

*Si necesita ayuda para comprender esta información, por favor llame*

**503-588-6173**

**DECISION OF THE PLANNING ADMINISTRATOR**

**SUBDIVISION TENTATIVE PLAN / CLASS 2 ADJUSTMENT / CLASS 1 ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT CASE NO.: SUB-ADJ-DAP25-03**

**APPLICATION NO.: 24-120815-PLN**

**NOTICE OF DECISION DATE:** July 2, 2025

**REQUEST:** A consolidated application for a proposed Subdivision Tentative Plan to divide approximately 1.59 acres into 22 residential lots, ranging in size from approximately 1,550 square feet to 3,013 square feet, to accommodate single family townhomes; together with a proposed private internal street, an open space lot, and a lot for stormwater treatment. The proposal also includes:

- 1) A Class 1 Adjustment to decrease the minimum required lot depth for Lots 20-22 from 70 feet to approximately 63 feet to 68 feet (SRC 510.010(b));
- 2) A Class 2 Adjustment to decrease the minimum required double frontage lot depth for Lots 1-11 from 120 feet to approximately 60 feet to 62 feet (SRC 510.010(b)); and
- 3) A Class 2 Driveway Approach Permit for the two access points of the proposed private street onto Woodside Drive SE.

The subject property totals approximately 1.59 acres in size, is zoned RA (Residential Agriculture), and located at 5831 Woodside Drive SE (Marion County Assessor's Map and Tax Lot Numbers: 083W14CC00300 and 083W14CC00302).

**APPLICANT:** Stephen Parker and Michael Smith

**LOCATION:** 5831 Woodside Dr SE, Salem OR 97306

**CRITERIA:** Salem Revised Code (SRC) Chapters 205.010(d) – Subdivision Tentative Plan; 250.005(d)(2) – Class 2 Adjustment; 250.005(d)(1) – Class 1 Adjustment; 804.025(d) – Class 2 Driveway Approach Permit

**FINDINGS:** The findings are in the attached Decision dated July 2, 2025.

**DECISION:** The **Planning Administrator APPROVED** Subdivision Tentative Plan, Class 2 Adjustment, Class 1 Adjustment, Class 2 Driveway Approach Permit Case No. SUB-ADJ-DAP25-03 subject to the following conditions of approval:

**Condition 1:** The private street shall be designed to include a minimum 26 feet of unobstructed access width adjacent to the fire hydrant. Where curb and sidewalk are present adjacent to the hydrant, a mountable curb may be provided for hydrant access.

**Condition 2:** Prior to final subdivision plat approval, obtain demolition permits and remove all existing buildings and detached accessory structures from the property.

**NOTICE OF DECISION**

PLANNING DIVISION  
planning@cityofsalem.net

**CITY OF Salem**  
**AT YOUR SERVICE**

- Condition 3:** The front lot line for Lot 1 and Lot 11 shall be the east lot line abutting Woodside Drive SE.
- Condition 4:** Prior to building permit approval on each lot, a copy of the maintenance easement required under SRC 800.031 shall be provided.
- Condition 5:** Prior to final plat approval, required right-of-way dedications and required easements shall be free and clear of encumbrances and liens unless an adjustment to SRC 200.050(d) is approved.
- Condition 6:** Prior to final plat approval, provide an engineered stormwater design pursuant to SRC 71 and the Public Works Design Standards to accommodate new impervious surfaces in rights-of-way and future impervious surfaces on all proposed lots.
- Condition 7:** Prior to final plat approval 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 and future impervious surfaces on all proposed lots.
- Condition 8:** Prior to final plat approval or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct an 8-inch public water main in the new private street, as shown on the applicant's preliminary utility plan. The main shall be designed and constructed in accordance with the *Public Works Design Standards*, to serve each lot.
- Condition 9:** Prior to final plat approval or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct 8-inch public sanitary sewer mains within the new private street, as shown on the applicant's preliminary utility plan. The mains shall be designed and constructed in accordance with the *Public Works Design Standards*, to serve each lot.
- Condition 10:** Prior to final plat approval or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct public stormwater mains to serve each lot and the green stormwater infrastructure facility, as shown on the applicant's preliminary utility plan. The mains shall be designed and constructed in accordance with the *Public Works Design Standards*, to serve each lot.
- Condition 11:** On the final plat, dedicate a public access and utility easement to the City of Salem over the new private street and sidewalk to allow access and maintenance of the proposed public utility infrastructure located within the subdivision.
- Condition 12:** On the final plat, dedicate a Water Easement to the City of Salem where water meters are located outside of the private street, in accordance with the Public Works Design Standards.
- Condition 13:** With the final plat, the applicant shall record a Shared Stormwater System Agreement for the private stormwater facility, which is in compliance with SRC 802.040.

- Condition 14:** On the final plat, convey land for dedication to equal a half-width right-of-way of 30-feet on the development side of Woodside Drive SE.
- Condition 15:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a 17-foot-wide half-street improvement along the frontage of Woodside Drive SE to local street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.
- Condition 16:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct the new private street to Local street standards as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803, with the following exceptions:
- A. The private street is approved to have a 20-foot-wide improvement width and a 5-foot-wide curblin sidewalk along one side of the private street.
  - B. The private street is approved to have a grade up to 15-percent.
  - C. The new private street shall be one-way. "No parking" signage shall be placed along both sides of the new internal private street.
- Condition 17:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), install street trees to the maximum extent feasible along Woodside Drive SE.
- Condition 18:** At time of Building Permit for each lot, install street trees to the maximum extent feasible along the Private Street.
- Condition 19:** Private Street Trees planted along the new internal private street shall be maintained in good health and replaced if damaged or dead.
- Condition 20:** Every two attached townhouses shall share a 16-foot-wide driveway approach; where the number of townhouses attached in a row result in one townhouse without a shared driveway approach, the driveway approach to that townhouse shall be limited to a maximum width of 10 feet, as shown on the applicant's preliminary plans.
- Condition 21:** As shown on the applicant's tentative site plan, water meters shall be located adjacent to driveway approaches and sanitary sewer service laterals shall be placed within the driveway approaches.
- Condition 22:** Prior to final plat, 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.

- Condition 23:** On the final plat, provide a 10-foot-wide public utility easement along the frontage of the private street and Woodside Drive SE.
- Condition 24:** Prior to Public Construction Plan Review, provide an updated Geotechnical Report that reflects the approved Tentative Subdivision Plan layout for building lots, streets, and stormwater infrastructure.
- Condition 25:** Prior to submittal of building permits for any lot within the proposed subdivision, the developer 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 26:** The front lot line for Lots 1-11 shall be the east lot line abutting Woodside Drive SE, and the homes on these lots shall be designed to face Woodside Drive with a front entrance facing the street.

The rights granted by the attached decision must be exercised, or an extension granted, by the following expiration dates, or this approval shall be null and void:

Tentative Subdivision:	<u>July 18, 2027</u>
Class 2 Adjustment:	<u>July 18, 2027</u>
Class 1 Adjustment:	<u>July 18, 2027</u>
Class 2 Driveway Approach Permit:	<u>July 18, 2029</u>
Application Deemed Complete:	<u>May 29, 2025</u>
Notice of Decision Mailing Date:	<u>July 2, 2025</u>
Decision Effective Date:	<u>July 18, 2025</u>
State Mandate Date:	<u>September 26, 2025</u>

Case Manager: Bryce Bishop, [bbishop@cityofsalem.net](mailto: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, in person at 440 Church St SE, Salem OR 97312, by mail P.O. Box 14300 Salem, OR 97309, or by email at [planning@cityofsalem.net](mailto:planning@cityofsalem.net), no later than 5:00 p.m., Thursday, July 17, 2025. 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, 250, and 804. 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 Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission 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, 440 Church St SE, Salem, during regular business hours.

**BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM**

**DECISION**

<b>IN THE MATTER OF THE APPROVAL</b>	)	<b>FINDINGS AND ORDER</b>
<b>OF SUBDIVISION TENTATIVE</b>	)	
<b>PLAN, CLASS 2 ADJUSTMENT,</b>	)	
<b>CLASS 1 ADJUSTMENT, &amp; CLASS 2</b>	)	
<b>DRIVEWAY APPROACH PERMIT</b>	)	
<b>CASE NO. SUB-ADJ-DAP25-03;</b>	)	
<b>5831 WOODSIDE DRIVE SE</b>	)	<b>JULY 2, 2025</b>

In the matter of the consolidated Subdivision Tentative Plan, Class 2 Adjustment, Class 1 Adjustment, and Class 2 Driveway Approach Permit submitted by applicants, Stephen Parker and Michael Smith, on behalf of the property owners, Stephen Parker – Trustee of the Stephen P. Parker Revocable Living Trust, and Cynthia Parker – Trustee of the Cynthia A. Parker Revocable Living Trust, the Planning Administrator, having received and reviewed the evidence and application materials, makes the following findings and adopts the following order as set forth herein.

**REQUEST**

A consolidated application for a proposed Subdivision Tentative Plan to divide approximately 1.59 acres into 22 residential lots, ranging in size from approximately 1,550 square feet to 3,013 square feet, to accommodate single family townhomes; together with a proposed private internal street, an open space lot, and a lot for stormwater treatment. The proposal also includes:

- 1) A Class 1 Adjustment to decrease the minimum required lot depth for Lots 20-22 from 70 feet to approximately 63 feet to 68 feet (*SRC 510.010(b)*);
- 2) A Class 2 Adjustment to decrease the minimum required double frontage lot depth for Lots 1-11 from 120 feet to approximately 60 feet to 62 feet (*SRC 510.010(b)*); and
- 3) A Class 2 Driveway Approach Permit for the two access points of the proposed private street onto Woodside Drive SE.

The subject property totals approximately 1.59 acres in size, is zoned RA (Residential Agriculture), and located at 5831 Woodside Drive SE (Marion County Assessor Map and Tax Lot Numbers: 083W14CC00300 and 083W14CC00302).

**PROCEDURAL FINDINGS**

1. A consolidated application for a Subdivision Tentative Plan, Class 2 Adjustment, Class 1 Adjustment, and Class 2 Driveway Approach Permit was submitted by Hayden Wooton, of Emerio Engineering, Surveying, & Design, on behalf of the applicants, Stephen Parker and Michael Smith, and property owners, Stephen Parker – Trustee of the Stephen P. Parker Revocable Living Trust, and Cynthia Parker – Trustee of the Cynthia A. Parker Revocable Living Trust, to divide property at 5831 Woodside Drive SE into a 22-lot residential subdivision.

Because multiple land use applications are required in connection with the proposed development, the applicant chose to consolidate and process them 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 proposed consolidated Subdivision Tentative Plan, Class 2 Adjustment, Class 1 Adjustment, and Class 2 Driveway Approach Permit are required to be reviewed by the Planning Administrator and processed as a Type II procedure.

2. After additional requested information was provided by the applicant, the application was deemed complete for processing on May 29, 2025, and notice of filing of the application was sent pursuant to Salem Revised Code (SRC) requirements. Notice of the proposed development was subsequently posted on the property pursuant to SRC requirements on May 30, 2025.
3. The state-mandated local decision deadline for the application is September 26, 2025.

### **SUBSTANTIVE FINDINGS**

#### **1. Proposal**

The application under review by the Planning Administrator is a subdivision tentative plan to divide property totaling approximately 1.59 acres in size and located at 5831 Woodside Drive SE (**Attachment A**) into 22 residential lots, ranging in size from approximately 1,550 square feet to 3,013 square feet, to accommodate single family townhomes.

In addition to the subdivision tentative plan, the application also includes a Class 1 Adjustment to decrease the minimum required lot depth for Lots 20-22 from 70 feet to approximately 63 feet to 68 feet; a Class 2 Adjustment to decrease the minimum required double frontage lot depth for Lots 1-11 from 120 feet to approximately 60 feet to 62 feet; and a Class 2 Driveway Approach Permit for the two access points of the proposed private street onto Woodside Drive SE.

Vehicular access to the proposed development will be provided by Woodside Drive SE, which abuts the property on the east; the existing network of public streets in the surrounding area; and a new proposed internal private street providing access to the individual lots within the subdivision.

Bicycle and pedestrian access will be provided to the development via the existing sidewalks on streets in the surrounding area; the extension of a new sidewalk along the property's frontage of Woodside Drive SE; and the construction of a new sidewalk on the internal private street that extends through the property.

## 2. Applicant's Plans and Statement

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

- Subdivision Tentative Plan: **Attachment B**

The written statement provided by the applicant addressing the applicable approval criteria associated with the proposal is included in the record.

## 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, stormwater reports; and 2) Any materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public.

All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 24 120815.

## 4. Existing Conditions

### Site and Vicinity

The subject property proposed for development is located at 5831 Woodside Drive SE, totals approximately 1.59 acres, and consists of two separate properties (Tax Nos. 083W14CC00300 and 083W14CC00302).

### Salem Area Comprehensive Plan (SACP)

The subject property is located inside the Salem Urban Growth Boundary and the corporate city limits, and designated "Single Family Residential" on the Salem Area Comprehensive Plan (SACP) Map. The comprehensive plan map designations of surrounding properties are as follows:

<b>Comprehensive Plan Map Designations of Surrounding Properties</b>	
<b>North</b>	Single Family Residential
<b>South</b>	Single Family Residential
<b>East</b>	Across Woodside Drive SE, Multiple Family Residential and Mixed-Use
<b>West</b>	Single Family Residential

Relationship to 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. The subject property is located inside the City’s Urban Service Area.

Because the subject property is located inside the Urban Service Area, an Urban Growth Preliminary Declaration is not required for the proposed development.

Zoning Map Designation

The subject property is zoned RA (Residential Agriculture). The zoning of surrounding properties is as follows:

<b>Zoning of Surrounding Properties</b>	
<b>North</b>	RS (Single Family Residential)
<b>South</b>	RA (Residential Agriculture)
<b>East</b>	Across Woodside Drive SE, RM-II (Multiple Family Residential) and MU-III (Mixed-Use III)
<b>West</b>	RS (Single Family Residential)

**5. Neighborhood Association and Public Comments**

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

Neighborhood Association Contact

SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this proposed consolidated land use application request require neighborhood association contact. Prior to application submittal the applicant contacted the neighborhood association to provide details about the proposal; thereby satisfying the requirements of SRC 300.310.

Neighborhood Association Comments

Notice of the application was provided to the South Gateway Neighborhood Association pursuant to SRC 300.520(b)(1)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. The land use chair of the neighborhood association provided an e-mail to staff inquiring about the property’s comprehensive plan map designation, what the zoning of the property will be after the proposed subdivision is platted, and whether

the proposed development meets the density standards of the zone? Staff responded to the questions received but no formal comments were submitted from the neighborhood association.

**Staff Response:** In response to the questions received from the neighborhood association, staff indicated that the property is currently designated Single Family Residential on the Salem Area Comprehensive Plan Map and zoned RA (Residential Agriculture). Pursuant to SRC 265.015(a)(2)(A), the property will automatically be rezoned to RS (Single Family Residential) when the subdivision plat is recorded. The RA and RS zones are generally the same with a few exceptions relating to the total maximum square footage allowed for detached accessory structures on a lot and the allowance of keeping of livestock for private non-commercial use on lots that are 10,000 square feet or greater in size (*within the RA zone*).

