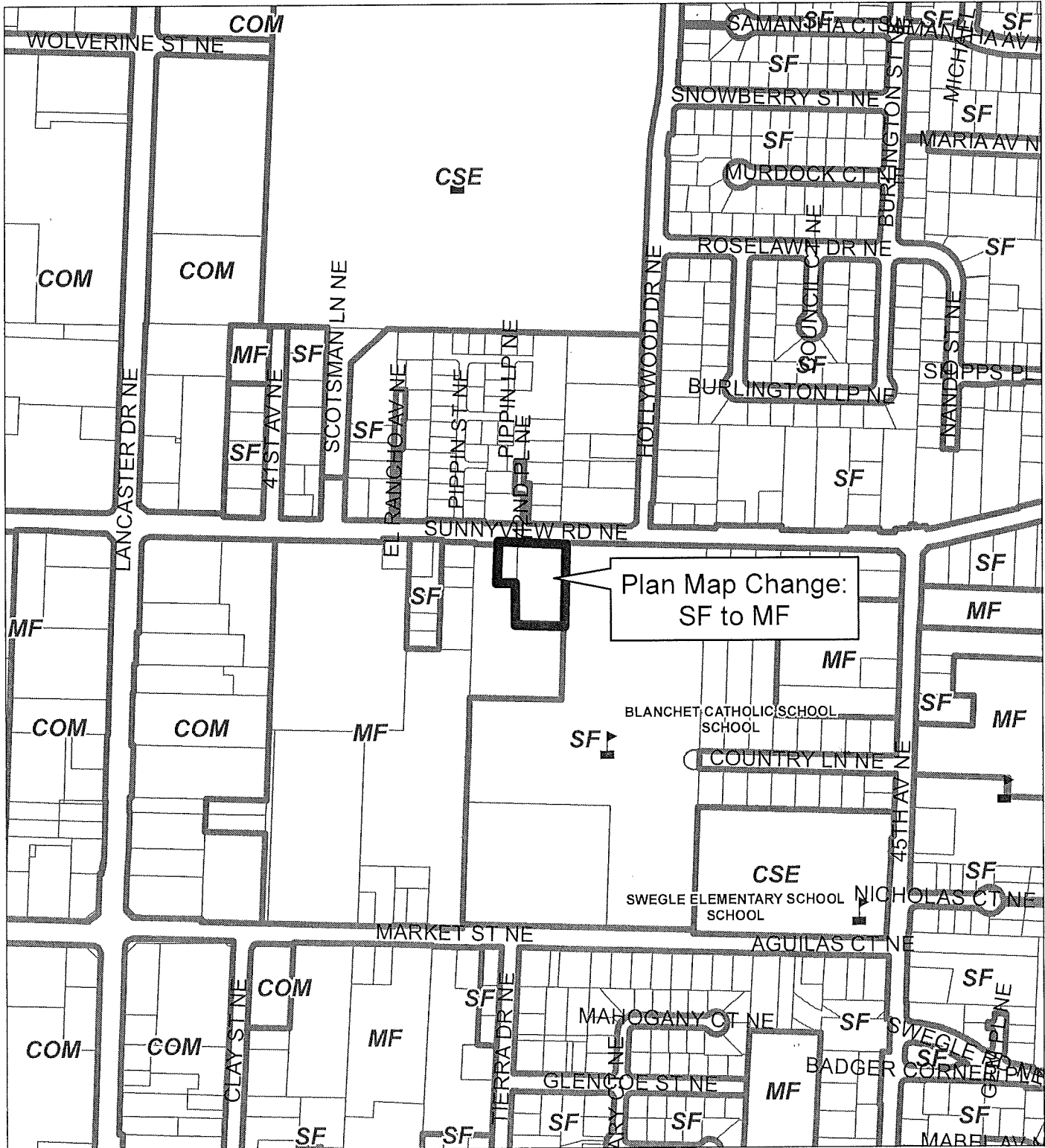
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Community Development Dept.

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0 100 200 400 Feet

Comprehensive Plan Map - CPC-NPC-ZC17-01



Legend

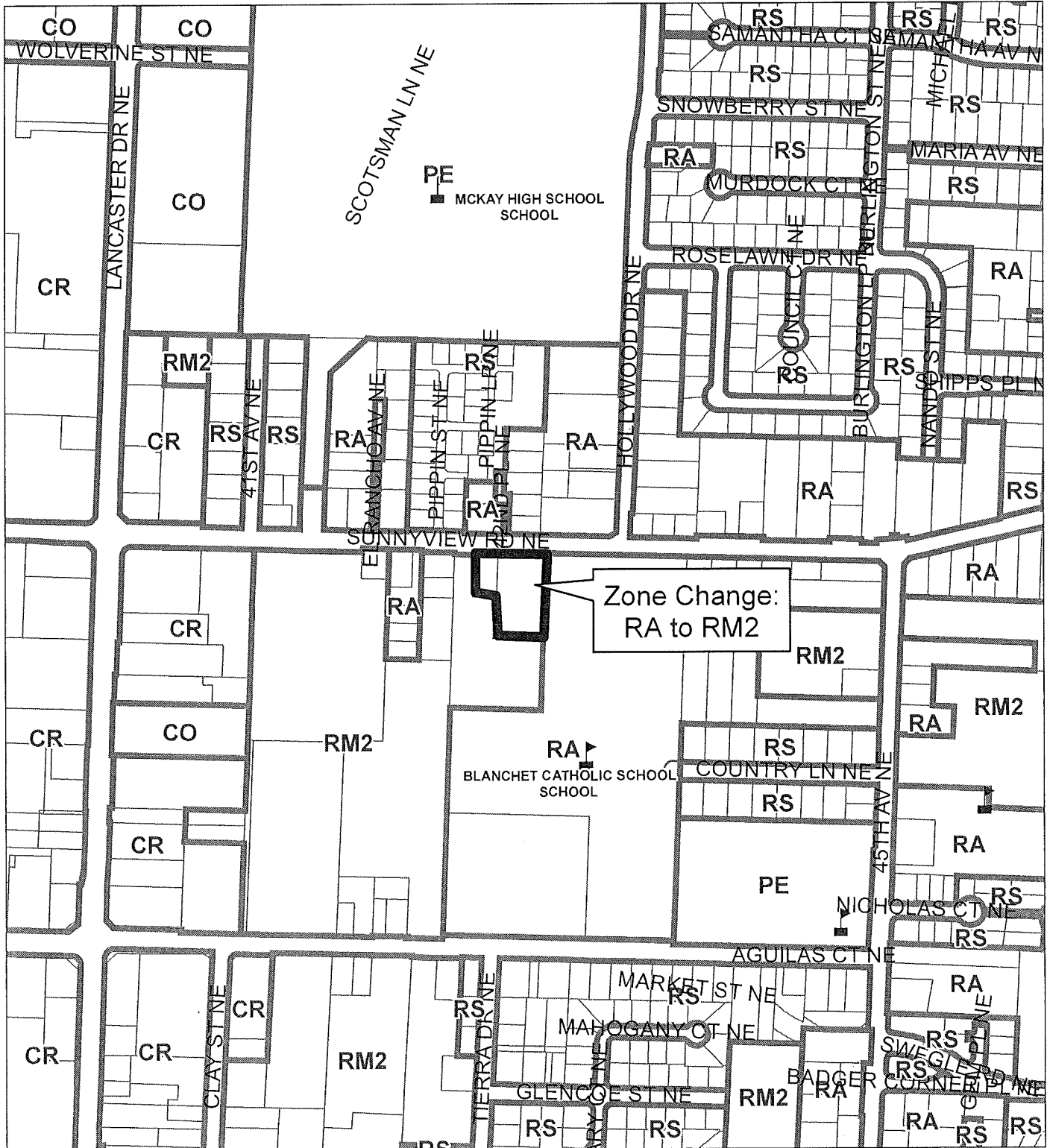
- | | |
|---------------------------|---------|
| Comprehensive Plan | Taxlots |
| Urban Growth Boundary | Parks |
| Outside Salem City Limits | Schools |

