

Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173

NOTICE OF RECOMMENDATION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005



RECOMMENDATION OF THE PLANNING COMMISSION

COMPREHENSIVE PLAN CHANGE / ZONE CHANGE CASE NO. CPC-ZC21-01

APPLICATION NO.: 19-125043-ZO & 19-125044-ZO

NOTICE OF RECOMMENDATION MAILING DATE: June 3, 2021

SUMMARY: A comprehensive plan change to "Parks, Open Space, and Outdoor Recreation" and zone change to PA (Public Amusement) for a portion of a City-owned property, concurrent with a proposed petitioner-initiated annexation and withdrawal from the Salem Suburban Rural Fire District.

REQUEST: A Comprehensive Plan Change from "Developing Residential" to "Parks, Open Space, and Outdoor Recreation" and Zone Change from Marion County UT-10 (Urban Transition - 10 Acre) to City of Salem PA (Public Amusement) for land east of the center line of the future extension of Lone Oak Road SE within a territory approximately 18.05 acres in size including 0.57 acres of Devon Avenue SE right-of-way and 17.47 acres of City-owned property at 681 Rees Hill Road SE 97306 (Marion County Assessor Map and Tax Lot Number 083W22C00400), concurrent with a proposed petitioner-initiated, voter-exempt annexation and a withdrawal of the territory from the Salem Suburban Rural Fire District.

APPLICANT: Toni Whitler, City of Salem – Public Works

LOCATION: 681 Rees Hill Road SE, Salem OR 97306

CRITERIA: Salem Revised Code (SRC) Chapter 260.045(b) – Land Use Designations

FINDINGS: The facts and findings are in the attached document dated June 3, 2021.


RECOMMENDATION: Based upon the foregoing findings and conclusions, the Planning Commission RECOMMENDS to City Council that upon annexation:

- A. That the Salem Area Comprehensive Plan Map Change from "Developing Residential" to "Parks, Open Space, and Outdoor Recreation" be GRANTED and
- B. That the zone change request from Marion County UT-10 (Urban Transition - 10 Acres) to City of Salem PA (Public Amusement) be applied upon annexation of the property, contingent on approval of the "Parks, Open Space, and Outdoor Recreation" Comprehensive Plan Map designation, and subject to the following condition:

Condition 1: The proposed legal description of the boundary between the PA (Public Amusement Zone) and RA (Residential Agriculture) zone shall be submitted to the Planning Administrator for review and approval within one year of the effective date of the annexation or at the time of final approval of public construction plans for the extension of Lone Oak Road SE, whichever is later.

VOTE:

Yes 8 No 0 Abstain 0 Absent 1 (Augustyn)



Chane Griggs, President
Salem Planning Commission

Case Manager: Pamela Cole, Planner II, pcole@cityofsalem.net, 503-540-2309

The Salem City Council will hold a public hearing to receive additional evidence and testimony, and this recommendation of the Planning Commission and staff. After due deliberation, the City Council will make a final decision on the application. The appeal of the Council decision would be to the Oregon Land Use Board of Appeals. The appeal period is 21 days from the decision mailing date.

The complete case file, including findings, conclusions and conditions of approval, if any, are available for review at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

FACTS & FINDINGS

COMPREHENSIVE PLAN MAP AMENDMENT FROM “DEVELOPING RESIDENTIAL” TO “PARKS, OPEN SPACE, AND OUTDOOR RECREATION”, AND A ZONE CHANGE FROM UT-10 (URBAN TRANSITION – 10 ACRE) TO PA (PUBLIC AMUSEMENT) CASE NO. CPC-ZC21-01

JUNE 3, 2021

PROCEDURAL FINDINGS

1. On December 4, 2019, Toni Whitler, on behalf of the applicant and property owner, City of Salem, filed an application for a Comprehensive Plan Change and Zone Change for a portion of the subject property, which under consideration to be annexed to the City of Salem. A vicinity map is included as **Attachment A**. A map of the area subject to the proposed Comprehensive Plan Change is included as **Attachment B**. A map of the area subject to the proposed Zone Change is included as **Attachment C**.
2. The consolidated application was deemed complete for processing on November 16, 2020. The public hearing on the application was scheduled for May 18, 2021. In accordance with Section 300.720(b) of the Salem Revised Code, notice of the proposed comprehensive plan change and zone change was mailed on April 28, 2021 and posted on the subject property on May 4, 2021.
3. State law (ORS 197.610) and SRC 300.602(b)(1) requires 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 this proposed Comprehensive Plan and Zone Change to DLCD on April 13, 2021.
4. On May 18, 2021, the Planning Commission held a public hearing on the consolidated applications, received testimony, and received a request from the Department of Land Conservation and Development to hold the record open. The Planning Commission requested additional information from staff on funding sources for the proposed park and Lone Oak Reimbursement District and granted the request to hold the record open until May 25, 2021 for additional testimony and until June 1, 2021 for responses. The applicant waived the right to a subsequent rebuttal period of seven days.
5. On June 1, 2021, the Planning Commission received additional testimony submitted during the open record period, held deliberations, and voted to grant the Comprehensive Plan Change and Zone Change.
6. Amendments to an acknowledged Comprehensive Plan are not subject to the 120-day rule (Oregon Revised Statutes [ORS] 227.128). Pursuant to ORS 227.178(7) and ORS 227.178(10), the consolidated Minor Comprehensive Plan Amendment and Quasi-Judicial Zone Change request is not subject to the 120-day period set forth in ORS 227.178.

BACKGROUND/PROPOSAL

Salem Revised Code (SRC) Chapter 260 contains annexation procedures. SRC 260.045, Land Use Designations, provides that territory annexed into the city shall be automatically given the city comprehensive plan designation and zoning designation that is the equivalent to the applicable county zoning designations, as set forth in Table 260-1, unless one or more of the following apply: (1) the petitioner requests a new comprehensive plan designation, or zone designation other than the equivalent city designation in Table 260-1, in the petition for annexation; (2) the Council proposes a new comprehensive plan designation, or zone designation other than the equivalent city designation in Table 260-1, in the resolution initiating the annexation; or (3) the equivalent city designation in Table 260-1 is inconsistent with the Salem Area Comprehensive Plan.

