



Marion County
OREGON

ZONE CHANGE/COMPREHENSIVE PLAN CHANGE APPLICATION

RECEIVED

Applications submitted by mail will not be accepted

OCT 18 2021

Do not double-side or spiral bind any documents being submitted

Marion County
Planning

Fee: Please check the appropriate box:

Zone Change - \$1880+\$30/acre

Comprehensive Plan Change - \$3755+\$60/acre

Zone Change/Comprehensive Plan Change - \$3755+\$60/acre

Mineral Aggregate Site - \$5300 base fee +

\$25/acre - 0-100 acres

\$75/acre - 101-200 acres

\$100/acre - 201-399 acres

\$150/acre - 400+ acres

PROPERTY OWNER(S): Dean & Tran Nguyen	ADDRESS, CITY, STATE, AND ZIP: 7526 SE 120th PL Portland, OR 97266
PROPERTY OWNER(S) (if more than one): Van & Hoang Danthanh	ADDRESS, CITY, STATE, AND ZIP: 7526 SE 120th PL Portland, OR 97266
APPLICANT REPRESENTATIVE: Landon Hattan	ADDRESS, CITY, STATE, ZIP: PO Box 5057 Salem, OR 97304
DAYTIME PHONE (if staff has questions about this application): (503) 428 2758	E-MAIL: landon@skyline-co.com
ADDRESS OF SUBJECT PROPERTY: 0 Fisher Rd NE Salem, OR 97305	SIZE OF SUBJECT PROPERTY: 0.96 acres
The property owners request to change the zone from (current) <u>Urban Development</u> to (proposed) <u>Multiple Family Residential - RM</u> and/or change the Comprehensive Plan designation from _____ to _____. Provide detailed information on the attached "Applicant Statement" page.	
Will a railroad highway crossing provide the only access to the subject property? () Yes (x) No If yes, which railroad:	

FOR OFFICE USE ONLY			
Township 7S	Range 2W	Section 7B3	Application elements submitted
Tax lot number(s) 3400	Zone UD Comp Plan Multi-Family		<input checked="" type="checkbox"/> Title transfer instrument
Zone map number	Urban <input checked="" type="checkbox"/> Rural <input type="checkbox"/>		<input checked="" type="checkbox"/> 2 Site plans showing existing/proposed zoning
TPA/header	Hattan		<input checked="" type="checkbox"/> Applicant statement
Case Number 7C21-010			<input type="checkbox"/> Geol Hazard Peer Review (if applicable)
Signs given (min. agg. only)			<input checked="" type="checkbox"/> Filing fee
Date determined complete			Application accepted by: R Duval
			Date 10-18-21

THE APPLICANT(S) SHALL CERTIFY THAT:

- A. If the application is granted the applicant(s) will exercise the rights granted in accordance with the terms and subject to all the conditions and limitations of the approval.
- B. I/We hereby declare under penalties of false swearing (ORS 162.075 and 162.085) that all the above information and statements and the statements in the plot plan, attachments and exhibits transmitted herewith are true; and the applicants so acknowledge that any permit issued on the basis of this application may be revoked if it is found that any such statements are false.
- C. I/We hereby grant permission for and consent to Marion County, its officers, agents, and employees coming upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application.
- D. The applicants have read the entire contents of the application, including the policies and criteria, and understand the requirements for approving or denying the application.

PRINTED NAME AND SIGNATURE of each owner of the subject property.

Dean & Tran Nguyen	<i>Dean & Tran Nguyen</i>
Print Name	Signature
Van & Hoang Danthanh	<i>Van & Hoang Dauthanh</i>
Print Name	Signature
Print Name	Signature
Print Name	Signature

DATED this 15th day of October, 20

Applicant Statement (required)

It is up to the applicant to fully explain your proposal and how it conforms to Marion County land use regulations. This is your opportunity to provide detailed information on the “who, what, where, when and why” that is specific to your proposal.

