NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
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CITY OF Salem AT YOUR SERVICE

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

DECISION OF THE PLANNING COMMISSION

FAIRVIEW REFINEMENT PLAN / PHASED SUBDIVISION TENTATIVE PLAN / AIRPORT OVERLAY ZONE HEIGHT VARIANCE CASE NO.: FRP-SUB-AVAR24-01

APPLICATION NO.: 24-119639-PLN

NOTICE OF DECISION DATE: January 30, 2025

SUMMARY: An application to develop approximately 102.44 acres of the former Fairview Training Center site pursuant to the requirements of the Fairview Mixed-Use zone and the Fairview Plan, the adopted master plan for the former Fairview Training Center site.

REQUEST: A consolidated application to develop approximately 102.44 acres of the former Fairview Training Center site. The application includes the following:

1) A new Refinement Plan - the Fairview Hills Refinement Plan, pursuant to SRC 530.030, for the approximate 102.44-acre property setting forth the requirements and standards for future development of the property consistent with the provisions of the Fairview Mixed-Use Zone (SRC Chapter 530) and the adopted Fairview Plan;
2) A Phased Subdivision to divide the property into 562 lots in six phases, with residential lots ranging in size from approximately 2,271 square feet to approximately 12,032 square feet in seven basic lot configurations accommodating a variety of front-loaded and alley-loaded single-family detached and attached homes; together with open space, green corridors, and a community park; and
3) An Airport Overlay Zone Height Variance, pursuant to SRC 602.025, to allow structures within portions of the site to exceed the maximum height limits of the Cityfts Airport Overlay Zone (SRC Chapter 602).

The subject property is zoned FMU (Fairview Mixed-Use) and located in the 4300 to 4600 Blocks of Battle Creek Road SE and the 4100 to 4500 Blocks of Reed Road SE (Marion County Assessor's Map and Tax Lot Numbers: 083W110000300 and 083W110000400).

APPLICANT: Josh Lang, of Holt Homes (Greg Kubicek, Rian Tuttle, James Reinhart, Michael Loomis, William Gruner, Naoki Tamori, Hiroaki Takahama, Satoshi Yoshimura, Takanobu Yoshimoto, Rick Robideau, David Barclay, John Ochsner)

LOCATION: 4300 to 4600 Blocks of Battle Creek Rd SE, and 4100 to 4500 Blocks of Reed Rd SE, Salem OR 97302

CRITERIA: Salem Revised Code (SRC) Chapters 530.030(e) – Fairview Refinement Plan; 205.015(d) – Phased Subdivision Tentative Plan; 602.025(d) – Airport Overlay Zone Height Variance

FINDINGS: The findings are in the attached Decision dated January 30, 2025.

DECISION: The **Planning Commission APPROVED** Fairview Refinement Plan, Phased Subdivision Tentative Plan and Airport Overlay Zone Height Variance Case No. FRP-SUB-AVAR24-01 subject to the following conditions of approval:

Condition 1: The development standards of the refinement plan shall be revised as identified in Attachment F.

Condition 2: The applicant shall submit a homeowners' association agreement and covenants, conditions, and restrictions (CC&R) document for review and approval by the City Attorney meeting the requirements of SRC 205.035(f) and SRC 803.020(b)(3) and providing for the perpetual maintenance and operation of all common properties and facilities within the development including, but not limited to: private streets, private utilities, open spaces, common facilities, and community areas. The document shall be recorded prior to final plat approval for each phase.

Condition 3: Prior to final plat approval for each phase, required right-of-way dedications and required easements for that phase shall be free and clear of encumbrances and liens unless an adjustment to SRC 200.050(d) is approved.

Condition 4: Prior to final plat approval for each phase, provide an engineered stormwater design and final stormwater report pursuant to SRC 71 and the Public Works Design Standards (PWDS) to accommodate new impervious surfaces in rights-of-way and future impervious surfaces on all proposed lots. The revised report shall demonstrate the proposed stormwater design complies with SRC Chapter 71 and the PWDS for each phase of development and at full buildout.

Condition 5: Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct stormwater facilities pursuant to SRC 71 and the Public Works Design Standards to accommodate new impervious surfaces in rights-of-way (public and private) and future impervious surfaces on all proposed lots within that phase.

Condition 6: Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), extend public water mains within the new internal streets of the subdivision to serve each lot within that phase as shown on the applicant's utility plan and designed and constructed in accordance with the Public Works Design Standards.

Condition 7: Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct a looped 12-inch water main from Battle Creek Road SE to Reed Road SE and Lindburg Road SE as shown on the applicant's preliminary utility plan. The main shall be designed and constructed in accordance with the Public Works Design Standards.

Condition 8: Prior to issuance of Public Construction plans for Phase 5, the applicant shall work with City staff for design of public water service to lots 352 through 373. Lots 374 through 395 shall be served by the public water in 2nd Street. The final public water system design shall be approved by the Public Works Director.

Condition 9: Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), extend public sanitary sewer mains designed and constructed in accordance with the Public Works Design Standards within the new internal streets of the subdivision to serve each lot within that phase as shown on the applicant's utility plan.

Condition 10: Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), extend public stormwater mains designed and constructed in accordance with the Public Works Design Standards within the new internal streets of the subdivision to serve each lot within that phase as shown on the applicant's utility plan.

Condition 11: Prior to final plat approval for each phase, all necessary (existing and proposed) access and utility easements to serve that phase shall be shown and recorded on the final plat.

Condition 12: Prior to final plat approval for each phase, dedicate easements for existing and proposed public infrastructure on the site and within that phase to current standards in Public Works Design Standards Section 1.8 (Easements).

Condition 13: Prior to final plat approval for each phase, where public utilities are provided in alleys and private streets, the applicant shall dedicate easements centered on the main extending onto the property adjacent to the alley or private street rights-of-way that provide equal easement widths meeting Public Works Design Standards Section 1.8 for Pipeline Easement Width.

Condition 14: Prior to final plat approval for each phase with frontage on Battle Creek Road SE, convey land for dedication to equal a half-width right-of-way of 36-feet on the development side of Battle Creek Road SE.

Condition 15: Prior to final plat approval for each phase with frontage on Battle Creek Road SE, dedicate a public sidewalk easement for the shared use path along Battle Creek Road SE where the path extends onto private property within that phase. The easement shall extend 1-foot from the shared-use path to allow for maintenance of the path.

Condition 16: Prior to final plat for each phase with frontage on Battle Creek Road SE, construct a three-quarter street improvement along the phase boundary of Battle Creek Road SE to minor arterial street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803, with the exception of the approved alternative standards to its cross section as shown on the applicant's street plan sheets SC-05 and SC-06.

Condition 17: Prior to final plat approval for each phase with frontage on Reed Road SE, convey land for dedication to equal a half-width right-of-way of 36-feet on the development side of Reed Road SE.

Condition 18: Prior to final plat approval for Phase 4, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a three-quarter street

improvement along the Phase 4 frontage of Reed Road SE to minor arterial street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.

Condition 19: Dedicate public rights-of-way for the new public streets and alleys with final plat for each phase, as shown on the applicant's tentative plan.

Condition 20: Prior to final plat approval for each phase, dedicate public access and City utility easements for the new private streets within that phase, as shown on the applicant's tentative plan.

Condition 21: Prior to final plat approval for each phase, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct internal streets and alleys within that phase in accordance with the Public Works Design Standards as modified by the Fairview Hills Refinement Plan.

Condition 22: The cross sections for those portions of 1st Street and 12th street shall be designed to transition to the approved cross sections of 1st Street and Q Street within the Fairview Addition West subdivision where the streets connect.

Condition 23: Prior to final plat approval for each phase with frontage on Battle Creek Road SE, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), plant street trees within that phase along Battle Creek Road SE in accordance with the Public Works Design Standards. The required trees along Battle Creek Road SE shall be planted at time of construction of the boundary street improvement for each phase of development.

Condition 24: Prior to final plat approval for Phase 1, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), plant street trees along the stormwater facility frontage of Lindburg Road SE in accordance with the Public Works Design Standards at time of construction of the stormwater facility.

Condition 25: Prior to final plat approval for Phase 4, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), plant street trees along the unimproved Phase 4 frontage of Reed Road SE in accordance with the Public Works Design Standards. The required trees along Reed Road shall be planted at time of construction of the boundary street improvement.

Condition 26: Prior to final plat approval for each phase, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), install street trees along the frontages of the open space areas within that phase of development in accordance with the Public Works Design Standards.

Condition 27: At the time of development (building permit) of each lot, street trees along all new internal streets (public and private) shall be planted in accordance with the Public Works Design Standards as modified by the Fairview Hills Refinement Plan.

Condition 28: Private Street Trees planted along the new internal private streets shall be maintained in good health and replaced if damaged or dead.

Condition 29: On all public streets with landscape strips less than 8 feet in width, the applicant shall:

A. Install root barriers and utilize structural soil under the two adjacent sidewalks panels to the new tree planting (8-foot minimum width), to a depth of at least 3-feet;
B. Ensure the earth adjacent to the tree directly under the proposed sidewalk be removed and replaced with new structural soil material equal to 4.5 cubic yards per tree to allow roots to travel under the sidewalk nearest the root flare; and
C. Obtain approval from the Public Works Department for the species of tree to be planted within the reduced width landscape strip.

Condition 30: Prior to final plat approval for each phase, show public utility easements on the plat for that phase, as shown on the applicant's tentative phased subdivision plan and in conformance with the Fairview Hills Refinement Plan.

Condition 31: Prior to final plat approval for Phase 4, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), the applicant shall design and construct one transit stop along Reed Road SE in a location approved by Cherriots and the Public Works Department.

Condition 32: Prior to final plat approval for each phase, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), the applicant shall design and construct, and dedicate public access easements for, the public accessway mid-block connections shown on the applicant's tentative subdivision plan for that phase in conformance with the Public Works Design Standards. Public accessways located on open space lots and within public access easements shall be maintained by the Homeowner's association.

Condition 33: Prior to issuance of Public Construction permits, the applicant shall provide evidence that any required State and/or Federal permits have been obtained relating to development adjacent to jurisdictional wetlands and waterways.

Condition 34: Prior to submittal of building permits for any lot within the subdivision, the applicant shall provide a final report from a geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical considerations for each individual building lot.

Condition 35: Prior to final plat approval for Phase 1, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), the applicant shall:

A. Complete the development of linear park improvements on proposed Lot 95 (Open Space 1) in alignment with the polices outlined in the City of Salem Comprehensive Parks System Master Plan and the trail development guidelines in the Oregon Parks and Recreation Department's Accessibility Design Standards.
B. Dedicate a public access easement over the linear park improvement which specifies that the operation, repair, and maintenance of the linear park improvement will be the responsibility of the Homeowners' Association.

Condition 36: Prior to final plat approval for Phase 2, or delayed pursuant to an improvement

agreement per SRC 205.035(c)(7)(B), the applicant shall:

A. Complete the development of linear park improvements on proposed Lot 184 (Open Space 2) in alignment with the polices outlined in the City of Salem Comprehensive Parks System Master Plan and the trail development guidelines in the Oregon Parks and Recreation Department's Accessibility Design Standards.
B. Dedicate a public access easement over the linear park improvement which specifies that the operation, repair, and maintenance of the linear park improvement will be the responsibility of the Homeowners Association.

Condition 37: Prior to final plat approval for Phase 5, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), the applicant shall:

A. Complete the development of linear park improvements on proposed Lots 405 (Open Space 6), 419 (Open Space 8), and 420 (Open Space 7) in alignment with the polices outlined in the City of Salem Comprehensive Parks System Master Plan and the trail development guidelines in the Oregon Parks and Recreation Department's Accessibility Design Standards.
B. Dedicate a public access easement over the linear park improvement which specifies that the operation, repair, and maintenance of the linear park improvement will be the responsibility of the Homeowners Association.

Condition 38: Prior to final plat approval for Phase 4, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct a raised median island pedestrian crossing along Reed Road SE, as shown on the applicant's plans and constructed in accordance with the Public Works Design Standards.

Condition 39: Prior to final plat approval for Phase 3, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct a realigned signalized intersection of Battle Creek Road SE and Reed Road SE to minor arterial standards pursuant to the Public Works Design Standards (PWDS). The applicant is required to acquire and/or convey land for dedication of right-of-way as needed to construct the required improvements to the Reed and Battle Creek intersection. The intersection shall include:

A. A westbound to southbound left turn lane on Reed Road SE;
B. A southbound to eastbound left turn lane on Battle Creek Road SE;
C. A northbound to eastbound right turn lane on Battle Creek Road SE; and
D. An interconnection via underground fiber-optic cable to the existing traffic signal at Kuebler Boulevard SE and Battle Creek Road SE.

Condition 40: Prior to final plat approval for Phase 1, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), the applicant shall ensure that Phase 1 is served by public infrastructure:

A. Construct water, sewer, and stormwater infrastructure within Phase 3 and Phase 5 needed to serve Phase 1, as shown on the applicant's utility plan.
B. Provide easements and all-weather access roads pursuant to the Public Works Design Standards within Phase 3 and Phase 5 for utilities needed to serve Phase 1.
C. Design all streets and alleys in Phase 3 and Phase 5 in which public infrastructure is needed to serve Phase 1 in sufficient detail to establish final

street grades.

Condition 41: Prior to final plat approval for each phase or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), the applicant shall provide a plan showing adequate Fire Department Access and construct the required accesses.

Condition 42: Along Battle Creek Road SE and Reed Road SE, convey as right-of-way Proposed Lot 330 (Open Space 5) and the portion of Proposed Lot 273 (Open Space 4) which lies between Reed Road SE and the boundary of Marion County tax lot 083W110000400 (Proposed Park Site).

Condition 43: Prior to final plat approval for Phase 1, the applicant shall submit updated aeronautical studies from the Federal Aviation Administration (FAA) that include only the subject property. If the maximum heights determined in the studies conflict with those identified in the refinement plan, the refinement plan standards shall be revised to reflect the maximum heights determined in the updated FAA studies.

Condition 44: Prior to final plat approval for Phase 1, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), at the intersection of Battle Creek Road SE and Independence Drive SE, construct a curb return with ADA ramps on the southerly corner of the intersection. Extend the existing sidebalk on the southerly side of Independence Drive to Battle Creek Road, approximately 30 feet. Install a marked crosswalk according to the Public Works Design Standards, including solar powered pedestrian activated edge-lit signs, advanced signing, and streetlights as required.

VOTE:

Yes 8 **No 0** **Absent 1 (**Commissioner Heller**)**

Michael Slater, President, Salem Planning Commission
The rights granted by the attached decision must be exercised, or an extension granted, by February 15, 2027, or this approval shall be null and void.

Application Deemed Complete:	December 18, 2024
Public Hearing Date:	January 14, 2025
Notice of Decision Mailing Date:	January 30, 2025
Decision Effective Date:	February 15, 2025
State Mandate Date:	April 17, 2025

Case Manager: Bryce Bishop, Planner III, bbishop@cityofsalem.net, 503-540-2399

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m., Friday, February 14, 2025. Any person who presented evidence or testimony at the hearing may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapters 205, 530 and 602. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The City Council will review the appeal at a public hearing. After the hearing, the City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

http://www.cityofsalem.net/planning

FACTS & FINDINGS

FAIRVIEW REFINEMENT PLAN / PHASED SUBDIVISON TENTATIVE PLAN / AIRPORT OVERLAY ZONE HEIGHT VARIANCE CASE NO. FRP-SUB-AVAR24-01; 4300 to 4600 BLOCKS OF BATTLE CREEK ROAD SE & 4100 to 4500 BLOCKS OF REED ROAD SE

JANUARY 30, 2025

PROCEDURAL FINDINGS

1. On September 19, 2024, the application was submitted by Grace Wolff, of AKS Engineering & Forestry, on behalf of the applicant, Holt Homes, and property owner, Simpson Hills, LLC.

   Because multiple land use applications are required in connection with the proposed development, they were consolidated and processed together as one pursuant to SRC 300.120(c). When multiple applications are consolidated, the review process for the application follows the highest numbered procedure type required for the land use applications involved, and the Review Authority is the highest applicable Review Authority under the highest numbered procedure type. Based on these requirements, the consolidated Fairview Refinement Plan, Phased Subdivision Tentative Plan, and Airport Overlay Zone Height Variance was required to be reviewed by the Planning Commission and processed as a Type III procedure.

2. After additional requested information was provided by the applicant, the application was deemed complete for processing on December 18, 2024; and notice of the public hearing was subsequently sent, pursuant to SRC requirements, on December 23, 2024, and posted on the property by the applicant on December 31, 2024.

3. On January 14, 2025, a public hearing was held before the Planning Commission. At the hearing the Planning Commission received staff's presentation and heard testimony from the applicant's representatives and members of the public. With the receipt of a written request to leave the record open for an additional seven days to allow for the submittal of additional written comments, the Commission voted, pursuant to SRC 300.970(b) and (c), to continue the public hearing until January 28, 2025, at 5:30 p.m.

4. On January 28, 2025, the continued public hearing was held before the Commission where additional public comments and testimony was provided. Subsequent to the close of the hearing, the Commission proceeded with deliberations on the proposal and voted to approve the proposed Fairview Refinement Plan, Phased Subdivision Tentative Plan, and Airport Overlay Zone Height Variance subject to the conditions of approval included in the original January 14, 2025, staff report and as subsequently revised by the January 14, 2025, and January 28, 2025, supplemental staff reports.

5. The 120-day state mandated local decision deadline for the application is April 17, 2025.

SUBSTANTIVE FINDINGS

1. Proposal

The proposal under review by the Planning Commission is a consolidated application for a new refinement plan, the *Fairview Hills Refinement Plan*, affecting approximately 102.4

acres of the former Fairview Training center site located in the 4300 to 4600 Blocks of Battle Creek Road SE and the 4100 to 4500 Blocks of Reed Road SE **(Attachment A)**. The refinement plan is consolidated with an application for a Phased Subdivision to divide the property into 562 lots over six phases and an application for an Airport Overlay Zone Height Variance to allow structures within portions of the site to exceed the maximum height limits of the City's Airport Overlay Zone (SRC Chapter 602) due to the existing topography of the site, portions of which extend into the Airport Overlay Zone.

Of the proposed total 562 lots within the refinement plan and subdivision, 546 are intended to provide a variety of single-family home types across seven basic lot configurations accommodating front-loaded and alley-loaded single-family detached and attached homes; and the remaining 16 lots accommodate open space areas, mid-block pedestrian crossings, and a stormwater facility.

Vehicular access throughout the refinement plan area is proposed to be provided by a network of public and private streets and alleys. The proposed street network provides internal street connectivity throughout the site, connections to Battle Creek Road, Reed Road, and Lindburg Road on the perimeter of the site, and connections to the abutting Fairview Addition West refinement plan to the north; thereby providing for an interconnected transportation system.

In addition to providing vehicular access, the proposed refinement plan also provides for pedestrian and bicycle connectivity throughout the site with sidewalks located on both sides of the proposed streets and a network of pedestrian paths, shared multi-use paths, and trails connecting the proposed open space areas on the site.

2. Background

On September 24, 2003, the City Council adopted amendments to the Salem Area Comprehensive Plan (SACP) and Salem Revised Code (SRC) establishing a "Mixed Use" comprehensive plan designation and a "Fairview Mixed Use" (FMU) zone district. The adopted amendments were applied to the former Fairview Training Center site to promote the sustainable and mixed-use development of the 275-acre property.

Development within the Fairview Mixed-Use zone requires a master planning process, the first step of which began with the adoption of the Fairview Plan in 2005. The Fairview Plan is the master plan for the entire Fairview site that establishes the overall goals and policies to guide future development of the property.

The second step in the master planning process is the adoption of more detailed refinement plans. Refinement plans are generally intended to apply to areas of the site not less than 40 acres in size. Refinement plans serve as detailed regulatory plans that implement the overall goals, policies, and development objectives of the Fairview Plan and establish the standards for development within specific Refinement Plan areas.

Since the approval of the Fairview Plan in 2005 the following four refinement plans have been approved for the Fairview site:

- Pringle Creek Community (2005)
- Lindburg Green/Fairview Refinement Plan II (2009; Amended 2016)

- Fairview Hills *(original)* / (2012)
- Fairview Addition West (2014)

Of the four above identified refinement plans, all have been vested and are in various stages of development with the exception of the original Fairview Hills refinement plan, which was approved in 2012 along with a 5-lot subdivision. The original Fairview Hills refinement plan covered the northern approximate 41.1 acres of the overall 102.4 acres of the Fairview site owned by Simpson Hills LLC and included a mix of apartments, duplexes, townhomes, and carriage houses along with an area of neighborhood commercial. Subsequent to their approval, however, both the refinement plan and the corresponding five-lot subdivision expired.

The proposed new Fairview Hills Refinement Plan encompasses not only the 41.1 acres of the Fairview site that was included in the original Fairview Hills Refinement Plan but also the remaining portion of the 102.4 acres of the site currently owned by Simpson Hills LLC and will represent the last portion of the Fairview site to receive refinement plan approval, other than the Braden Lane Natural Area located to the northwest of the subject property adjacent to Pringle Road/Battle Creek Road which has been donated to the City.

3. Summary of Record

The following items are submitted to the record and are available: 1) All materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; 2) Any materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public; and 3) All documents referenced in this report.

All application materials are available on the City's online Permit Application Center at https://permits.cityofsalem.net. You can use the search function without registering and enter the permit number listed here: 24 119639.

4. Applicant's Materials

Land use applications are required to include a statement addressing the applicable standards and approval criteria of the Salem Revised Code and must be supported by proof they conform to such standards and approval criteria. The plans submitted by the applicant depicting the proposed development, and in support of the proposal, are attached to this report as follows:

- Proposed Refinement Plan: **Attachment B**
- Proposed Refinement Plan Land Use Plans: **Attachment C**
- Tentative Phased Subdivision Plan: **Attachment D**

Please note that due to the overall size of the proposed refinement plan document, the entire refinement plan could not be included with this staff report. The complete Fairview Hills Refinement Plan *(including supporting exhibits)* can be viewed on the City's website at the following location:

https://salemor.gov/fairview-hills-refinement-plan

5. Existing Conditions

Site and Vicinity

The property included with this proposal totals approximately 102.4 acres in size and located in the 4300 to 4600 Blocks of Battle Creek Road SE and the 4100 to 4500 Blocks of Reed Road SE.

The subject property abuts Battle Creek Road SE – a minor arterial street, on the southwest, Reed Road SE – minor arterial street, on the southeast, and Lindburg Road SE – a collector street on the northeast. The Fairview Addition West refinement plan abuts the property to the northwest and the Fairview Refinement Plan II refinement plan is adjacent to the property to the northeast.

Vehicle, bicycle, and pedestrian access to the property is provided by the existing street network which serves the subject property and the surrounding area.

Salem Area Comprehensive Plan (SACP)

The Salem Area Comprehensive Plan designates the subject property as “Mixed Use.” The comprehensive plan map designations of surrounding properties are as follows:

Comprehensive Plan Map Designations of Surrounding Properties	
North	Mixed-Use
	Across Lindburg Road SE – Mixed-Use
South	Across Battle Creek Road SE – Single Family Residential
East	Across Reed Road SE – Community Service Hospital; Single Family Residential; and Parks, Open Space, and Outdoor Recreation
West	Across Battle Creek Road SE – Single Family Residential

Relationship to Urban Service Area

The subject property lies outside the City's Urban Service Area. The Urban Service Area is that territory within City where all required public facilities (streets, water, sewer, storm water, and parks) necessary to serve development are already in place or fully committed to be extended.

Pursuant to the urban growth management requirements contained under SRC Chapter 200 (Urban Growth Management), properties located outside the Urban Service Area are

required to obtain an Urban Growth Preliminary Declaration if development will proceed prior to the necessary public facilities being extended to the property and the Urban Service Area being expanded to incorporate the property.

Two UGA preliminary declarations have been approved for the Fairview property identifying the required linking public facilities for streets, water, sewer, storm water, and parks that are required to be extended to or provided on the site in order to adequately serve the property.

The first UGA preliminary declaration (Case No. UGA04-10) was approved on September 30, 2004, and applied to the 32.5 acres of the Fairview property included within the Pringle Creek Community Refinement Plan. The second UGA preliminary declaration (Case No. UGA04-08) was approved on November 15, 2004, and applied to the remainder of the Fairview property. On August 4, 2011, an amendment to UGA04-08 was approved modifying the public facility requirements.

Zoning Map Designation

The subject property is zoned Fairview Mixed Use (FMU). The zoning of surrounding properties is as follows:

Zoning of Surrounding Properties	
North	FMU (Fairview Mixed-Use)
South	Across Battle Creek Road SE – RA (Residential Agriculture); RS (Single Family Residential)
East	Across Reed Road SE – PH (Public and Private Health Services); RS (Single Family Residential); and PA (Public Amusement)
West	Across Battle Creek Road SE - RS (Single Family Residential) and RA (Residential Agriculture)

City Infrastructure

- *Streets:* The existing conditions of streets abutting the subject property are described in the following table:

Streets			
Street Name		**Right-of-way Width**	**Improvement Width**
Battle Creek Rd SE *(Minor Arterial)*	Standard:	72-feet	46-feet
	Existing Condition:	Variable	36-feet
Reed Rd SE *(Minor Arterial)*	Standard:	72-feet	46-feet
	Existing Condition:	Variable	20-feet to 46-feet

Lindburg Road SE *(Collector)*	Standard:	60-feet	34-feet
	Existing Condition:	60-feet	30-feet to 40 feet

- *City Utilities and Parks*: The existing conditions of city utilities and parks available to serve the subject property are described in the following table:

Utilities & Parks	
Type	**Existing Conditions**
Water	Water Service Level: S-1 and S-2
	A 16-inch S-1 water main is located in Battle Creek Road SE.
	A 16-inch S-2 water main is located in Battle Creek Road SE.
	An 18-inch S-1 water main is located in Reed Road SE.
	8-inch and 16-inch S-1 water mains are located in Lindburg Road SE.
	A 16-inch S-1 water main is located on the subject property in an easement.
Sanitary Sewer	An 8-inch sanitary sewer main is located in Battle Creek Road SE.
	A 15-inch sanitary sewer main is located in Reed Road SE.
	A 10-inch sanitary sewer main is located in Lindburg Road SE.
Storm Drainage	There are open ditches located along Battle Creek Road SE.
	A 36-inch storm main is located in Reed Road SE.
	A 12-inch public storm main is located on the subject property and extends into the Lindburg Road SE right-of-way.
Parks	The proposed development is served by Fairview Park located approximately .08-miles north of the subject property.

- *Fairview Development District:* The subject property is located within the Fairview Development District ("the District") and is subject to an Infrastructure Agreement for the district, which is a recorded agreement. This Infrastructure Agreement establishes that property within the District is exempt from payment of System Development Charges;

however, is subject to payment of an Infrastructure Fee towards improvements within the District in lieu of System Development Charges. The Fairview Development District Infrastructure Fees are provided in the City of Salem Fee Schedule. The process for defining and determining reimbursements for Qualified Public Improvements identified in the Infrastructure Agreement follows the procedures outlined in Public Works Administrative Rule 109-200.

6. Neighborhood Association and Public Comments

The subject property is located within the boundaries of both the Morningside Neighborhood Association.

Open House/Neighborhood Association Meeting:

SRC 300.320 requires an applicant to conduct an open house or attend a regularly scheduled neighborhood association meeting prior to application submittal for certain land use application requests. Pursuant to SRC 300.320(b)(1), land use applications included in this proposed consolidated land use application request require an open house/neighborhood association meeting.

As identified in the application materials submitted by the applicant, the applicant's representative presented the proposed refinement plan and subdivision to the Morningside Neighborhood Association at two different neighborhood association meetings. The first presentation occurred at the neighborhood association's December 13, 2023, meeting and the second presentation occurred at their August 14, 2024, meeting; thereby satisfying the requirements of SRC 300.320.

Neighborhood Association Comments:

Notice of the application was provided to the Morningside Neighborhood Association pursuant to SRC 300.620(b)(2)(B)(vii), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. Comments were received from the neighborhood association prior to the January 14, 2025, public hearing indicating support for the proposed development. The neighborhood association indicates, in summary, that the development of this area has been anticipated under the previously approved Fairview Master Plan and they are encouraged to see it moving forward. The neighborhood association explains that the project aligns with the community's goals by providing housing options and preserving green open spaces that they believe will enhance the quality of life in their neighborhood and contribute to the sustainable growth of Salem.

Homeowners' Association:

Pursuant to SRC 300.620(b)(2)(B)(vi), notice is required to be provided to any active and duly incorporated Homeowners' Association (HOA) involving property subject to a Type III land use application. According to application materials submitted by the applicant, the subject property is not located within a Homeowners' Association (HOA); therefore, HOA notice is not applicable.

Public Comments:

In addition to providing notice to the neighborhood association, notice was also provided, pursuant to SRC 300.620(b)(2)(B)(ii), (iii), (viii), & (ix), to property owners and tenants within 250 feet of the subject property. Public comments and testimony were received prior to the January 14, 2025, public hearing; as well as during that hearing, and prior to and during the subsequent continued January 28, 2025, public hearing. Comments provided, including a petition signed by residents of the Cambridge Woods neighborhood to the west of the subject property across Battle Creek Road, expressed concerns about a number of issues primarily relating, in summary, to impacts of increased traffic; vehicle speed and safety on Battle Creek Road; improvements for pedestrian safety; and the effects of the proposed development on school capacity.

A. Increased traffic and safety. Comments received expressed potential traffic and safety concerns resulting from the proposed development relating to the additional traffic that will be generated by the development; the impact the additional traffic will have on streets within the surrounding area, including Strong Road SE; the speeds at which vehicles drive on Battle Creek Road and limited sight distance; the need for sidewalks on both sides of Battle Creek Road; and whether or not Battle Creek Road SE will be "reclassified" through the Oregon Department of Transportation

Staff Response: As described in the findings within the original January 14, 2025, staff report, the applicant will be required to dedicate public street right-of-way along their property frontage and construct a minor arterial three-quarter boundary street improvement along Battle Creek Road SE, which will include the addition of a center turn lane to the roadway as well as a shared-use path on the development side of the street to accommodate bicyclists and pedestrians. The addition of a center turn lane along Battle Creek Road SE will improve safety for vehicles entering and existing Battle Creek Road SE into the development site as well as neighborhoods and driveways on the west side of Battle Creek Road SE. The proposed shared use path along Battle Creek Road SE will improve pedestrian safety by providing an off-street space for bicyclists and pedestrians, where none exists today. Salem Revised Code (SRC) Chapter 803 requires sidewalks to be constructed on the development side of the street, but does not require the applicant to provide sidewalks on the opposite side of the street. Therefore, staff cannot require sidewalks on both sides of Battle Creek Road SE. However, staff has recommended an additional condition of approval *(Condition 44)* which will require a pedestrian crossing at the intersection of Battle Creek Road SE and Independence Drive SE which will allow residents of the neighborhoods on the west side of Battle Creek Road SE to cross the road safely to access the proposed shared use path.

Battle Creek Road SE is classified as a minor arterial street in the City's Transportation System Plan (TSP). Minor arterial streets are intended to be high-capacity streets that serve regional and intercity travel and provide peripheral routes throughout the City. Consistent with its classification, Battle Creek Road SE carries high volumes of traffic and is not recommended to be reclassified. The existing condition of Battle Creek Road SE along the property frontage is underimproved and does not meet minor arterial roadway standards. Recommended conditions of the approval for the proposed

development require Battle Creek Road SE be improved to minor arterial standards to meet its classification under the TSP.

The issue of speeding on Battle Creek Road SE is not something that the City can address through this application. The posted speed of Battle Creek Road SE along the development frontage is 40 miles per hour. Comments received state that users of the roadway often travel at higher speeds. The City cannot condition a development to reduce a speed along a roadway, as changing of speed limits is under the authority of the Oregon Department of Transportation (ODOT). At this time, City of Salem Traffic Engineering staff would not request an ODOT speed zone investigation of Battle Creek Road SE. It would be better to wait until the site is fully built out, at which time an investigation would likely show a reduction of travel speeds and the posted speed limit could be reduced accordingly. In the interim, activating the streetscape with pedestrians and bicyclists will require vehicle drivers to be more aware; and the signalization of the Reed Road and Battle Creek Road intersection, as well as the signed and striped pedestrian crossing at the intersection of Independence Street and Battle Creek Road, will create required stopping points for vehicles where none exist today.

Concerning limits on vehicle access from the proposed development to Strong Road SE, Strong Road through the Fairview site is designated as a Collector Street under the City's Transportation System Plan. Collector Streets are intended to accommodate a higher level of vehicle traffic than local streets. As such, a higher level of traffic is envisioned for Strong Road and the street will function as intended under the City's Transportation System Plan (TSP) and Fairview Plan without limits on vehicle access.

Concerning vehicle access from D and G Streets within the development to Battle Creek Road, the applicant was required to provide a traffic impact assessment for the proposed development which included an analysis of sight distance and access spacing on Battle Creek Road. The analysis indicates that the proposed street connections optimize access spacing and sight distance along Battle Creek Road; including locating D Street at the apex of the crest and vertical curve on Battle Creek Road, thereby maximizing sight distance in both directions. As such, proposed D and G Streets meet sight distance requirements. In addition, the proposed development will include a center turn-lane improvement to Battle Creek Road along the frontage of the property that will improve safety for vehicle entering and existing the site from these streets.

B. <u>Battle Creek Road SE and Reed Road SE intersection improvements.</u> Comments received expressed concern about the timing and responsibility for improvements to the intersection of Battle Creek Road SE and Reed Road SE.

Staff Response: As identified in this report, Battle Creek Road SE and Reed Road SE along the frontage of the property are underdeveloped minor arterial streets. As a recommended condition of approval, the applicant is required to construct boundary street improvements along the frontages of the property with each phase of development. Along Battle Creek Road SE, the applicant will construct a minor arterial street improvement along the Phase 1, Phase 2, and Phase 4 boundaries. Along Reed Road SE, the applicant will construct a minor arterial street improvement along the Phase 4 boundary; other phase boundaries have an existing improvement which meets

minor arterial street standards along Reed Road SE. Construction of boundary street improvements is required at time of plat for each phase with frontage along the boundary street, as described in the conditions of approval.

The applicant submitted a Traffic Impact Analysis (TIA) which identifies that construction of a realigned and signalized intersection at Battle Creek Road SE and Reed Road SE is required in order to adequately mitigate the transportation impacts generated by the development. The TIA identifies that this improvement is required to be constructed with Phase 3 of the subdivision; which is the first phase that takes direct access to Reed Road SE. As identified in the conditions of approval, this improvement is required to be constructed prior to final plat for Phase 3, which is consistent with the Applicants TIA.

The TIA provided by the applicant does not provide any justification to require boundary street improvements ahead of their phase of development, nor do City standards require boundary street improvements for the entire subdivision to be completed with Phase 1. The construction of boundary street improvements is required at time of plat for each phase with frontage along the boundary street, as described in the conditions of approval. With the recommended conditions of approval, the subdivision will comply with SRC Chapter 803 relating to Traffic Impact Analysis mitigation (SRC 803.015) and boundary street improvements (SRC 803.040).

C. Pedestrian safety on Battle Creek Road. Comments were submitted expressing concerns relating to pedestrian safety on Battle Creek Road SE and the need for a safe crossing for pedestrians to cross the street to access Fairview Park and other neighborhood amenities within the Fairview District and the proposed development.

Staff Response: Battle Creek Road SE is classified as a minor arterial street according to the Salem Transportation System Plan (TSP). The ultimate roadway will have two travel lanes and a center turn lane, making its width difficult for pedestrians to cross safely. The west side of Battle Creek Road SE is not constructed with sidewalks along the majority of the roadway adjacent to the development site; however, there are neighborhoods on the west side of Battle Creek Road SE which have sidewalks internal to their neighborhoods that lead towards Battle Creek Road SE. Upon development of the proposed subdivision, a shared use path will be constructed on the east side of Battle Creek Road SE along the development frontage. Independence Street SE will be extended into the development site, creating a new four-way intersection along Battle Creek Road SE. This entrance to the subdivision provides an important connection to the linear park linkages within the open spaces of the development that lead to Fairview Park and other neighborhood amenities within the Fairview Development District.

In order to ensure that safe pedestrian access is provided in and out of the development site, and to provide for safe pedestrian access to neighborhood park linkages, a condition of approval is included with this decision requiring the applicant to construct a marked crosswalk including pedestrian activated edge-lit signage to warn vehicles that pedestrians are crossing the roadway. This improvement will include a linking sidewalk and curbing along Independence Street SE, where sidewalk and curbing is missing (approximately 30-feet) as well as an ADA receiving curb ramp on the southerly corner of the intersection.

D. Lighting: A comment received requested that additional street lighting be required from the development site to Kuebler Boulevard SE and expressed concerns for the lack of street lighting along the development frontage.

Staff Response: As part of the applicant's requirement to construct half-street improvements along Battle Creek Road SE and Reed Road SE, street lighting will be provided which meets the light spacing standards established in the *Public Works Design Standards*. There are no criteria or standards within the Salem Revised Code which would require the applicant to construct additional off-site street lighting to the intersection of Kuebler Boulevard SE and Battle Creek Road SE.

E. Traffic roundabouts in abutting neighborhoods: One comment received requested that roundabouts be installed in nearby neighborhoods to address cut through traffic within residential neighborhoods.

Staff Response: There are no criteria or standards within the Salem Revised Code which would require the applicant to construct off-site roundabouts with the proposed development. However, requests for improvements to neighborhood streets can be provided by homeowners or the Neighborhood Association through the City's Safer Streets Program. The City's Neighborhood Traffic Management Plan (NTMP) provides an outline for how traffic speeds and volume concerns in residential areas are examined, prioritized, and addressed by the City; as well as a methodology for prioritizing projects across the City.

F. Vision clearance for entry monuments: One comment received questioned whether the entry monument signs, as shown on the applicant's plans, will block sight distances at the adjacent intersections.

Staff Response: A separate Sign Permit is required prior to placement of any entry monument signs for the proposed subdivision. Entry monument signs are required to meet the vision clearance standards established in Salem Revised Code (SRC) Chapter 805. At the time of application for a Sign Permit, staff will review the permit for conformance with the requirements of SRC Chapter 805 to ensure a vision clearance obstruction is not created.

G. Street trees on Battle Creek Road SE: One comment received questioned whether existing Oregon white oak trees along Battle Creek Road SE between Independence Drive SE and Singlestrand Avenue SE will be protected.

Staff Response: The applicant's existing condition plan shows 17 existing trees located within the public right-of-way of Battle Creek Road SE between Independence Drive SE and Singlestrand Street SE. As these trees are located in the public right-of-way, they are considered Street Trees per Salem Revised Code (SRC) Chapter 86 and will be regulated as City Trees. The applicant's Preliminary Street Tree Plan identifies these trees are to remain. Further, the applicant's Tree Conservation Plan states that arborist observation is required for construction activities impacting these trees specifically. When further construction details are provided, staff will evaluate the impacts that improvements along Battle Creek Road SE will have on the existing trees. If the trees

will be negatively impacted by the roadway improvements, a Street Tree Removal Permit may be required per SRC Chapter 86. These permits are not required with a land use application as construction details are generally required to determine impacts. Street Tree Removal Permits are issued in conjunction with Public Construction Permits for any work within the public right-of-way.

H. School capacity. Comments received expressed concern about insufficient school capacity to accommodate projected future student enrollment resulting from the proposed development.

Staff Response: Facility planning for school expansions and the development of new schools is conducted by the Salem Keizer School District. As provided in the original January 14, 2025, staff report, SRC 530.055 establishes requirements for coordination in the planning and siting of potential new schools within the FMU zone. Notice is required to be provided to the School District and if a school is proposed for the property, its location must address the school siting factors included under SRC 530.055(b).

The Salem-Keizer School District was notified of the proposed refinement plan and provided comments indicating that sufficient school capacity exists at Morningside Elementary School and Leslie Middle School to accommodate the projected increase in student enrollment resulting from the proposed development, but South Salem High School will be overcapacity. The School District did not identify the need, however, for a school to be sited on the subject property.

As explained at the January 14, 2025, public hearing, the additional lots that will be created as a result of the proposed subdivision will generate additional future property tax revenue which will help to increase school district funding.

I. Wildlife: Two comments received expressed concern about development of the existing open fields and the impact it will have on birds and other wildlife.

Staff Response: As identified in the original January 14, 2025, staff report, the proposed refinement plan and associated subdivision take into account wildlife habitat by conforming to the Fairview Training Center Redevelopment Master Plan and the applicable standards of the Fairview Mixed-Use (FMU) zone. The proposed development complies with the requirements of the City's tree preservation ordinance by preserving more than 30 percent of the existing trees on the property, including trees within designated significant tree stands identified in the original natural resource inventory of the Fairview Plan; the proposed development reserves substantial portions of the site as open space; and existing wetland areas are protected by locating them within proposed open space areas. The open space provided within the proposed development is in addition to the other open space areas provided throughout the former Fairview Training Center site including:

- The approximate 14.07-acre Braden Lane Natural Area located northwest of the subject property;
- Open space within the Pringle Creek Community refinement plan area;

- Open space within the Fairview Addition West Refinement Plan area; and
- Fairview Park.

J. Reuse of existing on-site material: One comment received questioned whether excavated rock identified as being reused for development within the refinement plan area could be contaminated from years of percolation by runoff from the orchard previously existing on the site.

Staff Response: As identified in the refinement plan and discussed at the January 14, 2025, public hearing, contaminated soil from the former orchard on the property was removed and placed in a capped soil disposal area approved by the Oregon State Department of Environmental Quality (DEQ). The soil disposal area is located at the southern end of the site adjacent to Battle Creek Road SE and Reed Road SE (Marion County Tax Lot No. 083W110000400). Any activity on that portion of the site, and the future development of the property, is required to comply with the requirements of DEQ.

K. Appeal of Decision: One comment indicated they are writing to appeal the proposed plans due to traffic and safety impacts.

Staff Response: Pursuant to SRC 300.1010, a land use action cannot be appealed until a decision has been issued on the proposal. Appeals must follow the requirements of SRC 300.1000 through SRC 300.1030.

7. City Department Comments

A. The City of Salem Building and Safety Division reviewed the proposal and indicated they have no comments.

B. The City of Salem Fire Department reviewed the proposal and identified areas of the site where two means of approved fire department access is required in order to serve the development based on the configuration of the proposed phases of the subdivision.

Staff Response: In order to ensure the provision of adequate fire department access to serve the proposed development, a condition is recommended to be placed on the approval of the proposed subdivision requiring the applicant to provide a plan showing adequate fire department access for each phase of the subdivision prior to final plat approval and to construct the required access.

C. The City of Salem Development Services Division reviewed the proposal and provided comments pertaining to City infrastructure required to serve the property. Comments from the Development Services Division are included as **Attachment E.**

8. Public Agency Comments

A. Salem-Keizer School District: The Salem-Keizer School District reviewed the proposal and provided comments indicating, in summary, that the property is served by Morningside Elementary School, Leslie Middle School, and South Salem High School. The School District identifies sufficient existing school capacity at Morningside

Elementary School and Leslie Middle School to accommodate the projected increase in student enrollment resulting from the proposed development, but South Salem High School will be overcapacity.

The School District indicates the subject property is located within the walk zone of Leslie Middle School and that students will be eligible for school provided transportation to Morningside Elementary School and South Salem High School. Based on their review, the School District requests the proposed development include the following school bus route and sidewalk improvements:

- Construction of a school bus pullout along the project side (westbound) of Battle Creek Road SE near the intersection at Sunland Street SE. Additional school bus pullouts are requested as follows:
- Construction of a school bus pullout along the westbound side of Battle Creek Road SE near the pedestrian path at Lot 340.
- Construction of a school bus pullout along the southbound side of Reed Road SE near lots 264/265.
- Construction of a school bus pullout along Lindburg Road SE near E Street; and
- Completion of the off-site sidewalks connecting between the subject property and Leslie Middle School.

Staff Response: Within the City, pullouts for school busses are typically not constructed because school busses have the ability to stop in the travel lane and direct drivers to stop when using a stop sign and flashing lights. According to the School District website, there is an existing bus stop along Strong Road, north of the development site. This bus stop does not have a pull out and can be accessed through existing public sidewalks along Lindburg Road SE and Strong Road SE.

Staff acknowledge the benefits that bus pull outs can provide for pedestrian safety. However, the Salem Revised Code (SRC) does not currently have any provisions that require the applicant to provide pull outs for school busses as part of the required boundary street improvements required under SRC Chapter 803 (*Street and Right-of-way Improvements*). Additionally, there are no City Design Standards for school bus pull outs and shelters, and the City does not install or maintain shelters for school busses.

The Salem Revised Code (SRC) was recently updated to require the construction of transit stops for Cherriots in conjunction with boundary street improvements (SRC 803.035(r)); however, this provision would not apply to bus pulls outs for the School District. Cherriots has their own design standards for how to construct transit stops as well as agreements with the City regarding how stops and shelters are maintained. It is recommended that Policy discussions regarding school bus stops be started between the City and SKSD to determine if codification of construction of school bus stops should be recommended to City Council. Similar design standards and maintenance agreements would need to be in place in order to require construction of these stops. At this time, however, staff does not recommend requiring the applicant to construct the requested school bus pulls outs along the boundary streets of the development site.

Concerning the request for construction of off-site sidewalks connecting between the subject property and Leslie Middle School, conditions of approval are recommended to be included with the subdivision requiring the applicant to construct boundary street improvements along the frontage of the property. This will require the applicant to construct sidewalks along the Battle Creek Road SE and Reed Road SE frontages of the property where sidewalks are currently not present. Construction of sidewalks to connect between the property and Leslie Middle School would require the applicant to construct approximately one-quarter mile of additional off-site sidewalk along Battle Creek Road SE to link the site to the existing sidewalk and ultimately to Leslie Middle School, which is located approximately 0.52-miles north of the subject property.

The missing section of sidewalk along Battle Creek Road SE that has been requested to be constructed by this subdivision is currently conditioned on the Fairview Addition West Phase 5 Subdivision *(FRP-PAR-SUB14-01MOD1)* to the northwest of the subject property. The Fairview Addition West Phase 5 Subdivision is required to provide a half-street improvement to minor arterial standards and also reduce the superelevation of Battle Creek Road SE. If the sidewalk were to be placed now, without widening the street and reducing the superelevation, it would be removed upon completion of the improvements required for the Fairview Addition West Phase 5 Subdivision (FRP-PAR-SUB14-01MOD1). For these reasons staff does not recommend requiring the applicant to construct the requested off-site missing sidewalk along Battle Creek Road SE.

B. Salem Area Mass Transit District (Cherriots): The Salem Area Mass Transit District reviewed the proposal and provided comments indicating, in summary, that a transit stop has been identified as being needed in connection with the proposed development on Reed Road SE and request that a transit stop conforming to the applicable standards of the District be constructed and right-of-way dedication, if necessary, be provided as part of the street improvements for the proposed development. The Transit District indicates that the stop is required to be located on the northwest side of Reed Road SE at the far side of the marked pedestrian crossing near proposed Open Space 4 as depicted on sheet SP-05 (Preliminary Street Plan) of the Fairview Hills Refinement Plan. The Transit District explains that on-street parking shall be restricted in the area of the transit stop in order to ensure unobstructed access by transit.

The Transit District further explains that previous discussion with the applicant's engineer included a second transit stop on Reed Road near a second marked pedestrian crossing but because this second pedestrian crossing has been eliminated from the street design, a second transit stop is unnecessary. The District indicates, however, if the second pedestrian crossing is added back in a future iteration of the street design, the District may request the second stop be included as well.

Staff Response: Pursuant to SRC 803.035(r), transit stops conforming to the applicable standards of the Salem Area Mass Transit District are required to be constructed when a transit stop is identified as being needed by the Transit District in connection with a proposed development. Because the Transit District has identified the need for a transit stop on the Reed Road SE frontage of the property, construction of the transit stop is required per SRC 803.035(r). A condition of approval is therefore included with this decision requiring the transit stop to be constructed in conformance

with the requirements of SRC 803.035(r) and the applicable standards of the Transit District.

C. Oregon Department of Aviation: The Oregon Department of Aviation reviewed the proposal and provided comments indicating, in summary, the following:

1. In accordance with FAR Part 77.9 and OAR 738-070-0060, the proposed development is required to undergo aeronautical evaluations by the FAA and ODAV. The applicant is required to provide separate notices of construction to both the FAA and ODAV. They should receive the resulting aeronautical determination letters from the FAA and ODAV prior to approval of any building permits. The proposal has already been reviewed by ODAV (aviation reference no. 2024-ODAV-243-OE). Any changes to the proposed locations or heights of the structures may require new notices of construction and aeronautical evaluations.

2. Because the subject property is at a higher elevation than the nearby Salem Municipal Airport, ODAV recommends a maximum height allowance of 35 feet above ground level (AGL), except as otherwise approved through a height variance. Pursuant to OAR 660-013-0070:

   For areas in the safety overlay zone, but outside the approach and transition surface, where the terrain is at higher elevations than the airport runway surface such that existing structures and planned development exceed the height requirements of this rule, a local government may authorize structures up to 35 feet in height. A local government may adopt other height exceptions or approve a height variance when supported by the airport sponsor, the Oregon Department of Aviation, and the FAA.

   The subject property is located inside the overlay zone, but outside the approach corridor and transitional surface. Thus, ODAV finds allowing structures up to 35 feet in height AGL meets the requirements of this administrative rule. This will ensure any impact of this development on airspace will be minimal.

Staff Response: As identified by the comments provided form the Oregon Department of Aviation (ODAV), for areas within the safety overlay zone but outside the approach and transition surface, where the terrain is at higher elevations than the airport runway surface such that existing structures and planned development exceed the height requirements of this rule, a local government may authorize structures up to 35 feet in height. ODAV further provides that a local government may adopt other height exceptions or approve a height variance when supported by the airport sponsor, the Oregon Department of Aviation, and the FAA.

Maximum height limits proposed within the Fairview Hills Refinement Plan are either 35 feet or 45 feet depending on the proposed use and whether it's located within the MI (Mixed-Intensity) or LI (Low Intensity) overlay areas of the FMU zone. In conjunction with the proposed refinement plan and phased subdivision, the applicant has also requested an Airport Overlay Zone Height Variance allowing maximum heights of up to 35 feet and 45 feet as identified in the refinement plan. Approval of the Airport Overlay Zone Height Variance conforms to ODAV's comments concerning the approval of

structures greater than 35 feet in height, and the highest maximum allowed height of 45 feet within the refinement plan is consistent with the determination letter issued by ODAV which indicates they do not object to the proposed construction or alteration of buildings at 45 feet in height.

In addition, the applicant also submitted aeronautical studies to the FAA as required for the proposed Airport Overlay Zone Height Variance. As identified in the original January 14, 2025 staff report, the FAA determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft and would not be a hazard to air navigation provided the requirements of the studies are met. However, subsequent to the original staff report being issued it was determined that the aeronautical studies conducted by the FAA for the subject property included not only the studies for the proposed development but also other additional studies for a separate subdivision to the south of the subject property adjacent to Battle Creek Road SE and Landau Street SE.

In order to ensure that the record for the Airport Overlay Zone Height Variance is clear and that development of the property conforms to FAA standards, a condition of approval is included with this decision requiring the applicant to submit updated aeronautical studies from the FAA that include only the subject property. If the maximum heights determined in the updated studies conflict with the maximum heights allowed within the refinement plan, the refinement plan maximum height standards are required to be revised to reflect the maximum heights determined by the FAA.

DECISION CRITERIA FINDNGS

9. Analysis of Refinement Plan Approval Criteria

Pursuant to SRC 530.030, refinement plans are detailed regulatory plans that further refine and implement the Fairview plan in specific areas of the FMU zone based on more detailed site planning, design, and engineering than was conducted with the Fairview Plan. Refinement plans act as amendments to the Fairview plan for the specific affected area of the FMU zone and become the controlling document for development within the refinement plan area. An approved refinement plan shall be required prior to development within the FMU zone.

SRC 530.030(e) sets forth the following criteria that must be met in order for a refinement plan to be approved. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings of fact evaluating the proposal for conformance with the criteria. Lack of compliance with the following approval criteria is grounds for denial of the refinement plan or for the issuance of conditions of approval to satisfy the criteria.

SRC 530.030(e)(1): The refinement plan substantially conforms with the Fairview Training Center Redevelopment Master Plan, provided that any plans or drawings depicting the layout of the development, including, but not limited to, the location of streets, City utilities, paths/trails, open space, buildings, or specific uses are conceptual in nature and may be revised by the refinement plan in substantial conformance with the applicable sustainable land use principles of the plan.

Finding: The Fairview Training Center Redevelopment Master Plan identifies the goals and policies for development within the FMU zone. The proposed refinement plan substantially conforms with the applicable goals and policies of the plan as required by this approval criterion as follows:

SUSTAINABLE LAND USE PRINCIPLES OF THE PLAN

1. ***Build in Economic and Social Diversity.*** *The plan includes housing units for a minimum of 1,600 families. There will be homes for all types of people: efficiency units appropriate for elderly and singles; rental suites available to low-wage working families; spacious homes for people of means; clustered homes for communities of interest. To the maximum extent possible, these units will be mixed so that every block will have homes for different types of people at different stages of their lives and earning potentials.*

   Finding: As identified in the refinement plan, the proposal provides for a variety of single-family home types across seven basic lot configurations that accommodate front-loaded and alley-loaded single-family detached and attached dwellings with a total of 14 different home floor plans and 38 different building elevations throughout the subdivision. The 546 proposed home lots within the subdivision range in size from approximately 2,271 square feet to approximately 12,032 square feet. The variety of single-family housing types and home plans proposed across a variety of lot sizes and configurations ensures provision of a housing mix to meet the housing needs of individuals of various ages and income levels. The proposed refinement plan conforms to this principle.

2. ***Create a Center.*** *The topography of the Fairview site is unique. It is like an upturned right hand, with the palm in the center and five fingers spreading up and out toward the edges of the site. The plan capitalizes on natural conditions. Since the human and natural flows of the site converge in the hollow "palm" of the site, a new center is envisioned there. This center will be the focus of the most intense urban activity, and it will also be the place with the most dramatic green spaces. Several "central parks" will include manicured play fields that are surrounded by naturalized zones to collect, mitigate and celebrate occasional rainwater flows from the upper portions of the community.*

   Finding: The new 'Center' envisioned in the Fairview Plan consists of the Village Center (VC) area of the FMU zone. No portion of the Fairview site included within the proposed refinement plan is located within the Village Center area and this portion of the property was not intended to serve as the location for the identified center. This principle is therefore not applicable to the proposed refinement plan. Notwithstanding this portion of the site not being located within the envisioned village center area of the master plan, the proposed refinement plan still provides a network of streets, alleys, and pedestrian paths and trails to create an interconnected sense of community. In addition, open space corridors and mid-block block pedestrian connections are provided that emphasize connection to the adjacent Village Center area to the north as envisioned in the Fairview Plan.

3. ***Re-use, retrofit.*** *The Fairview site has a large inventory of existing structures. SFA*

intends to adapt and reuse as many existing buildings as possible, particularly older buildings that presently form the "crescent". Buildings are not the only asset to be reused and retrofitted. Existing infrastructure, particularly the existing water system, may be an appropriate candidate for re-use and expansion, reducing the strain on the municipal system, and providing a more distributed green infrastructure.