In terms of density, both the RA and RS zone have the same minimum density requirements that apply to:

- 1) Subdivisions of at least 5 acres in size; and
- 2) Development of vacant lots (*not including land divisions*) that are located within one-quarter mile of a Cherriots' Core Network Transit Route.

The minimum required density for subdivisions 5 acres or larger in size is 5.5 dwelling units per acre (*of which a minimum of 15 percent of the dwelling units constructed are required to be middle housing dwelling units - e.g. townhouse units, two family units, three family units, four family units, or cottage clusters*). The minimum density requirement for development of vacant lots within one-quarter mile of a Core Network transit route (*not including land divisions*) is 15 units per acre; provided, however, no more than 12 dwelling units are permitted on an individual lot.

In the case of the proposed development, because the property totals 1.59 acres in size the minimum required 5.5 du/acre subdivision density does not apply and the minimum 15 du/acre vacant lot density standard similarly does not apply because the development proposal is for a land division and the property is not located within one-quarter mile of a Core Network transit route.

Within the RA and RS zones townhouses are allowed as a special use and are subject to the additional special use development standards included under SRC 700.085. Pursuant to SRC 700.085(a)(1), within the RA and RS zones not more than four townhouses, each on a separate platted lot, may be attached in a row before there needs to be a separation between that row of attached units and the next row of attached units. As shown on the site plan submitted by the applicant, the proposal includes groupings of three and four attached townhouses which conform to the special use standards of SRC 700.085 and the density requirements of both the current RA zone and the future RS zone once the subdivision plat is recorded.

### Public Comments

In addition to providing notice to the neighborhood association, notice was also provided, pursuant to SRC 300.520(b)(1)(B)(iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property. Prior to the comment deadline, six public comments were received that are included as **Attachment C**.

Of the six comments received, one indicated, in summary, that they have no objections to the proposal provided their property to the north of the development at the southwest corner of the intersection of Classico Court SE and Woodside Drive SE will not be impacted in any way, now or in the future.

**Staff Response:** The abutting property to the north of the proposed subdivision at the southwest corner of the intersection of Classico Court and Woodside Drive is located at a lower elevation below the subject property. Due to the topography of the site, the City's landslide hazard ordinance (SRC Chapter 810) requires a geologic assessment for the proposed development. A Geological Report, prepared by Central Geotechnical Services, LLC and dated December 11, 2024, was submitted in conjunction with the proposal. The study demonstrates that the subject property can be developed without increasing the potential for slope hazard on the site or adjacent properties by utilizing the recommendations in the report. However, the submitted report represents an earlier version of the subdivision before subsequent modifications to the layout were made to reflect the final proposed layout. As such, a condition of approval is established in the decision (Condition No. 24) requiring the applicant to provide an updated geotechnical assessment that reflects the tentative subdivision plan layout included in the proposal. In addition, to ensure each building lot complies with the geotechnical considerations included in the assessment, a final geotechnical report describing the building conditions for each lot is required to be provided (Condition No. 25).

The five remaining comments received expressed concerns and opposition, in summary, regarding the following issues:

- A. Traffic impacts and sight distance on Woodside Drive SE. Comments received express concerns regarding the traffic impacts that an additional 22 homes will have on the safety and function of Woodside Drive SE based on its current underimproved condition and restricted sight distance. It is explained that the narrow width of Woodside Drive already has restricted sight lines, particularly near driveways and corners; and an increase in vehicle traffic, on-street parking overflow, and pedestrian movement from 22 new residences will heighten the risk of accidents and compromise pedestrian and driver safety.

**Staff Response:** As described in the decision, the proposed 22-lot subdivision generates less than 200 average daily vehicle trips to the local street system. Pursuant to SRC 803.015(b)(1), a traffic impact analysis is therefore not required as part of the proposed subdivision.

Boundary street improvements along Woodside Drive SE are, however, required. The required improvements will provide pavement widening, curbs, sidewalk, and street lights along the development frontage of Woodside Drive SE. These improvements will

ensure adequate access is provided to the development site. Off-site improvements to Woodside Drive SE are not required with this application because it doesn't trigger an Urban Growth Preliminary Declaration (UGA) Review or Traffic Impact Analysis (TIA), which review the need for off-site improvements. The Salem Transportation System Plan (TSP) provides guidance for how to address the impacts of growth citywide. Cumulative impacts of growth that affect overall traffic patterns are addressed through collection of System Development Charges (SDCs). Each lot within the subdivision will pay Transportation SDCs that are collected and used to pay for street improvements that add capacity to mitigate impacts of growth.

The applicant proposes a one-way private street, which will enter and exit onto Woodside Drive SE. As part of the application materials, the applicant has provided a sight distance analysis for the new private street. The analysis demonstrates that there is adequate stopping sight distance at the exit of the one-way street onto Woodside Drive SE, according to the *American Association of State Highway and Transportation Officials (AASHTO) Standards*. The Assistant City Traffic Engineer has reviewed the analysis and concurs with its findings demonstrating the proposed access onto Woodside Drive SE is provided with adequate stopping sight distance.

- B. Soil Erosion and Slope Stability. Comments received express concerns for the grading required to develop the site and the slope and soil stability of the site; as well as erosion control considerations during and after construction.

**Staff Response:** The subject property is located in a moderate landslide risk area and requires a Geotechnical Assessment. A Geological report, was submitted as part of the application materials. This assessment demonstrates the subject property could be developed without increasing the potential for slope hazard on the site or adjacent properties by utilizing the recommendations in the report. The geotechnical report is also required to be updated to match final building lot, street, and utility infrastructure layout. The grading plan is consistent with the recommendations within the report. At time of Public Construction Plan Review for the subdivision, final geotechnical considerations will be reviewed against the plans to ensure the development conforms to the report and the requirements of SRC Chapter 810 (Landslide Hazards).

Regarding erosion control, at time of Public Construction Plan Review, the applicant is required to obtain an Erosion Control Permit from the City of Salem (SRC 75.050). Review of the Erosion Control Permit will include a plan that contains methods and interim facilities to be constructed, used, operated, and maintained during ground disturbing activities to prevent and to control erosion. This ensures erosion control and runoff impacts are mitigated during development.

After construction of the required subdivision improvements, stormwater runoff from the development site will be managed through a private stormwater infrastructure facility, which is required to be maintained in good order by the Homeowners Association. The Public Works Design Standards require that the GSI facility be designed and constructed to maintain pre-development conditions in terms of runoff. As shown on the applicant's preliminary drainage plan, the GSI facility will drain into the stormwater main within Woodside Drive SE and not provide additional runoff to adjacent properties.

- C. Public notice signs. Once comment received expressed concerns about the public notice signs posted on the property. It was indicated that the signs posted on the property were placed in an area that is impossible for most to read because they were installed on the side of the street where there is no sidewalk, and individuals driving on Woodside Drive cannot easily see them due to their orientation.

**Staff Response:** The City's procedures ordinance (SRC Chapter 300) requires public notice signs to be posted on each street frontage of the subject property in a conspicuous place that is visible from the public right-of-way. In this case, two public notice signs were posted on the property in conformance with the sign posting requirements of SRC 300.520(b)(2). In order to comply with the posting standards, signs are required to be posted on the property that is subject to the land use proceeding. It is often the case that signs are required to be posted on properties in areas of the City where there are currently no sidewalks on one or both sides of the street. The signs posted on the property were placed in a manner to clearly face the street so as to be visible by traffic traveling in either direction on Woodside Drive SE in conformance with applicable standards.