There are specific criteria and regulations for each zone; these are available from the Planning Division. We strongly encourage you to obtain a copy of this information, review it, and then prepare your “applicant’s statement”.

These are a few items you should consider including (where applicable):

- Describe the property as it exists now and after implementation of the proposal: topography, existing structures and their use, new or alteration of structures, etc.
- Describe surrounding properties: type of land use, scale of development, etc. and any impact your proposed use might have on these properties such as dust, noise, fumes or odors, traffic, etc. And, if so, what measures will you take to mitigate these impacts?

The applicant intends to change the Marion County Zoning designation to Multiple Family Residential, in order to be in congruence with the current City of Salem Comp Plan Zone Designation of Multi-Family Residential. Please see attached application narrative for full statement and supporting information.

Exhibit 2.1



(503) 428-2758 | CCB 234226

PO Box 5057 Salem, OR 97304

Zone Change Application

Submittal Date:	10/18/2021
Submitted To:	Marion County
Site Address:	0 Fisher Rd. NE, Salem, OR 97305 Taxlot: 073W12AA02700
Applicant:	Dean Nguyen
Applicant's Representative:	Landon Hattan, Skyline Builders

Table of Contents

1. Description of Existing Property & Site Conditions	2
2. Current Zoning	2
3. Proposed Zone Change	2
4. Review of Marion County Development Codes Pertaining to Zone Change	3
5. Determinations in favor of Zone Change	8
6. Conclusion	13
7. List of Exhibits	13

1. Description of Existing Property & Site Conditions

The subject site (currently addressed as 0 Fisher Rd NE Salem, OR 97305; Map Tax Lot 072W07BB03400) is a 0.96 acre undeveloped parcel, containing natural vegetation and groundcover and void of any buildings or apparent man-made structures. This parcel is under Marion County jurisdiction, and within the City of Salem Urban Growth Boundary. It is designated Multi-Family Residential on the Salem Comprehensive Plan. Under the current Marion County Zoning, this parcel is zoned Urban Transition. Contact has been made with the City of Salem planning and public works departments who have confirmed that following permit submission, and prior to the provision of Certificates of Occupancy for any site development, this parcel will require annexation into the City of Salem.

2. Current Zoning

The current zoning designation of Urban Transition is intended to provide for urban development consistent with the land use designation in the applicable city comprehensive plan where sanitary services are, or can be, made available (Marion County Development Code, 16.15.000). In congruence with Marion County Code, the applicant recognizes a zone change would be required to both fulfill their own development goals, as well as the requirements of Marion County Development code. The applicant intends to develop this parcel with Multi-Family Residential dwellings as allowed under the Comprehensive Plan designation. The applicant understands the subsequent requirement of a zone change, in order to ensure the development is done in accordance with any associated adopted urban standards (Marion County Development Code, 16.15.000).

3. Proposed Zone Change

The applicant intends to change the Marion County Zoning designation to Multiple Family Residential, in order to be in congruence with the current City of Salem Comp Plan Zone Designation of Multi-Family Residential.

The following immediate surrounding property zone designations should be considered:

- North of Site, 3682 & 3692 Ward Dr. NE: Multi-Family Residential Comp Plan Designation, Urban Development Marion County Designation
- East of Site, 4375 Falcon View Way NE, Falcon View Apartments: Multi-Family Residential Comp Plan Designation, Multiple Family Residential Marion County Designation
- South of Site, Address; Chemeketa Mobile Village: Multi-Family Residential Comp Plan Designation, Multiple Family Residential Marion County Designation
- West of Site, 3568 Cherry Glen Pl NE; Newly Built Cherry Glen Apartments (120 units): Multi-Family Residential Comp Plan Designation, Multiple Family Residential Marion County Designation

