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DECISION OF THE SALEM PLANNING COMMISSION

MINOR COMPREHENSIVE MAP AMENDMENT / NEIGHBORHOOD PLAN CHANGE / ZONE CHANGE CASE NO.: CPC-NPC-ZC20-09

APPLICATION NO.: 20-113384-ZO / 20-117405-ZO / 20-113496-ZO

NOTICE OF DECISION DATE: December 22, 2020

SUMMARY: A Minor Comprehensive Plan Map Amendment, Neighborhood Map Amendment, and Zone Change from single family residential with RS zoning to multi-family residential with RM-II zoning.

REQUEST: A consolidated Minor Comprehensive Plan Map Amendment from single family residential to multi-family residential, Neighborhood Map Amendment, and Zone Change from RS (Single Family Residential) to RM-II (Multiple Family Residential) for property approximately 0.15 acres in size and located on the 700 block of Lockwood Lane S (Marion County Assessor map and tax lot number: 083W09AB / 900).

APPLICANT: Brad Kilby, HHPR Inc., on behalf of Clutch Industries Inc.

LOCATION: 700 Block of Lockwood Lane S, Salem OR 97302

CRITERIA: Salem Revised Code (SRC) Chapters 64.025(e)(2) – Comprehensive Plan Map Amendments and 265.005(e)(1) – Zone Changes

FINDINGS: The findings are in the attached Decision dated December 22, 2020.

DECISION: The **Planning Commission APPROVED** Minor Comprehensive Map Amendment, Neighborhood Plan Change, and Zone Change CPC-NPC-ZC20-09 based upon the application materials deemed complete on November 20, 2020 and the findings as presented in this report.

VOTE:

Yes 8 No 0 Absent 1 (Kopcho)


Chane Griggs, President
Salem Planning Commission

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
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Application Deemed Complete:	<u>November 20, 2020</u>
Public Hearing Date:	<u>December 15, 2020</u>
Notice of Decision Mailing Date:	<u>December 22, 2020</u>
Decision Effective Date:	<u>January 7, 2021</u>
State Mandate Date:	<u>March 20, 2021</u>

Case Manager: Brandon Pike, Planner I, bpike@cityofsalem.net, 503-540-2326

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m., Wednesday, January 6, 2021. 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 and 265. 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 Salem City Council will review the appeal at a public hearing. After the hearing, the Salem 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 by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

FACTS & FINDINGS

COMPREHENSIVE PLAN CHANGE / NEIGHBORHOOD PLAN CHANGE / ZONE CHANGE CASE NO. CPC-NPC-ZC20-09

DECEMBER 22, 2020

PROCEDURAL FINDINGS

1. On August 12, 2020, an application was filed for a Comprehensive Plan Map Amendment and Quasi-Judicial Zone Change by Brad Kilby, AICP, of HHPR, Inc. on behalf of the applicant, Clutch Industries. The subject property is located on the 700 block of Lockwood Lane S. A vicinity map, comprehensive plan map, and zoning map are included as **Attachment A**.
2. After additional information was received, including a revised application which included a Neighborhood Plan Change, the application was deemed complete for processing on November 20, 2020. The public hearing on the application was scheduled for December 15, 2020.
3. Notice of the consolidated application was provided to surrounding property owners and tenants, pursuant to Salem Revised Code (SRC) requirements, on November 24, 2020. Public notice was posted on the property on December 2, 2020.
4. DLCD Notice. State law (ORS 197.610) and SRC 300.620(b)(1) require the City to provide the Oregon Department of Land Conservation and Development (DLCD) a minimum 35-day notice when an applicant or the City proposes an amendment to an acknowledged Comprehensive Plan or land use regulation or to adopt a new land use regulation. The City sent notice of the proposed Comprehensive Plan Change and Zone Change application to DLCD on November 9, 2020.
5. On December 15, 2020, a public hearing was held before the Planning Commission. At the hearing, the Planning Commission received staff's presentation and heard testimony from the applicant's representative. They subsequently closed the public hearing and voted to approve the Comprehensive Plan Change, Neighborhood Plan Change, and Zone Change.
6. 120-Day Rule. Pursuant to Oregon Revised Statutes (ORS) 227.128, amendments to an acknowledged Comprehensive Plan are not subject to the 120-day rule. In addition, the requested Quasi-Judicial Zone Change included with the application is similarly not subject to the 120-day rule because, pursuant to ORS 227.178(10), the zone change has been filed concurrently, and is being considered jointly, with the proposed comprehensive plan amendment.

BACKGROUND / PROPOSAL

The applicant proposes to change the comprehensive plan designation from "Single Family Residential" to "Multi-Family Residential", to change the Sunnyslope Neighborhood Plan from "Single Family" to "Multi-Family", and to change the zoning from RS (Single Family Residential) to RM-II (Multiple Family Residential) (**Attachment A**). The subject property is located at the 700 block of Lockwood Lane S.

The proposal requires the following land use approvals:

- 1) A Minor Comprehensive Plan Map Amendment from “Single Family Residential” to “Multi-Family Residential”;
- 2) A Neighborhood Plan Map Amendment from “Single Family” to “Multi-Family”; and
- 3) A Quasi-Judicial Zone Change from RS (Single Family Residential) to RM-II (Multiple Family Residential).

APPLICANT’S PLANS AND STATEMENT

Land use applications must include a statement addressing the applicable approval criteria and be supported by proof they conform to all applicable standards and criteria of the Salem Revised Code. The written statement provided by the applicant summarizing the request and addressing compliance with the applicable approval criteria, as well as the existing conditions plan illustrating the existing development on the property, are attached as follows:

- Applicant’s Written Statement: **Attachment B**
- Existing Conditions Plan: **Attachment C**

Staff utilized the materials provided by the applicant to evaluate the proposal and to establish the facts and findings within this decision.

SUMMARY OF RECORD

The following items are submitted to the record and are available upon request: All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; any materials and comments from public agencies, City departments, neighborhood associations, and the public; and all documents referenced in this report.

FACTS AND FINDINGS

1. Salem Area Comprehensive Plan (SACP)

The Salem Area Comprehensive Plan (SACP) map designates the subject property as “Single Family Residential”. The proposal includes changing the Comprehensive Plan designation of the subject property to “Multi-Family Residential”.

The Comprehensive Plan designations of surrounding properties include:

- North: “Single Family Residential”
- South: “Multi-Family Residential”
- East: “Multi-Family Residential”
- West: “Single Family Residential”

Components of the Comprehensive Plan

The Salem Area Comprehensive Plan is the long-range plan for guiding development in the Salem urban area. The overall goal of the plan is to accommodate development in a timely, orderly, and efficient arrangement of land uses and public facilities and services that meets the needs of present and future residents of the Salem urban area. Many different documents and maps, when taken together, comprise the Salem Area Comprehensive Plan.

Salem Transportation System Plan (TSP): The TSP uses a Street Classification System to determine the functional classification of each street within the City's street system. While the subject property does not abut any streets, future development at the site would likely take access through the abutting property to the south, which takes access from Lockwood Lane S. This street is designated as a Local street in the TSP.

Relationship to the Urban Service Area

The subject property is located within the Urban Service Area and, as indicated within the memo provided by the Public Works Department (**Attachment D**), adequate utilities are available to serve uses allowed by the proposed comprehensive plan designation. A UGA permit is not required.

Infrastructure

- Water:* The *Salem Water System Master Plan* identifies the subject property to be within the S-2 water service level. The property appears to be served by a 12-inch water main located in Browning Avenue S. An 8-inch water main is located in Lockwood Lane S.
- Sewer:* An 8-inch sewer main is located in Lockwood Lane S.
- Storm Drainage:* A 12-inch storm main is located in Lockwood Lane S.
- Streets:* Lockwood Lane S has an approximate 34-foot-wide improvement within a 60-foot-wide right-of-way approximately 120 feet south of the subject property. This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.

2. Zoning

The subject property is zoned RS (Single Family Residential). It is mostly undeveloped land, but contains a storage shed which serves the existing apartment building to the south. The proposal includes changing the property's zoning from RS to RM-II (Multiple Family Residential). Surrounding properties are zoned and used as follows:

North: RS (Single Family Residential); *single family use*

South: RM-II (Multiple Family Residential); *multiple family* use

East: RM-II (Multiple Family Residential); *multiple family* uses

West: RS (Single Family Residential); *single family* and *two family* uses

3. Existing Conditions

The subject property is approximately 0.15 acres in size and has no street frontage. As shown on the existing condition plan (**Attachment C**), the property is mostly undeveloped land, but contains a storage shed which serves the existing apartment building to the south. That development, located at 701 Lockwood Lane S, is also under the ownership of the applicant and would likely provide access to the subject property if developed.

4. City Department Comments

Public Works Department: The Public Works Department, Development Services Section, reviewed the proposal and submitted comments (included as **Attachment D**).

Fire Department: The Fire Department submitted comments indicating no concerns with the proposed minor comprehensive plan map amendment and zone change, and that Fire Code issues would be addressed at the time of building permit application.

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

5. Public Agency & Private Service Provider Comments

Salem-Keizer Public Schools: Salem-Keizer Public Schools reviewed the proposal and submitted comments (included as **Attachment E**).

Oregon Department of Land Conservation and Development (DLCD): No comments received.

6. Neighborhood Association and Public Comments

The subject property is located within the boundaries of the Sunnyslope Neighborhood Association (Sunnyslope). The applicant indicated the property is not part of a homeowner's association.

Required Open House/Neighborhood Association Meeting: Prior to application submittal, SRC 300.320 requires the applicant for a proposed minor amendment to the City's comprehensive plan map to either arrange and conduct an open house or present their proposal at a regularly scheduled meeting of the neighborhood association the property is located within. On October 15, 2020, the applicant's representative attended the Sunnyslope Neighborhood Association Meeting, held virtually, to present their proposal. A summary of the comments provided at the neighborhood association meeting is included as **Attachment F**.

Notification of the proposal was sent to the Sunnyslope Neighborhood Association, and surrounding property owners and tenants on November 24, 2020. No comments were received from the neighborhood association, and one comment was received from a member of the public—a joint letter from the Fair Housing Council of Oregon and the Housing Land Advocates asking that certain items be addressed under the Goal 10 findings section of the staff report, including discussion of a Housing Needs Analysis and Buildable Lands Inventory.

7. MINOR COMPREHENSIVE PLAN MAP AMENDMENT APPROVAL CRITERIA

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 has provided findings which are included as **Attachment B**. The applicant asserts the proposal is justified based on (ii): the proposed designation is equally or better suited for the property.

The City has accepted, but not adopted, a Housing Needs Analysis (HNA) prepared in 2015 which includes a Buildable Land Inventory identifying a surplus of approximately 1,975 acres for single family residential development and a deficit of land available for multifamily residential development. The proposal would convert approximately 0.15 acres from a Single Family Residential designation to a Multiple Family Residential designation, where the HNA identifies a deficit.

According to the Housing Needs Analysis (HNA), “Salem has a deficit of capacity in the MF designation, with a deficit of 2,897 dwelling units and a deficit of 207 gross acres of residential land.” As of May 2020, the City has added 28 net acres of Multiple Family designated land, reducing the projected deficit to 179 acres. Additionally, the City has added 89 acres of Mixed-Use designated land which allows multi-family development as an outright permitted use, thereby further increasing the land available for multi-family development.

With a Multiple Family Residential designation, the subject property could be developed as multi-family dwellings; the rezone helps increase the potential density of the property while helping to meet housing needs within the Salem Urban Growth Boundary. The proposed change to the comprehensive plan map designation could provide between two and four dwelling units based on the minimum and maximum density standards of the RM-II zone—with a minimum of 12 units per acre and maximum of 28 units per acre. If developed in conjunction with the existing apartment development to the south, which is under the same ownership and approximately 0.55 acres in size, the total 0.70-acre area would allow a minimum of eight dwelling units or a maximum of twenty dwelling units. With twelve existing units at the apartment development to the south, and assuming no changes are proposed to the number of units at the existing apartment site, a maximum of eight units could be developed on the subject property if developed in conjunction with the adjacent 0.55-acre property. The increase in density allowed by this proposal would reduce the deficit identified in the HNA.

The proposed change in designation would allow for development of a *multiple family* use, which would help to meet the changing needs of the Salem urban area. The Multiple Family Residential designation would be equally or better suited for the subject property as the Single-Family Residential designation due to its location within an existing residential area which contains a mix of multiple family and single family development. The subject property lies between existing multiple family developments to the east and south, and single-family developments to the north and west; future multiple family development at the subject property could help provide an additional buffer between the higher intensity uses to the east along Liberty Road S and *single family* uses to the west.

Additionally, since the subject property’s only access to a street is through land zoned RM-II, it cannot be developed with a *single family* use, as the RM-II zone does not allow new single family dwellings (except as set forth within SRC Table 514-1). Because driveway access across a property is only permitted if the use for which it provides access is allowed within that zone, that leaves the subject property with very limited options for development without the requested comprehensive plan map and neighborhood plan map amendment.

The proposal meets this criterion.

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

Finding: The subject property is within the Urban Service Area. Water, sewer, and storm infrastructure are available within surrounding streets/areas and appear to be adequate to serve uses allowed by the proposed comprehensive plan map designation. Site-specific infrastructure requirements will be addressed at the time of development through the site plan review process (SRC Chapter 220). The proposal meets this criterion.

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

Finding: The subject property lies on the boundary between Single Family Residential-designated land to the north and west, and Multi-Family Residential-designated land to the south and east. The Multi-Family Residential land provides a buffer between Liberty Road S and the predominantly single-family subdivisions to the west. As discussed within the findings above, without the requested changes to the comprehensive plan and neighborhood plan maps, development of the subject property would be quite challenging. The proposal would allow for reasonable development of the property in a manner which compliments the existing neighborhood. The proposal provides for the logical urbanization of land.

The proposal meets this criterion.

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

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

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

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

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

Finding: The City has accepted, but not adopted, a Housing Needs Analysis (HNA) prepared in 2015 which includes a Buildable Land Inventory identifying a surplus of approximately 1,975 acres for single family residential development and a deficit of land available for multifamily residential development. The proposal would convert

approximately 0.15 acres of land from a Single Family Residential designation to a Multi-Family Residential designation, where the HNA identifies a deficit.