In Table 260-1, the equivalent city zoning designation for the comprehensive plan designation of “Developing Residential” and Marion County UT-10 zoning designation would be RA (Residential Agriculture). The applicant is requesting zoning of PA (Public Amusement). Therefore, the petitioner is requesting a zone designation other than the equivalent city designation in Table 260-1.

To ensure that the comprehensive plan designation and city zoning designation are consistent if the annexation is approved, the applicant is also requesting a change in the comprehensive plan designation from “Developing Residential” to “Parks, Open Space, and Outdoor Recreation” along with the request for a city zoning designation of PA (Public Amusement). The applicant's written statements summarizing the request and addressing compliance with the required approval criteria is included as **Attachment D**. A preliminary map of the annexation territory was prepared by the City Surveyor's office and is included as **Attachment E**.

Annexations where a new comprehensive plan map designation or zoning designation is proposed require a public hearing before the Planning Commission. Pursuant to SRC 260.045(b), upon holding a public hearing, the Planning Commission shall make a recommendation to the City Council whether to adopt the proposed designation, the equivalent designation, or a different designation to the City Council regarding the proposed Comprehensive Plan and zoning designations. Staff forwards the Planning Commission's recommendation to the City Council as part of the staff report for the annexation public hearing. The public hearing before City Council regarding annexation of the subject property has not been scheduled at this time. The Council has the authority in SRC 260.060(d) to adopt, modify, or reject the Planning Commission's recommendation for land use designations.

The Planning Commission's decision is a recommendation to the City Council regarding the future Comprehensive Plan map designation and Salem zoning of the subject property upon annexation, and is reviewed by the City Council in its consideration of the application.

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.

SUBSTANTIVE FINDINGS

1. Salem Area Comprehensive Plan (SACP)

The Salem Area Comprehensive Plan (SACP) map designates the subject property as "Developing Residential."

The Comprehensive Plan designations of surrounding properties include:

North: "Developing Residential"
South: Outside Urban Growth Boundary
West: "Developing Residential"
East: Across Devon Avenue SE, "Developing Residential"

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.

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

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. Rees Hill Road SE, designated as a Collector street in the TSP, abuts the southern boundary of the subject property and is located outside of the Urban Growth Boundary. Devon Avenue SE, classified as a Local street, abuts the eastern boundary of the subject property. A future extension of Lone Oak Road SE, classified as a Collector, is proposed through the subject property.

2. Zoning

The subject property is zoned Marion County UT-10 (Urban Transition - 10 Acre). Surrounding properties are zoned and used as follows:

North: RS (Single Family Residential); tentatively approved 88-lot phased subdivision SUB21-01

South: Marion County SA (Special Agriculture); farms, forestland, and single family dwellings
West: Marion County UT-10 (Urban Transition - 10 Acre); forestland, single family dwelling
East: Across Devon Avenue SE, Marion County UT-10 (Urban Transition - 10 Acre); single family dwellings

3. Relationship to the Urban Service Area

The subject property is located outside the Urban Service Area and extension of public facilities is the obligation of the development. Future development requires an Urban Growth Area (UTA) Preliminary Declaration to address linking and boundary facilities required to serve subject property under the standards and requirements of SRC Chapter 200. Site-specific infrastructure requirements will be addressed in the Site Plan Review process in SRC Chapter 220.

4. Infrastructure

Public Infrastructure Plan: The Water System Mater Plan, Wastewater Management Master Plan, and Stormwater Master Plan provide the outline for facilities adequate to serve the subject property.

Water: The subject property is located within the S-3 and S-4 water service levels.

The nearest public water main is a 16-inch S-3 main located in Rees Hill Road SE. There is no existing S-4 water system. Subdivision Case No. SUB21-01 shows an S-4 water pump station proposed at the northwest corner of the park site, west of the proposed Lone Oak Road SE extension.

Sewer: The subject property is split into two sewage drainage basins, partially toward the west line and partially toward the east.

The nearest adequate linking facility for the west basin appears to be an existing 8-inch sewer line northwest of the property in Lone Oak Road SE. The nearest adequate linking facility for the east basin appears to be an existing 8-inch sewer line northeast of the property. The east basin may be able to receive service from the existing sewer main in Lone Oak Road SE.

Storm Drainage: No public storm mains are adjacent to the site.

Streets:

Rees Hill Road SE, under Marion County jurisdiction and located outside of the Urban Growth Boundary, has an approximate 20-foot improvement within a 42-foot-wide right-of-way abutting the subject property. This street is designated as a Collector street in the Salem TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.

Devon Avenue SE has an approximate 26-foot improvement within a 40-foot-wide right-of-way abutting 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.

Lone Oak Road SE is designated as a Collector street in the Salem TSP. The Salem TSP depicts the future extension of Lone Oak Road SE to be located within the subject property. This street currently terminates near Sahalee Drive SE northwest of the subject property. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.

Transportation Planning Rule:

A Transportation Planning Rule (TPR) Analysis in consideration of the requirements of the TPR (OAR 660-012-0060) is needed to demonstrate that the proposed Comprehensive Plan Change/Zone Change (CPC/ZC) will not have a significant effect on the transportation system as defined by OAR 660-012-0060. The Assistant City Traffic Engineer has reviewed this proposal and recommends that this criterion has been met.

5. Natural Features

Trees: The City's tree preservation ordinance protects Heritage Trees, Significant Trees (including Oregon White Oaks with diameter-at-breast-height of 24 inches or greater), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet. No riparian corridors are present. Any Significant Trees on the property would be subject to the protections of SRC Chapter 808 upon annexation.

Wetlands: Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetlands laws are also administered by the DSL and Army Corps, and

potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures.

Based upon a review of the data in the City geographic information system, no wetlands or waterways are located on the subject property.

6. Neighborhood Association Comments

The subject property is located within the boundaries of the South Gateway Neighborhood Association (SGNA).