Finding: The proposed refinement plan area does not include any of the buildings identified as priority candidates for potential re-use in the 'crescent." This portion of the Fairview site did, however, at one time, include two buildings *(the Steel building and the Benson building)* and a few small utility and service buildings that have since been removed from the property. These structures were included in the original inventory of existing buildings and structures conducted as part of the Fairview Plan and identified on the Fairview Plan building reuse plan as, "Deconstruction: Primarily for Deconstruction with the Option for Reuse." These structures were also never listed in the Fairview Training Center Historic Analysis and Inventory as potential historic contributing structures to a potential historic district.

As shown on the existing conditions plan included in the preliminary land use plans for the proposed refinement plan, there are two existing structures – a small shed and a water tower, that still remain on the site. As identified in the refinement plan, neither of these structures are suitable for preservation and reuse and will therefore be removed from the property.

Although there are no viable existing structures or infrastructure on the property that is available for reuse, the proposed refinement plan does, however, indicate that the Fairview Hills community will incorporate sustainable development practices by reusing existing on-site materials such as rock and gravel, thereby minimizing material import and haul off, and also repurpose a previously unusable portion of the site at the southern end of the site adjacent to Battle Creek Road and Reed Road as a planned park. Due to soil contamination from the orchard that was previously located on the property, this area is not suitable for residential development and has strict limitations from the Department of Environmental Quality (DEQ) on how it can be utilized. As identified in this refinement plan, the property has been carefully designed to create a park that meets DEQ guidelines and serves as a central gather place for the community. The proposed refinement plan conforms to this principle.

4. ***Create Local Employment.*** *Many of the existing buildings are suitable for conversion to business and light industrial uses. New buildings in the center will also provide office and commercial employment opportunities. Ultimately the objective is to provide one job per household. This does not imply that all residents will work at FTCR, but many may. Combined with home occupations, allowed by right, these employment opportunities will reduce off-site transportation impacts.*

Finding: The greatest concentration of existing buildings envisioned for conversion to business and light industrial uses were located in the AU (Adaptive Use) and VC (Village Center) areas of the Fairview site. The proposed refinement plan includes no AU or VC areas that would allow the commercial employment opportunities envisioned by this principle. There are also no existing buildings on the site that would have been suitable for conversion to employment use had that type of use been allowed.

Because the majority of the refinement plan area is located within the MI (Mixed-Intensity) area, the focus of development in this area is primarily residential uses, along with a mix of small-scale neighborhood commercial, employment, and public services uses. Although the refinement plan does not include commercial spaces, by increasing the housing supply within the City it directly supports the local economy; and the provision of needed housing accommodates more residents who work within the City, thereby supporting local employment. The proposed refinement plan conforms to this principle.

5. ***Build Innovative Green Buildings.*** *The site provides ample opportunities for green building innovation. While SFA will not itself develop all buildings on the site, it is committed to setting minimum energy standards and to seeking cost-effective ways to reduce the resources and energy required by all new and retrofitted buildings.*

   Finding: As identified in the refinement plan, all homes within the Fairview Hills community will be certified and constructed as high-performance, energy-efficient buildings meeting the standards of the US Department of Energy's (DOE) Zero Energy Ready Home (ZERH) program. Zero Energy Ready homes are made up of components and building systems that are designed, constructed, and installed to allow the house to work together as one system, delivering performance, comfort, efficiency, and durability. Additionally, homes will be renewable- and electric vehicle (EV) ready. The proposed refinement plan conforms to this principle.

SUSTAINABLE ECOLOGICAL SYSTEMS PRINCIPLES OF THE PLAN

6. ***Respect the Landscape.*** *The FTCR plan works with, not against, the existing landscape. The natural slopes on the site are preserved for recreational use, for habitat, and for storm water flow. These slopes lead to the Village Green, which is both the ecological and the social heart of the community. Large existing wetlands and forest blocks are preserved, and, will be expanded over time.*

   Finding: As identified in the refinement plan, open spaces and green corridors designed to protect existing natural resources, including wetlands, trees, and habitat while offering recreational opportunities through a network of proposed trails and pathways are provided. These areas, as envisioned in the adopted Fairview Master Plan, lead to the heart of the former Fairview Training Center property. Additionally, the street and lot layout is designed to respect the site's natural topography and through adhering to existing contours as much as possible, the amount of disturbance to the land is minimized; thereby preserving the site's character. The proposed refinement plan conforms to this principle.

7. ***Zero Impact to the Regional Watershed.*** *The FTCR plan works with the natural capacities of the site, particularly in respects to water flow. Low cost and reduced cost infrastructure for parcels, road, and public green spaces will allow this new community to exert zero impact on the regional watershed and will improve, rather than degrade, the habitat of Pringle Creek.*

   Finding: As indicated in the refinement plan, the stormwater system within the Fairview Hills community is designed to continue to allow runoff from upstream properties to flow

naturally along existing drainage ways and naturally cleanse, infiltrate, and recharge the aquifer below as envisioned in the Fairview Master Plan. Low impact development approaches (LIDA) and green infrastructure techniques are planned to attenuate developed runoff, maintain the existing drainage patterns, and treat stormwater as envisioned in the Fairview Master plan and City of Salem standards.

The goal of a net-zero impact to the regional watershed is for post-development stormwater outflow from the proposed stormwater facilities not to exceed the historic pre-developed runoff from the site. West Middle Fork Pringle Creek will continue to receive flows equal to historic pre-development stormwater runoff so that critical creek flows are maintained, and natural drainage patterns will continue to take place within the open space areas within the Fairview Hills community. The proposed refinement plan conforms to this principle.

8. ***Layer the Systems.*** *FTCR is designed to integrate systems at all levels and across all categories. For example, business and commerce will be integrated with residential uses to create complete communities. Storm water mitigation strategies will be integrated with recreational, habitat and transportation uses. The integrated green infrastructure system will provide the framework for other sustainable site systems, such a district heat and potentially distributed ecological sanitary systems.*

   Finding: Systems across all levels and categories will be integrated into the refinement plan. As previously identified, the refinement plan includes green corridors that integrated into community and designed to protect existing natural resources while also offering recreational opportunities through a network of proposed trails and pathways. Additionally, the stormwater system is integrated into the open spaces creating a layered approach to achieve a green infrastructure system. The proposed refinement plan conforms to this principle.

9. ***Close the Cycle of Energy and Material Flows.*** *The systems described above will tighten the cycle of resources flows on the site. Rainwater that falls on the site will recharge the aquifer below, freshening and supplying the drinking water wells with clean water. Green wastes from the site will be composted and returned to enhance forest growth. Ideally, waste heat from commercial activities will be used to heat residential units in the same building or the same block. Geothermal energy from the ground may provide a practical means to reduce building operating costs. SFA also hopes to institute a state-of-the-art community recycling and composting facility.*

   Finding: The proposed green corridors, together with stormwater quality best management practices (BMPs), will allow for on-site infiltration to occur. In addition, existing on-site materials such as rock and gravel will be reused, where practicable, to minimize material import and haul off and close the cycle of material flows. The proposed refinement plan conforms to this principle.

<u>SUSTAINABLE TRANSPORTATION AND MOVEMENT PRINCIPLES EMBODIED IN THE PLAN</u>

10. Green Corridors for People and Other Living Things. *Wide green corridors with*

direct connection to hundreds of front doors and porches are a signature feature of the new FTCR. Broad green swaths include a complex layering of habitat, drainage ways, community garden sites, play areas, walking and bike trails, and narrow, low speed vehicle ways.

Finding: As described in the refinement plan, the proposal includes green corridors as envisioned by the Fairview Master Plan. These corridors include a layering of wetland and habitat areas, drainage way preservation, passive open space, and recreational opportunities that afford community enjoyment of the natural resources throughout the site. Reduced-width, two-way streets border the green corridors providing access to open spaces from front doors and porches, and ensuring the entire community can enjoy and access the corridors. The green corridors will offer a variety of recreational opportunities including trails, pedestrian pathways, dog parks, a community park with play structures, enhanced plantings, seating areas, and a half-court basketball court. The proposed refinement plan conforms to this this principle.

11. ***Transit Close at Hand.*** *SFA is committed to the value of public transit as a fundamental of a more sustainable Fairview and a more sustainable Salem region. This commitment is epitomized by the inclusion of a "Main Street" that crosses the site from north to south. All homes will be within a 6–minute walk of this central spine. The street axis has been aligned in such a way as to be compatible with a future streetcar or BRT (bus rapid transit), should such a system ever be developed in Salem. SFA hopes that regional transit authorities will provide frequent bus connections between the village center and region.*

Finding: The nearest transit service currently available to the site is provided via Cherriots Route 6 (Fairview Industrial) on Fairview Industrial Drive SE. While public transit does not currently serve the immediate area, the Transit District is planning a future extension of their basic fixed route bus service to Reed Road SE, Strong Road SE, and Lindburg Road SE and have requested the installation of a new bus stop on Reed Road near the proposed pedestrian crossing adjacent to proposed Open Space 4 in the refinement plan to serve this future proposed route.

In addition, a continuous, multilayered, network of shared-use paths, pedestrian trails, and sidewalks ensure a walkable community which promotes pedestrian and bicycle activity throughout the site and to the surrounding area, aligning with the Fairview Master Plan vision. A proposed shared-use path along Battle Creek Road SE will enhance bicycle and pedestrian safety and additional pedestrian paths and trails provide safe and efficient connections to Lindburg Road SE, a designated collector street in the Fairview Master Plan and TSP, and to Reed Road. The proposed refinement plan conforms to this principle.

12. ***An Interconnected Street System.*** *FTCR's "Main Street" will be connected to the rest of the site by an interconnected web of streets. The lack of cul-de-sac streets ensures that all trips are made by the shortest possible route and that major streets are not overburdened with congestion. The interconnected pattern extends out to the edges of the site, insuring a high degree of connection to surrounding neighborhoods. In this way, FTCR avoids the tendency toward "gated community" planning and provides, instead, a prototype for integration with surrounding areas. This pattern, in concert with*

the complete community pattern where everyday needs (school, shops, employment, transit) are close at hand, will minimize auto dependence and lead to reduced driving by residents.

Finding: The proposed refinement plan includes an interconnected network of streets that integrate with the established street system and promote connectivity and access to and throughout the site. The planned street system follows existing on-site topography to the extent possible and provides for connection to off-site properties. Reduced-width, two-way streets are provided along the green corridors offering a low visual impact on the environment and slow traffic to improve pedestrian and bicycle safety while minimizing automobile dependence. The proposed refinement plan conforms to this principle.

13. ***Walk Every Day.*** *FTCR will be a walkable community with plenty of places to explore. The design promotes walking at all levels, from walkways on both sides of all streets, to neighborhood parks, to broad greenways leading to village center shops, to bus stops easily accessible from all homes. SFA hopes that by integrating walking into the routine of all residents, they will enjoy robust health and an improved quality of life.*
Finding: The proposed refinement plan includes a multilayered system of sidewalks, paths, trails, pedestrian connections, and shared-use paths. This ensures a walkable and bikeable community as envisioned in the Fairview Master Plan. The pedestrian network is designed to accommodate the steep terrain of the site while also providing accessible routes. The green corridors in the community will offer a variety of recreational opportunities including trails, pedestrian pathways, dog parks, a community park with play structures, enhanced plantings, seating areas, and a half-court basketball court. The network of pedestrian connections and passive and active recreational opportunities will encourage residents to explore and walk every day. The proposed refinement plan conforms to this principle.

As indicated in the findings above, the proposed refinement plan is consistent with the goals, policies, and development objectives of the Fairview Plan. The refinement plan strives to preserve the natural features of the site through the designation of active and passive open space areas where wetlands and trees can be preserved; it provides a multi-layered system of paths and trails to promote walkability and an active lifestyle; and it provides a variety of different sized single-family detached and attached housing types to help meet the varied housing needs of the City's population. This approval criterion is met.

SRC 530.030(e)(2): The refinement plan conforms with the applicable provisions of the Salem Area Comprehensive Plan.

Finding: The subject property is designated Mixed-Use on the Salem Area comprehensive Plan (SACP) map. The proposed refinement plan conforms with the applicable provisions of the Salem Area Comprehensive Plan as follows:

Housing Goal H1: *Promote a variety of housing options to meet the needs, abilities, and preferences of all current and future residents.*

The proposed refinement plan conforms to the housing goals and polies of the comprehensive plan by providing a variety of single-family home types across seven basic lot configurations that are intended to accommodate front-loaded and alley-loaded single-family detached and attached townhomes. The proposed homes and associated various lot sizes will cater to a broad spectrum of housing needs across different age groups and income levels. In addition, the proposed refinement plan will encourage healthy and active living through provision of a multi-layered system of sidewalks, path, trails, pedestrian connections, and open space to foster walkability and an active lifestyle. Green building techniques will also be incorporated into the homes through certification through the U.S. Department of Energy's Zero Energy Ready Home program and construction of homes that are electric vehicle (EV) ready.

Land Use and Urbanization Goal L1: *Manage growth in the Salem Urban Area through cooperative efforts between the City of Salem, Marion and Polk counties, and other jurisdictions to provide area residents with a high quality of life, contain urban development, promote the City's efficient delivery of services, and preserve adjacent agricultural lands.*

The proposed refinement plan conforms to the land use and urbanization goals and polies of the comprehensive plan by providing for the development of an approximate 102.4-acre property with the City's Urban Growth Boundary (UGB) that has remained vacant since the adoption of the Fairview Plan in 2005. The refinement plan will allow for the development of needed housing through a sustainable and contextually sensitive approach that honor's the site's history and landscape.

Parks and Recreation Goal P6: *Provide an interconnected network of recreational opportunities and increase safe and convenient access to them.*

The proposed refinement plan includes an extensive network of green corridors, open space, and a community park accessible to all. The community park features play structures, enhanced plantings, seating areas, and a half-court basketball court, in addition to a large unstructured play area. The open space and green corridors offer a variety of recreational opportunities including trails, pedestrian pathways, and dog parks. A comprehensive network of sidewalks, paths, trails, and shared-use paths connects the various areas, enhancing the overall quality of life and encouraging residents to walk and explore. The pedestrian pathways network also provides connections to the surrounding communities to increase recreational opportunities in the neighborhood.

Natural Resources and the Environment Goal N1: *Protect and enhance the quality and function of Salem's natural resources, ecosystems, and environment.*

The proposed refinement plan conforms to the natural resources and environmental goals and polies of the comprehensive plan by incorporating large open spaces and green corridors designed to protect wetlands, habitat, trees, and the site's natural resources while offering access to nature through a network of proposed trails and pathways. Respecting the site's natural topography, the street and lot layout minimize disturbance. The proposed stormwater system for the site has been designed to continue to flow along existing natural drainages to a regional stormwater facility that utilizes LIDA and green infrastructure techniques in conformance with City design standards to further enhance the site's ecological function.

Transportation Goal T4 – Local Connectivity Goal: *Provide an interconnected local street system that allows for dispersal of traffic, encourages a mix of travel modes, reduces the length of trips, and increases opportunities for people to walk and bike.*

Transportation Goal T6 Pedestrian System Goal: Accommodate pedestrians of all ages and abilities by providing a comprehensive system of connecting sidewalks, walkways, trails, and pedestrian crossings that will encourage and increase safe pedestrian travel and active transportation to support public health.

The proposed refinement plan conforms to the local connectivity and pedestrian system transportation goals by providing an interconnected network of sidewalks, paths, and trails that encourage walking and biking; and an internal network streets and alleys that prioritize connectivity, reduced speeds, alternative modes of transportation, and promote greater pedestrian and bicycle safety.

SRC 530.030(e)(3): The refinement plan is compatible with adjoining land uses and will not unreasonably impact surrounding existing or potential uses or development.

Finding: Existing land uses adjacent to the refinement plan area include single family residential uses within existing subdivisions to the southwest of the subject property across Battle Creek Road SE, apartments and a private school to the northeast of the subject property, the existing and planned residential uses within the abutting Fairview Addition West refinement plan to the northeast, and a future park and vacant PH (Public and Private Health Services) zoned land to the southeast across Reed Road SE.

Uses proposed within the refinement plan include single-family detached dwellings and attached townhomes together open space and a community park. The single family uses and associated development pattern envisioned in the proposed refinement are consistent with the principles of the Fairview Plan and will be compatible with not only the other existing and planned uses within the FMU zone, which embody the same core principles, but also with the residential uses outside of the FMU zone in the surrounding area. The proposed refinement plan conforms to this approval criterion.

SRC 530.030(e)(4): The refinement plan is physically feasible, given consideration of existing or proposed infrastructure and public services.

Finding: As identified in the comments provided from the Development Services Division, public water, sewer, and stormwater infrastructure is available along the perimeter of the site to serve the proposed development. As part of the application for the Refinement Plan, the applicant has provided a street layout plan, street cross sections, and a utility plan that demonstrates the development will be served with public infrastructure. Conditions of approval established with the subdivision will require extension of public utilities and streets within the subdivision to serve the newly created lots. The Refinement Plan is physically feasible as the applicant has demonstrated the Refinement Plan area can be adequately served with existing and proposed infrastructure upon completion of the recommended conditions of approval for the subdivision. The proposed refinement plan conforms to this approval criterion.

SRC 530.030(e)(5): The refinement plan conforms to all applicable standards of the UDC, except where alternative standards are proposed.

Finding: The Salem Revised Code (SRC), which includes the Unified Development Code (UDC), implements the Salem Area Comprehensive Plan land use goals, and governs development of property within the city limits. The subject property is zoned FMU (Fairview Mixed-Use). Within the FMU zone, pursuant to SRC 530.030, refinement plans may be approved that establish alternative development standards and processes that supersede the standards and processes of the UDC and shall be used as review criteria for any specific development proposal within the area covered by the refinement plan.

The proposed refinement plan includes alternative development standards as provided under SRC 530.030. Section III of the proposed refinement plan identifies the relationship between the standards of the refinement plan and the standards of the Unified Development Code (UDC). Under this section it is explained that the standards and processes stipulated in the refinement plan supersede those of the UDC. However, where there is a standard in the UDC that would otherwise be applicable to a development but the standard is not superseded by the refinement plan, the UDC standard applies.

The proposed refinement plan, as recommended to be conditioned, complies with the applicable standards of the FMU zone and all other applicable provisions of the UDC, unless otherwise superseded by the refinement plan, as required by this approval criterion as follows:

SRC Chapter 530 – FMU Zone

SRC Chapter 530 establishes the general requirements, standards, and review process development within the Fairview Mixed-Use zone must follow. Pursuant to SRC 530.030(d), refinement plans are required to contain the following elements:

(1) An Illustrative site plan;
(2) An identification of those land uses allowed under SRC 530.040 that are proposed to be allowed in the refinement plan area;
(3) A general allocation and identification of major proposed land uses, including residential by density range, nonresidential, open space, and recreational land uses;
(4) The name, location, and width of existing streets located within the refinement plan area;
(5) The name, location, and width of proposed streets located within the refinement plan area;
(6) Typical street cross-sections;
(7) Detailed standards governing development within the refinement plan area, such as:
    (A) Performance standards and standards for development densitites;
    (B) Building and accessory structure height;
    (C) Floor area and FAR;
    (D) Open space;
    (E) Lot area and lot coverage; and
    (F) Landscaping and other site improvements.
(8) Standards for the conservation, development, or utilization of natural resources, including surface water, soils, vegetation, and wildlife;

(9) An identification and inventory of all wetland and riparian resources and all intermittent and perennial waterways;

(10) An identification and inventory of all trees regulated under SRC chapter 808;

(11) Where applicable, the proposed methods of protection or conservation of natural features, historic structures, and view sheds;

(12) Proposed method for the perpetual maintenance of any common open space and common facilities;

(13) Standards and responsibilities for maintenance of infrastructure and whether the infrastructure is to be public or private;

(14) Standards for phasing and construction of streets proposed within the refinement plan area, or needed for servicing the area, as identified in the required studies submitted with the refinement plan;

(15) Location and extent of proposed provision for sewage disposal, effluent use, stormwater drainage, and utilities;

(16) Standards for the phasing and construction of sewage disposal, effluent use, stormwater drainage, solid waste disposal, and public utilities, as identified in the required studies submitted with the refinement plan;

(17) A phasing plan for the following, as applicable:

(A) The preservation of site features established by the Fairview plan;

(B) The development of the refinement plan area; and

(C) The construction, dedication, and provision of infrastructure and public services;

(18) A draft form of financial assurances to be recorded prior to refinement plan approval;

(19) A detailed explanation of how and to what extent the refinement plan is to supplement or supersede city standards;

(20) Standards for the interpretation of the refinement plan regulations and requirements;

(21) Development design guidelines and applicable approval process;

(22) General landscape plan;

(23) General drainage plan;

(24) An update to the traffic impact analysis (TIA) approved for the Fairview plan that includes trip generation factors for various modes, estimated trips per day by land use, proposed vehicular access and circulation plan, and traffic impacts by mode on adjacent development;

(25) Impacts on existing structures and other development;

(26) Impacts on existing infrastructure and public services; and

(27) Location of any buildings, structures, sites, objects, or known archeological sites identified in the Fairview plan inventory of buildings, structures, sites, objects, or known archeological sites which possess the criteria for historic resource designation under SRC chapter 230, or which have been designated as "historically significant" in the Fairview plan inventory pursuant to SRC 530.020(c)(5)(M).

The applicant's proposed refinement plan, the *Fairview Hills Refinement Plan*, is included as **Attachment B**. The portion of the Fairview site included within the proposed refinement plan is approximately 102.4 acres in size and has frontage on Battle Creek Road SE, Reed

Road SE, and Lindburg Road SE. The remainder of the proposed refinement plan is bordered by the Fairview Addition West refinement plan to the northwest.

As provided under SRC 530.030(d)(7), refinement plans are required to include detailed standards governing development within the refinement plan area. The proposed development standards of the refinement plan are included in Section III of the plan. In order to ensure the development standards of the refinement conform to the requirements of the FMU zone and the goals and principles of the Fairview Plan, and that such standards can be easily administered by staff, staff recommended a condition of approval requiring additional revisions to certain development standards included within the refinement plan standards that were identified as Attachment I to the original January 14, 2025, public hearing staff report. Upon review of staff's recommended changes, the applicant identified seven standards where either further clarification was requested, or further revisions were proposed. As identified in the January 14, 2025, supplemental staff report, staff did not object to the applicant's proposed further revisions to the following standards:

- Sec. 001.002.(b)(5) – Dwelling unit density exceptions; and
- Sec. 003.004.(l)(2)(A) – Sidewalk location.

Staff did, however, identify issues with the proposed further revisions to the following standards and either recommended further modifications to those standards in response to comments received from the applicant or recommended that the standard not be further modified as suggested:

- Sec. 001.002.(b)(4)(A) – Individual lot minimum required dwelling unit density;
- Sec. 001.002.(f)(1)(B) – Architectural standards for garages;
- Sec. 001.002.(f)(2) – Exemption from widow and glazing requirements;
- Sec. 004.003.(a) – Maximum allowed driveway & driveway approach width serving three spaces; and
- Chapter 007 – Fairview Hills Sign Code

Of the above identified refinement plan development standards, staff recommended further additional revisions to Sec. 001.002.(b)(4)(A) *(Individual lot minimum required dwelling unit density)* and Sec. 004.003.(a) *(Maximum allowed driveway & driveway approach width serving three spaces)* but did not recommend making any further changes to Sec. 001.002.(f)(1)(B) *(Architectural standards for garages)*, Sec. 001.002.(f)(2) *(Exemption from widow and glazing requirements)*, and Chapter 007 *(Fairview Hills Sign Code)*.

In order to incorporate these additional revisions into the refinement plan, the following condition of approval shall apply:

Condition 1: The development standards of the refinement plan shall be revised as identified in **Attachment F**.

- ***Overlay Areas (SRC 530.010):***

  SRC 530.010 establishes the following four overlay areas that are applied to the Fairview site and generally intended to control development within the FMU zone:

- **Low-Intensity Residential (LI):** The Low-Intensity Residential area comprises Single Family activities in detached housing types sited on separate lots with private yards and street and/or alley access. Non-residential uses, except for a few limited exceptions, are prohibited.

- **Mixed-Intensity (MI):** The Mixed-Intensity area comprises primarily residential uses, along with a mix of small-scale neighborhood commercial, employment, and public services uses. Buildings will be a mix of one-story to three-story detached, attached, or stacked housing types sited on smaller individually-owned lots with private yards and street and/or alley access, or larger lots under multiple or separate ownership with shared street and/or alley access. Townhouse development is appropriate at the higher density range.

- **Adaptive Use (AU):** The Adaptive Use area is intended to comprise the highest concentration of existing buildings and historic development patterns. Residential and non-residential development within this area may occur within existing structures that have been rehabilitated or within new structures.

- **Village Center (VC):** The Village Center area comprises the most intense and pedestrian-oriented residential, commercial, employment, and public services uses. Residential uses will have densities of no less than 16 dwelling units per net acre. Non-residential uses include a mix of large and small-scale commercial establishments, which cumulatively will be limited to not more than approximately 80,000 square feet of pedestrian-oriented retail. Office uses are encouraged.

Two of the overlay areas identified above, the MI area and the LI area, are included within the proposed refinement plan. The majority of the land within the refinement plan is located within the MI area while the western portion of the property abutting Battle Creek Road lies within the LI area. A breakdown, by acreage, of the amount of land within the refinement plan included in both of these overlay areas is provided in the table below.

Overlay Area	Total Acreage	Percentage of Total Refinement Plan Area
Mixed Intensity (MI)	93.7	91.5%
Low Intensity (LI)	8.7	8.5%

- ***Uses (SRC 530.040):***

SRC 530.040 establishes a master list of uses that may be allowed in the four different overlay areas of the FMU zone. SRC 530.030(d)(2) requires refinement plans to identify those land uses allowed under SRC 530.040 that are proposed to be allowed in the refinement plan area.

The land uses proposed to be allowed within the refinement plan are identified under Section III of the refinement plan. While the refinement plan allows a variety of uses, the subject property is proposed to be developed with single-family detached dwellings, attached townhouses, open space areas, a park, and a stormwater facility, all of which are permitted uses within the refinement plan.

- ***General Development Standards (SRC 530.045):***

  SRC 530.045 establishes the following standards that are applicable to all development within the FMU zone irrespective of a refinement plan. The proposed refinement plan conforms to these standards as follows:

  Nonresidential development in MI area *(SRC 530.045(a))*: Except for activities falling under basic education, no building used exclusively for a nonresidential use within the MI area shall have a building footprint greater than 6,000 square feet. Activities falling under basic education located within the MI area may have a building footprint greater than 6000 square feet.

  The majority of the property is located Mixed-Intensity (MI) area of the FMU zone. As provided in the application materials submitted by the applicant, the proposed development will include a mix of front and alley loaded single-family detached homes and attached townhouses, a community park, open space, multi-use paths, and related improvements. No non-residential uses are planned within the development. This standard is therefore not applicable.

  Open space *(SRC 530.045(b))*: A minimum of 20 acres of land within the FMU zone shall be reserved as natural open space.

  Natural open space areas are required to be identified as part of the refinement plan approval process.

  Natural open space provided throughout the FMU zone to-date includes approximately 6.47 acres provided along Pringle Creek within the Pringle Creek Community Refinement Plan and approximately 14.07 acres within the Braden Lane Natural Area to the northwest of the site located adjacent to the curve where Pringle Road SE becomes Battle Creek Road SE. The total natural open space provided between these two areas equals approximately 20.54 acres and therefore exceeds the minimum 20-acre requirement of the FMU zone.

  Although the minimum amount of required natural open space has already been provided within the FMU zone, the proposed development still provides additional open space areas throughout the site as shown on the Preliminary Landscape Plan Overview plan of the refinement plan *(Sheet No. PO-06)*. The open space areas are generally associated with the two valleys that extend through the site, the proposed stormwater facility located adjacent to the intersection of Reed Road and Lindburg Road, and the community park area located at the southern end of the site adjacent to Battle Creek Road and Reed Road.

  Maximum number of dwelling units *(SRC 530.045(c))*: The maximum number of dwelling units permitted in the FMU zone shall be 2000.

  There are currently three approved and vested refinements plans within the FMU zone. These include the Pringle Creek Community refinement plan, the Fairview Refinement Plan II refinement plan, and the Fairview Addition West refinement plan. The number of

dwelling units either planned and/or constructed within these refinement plans is identified below:

Refinement Plan	Dwelling Units
Pringle Creek Community	315 units *(max. number of units planned)*
Fairview Addition West	410 units *(max. number of units planned)*
Fairview Refinement Plan II:	465 units *(max. number of units allowed and constructed)*
Total:	**1,190 units**

As identified in the proposed refinement plan and associated subdivision, a total of 546 lots are proposed to be created that are intended to be developed for single family detached and attached dwellings. The 546 new units proposed together with the existing 1,190 units results in a new total of 1,736 units, which does not exceed the maximum allowed 2,000 units within the zone.

FMU zone boundary setback *(SRC 530.045(d))*: All buildings and accessory structures within the FMU zone shall be set back a minimum of 20 feet from the FMU zone boundary.

The subject property abuts the boundary of the FMU zone along its southwestern border abutting Battle Creek Road and its southeastern border abutting Reed Road. The minimum required 20-foot FMU zone boundary setback therefore applies to development of the subject property.

As identified within the development standards section of the refinement plan, the minimum required 20-foot FMU zone district boundary setback is incorporated into the required setback table of the refinement plan. Future development on any lot abutting the FMU zone district boundary will therefore be reviewed for conformance with this setback requirement at the time of building permit and/or site plan review.

Off-street parking *(SRC 530.045(e))*: Notwithstanding the standards included within any refinement plan, minimum and maximum off-street parking shall conform to the requirements of SRC Chapter 806.

The City recently amended its off-street parking requirements to comply with the State's administrative rules for Climate Friendly and Equitable Communities (CFEC). As part of the amendment, minimum off-street parking requirements were eliminated for all uses City-wide and maximum off-street parking requirements were clarified. The FMU zone was also amended to add the above referenced off-street parking requirement included under SRC 530.045(e).

Pursuant to this standard, refinement plans are no longer allowed to establish minimum and maximum off-street vehicle parking requirements different from those included under SRC Chapter 806. The development standards section of the refinement plan incorporates this off-street parking requirement and states that minimum and maximum

off-street parking shall conform to the requirements of SRC Chapter 806.

- ***Development Standards for Uses and Activities Falling Under Household Living (SRC 530.050):***

  SRC 530.050 requires that when uses and activities falling under the Household Living use category are proposed within a refinement plan, such uses and activities shall be subject to either the development standards set forth in this section or the development standards established in the refinement plan.

  The proposed refinement plan includes uses and activities falling under the Household Living use category. Pursuant to SRC 530.050, the refinement plan proposes to establish its own standards for Household Living uses that while similar to the standards included under SRC 530.050 in many respects, are still district from these standards.

  As such, development within the refinement plan shall be subject to the standards included in the refinement plan and not the standards included within this section.

- ***Public School Siting (SRC 530.055):***

  SRC 530.055 establishes requirements for coordination in the planning and siting of potential new schools within the FMU zone. Notice is required to be provided to the School District and if a school is proposed for the property, its location must address the school siting factors included under SRC 530.055(b).

  The Salem-Keizer School District was notified of the proposed refinement plan. The School District did not identify the need for a school to be sited on the subject property.

- ***Historic Preservation (SRC 530.060):***

  SRC 530.060 requires any structure existing on December 24, 2003, identified for demolition shall, prior to issuance of a demolition permit, be documented according to the survey and inventory practices set forth by the Oregon State Historical Preservation Office.

  The portion of the site included within the proposed refinement plan did, at one time, include buildings and structures but those structures have since been removed from the property. These structures were included in the original inventory of existing buildings and structures conducted as part of the Fairview Plan and identified on the Fairview Plan building reuse plan as, “Deconstruction: Primarily for Deconstruction with the Option for Reuse.” In addition, none of these structures were listed in the Fairview Training Center Historic Analysis and Inventory as potential historic contributing structures to a potential historic district.

  Because these structures existed on December 24, 2003, they were subject to the documentation requirements of SRC 530.060 prior to demolition. In 2009, the required documentation of these and other structures on the Fairview Site was completed and submitted to the City and the State Historic Preservation Office (SHPO) as required

under SRC 530.060.

- ***Natural Resource Guidelines (SRC 530.065):***

The FMU Zone recognizes the importance of the presence of natural resources on the site and how those resources help to define the special character of the property. As such, SRC Chapter 530.065 establishes natural resource guidelines to address their preservation. The Fairview Plan, any subsequent refinement plan, and any development within the FMU Zone shall identify how existing natural resources will be protected and how natural hazards will be mitigated through compliance with the following:

(1) SRC Chapter 808 (Preservation of Trees and Vegetation)
(2) SRC Chapter 809 (Wetlands)
(3) SRC Chapter 810 (Landslide Hazards)

<u>Trees:</u>

SRC Chapter 808 (Preservation of Trees and Vegetation) requires tree conservation plans in conjunction with development proposals involving the creation of lots or parcels to be used for single family uses, two family uses, three family uses, four family uses, or cottage clusters. The tree preservation ordinance defines "tree" as, "any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more dbh, and possesses an upright arrangement of branches and leaves."
Under the City's tree preservation ordinance, tree conservation plans are required to preserve all heritage trees, significant trees, trees and native vegetation within riparian corridors, and a minimum of 30 percent of all of the trees on the property. If less than 30 percent of the existing trees on the property are proposed for preservation, the applicant must demonstrate that there are no reasonable design alternatives that would enable preservation of such trees and that for each tree removed in excess of 70 percent, the mitigation measures required under SRC 808.035(e) are satisfied.

Similarly, if significant trees or trees within a riparian corridor are proposed for removal, the applicant must show there are no reasonable design alternatives to enable preservation of those trees.

There are existing trees located on the subject property, including trees within three exiting groves on the site. As identified in the refinement plan, trees within the existing groves will be preserved except for those trees within them that are dead or in decline. Pursuant to SRC 808.035, a tree conservation plan was submitted by the applicant that is included in Sheets TP-00 to TP-07 of the proposed refinement plan. The tree conservation plan identifies a total of 129 trees on the property, 34 of which are significant trees. Of the total 129 trees present on the site, the proposed tree conservation plan identifies 45 trees *(34.9%)* for preservation and 84 trees *(65.1%)* for removal. Of the 34 significant trees on the site, the tree conservation identifies 21 for preservation and 13 for removal.

The proposed tree conservation plan meets the preservation requirements of SRC Chapter 808 and limits the removal of significant trees to only those which cannot otherwise reasonably be preserved. The tree conservation plan is being reviewed by staff and, if approved, will be binding on the lots until final occupancy. Any proposed future changes to the approved tree conservation plan will require approval of a separate tree conservation plan adjustment.

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. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

The Salem-Keizer Local Wetland Inventory and the Fairview Hills Refinement Plan Preliminary Grading and Drainage Plans identify mapped wetlands on the property. In addition, the applicant submitted a wetlands delineation prepared by AKS Engineering & Forestry LLC, dated August 2024, which identifies wetlands as being present on the site. It is likely that due to the existence of wetlands, State permits from the Oregon Department of State Lands will be required for the proposed development. The applicant is advised to contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s), including any work in the public right-of-way. As required under SRC 809.025, notice of the proposal was sent to the Oregon Department of State Lands; however, as of the date of completion of this staff report no response has been received. Public Construction permits will not be issued until all applicable State and Federal permits have been obtained per the Public Works Design Standards. In order to ensure compliance with SRC Chapter 809 and the Public Works Design Standards, a condition of approval (Condition 32) has been recommended in conjunction with the proposed subdivision requiring the applicant to provide evidence prior to issuance of Public Construction permits that any required State and/or Federal permits have been obtained relating to development adjacent to jurisdictional wetlands and waterways. The proposed refinement plan and subdivision, as recommended to be conditioned, therefore conform to SRC Chapter 809.

Landslide Susceptibility:

The City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility.

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), the subject property includes areas of 2 to 3 mapped landslide hazard susceptibility points and the proposed subdivision adds 3 activity

points to the proposal. The cumulative total of 5 to 6 points indicates a moderate landslide hazard risk requiring a geological assessment.

A Geological Assessment, prepared by GeoPacific Engineering, Inc. and dated September 12, 2024, was submitted with the application. In addition, a Geotechnical Engineering Report, prepared by GeoPacific Engineering, Inc. and dated October 19, 2023, was also submitted. The reports demonstrate the subject property can be developed without increasing the potential for slope hazard on the site or adjacent properties by utilizing construction methods identified within the report. In order to ensure compliance with the requirements of SRC Chapter 810, a condition of approval has been placed on the proposed subdivision requiring the applicant to submit a final report from a geotechnical engineer prior to the submittal of building permits for any lot within the subdivision describing construction monitoring activities for all site earthwork and addressing the geotechnical considerations for each individual building lot. The refinement plan and subdivision therefore conform to the requirements of SRC Chapter 810.

Pursuant to SRC 530.065(b), refinement plans shall also consider the following:

(1) The preservation of natural drainage patterns of the site;
(2) The existence and use of native plant species, where appropriate;
(3) The integrity of mature stands of trees that are in good health;
(4) The minimization of the amount of impervious surfaces near all waterways; and
(5) Significant wildlife habitat.

The proposed refinement plan minimizes impacts from the development on the natural site features identified in the Fairview Plan through preservation of existing trees, designation of open space areas throughout the site, and sensitively arranging the proposed development in a manner that will work with the surrounding ecosystems by preserving natural sites for recreational use, wildlife habitats, and stormwater drainage.

- ***Transportation Planning (SRC 530.070):***

SRC 530.070 requires refinement plans to identify whether the plan significantly affects a transportation facility by:

(1) Changing the level of service of an existing or planned transportation facility;
(2) Changing standards implementing the street classification system;
(3) Allowing types or levels of land uses which would result in levels of travel or access which are inconsistent with the level of service of a transportation facility; or
(4) Reducing the level of service of the facility below the minimum acceptable level identified in the City of Salem Transportation System Plan.

Pursuant to SRC 803.015(a)(1), a Traffic Impact Analysis (TIA) prepared by Kittelson & Associates and dated December 18, 2024, was submitted in conjunction with the proposed development. The TIA provides supplemental findings to the original 2004 Fairview Training Center Redevelopment Master Plan TIA and the Area Facilities Plan Mitigation List established within the original TIA. The TIA indicates that mitigation is

required to address traffic impacts to the Reed Road SE and Battle Creek Road SE intersections. Specifically, the TIA identifies that Reed Road SE should be realigned and signalized to provide for safe traffic circulation at the intersection. This improvement will be required to be completed with Phase 3 of the proposed subdivision and the applicant is required to acquire and/or convey land for dedication of right-of-way as needed to construct the improvements.

SRC 530.030(e)(6): The refinement plan conforms to the following goals:

Finding: The proposed refinement plan conforms with the goals identified under SRC 530.030(e)(6) as follows:

(A) Encourage mixed-use development, improved protection of open spaces and natural features, and greater housing and transportation options;

Finding: The proposed refinement plan provides varying home plans and lot sizes that will cater to a broad spectrum of housing needs across different age groups and income levels. Although no commercial spaces are currently included in the Fairview Hills refinement plan area, the Refinement Plan allows flexibility for these uses to be incorporated in the future. Large green corridors provide for the preservation of habitat and wetland areas, natural drainageways, and existing tree groves while offering passive and active recreational opportunities. The community includes an interconnected network of public streets, sidewalks, trails, pedestrian connections, and shared-use paths that integrate with the established vehicular and pedestrian/bicycle circulation system, promoting connectivity and access throughout the site and the surrounding neighborhoods. The proposed refinement plan conforms to this goal.

(B) Encourage the innovative integration of park and school uses;

Finding: The proposed refinement plan does not include school uses and notice of the proposed refinement plan was sent to the Salem-Keizer School District and they did not identify the need for a school on the property.

The proposed refinement plan does, however, include over 20 acres of open space areas are integrated throughout the site that offer a variety of recreational opportunities including trails, pedestrian pathways, shared-use paths, dog parks, a community park with play structures, enhanced plantings, seating areas, and a half-court basketball court.

(C) Encourage the principles of sustainable development and sustainable business practices;

Finding: The proposed refinement plan encourages the principles of sustainable development and sustainable business practices by preserving open space and natural features of the site, promoting green building techniques, and utilizing innovative ‘layering’ approaches to the management of stormwater and open spaces. The proposed refinement plan conforms to this goal.

(D) Support affordable housing options and mixed-income neighborhoods;

Finding: The proposed refinement plan provides for varying home plans and lot sizes that will cater to a broad spectrum of housing needs across different income levels. Homes will range from smaller attached townhomes to larger single-family homes which will fill the gap in the housing options currently provided by the existing Fairview refinement plan communities. The proposed refinement plan conforms to this goal.

(E) Facilitate the resourceful use of land through the efficient arrangement of land uses, buildings, circulation systems, open space and infrastructure;

Finding: The proposed refinement plan fosters the efficient and resourceful use of land by providing homes of varying sizes and styles on a variety of lot sizes in a manner that preserves open space and natural features of the site. The proposed refinement plan also fosters efficient land use and utility infrastructure design through the layering of open space, stormwater management infrastructure, and pedestrian facilities and recreational systems. The proposed refinement plan conforms to this goal.

(F) Encourage economic opportunities that comply with and support business practices;

Finding: Although the proposed refinement plan does not incorporate commercial spaces, by increasing the housing supply within the city it encourages economic opportunities through the provision of needed housing to accommodate more residents who work within the city. The proposed refinement plan conforms to this goal.

(G) Recognize the historic significance of buildings, structures, and sites, including archaeological sites, through appropriate means, including, but not limited to, obtaining official historic resource designation; and

Finding: As identified in the refinement plan, cultural and archaeological studies were completed to determine whether any historically significant buildings, structures, and sites, including archaeological sites, are located within the refinement plan area and none were identified. As such, this goals is not applicable to the proposed refinement plan.

(H) Encourage energy conservation and improved air and water quality.

Finding: As identified in the refinement plan, all homes within the Fairview Hills community will be certified and constructed as high-performance, energy-efficient buildings meeting the standards of the US Department of Energy's Zero Energy Ready Home program, encouraging energy conservation.

The stormwater system within the Fairview Hills community has been designed to continue to allow runoff from upstream properties to flow along existing drainageways to a regional stormwater facility that utilizes LIDA and green infrastructure techniques in conformance with City design standards, improving the water quality in the area. The proposed refinement plan conforms to this goal.

10. Analysis of Phased Subdivision Tentative Plan Approval Criteria

Pursuant to SRC 205.015(a), no land shall be divided as a phased subdivision without receiving tentative phased subdivision plan approval. Because the proposal includes a land division creating a total of 562 lots in six phases, a phased subdivision tentative plan is required.

SRC 205.015(d) sets forth the following criteria that must be met before approval can be granted to a tentative phased subdivision plan. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings of fact evaluating the proposal for conformance with the criteria. Lack of compliance with the criteria is grounds for denial of the tentative plan or for the issuance of conditions of approval to satisfy the criteria.

SRC 205.015(d)(1): The tentative phased subdivision plan meets all of the criteria for tentative subdivision plan approval set forth in SRC 205.010(d).

Finding: SRC 205.010(d) establishes the following approval criteria for tentative subdivision plans. The proposed phased subdivision meets all of the tentative subdivision plan approval criteria of SRC 205.010(d) as follows:

SRC 205.010(d)(1): The tentative subdivision plan complies with the standards of this chapter and with all applicable provisions of the UDC, including, but not limited to, the following:

(A) Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage and designation of front and rear lot lines.

(B) City infrastructure standards.

(C) Any special development standards, including, but not limited to, floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.

Finding: The Unified Development Code (UDC) implements the Salem Area Comprehensive Plan land use goals and governs the development of property within the City limits. The subject property is zoned FMU (Fairview Mixed Use) and subject to the requirements and standards included within the Fairview Hills Refinement Plan.

As provided under the “Development Standards” section of the refinement plan, the standards and processes stipulated in the refinement plan supersede the standards and processes of the Unified Development Code (UDC) and the Public Works Design Standards (PWDS) and serve as the review criteria for development with the refinement plan area. However, any standards and requirements of the UDC and the PWDS that would otherwise be applicable to the development but are not superseded by the standards and requirements of the refinement plan shall apply within the refinement plan area.

The proposed phased subdivision tentative plan, as conditioned, complies with the applicable standards of the FMU zone, the proposed *Fairview Hills Refinement Plan*, and all other applicable provisions of the UDC, as required by this approval criterion, as detailed below.

(A) Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage and designation of front and rear lot lines.

SRC Chapter 205 – Land Division and Reconfiguration

The intent of SRC Chapter 205 is to provide for orderly land development through the application of appropriate standards and regulations. The subdivision process reviews development for compliance with City standards and requirements contained in the UDC, Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans. The applicant has met all application submittal requirements necessary for adequate review of the proposed phased subdivision.

SRC 205.035(f) requires that when facilities and common property, including, but not limited to, private streets, parking areas, privately owned pedestrian walkways and bikeways, and landscape strips, are included within the development, recorded covenants, conditions, and restrictions for the development shall be provided requiring that such facilities and common property be perpetually operated and maintained by a property owners' association. Each property owner shall be a member of the property owners' association. The association shall have the power to levy and assess against privately owned property in the development all necessary costs for operation and maintenance of such facilities and common property. The documents creating such association shall be approved by the Director.

In addition, the FMU zone requires, per SRC 530.030(d)(12), that refinement plans must identify the proposed method for the perpetual maintenance of any common open space and common facilities within the refinement plan area. As described in the refinement plan and identified in the subdivision plans, the proposed subdivision will include private streets and common open space and facilities. In order to comply with the requirements of SRC 205.035(f) and SRC 530.030(d)(12), the following condition of approval shall apply:

Condition 2: The applicant shall submit a homeowners' association agreement and covenants, conditions, and restrictions (CC&R) document for review and approval by the City Attorney meeting the requirements of SRC 205.035(f) and SRC 803.020(b)(3) and providing for the perpetual maintenance and operation of all common properties and facilities within the development including, but not limited to: private streets, private utilities, open spaces, common facilities, and community areas. The document shall be recorded prior to final plat approval for each phase.

As conditioned, the proposed subdivision conforms to SRC Chapter 205.

SRC Chapter 530 – FMU Zone & Refinement Plan

The subject property is located within the FMU zone. Pursuant to SRC 530.015, all development within the FMU zone shall be undertaken pursuant to the Fairview Plan, a Refinement Plan, and the development standards set forth in SRC Chapter 530.

Within the FMU zone, allowed uses and standards for lot area, width, depth, frontage, designation of front and rear lot lines, setbacks, and other requirements of development are established in refinement plans.

The subject property is currently comprised of two lawfully established lots, Tax Lot No. 083W110000300 – which is approximately 98.01 acres in size, and Tax Lot No. 083W110000400 – which is approximately 4.43 acres in size. Of the two existing lots that make up the subject property, the proposed phased subdivision tentative plan applies specifically to the approximate 98-acre lot *(Tax Lot No. 083W110000300)* and not to 4.43-acre lot *(Tax Lot No. 083W110000400).*

Because Tax Lot No. 083W110000300 is located within the proposed Fairview Hills Refinement Plan, the proposed phased subdivision tentative plan must comply with the applicable standards and requirements of the refinement plan. The proposed phased subdivision tentative plan complies with such applicable standards and requirements as follows:

- ***Uses:***

  As identified on the Preliminary Zoning Map of the refinement plan *(Sheet PO-10)*, the subject property is located within both the LI (Low Intensity) and MI (Mixed-Intensity) overlay areas of the FMU zone as established under SRC 530.010. The LI overlay area applies to the portion of the property along Battle Creek Road SE *(approximately 8.7 acres)* and the MI overlay area applies to the remainder of the site *(approximately 93.7 acres)*.

  The proposal includes a phased subdivision creating 546 lots that are intended to provide a variety of single-family home types and 16 additional lots are intended to accommodate non-residential uses including open space areas, a community park, and a stormwater facility. As identified on the Preliminary Phasing Plan of the refinement plan *(Sheet No. PO-02)*, the proposed residential uses will include seven basic lot configurations that will accommodate single-family detached dwellings and paired townhouses.

  As illustrated on the phasing plan, single-family detached dwellings and a portion of the proposed community park are proposed within the LI overlay area portion of the site and single-family detached dwellings, paired townhouses, designated open space areas, the remaining portion of the community park, and a stormwater facility are proposed within the MI overlay area portion of the site. Pursuant to the City's Use Classification chapter (SRC 400), single-family detached dwellings and attached townhouses are classified as Single Family uses, parks and open space areas are classified as Parks and Open Space uses, and stormwater facilities are classified as Basic Utility uses.

  As provided in the Fairview Hills Refinement Plan, the uses allowed within the refinement plan area are the same as those which are allowed within the FMU zone. Pursuant to the allowed uses table in the refinement plan, single-family detached dwellings and parks and open space are identified as Permitted Uses in the LI overlay area and single-family detached dwellings, attached townhouses, parks and open

space, and basic utilities are identified as Permitted uses in the MI overlay area. As such, the uses proposed for the lots within the phased subdivision are permitted uses in the refinement plan.

- ***Lot Standards:***

Lot size and dimension standards within Fairview Hills Refinement Plan are set forth in Chapter 001 of the Development Standards section of the refinement plan. A summary of the lot size and dimension standards applicable to the single-family detached and attached dwellings and the parks and open space and basic utility uses proposed within the refinement plan is provided in the following table. The lot size and dimension standards established for the residential uses within the refinement plan are generally based on the lot standards specified for residential uses in the FMU zone pursuant to SRC 530.050(a).

Applicable Refinement Plan Lot Standards		
Lot Area	None	Applicable to all household living uses and activities.
	None	Applicable to all other uses.
Lot Width	None	Applicable to all household living uses and activities.
	None	Applicable to all other uses.
Lot Depth	None	Applicable to all household living uses and activities.
	None	Applicable to all other uses.
Street Frontage	Min. 18 ft.	Applicable to single family.
	No Max.	
	Min. 40 ft.	Applicable to non-residential uses.
	No Max.	

As shown on the tentative phased subdivision plan **(Attachment D)**, the proposed residential lots within the subdivision range in size from approximately 2,271 square feet to 12,032 square feet and all have at least 18 feet of frontage on a street. The proposed non-residential lots within the subdivision range in size from approximately 3,243 square feet to 258,360 square feet and all have more than 40 feet on frontage on a street. The proposed lots within the subdivision therefore exceed the lot size and dimension requirements of the refinement plan and are of sufficient size and dimension to permit future development of the uses proposed.

- ***Dwelling Unit Density:***

Residential dwelling unit density standards within Fairview Hills Refinement Plan are set forth in Chapter 001 of the Development Standards section of the refinement plan. A summary of overall dwelling unit density standards applicable to residential uses within

the refinement plan is provided in the following table.

Fairview Hills Overall Dwelling Unit Density		
Overlay Area	**Minimum**	**Maximum**
Low-Intensity (LI)		
Required density	4 d.u./acre	6 d.u./acre
Net site area *(per subsection (2) of the refinement plan)*	7.59 acres	
Minimum units required/maximum units allowed	**30 units**	**46 units**
Mixed-Intensity (MI)		
Required density	5 d.u./acre	10 d.u./acre
Net site area *(per subsection (2) of the refinement plan)*	74.26 acres	
Minimum units required/maximum units allowed	**371 units**	**743 units**

As shown on the tentative phased subdivision plan and the Preliminary Zoning Map *(Sheet No. PO-10)* of the refinement plan, a total of 41 residential lots are proposed within the LI overlay area of the site and a total of 505 residential lots are proposed within the MI overlay area of the site. Each of the proposed lots is intended to accommodate one dwelling unit; thereby resulting in a total of 41 dwelling units within the LI overlay area and a total of 505 dwelling units within the MI overlay area.

Based on the net area of the LI overlay area of the site, a minimum total of 30 dwelling units are required and a maximum total of 46 dwelling units are allowed. The 41 single-family lots proposed within the subdivision in the LI overlay area therefore conform to the density requirements of the refinement plan. Within the MI overlay area of the site, a minimum total 371 dwelling units are required and a corresponding maximum total of 743 dwelling units are allowed. The 505 single-family lots proposed within the subdivision in the MI overlay area similarly conform to the density requirements of the refinement plan.

- ***Setbacks:***

Required setbacks within Fairview Hills Refinement Plan are set forth in Chapter 001 of the Development Standards section of the refinement plan. The following table identifies the required building and accessory structure setbacks applicable within the refinement plan area. Because the refinement plan does not establish required setbacks for off-street parking and vehicle use areas, the parking and vehicle use area setbacks of the City's off-street parking chapter (SRC 806) will apply to development within the refinement plan.

Fairview Hills Refinement Plan Building & Accessory Structure Setbacks		
Requirement	**Standard**	**Limitations & Qualifications**

Abutting FMU Zone District Boundary		
Buildings		
All household living uses and activities	Min. 20 ft.	
All other uses	Min. 20 ft.	
Accessory Structures		
All household living uses and activities	Min. 20 ft.	
All other uses	Min. 20 ft.	
Abutting Street		
Buildings		
All household living uses and activities	Min. 10 ft.	
All other uses	Min. 10 ft.	
Accessory Structures		
Accessory to all household living uses and activities	Min. 10 ft.	
Accessory to all other uses	Min. 10 ft.	
Abutting Alley		
Buildings		
All household living uses and activities	Min. 4 ft.	
All other uses	Min. 4 ft.	
Accessory Structures		
Accessory to all household living uses and activities	None	
All other uses	None	
Interior Front		
Buildings		
All household living uses and activities	Min. 10 ft.	
All other uses	Min. 10 ft.	
Accessory Structures		
Accessory to all household living uses and activities	None	

All other uses	None	
Interior Side		
Buildings		
All household living uses and activities	None	Applicable to any exterior wall or portion thereof of a townhouse which is contiguous to an interior side lot line.
	Min. 4 ft.	Applicable to any exterior wall or portion thereof of a townhouse which faces but is not contiguous to an interior side lot line.
		Applicable to all other household living uses and activities.
All other uses	Min. 4 ft.	
Accessory Structures		
Accessory to all household living uses and activities	None	
All other uses	None	
Interior Rear		
Buildings		
All household living uses and activities	Min. 5 ft.	
All other uses	None	
Accessory Structures		
Accessory to all household living uses and activities	None	
Accessory to all other uses	None	

The identified applicable setback requirements of the refinement plan and UDC will apply to the future development of each of the individual proposed lots within the phased subdivision. Because the proposal includes at this time only the subdivision of the land to create lots, setback requirements are generally not yet applicable. Future development of the individual proposed lots within the subdivision will be reviewed for conformance with applicable setback requirements at the time of building permit and/or site plan review.

- ***Lot Coverage & Height:***

Lot coverage and maximum height standards within Fairview Hills Refinement Plan are set forth in Chapter 001 of the Development Standards section of the refinement plan.