- b. The capacity of land resources given slope, elevation, wetlands, flood plains, geologic hazards and soil characteristics.*

Finding: The land proposed for the comprehensive plan and neighborhood plan map changes appears to have capacity for multiple family residential development. The topography of the subject property is quite flat, ranging in elevation from approximately 434 feet along the eastern boundary to 436 feet in the southwest corner. The relative environmental suitability of the property for multiple family residential development is even greater when compared to the steeper residential properties in the southern reaches of the City. There are no known natural hazards or geographical constraints which would prevent development of higher-density housing on the site.

- c. The capacity of public facilities, utilities, and services. Public facilities, utilities, and services include, but are not limited to municipal services such as water, sanitary and storm sewer, fire, police protection and transportation facilities.*

Finding: The subject property is within the Urban Service Area. As outlined within the memo from the Public Works Department (**Attachment D**), water, sewer, and storm infrastructure are available within surrounding streets/areas and appear to be adequate to serve uses allowed by the proposed comprehensive plan map designation.

- d. Proximity to services. Such services include, but are not limited to, shopping, employment and entertainment opportunities, parks, religious institutions, schools and municipal services.*

Finding: The property is located in an urbanized area of the city where services exist in the vicinity, including shopping, employment, entertainment, parks, and elementary, middle and high schools. The Liberty Road corridor is located east of the property, which has commercial nodes providing a wide range of shopping, employment, and entertainment opportunities. There are multiple religious institutions within the vicinity.

- e. The character of the existing neighborhoods based on height, bulk and scale of existing and proposed development in the neighborhood.*

Finding: As described in the above findings, residential properties in the vicinity are developed at a range of densities. The proposed Multiple Family Residential designation matches properties to the east along Lockwood Lane S, Browning Avenue S, and Liberty Road S, and would allow for future development of the property which would reflect the existing neighborhood's character. Where the site abuts lower density residential properties to the north and west, multiple family design standards established in SRC Chapter 702 require features such as setbacks and screening to ensure an adequate transition between the height, bulk, and scale of higher density development and the nearby single-family residences.

- f. Policies contained in facility plans, urban renewal plans, residential infill studies and neighborhood and specific development plans.*

Finding: The subject property is located within the Urban Service Area and adequate utilities are available to serve the property. The proposal's adherence to the Sunnyslope Neighborhood Plan is addressed within *Section 2* below.

- g. The density goal of General Development Policy 7.*

Finding: General Development Policy 7 provides in part that “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.” When applied to the subject property, the range of densities allowed in zones implementing the Multiple Family Residential designation provides for more dwelling units than the 6.5 dwelling units per acre, which is consistent with the Housing Needs Analysis (HNA) prepared in 2015.

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

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

Finding: The subject property is near the existing pedestrian, bicycle, and vehicle infrastructure located along Lockwood Lane S, Browning Avenue S, and Liberty Road S. The proposed Multi-Family Residential designation would accommodate a greater number of dwelling units than the current Single Family Residential designation. Review of future development at the site will ensure that unnecessary duplication of utilities, facilities, and services will be avoided. Finally, there are no known unreasonable nuisances or hazards to residents in the immediate vicinity.

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

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

Finding: The RM-II (Multiple Family Residential) zone proposed by the applicant includes a minimum density of 12 units and maximum density of 28 units per gross acre, encouraging efficient use of residential land and public facilities while allowing for a variety of housing types. As described within the findings above, the immediate vicinity includes a range of densities within existing developments. The nearest transit stop available to the subject property is along Liberty Road S, approximately 650 feet away, south of the intersection of Liberty Road S and Browning Avenue S. This transit stop is served by Cherriots routes 8 and 18, which provide transit service between this section of south Salem, the 12th Street SE corridor, and downtown and the Capitol Mall. Existing transportation infrastructure—including pedestrian and automobile facilities, and transit service—is available in the surrounding area which connect to nearby employment centers, shopping areas, parks, and public buildings.

Policy E.7 Residential neighborhoods shall be served by a transportation system that provides access for pedestrian, bicycles, and vehicles while recognizing the neighborhoods physical constraints and transportation service needs:

- a. The transportation system shall promote all modes of transportation and dispersal rather than concentration of through traffic;*
- b. Through traffic shall be addressed by siting street improvements and road networks that serve new development so that short trips can be made without driving;*
- c. The transportation system shall provide for a network of streets fitted to the terrain with due consideration for safety, drainage, views, and vegetation.*

Finding: It is very unlikely that future development at the subject property would create new streets, given the small size of the property. The existing transportation system serving the residential neighborhood which includes the subject property allows for short trips within the neighborhood to be made by a variety of routes, with or without driving. Future development at the property will be reviewed for adherence to the TSP, as well as on-site features such as pedestrian access.

Policy E.10 Requests for rezonings to higher density residential uses to meet identified housing needs will be deemed appropriate provided:

- a. The site is so designated on the comprehensive plan map;*
- b. Adequate public services are planned to serve the site;*
- c. The site's physical characteristics support higher density development; and*
- d. Residential Development Policy 7 is met.*

Finding: The applicant's proposal includes a request for a quasi-judicial zone change from RS (Single Family Residential) to the higher density RM-II (Multiple Family Residential) zone. The RM-II zone implements the "Multi-Family Residential" Comprehensive Plan Map designation proposed as part of the consolidated application. As described in findings above, the subject property is located within the Urban Service Area. Water, sewer, and storm infrastructure are available within surrounding streets/areas and appear to be adequate to serve the proposed development. The

property is unencumbered by sensitive areas such as wetlands or riparian areas. The existing street network in the vicinity meet the circulation requirements of Residential Development Policy 7.

The proposal is consistent with the applicable Goals and Policies of the Comprehensive Plan.

The applicable Statewide Planning Goals are addressed as follows:

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

Finding: Prior to application submittal, SRC 300.320 requires the applicant for a proposed minor amendment to the City's comprehensive plan map to either arrange and attend an open house or present their proposal at a regularly scheduled meeting of the neighborhood association which the property is located within. On October 15, 2020, the applicant's representative attended the Sunnyslope Neighborhood Association Meeting, held virtually, to present their proposal. A summary of the comments provided at the neighborhood association meeting is included as **Attachment F**. A public hearing notice was mailed to the affected property owner(s), all property owners and tenants within 250 feet of the subject property, and to the Sunnyslope Neighborhood Association. This satisfies the citizen involvement requirements described in Goal 1.

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 has 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: The subject property is not designated as an open space or scenic area, and there are no protected natural resources or historic areas present on the site. The proposal conforms to this statewide planning goal.

Statewide Planning Goal 6 – Air, Water, and Land Resources Quality: *To maintain and improve the quality of the air, water and land resources of the state.*

Finding: Land located within the Urban Growth Boundary is considered urbanizable and is intended to be developed to meet the needs of the City, and the effects of urban development on air, water and land resources are anticipated. Development of the property is subject to tree preservation, stormwater and wastewater requirements of the

UDC which are intended to minimize the impact of development on the state's natural resources. The proposal is consistent with Goal 6.

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, and there are no mapped landslide hazards identified on the property. The applicant's written statement indicates there are no known natural hazards at the property, except for earthquakes which affect the entire region. The proposal is consistent with Goal 7.

Statewide Planning Goal 8 – Recreational Needs: *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Finding: The subject property is not within an identified open space, natural or recreation area, and no destination resort is planned for this property. Therefore, Goal 8 is not applicable to this proposal.

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 an industrial land surplus of approximately 907 acres. The EOA provides strategies to meet the projected employment land needs in the Salem area. In 2015, the City Council adopted the EOA and updated the Comprehensive Plan accordingly; the City now uses the EOA and its findings to inform policy decisions, including how to respond to requests for rezoning land.

Statewide Planning Goal 10 – Housing: *To provide for the housing needs of the 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 decisions related to residential land. According to the Housing Needs Analysis (HNA), "Salem has a deficit of capacity in the MF designation, with a deficit of 2,897 dwelling units and a deficit of 207 gross acres of residential land." With a Multi-Family Residential designation, the subject property could be developed as multi-family dwellings; the change in designation and rezone increases potential density while helping to meet housing needs within the Salem Urban Growth Boundary. The proposed change to the 0.15-acre property could provide between two and eight dwelling units based on the minimum and maximum density standards of the RM-II zone, and depending on whether it is developed with the existing apartment development to the south. The increase in density allowed by the proposed change would reduce the deficit identified in the HNA.

The proposal will help provide diverse housing options to meet the future needs of the city. The proposed RM-II zoning designation allows for a greater variety of residential uses than the current zoning does, including two family, three family, four family, and multiple family. The proposal is in compliance with Goal 10 by providing a designation and accompanying zone that allow more diverse housing options than the current designation.

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 is located inside the Urban Service Area. Water, sewer, and storm infrastructure are available within surrounding streets/areas and appear to be adequate to serve uses allowed under the proposed designation. Site-specific infrastructure requirements will be addressed through the site plan review process set forth in SRC Chapter 220. 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.*

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 or to propose mitigation of their impact.

The applicant submitted a Transportation Planning Rule (TPR) Analysis (**Attachment G**) in consideration of the requirements of the Transportation Planning Rule (OAR 660-012-0060). The TPR analysis demonstrates that the proposed comprehensive plan change and zone change will not have a significant impact on the transportation system. The Assistant City Traffic Engineer has reviewed the TPR analysis and concurs with the finding of no significant effect.

The proposal complies with Goal 12.

Statewide Planning Goal 14 – Urbanization: *To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

Finding: The subject property is located within the Urban Growth Boundary (UGB), and public facilities required to serve future development at the property are located nearby. The proposed comprehensive plan map amendment will allow the efficient use of vacant land within the UGB in compliance with Goal 14.

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

Finding: The proposed Comprehensive Plan Map amendment from Single Family Residential to Multi-Family Residential is in the public interest and would be of general benefit because it would increase the number of housing units that can be provided on the subject property, consistent with the planned capacity of infrastructure serving future development. The proposed change in land use designation is consistent with the location and character of the surrounding area, with adjacent land use designations, and with the planned transportation facilities available to serve the property. The proposal satisfies this criterion.

8. NEIGHBORHOOD PLAN MAP AMENDMENT

Finding: The property is located within the boundaries of the Sunnyslope Neighborhood Association. The Sunnyslope Neighborhood Plan was adopted by City Council in 1983 and is in effect pursuant to SRC Chapter 64.

LAND USE

Goals

Goal 1: *To preserve the residential character and environmental quality of the present neighborhood.*

Goal 2: *To encourage future development which will be consistent with the existing residential character of the neighborhood and which will enhance the social, economic and environmental quality of the overall planning area.*

Finding: As stated within the applicant's written statement, the subject property is within an area of Sunnyslope which contains a diverse mix of single family and multi-family, as well as commercial, development. The proposal would allow future multi-family residential development at the subject property which would likely be similar in scale and character to the existing multi-family developments to the south and east.

Overall Policies

Policy 3 (Neighborhood Character): *The predominantly single family residential character of the neighborhood shall be maintained. The immediate shopping needs of Sunnyslope residents should be provided for in designated locations.*

Policy 4 (Major Intersections): *Intensive uses such as multifamily units, commercial office complexes, and neighborhood shopping should be clustered at major intersections in order to provide the exposure and access these uses require, and to reduce the amount of traffic through the neighborhood.*

Finding: While Policy 3 the Sunnyslope neighborhood plan calls for the predominantly single-family residential character of the neighborhood to be maintained, as stated within the findings of *Section 1* above, it is not currently feasible to develop the subject property with a single-family dwelling due to access restraints, since access for *single family* uses across land zoned RM-II is not permitted. Additionally, because the subject property does not have street frontage, development at the site will not be highly visible from the public right-of-way, allowing for the existing character of the neighborhood to be maintained.

The proposed change to the neighborhood plan map would group the subject property with an existing cluster of land designated Multi-Family Residential on the southwest corner of the intersection of Liberty Road S, a Major Arterial, and Browning Avenue S, a Collector street. The proposal is consistent with the above policies.

Multifamily Policies

Policy 9: *The number of multifamily dwelling units should vary from seven units per acre in difficult terrain to 15 units per acre along arterials or at major intersections.*

Policy 10: *Multifamily units should be located in concentrated locations on arterials or collectors and within one-fourth mile of an existing transit bus route. Primary locations will be in the vicinity of major intersections*

Policy 11: *The principle access points to multifamily developments should be limited to arterial and collector streets except along arterials where direct street access is discouraged. In those cases, sole or primary access via a local street should be limited to the mid-point of the development nearest the arterial or collector.*

Finding: The minimum density of the proposed zoning, RM-II, is 12 units per acre. The subject property is quite flat in terms of topography, and while having no street frontage, is located approximately 380 feet from Liberty Road S, a Major Arterial.

The proposal would allow the subject property to be developed with a *multiple family* use—concentrated with existing multi-family developments to the south and east. The property is near the intersection of Liberty Road S and Browning Avenue S. Transit service—Cherriots routes 8 and 18—is available at a transit stop which is less than one-fourth mile from the subject property.

Future development at the subject property would likely take access through the adjacent multi-family development's existing driveway to the south. No new driveway access points would result from the proposal. The proposal is consistent with the above policies.

HOUSING

Goals

Policy 47: *To provide for a range of housing needs which will be compatible with the existing housing stock.*

Policy 48: *To maintain a high degree of individual home ownership.*

Finding: As identified within the applicant's written statement, the proposal would allow for a range of housing types within the neighborhood. Future development at the site would need to meet either the special use provisions for *three-* or *four-family* uses, or the multiple family design review standards for *multiple family* uses (developments with five or more multi-family dwelling units); this will help ensure compatibility between future development at the site and the existing housing stock. The proposal is consistent with the above policies.

Policies

Policy 49: *To encourage the continued maintenance and development of quality housing stock in the Sunnyslope Neighborhood.*

Policy 50: *To encourage the development of innovative housing design in the neighborhood.*

Policy 51: *To encourage the dispersal of low-cost housing units so as to prevent concentration in any one area.*

Finding: The applicant has stated their intent to meet all applicable building and fire codes, as well as design standards adopted by the City, ensuring future development at the subject property will provide quality housing stock in the neighborhood.

As identified within the applicant's written statement, future development of the subject property will likely be low-rise in nature, given the limited size of the property and the necessity of providing adequate off-street parking, solid waste facilities, and landscaped areas. The proposed neighborhood plan map change, which would allow for increased density, would allow for a broader range of housing types and designs in the area.