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 November 12, 2020, the applicant's representative attended the SGNA meeting, held virtually, to present their proposal.

Neighborhood Association Comment. The City provided a notice of filing and request for comments to the South Gateway Neighborhood Association pursuant to SRC 300.720(b)(2)(A)(i)(ee), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. No comments were received from the South Gateway Neighborhood Association.

7. Homeowners Association.

The subject property is not located within a Homeowners Association.

8. Public Comments

All property owners and tenants within 250 feet of the subject property were mailed notice of the proposal, and notice signs were placed visible from each street frontage and remained in place through the day of the public hearing.

Prior to the May 11, 2021 staff report, testimony was received from one individual expressing support for the proposal.

Prior to the May 18, 2021 public hearing, testimony was received from two individuals:

- One individual expressed concern that the Lone Oak Reimbursement District adopted in 2018 assumed that the subject property was to be developed as single-family homes for purposes of calculating reimbursement district fees, and the proposed Comprehensive Plan Change to "Parks, Open Space, and Outdoor Recreation" and Zone Change to PA (Public Amusement) would allow the property to remain undeveloped, so that the City will not be contributing its fair share to the Reimbursement District, although a portion of the Lone Oak Road SE extension runs through the City property and the City is requiring other developers to construct this road.

Response: Public Works staff responded that the original Lone Oak Road Reimbursement District proposal under Resolution No. 2018-08 estimated that 965 lots would contribute to the district fee out of an estimated full build-out of 1,480. The director's report to Council for the district projected that 50 to 75 percent of the bare land would develop into lots and pay the district fee. Even though the park property is not being developed into single family dwellings, the City is subject to reimbursement district fees in the amount of approximately \$1,030 per vehicle trip pursuant to Resolution No. 2018-08, so the City will be paying its proportional share of the improvement. Public Works staff believes that the park development is consistent with the original assumptions made in forming the reimbursement district.

Public Works staff also noted that the developer's original conditions of approval for Devon Subdivision (6781 Devon Avenue SE, immediately north of the subject property) required acquisition of a Neighborhood Park and construction of Lone Oak Road through 681 Rees Hill Road. The developer benefited from a substantial cost savings toward park and transportation costs because the City acquired the park property.

- One individual expressed opposition due to the potential to develop an amusement park, existing and potential traffic and pedestrian safety issues, lack of a proposal to widen Rees Hill Road SE and Devon Avenue SE, and the existence of other parks.

Response: This proposal is only to address land use designations. Development applications would be submitted after annexation. The proposed comprehensive plan designation and Public Amusement zone allow a variety of public and private parks, open space, and indoor and outdoor recreation. This would be a public Community park designed to serve a three-mile radius, and the uses will be identified through a public engagement process when a master plan effort is underway. The FY2022-2026 Capital Improvement Plan identifies FY 2026 to begin the master planning process. If the property is annexed, future street improvements will be determined during the site plan review process for the park.

9. City Department Comments

- A. The Building and Safety Division reviewed the proposal and had no concerns.
- B. The Fire Department reviewed the proposal and submitted comments indicating no concerns.
- C. The Public Works Department, Development Services Section, reviewed the proposal and submitted comments included as **Attachment F**.

10. Public Agency & Private Service Provider Comments

Notice of the proposal was provided to public agencies and to public & private service providers.

Prior to the May 18, 2021 public hearing, comments were received from two agencies.

- The Housing Land Advocates and Fair Housing Council of Oregon (HLA/FHCO) commented that the lack of written Goal 10 findings in the Planning Commission staff report and the delay of Goal 10 findings until the City Council staff report curtails the ability of HLA/FHCO and the Planning Commission to give informed comments and feedback in a timely manner. They requested that the Planning Commission defer adoption of the proposal until Goal 10 findings can be made and the proposal evaluated under the Housing Needs Analysis and Buildable Lands Inventory (HNA and BLI).

Response: In a supplemental staff report dated May 18, 2021, staff responded that findings for Goal 10 and all other Statewide Planning Goals are generally included in an Exhibit that is attached to the City Council staff report regarding the annexation and the proposed comprehensive plan and zoning designations. The City's Housing Needs Analysis and Buildable Lands Inventory indicate that the City has a surplus of land zoned for single family residential development, including the RA (Residential Agriculture) or RS (Single Family Residential) zone designation that would automatically be applied to this property upon annexation if other designations are not approved by City Council. The City's Our Salem project has identified needed multi-family land and will initiate conversion of that land later this year.

The subject property has been identified as needed park land, and the proposed Comprehensive Plan change to "Parks, Open Space, and Outdoor Recreation" and Zone Change to PA (Public Amusement) would allow the property to be developed with a needed Community Park.

- The Department of Land Conservation and Development (DLCD) requested that the record be held open until they could review the City's Goal 10 findings.

Response: The Planning Commission granted the request to hold the record open until May 25, 2021 for additional testimony and June 1, 2021 for responses.

During the open record period ending May 25, 2021, testimony was received from one agency.

- The Department of Land Conservation and Development commented that the Goal 10 findings in the supplemental staff report dated May 18, 2021 support the proposal because the Housing Needs Analysis and Buildable Lands Inventory show a surplus of the low-density housing zone designations that would otherwise apply to the property automatically upon annexation and commended the City for its plan to redesignate land identified in Our Salem for its needed multi-family housing.

11. Additional Findings on Funding Sources for the Proposed Park and Lone Oak Reimbursement District

Commissioner Pollock requested that staff introduce into the record a copy of the January 2013 map of proposed parks from the City's Park System Master Plan. This map indicates that a proposed Community Park was identified in the general area of the subject property. City Council has already authorized purchase of the subject property for development of a park, and the City now owns the land. The Planning Commission is charged with making a recommendation to City Council regarding whether the proposed land use designations meet the criteria of SRC 260.045(b), not whether a park is appropriate at this location.