- D. Loss of mature fir trees. One comment received, in summary, expressed concern about the removal of seven large mature fir trees along their shared property line with the subject property. It is explained that the trees provide year-round privacy for their backyard, reduce noise, and contribute significantly to the visual character of the neighborhood. It is indicated that these trees should be preserved or replaced with a meaningful replanting plan using mature, native species to maintain the privacy and visual nature of the neighborhood.

**Staff Response:** Pursuant to SRC 808.035, a tree conservation plan was submitted by the applicant identifying a total of 37 trees on the property, three of which are significant trees. Of the total 37 total trees on the site, the proposed tree conservation plan identifies five trees (*13.5 percent*) for preservation, 32 trees (*86.5 percent*) for removal, and all of the significant trees on the property are designated for preservation within the proposed open space lot located in the northwest corner of the site.

Trees identified for removal under the tree conservation plan are necessary due to the topography and grading of the site that will be required to accommodate the construction of the roads and utilities within the subdivision, as well as the construction of the townhomes on the individual lots. Pursuant to SRC 808.035(e), when less than 30 percent of the trees on a property are designated for preservation under a tree conservation plan, any combination of one or more of the following specific mitigation measures must be provided for each tree removed in excess of 70 percent. The required mitigation measures include:

- (1) Residential density increase. One middle housing dwelling unit or accessory dwelling unit shall be provided within the development for each tree removed. Any dwelling unit provided pursuant to this subsection is required in addition to the density requirements otherwise applicable in the zone.
- (2) Solar power off-set. One 25-year 3-kilowatt solar array shall be provided for each tree removed.

- (3) Electric vehicle charging. One level 2 240-volt residential electric vehicle charging station shall be provided for each tree removed.
- (4) Open space lot. One or more lots within the development shall be designated as an open space lot planted at a minimum density of two trees for each tree removed. The replanted trees shall be of either a shade or evergreen variety with a minimum caliper of 1.5 inches.

Based on the number of trees proposed to be removed, a minimum of six mitigation measures under SRC 808.035(e) are required to be provided. As indicated in the written statement provided by the applicant, the proposed development includes, as mitigation, the construction of 22 townhomes, which are classified as middle housing dwelling units and exceed the mitigation requirements of SRC 808.035(e).

In addition, SRC 808.050 requires that development proposals for the creation of lots or parcels to be used for single family or middle housing must contain a minimum number of trees based on the size of the lots. Per SRC 808.050 – Table 808-1, lots that are less than 4,000 square feet in size are required to include a minimum of one tree on each lot. This standard is applied at the time of development of each lot so as the subdivision is developed additional trees will be required to be planted.

- E. Potential building heights and impact on property values. Comments received express concerns regarding the impacts that multi-story townhouses will have on views from properties in the neighborhood and the associated impacts the loss of views will have on property tax values for properties that are currently taxed at a higher rate due to their designated “view” status. The comments explain that the project’s height and placement should be reevaluated to preserve existing key view corridors for neighboring properties, incorporate visual buffers, and/or utilize design strategies to reduce visual disruption to the existing community. It is explained that consideration should be given to reducing the number of townhouses approved for the property if the impacts of the development cannot be satisfactorily addressed.

**Staff Response:** As identified in this decision, the property is currently zoned RA (Residential Agriculture). Upon recording of the final subdivision plat, the zoning of the property will automatically change (*per SRC 265.015(a)(2)*) from RA to RS (Single Family Residential). Within both the RA zone RS zones the maximum allowed building height for all new single-family dwellings (*including townhomes*) is 35 feet. Conformance with the maximum height requirements of the zone is reviewed at the time of building permit review for any future development on the proposed lots.

In regard to the regulation of views and view sheds, the City’s development code does not currently include standards regulating the preservation of views. It’s therefore not possible to establish conditions of approval requiring the heights of the townhouses to be reduced or fewer units be provided as long as the heights that will be proposed and the number of units that will be developed do not exceed the maximums allowed in the zone. As indicated in the decision, the proposed number of dwelling units within the subdivision will conform to the density requirements of the zone, and the future dwelling units on the lots will be subject to the maximum 35-foot height limit applicable to all single family dwellings in the RS zone.

In regard to property values, the effect of a proposed development on property values is not a specific criterion under the Salem Revised Code for granting or denying a tentative subdivision approval. The proposed townhouse lots included within the tentative subdivision range in size from approximately 1,550 square feet to 3,013 square feet and exceed the minimum lot area requirement of the RS zone.

- F. Impacts of road and car noise; lighting. One comment received expressed concerns regarding the impacts of road and car noise resulting from 22 new residents living on the Woodside parcel; along with the impacts of multi-level buildings blocking views and shining lights into the back yards of neighboring properties at all times of the night.

**Staff Response:** Future development on the proposed lots will be subject to the development standards of the RS zone set forth in SRC Chapter 511, which include requirements for height, setbacks, and lot coverage that are intended to ensure that development of private property or use of public rights-of-way does not adversely impact the privacy of adjacent properties.

In regard to noise, noise disturbances are prohibited by SRC Chapter 93. SRC 93 also prohibits idling engines on motor vehicles in a manner that is plainly audible within any dwelling unit for more than 10 minutes between the hours of 10 p.m. and 7 a.m.

The subject property is located within an already developed area within the corporate limits of the City, and noise impacts from future residences in the proposed subdivision are not expected to exceed what would occur from the presumed development of land within the City zoned for single family residential development. Approval criteria for a tentative subdivision plan do not specifically address noise levels, and no evidence has been provided that would indicate that the proposed development would interfere with the safe and healthful use of neighboring properties.

SRC Chapter 51 also regulates noise levels, and the proposed development is subject to these regulations. Specifically, SRC 51.015 provides maximum sound levels based on the source and receiver of the sound. It is unlawful to exceed the maximum sound levels without an event sound permit. The Compliance Services Division of the Community Planning and Development Department enforces these noise regulations.

In regard to lighting, SRC Chapter 800 regulates exterior lighting, and the proposed development is subject to these regulations. SRC 800.060 provides that exterior lighting shall not shine or reflect onto adjacent properties, or cast glare onto the public right-of-way. It also requires that exterior light fixtures be located and designed so that the light source, when viewed at a height of five feet above the ground at a distance of five feet away outside the boundary of the lot, either be completely shielded from direct view or no greater than five foot-candles in illumination. The Compliance Services Division of the Community Planning and Development Department enforces these light regulations.

#### Homeowners Association

Pursuant to SRC 300.520(b)(1)(B)(iv), notice is required to be provided to any active and duly incorporated Homeowners' Association (HOA) involving property subject to a

Type II land use application. Because the subject property is not located within a Homeowner's Association, HOA notice is not applicable.

## 6. City Department Comments

- A. Building and Safety Division: The City of Salem Building and Safety Division reviewed the proposal and indicated no objections.
- B. Fire Department: The City of Salem Fire Department reviewed the proposal and provided comments indicating, in summary, that 26 feet of access width is required at the fire hydrant, and the fire lane sign cannot obstruct access. If 26 feet of access width is not present at the hydrant, a mountable curb may be provided for hydrant access.

**Staff Response:** As shown on the composite utility plan for the subdivision, a fire hydrant is proposed at the northeast corner of Lot 21 adjacent to the sidewalk; the improved travel lane width of the private street at this location between the curbs is 20 feet; and the width of the private street improvement (*including 20-foot-wide travel lane, 6-inch-wide curb, and 5-foot-wide sidewalk*) is 25.5 feet.