The applicant states that the price point of any future apartments at the subject property is still undetermined. They note that it is likely to provide for a more affordable option to residents who do not wish to or are unable to rent or purchase a single-family home. There is no evidence the proposal would lead to concentration of low-cost housing units in a given area. The proposal is consistent with the above policies.

PUBLIC FACILITIES AND SERVICES

Goal

Policy 52: To provide an orderly, efficient, and coordinated system of public and private facilities and services that support the high quality living environment established in Sunnyslope.

Finding: The subject property is located inside the Urban Service Area. Water, sewer, and storm infrastructure are available within surrounding streets/areas and appear to be adequate to serve uses allowed under the proposed designation. Site-specific infrastructure requirements will be addressed through the site plan review process set forth in SRC Chapter 220. The proposal is consistent with the above policies.

9. QUASI-JUDICIAL ZONE CHANGE APPROVAL CRITERIA

The following analysis addresses the proposed zone change for the subject property from RS (Single Family Residential) to RM-II (Multiple Family Residential).

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

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 proposed zone would be compatible with the vicinity's development pattern; or**
- (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 states the proposal satisfies (iii)—the proposed zone change is equally or better suited for the property than the existing zone. The physical characteristics of the property, including its proximity to an existing RM-II-zoned area and other physical characteristics identified within *sections 1* and *2* above, are appropriate for the proposed zone. The subject property lies between existing multiple family

developments to the east and south, and single-family developments to the north and west; future multiple family development at the subject property could help provide an additional buffer between the higher intensity uses to the east along Liberty Road S and the single family uses to the west.

According to the Housing Needs Analysis, “Salem has a deficit of capacity in the MF designation, with a deficit of 2,897 dwelling units and a deficit of 207 gross acres of residential land”, while finding that the city has a surplus of available single family residential land. The proposed change in designation and zone change would allow for future multi-family development which will help to meet the changing needs of the Salem urban area. With the RM-II zone, the subject property could be developed as multi-family dwellings; the rezone helps increase the residential density while helping to meet housing needs within the Salem Urban Growth Boundary.

The criterion is met.

SRC 265.005(e)(1)(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. This criterion does not apply.

SRC 265.005(e)(1)(C): The zone change complies with the applicable provisions of the Salem Area Comprehensive Plan.

Finding: Findings addressing the minor comprehensive plan map and neighborhood plan map amendment criterion SRC 64.025(e)(2)(D), included above, address the applicable provisions of the Salem Area Comprehensive Plan for this consolidated application. The proposal satisfies this criterion.

SRC 265.005(e)(1)(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 minor comprehensive plan map and neighborhood plan map amendment criterion SRC 64.025(e)(2)(D), included above, address the conformance of the proposal with the applicable provisions of the Statewide Planning Goals for this consolidated application. The proposal satisfies this criterion.

SRC 265.005(e)(1)(E): If the zone change requires a comprehensive plan change from an industrial designation to a non-industrial designation, or from a commercial or employment designation to any other use 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.

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

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

Finding: The applicant submitted a Transportation Planning Rule (TPR) Analysis in consideration of the requirements of the Transportation Planning Rule (OAR 660-012-0060). The TPR analysis is required to demonstrate that the proposed Comprehensive Plan Change and Zone Change will not have a significant effect on the transportation system as defined by OAR 660-012-0060. The Assistant City Traffic Engineer has reviewed the TPR analysis and concurs with the finding of no significant effect.

The proposal meets this criterion.

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

Finding: Findings addressing the Comprehensive Plan Change criterion SRC 64.025(e)(2)(B), included above, address the public facilities and services available to support *multiple family* uses allowed on the subject property as a result of the proposed zone change. The proposal satisfies this criterion.

CONCLUSION

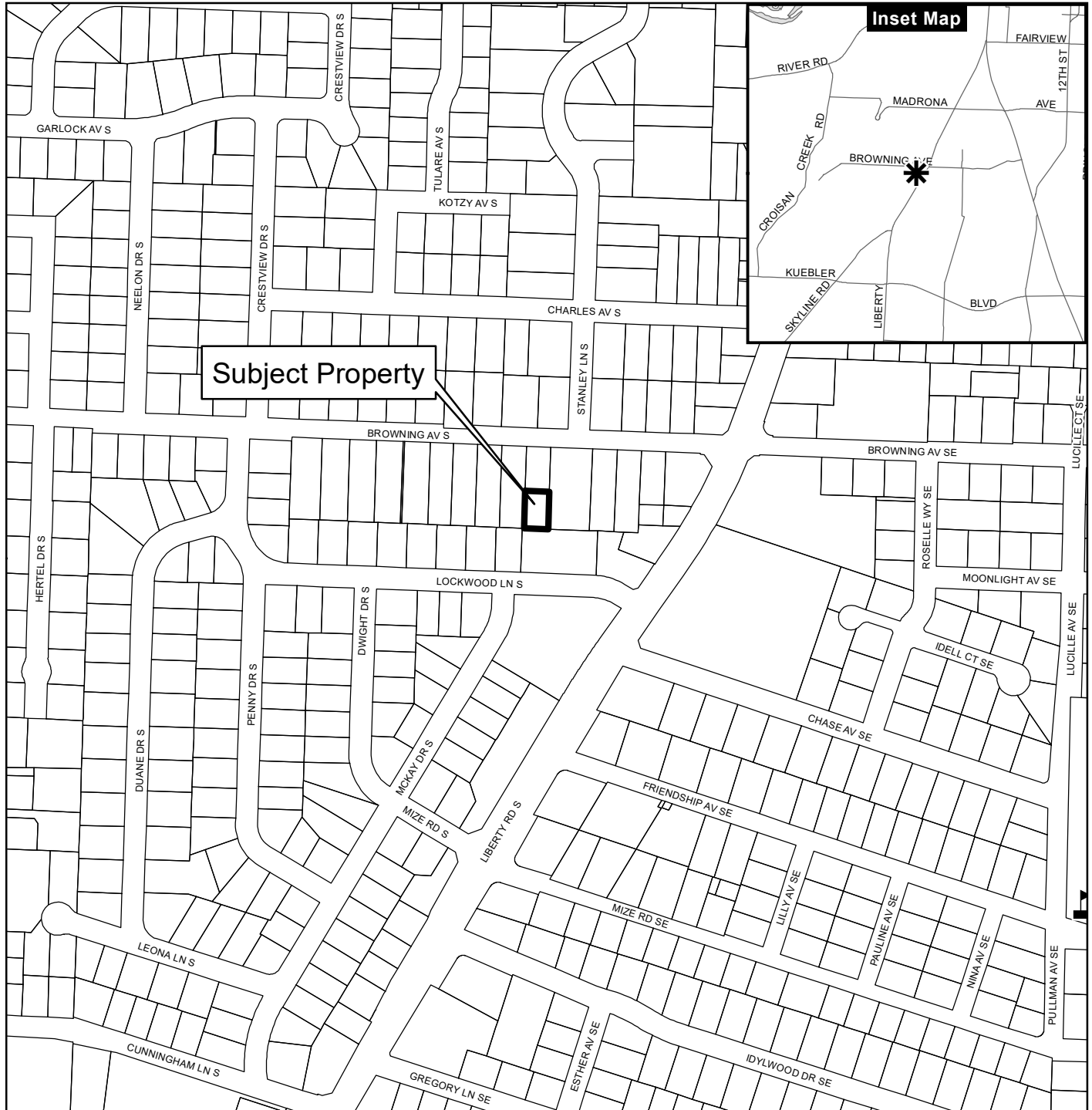
Based on the facts and findings presented herein, the proposed Minor Comprehensive Plan Map Amendment, Neighborhood Plan Change, and Quasi-Judicial Zone Change satisfy the applicable criteria contained under SRC 64.025(e)(2) and 265.005(e)(1) for approval.

Attachments:

- A. Vicinity Map, Comprehensive Plan Map, and Zoning Map
- B. Applicant's Written Statement
- C. Existing Conditions Plan
- D. Memo from Public Works Department
- E. Letter from Salem-Keizer Public Schools
- F. Sunnyslope Neighborhood Association Meeting Summary from Oct. 15, 2020
- G. Applicant's Transportation Planning Rule Analysis

Prepared by Brandon Pike, Planner I

700 block of Lockwood Lane S Vicinity Map



Legend

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

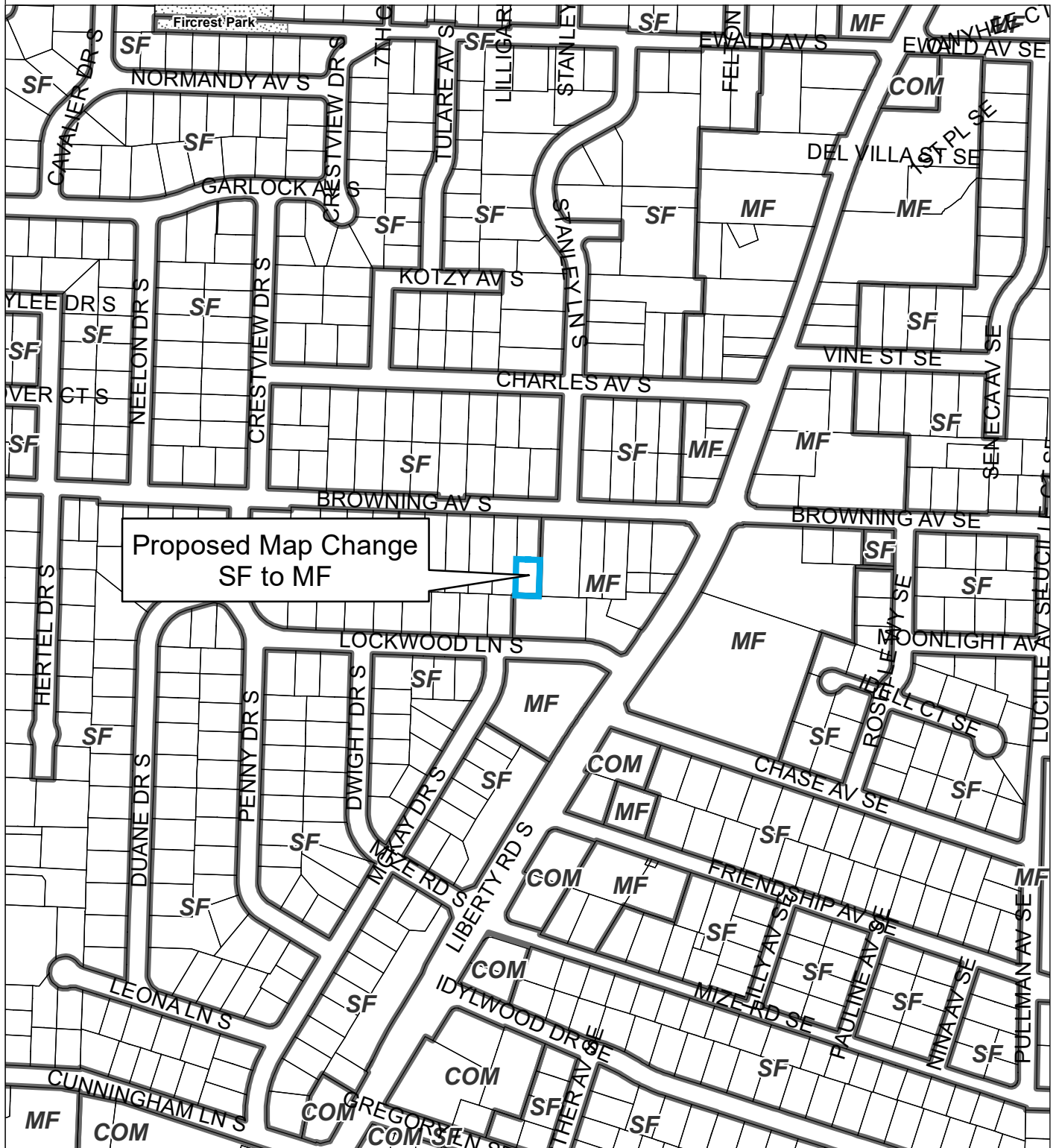
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CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

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Comprehensive Plan Map - 700 Block of Lockwood Ln S



Legend

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

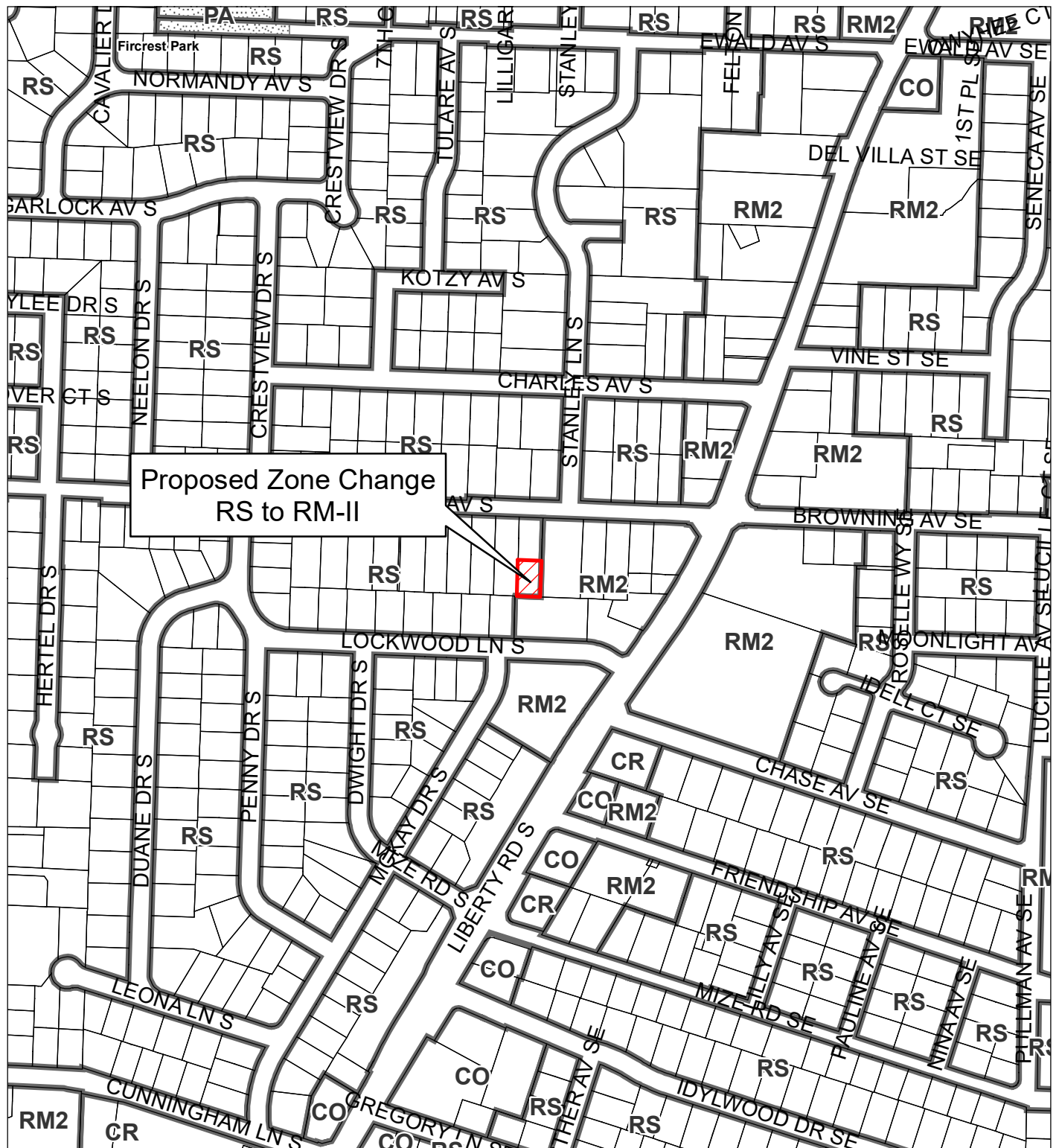
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CITY OF *Salem*
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Vicinity Zoning - 700 Block of Lockwood Ln S



