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REVISED
DECISION OF THE PLANNING COMMISSION

Comprehensive Plan Change / Zone Change / Urban Growth Preliminary Declaration / Partition Case No.: CPC-ZC-UGA-PAR18-06

APPLICATION NO. : 18-120509-ZO

NOTICE OF DECISION DATE: January 9, 2019

SUMMARY: A Minor Comprehensive Plan Map Amendment to Employment Center and zone change to EC (Employment Center), an Urban Growth Area Preliminary Declaration to determine the public facilities required to serve the property, and a Tentative Partition to divide the property into two parcels.

REQUEST: A Minor Comprehensive Plan Map Amendment from CSG (Community Services Government) to Employment Center and a Zone Change from PH (Public and Private Health Services) to EC (Employment Center), an Urban Growth Area Preliminary Declaration to determine the public facilities required to serve the property, and a Tentative Partition to divide the property into two parcels, with proposed parcel 1 approximately 90.8 acres in size, and proposed parcel 2 approximately 4.5 acres in size, for property approximately 95.3 acres in size, zoned PH (Public and Private Health Services), and located at 4003-4005 Aumsville Highway SE - 97317 (Marion County Assessor's Map and Tax Lot number: 082W08 / 00104).

APPLICANT(S): Matt Oyen, Pacific Realty Associates

OWNER(S): State of Oregon – Corrections

LOCATION: 4003-4005 Aumsville Hwy SE / 97317

CRITERIA: Comprehensive Plan Change SRC Chapter 64.025(e)(2)
Quasi-Judicial Zone Change SRC Chapter 265.005(e)
Urban Growth Preliminary Declaration: SRC Chapter 200.025(d) & (e)
Partition: SRC 205.005(d)

FINDINGS: The facts and findings are located in the document dated January 9, 2019.

DECISION: The Planning Commission **APPROVED** the Comprehensive Plan Map Change / Zone Change / Urban Growth Preliminary Declaration / Partition Case No. CPC-ZC-UGA-PAR18-06 as follows:

- A. APPROVE Minor Comprehensive Plan Map Amendment from "Community Services - Government" to "Employment Center" for proposed Parcel 2, subject to the following condition of approval:

Condition 1: The change in comprehensive plan map designation from "Community Services – Government" to "Employment Center" for

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
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CITY OF Salem
AT YOUR SERVICE

the approximately 4.5 acres of proposed Parcel 2 shall be effective after a final partition plat has been recorded creating Parcel 2 as a legal unit of land.

- B. APPROVE Zone Change from PH (Public and Private Health Services) to EC (Employment Center) for proposed Parcel 2, subject to the following condition of approval:

Condition 2: The zone change from PH (Public and Private Health Services) to EC (Employment Center) for the approximately 4.5 acres of proposed Parcel 2 shall be effective after a final partition plat has been recorded creating Parcel 2 as a legal unit of land.

- C. APPROVE Urban Growth Preliminary Declaration, subject to the following condition of approval:

Condition 3: Construct a 12-inch sewer main in Aumsville Highway SE from the terminus of the existing main to the proposed boundary line between parcels 1 and 2; or pay a fee-in-lieu of improvement.

- D. APPROVE Tentative Partition subject to the following conditions of approval:

Condition 4: Prior to final plat approval, the existing metal clad building located at the northwest corner of the property shall be removed.

Condition 5: Along the entire frontage of Aumsville Highway SE for parcel 1, the ~~applicant~~ owner of parcel 1 shall construct a minor arterial boundary street improvement, widening the street to 23 feet from centerline. This improvement may be deferred until issuance of a building permit on parcel 1 warranting the street improvement pursuant to SRC 803.040.

Condition 6: Along the entire frontage of Deer Park Road SE, the ~~applicant~~ owner of parcel 1 shall construct a Collector boundary street improvement, widening the street to 17 feet from centerline. This improvement may be deferred until issuance of a building permit on parcel 1 warranting the street improvement pursuant to SRC 803.040.

Condition 7: Pursuant to SRC 804.035(a), a shared driveway access is required to serve parcel 2 from a neighboring property. The shared access shall meet the requirements of SRC Chapter 806, and the applicant shall acquire an access easement as a condition of final plat approval. This easement may be recorded with the plat or through a separate instrument.

VOTE:

Yes	7	No	0	Absent	1 (Smith)	Abstain	0
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Chane Griggs, President
Salem Planning Commission

The rights granted by the attached decision must be exercised, or an extension granted, as follows or this approval shall be null and void:

Urban Growth Preliminary Declaration	<u>January 25, 2021</u>
Partition	<u>January 25, 2021</u>

Application Deemed Complete:	<u>November 20, 2018</u>
Public Hearing Date:	<u>January 8, 2019</u>
Notice of Decision Mailing Date:	<u>January 9, 2019</u>
Decision Effective Date:	<u>January 25, 2019</u>
State Mandate Date:	<u>March 9, 2019</u>

Case Manager: Aaron Panko, APanko@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., Thursday, January 24, 2019**. 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(s) 64, 200, 205 and 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, the 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>

FACTS & FINDINGS

COMPREHENSIVE PLAN MAP AMENDMENT FROM “COMMUNITY SERVICES GOVERNMENT” TO “EMPLOYMENT CENTER”, ZONE CHANGE FROM PH (PUBLIC AND PRIVATE HEALTH SERVICES) TO EC (EMPLOYMENT CENTER), URBAN GROWTH AREA PRELIMINARY DECLARATION, AND PARTITION CASE NO. CPC-ZC-UGA-PAR18-06

JANUARY 9, 2019

PROCEDURAL FINDINGS

On October 8, 2018, an application was filed for a Comprehensive Plan Change, Zone Change, Urban Growth Area Preliminary Declaration, and Partition by the applicant Matt Oyen, Pacific Realty Associates and agent Suzannah Stanley, MacKenzie.

After receiving additional information, the consolidated application was deemed complete for processing on November 9, 2018. The public hearing on the application is scheduled for January 8, 2019.

Notice of public hearing was sent by mail to surrounding property owners pursuant to Salem Revised Code (SRC) requirements on December 19, 2018. Public hearing notice was posted on the property on December 26, 2018 by the applicant pursuant to SRC requirements.

On January 8, 2019, the Planning Commission held a public hearing on the consolidated applications, received testimony, and voted to approve the Comprehensive Plan Change, Zone Change, Urban Growth Area Preliminary Declaration, and Tentative Partition, with modifications to recommend conditions 3, 5, 6 and 7 from the staff report.

Amendments to an acknowledged Comprehensive Plan are not subject to the 120-day rule (Oregon Revised Statutes [ORS] 227.128). The request for Zone Change, Urban Growth Preliminary Declaration, and Tentative Partition included in this consolidated application are subject to the 120-day rule. The state-mandated 120-deadline to issue a final local decision in this case is March 9, 2019.

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

Salem Revised Code (SRC) 64.025(e)(2) establishes the approval criteria for 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 applicant's findings address (i) and (ii) above, demonstrating that the current designation is no longer appropriate and that the proposed Employment Center designation is equally or better suited for the proposed 4.5 acres of Parcel 2.

Addressing the alteration in circumstances, the applicant has identified an anticipated drop in Oregon's inmate population over the next decade. Because of this change to the social and demographic pattern, the Santiam Correctional Institution does not plan on growing at this location. Further, because of the security needs of the correctional facility, it is not likely that other uses permitted in the PH zone will locate on the subject property. The Santiam Correctional Institution no longer has a need for 95.3 acres of PH zoned land, and therefore the designation is no longer appropriate for the entire property.

The proposed EC zone designation is equally or better suited for the proposed 4.5 acre portion of the subject property. The 4.5 acre portion of the property that will be partitioned and rezoned is proposed to be developed in the future with abutting property to the northwest in the Mill Creek Corporate Center. The additional 4.5 acres will better allow for efficient and optimal future development land resulting in more economic and

employment opportunities, however the benefits of the proposed change in designation rely partly on the creation of proposed Parcel 2 as a legal unit of land so that the property may be developed in the future. Planning Commission adopts the following condition of approval.

Condition 1: The change in comprehensive plan map designation from “Community Services – Government” to “Employment Center” for the approximately 4.5 acres of proposed Parcel 2 shall be effective after a final partition plat has been recorded creating Parcel 2 as a legal unit of land.

The proposed change in designation is equally or better suited for the property by helping to promote a wider range of uses for underutilized property.

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 water, sewer, and storm infrastructure are available within surrounding streets/areas and appear to be capable of serving future development on the subject property. Site specific infrastructure requirements are addressed below as part of the Urban Growth Preliminary Declaration approval criteria findings.

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

Finding: The subject property is adjacent to the Mill Creek Corporate Center, which is comprised of EC (Employment Center) designated land. The proposed comprehensive plan map amendment does not introduce another plan map designation into the area, rather the proposal will in effect shift the existing comprehensive plan map and zoning boundary by approximately 123 feet to the east.

The City’s Economic Opportunities Analysis (EOA) adopted in 2015 is used to inform policy decisions about commercial and industrial land, including how to respond to requests to rezone land. The EOA examined Salem’s need for industrial and commercial land through 2035 and determined that Salem has a projected commercial land shortage of 271 acres, with about 60 percent (170 acres) of the shortage for office and commercial services. The study also determined that Salem is projected to have enough industrial land to accommodate industrial employment growth with a surplus of approximately 907 acres.

Employment Center is considered an industrial land designation, which the City currently has an adequate supply, however, the EC (Employment Center) zone allows for more potential uses than the current PH (Public and Private Health Services) zone, including more development opportunities for office uses, and limited retail and commercial services uses through EC Retail-Service Center Subzones. The additional uses permitted in the EC zone have the potential of allowing more opportunities for office and limited commercial services needed in the City.

Water and storm infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary partition plan. Sewer extension in Aumsville Highway is required to provide sewer service to proposed parcel 2.

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, General Development (Pages 23-26, Salem Comprehensive Policies Plan):

To ensure that future decisions concerning the use of land within the Salem urban area are consistent with State Land Use Goals.

Economic Growth B.3

Economic growth which improves and strengthens the economic base of the Salem urban area should be encouraged.

Finding: The proposed EC (Employment Center) zone allows for more potential uses than the current PH (Public and Private Health Services) zone allows, including more development opportunities for office uses, and limited retail and commercial services uses through EC Retail-Service Center Subzones. The additional uses permitted in the EC zone have the potential of allowing needed office and limited commercial services and further strengthening the economic base of the Salem urban area.

Development Compatibility B.12

Land use regulations which govern the siting of any development shall encourage development to reduce its impact on adjacent properties by screening, landscaping, setback, height, and mass regulations.

Finding: The setback, landscaping and screening requirements of the zoning code help to buffer incompatible land uses. Future development of the subject property shall comply with the development standards of the underlying zone, including appropriate zone-to-zone setbacks and screening.

Salem Urban Area Goals and Policies, Growth Management Goal (Page 27-30, Salem Comprehensive Policies Plan):

To manage growth in the Salem urban area through cooperative efforts of the City of Salem and Marion and Polk Counties, to ensure the quality of life of present and future residents of the area, and to contain urban development and to preserve adjacent farm lands.

Infill Development D.6

New developments shall make maximum use of available land areas with minimal environmental disturbance and be located and designed to minimize such public costs as extension of sewer and water services, schools, parks, and transportation facilities.

Finding: The subject property is located outside of the Urban Service Area. Water and storm infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary partition plan. Sewer extension in Aumsville Highway is required to provide sewer service to proposed parcel 2. The proposal is consistent with this policy.

Infill on Facilities D.9

New development shall be encouraged to locate in areas where facilities are already available and in areas which require the least public costs to provide needed facilities and services.

Finding: Water and storm infrastructure are available within surrounding streets/areas. Additional sewer infrastructure is needed to accommodate future development on the subject property, but available sewer service is located near the subject property. Improvements to Aumsville Highway SE and Deer Park Drive SE are required at the time of future development pursuant to SRC 803.040.

The applicable Statewide Planning Goals are addressed as follows:

Statewide Planning Goal 1 – Citizen Involvement: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

Finding: Notice of the proposal was provided to the Southeast Mill Creek Association, to surrounding property owners within the notice area, and posted on the property prior to the hearing. The Planning Commission will hold a public hearing to consider the request. Through the notice and public hearing process all interested parties are afforded the opportunity to review the application, comment on the proposal, and participate in the decision. These procedures meet the requirements of this Goal for citizen involvement in the land use planning process.

Statewide Planning Goal 2 – Land Use Planning: *To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

Finding: The City has complied with the Goal requirements for establishing and maintaining a land use planning process. The Oregon Land Conservation and Development Commission have acknowledged the Salem Area Comprehensive Plan to be in compliance with the Statewide Planning Goals.

Statewide Planning Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources: *To protect natural resources and conserve scenic and historic areas and open spaces.*

Finding: There are no known scenic, historic, natural, or cultural resources on the subject property.

Statewide Planning Goal 7 – Areas Subject to Natural Hazards: *To protect people and property from natural hazards.*

Finding: The subject property is not located within a floodplain or floodway. Mapped landslide hazards are not identified on proposed Parcel 2.

Statewide Planning 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: In 2014, the City conducted a study called the Salem Economic Opportunities Analysis (EOA). The EOA examined Salem's needs for industrial and commercial land through 2035, and concluded that Salem has a projected commercial land shortage of 271 acres and a surplus of approximately 907 acres of industrial land. The EOA provides strategies to meet the projected employment land needs in the Salem area. In 2015, the City Council voted to adopt the EOA; the City now uses the EOA and its findings to inform policy decision, including how to respond to request for rezoning land.

The proposed change to Employment Center will slightly increase the amount of industrial designated land in the city, and will increase the manufacturing, wholesale, warehousing and office uses permitted for the subject property, thereby opening up additional opportunities for economic development, consistent with the intent of Goal 9.

Statewide Planning Goal 10 – Housing: *To provide for the housing needs of citizens of the state.*

Finding: In 2014, the City conducted a Housing Needs Analysis (HNA) to develop strategies for the community to meet housing needs through 2035 and to inform policy decision related to residential land. The HNA concluded that Salem has a projected 1,975-acre surplus of land for single-family detached housing, and that there is a deficit of approximately 207 acres of available multi-family zoned land. The current Community Services – Government designation does not allow residential uses, and the proposed Employment Center designation does not allow residential uses. The proposed comprehensive plan change and zone change will not reduce the City's supply of land for housing.

Statewide Planning 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 subject property was annexed into the City of Salem in 1975, and is located outside the Urban Service Areas (USA), however, existing transportation and utility infrastructure is available in the vicinity. The request allows for the efficient use and development of property requiring minimal extension of new public services.

Statewide Planning Goal 12 – Transportation: *To provide and encourage a safe, convenient and economic transportation system.*

Finding: Goal 12 is implemented by the Transportation Planning Rule (TPR). In summary, 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 applicant for a comprehensive plan change is required to submit a Transportation Planning Rule (TPR) analysis to demonstrate that their request will not have a “significant effect” on the surrounding transportation system, as defined above.

The applicant has submitted a TPR analysis that is required to address the Transportation Planning Rule (OAR 660-012-0060). The TPR analysis demonstrates that the proposed CPC/ZC will not have a significant impact on the transportation system as defined by OAR 660-012-0060. The Assistant City Traffic Engineer concurs with the findings of the TPR analysis. No mitigation is required as a condition of the proposed Comprehensive Plan Change.

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

Finding: The proposed change will help to encourage and promote the wider use of a portion of underutilized land that is adjacent to one of the city's major industrial-business centers. The wider range of uses allowed by the EC zone will allow for additional development opportunities for the property benefiting the public. The proposal satisfies this criterion.

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

The following analysis addresses the proposed zone change for the subject property PH (Public and Private Health Services) to EC (Employment Center).

SRC Chapter 265.005 provides the criteria for approval for Quasi-Judicial Zone Changes. In order to approve a quasi-judicial Zone Map amendment request, the review authority shall make findings based on evidence provided by the applicant demonstrating that all the following criteria and factors are satisfied. The extent of the consideration given to the various factors set forth below will depend on the degree of impact of the proposed change, and the greater the impact of a proposal on the area, the greater is the burden on the applicant to demonstrate that, in weighing all the factors, the zone change is appropriate.