The current fee for the Lone Oak Road Reimbursement District is \$1,074 per average daily vehicle trip. The Assistant City Traffic Engineer estimates that a 12-acre park will generate between 12 and 96 trips based on the Institute of Transportation Engineers Traffic Generation Manual. The final trip determination would be made at the time of park development.

Assuming 50 trips for the park, the reimbursement district fees paid by the park would be approximately \$50,000. By comparison, a 50-lot residential subdivision on a 12-acre property would pay closer to \$500,000. However, the director's report for the reimbursement district anticipated open space areas and did not anticipate full build-out of the district boundary. The benefits of a park at this location far outweigh the negatives of a reduced district fee amount.

Development costs for new parks are paid fully out of Parks SDCs, including street improvements and reimbursement district fees. In most cases, a portion of park development costs include boundary street improvements. In this case, Lone Oak improvements will be partially or fully completed prior to the park development, which would reduce the development costs for the park. The \$50,000 district fee payment in lieu of street improvements is consistent with typical site improvement costs for a new park.

Park development of Rees Hill Road is not in the 2022-2026 Capital Improvements Program (CIP). However, \$100,000 of Park System Development Charges (PSDCs) are designated in 2026 in the CIP for a park master plan (a public engagement process). Following the park master plan, there will be phased development as PSDCs become available and will be included in the CIP as this funding is available. In addition to PSDCs, the City seeks public grants for development of our parks to offset the high cost of development.

FINDINGS APPLYING THE APPLICABLE SALEM REVISED CODE CRITERIA FOR A COMPREHENSIVE PLAN CHANGES AND ZONE CHANGES WITH ANNEXATION

Salem Revised Code, Chapters 260.045(b) and 260.060(c)(5) provide the criteria for the approval of Comprehensive Plan Changes and Zone Changes with annexation applications. The only difference between these two code sections is the reference to

the decision-making group, either the Planning Commission (260.045(b)) or the City Council (260.060(c)(5)). The applicable criteria are stated below in ***bold italic*** print. Following each criterion are findings relative to the changes requested.

Criterion 1: Whether the comprehensive plan and zone designation provides for the logical urbanization of land;

Finding: The surrounding area is largely residential within the city and agricultural outside of the city. The Parks, Open Space, Outdoor Recreation designation and PA zoning can be found dispersed throughout the city and are used to support recreational facilities for residential uses. West and northwest of the subject property, approximately 50 acres of land lie outside of the city but inside the Urban Growth Boundary (UGB); east of the subject property, approximately 120 acres of land lie outside of the city but inside the UGB. These areas outside the UGB are currently designed “Developing Residential” and will potentially be developed with additional housing in the future.

The subject property is moderately sloped, largely open with established trees along the northern boundary, and adjacent to a collector street (Rees Hill Road SE), local street (Devon Avenue SE), and future extension of another collector street (Lone Oak Road SE), making it easily accessible for park and recreation activities for residents of the existing and future developments.

Logical urbanization requires the provision of adequate City infrastructure. The subject property is capable of being served through extension of public water, sewer, and stormwater mains as conditioned in Subdivision Case No. SUB21-01 to the boundary of the property as specified in existing infrastructure master plans.

The subject property is located within both the S-3 and S-4 water service level areas. S-3 water infrastructure is available in Rees Hill Road SE and appears to be adequate to serve future development. Subdivision Case No. SUB21-01 shows an S-4 water pump station on the subject property west of the future Lone Oak Road SE Collector street. The property will be served by sewer and stormwater systems as conditioned in Subdivision Case No. SUB21-01.

The property is currently bordered on the south and east by Rees Hill Road SE and Devon Avenue SE, respectively. The existing configuration of Rees Hill Road SE does not meet the standard for a Collector street according to the *Salem TSP*. The existing configuration of Devon Avenue SE does not meet the standard for a Local street according to the *Salem TSP*. Lone Oak Road SE is a future Collector street according to the *Salem TSP* and its construction is conditioned upon land use case number SUB21-01. The tentative plan of SUB21-01 shows Lone Oak Road SE extending through the subject property to Rees Hill Road SE. The zone change proposal does not include the area west of the future Collector street. Boundary street improvements including additional right-of-way along the frontage of the property will be addressed in the Site Plan Review process in SRC Chapter 220.

The exact alignment of the planned extension of Lone Oak Road SE is not known at this time. In order to establish the western boundary of the area subject to the proposed change in land use designations, the following condition is recommended:

Condition 1: The proposed legal description of the boundary between the PA (Public Amusement Zone) and RA (Residential Agriculture) zone shall be submitted to the Planning Administrator for review and approval within one year of the effective date of the annexation or at the time of final approval of public construction plans for the extension of Lone Oak Road SE, whichever is later.

The proposed Comprehensive Plan Change from "Developing Residential" to "Parks, Open Space, and Outdoor Recreation" and Zone Change from Marion County UT-10 (Urban Transition - 10 Acre) to City of Salem PA (Public Amusement) constitutes a downgrade of use. The net result of the changes proposed is a reduction in the potential traffic that could be generated. Therefore, 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 this proposal and recommends that this criterion has been met.

Future development may require an Urban Growth Area (UGA) Preliminary Declaration to address linking and boundary facilities required to serve subject property under the standards and requirements of SRC Chapter 200. Site-specific infrastructure requirements will be addressed in the Site Plan Review process in SRC Chapter 220.

With the recommended condition of approval, the proposal meets this criterion.

Criterion 2: Whether the comprehensive plan and zone designation is compatible with development patterns in the nearby vicinity;

Finding: The Parks, Open Space, and Outdoor Recreation Comprehensive Plan designation and PA zoning allow development of a wide variety of both public and private parks, open spaces, and outdoor recreation sites. The proposed designations are compatible with the existing residential development to the north, east, and west, the existing farms and forestlands to the south, and the continuing development of residential properties to the north, east, and west of the subject property.

The proposal meets this criterion.

Criterion 3: Whether the social, economic, or demographic patterns of the nearby vicinity have so altered that the current designations are no longer appropriate; and

Finding: The surrounding area is shifting away from agricultural zoning to residential zoning. Increasing population and demographic changes requiring more housing also lead to an increase in demand for parks and open space.