In order to ensure that the width of the access at the fire hydrant meets fire department access requirements, the following condition of approval shall apply:

**Condition 1:** The private street shall be designed to include a minimum 26 feet of unobstructed access width adjacent to the fire hydrant. Where curb and sidewalk are present adjacent to the hydrant, a mountable curb may be provided for hydrant access.

- C. Development Services Division: The City of Salem Development Services Division reviewed the proposal and provided comments pertaining to required City infrastructure needed to serve the proposed development. Findings provided from the Development Services Division addressing the proposal's conformance with the applicable approval criteria are incorporated into this decision.

## 7. Public and Private Agency Comments

- A. Salem-Keizer School District: The Salem-Keizer School District reviewed the proposal and provided comments that are included as **Attachment D**. The School District indicates, in summary, that the property is served by Battle Creek Elementary School, Judson Middle School, and Sprague High School. The School District identifies sufficient existing school capacity at all three schools to accommodate the projected increase in student enrollment resulting from the proposed development.

The School District indicates that students will be eligible for school provided transportation to Battle Creek Elementary School, Judson Middle School, and Sprague High School.

## DECISION CRITERIA FINDINGS

### 8. ANALYSIS OF PHASED SUBDIVISION TENTATIVE PLAN APPROVAL CRITERIA

SRC 205.010(d) sets forth the following criteria that must be met before approval can be granted to a tentative 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 205.010(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 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.

As identified in this decision, the subject property is zoned RA (Residential Agriculture). Pursuant to SRC 265.015, any land that is zoned RA (Residential Agriculture) that is subject to a subdivision approval shall automatically be rezoned to RS (Single Family Residential) on the date the subdivision plat is recorded. Because the subject property is currently zoned RA, the provisions of SRC 265.015(a)(2) are applicable to the proposal and therefore the property will be automatically rezoned to RS upon the future recoding of the final subdivision plat.

Because the zoning of the property will be changed to RS with the recording of the final subdivision plat, the following analysis of the proposed subdivision for conformance with the requirements of the UDC is based upon the future zoning of the property being RS.

The proposed subdivision tentative plan, as conditioned, complies with the applicable standards of the RS zone, and all other applicable provisions of the UDC, as required by this approval criterion, as follows:

- (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. A second review occurs for the created lots at the time of site plan review/building permit review to assure compliance with UDC requirements. Compliance with conditions of approval to satisfy the UDC is checked prior to city staff signing the final subdivision plat.

The applicant has met all application submittal requirements necessary for adequate review of the proposed subdivision. The proposed subdivision, as conditioned, meets the requirements of SRC Chapter 205.

### ***SRC Chapter 511 – RS (Single Family Residential) Zone***

The subject property is currently zoned RA (Residential Agriculture). With the recording of the final subdivision plat, the property will be rezoned RS (Single Family Residential).

Development within the RS zone must meet the applicable standards included under SRC Chapter 511. The standards of the RS zone that are applicable to the proposed subdivision are as follows:

- ***Uses (SRC 511.005(a)):***

The proposal includes a subdivision consisting of 22 residential lots accommodating attached single-family townhomes.

Within the RS zone, pursuant to SRC 511.005(a) – Table 511-1, attached townhouses are allowed as a special use, subject to the additional special use standards included under SRC 700.085. Pursuant to SRC 700.085(a)(1), within the RS zone not more than four townhouses, each on a separate platted lot, may be attached in a row before there needs to be a separation between that row of attached units and the next row of attached units. As shown on the site plan submitted by the applicant, the proposal includes groupings of three and four attached townhouses which conform to the special use standards of SRC 700.085.

Because townhouses are allowed as a Special Use in the RS zone, the attached townhouses included with the proposal are an allowed use on the property and therefore conform to the use provisions of the RS zone.

- ***Land Divisions in the RS Zone (SRC 511.010(a)):***

Pursuant to SRC 511.010(a), when land is subdivided in the RS zone that is at least 10 acres in size, includes or abuts an existing or planned collector or minor arterial street, and is located more than one-quarter mile from all commercial, mixed-use, and neighborhood hub zones, neighborhood hub uses are required to be allowed on at least two of the lots that are created.

Because the subject property totals only approximately 1.59 acres in size, does not include or abut an existing or planned collector or minor arterial street, and is not located more than one-quarter mile from existing mixed-use zoned properties in the surrounding area, this standard is not applicable to the proposed development.

▪ **Lot Standards (SRC 511.010(b)):**

Lot size and dimension standards within the RS zone are established under SRC 511.010(b), Table 511-2.

A summary of the lot size and dimension standards applicable to residential uses within the RS zone is provided in the following table:

<b>RS Zone Residential Use Lot Standards</b>		
<b>Lot Area</b>	Min. 1,500 sq. ft	Applicable to townhouses
	Min. 4,000 sq. ft.	Applicable to single family, other than townhouses, and two family
	Min. 5,000 sq. ft.	Applicable to three family
	Min. 7,000 sq. ft.	Applicable to four family and multiple family
	Min. 5,500 sq. ft.	Applicable to infill lots, unless a greater minimum lot area is required for the specific use
<b>Lot Width</b>	Min. 20 ft.	Applicable to townhouses
	Min. 40 ft.	Applicable to all other uses
<b>Lot Depth</b>	Min. 70 ft.	Applicable to single family and two family
	Min. 80 ft.	Applicable to all other uses
	Min. 120 ft.	Applicable to double frontage lots
	Max. 300% of average lot width	Applicable to all uses other than townhouses
	No Max.	Applicable to townhouses
<b>Street Frontage</b>	Min. 20 ft.	Applicable to townhouses
	Min. 40 ft.	Applicable to all other uses

As shown on the tentative subdivision plan (**Attachment B**), the subdivision includes the creation of 22 townhouse lots with sizes ranging from approximately 1,550 square feet to 3,013 square feet. The proposed townhouse lots conform to the lot size, width, depth, and street frontage requirements of the RS zone with the exception of Lots 1-11 and Lots 20-22, which fall below the minimum required lot depth. Because these lots fall below the minimum required lot depth, the applicant has requested a Class 1 Adjustment and a Class 2 Adjustment to reduce the minimum required lot depth for these lots. Analysis of the adjustment requests and

findings demonstrating their conformance with the Class 1 Adjustment and Class 2 Adjustment approval criteria are included in Sections 9 and 10 of this report.

▪ ***Dwelling Unit Density (SRC 511.010(c)):***

Dwelling unit density requirements for residential development within the RS zone are established under SRC 511.010(c). Within the RS zone, land that is subdivided that is at least five acres in size is required to have a minimum dwelling unit density of 5.5 dwelling units per acre and at least 15 percent of the dwelling units constructed on the lots shall be middle housing. Per SRC 511.010(c)(1)(A), accessory dwelling units may count toward the minimum density requirement.

The proposed subdivision includes approximately 1.59 acres of land currently zoned RA that will automatically be rezoned to RS at the time of recording the final subdivision plat. Because the subject property is less than five acres in size, the minimum density requirements of the RS zone are not applicable to the proposed development.

▪ ***Setbacks (SRC 511.010(d)):***

Setbacks for buildings and accessory structures within the RS zone are established under SRC 511.010(d), Table 511-3.

The proposed 22 lots within the subdivision (*Lots 1-22*) will be developed with attached townhouses, and the setback requirements of the RS zone will apply to the future development of each of the individual proposed lots. Because the proposal includes only the subdivision of the land to create lots, and no new buildings or specific development is proposed for any of the lots at this time, the setback requirements are generally not applicable. Future development of the proposed lots will be reviewed for conformance with applicable setback requirements at the time of building permit and/or site plan review.