4. Review of Marion County Development Codes Pertaining to Zone Change

16.36

Applicable Code Reference: 16.36.000

The referenced code section is applied to *applications for Comprehensive Plan map amendments and zone changes that are not legislative amendments and applications for conditional uses, property line adjustments, administrative reviews and adjustments*. It is recognized that the nature of this zone change application makes 16.36 effective. It is not anticipated by the applicant that this will be qualified as, or necessitate a Legislative Amendment, as defined in Marion County Development Code, 16.38. With this in mind, the applicant will make every attempt to adhere to all such stated requirements as outlined in the referenced section, and subsequent sections 16.36.010-120. The applicant submits this application in such a form as to both fulfill the requirements of the above referenced sections, as well as provide rationale for why the request should be approved by the Zoning Administrator. Should the Administrator judge additional information to be beneficial, the applicant will make every reasonable effort to provide such additional information upon request.

16.37

Applicable Code Reference: 16.37.000

In recognition that the zoning administrator is authorized to forward any application to the hearings officer for the initial decision, at the zoning administrator's discretion. And the hearings officer is subsequently authorized to make the initial decision on zone change applications, the applicant therefore requests a decision of the requested zone change by the hearings officer.

Applicable Code Reference: 16.37.010

The applicant understands that the governing body may at any time, on its own motion call up any application and make the decision. The applicant has not identified any reason by which board authority would be called upon to make the zone change decision, but understands that the governing board has the right to do so, on its own motion. The applicant has reviewed the subsequent section contents, and prepared the application with the priorities of clarity and compliance in mind, such that the format, facts, and findings of the application may assist in the necessary actions of review and decision making to follow by those involved.

16.39

Applicable Code Reference: 16.39.000-020

By definition, the applicant recognizes that the criteria of this application fit those of a zone change application, as it involves five or less different ownerships, and does not include any amendment to the text of the ordinance. The applicant anticipates this zone change application to be in conformance to the conditions and requirements as outlined in 16.39.010-020.

Applicable Code Reference: 16.39.030-040

In order for the zoning administrator to review the rationale and request for a zone change of the subject site, the applicant has provided a thorough compilation of information and supporting documents to meet the need anticipated in order for the zoning administrator to set a hearing notice for public hearing, and prepare the associated written report. The applicant asks and invites any reference to any and all such included documents and rationale as included in the zone change application for the purpose of the public hearing. The applicant has reviewed the applicable sections 16.39.030-040 and acknowledges the right of the hearing officer to approve a zone change, and the board to adopt an ordinance, making the decision effective and final.

Applicable Code Reference: 16.39.050 (A)

The proposed zone change is appropriate for, and in congruence with the Comprehensive Plan land use designation.

Applicable Code Reference: 16.39.050 (B)

The proposed development will be along Fisher Rd. NE, which is a collector street by City of Salem Street Classification. The site will be most proximate Cherrlots Bus Stop: Lancaster & Cooley, Stop ID 458, at a distance of 0.8 walkable miles from the subject site along continuous City Sidewalk. The nearest transit park and ride is the Cherrlots Market Street Park and Ride, Stop ID 223 at a distance of 2.3 miles.

A new public 12" CL52 Ductile Iron water main line was required by, and installed as part of the recent Cherry Glen Apartment Construction, and is anticipated to provide for the water supply needs of the proposed development. It is anticipated that City Sewer services will need to be extended either from the from the 8" sanitary sewer main that exists along Ward Dr. NE, or from the 8" sanitary sewer main that exists to the South of Tax Lot 073W12AA02700. The applicant acknowledges that any combination of an engineered on site storm detention system, storm treatment, or city stormwater main extension, or a combination thereof may be required to meet municipal requirements. Upon a site visit by the Civil Engineer assigned to the preliminary Civil Engineering on this proposed development, it is expected that the development can be served by the existing stormwater main line that exists along Fisher Rd. Public infrastructure requirements will be planned in collaboration with the appropriate professionals in appropriate timing following the zone change decision. In tandem with public infrastructure plan documents, the applicant will submit complete building permits including the Engineering and Site Plan documents necessary for the proposed development.