The proposal meets this criterion.

Criterion 4: Whether it is in the public interest that the proposed change be made.

Finding: The proposed Comprehensive Plan Map amendment from “Developing Residential” to “Parks, Open Space, and Outdoor Recreation” and zone change to PA are in the public interest and would be of general benefit because they would allow a Community Park that will serve the needs of the expanding population in the South Salem area. The Community Park will be developed with input from the public and focused on providing active and passive recreational activities for all age levels. The proposed change in land use designation is consistent with the location and character of the property, with adjacent land use designations, and with the transportation facilities which serve the property.

The proposal meets this criterion.

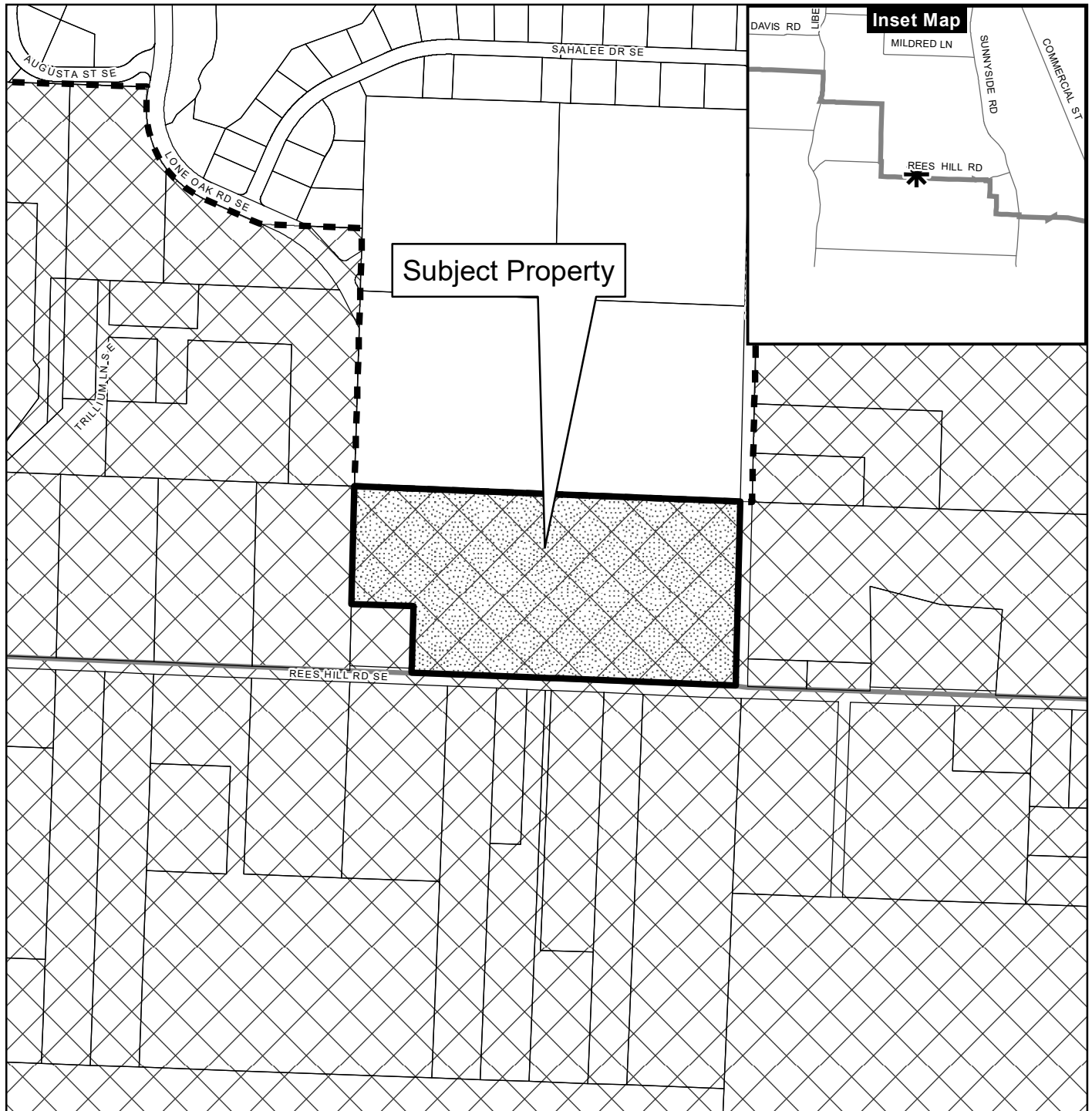
CONCLUSION

Based on the facts and findings presented herein, the Planning Commission concludes that the proposed Comprehensive Plan Map Amendment and Zone Change satisfy the applicable criteria contained under SRC 260.045(b) for approval.

Attachments: A. Vicinity Map
B. Comprehensive Plan Change Map
C. Zone Change Map
D. Applicant’s Written Findings
E. Annexation Territory Map
F. Public Works Department Memo