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Zoning Map - CPC-NPC-ZC17-01



Legend

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

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

TO: PLANNING COMMISSION

FROM: LISA ANDERSON-OGILVIE, AICP, PLANNING ADMINISTRATOR

SUBJECT: SUPPLEMENTAL REPORT – COMPREHENSIVE PLAN
CHANGE/NEIGHBORHOOD PLAN CHANGE/ZONE CHANGE CASE
NO. CPC-NPC-ZC17-01; 4220, 4230, AND 4240 SUNNYVIEW ROAD NE

SUMMARY AND BACKGROUND:

A public hearing before the City of Salem Planning Commission on this case is scheduled for March 7, 2017, at 5:30 p.m. in Civic Center Room 240, located at 555 Liberty Street SE.

This supplemental staff report recommends one condition of approval on the proposed zone change from RA to RM2. The proposed condition requires that the zone change approval is contingent on the City Council approving the associated comprehensive plan map change and the neighborhood plan map change for this case.

FACTS AND FINDINGS:

Comprehensive plan change/neighborhood plan change/zone change cases, such as this proposal, require action by both the Planning Commission and City Council. A public hearing is required before the Planning Commission. The Planning Commission then makes a recommendation to the City Council on the comprehensive plan map change and neighborhood plan map change components. The recommendation is then forwarded to the City Council, who must enact an ordinance either approving or denying the comprehensive plan map change and neighborhood plan map change. The zone change component, however, may be decided by the Planning Commission without need for action by the City Council.

City staff recommend that Planning Commission make approval of any zone change contingent upon the City Council also approving the necessary associated comprehensive plan map and neighborhood plan map changes. This ensures the ongoing consistency between the comprehensive plan, neighborhood plan, and zoning maps. The original staff report for CPC-NPC-ZC17-01, which was distributed on February 28, 2017, should have included such a condition of zone change. Therefore, staff's recommendation in this case is amended as follows:

- A. **RECOMMEND that City Council accept first reading of an ordinance bill for the purpose of amending the designation of the subject properties on the Salem Area Comprehensive Plan Map from Single Family Residential to Multi-Family Residential**

and amend the Neighborhood Plan Map designation from Single Family to Multi-Family; and

- B. APPROVE the proposed Zone Change from Residential Agriculture (RA) to Multiple Family Residential (RM2), subject to the following condition of approval.**

Condition 1: Approval of the zone change shall be contingent on the City Council's approval of the consolidated comprehensive plan map change and neighborhood plan map change.

Prepared by Bryan Colbourne, AICP, Planner III



G:\CD\PLANNING\CASE APPLICATION Files 2011-On\CPC-ZC Comp Plan Change-Zone Change\2017\Staff Reports & Decisions\CPC-NPC-ZC17-01 Supplemental Report.bgc.docx

TO: Planning Commission

FROM: Lisa Anderson-Ogilvie, AICP, Planning Administrator *LAO*

STAFF: Bryan Colbourne, AICP, Planner III *BCE*

HEARING DATE: March 7, 2017

APPLICATION: City-Initiated Comprehensive Plan Change / Neighborhood Plan Change / Zone Change Case No. 17-01

LOCATION: 4220, 4230, and 4240 Sunnyview Road NE

SIZE: Approximately 1.28 acres

REQUEST: A City-initiated change of the Comprehensive Plan Map designation of the subject property from Single Family Residential to Multi-Family Residential, change of the Neighborhood Plan Map designation from Single Family to Multi-Family, and change of the zoning from Residential Agriculture (RA) to Multiple Family Residential (RM2).

The subject property is two units of land totaling approximately 1.28 acres in area and located at 4220, 4230, and 4240 Sunnyview Road NE (Marion County Assessors map and tax lot numbers 072W19AB / 03600 and 03700).

APPLICANT: City-initiated

PROPERTY OWNERS: Glen Holmquist, Dimpna Holmquist, Joshua A. Ambrose, and Danielle E. Ambrose

APPROVAL CRITERIA: Comprehensive Plan Map Amendment: Salem Revised Code, Ch. 64
Zoning Map Amendment: Salem Revised Code, Ch. 265

RECOMMENDATION: RECOMMEND that City Council accept first reading of an ordinance bill for the purpose of amending the designation of the subject properties on the Salem Area Comprehensive Plan Map from Single Family Residential to Multi-Family Residential and amend the Neighborhood Plan Map designation from Single Family to Multi-Family; and

APPROVE the proposed Zone Change.

APPLICATION PROCESSING

Subject Application:

On January 10, 2017, the Planning Commission adopted Resolution 17-02 initiating this comprehensive plan change, neighborhood plan change, and zone change request. The public hearing on the case is scheduled for March 7, 2017.

Public Notice

1. Notice of the proposal was distributed to City departments and public and private service providers on February 10, 2017.
2. Notice of the public hearing was mailed to the owners of all property within 250 feet of the subject property on February 14, 2017.
3. The property was posted in accordance with the posting provision outlined in SRC Chapter 300.
4. State law (ORS 197.610) and SRC Chapter 300 require the City to provide the Oregon Department of Land Conservation and Development (DLCD) a minimum 35-day notice when an applicant or the City proposes an amendment to an acknowledged Comprehensive Plan or land use regulation or to adopt a new land use regulation. The City sent notice of this proposed Comprehensive Plan and Zone Change to DLCD on January 31, 2017.

BACKGROUND INFORMATION

The subject property is made up of two units of land, which are located on the south side of Sunnyview Road NE, approximately ¼ mile east of Lancaster Drive NE. The properties were annexed into the City of Salem in 1980 and have been designated for Single Family Residential use on the Comprehensive Plan Map since that time. The properties are within the East Lancaster Neighborhood Association (ELNA), and are also designated Single Family on the ELNA Neighborhood Plan Map, which was adopted in 1984.

The properties have been zoned RA (Residential Agriculture) since they were annexed to the City. In 1996, the surrounding land to the south and west of the subject property was changed from a Single Family Residential to Multi-Family Residential comprehensive plan map, neighborhood plan map, and zoning designation (Comprehensive Plan Change/Neighborhood Plan Change/Zone Change Case No.96-25). After the approval of this adjacent re-zoning, the City's zoning maps were changed to reflect the change to Multi-Family Residential on the re-zoned properties, but were also erroneously changed to show the Multi-Family designation on the two subject properties. This zoning map error was discovered in 2011, and the map was corrected to show RA zoning for the two subject properties once more. In 2016, the owners of one of the two properties inquired with the City about re-zoning the site to Multi-Family Residential. City staff noted that the site appears to meet the approval criteria for a comprehensive plan change, neighborhood plan change and zone change to Multi-Family Residential. After discussing the proposed change to Multi-

Family Residential with the owners of both subject properties, and receiving their support for the proposal, City staff agreed to begin processing a City-initiated re-zoning of the two properties to Multi-Family Residential.

