



## Staff Report

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**File #:** 17-237

**Version:** 1

**Date:** 5/22/2017

**Item #:** 7.1a.

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**TO:** Mayor and City Council

**THROUGH:** Steve Powers, City Manager

**FROM:** Lisa Anderson-Ogilvie, AICP, Interim Community Development Director

### **SUBJECT:**

Proposed Comprehensive Plan Map Change and Neighborhood Plan Change - "Industrial" to "Industrial Commercial" for a 0.56-acre property at the southwest corner of 25<sup>th</sup> Street SE and McGilchrist Street SE.

Ward(s): Ward 2

Councilor(s): Andersen

Neighborhood(s): SESNA

### **ISSUE:**

Should the City Council conduct first reading of Ordinance Bill No. 15-17 changing the Comprehensive Plan Map designation and Neighborhood Plan Map designation from "Industrial" to "Industrial Commercial" for a 0.56-acre property at the southwest corner of 25<sup>th</sup> Street SE and McGilchrist Street SE?

### **RECOMMENDATION:**

Conduct first reading of Ordinance Bill No. 15-17 changing the Comprehensive Plan Map designation from "Industrial" to "Industrial Commercial" for a 0.56-acre property at the southwest corner of 25<sup>th</sup> Street SE and McGilchrist Street SE and proceed to second reading.

### **SUMMARY AND BACKGROUND:**

On January 12, 2017, the Planning Division received an application for a Comprehensive Plan Change and Zone Change to change the Comprehensive Plan Map designation of an approximately 0.56-acre property at the southwest corner of 25<sup>th</sup> Street SE and McGilchrist Street SE from "Industrial" to "Industrial Commercial," to change the Neighborhood Plan map from "Industrial" to "Industrial Commercial" and to change the zoning from IG (General Industrial) to IC (Industrial Commercial) (Attachment 1).

Pursuant to ORS 197.010(1), an amendment to the Comprehensive Plan Map must be approved by the City Council. Previously, the Salem Planning Commission made the determination for approval of a Comprehensive Plan Map change. However, in light of a recent decision by the Land Use Board of Appeals (LUBA) *Housing Land Advocates v. City of Happy Valley LUBA No. 2016-031*, in which LUBA concluded that a Comprehensive Plan Map Change must be adopted by a local government's governing body, the City of Salem has adjusted the policy to be consistent with State Law.

Therefore, the Planning Commission is forwarding its recommendation for approval of the proposed Comprehensive Plan Map Change to the City Council (Attachment 2). The Planning Commission has approved the proposed Zone Change subject to conditions of approval and the City Council's approval of the proposed Comprehensive Plan Map Change.

### **FACTS AND FINDINGS:**

On January 12, 2017, John L. Brosy, on behalf of applicant Ryan Salas-Mitchell, filed an application for a Comprehensive Plan Change, Neighborhood Plan Change, and Zone Change to change the Comprehensive Plan Map and Neighborhood Plan Map designation of a 0.56-acre property from "Industrial" to "Industrial Commercial" and to change the zoning from IG (General Industrial) to IC (Industrial Commercial). The consolidated application was deemed complete for processing on August 25, 2016.

On April 25, 2017, the Planning Commission held a public hearing on the consolidated application, deliberated, approved the requested Zone Change, and moved to forward a favorable recommendation to the City Council on the Comprehensive Plan Map Change and Neighborhood Plan Change. The facts and findings supporting the Comprehensive Plan Map Change and Neighborhood Plan Change can be found in Ordinance No. 15-17.

Christopher Green, AICP  
Planner II

### **Attachments:**

1. 2440 McGilchrist Street SE Vicinity Map
2. Planning Commission Recommendation to City Council

05/05/2017