Direct and specific communication with the City of Salem Public Works Department has been made to gather information necessary to inform all public utility and infrastructure plans. In response to the applicant's communication, it has been confirmed by the City of Salem Public Works Department that an annexation must be filed prior to the release of public utility permits. The applicant intends to file for annexation per City of Salem requirement. In the same communication with City of Salem Public works, it has been verified by the applicant that annexation is not required prior to the submission of building permits, but will be required prior to the release of Certificate of Occupancy on the completed proposed dwellings. The applicant understands this requirement and intends to execute the annexation prior to the release of Certificate of Occupancy Certificates for the proposed development. See the attached copy of email correspondence with the City of Salem, Exhibit 4.1.

Applicable Code Reference: 16.39.050 (C)

Marion County Development Code states that the RM - Multiple Family Residential zone is primarily intended to provide for multiple-family dwellings on a lot, or attached dwellings on separate lots, at residential densities greater than permitted in the RL zone. It further states that RM zones are located in areas designated as multiple-family residential or an equivalent designation in the applicable urban area comprehensive plan and are provided with urban services. The request of this zone change and the proposed development of 22-27 units of multi-family housing units is consistent with the intention of the zone change being applied for. The immediate surrounding parcels already zoned Multiple Family Residential, as well as the nearby Commercial Retail zones 0.2 miles to the Northwest off of the Minor Arterial classified Ward Dr. NE, and 0.3 miles to the Northeast, off of the Major Arterial classified Lancaster Dr. NE. While the nearest Commercial Retail zone to the Northeast of the property is located 0.3 miles away off of Lancaster Dr. NE, the proximity to such a major arterial allows for a multitude of commercial use types providing retail, shopping, grocery, gas, employment, luxury/entertainment and educational/institutional services along the corridor.

Applicable Code Reference: 16.39.050 (D)

Upon visitation and observation of all sites surrounding the proposed development, it is not anticipated that the proposed multi-family development will adversely impact either of the surrounding sites. An inventory of properties immediately surrounding the subject site include: 3 Parcels Zoned Multiple Family Residential, 1 Parcel Zoned Public Amusement (An underdeveloped City Park), and immediately West of Fisher Rd. NE, a fourth Parcel Zoned Multiple Family Residential.

Applicable Code Reference: 16.39.060-080

The applicant has reviewed and understands the further authority of the board or hearings officer to include conditions in the decision on a zone change. The applicant expects any such conditions to be provided with specificity, be reasonably related to the public health, safety, and welfare, and be designed to reasonably effectuate their intended purpose. The applicant expects the conditions shall not be given that would have the effect of limiting the use of the subject property to one particular owner, tenant, or business, nor conditions assigned that would be so restrictive such that they may not be reasonably complied with by other occupants who might devote the property to the same or substantially similar use.

Should a dedication of street right-of-way or street improvement be required, they should be provided with clarity and specificity, and may be deferred until a building permit or certificate of occupancy is required or prior to the use being established. Should the zone change decision may expressly authorize an adjustment from the applicable development requirements regardless of such an adjustment being included in the applicant's zone change application. The applicant understands that, should such an adjustment be required, they do not bear a burden of proof as to such criteria, the adjustment must be required to accomplish a condition imposed as part of the conditional zone change, and the need for the adjustment must be identified during the public hearing on the zone change.

16.44

Applicable Code Reference: 16.44.010-400

The client acknowledges that when a public hearing is required pursuant to Marion County Development Code 16.37.020 and 16.37.080, the procedures and notification requirements in chapter 16.44, and state law shall apply. There is no concern or known issue with the associated activities necessary to conduct the zone change process in accordance with this chapter, or state law.