Proposal

Specifically, the proposal includes a City-initiated change of the Comprehensive Plan Map designation from Single Family Residential to Multi-Family Residential, change of the Neighborhood Plan Map designation from Single Family to Multi-Family, and change of the zoning from Residential Agriculture (RA) to Multiple Family Residential (RM2) of two units of land totaling approximately 1.28 acres in area and located at 4220, 4230, and 4240 Sunnyview Road NE.

Salem Area Comprehensive Plan (SACP) Designation

The Salem Area Comprehensive Plan (SACP) map designates the subject property as "Single Family Residential".

The Comprehensive Plan designations of surrounding properties include:

North: (Across Sunnyview Road NE) "Single Family Residential"

South: "Multi-Family Residential"

East: "Single Family Residential"

West: "Multi-Family Residential"

Components of the Comprehensive Plan

The Salem Area Comprehensive Plan 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 meets the needs of present and future residents of the Salem urban area. Many different documents and maps, when taken together, comprise the Salem Area Comprehensive Plan.

Salem Transportation System Plan (TSP): The TSP uses a Street Classification System to determine the functional classification of each street within the City's street system. Sunnyview Road NE, designated as a Minor Arterial in the TSP, runs along the north boundary of the subject property.

Neighborhood Plan: The proposed project is located within the boundaries of the East Lancaster Neighborhood Association (ELNA). The ELNA Neighborhood Plan was adopted in 1984, and the plan's Land Use Map designates the subject property "Single Family" residential.

Zoning and Surrounding Land Use

The subject property is zoned RA (Residential Agriculture) and is made up of two units of land. One of the units of land contains one single family dwelling (4220 Sunnyview Road NE) and the other unit of land contains two single family dwellings (4230 & 4240 Sunnyview Road NE). Surrounding properties are zoned and used as follows:

North: (Across Sunnyview Road NE) RA (Residential Agriculture); single family residential dwellings.

South: RM2 (Multiple Family Residential); apartment complex.

East: RA (Residential Agriculture); catholic school.

West: (RM2 (Multiple Family Residential); apartment complex.

Infrastructure

The subject property is located inside the Urban Service Area. Water, sewer, and storm infrastructure are available within surrounding streets/areas, and appear adequate to serve future multi-family residential uses on the site. The property fronts Sunnyview Road NE, which is built out with two vehicular travel lanes, and central turn lane, curbs, sidewalks, and bike lanes at this location. Site-specific infrastructure requirements for redevelopment of the site will be addressed in the Site Plan Review process in SRC Chapter 220. The proposal meets this criterion.

Trees

Under the City's tree preservation ordinance, SRC Chapter 68.100(a) requires tree conservation plans only for development proposals involving the creation of lots or parcels to be used for the construction of single family or duplex dwelling units. Because the proposal does not involve the creation of lots or parcels for single family or duplex dwelling unit construction, a tree conservation plan was not required. Pursuant to SRC Chapter 68, Preservation of Trees and Vegetation, a Tree Removal Permit is required for removal of any significant trees and any removal of trees within a riparian corridor. Furthermore, no heritage tree shall be removed. The property owner should contact City staff before removing any trees on the subject property.

Wetlands

The Salem-Keizer Local Wetland Inventory (LWI) does not identify identifies wetlands or waterways on the property.

Landslide Hazards

No landslide hazards are identified on the subject property according to the City's Landslide Hazards Ordinance, SRC Chapter 69.

Public and Private Agency Review

Salem Public Works Department - The Public Works Department, Development Services Section, reviewed the proposal and submitted comments (see Attachment C).

Salem Community Development Department, Building and Safety Division - The Building and Safety Division submitted comments indicating no concerns with the proposal.

Salem-Keizer School District - The school district reviewed the proposal and submitted comments regarding the capacity of surrounding public schools, which is included as Attachment D.

Portland General Electric (PGE) - reviewed the proposal and indicated that development costs are determined by current tariff and service requirements and that a 10-foot public utility easement (PUE) is required on all front street lots.

Neighborhood Association Comments

The subject property is located within the boundaries of the East Lancaster Neighborhood Association (ELNA). The North Lancaster Neighborhood Association (NOLA) is located across Sunnyview Road NE to the north of the subject property. Notification was sent to ELNA and NOLA on February 14, 2017. At the time of writing this staff report, no comments have been received from either neighborhood association.

Public Comments

All property owners within 250 feet of the subject property were mailed notification of the proposal. At the time of writing this staff report, no comments have been received from adjoining property owners, or citizens at large.

FINDINGS APPLYING THE APPLICABLE SALEM REVISED CODE CRITERIA FOR A COMPREHENSIVE PLAN AMENDMENT

Amendments to the Comprehensive Plan Map are classified as either major or minor. Because the proposed amendment affects only a small number of properties in a defined vicinity rather than a large number of properties across the city, the proposal meets the definition of a Minor Plan Map Amendment pursuant to SRC 64.025(a)(2).

Salem Revised Code (SRC) 64.025(e)(2) establishes the approval criteria for Minor Comprehensive Plan Map amendments. In order to approve a quasi-judicial Plan Map amendment request, the decision-making authority shall make findings of fact based on evidence provided by the applicant that demonstrates satisfaction of all of the applicable criteria. The applicable criteria are shown below in **bold** print. Following each criterion is a finding relative to the amendment requested.

SRC 64.025(e)(2)(A): The Minor Plan Map Amendment is justified based on the existence of one of the following:

- (i) ***Alteration in Circumstances.*** Social, economic, or demographic patterns of the nearby vicinity have so altered that the current designations are no longer appropriate.
- (ii) ***Equally or Better Suited Designation.*** A demonstration that the proposed designation is equally or better suited for the property than the existing designation.
- (iii) ***Conflict Between Comprehensive Plan Map Designation and Zone Designation.*** A Minor Plan Map Amendment may be granted where there is conflict between the Comprehensive Plan Map designation and the zoning of the property, and the zoning designation is a more appropriate designation for the property than the Comprehensive Plan Map designation. In determining whether the zoning designation is the more appropriate designation, the following factors shall be considered:
 - (aa) Whether there was a mistake in the application of a land use designation to the property;
 - (bb) Whether the physical characteristics of the property are better suited to the uses in the zone as opposed to the uses permitted by the Comprehensive Plan Map designation;
 - (cc) Whether the property has been developed for uses that are incompatible with the Comprehensive Plan Map designation; and
 - (dd) Whether the Comprehensive Plan Map designation is compatible with the surrounding Comprehensive Plan Map designations.

Finding: The proposal satisfies criterion (A)(ii), *Equally or Better Suited Designation*. The proposed Multi-Family Residential designation is better suited for the subject property than the existing Single Family Residential designation because the site satisfies the criteria set forth in the Salem Area Comprehensive Plan Residential Development Policy E.6., to locate Multi-Family Residential housing in close proximity to transportation corridors, public facilities, and services. The subject property is also surrounded on the south and west side by other Multi-Family Residential land developed with apartment complexes, and is not directly abutting any other Single Family Residential lands. The site was designated Single Family Residential at a time when the surrounding land use pattern was significantly different. The site's Single Family Residential designation current configuration with three detached dwellings on two large lots is not an optimal use of the land. The site's 1.28 acre size and its location on Sunnyview Road NE with direct access to transit and close proximity to commercial services makes it ideal for a multi-family redevelopment such as a small apartment complex or townhouse subdivision. The proposal meets this criterion.

