

**Exhibit 6**  
**Criteria and Findings for Proposed Amendments**  
***West Salem Zone Code Clean-Up (Ordinance Bill No. 3-18)***

**Amendment Criteria**

Adoption of the proposed code amendments and plan and zone map amendments may be made if the following criteria are met:

1. SRC Chapter 64, Plan Map Amendments, section 64.025:
  - (e)(1) Major plan map amendment. A major plan map amendment may be made if:
    - (A) The amendment is in the best interest of the public health, safety, and welfare of the City.
    - (B) The amendment conforms to the applicable statewide planning goals and applicable administrative rules adopted by the Department of Land Conservation and Development.
  
2. SRC Chapter 110, Code Amendments, section 110.085:
  - (b) Criteria. An amendment to the UDC may be made if:
    - (1) The amendment is in the best interest of the public health, safety, and welfare of the City; and
    - (2) 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.
  
3. SRC Chapter 265, Zone Changes, section 265.010:
  - (d) Criteria. A legislative zone change may be made if the Council finds that:
    - (1) The zone change is in the best interest of the public health, safety, and welfare of the City.
    - (2) The zone change complies with the Salem Area Comprehensive Plan, applicable statewide planning goals, and applicable administrative rules adopted by the Department of Land Conservation and Development.
    - (3) If the zone change requires a comprehensive plan change from an industrial designation to a non-industrial designation, or a comprehensive plan change from a commercial or employment designation to any other designation, a demonstration that the proposed zone change is consistent with the 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 zone change; or include both the demonstration and an amendment to the comprehensive plan.
    - (4) 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.

**Procedural Findings**

City Council initiated this amendment as a major amendment to the Comprehensive Plan with adoption of Resolution 2018-13 on February 12, 2018. Notice of the proposed amendment was

submitted to the Department of Land Conservation and Development on February 13, 2018 as required by SRC 300.1110. Mailed and published notice of the public hearing was provided pursuant to SRC 300.1110 and ORS 227.186.

### **Public Health, Safety, and Welfare of the City**

*Criteria: SRC 64.025(e)(1)(A), 110.085(b)(1), & 265.010(d)(1)*

The proposal to create a West Salem Central Business District zone to be applied in the area between Wallace Road NW and Wallace Marine Park, will provide property owners with a broader range of commercial, residential, and mixed-use development options. This will help foster the efficient development of commercial services and higher density residential uses in close proximity to civic uses such as the West Salem Public Library, Post Office, and Transit Center, as well as Wallace Marine Park. This unified town center for West Salem will help maintain the essential role that this area already plays for all residents of West Salem and will capitalize on the areas full potential as an ideal location for mixed-use development that is a logical extension of Salem's existing Central Business District just a short walk across the Union Street Railroad Pedestrian Bridge. The health, safety, welfare, and quality of life of West Salem residents and the City as a whole will be enhanced by establishing zoning at this location that encourages a walkable town center that offers a full array of commercial, public, and residential uses in close proximity. West Salem residents who do not live within this town center will benefit from having these services only a short drive, bike or bus ride away. Proposed design standards for this area will also improve the look and feel of new development over time, by requiring more attractive building design that places parking areas behind or beside buildings, thereby creating a more pleasant and safe urban environment for people walking and riding bikes.

The proposed Edgewater/Second Street Mixed Use Corridor zone will provide opportunities for mixed-use development that builds on the longstanding main street feel of Edgewater Street NW, but extend that main street style mixed-use development pattern farther north and west. The health, safety, and welfare of local residents will be enhanced by creating additional opportunities for attractive and walkable main street style development such as storefront retail and compact mixed-use development along both Edgewater Street and Second Street NW.

The proposed Second Street Craft Industrial Corridor zone and proposed amendments to the IP zone allow for the continued productive use of underutilized industrial properties in West Salem for either industrial uses or certain limited commercial uses. This encourages redevelopment, economic investment, and prepares the Second Street corridor for future revitalization as the City of Salem moves forward with plans to extend Second Street east-west across Wallace Road. Revitalization of these industrial properties with additional industrial and commercial uses boosts the general welfare of local residents by providing economic opportunities and improving the look and feel of the area.

