



# City of Salem

## Salem Planning Commission

Community Development Department

November 15, 2022

5:30 PM – 7:30 PM

Online (ZOOM)

Si necesita ayuda para comprender esta información, por favor llame 503-588-6178

### PARTICIPANTS

#### Commission Members:

Dan Augustyn, Ronald Eachus, Kaley Fought, Daisy Goebel, President Chane Griggs, Lisa Heller, Vice-President Ian Levin, Michael Slater, and Robert Vieyra-Braendle

#### City Staff:

Lisa Anderson-Ogilvie, AICP, Deputy Director and Planning Administrator

Tory Banford, UD Program Manager

Robert Chandler, Deputy Public Works Director

Laurel Christian, Development Services Planner II

Thomas Cupani, Deputy City Attorney

Shelby Guizar, Administrative Analyst

Seth Lenaerts, UD Program Manager

### AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. PUBLIC COMMENT (agenda items other than public hearings, deliberations, and the merits of land use issues that are reviewable by the Planning Commission at public hearings)  
*Please contact Shelby Guizar at [SGuizar@cityofsalem.net](mailto:SGuizar@cityofsalem.net), 503-540-2315, or City of Salem Planning, Attn: Shelby Guizar, 555 Liberty St SE Rm 305, Salem OR 97301 to provide written testimony or sign up to provide in-person testimony.*
4. CONSENT CALENDAR (approval of minutes, adoption of routine items requiring Commission action)
  - 4.1 Approval of Minutes: October 4, 2022 Minutes (Augustyn)  
**Recommended Action:** Approve
  - 4.2 Resolutions: None
  - 4.3 Action Items: None
5. PUBLIC HEARINGS (hearings begin no earlier than 5:30 p.m. unless otherwise noted. The statement of criteria will be read at the beginning of the hearings):
  - 5.1 Public Works Code Amendment Case No. CA22-03 for Proposed Amendments to SRC Chapter 86; Laurel Christian, [LChristian@cityofsalem.net](mailto:LChristian@cityofsalem.net)

SUMMARY: Proposed amendments to Salem Revised Code (SRC) Chapter 86, titled Trees on City Owned Property, to address issues that have arisen after several years of experience with the code and based on feedback received from Council and the public.

Recommended Action: [Adopt Staff Report](#)

5.2 Public Works Code Amendment Case No. CA22-04 for Proposed Amendments to SRC Chapters 77, 78, 200, and 803; Laurel Christian, [LChristian@cityofsalem.net](mailto:LChristian@cityofsalem.net)

SUMMARY: Proposed amendments the Salem Revised Code (SRC) updating Chapters 77 (Permits and Street Improvements), 78 (Sidewalks), 200 (Urban Growth Management), and 803 (Streets and Right-of-Way Improvements) to address issues that have arisen based on experience with the code and based on feedback received from stakeholders involved in development projects and mitigating transportation impacts.

Recommended Action: [Adopt Staff Report](#)

6. SPECIAL ORDERS OF BUSINESS: None

7. INFORMATION REPORTS:

7.1 Minor Amendment to the West Salem Urban Renewal Area Plan; Seth Lenaerts, Urban Development, [slenaerts@cityofsalem.net](mailto:slenaerts@cityofsalem.net).

SUMMARY: Minor amendment to the West Salem Urban Renewal Area Plan to align with Oregon Revised Statutes.

8. PUBLIC COMMENT (other than agenda items)

9. PLANNING ADMINISTRATOR'S REPORT

10. COMMISSIONER COMMENTS FOR THE GOOD OF THE ORDER

11. ADJOURNMENT

### **DIGITAL MEETING ACCESS and TESTIMONY INSTRUCTIONS**

To view this meeting LIVE on YouTube, please visit this link with your computer, tablet, or smartphone by clicking this link: <https://bit.ly/planningpublicmeetings>

TO PROVIDE WRITTEN TESTIMONY ON A PUBLIC HEARING ITEM: Email written testimony to the Case Manager or mail to City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. We recommend you email comments to ensure receipt before the public hearing.

TO SIGN UP TO PROVIDE IN-PERSON TESTIMONY ON A PUBLIC HEARING ITEM: You may provide testimony digitally at the public hearing. To sign up to provide live testimony during a public hearing, please email [SGuizar@cityofsalem.net](mailto:SGuizar@cityofsalem.net) or call 503-540-2315 by the date of the meeting at 3:00 p.m.

Staff Reports and presentations for this meeting will be available at this link, see "Agendas and Meeting Minutes": <https://www.cityofsalem.net/government/boards-commissions/commissions/salem-planning-commission>

To submit written comments for items not on the agenda please contact Shelby Guizar, Administrative Analyst, at [SGuizar@cityofsalem.net](mailto:SGuizar@cityofsalem.net) or 503-540-2315.

Special accommodations are available, upon request, for persons with disabilities or those needing sign language interpretation, or languages other than English. To request accommodations or services, please call 503-540-2371 (TTD/TTY 503-588-6439) at least two business days in advance.

It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity, and source of income, as provided by Salem Revised Code 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, Americans with Disabilities Act of 1990, and related statutes and regulations, in all programs and activities.

### **FUTURE SALEM PLANNING COMMISSION AGENDA ITEMS**

***NOTE: This schedule is tentative and subject to change.***

December 6, 2022 – No items to date

### **SALEM PLANNING COMMISSION PUBLIC HEARING PROCEDURES**

THE PROCESS FOR THE PUBLIC HEARING will begin with the staff presentation, followed by the applicant's case presentation (*limited to a total of 15 minutes*), neighborhood organization comments (*limited to a total of 10 minutes*), testimony of persons either in favor or opposition (*limited to 5 minutes each, discretionary*), and a rebuttal opportunity for the applicant (*limited to 5 minutes*), should opposition be raised. The public testimony portion will then be closed and Commission deliberation follows.

THE APPLICANT HAS THE BURDEN OF PROOF to show that the approval criteria can be satisfied by the facts. Opponents may rebut the applicant's testimony by showing alternative facts or by showing that the evidence submitted does not satisfy the approval criteria. Any participant may request that the hearing be continued or that the record be left open for submission of additional evidence or testimony. The Commission may continue the hearing to another date and time, or leave the record open to receive additional evidence or written testimony.

PLANNING COMMISSION DECISIONS are based on the criteria contained in the Salem Revised Code. Applicable criteria for each case, referenced in the public hearing notice and staff report, can be found in the Salem Revised Code. Applications may be approved, conditionally approved, or denied on the basis of conformity with the applicable criteria. Conditions of approval may be placed on an approval to ensure the proposal complies with all applicable portions of the Salem Revised Code.

ALL ISSUES MUST BE RAISED AT THE HEARING. Failure to raise an issue, accompanied by statements or evidence sufficient to afford the parties an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals (LUBA) on that issue. A similar failure to raise constitutional issues relating to any proposed conditions of approval precludes an action for damages in Circuit Court.

Salem Revised Code (SRC) and other informative documents may be accessed online at:

<https://www.cityofsalem.net/src>

Planning Commission agendas and reports online can be found at:

<https://www.cityofsalem.net/government/boards-commissions/agendas-minutes/-folder-220>