SRC 64.025(e)(2)(B): The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed plan map designation;

Finding: The subject property is located inside the Urban Service Area. Water, sewer, and storm infrastructure are available within surrounding streets/areas, and appear adequate to serve future multi-family residential uses on the site. The property fronts Sunnyview Road NE, which is built out with two vehicular travel lanes, and central turn lane, curbs, sidewalks, and bike lanes at this location. Site-specific infrastructure requirements for redevelopment of the site will be addressed in the Site Plan Review process in SRC Chapter 220. The proposal meets this criterion.

SRC 64.025(e)(2)(C): The proposed plan map designation provides for the logical urbanization of land;

Finding: The proposed Multi-Family Residential designation is a logical extension of the existing Multi-Family Residential land surrounding the site to the south and west. To the east, the site abuts Blanchet Catholic School. The property is approximately ¼ mile east of Lancaster Drive NE. As the East Lancaster and North Lancaster neighborhoods have urbanized over time, a distinct land use pattern has developed in the vicinity that includes commercial uses along Lancaster Drive with a transition to high density multi-family residential uses and several large school campuses immediately east of Lancaster Drive, and then transitioning into single family residential neighborhoods farther east. This pattern is reflected in the Salem Area Comprehensive Plan Map. The subject property's location makes the proposed multi-family designation a logical choice for the site, given its location near Lancaster Drive and next to apartments and a large school campus. Staff finds that the proposal meets this criterion.

SRC 64.025(e)(2)(D): The proposed land use designation is consistent with the Salem Area Comprehensive Plan and applicable Statewide planning goals and administrative rules adopted by the Department of Land Conservation and Development; and

Finding: The applicable Goals and Policies of the Comprehensive Plan are addressed as follows:

Salem Urban Area Goals and Policies, Residential Development Goal (Page 30, Salem Comprehensive Policies Plan):

Policy E.1. The location and density of residential uses shall be determined after consideration of the following factors;

- a. The type and distribution of housing units required to meet expected population growth within the Salem urban growth boundary.*

Response: The City of Salem recently completed and accepted a Housing Needs Analysis, which found that the City has a projected deficit of 207 acres of multi-family land over the next 20 years to meet population and employment growth projections. The proposed comprehensive plan change of the subject property from Single Family to Multi-Family Residential will help address this citywide projected need for more Multi-Family land. The proposal is consistent with Residential Development Policy E.1.

Policy E.2. Residential uses and neighborhood facilities and services shall be

located to:

- a. Accommodate pedestrian, bicycle and vehicle access;*
- b. Accommodate population growth;*
- c. Avoid unnecessary duplication of utilities, facilities and services; and*
- d. Avoid existing nuisances and hazards to residents.*

And

Policy E.3. City codes and ordinances shall encourage the development of passed-over or underutilized land to promote the efficient use of residential land and encourage the stability of neighborhoods.

Response: The subject property is located on Sunnyview Road NE, which is classified as a Minor Arterial on Salem's Transportation System Plan. Sunnyview Road NE at this location is developed with two vehicular travel lanes plus a center turn lane, curbs, sidewalks, and bike lanes. As already mentioned, the subject property is located inside the Urban Service Area and Water, sewer, and storm infrastructure are available within surrounding streets/areas, and appear adequate to serve future multi-family residential uses on the site. The proposed change in Plan Map designation to Multi-Family Residential will result in the opportunity for increased residential density at a location that is well-served by urban facilities and services and can efficiently support the additional development. The proposal is consistent with Residential Development Policies E.2 & E.3.

Policy E.6. Multi-family housing shall be located in areas proximate to existing or planned transportation corridors, public facilities and services:

- a. To encourage the efficient use of residential land and public facilities, development regulations shall require minimum densities for multiple family development zones;*
- b. Development regulations shall promote a range of densities that encourage a variety of housing types;*
- c. Multiple family developments should be located in areas that provide walking, auto or transit connections to:*
 - (1) Employment centers;*
 - (2) Shopping areas;*
 - (3) Transit service;*
 - (4) Parks;*
 - (5) Public buildings.*

Response: The subject property is located on Salem Area Transit's high-frequency bus routes 2 and 5. The property is also in close proximity to shopping areas and employment opportunities on Lancaster Drive NE. McKay High School, Swegle Elementary School, and Blanchet Catholic School are all located within close proximity. McKay School Park is located approximately 0.7 miles to the north of the site. The proposal is consistent with Residential Development Policy E.6.

The applicable Statewide Planning Goals are addressed as follows:

Goal 1 – Citizen Involvement

The affected property owners were notified of the proposed change.

A public hearing notice was mailed to the affected property owners, all property owners within 250 feet of the subject property and to the neighborhood association. This satisfies Citizen Involvement described in Goal 1.

Goal 2 – Land Use Planning

The Salem Area Comprehensive Plan (SACP) is acknowledged to be in compliance with the Statewide Planning Goals.

Goal 3 – Agricultural Lands

There are no known agricultural lands on the subject property.

Goal 4 – Forest Lands

There are no known forest lands on the subject property.

Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources

There are no designated historic resources or districts on the property. The City's tree preservation ordinance and any applicable wetland and floodplain standards will continue to apply to the site.

Goal 6 – Air, Water and Land Resources Quality

The site is urban land, surrounded on all sides by developed properties. Through the use of public facilities, the wastewater and surface water discharges from the property will be managed according to approved standards. The proposed plan and zone change will have no significant impacts on the quality of the air, water or land.

Goal 7 – Areas Subject to Natural Disasters and Hazards

There are no known natural hazards existing on the affected parcels. In the event a hazard is identified, the City's tree protection, landslide, and floodplain development standards will be applied and will ensure compliance with Goal 7.

Goal 8 – Recreational Needs

The site is residential land proposed for a change from Single Family to Multi-Family designation. The site does not provide any recreational amenities for the community. The proposed change will not have a significant impact recreational amenities in the Salem area.

Goal 9 – Economic Development

The proposed change in comprehensive plan map designation from Single Family Residential to Multi-Family Residential will provide the property owners with the opportunity to further develop the site for increased residential density. The subject property does not include any commercial or industrial lands. The proposed plan map changes will help address the need for more multi-family residential land to meet area housing needs, but the proposal will not have a significant impact on economic development for the community other than the short term construction jobs created to build possible future multi-family housing at the site.

Goal 10 – Housing

The City of Salem recently completed a Housing Needs Analysis (HNA), which found that the City has a projected deficit of 207 acres of multi-family land over the next 20 years to meet population and employment growth projections. The City Council accepted this HNA on February 8, 2016, and directed staff to begin working to address the deficit. The proposed comprehensive plan change of the subject property from Single Family to Multi-Family Residential will help address this citywide projected need for more multi-family designated land.

Goal 11 – Public Facilities and Services

The City's Public Works Department has reviewed the proposed Plan Map amendment and concluded that water, sewer, and storm infrastructure are available within surrounding streets/areas, and appear to be adequate to serve the existing and future tenants. Site-specific infrastructure requirements will be addressed in the Site Plan Review process in SRC Chapter 220.