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 applicant's findings address (ii) and (iii) above, demonstrating that the current designation is no longer appropriate and that the proposed Employment Center designation is equally or better suited for the proposed 4.5 acres of Parcel 2.

Addressing the alteration in circumstances, the applicant has identified an anticipated drop in Oregon's inmate population over the next decade. Because of this change to the social and demographic pattern, the Santiam Correctional Institution does not plan on growing at this location. Further, because of the security needs of the correctional facility, it is not likely that other uses permitted in the PH zone will locate on the subject property. The Santiam Correctional Institution no longer has a need for 95.3 acres of PH zoned land, and therefore the designation is no longer appropriate for the entire property.

The proposed EC zone designation is equally or better suited for the proposed 4.5 acre portion of the subject property. The 4.5 acre portion of the property that will be partitioned and rezoned is proposed to be developed in the future with abutting property to the northwest in the Mill Creek Corporate Center. The additional 4.5 acres will better allow for efficient and optimal future development land resulting in more economic and employment opportunities, however the benefits of the proposed change in designation

rely partly on the creation of proposed Parcel 2 as a legal unit of land so that the property may be developed in the future. Planning Commission adopts the following condition.

Condition 2: The zone change from PH (Public and Private Health Services) to EC (Employment Center) for the approximately 4.5 acres of proposed Parcel 2 shall be effective after a final partition plat has been recorded creating Parcel 2 as a legal unit of land.

The proposed change in designation is equally or better suited for the property by helping to promote a wider range of uses for underutilized property.

(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: The proposal is not a City-initiated zone change. Therefore, this criterion does not apply.

(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 collective application. 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 collective application. 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 property currently has a Community Services - Government comprehensive plan map designation, the request would change the map designation to Employment Center, which is an industrial designation. Because the zone change

requires a comprehensive plan change from a non-industrial designation to an industrial designation, this criterion is not applicable.

(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 applicant has submitted a TPR analysis that is required to address the Transportation Planning Rule (OAR 660-012-0060). The TPR analysis demonstrates that the proposed CPC/ZC will not have a significant impact on the transportation system as defined by OAR 660-012-0060. The Assistant City Traffic Engineer concurs with the findings of the TPR analysis. No mitigation is required as a condition of the proposed Comprehensive Plan Change. The proposal meets 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: Water and storm infrastructure are available within surrounding streets/areas. Additional infrastructure is needed to accommodate future development on the subject property. Site-specific infrastructure requirements are addressed in the Preliminary Declaration for Urban Growth.

FINDINGS APPLYING TO THE APPLICABLE SALEM REVISED CODE CRITERIA FOR URBAN GROWTH AREA PRELIMINARY DECLARATION

SRC 200.025(d) states:

The Director shall review a completed application for an Urban Growth Preliminary Declaration in light of the applicable provisions of the Master Plans and the Area Facility Plans and determine:

- (1) The required facilities necessary to fully serve the development; and
- (2) The extent to which the required facilities are in place or fully committed.

Analysis of the development based on relevant criteria in SRC 200 is as follows:

SRC 200.055 – Standards for Street Improvements

Finding: An adequate linking street is defined as the nearest point on a street that has a minimum 60-foot-wide right-of-way with a minimum 30-foot improvement for local streets or a minimum 34-foot improvement for major streets (SRC 200.055(b)). No linking street improvements are required because the existing streets adjacent to the subject property meet the definition of a linking street. Findings for boundary street improvements can be found below under the criteria for SRC 205.005(d)(4) and (5).

SRC 200.060 – Standards for Sewer Improvements

Finding: The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities (SRC 200.060). The nearest available sewer facility appears to be located in Aumsville Highway SE, approximately 600 feet northwest of the subject property. Pursuant to the *Salem Wastewater Management Master Plan*, the applicant shall construct a 12-inch sewer main from the existing main in Aumsville Highway to the southeast line of parcel 2 or may pay a fee in lieu of the improvement. This improvement will link the site to existing facilities that are defined as adequate under 200.005(a). Planning Commission adopts the following modified condition of approval.

Condition 3: Construct a 12-inch sewer main in Aumsville Highway SE from the terminus of the existing main to the proposed boundary line between parcels 1 and 2; or pay a fee in-lieu of improvement.

SRC 200.065 – Standards for Storm Drainage Improvements

Finding: The proposed development shall be linked to existing adequate facilities by the construction of storm drain lines, open channels, and detention facilities which are necessary to connect to such existing drainage facilities. The nearest available public storm system appears to be located in Aumsville Highway abutting the subject property or in stormwater wetland area within the Mill Creek Corporate Center boundary. The applicant shall link the on-site system to existing facilities that are defined as adequate under SRC 200.005(a).

SRC 200.070 – Standards for Water Improvements

Finding: The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 200.070). No water system improvements are required because the existing infrastructure adjacent to the subject property meets current standards.

SRC 200.075 – Standards for Park Improvements

Finding: For residential uses, the applicant shall reserve for dedication prior to development approval that property within the development site that is necessary for an adequate neighborhood park, access to such park, and recreation routes, or similar uninterrupted linkages, based upon the Salem Comprehensive Parks System Master Plan. No park facilities are required because no residential uses are proposed.

FINDINGS APPLYING TO THE APPLICABLE SALEM REVISED CODE CRITERIA FOR TENTATIVE PARTITION

SRC 205.005(d) sets forth the criteria that must be met before approval can be granted to a partition tentative plan.

A. SRC 205.005(d)(1): *The tentative partition plan complies with the standards of this chapter and with all applicable provisions of the UDC, including, but not limited to the following:*

- (A) ***Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage, and designation of front and rear lot lines;***
- (B) ***City infrastructure standards; and***
- (C) ***Any special development standards, including, but not limited to, floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.***

Finding: The Salem Revised Code (SRC), which includes the Unified Development Code (UDC), implements the Salem Area Comprehensive Plan land use goals, and governs development of property within the city limits. The partition process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans. A second review occurs for the created lots at the time of site plan review/building permit review to assure compliance with the UDC.

The applicant shall provide the required field survey and partition plat per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and as per SRC Chapter 205, the approval of the partition plat by the City Surveyor may be delayed or denied based on the non-compliant violation. It is recommended the applicant request a pre-plat review meeting between the City Surveyor and the applicant's project surveyor to ensure compliance with ORS 672.005(2)(g)&(h), 672.007(2)(b), 672.045(2), 672.060(4), *Oregon Administrative Rules* 850-020-0015(4)&(10), 820-020-0020(2), and 820-020-0045(5).

The proposed tentative partition plan meets all applicable provisions of the UDC as detailed below.

Lot Standards: The proposal will result in the creation of two parcels, Parcel 1 approximately 90.8 acres in size, and to remain zoned PH (Public and Private Health Services) and is subject to the development standards of SRC Chapter 543, and Parcel 2 approximately 4.5 acres in size and to be zoned EC (Employment Center) and is subject to the development standards of SRC Chapter 550.

The PH Zone establishes the following minimum lot area and dimension requirements:

PH Zone – SRC Chapter 543		
Standard		Proposed Parcel 1
Lot Area		
All uses	Min. 10,000 sq. ft.	90.8 acres
Lot Width		
All uses	Min. 50 ft.	2,540 ft

PH Zone – SRC Chapter 543		
Standard		Proposed Parcel 1
Lot Depth		
All uses	Min. 80 ft.	1,616.9 ft.
Street Frontage or Alley Frontage		
All uses	Min. 16 ft.	1,642 ft (Aumsville Hwy), 1,335 feet (Deer Park Dr)

The EC Zone establishes the following minimum lot area and dimension requirements:

PH Zone – SRC Chapter 550		
Standard		Proposed Parcel 2
Lot Area		
All uses	None	4.5 acres
Lot Width		
All uses	None	122.6 ft.
Lot Depth		
All uses	None	1,616.9 ft.
Street Frontage or Alley Frontage		
All uses	Min. 16 ft.	122.6 ft.

As shown on the tentative partition plan and demonstrated above, the two parcels included within the proposed partition exceed minimum lot area, dimensions, and street frontage requirements.

Special Development Standards: There are no mapped waterways located on the subject property. The West Middle Fork Little Pudding is located to the north, but does not extend onto the subject property. Public Works staff has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

SRC Chapter 200 (Urban Growth Management): SRC Chapter 200 (Urban Growth Management) requires issuance of an Urban Growth Preliminary Declaration prior to development of property located outside the City's Urban Service Area. An Urban Growth Preliminary Declaration has been applied for with this consolidated application, findings addressing the applicable UGA approval criteria are included above.

Natural Resources

SRC 808 - Preservation of Trees and Vegetation: The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove a significant tree (Oregon White Oak greater than 24 inches in diameter at breast

height) (SRC 808.015) or a tree or native vegetation in a riparian corridor (SRC 808.020), unless the removal is excepted under SRC 808.030(a)(2), undertaken pursuant to a permit issued under SRC 808.030(d), undertaken pursuant to a tree conservation plan approved under SRC 808.035, or permitted by a variance granted under SRC 808.045.

The existing conditions plan indicates that there are no trees located on proposed Parcel 2. There are trees on proposed Parcel 1, however, no development activity is proposed in this area.

SRC 809 - Wetlands: Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetland laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures.

The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and/or hydric soils mapped on the property. The applicant should contact DSL to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s). Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

SRC 810 - Landslide Hazards: A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area. According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), the application does not affect any mapped landslide hazard areas on the subject property.

B. SRC 205.005(d)(2): The tentative partition plan does not impede the future use or development of the property or adjacent land.

Finding: The proposed partition divides the 95.3 acre property into two parcels. Proposed Parcel 2 has frontage on Aumsville Highway SE and proposed Parcel 1 has frontage on Deer Park Drive SE.

Proposed Parcel 1 is the site of the existing Santiam Correctional Institution which is operated by the Oregon Department of Corrections. No further development is proposed on Parcel 1 at this time.

An existing vacant metal clad building is located at the northwest corner of the property in the location of the proposed partition property line. Per SRC 800.015(a), every building shall be located entirely on a lot. The applicant indicates that this existing building will be removed. Prior to final plat approval, the existing building shall be removed.

Condition 4: Prior to final plat approval, the existing metal clad building located at the northwest corner of the property shall be removed.

As proposed and conditioned the proposed partition will not impede the future use or development of the property. The proposed parcels are of a size and configuration to allow them to be further developed consistent with the use and development standards of the existing PH zone and the proposed EC zone. This criterion is met.

C. SRC 205.005(d)(3): Development within the tentative partition plan can be adequately served by City infrastructure.

Finding: Water and storm infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary partition plan. Sewer extension in Aumsville Highway is required to provide sewer service to proposed parcel 2.

The proposed development is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed parcels can meet the PWDS, the applicant shall submit a tentative stormwater design prior to final plat approval.

All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 205.035(c)(6)(B) prior to final plat approval. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

D. SRC 205.005(d)(4): The street system in and adjacent to the tentative partition plan conforms to the Salem Transportation System Plan; and,

E. SRC 205.005(d)(5): The street system in and adjacent to the tentative partition plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the partition.

Finding: Aumsville Highway SE abuts the subject property and does not meet the current standard for a Minor Arterial street where it abuts parcel 1. Along the entire frontage of Aumsville Highway SE for parcel 1, the applicant shall construct a minor arterial boundary street improvement, widening the street to 23 feet from centerline. This improvement may be deferred until issuance of a building permit warranting the street improvement pursuant to SRC 803.040. No additional right-of-way dedication is needed. Planning Commission adopts the following modified condition of approval.

Condition 5: Along the entire frontage of Aumsville Highway SE for parcel 1, the owner of parcel 1 shall construct a minor arterial boundary street improvement, widening the street to 23 feet from centerline. This improvement may be deferred until issuance of a building permit on parcel 1 warranting the street improvement pursuant to SRC 803.040.

Deer Park Road SE abuts the subject property and does not meet the current standard for a Collector street. Along the entire frontage of Deer Park Road SE, the applicant shall construct a collector boundary street improvement, widening

the street to 17 feet from centerline. This improvement may be deferred until issuance of a building permit warranting the street improvement pursuant to SRC 803.040. No additional right-of-way dedication is needed. Planning Commission adopts the following modified condition of approval.

Condition 6: Along the entire frontage of Deer Park Road SE, the owner of parcel 1 shall construct a Collector boundary street improvement, widening the street to 17 feet from centerline. This improvement may be deferred until issuance of a building permit on parcel 1 warranting the street improvement pursuant to SRC 803.040.

Access to Aumsville Highway from proposed parcel 2 does not meet spacing standards pursuant to SRC chapter 804. Pursuant to SRC 804.035(a), a shared access is required from a neighboring property. The shared access shall meet the requirements of SRC Chapter 806, and the applicant shall acquire an access easement as a condition of final plat approval. Planning Commission adopts the following modified condition of approval.

Condition 7: Pursuant to SRC 804.035(a), a shared driveway access is required to serve parcel 2 from a neighboring property. The shared access shall meet the requirements of SRC Chapter 806, and the applicant shall acquire an access easement as a condition of final plat approval. This easement may be recorded with the plat or through a separate instrument.

F. SRC 205.005(d)(6): The tentative partition plan takes into account the topography and vegetation of the site so the need for variances is minimized to the greatest extent practicable.

Finding: Proposed Parcel 2 is relatively flat and does not contain trees or protected vegetation. Variances related to the topography or vegetation are not anticipated for future development of Parcel 2. No development activity is proposed for Parcel 1.

G. SRC 205.005(d)(7): The layout, size, and dimensions of the parcels within the tentative partition plan take into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will occur from the reasonable development of the parcels.

Finding: As is explained in the findings establishing conformance with SRC 205.005(d)(6) above, the layout, size, and dimensions of the proposed parcels are sufficient to accommodate future development subject to the requirements of the EC zone and the PH zone. This criterion is met.

H. SRC 205.005(d)(8): When the tentative partition plan is for property located more than 300 feet from an available sewer main, and the property will not connect to City water and sewer:

(A) The property is zoned residential;

- (B) The property has received a favorable site evaluation from the county sanitarian for the installation of an on-site sewage disposal system; and**
- (C) The proposed parcels are at least 5 acres in size and, except for flag lots, have no dimensions less than 100 feet.**

Finding: The site is served by available sewer and water. This criterion is not applicable.

CONCLUSION

Based on the facts and findings presented herein, the proposed Comprehensive Plan Change, Zone Change, Urban Growth Area Preliminary Declaration, and Tentative Partition, as conditioned, satisfy the applicable criteria contained under SRC 64.025(e)(2), SRC 265.005(e), SRC 200.025(d) & (e), and SRC 205.005(d).

APPROVE Minor Comprehensive Plan Map Amendment from “Community Services - Government” to “Employment Center” for proposed Parcel 2, subject to the following condition of approval:

- Condition 1:** The change in comprehensive plan map designation from “Community Services – Government” to “Employment Center” for the approximately 4.5 acres of proposed Parcel 2 shall be effective after a final partition plat has been recorded creating Parcel 2 as a legal unit of land.

APPROVE Zone Change from PH (Public and Private Health Services) to EC (Employment Center) for proposed Parcel 2, subject to the following condition of approval:

- Condition 2:** The zone change from PH (Public and Private Health Services) to EC (Employment Center) for the approximately 4.5 acres of proposed Parcel 2 shall be effective after a final partition plat has been recorded creating Parcel 2 as a legal unit of land.

APPROVE Urban Growth Preliminary Declaration, subject to the following condition of approval:

- Condition 3:** Construct a 12-inch sewer main in Aumsville Highway SE from the terminus of the existing main to the proposed boundary line between parcels 1 and 2; or pay a fee-in-lieu of improvement.