16.45

Applicable Code Reference: 16.44.010-050

The process and requirements of a notice of appeal has been reviewed. While the applicant does not anticipate an appeal, or multiple appeals, they acknowledge and do not object to the established process of the Board Procedures necessary to receive, review, and consider an appeal.

16.46

Applicable Code Reference: 16.46.010-050

The applicant does not anticipate this zone change to be denied, however they have reviewed and acknowledges their rights and the effective limits placed upon refileing after a Comprehensive Plan land use designation amendment, zone change, conditional use, partition, property line adjustment, administrative review or adjustment application is denied.

16.47

Applicable Code Reference: 16.47.010-070

There is no issue or known concern by the applicant in regards to the Administration of Conditions by the zoning administrator. The applicant has reviewed and has had exposure to the method of administering conditions in such zone changes, partitions, subdivisions, property line adjustments, administrative reviews, adjustments, and conditional uses. The applicant will readily make every every to meet and provide for the requirements necessary for any conditions found to be reasonably required within the timelines defined. The applicant anticipates the requirement of performance agreements and bonds to conduct work necessary to provide full city services to such sites. It is anticipated that there may be conditions provided by both Marion County, and the City of Salem respectively. As such, a written response has been provided by the City of Salem Public Works Department, to confirm that a complete annexation application and a

1

recorded annexation agreement must be completed, but the property will not need to be annexed prior to submitting for building permits through Marion County. The applicant intends to submit for building permits under Marion County's jurisdiction at the time of building plan submittals. It is acknowledged that Public Utility Construction will fall under the City of Salem's jurisdiction, and further written response has been received from the City of Salem confirming that public construction permits for sewer extension and water connection will not be issued until the applicant has filed for annexation, paid annexation fees, and the City of Salem Planning staff deems the annexation application complete. For clarity, the City of Salem will not require the annexation to be executed and complete prior to releasing public utility permits, only that a complete application be submitted and paid, for a future (delayed) annexation to occur prior to the release of certificates of occupancy at the completion of the proposed development.

5. Determinations in favor of Zone Change

The above review of applicable code requirements has been provided in order to offer both a thorough acknowledgement of requirements, as well as a detailed response to illustrate and inform how the requested zone change meets the requirements defined in the Marion County Code. The Urban Development zone exists to provide for urban development consistent with the land use designation in the applicable city comprehensive plan. This can only be met and achieved at the subject site after a zone change has been approved, to be consistent with the City of Salem Comprehensive Plan zoning designation of Multiple Family Residential. Existing infrastructure and site conditions allow for the provision of utility service. There is strong precedent for the proposed use, given the immediate proximity of other multiple family zoned land, and land that has recently been changed to multiple family use in immediate proximity to the subject site.

In addition to municipal code, it is important to address the Statewide Land Use Planning goals and policies applicable to the proposed zone change. As a long range plan that guides development in the Salem urban area, the Salem Area Comprehensive Plan has been put in place to achieve the State's long range planning. It is worthwhile to acknowledge and address the applicable statewide goals specifically as they pertain to this zone change application.

Regarding Statewide Land Use Planning Goal 1, Citizen Involvement:

In accordance with Marion County Code 16.39.030, the zoning administrator shall set the matter for public hearing before the hearings officer and provide hearing notice as prescribed in Chapter 16.44 MCC. In following MCC 16.44.030, the mailing of the notice of hearing will include anyone entitled to notice under state law at least 20 days prior to the date of the hearing. This sufficiently fulfills Statewide Land Use Planning Goal 1.

Regarding Statewide Land Use Planning Goal 2, Land Use Planning

In accordance with Statewide Land Use Planning Goal 2, the City of Salem has developed their comprehensive land use plan based on a factual basis, thus following their plan when making decisions on appropriate zoning. The applicant acknowledges that the purpose of the Marion County Urban Development zone is intended to provide for urban development that is consistent with the land use designation in the applicable city comprehensive plan. The City of Salem's Comprehensive Plan has been reviewed for consistency with the Statewide Planning Goals. The zone change application is consistent with the City of Salem Comprehensive Plan, and thus, per the review of the Land Conservation and Development Commission's review of Salem's comprehensive plan, consistent with Statewide goals. This sufficiently fulfills Statewide Land use Planning Goal 2.