Goal 12 – Transportation

Goal 12 is implemented by the Transportation Planning Rule (TPR). The TPR requires local governments to adopt Transportation System Plans (TSPs) and requires local governments to consider transportation impacts resulting from land use decisions and development. The key provision of the TPR related to local land use decisions is Oregon Administrative Rule (OAR) 660-012-0060. This provision is triggered by amendments to comprehensive plans and land use regulations that "significantly affect" a surrounding transportation facility (road, intersection, etc.). Where there is a "significant effect" on a facility, the local government must ensure that any new allowed land uses are consistent with the capacity of the facility. In the context of a site-specific comprehensive plan change request, such as this proposal, a "significant effect" is defined under Oregon Administrative Rule (OAR) 660-012-0060(1) as either an amendment that "allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility", or an amendment that would "reduce the performance standards of an existing or planned facility below the minimum acceptable level identified in the TSP."

The 1.28 acre subject property is currently developed with three single family homes. If this site were developed to its maximum allowable density under its current Single Family Residential Plan Map designation and Residential Agriculture zoning, there could be up to 11

single family homes. Under the proposed RM2 zoning, the site could hypothetically be developed with 35 apartment units.

The net increase in traffic in the pm peak hour is 11 vehicles. This is less than a one percent increase to the total pm peak hour traffic on Sunnyview Road NE in the planning horizon year 2035.

The proposed changes of both the Comprehensive Plan Map and Zoning will not cause a traffic or operational issue. There is no significant affect and the proposal is consistent with the Transportation Planning Rule.

Goal 14 – Urbanization

The proposal does not affect the Urban Growth Boundary and is consistent with the goal to maintain a compact and efficient urban area. This proposal complies with Goal 14.

SRC 64.025(e)(2)(E): The amendment is in the public interest and would be of general benefit.

Finding: The proposed change in the land use designation is in the public interest and will be of general benefit because it will help address this citywide projected need for more multi-family designated land. The City of Salem recently completed a Housing Needs Analysis (HNA), which found that the City has a projected deficit of 207 acres of multi-family land over the next 20 years to meet population and employment growth projections. The City Council accepted this HNA on February 8, 2016. The proposal satisfies this criterion.

FINDINGS APPLYING TO THE NEIGHBORHOOD PLAN MAP AMENDMENT

The site is within the East Lancaster Neighborhood Association (ELNA). ELNA has a neighborhood plan with a Land Use Plan Map, which designates the subject property as “Single Family”. The neighborhood plan was adopted by the City Council, and the Land Use Plan Map is therefore an adopted part of the Salem Area Comprehensive Plan, pursuant to SRC 64.320.

A change in the ELNA Neighborhood Plan Map designation from Single Family to Multi-Family is proposed. The ELNA neighborhood plan map land use designations were adopted by City Council in 1984, over 30 years ago. At that time the subject property was surrounded by other low density single family residential development. The land use pattern of the neighborhood has changed since then and the site is now surrounded on the south and west side by Multi-Family Residential land developed with apartment complexes. The property no longer abuts any other single family residential developments, except to the north, across Sunnyview Road NE.

The ELNA Neighborhood Plan contains the following criteria for the siting of multi-family development in “Multifamily Policy 16”:

- a. With primary access on to arterials and collectors
- b. Within one-half mile of an existing transit route, and

c. Adjacent to existing or designated commercial areas

These criteria offer insight into why land was designated Single Family or Multi-Family in the original 1984 ELNA plan. Today, the subject property satisfies all three of the criteria for Multi Family designation. Sunnyview Road NE is an arterial street and a transit route. The site is also an extension of other existing multi-family residential development to the west, which is adjacent to commercially designated land along Lancaster Drive NE.

Staff finds that the proposed neighborhood plan map change to a Multi-Family designation is justified for these reasons and the reasons presented earlier in this report, addressing the Comprehensive Plan Map amendment criteria of SRC 64.025(e).

FINDINGS APPLYING TO THE APPLICABLE SALEM REVISED CODE CRITERIA FOR THE ZONING MAP AMENDMENT

The applicable criteria and factors are stated below in **bold** print. Following each criterion is a response and/or finding relative to the amendment requested.

SRC 265.005(e)(1)(A). The zone change is justified based on one or more of the following:

- (i) **A mistake in the application of a land use designation to the property**
- (ii) **A demonstration that there has been a change in the economic, demographic, or physical character of the vicinity such that the zone would be compatible with the vicinity's development pattern.**
- (iii) **A demonstration that the proposed zone change is equally or better suited for the property than the existing zone. A proposed zone is equally or better suited than an existing zone if the physical characteristics of the property are appropriate for the proposed zone and the uses allowed by the proposed zone are logical with the surrounding land uses.**

Finding: The proposal satisfies criterion (iii); the proposed zone change is equally or better suited for the property than the existing zone. The proposed RM2 zoning designation is better suited for the subject property than the existing RA designation because the site has characteristics that make it well-suited to multi-family residential housing, such as its close proximity to transportation corridors, public facilities, and commercial services. The subject property is also surrounded on the south and west side by other RM2 zoned land that is developed with apartment complexes, and is not abutting any other single family residential development. The site was designated RA at a time when the surrounding land use pattern was more rural in nature and did not include surrounding apartment complex development. The site's current configuration with three detached dwellings on two large lots is not an optimal use of the land, given it is now surrounded by higher density development and has the transportation and utility infrastructure to support higher residential densities. The site's 1.28 acre size, and its location on Sunnyview Road NE surrounded by apartment complexes makes it ideal for redevelopment as a multi-family project such as a small apartment complex or townhouse subdivision. The proposal meets this criterion.

(B) If the zone change is City-initiated, and the change is for other than City-owned property, the zone change is in the public interest and would be of general benefit.

Finding: Findings addressing the Comprehensive Plan Change criterion SRC 64.025(e)(2)(E), included earlier in this report, address how the proposal is in the public interest and would be of general benefit. The proposal satisfies this criterion.

(C) The zone change conforms with the applicable provisions of the Salem Area Comprehensive Plan.

Finding: Findings addressing the Comprehensive Plan Change criterion SRC 64.025(e)(2)(D), included earlier in this report, address the applicable provisions of the Salem Area Comprehensive Plan for this consolidated comprehensive plan change and zone change request. The proposal satisfies this criterion.

(D) The zone change complies with applicable Statewide Planning Goals and applicable administrative rules adopted by the Department of Land Conservation and Development.

Finding: Findings addressing the Comprehensive Plan Change criterion SRC 64.025(e)(2)(D), included earlier in this report, address applicable Statewide Planning Goals and Oregon Administrative Rules for this consolidated comprehensive plan change and zone change request. The proposal satisfies this criterion.

(E) If the zone change requires a comprehensive plan change from an industrial use designation to a non-industrial use designation, or from a commercial or employment designation to any other use designation, a demonstration that the proposed rezone is consistent with its most recent economic opportunities analysis and the parts of the Comprehensive Plan which address the provision of land for economic development and employment growth; or be accompanied by an amendment to the Comprehensive Plan to address the proposed rezone; or include both the demonstration and an amendment to the Comprehensive Plan.

Finding: The subject property is not currently designated for industrial, commercial, or employment use. Therefore, this criterion does not apply to the proposal.