Legend

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

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

Comprehensive Plan Amendment & Zone Change

Owner: Clutch Industries, Inc.
360 Belmont St NE
Salem, OR 97301

Chris Blackburn
chris@nwrusa.com
(503) 391-8191 ext. 111

Planner: Harper Houf Peterson Righellis, Inc.
205 SE Spokane St, Suite 200
Portland, OR 97202

Brad Kilby, AICP
BradK@hhpr.com
(503) 221-1131

Site Location: North of 701-723 Lockwood Lane S
Salem, OR 97302

Tax Lot: 083W09AB 00900

Parcel Size: 0.15 acres

Comprehensive Plan Designation: Single Family Residential

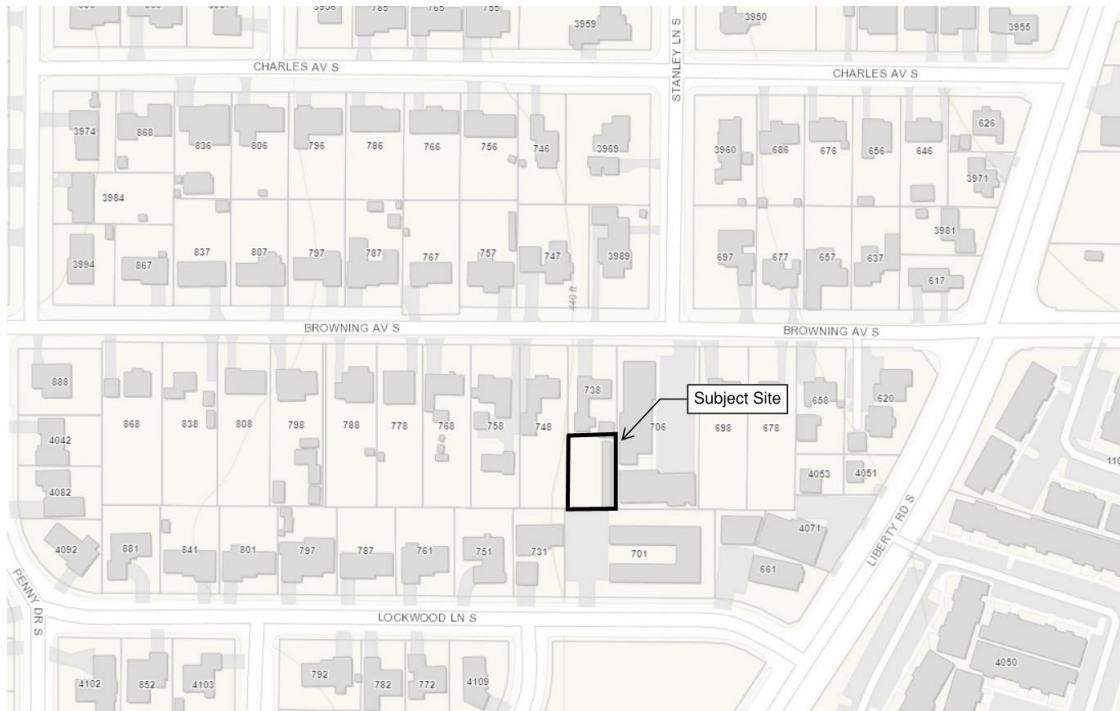
Zone: RS – Single Family Residential

Summary of Request: Clutch Industries, Inc. is proposing to amend the Salem Area Comprehensive Plan (SACP) and zoning designation of their 0.15-acre property north of 701 Lockwood Lane S. The applicant is requesting to change the SACP designation from Single Family Residential to Multi-Family Residential and the zoning designation from Single Family Residential (RS) to Multiple Family Residential (RM-II).

Date: August 6, 2020

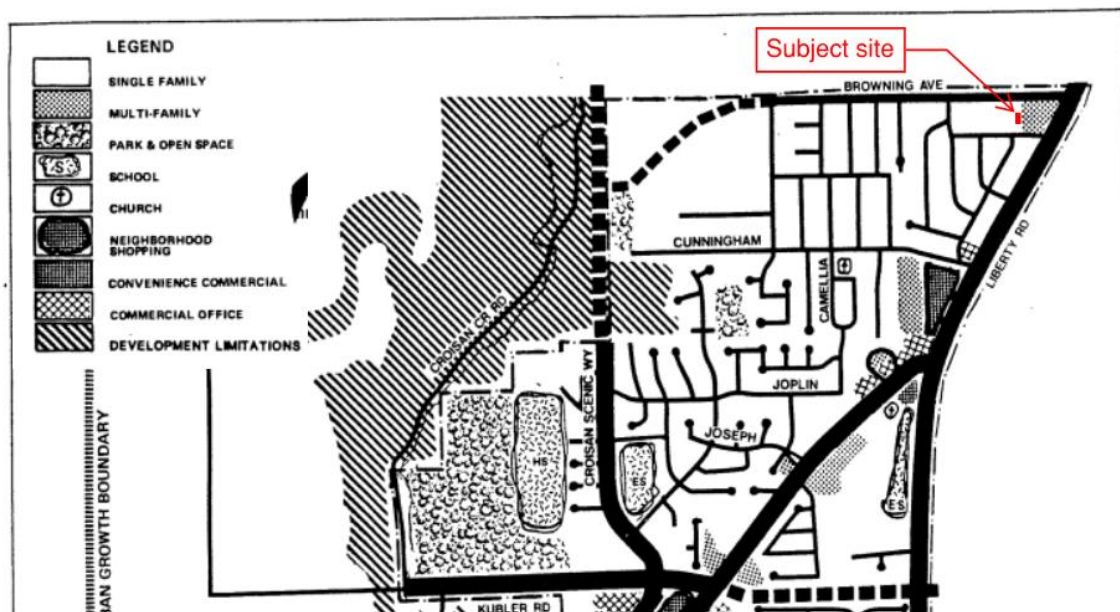


Vicinity Map



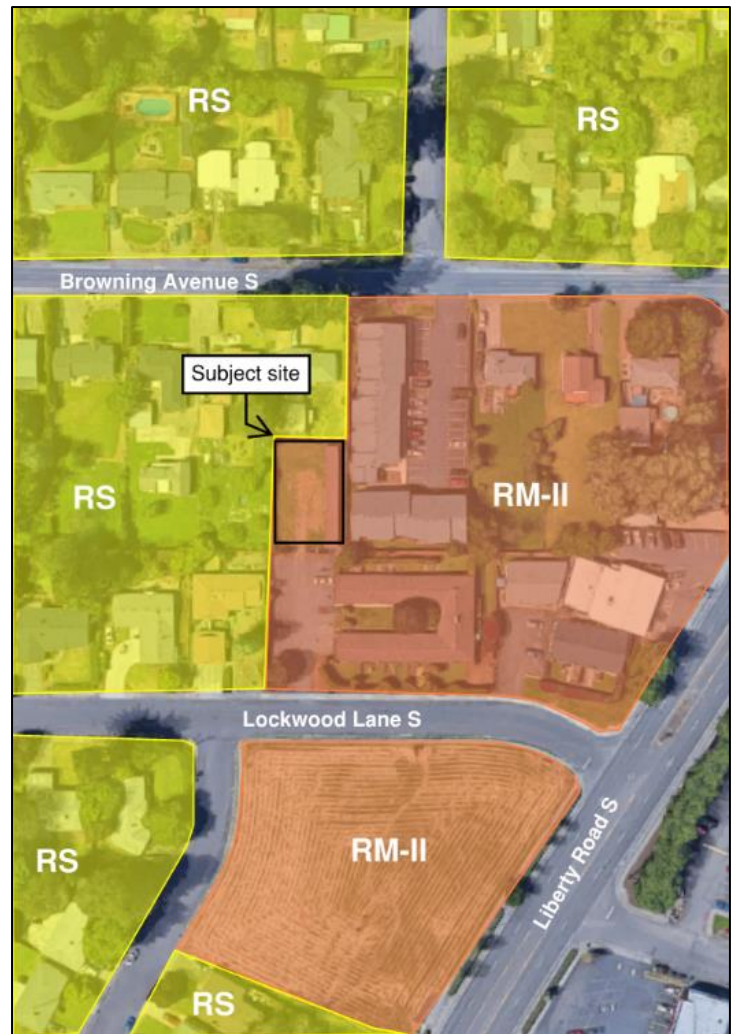
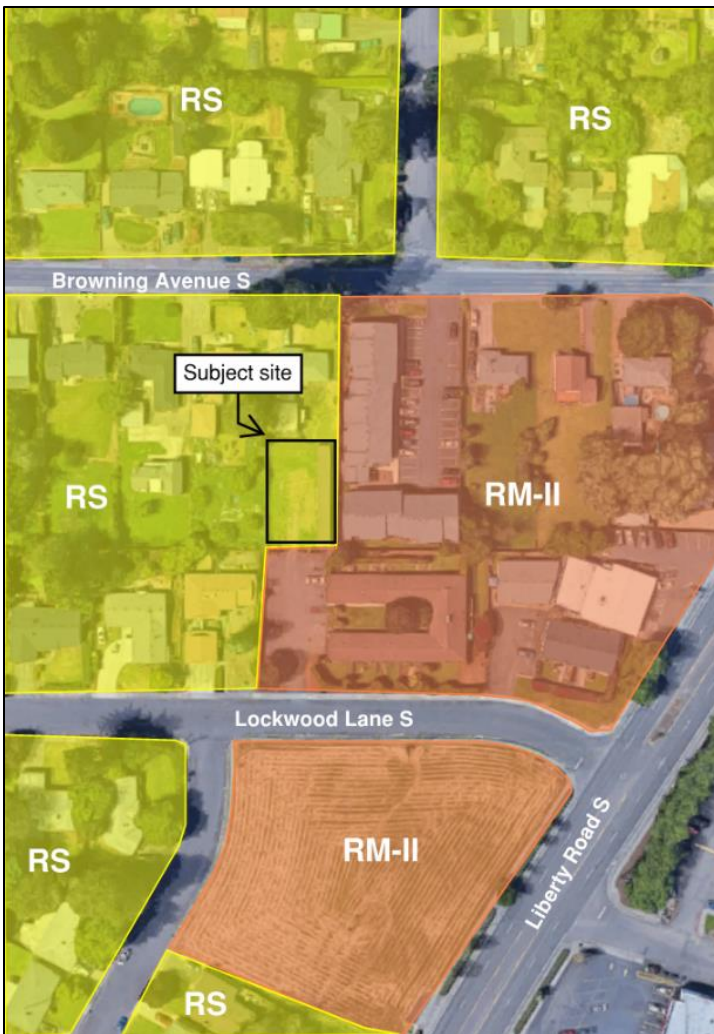
Sunnyslope Neighborhood Plan

SUNNYSLOPE LAND USE PLAN MAP



Existing Zoning

Proposed Zoning



SUMMARY OF PROPOSAL AND REQUEST

Proposal. The applicant, Clutch Industries, Inc. is proposing to amend the Salem Area Comprehensive Plan (SACP) designation and zoning for their 0.15-acre property north of 701 Lockwood Lane S. (The site does not have a situs address, but the tax lot ID is 083W09AB 00900). The applicant is requesting to change the SACP designation from Single Family Residential to Multi-Family Residential and the zoning designation from Single Family Residential (RS) to Multiple Family Residential (RM-II). This application does not request approval of site plan or design review. This proposal would also amend the Sunnyslope Land Use Plan Map.

As demonstrated throughout this narrative and supporting documentation, the applicant is requesting approval of a Type III Minor Comprehensive Plan Amendment & Zone Change. The applicant acknowledges that this Type III application is subject to the submittal requirements and review processes outlined in SRC Chapter 300. The application is subject to the approval criteria outlined in SRC Section 64.020(f)(2) (Minor Comprehensive Plan Amendment) and SRC Section 265.005(e) (Zone Change).

Existing Conditions. The subject site is located immediately north of 701 Lockwood Lane S but does not have a situs address. It currently has a designation of Single Family Residential (SFR) in the SACP and a zoning designation of Single Family Residential (RS). Further, the subject site is located within the Sunnyslope Neighborhood and has a designation in the Sunnyslope Neighborhood Plan as Single Family. Respective to the subject site, the surrounding zoning is as follows:

- North: RS (Single Family Residential)
- South: RM-II (Multi-Family Residential – II)
- East: RM-II (Multi-Family Residential – II)
- West: RS (Single Family Residential)

The subject site is flat and grassy. There is currently a chain-link fence surrounding the property and a series of metal-sided storage units along the eastern edge of the property. The property is accessed via the existing drive aisle and access way from Lockwood Lane S for the adjacent multi-family residential complex. The applicant also owns this property.