As shown on the existing conditions and demolition plan submitted by the applicant, the subject property is currently developed with an existing home and detached accessory structures. Based on the setback requirements of the RS zone, buildings and accessory structures cannot be located over property lines. Because the proposed subdivision will create new lots with lot lines that will pass through these existing structures, the existing conditions and demolition plan identifies the structures for removal. In order to ensure the proposed subdivision conforms to the setback requirements of the development code and that the existing buildings and accessory structures on the property are removed prior to the recording of the final subdivision plat, the following condition of approval shall apply:

**Condition 2:** Prior to final subdivision plat approval, obtain demolition permits and remove all existing buildings and detached accessory structures from the property.

The proposed subdivision, as conditioned, conforms to the setback requirements of the RS zone.

- **Lot Coverage (SRC 511.010(e)):**

Maximum lot coverage requirements for buildings and accessory structures within the RS zone are established under SRC 511.010(e), Table 511-4. Within the RS zone building and accessory structures cannot exceed a maximum lot coverage of 60 percent.

Because the proposal includes only the subdivision of the land to create lots, and no new buildings or specific development is proposed for any of the lots at this time, maximum lot coverage requirements are generally not applicable. Future development of the proposed lots will be reviewed for conformance with applicable maximum lot coverage requirements at the time of building permit and/or site plan review.

Although no specific development is proposed on the individual lots at this time, the applicant submitted a tentative site plan that identifies the resulting potential building envelopes for each of the proposed lots based on the setback requirements of the RS zone. As illustrated by that plan, none of the resulting potential building envelopes for any of the proposed lots will exceed the maximum 60 percent lot coverage requirement of the RS zone.

- **Height (SRC 511.010(e)):**

Height requirements for buildings and accessory structures within the RS zone are established under SRC 511.010(e) – Table 511-4. Within the RS zone, new single-family dwellings are limited to a maximum height of 35 feet, and detached accessory structures are limited to a maximum height of 15 feet.

Because the proposal includes only the subdivision of the land to create lots, and no new buildings or specific development is proposed for any of the lots at this time, maximum building and accessory structure height requirements are generally not applicable. Future development of the proposed lots will be reviewed for conformance with applicable maximum height requirements at the time of building permit and/or site plan review.

### ***SRC Chapter 700 – Special Use Standards***

SRC Chapter 700 establishes standards for uses that are specifically identified in a zone as being allowed as a Special Use. The special use standards of SRC Chapter 700 apply in addition to the standards of the zoning district the property is located within.

As shown on the tentative subdivision plan, the development includes a total of 22 townhouse lots. Within the RS zone townhouses are allowed as a special use subject to the additional special use standards included under SRC 700.085. Because the 22 proposed lots within the subdivision will be developed as townhouses, they are subject to the special use standards of SRC 700.085.

Within the RS zone, per SRC 700.085(a)(1), not more than four townhouses, each on a separate platted lot, may be attached. In the application materials submitted by the applicant, groupings of three and four attached townhouses are identified consistent

with the special use standards of the RS zone.

In addition to establishing a maximum number of townhouses that may be attached in a row before the next separate grouping of attached townhouse units, SRC 700.085(b) provides that any exterior wall, or portion thereof, which faces but is not contiguous to an interior side lot line shall be setback a minimum of five feet; otherwise, the interior side setback requirements of the UDC shall not apply.

As shown on the tentative site plan submitted by the applicant, potential building envelopes are identified on the lots based on the setback requirements of the RS zone. Where townhouse units are proposed to be attached at the common lot line, there is no required setback; and where units are not proposed to be attached, a minimum required 5-foot interior side setback is provided in conformance with the setback requirements of the RS zone.

The specific future development of the townhouse lots will be reviewed for conformance with the special use standards of SRC 800.085 when building permits are submitted for review and approval for development of each lot. The proposed development conforms to the special use standards of SRC 700.085.

### ***SRC Chapter 800 – General Development Standards***

#### **▪ *Designation of Lot Lines (SRC 800.020):***

SRC 800.020 establishes standards for the designation of front, side, and rear lot lines for interior lots, corner lots, double frontage lots, flag lots, and all other lots.

For lots that have frontage on a street, other than corner lots and double frontage lots, the front lot line shall be the property line that has frontage on the street. For corner lots and double frontage lots, the front lot line shall be the property line abutting the street designated by the building permit applicant, provided lot dimension standards are met. For flag lots, the front property line shall be the outside property line that is an extension of the flag lot accessway or the property line separating the flag portion of the lot from the lot between it and the street from which access is provided to the flag lot, unless the Planning Administrator otherwise directs, in which case the front lot line shall be set forth in the conditions of approval for the tentative plan.

As shown on the tentative subdivision plan, the proposal includes a combination of interior lots (*lots with only one street frontage*), corner lots, and double frontage lots (*lots with street frontage abutting both their front and rear property lines*).

In order to ensure that the proposed corner lots within the subdivision (*Lots 1 & 11*) have front lot line designations that result in lot dimensions that conform to the approved lot depths, the following condition of approval shall apply:

**Condition 3:** The front lot line for Lot 1 and Lot 11 shall be the east lot line abutting Woodside Drive SE.

In addition, Lots 1-11 are double frontage lots with street frontage abutting both Woodside Drive SE on the east and the new proposed private internal street on the west. Because the proposed lot depths of these lots fall below the minimum required lot depth of the RS zone, the applicant has requested a Class 2 Adjustment to reduce the minimum required lot depth for these lots. In order to ensure that the reduced depth of the lots meets the applicable adjustment approval criteria, a condition has been placed on the adjustment approval requiring the front line for Lots 1-11 to be the east property line abutting Woodside Drive SE.

▪ **Maintenance Easements for Dwelling Units (SRC 800.031):**

SRC 800.031 establishes requirements for the provision of maintenance easements where dwelling units are proposed to be constructed contiguous to a property line. This section specifically requires that no building permit shall be issued for a townhouse, zero side yard dwelling, or any other dwelling unit which is constructed contiguous to a property line unless the applicant provides a copy of a recorded easement (*in a form approved by the City Attorney*) from the owner of the property that abuts the dwelling unit providing for reasonable ingress, egress, and use of such abutting property for the purpose of maintaining, repairing, and relacing the premises.

Because the lots within the proposed subdivision will be developed with attached townhouses, maintenance easements as provided in this section are required. In order to ensure the proposed development conforms to the maintenance easement requirements of SRC 800.031, the following condition of approval shall apply:

**Condition 4:** Prior to building permit approval on each lot, a copy of the maintenance easement required under SRC 800.031 shall be provided.

**(B) City Infrastructure Standards.**

The existing conditions of public infrastructure available to serve the subject property are described in the following table:

<b>Utilities &amp; Parks</b>	
<b>Type</b>	<b>Existing Conditions</b>
<b>Water</b>	Water Service Level: S-2
	A 10-inch water main is located in Woodside Drive SE.
<b>Sanitary Sewer</b>	An 8-inch sanitary sewer main is located in Woodside Drive SE that terminates at the southern property boundary.
	An 8-inch sanitary sewer main is located in Woodside Drive SE that terminates at the northern property boundary.
<b>Storm Drainage</b>	A 10-inch storm main is located in Woodside Drive SE.

<b>Parks</b>	The proposed development is served by the Wiltsey Road Park, located approximately one-quarter mile south of the subject property.
--------------	--

The Development Services division reviewed the proposal for compliance with the City's public facility plans as they pertain to provision of water, sewer, and storm drainage facilities. While SRC Chapter 205 does not require submission of utility construction plans prior to tentative subdivision plan approval, it is the responsibility of the applicant to design and construct adequate 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 inside the City's Urban Service Area and adequate facilities are available. No Urban Growth Area Development Permit is therefore required.