APPROVE Tentative Partition subject to the following conditions of approval:

- Condition 4:** Prior to final plat approval, the existing metal clad building located at the northwest corner of the property shall be removed.
- Condition 5:** Along the entire frontage of Aumsville Highway SE for parcel 1, the owner of parcel 1 shall construct a minor arterial boundary

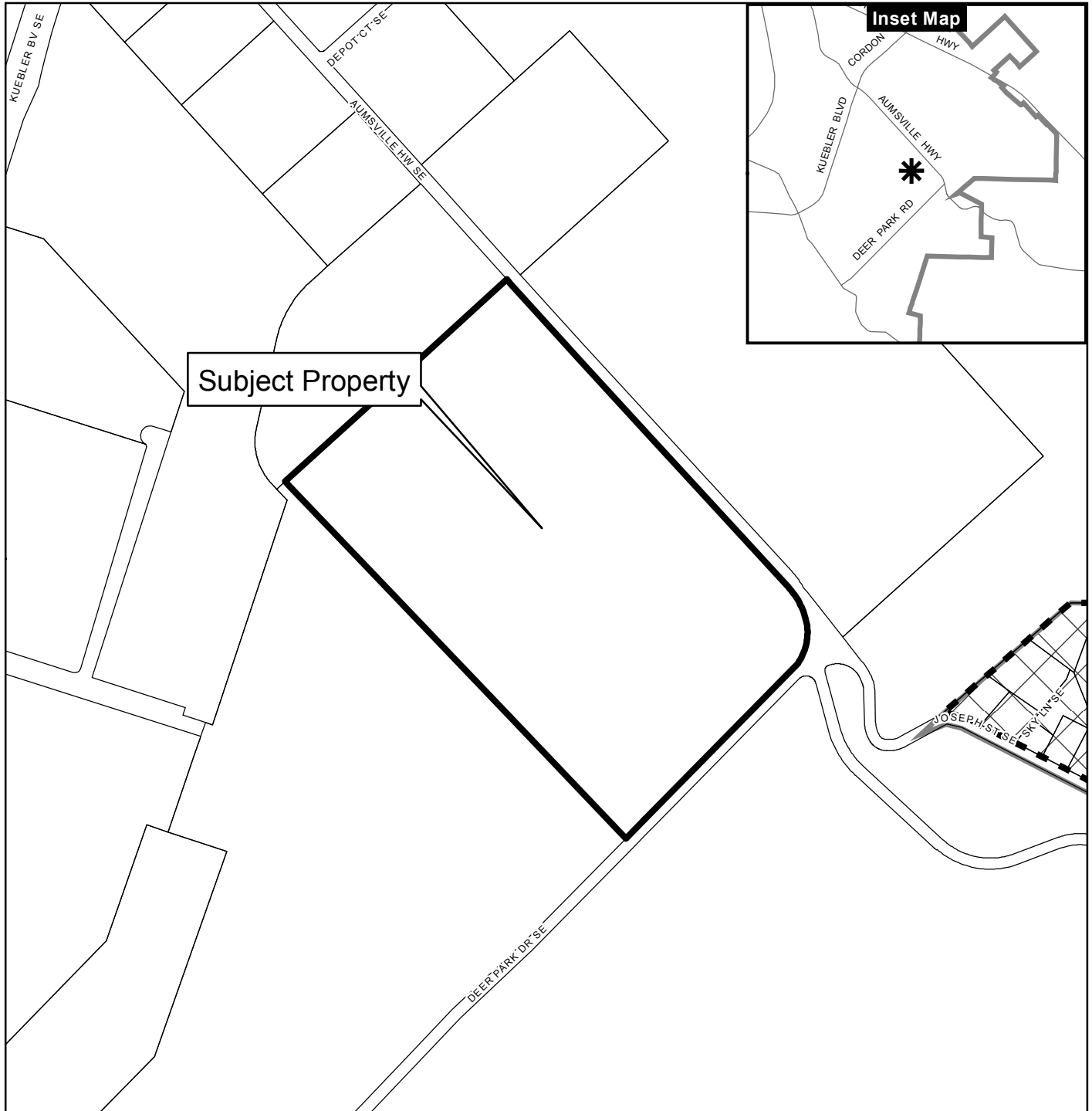
street improvement, widening the street to 23 feet from centerline. This improvement may be deferred until issuance of a building permit on parcel 1 warranting the street improvement pursuant to SRC 803.040.

Condition 6: Along the entire frontage of Deer Park Road SE, the owner of parcel 1 shall construct a Collector boundary street improvement, widening the street to 17 feet from centerline. This improvement may be deferred until issuance of a building permit on parcel 1 warranting the street improvement pursuant to SRC 803.040.

Condition 7: Pursuant to SRC 804.035(a), a shared driveway access is required to serve parcel 2 from a neighboring property. The shared access shall meet the requirements of SRC Chapter 806, and the applicant shall acquire an access easement as a condition of final plat approval. This easement may be recorded with the plat or through a separate instrument.

Vicinity Map

4003-4005 Aumsville Highway SE



Legend

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

- Parks

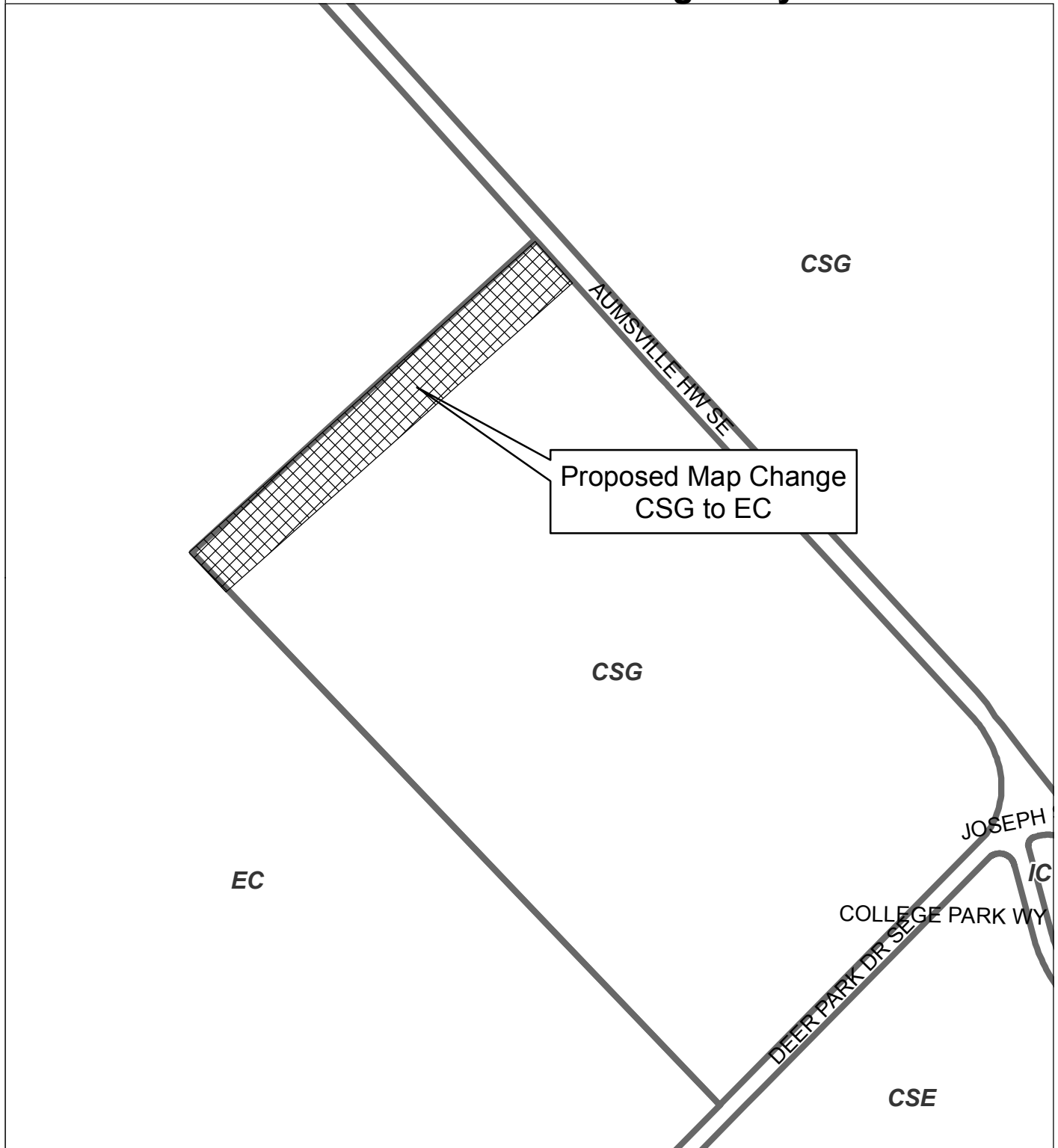
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Comprehensive Plan Map 4003-4005 Aumsville Highway SE



Legend

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

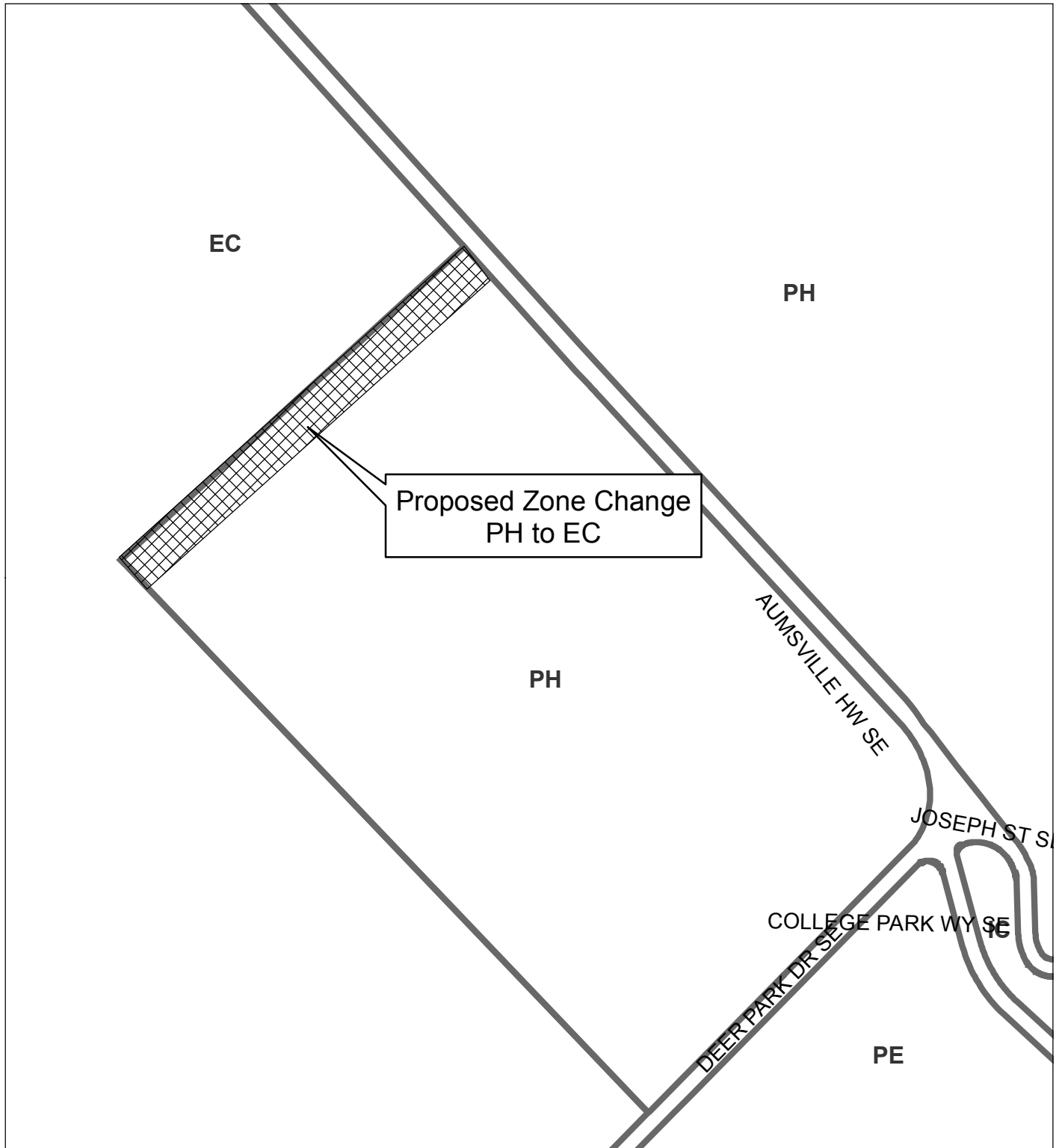
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






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Vicinity Zoning 4003-4005 Aumsville Highway SE



Legend

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

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CITY OF *Salem*
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Community Development Dept.

MACKENZIE.

DESIGN DRIVEN | CLIENT FOCUSED

COMPREHENSIVE PLAN, ZONE CHANGE, PARTITION AND URBAN GROWTH AREA PRELIMINARY DECLARATION

To
City of Salem

For
PacTrust MCCC

Dated
October 5, 2018

Project Number
2180335.00



MACKENZIE
Since 1960

RiverEast Center | 1515 SE Water Ave, Suite 100, Portland, OR 97214
PO Box 14310, Portland, OR 97293 | T 503.224.9560 | www.mcknze.com

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EXHIBITS

- A. Vicinity Map
- B. Comprehensive Plan, Zoning, and Partition Map
- C. Existing Utilities and City Infrastructure Map
- D. Existing Conditions
- E. Trip Generation and Transportation Planning Rule Evaluation Memo
- F. Proposed Partition Plat
- G. Recorded Deed with Legal Description
- H. Pre-Application Report
- I. Signed Application Form
- J. Title Report
- K. Mill Creek Corporate Center Subdivision Survey - Existing Utilities
- L. Mill Creek Corporate Center CCRs



I. PROJECT SUMMARY

Applicant: Matthew Oyen
Pacific Realty Associates, L.P.
15350 SW Sequoia Parkway, Suite 300
Portland, Oregon 97224
503-624-6300

Owner: Oregon Department of Corrections

Site Address: 4000 Block of Aumsville Highway SE, Salem, Oregon 97317

Tax Lots: 083W08 00104

Assessor Site Acreage: 95 acres

Zoning: Public and Private Health Services – PH

Comprehensive Plan: Community Service Government – CSG

Adjacent Zoning: Employment Center – EC, Public and Private Health Services – PH, Public and Private Educational Services – PE

Request: Partition, Comprehensive Plan Map Amendment, and Zone Change for the northern portion (4.55 acres) of Parcel 00104 from CSG/PH to EC/EC and Urban Growth Area Preliminary Declaration.

Project Contact: Suzannah Stanley
Mackenzie
1515 SE Water Avenue
Portland, Oregon 97214
503-224-9560
SStanley@mcknze.com

II. INTRODUCTION AND PROPOSAL

Description of Request

The proposal is to amend the comprehensive plan map from 95.321 acres of Community Services Government (CSG) to 90.771 acres CSG and 4.55 acres of Employment Center (EC). The proposal would also amend the zoning map from 95.321 acres of Public and Private Health Services (PH) to 90.771 acres of PH and 4.55 acres of Employment Center (EC), as shown on Figure 1. The 4.55-acre area at the north end of the site subject to the comprehensive plan amendment and rezoning to EC is also proposed to be partitioned so that it can be developed along with Lot 4 of the adjacent Mill Creek Corporate Center to the north, with the intent of developing with traded-sector and similar jobs-dense businesses, as well as other economic opportunities. All future development will be subject to subsequent land use review to demonstrate compliance with applicable sections of the Salem Revised Code.

Existing Site and Surrounding Land Use

The property, which is owned by the Oregon Department of Corrections, consists of a single tax lot at the southwest corner of Aumsville Highway SE and north of Deer Park Drive within Salem city limits (see Exhibit A). The total area of the tax lot is 95.321 acres. Table 1 specifies the existing area, comprehensive plan designation, and zoning, while Figure 1 illustrates the existing comprehensive plan and zoning designations. Table 1 shows the area of existing and proposed comprehensive plan designations and zoning.

The site has approximately 1,640 feet of Aumsville Highway SE (a Minor Arterial) frontage along its east side and abuts Deer Park Drive (a Collector) on its south side. Currently, the only public access to the site is from Aumsville Highway SE. The site is fairly flat, containing little vegetation aside from that surrounding the existing development, and no mapped wetlands on the Local Wetlands Inventory although the City's Public Works Stormwater Map (Exhibit C) shows a wetland located at the north end of the site. As no new development is proposed at this time, natural resources will be addressed at the time of development review. The property is currently home to the State of Oregon's Santiam Correctional Institution.