RESPONSES TO APPLICABLE CODE SECTIONS

SALEM REVISED CODE (SRC) CHAPTER 64 – COMPREHENSIVE PLANNING

Sec. 64.001 – Purpose

The purpose of this chapter is to adopt a comprehensive plan and urban growth boundary for the City, and to establish procedures for amendments thereto, in order to create a framework whereby land use regulation may be carried out, including, but not limited to, providing for public infrastructure, community growth, and the preservation of natural and historic resources.

Response: The subject property is located within the Salem Urban Growth Boundary (UGB) and is designated as Single Family Residential in the Salem Area Comprehensive Plan (SACP). The property is within an urbanized area of the plan, has access to nearby public infrastructure, and is accounted for in the supporting documentation of the SACP.

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: The applicant is proposing to amend the comprehensive plan map designation for one 0.15-acre property. As such, the applicant is requesting approval of a minor plan map amendment because only one property is subject to the amendment. The remainder of this application will address the applicable criteria and standards for minor plan map amendments.

(b) Standing to initiate plan map amendments.

(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 applicant is the owner of the property and the party initiating the minor plan map amendment.

(c) Procedure type.

(2) Minor plan map amendments are quasi-judicial decisions, and are processed as a Type III procedure under SRC chapter 300.



Response: The applicant acknowledges that the minor plan map amendment process is a quasi-judicial decision and processed using a Type III procedure as outlined in SRC chapter 300.

(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: The applicant is the owner of the property and the party initiating the minor plan map amendment. The submission complies with subsection (d)(2) of this section.

(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 is included with this application as Attachment 3.

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

Response: A traffic impact analysis prepared by Scott Mansur, PE, PTOE, a professional traffic engineer with DKS and Associates is provided with this application as Attachment 4. The letter summarizes how the City of Salem Transportation Planning Rule (TPR) guidelines are met for the proposed zone change from single-family residential to multi-family residential. It evaluates the traffic impacts of the highest number of units the project could yield as a result of rezoning compared to the existing zoning. In this instance, the difference in daily trips between the reasonable worst case of the existing zoning and the reasonable worst case of the proposed zoning is 44 daily trips. The analysis concludes that the proposed amendment would not significantly impact transportation facilities near the project and complies with the Transportation Planning Rule. See Attachment 4 for details.

(e) Criteria.

(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 subject property is located in a diverse neighborhood of both single-family and multi-family homes. It is adjacent to both zones and both housing types. The proposed amendment is timely in that the entire state is experiencing a shortage of housing, and Salem is a major urban area with a lot of opportunities for employment. This request is not necessarily tied to a change in circumstances, but would be appropriate for some of the reasons listed below.

(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: The property is equally suited for a multi-family designation in this area given the following circumstances:

- Both, Single-Family and Multi-Family Residential zoning categories already apply to this area of Salem;
- The area is currently developed with both types of housing and served by existing urban services including sewer, water, and emergency services;
- The property is already served by Cherriots routes #8 and 18 along Liberty Road S (Stop ID 766).
- Both of these transit routes go to major employment areas including downtown, Kuebler Blvd, and Commercial Street SE.;
- In December 2014, ECONorthwest provided a Draft Housing Needs Analysis evaluating the inventory of buildable land within the Salem UGB against the projected demand for housing needs from 2015 to 2035. On page 34 of this report, Table 4 summarizes needed unit distribution from 2015-2035 as 60% detached single-family, 5% attached single-family, and 35% multi-family, or a need for 8,174 multi-family, 14,013 single-family detached, and 1,168 single-family attached units. On page 46, table 12 compares existing residential land capacity with new dwelling unit demand. Data shows a 1,975-gross-acre surplus for single-family residential development, and a 207-gross-acre deficit for multi-family residential development. The analysis finds a need to allocate 59 acres of surplus single-family and developing residential land to zoning designations that accommodate retail and services in neighborhood centers, decreasing the surplus of single-family and developing residential land to 1,916 acres. One of the recommendations put forth in the Housing Needs Analysis report is to increase capacity by re-designating existing single-family or developing residential land to multi-family land. The proposal to re-designate a portion of the subject property from Single-Family Residential to Multiple-Family Residential is consistent with identified needs for additional multifamily housing within the buildable lands inventory without creating a deficiency in the single-family lands inventory; and
- Given the nature of the surrounding development, the subject property is suitable for residential development at multiple-family densities without disrupting the character of the neighborhood.

(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:

(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 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,

Response: There is no conflict between the existing comprehensive plan map designation and zone designation, rather, we contend that the multi-family zoning may be a more appropriate zoning designation given the fact that there is a deficiency in multi-family zoning in the City of Salem similar to other urban areas around the state, that there are sufficient public facilities within the area, that there is transit available to the site, and that the site can provide convenient access to employment centers within Salem. The property is currently developed with small and underutilized storage units that were likely developed as part of the adjacent multi-family project.

(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 property is not currently served with public utilities, but is within the Salem Urban Service Area and is capable of being served with public utilities. In fact, as the following figure shows, water, sewer, and storm mains are already available in Lockwood Lane.



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

Response: There are already a variety of housing types in the immediate vicinity of this site. The site is located adjacent to two existing multi-family developments and owned by one of the existing multi-family development owners. The proposed designation would provide for a logical urbanization of land and would support an identified need within the City for smaller apartment complex types that are typically referred to as the missing middle because they tend to integrate well with existing single-family style development.



(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: The proposed designation is consistent with the applicable SACP policies and statewide planning goals as discussed below.

Salem Area Comprehensive Plan

General Development Policy 1 – Citizen Involvement

Opportunities for broad-based citizen involvement in the development, revision, monitoring and implementation of the Salem Area Comprehensive Plan shall be provided by the City of Salem and Marion and Polk Counties. Where neighborhood groups have been officially recognized by the governing body, they shall be included in the planning process. To help assure citizen participation and information, public hearings shall be held prior to adoption of all land use ordinances.

Response: This particular request is consistent with outreach conducted by the City in their neighborhood planning processes. The map amendment and zone change have been presented to the neighborhood association, the Sunnyslope Neighborhood Association, on July 16, 2020. During this presentation, the neighborhood association had the opportunity to ask questions and share any comments or concerns about the proposal. Additionally, this application is subject to hearings before the Salem Planning Commission and the Salem City Council that will be duly noticed and open to the public. The minutes of the neighborhood meeting are attached to this application as Attachment 5.

General development policy 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: Policy 7's 6.5 units per acre number is an aspirational, overall density average and not a minimum or maximum density requirement. Under SRC Chapter 514, the RM-II zone meets this policy by providing for a minimum density of 12 units and a maximum density of 28 units per acre. The prescribed density standards optimize the residential use of this land.

The property is flat and contains no watercourses. Future development of the property will be required to be consistent with the City of Salem development standards including erosion control, which when employed consistent with the requirements are intended to minimize any adverse impacts to the land.

Urban Growth Policy 3 – UGB is Urbanizable

Urbanizable areas within the urban growth boundary shall be considered as available for annexation and urban development.

Response: The subject site is located within the Salem UGB and within the Salem city limits and is therefore considered available for urban development.



Urban Growth Policy 4 – Infill

Development of land with existing urban services shall be encouraged before the conversion of urbanizable lands to urban uses.

Response: This policy is satisfied under this application because the project site already has access to existing urban services. Water and sewer infrastructure exists within the adjacent streets. Power lines, waste collection services, and mail service are already established within the area. This proposal does not pertain to the conversion of urbanizable lands to urban uses; the site is already fit for urban uses within an urbanized region of Salem.

Growth Management Policy 6 – Infill Development

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: The proposed plan amendment and zone change would allow the subject site to be constructed with infill development. Any new development on the site would be served by existing services provided in the neighborhood, such as utilities (water, sewer, power), trash collection, and nearby transit service on Liberty Road S (Routes #8 and #18). Further, there are existing schools and parks in the area that could serve this site. The schools serving the subject site are Salem Heights Elementary School, Crossler Middle School, and Sprague High School. The nearby parks are Belcrest Memorial Park and Fircrest City Park, both of which are less than one mile from the subject site and do not require one to cross any street above a functional classification of a collector.

Growth Management Policy 7 – Development Requiring Water and Sewer

Within the Salem urban area, residential subdivisions, mobile home parks, multi-family residential, commercial and industrial development shall be permitted only within the County service districts or within the City of Salem where public sewer and water services are available and other urban facilities are scheduled pursuant to an adopted growth management program. Exceptions to this policy may only be permitted if mutually agreed to by the City and the appropriate County.

Response: As discussed above, this site is able to connect to water and sewer services that exist within the adjacent streets as outlined above.

Growth Management Policy 9 – Infill on Facilities

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: As described earlier, utilities and infrastructure are already in place for the surrounding area. This project is an example of infill development that will not require significant public cost to support the development. Streets and transit are established, along with utility accesses and public services. New streets and public service facilities will not be required for the development.



Growth Management Policy 11 – Facility Responsibility

Where development creates a demand for new expanded facilities and services, a share of the costs of new or expanded facilities and services should be borne by the new development itself.

Response: While this request does not include a request for development approval, the owner has developed property elsewhere in and around Salem. They are aware that there are costs associated with developing the property, and when they decide to develop, are prepared to pay the costs associated with extending utilities to the site. Further, upon developing the property, the owner is aware that there are system development charges applicable to new development to account for upgrades and maintenance to the existing infrastructure systems. The owner is prepared to pay for future improvements necessary for the development of the property.

Residential development policy 1 - The location and density of residential uses shall be determined after consideration of the following factors:

- a. *The type and distribution of housing units required to meet expected population growth within the Salem urban growth boundary.*
- b. *The capacity of land resources given slope, elevation, wetlands, flood plains, geologic hazards and soil characteristics.*
- c. *The capacity of public facilities, utilities and services. Public facilities, utilities and services include, but are not limited to municipal services such as water, sanitary and storm sewer, fire, police protection and transportation facilities.*
- d. *Proximity to services. Such services include, but are not limited to, shopping, employment and entertainment opportunities, parks, religious institutions, schools and municipal services. Relative proximity shall be determined by distance, access, and ability to provide services to the site.*
- e. *The character of existing neighborhoods based on height, bulk and scale of existing and proposed development in the neighborhood.*
- f. *Policies contained in facility plans, urban renewal plans, residential infill studies and neighborhood and specific development plans.*
- g. *The density goal of General Development Policy 7.*

Response: Factor 1(a) - Type/distribution of housing. The City of Salem has identified a need for additional multiple-family housing and development land as shown in most recent housing needs analysis. A mix of single-family and multi-family development already exists within proximity of the subject property. Statewide Planning Goals related to housing encourage a mix of lot sizes and housing types to accommodate a variety of economic needs and opportunities. The proposed designation is consistent with this factor.

Factor 1(b) - Capacity of land resources. The subject property contains no identified wetlands. The property is relatively flat, not located within a geologic slide hazard or floodplain overlay zone. There is no evidence to the contrary to suggest that this property would be unsuitable for multi-family designation due to the capacity of the land.



Factor 1(c) - Capacity of public facilities, utilities and services. As discussed above, there are existing public services available to serve the site. Given the small size of the property, the need to accommodate parking, landscaping, and other basic services generally associated with residential development, the expected impact to the existing facilities would be nominal. There are also already existing emergency services available to the site as it's located within the Salem Urban Service Area where those basic services are expected to be provided. Future development of the site may warrant the extension or upgrade of the facilities if they're subsequently found to be deficient, but the owner of the property is aware of those costs and will be prepared to finance those improvements when the property is developed.

Factor 1(d) - Proximity to services. Public transit is available along Liberty Street and future owners would be able to get to locations throughout the Salem urban area as a result. There are schools including Faye Wright Elementary School, Queen of Peace Catholic School, Judson Middle School, Liberty Elementary School, Schirle Elementary School, Sprague High School and a variety of goods and services within a mile of the site.

Factor 1(e) - Character of existing neighborhoods. The maximum density on the portion of the newly zoned site would be approximately 8 units, however, it is unlikely that a density of 8 units could be achieved given the small size of the site. The site would require other amenities that lend future development of the site to low rise apartments similar to those types of units immediately adjacent to the site. Further, future development of the site would be subject to minimum amenities for parking, landscaping, etc. that are intended to help development integrate into the neighborhood. Given these considerations, it is unlikely that the existing character of the neighborhood would be compromised by the rezoning of this property.

Factor 1(f) - Plan policies. No urban renewal plans, residential infill studies and neighborhood and specific development plans have been discovered by the consultant for this area.

Factor 1(g) - Density goal in General Development Policy 7. As discussed above, the minimum and maximum density requirements for the proposed designation is consistent with General Development Policy 7's residential density goal.

Residential development policy 2 - Residential uses and neighborhood facilities and services shall be located to:

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

Response: 2(a) – The site is currently served by public street access, sidewalks, and transit services.

2(b) – Population growth. There is an acknowledged shortage of multi-family zoned land in the Salem urban area and this proposal will help accommodate predicted population growth.

2(c) - Facilities, utilities and services. Facilities, utilities and services are already in place and will not be duplicated. Some utility extensions, right of way dedications and improvements may be warranted by future development of the parcel, and the owner understands that those improvements may be required.

2(d) - Nuisances and hazards. There are no known nuisances or hazards associated with rezoning the property, and likely not associated with future redevelopment given the prescriptive nature of the regulations associated with development of land.



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

Response: This is a directive for code and ordinance drafters rather than a criterion for applicants, but rezoning this particular property would qualify as infill and provide for a logical redevelopment of some currently underutilized land consistent with an identified community need for more variety in the housing stock.

Residential development policy 6 - Multi-family housing shall be located in areas proximate to existing or planned transportation corridors, public facilities and services:

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

Response: The subject site is in an area with existing public facilities and services. Salem Revised Code (SRC) provides minimum density standards for city RM zoned properties. Salem Revised Code, Title X, 514, RM-II zoning, requires a 12 unit per acre minimum density and 28 unit per acre maximum density. There are sidewalks, improved streets, and transit connections to the items listed in (1) through (5) above.

Employment centers. SRC, Title X, chapter 550 is the Employment Center (EC) zone, which generally allows 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 only EC zoned area on the Salem zoning map is approximately 1-2 miles southeast of the site in the Southeast Mill Creek area, at the intersection of Kuebler Boulevard SE and Lancaster Drive/Aumsville Highway SE. Development in the EC zoned area is growing, and it can be reached by transit services which are available in Liberty Rd. S, near the subject site. The estimated automobile drive time to the Southeast Mill Creek area is about six to nine minutes from the subject site.