(F) The zone change does not significantly affect a transportation facility, or, if the zone change would significantly affect a transportation facility, the significant effects can be adequately addressed through the measures associated with, or conditions imposed on, the zone change.

Finding: This 1.28 acre subject property is currently developed with three single family homes. If this site were developed to its maximum allowable density under its current Single Family Residential Plan Map designation and Residential Agriculture zoning, there could be up to 11 single family homes. Under the proposed RM2 zoning, the site could hypothetically be developed with 35 apartment units.

The net increase in traffic in the pm peak hour is 11 vehicles. This is less than a one percent increase to the total pm peak hour traffic on Sunnyview Road NE in the planning horizon year 2035.

The proposed changes of both the Comprehensive Plan Map and Zoning will not cause a traffic or operational issue. There is no significant affect and the proposal satisfies this criterion.

(G)The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed in the proposed zone.

Finding: The subject property is located inside the Urban Service Area. Water, sewer, and storm infrastructure are available within surrounding streets/areas, and appear adequate to serve future multi-family residential uses on the site. The property fronts Sunnyview Road NE, which is built out with two vehicular travel lanes, and central turn lane, curbs, sidewalks, and bike lanes at this location. Site-specific infrastructure requirements for redevelopment of the site will be addressed in the Site Plan Review process in SRC Chapter 220. The proposal meets this criterion.

CONCLUSION

Based on the facts and findings presented herein, staff concludes that the proposed Comprehensive Plan Map Amendment, Neighborhood Plan Map Amendment, and Zone Change satisfy the applicable criteria contained under SRC 64.025(e)(2) and SRC 265.005(e)(1) for approval.

RECOMMENDATION

Staff recommends that the Planning Commission adopt the facts and findings of the staff report and **APPROVE** the following actions for the subject property approximately 1.28 acres in size and located at 4220, 4230, and 4240 Sunnyview Road NE:

- A. RECOMMEND that City Council accept first reading of an ordinance bill for the purpose of amending the designation of the subject properties on the Salem Area Comprehensive Plan Map from Single Family Residential to Multi-Family Residential and amend the Neighborhood Plan Map designation from Single Family to Multi-Family; and
- B. APPROVE the proposed Zone Change from Residential Agriculture (RA) to Multiple Family Residential (RM2)

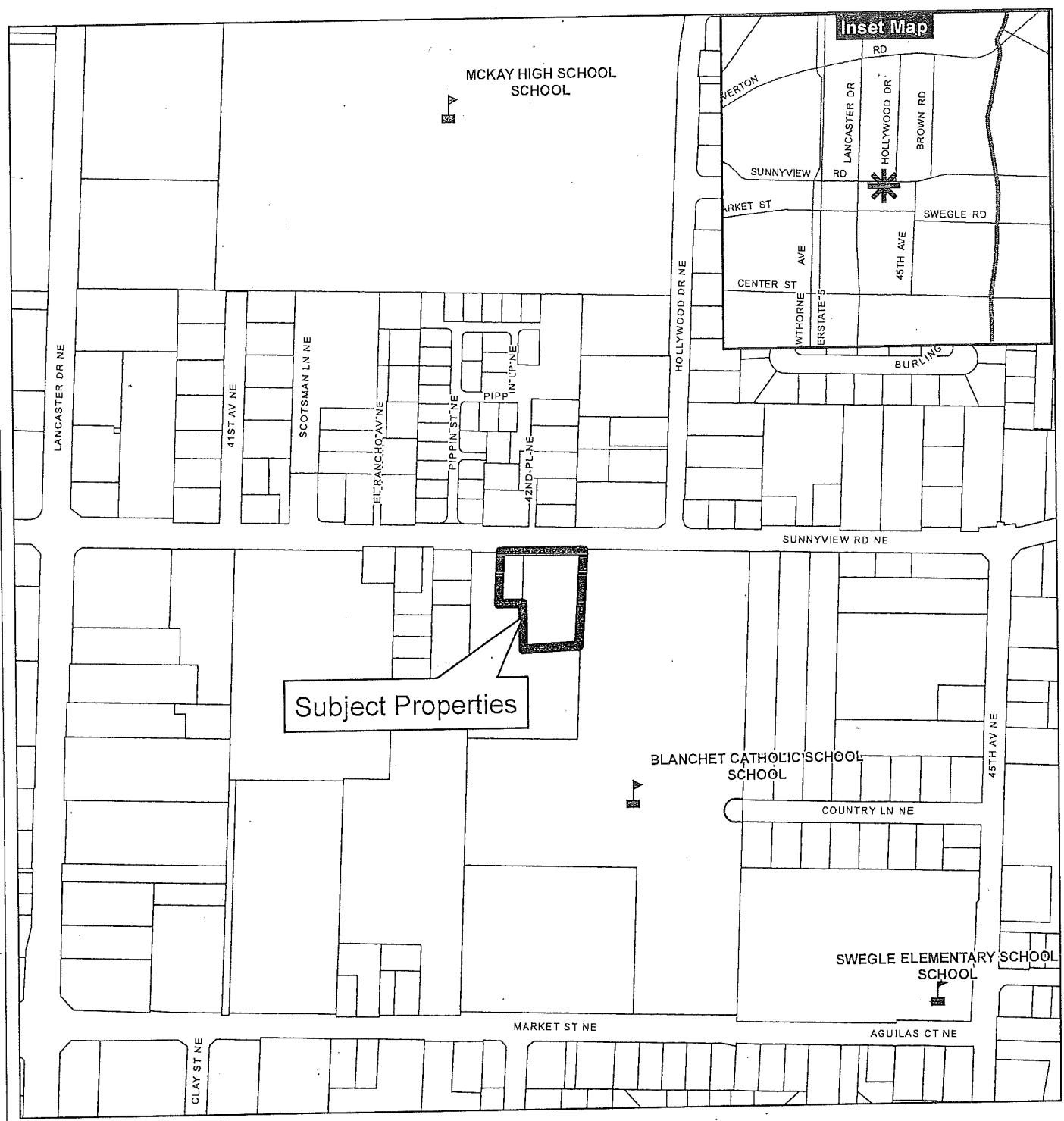
Attachments: A. Vicinity Map
B. Vicinity Comprehensive Plan Map and Zoning
C. Salem Public Works Department Comments
D. Salem-Keizer School District Comments