- ***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 in the findings evaluating the proposed development's conformance with the requirements of SRC Chapter 803, right-of-way dedication is required along Woodside Drive SE, and there are easements required for new public utilities to serve the development site. The Title Report submitted by the applicant identifies existing easements on the subject property. As provided under this section, the applicant must ensure that 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). In order to ensure the proposed development conforms to the requirements of SRC 200.050(d), the following condition of approval shall apply:

**Condition 5:** Prior to final plat approval, required right-of-way dedications and required easements shall be free and clear of encumbrances and liens unless an adjustment to SRC 200.050(d) is approved.

As conditioned, the proposal meets 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.

Pursuant to SRC 71.080, land divisions are required to provide stormwater flow control and treatment facilities that are sized to serve the entire land division under fully developed conditions, including street and rights-of-way. The applicant has provided a preliminary stormwater management report that demonstrates the intent to utilize green stormwater infrastructure (GSI) to the maximum extent feasible; however, it appears that at time of final plan review, Design Exceptions will be required to meet the Public Works Design Standards. To demonstrate the proposed lots can meet the requirement of SRC Chapter 71 and the Public Works Design Standards (PWDS), the applicant shall submit a tentative stormwater design prior to final plat approval. For a tentative stormwater design, the applicant shall submit infiltration test results, the Simplified Method Form or Engineering Method Report as applicable, and a preliminary site plan showing the building envelope and tentative location of stormwater facilities. The stormwater systems shall be tentatively designed to accommodate the future impervious surfaces on all proposed parcels within the subdivision. In order to ensure the proposed subdivision is served with stormwater facilities meeting the requirements of SRC Chapter 71, the following conditions of approval shall apply:

**Condition 6:** Prior to final plat approval, provide an engineered stormwater design pursuant to SRC 71 and the Public Works Design Standards to accommodate new impervious surfaces in rights-of-way and future impervious surfaces on all proposed lots.

**Condition 7:** Prior to final plat approval 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 and future impervious surfaces on all proposed lots.

As conditioned, the proposal meets 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 all 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. Construction of facilities in the right-of-way is required prior to final plat except as authorized in an improvement agreement per SRC 205.035(c)(7)(B). All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 205.035(c)(7)(B) prior to final plat approval.

In summary, the subdivision tentative plan will be served adequately by City water, sewer, and stormwater infrastructure upon completion of the conditions described in the analysis provided below for each utility type.

**Water:** There is an existing public water main located in Woodside Drive SE available to serve the proposed development. The applicant's preliminary utility plan shows extension of an 8-inch public water main in the new private street in order to provide individual water service to each lot. To ensure public water service is provided to each lot, as required by SRC 802.015, the following condition of approval shall apply:

**Condition 8:** Prior to final plat approval or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct an 8-inch public water main in the new private street, as shown on the applicant's preliminary utility plan. The main shall be designed and constructed in accordance with the *Public Works Design Standards*, to serve each lot.

**Sanitary Sewer:** There are existing public sanitary sewer mains located in Woodside Drive SE available to serve the proposed development. The applicant's preliminary utility plan shows extension of two 8-inch public sanitary sewer service mains in the new private street in order to provide individual sanitary sewer service to each lot. To ensure public sanitary sewer service is provided to each lot, as required by SRC 802.015, the following condition of approval shall apply:

**Condition 9:** Prior to final plat approval or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct 8-inch public sanitary sewer mains within the new private street, as shown on the applicant's preliminary utility plan. The mains shall be designed and constructed in accordance with the *Public Works Design Standards*, to serve each lot.

**Stormwater:** There is an existing public stormwater main located in Woodside Drive SE available to serve the proposed development. The applicant's preliminary utility plan shows extension multiple public stormwater mains within Woodside Drive SE and the new private street in order to provide individual stormwater service to each lot and to the required green stormwater infrastructure facility. To ensure public stormwater service is provided to each lot, as required by SRC 802.015, the following condition of approval shall apply:

**Condition 10:** Prior to final plat approval or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct public stormwater mains to serve each lot and the green stormwater infrastructure facility, as shown on the applicant's preliminary utility plan. The mains shall be designed and constructed in accordance with the *Public Works Design Standards*, to serve each lot.

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

- ***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 with City infrastructure shall be shown on the final plat. The applicant's preliminary utility plan shows new public utility mains located within the private street, which will require easements for future access and maintenance. Additionally, the applicant's preliminary utility plan shows water meters required for public water service, will be located on private property in an easement. In order to ensure easements are provided for the proposed development in conformance with the requirements of SRC 802.020, the following conditions of approval shall apply:

**Condition 11:** On the final plat, dedicate a public access and utility easement to the City of Salem over the new private street and sidewalk to allow access and maintenance of the proposed public utility infrastructure located within the subdivision.

**Condition 12:** On the final plat, dedicate a Water Easement to the City of Salem where water meters are located outside of the private street, in accordance with the Public Works Design Standards.

- ***Private stormwater, wastewater, and water systems (SRC 802.040):***

SRC 802.040 allows private stormwater systems under certain circumstances.

As shown on the applicant's preliminary drainage plan, a common private stormwater system is proposed to serve the subdivision. According to SRC 802.040(c), if the private system serves multiple properties under separate ownership, an agreement between the property owners is required to ensure continued maintenance of the system. The applicant therefore is required to provide a Private Shared Stormwater Agreement that meets the standards of SRC 802.040. In order to ensure the proposed common private stormwater system for the subdivision conforms to the requirements of SRC 802.040, the following condition of approval shall apply:

**Condition 13:** With the final plat, the applicant shall record a Shared Stormwater System Agreement for the private stormwater facility, which is in compliance with SRC 802.040.

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

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

<b>Streets</b>			
<b>Street Name</b>		<b>Right-of-way Width</b>	<b>Improvement Width</b>
<b>Woodside Drive SE (Local)</b>	Standard:	60-feet	34-feet
	Existing Condition:	50-feet	30-feet

▪ **Boundary Streets (SRC 803.040):**

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.

Woodside Drive SE abuts the subject property and is classified as a local street under the Salem Transportation System Plan (TSP). Woodside Drive SE does not meet the current right-of-way width standards for a local street. The ultimate right-of-way width for a local street is 60-feet according to SRC 803.025 Table 803-1 (Right-of-way Width) and the existing right-of-way width is 50-feet. Additionally, Woodside Drive SE was previously approved to have a 34-foot-wide improvement width, which allows for parking on both sides of the street, where driveways are limited. Along the development frontage, Woodside Drive SE currently lacks adequate pavement width, curbs, sidewalk, and landscape strips. In order to ensure that Woodside Drive SE meets the boundary street improvement requirements under SRC 803.040, the following conditions of approval shall apply:

**Condition 14:** On the final plat, convey land for dedication to equal a half-width right-of-way of 30-feet on the development side of Woodside Drive SE.

**Condition 15:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a 17-foot-wide half-street improvement along the frontage of Woodside Drive SE to local street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.

▪ **Street Standards – New Internal Streets (SRC 803.030 & SRC 803.035):**

All new public and private streets shall be improved pursuant to the standards outlined in SRC 803.030 and 803.035.

The tentative subdivision plan shows one new private street that will be constructed as part of the development to provide access to each lot. The new private street will

be classified as a local street. As shown on the applicant's preliminary plans, the new private street will be a one-way street with a 20-foot-wide improvement and a curblin sidewalk on one side of the street. The applicant has requested Alternative Street Standards to allow the new private street to deviate from the standards in SRC Chapter 803, specially to:

- 1) Allow a reduced improvement width (*Table 803-2 (Pavement Width)*);
- 2) Allow a curblin sidewalk on one side of the street (*SRC 803.035(l)(2)(A)*); and
- 3) Allow an increased street grade, up to 15-percent (*SRC 803.035(c)*).

