

BEFORE THE CITY COUNCIL OF THE CITY OF SALEM

IN THE MATTER OF AFFIRMING) ORDER NO. 2017-03 SUB-UGA
THE DECISION OF THE PLANNING) PHASED SUBDIVISION / URBAN
ADMINISTRATOR FOR PHASED) GROWTH PRELIMINARY
SUBDIVISION / URBAN GROWTH) DECLARATION
PRELIMINARY DECLARATION) CASE NO. SUB-UGA17-08
CASE NO. SUB-UGA17-08)

This matter coming regularly for hearing before the City Council, at its November 13, 2017, meeting, and the City Council, having received evidence and heard testimony, makes the following findings, and adopts the following order affirming the decision of the Planning Administrator in Phased Subdivision/Urban Growth Preliminary Declaration Case No. SUB-UGA17-08, and approving the application.

PROCEDURAL FINDINGS:

- (a) On June 30, 2017, the applicant submitted an application for a Phased Subdivision Tentative Plan for a proposal to divide an approximately 4.96 acre property at 3906 Corredale Drive S (Attachment A) into 20 lots over the course of two phases.
- (b) Staff identified that because the subject property is outside of the Urban Service Area, an Urban Growth Preliminary Declaration must be obtained prior to or in conjunction with the application for Phased Tentative Subdivision Plan. After the applicant submitted an application for Urban Growth Area Preliminary Declaration, the consolidated application was deemed complete for processing on July 28, 2017. Notice to surrounding property owners was mailed pursuant to Salem Revised Code on August 2, 2017.
- (c) On September 29, 2017, the Planning Administrator issued an order approving a consolidated application for a Phased Subdivision Tentative Plan and Urban Growth Preliminary Declaration (Case No. SUB-UGA17-08) subject to conditions of approval.
- (d) At the October 23, 2017 regular City Council meeting, the City Council by majority vote initiated a review of the Planning Administrator's decision pursuant to SRC 300.1050, a public hearing was scheduled before the City Council on November 13, 2017.
- (e) On November 13, 2017, the City Council conducted a hearing to receive evidence and testimony regarding the application; the public hearing was closed on November 13, 2017. The City Council conducted deliberations on November 13, 2017 and voted to affirm the decision of the Planning Administrator.

SUBSTANTIVE FINDINGS:

The City Council adopts the following as findings for this decision:

- (a) The phased tentative subdivision plan dividing approximately 4.96 acres into 20 lots in two phases, as proposed and subject to conditions adopted in the Planning Administrator's

September 29, 2017 decision order, meets all of the criteria for a tentative subdivision plan approval set forth in SRC 205.010(d).

- (b) Connectivity for streets and City utilities between each phase of the phased tentative subdivision plan, as proposed and subject to conditions adopted in the Planning Administrator's September 29, 2017 decision order, ensures the orderly and efficient construction of required public improvements among Phases 1 and 2.
- (c) Each phase of the phased tentative subdivision plan, as proposed and subject to conditions adopted in the Planning Administrator's September 29, 2017 order, is substantially and functionally self-contained and self-sustaining with regard to required public improvements.
- (d) Each phase of the phased tentative subdivision plan, as proposed and subject to conditions adopted in the Planning Administrator's September 29, 2017 order, is designed in such a matter that all phases support the infrastructure requirements for the phased subdivision as a whole.
- (e) The Urban Growth Preliminary Declaration, subject to conditions adopted in the Planning Administrator's September 29, 2017 order, lists all public facilities required under the City of Salem's Urban Growth Management Program necessary to fully serve the development and their timing and phasing which the developer must construct as conditions of the tentative phased subdivision plan and any subsequent land use approval for the development.
- (f) The City Council therefore AFFIRMS the application for a phased tentative subdivision plan and Urban Growth Preliminary Declaration, as proposed and subject to conditions adopted in the Planning Administrator's September 29, 2017 order. The Planning Administrator's September 29, 2017 Findings and Order is attached as Attachment A and by this reference incorporated herein. The Findings in Attachment A are adopted as findings in this order.

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF SALEM, OREGON:

Section 1. The Planning Administrator's decision for Phased Subdivision Tentative Plan and Urban Growth Preliminary Declaration Case No. SUB-UGA17-08 is hereby affirmed.

Section 2. This order constitutes the final land use decision and any appeal must be filed with the Oregon Land Use Board of Appeals within 21 days of the date that notice of this decision is mailed to persons with standing to appeal.

ADOPTED by the City Council this 27th day of November, 2017.

ATTEST:

City Recorder

Checked by: Christopher Green

Attachment A: Planning Administrator September 29, 2017 Findings and Order.