Within the LI overlay area of the site, lot coverage for buildings and accessory structures is limited to a maximum of 55 percent for residential uses. Within the MI overlay area, no maximum lot coverage requirement is established and there is similarly no maximum lot coverage requirement established for non-residential uses.

In regard to maximum height, the maximum height within the LI overlay area for residential buildings and accessory structures is 35 feet; the maximum height for non-residential buildings is 45 feet; and the maximum height for non-residential accessory structures is 35 feet. Within the MI overlay area, the maximum height for residential and non-residential buildings and accessory structures is 45 feet. In addition to establishing maximum height requirements for buildings and accessory structures, the refinement plan also establishes a maximum height limit of 45 feet for trees and vegetation.

Future development of the individual proposed lots within the subdivision will be reviewed for conformance with the applicable maximum heights at the time of building permit and/or site plan review.

- ***Building Orientation & Architectural Standards:***

  In addition to requirements for setbacks, lot coverage, and height, Chapter 001 of the Development Standards section of the refinement plan also establishes building orientation and architectural standards that require residential uses within the refinement plan to:

  - Be oriented to the street with main entrances facing the street;
  - Include an architecturally defined porch for the primary entrance that faces the street; and
  - Have a minimum roof pitch of 3:12 *(expressed as a ratio of vertical rise to horizontal run)*.

  Because the proposal includes at this time only the subdivision of the land to create lots, the above identified building orientation and architectural standards are generally not yet applicable. Future development of the individual proposed lots within the subdivision will be reviewed for conformance with applicable setback requirements at the time of building permit and/or site plan review.

SRC Chapter 602 - Airport Overlay Zone

Due to the proximity of the property to the McNary Field Airport, the subject property is located within the City's Airport Overlay Zone (SRC Chapter 602). Pursuant to SRC 602.001, the purpose of the Airport Overlay Zone is to establish standards to promote air navigational safety and prevent hazards and obstructions to air navigation and flight.

Based on the topography of the site, western portions of the property generally located along Battle Creek Road SE where the existing terrain of the site is at its highest currently project into Federation Aviation Administration (FAA) Part 77 surfaces regulated under Federal and State law and the City's Airport Overlay Zone. As such, any structures built within these areas will further project into these regulated areas. Because of this, the applicant applied for an Airport Overlay Zone Height Variance, pursuant to SRC 602.025, and submitted aeronautical studies to the FAA to evaluate the proposed development's potential impact on air navigation and safety. As identified in the completed studies and

within the associated findings for the requested Airport Overlay Zone Height Variance included under Section 11 of this decision, the FAA determined that structures built to heights of 35 feet and 45 feet above ground level, which are the maximum heights allowed within the proposed refinement plan, will not have substantial adverse effects on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities and therefore would not be a hazard to air navigation. However, subsequent to the original January 14, 2025, staff report being issued it was determined that the aeronautical studies conducted by the FAA for the subject property included not only the studies for the proposed development but also other additional studies for a separate subdivision to the south of the subject property adjacent to Battle Creek Road SE and Landau Street SE.

In order to ensure that the maximum allowed heights for development within the refinement plan and subdivision conform to the requirements of the FAA, the following additional condition of approval shall apply, as originally recommended in the January 14, 2025, supplemental staff report:

Condition 43: Prior to final plat approval for Phase 1, the applicant shall submit updated aeronautical studies from the Federal Aviation Administration (FAA) that include only the subject property. If the maximum heights determined in the studies conflict with those identified in the refinement plan, the refinement plan standards shall be revised to reflect the maximum heights determined in the updated FAA studies.

As conditioned, and as provided in the findings included in Section 12 of this decision, the proposal conforms to the requirements of SRC Chapter 602.

(B) City Infrastructure Standards.

The Development Services Division reviewed the proposed phased subdivision for compliance with the City's public facility plans as they pertain to the provision of water, sewer, and storm drainage facilities. While SRC Chapter 205 does not require submission of public construction plans for City infrastructure prior to tentative phased subdivision plan approval, it is the responsibility of the applicant to design and construct required City water, sewer, and storm drainage facilities to serve the proposed development prior to final plat approval without impeding service to the surrounding area. A summary of the existing and required City infrastructure improvements are as follows:

SRC Chapter 200 - Urban Growth Management

SRC Chapter 200 (Urban Growth Management) requires issuance of an Urban Growth Preliminary Declaration (UGA) prior to development of property located outside the City's Urban Service Area.

The subject property is located outside the City's Urban Service Area. However, the property is located within the Fairview Training Center Redevelopment Master Plan and Fairview Development District, which was established in 2005 and includes a list of projects necessary to serve the Development District with adequate public infrastructure. These

improvements are based on a previously approved Urban Growth Preliminary Declaration *(Case No. UGA04-08)* that established the improvements necessary to serve the Fairview Development District. A new UGA Preliminary Declaration is therefore not required and, as recommended to be conditioned, the proposed phased subdivision will be adequately served by public infrastructure consistent with the UGA Preliminary Declaration previously issued for the property – Case No UGA04-08.

- ***Acquisition of property, easements, and right-of-way (SRC 200.050):***

  SRC 200.050(d) requires that right-of-way dedicated to the City be free of encumbrances and liens.

  As described below in the analysis of the proposed phased subdivision's conformance with the requirements of SRC Chapter 803, right-of-way dedication is required along Battle Creek Road SE, Reed Road SE, and for the new internal public streets. Additionally, public access and utility easements are required for public access and utilities on the site. As identified in the applicant's Title Report, there are existing easements on the subject property for natural gas, power, and city utilities which will conflict with required dedications. Based on the requirements of SRC 200.050, the applicant is required to ensure required right-of-way is unencumbered, quitclaims are obtained from private utility owners where there are conflicts, or receive an adjustment to this standard as provided under SRC 200.050(d).

  In order to ensure the proposed phased subdivision complies with the requirements of SRC 200.050 and that all required right-of-way and easements are free of encumbrances, the following condition of approval shall apply:

  Condition 3: Prior to final plat approval for each phase, required right-of-way dedications and required easements for that phase shall be free and clear of encumbrances and liens unless an adjustment to SRC 200.050(d) is approved.

  As conditioned, the proposal conforms to the requirements of SRC Chapter 200.

SRC Chapter 71 – Stormwater

The proposed development is subject to SRC Chapter 71 and the revised Public Works Design Standards (PWDS) as adopted in Administrative Rule 109, Division 004.

The proposed phased subdivision is required to provide treatment and flow control for stormwater management through the use of green stormwater infrastructure (GSI) per SRC Chapter 71 and the *Public Works Design Standards* (PWDS). The applicant provided a preliminary stormwater report which demonstrates the use of GSI to the maximum extent feasible, as required by the PWDS. The preliminary report shows that there will be a single GSI facility constructed with Phase 1 to accommodate stormwater management for all phases. The report addresses the full build-out of the phased subdivision but does not address how the facility will operate throughout the phased construction of the subdivision. Based on the requirements of SRC Chapter 71, the applicant is required to submit a

revised tentative stormwater design which demonstrates the storm facility will comply with the PWDS at full build-out as well as with each phase of development. In addition, the applicant is required to construct stormwater facilities pursuant to SRC Chapter 71 and PWDS to accommodate new impervious surfaces in rights-of-way and future impervious surfaces on all proposed lots. In order to ensure compliance with SRC Chapter 71 and the PWDS relating to stormwater management, the following conditions of approval shall apply:

Condition 4: Prior to final plat approval for each phase, provide an engineered stormwater design and final stormwater report pursuant to SRC 71 and the *Public Works Design Standards* (PWDS) to accommodate new impervious surfaces in rights-of-way and future impervious surfaces on all proposed lots. The revised report shall demonstrate the proposed stormwater design complies with SRC Chapter 71 and the PWDS for each phase of development and at full buildout.

Condition 5: Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct stormwater facilities pursuant to SRC 71 and the Public Works Design Standards to accommodate new impervious surfaces in rights-of-way (public and private) and future impervious surfaces on all proposed lots within that phase.

As conditioned, the proposal conforms to the requirements of SRC Chapter 71.

SRC Chapter 802 – Public Improvements

SRC 802.015 requires development to be served by City utilities designed and constructed according to the applicable provisions of the Salem Revised Code and Public Works Design Standards (PWDS). Private water, sewer, and storm services shall be constructed to serve each lot. All public and private City infrastructure proposed to be located in the right-of-way (public and private) shall be constructed or secured per SRC 205.035(c)(7)(B) prior to final plat approval.

The applicant provided a preliminary utility plan showing how each phase will be provided with public water, sewer, and stormwater services. In summary, the subdivision tentative plan will be served adequately by City water, sewer, and stormwater infrastructure upon completion of the recommended conditions described in the following analysis provided for each utility type.

- **Water Service**

  The subject property is located within the S-1 and S-2 water service levels. There are public S-1 and S-2 water mains located in the streets abutting the subject property. The applicant's preliminary utility plan shows the S-1 portion of the property will be served by extension of mains from Battle Creek Road SE and Reed Road SE. The S-2 portion of the property will be served by an extension of a S-2 domestic water system from Battle Creek Road SE as well as an S-1 fire suppression system from Battle Creek Road SE. In addition, the applicant's preliminary utility plan shows a 12-inch water main which

provides a looped water system from Battle Creek Road SE to Reed Road SE and Lindburg Road SE, as required by the Salem Water System Master Plan and Fairview Development District. In order to ensure adequate water service is provided to the phased subdivision, the following conditions of approval shall apply:

Condition 6: Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), extend public water mains within the new internal streets of the subdivision to serve each lot within that phase as shown on the applicant's utility plan and designed and constructed in accordance with the Public Works Design Standards.

Condition 7: Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct a looped 12-inch water main from Battle Creek Road SE to Reed Road SE and Lindburg Road SE as shown on the applicant's preliminary utility plan. The main shall be designed and constructed in accordance with the Public Works Design Standards.

As identified on the applicant's preliminary utility plan, public water mains are proposed within Alley 1 and Alley 2 with water meters along the alley at the back of the future residential homes. There are existing public water mains in Lindburg Road SE that can serve the properties fronting Lindburg Road SE and there is a proposed water main in the internal 2nd Street to serve the lots fronting 2nd Street. Public Works Operations staff reviewed the utility plan and identified concerns that placing meters in the alley will limit access and long-term maintenance of the proposed water main. The Public Works Design Standards (PWDS) require new water mains to be placed within streets and seven feet from a curb face (PWDS 1.6(c)). In addition, water meters shall be placed in locations that allow for easy reading, maintenance, and within sidewalks when sidewalks are present (PWDS 5.9). In order to ensure compliance with SRC Chapter 802 and the PWDS, a condition of approval *(Condition 8)* was originally recommended requiring the applicant to submit a revised utility plan showing Lots 352 through 373 being served by public water from Lindburg Road SE and Lots 374 through 395 being served by public water from 2nd Street.

Upon review of this condition, the applicant's engineer submitted comments identifying existing infiltration swales along a portion of Lindburg Road SE, which may conflict with the requirement to provide water service to lots 352 through 373 from Lindburg Road SE. As such, the applicant requested this condition be modified to provide flexibility in where water service is provided for these lots by allowing the City Engineer to review and approve an alternative location for the necessary services while still meeting the City's goal to reduce the number of services being taken from the adjacent alley. As identified in the January 14, 2025, supplemental staff report, staff does not object to a revision of Condition No. 8. The revised language proposed by the applicant still requires adequate water service be provided to the proposed development, in an alignment approved by the Public Works Department. As such, Condition No. 8 shall be revised as follows:

Condition 8: Prior to issuance of Public Construction plans for Phase 5, the applicant shall ~~**submit a revised utility plan showing**~~ **work with City staff for design of public water service to** lots 352 through 373**.** ~~**served by public water from Lindburg Road SE and lots**~~ **Lots** 374 through 395 **shall be** served by **the** public water ~~**from**~~ **in** 2nd Street. ~~**The public water main in Alley 1 and Alley 2 shall be removed from the plans.**~~ **The final public water system design shall be approved by the Public Works Director.**

- **Sanitary Sewer Service**

As identified on the applicant's preliminary utility plan, the proposed subdivision will be served by the extension of new public sanitary sewer mains within the new proposed internal streets. These new mains will discharge into the existing mains in Battle Creek Road SE, Reed Road SE, and Lindburg Road SE. Additional off-site infrastructure is not required to be constructed in order to serve the proposed subdivision. In order to ensure adequate sanitary sewer service is provided to serve the subdivision, the following condition of approval shall apply:

Condition 9: Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), extend public sanitary sewer mains designed and constructed in accordance with the Public Works Design Standards within the new internal streets of the subdivision to serve each lot within that phase as shown on the applicant's utility plan.

- **Stormwater**

As identified on the applicant's preliminary utility plan, the proposed subdivision will be served by the extension of new public stormwater mains within the new proposed internal streets. These new mains will discharge into the proposed on-site stormwater facility with controlled discharge to the existing main in Reed Road SE. Additional off-site infrastructure is not required to be constructed in order to serve the subdivision. In order to ensure adequate stormwater service is provided to serve the subdivision, the following condition of approval shall apply:

Condition 10: Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), extend public stormwater mains designed and constructed in accordance with the Public Works Design Standards within the new internal streets of the subdivision to serve each lot within that phase as shown on the applicant's utility plan.

- ***Easements (SRC 802.020):***

SRC 802.020 requires the conveyance or dedication of easements for City utilities as a condition of development approval.

Any easements needed to serve the proposed lots within the subdivision with City infrastructure are required be shown on the final plat. There are existing public water mains on the subject property. In addition, the applicant proposes:

- Public sanitary sewer and stormwater mains and conveyance systems within the proposed open space areas, as shown on the applicant's utility plan;

- New public water, sewer, and stormwater utilities within proposed Alley 1, Alley 2, and Alley 4; and

- New public utilities in private streets which have right-of-way and improvement widths less than that of a standard public street with a local street classification.

In order to provide for adequate access and maintenance to public utilities within the proposed subdivision and to ensure compliance with the requirements of SRC 802.020, the following conditions of approval shall apply:

Condition 11: Prior to final plat approval for each phase, all necessary (existing and proposed) access and utility easements to serve that phase shall be shown and recorded on the final plat.

Condition 12: Prior to final plat approval for each phase, dedicate easements for existing and proposed public infrastructure on the site and within that phase to current standards in Public Works Design Standards Section 1.8 (Easements).

Condition 13: Prior to final plat approval for each phase, where public utilities are provided in alleys and private streets, the applicant shall dedicate easements centered on the main extending onto the property adjacent to the alley or private street rights-of-way that provide equal easement widths meeting Public Works Design Standards Section 1.8 for Pipeline Easement Width.

As conditioned, the proposed phased subdivision conforms to the public improvement standards of SRC Chapter 802.

SRC Chapter 803 – Street and Right-of-Way Improvements

- ***Boundary Streets Improvements:***

Pursuant to SRC 803.025, except as otherwise provided in this chapter, right-of-way width and pavement width for streets and alleys shall conform to the standards set forth in Table 803-1 *(Right-of-way Width)* and Table 803-2 *(Pavement Width)*. In addition, SRC 803.040 requires dedication of right-of-way for, and construction or improvement of, boundary streets up to one-half of the right-of-way and improvement width specified in SRC 803.025 as a condition of approval for subdivision applications.

Lindburg Road SE abuts the subject property to the northeast and is classified as a collector street within the Salem Transportation System Plan (TSP). Lindburg Road SE

meets the minimum right-of-way width and pavement width standards established in SRC 803.025 and approved with the Fairview Refinement Plan II refinement plan; therefore, additional right-of-way dedication and improvements along Lindburg Road SE are not required.

Battle Creek Road SE abuts the subject property to the southwest and is classified as a minor arterial street within to the TSP. The ultimate required right-of-way width for a minor arterial street is 72 feet according to SRC 803.025, Table 803-1 *(Right-of-way Width)*, and the ultimate required improvement width for a minor arterial street is 46 feet according to SRC 803.025, Table 803-2 *(Pavement Width)*. The existing right-of-way and improvement width along Battle Creek Road SE is inadequate along the Phase 1, Phase 2, and Phase 4 boundaries of the property. The applicant has requested an Alternative Street Standard pursuant to SRC 803.065 to allow Battle Creek Road SE to have an alternative cross section along the property frontage. The alternative cross section would include a 6-foot-wide on-street bike lane and 11-foot-wide travel lane on the opposite side of the street; a 12-foot-wide center turn lane; and a 13-foot-wide travel lane and 10-foot-wide shared-use path on the development side of the street in-lieu of an on-street bike lane. As shown on the applicant's streets plans, the proposed shared-use path will extend onto private property in some locations to avoid existing overhead power poles. Where this occurs, a public sidewalk easement will be required to be provided.

Based on the requirements of SRC 803.065(a)(1), an Alternative Street Standard is recommended to allow Battle Creek Road SE to have an alternative cross section as shown on the applicant's preliminary street plans. In order to ensure conformance with the boundary street requirements of SRC 803.040(a)(1) and SRC 803.040(b), and the alternative street standard approved under SRC 803.065(a)(1), the following conditions of approval were recommended for the improvement of Battle Creek Road SE:

Condition 14: Prior to final plat approval for each phase with frontage on Battle Creek Road SE, convey land for dedication to equal a half-width right-of-way of 36-feet on the development side of Battle Creek Road SE.

Condition 15: Prior to final plat approval for each phase with frontage on Battle Creek Road SE, dedicate a public sidewalk easement for the shared use path along Battle Creek Road SE where the path extends onto private property within that phase. The easement shall extend 1-foot from the shared-use path to allow for maintenance of the path.

Condition 16: Prior to final plat for each phase with frontage on Battle Creek Road SE, construct a three-quarter street improvement along the phase boundary of Battle Creek Road SE to minor arterial street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803, with the exception of the following approved alternative standard to its cross section as shown on the applicant's street plan:

A. A 6-foot-wide on-street bike lane and 11-foot-wide travel lane on the opposite side of the street;

B. A 12-foot-wide center turn lane; and

C. A 13-foot-wide travel lane and a 10-foot-wide shared use path on the development side of the street.

Of the three above identified conditions of approval, the applicant's engineer submitted comments requesting Condition 16 be revised to reference the Battle Creek Road SE cross sections included in the applicant's proposed plans rather than utilizing points A through C in the above condition of approval in order to reduce future confusion related to the specific variations depicted in the approved cross sections.

As identified in the January 14, 2025, staff report, staff does not object to a revision to Condition No. 16 pointing to the cross sections found in the applicant's plans. As shown on the applicant's proposed street cross sections, the Battle Creek Road SE cross section varies slightly across the property frontage. The cross section generally contains the items listed in points A through C in the above condition; however, pointing to the cross sections shown on sheets SC-05 and SC-06 accounts for some variation along the property frontage and provides a more accurate condition of approval. As such, in order to ensure conformance with applicable boundary street improvement requirements, Conditions 14 and 15 shall apply as identified above and Condition 16 shall be modified as follows:

Condition 16: Prior to final plat for each phase with frontage on Battle Creek Road SE, construct a three-quarter street improvement along the phase boundary of Battle Creek Road SE to minor arterial street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803, with the exception of the ~~**following**~~ approved alternative standard**s** to its cross section as shown on the applicant's street plan **sheets SC-05 and SC-06.**

~~***A. A. A 6-foot-wide on-street bike lane and 11-foot-wide travel lane on the opposite side of the street;***~~

~~***B. A 12-foot-wide center turn lane; and***~~

~~***C. A 13-foot-wide travel lane and a 10-foot-wide shared use path on the development side of the street.***~~

Reed Road SE abuts the subject property to the southeast and is classified as a minor arterial street within the TSP. The ultimate required right-of-way width for a minor arterial street is 72 feet according to SRC 803.025, Table 803-1 *(Right-of-way Width)*, and the ultimate required improvement width for a minor arterial street is 46-feet according to SRC 803.025, Table 803-2 *(Pavement Width)*. The existing right-of-way varies and the improvement width along Reed Road SE is inadequate along the Phase 4 frontage of subject property. In order to ensure conformance with the boundary street requirements of SRC 803.040(a)(1) and SRC 803.040(b), the following conditions of approval are recommended for the improvement of Reed Road SE:

Condition 17: Prior to final plat approval for each phase with frontage on Reed Road SE, convey land for dedication to equal a half-width right-of-way of 36-feet on the development side of Reed Road SE.

Condition 18: Prior to final plat approval for Phase 4, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a three-quarter street improvement along the Phase 4 frontage of Reed Road SE to minor arterial street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.

- ***Additional Right-of-Way Dedication Abutting Battle Creek Road and Reed Road:***

As identified in the January 14, 2025, and January 28, 2025, supplemental staff reports, comments were provided by the applicant requesting modifications to the proposed tentative subdivision plan to show Open Space 4 and Open Space 5 as being dedicated to the City as additional right-of-way.

Open Space 4 is shown on the applicant's plans as proposed Lot 273 and Open Space 5 is shown on the applicant's plans as proposed Lot 330. Both of these lots abut Battle Creek Road SE, Reed Road SE, and the proposed park site. As shown on the applicant's plans, the park site is identified to be developed as a park and donated to the City of Salem. Open Space 5 lies between the proposed park site and adjacent rights-of-way of Battle Creek Road SE and Reed Road SE. A portion of Open Space 4 lies between the right-of-way of Reed Road SE and the proposed park site. The portions of these open spaces which abut the proposed park site are not able to be developed as true open space due to their small dimensions. The applicant therefore requested that these areas be dedicated to the City as additional right-of-way for Reed Road SE and Battle Creek Road SE. The proposed additional right-of-way dedication will not only better accommodate the intersection realignment, which is required to be constructed as a condition of approval, but also allow the areas to potentially be utilized for the park depending on the final design of the intersection and park improvements. As such, the following additional condition of approval shall apply, as originally recommended in the January 14, 2025 and January 28, 2025 supplemental staff reports, to require Lot 330 (Open Space 5) and the applicable portion of Lot 273 (Open Space 4) to be dedicated as additional right-of-way:

Condition 42: **Along Battle Creek Road SE and Reed Road SE, convey as right-of-way Proposed Lot 330 (Open Space 5) and the portion of Proposed Lot 273 (Open Space 4) which lies between Reed Road SE and the boundary of Marion County tax lot 083W110000400 (Proposed Park Site).**

- ***Street Standards – New Internal Streets:***

As provided under SRC 803, all new public and private streets are required to be improved pursuant to the standards outlined in SRC 803.030 and 803.035.

As shown on the tentative phased subdivision plan, new internal streets are proposed to be constructed throughout the subdivision in conformance with the Preliminary Circulation Plan *(Sheet No. PO-05)* of the Fairview Hills Refinement Plan. The proposed internal streets will consist of a mix of public and private streets and public alleys. The

specific designs of the proposed internal streets and alleys are detailed on the Preliminary Street Overview drawing *(Sheet No. SP-00)* and the Preliminary Cross Section drawings of the refinement plan *(Sheet Nos. SC-01 to SC-04)*.

In order to ensure that adequate access and internal street connectivity is provided within the proposed subdivision in conformance with the requirements of SRC 803.030, SRC 803.035, the Public Works Design Standards, and the Fairview Hills Refinement Plan, the following conditions of approval were recommended:

Condition 19: Prior to final plat approval for each phase, dedicate public rights-of-way for the new public streets and alleys within that phase, as shown on the applicant's tentative plan.

Condition 20: Prior to final plat approval for each phase, dedicate public access and City utility easements for the new private streets within that phase, as shown on the applicant's tentative plan.

Condition 21: Prior to final plat approval for each phase, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct internal streets and alleys within that phase to the standards established in the Fairview Hills Refinement Plan and as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803.

Of the three above identified conditions of approval, the applicant submitted comments requesting revisions to Conditions 19 and 21. The requested revision to Condition 19 is to clarify that public rights-of-way are dedicated with plat recording for each phase rather than prior to final plat approval and the requested revisions to Condition 21 are to clarify that the Public Works Design Standards are applicable, except as modified in the Fairview Hills Refinement plan, and to reduce confusion with additional code references that are not necessary.

As identified in the January 14, 2025, supplemental staff report, staff does not object to revisions to Conditions 19 and 21. As such, in order to ensure that adequate access and internal street connectivity is provided within the proposed subdivision, Condition 20 shall apply as identified above and Conditions 19 and 21 shall be modified as follows:

Condition 19: **~~Prior to final plat approval for each phase, dedicate~~** **Dedicate** public rights-of-way for the new public streets and alleys **~~within that~~** **with final plat for each** phase, as shown on the applicant's tentative plan.

Condition 21: Prior to final plat approval for each phase, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct internal streets and alleys within that phase **in accordance with the Public Works Design Standards as modified by** **~~to the standards established in~~** the Fairview Hills Refinement Plan **~~and as specified in the City Street Design Standards and consistent with the~~**

~~**provisions in SRC Chapter 803**~~.

As identified on the tentative subdivision plan, there are three streets within the proposed subdivision *(1st Street, 7th Street, and 12th Street)* that are proposed to extend to the northwest boundary of the site to provide for the eventual connection to 1st Street, 2nd Street, and Q Street within the abutting approved Fairview Addition West refinement plan and subdivision. 7th street will connect to 2nd Street within the Fairview Addition West subdivision. 2nd Street is classified as a local street within the Fairview Addition West refinement plan with a 30-foot-wide improvement within a 60-foot-wide right-of-way. 7th Street within the proposed subdivision is classified as a private street with a Fairview Hills Refinement Plan with a similar 30-foot-wide improvement within a 60-foot-wide right-of-way. The cross sections of the two streets are slightly different but because the streets will connect at the intersection of proposed A Street on the boundary of the site, the property line sidewalks on both sides of 2nd Street within the Fairview Addition West Subdivision will need to be extended to connect to the proposed curb-line sidewalk along the north side of A Street within the proposed Fairview Hills Refinement Plan and subdivision when that specific phase of the Fairview Addition West subdivision is constructed.

1st Street and 12th Street within the proposed subdivision will connect to 1st Street and Q Street within the Fairview Addition West subdivision. Q Street and 1st Street within the Fairview Addition West subdivision are classified as local public streets within the Fairview Addition West refinement plan with 30-foot-wide improvements within 60-foot-wide rights-of-way. Similarly, 1st Street and 12th Street within the proposed subdivision are classified as public local streets in the Fairview Hills Refinement Plan with 30-foot-wide improvements within 60-foot-wide rights-of-way. The cross sections of the streets within the two refinements plans however, are slightly different. In order to ensure the orderly transition between the design of these streets where they are extended for eventual future connection, the following condition of approval shall apply:

Condition 22: The cross sections for those portions of 1st Street and 12th street shall be designed to transition to the approved cross sections of 1st Street and Q Street within the Fairview Addition West subdivision where the streets connect.

- ***Street Trees (SRC 803.035(k)):***

Pursuant to SRC 803.035(k) and SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible. Street trees are required along the boundary streets of the property *(Battle Creek Road SE, Reed Road SE, and Lindburg Road SE)* as well as the new internal public and private streets serving the development. There are existing trees along the Phase 1 and Phase 3 frontages of Reed Road SE; however, street trees have not been planted along the Phase 4 frontage. Street trees along the boundary streets of the property and along internal open space frontages are required to be planted prior to final plat approval for each phase. Street trees along the new internal streets of the subdivision are required to be planted with development of each building lot. In order to ensure compliance with 803.035(k) and SRC 86.015(e), the following conditions were recommended:

Condition 23: Prior to final plat approval for each phase with frontage on Battle Creek Road SE, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), plant street trees within that phase along Battle Creek Road SE in accordance with the Public Works Design Standards. The required trees along Battle Creek Road SE shall be planted at time of construction of the boundary street improvement for each phase of development.

Condition 24: Prior to final plat approval for Phase 1, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), plant street trees along the stormwater facility frontage of Lindburg Road SE in accordance with the Public Works Design Standards. The required trees along Lindburg Road SE shall be planted at time of construction of the stormwater facility.

Condition 25: Prior to final plat approval for Phase 4, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), plant street trees along Reed Road SE in accordance with the Public Works Design Standards. The required trees along Reed Road shall be planted at time of construction of the boundary street improvement.

Condition 26: Prior to final plat approval for each phase, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), install street trees along the frontages of the open space areas within that phase of development in accordance with the Public Works Design Standards.

Condition 27: At the time of development of each lot, street trees along all new internal streets (public and private) shall be planted in accordance with the Public Works Design Standards.

Of the five above identified conditions of approval, the applicant submitted comments requesting revisions to Conditions 24, 25, and 27. The requested revision to Condition 24 is to provide clarity to ensure the condition isn't misinterpreted to require trees along the entire Lindburg Road SE frontage to be planted with stormwater facility construction which would result in may trees being impacted during Phase 5 construction. The requested revision to Condition 25 is to provide clarity due to the improved portion of the Reed Road SE frontage already including street trees. The requested revision to Condition 27 is to clarify that development means building permit for purposes of the condition and that the Public Works Design Standards apply, except as modified by the Fairview Hills Refinement Plan.

As identified in the January 14, 2025, supplemental staff report, staff does not object to revisions to Conditions 24, 25, and 27. As such, in order to ensure compliance with 803.035(k) and SRC 86.015(e), Conditions 23 and 26 shall apply as identified above and Conditions 24, 25, and 27 shall be modified as follows:

Condition 24: Prior to final plat approval for Phase 1, or delayed pursuant to

improvement agreement per SRC 205.035(c)(7)(B), plant street trees along the stormwater facility frontage of Lindburg Road SE in accordance with the Public Works Design Standards~~**. The required trees along Lindburg Road SE shall be planted**~~ at time of construction of the stormwater facility.

Condition 25: Prior to final plat approval for Phase 4, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), plant street trees along **the unimproved Phase 4 frontage of** Reed Road SE in accordance with the Public Works Design Standards. The required trees along Reed Road shall be planted at time of construction of the boundary street improvement.

Condition 27: At the time of development ***(building permit)*** of each lot, street trees along all new internal streets (public and private) shall be planted in accordance with the Public Works Design Standards **as modified by the Fairview Hills Refinement Plan**.

As shown on the applicant's plans, there will be a mix of public and private new internal streets within the subdivision. Private streets are required to meet the standards of SRC 803, which include street trees. The trees planted along the new internal private streets will be considered private street trees and will be required to be maintained by a Homeowners Association pursuant to SRC 803.020(b)(3). Maintaining private street trees required under SRC 803.020(b)(3) includes keeping trees in good condition and replacing trees that are damaged or dead. In order to ensure compliance with SRC 803.035(k) and SRC 86.015(e), the following condition of approval shall apply:

Condition 28: Private Street Trees planted along the new internal private streets shall be maintained in good health and replaced if damaged or dead.

Along some of the new internal public streets within the subdivision, the applicant proposes to reduce landscape strip widths to 5.5-feet and 6.5-feet, where 8-feet is required by the Public Works Design Standards (PWDS). The minimum landscape planting width is necessary to ensure adequate growing space is provided for tree roots without impacting city sidewalks and other adjacent infrastructure. In lieu of providing the required landscape planting strip width, the following condition of approval shall apply to ensure that root barriers and additional growing space, as required by the Urban Forester, is provided to ensure the longevity of the City streets and public infrastructure:

Condition 29: On all public streets with landscape strips less than 8 feet in width, the applicant shall:

A. Install root barriers and utilize structural soil under the two adjacent sidewalks panels to the new tree planting (8-foot minimum width), to a depth of at least 3-feet;

B. Ensure the earth adjacent to the tree directly under the proposed sidewalk be removed and replaced with new structural soil material

equal to 4.5 cubic yards per tree to allow roots to travel under the sidewalk nearest the root flare; and

C. Obtain approval from the Public Works Department for the species of tree to be planted within the reduced width landscape strip.

- ***Private Street Maintenance and Operations:***

SRC 205.035(f) and SRC 803.020(b)(3) require that private streets have recorded covenants, conditions, and restrictions which provide that all common property owners shall be members of a property owners' association. The property owner's association is required to ensure the perpetual operation and maintenance of all common private facilities and streets with the development.

As identified in the written findings above, some of the proposed new internal streets within the subdivision will be designated as private streets. As such, these streets and related facilities are required to be maintained and operated by a homeowner's association. In order to ensure compliance with SRC 205.035(f) and SRC 803.020(b)(3), a condition of approval has been established requiring that all common properties and facilities within the subdivision, including private streets, be perpetually operated and maintained for a Homeowners' Association.

- ***Public Utility Easements (SRC 803.035(n)):***

SRC 803.035(n) requires dedication of Public Utility Easements (PUE) along all street rights-of-way for construction of Franchise Utility infrastructure.

The proposed Fairview Hills Refinement Plan shows variable width public utility easements along most street frontages within the subdivision. Where there are wetlands or other topographic conflicts, public utility easements are omitted. In order to comply with the requirements of SRC 803.035(n), a condition of approval was recommended requiring public utility easements to be provided on the plat prior to final plat approval for each phase.

Upon review of the condition, the applicant submitted comments requesting a grammatical revision to the condition to clarify that it is the final plat that shows the easements which are then provided after the final plat records. As identified in the January 14, 2025, supplemental staff report, staff does not object to the suggested revision to Condition 30. As such, in order to comply with the requirements of SRC 803.035(n) Condition 30 shall be modified as follows:

Condition 30: Prior to final plat approval for each phase, ~~**provide**~~ **show** public utility easements on the plat for that phase, as shown on the applicant's tentative phased subdivision plan and in conformance with the Fairview Hills Refinement Plan.

- ***Transit Stops (SRC 803.035(r):***

SRC 803.035(r) requires that transit stops conforming to the applicable standards of the Salem Area Mass Transit District shall be constructed and right-of-way dedication, when necessary to accommodate the transit stop, shall be provided when a transit stop is identified as being needed by the Transit District in connection with a proposed development.

The Salem Area Mass Transit District *(Cherriots)* reviewed the proposal and provided comments identifying the need for a transit stop to be provided along Reed Road SE to serve the development and surrounding area. The transit stop is identified as being needed along the Phase 4 frontage of the property near the proposed pedestrian median island crossing within Phase 4. Pursuant to SRC 803.035(r), transit stops conforming to the applicable standards of the Salem Area Mass Transit District are required to be constructed when a transit stop is identified as being needed by the Transit District. In order to ensure the proposed subdivision conforms to the requirements of SRC 803.035(r), the following condition of approval shall apply:

Condition 31: Prior to final plat approval for Phase 4, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), the applicant shall design and construct one transit stop along Reed Road SE in a location approved by Cherriots and the Public Works Department.

- ***Public Accessways:***

SRC 803.050 requires public accessways for pedestrian and bicycle access to connect to cul-de-sac streets, to pass through oddly shaped or unusually long blocks, and to provide for networks of public paths creating access.
As shown on the applicant's preliminary plans, there are mid-block public accessways which provide connectivity throughout the subdivision. The proposed Fairview Hills Refinement Plan provides that these mid-block public accessways may be utilized when block lengths exceed the maximum length allowed. In order to ensure the proposed subdivision conforms to the requirements of SRC 803.050 and the requirements of the Fairview Hills Refinement Plan, the following condition of approval shall apply:

Condition 32: Prior to final plat approval for each phase, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), the applicant shall design and construct, and dedicate public access easements for, the public accessway mid-block connections shown on the applicant's tentative subdivision plan for that phase in conformance with the Public Works Design Standards. Public accessways located on open space lots and within public access easements shall be maintained by the Homeowner's association.

As conditioned, the proposed phased subdivision conforms to the applicable standards of SRC Chapter 803 and the Fairview Hills Refinement Plan.

(C) Any special development standards, including, but not limited to, floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.

SRC Chapter 601 – Floodplain

SRC Chapter 601 establishes requirements for development within mapped floodplain areas in order to preserve and maintain the capability of the floodplain to convey flood water discharges and minimize danger to life and property.

The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and determined that no floodplain or floodway areas exist on the subject property. SRC Chapter 601 is therefore not applicable to the proposed subdivision.

SRC Chapter 808 – Preservation of Trees and Vegetation

SRC Chapter 808 (Preservation of Trees and Vegetation) requires tree conservation plans in conjunction with development proposals involving the creation of lots or parcels to be used for single family uses, two family uses, three family uses, four family uses, or cottage clusters. The tree preservation ordinance defines "tree" as, "any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more dbh, and possesses an upright arrangement of branches and leaves."

Under the City's tree preservation ordinance, tree conservation plans are required to preserve all heritage trees, significant trees, trees and native vegetation within riparian corridors, and a minimum of 30 percent of all of the trees on the property. If less than 30 percent of the existing trees on the property are proposed for preservation, the applicant must demonstrate that there are no reasonable design alternatives that would enable preservation of such trees and that for each tree removed in excess of 70 percent, the mitigation measures required under SRC 808.035(e) are satisfied.

Similarly, if significant trees or trees within a riparian corridor are proposed for removal, the applicant must show there are no reasonable design alternatives to enable preservation of those trees.

There are existing trees located on the subject property, including trees within three exiting groves on the site. As identified in the refinement plan, trees within the existing groves will be preserved except for those trees within them that are dead or in decline. Pursuant to SRC 808.035, a tree conservation plan was submitted by the applicant that is included in Sheets TP-00 to TP-07 of the proposed refinement plan. The tree conservation plan identifies a total of 129 trees on the property, 34 of which are significant trees. Of the total 129 trees present on the site, the proposed tree conservation plan identifies 45 trees *(34.9%)* for preservation and 84 trees *(65.1%)* for removal. Of the 34 significant trees on the site, the tree conservation identifies 21 for preservation and 13 for removal.

The proposed tree conservation plan meets the preservation requirements of SRC Chapter 808 and limits the removal of significant trees to only those which cannot otherwise reasonably be preserved. The tree conservation plan is being reviewed by staff and, if approved, will be binding on the lots until final occupancy. Any proposed future changes to the approved tree conservation plan will require approval of a separate tree conservation plan adjustment.

SRC Chapter 809 – 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. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

The Salem-Keizer Local Wetland Inventory and the Fairview Hills Refinement Plan Preliminary Grading and Drainage Plans identify mapped wetlands on the property. In addition, the applicant submitted a wetlands delineation prepared by AKS Engineering & Forestry LLC, dated August 2024, which identifies wetlands as being present on the site. It is likely that due to the existence of wetlands, State permits from the Oregon Department of State Lands will be required for the proposed development. The applicant is advised to contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s), including any work in the public right-of-way. As required under SRC 809.025, notice of the proposal was sent to the Oregon Department of State Lands; however, as of the date of completion of this staff report no response has been received. Public Construction permits will not be issued until all applicable State and Federal permits have been obtained per the Public Works Design Standards. In order to ensure compliance with SRC Chapter 809 and the Public Works Design Standards, the following condition of approval shall apply:

Condition 33: Prior to issuance of Public Construction permits, the applicant shall provide evidence that any required State and/or Federal permits have been obtained relating to development adjacent to jurisdictional wetlands and waterways.

The proposed subdivision, as conditioned, conforms to the requirements of SRC Chapter 809.

SRC Chapter 810 – Landslide Hazards

The City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility.

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), the subject property includes areas of 2 to 3 mapped landslide hazard susceptibility points and the proposed subdivision adds 3 activity points to the proposal. The cumulative total of 5 to 6 points indicates a moderate landslide hazard risk requiring a geological assessment.

A Geological Assessment, prepared by GeoPacific Engineering, Inc. and dated September 12, 2024, was submitted with the application. In addition, a Geotechnical Engineering Report, prepared by GeoPacific Engineering, Inc. and dated October 19, 2023, was also

submitted. The reports demonstrate the subject property can be developed without increasing the potential for slope hazard on the site or adjacent properties by utilizing construction methods within the report. In order to ensure compliance with the requirements of SRC Chapter 810, the following condition of approval shall apply:

Condition 34: Prior to submittal of building permits for any lot within the subdivision, the applicant shall provide a final report from a geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical considerations for each individual building lot.

The proposed subdivision, as conditioned, conforms to the requirements of SRC Chapter 810.

SRC 205.010(d)(2): The tentative subdivision plan does not impede the future use or development of the property or adjacent land.

Finding: The proposed subdivision divides the property into a total of 562 lots in six phases. Access to and throughout the proposed subdivision will be provided a network of existing and proposed streets and alleys within the proposed refinement plan and the surrounding area. The proposed subdivision provides both internal street connectivity as well as external connectivity to streets on abutting properties.

The proposed subdivision will not impede the future use or development of the property or adjacent land and the lots within the proposed subdivision are of sufficient size and dimension to permit their future development in conformance with the requirements of the proposed refinement plan. This approval criterion is met.

SRC 205.010(d)(3): Development within the tentative subdivision plan can be adequately served by City infrastructure.

Finding: The Development Services division reviewed the proposal and determined that water, sewer, and storm infrastructure are available and appear to be adequate to serve the lots within the proposed subdivision, subject to the conditions of approval recommend in this report. The proposed subdivision therefore, as recommended to be conditioned, conforms to this approval criterion.

SRC 205.020(d)(4): The street system in and adjacent to the tentative subdivision plan conforms to the Salem Transportation System Plan.

Finding: The subject property is located adjacent to existing arterial and collector streets, as identified in the Salem Transportation System Plan (TSP). The conditions of approval recommended for the subdivision identified in this report require improvements along these boundary streets; construction of internal streets to serve the development; and intersection improvements identified in the Applicant's Traffic Impact Analysis. As recommended to be conditioned, the street system in and adjacent to the proposed tentative phased subdivision will conform to the TSP. This approval criterion is met.

SRC 205.010(d)(5): The street system in and adjacent to the tentative subdivision

plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.

Finding: Access to the proposed subdivision will be provided by the network of existing public streets that surround the property. As shown on the tentative subdivision plan, an interconnected network of internal streets are extended throughout the site to provide safe and convenient access to the proposed lots within the subdivision, and extended to the boundaries of the property to provide for future street connectivity to abutting properties.

As recommended to be conditioned, the required improvements will ensure that the street system in and adjacent to the subdivision provides for the safe, orderly, and efficient circulation of traffic to and from the subdivision. This approval criterion is met.

SRC 205.010(d)(6): The tentative subdivision plan provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops, or employment centers.

Finding: As identified in the refinement plan and subdivision, an internal network of sidewalks, multi-use paths, and trails are provided throughout the site to ensure safe and convenient bicycle and pedestrian access as required by this approval criterion and the Fairview Plan.

The development is served by Fairview Park, which is located approximately 0.1 miles north of the subject property. As shown on the applicant's preliminary plans, linear park linkages are proposed within the proposed open spaces that will provide pedestrian access from Battle Creek Road SE to Lindburg Road SE and eventually to Fairview Park through existing adjacent shared use paths and street rights-of-way.

The development site is also served by Reed Road Park, which is located across from the subject property along Reed Road SE. As shown on the applicant's preliminary plans, a pedestrian median island is proposed in Reed Road SE to allow pedestrian crossings from the development to Reed Road Park. The pedestrian island shall be constructed with the Phase 4 frontage improvements along Reed Road SE.

In order to ensure the provision safe and convenient pedestrian access to parks located within one-half mile of the subdivision, the following conditions of approval shall apply:

Condition 35: Prior to final plat approval for Phase 1, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), the applicant shall:

A. Complete the development of linear park improvements on proposed Lot 95 (Open Space 1) in alignment with the polices outlined in the City of Salem Comprehensive Parks System Master Plan and the trail development guidelines in the Oregon Parks and Recreation Department's Accessibility Design Standards.

B. Dedicate a public access easement over the linear park improvement which specifies that the operation, repair, and maintenance of the linear park improvement will be the responsibility of the Homeowners' Association.

Condition 36: Prior to final plat approval for Phase 2, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), the applicant shall:

A. Complete the development of linear park improvements on proposed Lot 184 (Open Space 2) in alignment with the polices outlined in the City of Salem Comprehensive Parks System Master Plan and the trail development guidelines in the Oregon Parks and Recreation Department's Accessibility Design Standards.

B. Dedicate a public access easement over the linear park improvement which specifies that the operation, repair, and maintenance of the linear park improvement will be the responsibility of the Homeowners Association.

Condition 37: Prior to final plat approval for Phase 5, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), the applicant shall:

A. Complete the development of linear park improvements on proposed Lots 405 (Open Space 6), 419 (Open Space 8), and 420 (Open Space 7) in alignment with the polices outlined in the City of Salem Comprehensive Parks System Master Plan and the trail development guidelines in the Oregon Parks and Recreation Department's Accessibility Design Standards.

B. Dedicate a public access easement over the linear park improvement which specifies that the operation, repair, and maintenance of the linear park improvement will be the responsibility of the Homeowners Association.

Condition 38: Prior to final plat approval for Phase 4, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct a raised median island pedestrian crossing along Reed Road SE, as shown on the applicant's plans and constructed in accordance with the Public Works Design Standards.

In addition, the subject property abuts Battle Creek Road SE. Battle Creek Road is classified as a minor arterial street according to the Salem Transportation System Plan (TSP). The ultimate roadway will have two travel lanes and a center turn lane, making its width difficult for pedestrians to cross safely. The west side of Battle Creek Road SE is not constructed with sidewalks along the majority of the roadway adjacent to the development site; however, there are neighborhoods on the west side of Battle Creek Road SE which have sidewalks internal to their neighborhoods that lead towards Battle Creek Road SE. Upon development of the proposed subdivision, a shared use path will be constructed on the east side of Battle Creek Road SE along the development frontage. Independence Street SE will be extended into the development site, creating a new four-way intersection along Battle Creek Road SE. This entrance to the subdivision provides an important

connection to the linear park linkages within the open spaces of the development that lead to Fairview Park and other neighborhood amenities within the Fairview Development District.

In order to ensure that safe pedestrian access is provided in and out of the development site along Battle Creek Road SE, the following additional condition of approval shall apply, as originally recommended in the January 14, 2025, supplemental staff report:

Condition 44: **Prior to final plat approval for Phase 1, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), at the intersection of Battle Creek Road SE and Independence Drive SE, construct a curb return with ADA ramps on the southerly corner of the intersection. Extend the existing sidewalk on the southerly side of Independence Drive to Battle Creek Road, approximately 30 feet. Install a marked crosswalk according to the *Public Works Design Standards*, including solar powered pedestrian activated edge-lit signs, advanced signing, and streetlights as required.**

The proposed subdivision, as conditioned, satisfies this approval criterion.

SRC 205.010(d)(7): The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved traffic impact analysis, where applicable.

Finding: Pursuant to SRC 803.015(a)(1), a Traffic Impact Analysis (TIA) prepared by Kittelson & Associates and dated December 18, 2024, was submitted in conjunction with the proposed development. The TIA provides supplemental findings to the original 2004 Fairview Training Center Redevelopment Master Plan TIA and the Area Facilities Plan Mitigation List established within the original TIA. The TIA indicates that mitigation is required to address traffic impacts to the Reed Road SE and Battle Creek Road SE intersections. Specifically, the TIA identifies that Reed Road SE should be realigned and signalized to provide for safe traffic circulation at the intersection. This improvement is required to be completed with Phase 3 of the subdivision. The applicant shall be required to acquire and/or convey land for dedication of right-of-way as needed to construct the improvements. If off-site right-of-way is needed to construct the improvements and the applicant is unable to acquire the right-of-way from adjacent property owner(s), then the applicant shall follow the procedures established in SRC 200.050. In order to comply with SRC 803.015 and SRC 205.010(d)(7) and ensure that the traffic impacts resulting from the proposed subdivision on the transportation system are mitigated, the following condition of approval is recommended:

Condition 39: Prior to final plat approval for Phase 3, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct a realigned signalized intersection of Battle Creek Road SE and Reed Road SE to minor arterial standards pursuant to the Public Works Design Standards (PWDS). The applicant is required to acquire and/or convey land for dedication of right-of-way as needed to construct the required improvements to the Reed and Battle Creek intersection. The intersection

shall include:

A. A westbound to southbound left turn lane on Reed Road SE;

B. A southbound to eastbound left turn lane on Battle Creek Road SE;

C. A northbound to eastbound right turn lane on Battle Creek Road SE; and

D. An interconnection via underground fiber-optic cable to the existing traffic signal at Kuebler Boulevard SE and Battle Creek Road SE.

As conditioned, the tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis. This approval criterion is met.

SRC 205.010(d)(8): The tentative subdivision plan takes into account the topography and vegetation of the site so the need for variances is minimized to the greatest extent practicable.

Finding: The proposed subdivision has been reviewed to ensure that adequate measures have been planned to alleviate natural or fabricated hazards and limitations to development, including topography and vegetation of the site.

As described in the findings included in this report, the lot and street configuration established by the proposed subdivision meet applicable development standards; and the configuration of the proposed lots makes logical use of the developable land. All existing conditions of topography or vegetation have been identified on the site which would necessitate variances during future development of the property and evaluated with this decision. The proposed subdivision layout allows for reasonable development of all lots within the subdivision to minimize the need for variances to the greatest extent practicable. This approval criterion is met.

SRC 205.010(d)(9): The tentative subdivision plan takes into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will result from the reasonable development of the lots.

Finding: As explained in the findings establishing conformance with SRC 205.010(d)(8) above, the tentative subdivision plan configures lots and streets to allow development of the site, which has been reviewed in conjunction with a Tree Conservation Plan application to ensure the proposal minimizes disruptions to topography and vegetation. The proposed lots are also of sufficient size and dimension to permit future development of the uses proposed. This approval criterion is met.

SRC 205.010(d)(10): When the tentative subdivision plan requires an Urban Growth Preliminary Declaration under SRC chapter 200, the tentative subdivision plan is designed in a manner that ensures that the conditions requiring the construction of on-site infrastructure in the Urban Growth Preliminary Declaration will occur, and, if off-site improvements are required in the Urban Growth Preliminary Declaration, construction of any off-site improvements is assured.

Finding: The proposed subdivision is subject to Urban Growth Preliminary Declaration

Case No. UGA04-08 and a new Urban Growth Preliminary Declaration is not required. As conditioned, the proposed subdivision will be adequately served by public infrastructure consistent with the UGA previously issued for the property. This approval criterion is met.

SRC 205.015(d)(2): Connectivity for streets and City utilities between each phase ensures the orderly and efficient construction of required public improvements among all phases.

Finding: The applicant has submitted a preliminary utility and street plan which shows public improvements for each phase. As identified on the applicant's preliminary plans, connectivity for streets and utilities is provided in an orderly and efficient manner between each proposed phase; thereby ensuring the orderly and efficient construction of public improvements. This approval criterion is met.

SRC 205.015(d)(3): Each phase is substantially and functionally self-contained and self-sustaining with regard to required public improvements.

Finding: The applicant's preliminary utility plan shows public water, sewer, and storm mains to serve Phase 1 will be constructed through proposed 4th Street within Phase 3 and Phase 5 of the subdivision. In addition, the plans identify that proposed 4th Street through Phase 3 will be used as a secondary fire department access to serve Phase 1. In order to demonstrate this infrastructure is placed in the proper horizontal and vertical alignment within future phases, the applicant is required to submit street designs for Phase 3 and Phase 5 prior to final plat approval of Phase 1. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat. In addition, the applicant will be required to provide a public roadway and utility access easement to ensure the City has access to utilities constructed within future phases to serve Phase 1. Additionally, the applicant shall construct proposed 4th Street through Phase 3 with Phase 1 to meet Fire Department Standards for secondary access, as shown on the applicant's plans. In order to ensure the subdivision is served by City Infrastructure and Fire Department Access, the following conditions of approval shall apply:

Condition 40: Prior to final plat approval for Phase 1, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), the applicant shall ensure that Phase 1 is served by public infrastructure:

A. Construct water, sewer, and stormwater infrastructure within Phase 3 and Phase 5 needed to serve Phase 1, as shown on the applicant's utility plan.

B. Provide easements and all-weather access roads pursuant to the Public Works Design Standards within Phase 3 and Phase 5 for utilities needed to serve Phase 1.

C. Design all streets and alleys in Phase 3 and Phase 5 in which public infrastructure is needed to serve Phase 1 in sufficient detail to establish final street grades.

Condition 41: Prior to final plat approval for each phase or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), the applicant shall

provide a plan showing adequate Fire Department Access and construct the required accesses.

As conditioned, each phase of the subdivision will be substantially and functionally self-contained and self-sustaining with regard to required public improvements. This approval criterion is met.

SRC 205.015(d)(4): Each phase is designed in such a manner that all phases support the infrastructure requirements for the phased subdivision as a whole.

Finding: The proposed subdivision, as designed, includes adequate infrastructure for each phase of development. The subdivision, as a whole and upon completion of all phases will be adequately provided with public infrastructure, constructed throughout subsequent phases. This approval criterion is met.

11. Analysis of Airport Overlay Zone Height Variance Approval Criteria

The purpose of the City's Airport Overlay Zone is to establish standards to promote air navigational safety and prevent hazards and obstructions to air navigation and flight.

SRC 602.020 – Development standards:

Development within the Airport Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone or any other overlay zone, the more restrictive development standards shall be the applicable development standard.

SRC 602.020(a)(5) – Horizontal surface.

In the horizontal surface, no building, structure, object, or vegetative growth shall have a height greater that that established by a horizontal plane 150 feet above the airport elevation *(213.4 feet)*.

Finding: The subject property is located within the Horizontal surface area of the Airport Overlay Zone. Due to the topography of the site, the western portions of the property generally located along Battle Creek Road SE, where the existing terrain of the site is at its highest, currently project into the Horizontal Surface area; as such, any structures built within these areas will further project beyond the maximum height limits established by the overlay zone. Because of this, an Airport Overlay Zone Height Variance, pursuant to SRC 602.025, is required for development of the property.

Salem Revised Code (SRC) 602.025(d) sets forth the following criterion that must be met before approval can be granted to an application for an Airport Overlay Zone Height Variance. The following subsections are organized with the approval criterion shown in ***bold italic***, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial of the variance.

SRC 602.025(d): An Airport Overlay Zone height variance shall be granted if the FAA has issued a determination that the proposed variance will not create a hazard to air navigation.

Finding: In order to evaluate the proposed Airport Overlay Zone height variance, a total of 15 aeronautical study locations were submitted by the applicant to the FAA. Of the total 15 study locations, 10 were found to exceed FAA Part 77 Standards and 10 studies for those locations, representing the outside corners of the proposed subdivision and including proposed structure heights of 35 feet and 45 feet above ground level, were submitted to the FAA for evaluation. The case numbers for those 10 studies include the following:

- 2024-ANM-4360-OE;
- 2024-ANM-4361-OE
- 2024-ANM-4362-OE
- 2024-ANM-4363-OE
- 2024-ANM-4364-OE
- 2024-ANM-4365-OE
- 2024-ANM-4366-OE
- 2024-ANM-4367-OE
- 2024-ANM-4371-OE
- 2024-ANM-4374-OE

As identified earlier in this decision, the fifteen studies conducted by the FAA included not only the studies for the proposed development *(Study Nos. 4368-OE, 4369-OE, 4370-OE, 4371-OE, 4372-OE, 4373-OE, and 4374-OE)* but also other additional studies for a separate subdivision to the south of the subject property adjacent to Battle Creek Road SE and Landau Street SE *(Study Nos. 4360-OE, 4361-OE, 4362-OE, 4363-OE, 4364-OE, 4365-OE, 4366-OE, and 4367-OE)*.