Two bus lines are established within 1/8 mile of the site. Cherriots bus lines #8 and #18 operate along Liberty Rd. and provides service to the Salem transit center downtown. Both of these lines connect to other lines in South Salem as well. Parks. Applicant provided the following list of parks within a one-mile radius of the site.

Section IV, Salem Urban Area Goals and Policies, Subsection M, Public and Semi-Public Buildings and Lands, of the Salem Area Comprehensive Plan, refers to public buildings as "principal local government,



state and federal offices." This subsection also discusses Capitol Mall, J building at the Oregon State Hospital, and a convention and conference center in this context of public and semi-public buildings that meet needs of area residents. Cherriots bus lines #8 and #18 operate along Liberty Rd. S, and provides service to downtown Salem within a few blocks of the Capital Mall and convention center. As stated previously, the site is also located within close proximity to nearby schools, churches, and parks.

Given its location, the subject site is reasonably within walking, transit or auto travel distance of needed facilities and services including, shopping areas, employment centers, parks, and public buildings such as schools.

Residential development policy 10 - Requests for rezonings to higher density residential uses to meet identified housing needs will be deemed appropriate provided:

- a. The site is so designated on the comprehensive plan map;*
- b. Adequate public services are planned to serve the site;*
- c. The site's physical characteristics support higher density development; and*
- d. Residential Development Policy 7 is met.*

Response: The owner is asking to re-designate a .15-acre piece of property to Multiple-Family Residential. As discussed previously in this narrative, the proposed development will be appropriate for the site's designation. Public services are in place. The subject property is flat and has no obvious physical constraint for higher density. Residential Development Policy 7 is satisfied by the proposed zone density requirements.

Statewide Planning Goals

Statewide Planning Goal 1 – Citizen Involvement

Citizen Involvement Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.

Response: This quasi-judicial application provides multiple opportunities for citizen involvement in support of the first Statewide Planning Goal's intent. First, notice of the application will be to surrounding owners. This notice will provide information about the date, time, and location of all hearings. At the hearings, members of the public will be allowed to testify for or against the proposed amendments, or as an alternative they are able to provide written comments during the public comment period up until the close of the public hearing. Finally, in the event an aggrieved party participates in the process and has standing the final decision can be appealed in compliance with local and state laws.

Statewide Planning Goal 2 – Land Use Planning

Land Use Planning Goal 2 outlines the basic procedures of Oregon's statewide planning program. It says that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information"; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also



contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation.

Response: The proposed Comprehensive Plan Map and zone amendments are in alignment with the Salem Area Comprehensive Plan as discussed above. While no physical development is proposed with this application, the owner is aware that any proposed development will be required to comply with the applicable standards established in the City of Salem's Municipal Code. No goal exceptions are required or requested by this proposal.

Statewide Planning Goal 5 – Open Space, Scenic and Historic Areas, and Natural Resources

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

Response: There are no open space or natural resources affected by the proposed rezone.

Statewide Planning Goal 6 – Air, Water, and Land Resources Quality

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

Response: The proposed rezone of this area does not impact the quality of air, water, or land resources quality. The subject site is located within the existing Urban Growth Area, the City limits, and is currently underdeveloped. The proposed rezoning will result in allowing the property to be developed at higher densities. As a result, there is less demand to provide land outside of the urban areas, and eventually, allow for the provision of more efficient public services.

Statewide Planning Goal 7 – Areas Subject to Natural Disasters and Hazards

To protect people and property from natural hazards.

Response: The subject site is relatively flat. There are no known natural hazards related to water resources on the site. The entire area is subject to earthquakes, but measures within the building codes are intended to mitigate impacts from those events.

Statewide Planning Goal 8 – Recreational Needs

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

Response: The proposed amendment does not prohibit the City from meeting their needs as they apply to recreation. The site is not currently within the City's inventory of recreation lands.

Statewide Planning Goal 10 – Housing

This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Response: The proposed amendments will allow for higher density housing types as a permitted use. A recent buildable lands inventory assessment within the City of Salem Draft Housing Needs Analysis, discussed earlier in this narrative, documented a deficiency in the supply of land for multi-family development. The multi-family residential deficit is quantified as 2,897 dwelling units and 207 acres of land.



These amendments will provide land within the existing city limits and UGB to potentially assist in closing this deficit if future development includes housing as part of the programming.

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.

Response: The City maintains public facilities and services to support urban development. The City has adopted Transportation, Stormwater, Wastewater and Water master facility plans. These plans outline the public facilities and services needed to serve land within the UGA. The existing public services and facilities in the area can be extended to serve the subject site consistent with the utility master plans.

Statewide Planning Goal 12 – Transportation

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

Response: The City of Salem Transportation System Plan (TSP) is in compliance with the requirements of this Goal. Goal 12 is implemented through the Transportation Planning Rule. The relationship of the proposal to the transportation system, and its impacts, have been evaluated in the Traffic analysis prepared by the applicant's traffic engineer, DKS Associates. The analysis has found that the traffic impacts of the project will not cause a change in the functional classification of any street or transportation facility and will not require or result in changes to the standards that implement the functional classifications system. The proposed plan amendment is therefore in compliance with the Oregon Transportation Planning Rule, the Salem Transportation System Plan and the goals and policies contained within the Salem Comprehensive Plan. In accordance with findings presented above, the proposed plan is consistent with Goal 12.

Statewide Planning Goal 14 – Urbanization

This Goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land."

Response: The subject site is located within an existing urbanized area within the City. It is located within the Urban Growth Boundary and can feasibly be served by nearby urban services as the properties redevelop.

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

Response: The proposed rezone provides for a type of housing that is needed in the City. The site is located in an area already characterized by a mix of housing types, and most importantly in a location where public services are readily available. Multi-family housing allows younger people to remain in the community they grew up in and older people with an opportunity to downsize as they transition into retirement. This proposed amendment would allow for a more efficient use of the property and would be a benefit to the City.



RESPONSES TO APPLICABLE CODE SECTIONS
SALEM REVISED CODE (SRC) 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 is a quasi-judicial zone change subject to a quasi-judicial process.

(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: This request is being initiated by the owner of the property consistent with this requirement.

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

Response: Noted. The owner and applicant are aware of the Type III procedures.

(d) Submittal requirements. In addition to the submittal requirements for a Type III application under SRC chapter 300, an application for a quasi-judicial zone change shall include the following:

(1) 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:

(A) The total site area, dimensions, and orientation relative to north;

(B) The location of existing structures and other improvements on the site, including accessory structures, fences, walls, and driveways, noting their distance from property lines; and

(C) The location of drainage patterns and drainage courses, if applicable;

Response: An existing conditions plan is provided with this application as Attachment 3.

(2) A traffic impact analysis, if required, in the format specified, and based on thresholds specified in standards established, by the Director.

Response: A traffic analysis, prepared by a licensed and professional traffic engineer has been prepared consistent with City direction and is provided with this application as Attachment 4.

(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;

(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



(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.

Response: This application and narrative is based on the premise that the applicant believes that the proposed zone is better suited for the property based on the information provided within this narrative.

(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: This is not a City-initiated zone change. This criterion is not applicable to this request.

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

Response: This narrative and the associated documents provided with this request demonstrate that the proposed zone change is consistent with the 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: As discussed earlier in this narrative, the proposed zone change does comply with the 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: This proposed zone change requests approval of a comprehensive plan change from single-family residential to multi-family residential; therefore this criterion is not applicable to the proposed request.

(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: As stated previously, and supported by the traffic analysis provided as Attachment 4, this zone change would not significantly affect a transportation facility.

(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: There are public facilities in the street immediately in front of the site, so those services are available to the site. No development is proposed with this application, but it would be feasible for those services to be extended and upgraded if the existing capacity is insufficient.

(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: This proposed amendment is to .15 of an acre of land adjacent to and associated with an existing multi-family development. There is no evidence to suggest that this would place a burden on the area.

Sec. 265.025 – When zone change requires comprehensive map amendment

A zone change may require an amendment to the comprehensive plan map. A zone change requires an amendment to the comprehensive plan map when the zone proposed with the change requires a different corresponding plan map designation. If an amendment to the comprehensive plan map is required, the zone change and comprehensive plan map amendment shall be consolidated under SRC chapter 300.

Response: Noted. This request is for a Comprehensive Plan Amendment, a proposed zone change, as well as an amendment to the Sunnyslope Neighborhood Plan. The applicant and owner are aware that these requests are considered under the same request.

CONCLUSION

This written statement and the accompanying supporting documents demonstrate compliance with the applicable approval criteria for a Comprehensive Plan Amendment and Zone Change in the City of Salem. Therefore, the applicant respectfully requests that the City of Salem approve the application.

ATTACHMENTS

1. Land Use Application
2. Title Report
3. Existing Conditions Survey
4. Traffic Impact Memorandum from DKS and Associates
5. Sunnyslope Neighborhood Meeting Minutes from July 15, 2020
6. 2016 Pre-application Conference Notes
7. 2020 Pre-application Conference Waiver



RESPONSES TO APPLICABLE CODE SECTIONS

Sunnyslope Neighborhood Plan – Goals and Policies

LAND USE - Goals

1. *To preserve the residential character and environmental quality of the present neighborhood.*

RESPONSE: The neighborhood around the site is a diverse mix of Single Family and Multi-Family, both of which directly neighbor the property. Both zoning designations and housing types would be compatible with the property since both categories already apply to this area of Salem. Additionally, the area is currently served by existing urban services and emergency services that can support higher density residential development. Due to the nature of the surrounding development, the subject property is suitable for Multi-Family residential development without disrupting the character of the neighborhood.

2. *To encourage future development which will be consistent with the existing residential character of the neighborhood and which will enhance the social, economic, and environmental quality of the overall planning area.*

RESPONSE: Future development of this property as Multi-Family Residential will be compatible to existing residential character, and will meet all City development and design standards for Multi-Family buildings. The Sunnyslope neighborhood and surrounding area has an assortment of housing types in a variety of conditions, so a Multi-Family building would be harmonious with the existing character. Any development above five units would be subject to design review per Section 702.005 of the Salem Revised Code, and would ensure future development on the lot be consistent with the community and design standards.

LAND USE – Overall Policies

3. *Neighborhood Character: The predominantly single family residential character of the neighborhood shall be maintained. The immediate shopping needs of Sunnyslope residents should be provided for in designated locations.*

RESPONSE: As previously mentioned, the immediate area surrounding the subject property is a mix of both single-family and multi-family residential developments. The proposed multi-family development would be consistent with the surrounding residential character and development patterns of the neighborhood.

4. *Major Intersections: Intensive uses such as multifamily units, commercial office complexes, and neighborhood shopping should be clustered at major intersections in order to provide the exposure and access these uses require, and to reduce the amount of traffic through the neighborhood.*

RESPONSE: The subject property is located near the intersection of Liberty Road and Lockwood Lane. Developing multi-family residential housing near larger intersections is encouraged to reduce traffic throughout the neighborhood.

LAND USE – Single Family Policies

RESPONSE: The proposed development is multi-family residential, therefore these policies do not apply. Please see the responses under the Multifamily Policies section.



LAND USE – Multifamily Policies

9. *The number of multifamily dwelling units should vary from seven units per acre in difficult terrain to 15 units per acre along arterials or at major intersections.*

RESPONSE: The proposed property has flat, grassy terrain so topography will not be a limiting factor to meeting the 15 units per acre for Multi-Family Residential located in close proximity to a major arterial.

10. *Multifamily units should be located in concentrated locations on arterial or collectors and within one-fourth mile of an existing transit bus route. Primary locations will be in the vicinity of major intersections.*

RESPONSE: The property is currently located in a concentrated area off of Liberty Road S, a major road with existing public transportation and transportation infrastructure. Two bus lines are established within 1/8 of a mile of the site: Cherriots bus lines #8 and #18. These both operate along Liberty Road and provide service to the Salem transit center located downtown. The location of the property make the site ideal for Multi-Family Residential zoning.

11. *The principle access points to multifamily developments should be limited to arterial and collector streets except along arterials where direct street access is discouraged. In those cases, sole or primary access via a local street should be limited to the mid-point of the development nearest the arterial or collector.*

RESPONSE: The property is accessed via an existing drive aisle and access way from Lockwood Lane S that is also used for the adjacent multi-family residential complex. The property will not require any additional or new access points to Lockwood Lane or the surrounding roads.

LAND USE – Neighborhood Shopping Center Policies

RESPONSE: The project is not a neighborhood shopping center, and therefore these policies do not apply.

LAND USE – Convenience Commercial Policies

RESPONSE: The project is not a commercial development, and therefore these policies do not apply.

LAND USE – Commercial Office Policies

RESPONSE: The project is not a commercial development, and therefore these policies do not apply.

LAND USE – School Policies

RESPONSE: The project is not a commercial development, and therefore these policies do not apply.



LAND USE – Parks and Open Space Policies

RESPONSE: The project is not a commercial development, and therefore these policies do not apply.

TRANSPORTATION – Goals

25. *To encourage use and further development of existing major streets and other transportation modes so they may serve the Sunnyslope Neighborhood and reduce excessive and unnecessary through traffic.*

RESPONSE: The site is currently accessed through an existing drive aisle and will not require additional transportation infrastructure. There will be no significant impact or further degradation to the City's transportation system with the property being zoned Multi-Family Residential, as seen on the attached TPR report. Additionally, allowing land that is within close proximity to existing public transportation to be zoned multi-family residential will encourage use of alternative transportation modes.

26. *To encourage and support a public transportation system.*

RESPONSE: The property is currently served by Cherriots routes #8 and #18 along Liberty Road S (Stop ID 766). The site is also already served by public street access and sidewalks allowing for pedestrian access to the existing public transportation system.

TRANSPORTATION – Overall Policies

RESPONSE: The project does not propose any alteration, expansion, or development of new or existing roads adjacent to the site. The subject property currently has access off of Lockwood Lane, which would not change or be effected by the development of multi-family residential housing. Therefore, the transportation policies are not applicable to the project.

TRANSPORTATION – Public Transportation Policy

33. *To support the provision of public transportation on a city-wide basis in order to make more effective use of existing transportation facilities and services.*

RESPONSE: As mentioned previously, the project site is currently served by Cherriots routes #8 and #18. Placing higher density residential development in close proximity to transit routes will encourage the use of existing transportation facilities and services and support the City's public transportation system.