Regarding Statewide Land Use Planning Goal 3, Agricultural Lands

The applicant has found Statewide Land use Planning Goal 3 not to create any constraints applicable to the zone change requested. The subject site has not been designated as farmland, thus not designated as EFU.

Regarding Statewide Land Use Planning Goal 4, Forest Lands

The applicant has found Statewide Land use Planning Goal 4 not to create any constraints applicable to the zone change requested, as the subject site has not been designated as Forest Land, and is not designated as such.

Regarding Statewide Land Use Planning Goal 5, Natural Resources, Scenic and Historic Areas, & Open Spaces

The applicant has found Statewide Land use Planning Goal 5 not to create any constraints applicable to the zone change requested, as the subject site does not contain any such designated resource categories that qualify land within the State of Oregon as a Resource Site.

Regarding Statewide Land Use Planning Goal 6, Air, Water and Land Resources Quality

The intent of the creation of Urban Growth Boundaries includes the use of designating where a city expects to grow in order to help preserve the State's agriculture, forest, and open space, and control the sprawl of each city. The subject site is within the City of Salem's Urban Growth Boundary, and will trigger a requirement of annexation into the City of Salem prior to the release of Certificate of Occupancies for the proposed development. As such, the site location, and the proposed use are consistent with the thoughtful design and implementation of the City of Salem's growth plan which contribute to the efficient use of land, with acknowledgement to the required environmental impacts and needs created by the provision of housing. City and County development and engineering standards have been developed to achieve all public services and necessities with minimal impact. All such development activities necessary to provide for a fully developed, and occupiable site will be engineered, designed, and provided in accordance with municipal standards set forth by the City of Salem and Marion County municipal standards, respectively. The applicant finds the above information to sufficiently fulfill Statewide Land use Planning Goal 5.

Regarding Statewide Land Use Planning Goal 7, Areas Subject to Natural Disasters and Hazards

The applicant has found Statewide Land use Planning Goal 7 not to create any constraints applicable to the zone change requested, as the subject site has not been found to be proximate to any known areas subject to natural disasters and hazards. The site does not contain and is not expected to be "in harm's way," of the following: river and coastal floods, landslide, wildfires, coastal erosion, floodplain or floodway.

Regarding Statewide Land Use Planning Goal 8, Recreational Needs

The applicant has found Statewide Land use Planning Goal 8 not to create any constraints applicable to the zone change requested, as the subject site is not designated to contain or be immediately proximate to an outdoor resource that would require coordination of site development in order to meet recreational needs of the public. No known outdoor recreation or destination resorts are known to be planned in the proximity of the subject site.

Regarding Statewide Land Use Planning Goal 9, Economic Development

The City of Salem has published resources that have been conducted with the purpose of addressing available land that will meet the future anticipated needs across a variety of land use categories. The Economic Opportunities Analysis has been the study used by the City of Salem to inform policy decisions about commercial and industrial land. Strategic steps have been implemented to address a projected commercial land shortage, while the City is anticipated to have a surplus of industrial land. While a thorough set of actions have been set forth to address the projected commercial land needs of the City of Salem, the subject site is not currently zoned to allow for commercial or industrial use and is therefore outside of the scope of activities initiated by the City of Salem to provide for such needs within either zone designation. The zone change requested is consistent with the City of Salem Comprehensive Plan designation. The applicant acknowledges the need for commercial land, however recognizes that the requested zone change meets the primary goal of congruence with the applicable comprehensive plan. Goals and policies have been updated in the Salem Area Comprehensive Plan to reflect Salem's commercial land needs, however they do not include this site in the chosen means to meet the future commercial land needs. As designated as Multi-Family Residential by the City of Salem Comprehensive Plan, this site has been identified to be best suited for multiple family residential uses. The applicant finds the above information to sufficiently fulfill Statewide Land use Planning Goal 9.