The adjacent land to the north is part of the Mill Creek Corporate Center subdivision, and zoned Employment Center (EC). The land to the south (across Deer Park Drive SE) is zoned Public and Private Educational Services (PE) and is the site of Corban University. The land to the east and northeast (across Aumsville Highway SE) is zoned Public and Private Health Services (PH) and consists of the Oregon Department of Public Safety, the Marion County Jail and the Oregon State Correctional Institution (Exhibit B).

No trees are located on the portion of the site subject to the comprehensive plan minor map amendment, zone change, and proposed partition.

Figure 1: Existing and Proposed Comprehensive Plan Designations and Zoning



Table 1: Existing and Proposed Map Designations				
	Comprehensive Plan	Area (acres)	Zoning	Area (acres)
Existing	CSG	95.321	PH	95.321
Proposed	CSG EC	90.771 4.55	PH EC	90.771 4.55

Abbreviation key:

Comprehensive Plan designations

CSG = Community Service Government
EC = Employment Center

Zoning designations

PH = Public and Private Health Services
EC = Employment Center

Neighborhood and Transit District Contact

The applicant has contacted the Southeast Mill Creek Association (SEMCA) about this proposal to involve the neighborhood association early in the development process and to identify any potential issues that might arise. At the time of application submittal, the applicant had not received a response from SEMCA about this application. If a meeting is requested, it will take place after application submittal.

The applicant also contacted the Salem-Keizer Transit District (Chris French, Senior Planner) via email about this application and sent a vicinity map on September 13, 2018. At the time of application submittal, the applicant had not received a response from the transit district.

III. APPROVAL CRITERIA

The following narrative addresses how the application proposal will comply with applicable Salem Revised Code (SRC) approval criteria.

TITLE V - Community Development Standards

Comprehensive Plan Amendment

Chapter 64. - Comprehensive Planning

Sec. 64.020. - Comprehensive plan amendments.

- (a) *Applicability. Amendments to the comprehensive plan, other than an amendment to a plan map, as that term is defined in SRC 64.025, shall be adopted as provided in this section. The two types of comprehensive plan amendments are major and minor.*

Response: This application is limited to a minor map amendment to the Comprehensive Plan, as defined in SRC 64.025(a)(2) because it “is an amendment to either the comprehensive plan map or a general land use map in a neighborhood plan, where the amendment affects only a small number of properties or a closely circumscribed set of factual circumstances.” The map amendment request only applies to a 4.55-acre portion of a single property (Tax Lot 082W08 00104), becoming the same Employment Center (EC) Comprehensive Plan designation as the adjacent property. This requirement is met.

Sec. 64.025. - Plan map amendments.

- (a) *Applicability. Amendments to a plan map shall be adopted as provided in this section. The two types of plan map amendments are major and minor. As used in this section, the term "plan map" means the urban growth boundary, the comprehensive plan map, or a general land use map in a neighborhood plan.*

- (1) *A major plan map amendment is:*

(A) *Any amendment to the urban growth boundary; or*

(B) *An amendment to either the comprehensive plan map or a general land use map in a neighborhood plan, where the amendment involves the creation, revision, or implementation of broad public policy generally affecting more than one property owner or a large number of individual properties.*

- (2) *A minor plan map amendment is an amendment to either the comprehensive plan map or a general land use map in a neighborhood plan, where the amendment affects only a small number of properties or a closely circumscribed set of factual circumstances.*

Response: As noted in the response above, this application is for a minor map amendment to the Comprehensive Plan, as defined in subsection (2) above. This requirement is met.

- (b) *Standing to initiate plan map amendments.*

- (1) *Notwithstanding SRC 300.1110, a major plan map amendment may only be initiated by the Council.*

- (2) *Notwithstanding SRC 300.1110, a minor plan map amendment may only be initiated by the Council, the Planning Commission, or an owner of property that is the subject of the amendment, or that owner's agent.*

Response: The portion of the property subject to the minor map amendment is currently owned by the Oregon Department of Corrections. The plan amendment will be initiated by the property owner's agent, Pacific Realty Associates, L.P. This requirement is met.

(c) *Procedure type.*

- (1) *Major plan map amendments are legislative decisions, and are processed according to the Legislative Procedures under SRC chapter 300.*
- (2) *Minor plan map amendments are quasi-judicial decisions, and are processed as a Type III procedure under SRC chapter 300.*

Response: This application is for a minor plan map amendment, a Type III procedure. The application is being submitted as a Type III request. This requirement is met.

(d) *Submittal requirements.*

(1) *Initiation.*

- (A) *A major or minor plan map amendment may be initiated by the Council by the adoption of a resolution, identifying the property that is the subject of the amendment, and setting forth the public purpose for the amendment.*
- (B) *A minor plan map amendment may be initiated by the Council or the Planning Commission by the adoption of a resolution, identifying the property that is the subject of the amendment, and setting forth the public purpose for the amendment, or by an applicant by the submission of an application that complies with subsection (d)(2) of this section.*

Response: Subsection (b)(2) above notes that a minor plan map amendment may be initiated by an owner of property that is the subject of the amendment, or that owner's agent. In this case, the owner's agent, Pacific Realty Associates, L.P., is initiating the minor plan map amendment, rather than the Council or the Planning Commission. This requirement is met.

- (2) *In addition to the submittal requirements for a Type III application under SRC chapter 300, an application for an applicant-initiated minor plan map amendment shall include the following:*

- (A) *An existing conditions plan of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:*
- (i) *The total site area, dimensions, and orientation relative to north;*
 - (ii) *The location of existing structures and other improvements on the site, including, but not limited to, buildings, accessory structures, fences, walls, parking areas, and driveways, noting their distance from property lines;*
 - (iii) *The location of drainage patterns and drainage courses, if applicable;*

Response: An Existing Conditions plan has been included with this application as Exhibit D.

(B) *A traffic impact analysis, if required by the Director.*

Response: As required by the Director, a Trip Generation and Transportation Planning Rule Evaluation Memorandum is included as Exhibit E. This requirement is met.

(e) *Criteria.*

(1) *Major plan map amendment. A major plan map amendment may be made if:...*

Response: A major plan map amendment is not proposed. These standards do not apply.

(2) *Minor plan map amendment. The greater the impact of the proposed minor plan map amendment, the greater the burden on an applicant to demonstrate that the criteria are satisfied. A minor plan map amendment may be made if it complies with the following:*

(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.*

Response: The Santiam Correctional Facility is located on the subject site, and the area designated Community Service Government (CSG) in its vicinity is also home to the Marion County Jail and the Oregon State Correctional Institution. The Santiam Correctional Facility does not plan to grow at this location. According to the most recent Oregon Corrections Population Forecast, Oregon's inmate population is changing, affecting nearby demographic patterns. The inmate population is anticipated to fall by 3.5% in the next decade, and as a result, the incarceration rate (prison beds per 1,000 population) is expected to fall 14.8% over the next ten years. By comparison, the Oregon population at large is expected to increase by 12.7% during this time.¹ Due to the security and other needs of correctional facilities, it is unlikely that other uses designated for CSG (such as health and medicine, religion, education, culture, and government) would locate on the same site as the Santiam Correctional facility. Therefore, changes from CSG to other designations are appropriate in this area. The 4.55 acres proposed as Employment Center (EC) in the northern portion of the site abuts Lot 4 of the Mill Creek Corporate Center subdivision which is also designated EC. Land use associated with EC provides for growth and economic development in traded sector industries and is a more appropriate current and future land use designation for the northern 4.55 acres of the subject site. This criterion is met.

(ii) *Equally or better suited designation. A demonstration that the proposed designation is equally or better suited for the property than the existing designation.*

Response: As shown in Exhibit B, the intent of the minor plan map amendment is to change the plan map designation of 4.55 acres of land at the north end of the subject site from Community Service Government (CSG) to Employment Center (EC) so that it is consistent with and can be developed as part of the adjacent

¹ Office of Economic Analysis Oregon Corrections Population Forecast (October 1, 2018)

property, which is owned by the State of Oregon (Department of Administrative Services).

The small size of the 4.55-acre proposed minor plan map amendment will have minimal impact on the overall comprehensive plan and zoning map, as it will take very little land out of the Community Service Government (CSG) designation. The subject site, which is currently designated CSG by the Comprehensive Plan, is surrounded on the north, west, and south sides by large areas featuring the Employment Center (EC) plan designation, consisting of the Mill Creek Corporate Center. Essentially, the designations abutting one another are not proposed to change; merely, the boundary between them will shift. Because such a large amount of the adjacent land is already assigned the EC designation, changing a 4.55-acre portion of the land currently designated as CSG to EC will allow it to blend into the adjacent EC land. Due to the extremely small amount of land (4.55 acres) requested to be taken out of the CSG designation, there will be minimal impact on the overall comprehensive plan map.

As currently configured, the lot to the north (Lot 4 of the Mill Creek Corporate Center subdivision) is not large enough for optimal development and will benefit from the additional 4.55 acres that will be partitioned from the subject site. When developed in combination with the adjacent site to the north (Mill Creek Corporate Center) the subject site will better allow for increased future development of that site, enabling more efficient infill development and accommodating more employment. The amount of land designated as Employment Center (high value industrial land) will slightly increase from 912 acres to 916.55 acres of the City's total land area. This will allow opportunities for a variety of economic activities to remain.

In addition, as explained above, the Santiam Correctional Facility on the subject site is not planning to grow at this location due to the forecast decrease in inmate population by 3.5% and decrease in the incarceration rate of more than 14%. As a result, the 4.55 acres at the northern portion of the site is not needed for CSG land uses. Due to the extremely small amount of land involved in the minor plan map amendment request, which consists of 4.55 acres or 0.4% of the CSG-designated land (1,156 acres) within a 1.5 mile radius of the site, the change will not have serious impacts on the comprehensive plan map/land designated CSG. This criterion is met.

(iii) *Conflict between comprehensive plan map designation and zone designation. A minor plan map amendment may be granted where there is a 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: ...*

Response: This situation does not exist for the subject area. This standard does not apply.

(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;*

Response: The subject site is currently well-served with public facilities including transportation, sewer, water and stormwater necessary to support the corrections facility located on the site as shown on Exhibit D, Existing Conditions, and Exhibit F, Proposed Partition Plat. The public facilities needs of the Santiam Correctional facility are being met, and the facility has no plans to expand at this location at this time. The proposed minor plan map amendment (which will only apply to the 4.55 acres at the north end of the site) will not add to the burden on public facilities. Exhibit E shows that the maximum potential number of daily trips generated by the plan map amendment will decrease by 166 (from 2,345 to 2,179). In addition, the 4.55-acre area subject to the minor plan map amendment will be developed along with Lot 4 of the Mill Creek Corporate Center subdivision, the adjacent site to the north. When Lot 4 is developed, the existing public facilities (Exhibits C and K) will serve the entire development including the 4.55 acres subject to the plan map amendment. This requirement is met.

(C) *The proposed plan map designation provides for the logical urbanization of land;*

Response: The subject site is currently capable of being served with necessary public facilities including water, stormwater, sewer and transportation (see Exhibits C and D). It is also adjacent to large amounts of Employment Center (EC) designated land. The City's Economic Opportunities Analysis (December 2015) states that Salem has adequate industrial land and a deficit of commercial land, with most of this demand being for office and related uses. The Employment Center (EC) designation does not fall squarely into the Industrial or Commercial category but is rather a blend of the two, focused on "high value" traded-sector employment, and accounts for 13% (912 acres) of the City's overall land, about half of which is vacant. While the 4.55 acres of land affected by the minor plan map amendment will add to the available supply of Employment Center land by 0.1%, this proposal creates a valuable opportunity to optimize existing land by developing it along with Lot 4 of the Mill Creek Corporate Center subdivision to the north, while leaving an adequate supply in the Community Service Government (CSG) designation for its intended uses of "health and medicine, religion, education, culture, government, including cemeteries, airports, and waste disposal."

The proposed minor plan map amendment will not create conflicts between designations because it does not change the plan map designations that abut one another; rather, the boundary between them is shifting to the east by approximately 125 feet, maintaining the status quo with respect to the compatibility between the CSG and EC plan map designations. This criterion is met.

(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*

Response: This application is for a minor plan map amendment to change the land use designation for a 4.55-acre portion at the north end of the subject site, from Community Service Government (CSG) to Employment Center (EC), which is consistent with applicable goals and policies of the Salem Area Comprehensive Plan as well as applicable Statewide Planning Goals and administrative rules as outlined below. This criterion will be met when the proposed comprehensive plan map amendment is approved.

The following goals and policies relate to the proposed comprehensive plan map amendment and zone change:

Economy and Employment

I. Industrial Development

GOAL: To encourage and promote industrial development which strengthens the economic base of the community by increasing traded-sector employment, especially in sectors that pay higher-than-average wages, and minimizes air and water pollution.

Industrial Land Inventory: 3. Ensure a sufficient short-term supply of serviced industrial land that is suitable for construction within one year of application for a building permit or request for service extension.

Response: This application is for a minor plan map amendment to change a 4.55-acre portion at the north end of the subject site from Community Service Government (CSG) to Employment Center (EC). According to the Salem Area Comprehensive Plan, the CSG designation includes sites and facilities for uses such as health and medicine, religion, education, culture and government, which are not primarily industrial uses or located in industrial zones. Changing this area from CSG to EC will maintain a sufficient supply of serviced industrial land, and along with the proposed zone change from Public and Private Health Service (PH) to Employment Center (EC) which implements the EC land use designation, will increase the amount of serviced industrial land because that designation is primarily focused on providing for a broad range of private and public economic development opportunities including creating local, family-wage jobs for the Salem community. This criterion is met.

Interface with Other Uses: 7. Industrial land shall be subject to industrial development standards which ensure that development and operation is compatible with surrounding land uses.

Response: No new development is proposed as part of this application. The two land use designations which abut one another on the existing Comprehensive Plan map are Community Service Government (CSG) and Employment Center (EC) and the corresponding zones which abut one another are Public and Private Health Services (PH) and Employment Center (EC). The applicant does not propose to change the abutting land use designations or zones. Rather, this application proposes the minor map amendment and zone change so that a 4.55-acre portion of the subject site is the same land use designation and zone as the property to the north, maintaining the current compatibility between land uses. Due to the proposed rezoning to EC (a zone which is primarily made up of industrial uses), future development of the property will likely include industrial uses and will be subject to the industrial development standards (including compatibility standards) of that zone. This criterion is met.

Diverse Interests: 17. Land development regulations should provide for a variety of industrial development opportunities.

Response: The Employment Center (EC) designation and zone are intended for a wide variety of industrial development, specifically manufacturing and other traded-sector employment. According to the 2015 Economic Opportunity Analysis, Salem’s current employment in traded-sectors is in “both manufacturing and some services. Salem’s manufacturing employment is concentrated in food processing, Computer and Electronic Products, Fabricated Metal Products, and other manufacturing. Traded-sector services in Salem are primarily in Professional Services and Administrative Support Services (e.g., call centers). Opportunities for growth of traded-sector employment include manufacturing of: technology (e.g., renewables or avionics), equipment, specialty metals, specialty food processing, and chemical manufacturing.” The minor plan map amendment and zone change will provide additional and efficient use of desirable “high value” land abutting other EC land, which will provide family-wage jobs and economic development opportunities. This criterion is met.

General

B. General Development

GOAL: To ensure that future decisions concerning the use of land within the Salem urban area are consistent with State Land Use Goals.

Economic Growth: 3. Economic growth which improves and strengthens the economic base of the Salem urban area should be encouraged.

Response: The proposed minor plan map amendment and zone change will change the land use designation of the 4.55-acre portion of the subject site from Community Service Government (CSG) to Employment Center (EC), and change the zone from Public and Private Health Services (PH) to Employment Center (EC). According to the Salem Comprehensive Plan, the primary focus of the EC designation is to “Provide a range of long- and short-term employment and business opportunities that contribute positively to the local and regional economy. Employment opportunities should include family-wage jobs. Business opportunities should contribute to a sustainable and diversified economy in Salem and create local jobs for the Salem community;” The proposed change to the EC designation and zone will allow for a broader range of economic development opportunities and lead to increased economic growth than the existing CSG designation, which is focused on providing “sites and facilities for uses such as health and medicine, religion, education, culture, government, including cemeteries, airports, and waste disposal.” The economic development focus of the EC-designated land (which is implemented by the EC zone) will lead to more diverse employment and business opportunities, more jobs, and increased tax revenue for Salem, which will strengthen and improve the area’s economic base. This criterion is met.