Based upon their review of the above studies, the FAA determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided that within five days after the structure reaches its greatest height, proponent is required to file a FAA form 7460-2, Actual Construction notification, at the OE/AAA website (http://oeaaa.faa.gov). This Actual Construction notification will be the source document detailing the site location, site elevation, structure height, and date structure was built for the FAA to map the structure on aeronautical charts and update the national obstruction database.

Because the FAA has determined that the proposed development will not be a hazard to air navigation, this approval criterion is met. However, because several studies were included with the FAA's analysis that were not specific to the proposed development, a condition of approval is included with the proposed subdivision requiring the applicant, prior to final plat approval of Phase 1, to submit updated aeronautical studies from the FAA that include only the subject property. If the maximum heights determined in the updated studies conflict with the maximum heights identified in the refinement plan, the refinement plan height standards are required to be revised to reflect the maximum heights determined by the FAA. This condition ensures that the record for the Airport Overlay Zone Height Variance is clear and that development of the property will comply with FAA standards and the requirements of SRC Chapter 602.

SRC 602.025(e) provides that the Review Authority shall impose as conditions of approval on an Airport Overlay Zone height variance any condition imposed in the FAA determination.

Finding: The Airport Overlay Zone height variance will be valid upon issuance of the decision for the proposed development, provided the proposed development complies with all conditions and recommendations imposed by the FAA determination letters issued for the studies. The approval criterion is met.

Attachments:

A. Vicinity Map
B. Fairview Hills Refinement Plan
C. Refinement Plan Land Use Plans
D. Tentative Phased Subdivision Plan
E. Development Services Division Comments
F. Required Revisions to Refinement Plan

Prepared by Bryce Bishop, Planner III

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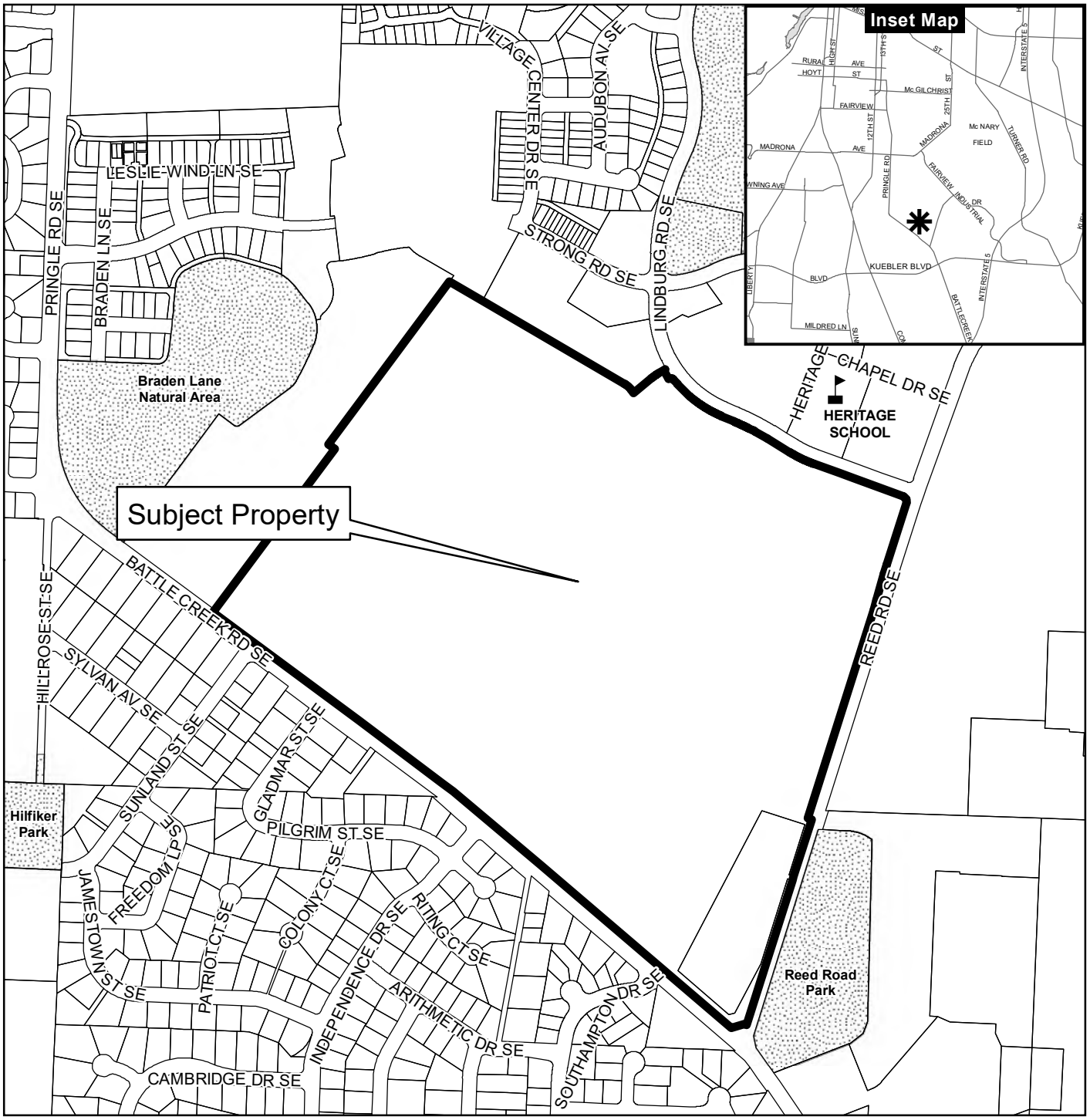
Attachment A

Vicinity Map
4300 to 4600 Blocks of Battle Creek Road SE & 4100 to 4500 Blocks of Reed Road SE



Legend

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

0 100 200 400 Feet

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Community Planning and Development

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Attachment B

Fairview Hills Refinement Plan

Date: December 2024

Submitted to: City of Salem
555 Liberty Street SE, Room 305
Salem, OR 97301

Applicant: Holt Homes
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Vancouver, WA 98683

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Keizer, OR 97303
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Exhibits

Exhibit 1: Fairview Hills Refinement Plan Preliminary Land Use Plans
Exhibit 2: Preliminary Stormwater Report
Exhibit 3: Geological Assessment and Geotechnical Engineering Report
Exhibit 4: Fairview Hills Traffic Impact Analysis
Exhibit 5: Archaeological and Cultural Resources Documentation

Introduction

The Fairview Hills Refinement Plan is intended to implement the purpose of the Fairview Mixed-Use (FMU) zone as established in Salem Revised Code (SRC) Chapter 530 and to refine and implement the Fairview Master Plan within the Fairview Hills area based on more detailed site planning, design, and engineering than was conducted with the Fairview Master Plan. Per Salem Revised Code (SRC) 530.030, this Refinement Plan acts as an amendment to the Fairview Master Plan and is the controlling document for development within the Fairview Hills Refinement Plan area.

This Refinement Plan is organized in the following sections:

I. Refinement Plan Overview

The Refinement Plan Overview section provides a background of the Fairview Master Plan and details how the Fairview Hills Refinement Plan has been designed to address the principles outlined in the Fairview Master Plan and the Salem Area Comprehensive Plan.

II. Refinement Plan Components

Pursuant to the requirements of SRC 530.030(d), a Refinement Plan shall consist of various components, including maps, text, or a combination thereof. The Refinement Plan Components section provides a comprehensive overview of each required element and its specific location within this Refinement Plan.

III. Development Standards

The Development Standards section provides detailed regulations, requirements, and design guidelines for development within the Fairview Hills Refinement Plan area.

IV. Preliminary Land Use Plans

This section provides the preliminary engineering plan set for the Fairview Hills Refinement Plan area. The Preliminary Land Use Plans depict components of the Refinement Plan such as specific street standards, phasing plans, and the tree conservation plan. The plans are summarized in this section and attached as Exhibit 1.

I. Refinement Plan Overview

Fairview Master Plan Overview

In the mid-1990s, the State of Oregon decided to discontinue operations at the Fairview Training Center, a ±275-acre property in southeast Salem. Following the decision, the State Department of Administrative Services (DAS) initiated a master planning process for the property. The community-led process identified goals for the future development of the property including livability, community involvement, compatibility with neighboring properties, open space, sensitivity to the property's natural resources and the environment, preservation of historical and cultural features, and opportunities for economic development. In 2003, the City applied a new zone to the property, the Fairview Mixed-Use (FMU) zone, to guide its redevelopment. The FMU zoning regulations (SRC Chapter 530) require a comprehensive "Fairview Plan" establishing overall development goals and policies for the property. After Fairview Plan approval, specific site refinement plans must be authorized for each area within the property prior to development.

Soon after the application of the new FMU zone, a local group of residents won a bid to lead the redevelopment of the property and create the Fairview Plan. The local group, Sustainable Fairview Associates, LLC, engaged land use planners and sustainability consultants to create a framework for development of the property. The visioning process was memorialized in the Fairview Training Center Redevelopment Master Plan (Fairview Master Plan), adopted in 2005.

The Fairview Master Plan established key principles to guide the redevelopment of the property. The principles within the Plan fall within three main themes:

- Sustainable Land Use
- Sustainable Ecological Systems
- Sustainable Transportation and Movement

In the time since the Fairview Master Plan was adopted, three refinement plan communities have been established, including the Pringle Creek Community, Fairview Refinement Plan II (The Grove Apartments), and Fairview Addition West. This Fairview Hills Refinement Plan will address the largest remaining area within the FMU zone.

Figure 1: Fairview Master Plan Illustrative Plan

Fairview Hills Refinement Plan

Purpose

As detailed above, the Fairview Master Plan serves as a conceptual framework to demonstrate how the key planning principles could be applied to the former Fairview Training Center property. As such, the Fairview Master Plan is based on limited site-specific assessments. The Refinement Plan process is established in SRC 530.030 to provide an avenue for development of specific areas of the property once the guiding Fairview Plan is adopted. Refinement Plans are prepared based on detailed site planning, design, and engineering. The Fairview Hills Refinement Plan acts as an amendment to the Fairview Master Plan and is the controlling document to guide development in the specified area. Refinement plans are reviewed for conformance to the Fairview Master Plan's guiding principles; however, the Refinement Plan process acknowledges that the specific area plans will deviate from the illustrative concepts presented in the Fairview Master Plan due to site-specific conditions and the results of detailed site assessments.

Refinement Plan Principles

The Fairview Hills Refinement Plan is designed to address each of the principles outlined in the Fairview Master Plan and the Salem Area Comprehensive Plan (SACP) goals and policies, as detailed below.

<u>Sustainable Land Use Principles</u>

1. Build in Economic and Social Diversity

The Fairview Hills community provides a variety of single-family home types across seven basic lot configurations that are intended to accommodate front- and alley-loaded single-family detached and attached homes. A total of 14 different home floor plans and 38 different elevation plans are anticipated across the phased subdivision. The 546 new home lots range in size from ±2,271 square feet to ±12,032 square feet. The wide variety of home plans and lot sizes will cater to a broad spectrum of housing needs across different age groups and income levels. Additionally, home plans for selected lots incorporate features that enhance accessibility including ground floor bedrooms.

2. Create a Center

The Fairview Master Plan envisioned a Village Center in the vicinity of the current intersection of Lindburg Rd SE and Strong Rd SE that would highlight the culmination of the human and natural activity intended to converge in this location. Subsequently, the Fairview Hills community features a network of streets, alleys, pedestrian paths, pedestrian trails, shared-use paths, mid-block connections, and open spaces, that connect to the Village Center and that create an interconnected sense of community throughout the phased subdivision. The Fairview Hills community also provides on-site focal points such as open space corridors with natural trails and dog parks; a community park with play

Figure 2: Fairview Hills Conceptual Park

structures, enhanced plantings, seating areas, and a half-court basketball court, creating a multi-generational gathering space; a shared-use path along Battle Creek Road SE; and an enhanced stormwater facility with additional trails.

3. Re-Use, Retrofit

There are no pre-existing structures from the former Fairview Training Center on the site that are suitable for reuse; however, the Fairview Hills community incorporates sustainable development practices by reuse of existing on-site materials such as rock and gravel. This green building practice minimizes material import and haul off. Additionally, the planned park at the corner of Battle Creek Road SE and Reed Road SE will repurpose a previously unusable portion of the property. Due to soil contamination from an orchard that was previously located on the property, this area is not suitable for residential development and has strict limitations from the Department of Environmental Quality (DEQ) on how it can be utilized. The property has been carefully designed to create a park that meets DEQ guidelines and serves as a central gathering place for the community.

4. Create Local Employment

Although the Fairview Hills community does not include commercial spaces, by increasing the housing supply within Salem's city limits, it directly supports the local economy. The provision of needed housing will accommodate more residents who work within the City, thereby supporting local employment. Additionally, Applicant intends to build homes on the subject lots that will be created through the subdivision, and it is their policy to hire local builders and contractors where feasible.

5. Build Innovative Green Buildings

All homes within the Fairview Hills community will be certified and constructed as high-performance, energy-efficient buildings meeting the stringent standards of the US Department of Energy's (DOE) Zero Energy Ready Home (ZERH) program. Zero Energy Ready homes are made up of components and building systems that are carefully designed, constructed, and installed to allow the house to work together as one system, delivering superior performance, comfort, efficiency, and durability. Additionally, homes will be renewable- and electric vehicle (EV) ready.

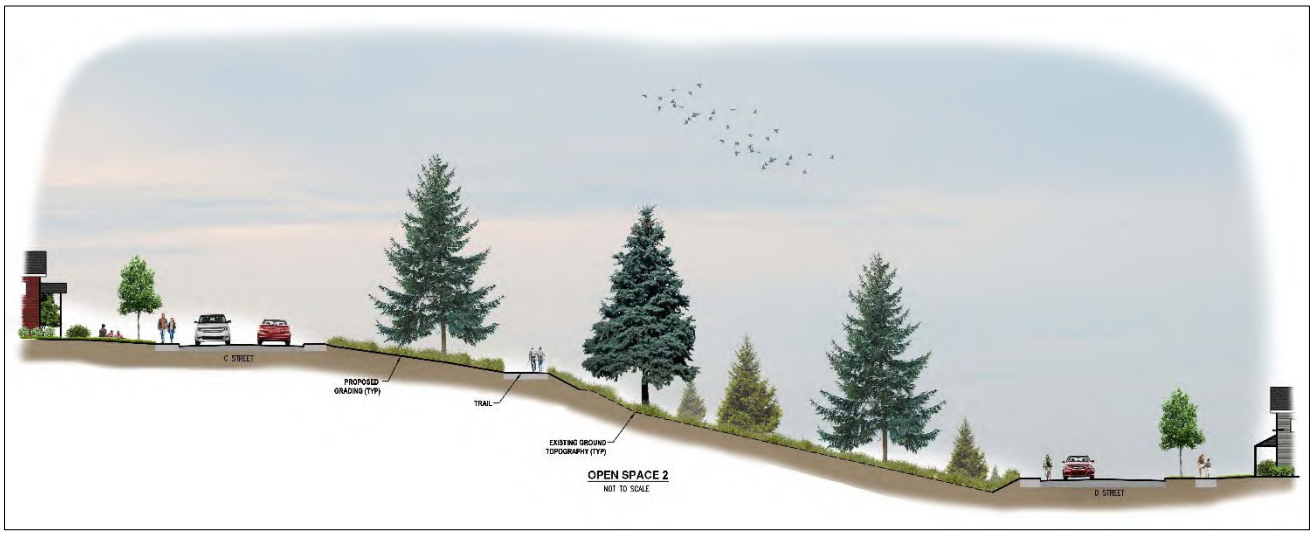


Figure 3: Fairview Hills Open Space Cross-Section

Sustainable Ecological Systems Principles

6. Respect the Landscape

The Fairview Hills community establishes generous open spaces and green corridors designed to protect existing natural resources, including wetlands, trees, and habitat while offering recreational opportunities through a network of proposed trails and pathways. These areas, as envisioned in the adopted Fairview Master Plan, lead to the heart of the former Fairview Training Center property. Additionally, the street and lot layout has been carefully designed to respect the site's natural topography. By adhering to existing contours as much as possible, land disturbance is minimized, preserving the site's character.

7. Zero Impact to the Regional Watershed

The stormwater system within the Fairview Hills community has been designed to continue to allow runoff from upstream properties to flow naturally along existing drainage ways and naturally cleanse, infiltrate, and recharge the aquifer below as envisioned in the Fairview Master Plan. Low impact development approaches (LIDA) and green infrastructure techniques are planned to attenuate developed runoff, maintain the existing drainage patterns, and treat stormwater as envisioned in the Fairview Master plan and City of Salem standards.

The goal of a net-zero impact to the regional watershed is for post-development stormwater outflow from the proposed stormwater facilities not to exceed the historic pre-developed runoff from the site. West Middle Fork Pringle Creek will continue to receive flows equal to historic pre-development stormwater runoff so that critical creek flows are maintained, and natural drainage patterns will continue to take place within the open space areas within the Fairview Hills community.

8. Layer the Systems

As previously described, green corridors are integrated into the Fairview Hills community, designed to protect existing natural resources while offering recreational opportunities through a network of proposed trails and pathways. Additionally, the stormwater system is integrated into the open spaces creating a layered approach to achieve a green infrastructure system.

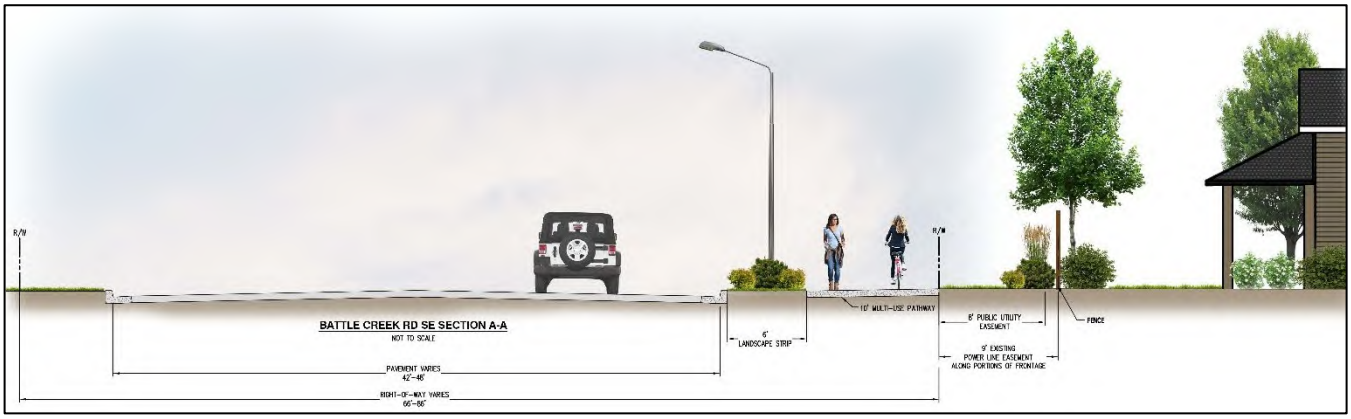


Figure 4: Fairview Hills Battle Creek Road SE Shared-Use Path

9. Close the Cycle of Energy and Material Flows

The green corridors, together with stormwater quality best management practices (BMPs), allow for on-site infiltration to occur. As previously described, existing on-site materials such as rock and gravel will be reused, where practicable, to minimize material import and haul off and close the cycle of material flows.

Sustainable Transportation and Movement Principles

10. Green Corridors for People and Other Living Things

The Fairview Hills community includes green corridors as envisioned by the Fairview Master Plan. These corridors include a complex layering of wetland and habitat areas, drainage way preservation, passive open space, and recreational opportunities that afford community enjoyment of the natural resources throughout the site. Reduced-width, two-way couplet streets border the green corridors, providing access to open spaces from front doors and porches, and ensuring the entire community can enjoy and access the corridors. The green corridors will offer a variety of recreational opportunities including trails, pedestrian pathways, dog parks, a community park with play structures, enhanced plantings, seating areas, and a half-court basketball court.

11. Transit Close at Hand

The Fairview Hills community is ±1/4 mile from the nearest public transit route to the south and ±1/3 mile from the nearest route to the north. While public transit does not currently serve the immediate area, the Salem Area Mass Transit District/Cherriots is planning a future extension of their basic fixed route bus service to Reed Road SE, Strong Road SE, and Lindburg Road SE. Two new stops were requested along Reed Road SE which can be accommodated near the planned pedestrian crossings on Reed Road SE. Furthermore, a continuous, multilayered, network of shared-use paths, pedestrian trails, and sidewalks ensure a walkable community and promote pedestrian and bicycle activity throughout the site and to the surrounding area, aligning with the Fairview Master Plan vision. A shared-use path is provided along Battle Creek Road SE and enhances bicycle and pedestrian safety. Additional pedestrian paths and trails provide safe and efficient connections to Lindburg Road SE, a designated Collector street in the Fairview Master Plan (Figure 5), and to Reed Road SE.

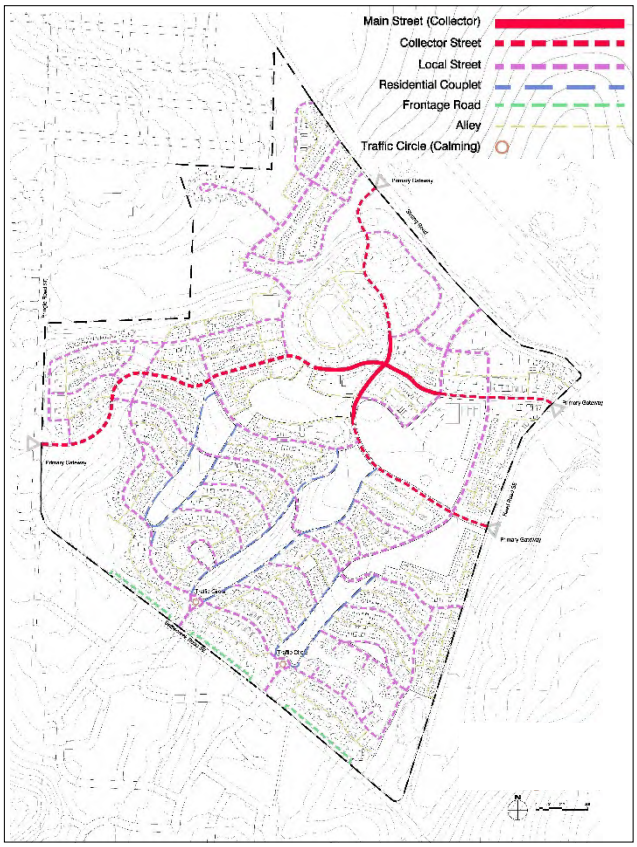


Figure 5: Fairview Master Plan Street Network Plan

12. An Interconnected Street System

As previously described, the Fairview Hills community includes an interconnected network of public streets that integrate with the established street system and promote connectivity and access to and throughout

the site. The planned public street system follows existing on-site topography to the extent possible and provides for connection to off-site properties. Reduced-width, two-way streets are provided along the green corridors offering a low visual impact on the environment and slow traffic to improve pedestrian and bicycle safety while minimizing automobile dependence.

13. Walk Every Day

As previously described, the Fairview Hills community includes a multilayered system of sidewalks, paths, trails, pedestrian connections, and shared-use paths. This ensures a walkable and bikeable community as envisioned in the Fairview Master Plan. The pedestrian network is carefully designed to accommodate the site's steep terrain while also providing accessible routes. The green corridors in the community will offer a variety of recreational opportunities including trails, pedestrian pathways, dog parks, a community park with play structures, enhanced plantings, seating areas, and a half-court basketball court. This network of pedestrian connections and passive and active recreational opportunities will encourage residents to explore and walk every day.

Salem Area Comprehensive Plan (SACP)

In addition to being consistent with the principles of the adopted Fairview Master Plan, the Fairview Hills Refinement Plan is also compatible and consistent with the SACP. Both the Fairview Master Plan and the SACP share a common vision for the community, prioritizing growth and development that meets the needs of residents. The Fairview Hills Refinement Plan specifically addresses the applicable key goals outlined in the SACP, as detailed below.

Community Engagement and Equity

As part of the Refinement Plan process, an open house (or neighborhood association meeting) presentation is required per the SRC. This requirement directly addresses the City's community engagement and equity goals by encouraging community participation in land use matters. The Refinement Plan was presented at two Morningside Neighborhood Association meetings and community feedback was incorporated into this plan.

Housing

The Fairview Hills community directly addresses the City's housing goals and policies. As described above, Fairview Hills will provide a variety of single-family home types across seven basic lot configurations that are intended to accommodate front- and alley-loaded single-family detached and attached homes. The new home and lot sizes will cater to a broad spectrum of housing needs across different age groups and income levels. Furthermore, the multilayered system of sidewalks, paths, trails, pedestrian connections, and shared-use paths throughout Fairview Hills ensure a walkable community that encourages healthy and active living.

Economic Development and Employment

While the Fairview Hills community does not include commercial uses, the provision of housing is a supportive use to the economy. The provision of new homes will accommodate residents who work within the City, increasing local job access and thereby supporting local employment as directed in Goal E2 of the SACP.

Land Use and Urbanization

The ±102.4-acre Fairview Hills refinement plan area is undeveloped land within the City's Urban Growth Boundary (UGB). Despite being designated for development into a sustainable community since the Fairview Master Plan's adoption in 2005, the property has remained vacant. Aligned with the SACP, Fairview Hills will introduce needed housing through a sustainable and contextually sensitive approach that honors the site's history and landscape, transforming this underutilized area into a thriving community.

Parks and Recreation

As enumerated above, a cornerstone of the Fairview Hills community is its extensive network of green corridors, open space, and a large community park accessible to all. The community park features play structures, enhanced plantings, seating areas, and a half-court basketball court, in addition to a large unstructured play area. The open space and green corridors offer a variety of recreational opportunities including trails, pedestrian pathways, and dog parks. A comprehensive network of sidewalks, paths, trails, and shared-use paths connects the various areas, enhancing the overall quality of life and encouraging residents to walk and explore. The pedestrian pathways network also provides connections to the surrounding communities to increase recreational opportunities in the neighborhood.

Natural Resources and the Environment

As detailed above, many of the Fairview Master Plan principles, which the Fairview Hills plan was carefully designed to emulate, aim to protect and enhance natural resources and the environment. The Fairview Hills community incorporates generous open spaces and green corridors designed to protect wetlands, habitat, trees, and the site's natural resources while offering access to nature through a network of proposed trails and pathways. By preserving existing tree groves and planting additional trees, Fairview Hills will significantly expand the City's urban forest. Respecting the site's natural topography, the street and lot layout minimize disturbance. The stormwater system is thoughtfully designed to continue to flow along existing natural drainages to a regional stormwater facility that utilizes LIDA and green infrastructure techniques in conformance with City design standards to further enhance the site's ecological function.

Climate Change and Natural Hazards

All homes within the Fairview Hills community will be certified Zero Energy Ready homes, designed to be highly energy efficient and renewable ready. These homes will contribute to the City's greenhouse gas reduction goals. The site's careful design minimizes disturbance to natural resources and considers potential natural hazards, directly addressing City climate and safety priorities.

Transportation

As detailed above, many of the Fairview Master Plan principles, which the Fairview Hills Refinement Plan was carefully designed to emulate, aim to meet the City's broader transportation goals. This is achieved through a robust network of sidewalks, paths, and trails that encourage walking and biking. Reduced street widths prioritize connectivity, reduced speeds, encourage other modes of transportation, and promote greater pedestrian and bicycle safety. The system of public streets also provides an interconnected network that promotes connectivity not only within the site but to the wider community.

Community Services and Historic Resources

Fairview Hills provides an interconnected network of community gathering spaces and amenities that offer opportunities for people to socialize and enjoy nature together. The community is designed to align with the Fairview Master Plan, honoring the property's unique history and the community's long-standing vision for the area.

Fairview Hills Illustrative Site Plan

The Fairview Hills site plan represents a collaborative effort between City staff, the community, and the design team, evolving through an iterative process to optimize its design. Rooted in the principles of the Fairview Master Plan, the plan incorporates key visionary elements such as multiple green corridors, reduced-width streets that encourage slower vehicular traffic while showcasing the open spaces, and alley-loaded homes fostering a walkable environment. The community includes a continuous network of pedestrian paths, trails, and shared-use paths that will provide benefit not only to residents of Fairview Hills, but also the surrounding community.

While building upon the conceptual site plan established in 2005 by the Fairview Master Plan, the Fairview Hills site plan has been significantly refined through in-depth site analysis and discussions with the neighborhood association, concerned community members, and City Staff. By meticulously considering the unique characteristics of the land, the Fairview Hills Refinement Plan maximizes the property's potential, minimizes disturbance to natural features, and respects the original vision in the Fairview Master Plan.

Figure 6: Fairview Master Plan and Fairview Hills Refinement Plan Comparison

II. Refinement Plan Components

Per SRC 530.030(d), a refinement plan shall include various elements in the form of map(s), text, or both, as applicable. This section provides a comprehensive overview of each required element and its specific location within this Refinement Plan. The elements of SRC 530.030(d) that each subsection addresses are notated after the subsection headings below.

Illustrative Site Plan
SRC 530.030(d)(1)

The illustrative site plan for the Fairview Hills Refinement Plan area is introduced in the Refinement Plan Overview section of this document and shown on the Preliminary Landscape Plan Overview in Section IV of this Refinement Plan.

Permitted and Proposed Land Uses
SRC 530.030(d)(2)-(3)

Permitted uses within the Fairview Hills Refinement Plan area will continue to be defined by SRC 503.040, Table 530-1, which is incorporated into the development standards in Section III of this Refinement Plan, except as adjusted to meet current State statutes related to the provision of middle housing (ORS 197.758).

The Fairview Hills Refinement Plan provides ±546 single-family home lots including a mix of front- and alley-loaded single-family homes and attached townhomes and over 20 acres of open space as shown on the Preliminary Phasing Plan and Preliminary Zoning Map in Section IV of this Refinement Plan. A majority of Fairview Hills Refinement Plan area is within the FMU Mixed-Intensity (MI) overlay area, with a small strip of Low-Intensity Residential (LI) overlay area along the Battle Creek Road SE frontage. Single-family detached homes and townhomes are permitted uses within the LI and MI overlay areas per SRC 530.040.

Circulation Plan
SRC 530.030(d)(4)-(6)

The name, location, and width of existing and planned streets and pedestrian paths and trails within the Fairview Hills Refinement Plan area are shown on the Preliminary Circulation Plan and the Preliminary Street Plan sheets in Section IV of this Refinement Plan.

Additional detailed street plans are provided in Section IV including:

- Preliminary Battle Creek Frontage Cross Section
- Preliminary Open Space Cross Sections
- Preliminary Cross Sections
- Preliminary Private Street Detail

Development Standards
SRC 530.030(d)(7);(19)-(21)

Detailed standards to be utilized for governing development within the Fairview Hills Refinement Plan area are provided in Section III of this Refinement Plan.

Natural Resource Conservation
SRC 530.030(d)(8)-(11)

The Fairview Hills Refinement Plan will conform to the following portions of the SRC specifically adopted to address conservation of natural resources within the City:

- SRC chapter 808 (Preservation of Trees and Vegetation)
- SRC chapter 809 (Wetlands)
- SRC chapter 810 (Landslide Hazards)

In addition to complying with these regulations and standards, the Fairview Hills Refinement Plan is designed to incorporate the principles of the Fairview Master Plan related to natural resource conservation as detailed in Section I of this Refinement Plan.

Wetlands, Riparian Resources, and Surface Waters

Wetland resources are identified on the Preliminary Land Use Plans in Section IV of this Refinement Plan. No riparian resources or intermittent and perennial waterways are present on-site. Wetland resources will be preserved to the greatest extent practicable. Any impacts will be mitigated as determined by the Oregon Department of State Lands (DSL) and the United States Army Corp of Engineers (USACE). The protection of surface waters is detailed in the Drainage Plan subsection below and the Preliminary Stormwater Report in Exhibit 2.

Soils

Minimization of potential erosion of the on-site soils is critical to protecting local streams, wetlands, and drainage courses. Development will comply with City erosion control standards. Construction areas disturbing more than one acre shall obtain a National Pollutant Discharge Elimination System (NPDES) 1200C permit from DEQ. Proof of a valid DEQ permit must be submitted to the City prior to the issuance of building permits. A Geological Assessment and Geotechnical Engineering Report are provided in Exhibit 3.

Trees, Vegetation, and Wildlife

All trees regulated under SRC chapter 808 are shown on the Preliminary Tree Conservation Plan and Preliminary Tree Table sheets in Section IV of this Refinement Plan. Three existing tree groves are located within the Fairview Hills Refinement Plan area. These groves will be preserved except for trees within them that are dead or in decline. All other trees will be preserved to the greatest degree practical. Additionally, native plantings will be utilized to enhance the stormwater facility, and throughout the site in conformance with the City's Landscape Design Standards and other guiding best practice landscape standards which prioritize native plant species. The incorporation of large open spaces, preservation of tree groves, and plantings will provide habitat inviting local wildlife to share in the diversity of the site that is not typically present in other development projects.

View Sheds

View sheds will be protected through the provision of large open spaces as shown on the plans in Section IV of this Refinement Plan. The layout of the Fairview Hills community incorporates natural topography into site design to help maintain and enhance views where feasible.

Common Facilities and Infrastructure Maintenance
SRC 530.030(d)(12)-(13)

Common Facilities

The methods for the ownership and perpetual maintenance of the common open space and common facilities lots within the Fairview Hills Refinement Plan area are specified in tables on the Preliminary Plat Plans in Section IV of this Refinement Plan. The planned ownership and maintenance for these facilities align with current discussions with City staff and are subject to further refinement as those discussions continue.

Infrastructure

Public streets and utility infrastructure will be constructed to City standards, unless modified by this Refinement Plan, and dedicated to the City. The City will be responsible for maintaining the public right-of-way areas including streets, alleys, sidewalks, lights, trees, landscaping, and public utility infrastructure.

A homeowner's association (HOA) will be created to own and maintain the privately owned streets, sidewalks, lights, trees, landscaping, and other private infrastructure improvements. The HOA will establish operation and maintenance standards for the private infrastructure. Preliminary Street Plans and Preliminary Composite Utility Plans in Section IV of this Refinement Plan detail the planned infrastructure within the Fairview Hills community.

Phasing
SRC 530.030(d)(14)-(17)

The Fairview Hills Refinement Plan is anticipated to proceed in phases, with a Phase 1 home construction completion date expected early 2027. If market conditions are supportive, all phases are anticipated to be complete by approximately 2035. The Preliminary Phasing Plans in Section IV of this Refinement Plan illustrate planned project phasing.

Streets

Construction of streets will be completed as necessary to fully serve each development phase as shown on the Preliminary Street Phasing Plan in Section IV of this Refinement Plan. Boundary street improvements will be completed as shown on the Preliminary Land Use Plans. Off-site street improvements related to transportation impacts of the entire Fairview Master Plan area are specified in the Infrastructure Agreement for the area. The scope and timing of street improvements triggered by the Fairview Hills Refinement Plan are identified in the Traffic Impact Analysis (TIA) in Exhibit 4.

Utilities

Construction of sanitary sewer, stormwater drainage, solid waste disposal, water, and franchise utilities will be completed as necessary to fully serve each development phase and be installed to anticipate future development within the Fairview Hills Refinement Plan area and adjacent properties. Each phase of development will provide the utility extensions and stubs necessary to serve adjacent phases in accordance with the Preliminary Utility Phasing Plan in Section IV.

Financial Assurances
SRC 530.030(d)(18)

The Fairview Hills refinement plan area is subject to an Infrastructure Agreement initially executed by Sustainable Fairview Associates, LLC, and the City. The Infrastructure Agreement creates a Development

District specifying schedules, cost estimates, and financing for infrastructure projects related to the development of the entire Fairview master plan area. The Infrastructure Agreement will likely be updated by the City based on applicable studies included with this application to ensure changes in infrastructure project needs are addressed.

Landscape Plan
SRC 530.030(d)(22)

The Preliminary Landscape Plan Overview in Section IV of this Refinement Plan provides a general landscape plan for the community.

Additional detailed landscaping related plans are provided in Section IV including:

- Preliminary Park Amenity Plan
- Preliminary Open Space Cross Sections
- Preliminary Street Tree Plans

Drainage Plan
SRC 530.030(d)(23)

The Preliminary Stormwater Report in Exhibit 2 includes a description of the proposed stormwater management system, including pre- and post-construction conditions, prepared in accordance with the Public Works Design Standards (PWDS). Preliminary Grading and Drainage Plans are provided in Section IV. The stormwater system has been designed to continue to allow runoff from upstream properties to flow along existing drainageways to a regional stormwater facility that utilizes LIDA and green infrastructure techniques in conformance with City design standards, improving water quality in the area.

Traffic Impact Analysis Update
SRC 530.030(d)(24)

A TIA for the entire Fairview Master Plan was completed in 2004 and is included as Exhibit 2 of the Fairview Training Center Redevelopment Master Plan. The 2004 TIA outlined site development mitigation measures to address traffic impacts on the surrounding transportation facilities from the full buildout of the Fairview Master Plan. These measures were incorporated into an Infrastructure Agreement and supporting Area Facilities Plan (AFP) with specific triggers for implementation. An addendum to the 2004 TIA was completed to update the trip generation estimates based on the Fairview Hills Refinement Plan to identify which mitigation triggers would be met and at which phase they would be required. The Fairview Hills TIA is provided as Exhibit 4.

Impacts on Existing Site Conditions
SRC 530.030(d)(25)-(27)

<u>Existing Structures and Other Development</u>
The only existing structure in the Fairview Hills refinement plan area is an old water tank on the western side of site. The water tank was not designated as “historically significant” in the Fairview plan inventory and is planned for removal. AAR documented the water tank and evaluated its eligibility to be listed on the NRHP. Although the water tank was constructed in the historic era and considered an historic resource, AAR determined that it is not considered to be an historic property eligible for inclusion in the NRHP. Their findings indicate that no additional cultural resource work is necessary and that it can be removed (Exhibit 5). No other existing structures will be impacted.

The Fairview Hills Refinement Plan area is bordered to the north and west by the adopted Pringle Creek Community, Fairview Refinement Plan II (Grove Apartments), and Fairview Addition West; to the south by an existing residential neighborhood; and to the east by property planned for a new City park and the future Coburn Grand View Estates residential subdivision. The Fairview Hills community was carefully designed to complement and integrate into the surrounding communities as envisioned by the Fairview Master Plan.

Existing Infrastructure and Public Services

The UGA Development Permit (UGA04-8) and the Infrastructure Agreement entered into by Sustainable Fairview Associates, LLC and the City, identify the infrastructure improvements necessary to serve development envisioned by the Fairview Master Plan. The Infrastructure Agreement and supporting Area Facilities Plan provide the method of financing the infrastructure improvements as well as the timing for construction based on various triggers as the former Fairview Training Center property develops. The Fairview Hills Refinement Plan area is generally consistent with the adopted Fairview Master Plan, as detailed in the Refinement Plan Overview, and the associated impacts to the off-site infrastructure as outlined in the Infrastructure Agreement for the overall Fairview Master Plan.

Archaeological and Historically Significant Sites

Exhibit 5 of the Fairview Master Plan provides an Historic Analysis and Inventory for the entire former Fairview Training Center property. No “historically significant” buildings or structures were designated in the Fairview Hills refinement plan area. The only existing structure in the refinement plan area is an old water tank which is planned for removal. AAR documented the water tank and evaluated its eligibility to be listed on the NRHP. Although the water tank was constructed in the historic era and considered a historic resource, AAR determined that it is not considered to be a historic property eligible for inclusion in the NRHP. Their findings indicate that no additional cultural resource work is necessary and that it can be removed (Exhibit 5).

In 2009, AAR completed an Archaeological Survey and Cultural Resources Investigations for the property, as a part of the previous refinement plan approved for the subject site (Exhibit 5). The Archaeological Survey found no evidence of burials or a cemetery on-site. The Cultural Resource Investigations found that “the development area contains very sparse archaeological remains,” and concluded that no additional studies or protections are required on-site. An inadvertent discovery plan was established to be set in place in the unlikely event that cultural resources are encountered during construction. The State Historic Preservation Office (SHPO) concurred with AAR’s recommendations as indicated in letters received in 2009 (Exhibit 5). In 2012, SHPO provided an additional letter indicating that further information is necessary regarding a known archaeological site (Exhibit 5). AAR completed further archaeological investigations at the site as detailed in the report in Exhibit 5. No cultural material was found, and for that reason, AAR recommends no further archaeological investigations at the site and that the development project is allowed to proceed.

III. Development Standards

Development within the Fairview Hills Refinement Plan shall conform to the standards set forth in this section.

The standards and processes stipulated herein supersede the standards and processes of the City's Unified Development Code (UDC) and Public Works Design Standards (PWDS) and shall be used as review criteria for development within the Refinement Plan area.

Any standards and requirements of the UDC and PWDS that would otherwise be applicable to a development but are not superseded by the standards and requirements of the refinement plan shall apply within the refinement plan area.

For development within the refinement plan requiring a building permit, the City's review and approval of the building permit shall serve as the statement of compliance with applicable standards required under SRC 530.080.

Chapter 001. Fairview Hills Refinement Plan Development Standards

Sec. 001.001. Uses

(a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the Fairview Hills Refinement Plan Area are set forth in Table 001-0.

TABLE 001-0. USES

Use	Status		Limitations & Qualifications
	LI	MI	
Household Living			
Single family	P	P	The following single family activities: ■ Single family detached dwelling. ■ Residential home, as defined under ORS 197.660. ■ Manufactured home.
	N	P	Townhouse.
	N	P	Dwelling unit for a caretaker on the premises being cared for or guarded.
	N	N	All other single family.
Two family	P	P	
Three family	N	P	
Four family	N	P	
Multiple family	N	P	
Group Living			
Room and board	P	N	Single-room occupancy with up to six rooms, regardless of the density requirements in this zone or included within a refinement plan.
	N	P	The following room and board activities: ■ Single-room occupancy. ■ Other room and board serving 5 or fewer persons.
	N	N	All other room and board.

Residential care	N	P	Residential facility, as defined under ORS 197.660.
	N	N	All other residential care.
Nursing care	N	P	
Lodging			
Short-term commercial lodging	N	P	Short-term rentals.
	N	N	All other short-term commercial lodging.
Long-term commercial lodging	N	P	
Nonprofit shelters	N	N	
Retail Sales and Service			
Eating and drinking establishments	N	P	
Retail sales	N	P	
Personal services	N	P	
Postal services and retail financial services	N	P	
Business and Professional Services			
Office	N	P	
Audio/visual media production	N	P	
Laboratory research and testing	N	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services			
Motor vehicle and manufactured dwelling and trailer sales	N	N	Manufactured dwelling and prefabricated structure sales.
	N	N	Motor vehicle, recreational vehicle, and trailer rental.
	N	N	All other motor vehicle and manufactured dwelling and trailer sales.
Motor vehicle services	N	N	
Commercial parking	N	N	
Park-and-ride facilities	P	P	Park-and-ride facilities, when converted from portions of existing off-street parking areas.
	N	N	All other park-and-ride facilities.
Taxicabs and car services	N	N	
Heavy vehicle and trailer sales	N	N	
Heavy vehicle and trailer service and storage	N	N	
Recreation, Entertainment, and Cultural Services and Facilities			

Commercial entertainment—indoor	N	C	Nightclubs, located within 200 feet of a residential zone.
	N	P	All other commercial entertainment—indoor.
Commercial entertainment—outdoor	N	P	
Major event entertainment	N	N	
Recreational and cultural community services	N	P	
Parks and open space	P	P	
Nonprofit membership assembly	N	P	
Religious assembly	N	P	
Health Services			
Medical centers/hospitals	N	N	
Outpatient medical services and laboratories	N	P	
Educational Services			
Day care	P	P	Child day care home.
	N	P	Adult day care home.
	N	N	All other day care.
Basic education	N	P	
Post-secondary and adult education	N	N	
Civic Services			
Governmental services	N	P	
Social services	N	N	
Governmental maintenance services and construction	N	N	
Public Safety			
Emergency services	N	N	The following emergency services activities: ■ Ambulance station. ■ Ambulance service facility.
	N	P	All other emergency services.
Detention facilities	N	N	
Military installations	N	P	
Funeral and Related Services			
Cemeteries	N	P	
Funeral and cremation services	N	N	
Construction Contracting, Repair, Maintenance, and Industrial Services			
General repair services	N	N	

Building and grounds services and construction contracting	N	N	
Cleaning plants	N	P	
Industrial services	N	N	
Wholesale Sales, Storage, and Distribution			
General wholesaling	N	N	
Heavy wholesaling	N	N	
Warehousing and distribution	N	N	
Self-service storage	N	N	
Manufacturing			
General manufacturing	N	C	
Heavy manufacturing	N	N	
Printing	N	C	
Transportation Facilities			
Aviation facilities	N	N	
Passenger ground transportation facilities	P	P	Transit stop shelters.
	N	N	All other passenger ground transportation facilities.
Marine facilities	N	N	
Utilities			
Basic utilities	P	P	
Wireless communication facilities	Allowed		Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	N	N	
Power generation facilities	N	N	
Data center facilities	N	N	
Fuel dealers	N	N	
Waste-related facilities	N	P	Recycling depot.
	N	N	All other waste-related facilities.
Mining and Natural Resource Extraction			
Petroleum and natural gas production	N	N	
Surface mining	N	N	
Farming, Forestry, and Animal Services			
Agriculture	N	N	Marijuana production.
	P	P	All other agriculture.
Forestry	N	P	
Agriculture and forestry services	N	N	

Keeping of livestock and other animals	N	N	
Animal services	N	P	Small animal veterinary services.
	N	N	All other animal services.
Other Uses			
Accessory short-term rentals	S	-	Accessory short-term rental, subject to SRC 700.006
Temporary uses	N	P	Residential sales/development office, subject to SRC 701.030.
	N	P	Managed temporary village, subject to SRC 701.030, when located on the site of a religious assembly use.
	N	N	Managed temporary village, subject to SRC 701.030, when not located on the site of a religious assembly use.
	N	P	Emergency shelter, subject to SRC 701.025, when located on the site of a religious assembly use.
	N	N	Emergency shelter, subject to SRC 701.025, when not located on the site of a religious assembly use.
	P	P	Construction modular, subject to SRC 701.016.
	P	P	Safe parking shelter, subject to SRC 701.041.
Home occupations	S	S	Home occupations, subject to SRC 700.020.
Accessory dwelling units	P	P	

(b) *Additional prohibited uses.* Notwithstanding Table 001-0, eating and drinking establishments otherwise permitted within the Fairview Hills Refinement Plan area shall be a prohibited use if developed with a drive-through.

Sec. 001.002. Development standards.

(a) *Lot standards.* Lots within the Fairview Hills Refinement Plan Area shall conform to the standards in Table 001-1.

TABLE 001-1. LOT STANDARDS		
Requirement	**Standard**	**Limitations & Qualifications**
Lot Area		
All household living uses and activities	None	
All other uses	None	

Lot Width		
All household living uses and activities	None	
All other uses	None	
Lot Depth		
All household living uses and activities	None	
All other uses	None	
Street Frontage		
Single family	Min. 18 ft.	
	No Max.	
Two family	Min. 36 ft.	
	No Max.	
Three family, four family, and multiple family	Min. 24 ft.	
	Min. 6 ft. per dwelling unit	Applicable to multiple family consisting of not more than 5 dwelling units.
	Max. 30 ft. per dwelling unit	
All other uses	Min. 40 ft.	
	No max	

(b) *Dwelling unit density.*

Per SRC 530.045(c), the maximum number of dwelling units permitted within the FMU zone is 2,000. Table 001-2 provides a density range with a maximum that will ensure the number of dwelling units within the FMU zone remains under the 2,000 dwelling unit maximum, while accounting for the vested amount of dwelling units currently permitted within the existing refinement plans.

(1) Dwelling unit density within the Fairview Hills Refinement Plan area for uses and activities falling under household living and for single-room occupancy shall conform to the standards set forth in Table 001-2.

TABLE 001-2. DWELLING UNIT DENSITY

Overlay Area	Minimum	Maximum
Limited Intensity (LI)	4 d.u./acre	6 d.u./acre
Mixed Intensity (MI)	5 d.u./acre	10 d.u./acre

(2) For the purposes of calculating the minimum density in Table 001-2, the following land and water areas may be excluded from the total site area:

(A) Stormwater facilities dedicated or sold to the City;

(B) Open space, provided the open space is dedicated to the City of Salem or the perpetual maintenance and operation of the open space is provided by a home owner's association; and

(C) Properties used for uses and activities other than household living uses and activities.

(3) *Accessory dwelling units.* Accessory dwelling units are exempt from these dwelling unit density requirements.

(4) *Development site dwelling unit density.* When calculating density, the minimum and maximum densities in Table 001-2 shall be calculated based on the total site area of the Fairview Hills Refinement Plan area rather than by development site area.

(A) A single development site is limited to a maximum density of the lesser of 8 dwelling units per acre in the LI overlay area and 35 dwelling units per acre in the MI overlay area, or the maximum remaining dwelling units permitted within the Fairview Hills Refinement Plan area as specified within Table 001-2.

(B) The applicant for any development in the Fairview Hills Refinement Plan area which increases or decreases the density shown in an adopted Fairview Hills Refinement Plan is responsible for providing calculations indicating that the density within the Fairview Hills Refinement Plan area remains within the maximum densities permitted through Table 001-2.

(5) Exceptions. Dwelling unit density increases permitted through State statutes, such as, but not limited to, ORS 197.758 (Development of middle housing), are exempt from the density standards of this section and SRC chapter 530.

(c) *Setbacks.*

(1) Setbacks within the Fairview Hills Refinement Plan Area shall be provided as set forth in Table 001-3.

TABLE 001-3. SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting FMU Zone District Boundary		
Buildings		
All household living uses and activities	Min. 20 ft.	
All other uses	Min. 20 ft.	
Accessory Structures		
All household living uses and activities	Min. 20 ft.	
All other uses	Min. 20 ft.	
Abutting Street		
Buildings		
All household living uses and activities	Min. 10 ft.	
All other uses	Min. 10 ft.	
Accessory Structures		
Accessory to all household living uses and activities	Min. 10 ft.	
Accessory to all other uses	Min. 10 ft.	
Abutting Alley		
Buildings		
All household living uses and activities	Min. 4 ft.	
All other uses	Min. 4 ft.	

Accessory Structures		
Accessory to all household living uses and activities	None	
All other uses	None	
Interior Front		
Buildings		
All household living uses and activities	Min. 10 ft.	
All other uses	Min. 10 ft.	
Accessory Structures		
Accessory to all household living uses and activities	None	
All other uses	None	
Interior Side		
Buildings		
All household living uses and activities	None	Applicable to any exterior wall or portion thereof of a townhouse which is contiguous to an interior side lot line.
	Min. 4 ft.	Applicable to any exterior wall or portion thereof of a townhouse which faces but is not contiguous to an interior side lot line.
		Applicable to all other household living uses and activities.
All other uses	Min. 4 ft.	
Accessory Structures		
Accessory to all household living uses and activities	None	
All other uses	None	
Interior Rear		
Buildings		
All household living uses and activities	Min. 5 ft.	
All other uses	None	
Accessory Structures		
Accessory to all household living uses and activities	None	
Accessory to all other uses	None	

(d) *Lot coverage; height.* Buildings and accessory structures within the Fairview Hills Refinement Plan Area shall conform to the lot coverage and height standards set forth in Table 001-4.

TABLE 001-4. LOT COVERAGE; HEIGHT		
Requirement	**Standard**	**Limitations & Qualifications**
Lot Coverage		
Buildings and Accessory Structures		
All household living uses and activities	No Max.	Applicable within the MI area.
	Max. 55%	Applicable within the LI area.
All other uses	No Max.	
Rear Yard Coverage		
Buildings		
All household living uses and activities	N/A	
All other uses	N/A	
Accessory Structures		
Accessory to all household living uses and activities	No Max.	
Accessory to all other uses	No Max.	
Height		
Buildings		
All household living uses and activities	Max. 35 ft	Applicable within the LI area.
	Max. 45 ft.	Applicable within the MI area.
All other uses	Max. 45 ft.	
Accessory Structures		
Accessory to all household living uses and activities	Max. 35 ft.	Applicable within the LI area.
	Max. 45 ft.	Applicable within the MI area.
Accessory to all other uses	Max. 35 ft.	Applicable within the LI area.
	Max. 45 ft.	Applicable within the MI area.
Vegetation		
Trees	Max. 45 ft.	
All other vegetation	Max. 45 ft.	

(e) *Building orientation.*

(1) All single family attached dwellings and multiple family residential complexes shall have their primary orientation to the street. Entrances to multiple family buildings may include entrances to individual units or breezeway/courtyard entrances (i.e., to a cluster of residential units); or

(2) All single family attached dwellings and multiple family residential complexes may have their primary orientation to a side yard when a direct pedestrian connection is provided between the main entrance and the street, with at least one entrance located not more than 20 feet from the curbline of the street.

(f) *Architectural standards for single family and two family uses.* The purpose of these standards is to provide flexibility in the architectural design of single family uses on lots with narrow lot width.

(1) *Garage.* When a garage is proposed facing a street:

(A) There is no limit to the percentage of total building façade that may be occupied by the garage provided that an architecturally defined porch for the primary entrance to the dwelling unit is provided facing the street along the same façade; and,

(B) A garage may be located closer to the street than the habitable space of a dwelling unit if a street facing architecturally defined porch for the primary entrance is provided with a minimum area of 16 square feet and includes an architectural element, such as a roof line, that projects closer to the street than the garage.

(2) *Windows and glazing*. All single-family and middle-housing uses are exempt from minimum window-to-façade ratio or glazing requirements.

(3) *Patio.* Where provided, rear patios may be covered or uncovered.

(4) *Roof pitch.* The minimum roof pitch, expressed as a ratio of vertical rise to horizontal run, shall be 3:12.

(g) *Design review.* Design review under SRC 225 is required for development within the Fairview Hills Refinement Plan area as follows:

(1) Multiple family development shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.

(2) Residential care with five or more self-contained dwelling units shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.

Sec. 001.003. Other provisions.

Unless otherwise superseded by this refinement plan, development within the Fairview Hills Refinement Plan Area shall comply with the following chapters of the UDC:

SRC Provision	Limitations & Qualifications
SRC Chapter 86 – Trees on City Owned Property	Except as specified in Chapter 008 of these standards
SRC Chapter 205 – Land Division and Reconfiguration	Except as specified in Chapter 002 of these standards
SRC Chapter 703 – Wireless Communication Facilities	
SRC Chapter 800 – General Development Standards	Except as specified in Chapter 002 of these standards
SRC Chapter 802 – Public Improvements	
SRC Chapter 803 – Streets and Right-of-Way Improvements	Except as specified in Chapter 003 of these standards
SRC Chapter 804 – Driveway Approaches	Except as specified in Chapter 004 of these standards
SRC Chapter 805 – Vision Clearance	
SRC Chapter 806 – Off-Street Parking, Loading, and Driveways	Except as specified in Chapter 005 of these standards

SRC Chapter 807 – Landscaping and Screening	
SRC Chapter 808 – Preservation of Trees and Vegetation	Except as specified in Chapter 006 of these standards
SRC Chapter 809 – Wetlands	
SRC Chapter 810 – Landslide Hazards	
SRC Chapter 900 – Sign Code	Except as specified in Chapter 007 of these standards

Chapter 002. Fairview Hills General Development Standards

Sec. 002.001. Setbacks.