Regarding Statewide Land Use Planning Goal 10, Housing

The State of Oregon's Urban Planning website indicates that fulfilling the housing needs of all Oregonians is more crucial now than any other time. The shortage of housing units is well documented statewide, as well as specific to Salem. The Housing Needs Analysis was conducted by the City of Salem in 2014 in order to develop strategies to provide enough land to meet Salem's future housing needs. In the course of the Housing Needs Analysis, it was found that Salem has a projected 207 acre deficit of land for multifamily housing. Included in the recommendations of the study was the stated priority of increasing land available for multifamily development. The Urban Development Code is designed to provide for urban development consistent with the land use designation in the applicable city comprehensive plan. The applicant has applied for a zone change to allow for an intended means of development to help meet the need for multifamily housing units. Until the Urban Development Zone is changed to Multiple Family Residential, multifamily housing will not be an allowed use upon the vacant parcel. The intention and plan of development is an appropriate and effective means by which the applicant intends to provide housing to the undersupplied Salem multifamily market, and therefore meets Statewide Land Use Planning Goal 10.

Regarding Statewide Land Use Planning Goal 11, Public Facilities and Services

A preliminary site visit has been conducted by a Civil Engineer assigned to the preliminary Civil Engineering on this proposed development, and it is expected that the development can be served by a combination of existing public utilities, and extensions of public infrastructure to serve the proposed development as well as future developments nearby. Public infrastructure requirements will be planned in collaboration with the appropriate professionals in appropriate timing following the zone change decision. In tandem with public infrastructure plan documents, the applicant will submit complete building permits including the Engineering and Site Plan documents necessary for the proposed development. Contact has been made with the associated sanitation service, and the preliminary site plan has been designed in accordance with the instruction of the service provider to ensure the development will meet the requirements necessary for service. It has been confirmed by the City of Salem that prior to the release of certificates of the certificates of occupancy for the proposed development, annexation will be required to bring the subject site into the City of Salem City limits, therefore providing further public services such as police and fire protection, and all such public services available to property within the City. The applicant has found this information to be sufficient to meet the requirements of Statewide Land Use Planning Goal 11.

Regarding Statewide Land Use Planning Goal 12, Transportation

The proposed development will be along Fisher Rd. NE, which is a collector street by City of Salem Street Classification. Per Table 803-1 of the Salem Revised Code, collector streets have an established Right of Way Width of 60 ft. It is anticipated that there will be a required Right of Way dedication at the site frontage, in order to achieve a 60 ft. street width. It is anticipated that conditions of development will include the extension of the City Sidewalk that exists to the north of the subject site to be extended across the street frontage of the subject site.

- The site will be most proximate Cherriots Bus Stop: Lancaster & Cooley, Stop ID 458, at a distance of 0.8 walkable miles from the subject site along continuous City Sidewalk. The nearest transit park and ride is the Cherriots Market Street Park and Ride, Stop ID 223 at a distance of 2.3 miles.
- The nearest municipal airport is Salem Municipal Airport, at a distance of 7.8 drivable miles from the site. The nearest train station is the Salem Amtrak/Greyhound Bus Station located 4.8 drivable miles from the site.
- Per MCC 16.30.170(3), the greater of four spaces or 0.1 bicycle parking spaces will be provided on site to service the proposed development.

As enforced by the State's TPR, Chapter 660 Division 12; Transportation Planning, this development is not anticipated to a) Change the functional classification of an existing or planned transportation facility b) change standards implementing a functional classification system or c) Result in either of the aforementioned conditions based upon projected conditions measured at the end of the planning period identified in the adopted TSP. For this reason, the applicant does not expect there to be additional need to construct, alter, or expand a transportation facilities as a result or condition of the proposed development. The zone change is not expected to significantly affect an existing or planned transportation facility. The above information is believed to sufficiently address Statewide Land Use Planning Goal 12.