Optimal Use of the Land: 7. Structures and their siting in all residential, commercial, and industrial developments shall optimize the use of land. The cumulative effect of all new residential development in the Salem urban area should

average 6.5 dwelling units per gross acre of residential development. Development should minimize adverse alteration of the natural terrain and watercourses, the potential for erosion and adverse effects upon the existing topography and soil conditions.

Response: The proposed minor plan map amendment and zone change will alter the land use designation of 4.55 acres at the north end of the site from Community Service Government (CSG) to Employment Center (EC), and the zone from Public and Private Health Services (PH) to Employment Center (EC), so that it is the same designation and zone as the adjacent site to the north (Lot 4 of the Mill Creek Corporate Center subdivision). The 4.55-acre portion subject to the minor plan map amendment and zone change will be partitioned; and in the future, it will be developed as part of the adjacent Lot 4 site. Providing additional land with the EC designation, along with approval of the accompanying zone change from PH to EC, will enable the optimization of the subject site and Lot 4 to the north, because it will allow for at least an additional 119,000 square feet of building area on Lot 4, based on an increased lot coverage allowance, without requiring significant alteration of the natural terrain and watercourses. This criterion is met.

Development Compatibility: 12. Land use regulations which govern the siting of any development shall encourage development to reduce its impact on adjacent properties by screening, landscaping, setback, height, and mass regulations.

Response: This application proposes a minor plan map amendment and zone change for a 4.55-acre portion at the north end of the subject site, and not development. In the future, the Salem Unified Development Code and the site plan review provisions therein will apply at the time of development. The proposed new zone, Employment Center (EC), includes specific zone-to-zone setbacks and landscape requirements between that zone and the neighboring Public and Private Health Service (PH) zone, as well as height and mass restrictions. This criterion is met.

D. Growth Management

Infill Development: 6. New developments shall make maximum use of available land areas with minimal environmental disturbance and be located and designed to minimize such public costs as extension of sewer and water services, schools, parks, and transportation facilities.

Response: This application proposes a minor plan map amendment and zone change for 4.55 acres at the north end of the subject site. While the proposal does not include any development at this time, it is a prime infill site which will be easily served by nearby existing sewer, water, and transportation facilities, which are currently serving Lot 4 of the Mill Creek Corporate Center subdivision as illustrated on Exhibits C and K. There will be no cost to extend infrastructure for the site. Future development of the site will also minimize land and environmental disturbance because it will be combined with adjacent Lot 4 to the north, to optimize the efficient use of land. Because these are not residential or

commercial retail zones, the extension of schools and parks facilities does not apply. This criterion is met.

Infill on Facilities: 9. New development shall be encouraged to locate in areas where facilities are already available and in areas which require the least public costs to provide needed facilities and services.

Response: While new development is not proposed as part of this application, the minor plan map amendment and zone change to Employment Center (EC) will allow for a broad range of jobs-rich, traded-sector development beyond the uses associated with the current Community Service Government (CSG) designation and Public and Private Health Service (PH) zone, of which the intent is to provide sites and facilities for mostly government and institutional uses. The EC designation implemented by the EC zone, will best allow for the area (including the subject site and the adjacent site to the north) to grow in an efficient manner with future development because it will be able to capitalize on the existing public utilities and streets as shown on Exhibit C and Exhibit K, without having to extend new water, sewer, stormwater, and transportation facilities into currently undeveloped areas. This criterion does not apply.

Statewide Planning Goal Compliance

This section offers additional information on how the City's approval of the proposal will comply with applicable Statewide Planning Goals.

Goal 1 Citizen Involvement

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

Response: The current Salem Comprehensive Plan (Adopted October 1992, updated in November 2015) was created with involvement from many local residents, governmental agencies, and interested parties such as homeowners, advocacy groups, and neighborhood groups.

Since the proposal is consistent with the goals and policies of the Comprehensive Plan and Unified Development Code, it is therefore also in alliance with the general interests of the community, including providing land for a range of business and employment development opportunities in the area.

Approval criteria for the Comprehensive Plan map amendment and zone change come from Title V, Chapter 64 Comprehensive Planning, and Title X, Chapter 265 of the Unified Development Code. All criteria are met, as demonstrated in this narrative.

The Planning Commission will review the proposed minor plan map amendment and zone change and make a decision. Within the comprehensive plan map amendment and zone change process, the City mails notices to affected property owners and agencies, notice is published in the newspaper, and public hearings are held. This process complies with the Goal.

Goal 2 Land Use Planning

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

Response: Goal 2 requires that each jurisdiction have a comprehensive plan and implementation measures such as a zoning code and area-specific plans. As a quasi-judicial land use action, the proposed minor comprehensive plan map amendment and zone change are based on conformance with relevant elements of Salem's Comprehensive Plan and considerations related to that Plan's established zoning districts. The procedural requirements for the proposed comprehensive plan map amendment and zone change involve assessment of the application's merits, notice to affected parties, and public hearings. The proposal is to change the planning and zoning designations of land in compliance with Goal 2. Notice of the proposed minor comprehensive plan map and zoning map amendment is provided by the City to DLCD, as required. Oregon Department of Transportation and other affected agency staff will also be provided the opportunity to comment. The City's decision is based on findings of fact.

Goal 3 Agricultural Lands

Response: The site does not contain any designated agricultural resource lands. This goal does not apply.

Goal 4 Forest Lands

Response: The site does not contain any designated forest resource lands. This goal does not apply.

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

To protect natural resources and conserve scenic and historic areas and open spaces.

Response: The City of Salem has adopted programs that protect these resources. The proposed amendment will not impact a natural or historic area. The Salem-Keizer Local Wetlands Inventory (LWI), dated October 1999, indicates there are no wetlands mapped on the property. The City's stormwater map (Exhibit C) shows that a wetland is located on the southern part of Parcel 2. At the time of development review, this will be addressed by amending the mitigation plan for Lot 4 of the Mill Creek Corporate Center subdivision to the north.

Comprehensive plan amendment proposals must demonstrate consistency with Goal 5. In most cases, however, Goal 5 considerations can only apply to a specific development plan, which is not proposed at this time. A redesignation of the subject property is consistent with Goal 5, as it allows future site development to better accommodate natural features categorized under Goal 5. The proposed comprehensive plan amendment and zone change is not in conflict with this Goal.

Goal 6 Air, Water and Land Resources Quality

Response: This proposal does not affect these resources. This goal does not apply.

Goal 7 Areas Subject to Natural Hazards

Response: The site does not contain any areas subject to natural hazards. This goal does not apply.

Goal 8 Recreational Needs

Response: The site does not contain any recreational lands. This goal does not apply.

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.

Response: Per this goal, Salem inventories commercial and industrial land, projects future needs for such lands, and designates enough land to meet those needs. According to the 2015 Economic Opportunities Analysis, Salem is one of the few communities in Oregon with an adequate amount of industrial land and a deficit of commercial land; the provision of further developable employment-focused infill land will allow for development to provide more *and better* job opportunities for the region's citizens. The amount of land designated as Employment Center (high-value industrial land) will slightly increase from 912 acres to 916.55 acres of the City's total land area. This will allow opportunities for a variety of economic activities to remain. Salem will continue to meet Goal 9 when approving this application.

Goal 10 Housing

Response: The site does not contain any residential lands. This goal does not apply.

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.

Response: Goal 11 requires that public services such as sewers, water, law enforcement, and fire protection should be planned in accordance with a community's needs and capacities rather than responding to development as it occurs. Public facilities such as sewer and water, and services such as police and fire protection, are currently available to serve the subject site for institutional development, and the service needs of future industrial development following this proposal will likely be less. Salem will continue to meet Goal 11 when approving this application.

Goal 12 Transportation

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

Response: This goal requires Salem to provide "a safe, convenient and economic transportation system," and requires adoption of transportation plans designed to implement the goal. As described in Exhibit E, Trip Generation and Transportation Planning Rule Evaluation Memorandum, the proposal will not significantly affect any transportation facilities and future development following

the change is expected to generate 166 fewer daily trips. Salem will continue to meet Goal 12 when approving this application.

Goal 13 Energy Conservation

Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

Response: Allowance for employment-oriented development on the site will provide more job-creating opportunities for residents of Salem and other nearby communities, thus reducing vehicle miles traveled for future employees. This goal does not directly apply to the proposal, as no development is proposed at this time, but Salem can meet this goal following this application.

Goal 14 Urbanization

Response: The site does not contain any rural lands transitioning to urban areas. This goal does not apply.

Goal 15 Willamette River Greenway

Response: The site is not near the Willamette River Greenway. This goal does not apply.

Goal 16 Estuarine Resources

Response: The site does not contain any estuarine resources. This goal does not apply.

Goal 17 Coastal Shorelands

Response: The site does not contain any coastal shorelands. This goal does not apply.

Goal 18 Beaches and Dunes

Response: The site does not contain any beaches or dunes. This goal does not apply.

Goal 19 Ocean Resources

Response: The site does not contain any ocean resources. This goal does not apply.

(E) *The amendment is in the public interest and would be of general benefit.*

Response: The proposed minor plan map amendment to change 4.55 acres of land from Community Service Government (CSG) to Employment Center (EC) will increase the land in the City of Salem available for employment uses because it allows for broader economic development potential beyond the CSG designation, which is intended for uses such as health and medicine, religion, education, culture, government, including cemeteries, airports, and waste disposal intended for the CSG designation. The proposed designation of EC is in keeping with the designation of the surrounding land to the north, west and south. Providing land for employment will allow these areas to accommodate a broader range of jobs. More and varied jobs will expand tax revenue for community projects and infrastructure. Together, these will improve the livelihoods of Salem residents as well as those living and working in the region. This criterion is met.

Title X - Unified Development Code

URBAN GROWTH AREA PRELIMINARY DECLARATION

Chapter 200. - Urban Growth Management

Sec. 200.020. - Urban Growth Preliminary Declaration required; term and fee.

- (a) *Prior to subdivision plat approval for a residential or commercial subdivision, or application for a building permit for any development where no subdivision is contemplated, a developer shall first obtain an Urban Growth Preliminary Declaration if the development is within the urban growth area (UGA), or is within the urban service area (USA), but precedes city construction of required facilities that are shown in the adopted capital improvement plan, public facilities plan or comparable plan for the area of the development.*

Response: This application is for a Comprehensive Plan, Zone Change and Partition, not for a subdivision or a building permit; so this requirement does not apply. However, the city has requested that a request for a UGAPD be submitted at this time, as there is some overlap between the UGAPD and Comprehensive Plan map amendment and zone change approval criteria, which require a determination that the property is capable of being served with public facilities and services necessary to support the proposed use. Therefore, the applicant is submitting a UGAPD with this application to make the application process as efficient as possible.

- (b) *Prior to issuance of a building permit for a single family residence or duplex in a subdivision subject to subsection (a) of this section, and prior to issuing a certificate of occupancy for any other development subject to subsection (a) of this section, the Building Official shall ascertain that all conditions of the Urban Growth Preliminary Declaration have been complied with.*

Response: The applicant understands that prior to issuing a certificate of occupancy for development subject to subsection (a), the BO shall ascertain that all conditions of the UGAPD have been complied with.

- (c) *It shall be unlawful for any person to construct or commence construction of any single family residence or duplex in a subdivision subject to subsection (a) of this section, or to occupy (except under a temporary occupancy certificate issued pursuant to UBC section 306(d) and subsection (d) of this section) any other development subject to subsection (a) of this section without first obtaining an Urban Growth Preliminary Declaration.*

Response: The applicant understands that it shall be unlawful to occupy any other development (except temporarily) subject to subsection (a) of this section without first obtaining a UGAPD.

- (d) *Notwithstanding the provisions of subsection (b) of this section, the Building Official may issue a temporary occupancy certificate as provided in UBC section 306(d) if the holder has substantially complied with the conditions of an Urban Growth Preliminary Declaration and agrees in writing to complete all remaining conditions by a date certain not more than 180 days from the issuance of the temporary certificate. Failure to comply with such a written agreement shall result in revocation of the temporary certificate without further notice.*

Response: The applicant understands that the BO may issue a temporary occupancy certificate as provided in UBC section 306(d) if the holder has substantially complied with the conditions of a UGAPD and agrees in writing to complete all remaining conditions by a date certain not more than 180 days from the issuance of the temporary certificate without further notice.

- (e) *The fee for a Urban Growth Preliminary Declaration shall be as prescribed by resolution of the Council.*

Response: The applicant has submitted the appropriate fee for the UGAPD. This requirement is met.

Sec. 200.025. - Urban Growth Preliminary Declaration.

- (a) *Applicability. This section applies to development within the urban growth area, or within the urban service area prior to construction of required facilities by the City. An Urban Growth Preliminary Declaration may be obtained prior to, or concurrent with, an application for development.*

Response: The subject site is within the urban growth area and an Urban Growth Preliminary Declaration will be required to be obtained prior to development.

- (b) *Procedure type. Applications for Urban Growth Preliminary Declarations are processed as a Type II procedure under SRC chapter 300.*

- (c) *Submittal requirements. In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for an Urban Growth Preliminary Declaration shall contain the following:*

- (1) *The legal description of the total contiguous ownership on which the development is to occur;*

Response: A legal description of the total contiguous ownership on which the development is to occur is included as Exhibit G.

- (2) *A vicinity map showing the outline of the proposed development and its relation to all existing designated arterial and collector streets within a one mile radius;*

Response: A vicinity map has been included as Exhibit A.

- (3) *The proposed or anticipated use;*

Response: The proposed use of the portion of the subject site to which the minor plan map amendment, zone change, and partition apply (Parcel 2) is industrial.

- (4) *If property is to be subdivided for residential purposes, the proposed dwelling unit density of the subdivision; and*

Response: The proposed use does not include residential. This requirement does not apply.

- (5) *Such other information as the Director deems necessary to evaluate the application.*

Response: The applicant understands that the Director may require additional information to evaluate the Urban Growth Area Preliminary Declaration.

- (d) *Determination. The Director shall review a completed application for an Urban Growth Preliminary Declaration in light of the applicable provisions of the master plans and the area facility plans and determine:*

- (1) *The required facilities necessary to fully serve the development;*

- (2) *The extent to which the required facilities are in place or fully committed.*

Response: There are no adopted master plans or area facility plans that apply to the subject site. Requirements (d)(1) and (2) above do not apply.

- (e) *Contents. The Urban Growth Preliminary Declaration shall list all required facilities necessary to fully serve the development and their timing and phasing which the developer must construct as conditions of any subsequent land use approval for the development.*

Response: The applicant understands that the Urban Growth Preliminary Declaration will list the facilities required to fully serve the development, along with their timing and phasing, which the developer must construct as conditions of subsequent land use approvals.

- (f) *Nature and effect.*

- (1) *An Urban Growth Preliminary Declaration is not an approval to develop land, and does not confer any right or authority to undertake any development for which the Urban Growth Preliminary Declaration is obtained.*

Response: The applicant understands that a UGAPD is not an approval to develop land. This requirement is met.

- (2) *Issuance of an Urban Growth Preliminary Declaration does not relieve the applicant of the obligation to obtain other permits required by the Salem Revised Code, or to proceed through any other land use process required by the UDC.*

Response: The applicant understands that a UGAPD does not relieve the applicant of the obligation to obtain other permits required as stated above. This requirement is met.

- (3) *If a required facility is included in two or more Urban Growth Area Preliminary Declarations, the obligation to provide the required facilities shall be a condition of each land use approval.*

Response: The applicant understands that if a facility is included in two or more UGAPDs, the obligation to provide those facilities shall be a condition of each land use approval. This requirement is met.