(a) *Setbacks to be unobstructed.* Except as otherwise provided under subsection (b) of this section, required setbacks shall be unobstructed.

(b) *Permitted projections into required setbacks.* Permitted projections into required setbacks are set forth in Table 002-1.

TABLE 002-1. PERMITTED PROJECTIONS INTO REQUIRED SETBACKS

Type of Projection	**Maximum Projection**		
	Front Abutting Street; Side Abutting Street; Interior Front	**Interior Side**	**Rear Abutting Street; Interior Rear**
Planter boxes; window bays; greenhouse windows; chimneys; flues; belt courses; leaders; sills; pilasters; lintels; solar collectors; and ornamental features	24 in.	24 in.	24 in.

Cornices; eaves; and gutters	24 in.	24 in., provided in no case shall such projection come closer than 2 ft. to the side property line.	24 in.
Fire escapes	Not allowed	One-third the width of the interior side setback or 3 ft., whichever is less.	5 ft., provided in no case shall such projection come closer than 4 ft. to any property line.
Steps	Not limited	One-third the width of the interior side setback or 3 ft., whichever is less.	24 in.

Wheelchair ramps	Not limited, provided: (1) The floor area does not exceed 4 ft. above grade; and (2) In no case shall the wheelchair ramp come closer than 10 ft. to the property line.	Not limited, provided the floor area does not exceed 3 ft. above grade.	Not limited, provided the floor area does not exceed 4 ft. above grade.
Porches and decks—covered, but unenclosed	Not limited, provided: (1) The structure covering the porch or deck does not exceed 15 ft. above grade; (2) The floor area of the porch or deck does not exceed 4 ft. above grade; and (3) In no case shall the covered porch or deck come closer than 10 ft. to the property line.	Not allowed	Not limited, provided: (1) The structure covering the porch or deck does not exceed 15 ft. above grade; (2) The floor area of the porch or deck does not exceed 4 ft. above grade; and (3) In no case shall the covered porch or deck come closer than 4 ft. to the rear property line.

Porches and decks—uncovered	Not limited, provided: (1) The floor area of the porch or deck does not exceed 3 ft. above grade; (2) No railing or perimeter seating on the porch or deck exceeds 44 inches in height above the floor of the porch or deck at any point; and (3) A landscaped area 4 ft. in depth is maintained between the property line and the porch or deck.	Not limited, provided the floor area of the porch or deck does not exceed 3 ft. above grade.	Not limited, provided the floor area of the porch or deck does not exceed 4 ft. above grade; or 5 ft., when the floor area of the porch or deck exceeds 4 ft. above grade; provided, however, in no case shall the porch or deck come closer than 4 ft. to any property line.

Patios—covered, but enclosed	Not limited, provided: (1) The structure covering the patio does not exceed 15 ft. above grade; (2) The floor area of the patio does not exceed 4 ft. above grade; and (3) In no case shall the covered patio come closer than 10 ft. to the property line.	Not allowed	Not limited, provided: (1) The structure covering the patio does not exceed 15 ft. above grade; (2) The floor area of the patio does not exceed 4 ft. above grade; and (3) In no case shall the covered patio come closer than 4 ft. to the rear property line.
Patios—uncovered	Not limited, provided: (1) The floor area of the patio does not exceed 3 ft. above grade; and (2) A landscaped area 4 ft. in depth is maintained between the property line and the patio.	Not limited, provided the floor area of the patio does not exceed 3 ft. above grade.	Not limited, provided the floor area of the patio does not exceed 4 ft. above grade.

Balconies; outside stairways; and other unenclosed, unroofed projections	Not allowed	Not allowed	5 ft., provided in no case shall such projection come closer than 4 ft. to any property line.
Limitations and Qualifications (1) No permitted projection into a rear setback shall extend to within 10 ft. of the centerline of an alley, or to within 6 ft. of an accessory structure.			

Sec. 002.002. Retaining walls on private property.

(a) *Retaining walls.* Retaining walls shall not exceed a maximum height of four feet when located at the property line abutting a street, except as provided below. Retaining walls not located at the property line abutting a street may exceed four feet in height.

(1) When a retaining wall is for the purpose of minimizing impact to natural resources, retaining walls may exceed the maximum height of four feet when located at the property line.

(2) Retaining walls located on private property abutting a street shall be setback a minimum of 1-foot from the property line abutting the street.

Sec. 002.003. Final Plat.

(a) *Model homes.* No building permits for development of lots or parcels shall be issued until the final plat for each phase is recorded, except that the City shall allow up to four model homes with temporary certificates of occupancy prior to plat recording. Model homes are not subject to the special use provisions of SRC 700.081.

Chapter 003. Fairview Hills Streets and Right-of-Way Improvements

Sec. 003.001. Right-of-way and pavement widths.

(a) All public and private street right-of-ways within the Fairview Hills Refinement Plan area shall comply with the detailed cross sections depicted in Section IV of this Refinement Plan, which supersede the standards in the City of Salem Public Works Design Standards.

(b) All public and private streets within the Fairview Hills Refinement Plan include pavement widths as expressed in the detailed cross sections depicted in Section IV of this Refinement Plan, which supersede the standards in the City of Salem Public Works Design Standards.

Sec. 003.002. Street cross sections.

(a) All public and private streets within the Fairview Hills Refinement Plan area shall comply with the detailed cross sections depicted in Section IV of this Refinement Plan, which supersede the standards in the City of Salem Public Works Design Standards.

Sec. 003.003. Street spacing.

(a) Streets shall have a maximum spacing of 600 feet from right-of-way line to right-of-way line along one block axis, and not less than 90 feet and not more than 400 feet from right-of-way line to right-of-way line along the other block axis.

(b) Notwithstanding the provisions in (a) above, block spacing may be increased where:

(1) Physical conditions preclude streets meeting the spacing requirements. Physical conditions include, but are not limited to, topography or the existence of natural resource areas such as wetlands, ponds, streams, channels, rivers, lakes, or a resource protected by state or federal law.

(2) Buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels, physically preclude streets meeting the spacing requirements, considering the potential for redevelopment.

(3) An existing public street or streets terminating at the boundary of the development site exceed the spacing requirements, or are situated such that the extension of the street or streets into the development site would create a block length exceeding the spacing requirements. In such cases, the block length shall be as close to the spacing requirements as practicable.

(4) The streets would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, that by their terms would preclude a current or future connection.

(5) Strict application of the spacing requirements would result in a street network that is no more beneficial to vehicular, pedestrian, or bicycle traffic than the proposed street network, and the proposed street network will accommodate necessary emergency access; or

(6) A pedestrian connection or alley is provided along the axis which exceeds the maximum block spacing.

(c) *Exceptions.* Blocks comprised of more than 50 percent open space, parks, or stormwater facilities are exempt from street spacing standards.

Sec. 003.004. Street standards.

All public and private streets shall be improved as follows:

(a) *Connectivity.* Local streets shall be oriented or connected to existing or planned streets, and shall be extended to adjoining undeveloped properties for eventual connection with the existing street system. Connections to existing or planned streets and adjoining undeveloped properties for eventual connection with the existing street system shall be provided in compliance with the street spacing standards in section 003.003 of this chapter.

(b) *Improvements.* All street improvements, including sub-base, base, pavement, curbs, sidewalks, and surface drainage shall conform to all provisions of the Salem Revised Code and the Public Works Design Standards unless modified herein.

(c) *Alignment and grade.*

(1) All streets shall be designed with a vertical alignment that conforms to the Public Works Design Standards.

(2) No grade of parkway, major arterial, or minor arterial shall exceed six percent. No grade of a collector street shall exceed eight percent.

(3) Local street grade may not exceed 12 percent, except for the purpose of accommodating site topography. In such case, a maximum local street grade of 15 percent may be used if approved by the Fire Department.

(d) *Dead-end streets.* When it appears necessary to provide connectivity into or through an abutting undeveloped area, a dead-end street shall be provided to the boundary of the undeveloped area. In such cases, the street may be constructed, and right-of-way may be used if dedicated without a turnaround, provided that a temporary turn around is provided where required by the Fire Department.

(e) *Reserve blocks.* Reserve blocks are not required within the Fairview Hills Refinement Plan area.

(f) *Cul-de-sacs.*

(1) Cul-de-sacs shall not exceed 800 feet in length.

(2) No portion of a cul-de-sac shall be more than 400 feet from an intersecting street or cul-de-sac unless physical constraints make it impractical.

(3) Cul-de-sacs shall have a turnaround with a property line radius of not less than that specified in SRC 803.025(a) from the center of the turnaround to the property lines.

(g) *Intersections; property line radius.*

(1) Intersections shall conform to the Public Works Design Standards, except as established by this Refinement Plan.

(2) The property line radius at intersections shall be not less than the curbline radius as set forth in the Public Works Standards.

(3) Street intersections shall have a minimum spacing, measured from centerline to centerline, of 65 feet.

(h) *Cut and fill slopes.* Fill slopes shall begin no closer than two feet from the rear edge of the sidewalk, or if there is no sidewalk, from the rear edge of the curb. Cut and fill slopes shall not exceed two horizontal to one vertical, provided that slopes not exceeding one to one may be approved upon certification by a qualified engineer or geologist that the slope will remain stable under foreseeable conditions.

(i) *Slope easements.* Slope easements shall be provided on both sides of the right-of-way where required by Public Works Design Standards.

(j) *Street alignment.* Streets shall be aligned in substantial conformance with the plans in Section IV of this Refinement Plan.

(k) *Street trees.* Development adjacent to public streets shall provide street trees that meet the standards and specifications set forth in SRC chapter 86, except as specified in Chapter 008 of these standards.

(l) *Sidewalks.*

(1) Sidewalk construction required. Sidewalks conforming to this chapter, the Public Works Design Standards, the Americans with Disabilities Act, the Salem Transportation System Plan, SRC chapter 78, and the detailed cross sections depicted in Section IV of this Refinement Plan shall be constructed as a part of street improvement projects.

(2) Sidewalk location; width.

(A) Sidewalks shall be located parallel to and one foot from the adjacent right-of-way; provided, however, on streets having a right-of-way of 50 feet or less, sidewalks shall be located parallel to and abutting the curb.

(B) If topography or other conditions make the construction of a sidewalk impossible or undesirable in a location required by this subsection, a different location may be allowed.

(C) Except as otherwise provided in this subsection, all sidewalks shall be a minimum of five feet in width.

(D) Sidewalks connecting with the direct access to the primary entrance of a school shall be a minimum of eight feet in width along the right-of-way for a distance of 600 feet from the point of connection.

(E) Sidewalks shall have an unobstructed four-foot wide clearance around street lights, signs, mailboxes, and other streetscape facilities.

(m) *Bicycle facility standards.* Streets identified in the Salem Transportation System Plan Bicycle System Map as requiring a bicycle facility must conform to the designation of the Salem Transportation System Plan and the Public Works Design Standards.

(n) *Utility easements.* Public utility easements may be required for all streets. Unless otherwise specified by the Director or outlined herein, public utility easements shall be a minimum of five feet in width on each side of the right-of-way.

(1) When a street abuts an open space, park, or storm facility, a public utility easement may be provided on one side of the right-of-way.

(o) *Street lights.* All subdivisions and partitions, and all development on units of land for which site plan review is required, shall include underground electric service, light standards, wiring, and lamps for street lights that conform to the Public Works Design Standards. The developer shall install such facilities. Upon the City's acceptance of improvements, the street lighting system along public streets shall become the property of the City.

(p) *Landscape strips.* Landscape strips for signs, street lights, and street trees shall be provided that conform to the detailed cross sections depicted in Section IV of this Refinement Plan.

(q) *Landscaping.* Property owners shall cover at least 75 percent of the unimproved surface area within the right-of-way abutting the property with perennial living plant material which conforms to all other requirements of the UDC, and which is kept free of noxious vegetation.

(s) *Urban growth area street improvements.* Where a subdivision or partition is located in the Urban Growth Area or the Urban Service Area, and the construction of street improvements by the City has not yet occurred, the street improvements and dedications shall meet the requirements of SRC chapter 200.

Sec. 003.005. Public accessways.

(a) Public accessways are allowed for the purpose of connecting cul-de-sac streets, passing through oddly shaped or unusually long blocks, providing a network of public paths creating access to schools, parks and open space, shopping centers, public transportation stops, or other community services, or for the purpose of continuing the public walkway into a future subdivision or abutting property or streets.

(b) Public accessways shall be a minimum of 10 feet wide and shall be designed with a running slope not to exceed 10 percent. In cases where the running slope would exceed 10 percent, stairs may be used.

Chapter 004. Fairview Hills Driveway Approaches

Sec. 004.001. Access onto local streets.

(a) Permitted access.

(1) No access shall be provided onto a local street from a proposed new single family, two family, three family, or four family use on lot abutting an alley. Corner lots with frontage on a local street and an alley may take access to the local street where alley access is not feasible.

Sec. 004.002. Access onto arterial streets.

(a) Permitted access.

(1) No access shall be provided onto a major or minor arterial from a proposed new single family, two family, three family, or four family use on an existing lot abutting an alley or local street within the refinement plan area.

Sec. 004.003. Driveway approach development standards.

(a) *Driveway approach width for single family, two family, three family, and four family uses.* Driveway approaches serving single family, two family, three family, and four family uses shall conform to the minimum and maximum widths in the following table:

TABLE 004-1. DRIVEWAY APPROACH WIDTH FOR SINGLE FAMILY, TWO FAMILY, THREE FAMILY, AND FOUR FAMILY USES

Number of Parking Spaces Served	Width	
	Minimum	**Maximum**
1 space	10 ft.	15 ft.
2 spaces	14 ft.	17 ft. Applicable only to lots with street frontage less than 40 ft.
		24 ft.
3 or more spaces	18 ft.	36 ft.

Chapter 005. Fairview Hills Off-Street Parking, Loading, and Driveways

Sec. 005.001. Amount of off-street parking.

Minimum and maximum off-street parking shall conform to the requirements of SRC chapter 806.

Sec. 005.002. Off-street parking and vehicle storage area development standards for single family, two family, three family, and four family uses or activities.

(a) *Garage or carport vehicle entrance setback abutting street or flag lot accessway.* The vehicle entrance of a garage or carport facing a street or flag lot accessway shall be setback a minimum of 20 feet from back of sidewalk.

(b) *Maneuvering.* Where access to off-street parking is taken from an alley, a minimum maneuvering depth of 24 feet shall be provided between the back of the parking space and the opposite side of the alley right-of-way.

Chapter 006. Fairview Hills Preservation of Trees and Vegetation

Sec. 006.001. Tree planting requirements.

(a) Within development proposals for the creation of lots or parcels to be used for single family uses, two family uses, three family uses, four family uses, or cottage clusters, each lot or parcel shall contain, at a minimum, the number of trees set forth in Table 006-1.

(b) If there are insufficient existing trees on a lot or parcel to satisfy the number of trees required under Table 006-1, additional trees sufficient to meet the requirement shall be planted. The additional trees shall be a minimum 1.5-inch caliper.

(c) When a lot includes one or more significant trees that have been designated for preservation under a tree conservation plan, the number of trees required to be replanted on the lot may be reduced by a ratio of two trees for each significant tree preserved on the lot.

(d) If lot coverage maximums exceed 55%, tree planting requirements do not apply.

TABLE 006-1. TREE PLANTING REQUIREMENTS	
Lot or Parcel Size	**Minimum Trees Required**
Less than 4,000 $ft.^2$	1
4,000 $ft.^2$ to 6,000 $ft.^2$	2
6,001 $ft.^2$ to 7,000 $ft.^2$	3
7,001 $ft.^2$ to 8,000 $ft.^2$	4
8,001 $ft.^2$ to 9,000 $ft.^2$	5
Greater than 9,000 $ft.^2$	6

Chapter 007. Fairview Hills Sign Code

Sec. 007.001. Permanent signs.

(a) *Residential subdivisions in a Fairview refinement plan area.*

(1) When a residential subdivision is planned within a Fairview Refinement Plan Area, the residential subdivision is allowed four freestanding signs. Each freestanding sign shall be limited to a display surface not exceeding 12 square feet and to a height not exceeding six feet. Each freestanding sign shall be located near a motor vehicle entrance to the subdivision that borders the refinement plan area.

Chapter 008. Fairview Hills Street Trees

Sec. 008.001. New trees in the right-of-way.

(a) *Required distance from utilities and other infrastructure.* Street trees shall be provided adequate spacing from new and existing utilities and infrastructure. The required minimum separation is listed in Table 008-1. The engineer of record (EOR) shall consider the location of existing utilities along with proposed future utilities when locating street trees. All measurements are to the nearest point of the structure.

TABLE 008-1. REQUIRED TREE DISTANCE FROM UTILITIES AND OTHER INFRASTRUCTURE	
Utility/Infrastructure	**Distance (ft.)**
Curb, Sidewalk	2
Access Walkways, Fire Hydrants, Roof Drains in the Curb, Catch basins, Manholes, Water Meters, Water Services, Gas and Electric Services, Utility Boxes and Vaults, Mounted Pedestal, Stormwater Planters	6
Alleys, Driveways, Traffic Signs and Signals (on approach), Street Light on Utility Pole, and Water, Wastewater, and Stormwater lines [(1)]	10
[(1)] *This requirement only applies where these utilities are perpendicular to the planting strip.*	

(b) If the spacing in Table 008-1 cannot be met, the Director may permit reductions with the purpose of providing street trees to the maximum extent feasible.

(c) Trees along private streets may be located outside the City access easement provided that guarantees are established to ensure they are maintained by a homeowners association.

IV. Preliminary Land Use Plans

The Preliminary Land Use Plans depicting the various components of the Fairview Hills Refinement Plan detailed in this document are provided in Exhibit 1. The plan set provides detailed sheets for each of the following:

- Project Overview Plans
  - Cover Sheet with Vicinity Map
  - Sheet Index and Legend
  - Preliminary Phasing Plans
  - Preliminary Neighborhood Connectivity
  - Preliminary Circulation Plan
  - Preliminary Landscape Plan Overview
  - Preliminary Park Amenity Plan
  - Preliminary Battle Creek Frontage Cross Section
  - Preliminary Open Space Cross Sections
  - Preliminary Zoning Map
  - Preliminary Street Phasing Plan
  - Preliminary Utility Phasing Plan
- Existing Conditions
- Preliminary Plat Plans
- Preliminary Setback Plans
- Preliminary Tree Plans
  - Preliminary Tree Conservation Plan
  - Preliminary Tree Table
- Preliminary Demolition Plans
- Preliminary Grading and Drainage Plans
- Preliminary Street Plans
  - Preliminary Street Overview
  - Preliminary Cross Sections
  - Preliminary Private Street Detail
  - Preliminary Street Plans
  - Preliminary Battle Creek Street Plan
  - Preliminary Street Profiles
  - Preliminary Battle Creek Street Profiles
- Preliminary Composite Utility Plans
- Preliminary Landscape Plans
  - Preliminary Street Tree Plan

Exhibit 1: Fairview Hills Refinement Plan Preliminary Land Use Plans

Exhibit 2: Preliminary Stormwater Report

Exhibit 3: Geological Assessment and Geotechnical Engineering Report

Exhibit 4: Fairview Hills Traffic Impact Analysis

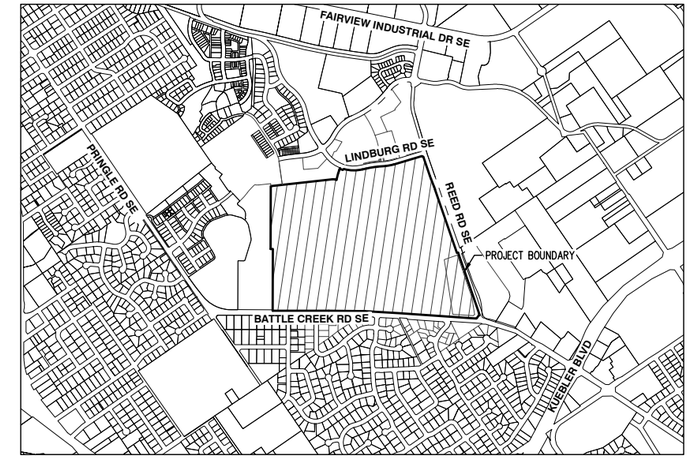
Exhibit 5: Archaeological and Cultural Resources Documentation

Attachment C

FAIRVIEW HILLS PHASED SUBDIVISION

PRELIMINARY LAND USE PLANS

SITE MAP
SCALE: 1" = 150'



VICINITY MAP
SCALE: 1" = 1000'

APPLICANT/CONTRACT PURCHASER
HOLT HOMES
CONTACT: JOSH LANG
1301 SE TECH CENTER DR, #150
VANCOUVER, WA 98683
PH: 360-892-0514

OWNER
SIMPSON HILLS, LLC
3950 FAIRVIEW INDUSTRIAL
DRIVE SE, #240
SALEM, OR 937302

SURVEYING/PLANNING/NATURAL RESOURCES/ CIVIL ENGINEERING/LANDSCAPE ARCHITECTURE FIRM
AKS ENGINEERING & FORESTRY, LLC.
CONTACT: GRACE WOLFF
3700 RIVER ROAD N, SUITE 1
KEIZER, OR 97303
PH: 503-400-6028

GEOTECHNICAL FIRM
GEOPACIFIC ENGINEERING, INC.
CONTACT: JAMES D IMBRIE
14835 SW 72ND AVENUE
PORTLAND, OR 97224
PH: 503-598-8445

PROJECT LOCATION:
4300 TO 4600 BLOCKS OF BATTLE CREEK ROAD SE AND 4100 TO 4500 BLOCKS OF REED ROAD SE (NORTHWEST CORNER OF THE BATTLE CREEK ROAD SE AND REED ROAD SE INTERSECTION).

PROPERTY DESCRIPTION:
TAX LOTS 300, AND 400 (MARION COUNTY ASSESSOR'S MAP) LOCATED IN SECTION 8. TOWNSHIP 3 WEST, RANGE 11. SITE AREA IS ±102.4 ACRES.

EXISTING LAND USE:
VACANT AND UNDEVELOPED

PROJECT PURPOSE:
PROPOSED FAIRVIEW REFINEMENT PLAN, AND PHASED SUBDIVISION TO DEVELOP A PORTION OF THE FORMER FAIRVIEW TRAINING CENTER SITE WITH AN APPROXIMATE 546-LOT SUBDIVISION WITH A MIX OF FRONT AND ALLEY LOADED SINGLE-FAMILY DETACHED HOMES, ATTACHED TOWNHOMES, OPEN SPACES, TRAILS, AND RELATED IMPROVEMENTS.

DATUM:
VERTICAL DATUM: NAVD 88. ELEVATIONS ARE DERIVED FROM THE TRIMBLE VRS NOW NETWORK.
HORIZONTAL DATUM: OREGON STATE PLANE COORDINATE SYSTEM OF 1983, OREGON NORTH ZONE. DISTANCES SHOWN ARE IN INTERNATIONAL FOOT GROUND VALUES.

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HOLT HOMES
Built for the Pacific Northwest

PROPERTY DESCRIPTION
LANDOWNERS:
SIMPSON HILLS, LLC
(TL 300 & 400 TAX MAP: 08 3W 11)
3950 FAIRVIEW INDUSTRIAL DRIVE SE,
#240
SALEM, OR 97302

COVER SHEET WITH VICINITY MAP
FAIRVIEW HILLS
HOLT HOMES
SALEM, OREGON

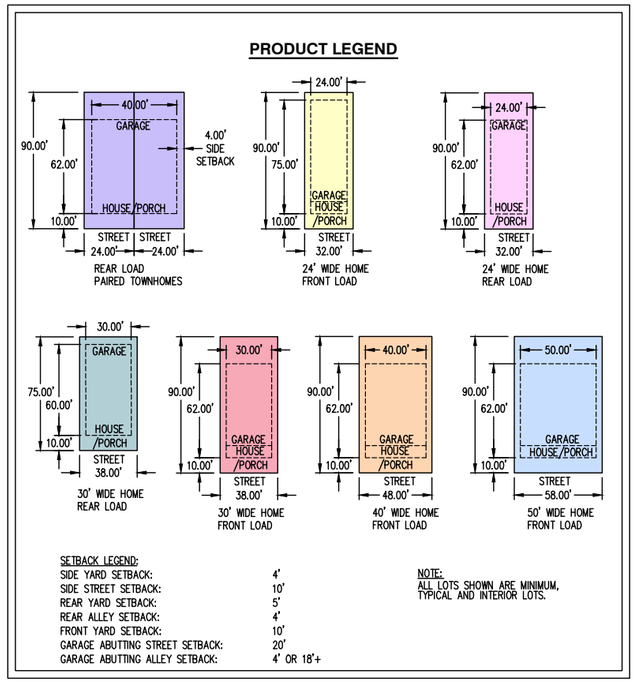
REGISTERED PROFESSIONAL ENGINEER
PRELIMINARY NOT FOR CONSTRUCTION
POISSANT
EXPIRES: DEC. 31, 2026

JOB NUMBER:	2981-01
DATE:	12/18/2024
DESIGNED BY:	BTW
DRAWN BY:	PE
CHECKED BY:	MTA

PO-00

AKS DRAWING FILE: 2981-01 COVER.DWG | LAYOUT: PO-00

PRODUCT LEGEND



SETBACK LEGEND:

SIDE YARD SETBACK:	4'
SIDE STREET SETBACK:	10'
REAR YARD SETBACK:	5'
REAR ALLEY SETBACK:	4'
FRONT YARD SETBACK:	10'
GARAGE ABUTTING STREET SETBACK:	20'
GARAGE ABUTTING ALLEY SETBACK:	4' OR 18'+

NOTE:
ALL LOTS SHOWN ARE MINIMUM, TYPICAL AND INTERIOR LOTS.

FAIRVIEW HILLS PRODUCT DISTRIBUTION

COLOR	MIN. LOT DIMENSIONS	PRODUCT DEPTH RANGE (FT)	MAXIMUM PRODUCT WIDTH (FT)	HOUSE TYPE & LOT GRADING	LOADING	PHASE 1	PHASE 2	PHASE 3	PHASE 4	PHASE 5	PHASE 6	TOTAL	PERCENTAGE
	(25' X 90')	60	24	PAIRED TOWNHOUSE	FRONT/ALLEY	0	0	0	0	44	0	44	8.1%
	(34' X 90')	60	24	SINGLE FAMILY DETACHED	ALLEY	15	0	15	0	33	0	63	11.5%
	(34' X 90')	60	24	SINGLE FAMILY DETACHED	FRONT	0	0	9	31	0	0	40	7.3%
	(40' X 75')	60	30	SINGLE FAMILY DETACHED	ALLEY	16	14	12	0	0	0	42	7.7%
	(40' X 90')	60	30	SINGLE FAMILY DETACHED	FRONT	45	12	15	15	31	46	164	30.0%
	(50' X 90')	60	40	SINGLE FAMILY DETACHED	FRONT	17	37	20	32	4	35	145	26.6%
	(60' X 90')	60	50	SINGLE FAMILY DETACHED	FRONT	1	22	7	4	3	11	48	8.8%
					PHASE SUBTOTAL	94	85	78	82	115	92		
					CUMULATIVE TOTAL	94	179	257	339	454	546		

SCALE: 1"=150 FEET
150 0 30 75 150
ORIGINAL PAGE SIZE: 22" x 34"

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HOLTHOMES
Built for the Pacific Northwest

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LANDOWNERS:
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(TL 300 & 400 TAX MAP: 08 3W 11)
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PRELIMINARY PHASING PLAN
FAIRVIEW HILLS
HOLT HOMES
SALEM, OREGON

REGISTERED PROFESSIONAL ENGINEER
OREGON
JANUARY 14, 2003
PATRICK E. POISSANT
EXPIRES: DEC. 31, 2026
PRELIMINARY NOT FOR CONSTRUCTION

JOB NUMBER:	2981-01
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DRAWN BY:	PE
CHECKED BY:	MTA

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SCALE: 1" = 150 FEET

0 30 75 150

ORIGINAL PAGE SIZE: 22" x 34"

N

PRELIMINARY PHASING PLAN WITH AERIAL

FAIRVIEW HILLS

HOLT HOMES

SALEM, OREGON

REGISTERED PROFESSIONAL ENGINEER
OREGON
JAMES M. PEPIN
PRELIMINARY NOT FOR CONSTRUCTION
EXPIRES: DEC. 31, 2024

JOB NUMBER:	2981-01
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PROPERTY DESCRIPTION
LANDOWNERS:
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PRELIMINARY CIRCULATION PLAN
FAIRVIEW HILLS
HOLT HOMES
SALEM, OREGON

REGISTERED PROFESSIONAL ENGINEER
OREGON
JAMES T. POLSSAM
PRELIMINARY NOT FOR CONSTRUCTION
EXPIRES: DEC. 31, 2026

JOB NUMBER:	2981-01
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PRELIMINARY LANDSCAPE PLAN OVERVIEW

FAIRVIEW HILLS
HOLT HOMES
SALEM, OREGON

REGISTERED LANDSCAPE ARCHITECT
OREGON
NICHOLAS K. PHILLIPS
PRELIMINARY NOT FOR CONSTRUCTION

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DATE:	12/18/2024
DESIGNED BY:	NKP
DRAWN BY:	NKP
CHECKED BY:	KAH

PO-06

PLAY AREA

A PLAYGROUND LOCATED FOR EASY NEIGHBORHOOD ACCESS WILL PROVIDE VARYING PLAY OPPORTUNITY FOR A RANGE Of AGES. A PICNIC TABLE AND BENCHES INVITE SOCIALIZING AND A PLACE TO REST BETWEEN ACTIVITIES.

PEDESTRIAN TRAILS

PAVED TRAILS PROVIDE COMMUNITY CONNECTIONS THROUGHOUT THE PARK AND TO ADJACENT NEIGHBORHOODS WHILE SUMULTANEOUSLY CREATING OPPORTUNITIES FOR EXERCISE AND PLAY.

SCALE: 1"= 40 FEET

40 0 8 20 40

ORIGINAL PAGE SIZE: 22" x 34"

FLEXIBLE MULTI-USE AREA

A LARGE OPEN SPACE CREATED ON A NATURAL SLOPE PROVIDES FLEXIBLE USE LAWN AREAS FOR A WIDE VARIETY OF ACTIVITIES INCLUDING PICK-UP GAMES, GROUP ACTIVITIES, AND OTHER OUTDOOR RECREATION.

BASKETBALL HALF-COURT

AN OPPORTUNITY FOR ACTIVE PLAY, THIS HALF-COURT ENCOURAGES TEAMWORK AND SOCIALIZING.

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PRELIMINARY PARK AND OPEN SPACE 4 AMENITY PLAN

FAIRVIEW HILLS
HOLT HOMES
SALEM, OREGON

REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT
OREGON
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SCALE: 1"= 30 FEET

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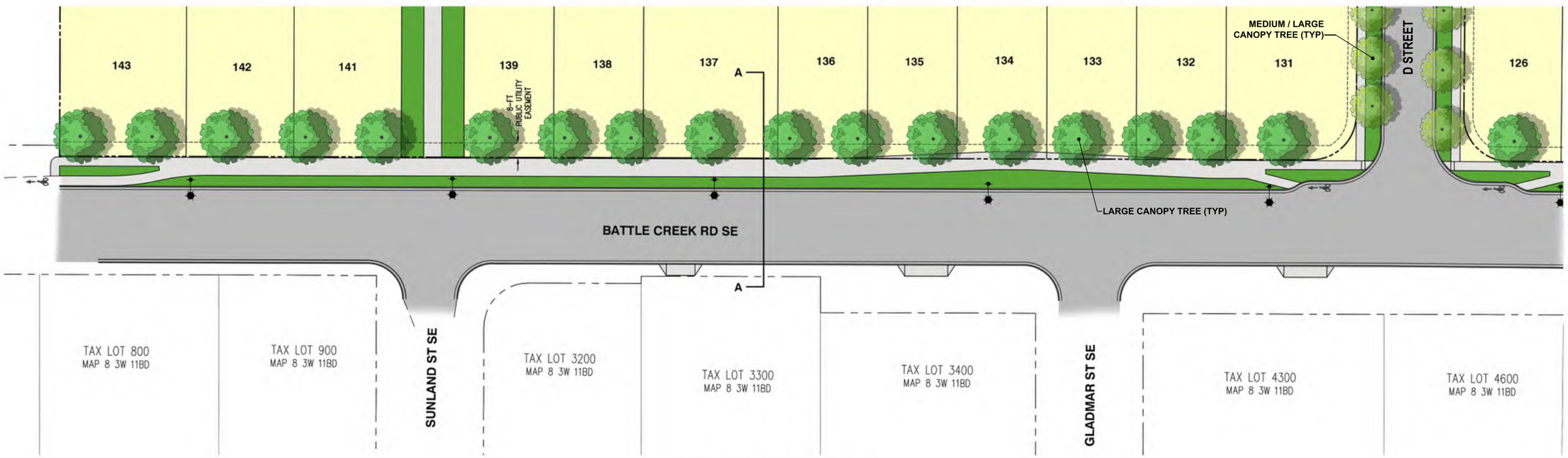
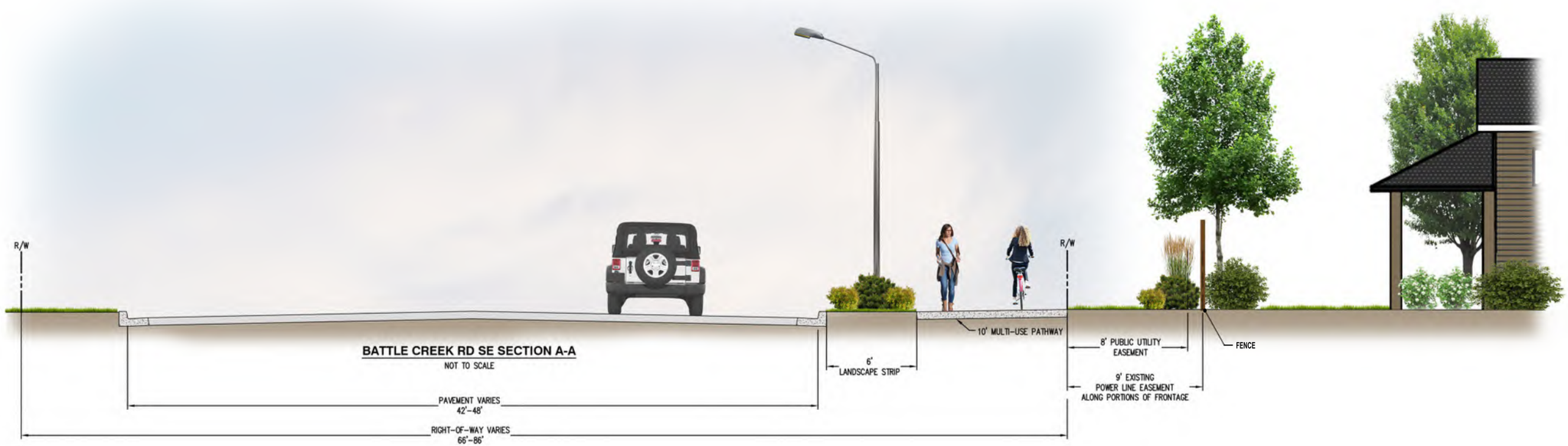


NOTE: Final street tree layout along Battle Creek Rd SE frontage to be refined with final design and will take into consideration undeground utilities, conflicts, and setbacks.

BATTLE CREEK RD SE PLAN VIEW
1"=30'



BATTLE CREEK RD SE SECTION A-A
NOT TO SCALE

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BUILT FOR THE PACIFIC NORTHWEST

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PRELIMINARY BATTLE CREEK FRONTAGE CROSS SECTION

FAIRVIEW HILLS
HOLT HOMES
SALEM, OREGON

REGISTERED PROFESSIONAL ENGINEER
OREGON
PRELIMINARY NOT FOR CONSTRUCTION

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OPEN SPACE 2

NOT TO SCALE

OPEN SPACE 1

NOT TO SCALE

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HOLTHOMES

PROPERTY DESCRIPTION
LANDOWNER:
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PRELIMINARY OPEN SPACE CROSS SECTIONS

FAIRVIEW HILLS

HOLT HOMES

SALEM, OREGON

REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT
OREGON
KEVIN A. HOLT
PRELIMINARY NOT FOR CONSTRUCTION

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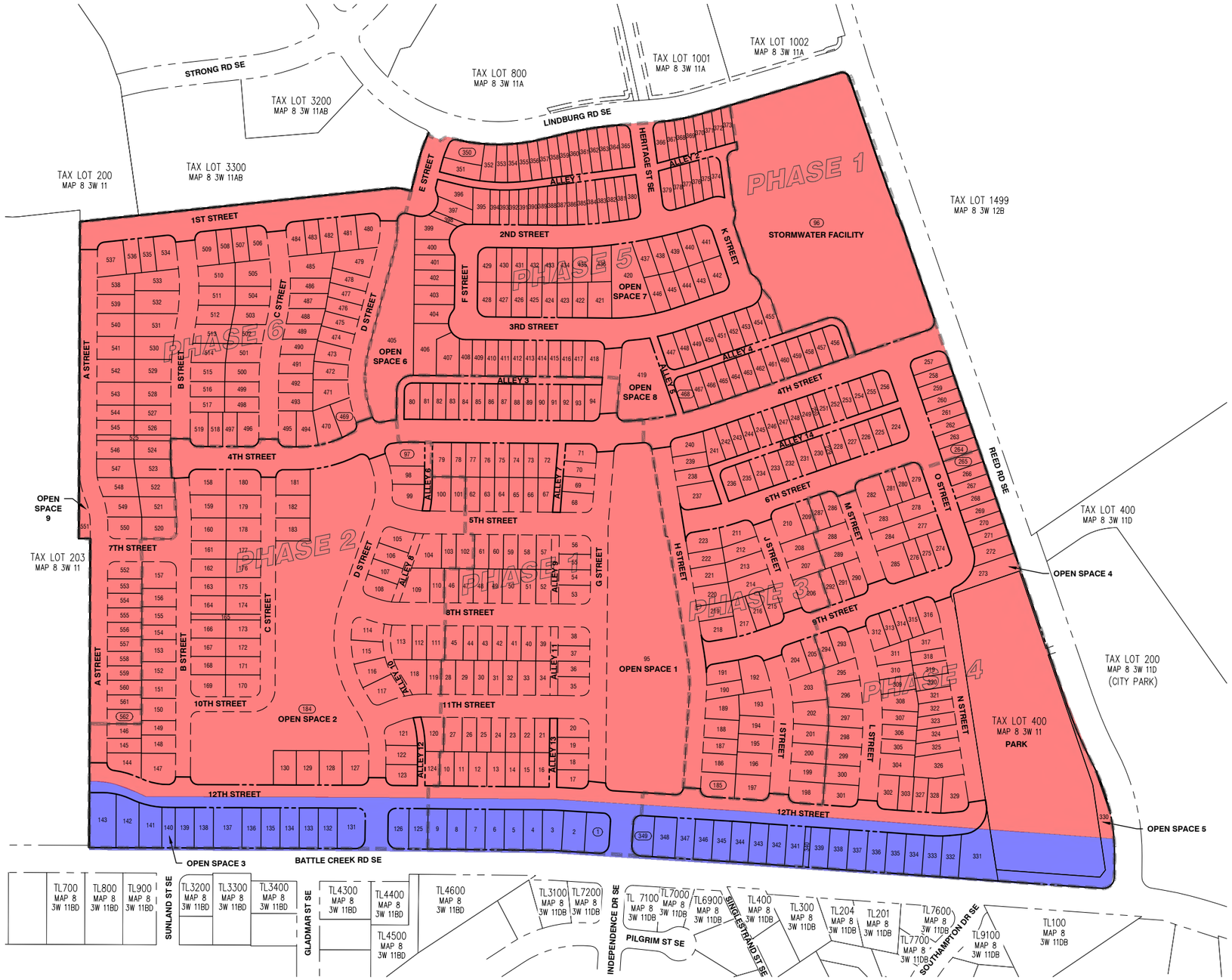

DENSITY CALCULATIONS:

GROSS SITE AREA: ±102.4 AC
STORMWATER FACILITY: ±5.9 AC
OPEN SPACE: ±14.9 AC
NET DEVELOPABLE: ±81.6 AC

HOME LOTS: 546
MINIMUM LOT SIZE: 2,271 SF
MAXIMUM LOT SIZE: 12,032 SF
AVERAGE LOT SIZE: 4,146 SF

OVERALL GROSS DENSITY: ±5.3 DU/AC
OVERALL NET DENSITY: ±6.7 DU/AC

LI OVERLAY GROSS DENSITY: ±4.7 DU/AC
LI OVERLAY NET DENSITY: ±5.4 DU/AC

MI OVERLAY GROSS DENSITY: ±5.4 DU/AC
MI OVERLAY NET DENSITY: ±6.8 DU/AC

OPEN SPACE ACREAGE:

	GROSS AREA (AC)
STORMWATER FACILITY	±5.9
TAX LOT 400	±4.4
OPEN SPACE 1	±3.7
OPEN SPACE 2	±4.1
OPEN SPACE 3	±0.1
OPEN SPACE 4	±0.2
OPEN SPACE 5	±0.4
OPEN SPACE 6	±1.0
OPEN SPACE 7	±0.5
OPEN SPACE 8	±0.4
OPEN SPACE 9	±0.1
TOTAL	±20.8

DENSITY SUMMARY TABLE:

ZONING	GROSS AREA (AC)	NUMBER OF DWELLING UNITS (DU)	GROSS DENSITY (DU/AC)	NET DENSITY (DU/AC)
LOW INTENSITY (LI)	±8.7	41	±4.7	±5.4
MIXED INTENSITY (MI)	±93.7	505	±5.4	±6.8
TOTAL	±102.4	546		

LOW INTENSITY (LI)

MIXED INTENSITY (MI)

SCALE: 1"=150 FEET
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PRELIMINARY ZONING MAP
FAIRVIEW HILLS
HOLT HOMES
SALEM, OREGON

REGISTERED PROFESSIONAL ENGINEER
OREGON
JAMES M. POISSANT
PRELIMINARY NOT FOR CONSTRUCTION
EXPIRES: DEC. 31, 2026

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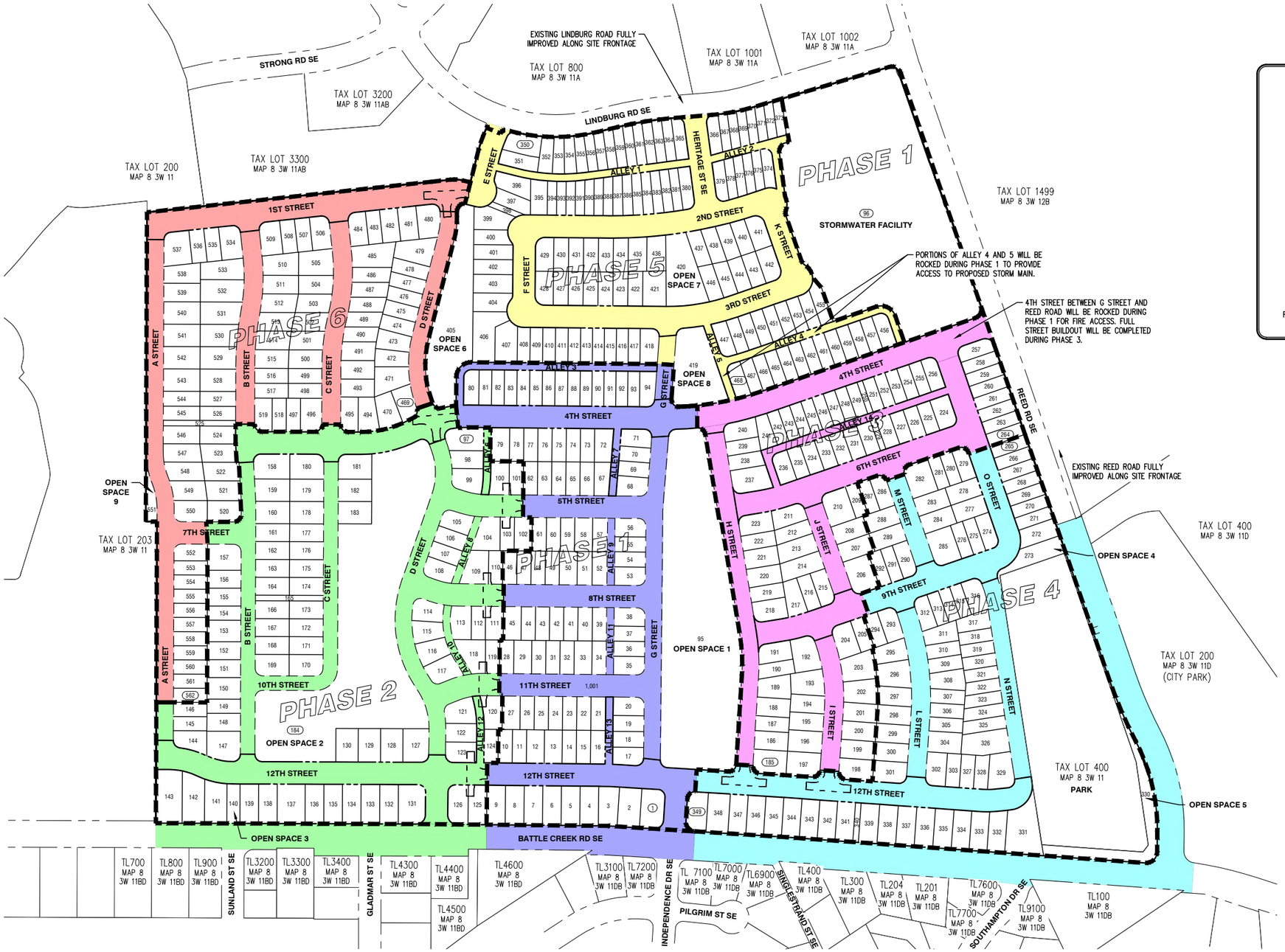

LEGEND

PHASE 1	
PHASE 2	
PHASE 3	
PHASE 4	
PHASE 5	
PHASE 6	
FIRE TURNAROUND OR APPROVED EQUIVALENT	

SCALE: 1"=150 FEET

150 0 30 75 150

ORIGINAL PAGE SIZE: 22" x 34"

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PRELIMINARY STREET PHASING PLAN

FAIRVIEW HILLS

HOLT HOMES

SALEM, OREGON

REGISTERED PROFESSIONAL ENGINEER
OREGON
JAMES P. POISSANT
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EXPIRES: DEC. 31, 2026

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PO-11

AKS DRAWING FILE: 2981-01 PRELIM STREET & UTILITY PHASING PLAN.DWG | LAYOUT: STREET PHASING

LEGEND

- EXISTING CONIFEROUS TREE
- EXISTING DECIDUOUS TREE
- TREE REMOVAL
- TREE PROTECTION/CONSTRUCTION FENCE (TREE PROTECTION AREA)

PRELIMINARY NOT FOR CONSTRUCTION

BENNETT R. KOCSIS
CERTIFICATE NUMBER: PN 8877A
EXPIRATION DATE: 12/31/2025

SCALE: 1"=150 FEET
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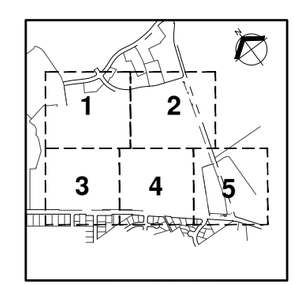
ORIGINAL PAGE SIZE: 22" x 34"



KEY MAP

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PRELIMINARY TREE CONSERVATION PLAN OVERALL

FAIRVIEW HILLS
HOLT HOMES
SALEM, OREGON

PRELIMINARY NOT FOR CONSTRUCTION

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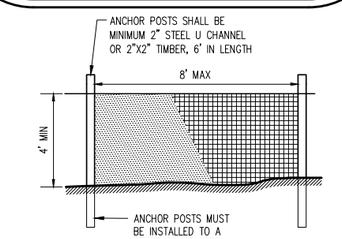
DATE:	12/18/2024
DESIGNED BY:	BTW
DRAWN BY:	PE
CHECKED BY:	MTA

TP-00

AKS DRAWING FILE: 2981-01 PRELIM TREE.DWG | LAYOUT: TP-00

LEGEND

EXISTING GROUND CONTOUR (1 FT)	149
EXISTING GROUND CONTOUR (5 FT)	150
FINISHED GRADE CONTOUR (1 FT)	149
FINISHED GRADE CONTOUR (5 FT)	150
EXISTING NON-SIGNIFICANT TREE TO REMAIN	
EXISTING NON-SIGNIFICANT TREE TO BE REMOVED	
EXISTING SIGNIFICANT TREE TO REMAIN	
EXISTING SIGNIFICANT TREE TO BE REMOVED	
TREE PROTECTION/CONSTRUCTION FENCE (TREE PROTECTION AREA)	
ASSUMED TREE ROOT ZONE (1-FT RADIUS PER 1-IN OF DBH)	
IMPACTED AREA OF ASSUMED ROOT ZONE	



NOTES:
1. BLAZE ORANGE PLASTIC MESH FENCE FOR TREE PROTECTION DEVICE OR APPROVED EQUAL.
2. AVOID DAMAGE TO TREE ROOT ZONE. DO NOT DAMAGE OR SEVER LARGE ROOTS WHEN INSTALLING POSTS.
3. DEVICE SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.

TREE PROTECTION / CONSTRUCTION FENCE

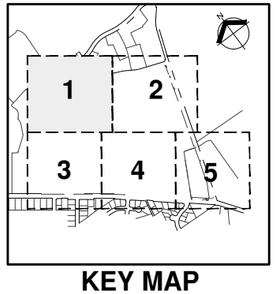
TREE PROTECTION KEYED NOTES:

1. ARBORIST OBSERVATION REQUIRED DURING TREE REMOVAL BEHIND TREE PROTECTION FENCE.
2. LINE TREE REMOVAL TO BE COORDINATED WITH ADJACENT PROPERTY OWNER.
3. SOME TREE PRUNING MAY BE REQUIRED TO FACILITATE CONSTRUCTION ACTIVITIES IN THIS AREA. ARBORIST OBSERVATION REQUIRED FOR ANY TREE PRUNING ACTIVITIES IN THIS AREA.
4. ARBORIST OBSERVATION REQUIRED FOR CONSTRUCTION ACTIVITIES IN THIS AREA.
5. TREES PROPOSED FOR REMOVAL IN THIS AREA DUE TO THEIR POOR HEALTH. REFER TO THE DETAILED TREE INVENTORY FOR ADDITIONAL DETAILS.

PRELIMINARY NOT FOR CONSTRUCTION

BENNETT R. KOCSIS
CERTIFICATE NUMBER: PN 8877A
EXPIRATION DATE: 12/31/2025

SCALE: 1"=60 FEET
60 0 12 30 60
ORIGINAL PAGE SIZE: 22" x 34"



KEY MAP

AKS ENGINEERING & FORESTRY, LLC
3700 RIVER RD N, STE 1
KEIZER, OR 97303
503.400.6028
WWW.AKS-ENG.COM

ENGINEERING · SURVEYING · NATURAL RESOURCES
FORESTRY · PLANNING · LANDSCAPE ARCHITECTURE

HOLTHOMES
Built for the Pacific Northwest

PROPERTY DESCRIPTION
LANDOWNERS:
SIMPSON HILLS, LLC
(TL 300 & 400 TAX MAP: 08 3W 11)
3950 FAIRVIEW INDUSTRIAL DRIVE SE,
#240
SALEM, OR 97302

PRELIMINARY TREE CONSERVATION PLAN

FAIRVIEW HILLS
HOLT HOMES
SALEM, OREGON

PRELIMINARY NOT FOR CONSTRUCTION

JOB NUMBER:	2981-01
DATE:	12/18/2024
DESIGNED BY:	BTW
DRAWN BY:	PE
CHECKED BY:	MTA

TP-01

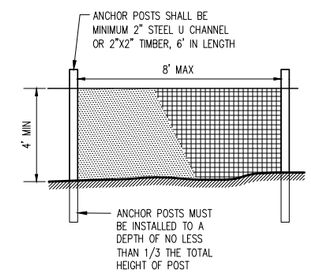
AKS DRAWING FILE: 2981-01 PRELIM TREE.DWG | LAYOUT: TP-01

TREE PROTECTION KEYED NOTES:

1. ARBORIST OBSERVATION REQUIRED DURING TREE REMOVAL BEHIND TREE PROTECTION FENCE.
2. LINE TREE REMOVAL TO BE COORDINATED WITH ADJACENT PROPERTY OWNER.
3. SOME TREE PRUNING MAY BE REQUIRED TO FACILITATE CONSTRUCTION ACTIVITIES IN THIS AREA. ARBORIST OBSERVATION REQUIRED FOR ANY TREE PRUNING ACTIVITIES IN THIS AREA.
4. ARBORIST OBSERVATION REQUIRED FOR CONSTRUCTION ACTIVITIES IN THIS AREA.
5. TREES PROPOSED FOR REMOVAL IN THIS AREA DUE TO THEIR POOR HEALTH. REFER TO THE DETAILED TREE INVENTORY FOR ADDITIONAL DETAILS.

LEGEND

- EXISTING GROUND CONTOUR (1 FT) — 149
- EXISTING GROUND CONTOUR (5 FT) — 150
- FINISHED GRADE CONTOUR (1 FT) — 149
- FINISHED GRADE CONTOUR (5 FT) — 150
- EXISTING NON-SIGNIFICANT TREE TO REMAIN
- EXISTING NON-SIGNIFICANT TREE TO BE REMOVED
- EXISTING SIGNIFICANT TREE TO REMAIN
- EXISTING SIGNIFICANT TREE TO BE REMOVED
- TREE PROTECTION/CONSTRUCTION FENCE (TREE PROTECTION AREA)
- ASSUMED TREE ROOT ZONE (1-FT RADIUS PER 1-IN OF DBH)
- IMPACTED AREA OF ASSUMED ROOT ZONE



NOTES:
1. BLAZE ORANGE PLASTIC MESH FENCE FOR TREE PROTECTION DEVICE OR APPROVED EQUAL.
2. AVOID DAMAGE TO TREE ROOT ZONE. DO NOT DAMAGE OR SEVER LARGE ROOTS WHEN INSTALLING POSTS.
3. DEVICE SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.