### **Statewide Planning Goals**

*Criteria: SRC 64.025(e)(1)(B), 110.085(b)(2), & 265.010(d)(2)*

The proposed plan map, zone map, and code changes are consistent with and conform to the Statewide Planning Goals as described below.

#### Goal 1: Citizen Involvement

*To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

### *Finding*

Extensive community outreach was conducted in 2014 and 2015 during the creation of the Action Plan, including public meetings and open houses to solicit input from local residents and other stakeholders. The West Salem Zone Code Clean-Up Project is the collaborative planning process that was launched in early 2017 to write these new zoning code provisions that implement the recommendations of the Action Plan. The process continued throughout 2017 with additional public outreach efforts including regular community meetings to gather public comments, mailings to all affected property owners, social media outreach, work sessions before the West Salem Renewal Advisory Board and Salem Planning Commission, Presentations before the West Salem Neighborhood Association and West Salem Business Association, Technical Advisory Committee meetings, and ongoing communication and meetings with key stakeholders from the area. The project webpage contains information about the proposed code amendments, including a complete draft of the proposed ordinance ([bit.ly/codecleanup](http://bit.ly/codecleanup)). These public engagement efforts afforded the community maximum opportunity to participate in all phases of the development of these zone code amendments and the community input was used to develop the specific language included in the amendments. The public outreach conducted for the project therefore complies with this goal.

### Goal 2: Land Use Planning

*To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

### *Finding*

The proposed zone map and code amendments are accompanied by corresponding amendments to the Salem Area Comprehensive Plan Map and the West Salem Neighborhood Plan Generalized Land Use Map to ensure that the rezoned areas are consistent with Salem's adopted planning policy documents. The findings contained in this report demonstrate that the proposed amendments are consistent with all applicable state and local planning policies.

### Goal 3: Agricultural Lands

Not applicable to the West Salem Zone Code Clean-Up Amendments

### Goal 4: Forest Lands

Not applicable to the West Salem Zone Code Clean-Up Amendments

### Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

*To protect natural resources and conserve scenic and historical areas and open spaces.*

### *Finding*

The proposed plan map, zone map, and code amendments do not reduce or negatively affect any parks or open space. The proposal does not negatively affect the continued productive use and preservation of historic resources, such as the West Salem City Hall. The appropriate use and enjoyment of natural resources such as the Willamette River and local parks and open space is encouraged by the proposed amendments because more residential uses and fewer high impact industrial and auto-oriented uses will be allowed near these resources. The proposal is therefore consistent with this goal.

### Goal 6: Air, Water, and Land Resources Quality

*To maintain and improve the quality of air, water, and land resources of the state.*

### *Finding*

The designation of more mixed-use land, where people may live in close proximity to commercial services, jobs, and urban amenities, encourages the use and viability of alternative modes of transportation such as walking, bicycling, and public transit. This supports modes of travel other than the automobile, therefore potentially reducing associated emissions. The proposal is therefore consistent with this goal.

### Goal 7: Areas Subject to Natural Disasters and Hazards

*To protect people and property from natural hazards.*

### *Finding*

The City's existing landslide hazards, flood, and other codes contain appropriate development standards to address the risks imposed by natural disasters and hazards. These standards will continue to apply within the areas rezoned under the proposal. The proposed amendments are therefore consistent with this goal.

### Goal 8: Recreational Needs

*To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destinations resorts.*

### *Finding*

The recreational enjoyment of natural resources such as the Willamette River and area parks and open spaces is encouraged by the proposed amendments because more residential uses and fewer high impact industrial and auto-oriented uses will be allowed in close proximity to the parks and river. The proposal is therefore consistent with this goal.