Prepared by Bryan Colbourne, AICP, Planner III



Vicinity Map

4220, 4230 & 4240 Sunnyview Road NE



Legend

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools

Parks

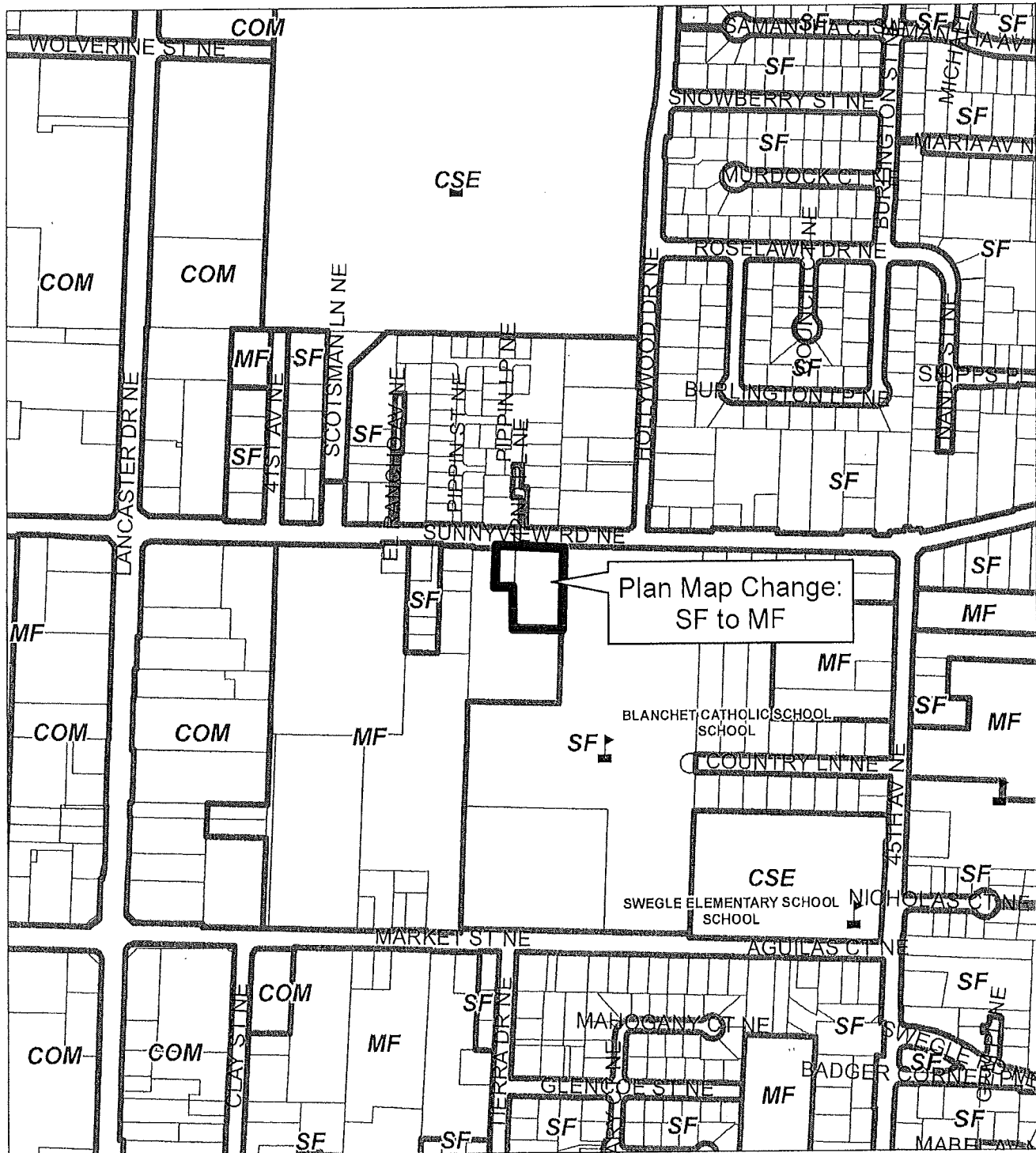
CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

0 100 200 400 Feet



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Comprehensive Plan Map - CPC-NPC-ZC17-01



Legend

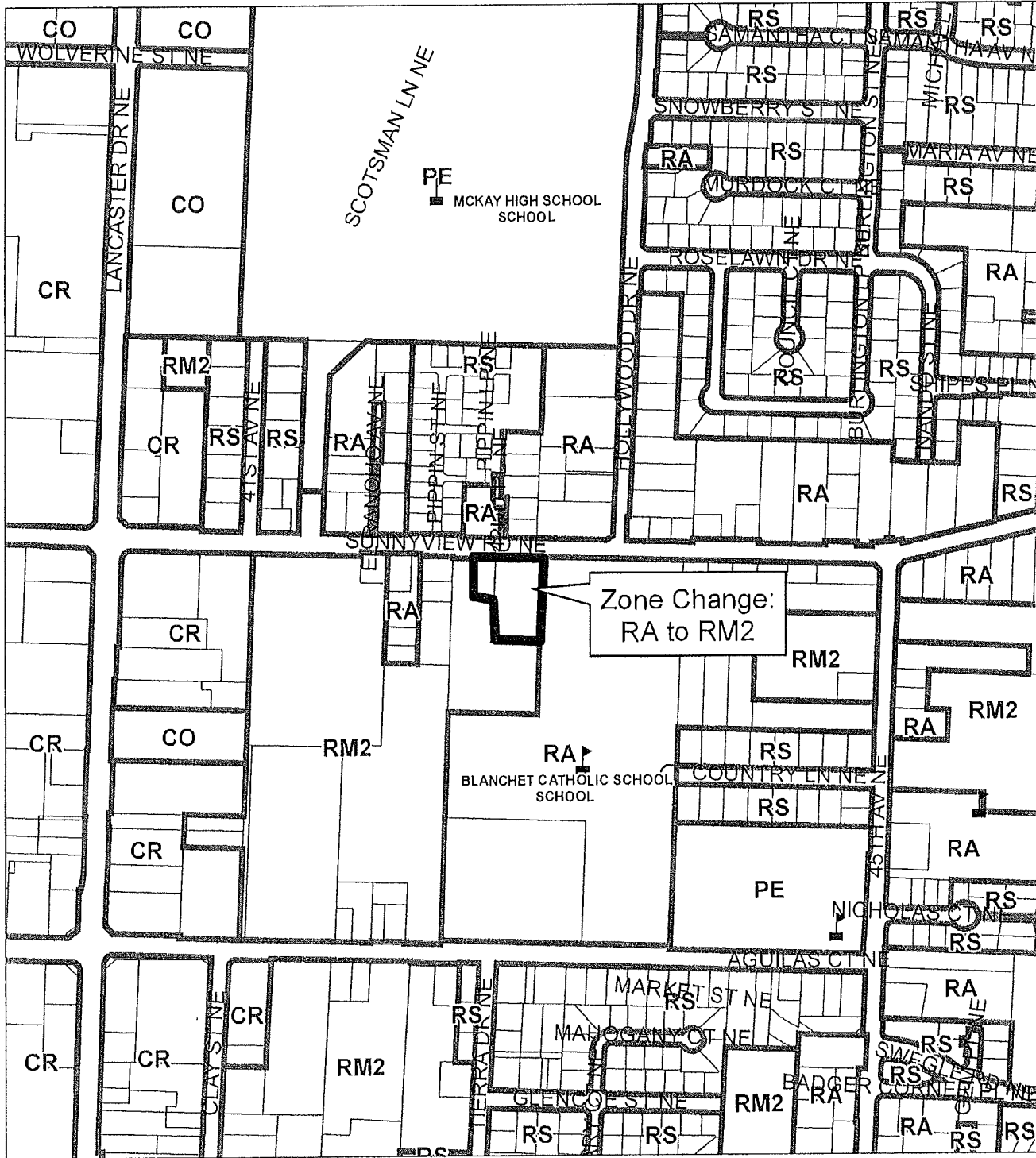
-  Comprehensive Plan
 Urban Growth Boundary
 Outside Salem City Limits
-  Taxlots
 Parks
 Schools

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Zoning Map - CPC-NPC-ZC17-01



Legend

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

0 50 100 200 Feet



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

FEB 22 2017



COMMUNITY DEVELOPMENT

MEMO

TO: Bryan Colbourne, Planner III
Community Development Department

FROM: Glenn J. Davis, PE, CFM, Chief Development Engineer
Public Works Department

DATE: February 22, 2017

SUBJECT: PUBLIC WORKS RECOMMENDATIONS
CPC-NPC-ZC 17-01 (17-102923)
4220, 4230, and 4240 SUNNYVIEW ROAD NE

PROPOSAL

A City initiated change of the Comprehensive Plan Map designation from Single Family Residential to Multi-Family Residential, change of Neighborhood Plan Map designation from Single Family to Multi-Family, and zone change from Residential Agriculture (RA) to Multiple Family Residential (RM2) for two units of land totaling 1.28 acres in area and located at 4220, 4230, and 4240 Sunnyview Road NE (Marion County Assessors map and tax lot numbers 072W19AB / 03600 and 03700).