TREE PROTECTION / CONSTRUCTION FENCE

PRELIMINARY NOT FOR CONSTRUCTION

BENNETT R. KOCSIS
CERTIFICATE NUMBER: PN 8877A
EXPIRATION DATE: 12/31/2025

SCALE: 1"=60 FEET
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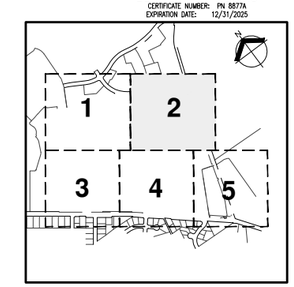
ORIGINAL PAGE SIZE: 22" x 34"



KEY MAP

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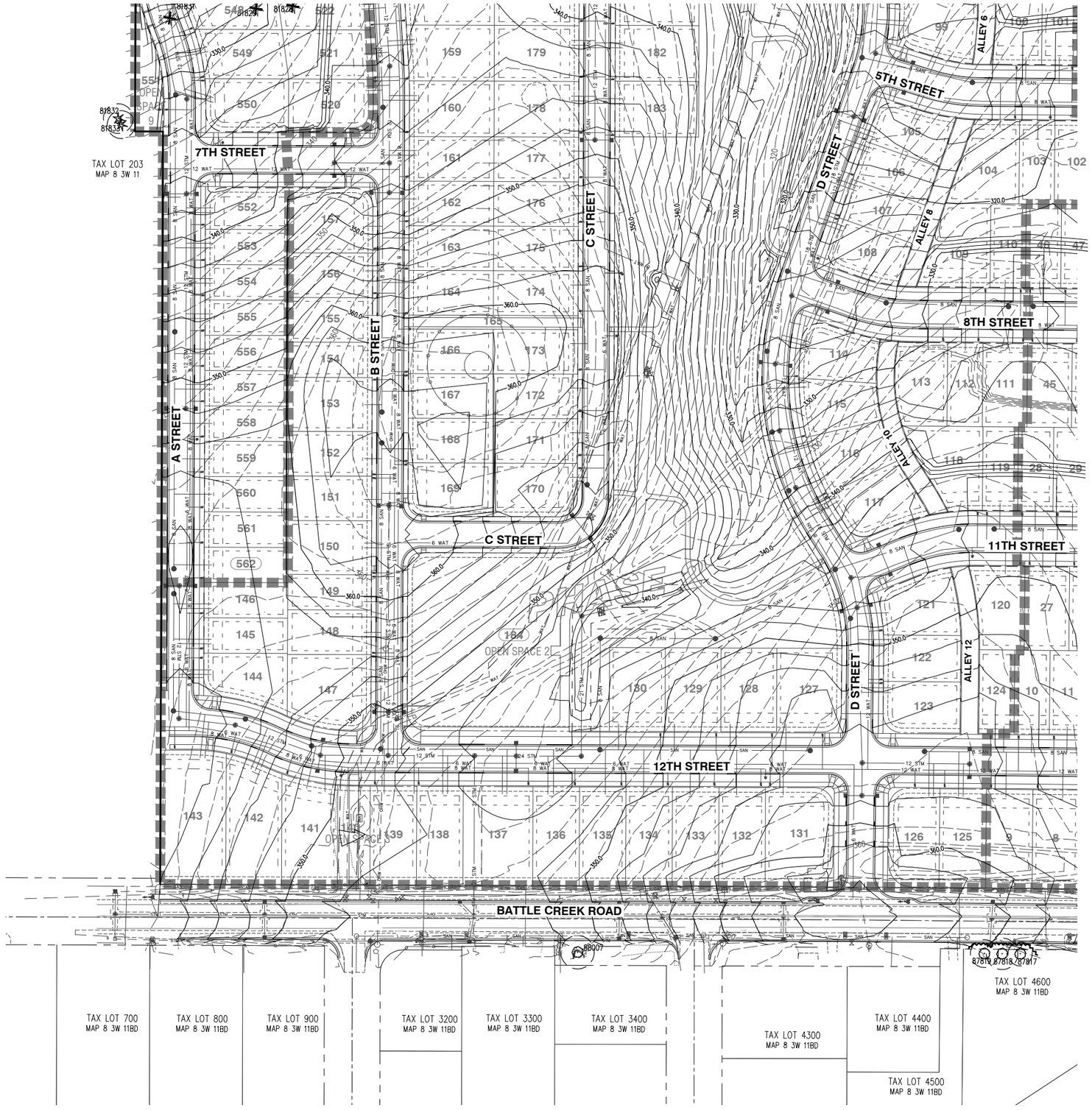
TP-02

AKS DRAWING FILE: 2981-01 PRELIM TREE.DWG | LAYOUT: TP-02



LEGEND

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EXISTING NON-SIGNIFICANT TREE TO REMAIN	
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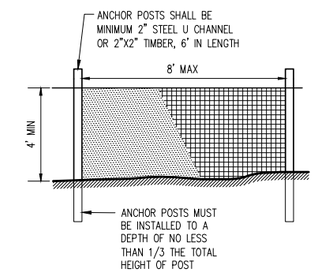
TREE PROTECTION/CONSTRUCTION FENCE (TREE PROTECTION AREA)	
ASSUMED TREE ROOT ZONE (1-FT RADIUS PER 1-IN OF DBH)	
IMPACTED AREA OF ASSUMED ROOT ZONE	



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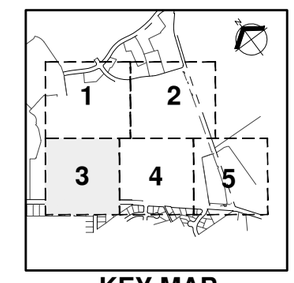

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TP-03

AKS DRAWING FILE: 2981-01 PRELIM TREE.DWG | LAYOUT: TP-03

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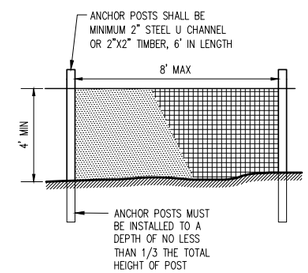
ASSUMED TREE ROOT ZONE (1-FT RADIUS PER 1-IN OF DBH)	
IMPACTED AREA OF ASSUMED ROOT ZONE	



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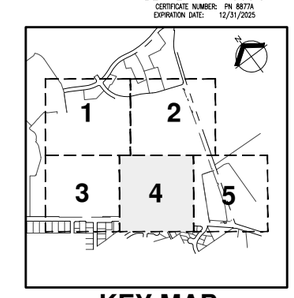

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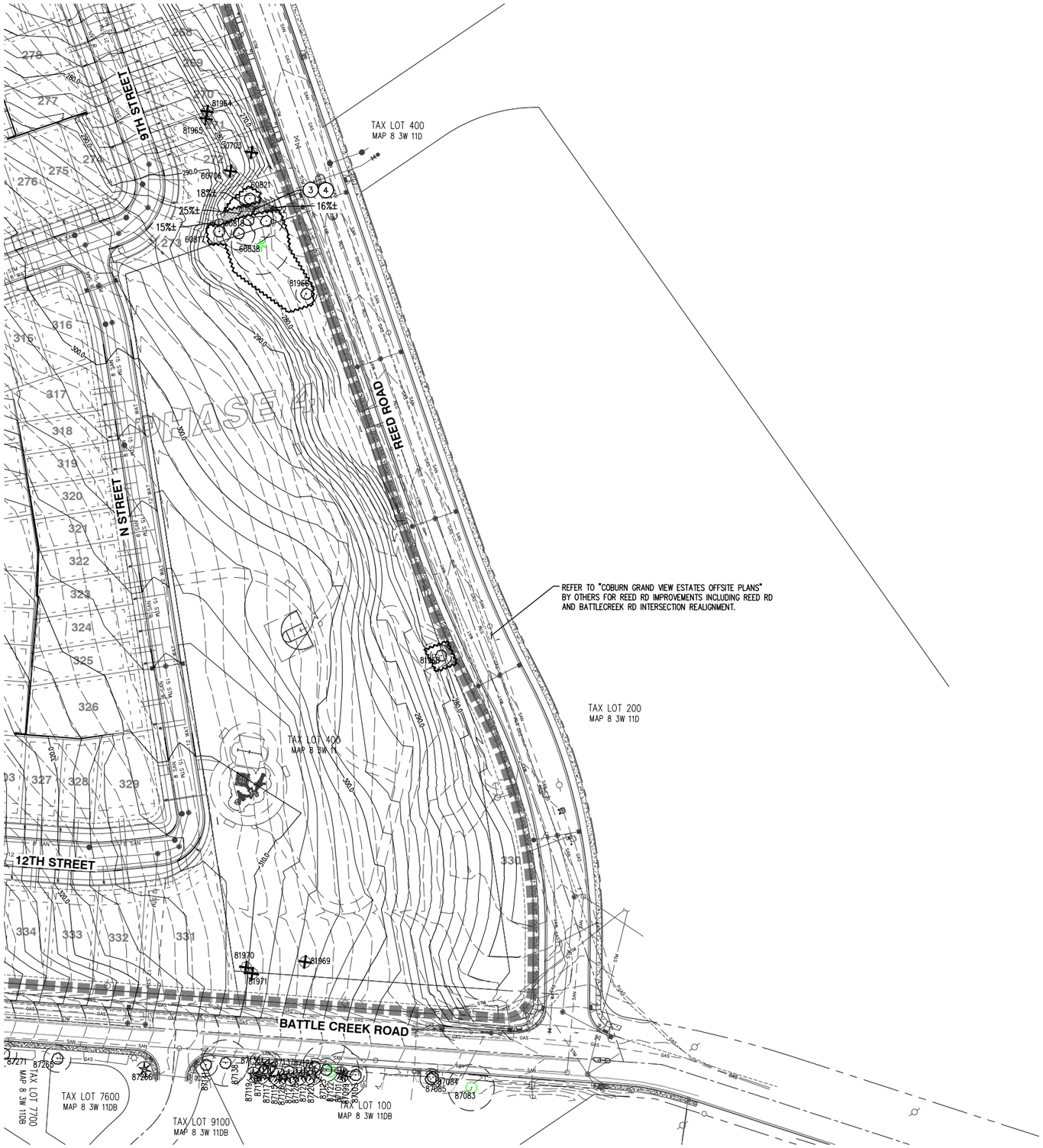
TP-04

AKS DRAWING FILE: 2981-01 PRELIM TREE.DWG | LAYOUT: TP-04



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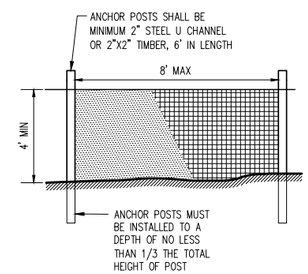

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CERTIFIED ARBORIST
ISA
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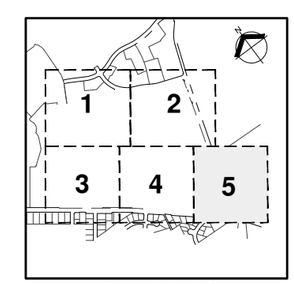

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CHECKED BY:	MTA

TP-05

AKS DRAWING FILE: 2981-01 PRELIM TREELINE | LAYOUT: TP-05

Detailed Tree Inventory for Fairview Hills

AKS Job No. [2981-01] - Evaluation Date: 07/01/2024 & 08/23/2024- Evaluated by: BRK

Tree #	DBH (in.)	Avg. Crown Radius (ft)	Tree Species Common Name (Scientific name)	Comments	Health Rating*	Structure Rating**	Significant Tree ***	Remove/Preserve
11054	33	19	Sweetgum (Liquidambar styraciflua)	Some broken limbs	1	2	Yes	Remove
11427	31,33,38	18	Black Cottonwood (Populus trichocarpa)	Broken tops; Significant dieback; In decline	3	3	No	Remove
11428	23	11	Black Cottonwood (Populus trichocarpa)	Broken tops; Significant dieback; In decline	3	3	No	Remove
11442	49	20	Black Cottonwood (Populus trichocarpa)	Broken limbs; Decay; Exposed buttress roots with decay; Sluffing bark	2	3	No	Remove
20840	17	14	Ponderosa Pine (Pinus ponderosa)		1	1	No	Remove
20848	13	11	Scots Pine (Pinus sylvestris)		1	1	No	Remove
20851	13	10	Scots Pine (Pinus sylvestris)		1	1	No	Remove
20899	32	40	Oregon White Oak (Quercus garryana)	Asymmetrical crown (SW)	1	1	Yes	Preserve
20911	49	42	Oregon White Oak (Quercus garryana)		1	1	Yes	Remove
20916	27	45	Oregon White Oak (Quercus garryana)		1	2	Yes	Preserve
20917	34	40	Oregon White Oak (Quercus garryana)	Codominant with included bark; Asymmetrical crown (S)	1	2	Yes	Preserve
20918	49	14	Ponderosa Pine (Pinus ponderosa)	Dieback; Lean (W)	2	2	Yes	Preserve
20920	20	21	Oregon White Oak (Quercus garryana)	Crooked bole; Suppressed	2	2	Yes	Preserve
20921	13	12	Oregon White Oak (Quercus garryana)	Deadwood at base; Sluffing bark	3	2	No	Preserve
20922	41	40	Oregon White Oak (Quercus garryana)	Codominant with included bark; Broken limbs	1	2	Yes	Preserve
20923	29	35	Oregon White Oak (Quercus garryana)	Asymmetrical crown (SE); Lean (SE)	1	2	Yes	Preserve
20930	28	40	Oregon White Oak (Quercus garryana)	Asymmetrical crown (W)	1	1	Yes	Preserve
20931	25	35	Oregon White Oak (Quercus garryana)		1	1	Yes	Preserve
20932	22	40	Oregon White Oak (Quercus garryana)	Asymmetrical crown (S); Lean (S)	1	2	Yes	Preserve
20933	20	17	Oregon White Oak (Quercus garryana)		1	1	Yes	Preserve
20934	27	38	Oregon White Oak (Quercus garryana)	Asymmetrical crown (S); Lean (S)	1	2	Yes	Preserve
20935	39	35	Oregon White Oak (Quercus garryana)	Codominant with included bark; Broken limbs	1	2	Yes	Preserve
20936	23	25	Oregon White Oak (Quercus garryana)		1	1	Yes	Preserve
20937	19	30	Oregon White Oak (Quercus garryana)		1	1	No	Preserve
20938	27	35	Oregon White Oak (Quercus garryana)	Asymmetrical crown (S)	1	1	Yes	Preserve
20939	20	35	Oregon White Oak (Quercus garryana)	Asymmetrical crown (S)	1	1	Yes	Preserve
20940	20	10	Oregon White Oak (Quercus garryana)	Low vigor	2	1	Yes	Preserve
20941	16	11	Oregon White Oak (Quercus garryana)	Low vigor	2	1	No	Preserve
20942	20	12	Oregon White Oak (Quercus garryana)	Hollow base with significant decay; Bore holes	2	3	Yes	Preserve
20943	24	15	Oregon White Oak (Quercus garryana)		1	1	Yes	Preserve
20944	19	19	Oregon White Oak (Quercus garryana)		1	1	No	Preserve
20945	25,26	38	Oregon White Oak (Quercus garryana)	Codominant base with included bark; Large conks at base	2	3	Yes	Remove
20946	16	9	Oregon White Oak (Quercus garryana)	Sluffing bark; Decay at base	2	3	No	Preserve
20947	28	20	Oregon White Oak (Quercus garryana)		1	1	Yes	Preserve
21158	26	17	Pin Oak (Quercus palustris)	Sluffing bark; Deadwood; Broken leaders; Decay; Dieback	3	3	No	Remove
21160	18	18	Willow (Salix spp.)	Broken branches; Decay	1	2	No	Remove
21171	18	17	Pin Oak (Quercus palustris)	Many broken limbs; Decay; Sluffing bark; Deadwood	3	3	No	Remove
21172	17	16	Pin Oak (Quercus palustris)	Broken limbs; Some dieback	2	2	No	Remove
21173	30	19	Pin Oak (Quercus palustris)	Sluffing bark; Deadwood; Broken leaders; Decay; Dieback	3	3	Yes	Remove
21205	32	20	Pin Oak (Quercus palustris)	Codominant with included bark; Splitting included bark; Broken limbs; Decay	2	3	Yes	Remove
21206	25	26	Pin Oak (Quercus palustris)	Sluffing bark; Deadwood; Broken leaders; Decay; Dieback	3	3	No	Remove
21247	35	18	Pin Oak (Quercus palustris)	Sluffing bark; Deadwood; Broken leaders; Decay; Dieback	3	3	Yes	Remove
21248	17	16	Pin Oak (Quercus palustris)	Significant dieback; In decline	3	2	No	Remove
21531	25	18	Douglas-fir (Pseudotsuga menziesii)	Low vigor; Historically broken top; Weakly attached leader	2	2	No	Remove
21556	18	17	Crimson King Maple (Acer platanoides)		1	1	No	Remove
21560	19	19	Crimson King Maple (Acer platanoides)		1	1	No	Remove
21561	15	19	Crimson King Maple (Acer platanoides)		1	1	No	Remove
21616	22	16	Pin Oak (Quercus palustris)	Dead branches; Decay	2	2	No	Remove
21617	27	21	Pin Oak (Quercus palustris)	Sluffing bark; Failed leaders with decay; Dieback	3	2	No	Remove
21764	39	18	Black Walnut (Juglans nigra)	Dead primary stem with significant decay	3	3	Yes	Remove
21766	40	21	Black Walnut (Juglans nigra)	Large dead limb	2	1	Yes	Remove
21770	16,17	16	Cypress (Cupressus spp.)	Codominant base with included bark	1	2	No	Remove
21771	28	15	Cypress (Cupressus spp.)	Large dead limb	2	1	No	Remove
21836	35	15	Black Walnut (Juglans nigra)	Dead primary stem with significant decay	3	3	Yes	Remove
21961	30	20	Douglas-fir (Pseudotsuga menziesii)		1	1	Yes	Remove
21972	28,25	20	Douglas-fir (Pseudotsuga menziesii)	Codominant base with included bark	1	2	No	Remove
22138	27	18	Scots Pine (Pinus sylvestris)		1	1	No	Remove
22140	19	17	Scots Pine (Pinus sylvestris)		1	1	No	Remove
22146	28	22	Douglas-fir (Pseudotsuga menziesii)	Codominant top; Broken branches	1	2	No	Remove
60570	20,28	22	English Walnut (Juglans regia)		1	1	No	Remove
60703	12,16,19,19,24	30	Bigleaf Maple (Acer macrophyllum)	Lean (W); Broken top; Dead top; In decline	3	3	No	Remove
60706	12	15	Bigleaf Maple (Acer macrophyllum)	Lean (W)	1	2	No	Remove
60815	39	24	Oregon White Oak (Quercus garryana)		1	1	Yes	Remove
60817	8,9,11,12,13	19	Bigleaf Maple (Acer macrophyllum)		1	1	No	Preserve
60818	17	15	Bigleaf Maple (Acer macrophyllum)		1	1	No	Preserve
60820	26	18	Bigleaf Maple (Acer macrophyllum)	Codominant with included bark	1	2	No	Preserve
60821	11	11	Bigleaf Maple (Acer macrophyllum)		1	1	No	Preserve
60822	17,17	14	Bigleaf Maple (Acer macrophyllum)	Codominant with included bark; Broken limbs	1	2	No	Preserve
60838	30	20	Douglas-fir (Pseudotsuga menziesii)		1	1	Yes	Preserve
80581	17	12	Sweetgum (Liquidambar styraciflua)	Low vigor; Dieback; Many broken limbs; Decay	2	3	No	Remove
80702	32	31	Sweetgum (Liquidambar styraciflua)	Low vigor; Dieback; Codominant with included bark; Sluffing bark	3	2	Yes	Remove
81622	14	15	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81802	15	17	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81805	23	15	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81806	17	16	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81807	20	15	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81808	18	16	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81809	19	17	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81810	19	17	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81811	17	16	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81812	21	17	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81813	23	16	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81814	22	10	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove

Detailed Tree Inventory for Fairview Hills

AKS Job No. [2981-01] - Evaluation Date: 07/01/2024 & 08/23/2024- Evaluated by: BRK

Tree #	DBH (in.)	Avg. Crown Radius (ft)	Tree Species Common Name (Scientific name)	Comments	Health Rating*	Structure Rating**	Significant Tree ***	Remove/Preserve
81815	21	12	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81816	21	15	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81817	16	14	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81818	17	10	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81819	16	10	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81820	15	10	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81821	16	12	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81822	12	16	Douglas-fir (Pseudotsuga menziesii)	LINE TREE	1	1	No	Remove
81823	12	13	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81824	16	13	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81825	23	18	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81826	20	20	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81827	19	17	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81828	24	17	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81829	20	16	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81830	20	20	Douglas-fir (Pseudotsuga menziesii)	Codominant top	1	2	No	Remove
81831	20	19	Douglas-fir (Pseudotsuga menziesii)		1	1	No	Remove
81832	16	15	Douglas-fir (Pseudotsuga menziesii)	OFFSITE	1	1	No	Preserve
81833	15	15	Douglas-fir (Pseudotsuga menziesii)	OFFSITE	1	1	No	Preserve
81835	9,9,10,11,14	17	Black Walnut (Juglans nigra)		1	1	No	Remove
81836	8,8,9,11,13	16	Black Walnut (Juglans nigra)		1	1	No	Remove
81837	8,8,9,10,10,11,13,17	25	Black Walnut (Juglans nigra)		1	1	No	Remove
81838	11,36	19	Black Walnut (Juglans nigra)	Dead primary stem with significant decay	3	3	Yes	Remove
81893	17	11	Douglas-fir (Pseudotsuga menziesii)	High seed production; Some sap flow	2	1	No	Remove
81943	11	5	Ponderosa Pine (Pinus ponderosa)		1	1	No	Preserve
81944	12	10	Ponderosa Pine (Pinus ponderosa)		1	1	No	Remove
81945	12	6	Ponderosa Pine (Pinus ponderosa)		1	1	No	Remove
81948	18	12	Black Cottonwood (Populus trichocarpa)		1	1	No	Preserve
81949	17	11	Black Cottonwood (Populus trichocarpa)		1	1	No	Preserve
81950	29	18	Black Cottonwood (Populus trichocarpa)	Broken top; Decay	2	3	No	Remove
81952	24	14	Black Cottonwood (Populus trichocarpa)	Broken top; Decay	2	3	No	Remove
81953	10	10	Black Cottonwood (Populus trichocarpa)		1	1	No	Preserve
81954	10	10	Black Cottonwood (Populus trichocarpa)		1	1	No	Preserve
81955	9,14	15	Black Cottonwood (Populus trichocarpa)		1	1	No	Preserve
81956	8,15,17	11	Black Cottonwood (Populus trichocarpa)		1	1	No	Preserve
81957	23	16	Black Cottonwood (Populus trichocarpa)		1	1	No	Preserve
81958	16	15	Black Cottonwood (Populus trichocarpa)		1	1	No	Preserve
81959	13	14	Black Cottonwood (Populus trichocarpa)		1	1	No	Preserve
81960	9,9,10,10	14	Willow (Salix spp.)	Many dead and broken branches; In decline	3	2	No	Remove
81961	14	12	Black Cottonwood (Populus trichocarpa)		1	1	No	Preserve
81962	21	13	Black Cottonwood (Populus trichocarpa)		1	1	No	Preserve
81963	12	0	Black Cottonwood (Populus trichocarpa)	Dead	3	3	No	Remove
81964	16	12	Bigleaf Maple (Acer macrophyllum)		1	1	No	Remove
81965	10,11,13	14	Bigleaf Maple (Acer macrophyllum)		1	1	No	Remove
81966	11	10	English Oak (Quercus robur)		1	1	No	Preserve
81968	8,11	10	Oregon White Oak (Quercus garryana)	Topped for overhead wires	2	3	No	Preserve
81969	10,11	19	Bigleaf Maple (Acer macrophyllum)		1	1	No	Remove
81970	13	17	Bigleaf Maple (Acer macrophyllum)		1	1	No	Remove
81971	10	11	Bigleaf Maple (Acer macrophyllum)		1	1	No	Remove
87083	24	20	Oregon White Oak (Quercus garryana)	OFFSITE; Some old broken leaders with decay; Lean (SW); 20% Ivy coverage; Some dead branches	2	2	Yes	Preserve
87084	8	12	Black Walnut (Juglans nigra)	OFFSITE; Pruned north side; Historically topped; Foliage dieback; Weak attachments	2	3	No	Preserve
87085	11	12	Black Walnut (Juglans nigra)	OFFSITE; Pruned north side; Historically topped; Foliage dieback; Weak attachments	2	3	No	Preserve
87099	24	20	Douglas-fir (Pseudotsuga menziesii)	OFFSITE; 50% Ivy coverage	1	1	No	Preserve
87101	8	10	Douglas-fir (Pseudotsuga menziesii)	OFFSITE; Suppresssed	1	1	No	Preserve
87103	8,9	18	Sweet Cherry (Prunus avium)	OFFSITE; Codominant; Some ivy; Suppressed	1	1	No	Preserve
87115	9	10	Douglas-fir (Pseudotsuga menziesii)	OFFSITE; Historically broken top; Crooked top	1	2	No	Preserve
87117	12	15	Douglas-fir (Pseudotsuga menziesii)	OFFSITE	1	1	No	Preserve
87118	10	10	Douglas-fir (Pseudotsuga menziesii)	OFFSITE	1	1	No	Preserve
87119	8	10	Douglas-fir (Pseudotsuga menziesii)	OFFSITE; Broken top	1	2	No	Preserve
87120	9	15	Douglas-fir (Pseudotsuga menziesii)	OFFSITE	1	1	No	Preserve
87121	12,12	20	Douglas-fir (Pseudotsuga menziesii)	OFFSITE; Codominant; One stem broken top	1	2	No	Preserve
87122	30	20	Sweet Cherry (Prunus avium)	OFFSITE; Codominant; Sparse foliage; Twig dieback	2	2	Yes	Preserve
87123	12	6	Sweet Cherry (Prunus avium)	OFFSITE; 100% Ivy coverage; Pruned canopy; Very sparse	3	3	No	Preserve
87124	9	0	Sweet Cherry (Prunus avium)	OFFSITE; Dead	3	3	No	Preserve
87126	13	15	Douglas-fir (Pseudotsuga menziesii)	OFFSITE; Some broken branches	1	1	No	Preserve
87127	10	15	Douglas-fir (Pseudotsuga menziesii)	OFFSITE	1	1	No	Preserve
87128	11	18	Douglas-fir (Pseudotsuga menziesii)	OFFSITE; Dead lower branches	1	1	No	Preserve
87136	14	15	Douglas-fir (Pseudotsuga menziesii)	OFFSITE	1	1	No	Preserve
87137	14	0	Western Redcedar (Thuja plicata)	OFFSITE; Dead	3	3	No	Preserve
87138	24,17,17,14	35	Bigleaf Maple (Acer macrophyllum)	OFFSITE; Heavy lean (S); codominant; Some dead and broken branches	1	2	No	Preserve
87141	12	15	Oregon White Oak (Quercus garryana)	OFFSITE; Some pruning; Some dead branches	2	1	No	Preserve
87265	13,14	18	Oregon White Oak (Quercus garryana)	OFFSITE; Slight lean (S)	1	1	No	Preserve
87266	8	10	Mountain Hemlock (Tsuga mertensiana)	OFFSITE; Some pruned branches	1	1	No	Preserve
87271	13	15	Oregon White Oak (Quercus garryana)	OFFSITE; Pruning scar with decay; Lean (N); Some dead branches	2	1	No	Preserve
87275	13	18	Douglas-fir (Pseudotsuga menziesii)	OFFSITE; Lean (NW); Sweep	1	1	No	Preserve
87276	13	18	Douglas-fir (Pseudotsuga menziesii)	OFFSITE	1	1	No	Preserve
87277	13	15	Douglas-fir (Pseudotsuga menziesii)	OFFSITE	1	1	No	Preserve
87278	12	15	Douglas-fir (Pseudotsuga menziesii)	OFFSITE	1	1	No	Preserve
87280	13	18	Douglas-fir (Pseudotsuga menziesii)	OFFSITE	1	1	No	Preserve
87281	13	12	Sitka Spruce (Picea sitchensis)	OFFSITE; Lean (W)	1	1	No	Preserve
87328	23,25	28	Douglas-fir (Pseudotsuga menziesii)	OFFSITE; Codominant; Broken tops; Forked; Pruning scars	2	2	No	Preserve

AKS ENGINEERING & FORESTRY, LLC
3700 RIVER RD N, STE 1
KEIZER, OR 97303
503.400.6028
WWW.AKS-ENG.COM

ENGINEERING • SURVEYING • NATURAL RESOURCES
FORESTRY • PLANNING • LANDSCAPE ARCHITECTURE

HOLTHOMES
Built for the Pacific Northwest

PROPERTY DESCRIPTION
LANDOWNERS:
SIMPSON HILLS, LLC
(TL 300 & 400; TAX MAP: 08 3W 11)
3950 FAIRVIEW INDUSTRIAL DRIVE SE,
#240
SALEM, OR 97302

PRELIMINARY NOT FOR CONSTRUCTION

BENNETT R. KOCSIS
CERTIFICATE NUMBER: PN 8877A
EXPIRATION DATE: 12/31/2025

PRELIMINARY TREE TABLE
FAIRVIEW HILLS
HOLT HOMES
SALEM, OREGON

PRELIMINARY NOT FOR CONSTRUCTION

JOB NUMBER:	2981-01
DATE:	12/18/2024
DESIGNED BY:	BTW
DRAWN BY:	PE
CHECKED BY:	MTA

TP-06

AKS DRAWING FILE: 2981-01 PRELIM TREELINE | LAYOUT: TP-06

Detailed Tree Inventory for Fairview Hills

AKS Job No. [2981-01] - Evaluation Date: 07/01/2024 & 08/23/2024- Evaluated by: BRK

Tree #	DBH (in.)	Avg. Crown Radius (ft)	Tree Species Common Name (Scientific name)	Comments	Health Rating*	Structure Rating**	Significant Tree ***	Remove/Preserve
87538	16	15	Oregon White Oak (Quercus garryana)	OFFSITE; Some dead branches	1	1	No	Preserve
87539	16,19	20	Oregon White Oak (Quercus garryana)	OFFSITE; Codominant	1	1	No	Preserve
87542	24	25	Oregon White Oak (Quercus garryana)	OFFSITE; Some dead branches	1	1	Yes	Preserve
87543	8	15	Oregon White Oak (Quercus garryana)	OFFSITE; Some dead branches; Lean (N)	1	1	No	Preserve
87544	10,14	5	Oregon White Oak (Quercus garryana)	OFFSITE; Codominant; Broken tops; In decline	3	3	No	Preserve
87547	25,13	25	Oregon White Oak (Quercus garryana)	OFFSITE; Codominant	1	1	Yes	Preserve
87548	15	20	Oregon White Oak (Quercus garryana)	OFFSITE	1	1	No	Preserve
87549	19,11,8	18	Oregon White Oak (Quercus garryana)	OFFSITE; Codominant; Epicormic sprouts; Broken branches	2	1	No	Preserve
87552	11	15	Oregon White Oak (Quercus garryana)	OFFSITE	1	1	No	Preserve
87553	14	20	Oregon White Oak (Quercus garryana)	OFFSITE; Lean (S); Epicormic sprouts	2	1	No	Preserve
87554	17	20	Oregon White Oak (Quercus garryana)	OFFSITE; Lean (S); Epicormic sprouts; Large broken scaffold branch	1	2	No	Preserve
87557	11	8	Sweet Cherry (Prunus avium)	OFFSITE; Sparse coliage; Dead top	3	2	No	Preserve
87558	13	12	Sweet Cherry (Prunus avium)	OFFSITE; Epicormic sprouts; 50% dead foliage	3	2	No	Preserve
87559	24	20	Douglas-fir (Pseudotsuga menziesii)	OFFSITE; Slight sweep	1	1	No	Preserve
87562	13	18	Oregon White Oak (Quercus garryana)	OFFSITE; Small leaf size; Epicormic sprouts	2	1	No	Preserve
87563	15	20	Oregon White Oak (Quercus garryana)	OFFSITE; Epicormic sprouts	2	1	No	Preserve
87566	14,14	20	Oregon White Oak (Quercus garryana)	OFFSITE; Codominant	1	1	No	Preserve
87645	31	20	Douglas-fir (Pseudotsuga menziesii)	OFFSITE; Some broken branches	1	1	Yes	Preserve
87695	11,8,9	20	Oregon White Oak (Quercus garryana)	OFFSITE; Codominant; 9" broken top; Epicormic sprouts	2	2	No	Preserve
87696	13	18	Douglas-fir (Pseudotsuga menziesii)	OFFSITE	1	1	No	Preserve
87697	14	18	Douglas-fir (Pseudotsuga menziesii)	OFFSITE	1	1	No	Preserve
87766	12	15	Oregon White Oak (Quercus garryana)	OFFSITE; Power lines through; Small leafs; Short stature	2	2	No	Preserve
87817	13	20	Sweet Cherry (Prunus avium)	OFFSITE	1	1	No	Preserve
87818	17	20	Sweet Cherry (Prunus avium)	OFFSITE	1	1	No	Preserve
87819	15	15	Sweet Cherry (Prunus avium)	OFFSITE	1	1	No	Preserve
88007	15 18 18	22	California Black Oak (Quercus kelloggii)	OFFSITE; Codominant; Some sparse foliage; Power lines through; Pruning	2	2	No	Preserve

Total # of Existing Trees Inventoried = 190

Total # of Existing Onsite Trees = 129

Total # of Existing Onsite Trees to be Preserved = 45

Total # of Existing Onsite Trees to be Removed = 84

Total # of Existing Line Trees = 1

Total # of Existing Line Trees to be Preserved = 0

Total # of Existing Line Trees to be Removed = 1

Total # of Existing Offsite Trees = 60

Total # of Existing Offsite Trees to be Preserved = 60

Total # of Existing Offsite Trees to be Removed = 0

Total # of Existing Onsite Significant Trees = 34

Total # of Existing Onsite Significant Trees to be Removed = 13

***Health Rating:**

1 = Good Health - A tree that exhibits typical foliage, bark, and root characteristics, for its respective species, shows no signs of infection or infestation, and has a high level of vigor and vitality.

2 = Fair Health - A tree that exhibits some abnormal health characteristics and/or shows some signs of infection or infestation, but may be reversed or abated with supplemental treatment.

3 = Poor Health - A tree that is in significant decline, to the extent that supplemental treatment would not likely result in reversing or abating its decline.

****Structure Rating:**

1 = Good Structure - A tree that exhibits typical physical form characteristics, for its respective species, shows no signs of structural defects of the canopy, trunk, and/or root system.

2 = Fair Structure - A tree that exhibits some abnormal physical form characteristics and/or some signs of structural defects, which reduce the structural integrity of the tree, but are not indicative of imminent physical failure, and may be corrected using arboricultural abatement methods.

3 = Poor Structure - A tree that exhibits extensively abnormal physical form characteristics and/or significant structural defects that substantially reduces the structural viability of the tree, cannot feasibly be abated, and are indicative of imminent physical failure.

*****Significant Tree:**

The tree is considered significant per Salem Unified Development Code Chapter 808.005.

Arborist Disclosure Statement:

Arborists are tree specialists who use their education, knowledge, training, and experience to examine trees, recommend measures to enhance the health of trees, and attempt to reduce the risk of living near trees. The Client and Jurisdiction may choose to accept or disregard the recommendations of the arborist, or seek additional advice. Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like medicine, cannot be guaranteed. Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees. Neither this author nor AKS Engineering & Forestry, LLC have assumed any responsibility for liability associated with the trees on or adjacent to this site.

At the completion of construction, all trees should once again be reviewed. Land clearing and removal of adjacent trees can expose previously unseen defects and otherwise healthy trees can be damaged during construction.

BENNETT R. KOCSIS
CERTIFICATE NUMBER: PN 8877A
EXPIRATION DATE: 12/31/2025

PRELIMINARY NOT FOR CONSTRUCTION

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ENGINEERING • SURVEYING • NATURAL RESOURCES
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PROPERTY DESCRIPTION
LANDOWNERS:
SIMPSON HILLS, LLC
(TL 300 & 400 TAX MAP: 08 3W 11)
3950 FAIRVIEW INDUSTRIAL DRIVE SE,
#240
SALEM, OR 97302

PRELIMINARY TREE TABLE
FAIRVIEW HILLS
HOLT HOMES
SALEM, OREGON

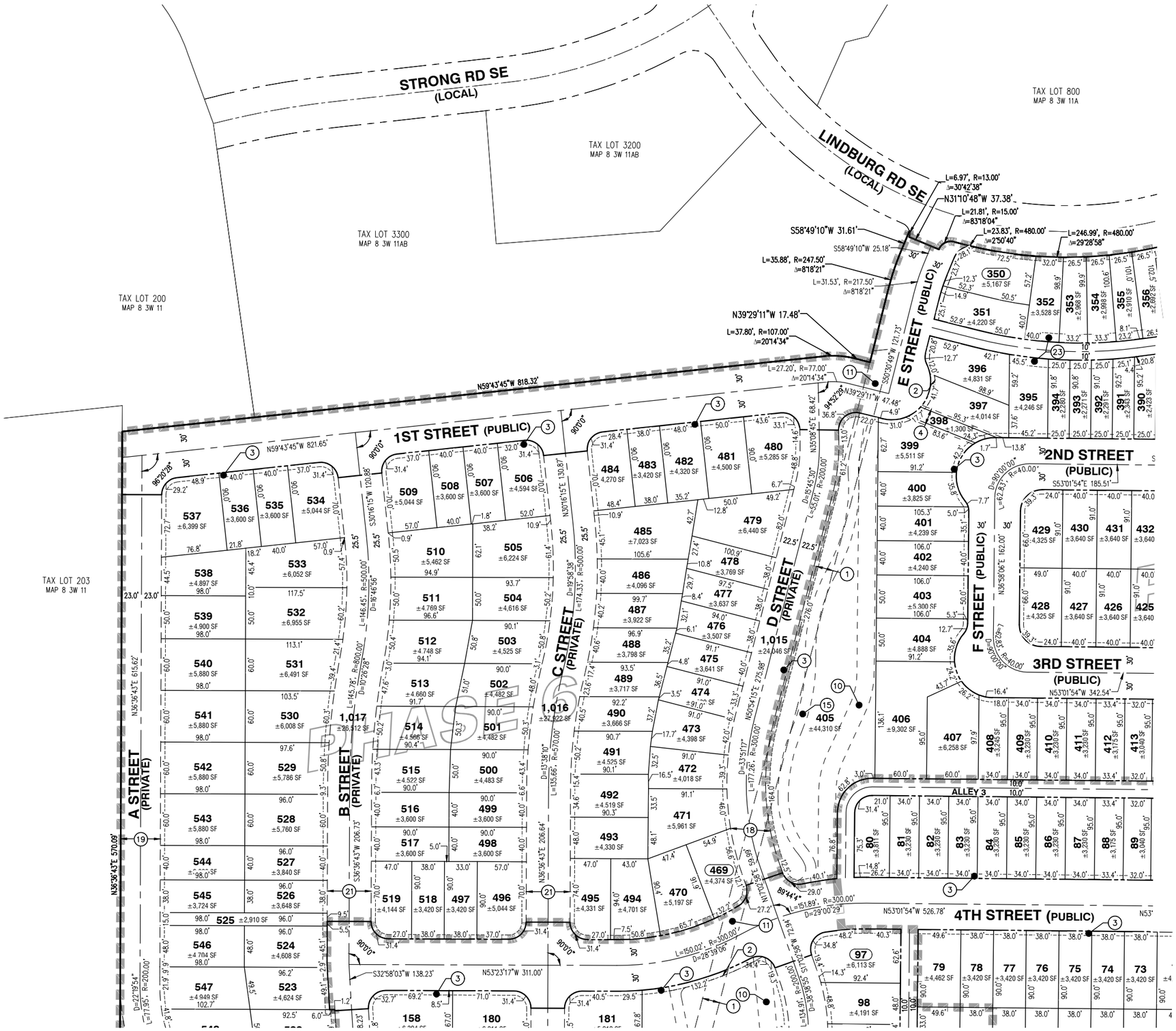
PRELIMINARY NOT FOR CONSTRUCTION

JOB NUMBER:	2981-01
DATE:	12/18/2024
DESIGNED BY:	BTW
DRAWN BY:	PE
CHECKED BY:	MTA

TP-07

AKS DRAWING FILE: 2981-01 PRELIM TREE.DWG | LAYOUT: TP-07

Attachment D



EASEMENT KEYED NOTES: (#)

1. 20' EXISTING WATER EASEMENT.
2. 5' SIDEWALK EASEMENT TO COS.
3. 5' PUBLIC UTILITY EASEMENT.
4. 20' STORM EASEMENT TO COS.
5. 5' EXISTING PIPELINE EASEMENT TO NWN.
6. 15' EXISTING POWERLINE EASEMENT TO PGE.
7. NOT USED.
8. HOA EASEMENT OVER TL 400, LOT 273, AND LOT 275 FOR ACCESS AND MAINTENANCE.
9. HOA EASEMENT OVER LOT 96 FOR ACCESS AND MAINTENANCE.
10. 20' DRAINAGE EASEMENT TO THE COS.
11. EASEMENT WITHIN FUTURE RIGHT OF WAY TO BE RELINQUISHED BEFORE SUBDIVISION PLAT RECORDS.
12. ENTRANCE MONUMENT EASEMENT.
13. 20' SEWER EASEMENT TO COS.
14. 7' PUBLIC PATH EASEMENT TO COS.
15. 12' PUBLIC PATH EASEMENT TO COS
16. 8' PUBLIC UTILITY EASEMENT.
17. 39' CITY ACCESS AND UTILITY EASEMENT
18. 45' CITY ACCESS AND UTILITY EASEMENT.
19. 46' CITY ACCESS AND UTILITY EASEMENT.
20. 50' CITY ACCESS AND UTILITY EASEMENT.
21. 51' CITY ACCESS AND UTILITY EASEMENT.
22. 60' CITY ACCESS AND UTILITY EASEMENT.
23. 10' CITY ACCESS AND UTILITY EASEMENT.

DEFINITIONS:

COS: CITY OF SALEM
HOA: HOME OWNER'S ASSOCIATION
NWN: NORTHWEST NATURAL
PED: PEDESTRIAN
PGE: PORTLAND GENERAL ELECTRIC

LOT TABLE			
LOT	AREA (SF)	PLANNED USE	OWNED & MAINTAINED
398	1,300	PED ACCESS	COS
405	44,310	OPEN SPACE WITH TRAIL	HOA
525	2,910	PED ACCESS	COS
1,015	24,046	PRIVATE STREET	HOA
1,016	27,922	PRIVATE STREET	HOA
1,017	26,512	PRIVATE STREET	HOA

THE PURPOSE OF THIS PRELIMINARY PLAT IS TO SHOW THE PROPOSED LOT DIMENSIONS AND AREAS FOR PLANNING PURPOSES. THIS IS NOT AN OFFICIAL PLAT AND IS NOT TO BE USED FOR SURVEY PURPOSES.

SCALE: 1"=60 FEET
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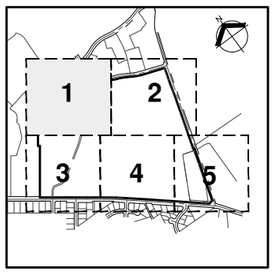
ORIGINAL PAGE SIZE: 22" x 34"



KEY MAP

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FORESTRY • PLANNING • LANDSCAPE ARCHITECTURE

HOLT HOMES
Built for the Pacific Northwest

PROPERTY DESCRIPTION
LANDOWNERS:
SIMPSON HILLS, LLC
(TL 300 & 400 TAX MAP: 08 3W 11)
3950 FAIRVIEW INDUSTRIAL DRIVE SE,
#240
SALEM, OR 97302

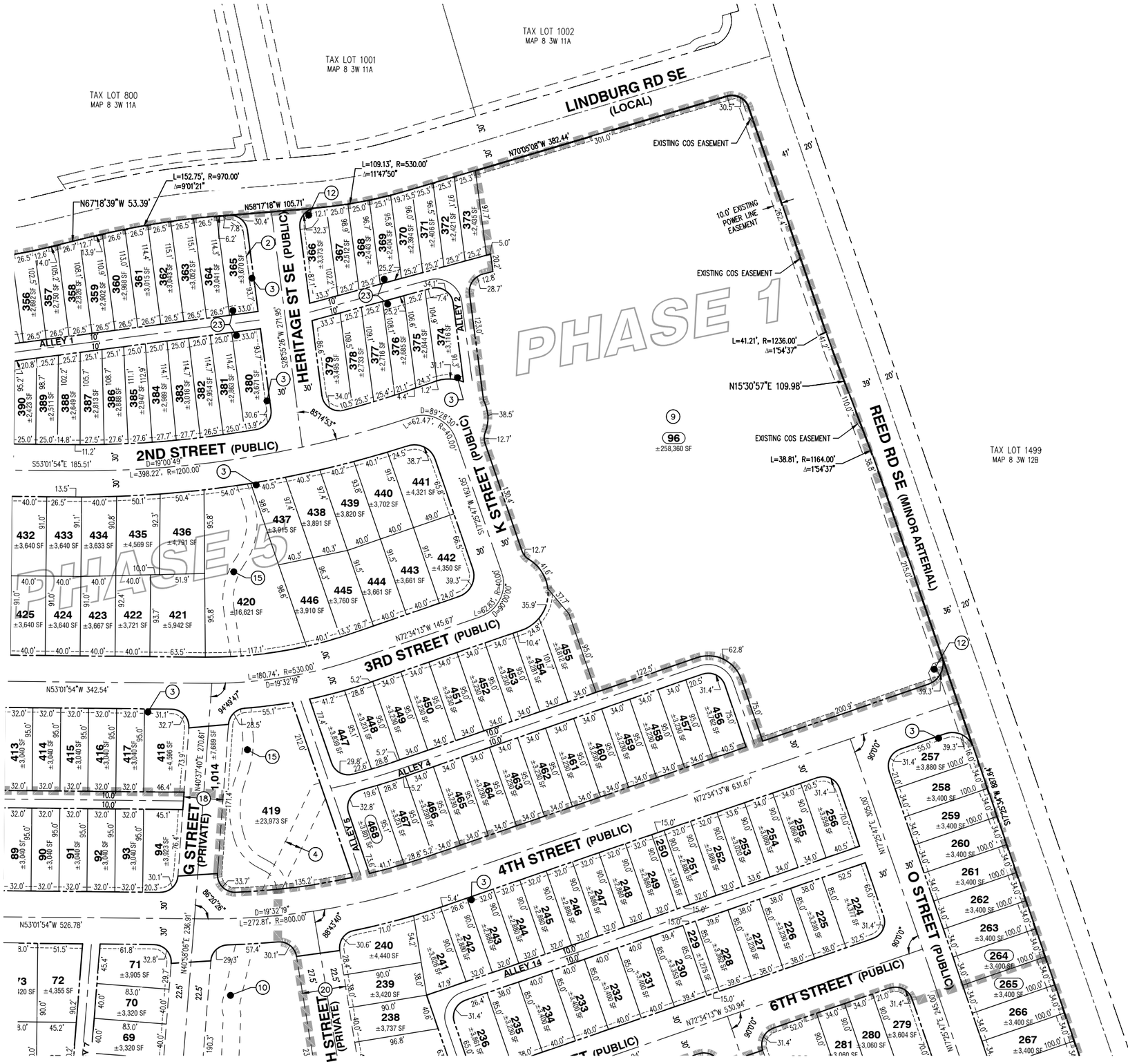
PRELIMINARY PLAT
FAIRVIEW HILLS
HOLT HOMES
SALEM, OREGON

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 2006
MATTHEW T. ALLEN POISSANT
PRELIMINARY NOT FOR CONSTRUCTION
EXPIRES: DEC. 31, 2026

JOB NUMBER:	2981-01
DATE:	12/18/2024
DESIGNED BY:	BTW
DRAWN BY:	PE
CHECKED BY:	MTA

PP-01

AKS DRAWING FILE: 2981-01 PRELIM PLAT.DWG | LAYOUT: PP-01



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PGE: PORTLAND GENERAL ELECTRIC

LOT TABLE			
LOT	AREA (SF)	PLANNED USE	OWNED & MAINTAINED
96	258,360	STORMWATER FACILITY & TRAIL	COS
229	1,275	PED ACCESS	COS
250	1,350	PED ACCESS	COS
419	23,973	OPEN SPACE WITH TRAIL	HOA
420	16,621	OPEN SPACE WITH TRAIL	HOA
1,014	7,689	PRIVATE STREET	HOA

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SCALE: 1"=60 FEET
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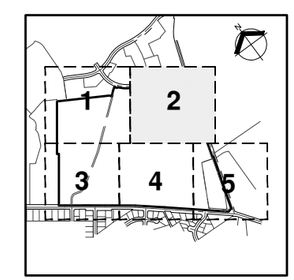
ORIGINAL PAGE SIZE: 22" x 34"



KEY MAP

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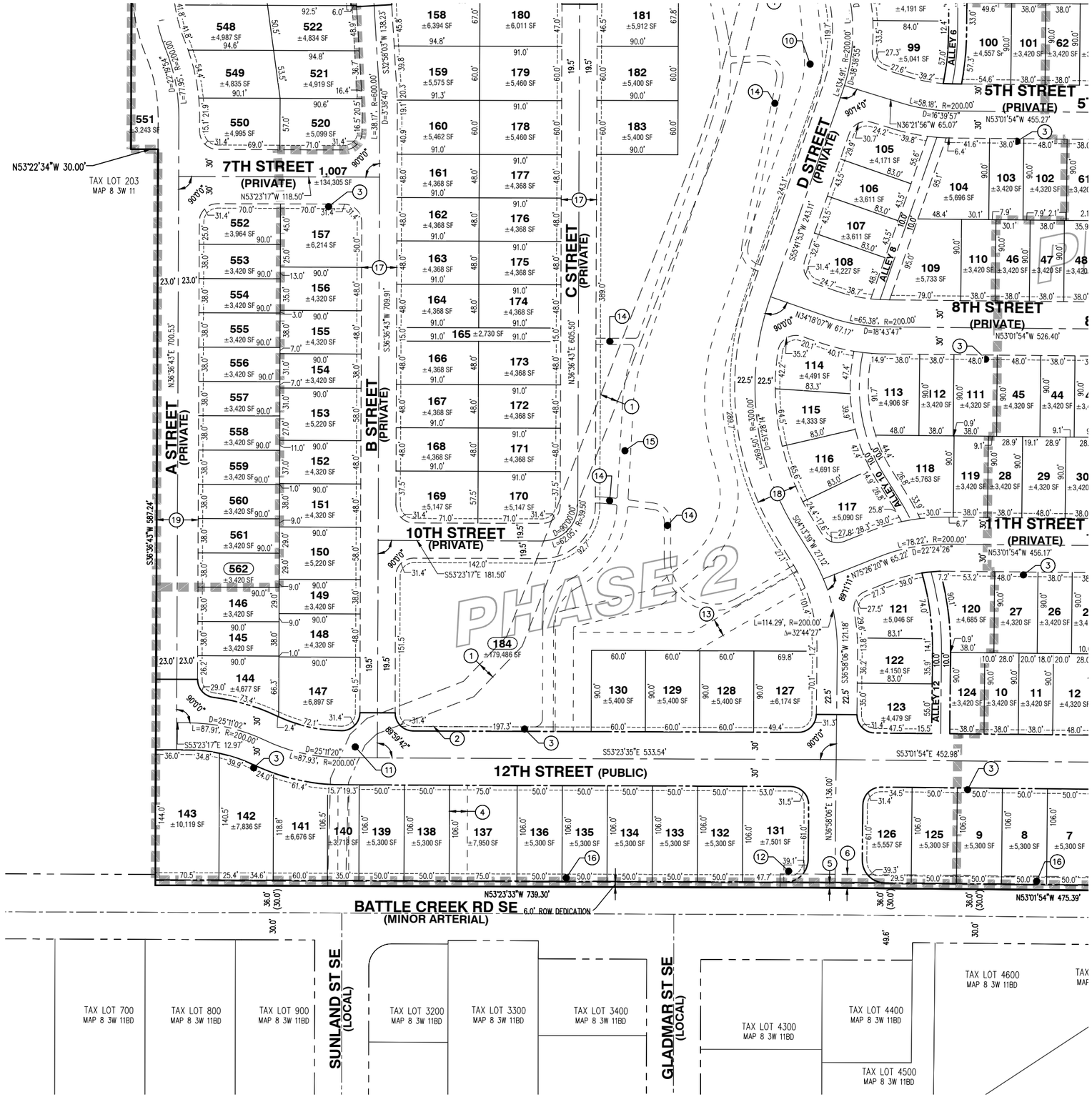
REGISTERED PROFESSIONAL ENGINEER
OREGON
JAMES T. POISSANT
EXPIRES: DEC. 31, 2026
PRELIMINARY
NOT FOR CONSTRUCTION

JOB NUMBER:	2981-01
DATE:	12/18/2024
DESIGNED BY:	BTW
DRAWN BY:	PE
CHECKED BY:	MTA

PP-02

AKS DRAWING FILE: 2981-01 PRELIM PLAT.DWG | LAYOUT: PP-02



EASEMENT KEYED NOTES: (#)

1. 20' EXISTING WATER EASEMENT.
2. 5' SIDEWALK EASEMENT TO COS.
3. 5' PUBLIC UTILITY EASEMENT.
4. 20' STORM EASEMENT TO COS.
5. 5' EXISTING PIPELINE EASEMENT TO NWN.
6. 15' EXISTING POWERLINE EASEMENT TO PGE.
7. NOT USED.
8. HOA EASEMENT OVER TL 400, LOT 273, AND LOT 275 FOR ACCESS AND MAINTENANCE.
9. HOA EASEMENT OVER LOT 96 FOR ACCESS AND MAINTENANCE.
10. 20' DRAINAGE EASEMENT TO THE COS.
11. EASEMENT WITHIN FUTURE RIGHT OF WAY TO BE RELINQUISHED BEFORE SUBDIVISION PLAT RECORDS.
12. ENTRANCE MONUMENT EASEMENT.
13. 20' SEWER EASEMENT TO COS.
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DEFINITIONS:

COS: CITY OF SALEM
HOA: HOME OWNER'S ASSOCIATION
NWN: NORTHWEST NATURAL
PED: PEDESTRIAN
PGE: PORTLAND GENERAL ELECTRIC

LOT TABLE

LOT	AREA (SF)	PLANNED USE	OWNED & MAINTAINED
140	3,713	OPEN SPACE WITH PED ACCESS	COS
165	2,730	PED ACCESS	COS
184	179,486	OPEN SPACE WITH TRAIL	HOA
551	3,243	OPEN SPACE	HOA
1007	134,305	PRIVATE STREETS	HOA

THE PURPOSE OF THIS PRELIMINARY PLAT IS TO SHOW THE PROPOSED LOT DIMENSIONS AND AREAS FOR PLANNING PURPOSES. THIS IS NOT AN OFFICIAL PLAT AND IS NOT TO BE USED FOR SURVEY PURPOSES.