### Goal 9: Economic Development

*To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

### *Finding*

The proposed zoning amendments implement the land use and zoning recommendations of the West Salem Business District Action Plan. The Action Plan included a real estate market assessment of the land within the West Salem Urban Renewal Area, and concluded that there is a need for more retail and services within the area to serve the residents of West Salem, who currently have to travel across the bridge to buy many everyday goods and services. The assessment also identified a need to create more jobs in West Salem, and a need to improve property values in the URA to create a more vibrant and well connected urban environment that is capable of attracting new investment. The Action Plan's land use concept for the area around Wallace Road NW, Edgewater Street NW, and Second Street NW seeks to address these issues to boost the economy of West Salem.

The proposed rezoning of some industrial land to non-industrial designations is consistent with Salem's most recent Economic Opportunities Analysis (EOA), which found that the City has a projected surplus of industrial land and deficit of commercial land. Additional details about this are included later in this report, in the findings addressing SRC 265.010(d)(3) entitled "Rezoning of Industrial Land".

The proposal is consistent with this goal.

### Goal 10: Housing

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

*Finding*

The City of Salem recently completed a Housing Needs Analysis, which concluded that the City has a projected deficit of approximately 207 acres of multiple family residential land. The proposed plan map, zone map, and code amendments allow single family residential, two family residential, multiple family residential, mixed-use, and live-work housing on many properties that currently do not allow housing. The amendments are a significant boost to the supply of land available for medium to high density residential uses in West Salem, and therefore help address the housing needs for the residents of Salem. The proposal is therefore consistent with this goal.

Goal 11: Public 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 West Salem Business District Action Plan sets forth a vision for land use and transportation within the West Salem Urban Renewal Area. The land use vision is implemented by these proposed zoning amendments. The recommendations for transportation will be implemented over time by the construction of certain transportation infrastructure such as a grade separated crossing of Wallace Road NW at Second Street NW. Some of the needed public facilities will be financed by the URA and other public sources, and built by the City as capital improvements over time. Other needed public facilities could be financed by developers in conjunction with redevelopment of the area, pursuant to existing City policies for development contributions.

By re-zoning the area as proposed, property owners will have greater opportunity to redevelop their land at higher densities, which will help spur the public and private investment in public facilities and infrastructure for the area. The proposal is consistent with this goal.

Goal 12: Transportation

*To provide and encourage a safe, convenient, and economic transportation system.*

*Finding*

The proposed zoning amendments implement the land use and zoning recommendations of the West Salem Business District Action Plan. The Action Plan includes both land use and transportation recommendations for the vicinity, which work together to support the vision for a vibrant, well-connected, and revitalized business district for West Salem.

In addition, DKS Consultants prepared a memorandum for the City of Salem, dated February 14, 2018, analyzing the traffic impacts of the proposed zone changes and concluded that the changes satisfy state Transportation Planning Rule (TPR) requirements because they will reduce the overall daily and PM peak hour trip generation, thereby having no significant effect on the transportation systems. Additional details about the TPR analysis are included in the findings addressing SRC 265.010(d)(4) – Impacts on Transportation Facilities, included in this staff report, below.

The proposal is consistent with this goal.

Goal 13: Energy and Conservation

*To conserve energy*

*Finding*

The proposed plan map, zone map, and code amendments seek to achieve greater energy efficiency by promoting mixed-use development that makes walking, bicycling, and public transit usage more viable and encouraging the redevelopment of underutilized properties along Second Street into a mix of uses. This will potentially reduce reliance on automobile trips. The proposal is therefore consistent with this goal.

Goal 14: Urbanization

*To provide an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

*Finding*

By promoting the redevelopment of existing underutilized urban land for compact mixed-use development, the proposed plan map, zone map, and code amendments support the orderly and efficient use of land within Salem's Urban Growth Boundary. The proposal is therefore consistent with this goal.