TRANSPORTATION – Bikeways Policy

RESPONSE: The project is located in an interior property and therefore does not border any public streets, accessways, or right-of-ways. Therefore, the applicant does not propose the development or alteration of any public streets or accessways, including bikeways.



TRANSPORTATION – Pedestrian Traffic Policy

RESPONSE: The subject site takes access off of Lockwood Lane where there are existing sidewalks and curb cuts, meeting all standards for pedestrian access.

PARKS AND RECREATION – Goals

RESPONSE: The project is proposing multi-family residential development, not a park or other public space. Therefore, this section does not apply.

PARKS AND RECREATION – Park and Recreation Facilities Policies

RESPONSE: The project is proposing multi-family residential development, not a park or other public space. Therefore, this section does not apply.

PARKS AND RECREATION – Open Space Policies

45. *To encourage public open space within all newly developed residential developments and provisions made for its maintenance.*

RESPONSE: When a site plan and/or design review is submitted for this property, open space standards for multiple family development will be met in accordance with the Salem Revised Code Section 702.015.

46. *The ecologically significant areas bordering Croisan Scenicway and in the vicinity of Jory Hill should be preserved for open space through the use of acreage homesites and city ownership.*

RESPONSE: The project site is not bordering Croisan Scenicway or Jory Hill. Therefore this policy does not apply.

HOUSING – Goals

47. *To provide for a range of housing needs which will be compatible with the existing housing stock.*

RESPONSE: Both Single-Family and Multi-Family Residential zoning categories already apply to this area of Salem and the Sunnyslope Neighborhood, so the property will be compatible with the existing housing stock. Additionally, the most recent Salem Area Housing Needs Analysis indicates a need for additional multi-family housing in the City, which this property has the ability to provide.

48. *To maintain a high degree of individual home ownership.*

RESPONSE: By diversifying the kind of housing available in the Sunnyslope neighborhood, homeownership rates will increase due to the increase in housing choice. By developing multi-family residential units, a wider range of Sunnyslope residents will be able to own homes.



HOUSING – Policies

49. *To encourage the continued maintenance and development of quality housing stock in the Sunnyslope Neighborhood.*

RESPONSE: Any development that occurs on the property will meet all building standards, fire standards, design standards, and all other applicable codes and standards that have been adopted by the City of Salem.

50. *To encourage the development of innovative housing design in the neighborhood.*

RESPONSE: Any housing constructed on this property with future development is likely to be low rise given the need to provide parking, trash, and landscaping. Any proposed development would meet the City's standards for the zone. It should be noted that a higher density designation will actually provide for a broader range of housing types and design.

51. *To encourage the dispersal of low-cost housing units so as to prevent concentration in any one area.*

RESPONSE: As mentioned in the land use narrative, the area is characterized by a variety of single-family and multi-family housing. While multi-family housing is typically less expensive than a single-family home, it is not true that it would be categorized as low-cost housing. The applicant is not proposing to build housing at this time, and it is unknown what the price point will be; however, it is likely to provide for a more affordable option to someone not interested in purchasing or renting a single-family home. There is no evidence to suggest that the proposed rezone will concentrate any single type of housing in this area alone. In fact, as demonstrated earlier, multi-family housing is deficient within the entire plan area.

PUBLIC FACILITIES AND SERVICES – GOALS

52. *To provide an orderly, efficient, and coordinated system of public and private facilities and services that support the high quality living environment established in Sunnyslope.*

RESPONSE: The project site is currently served by public utilities and services and will connect to these in compliance with City code and standards.

PUBLIC FACILITIES AND SERVICES – POLICIES

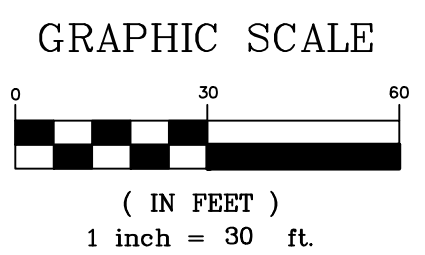
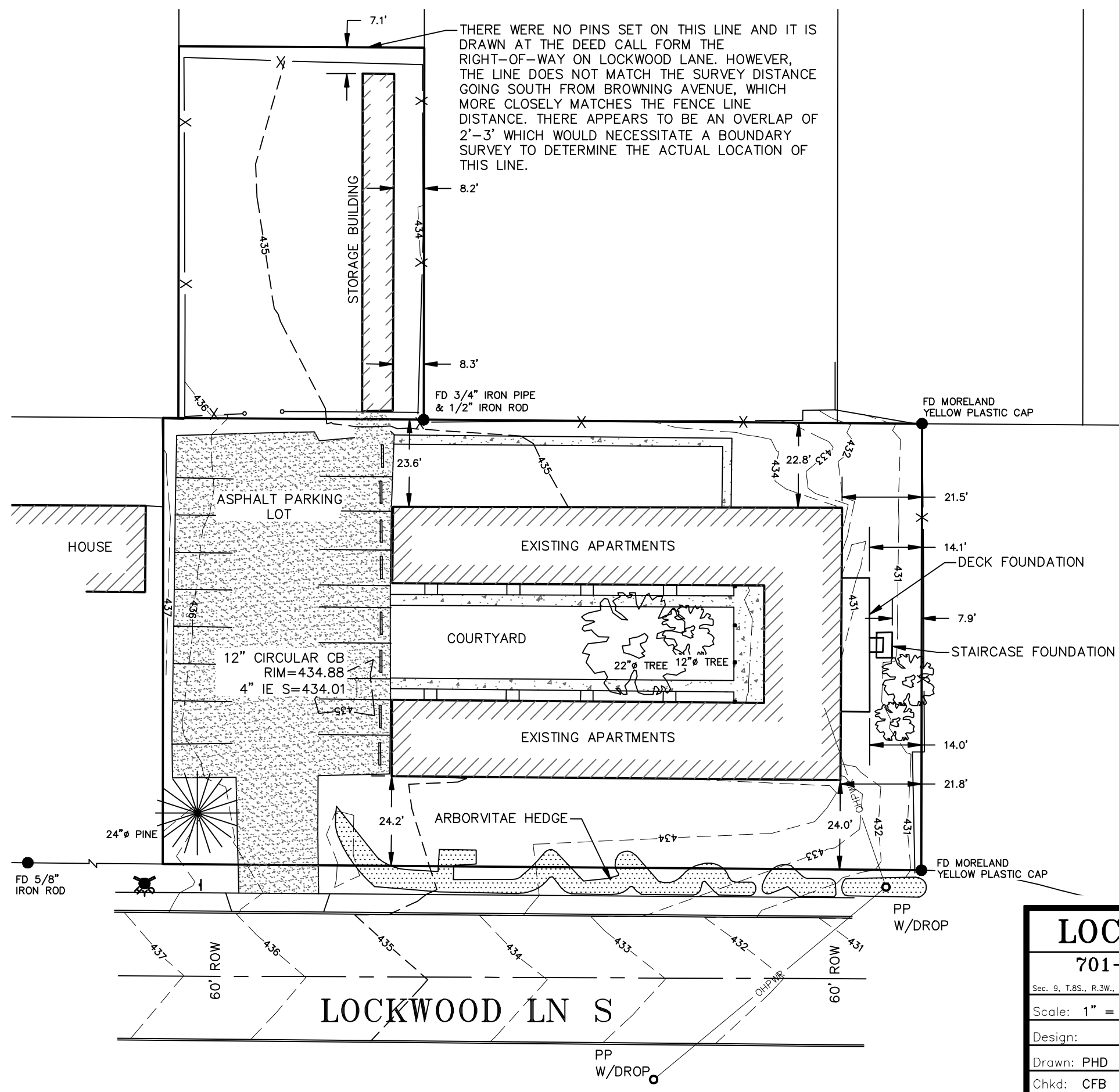
53. *To support the advanced acquisition of school sites and construction of school buildings to meet the increase of school age children resulting from new development.*

RESPONSE: The project site is not a school and therefore this policy does not apply.

54. *To support the development of a regional storm drainage plan.*

RESPONSE: All City standards on storm water and drainage will be met by the applicant.





NOTES:

ZONED RM II
ZONING BUILDING SETBACKS SRC 514.010 (VERIFY WITH CITY OF SALEM)
ABUTTING STREET-MIN. 12 FT., PLUS ONE FOOT FOR EACH ONE-FOOT OF HEIGHT OVER 12 FT., BUT NOT TO EXCEED 20 FT. IN DEPTH
INTERIOR FRONT & SIDE-MIN. 10 FT.
INTERIOR REAR-MIN. 10 FT.

ZONING VEHICLE USE AREAS (VERIFY WITH CITY OF SALEM)
ABUTTING STREET-MIN. 12 FT.
INTERIOR FRONT, SIDE, & REAR-MIN 10 FT.

ELEVATION DATUM WAS BASED ON CITY OF SALEM UTILITY MAPS.

LOCKWOOD APARTMENTS		
701-723 LOCKWOOD LN S, SALEM, OR		
SITE PLAN		
Sec. 9, T.8S., R.3W., W.M. MARION COUNTY, OREGON		
Scale: 1" = 30'	Date: MARCH, 2017	Revised:
Design:	Boatwright Engineering, Inc.	
Drawn: PHD	2613 12th Street SE, SALEM, OREGON 97302	
Chkd: CFB	TEL: (503) 363-9225 • FAX: (503) 363-1051	
Job No. XXX		Sheet
		1 of 1




ANDERSON-LOCKWOOD APTS\SITE PLAN.DWG



MEMO

TO: Brandon Pike, Planner I
Community Development Department

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

DATE: December 4, 2020

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
CPC-NPC-ZC20-09 (20-113384-ZO)
700 BLOCK OF LOCKWOOD LANE S
COMPREHENSIVE PLAN CHANGE AND ZONE CHANGE**

PROPOSAL

A consolidated Minor Comprehensive Plan Map Amendment from single-family residential to multi-family residential, Neighborhood Map Amendment, and Zone Change from RS (Single Family Residential) to RM-II (Multiple Family Residential) for property approximately 0.15 acres in size and located on the 700 block of Lockwood Lane S (Marion County Assessor map and tax lot number: 083W09AB 00900).

SUMMARY OF FINDINGS

The proposed development meets applicable criteria related to Public Works infrastructure.

FACTS

Public Infrastructure Plan—The *Water System Master Plan*, *Wastewater Management Master Plan*, and *Stormwater Master Plan* provide the outline for facilities adequate to serve the proposed zone.

Transportation Planning Rule—The applicant submitted a Transportation Planning Rule (TPR) Analysis in consideration of the requirements of the TPR (OAR 660-012-0060). The TPR analysis is required to demonstrate that the proposed CPC/ZC will not have a significant effect on the transportation system as defined by OAR 660-012-0060.

Streets

1. Lockwood Lane S
 - a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
 - b. Existing Conditions—This street has an approximate 34-foot improvement within a 60-foot-wide right-of-way approximately 120 feet south of the subject property.

Storm Drainage

1. Existing Conditions
 - a. A 12-inch storm main is located in Lockwood Lane S.

Water

1. Existing Conditions
 - a. The subject property is located in the S-2 water service level.
 - b. The property appears to be served by a 12-inch water main located in Browning Avenue S.
 - c. An 8-inch water main is located in Lockwood Lane S.

Sanitary Sewer

1. Existing Conditions
 - a. An 8-inch sewer main is located in Lockwood Lane S.

Natural Resources

1. Floodplain— 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.
2. Wetlands— According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any wetland areas.

3. Landslide Hazards– According to the City’s adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property.

CRITERIA AND FINDINGS

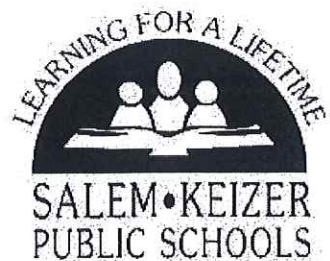
Criteria: SRC 265.005(e)(1)(F) The zone change does not significantly affect a transportation facility, or, if the zone change would significantly affect a transportation facility, the significant effects can be adequately addressed through the measures associated with, or conditions imposed on, the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

Finding: The 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 has reviewed the TPR analysis and concurs with the finding of no significant effect.

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

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

Prepared by: Jennifer Scott, Program Manager
cc: File



ATTACHMENT E

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

Christy Perry, Superintendent

December 1, 2020

Brandon Pike, Planner I
Planning Division, City of Salem
555 Liberty Street SE, Room 305
Salem OR 97301

RE: Land Use Activity Case No. CPC-NPC-ZC20-09 at 700 Block of Lockwood Ln S

The City of Salem issued a Request for Comments for a Land Use Case as referenced above. Please find below comments on the impact of the proposed land use change on the Salem-Keizer School District.

IDENTIFICATION OF SCHOOLS SERVING THE SUBJECT PROPERTY

The School District has established geographical school attendance areas for each school known as school boundaries. Students residing in any residence within that boundary are assigned to the school identified to serve that area. There are three school levels, elementary school serving kindergarten thru fifth grade, middle school serving sixth thru eighth grade, and high school serving ninth thru twelfth grade. . The schools identified to serve the subject property are:

School Name	School Type	Grades Served
Salem Heights	Elementary	K thru 5
Crossler	Middle	6 thru 8
Sprague	High	9 thru 12

Table 1

SCHOOL CAPACITY & CURRENT ENROLLMENT

The School District has established school capacities which are the number of students that a particular school is designed to serve. Capacities can change based on class size. School capacities are established by taking into account core infrastructure (gymnasium, cafeteria, library, etc.) counting the number of classrooms and multiplying by the number of students that each classroom will serve. A more detailed explanation of school capacity can be found in the School District's adopted Facility Plan.

School Name	School Type	School Enrollment	School Design Capacity	Enroll./Capacity Ratio
Salem Heights	Elementary	255	406	63%
Crossler	Middle	851	969	88%
Sprague	High	1,767	1,940	91%

Table 2

POTENTIAL ADDITIONAL STUDENTS IN BOUNDARY AREA RESULTING FROM APPROVAL OF LAND USE CASE

The School District anticipates the number of students that may reside at the proposed development based on the housing type, single family (SF), duplex/triplex/four-plex (DU), multi-family (MF) and mobile home park (MHP). The School District commissioned a study by the Mid-Willamette Valley Council of Governments in 2014 to determine an estimate of students per residence, for the Salem-Keizer area, in each of the four housing types. Since the results are averages, the actual number of students in any given housing type will vary. The table below represents the resulting estimates for the subject property:

School Type	Qty. of New Residences	Housing Type	Average Qty. of Students per Residence	Total New Students
Elementary	3	MF	0.201	1
Middle	3	MF	0.077	0
High	3	MF	0.084	0

Table 3

POTENTIAL EFFECT OF THIS DEVELOPMENT ON SCHOOL ENROLLMENT

To determine the impact of the new residential development on school enrollment, the School District compares the school capacity to the current enrollment plus estimates of potential additional students resulting from land use cases over the previous two calendar years. A ratio of the existing and new students is then compared with the school design capacity and expressed as a percentage to show how much of the school capacity may be used.