Regarding Statewide Land Use Planning Goal 13, Energy Conservation

The Salem Transportation System Plan has been created with the purpose of providing a long range transportation guide that is intended to help meet local transportation needs through the year 2030. Efforts have been initiated and guided from this document to develop a transportation system plan that provides increased mobility opportunities for all travel modes. The applicant recognizes the modes of transportation that exist and are readily available to meet the needs of the proposed development are, in part, due to the thoughtful planning of those involved in the creation of the Salem Transportation System Plan. The applicant recognizes that the factors that allow development of any kind to occur on the subject site and largely “downstream” of a set of planning activities of the past that are governed by the Statewide Land Use Planning goals. The existing higher density zoning designation of Multiple Family Residential, and Collector street classification and appropriate road width allow for the subject site to serve the proposed development in such a way to allow for efficiencies of travel, commerce, and daily life. Building plans and designs will be submitted to conform to the Marion County Development Code, which includes applicable setback requirements, building height requirements and various site requirements to ensure adequate and appropriate levels of separation between the development and neighboring properties. The accessibility to Lancaster Drive provides for a multitude of services, commerce activities, and services to meet daily life of future inhabitants. The proposed development does not interfere or inhibit a planned energy conservation or production activity or facility known to the applicant, and Statewide Land Use Planning Goal 13 is therefore addressed.

Regarding Statewide Land Use Planning Goal 14, Urbanization

Among a variety of goals, the City of Salem has established the Salem Urban Growth Boundary in order to ensure an adequate supply of land in an efficient manner. A public transportation plan and public utility plan have been established by the City. All such efforts have been put forth in order to allow such land within the UGB to be defined as urbanizable. Annexation of land into the City may be initiated by the City Council upon its own motion. In acknowledgement of feedback provided by the City of Salem pertaining to the proposed development, it is expected that this site will be annexed into the City of Salem. In the applicant’s perspective, this zone change is a simple and necessary step required in conformance with county code requirements. The result of the allowable development will provide for a higher density use in an area that justifies such multifamily housing. The Statewide Land Use Planning Goal 14 has been met.

The applicant has reviewed Statewide Planning Goals and has found neither of the remaining goals to create any constraints applicable to the zone change requested:

- Goal 15 Willamette River Greenway
- Goal 16 Estuarine Resources
- Goal 17 Coastal Shorelands
- Goal 18 Beaches and Dunes
- Goal 19 Ocean Resources

6. Conclusion

It is with the above acknowledgement and attached supporting exhibits that the applicant has established rationale for the approval of a zone change of the subject site from Urban Transition to Multiple Family Residential. The applicant concludes that the requested change to Multiple Family Residential would conform to the requirements provided in the Marion County Development code, as well as be consistent with the Statewide Planning goals set forth by the State of Oregon, as acknowledged in this application.

7. List of Exhibits

Please reference the below supporting documents, provided by the applicant to fulfill the requirements of the Zone Change Application, and provide a thorough, complete, and compelling narrative as to the zone change request being made. This application is hereby submitted inclusive of the below exhibits and required application fee.

Exhibit 1.1: Marion County Zone Change Application Form, with signatures as required per Marion County Development Code 16.36.070, names and addresses of mortgagees or contract sellers of the subject property, and address of the subject property.

Exhibit 2.1: The latest Transfer Document, as required by Marion County Development Code 16.36.070.

Exhibit 3.1: A scaled plot plan, including the boundaries of the property, and location and configuration of proposed structures.

Exhibit 4.1: Correspondence with City of Salem Public Works outlining annexation following submission of building permits to Marion County, and prior to release of Certificates of Occupancy of proposed development.