- (g) *Duration. Notwithstanding SRC 300.850, the Preliminary Declaration shall be valid as follows:*

- (1) *If the Preliminary Declaration is issued in connection with a subdivision, phased subdivision, planned unit development, manufactured dwelling park, or site plan review approval, the Preliminary Declaration shall be valid so long as the subdivision, phased subdivision, planned unit development, manufactured dwelling park, or site plan review approval remains valid; provided, however, that once a development has received tentative plan approval, in the case of a subdivision, or been granted a building permit in all other cases, the developer and his or her successors in interests shall be bound to complete all terms and conditions of the permit.*

Response: The proposal is not for a subdivision. This criterion does not apply.

- (2) *If the Preliminary Declaration is issued in connection with any land use approval other than a subdivision, phased subdivision, planned unit development, manufactured dwelling park, or site plan review approval, the Preliminary Declaration shall remain valid for a period of four years following the effective date of the decision; provided, however, that once a development has been granted a building permit, the developer and his or her successors in interests shall be bound to complete all terms and conditions of the permit.*

Response: The proposed partition is different from all of the above land use approvals; and, as such, the applicant understands that the Preliminary Declaration shall be valid for four years following the effective date of decision provided that once a building permit has been granted, the terms and conditions of that permit need to be completed. This requirement is met.

- (3) *If the Preliminary Declaration is issued independent of any other land use approval, the preliminary Declaration shall remain valid for a period of four years following the effective date of the decision.*

Response: The applicant understands that if the Preliminary Declaration is issued independent of any other land use approval, it shall remain valid for a period of four years following the effective date of the decision.

Sec. 200.035. - Determination of extent of required improvement.

- (a) *To the extent that they have not already been provided, a development shall provide the following facilities, located and constructed according to SRC 200.055 through 200.075:*

- (1) *All major linear and area facilities which serve the development.*
- (2) *All major linear and area linking facilities.*
- (3) *Minor facilities necessary to link the development to the major facilities specified in subsections (a)(1) and (2) of this section.*
- (4) *All major and minor facilities abutting or within the development parcel. This includes the construction of any major facility which falls within 260 feet of the boundaries of the development parcel, measured at right angles to the length of the facility (see Figure 200-1).*

Response: The applicant understands that the areas listed above in (1)-(4) must be provided as part of a development consistent with SRC 200.055 through 200.075.

- (5) *Parks facilities as specified in SRC 200.075, to the extent those facilities have not been provided by the public.*

Response: Parks facilities are not proposed as part of this application. These requirements do not apply.

- (b) *Water, storm drainage, streets and sewer facilities need not, in all cases, link to the same locations. Water, storm drainage, streets and sewer facilities shall be provided as necessary to link the development to a point where existing water, storm drainage, streets and sewer service facilities are adequate, along the shortest preplanned route.*

Response: The applicant understands that water, storm drainage, streets and sewer facilities shall be provided as necessary to link the development to a point where existing water, storm drainage, streets and sewer service facilities are adequate, along the shortest preplanned route.

- (c) *Water facilities shall conform with existing city service levels and shall be looped where necessary to provide adequate pressure during peak demand at every point within the system in the development to which the water facilities will be connected.*

Response: The applicant understands that water facilities shall conform with existing City service levels and shall be looped where necessary to meet the requirement of this section.

- (d) *Where two facilities must be built to their point of intersection, the entire intersection shall be built as well.*

Response: The applicant understands that where two facilities must be built to their point of intersection, the entire intersection shall be built as well.

- (e) *All facilities constructed as required in this section shall be and become the property of the City on final acceptance of the work. (Prior Code, § 200.035; Ord. No. 31-13)*

Response: The applicant understands that all facilities constructed as required in this section shall be and become the property of the City on final acceptance of the work.

Sec. 200.040. - Plan approval.

- (a) *Upon issuance of a Urban Growth Preliminary Declaration the applicant shall cause a competent registered professional engineer to design the improvements required by the Urban Growth Preliminary Declaration. Such plans shall be drawn to the specifications of the Director and submitted to the Director for approval in accordance with the provisions and fees stated in SRC chapters 72, 73 and 77. Approval of the applicant's plans and execution of an improvement agreement shall be a condition of any land use approval for development on the property that is the subject of the Urban Growth Preliminary Declaration.*

Response: The applicant understands that upon issuance, a competent registered professional engineer must design the improvements required by the Preliminary Declaration.

- (b) *Issuance of an Urban Growth Preliminary Declaration shall not relieve the applicant of the obligation to obtain other permits required by the Salem Revised Code, or of the obligation to proceed through the subdivision or partitioning review and approval process.*

Response: The applicant understands that issuance of the Preliminary Declaration does not relieve them of the obligation to obtain other permits required by the Salem Revised Code or to proceed through the subdivision or partitioning review and approval process.

ZONE CHANGE

Chapter 265. - Zone Changes

Sec. 265.005. - Quasi-judicial zone changes.

- (a) *Applicability. This section applies to any quasi-judicial zone change, other than a zone change by operation of law under SRC 265.015.*

Response: This application is for a quasi-judicial zone change. This criterion is met.

- (b) *Standing to initiate quasi-judicial zone change. A quasi-judicial zone change may be initiated only by the Council, the Planning Commission, or the owner of the property subject to the proposed zone change, or that owner's agent.*

Response: The application is for a quasi-judicial zone change. The property is owned by the Oregon Department of Corrections and the zone change will be initiated by the property owner's agent, Pacific Realty Associates, L.P. This criterion is met.

- (c) *Procedure type. A quasi-judicial zone change is processed as a Type III procedure under SRC chapter 300.*

Response: This application for a zone change is being submitted as a Type III procedure. This criterion is met.

- (e) *Criteria.*

- (1) *A quasi-judicial zone change shall be granted if all of the following criteria are met:*

(A) *The zone change is justified based on the existence of one or more of the following:*

(i) *A mistake in the application of a land use designation to the property;*

Response: This application is not requesting the zone change based on provision (i).

(ii) *A demonstration that there has been a change in the economic, demographic, or physical character of the vicinity such that the proposed zone would be compatible with the vicinity's development pattern; or*

Response: The application to change zoning of 4.55 acres of land at the north end of the subject site from Public and Private Health (PH) to Employment Center (EC) will make it consistent with zoning on the adjacent property, which is owned by the State of Oregon (Department of Administrative Services).

The Santiam Correctional Facility is located on the subject site and the area zoned PH in its vicinity is also home to the Marion County Jail and the Oregon State Correctional Institution. The Santiam Correctional Facility does not plan to grow at this location. According to the most recent Oregon Corrections Population Forecast, Oregon's inmate population is changing, affecting nearby demographic patterns. The inmate population is anticipated to fall by 3.5% in the next decade; and, as a result, the incarceration rate (prison beds per 1,000 population) is expected to fall 14.8% over the next ten years. By comparison, the Oregon population at large is expected to increase by 12.7% during this time.² Due to the security and other needs of correctional facilities, it is unlikely that other uses zoned PH would locate on the same site as the Santiam Correctional facility. Therefore, changes from PH to other designations are appropriate in this area.

The EC zone in this area mainly consists of the Mill Creek Corporate Center (MCCC). The MCCC is a successful corporate industrial site specializing in traded sector business and employment opportunities. As stated in the City's Comprehensive Plan, there is a desire to increase traded sector employment. Adding to the existing base of EC land will benefit the City and is consistent with current economic goals and trends as outlined in the Economic Opportunities Analysis (2015). This proposal creates a valuable opportunity to optimize existing land by developing it with the site to the north (Lot 4 of the MCCC subdivision) while leaving an adequate supply in the PH zone for appropriate corresponding uses related to public and private health services. When combined with the adjacent site to the north, it will better allow for increased future development of that site, allowing for more efficient development and accommodation of more employment on site. This criterion is met.

(iii) *A demonstration that the proposed zone is equally or better suited for the property than the existing zone. A proposed zone is equally or better suited for the property 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.*

² Office of Economic Analysis Oregon Corrections Population Forecast (October 1, 2018)

Response: The proposed zone change will not alter the compatibility between the existing Public and Private Health Service (PH) and proposed Employment Center (EC) use and the surrounding PH, PE and EC zones and their allowed uses, because the area entirely to the north, west and south of the subject site already have the EC zoning designation, which will remain the abutting zone. The Salem UDC notes the purpose of the EC zone to generally allow “...a range of industrial and employment uses, together with areas of supportive retail and service uses, providing a variety of long-term and short-term employment opportunities and furthering economic development within the City.” The physical characteristics of the property are appropriate for the uses of the proposed EC zone as encapsulated in its purpose statement, as it is a flat, open and mostly vacant 4.55-acre parcel. The zone change complements the lot to the north and will allow the development of that site to be optimized. No protective overlay zones apply to the subject site. This criterion is met.

(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.*

Response: The zone change is being initiated by the property owner’s (State of Oregon) agent, Pacific Realty Associates, L.P. Therefore, it is not City-initiated, and this criterion does not apply.

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

Response: Please refer to the discussion above for information about how the City’s approval of the proposal will comply with applicable provisions of the Salem Area Comprehensive Plan.

(D) *The zone change complies with applicable statewide planning goals and applicable administrative rules adopted by the Department of Land Conservation and Development.*

Response: Please refer to the discussion above for information about how the City’s approval of the proposal will comply with applicable Statewide Planning Goals.

(E) *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.*

Response: The proposed zone change requires a minor plan map amendment from Community Service Government (CSG) to Employment Center (EC). Because CSG is not an industrial, commercial, or employment land use designation, this criterion does not apply.

(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.*

Response: Exhibit E, Trip Generation and Transportation Planning Rule Evaluation Memorandum, notes that the proposed zone change will not significantly affect any transportation facilities. The cumulative effect of the zone change is to lower the number of daily trips by 166. This criterion is met.

(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.*

Response: As shown on Exhibit C and Exhibit K, and noted earlier in this narrative, the property is currently served by public facilities and services necessary to support the range of employment and industrial uses allowed by the proposed Employment Center zone. The proposed zone for Parcel 1 will not change, and it will continue to be served by the facilities currently serving the site, while the proposed zone for Parcel 2 is Employment Center, and it will be developed in conjunction with Lot 4 of the Mill Creek Corporate Center subdivision to the north. Parcel 2 will be served by the facilities associated with Lot 4 of the Mill Creek Corporate Center subdivision, as noted earlier in this application. The facilities outlined below are capable of serving both Parcel 1 and Parcel 2.

Water: The subject property is located near the boundary line of the S-1 water service levels. There is a 24-inch public water line located on the subject property within an easement. There are also 12- and 18-inch S-1 public water lines located in Aumsville Highway.

Sewer: The subject property is served by a 12-inch gravity mainline located in Aumsville Highway and a 12-inch mainline located within an easement on the FedEx Parcel (northeast of the subject site, across Aumsville Highway SE) and on the City-mitigated wetland parcel.

Storm: Following the partition, the subject property will be developed in accordance with the Mill Creek Corporate Center with specific stormwater design standards that are found in the 2009 subdivision Covenants, Conditions and Restrictions (CCR's) document (Exhibit L). The Mill Creek Corporate Center Stormwater Management Plan dictates that the subject property is required to complete stormwater quality treatment for new impervious surfaces, while stormwater detention has already been provided in the mitigated wetland areas. There is currently a 36" stormwater stub that services the subject property and drains to the central mitigated wetland area. Upon development, the property will be graded and drained to either a vegetative swale or a proprietary treatment device, or a combination of the two, to provide water quality treatment prior to discharge into central mitigated wetland area.

Streets: The abutting streets are designated in the Salem Transportation Plan as follows: Aumsville Highway SE (Minor Arterial) and Deer Park Road SE (Collector). Extensive street improvements were required as conditions of approval for the Mill Creek Corporate Center subdivision (approved 2009), which have been implemented and are consistent with Salem's *City Street Design Standards*.

(2) *The greater the impact of the proposed zone change on the area, the greater the burden on the applicant to demonstrate that the criteria are satisfied.*

Response: The impact of the proposed zone change, from Public and Private Health Service (PH) to Employment Center (EC), on the area will be minimal because it merely affects 4.55 acres at

the northern end of the 95.321 acre parcel, which is only 4.77% of the overall lot. Combined with the fact that the zone change will result in a decrease of only 0.3% of PH-zoned land in the surrounding 1.5-mile area, this indicates a minor burden to demonstrate that the applicable criteria are satisfied.

This application appropriately demonstrates that the relevant criteria are satisfied. This criterion is met.

PRELIMINARY PARTITION

Chapter 205. - Land Division and Reconfiguration

Sec. 205.001. - Purpose.

The purpose of this chapter is to provide regulations governing the division and reconfiguration of land.

Sec. 205.005. - Partition tentative plan.

- (a) *Applicability. Except as provided in ORS 92.010(9), no land shall be divided into three or fewer parcels within a calendar year without receiving tentative partition plan approval as set forth in this section.*

Response: This application proposes to divide Tax Lot 082W08 00104 into two parcels: proposed Parcel 1 (90.771 acres) on the south and east end of the lot, and proposed Parcel 2 (4.55 acres) on the north end of the lot. Since no other land divisions have been approved in 2018, the proposal meets this requirement.

- (b) *Procedure type. A tentative partition plan is processed as a Type II procedure under SRC chapter 300.*

Response: The portion of the application for the proposed partition plat is being submitted as a Type II procedure, consistent with this requirement.

- (c) *Submittal requirements. In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for tentative partition plan shall include the information required in SRC 205.030.*

Response: As shown on Exhibit F, the Proposed Partition Plat includes the additional submittal requirements required in SRC 205.030, consistent with this requirement. For responses to that section, please see below.

- (d) *Criteria. A tentative partition plan shall be approved if all of the following criteria are met:*

- (1) *The tentative partition plan complies with the standards of this chapter and with all applicable provisions of the UDC, including, but not limited to the following:*

- (A) *Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage, and designation of front and rear lot lines;*

Response: This application package includes a request for a zone change applicable to the portion of the lot proposed as Parcel 2, from Public and Private Health Services (PH) to Employment Center (EC). As shown on Exhibit F, Proposed Partition Plat, and as illustrated in the table below, Parcel 1 and Parcel 2 both meet the standards for lot area, width, depth, and street frontage for the existing and proposed zones.

Requirement	PH	EC	Proposed		Compliance
Lot Area	Min. 10,000 sq. ft.	None	198,198 sq. ft. (4.55 ac.)	3,951,327 sq. ft. (90.77 ac.)	Yes
Lot Width	Min. 50 ft	None	122.67 ft	2,540 ft	Yes
Lot Depth	Min. 80 ft	None	1,610 ft	1,616 ft	Yes
Street Frontage	Min. 16 ft	16 ft	123.17 ft	Aumsville Hwy: 1,642 ft Deer Creek Dr. 1,335 ft	Yes

Salem UDC Section 800.020 specifies how front and rear lot lines are designated. In this case, since Parcel 2 is an interior lot, the front lot line is the property line abutting the street. The rear lot line is the lot line that is opposite and most parallel to, and located the greatest distance from, the front lot line. Parcel 1 is a corner lot for which the front lot line is the property line abutting a street designated by the building permit applicant. Parcel 1 meets the lot area, width, and depth requirements.

These lot lines are designated in accordance with 800.020.

(B) *City infrastructure standards; and*

Response: Any required public City infrastructure required to be constructed with the partition can be constructed to the City infrastructure standards, which is ensured through future public works plan review. This requirement is met.

(C) *Any special development standards, including, but not limited to, floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.*

Response: Special development standards do not apply to the subject site. This section does not apply.

(2) *The tentative partition plan does not impede the future use or development of the property or adjacent land.*

Response: The proposed partition plat does not impede the future use or development of the property or adjacent land because the partition will allow Parcel 2 to be developed along with Lot 4, adjacent to the north, which is also owned by the State of Oregon. Parcel 1 is currently developed with the Santiam Correctional Facility. However, the southeast and southwest portions of the site remain vacant and development potential continues to exist. The proposal also does not impede the future use or development of property to the southeast and southwest, which are largely vacant and unaffected by the partition. This criterion is met.