Prepared by Pamela Cole, Planner II

Vicinity Map 681 Rees Hill Road SE



Legend

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

Parks

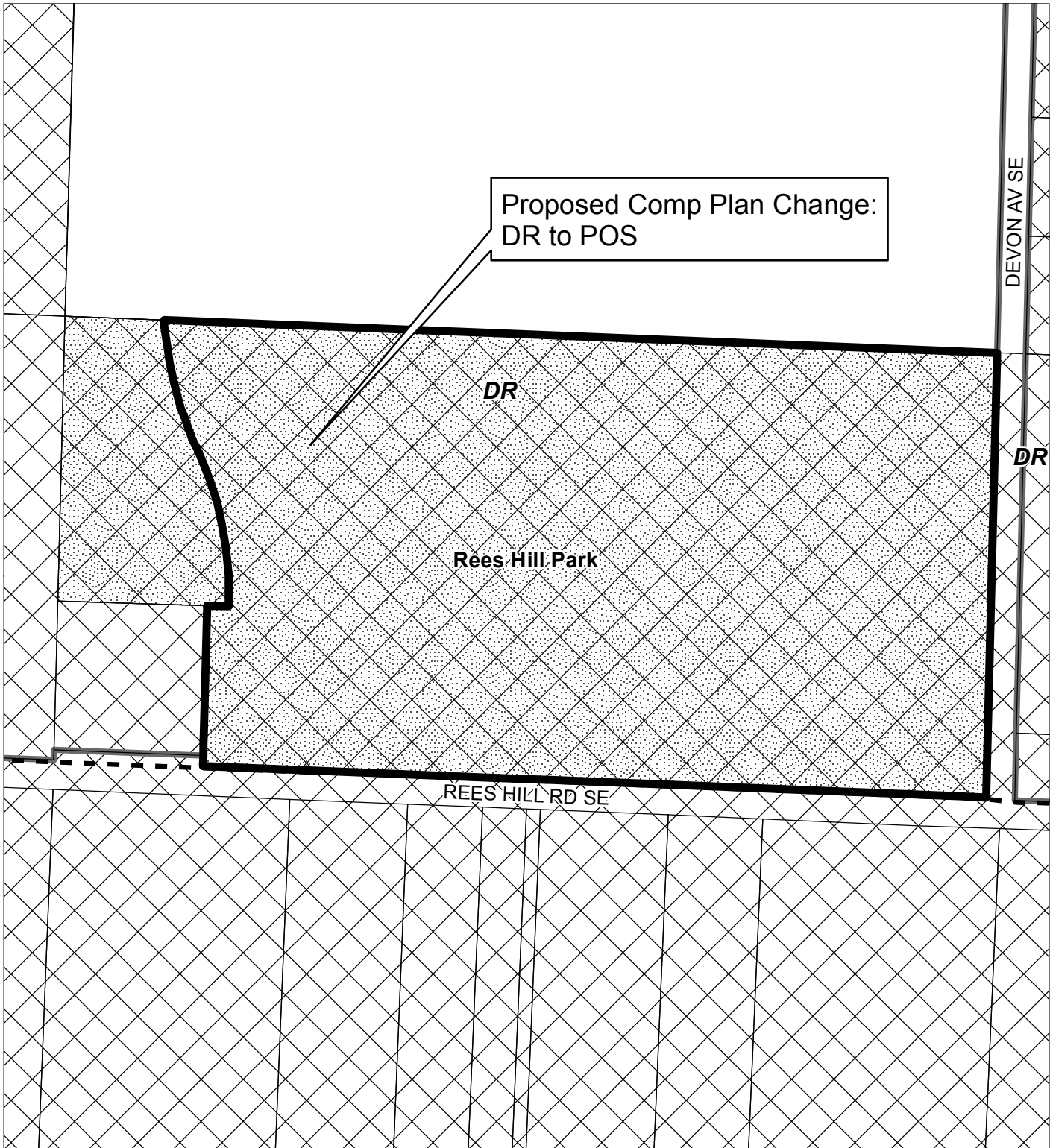
CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

0 100 200 400 Feet



Proposed Comprehensive Plan Change - 681 Rees Hill Rd SE



Legend

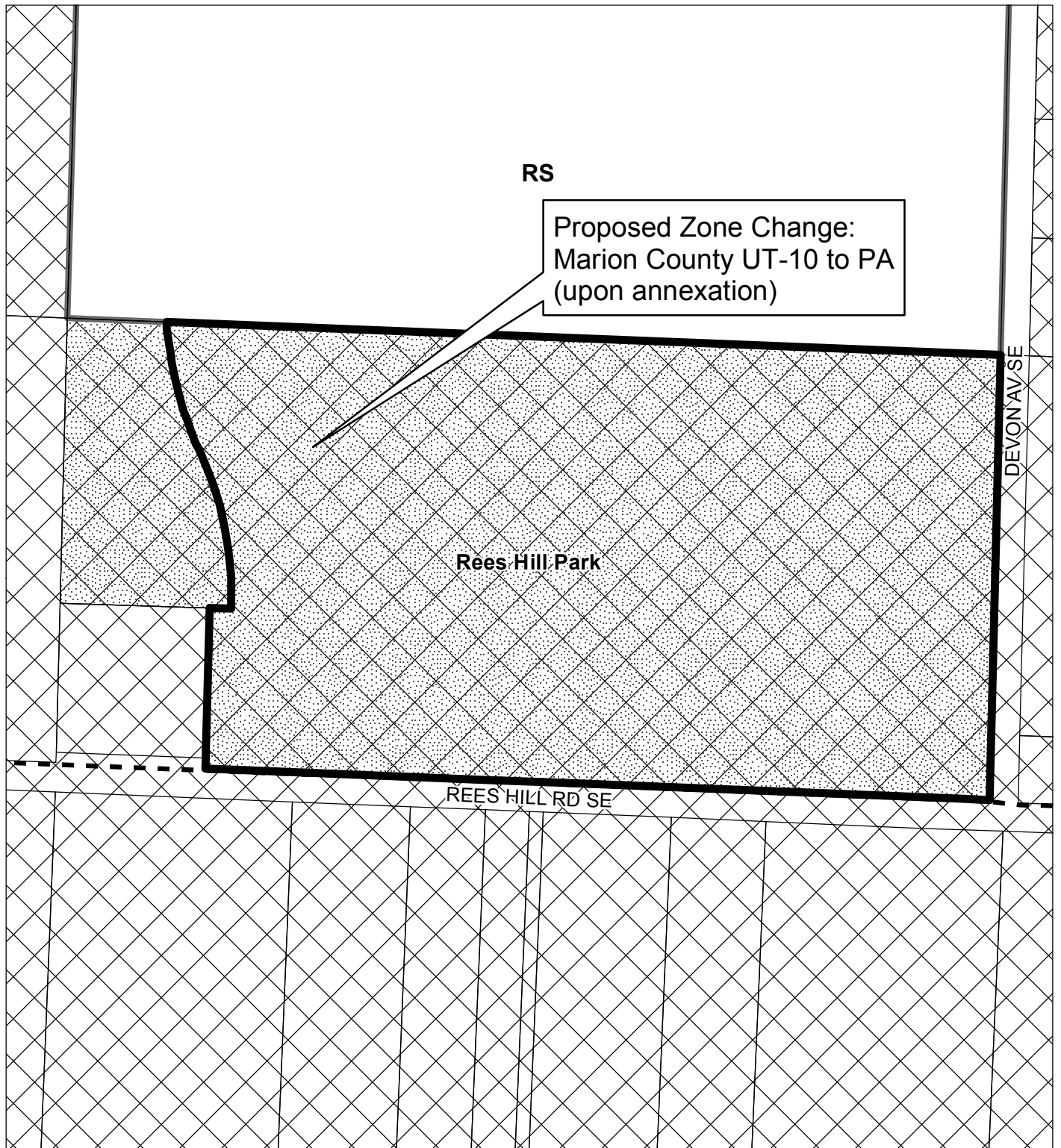
- | | |
|---------------------------|---------|
| Comprehensive Plan | Taxlots |
| Urban Growth Boundary | Parks |
| Outside Salem City Limits | Schools |