SCALE: 1"=60 FEET
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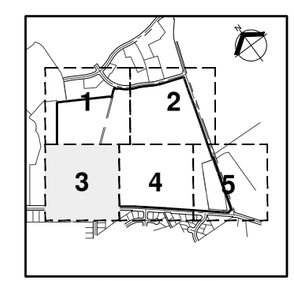
ORIGINAL PAGE SIZE: 22" x 34"



KEY MAP

AKS ENGINEERING & FORESTRY, LLC
3700 RIVER RD N, STE 1
KEIZER, OR 97303
503.400.6028
WWW.AKS-ENG.COM
ENGINEERING · SURVEYING · NATURAL RESOURCES
FORESTRY · PLANNING · LANDSCAPE ARCHITECTURE

HOLT HOMES
Built for the Pacific Northwest

PROPERTY DESCRIPTION
LANDOWNERS:
SIMPSON HILLS, LLC
(TL 300 & 400 TAX MAP: 08 3W 11)
3950 FAIRVIEW INDUSTRIAL DRIVE SE,
#240
SALEM, OR 97302

PRELIMINARY PLAT
FAIRVIEW HILLS
HOLT HOMES
SALEM, OREGON

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 12, 2024
MATTHEW A. POISSANT
PRELIMINARY NOT FOR CONSTRUCTION
EXPIRES: DEC. 31, 2026

JOB NUMBER:	2981-01
DATE:	12/18/2024
DESIGNED BY:	BTW
DRAWN BY:	PE
CHECKED BY:	MTA

PP-03

AKS DRAWING FILE: 2981-01 PRELIM PLAT.DWG | LAYOUT: PP-03

EASEMENT KEYED NOTES:

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LOT TABLE			
LOT	AREA (SF)	PLANNED USE	OWNED & MAINTAINED
95	163,212	OPEN SPACE WITH TRAIL	HOA
340	1,590	PED ACCESS	COS
1,001	181,737	PRIVATE STREETS	HOA
1,008	41,659	PRIVATE STREET	HOA
1,009	12,495	PRIVATE STREET	HOA
1,010	12,495	PRIVATE STREET	HOA
1,011	18,400	PRIVATE STREET	HOA
1,012	23,171	PRIVATE STREET	HOA

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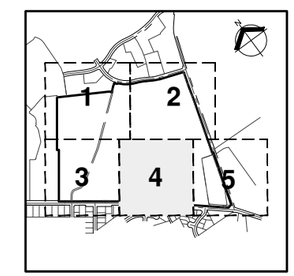

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(TL 300 & 400 TAX MAP: 08 3W 11)
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#240
SALEM, OR 97302

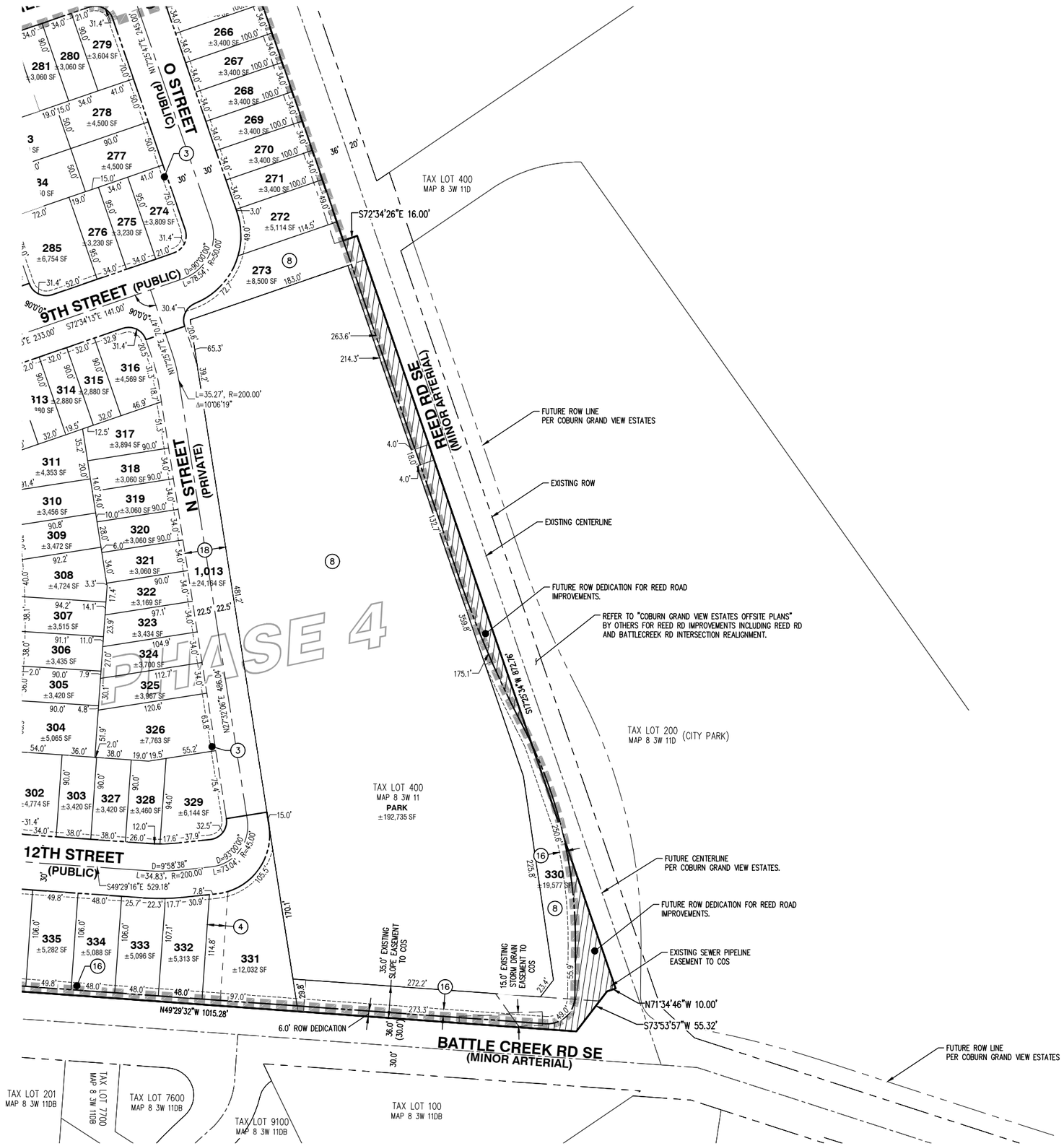
PRELIMINARY PLAT
FAIRVIEW HILLS
HOLT HOMES
SALEM, OREGON

REGISTERED PROFESSIONAL ENGINEER
OREGON
JUNE 30, 1989
MICHAEL T. POLSSANI
EXPIRES: DEC. 31, 2026
PRELIMINARY NOT FOR CONSTRUCTION

JOB NUMBER:	2981-01
DATE:	12/18/2024
DESIGNED BY:	BTW
DRAWN BY:	PE
CHECKED BY:	MTA

PP-04

AKS DRAWING FILE: 2981-01 PRELIM PLAT.DWG | LAYOUT: PP-04



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LOT TABLE

LOT	AREA	PLANNED USE	OWNED & MAINTAINED
273	8,500	OPEN SPACE	COS (OWNED) HOA (MAINTAINED)
330	19,577	OPEN SPACE	COS (OWNED) HOA (MAINTAINED)
1,013	24,164	PRIVATE STREET	HOA
TAX LOT 400	192,735	OPEN SPACE WITH TRAIL	COS (OWNED) HOA (MAINTAINED)

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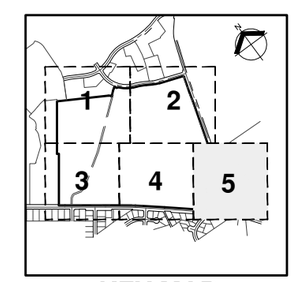

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3950 FAIRVIEW INDUSTRIAL DRIVE SE,
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SALEM, OR 97302

PRELIMINARY PLAT
FAIRVIEW HILLS
HOLT HOMES
SALEM, OREGON

REGISTERED PROFESSIONAL ENGINEER
OREGON
JANUARY 14, 2014
MATTHEW T. POISSANT
EXPIRES: DEC. 31, 2026
PRELIMINARY NOT FOR CONSTRUCTION

JOB NUMBER:	2981-01
DATE:	12/18/2024
DESIGNED BY:	BTW
DRAWN BY:	PE
CHECKED BY:	MTA

PP-05

AKS DRAWING FILE: 2981-01 PRELIM PLATDWG | LAYOUT: PP-05

MEMO

TO: Bryce Bishop, Planner III
Community Planning and Development Department

FROM: Laurel Christian, Infrastructure Planner III
Community Planning and Development Department

DATE: January 6, 2024

SUBJECT: **Infrastructure Memo**
FRP-SUB-AVAR24-01 (24-119639-PLN)
4300 to 4600 Block Battle Creek Road SE
562-Lot Phased Subdivision

PROPOSAL

A consolidated application to develop approximately 102.44 acres of the former Fairview Training Center site. The application includes the following:

1. A new Refinement Plan - the Fairview Hills Refinement Plan, pursuant to SRC 530.030, for the approximate 102.44-acre property setting forth the requirements and standards for future development of the property consistent with the provisions of the Fairview Mixed-Use Zone (SRC Chapter 530) and the adopted Fairview Plan;

2. A Phased Subdivision to divide the property into 562 lots in six phases, with residential lots ranging in size from approximately 2,271 square feet to approximately 12,032 square feet in seven basic lot configurations accommodating a variety of front-loaded and alley-loaded single-family detached and attached homes; together with open space, green corridors, and a community park; and

3. An Airport Overlay Zone Height Variance, pursuant to SRC 602.025, to allow structures within portions of the site to exceed the maximum height limits of the City's Airport Overlay Zone (SRC Chapter 602).

The subject property is zoned FMU (Fairview Mixed-Use) and located in the 4300 to 4600 Blocks of Battle Creek Road SE and the 4100 to 4500 Blocks of Reed Road SE (Marion County Assessor Map and Tax Lot Numbers: 083W110000300 and 083W110000400).

RECOMMENDED CONDITIONS APPROVAL

1. Prior to final plat approval for each phase, required right-of-way dedications and required easements for that phase shall be free and clear of encumbrances and

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Code authority references are abbreviated in this document as follows: *Salem Revised Code* (SRC); *Public Works Design Standards* (PWDS); *Salem Transportation System Plan* (Salem TSP); and *Stormwater Management Plan* (SMP).

liens unless an adjustment to SRC 200.050(d) is approved.

2. Prior to final plat approval for each phase, provide an engineered stormwater design and final stormwater report pursuant to SRC 71 and the Public Works Design Standards (PWDS) to accommodate new impervious surfaces in rights-of-way (public and private) and future impervious surfaces on all proposed lots. The revised report shall demonstrate the proposed stormwater design complies with SRC Chapter 71 and the PWDS for each phase of development and at full buildout.

3. Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct stormwater facilities pursuant to SRC 71 and the Public Works Design Standards to accommodate new impervious surfaces in rights-of-way (public and private) and future impervious surfaces on all proposed lots within that phase.

4. Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), extend public water mains within the new internal streets of the subdivision to serve each lot within that phase as shown on the applicant's utility plan and designed and constructed in accordance with the Public Works Design Standards.

5. Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct a looped 12-inch water main from Battle Creek Road SE to Reed Road SE and Lindburg Road SE as shown on the applicant's preliminary utility plan. The main shall be designed and constructed in accordance with the Public Works Design Standards.

6. Prior to issuance of Public Construction plans for Phase 5, the applicant shall submit a revised utility plan showing lots 352 through 373 served by public water from Lindburg Road SE and lots 374 through 395 served by public water from 2nd Street. The public water main in Alley 1 and Alley 2 shall be removed from the plans.

7. Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), extend public sanitary sewer mains designed and constructed in accordance with the Public Works Design Standards within the new internal streets of the subdivision to serve each lot within that phase as shown on the applicant's utility plan.

8. Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), extend public stormwater mains designed and constructed in accordance with the Public Works Design Standards within the new internal streets of the subdivision to serve each lot within that phase as shown on the applicant's utility plan.

9. Prior to final plat approval for each phase, all necessary (existing and proposed) access and utility easements to serve that phase shall be shown and recorded on the final plat.

10. Prior to final plat approval for each phase, dedicate easements for existing and proposed public infrastructure on the site and within that phase to current standards in *Public Works Design Standards* Section 1.8 (Easements).

11. Prior to final plat approval for each phase, where public utilities are provided in alleys and private streets, the applicant shall dedicate easements centered on the main extending onto the property adjacent to the alley or private street rights-of-way that provide equal easement widths meeting *Public Works Design Standards* Section 1.8 for Pipeline Easement Width.

12. Prior to final plat approval for each phase with frontage on Battle Creek Road SE, convey land for dedication to equal a half-width right-of-way of 36-feet on the development side of Battle Creek Road SE.

13. Prior to final plat approval for each phase with frontage on Battle Creek Road SE, dedicate a public sidewalk easement for the shared use path along Battle Creek Road SE where the path extends onto private property within that phase. The easement shall extend 1-foot from the shared-use path to allow for maintenance of the path.

14. Prior to final plat for each phase with frontage on Battle Creek Road SE, construct a three-quarter street improvement along the phase boundary of Battle Creek Road SE to minor arterial street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803, with the exception of the following approved alternative standard to its cross section as shown on the applicant's street plan:

    A. A 6-foot-wide on-street bike lane and 11-foot-wide travel lane on the opposite side of the street;
    B. A 12-foot-wide center turn lane; and
    C. 13-foot travel lane and a 10-foot-wide shared use path on the development side of the street.

15. Prior to final plat approval for each phase with frontage on Reed Road SE, convey land for dedication to equal a half-width right-of-way of 36-feet on the development side of Reed Road SE.

16. Prior to final plat approval for Phase 4, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a three-quarter street improvement along the Phase 4 frontage of Reed Road SE to minor arterial street standards as

specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.

17. Prior to final plat approval for each phase, dedicate public rights-of-way for the new public streets and alleys within that phase, as shown on the applicant's tentative plan.

18. Prior to final plat approval for each phase, dedicate public access and City utility easements for the new private streets within that phase, as shown on the applicant's tentative plan.

19. Prior to final plat approval for each phase, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct internal streets and alleys within that phase to the standards established in the Fairview Hills Refinement Plan and as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803.

20. Prior to final plat approval for each phase with frontage on Battle Creek Road SE, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), plant street trees within that phase along Battle Creek Road SE in accordance with the Public Works Design Standards. The required trees along Battle Creek Road SE shall be planted at time of construction of the boundary street improvement for each phase of development.

21. Prior to final plat approval for Phase 1, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), plant street trees along the stormwater facility frontage of Lindburg Road SE in accordance with the Public Works Design Standards. The required trees along Lindburg Road SE shall be planted at time of construction of the stormwater facility.

22. Prior to final plat approval for Phase 4, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), plant street trees along Reed Road SE in accordance with the Public Works Design Standards. The required trees along Reed Road shall be planted at time of construction of the boundary street improvement.

23. Prior to final plat approval for each phase, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), install street trees along the frontages of the open space areas within that phase of development in accordance with the Public Works Design Standards.

24. At the time of development of each lot, street trees along all new internal streets (public and private) shall be planted in accordance with the Public Works Design Standards.

25. Private Street Trees planted along the new internal private streets shall be maintained in good health and replaced if damaged or dead.

26. On all public streets with landscape strips less than 8 feet in width, the applicant shall:

    A. Install root barriers and utilize structural soil under the two adjacent sidewalks panels to the new tree planting (8-foot minimum width), to a depth of at least 3-feet;

    B. Ensure the earth adjacent to the tree directly under the proposed sidewalk be removed and replaced with new structural soil material equal to 4.5 cubic yards per tree to allow roots to travel under the sidewalk nearest the root flare; and

    C. Obtain approval from the Public Works Department for the species of tree to be planted within the reduced width landscape strip.

27. The applicant shall submit a homeowners association agreement and covenants, conditions, and restrictions (CC&R) document for review and approval by the City Attorney meeting the requirements of SRC 205.035(f) and SRC 803.020(b)(3) and providing for the perpetual maintenance and operation of all common properties and facilities within the development including, but not limited to: private streets, private utilities, open spaces, common facilities, and community areas. The document shall be recorded prior to final plat approval for each phase.

28. Prior to final plat approval for each phase, provide public utility easements on the plat for that phase, as shown on the applicant's tentative phased subdivision plan and in conformance with the Fairview Hills Refinement Plan.

29. Prior to final plat approval for Phase 4, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), the applicant shall design and construct one transit stop along Reed Road SE in a location approved by Cherriots and the Public Works Department.

30. Prior to final plat approval for each phase, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), the applicant shall design and construct, and dedicate public access easements for, the public accessway mid-block connections shown on the applicant's tentative subdivision plan for that phase in conformance with the Public Works Design Standards. Public accessways located on open space lots and within public access easements shall be maintained by the Homeowner's association.

31. Prior to issuance of Public Construction permits, the applicant shall provide evidence that any required State and/or Federal permits have been obtained relating to development adjacent to jurisdictional wetlands and waterways.

32. Prior to submittal of building permits for any lot within the subdivision, the applicant shall provide a final report from a geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical

considerations for each individual building lot.

33. Prior to final plat approval for Phase 1, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), the applicant shall:

    A. Complete the development of linear park improvements on proposed Lot 95 (Open Space 1) in alignment with the polices outlined in the City of Salem Comprehensive Parks System Master Plan and the trail development guidelines in the Oregon Parks and Recreation Department's Accessibility Design Standards.

    B. Dedicate a public access easement over the linear park improvement which specifies that the operation, repair, and maintenance of the linear park improvement will be the responsibility of the Homeowners' Association.

34. Prior to final plat approval for Phase 2, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), the applicant shall:

    A. Complete the development of linear park improvements on proposed Lot 184 (Open Space 2) in alignment with the polices outlined in the City of Salem Comprehensive Parks System Master Plan and the trail development guidelines in the Oregon Parks and Recreation Department's Accessibility Design Standards.

    B. Dedicate a public access easement over the linear park improvement which specifies that the operation, repair, and maintenance of the linear park improvement will be the responsibility of the Homeowners Association.

35. Prior to final plat approval for Phase 5, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), the applicant shall:

    A. Complete the development of linear park improvements on proposed Lots 405 (Open Space 6), 419 (Open Space 8), and 420 (Open Space 7) in alignment with the polices outlined in the City of Salem Comprehensive Parks System Master Plan and the trail development guidelines in the Oregon Parks and Recreation Department's Accessibility Design Standards.

    B. Dedicate a public access easement over the linear park improvement which specifies that the operation, repair, and maintenance of the linear park improvement will be the responsibility of the Homeowners Association.

36. Prior to final plat approval for Phase 4, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct a raised median island pedestrian crossing along Reed Road SE, as shown on the applicant's plans and constructed in accordance with the Public Works Design Standards.

37. Prior to final plat approval for Phase 3, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct a realigned signalized intersection

of Battle Creek Road SE and Reed Road SE to minor arterial standards pursuant to the Public Works Design Standards (PWDS). The applicant is required to acquire and/or convey land for dedication of right-of-way as needed to construct the required improvements to the Reed and Battle Creek intersection. The intersection shall include:

A. A westbound to southbound left turn lane on Reed Road SE;

B. A southbound to eastbound left turn lane on Battle Creek Road SE;

C. A northbound to eastbound right turn lane on Battle Creek Road SE; and

D. An interconnection via underground fiber-optic cable to the existing traffic signal at Kuebler Boulevard SE and Battle Creek Road SE.

38. Prior to final plat approval for Phase 1, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), the applicant shall ensure that Phase 1 is served by public infrastructure:

A. Construct water, sewer, and stormwater infrastructure within Phase 3 and Phase 5 needed to serve Phase 1, as shown on the applicant's utility plan.

B. Provide easements and all-weather access roads pursuant to the Public Works Design Standards within Phase 3 and Phase 5 for utilities needed to serve Phase 1.

C. Design all streets and alleys in Phase 3 and 5 in which public infrastructure is needed to serve Phase 1 in sufficient detail to establish final street grades.

39. Prior to final plat approval for each phase or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), the applicant shall provide a plan showing adequate Fire Department Access and construct the required accesses.

EXISTING CONDITIONS – INFRASTRUCTURE

The existing conditions of streets abutting the subject property are described in the following table:

Streets			
Street Name		**Right-of-way Width**	**Improvement Width**
Battle Creek Rd SE (Minor Arterial)	Standard:	72-feet	46-feet
	Existing Condition:	Variable	36-feet
Reed Rd SE (Minor Arterial)	Standard:	72-feet	46-feet
	Existing Condition:	Variable	20-to-46-feet
Lindburg Rd SE (Collector)	Standard:	60-feet	34--feet
	Existing Condition:	60-feet	30-to-40-feet

The existing conditions of public infrastructure available to serve the subject property are described in the following table:

Utilities & Parks	
Type	**Existing Conditions**
Water	Water Service Level: S-1 and S-2
	A 16-inch S-1 water main is located in Battle Creek Rd SE.
	A 16-inch S-2 water main is located in Battle Creek Rd SE.
	An 18-inch S-1 water main is located in Reed Rd SE.
	8-inch and 16-inch S-1 water mains are located in Lindburg Rd SE.
	A 16-inch S-1 water main is located on the subject property in an easement.
Sanitary Sewer	An 8-inch sanitary sewer main is located in Battle Creek Rd SE.
	A 15-inch sanitary sewer main is located in Reed Road SE.
	A 10-inch sanitary sewer main is located in Lindburg Rd SE.
Storm Drainage	There are open ditches located along Battle Creek Rd SE.
	A 36-inch storm main is located in Reed Rd SE.
	A 12-inch public storm main is located on the subject property and extends into the Lindburg Rd SE right-of-way.
Parks	The proposed development is served by Fairview Park located approximately .08-miles north of the subject property.

FAIRVIEW REFINEMENT PLAN DECISION CRITERIA

The following Code references indicate the criteria that must be found to exist before an affirmative decision may be made. The applicable criteria relating to public infrastructure and the corresponding findings are as follows:

SRC 530.030(e)(1): The refinement plan substantially conforms with the Fairview Training Center Redevelopment Master Plan, provided that any plans or drawings depicting the layout of the development, including, but not limited to, the location of streets, City utilities, paths/trails, open space, buildings, or specific uses are conceptual in nature and may be revised by the refinement plan in substantial conformance with the applicable sustainable land use principles of the plan.

Finding: As part of the application for the Refinement Plan, the applicant has provided a street layout plan, street cross sections, and a utility plan that demonstrates the development will be adequately served with public infrastructure. These plans substantially conform with the Fairview Training Center Redevelopment Master Plan. In addition, the applicant has submitted a Traffic Impact Analysis (TIA) which updates the original Fairview Training Center Redevelopment Master Plan TIA and addresses the required mitigation for the proposed subdivision, consistent with the original TIA. Establishment of the proposed Refinement Plan and conditions of approval for the

proposed subdivision will ensure that the area within the proposed Refinement Plan is adequately served by public infrastructure upon completion of the recommended conditions of approval.

SRC 530.030(e)(4): The refinement plan is physically feasible, given consideration of existing or proposed infrastructure and public services.

Finding: As described in the written findings for the subdivision, public water, sewer, and stormwater infrastructure is available along the perimeter of the site to serve the proposed development. As part of the application for the Refinement Plan, the applicant has provided a street layout plan, street cross sections, and a utility plan that demonstrates the development will be served with public infrastructure. Conditions of approval established with the subdivision will require extension of public utilities and streets within the subdivision to serve the newly created lots. The Refinement Plan is physically feasible as the applicant has demonstrated the Refinement Plan area can be adequately served with existing and proposed infrastructure upon completion of the recommended conditions of approval for the subdivision.

SUBDIVISION DECISION CRITERIA

The following Code references indicate the criteria that must be found to exist before an affirmative decision may be made. The applicable criteria and the corresponding findings are as follows:

SRC 205.010(d)(1): The tentative subdivision complies with all standards of this Chapter and with all applicable provisions of the UDC, including, but not limited to, the following:

(A) Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage, and designation of front and rear lot lines.

SRC Chapter 205 – Land Division and Reconfiguration

The intent of SRC Chapter 205 is to provide for orderly land development through the application of appropriate standards and regulations. The subdivision process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans. A second review occurs for the created lots at the time of building permit review to assure compliance with the UDC. Compliance with conditions of approval to satisfy the UDC is checked prior to city staff signing the final subdivision plat.

Finding: The applicant shall provide the required field survey and subdivision plat per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and as per SRC Chapter 205, the approval of the partition plat by the City Surveyor may be delayed or denied based on the non-compliant violation. It is recommended the applicant request a pre-plat review meeting between the City Surveyor and the

applicant's project surveyor to ensure compliance with ORS 672.005(2)(g)&(h), 672.007(2)(b), 672.045(2), 672.060(4), *Oregon Administrative Rules* 850-020-0015(4)&(10), 820-020-0020(2), and 820-020-0045(5).

(B) City infrastructure standards

The Development Services division reviewed the proposal for compliance with the City's public facility plans as they pertain to the provision of transportation, water, sewer, and storm drainage facilities. While SRC Chapter 205 does not require submission of utility construction plans prior to tentative phased subdivision plan approval, it is the responsibility of the applicant to design and construct adequate transportation, water, sewer, and storm drainage facilities to serve the proposed development prior to final plat approval without impeding service to the surrounding area. A summary of the existing and required City infrastructure improvements are as follows:

SRC Chapter 200 – Urban Growth Management

SRC Chapter 200 (Urban Growth Management) requires issuance of an Urban Growth Preliminary Declaration (UGA) prior to development of property located outside the City's Urban Service Area.

Finding: The subject property is located outside of the Urban Service Area. The property is located within the Fairview Training Center Redevelopment Master Plan and Fairview Development District, which was established in 2005 and includes a list of projects necessary to serve the Development District with adequate public infrastructure. These improvements are based on a previously approved Urban Growth Preliminary Declaration (UGA04-08) that established the improvements necessary to serve the Fairview Development District. A new UGA is not required and, as recommended to be conditioned, the proposed subdivision will be adequately served by public infrastructure consistent with the UGA previously issued for the property (UGA04-08).

- ***Acquisition of property, easements, and right-of-way:***

SRC 200.050(d) requires that right-of-way dedicated to the City be free of encumbrances and liens.

Finding: As described below in the analysis of SRC Chapter 803, right-of-way dedication is required along Battle Creek Road SE, Reed Road SE, and for the new internal public streets. Additionally, public access and utility easements are required for public access and utilities on the site. As identified in the applicant's Title Report, there are existing easements on the subject property for natural gas, power, and city utilities which will conflict with required dedications. As a condition of approval, the applicant shall ensure required right-of-way is unencumbered, obtain quitclaims from private utility owners where there are conflicts, or receive an adjustment to this standard per SRC 200.050(d). To ensure compliance with SRC 200.050, the following condition is recommended:

Condition: Prior to final plat approval for each phase, required right-of-way dedications and required easements for that phase shall be free and clear of encumbrances and liens unless an adjustment to SRC 200.050(d) is approved.

SRC Chapter 71 – Stormwater

The proposed development is subject to SRC Chapter 71 and the revised Public Works Design Standards (PWDS) as adopted in Administrative Rule 109, Division 004.

Finding: The proposed subdivision is required to provide treatment and flow control for stormwater management through the use of green stormwater infrastructure (GSI) per SRC Chapter 71 and the *Public Works Design Standards* (PWDS). The applicant provided a preliminary stormwater report which demonstrates the use of GSI to the maximum extent feasible, as required by the PWDS. The preliminary report shows that there will be a single GSI facility constructed with Phase 1 to accommodate stormwater management for all phases. The report addresses the full build-out of the phased subdivision but does not address how the facility will operate throughout the phased construction of the subdivision. Prior to final plat approval, the applicant shall submit a revised tentative stormwater design which demonstrates the storm facility will comply with the PWDS at full build-out as well as with each phase of development. In addition, the applicant shall construct stormwater facilities pursuant to SRC Chapter 71 and PWDS to accommodate new impervious surfaces in rights-of-way (public and private) and future impervious surfaces on all proposed lots. In order to ensure compliance with SRC Chapter 71 and the PWDS, relating to stormwater management, the following conditions are recommended:

Condition: Prior to final plat approval for each phase, provide an engineered stormwater design and final stormwater report pursuant to SRC 71 and the *Public Works Design Standards* (PWDS) to accommodate new impervious surfaces in rights-of-way (public and private) and future impervious surfaces on all proposed lots. The revised report shall demonstrate the proposed stormwater design complies with SRC Chapter 71 and the PWDS for each phase of development and at full buildout.

Condition: Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct stormwater facilities pursuant to SRC 71 and the *Public Works Design Standards* to accommodate new impervious surfaces in rights-of-way (public and private) and future impervious surfaces on all proposed lots within that phase.

SRC Chapter 802 – Public Improvements

- ***Development to be served by City utilities:***

SRC 802.015 requires development to be served by City utilities designed and constructed according to all applicable provisions of the Salem Revised Code and

Public Works Design Standards (PWDS).

Finding: Private water, sewer, and storm services shall be constructed to serve each lot. All public and private City infrastructure proposed to be located in the right-of-way (public and private) shall be constructed or secured per SRC 205.035(c)(7)(B) prior to final plat approval.

The applicant provided a preliminary utility plan showing how each phase will be provided with public water, sewer, and stormwater services. In summary, the subdivision tentative plan will be served adequately by City water, sewer, and stormwater infrastructure upon completion of the recommended conditions described in the following analysis provided for each utility type.

Water – The subject property is located within the S-1 and S-2 water service levels. There are public S-1 and S-2 water mains located in the streets abutting the subject property. The applicant's preliminary utility plan shows the S-1 portion of the property will be served by extension of mains from Battle Creek Road SE and Reed Road SE. The S-2 portion of the property will be served by an extension of a S-2 domestic water system from Battle Creek Road SE as well as an S-1 fire suppression system from Battle Creek Road SE. In addition, the applicant's preliminary utility plan shows a 12-inch water main which provides a looped water system from Battle Creek Road SE to Reed Road SE and Lindburg Road SE, as required by the Salem Water System Master Plan and Fairview Development District. In order to ensure adequate water is provided to serve the subdivision, the following conditions are recommended:

> **Condition:** Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), extend public water mains within the new internal streets of the subdivision to serve each lot within that phase as shown on the applicant's utility plan and designed and constructed in accordance with the Public Works Design Standards.
>
> **Condition:** Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct a looped 12-inch water main from Battle Creek Road SE to Reed Road SE and Lindburg Road SE as shown on the applicant's preliminary utility plan. The main shall be designed and constructed in accordance with the Public Works Design Standards.

The applicant's preliminary utility plan shows public water mains within proposed Alley 1 and Alley 2 with water meters along the alley at the back of the future residential homes. There are existing public water mains in Lindburg Road SE that can serve the properties fronting Lindburg Road SE and there is a proposed water main in the internal 2nd Street to serve the lots fronting 2nd Street. Public Works Operations staff reviewed the utility plan and identified concerns that placing meters in the alley will limit access and long-term maintenance of the proposed water main. The Public Works Design Standards (PWDS) require new water mains to be placed within streets and seven feet from a curb face (PWDS 1.6(c)). In addition, water meters shall be placed in locations that allow for easy reading, maintenance, and within sidewalks when sidewalks are

present (PWDS 5.9). In order to ensure compliance with SRC Chapter 802 and the PWDS, the following condition is recommended:

> **Condition:** Prior to issuance of Public Construction plans for Phase 5, the applicant shall submit a revised utility plan showing lots 352 through 373 served by public water from Lindburg Road SE and lots 374 through 395 served by public water from 2nd Street. The public water main in Alley 1 and Alley 2 shall be removed from the plans.

Sanitary Sewer – The applicant's preliminary utility plan shows the subdivision will be served by extension of new public sanitary sewer mains in the new internal streets. These new mains will discharge into the existing mains in Battle Creek Road SE, Reed Road SE, and Lindburg Road SE. Additional off-site infrastructure is not required to be constructed in order to serve the subdivision. To ensure adequate sanitary sewer service is provided to serve the subdivision, the following condition is recommended:

> **Condition:** Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), extend public sanitary sewer mains designed and constructed in accordance with the Public Works Design Standards within the new internal streets of the subdivision to serve each lot within that phase as shown on the applicant's utility plan.

Stormwater – The applicant's preliminary utility plan shows the subdivision will be served by extension of new public stormwater mains in the new internal streets. These new mains will discharge into the proposed onsite stormwater facility with controlled discharge to the existing main in Reed Road SE. Additional off-site infrastructure is not required to be constructed in order to serve the subdivision. To ensure adequate stormwater service is provided to serve the subdivision, the following condition is recommended:

> **Condition:** Prior to final plat approval for each phase, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), extend public stormwater mains designed and constructed in accordance with the Public Works Design Standards within the new internal streets of the subdivision to serve each lot within that phase as shown on the applicant's utility plan.

- ***Easements:***

SRC 802.020 requires the conveyance or dedication of easements for City utilities as a condition of development approval.

Finding: Any easements needed to serve the proposed lots with City infrastructure shall be shown on the final plat. There are existing public water mains on the subject property. In addition, the applicant proposes public sanitary sewer and stormwater mains and conveyance systems within the open space areas, as shown on the applicant's utility plan. As a condition of approval, the applicant shall dedicate easements for existing and proposed public infrastructure on the site to current

standards established in the Public Works Design Standards Section 1.8 (Easements).

The applicant proposes new public water, sewer, and stormwater utilities within proposed Alley 1, Alley 2, and Alley 4. The applicant also proposes new public utilities in private streets which have right-of-way and improvement widths less than that of a standard public street with a local street classification. To allow for adequate maintenance and access to these utilities, the applicant shall be required to dedicate easements for these utilities outside of the alley right-of-way and private streets that would equal the minimum width required for each public utility, as required by the Public Works Design Standards Section 1.8 (Easements). The easements shall be centered on the public main and shall extend onto private property adjacent to the alley right-of-way.

To ensure compliance with SRC 802.020, the following conditions are recommended:

> **Condition:** Prior to final plat approval for each phase, all necessary (existing and proposed) access and utility easements to serve that phase shall be shown and recorded on the final plat.
>
> **Condition:** Prior to final plat approval for each phase, dedicate easements for existing and proposed public infrastructure on the site and within that phase to current standards in *Public Works Design Standards* Section 1.8 (Easements).
>
> **Condition:** Prior to final plat approval for each phase, where public utilities are provided in alleys and private streets, the applicant shall dedicate easements centered on the main extending onto the property adjacent to the alley or private street rights-of-way that provide equal easement widths meeting *Public Works Design Standards* Section 1.8 for Pipeline Easement Width.

As recommended to be conditioned, the proposed phased subdivision conforms to the public improvement standards of SRC Chapter 802.

SRC Chapter 803 – Street and Right-of-way Improvements

- ***Boundary Street Improvements:***

Pursuant to SRC 803.025, except as otherwise provided in this chapter, right-of-way width and pavement width for streets and alleys shall conform to the standards set forth in Table 803-1 (Right-of-way Width) and Table 803-2 (Pavement Width). In addition, SRC 803.040 requires dedication of right-of-way for, and construction or improvement of, boundary streets up to one-half of the right-of-way and improvement width specified in SRC 803.025 as a condition of approval for subdivision applications.

Finding: Lindburg Road SE abuts the subject property and is classified as a collector street according to the Salem Transportation System Plan (TSP). Lindburg Road SE meets the minimum right-of-way width and pavement width standards established in SRC 803.025 and approved with the Fairview Refinement Plan II refinement plan;

therefore, additional right-of-way dedications and improvements along Lindburg Road SE are not required.

Battle Creek Road SE abuts the subject property and is classified as a minor arterial street according to the Salem Transportation System Plan (TSP). The ultimate right-of-way width for a minor arterial street is 72 feet according to SRC 803.025 Table 803-1 (Right-of-way Width) and the ultimate improvement width for a minor arterial street is 46-feet according to SRC 803.025 Table 803-2 (Pavement Width). The existing right-of-way and improvement width along Battle Creek Road SE is inadequate along the Phase 1, Phase 2, and Phase 4 boundaries of the property. The applicant requests an Alternative Street Standard pursuant to SRC 803.065 to allow Battle Creek Road SE to have an alternative cross section along the property frontage. The alternative cross section would include a 6-foot-wide on-street bike lane and 11-foot-wide travel lane on the opposite side of the street; a 12-foot-wide center turn lane; and a 13-foot-wide travel lane and 10-foot-wide shared-use path on the development side of the street in-lieu of an on-street bike lane. Pursuant to SRC 803.065(a)(1), an Alternative Street Standard is recommended to allow Battle Creek Road SE to have an alternative cross section, as shown on the applicant's preliminary street plans. As a condition of approval per SRC 803.040(a)(1) and SRC 803.040(b), the applicant shall dedicate 36-feet from the centerline along Battle Creek Road SE and shall construct a three-quarter street improvement to minor arterial street standards, as modified by the approved Alternative Street Standard. These improvements shall be constructed at time of plat for each phase with frontage along Battle Creek Road SE. The applicant's plans show the proposed shared use path will extend onto private property in some locations to avoid existing overhead power poles. The applicant shall provide a public sidewalk easement where the proposed path extends onto private property. In order to comply with SRC 803.040, the following conditions are recommended:

> **Condition:** Prior to final plat approval for each phase with frontage on Battle Creek Road SE, convey land for dedication to equal a half-width right-of-way of 36-feet on the development side of Battle Creek Road SE.
>
> **Condition:** Prior to final plat approval for each phase with frontage on Battle Creek Road SE, dedicate a public sidewalk easement for the shared use path along Battle Creek Road SE where the path extends onto private property within that phase. The easement shall extend 1-foot from the shared-use path to allow for maintenance of the path.
>
> **Condition:** Prior to final plat for each phase with frontage on Battle Creek Road SE, construct a three-quarter street improvement along the phase boundary of Battle Creek Road SE to minor arterial street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803, with the exception of the following approved alternative standard to its cross section as shown on the applicant's street plan:
>
> A. A 6-foot-wide on-street bike lane and 11-foot-wide travel lane on the opposite side of the street;

B. A 12-foot-wide center turn lane; and

C. A 13-foot travel lane and a 10-foot-wide shared use path on the development side of the street.

Reed Road SE abuts the subject property and is classified as a minor arterial street according to the Salem Transportation System Plan (TSP). The ultimate right-of-way width for a minor arterial street is 72 feet according to SRC 803.025 Table 803-1 (Right-of-way Width) and the ultimate improvement width for a minor arterial street is 46-feet according to SRC 803.025 Table 803-2 (Pavement Width). The existing right-of-way varies and the improvement width along Reed Road SE is inadequate along the Phase 4 frontage of subject property. As a condition of approval per SRC 803.040(a)(1) and SRC 803.040(b), the applicant shall dedicate 36-feet from the centerline along Reed Road SE and shall construct a three-quarter street improvement to minor arterial street standards. The following conditions are recommended:

Condition: Prior to final plat approval for each phase with frontage on Reed Road SE, convey land for dedication to equal a half-width right-of-way of 36-feet on the development side of Reed Road SE.

Condition: Prior to final plat approval for Phase 4, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a three-quarter street improvement along the Phase 4 frontage of Reed Road SE to minor arterial street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.

- ***Street Standards – New Internal Streets:***

All new public and private streets shall be improved pursuant to the standards outlined in SRC 803.030 and 803.035.

Finding: The applicants site plan shows new internal streets to be constructed within the subdivision. As shown on the applicant's preliminary plans, there will be a mix of public and private streets and public alleys within the subdivision. The proposed Fairview Hills Refinement plan establishes the cross sections required for these new public and private streets and alleys. As a condition of approval, the applicant shall construct all new internal streets and alleys in accordance with SRC Chapter 803, the Public Works Design Standards, and the Fairview Hills Refinement Plan. Internal street and alleys will be constructed with each phase of development. In order to ensure adequate access is provided to the development, and to comply with SRC 803.030 and SRC 803.035 the following conditions are recommended:

Condition: Prior to final plat approval for each phase, dedicate public rights-of-way for the new public streets and alleys within that phase, as shown on the applicant's tentative plan.

Condition: Prior to final plat approval for each phase, dedicate public access and City utility easements for the new private streets within that phase, as shown

on the applicant's tentative plan.

Condition: Prior to final plat approval for each phase, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct internal streets and alleys within that phase to the standards established in the Fairview Hills Refinement Plan and as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803.

- ***Street Trees:***

Pursuant to SRC 803.035(k) and SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible.

Finding: Street trees are required along the boundary streets of the property (Battle Creek Road SE, Reed Road SE, and Lindburg Road SE) as well as the new internal public and private streets serving the development. There are existing trees along the Phase 1 and Phase 3 frontages of Reed Road SE; however, street trees have not been planted along the Phase 4 frontage. Street trees along the boundary streets of the property and along internal open space frontages will be required to be planted prior to final plat approval for each phase. Street trees along the new internal streets of the subdivision will be required to be planted with development of each building lot. To ensure compliance with 803.035(k) and SRC 86.015(e), the following conditions are recommended:

Condition: Prior to final plat approval for each phase with frontage on Battle Creek Road SE, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), plant street trees within that phase along Battle Creek Road SE in accordance with the Public Works Design Standards. The required trees along Battle Creek Road SE shall be planted at time of construction of the boundary street improvement for each phase of development.

Condition: Prior to final plat approval for Phase 1, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), plant street trees along the stormwater facility frontage of Lindburg Road SE in accordance with the Public Works Design Standards. The required trees along Lindburg Road SE shall be planted at time of construction of the stormwater facility.

Condition: Prior to final plat approval for Phase 4, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), plant street trees along Reed Road SE in accordance with the Public Works Design Standards. The required trees along Reed Road shall be planted at time of construction of the boundary street improvement.

Condition: Prior to final plat approval for each phase, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), install street trees along the frontages of the open space areas within that phase of development in accordance with the Public Works Design Standards.

> **Condition:** At the time of development of each lot, street trees along all new internal streets (public and private) shall be planted in accordance with the Public Works Design Standards.

As shown on the applicant's plans, there will be a mix of public and private new internal streets within the subdivision. Private streets are required to meet the standards of SRC 803, which include street trees. The trees planted along the new internal private streets will be considered private street trees and will be required to be maintained by a Homeowners Association (SRC 803.020(b)(3)). Maintaining private street trees required under SRC 803.020(b)(3) includes keeping trees in good condition and replacing trees that are damaged or dead. In order to ensure compliance with SRC 803.035(k) and SRC 86.015(e), the following condition is recommended:

> **Condition:** Private Street Trees planted along the new internal private streets shall be maintained in good health and replaced if damaged or dead.

Along some of the new internal public streets, the applicant proposes to reduce landscape strip widths to 5.5-feet and 6.5-feet, where 8-feet is required by the Public Works Design Standards (PWDS). The minimum landscape planting width is necessary to ensure adequate growing space is provided for tree roots without impacting city sidewalks and other adjacent infrastructure. In lieu of providing the required landscape planting strip width, the applicant shall utilize construction methods and root barriers that provide additional growing space as required by the Urban Forester to ensure longevity of City Street Trees and public infrastructure, described further in the following recommended condition:

> **Condition:** On all public streets with landscape strips less than 8 feet in width, the applicant shall:
>
> A. Install root barriers and utilize structural soil under the two adjacent sidewalks panels to the new tree planting (8-foot minimum width), to a depth of at least 3-feet;
>
> B. Ensure the earth adjacent to the tree directly under the proposed sidewalk be removed and replaced with new structural soil material equal to 4.5 cubic yards per tree to allow roots to travel under the sidewalk nearest the root flare; and
>
> C. Obtain approval from the Public Works Department for the species of tree to be planted within the reduced width landscape strip.

- ***Private Street Maintenance and Operations***

SRC 205.035(f) and SRC 803.020(b)(3) require that private streets have recorded covenants, conditions, and restrictions which provide that all common property owners shall be members of a property owners' association. This owner's association is

required to ensure common maintenance and operation of all private streets and related facilities.

Finding: As described in the written findings above, some of the new streets internal to the subdivision are considered private streets. As such, these streets and related facilities will be maintained and operated by a homeowner's association. Prior to final plat approval, the applicant shall provide the documents creating the homeowners association for review and approval by staff. In order to ensure compliance with SRC 205.035(f) and SRC 803.020(b)(3), following condition is recommended:

> **Condition:** The applicant shall submit a homeowners association agreement and covenants, conditions, and restrictions (CC&R) document for review and approval by the City Attorney meeting the requirements of SRC 205.035(f) and SRC 803.020(b)(3) and providing for the perpetual maintenance and operation of all common properties and facilities within the development including, but not limited to: private streets, private utilities, open spaces, common facilities, and community areas. The document shall be recorded prior to final plat approval for each phase.

- ***Public Utility Easements:***

SRC 803.035(n) requires dedication of Public Utility Easements (PUE) along all street rights-of-way for construction of Franchise Utility infrastructure.

Finding: As a condition of approval, the applicant shall dedicate a public utility easement along all street frontages. The proposed Fairview Hills Refinement Plan shows variable width Public Utility Easements along most street frontages within the subdivision. Where there are wetlands or other topographic conflicts, public utility easements are omitted. In order to comply with the requirements of SRC 803.035(n), the following condition is recommended:

> **Condition:** Prior to final plat approval for each phase, provide public utility easements on the plat for that phase, as shown on the applicant's tentative phased subdivision plan and in conformance with the Fairview Hills Refinement Plan.

- ***Transit Stops:***

SRC 803.035(r) requires that transit stops conforming to the applicable standards of the Salem Area Mass Transit District shall be constructed and right-of-way dedication, when necessary to accommodate the transit stop, shall be provided when a transit stop is identified as being needed by the Transit District in connection with a proposed development.

Finding: Cherriots submitted comments requesting that a transit stop be provided along Reed Road SE to serve the development and surrounding area. The transit stop will be located along the Phase 4 frontage of the property near the pedestrian median island

crossing within Phase 4, as identified in the comments provided by Cherriots. Pursuant to SRC 803.035(r), the applicant is required to provide transit stops upon request of the Transit Authority (Cherriots), and as such, the following condition is recommended:

> **Condition:** Prior to final plat approval for Phase 4, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), the applicant shall design and construct one transit stop along Reed Road SE in a location approved by Cherriots and the Public Works Department.

- ***Public Accessways:***

SRC 803.050 requires public accessways for pedestrian and bicycle access to connect to cul-de-sac streets, to pass through oddly shaped or unusually long blocks, and to provide for networks of public paths creating access.

Finding: As shown on the applicant's preliminary plans, there are mid-block public accessways which provide connectivity throughout the subdivision. The proposed Fairview Hills Refinement Plan provides that these mid-block public accessways may be utilized when block lengths exceed the maximum length allowed. As a condition of approval, the applicant shall dedicate public access easements over the mid-block public accessways shown on the applicant's plans and shall design and construct the accessways to meet the *Public Works Design Standards*. Public accessways located on open space lots and within public access easements shall be maintained by the Homeowner's association. The following condition is recommended:

> **Condition:** Prior to final plat approval for each phase, or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), the applicant shall design and construct, and dedicate public access easements for, the public accessway mid-block connections shown on the applicant's tentative subdivision plan for that phase in conformance with the Public Works Design Standards. Public accessways located on open space lots and within public access easements shall be maintained by the Homeowner's association.

(C) Any special development standards, including, but not limited to, floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.

SRC Chapter 601 – Floodplain

Development in the floodplain shall be regulated to preserve and maintain the capability of the floodplain to convey the flood water discharges and to minimize danger to life and property.

Finding: The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

SRC Chapter 805 – Vision Clearance (if applicable)

SRC Chapter 805 establishes vision clearance standards in order to ensure visibility for vehicular, bicycle, and pedestrian traffic at the intersections of streets, alleys, flag lot accessways, and driveways.

Finding: The proposal includes a phased subdivision and does not include the addition of structures on the site at this time. The proposal does not cause a vision clearance obstruction per SRC Chapter 805. At time of building permit review for each structure within the subdivision, vision clearance will be confirmed.

SRC Chapter 809 – 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. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

Finding: The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and hydric soils mapped on the property. In addition, the applicant submitted a wetlands delineation prepared by AKS Engineering & Forestry, LLC and dated August 2024, which demonstrates there are wetlands present on the site. It is likely that due to the existence of wetlands, State permits from the Oregon Department of State Lands will be required for the proposed development. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s), including any work in the public right-of-way. A wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025; however, no response has been received to date. Public Construction permits will not be issued until all applicable State and Federal permits have been obtained per the *Public Works Design Standards*. The following condition is recommended:

> **Condition:** Prior to issuance of Public Construction permits, the applicant shall provide evidence that any required State and/or Federal permits have been obtained relating to development adjacent to jurisdictional wetlands and waterways.

SRC Chapter 810 – Landslide Hazards

The City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility.

Finding: According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 3-point landslide hazard areas on the subject property. The proposed activity of a subdivision adds 3 activity points to the proposal, which results in a total of 6 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment. A Geological Assessment, prepared by GeoPacific Engineering, Inc. and dated September 12, 2024, was submitted to the City of Salem. In addition, a Geotechnical Engineering Report, prepared by GeoPacific Engineering, Inc. and dated October 19, 2023, was submitted to the City of Salem. These documents demonstrate the subject property could be developed without increasing the potential for slope hazard on the site or adjacent properties by utilizing construction methods within the report. The following conditions is recommended to ensure future development on each building lot utilizes recommendations within the report and to ensure compliance with SRC Chapter 810:

> **Condition:** Prior to submittal of building permits for any lot within the subdivision, the applicant shall provide a final report from a geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical considerations for each individual building lot.

SRC 205.010(d)(3): Development within the tentative subdivision plan can be adequately served by City infrastructure.

Finding: The Development Services division reviewed the proposal and determined that water, sewer, and storm infrastructure are available and appear to be adequate to serve the lots within the proposed subdivision, subject to the conditions of approval established in this decision. This approval criterion is met.

SRC 205.010(d)(4): The street system in and adjacent to the tentative subdivision plan conforms to the Salem Transportation System Plan.

Finding: As described in the findings above, the subject property is located adjacent to existing arterial and collector streets, as identified in the Salem Transportation System Plan (TSP). The conditions of approval established with the subdivision decision will require improvements along these boundary streets; construction of internal streets to serve the development; and intersection improvements identified in the Applicant's Traffic Impact Analysis. With the conditions of approval recommended, the street system in and adjacent to the tentative subdivision will conform to the Salem TSP. This criterion is met.

SRC 205.010(d)(5): The street system in and adjacent to the tentative subdivision plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.

Finding: Access to the proposed subdivision will be provided by the network of existing public streets that surround the property. As shown on the tentative subdivision plan, an internal street network is extended through the site to provide safe and convenient access to the proposed lots within the subdivision. As recommended to be conditioned,

the required improvements will ensure that the street system in and adjacent to the subdivision will provide for the safe, orderly, and efficient circulation of traffic to and from the subdivision. This criterion is met.

SRC 205.010(d)(6): The tentative subdivision plan provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops, or employment centers.

Finding: The development is served by Fairview Park, which is located approximately 0.1 miles north of the subject property. As shown on the applicant's preliminary plans, linear park linkages are proposed within the open spaces that will provide pedestrian access from Battle Creek Road SE to Lindburg Road SE and eventually to Fairview Park through existing adjacent shared use paths and street rights-of-way. As a condition of approval, the applicant shall construct these linear park improvements and shall dedicate a public access easement over these improvements to ensure public access is maintained. These linear park improvements will be maintained by the Homeowners Association in perpetuity.

The development site is also served by Reed Road Park, which is located across from the subject property along Reed Road SE. As shown on the applicant's preliminary plans, a pedestrian median island is proposed in Reed Road SE to allow pedestrian crossings from the development to Reed Road Park. The pedestrian island shall be constructed with the Phase 4 frontage improvements along Reed Road SE.

In order to comply with SRC 205.010(d)(6) and ensure safe pedestrian access is provided to parks located within one-half mile of the subdivision, the following conditions are recommended:

> **Condition:** Prior to final plat approval for Phase 1, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), the applicant shall:
>
> A. Complete the development of linear park improvements on proposed Lot 95 (Open Space 1) in alignment with the polices outlined in the City of Salem Comprehensive Parks System Master Plan and the trail development guidelines in the Oregon Parks and Recreation Department's Accessibility Design Standards.
>
> B. Dedicate a public access easement over the linear park improvement which specifies that the operation, repair, and maintenance of the linear park improvement will be the responsibility of the Homeowners' Association.
>
> **Condition:** Prior to final plat approval for Phase 2, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), the applicant shall:

A. Complete the development of linear park improvements on proposed Lot 184 (Open Space 2) in alignment with the polices outlined in the City of Salem Comprehensive Parks System Master Plan and the trail development guidelines in the Oregon Parks and Recreation Department's Accessibility Design Standards.

B. Dedicate a public access easement over the linear park improvement which specifies that the operation, repair, and maintenance of the linear park improvement will be the responsibility of the Homeowners Association.

Condition: Prior to final plat approval for Phase 5, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), the applicant shall:

A. Complete the development of linear park improvements on proposed Lots 405 (Open Space 6), 419 (Open Space 8), and 420 (Open Space 7) in alignment with the polices outlined in the City of Salem Comprehensive Parks System Master Plan and the trail development guidelines in the Oregon Parks and Recreation Department's Accessibility Design Standards.

B. Dedicate a public access easement over the linear park improvement which specifies that the operation, repair, and maintenance of the linear park improvement will be the responsibility of the Homeowners Association.

Condition: Prior to final plat approval for Phase 4, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct a raised median island pedestrian crossing along Reed Road SE, as shown on the applicant's plans and constructed in accordance with the Public Works Design Standards.

SRC 205.010(d)(7): The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis (TIA), where applicable.

Finding: Pursuant to SRC 803.015(a)(1), a Traffic Impact Analysis (TIA) was required to be submitted with the application. The applicant submitted a TIA prepared by Kittelson & Associates and dated December 18, 2024, as part of the application package. The TIA provides supplemental findings to the original 2004 Fairview Training Center Redevelopment Master Plan TIA and the Area Facilities Plan Mitigation List established within the original TIA. The Applicant's TIA identifies that mitigation is required to address impacts to the Reed Road SE and Battle Creek Road SE intersections. Specifically, the TIA identifies that Reed Road SE should be realigned and signalized to provide for safe traffic circulation at the intersection. This improvement is required to be completed with Phase 3 of the subdivision. The applicant shall be required to acquire and/or convey land for dedication of right-of-way as needed to

construct the improvements. If off-site right-of-way is needed to construct the improvements and the applicant is unable to acquire the right-of-way from adjacent property owner(s), then the applicant shall follow the procedures established in SRC 200.050. In order to comply with SRC 803.015 and SRC 205.010(d)(7), the following condition is recommended:

> **Condition:** Prior to final plat approval for Phase 3, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct a realigned signalized intersection of Battle Creek Road SE and Reed Road SE to minor arterial standards pursuant to the Public Works Design Standards (PWDS). The applicant is required to acquire and/or convey land for dedication of right-of-way as needed to construct the required improvements to the Reed and Battle Creek intersection. The intersection shall include:
>
> A. A westbound to southbound left turn lane on Reed Road SE;
>
> B. A southbound to eastbound left turn lane on Battle Creek Road SE;
>
> C. A northbound to eastbound right turn lane on Battle Creek Road SE; and
>
> D. An interconnection via underground fiber-optic cable to the existing traffic signal at Kuebler Boulevard SE and Battle Creek Road SE.

With the listed conditions of approval, the tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis.

SRC 205.010(d)(10): When the tentative subdivision plan requires an Urban Growth Preliminary Declaration under SRC chapter 200, the tentative subdivision plan is designed in a manner that ensures that the conditions requiring the construction of on-site infrastructure in the Urban Growth Preliminary Declaration will occur, and, if off-site improvements are required in the Urban Growth Preliminary Declaration, construction of any off-site improvements is assured.