(3) *Development within the tentative partition plan can be adequately served by city infrastructure.*

Response: This application proposes to partition the subject site into Parcel 1 and Parcel 2. Parcel 2 will be developed along with Lot 4 of the Mill Creek Subdivision to the north and will make use of infrastructure serving Lot 4, as described in the Mill Creek Subdivision Decision (2009). The services below are available to both Parcel 1 and Parcel 2.

Water: The subject property is located near the boundary line of the S-1 water service levels. There is a 24-inch public water line located on the subject property within an easement. There are also 12- and 18-inch S-1 public water lines located in Aumsville Highway.

Sewer: The subject property is served by a 12-inch gravity mainline located in Aumsville Highway and a 12-inch mainline located within an easement on the FedEx Parcel (northeast of the subject site, across Aumsville Highway SE) and on the City-mitigated wetland parcel.

Storm: Following the partition, the subject property will be developed in accordance with the Mill Creek Corporate Center, with specific stormwater design standards that are found in the 2009 subdivision Covenants, Conditions and Restrictions (CCR's) document (Exhibit L). The Mill Creek Corporate Center Stormwater Management Plan dictates that the subject property is required to complete stormwater quality treatment for new impervious surfaces, while stormwater detention has already been provided in the mitigated wetland areas. There is currently a 36" stormwater stub that services the subject property and drains to the central mitigated wetland area. Upon development, the property will be graded and drained to either a vegetative swale or a proprietary treatment device, or a combination of the two, to provide water quality treatment prior to discharge into central mitigated wetland area.

Streets: The abutting streets are designated in the Salem Transportation Plan as follows: Aumsville Highway SE (Minor Arterial) and Deer Park Road SE (Collector). Extensive street improvements were required as conditions of approval for the Mill Creek Corporate Center subdivision (approved 2009), which have been implemented and are consistent with Salem's *City Street Design Standards*.

(4) *The street system in and adjacent to the tentative partition plan conforms to the Salem Transportation System Plan.*

Response: Aumsville Highway SE and Deer Park Drive SE are adjacent to the subject site. The Salem Transportation System Plan classifies Aumsville Highway SE as a Minor Arterial and Deer Park Drive as a Collector. The proposed partition plat proposes no changes to these classifications. This criterion is met.

(5) *The street system in and adjacent to the tentative partition plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the partition.*

Response: The proposed partition plat does not propose any new streets. The existing street system adjacent to the Proposed Partition Plat (shown on Exhibit F) includes Aumsville Highway SE (Minor Arterial) and Deer Park Drive SE (Collector). As constructed, these streets will provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the partition. This requirement is met.

(6) *The tentative partition plan takes into account the topography and vegetation of the site so the need for variances is minimized to the greatest extent practicable.*

Response: The topography and vegetation of the site have been considered as part of the proposed partition plat and do not pose significant issues on the site, as the area to be partitioned is flat and unvegetated as shown on Exhibit F, Proposed Partition Plat. It is unlikely that any related variances would be requested with future development. This requirement is met.

(7) *The layout, size, and dimensions of the parcels within the tentative partition plan take into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will occur from the reasonable development of the parcels.*

Response: The proposed partition plat proposes two parcels. Parcel 1 to the south is 90.771 acres and includes existing development. Parcel 2 to the north is 4.55 acres and will be developed with Lot 4 of the Mill Creek Corporate Center to the north. The layout, size and dimensions of these parcels will not significantly disrupt existing vegetation or topography, as it is limited to an area consisting of only 4.8% of the overall site, which is flat and unvegetated. This requirement is met.

(8) *When the tentative partition plan is for property located more than 300 feet from an available sewer main, and the property will not connect to City water and sewer:*

(A) *The property is zoned residential;*

(B) *The property has received a favorable site evaluation from the county sanitarian for the installation of an on-site sewage disposal system; and*

(C) *The proposed parcels are at least five acres in size and, except for flag lots, have no dimension that is less than 100 feet.*

Response: The proposed partition plat will connect to the City water and sewer infrastructure. Parcel 1 is currently developed, and Parcel 2 will be developed with Lot 4 of the Mill Creek Corporate Center to the north and will connect to the infrastructure serving that subdivision as noted earlier in this narrative. These requirements do not apply.

(e) *Conditions of approval for partitions in areas unserved by City sewer. In addition to any conditions imposed pursuant to SRC 300.820, when the tentative partition plan is for property located more than 300 feet from an available sewer main, and the property will not connect to City water and sewer, the following conditions shall be imposed:*

(1) *The parcels shall only be used for residential purposes;*

(2) *All buildings and structures shall meet required setbacks from future street rights-of-way; and*

(3) *A non-remonstrance agreement shall be signed and recorded against the property agreeing to connect to the City's sewer and water systems when they become available, and waiving the right to object to any future City sewer and water project benefiting the property.*

Response: The proposed partition plat includes Parcel 1 and Parcel 2 (Exhibit F). Parcel 1 is currently developed and is served by City water and sewer, and Parcel 2 will connect to City water and sewer serving Lot 4 of the Mill Creek Corporate Center subdivision to the north (approved 2009) and will connect to the infrastructure serving that subdivision, as noted earlier in this narrative. These requirements do not apply.

(f) *Expiration. Tentative partition plan approval shall expire as provided in SRC 300.850, unless an application for final plat is submitted within the time limits set forth in SRC 300.850, or an extension is granted pursuant to SRC 300.850(b).*

Response: The applicant understands that proposed partition plat approval will expire as provided in SRC 300.850 unless a final plat is submitted or extension is granted consistent with the requirements of section (f) above. This requirement is met.

IV. CONCLUSION

The proposed Employment Center Comprehensive Plan designation, zone change, and partition of the northern portion of the site will allow efficient use and development of the adjacent land to the north, which is also designated and zoned EC and which is part of the Mill Creek Corporate Center subdivision. The proposed zone change from Public and Private Health Services to EC has the potential to increase economic development in Salem by providing for a broader range of traded-sector employment-oriented uses.

As detailed above, the proposed comprehensive plan map amendment and zone change meets or exceeds the City of Salem requirements and applicable statewide planning goals. The applicant respectfully requests approval of the application in order to advance the City's economic development objectives.



Vicinity Map
PacTrust Mill Creek

Salem, Oregon

LEGEND

-  Site
-  Tax lots
-  Partition



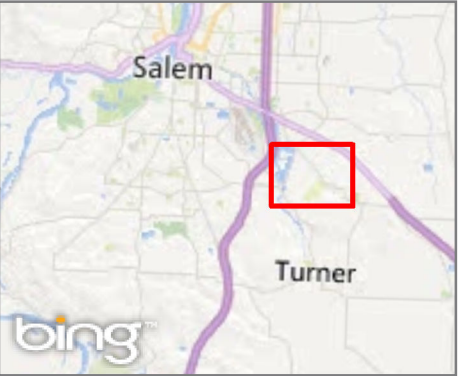
1 inch = 900 feet

SOURCE DATA: June 2017
Oregon Spatial Data Library, 2014

GEOGRAPHIC PROJECTION:
NAD 83 HARN, Oregon North
Lambert Conformal Conic

Date: 10/4/2018
File: Aerial Map (zoomed out)

Map Created By: STR
Project No: 2180335.01

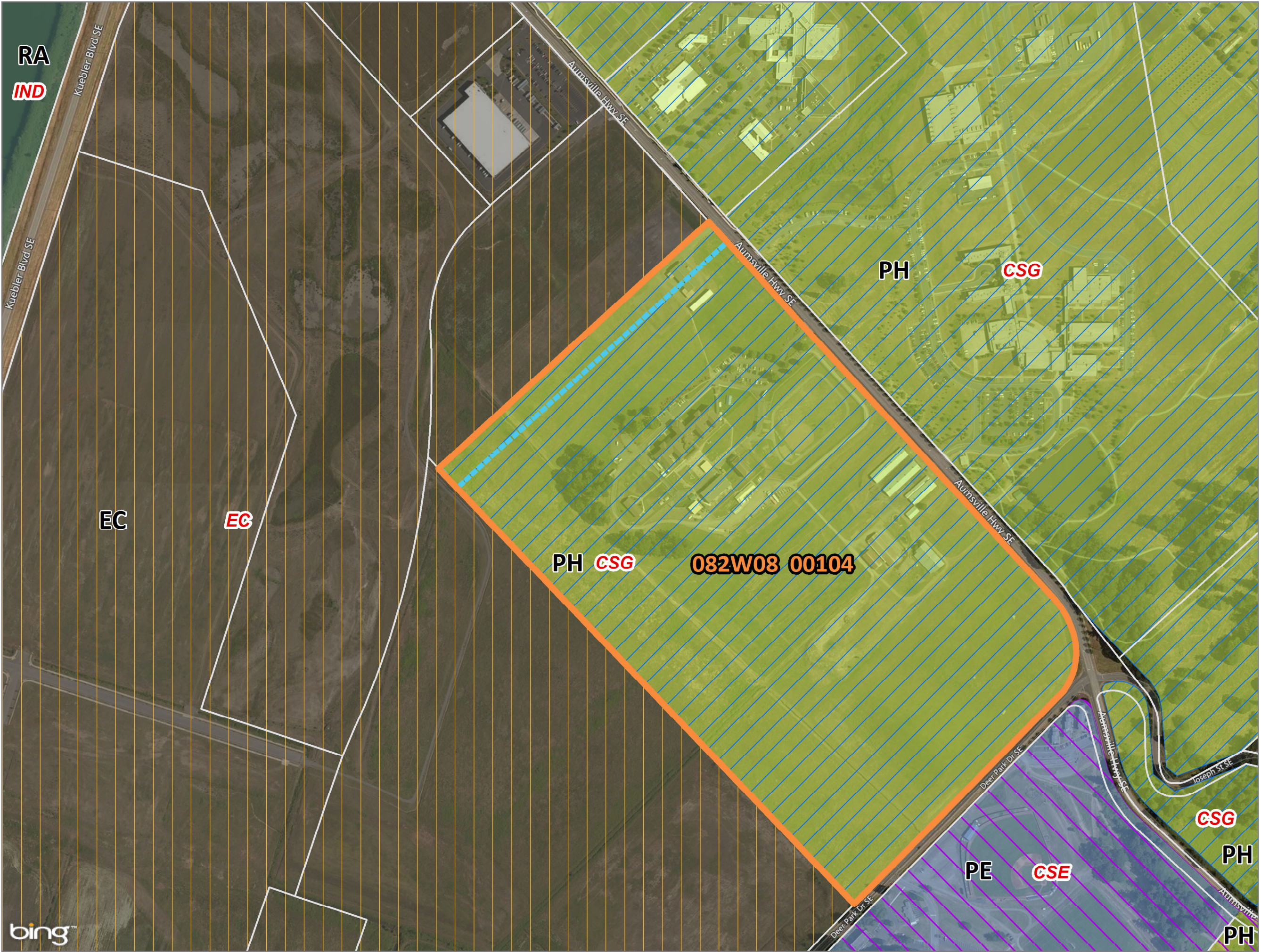


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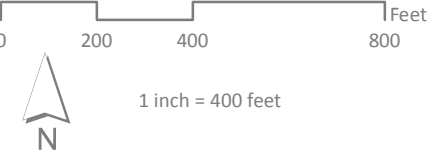


PacTrust Mill Creek

Salem, Oregon

LEGEND

- Site
- Partition
- Tax lots
- Comp. Plan Designation
 - CSE - Community Service Edu.
 - CSG - Community Service Gov.
 - EC - Employment Center
- Zoning Designation
 - EC - Employment Center
 - PE - Public/Private Education
 - PH - Public Health
 - RA - Residential Agriculture

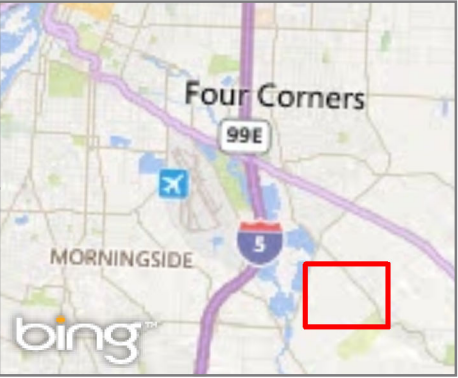


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PROPOSED PARTITION PLAT

LOCATED IN THE NW, NE, SW & SE 1/4 SEC. 8,
TOWNSHIP 8 SOUTH, RANGE 2 WEST, W.M.,
CITY OF SALEM, MARION COUNTY, OREGON

SCALE: 1" = 250'
9/14/2018

- ① = 10' PUBLIC UTILITY AND SLOPE EASEMENT
PER PARTITION PLAT 2007 - 109
② = 40' DRAINAGE AND BIO SWALE EASEMENT TO
CITY OF SALEM PER PARTITION PLAT 2007 - 109

CURVE TABLE

C1
DELTA = 00°04'54"
RADIUS = 34407.58'
LENGTH = 49.12'
CHORD BEARING/DIST
= S42°29'52"E 49.12'

OWNER:

STATE OF OREGON-
DEPT. OF CORRECTIONS
2575 CENTER ST NE
SALEM, OR 97310

TAX LOTS:

104 08 2W 08

ZONE:

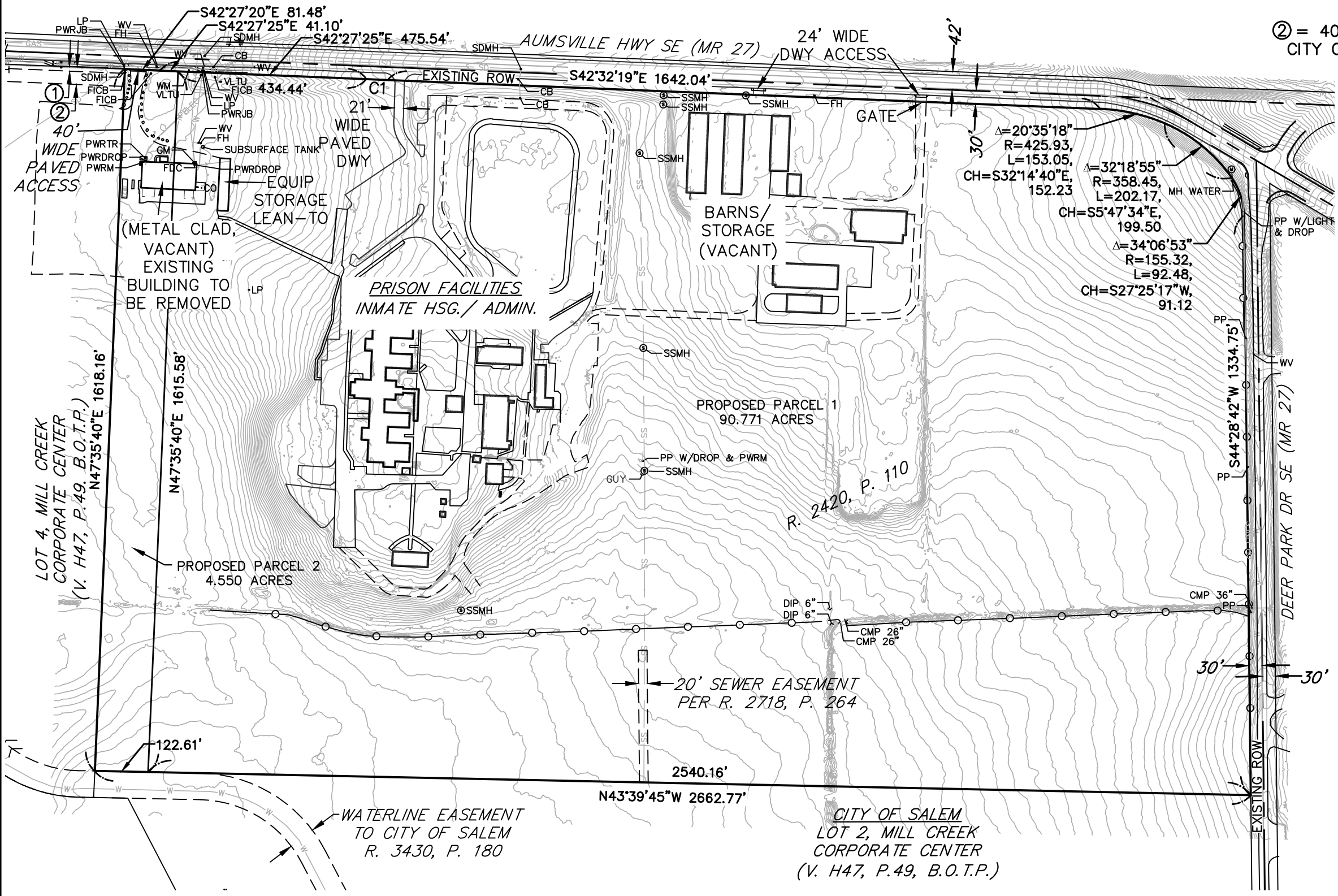
PH - PUBLIC HEALTH

TOTAL AREA:

95.321 ACRES

SURVEYOR:

GREG WILSON
BARKER SURVEYING
3657 KASHMIR WAY S.E.
SALEM, OR 97317
(503) 588-8800
GREG@BARKERWILSON.COM



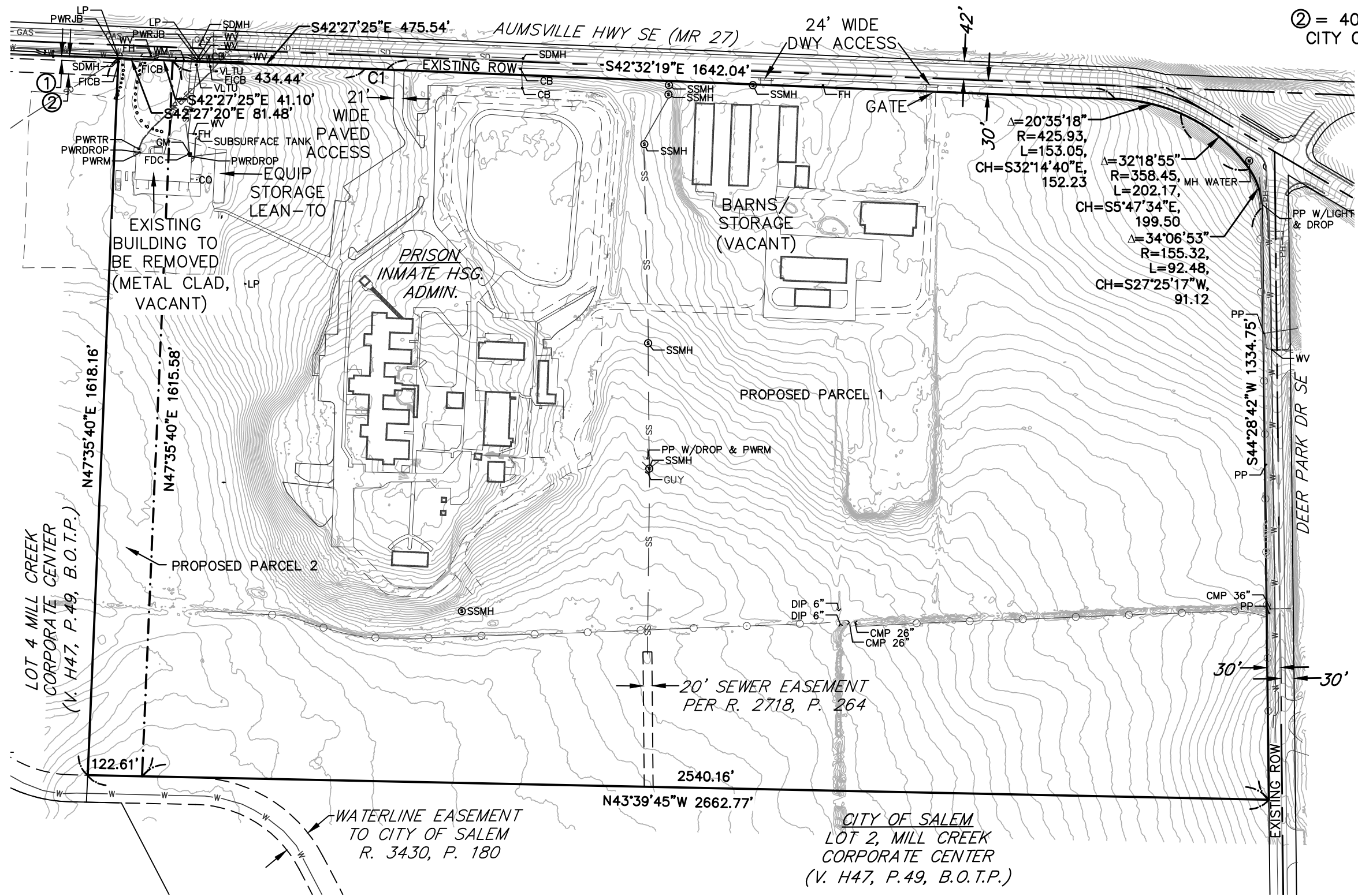


PROPOSED PARTITION PLAT EXISTING CONDITIONS

SCALE: 1" = 250'
9/14/2018

LOCATED IN THE NW, NE, SW & SE 1/4 SEC. 8,
TOWNSHIP 8 SOUTH, RANGE 2 WEST, W.M.,
CITY OF SALEM, MARION COUNTY, OREGON

- ① = 10' PUBLIC UTILITY AND SLOPE EASEMENT
PER PARTITION PLAT 2007 - 109
- ② = 40' DRAINAGE AND BIO SWALE EASEMENT TO
CITY OF SALEM PER PARTITION PLAT 2007 - 109



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TAX LOTS:

104 08 2W 08

ZONE:

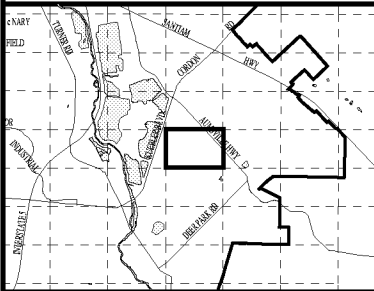
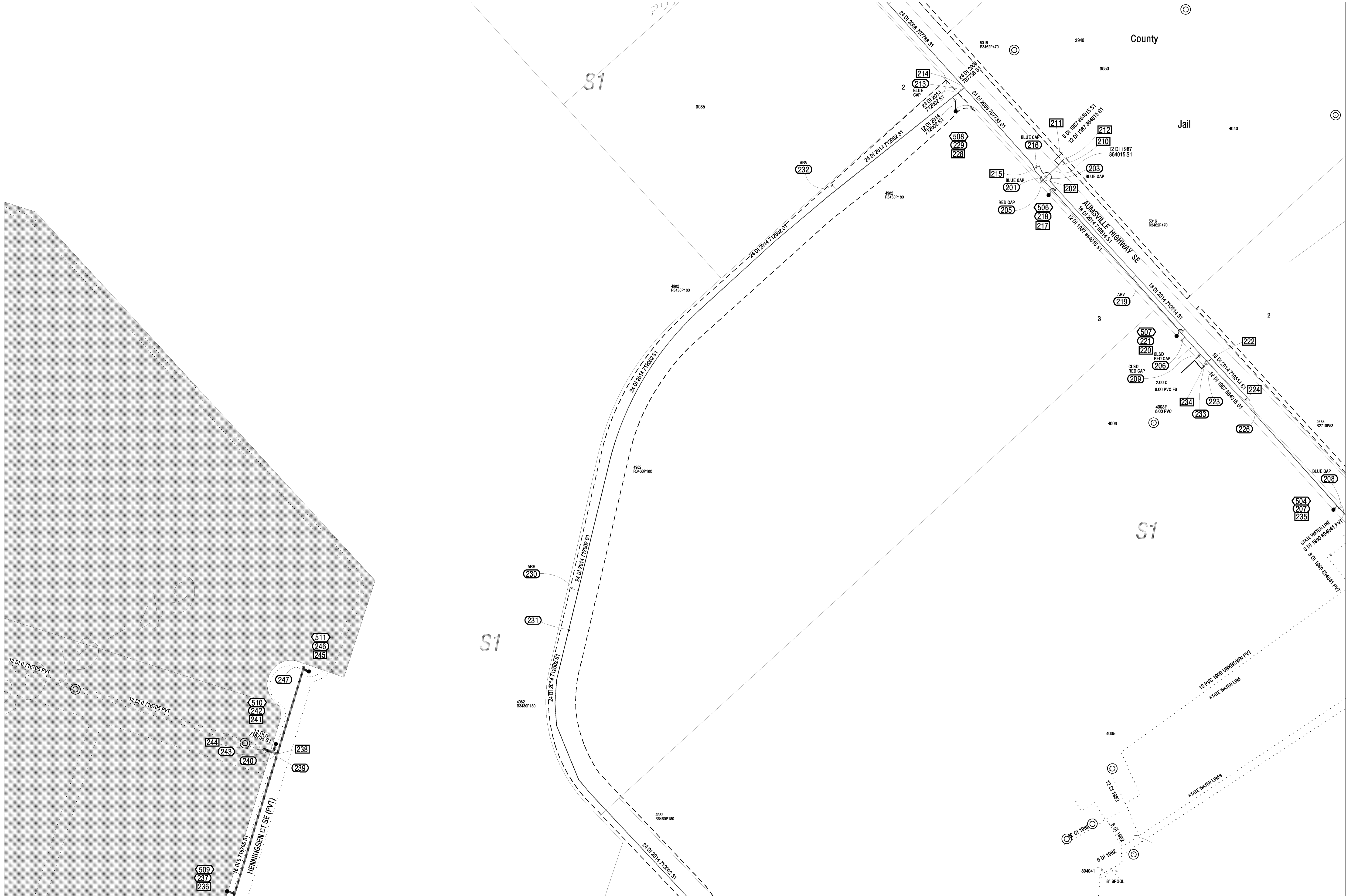
PH - PUBLIC HEALTH

TOTAL AREA:

95.321 ACRES

SURVEYOR:

GREG WILSON
BARKER SURVEYING
3657 KASHMIR WAY S.E.
SALEM, OR 97317
(503) 588-8800
GREG@BARKERWILSON.COM



SALEM PUBLIC WORKS

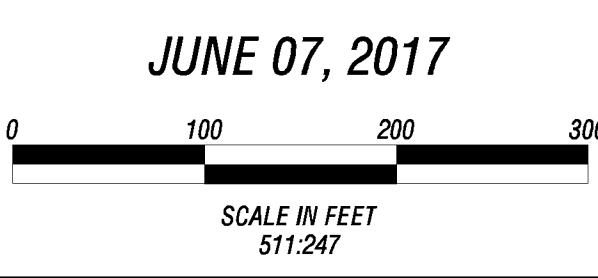
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- VALVE ELLIPSE
- HYDRANT BOX
- FITTING BOX
- EASEMENT

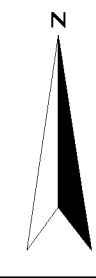
- FIRE HYDRANT
- METER
- VALVE
- FITTING

- | EXISTING | PROPOSED |
|----------|----------|
| --- | --- |
| --- | --- |
| --- | --- |
| --- | --- |

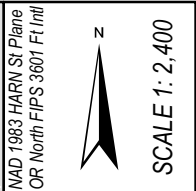
- PLANNED SUBDIVISION
- OUTSIDE CITY



WATER W60456



Salem Public Works Dept. Room 325 City Hall 503-588-6211 11/24/2017 8:27:56 PM



Main - Private
SEE MAP 63-456

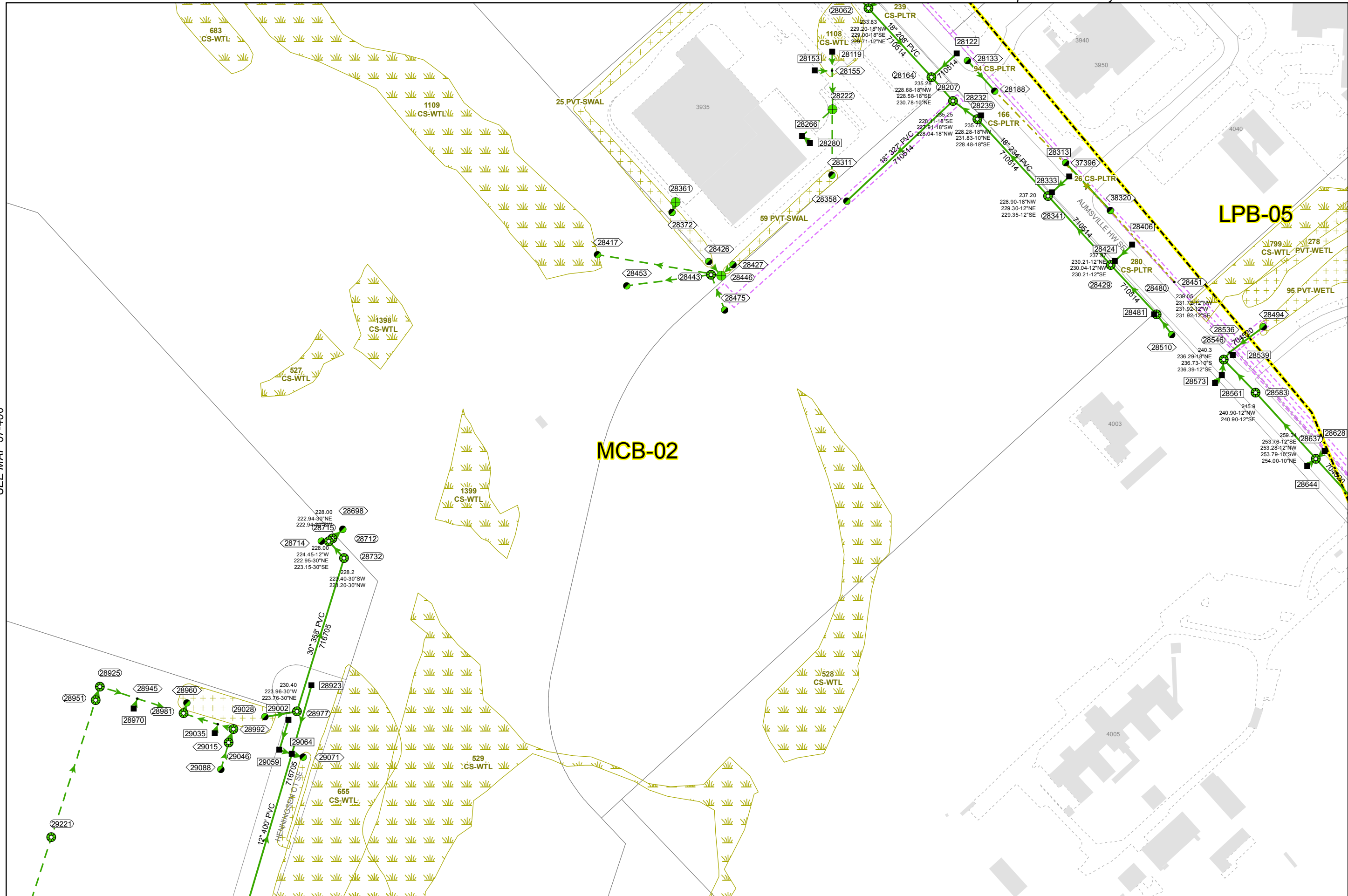
60-456

SCALE: 1" = 200'

SEE MAP 60-454

SALEM PUBLIC WORKS SEWER

SEE MAP 57-456



SEE MAP 60-458

Salem Public Works Dept. Room 325 City Hall 503-588-6211 11/24/2017 9:28:01 PM

MAD 1983 HARN SI Plane
OR North FIPS 3601 FI Int

z

SCALE 1: 2,400

Easement - Review

Parcel - New

City Limits

Building

Water

Wetland

Railroad

Road Edge

Parking Edge

Basin

Easement - Final

Pump Station

Service Lateral

Main - Active

Main - Proposed

Main - Abandoned

Main - Private

Manhole

FC Manhole

WQ Manhole

WQ Tree

WQ Vault

Wier

Catch Basin

FC Catch Basin

WQ Catch Basin

Weep/Bubbler

Cleanout

FC Cleanout

Monitor

Backflow Prev.

Node/Plug/Tee

FC Infall

Infall

Outfall

SEE MAP 63-456

60-456

SCALE: 1" = 200'

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SEE MAP 60-454

SALEM PUBLIC WORKS STORM