

Exhibit 1

Criteria and Findings for Code Amendment Case No. CA17-02, to allow non-profit shelters for victims of domestic violence with 10 or fewer people as a permitted use in residential and commercial zones, remove some siting requirements for domestic violence shelters in certain residential zones, and establish an off-street parking requirement for domestic violence shelters of one parking space per guest room or suite

Procedural Findings

1. Under SRC 300.1100, legislative land use proceedings include proposals to amend the City's land use regulations and involve the creation, revision, or implementation of broad public policy generally affecting a large number of individual properties. The final decision in a legislative land use proceeding is an ordinance enacted by the City Council.
2. Under SRC 300.1110(a)(2), legislative land use proceedings may be initiated by the Planning Commission by adoption of a resolution. On January 10, 2017, the Planning Commission adopted Resolution 17-01, initiating the proposed amendment to the Salem Revised Code.
3. City Staff conducted outreach with the neighborhood associations throughout January and February 2017. Four neighborhoods invited City staff to come speak about the issue at their regular monthly meetings. Staff presented at South East Salem Neighborhood Association (SESNA), Northeast Neighbors (NEN), South Central Association of Neighbors (SCAN), and Northeast Salem Community Association (NESCA). At these neighborhood presentations, City staff was joined by staff from the Center for Hope and Safety, who were able to answer questions about how domestic violence shelters operate. SCAN, NEN, SESNA, and the East Lancaster Neighborhood Association (ELNA) submitted written comments in support of the proposal. No comments in opposition have been received. All comments are attached to this staff report.
4. On March 21, 2017, the Planning Commission held a public hearing on the proposed amendments and adopted a motion recommending that City Council accept first reading of an ordinance bill to make the proposed amendments to the Salem Revised Code related to domestic violence shelters.

Findings Addressing Approval Criteria

SRC 110.085 establishes the following approval criteria which must be met in order for a code amendment to be approved:

- a) The amendment is in the best interest of the public health, safety, and welfare of the City

Finding: Domestic violence shelters provide an essential service to the community by offering a place of refuge for victims of domestic violence. These shelters typically appear just like a regular residential dwelling because their occupants are usually women and children trying to keep a low profile while re-establishing their lives. The current requirement for a conditional use permit with public notice and a hearing results in the location of new shelters being disclosed to the public and defeats the purpose of these types of shelters to keep a safe low-profile location for victims trying to flee from unsafe domestic situations. The proposed amendments will allow domestic violence shelters with 10 or fewer people to locate in residential and commercial zones without a conditional use permit, thereby avoiding the publicity of a conditional use permit hearing. The amendments also provide more location options for these types of shelters by allowing them on local streets in residential neighborhoods and establishing a more appropriate off-street parking standard of one parking space per guest room or suite. In this way, the proposed amendments support the continued successful operation of domestic violence shelters in Salem and satisfies this criterion.

- b) The amendment conforms with the Salem Area Comprehensive Plan, applicable Statewide Planning Goals, and applicable administrative rules adopted by the Department of Land Conservation and Development

Consistency with Salem Area Comprehensive Plan

SACP Section II (A)(3)(a), Residential Plan Map Designation

The criteria that will be used to develop an acceptable residential land use pattern will include the following: ... (e) The need to ensure opportunities for a variety of housing alternatives throughout the urban area.

Finding: The proposed amendments provide greater opportunities for domestic violence shelters to locate in residentially designated lands throughout the City. The criteria for acceptable land uses in the residential plan map designation include consideration of the needs for a variety of housing alternatives. Non-profit shelters for victims of domestic violence offer an important type of short term accommodations for a vulnerable segment of Salem's population. The proposed amendments will ensure the ongoing provision of this land use in residential areas, which is consistent with the stated criteria.

Consistency with Statewide Planning Goals

Goal 10 – Housing

To provide for the housing needs of citizens of the state.

And

Goal 11 – Facilities and Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: The proposed amendments provide new opportunities for domestic violence shelters to locate in residentially designated lands throughout the City, thereby providing both an important form of short term housing for a vulnerable segment of Salem's population and an essential community service. The proposal is consistent with the applicable Statewide Planning Goals.