Finding: The development is subject to UGA04-08 and a new Urban Growth Preliminary Declaration is not required. As recommended to be conditioned, the proposed subdivision will be adequately served by public infrastructure consistent with the UGA previously issued for the property (UGA04-08). This criterion is met.

SRC 205.015(d)(1): The tentative phased subdivision plan meets all of the criteria for tentative subdivision plan approval set forth in SRC 205.010(d).

Finding: As described in the written findings, the subdivision complies with the criteria for tentative subdivision plan approval set forth in SRC 205.010(d). This criterion is met.

SRC 205.015(d)(2): Connectivity for streets and City utilities between each phase ensures the orderly and efficient construction of required public improvements among all phases.

Finding: The applicant has submitted a preliminary utility and street plan which shows public improvements for each phase. As identified on the applicant's preliminary plans, connectivity for streets and utilities is provided in an orderly and efficient manner. This criterion is met.

SRC 205.015(d)(3): Each phase is substantially and functionally self-contained and self-sustaining with regard to required public improvements.

Finding: The applicant's preliminary utility plan shows public water, sewer, and storm mains to serve Phase 1 will be constructed through proposed 4th Street within Phase 3 and Phase 5 of the subdivision. In addition, the plans identify that proposed 4th Street through Phase 3 will be used as a secondary fire department access to serve Phase 1. In order to demonstrate this infrastructure is placed in the proper horizontal and vertical alignment within future phases, the applicant is required to submit street designs for Phase 3 and Phase 5 prior to final plat approval of Phase 1. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat. In addition, the applicant will be required to provide a public roadway and utility access easement to ensure the City has access to utilities constructed within future phases to serve Phase 1. Additionally, the applicant shall construct proposed 4th Street through Phase 3 with Phase 1 to meet Fire Department Standards for secondary access, as shown on the applicant's plans. In order to ensure that Phase 1 is served by City Infrastructure and Fire Department Access, the following conditions are recommended:

> **Condition:** Prior to final plat approval for Phase 1, or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), the applicant shall ensure that Phase 1 is served by public infrastructure:
>
> A. Construct water, sewer, and stormwater infrastructure within Phase 3 and Phase 5 needed to serve Phase 1, as shown on the applicant's utility plan.
>
> B. Provide easements and all-weather access roads pursuant to the Public Works Design Standards within Phase 3 and Phase 5 for utilities needed to serve Phase 1.
>
> C. Design all streets and alleys in Phase 3 and 5 in which public infrastructure is needed to serve Phase 1 in sufficient detail to establish final street grades.
>
> **Condition:** Prior to final plat approval for each phase or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), the applicant shall provide a plan showing adequate Fire Department Access and construct the required accesses.

With recommended conditions of approval, the proposal complies with this criterion.

SRC 205.015(d)(4): Each phase is designed in such a manner that all phases

support the infrastructure requirements for the phased subdivision as a whole.

Finding: As designed, adequate infrastructure is provided to each phase of development. The subdivision, as a whole, upon completion of all phases will be adequately provided with public infrastructure, constructed throughout subsequent phases. This criterion is met.

Prepared by: Laurel Christian, Infrastructure Planner III
cc: File

Attachment F

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Exhibits

Exhibit 1: Fairview Hills Refinement Plan Preliminary Land Use Plans

Exhibit 2: Preliminary Stormwater Report

Exhibit 3: Geological Assessment and Geotechnical Engineering Report

Exhibit 4: Fairview Hills Traffic Impact Analysis

Exhibit 5: Archaeological and Cultural Resources Documentation

The Fairview Hills Refinement Plan area is bordered to the north and west by the adopted Pringle Creek Community, Fairview Refinement Plan II (Grove Apartments), and Fairview Addition West; to the south by an existing residential neighborhood; and to the east by property planned for a new City park and the future Coburn Grand View Estates residential subdivision. The Fairview Hills community was carefully designed to complement and integrate into the surrounding communities as envisioned by the Fairview Master Plan.

Existing Infrastructure and Public Services

The UGA Development Permit (UGA04-8) and the Infrastructure Agreement entered into by Sustainable Fairview Associates, LLC and the City, identify the infrastructure improvements necessary to serve development envisioned by the Fairview Master Plan. The Infrastructure Agreement and supporting Area Facilities Plan provide the method of financing the infrastructure improvements as well as the timing for construction based on various triggers as the former Fairview Training Center property develops. The Fairview Hills Refinement Plan area is generally consistent with the adopted Fairview Master Plan, as detailed in the Refinement Plan Overview, and the associated impacts to the off-site infrastructure as outlined in the Infrastructure Agreement for the overall Fairview Master Plan.

Archaeological and Historically Significant Sites

Exhibit 5 of the Fairview Master Plan provides an Historic Analysis and Inventory for the entire former Fairview Training Center property. No "historically significant" buildings or structures were designated in the Fairview Hills refinement plan area. The only existing structure in the refinement plan area is an old water tank which is planned for removal. AAR documented the water tank and evaluated its eligibility to be listed on the NRHP. Although the water tank was constructed in the historic era and considered a historic resource, AAR determined that it is not considered to be a historic property eligible for inclusion in the NRHP. Their findings indicate that no additional cultural resource work is necessary and that it can be removed (Exhibit 5).

In 2009, AAR completed an Archaeological Survey and Cultural Resources Investigations for the property, as a part of the previous refinement plan approved for the subject site (Exhibit 5). The Archaeological Survey found no evidence of burials or a cemetery on-site. The Cultural Resource Investigations found that "the development area contains very sparse archaeological remains," and concluded that no additional studies or protections are required on-site. An inadvertent discovery plan was established to be set in place in the unlikely event that cultural resources are encountered during construction. The State Historic Preservation Office (SHPO) concurred with AAR's recommendations as indicated in letters received in 2009 (Exhibit 5). In 2012, SHPO provided an additional letter indicating that further information is necessary regarding a known archaeological site (Exhibit 5). AAR completed further archaeological investigations at the site as detailed in the report in Exhibit 5. No cultural material was found, and for that reason, AAR recommends no further archaeological investigations at the site and that the development project is allowed to proceed.

III. Uses

(a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the Fairview Hills Refinement Plan Area are set forth in Table III-1.

~~TABLE 001-0. USES~~TABLE III-1: FAIRVIEW HILLS REFINEMENT PLAN USES

Commented [BB1]: Required Revision:
Allowed uses relocated from development standards section to their own section to be consistent with the format of the Unified Development Code (UDC).

Use	Status		Limitations & Qualifications
	LI	MI	
Household Living			
Single family	P	P	The following single family activities: ■ Single family detached dwelling. ■ Residential home, as defined under ORS 197.660. ■ Manufactured home.
	N	P	Townhouse.
	N	P	Dwelling unit for a caretaker on the premises being cared for or guarded.
	N	N	All other single family.
Two family	~~P~~N	P	
Three family	N	P	
Four family	N	P	
Multiple family	N	P	
Group Living			
Room and board	P	N	Single-room occupancy with up to six rooms, regardless of the density requirements in this zone or included within a refinement plan.
	N	P	The following room and board activities: ■ Single-room occupancy. ■ Other room and board serving 5 or fewer persons.
	N	N	All other room and board.
Residential care	N	P	Residential facility, as defined under ORS 197.660.
	N	N	All other residential care.
Nursing care	N	P	
Lodging			
Short-term commercial lodging	N	P	Short-term rentals.
	N	N	All other short-term commercial lodging.
Long-term commercial lodging	N	P	
Nonprofit shelters	N	N	
Retail Sales and Service			
Eating and drinking establishments	N	P	
Retail sales	N	P	
Personal services	N	P	
Postal services and retail financial services	N	P	

Commented [BB2]: Required Revision. Per SRC 530.030(d)(2), refinement plans can only identify uses that are already allowed in the FMU zone. Two Family Uses are not currently allowed in the FMU zone and therefore cannot be added in the refinement plan.

Business and Professional Services			
Office	N	P	
Audio/visual media production	N	P	
Laboratory research and testing	N	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services			
Motor vehicle and manufactured dwelling and trailer sales	N	N	Manufactured dwelling and prefabricated structure sales.
	N	N	Motor vehicle, recreational vehicle, and trailer rental.
	N	N	All other motor vehicle and manufactured dwelling and trailer sales.
Motor vehicle services	N	N	
Commercial parking	N	N	
Park-and-ride facilities	P	P	Park-and-ride facilities, when converted from portions of existing off-street parking areas.
	N	N	All other park-and-ride facilities.
Taxicabs and car services	N	N	
Heavy vehicle and trailer sales	N	N	
Heavy vehicle and trailer service and storage	N	N	
Recreation, Entertainment, and Cultural Services and Facilities			
Commercial entertainment—indoor	N	C	Nightclubs, located within 200 feet of a residential zone.
	N	P	All other commercial entertainment—indoor.
Commercial entertainment—outdoor	N	P	
Major event entertainment	N	N	
Recreational and cultural community services	N	P	
Parks and open space	P	P	
Nonprofit membership assembly	N	P	
Religious assembly	N	P	
Health Services			
Medical centers/hospitals	N	N	
Outpatient medical services and laboratories	N	P	
Educational Services			

Day care	P	P	Child day care home.
	N	P	Adult day care home.
	N	N	All other day care.
Basic education	N	P	
Post-secondary and adult education	N	N	
Civic Services			
Governmental services	N	P	
Social services	N	N	
Governmental maintenance services and construction	N	N	
Public Safety			
Emergency services	N	N	The following emergency services activities: ■ Ambulance station. ■ Ambulance service facility.
	N	P	All other emergency services.
Detention facilities	N	N	
Military installations	N	P	
Funeral and Related Services			
Cemeteries	N	P	
Funeral and cremation services	N	N	
Construction Contracting, Repair, Maintenance, and Industrial Services			
General repair services	N	N	
Building and grounds services and construction contracting	N	N	
Cleaning plants	N	P	
Industrial services	N	N	
Wholesale Sales, Storage, and Distribution			
General wholesaling	N	N	
Heavy wholesaling	N	N	
Warehousing and distribution	N	N	
Self-service storage	N	N	
Manufacturing			
General manufacturing	N	C	
Heavy manufacturing	N	N	
Printing	N	C	
Transportation Facilities			
Aviation facilities	N	N	
	P	P	Transit stop shelters.

Passenger ground transportation facilities	N	N	All other passenger ground transportation facilities.
Marine facilities	N	N	
Utilities			
Basic utilities	P	P	
Wireless communication facilities	Allowed		Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	N	N	
Power generation facilities	N	N	
Data center facilities	N	N	
Fuel dealers	N	N	
Waste-related facilities	N	P	Recycling depot.
	N	N	All other waste-related facilities.
Mining and Natural Resource Extraction			
Petroleum and natural gas production	N	N	
Surface mining	N	N	
Farming, Forestry, and Animal Services			
Agriculture	N	N	Marijuana production.
	P	P	All other agriculture.
Forestry	N	P	
Agriculture and forestry services	N	N	
Keeping of livestock and other animals	N	N	
Animal services	N	P	Small animal veterinary services.
	N	N	All other animal services.
Other Uses			
Accessory short-term rentals	S	-	Accessory short-term rental, subject to SRC 700.006
Temporary uses	N	P	Residential sales/development office, subject to SRC 701.030.
	N	P	Managed temporary village, subject to SRC 701.030, when located on the site of a religious assembly use.
	N	N	Managed temporary village, subject to SRC 701.030, when not located on the site of a religious assembly use.
	N	P	Emergency shelter, subject to SRC 701.025, when located on the site of a religious assembly use.

	N	N	Emergency shelter, subject to SRC 701.025, when not located on the site of a religious assembly use.
	P	P	Construction modular, subject to SRC 701.016.
	P	P	Safe parking shelter, subject to SRC 701.041.
Home occupations	S	S	Home occupations, subject to SRC 700.020.
Accessory dwelling units	P	P	

(b) *Additional prohibited uses.* Notwithstanding Table III-1, eating and drinking establishments otherwise permitted within the Fairview Hills Refinement Plan area shall be a prohibited use if developed with a drive-through.

~~III.~~IV. Development Standards

Development within the Fairview Hills Refinement Plan shall conform to the standards set forth in this section.

The standards and processes stipulated herein supersede the standards and processes of the City's Unified Development Code (UDC) and Public Works Design Standards (PWDS) and shall be used as review criteria for development within the Refinement Plan area.

Any standards and requirements of the UDC and PWDS that would otherwise be applicable to a development but are not superseded by the standards and requirements of the refinement plan shall apply within the refinement plan area. Requests for deviations from the PWDS shall follow the procedures set forth in PWDS Section 1.18-*Design Standard Exceptions*.

Commented [BB3]: Required Revision.
Provides clarify for the process of deviating from the Public Works Design Standards (PWDS)

For development within the refinement plan requiring a building permit, the City's review and approval of the building permit shall serve as the statement of compliance with applicable standards required under SRC 530.080.

Chapter 001. Fairview Hills Refinement Plan Development Standards

~~**Sec. 001.001. Uses**~~

Commented [BB4]: Required Revision.
Uses relocated to separate section.

~~Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the Fairview Hills Refinement Plan Area are set forth in Table 001-0.~~

~~TABLE 001-0. USES~~			
~~**Use**~~	~~**Status**~~		~~**Limitations & Qualifications**~~
	~~**LI**~~	~~**MI**~~	
~~**Household Living**~~			
~~Single family~~	~~P~~	~~P~~	~~The following single family activities:~~ ~~■ Single family detached dwelling.~~ ~~■ Residential home, as defined under ORS 197.660.~~ ~~■ Manufactured home.~~
	~~N~~	~~P~~	~~Townhouse.~~
	~~N~~	~~P~~	~~Dwelling unit for a caretaker on the premises being cared for or guarded.~~
	~~N~~	~~N~~	~~All other single family.~~
~~Two family~~	~~P~~	~~P~~	
~~Three family~~	~~N~~	~~P~~	
~~Four family~~	~~N~~	~~P~~	
~~Multiple family~~	~~N~~	~~P~~	
~~**Group Living**~~			
~~Room and board~~	~~P~~	~~N~~	~~Single-room occupancy with up to six rooms, regardless of the density requirements in this zone or included within a refinement plan.~~
	~~N~~	~~P~~	~~The following room and board activities:~~ ~~■ Single-room occupancy.~~ ~~■ Other room and board serving 5 or fewer persons.~~

	~~N~~	~~N~~	~~All other room and board.~~
~~Residential care~~	~~N~~	~~P~~	~~Residential facility, as defined under ORS 197.660.~~
	~~N~~	~~N~~	~~All other residential care.~~
~~Nursing care~~	~~N~~	~~P~~	
~~**Lodging**~~			
~~Short-term commercial lodging~~	~~N~~	~~P~~	~~Short-term rentals.~~
	~~N~~	~~N~~	~~All other short-term commercial lodging.~~
~~Long-term commercial lodging~~	~~N~~	~~P~~	
~~Nonprofit shelters~~	~~N~~	~~N~~	
~~**Retail Sales and Service**~~			
~~Eating and drinking establishments~~	~~N~~	~~P~~	
~~Retail sales~~	~~N~~	~~P~~	
~~Personal services~~	~~N~~	~~P~~	
~~Postal services and retail financial services~~	~~N~~	~~P~~	
~~**Business and Professional Services**~~			
~~Office~~	~~N~~	~~P~~	
~~Audio/visual media production~~	~~N~~	~~P~~	
~~Laboratory research and testing~~	~~N~~	~~P~~	
~~**Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services**~~			
~~Motor vehicle and manufactured dwelling and trailer sales~~	~~N~~	~~N~~	~~Manufactured dwelling and prefabricated structure sales.~~
	~~N~~	~~N~~	~~Motor vehicle, recreational vehicle, and trailer rental.~~
	~~N~~	~~N~~	~~All other motor vehicle and manufactured dwelling and trailer sales.~~
~~Motor vehicle services~~	~~N~~	~~N~~	
~~Commercial parking~~	~~N~~	~~N~~	
~~Park-and-ride facilities~~	~~P~~	~~P~~	~~Park-and-ride facilities, when converted from portions of existing off-street parking areas.~~
	~~N~~	~~N~~	~~All other park-and-ride facilities.~~
~~Taxicabs and car services~~	~~N~~	~~N~~	
~~Heavy vehicle and trailer sales~~	~~N~~	~~N~~	
~~Heavy vehicle and trailer service and storage~~	~~N~~	~~N~~	
~~**Recreation, Entertainment, and Cultural Services and Facilities**~~			

~~Commercial entertainment—indoor~~	~~N~~	~~C~~	~~Nightclubs, located within 200 feet of a residential zone.~~
	~~N~~	~~P~~	~~All other commercial entertainment—indoor.~~
~~Commercial entertainment—outdoor~~	~~N~~	~~P~~	
~~Major event entertainment~~	~~N~~	~~N~~	
~~Recreational and cultural community services~~	~~N~~	~~P~~	
~~Parks and open space~~	~~P~~	~~P~~	
~~Nonprofit membership assembly~~	~~N~~	~~P~~	
~~Religious assembly~~	~~N~~	~~P~~	
~~**Health Services**~~			
~~Medical centers/hospitals~~	~~N~~	~~N~~	
~~Outpatient medical services and laboratories~~	~~N~~	~~P~~	
~~**Educational Services**~~			
~~Day care~~	~~P~~	~~P~~	~~Child day care home.~~
	~~N~~	~~P~~	~~Adult day care home.~~
	~~N~~	~~N~~	~~All other day care.~~
~~Basic education~~	~~N~~	~~P~~	
~~Post-secondary and adult education~~	~~N~~	~~N~~	
~~**Civic Services**~~			
~~Governmental services~~	~~N~~	~~P~~	
~~Social services~~	~~N~~	~~N~~	
~~Governmental maintenance services and construction~~	~~N~~	~~N~~	
~~**Public Safety**~~			
~~Emergency services~~	~~N~~	~~N~~	~~The following emergency services activities:~~ ~~■ Ambulance station.~~ ~~■ Ambulance service facility.~~
	~~N~~	~~P~~	~~All other emergency services.~~
~~Detention facilities~~	~~N~~	~~N~~	
~~Military installations~~	~~N~~	~~P~~	
~~**Funeral and Related Services**~~			
~~Cemeteries~~	~~N~~	~~P~~	
~~Funeral and cremation services~~	~~N~~	~~N~~	
~~**Construction Contracting, Repair, Maintenance, and Industrial Services**~~			
~~General repair services~~	~~N~~	~~N~~	

~~Building and grounds services and construction contracting~~	~~N~~	~~N~~	
~~Cleaning plants~~	~~N~~	~~P~~	
~~Industrial services~~	~~N~~	~~N~~	
~~**Wholesale Sales, Storage, and Distribution**~~			
~~General wholesaling~~	~~N~~	~~N~~	
~~Heavy wholesaling~~	~~N~~	~~N~~	
~~Warehousing and distribution~~	~~N~~	~~N~~	
~~Self-service storage~~	~~N~~	~~N~~	
~~**Manufacturing**~~			
~~General manufacturing~~	~~N~~	~~C~~	
~~Heavy manufacturing~~	~~N~~	~~N~~	
~~Printing~~	~~N~~	~~C~~	
~~**Transportation Facilities**~~			
~~Aviation facilities~~	~~N~~	~~N~~	
~~Passenger ground transportation facilities~~	~~P~~	~~P~~	~~Transit stop shelters.~~
	~~N~~	~~N~~	~~All other passenger ground transportation facilities.~~
~~Marine facilities~~	~~N~~	~~N~~	
~~**Utilities**~~			
~~Basic utilities~~	~~P~~	~~P~~	
~~Wireless communication facilities~~	~~Allowed~~		~~Wireless communication facilities are allowed, subject to SRC chapter 703.~~
~~Drinking water treatment facilities~~	~~N~~	~~N~~	
~~Power generation facilities~~	~~N~~	~~N~~	
~~Data center facilities~~	~~N~~	~~N~~	
~~Fuel dealers~~	~~N~~	~~N~~	
~~Waste-related facilities~~	~~N~~	~~P~~	~~Recycling depot.~~
	~~N~~	~~N~~	~~All other waste-related facilities.~~
~~**Mining and Natural Resource Extraction**~~			
~~Petroleum and natural gas production~~	~~N~~	~~N~~	
~~Surface mining~~	~~N~~	~~N~~	
~~**Farming, Forestry, and Animal Services**~~			
~~Agriculture~~	~~N~~	~~N~~	~~Marijuana production.~~
	~~P~~	~~P~~	~~All other agriculture.~~
~~Forestry~~	~~N~~	~~P~~	
~~Agriculture and forestry services~~	~~N~~	~~N~~	

~~Keeping of livestock and other animals~~	~~N~~	~~N~~	
~~Animal services~~	~~N~~	~~P~~	~~Small animal veterinary services.~~
	~~N~~	~~N~~	~~All other animal services.~~
~~**Other Uses**~~			
~~Accessory short-term rentals~~	~~S~~	-	~~Accessory short-term rental, subject to SRC 700.006~~
~~Temporary uses~~	~~N~~	~~P~~	~~Residential sales/development office, subject to SRC 701.030.~~
	~~N~~	~~P~~	~~Managed temporary village, subject to SRC 701.030, when located on the site of a religious assembly use.~~
	~~N~~	~~N~~	~~Managed temporary village, subject to SRC 701.030, when not located on the site of a religious assembly use.~~
	~~N~~	~~P~~	~~Emergency shelter, subject to SRC 701.025, when located on the site of a religious assembly use.~~
	~~N~~	~~N~~	~~Emergency shelter, subject to SRC 701.025, when not located on the site of a religious assembly use.~~
	~~P~~	~~P~~	~~Construction modular, subject to SRC 701.016.~~
	~~P~~	~~P~~	~~Safe parking shelter, subject to SRC 701.041.~~
~~Home occupations~~	~~S~~	~~S~~	~~Home occupations, subject to SRC 700.020.~~
~~Accessory dwelling units~~	~~P~~	~~P~~	

~~(b) *Additional prohibited uses.* Notwithstanding Table 001-0, eating and drinking establishments otherwise permitted within the Fairview Hills Refinement Plan area shall be a prohibited use if developed with a drive-through.~~

Sec. 001.002. Development standards.

(a) *Lot standards.* Lots within the Fairview Hills Refinement Plan Area shall conform to the standards in Table 001-1.

TABLE 001-1. LOT STANDARDS

Requirement	Standard	Limitations & Qualifications
Lot Area		
All household living uses and activities	None	
All other uses	None	

Lot Width		
All household living uses and activities	None	
All other uses	None	
Lot Depth		
All household living uses and activities	None	
All other uses	None	
Street Frontage		
Single family	Min. 18 ft.	
	No Max.	
Two family	Min. 36 ft.	
	No Max.	
Three family, four family, and multiple family	Min. 24 ft.	
	Min. 6 ft. per dwelling unit	Applicable to multiple family ~~consisting of not more than 5 dwelling units~~.
	Max. 30 ft. per dwelling unit	
All other uses	Min. ~~40~~ 30 ft.	
	No max	

(b) *Dwelling unit density.*

Per SRC 530.045(c), the maximum number of dwelling units permitted within the FMU zone is 2,000. Table 001-2 provides an overall density range for development within the entire Fairview Hills Refinement Plan area with a maximum that will ensure the number of dwelling units within the FMU zone remains under the 2,000 dwelling unit maximum, while accounting for the vested amount of dwelling units currently permitted within the other existing refinement plans.

(1) Overall ~~Dwelling~~ dwelling unit density within the Fairview Hills Refinement Plan area for uses and activities falling under household living and for single-room occupancy shall conform to the standards set forth in Table 001-2.

TABLE 001-2. OVERALL DWELLING UNIT DENSITY

Overlay Area	Minimum	Maximum
Low-Intensity (LI)		
~~Limited Intensity (LI)~~Required density	4 d.u./acre	6 d.u./acre
Net site area *(per subsection (2) of this section)*	7.59 acres	
Minium units required/maximum units allowed	30 units	46 units
Mixed-Intensity (MI)		
~~Mixed Intensity (MI)~~Required density	5 d.u./acre	10 d.u./acre
Net site area *(per subsection (2) of this section)*	74.26 acres	

Commented [BB5]: Required Revision.
Clarifies that the minimum street frontage requirement of 6 ft. per unit applies to all multiple family.

Commented [BB6]: Required Revision.
Min. 30-foot street frontage requirement specified due to not all open space lots within the refinement plan and subdivision have a street frontage of 40 ft.

Commented [BB7]: Required Revisions.
Clarify how residential density is calculated within the refinement plan to ensure compliance with the maximum 2000 dwelling unit limit of the FMU zone.

Minimum units required/maximum units allowed	371 units	743 units

(2) For the purposes of calculating the overall minimum and maximum refinement plan density in Table 001-2, the following land and water areas ~~may~~ shall be excluded from the total site area:

(A) Stormwater facilities dedicated or sold to the City;

(B) Open space, provided the open space is dedicated to the City of Salem or the perpetual maintenance and operation of the open space is provided by a home owner's association; and

(C) Properties used for uses and activities other than household living uses and activities.

(3) *Accessory dwelling units.* Accessory dwelling units are exempt from these dwelling unit density requirements.

(4) Individual ~~*Development site*~~ *lot dwelling unit density.* When calculating density for an individual lot, the minimum and maximum densities in Table 001-2 shall be calculated based on the total net site area of the Fairview Hills Refinement Plan area rather than ~~by~~ the ~~development site area~~individual lot.

(A) Where a residential use is proposed on ~~An~~ an~~single~~ individual ~~development site~~ lot it shall have a minimum density of one unit and is limited to a maximum density of the lesser of 8 dwelling units per acre in the LI overlay area and 35 dwelling units per acre in the MI overlay area, or the maximum remaining number of overall dwelling units ~~permitted~~ allowed within the Fairview Hills Refinement Plan area as specified within Table 001-2.

(B) The applicant for any development in the Fairview Hills Refinement Plan area which includes an adjustment to increase~~s~~ or decrease~~s~~ the density shown in an adopted Fairview Hills Refinement Plan ~~is responsible for~~ shall ~~providing~~ provide calculations ~~indicating~~ demonstrating that the ~~density~~ overall number of dwelling units within the Fairview Hills Refinement Plan area remains within the ~~maximum densities~~overall number of dwelling units allowed ~~permitted through~~under Table 001-2.

(5) Exceptions. Dwelling unit density increases permitted through State statutes, such as, but not limited to, ORS ~~197.758~~197A.420 (~~Development of middle housing~~Duplexes; middle housing), are exempt from the density standards of this section and SRC chapter 530.

Commented [BB8]: Required Revision.
ORS 197.758 was recodified as ORS 197A.420.

(c) *Setbacks.*

(1) Setbacks within the Fairview Hills Refinement Plan Area shall be provided as set forth in Table 001-3.

TABLE 001-3. SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting FMU Zone District Boundary		
Buildings		
All household living uses and activities	Min. 20 ft.	
All other uses	Min. 20 ft.	
Accessory Structures		
All household living uses and activities	Min. 20 ft.	
All other uses	Min. 20 ft.	

Abutting Street		
Buildings		
All household living uses and activities	Min. 10 ft.	
All other uses	Min. 10 ft.	
Accessory Structures		
Accessory to all household living uses and activities	Min. 10 ft.	
Accessory to all other uses	Min. 10 ft.	
Abutting Alley		
Buildings		
All household living uses and activities	Min. 4 ft.	
All other uses	Min. 4 ft.	
Accessory Structures		
Accessory to all household living uses and activities	None	
All other uses	None	
Interior Front		
Buildings		
All household living uses and activities	Min. 10 ft.	
All other uses	Min. 10 ft.	
Accessory Structures		
Accessory to all household living uses and activities	None	
All other uses	None	
Interior Side		
Buildings		
All household living uses and activities	None	Applicable to any exterior wall or portion thereof of a townhouse which is contiguous to an interior side lot line.
	Min. 4 ft.	Applicable to any exterior wall or portion thereof of a townhouse which faces but is not contiguous to an interior side lot line.
		Applicable to all other household living uses and activities.
All other uses	Min. 4 ft.	

Accessory Structures		
Accessory to all household living uses and activities	None	
All other uses	None	
Interior Rear		
Buildings		
All household living uses and activities	Min. 5 ft.	
All other uses	None	
Accessory Structures		
Accessory to all household living uses and activities	None	
Accessory to all other uses	None	

(d) *Lot coverage; height.* Buildings and accessory structures within the Fairview Hills Refinement Plan Area shall conform to the lot coverage and height standards set forth in Table 001-4.

TABLE 001-4. LOT COVERAGE; HEIGHT

Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All household living uses and activities	No Max.	Applicable within the MI area.
	Max. 55%	Applicable within the LI area.
All other uses	No Max.	
Rear Yard Coverage		
Buildings		
All household living uses and activities	N/A	
All other uses	N/A	
Accessory Structures		
Accessory to all household living uses and activities	No Max.	
Accessory to all other uses	No Max.	
Height		
Buildings		
All household living uses and activities	Max. 35 ft	Applicable within the LI area.
	Max. 45 ft.	Applicable within the MI area.
All other uses	Max. 45 ft.	
Accessory Structures		
Accessory to all household living uses and activities	Max. 35 ft.	Applicable within the LI area.
	Max. 45 ft.	Applicable within the MI area.
Accessory to all other uses	Max. 35 ft.	Applicable within the LI area.
	Max. 45 ft.	Applicable within the MI area.
Vegetation		

Trees	Max. 45 ft.	
All other vegetation	Max. 45 ft.	

(e) *Building orientation.*

(1) Single family detached dwellings, single family attached dwellings, and two family uses shall be oriented to the street with their main entrance facing the street.

(2)~~(1)~~ ~~All single family attached dwellings~~Three family uses, four family uses, and multiple family ~~residential complexes~~ shall have their primary orientation to the street with their main entrances facing the street. Entrances ~~to multiple family buildings~~ may include entrances to individual units or breezeway/courtyard entrances (i.e., to a cluster of residential units); or

(3)~~(2)~~ ~~All single family attached dwellings and m~~Three family uses, four family uses, and Multiple family ~~residential complexes~~ may have their primary orientation to a side yard when a ~~direct~~ pedestrian connection is provided between the main entrances and the street, with at least one entrance facing the street and located not more than 20 feet from the curbline of the street.

(f) *Architectural standards for single family ~~and two family~~ uses and middle housing*. ~~The purpose of these standards is to provide flexibility in the architectural design of single family uses on lots with narrow lot width.~~

(1) *Garage.* When a garage is proposed facing a street:

(A) There is no limit to the percentage of total building façade that may be occupied by the garage provided that an architecturally defined porch for the primary entrance to the dwelling unit, meeting the size and architectural detailing requirements of subsection (B) of this section, is provided facing the street along the same façade; and~~,~~

(B) A garage may be located closer to the street than the habitable space of a dwelling unit if a street facing architecturally defined porch for the primary entrance is provided that: ~~with a minimum area of 16 square feet and includes an architectural element, such as a roof line, that projects closer to the street than the garage.~~

(i) Has a minimum area of 16 square; and

(ii) Includes an architectural element, such as a roof line or columns, or a combination of architectural elements that project a minimum of 4 feet closer to the street than the garage.

~~(2) *Windows and glazing*. All single-family and middle-housing uses are exempt from minimum window-to-façade ratio or glazing requirements.~~

(2)~~(3)~~ *Patio.* Where provided, rear patios may be covered or uncovered.

(3)~~(4)~~ *Roof pitch.* The minimum roof pitch, expressed as a ratio of vertical rise to horizontal run, shall be 3:12.

(g) *Design review.* Design review under SRC 225 is required for development within the Fairview Hills Refinement Plan area as follows:

(1) Multiple family development shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.

(2) Residential care with five or more self-contained dwelling units shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.

Sec. 001.003. Other provisions.

Unless otherwise superseded by this refinement plan, development within the Fairview Hills Refinement Plan Area shall comply with the following chapters of the ~~UDC~~Salem Revised Code:

Commented [BB9]: Required Revision. Standard added to require single family dwellings to have a main entrance facing the street.

Commented [BB10]: Required Revision. Requires main entrances to face the street.

Commented [BB11]: Required Revision. Requires single family attached units to have their main entrance facing the street.

Commented [BB12]: Required Revision. Requires the architectural standards to apply to both single family and middle housing uses.

Commented [BB13]: Required Revision. Standard removed because there are no window and glazing requirements that apply to single family and middle housing uses.

Commented [BB14]: Required Revision. Changed reference to Salem Revised Code because not all chapters listed in this section are part of the UDC.

SRC Provision	Limitations & Qualifications
SRC Chapter 86 – Trees on City Owned Property	Except as specified in Chapter 008 of these standards
SRC Chapter 205 – Land Division and Reconfiguration	Except as specified in Chapter 002 of these standards
SRC Chapter 703 – Wireless Communication Facilities	
SRC Chapter 800 – General Development Standards	Except as specified in Chapter 002 of these standards
SRC Chapter 802 – Public Improvements	
SRC Chapter 803 – Streets and Right-of-Way Improvements	Except as specified in Chapter 003 of these standards
SRC Chapter 804 – Driveway Approaches	Except as specified in Chapter 004 of these standards
SRC Chapter 805 – Vision Clearance	
SRC Chapter 806 – Off-Street Parking, Loading, and Driveways	Except as specified in Chapter 004 and Chapter 005 of these standards
SRC Chapter 807 – Landscaping and Screening	
SRC Chapter 808 – Preservation of Trees and Vegetation	Except as specified in Chapter 006 of these standards
SRC Chapter 809 – Wetlands	
SRC Chapter 810 – Landslide Hazards	
SRC Chapter 900 – Sign Code	Except as specified in Chapter 007 of these standards

Commented [BB15]: Required Revision.
Chapter 004 added to the list of chapters with exceptions to SRC Chapter 806 because the driveway approach chapter (004) is proposed to be further revised to include the minimum driveway widths of SRC Chapter 806.

Chapter 002. Fairview Hills General Development Standards

Sec. 002.001. Setbacks.

(a) *Setbacks to be unobstructed.* Except as otherwise provided under subsection (b) of this section, required setbacks shall be unobstructed.

(b) *Permitted projections into required setbacks.* Permitted projections into required setbacks are set forth in Table 002-1.

TABLE 002-1. PERMITTED PROJECTIONS INTO REQUIRED SETBACKS

Type of Projection	Maximum Projection

	Front Abutting Street; Side Abutting Street; Interior Front	Interior Side	Rear Abutting Street; Interior Rear
Planter boxes; window bays; greenhouse windows; chimneys; flues; belt courses; leaders; sills; pilasters; lintels; solar collectors; and ornamental features	24 in.	24 in.	24 in.
Cornices; eaves; and gutters	24 in.	24 in., provided in no case shall such projection come closer than 2 ft. to the side property line.	24 in.
Fire escapes	Not allowed	One-third the width of the interior side setback or 3 ft., whichever is less.	5 ft., provided in no case shall such projection come closer than 4 ft. to any property line.
Steps	Not limited	One-third the width of the interior side setback or 3 ft., whichever is less.	24 in.

Wheelchair ramps	Not limited, provided: (1) The floor area does not exceed 4 ft. above grade; and (2) In no case shall the wheelchair ramp come closer than 10 ft. to the property line.	Not limited, provided the floor area does not exceed 3 ft. above grade.	Not limited, provided the floor area does not exceed 4 ft. above grade.
Porches and decks—covered, but unenclosed	Not limited, provided: (1) The structure covering the porch or deck does not exceed 15 ft. above grade; (2) The floor area of the porch or deck does not exceed 4 ft. above grade; and (3) In no case shall the covered porch or deck come closer than 10 ft. to the property line.	Not allowed	Not limited, provided: (1) The structure covering the porch or deck does not exceed 15 ft. above grade; (2) The floor area of the porch or deck does not exceed 4 ft. above grade; and (3) In no case shall the covered porch or deck come closer than 4 ft. to the rear property line.

Porches and decks—uncovered	Not limited, provided: (1) The floor area of the porch or deck does not exceed 3 ft. above grade; (2) No railing or perimeter seating on the porch or deck exceeds 44 inches in height above the floor of the porch or deck at any point; and (3) A landscaped area 4 ft. in depth is maintained between the property line and the porch or deck.	Not limited, provided the floor area of the porch or deck does not exceed 3 ft. above grade.	Not limited, provided the floor area of the porch or deck does not exceed 4 ft. above grade; or 5 ft., when the floor area of the porch or deck exceeds 4 ft. above grade; provided, however, in no case shall the porch or deck come closer than 4 ft. to any property line.

Patios—covered, but enclosed	Not limited, provided: (1) The structure covering the patio does not exceed 15 ft. above grade; (2) The floor area of the patio does not exceed 4 ft. above grade; and (3) In no case shall the covered patio come closer than 10 ft. to the property line.	Not allowed	Not limited, provided: (1) The structure covering the patio does not exceed 15 ft. above grade; (2) The floor area of the patio does not exceed 4 ft. above grade; and (3) In no case shall the covered patio come closer than 4 ft. to the rear property line.
Patios—uncovered	Not limited, provided: (1) The floor area of the patio does not exceed 3 ft. above grade; and (2) A landscaped area 4 ft. in depth is maintained between the property line and the patio.	Not limited, provided the floor area of the patio does not exceed 3 ft. above grade.	Not limited, provided the floor area of the patio does not exceed 4 ft. above grade.

Balconies; outside stairways; and other unenclosed, unroofed projections	Not allowed	Not allowed	5 ft., provided in no case shall such projection come closer than 4 ft. to any property line.
Limitations and Qualifications (1) No permitted projection into a rear setback shall extend to within 10 ft. of the centerline of an alley, or to within 6 ft. of an accessory structure.			

Sec. 002.002. Retaining walls on private property.

(a) *Retaining walls.* Retaining walls shall not exceed a maximum height of four feet when located at the property line abutting a street, except as provided below. Retaining walls not located at the property line abutting a street may exceed four feet in height.

(1) When a retaining wall is for the purpose of minimizing impact to natural resources, the retaining wall~~s~~ may exceed the maximum height of four feet when located at the property line.

(2) Retaining walls located on private property abutting a street shall be setback a minimum of 1-foot from the property line abutting the street.

Sec. 002.003. Final Plat.

(a) *Model homes.* No building permits for development of lots or parcels shall be issued until the final plat for each phase is recorded, except that the City shall allow up to four model homes with temporary certificates of occupancy prior to plat recording. Such ~~Model~~ model homes are not subject to the special use provisions of SRC 700.081.

Commented [BB16]: Required Revision.
Provides clarification that the model homes allowed on a lot prior to plat approval pursuant to this section are exempt from the special use provisions of SRC 700.081.

Chapter 003. Fairview Hills Streets and Right-of-Way Improvements

Sec. 003.001. Right-of-way and pavement widths.

(a) All public and private street right-of-ways within the Fairview Hills Refinement Plan area shall comply with the detailed cross sections depicted in Section IV of this Refinement Plan, which supersede the standards in the City of Salem Public Works Design Standards.

(b) All public and private streets within the Fairview Hills Refinement Plan include pavement widths as expressed in the detailed cross sections depicted in Section IV of this Refinement Plan, which supersede the standards in the City of Salem Public Works Design Standards.

Sec. 003.002. Street cross sections.

(a) All public and private streets within the Fairview Hills Refinement Plan area shall comply with the detailed cross sections depicted in Section IV of this Refinement Plan, which supersede the standards in the City of Salem Public Works Design Standards.

Sec. 003.003. Street spacing.

(a) Streets shall have a maximum spacing of 600 feet from right-of-way line to right-of-way line along one block axis, and not less than 90 feet and not more than 400 feet from right-of-way line to right-of-way line along the other block axis.

(b) Notwithstanding the provisions in (a) above, block spacing may be increased where:

(1) Physical conditions preclude streets meeting the spacing requirements. Physical conditions include, but are not limited to, topography or the existence of natural resource areas such as wetlands, ponds, streams, channels, rivers, lakes, or a resource protected by state or federal law.

(2) Buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels, physically preclude streets meeting the spacing requirements, considering the potential for redevelopment.

(3) An existing public street or streets terminating at the boundary of the development site exceed the spacing requirements, or are situated such that the extension of the street or streets into the development site would create a block length exceeding the spacing requirements. In such cases, the block length shall be as close to the spacing requirements as practicable.

(4) The streets would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, that by their terms would preclude a current or future connection.

(5) Strict application of the spacing requirements would result in a street network that is no more beneficial to vehicular, pedestrian, or bicycle traffic than the proposed street network, and the proposed street network will accommodate necessary emergency access; or

(6) A pedestrian connection or alley is provided along the axis which exceeds the maximum block spacing.

(c) *Exceptions.* Blocks comprised of more than 50 percent open space, parks, or stormwater facilities are exempt from street spacing standards.

Sec. 003.004. Street standards.

All public and private streets shall be improved as follows:

(a) *Connectivity.* Local streets shall be oriented or connected to existing or planned streets, and shall be extended to adjoining undeveloped properties for eventual connection with the existing street system. Connections to existing or planned streets and adjoining undeveloped properties for eventual connection with the existing street system shall be provided in compliance with the street spacing standards in section 003.003 of this chapter.

(b) *Improvements.* All street improvements, including sub-base, base, pavement, curbs, sidewalks, and surface drainage shall conform to all provisions of the Salem Revised Code and the Public Works Design Standards unless modified herein.

(c) *Alignment and grade.*

(1) All streets shall be designed with a vertical alignment that conforms to the Public Works Design Standards.

(2) No grade of parkway, major arterial, or minor arterial shall exceed six percent. No grade of a collector street shall exceed eight percent.

(3) Local street grade may not exceed 12 percent, except for the purpose of accommodating site topography. In such case, a maximum local street grade of 15 percent may be used if approved by the Fire Department.

(d) *Dead-end streets.* When it appears necessary to provide connectivity into or through an abutting undeveloped area, a dead-end street shall be provided to the boundary of the undeveloped area. In such cases, the street may be constructed, and right-of-way may be ~~used if~~ dedicated without a turnaround, provided that a temporary turn around is provided where required by the Fire Department.

Commented [BB17]: Required Revision.
Corrects apparent scrivener's error.

(e) *Reserve blocks.* Reserve blocks are not required within the Fairview Hills Refinement Plan area.

(f) *Cul-de-sacs.*

(1) Cul-de-sacs shall not exceed 800 feet in length.

(2) No portion of a cul-de-sac shall be more than 400 feet from an intersecting street or cul-de-sac unless physical constraints make it impractical.

(3) Cul-de-sacs shall have a turnaround with a property line radius of not less than that specified in SRC 803.025(a) from the center of the turnaround to the property lines.

(g) *Intersections; property line radius.*

(1) Intersections shall conform to the Public Works Design Standards~~, except as established by this Refinement Plan~~.

(2) The property line radius at intersections shall be not less than the curbline radius as set forth in the Public Works Standards.

(3) Street intersections shall have a minimum spacing, measured from centerline to centerline, of 65 feet.

(h) *Cut and fill slopes.* Fill slopes shall begin no closer than two feet from the rear edge of the sidewalk, or if there is no sidewalk, from the rear edge of the curb. Cut and fill slopes shall not exceed two horizontal to one vertical, provided that slopes not exceeding one to one may be approved upon certification by a qualified engineer or geologist that the slope will remain stable under foreseeable conditions.

(i) *Slope easements.* Slope easements shall be provided on both sides of the right-of-way where required by Public Works Design Standards.

(j) *Street alignment.* Streets shall be aligned in substantial conformance with the plans in Section IV of this Refinement Plan.

(k) *Street trees.* Development adjacent to public and private streets shall provide street trees that meet the standards and specifications set forth in SRC chapter 86, except as specified in Chapter 008 of these standards.

(l) *Sidewalks.*

(1) Sidewalk construction required. Sidewalks conforming to this chapter, the Public Works Design Standards, the Americans with Disabilities Act, the Salem Transportation System Plan, SRC chapter 78, and the detailed cross sections depicted in Section IV of this Refinement Plan shall be constructed as a part of street improvement projects.

(2) Sidewalk location; width.

(A) Sidewalks shall be located parallel to ~~and one foot from~~ the adjacent public street right-of-way or private street access easement as shown on the cross sections depicted on sheets SC-01 through SC-06 in Section IV of this Refinement Plan~~; provided, however, on streets having a right-of-way of 50 feet or less, sidewalks shall be located parallel to and abutting the curb~~.

(1) If topography or other conditions make the construction of a sidewalk impossible or undesirable in a location required by this subsection, a different location may be allowed.

(2) On streets that have frontage on an open space area, sidewalks may be located curbline along the frontage of the open space.

~~(B) If topography or other conditions make the construction of a sidewalk impossible or undesirable in a location required by this subsection, a different location may be allowed.~~

Commented [BB18]: Required Revision.
Eliminates unnecessary exception. Exceptions to Public Works Design Standards are addressed through PWDS Section 1.18-*Design Standard Exceptions.*

Commented [BB19]: Required Revision.
Clarifies that street trees are located along private streets as well as public streets.

Commented [BB20]: Required Revision.
Additional provisions for sidewalks provided.

(B~~C~~) Except as otherwise provided in this subsection, all sidewalks shall be a minimum of five feet in width.

~~(D)~~ (1) Sidewalks connecting with the direct access to the primary entrance of a school shall be a minimum of eight feet in width along the right-of-way for a distance of 600 feet from the point of connection.

~~(E)~~ (2) Sidewalks shall have an unobstructed four-foot wide clearance around street lights, signs, mailboxes, and other streetscape facilities.

(C~~F~~) If a sidewalk a minimum of 10-feet in width is provided, a portion of the sidewalk may be located within a public easement outside of the right-of-way. The easement width shall extend from the right-of-way line to 1-foot past the edge of the sidewalk.

(m) *Bicycle facility standards.* Streets identified in the Salem Transportation System Plan Bicycle System Map as requiring a bicycle facility must conform to the designation of the Salem Transportation System Plan and the Public Works Design Standards.

(n) *Utility easements.* Public utility easements may be required for all streets. Unless otherwise specified by the Director or outlined herein, public utility easements shall be a minimum of five feet in width on each side of the right-of-way.

(1) When a street abuts an open space, park, or storm facility, a public utility easement may be provided on one side of the right-of-way.

(o) *Street lights.* All subdivisions and partitions, and all development on units of land for which site plan review is required, shall include underground electric service, light standards, wiring, and lamps for street lights that conform to the Public Works Design Standards. The developer shall install such facilities. Upon the City's acceptance of improvements, the street lighting system along public streets shall become the property of the City.

(p) *Landscape strips.* Landscape strips for signs, street lights, and street trees shall be provided that conform to the detailed cross sections depicted in Section IV of this Refinement Plan.

(q) *Landscaping.* Property owners shall cover at least 75 percent of the unimproved surface area within the right-of-way abutting the property with perennial living plant material which conforms to all other requirements of the UDC, and which is kept free of noxious vegetation.

(s) *Urban growth area street improvements.* Where a subdivision or partition is located in the Urban Growth Area or the Urban Service Area, and the construction of street improvements by the City has not yet occurred, the street improvements and dedications shall meet the requirements of SRC chapter 200.

Sec. 003.005. Public accessways.

(a) Public accessways are allowed for the purpose of connecting cul-de-sac streets, passing through oddly shaped or unusually long blocks, providing a network of public paths creating access to schools, parks and open space, shopping centers, public transportation stops, or other community services, or for the purpose of continuing the public walkway into a future subdivision or abutting property or streets.

(b) Public accessways shall be a minimum of 10 feet wide and shall be designed with a running slope not to exceed 10 percent. In cases where the running slope would exceed 10 percent, stairs may be used.

Chapter 004. Fairview Hills Driveway Approaches

Sec. 004.001. Access onto local streets.

(a) Permitted access.

Commented [BB21]: Required Revision.
Requires driveways to alleys for lots that abut an alley.

(1) No access shall be provided onto a local street from a ~~proposed new~~ single family, two family, three family, or four family use on a lot abutting an alley. Corner lots with frontage on a local street and an alley may take access to the local street where alley access is not feasible.

Sec. 004.002. Access onto arterial streets.

(a) Permitted access.

(1) No access shall be provided onto a major or minor arterial from a ~~proposed new~~ single family, two family, three family, or four family use on a~~n existing~~ lot abutting an alley or local street within the refinement plan area.

Commented [BB22]: Required Revision.
Prohibits driveway access to major or minor arterial streets when a lot abuts a local street or alley.

Sec. 004.003. Driveway and Driveway approach development standards.

Commented [BB23]: Proposed Revision.
Adds driveway standards to the table so both driveways and the driveway approaches serving them have the same widths.

(a) *Driveway and driveway approach width for single family, two family, three family, and four family uses.* Driveways and driveway approaches serving single family, two family, three family, and four family uses shall conform to the minimum and maximum widths in the following table:

TABLE 004-1. DRIVEWAY AND DRIVEWAY APPROACH WIDTH FOR SINGLE FAMILY, TWO FAMILY, THREE FAMILY, AND FOUR FAMILY USES

Number of Parking Spaces Served	Width	
	Minimum	Maximum
1 space	10 ft.	15 ft.
2 spaces	14 ft.	17 ft. Applicable only to lots with street frontage less than 40 ft.
		24 ft.
3 or more spaces	18 ft.	~~36~~ 24 ft.
		29 ft. Applicable only to lots with street frontage of 56 feet or greater.

Commented [BB24]: Required Revision.
Reduces maximum allowed width for driveways serving 3 or more spaces to promote a walkable streetscape

Chapter 005. Fairview Hills Off-Street Parking, Loading, and Driveways

Sec. 005.001. Amount of off-street parking.

Minimum and maximum off-street parking shall conform to the requirements of SRC chapter 806.

Sec. 005.002. Off-street parking and vehicle storage area development standards for single family, two family, three family, and four family uses or activities.

(a) *Garage or carport vehicle entrance setback abutting street or flag lot accessway.* The vehicle entrance of a garage or carport facing a street or flag lot accessway shall be setback a minimum of 20 feet from back of sidewalk.

(b) *Maneuvering.* Where access to off-street parking is taken from an alley, a minimum maneuvering depth of 24 feet shall be provided between the back of the parking space and the opposite side of the alley right-of-way.

Chapter 006. Fairview Hills Preservation of Trees and Vegetation

Sec. 006.001. Tree planting requirements.

(a) Within development proposals for the creation of lots or parcels to be used for single family uses, two family uses, three family uses, four family uses, or cottage clusters, each lot or parcel shall contain, at a minimum, the number of trees set forth in Table 006-1.

(b) If there are insufficient existing trees on a lot or parcel to satisfy the number of trees required under Table 006-1, additional trees sufficient to meet the requirement shall be planted. The additional trees shall be a minimum 1.5-inch caliper.

(c) When a lot includes one or more significant trees that have been designated for preservation under a tree conservation plan, the number of trees required to be replanted on the lot may be reduced by a ratio of two trees for each significant tree preserved on the lot.

(d) If lot coverage maximums exceed 55%, tree planting requirements do not apply.

TABLE 006-1. TREE PLANTING REQUIREMENTS

Lot or Parcel Size	Minimum Trees Required
Less than 4,000 ft.^{2}	1
4,000 ft.^{2} to 6,000 ft.^{2}	2
6,001 ft.^{2} to 7,000 ft.^{2}	3
7,001 ft.^{2} to 8,000 ft.^{2}	4
8,001 ft.^{2} to 9,000 ft.^{2}	5
Greater than 9,000 ft.^{2}	6

~~*Chapter 007. Fairview Hills Sign Code*~~

Commented [BB25]: Required Revision.
Sign standards removed. Signs would instead be subject to the sign standards of the sign code (SRC 900) specifically applicable to the Fairview Mixed-Use zone.

~~Sec. 007.001. Permanent signs.~~

~~(a) *Residential subdivisions in a Fairview refinement plan area.*~~

~~(1) When a residential subdivision is planned within a Fairview Refinement Plan Area, the residential subdivision is allowed four freestanding signs. Each freestanding sign shall be limited to a display surface not exceeding 12 square feet and to a height not exceeding six feet. Each freestanding sign shall be located near a motor vehicle entrance to the subdivision that borders the refinement plan area.~~

Chapter 008. Fairview Hills Street Trees

Sec. 008.001. ~~New trees in the right-of-way~~Street Trees.

Commented [BB26]: Required Revision.

(a) *Required distance from utilities and other infrastructure.* Street trees shall be provided adequate spacing from new and existing utilities and infrastructure. The required minimum separation is listed in Table 008-1. The engineer of record (EOR) shall consider the location of existing utilities along with proposed future utilities when locating street trees. All measurements are to the nearest point of the structure.

TABLE 008-1. REQUIRED TREE DISTANCE FROM UTILITIES AND OTHER INFRASTRUCTURE	
Utility/Infrastructure	**Distance (ft.)**
Curb, Sidewalk	2
Access Walkways, Fire Hydrants, Roof Drains in the Curb, Catch basins, Manholes, Water Meters, Water Services, Gas and Electric Services, Utility Boxes and Vaults, Mounted Pedestal, Stormwater Planters	6
Alleys, Driveways, Traffic Signs and Signals (on approach), Street Light on Utility Pole, and Water, Wastewater, and Stormwater lines [(1)]	10
[(1)] *This requirement only applies where these utilities are perpendicular to the planting strip.*	

(b) If the spacing in Table 008-1 cannot be met, the Director may permit reductions with the purpose of providing street trees to the maximum extent feasible.

(c) Private Street Trees

1. Street t~~T~~rees along private streets may be located outside ~~the City~~of established landscape strips where sidewalks are provided along the curbline.

~~1.~~2. ~~access easement provided that guarantees are established to ensure they are maintained by a homeowners' association.~~ Trees along private streets shall be maintained by the Homeowners association and shall be maintained in good health and replaced if damaged or dead.

Commented [BB27]: Required Revision.
Additional standards for street tree location and maintenance responsibility added.

~~IV.~~V. Preliminary Land Use Plans

The Preliminary Land Use Plans depicting the various components of the Fairview Hills Refinement Plan detailed in this document are provided in Exhibit 1. The plan set provides detailed sheets for each of the following:

- Project Overview Plans
  - Cover Sheet with Vicinity Map
  - Sheet Index and Legend
  - Preliminary Phasing Plans
  - Preliminary Neighborhood Connectivity
  - Preliminary Circulation Plan
  - Preliminary Landscape Plan Overview
  - Preliminary Park Amenity Plan
  - Preliminary Battle Creek Frontage Cross Section
  - Preliminary Open Space Cross Sections
  - Preliminary Zoning Map
  - Preliminary Street Phasing Plan
  - Preliminary Utility Phasing Plan
- Existing Conditions
- Preliminary Plat Plans
- Preliminary Setback Plans
- Preliminary Tree Plans
  - Preliminary Tree Conservation Plan
  - Preliminary Tree Table
- Preliminary Demolition Plans
- Preliminary Grading and Drainage Plans
- Preliminary Street Plans
  - Preliminary Street Overview
  - Preliminary Cross Sections
  - Preliminary Private Street Detail
  - Preliminary Street Plans
  - Preliminary Battle Creek Street Plan
  - Preliminary Street Profiles
  - Preliminary Battle Creek Street Profiles
- Preliminary Composite Utility Plans
- Preliminary Landscape Plans
  - Preliminary Street Tree Plan