FINDINGS:

The proposed changes of both the Comprehensive Plan Change and Zone Change will not cause any traffic or operational issues. There is no significant affect and the proposal is consistent with the Transportation Planning Rule.

The Assistant City Traffic Engineer submitted the following findings:

This 1.28 acre site is currently developed with three single family homes. If this site were developed to its maximum under the Residential Agriculture designation, there could be up to 11 single family homes. Under the proposed RM2 zoning, the site could be developed with 35 apartment units.

The net increase in traffic in the pm peak hour is 11 vehicles. This is less than a one percent increase to the total pm peak hour traffic on Sunnyview Road NE in the planning horizon year 2035.

Code authority references are abbreviated in this document as follows: *Salem Revised Code* (SRC); *Public Works Design Standards* (PWDS); *Salem Transportation System Plan* (Salem TSP); and *Stormwater Management Plan* (SMP).

CRITERIA AND FINDINGS

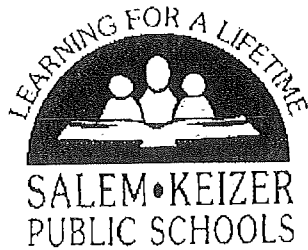
SRC 265.005(e)(1)(F) The zone change does not significantly affect a transportation facility, or, if the zone change would significantly affect a transportation facility, the significant effects can be adequately addressed through the measures associated with, or conditions imposed on, the zone change.

Finding: The Assistant City Traffic Engineer has submitted findings that demonstrate the proposed CPC/ZC will not have a significant effect on the transportation system as defined by OAR 660-012-0060.

SRC 265.005(e)(1)(G) The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed zone.

Finding: The water, sewer, and storm infrastructure are available within surrounding streets/areas and appear to be adequate to serve the existing and future tenants. Site-specific infrastructure requirements will be addressed in the Site Plan Review process in SRC Chapter 220.

Prepared by: James Suing, Program Coordinator
cc: File



DAVID FRIDENMAKER, Manager
Facility Rental, Planning, Property Services
3630 State Street, Bldg. C • Salem, Oregon 97301-5316
503-399-3335 • FAX: 503-375-7847

Christy Perry, Superintendent

February 15, 2017

Bryan Colbourne, Case Manager
Planning Division, City of Salem
555 Liberty Street SE, Room 305
Salem OR 97301

FAX No. 503-588-6005

RE: Land Use Activity
Salem Case No. CPC-NPC-ZC17-01, 4420, 4230, 4240 Sunnyview Rd. NE

SUMMARY OF COMMENTS

School Assignment: Swegle Elementary School, Waldo Middle School, McKay High School
School Capacity: Sufficient school capacity currently exists to serve the proposed development at Waldo Middle School and McKay High School, but does not currently exist at Swegle Elementary School
School Transportation Services: Within walk zone for Swegle Elementary School and McKay High School. Eligible for school transportation services to Waldo Middle School

Below is data and the District's comments regarding the proposed land use activity identified above. If you have questions, please call at (503) 399-3335.

ELEMENTARY SCHOOL INFORMATION (GRADES K TO 5)

1. School Name: Swegle Elementary School
2. Estimated change in student enrollment due to proposed development: 4
3. Current school capacity: 542
4. Estimate of school enrollment including new development: 557
5. Ratio of estimated school enrollment to total capacity including new development: 103%.
6. Walk Zone Review: Within walk zone of Elementary School.
7. Estimate of additional students due to previous 2016 land use applications: 6
8. Estimate of additional students due to previous 2017 land use applications: 0
9. Estimated cumulative impact of 2016-17 land use actions on school capacity: 104% of capacity.

MIDDLE SCHOOL INFORMATION (GRADES 6 TO 8)

1. School Name: Waldo Middle School
2. Estimated change in student enrollment due to proposed development: 1
3. Current school capacity: 1,108
4. Estimate of school enrollment including new development: 981
5. Ratio of estimated school enrollment to total capacity including new development: 89%
6. Walk Zone Review: Eligible for transportation to Middle School
7. Estimate of additional students due to previous 2016 land use applications: 17
8. Estimate of additional students due to previous 2017 land use applications: 0

9. Estimated cumulative impact of 2016-17 land use actions on school capacity: 90% of capacity.

HIGH SCHOOL INFORMATION (GRADES 9 TO 12)

1. School Name: McKay High School
2. Estimated change in student enrollment due to proposed development: 2
3. Current school capacity: 2,458
4. Estimate of school enrollment including new development: 2,457
5. Ratio of estimated school enrollment to total capacity including new development: 100%
6. Walk Zone Review: Within walk zone of High School.
7. Estimate of additional students due to previous 2016 land use applications: 26
8. Estimate of additional students due to previous 2017 land use applications: 0
9. Estimated cumulative impact of 2016-17 land use actions on school capacity: 101% of capacity.

ESTIMATE SUMMARY (GRADES K TO 12):

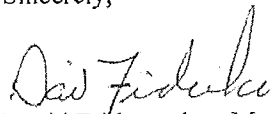
1. Total estimated change in student enrollment: 7
2. Total estimated student enrollment over capacity: 4
3. Total estimated capital costs for new schools for new school capacity: \$203,324

Developer should provide paved walk route(s) to allow pedestrian access and bicycle access to school(s) from all residences within the new development and should provide all improvements required by the City of Salem where new transportation routes are established or existing transportation routes change, such as school flashers, crosswalks, and signage. As per ORS 195.115, when the walk zone review indicates "eligible for transportation due to hazard" the District requests that the City initiate a planning process with the District to identify the barriers and hazards to children walking or bicycling to and from school, determine if the hazards can be eliminated by physical or policy changes and include the hazard elimination in the City's planning and budgeting process.

ASSUMPTIONS:

1. When land use request is granted, 18 (assume 14 du/acre) new residence(s) will be built.
2. Estimates are computed using the Student Rate per Dwelling Method described in the District's Facility Study for years 2001-2020.
3. In our region, the median costs for new schools are \$50,831 per student for elementary schools, \$54,625 per student for middle schools and \$46,389 per student for high schools.¹

Sincerely,



David Fridenmaker, Manager
Planning and Property Services

- c: Mike Wolfe, Chief Operations Officer
David Hughes, Manager – Custodial, Property and Auxiliary Services
William White, Manager - Risk Management
Michael Shields, Director of Transportation

¹ Paul Abramson, 20th Annual School Construction Report, *School Planning & Management*, Feb. 2015