School Name	School Type	School Enrollment	New Students During Past 2 yrs	New Student from this Case	Total New Students	School Design Cap.	Enroll./Cap. Ratio
Salem Heights	Elem.	255	7	1	8	406	65%
Crossler	Mid.	851	43	0	43	969	92%
Sprague	High	1,767	58	0	58	1,940	94%

Table 4

ESTIMATE OF THE EFFECT ON INFRASTRUCTURE – IDENTIFICATION OF WALK ZONES AND SCHOOL TRANSPORTATION SERVICE

Civic infrastructure needed to provide connectivity between the new residential development and the schools serving the new development will generally require roads, sidewalks and bicycle lanes. When developing within one mile of school(s), adequate pathways to the school should be provided that would have raised sidewalks. If there are a large number of students walking, the sidewalks should be wider to accommodate the number of students that would be traveling the

path at the same time. Bike lanes should be included, crosswalks with flashing lights and signs where appropriate, traffic signals to allow for safe crossings at busy intersections, and any easements that would allow students to travel through neighborhoods. If the development is farther than one mile away from any school, provide bus pullouts and a covered shelter (like those provided by the transit district). Locate in collaboration with the District at a reasonable distance away from an intersection for buses if the distance is greater than ½ mile from the main road. If the distance is less than a ½ mile then raised sidewalks should be provided with stop signs where students would cross intersections within the development as access to the bus stop on the main road. Following is an identification, for the new development location, that the development is either located in a school walk zone or is eligible for school transportation services.

School Name	School Type	Walk Zone or Eligible for School Transportation
Salem Heights	Elementary	Eligible for School Transportation
Crossler	Middle	Eligible for School Transportation
Sprague	High	Walk Zone

Table 5

ESTIMATE OF NEW SCHOOL CONSTRUCTION NEEDED TO SERVE DEVELOPMENT

The School District estimates the cost of constructing new school facilities to serve our community. The costs of new school construction is estimated using the Rider Levett Bucknall (RLB) North America Quarterly Construction Cost Report and building area per student from Cornerstone Management Group, Inc. estimates. The costs to construct school facilities to serve the proposed development are in the following table.

School Type	Number of Students	Estimate of Facility Cost Per Student*	Total Cost of Facilities for Proposed Development*
Elementary	1	\$60,840	\$60,840
Middle	0	\$72,735	\$0
High	0	\$84,630	\$0
TOTAL			\$60,840

Table 6

*Cornerstone Management Group, Inc. estimates based on RLB cost index average, 2020 Second Quarter.

Assumes zone RM-II density of 20 dwelling units per acre. Assumes access to right-of-way at Lockwood Ln S.

Sincerely,

David Fridenmaker, Manager
Planning and Property Services

c: Mike Wolfe, Chief Operations Officer, David Hughes, Director – Custodial, Property and Auxiliary Services, T.J. Crockett, Director of Transportation

Sunnyslope Neighborhood Association Meeting

Thursday, October 15th

Held via zoom

The meeting was called to order at 7:04 PM by Chairman Alan Alexander.

Neighbors and guests were welcomed.

The minutes were approved as circulated.

Councilor Nordyke

She cannot comment on the Costco decision by the city council because of pending litigation.

The council approved 10 million dollars in urban renewal money for the downtown core which will include money to purchase a building for a navigation center for assisting the houseless. Operating funds will need to come from other sources,

The police audit is underway. The process of selecting a new police chief is well underway and has been narrowed down to two candidates. Both are from out of state.

She attended the ribbon cutting for the new police station and it is set to open soon.

She toured the new United Gospel Mission facility which is located across from the police station. It will accommodate 220 shelter beds and will offer classes and help with mental health issues. They will offer a hand up not just a hand out.

She is working to identify other shelter locations. Shelter locations are limited. There is a lack of affordable housing and hotel rooms because of the wild fires.

Check her facebook page for a video on the basics of working with insurance companies.

She has taken training so she can do some pro bono work helping fire victims dealing with FEMA.

In late November, council is expected to receive a staff report regarding the daylight pedestrian pathway from Hoyt to Rural either through Pioneer Cemetery which is city owned or the private City View Cemetery.

She plans to bring a motion before council in November regarding adding a mobile unit staffed by a medic and a mental health counselor after the staff report comes to council on October 26th.

A neighbor mentioned how helpful she found Councilor Nordyke's facebook recap of the highlights of the city council meetings and her Ward 7 neighborhood meetings. Her next meeting is Wednesday, October 21st from 5:30 - 6:30 via zoom. This month she will have 3 guest speakers.

Redwood Crossing - Jessica Blakely City of Salem Housing Authority

This is a permanent supportive housing facility with few barriers located at 4107 Fisher Road. They are single occupancy rooms that share a bathroom with another unit. On the first floor a variety of services are offered to residents including counseling, classes and a large kitchen for classes. There are 6 transitional units on the first floor that clients are referred to from Salem Health to spend a limited amount of time before returning to camps after being released from the hospital. The county is not contributing to the cost of providing services. They receive city, state and federal funds for the facility.

(Google Redwood Crossing and you can view a youtube video of the facility Councilor Nordyke also has a video tour on her facebook page)

The Salem Housing Authority has hired a Housing Navigator to go directly into homeless camps to connect people to services.

Yaquina Hall and Sequoia Crossing are projects being worked on.

Parks - Chairman Alexander

Secor Park - Phase 1 of construction is getting close to completion. They still have a bridge over the creek and the playground equipment to install.

Sunnyslope Park - The striping on the sports court still needs to be done.

He checked with park staff regarding the cost of adding a volleyball net on a grassy area of Sunnyslope Park. The cost would be \$3,000, The neighborhood association will apply for a Salem Parks Improvement Grant. If awarded it will cover 75% of the costs. The neighborhood association will need to fund the rest. If the grant is awarded, he will apply for a Salem Parks Foundation grant.

Land Use:

701 Lockwood Lane - Brad Kilby Senior Planner Harper Houf Peterson Righellis Inc
The property owner is applying for a rezone from single family to multifamily for the 6,000 square foot piece of land adjacent to the current apartment complex that he owns at that location. Currently the property has a storage shed on it and acts as additional parking for the apartment complex. The plan is to put 4 to 6 units on the property. The access to the property would be through the current apartment complex parking lot. As of this meeting the application is not complete. Chairman Alexander asked about a proposal the neighborhood association became aware of several years ago about adding a second story to the existing single story complex while renters still occupied units on the first floor. Mr. Kilby indicated such a plan was not on the table. Chairman Alexander asked that besides the required notification to neighbors about the rezone that the renters also be notified of the plan.

Costco Relocation - Chairman Alexander

He reviewed the history of the Costco relocation to Kuebler Blvd. near the freeway. Since the city accepted money from the developer to make improvements to Kuebler Blvd in the area of the commercial development, the city council had no choice, but to approve the relocation. The rezoning of the property occurred 11 years ago. The site plan was approved in September. The building permit has not been issued.

Slavic Church at 1746 Davis Road

Chairman Alexander reported that they have received conditional approval to add to the church building. They will be adding a multipurpose building and increasing the number of parking spaces.

OLCC Application 4565 Matthews Loop S for a Brewery First Location

After asking questions of the applicant, Isabel Joslen, via email, Linda Miller shared her answers with the board and interested neighbors including the amount of beer to be brewed, the days of operation, how she will handle the by products as well how supplies will reach the location and the product will be sold. Neighbors shared concerns about the location of the property on a blind corner at the top of a steep hill with little on street parking, in a neighborhood of single family homes and one block from Sunnyslope Park. Concerns were also expressed over the size of the brewing tanks that were submitted with the application. Concerns were expressed about what the license would allow above and beyond what the applicant plans to do including on site sales and tastings. The city manager will make the final decision before sending it back to the OLCC.

Evan White moved and Bruce Miller seconded a motion that the Sunnyslope Neighborhood Association oppose the issuance of a Brewery First Location to Wandering Dog Brewing Company located at 4565 Matthews Loop S. Chairman Alexander asked Evan White to email our official objections to issuance of this OLCC license to our city manager. Neighbors are welcome to send their own emails objecting to the issuance of the license.

Kurth & Browning Property

Neighbors reported seeing an excavator, dumpsters and at times dump trucks on the property. (Since the the meeting was held a board member found out the owner has been issued a demolition permit and demolition on the buildings have begun)

Chairman Alexander indicated goals for the neighborhood association will need to be decided on at our November meeting.

He will be seeking ideas at the November meeting on how the neighborhood association should spend the \$1,200 to \$1,500 of communications funds provided by the city. The goal, with the funds, is to educate neighbors about our neighborhood association. He shared things that have been purchased in the past including pens, pencils and stickers to hand out at Back To School Nights.

Future meeting location: The city community development department will pay the rental fee for the neighborhood association to use Schirle Elementary when it is safe to do so. The district ended the program that allowed city sponsored groups to use school district facilities and district groups to use city properties for free.

Chairman Alexander reported that the Irma Dowd, Neighborhood Services, provides new board member orientation. If she has not reached out to you, please let him know.

Chairman Alexander will ask a city senior planner to attend our November meeting to talk about how the city will implement House Bill 2001.

Our next meeting will be November 19, 2020.

The meeting was adjourned at 8:37PM.

Respectfully Submitted,
Linda Miller
Sunnyslope Neighborhood Association Chairman

Those in Attendance:
Alan & Judith Alexander
Bruce & Linda Miller
Jessica Blakely
Ann
Bill Davis
Evan White
Mary Anne Schieffer
Karen Delsman
Julia Stewart
Bill Kelly
Brad Kilby
Councilor Nordyke
Elena Guevara
Henry Neugass

Gary Knighten
Ben Batson

MEMORANDUM

DATE: September 16, 2020

TO: Chris Anderson, Clutch Industries Inc.

FROM: Scott Mansur, P.E., PTOE

SUBJECT: 701 Lockwood Lane S (Tax Lot #083W09AB00900) – City of Salem Transportation Planning Rule (TPR) Analysis

P18043-000



This memorandum summarizes how the City of Salem Transportation Planning Rule (TPR)¹ guidelines are met for a proposed zone change from Single Family Residential (RS) to Multi-Family Residential (RM2) for the 0.15-acre property located at 701 Lockwood Lane S in Salem Oregon. The site is currently vacant. The following section describes the worst case trip generation under the proposed zone change request and the City of Salem TPR findings.

Property Zoning Designation

The proposed property is located within the Salem Urban Growth Boundary and is currently Single Family Residential (RS). The project sponsor desires to change the zoning to Multi-Family Residential (RM2). Table 1 below summarizes the zone change information for these properties.

Table 1: Proposed Zone Change for 701 Lockwood Lane S

Property	Lot Size (acres)	Proposed Zoning	Current Zoning
Tax Lot #083W09AB00900	0.15	Multi-Family Residential (RM2)	Single Family Residential (RS)

Reasonable Worst Case Trip Generation

The TPR requires trip generation analysis to be performed based on the reasonable worst case development that is consistent with the existing zoning and the proposed zoning. Under the existing RS zoning, it is assumed that the reasonable worst-case development is 1 single family dwelling unit on the site. Under the proposed RM2 land use zoning, it is assumed that the reasonable worst case development is consistent with 8 multifamily units.

Trip generation is the method used to estimate the number of vehicles that are added to the surrounding roadway network as a result of the proposed project. The trip generation for the proposed project was estimated using similar land uses as reported by the Institute of Transportation Engineers (ITE).² Trip generation was calculated for the proposed 8 multifamily units and the 1 single family dwelling unit allowed under the existing zoning for the AM and PM peak hour as well as daily trips. As shown in Table 2, the vehicle trips

¹ Oregon Administrative Rule (OAR) section 660-012-0060.

² Institute of Transportation Engineers (ITE) Manual, Trip Generation, 10th Edition.



(proposed zoning minus existing zoning) expected to be added to the surrounding roadway network based on the proposed zone change is 3 AM peak hour trip, 5 PM peak hour trips, and 50 daily trips.

Table 2: Trip Generation Summary

ITE Land Use	ITE Code	Daily Trips	AM Peak Hour			PM Peak Hour		
			IN	OUT	TOTAL	IN	OUT	TOTAL
Proposed: 8 Dwelling Units	220 (Apartments)	59	1	3	4	4	2	6
Existing: 1 Dwelling Unit	210 (Single Family)	9	0	1	1	1	0	1
Net Increase in Trips		50	1	2	3	3	2	5

Transportation Planning Rule Findings

The requirements of Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule (TPR), must be met for proposed changes in land use zoning. The intent of the TPR (OAR 660-12-0060) is to ensure that future land use and traffic growth is consistent with transportation system planning, and does not create a significant impact on the surrounding transportation system beyond currently allowed uses.

The proposed zone change for the 0.15-acre property is not consistent with the City's Comprehensive Plan and forecasts used to develop the City's Transportation System Plan (TSP), the TPR refers to Action 1F.05 from the Oregon Highway Plan³ which states that if there is a small increase in daily traffic (less than 400 trips) between the existing plan and the proposed amendment, it can be determined that the proposed zone change will cause "no further degradation" to the surrounding roadway network.

The Trip Generation section of this memorandum shows that the difference in daily trips between the reasonable worst case of the existing zoning (1 single family unit) and the reasonable worst case of the proposed zoning (8 multifamily units) is 50 daily trips. Therefore, it can be concluded that the proposed zone change will not significantly impact and would cause "no further degradation" to the City of Salem transportation system. There are no ODOT facilities in the vicinity of the proposed zone change.

Based on the discussion above, the number of additional daily and peak hour trips due to the proposed zone change is not anticipated to significantly impact transportation facilities near the project site and therefore, complies with TPR requirements.

³ Oregon Highway Plan, OHP Policy 1F Mobility Standards Amendments, December 21, 2011.