This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

0 50 100 200 Feet



Proposed Zone Change - 681 Rees Hill Rd SE



Legend

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

This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

0 50 100 200 Feet



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

Property: Rees Hill Road Park Property – 681 Rees Hill Road

Proposed findings demonstrating why comprehensive plan and zone designation criteria are met (SRC 260.060(c)(5)).

A. The comprehensive plan and zone designation provides for the logical urbanization of land;

Overall, the property has moderate slopes, with no waterways or wetlands. There are established trees along the northern boundary. Access is provided by Rees Hill Road SE, the future expansion of Lone Oak Road, and Devon Avenue making it accessible for park and recreation activities. The comprehensive plan designation of Parks, Open Space and Outdoor Recreation, and zone change to Public Amusement will allow for a variety of recreation opportunities for the expanding residential population.

B. The comprehensive plan and zone designation is compatible with development patterns of the nearby vicinity;

The proposed Comprehensive Plan and Zone Change designation is compatible with the current increase in residential development of Single-Family homes to the north, northeast, and northwest of the property.

C. Social, economic, or demographic patterns in the nearby vicinity have so altered that the current designations are no longer appropriate.

The surrounding area is shifting away from agricultural and industrial zoning to residential zoning for single family and multi-family. Increasing population and demographic changes requiring more housing has resulted in the need to provide additional park and open space.

D. It is in the public interest that the proposed change be made.

The proposed Comprehensive Plan/Zone Change will allow a Community Park to serve the needs of the expanding population in the south Salem area. Rees Hill Park is classified as a Community Park and will be developed with input from the public and focused on providing active and passive recreational activities for all age levels.

TO: Pamela Cole, Planner
Community Development Department

FROM: Rob Romanek, Parks Planner
Public Works Department

DATE: April 12, 2021

SUBJECT: **Request to Modify Comprehensive Plan Change and Zoning Change for 681 Rees Hill Rd SE**

The City of Salem Public Works Department is requesting a modification to the City's annexation, comprehensive plan change, and zone change application for property located 681 Rees Hill Rd SE. The modification is being requested to exclude an approximately 1.8-acre portion of the subject property from the proposed comprehensive plan change and zone change. A map depicting the requested modification is attached.

The intent of excluding this area is to preserve flexibility for future use. Public Works Parks Planning staff has determined that a planned extension of Lone Oak Road SE will fragment the subject property, separating this portion from the remainder of the property. While not excluding future park uses, retaining the current Developing Residential SACP Designation and applying City of Salem RA (Residential Agriculture) zoning preserves greater flexibility for future use.

A zone change from Marion County UT-10 to City of Salem PA (Public Amusement) and comprehensive plan change to POS (Parks, Open Space, and Outdoor Recreation) is still requested over the remainder of the site concurrent with the annexation.

Please contact me if you have any questions or concerns related to this request. I can be reached at roamenk@cityofsalem.net.

[RR]:B:\PARKS\Parks Planning\PARKS\Rees Hill Road\Annexation\rees_hill_park_split_designation_split_zoning_request_memo.docx

Attachment:

Split Designation & Split Zoning Location Map




cc: Lisa Anderson-Ogilvie, AICP, Deputy Community Development Director
Olivia Dias, Current Planning Manager
Patricia Farrell, Park and Natural Resources Planning Manager
Toni Whitler, Parks Planner
Don Whitehurst, PE, Construction Engineer
Glenn Davis, PE, Chief Development Engineer
Curt Pellatz, Senior Program Manager
File: Rees Hill Park Annexation File

Split Designation & Split Zoning Location Map

681 Rees Hill Rd SE



Legend

-  Taxlots
-  Park Boundary / Subject Property
-  Retain as Developing Residential SACP Designation and apply City of Salem RA (Residential Agriculture) Zoning

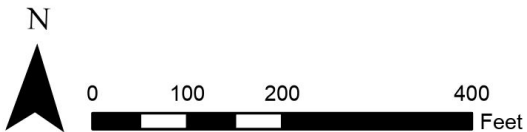


Exhibit Not to Scale



NOW EXISTING CITY LIMITS LINE

Reel 4132
Page 350

P.O.B.

Basis of Bearing -- S 89°58'18" E 1340.32'

DEVON AVE.