Goal 15: Willamette River Greenway

To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

*Finding*

Portions of the proposed Edgewater/Second Street Mixed-Use Corridor (ESMU) zone will be applied to land within the boundaries of the Willamette River Greenway. The new ESMU zoning will not change any of the existing Willamette Greenway requirements, and mixed-use development allowed under the ESMU provisions is consistent with the purpose of the Greenway to develop land uses that protect and enhance the natural, scenic, and recreational qualities of the lands along the Willamette River. The proposal is therefore consistent with this goal.

Goal 16: Estuarine Resources

Not applicable to the West Salem Zone Code Clean-Up Amendments

Goal 17: Coastal Shorelands

Not applicable to the West Salem Zone Code Clean-Up Amendments

Goal 18: Beaches and Dunes

Not applicable to the West Salem Zone Code Clean-Up Amendments

Goal 19: Ocean Resources

Not applicable to the West Salem Zone Code Clean-Up Amendments

**Salem Area Comprehensive Plan**

*Criteria: SRC 110.085(b)(2) & 265.010(d)(2)*

The proposed plan map, zone map, and code amendments are consistent with and conform to the Salem Area Comprehensive Plan (SACP) as described below.

SACP II.A.3.b. – Definitions and Intent Statements, Mixed-Use Designation

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## SACP IV.F. – Salem Urban Area Goals and Policies, Mixed-Use Development

### *Finding*

The purpose of the Mixed-Use designation is to allow a mix of complementary land uses such as housing of all types, retail, offices, commercial services, and civic uses to create economic and social vitality. Mixed-Use areas are to have well-designed buildings and streets, with a well-connected public street system that provides safe public open spaces for people travelling by all modes of transportation and include appropriate transitions to adjacent single family residential neighborhoods.

The proposed Edgewater/Second Street Mixed-Use Corridor (ESMU) is a new mixed use zone that will apply to properties along Edgewater and Second Streets NW approximately between Wallace Road NW and Eola Drive NW. A corresponding change to the comprehensive plan map and West Salem Neighborhood Plan Generalized Land Use Map to a “Mixed-Use” designation is proposed. Much of this corridor is already zoned for mixed-use by way of several overlay zones that apply to the existing commercial and residential base zones. The proposed ESMU zone is generally based on the use and development standards of the existing mixed-use overlay zoning scheme that applies along Edgewater Street currently, but streamlines that zoning by incorporating it into one mixed-use zone, and expands that area covered by the mixed-use zone to include properties north of Second Street NW and west of Rosemont Avenue NW. The expansion areas to the north and west are logical extensions of the mixed-use corridor. Redesignating these areas for mixed-use now will afford property owners more use options, and ensure that new development is built in a pedestrian oriented manner with parking areas behind or beside buildings, consistent with the SACP.

## SACP II.A.3.d. – Definitions and Intent Statements, Central Business Designations

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## SACP IV.G.1. – Salem Urban Area Goals and Policies, Central Business District

### *Finding*

The purpose of the Central Business District designation is to provide a mixed-use regional retail and employment center for the Salem urban area as well as Marion and Polk counties. The Central Business District plan map designation is also defined as an area containing a compact arrangement of retail and commercial enterprises together with office, financial, cultural, entertainment, governmental, and residential use designed and situated to afford convenient access by pedestrians.

The proposed West Salem Central Business District (WSCB) is a new zone that will apply to land in West Salem between Wallace Road NW and Wallace Marine Park. This area is connected to Downtown Salem by the Marion Street and Center Street bridges as well as the Union Street Railroad Pedestrian Bridge. Downtown Salem is currently designated Central Business District on the plan map and zoning map. The proposed Central Business District designation and WSCB zoning of the area east of Wallace Road NW is a logical extension of Salem’s Central Business District across the Willamette River into West Salem. The new WSCB zoning contains use and development standards that are more appropriate to the needs of West Salem than the existing CB zoning that applies on the east side of the river, with design requirements better suited to an area in transition from auto-oriented to pedestrian-oriented development patterns.

The extension of the central business plan map designation across the Willamette River into West Salem is consistent with the applicable SACP goals and policies. The proposal is also consistent with the West Salem Business District Action Plan's identified need for a town center in West Salem and consistent with earlier studies that have considered this area as a logical extension of Salem's downtown core area as shown on the SACP Urban Area Activity Nodes and Corridors Map.