N 00°19'29" W 396.93'

N 89°53'19" W
208.72'Partition Plat
1994-106
Parcel 2N 00°19'29" W
222.71'**AREA TO BE ANNEXED**

Partition Plat 1994-106

Parcel 1

Reel 4209
Page 195

S 00°35'24" E 621.61'

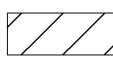
REES HILL RD

N 89°53'19" W 1,134.49'

Urban Growth Boundary

NOTE: BASIS OF BEARINGS -
North Line of Partition Plat 94-106

P.O.B. = Point of Beginning

Property in Marion
CountyPROPERTY PROPOSED
TO BE ANNEXED INTO CITY**EXHIBIT MAP**TOWNSHIP 8 SOUTH, RANGE 3 WEST, SECTION 22,
WILLAMETTE MERIDIAN**CITY OF SALEM, OREGON
PUBLIC WORKS DEPARTMENT**

681 Rees Hill Road SE

CITY OF SALEM ORDINANCE NO. _____

ANNEXED: _____

CONTAINING 18.05 Acres

ADJACENT TO WARD 4


CASE NO. C-739

TRACT NO. _____



MEMO

TO: Pamela Cole, Planner II
Community Development Department

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

DATE: May 11, 2021

SUBJECT: PUBLIC WORKS RECOMMENDATIONS
CPC-ZC21-01 (19-125038-AN, 19-125043-ZO, and 19-125044-ZO)
681 REES HILL ROAD SE
ANNEXATION WITH CPC/ZC (ANXC-739)

PROPOSAL

A Comprehensive Plan Change from "Developing Residential" to "Parks, Open Space, and Outdoor Recreation" and Zone Change from Marion County UT-10 (Urban Transition - 10 Acre) to City of Salem PA (Public Amusement) for land east of the center line of the future extension of Lone Oak Road SE within a territory approximately 18.05 acres in size including 0.57 acres of Devon Avenue SE right-of-way and 17.47 acres of City-owned property at 681 Rees Hill Road SE 97306 (Marion County Assessor Map and Tax Lot Number 083W22C 00400).

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—A Transportation Planning Rule (TPR) Analysis in consideration of the requirements of the TPR (OAR 660-012-0060) is needed to demonstrate that the proposed Comprehensive Plan Change/Zone Change (CPC/ZC) will not have a significant effect on the transportation system as defined by OAR 660-012-0060. The Assistant City Traffic Engineer has reviewed this proposal and recommends that this criterion has been met.

Streets

1. Rees Hill Road NE

- a. Standard—This street is under Marion County jurisdiction and is located outside of the Urban Growth Boundary. It is designated as a Collector street in the Salem TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Condition—This street has an approximate 20-foot improvement within a 42-foot-wide right-of-way abutting the subject property.

2. Devon Avenue SE

- a. Standard—This street is currently under Marion County jurisdiction and 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 Condition—This street has an approximate 26-foot improvement within a 40-foot-wide right-of-way abutting the subject property.

3. Lone Oak Road SE

- a. Standard—This street is designated as a Collector street in the Salem TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Condition—The Salem TSP depicts the future extension of Lone Oak Road SE to be located within the subject property. This street currently terminates near Sahalee Drive SE northwest of the subject property.

Storm Drainage

1. Existing Condition

- a. No public storm mains are adjacent to the site.

Water

2. Existing Conditions

- a. The subject property is located in the S-3 and S-4 water service levels.

- b. The nearest public water main is a 16-inch S-3 main located in Rees Hill Road SE. Mains of this size generally flow 3,800 to 8,800 gallons per minute.
- c. There is no existing S-4 water system. An S-4 water system pump station is proposed at the northwest corner of the park site, west of the proposed Lone Oak Road SE extension.

Sanitary Sewer

1. Existing Condition

- a. The property is split into two sewage drainage basins, partially toward the west line and partially toward the east.
- b. The nearest adequate linking facility for the west basin appears to be an existing 8-inch sewer line northwest of the property in Lone Oak Road SE.
- c. The nearest adequate linking facility for the east basin appears to be an existing 8-inch sewer line northeast of the property. The east basin may be able to receive service from the existing sewer main in Lone Oak Road SE.

Natural Resources

- 1. Wetlands—The Salem-Keizer Local Wetland Inventory (LWI) shows that there are no hydric soils and/or linear wetland area(s) mapped on the property.
- 2. Floodplain—No mapped floodplain or floodway is located on the subject property.
- 3. Landslide Hazards—City records show there may be category 2-point landslide hazard areas mapped on the subject property.

CRITERIA AND FINDINGS

SRC 260.045(b)(1)—Whether the comprehensive plan and zone designation provides for the logical urbanization of land.

Finding: Logical urbanization requires the provision of adequate City infrastructure. The subject property is capable of being served through extension of public water, sewer, and stormwater mains as conditioned in Land Use Case SUB21-01 to the boundary of the property as specified in existing infrastructure master plans.

The subject property is located within both the S-3 and S-4 water service level areas. S-3 water infrastructure is available in Rees Hill Road SE and appears to be adequate to serve future development. Land use Case SUB21-01 shows an S-4 water pump station on the subject property west of the future Lone Oak Road SE Collector street. The property will be served by sewer and stormwater systems as conditioned in Land Use Case SUB21-01.

The property is currently bordered on the south and east by Rees Hill Road SE and Devon Avenue SE, respectively. The existing configuration of Rees Hill Road SE does not meet the standard for a Collector street according to the Salem TSP. The existing configuration of Devon Avenue SE does not meet the standard for a Local street according to the Salem TSP. Lone Oak Road SE is a future Collector street according to the Salem TSP and its construction is conditioned upon land use case number SUB21-01. The tentative plan of SUB21-01 shows Lone Oak Road SE extending through the subject property to Rees Hill Road SE. The zone change proposal does not include the area west of the future Collector street. Boundary street improvements including additional right-of-way along the frontage of the property will be addressed in the Site Plan Review process in SRC Chapter 220.

The proposed Comprehensive Plan Change from "Developing Residential" to "Parks, Open Space, and Outdoor Recreation" and Zone Change from Marion County UT-10 (Urban Transition - 10 Acre) to City of Salem PA (Public Amusement) constitutes a downgrade of use. The net result of the changes proposed is a reduction in the potential traffic that could be generated. Therefore, 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 this proposal and recommends that this criterion has been met.

Future development may require an Urban Growth Area (UGA) Preliminary Declaration to address linking and boundary facilities required to serve subject property under the standards and requirements of SRC Chapter 200. 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