### West Salem Neighborhood Plan Generalized Land Use Map Designation

#### *Finding*

The proposed zone map and code amendments include corresponding amendments to the Comprehensive Plan Map and the West Salem Neighborhood Plan Generalized Land Use Map (GLUM). The West Salem Central Business District area will be designated "Central Business" and the Edgewater/Second Street Mixed-Use Corridor (ESMU) area will be designated "Mixed-Use" on the plan map and GLUM. The Central Business and Mixed Use plan map designations are appropriate for use on both the comprehensive plan map and West Salem GLUM pursuant to SRC 64.320(a), which requires consistency between the designations used on a Neighborhood Plan GLUM and the SACP Map.

#### **Rezoning of Industrial Land**

*Criterion: SRC 265.010(d)(3)*

The proposed zoning amendments include the rezoning of some industrial land east of Wallace Road NW to the West Salem Central Business (WSCB) zoning designation and the rezoning of some industrial land south of the Second Street right-of-way between Patterson Street NW and Wallace Road to the Edgewater-Second Street Mixed-Use Corridor (ESMU) zone. In total, approximately 18 acres of land designated "Industrial" on the comprehensive plan map and 12.3 acres of land designated "Industrial Commercial" on the comprehensive plan map will be rezoned and redesignated to non-industrial designations.

Salem's most recently adopted Economic Opportunities Analysis (EOA) was prepared in 2014 and was subsequently adopted as a support document to the Comprehensive Plan. The EOA finds that Salem's portion of the Urban Growth Boundary (UGB) – known as the Salem Urban Area – has a projected deficit of 271 acres of commercial land and a surplus of 907 acres of industrial land. The EOA identifies priority industrial lands and sets forth general criteria for high value industrial lands that should be maintained. The 30.3 total acres of industrial and industrial-commercial lands proposed for change to non-industrial plan map designation in West Salem are generally not identified as high priority industrial lands in the EOA. The EOA did identify the West Salem Urban Renewal Area as an area with redevelopment potential for continued industrial/employment land designations, however. The area west of Wallace Road NW inside the URA will remain designated for industrial use with this proposal. The proposed changes are consistent with the EOA.

#### **Impacts on Transportation Facilities**

*Criterion: SRC 265.010(d)(4)*

DKS Consultants prepared a memorandum for the City of Salem, dated February 14, 2018, analyzing the traffic impacts of the proposed zone changes and concluded that the changes satisfy state Transportation Planning Rule (TPR) requirements because they will reduce the



overall daily and PM peak hour trip generation, thereby having no significant effect on the transportation systems.

The area currently includes a patchwork of zones (commercial, industrial, and some residential zones) that don't align with current community needs and create challenges for development. The City desires to simplify the zoning by creating a single zone for each area that will allow more flexibility for commercial, residential and mixed-use developments and would remove some of the existing auto-oriented land uses options for new development. To determine if the City's planned zoning modifications would result in a significant effect to the transportation system under state Transportation Planning Rule (TPR) requirements, a trip generation comparison of existing and proposed zoning was prepared. The DKS memorandum summarizes the typical land use types and scenarios allowed under the existing zoning and an assessment of the reasonable worst-case trip generation. This reasonable worst-case trip level can be used to identify land use and development scenarios that could potentially be implemented under the proposed zoning without significantly effecting the transportation system and thereby not triggering TPR requirements.

The results for trip generation analysis indicate a decrease of approximately 4,155 daily trips for all three areas under the reasonable worst-case development under the proposed zoning compared to existing zoning. Furthermore, each area has a decrease of daily trips individually: 154 daily trips for the West Salem Central Business District, 3,017 daily trips for the Edgewater/Second Street Mixed-Use Corridor and 984 daily trips for the Second Street Craft Industrial Corridor under the proposed zoning compared to existing zoning.

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