Due to the topography of the site, pursuant to SRC 803.065(a)(3), Alternative Street Standards are authorized to allow the private street to be constructed in accordance with the applicant's preliminary plans, which include a one-way private street with a 20-foot-wide improvement width; curblin sidewalks on one side of the private street; and a street grade not to exceed 15-percent.

In order to ensure the proposed private internal street complies with the requirements of SRC Chapter 803, the following condition of approval shall apply:

**Condition 16:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct the new private street to Local street standards as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803, with the following exceptions:

- A. The private street is approved to have a 20-foot-wide improvement width and a 5-foot-wide curblin sidewalk along one side of the private street.
  - B. The private street is approved to have a grade up to 15-percent.
  - C. The new private street shall be one-way. "No parking" signage shall be placed along both sides of the new internal private street.
- **Street Trees (SRC 803.035(k) & SRC 86.015(e)).:**

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.

The applicant is required to construct a half street improvement along Woodside Drive SE, which will include a landscape planter strip to accommodate street trees. Additionally, the applicant's preliminary plans show a 4-foot landscape easement for private street trees along both sides of the new private street. Street trees shall be planted along Woodside Drive SE during construction of the half-street improvement. Street trees along the new private street may be planted at time of construction of each new dwelling. Private streets are required to meet the

standards of SRC 803, which include street trees. The trees planted along the new internal private street will be considered private street trees and will be required to be maintained by a Home Owners Association pursuant to SRC 803.020(b)(3). Maintaining private street trees required under SRC 803.020(b)(3) includes keeping the trees in good condition and replacing the trees if damaged or dead. In order to ensure the proposed subdivision includes street trees in conformance with the requirements of SRC 803.035(k) and SRC 86.015(e), the following conditions of approval shall apply:

**Condition 17:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), install street trees to the maximum extent feasible along Woodside Drive SE.

**Condition 18:** At time of Building Permit for each lot, install street trees to the maximum extent feasible along the Private Street.

**Condition 19:** Private Street Trees planted along the new internal private street shall be maintained in good health and replaced if damaged or dead.

The applicant submitted a preliminary landscaping plan showing street trees to be planted within the subdivision, as required by SRC 803.035(k) and SRC 86.015(e). Due to the limited street frontage of each lot and in order to create space for street trees, driveway access to the townhouse lots will be required to be shared; water meters will need to be located adjacent to each side of the driveway approach; and sewer laterals will need to be placed within the driveway approaches, as shown on the applicant's preliminary plans. This will ensure that planter strips are available for street trees and conflicts with utility service lines are minimized. In order to create space for the planting of street trees as required under SRC 803.035(k) and SRC 86.015(e), the following conditions of approval shall apply:

**Condition 20:** Every two attached townhouses shall share a 16-foot-wide driveway approach; where the number of townhouses attached in a row result in one townhouse without a shared driveway approach, the driveway approach to that townhouse shall be limited to a maximum width of 10 feet, as shown on the applicant's preliminary plans.

**Condition 21:** As shown on the applicant's tentative site plan, water meters shall be located adjacent to driveway approaches and sanitary sewer service laterals shall be placed within the driveway approaches.

As conditioned, the proposed subdivision will include street trees as required under SRC 803.035(k) and SRC 86.015(e).

▪ ***Operation and Maintenance of Private Streets and Common Facilities***

SRC 205.035(f) and SRC 803.020(b)(3) require developments that will include private streets and common private facilities to have recorded covenants, conditions

and restrictions which provide that all common property owners shall be members of a property owners' association. The covenants, conditions, and restrictions shall, at a minimum, require that the association be responsible for the perpetual maintenance and operation of all private streets and common private facilities in the development; and the association shall have the power to levy and assess against privately owned property in the development all necessary costs for the maintenance and operation of the private streets and common private facilities.

As identified in this decision, the proposed new internal street within the subdivision is considered a private street and the subdivision includes an open space lot. As such, the private internal street and related facilities, the open space lot, and any other common private facilities within the development are required to be maintained and operated by a property owners' association. In order to ensure that the proposed private street and its related facilities, the open space lot, and any other common private facilities within the development are perpetually operated and maintained as required under SRC 205.035(f) and SRC 803.020(b)(3), the following condition of approval shall apply:

**Condition 22:** Prior to final plat, 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.

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

SRC 803.035(n) requires dedication of 10-foot-wide Public Utility Easements (PUE) along all street rights-of-way.

In order to ensure to ensure compliance with the requirements of SRC 803.035(n), the following condition of approval shall apply:

**Condition 23:** On the final plat, provide a 10-foot-wide public utility easement along the frontage of the private street and Woodside Drive SE.

***SRC Chapter 804 – Driveway Approaches***

SRC 804 establishes development standards for driveway approaches providing access from the public right-of-way to private property in order to provide safe and efficient vehicular access to development sites.

As shown on the tentative subdivision plan, the proposal includes two new driveway approaches onto Woodside Drive SE for the new private internal street. Because these two private street connections are considered driveway approaches, a Class 2 Driveway Approach Permit is included with the proposal. As identified by the findings

included under Section 11 of this decision, the two private street connections onto Woodside Drive SE conform to the applicable driveway approach approval criteria. The proposed development therefore complies with the applicable requirements of SRC Chapter 804.

***(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 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. Pursuant to SRC 808.035, a tree conservation plan was submitted by the applicant identifying a total of 37 trees on the property, three of which are significant trees. Of the total 37 total trees on the site, the proposed tree conservation plan identifies five trees (*13.5 percent*) for preservation, 32 trees (*86.5 percent*) for removal, and all of the significant trees on the property are designated for preservation within the proposed open space lot located in the northwest corner of the site.

While the proposed tree conservation plan preserves less than the minimum required 30 percent, the removal is necessary due to there being no reasonable design alternatives to enable the preservation of such trees as a result of the steep topography of the site and the associated grading required to meet street grade requirements. As such, the proposed tree conservation plan limits the removal of 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.

According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any mapped wetlands, waterways, or hydric (*wetland-type*) soils.

### ***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, there are mapped 3-point landslide hazard areas on the subject property. The proposed development activity of a subdivision adds 3 activity points to the proposal, resulting in a total of 6 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment. A Geological Report, prepared by Central Geotechnical Services, LLC and dated December 11, 2024, was submitted to the City of Salem. This assessment demonstrates the subject property can be developed without increasing the potential for slope hazard on the site or adjacent properties by utilizing the recommendations in the report. However, the report doesn't reflect the current modified layout development proposal. As such, the applicant will be required to provide an updated geotechnical assessment that reflects the current tentative subdivision plan layout included in the proposal. In addition, to ensure each building lot complies with the geotechnical considerations included in the assessment, a final geotechnical report describing the building conditions for each lot is required to be provided. In order to ensure the proposed development conforms to the requirements of SRC Chapter 810, the following conditions of approval shall apply:

**Condition 24:** Prior to Public Construction Plan Review, provide an updated Geotechnical Report that reflects the approved Tentative Subdivision Plan layout for building lots, streets, and stormwater infrastructure.

**Condition 25:** Prior to submittal of building permits for any lot within the proposed subdivision, the developer 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 lots within the subdivision, as proposed and conditioned, are of sufficient size and dimensions to permit future development of townhouses as allowed in the RS (Single Family Residential) zone. There is no evidence that the subdivision and subsequent development of the lots will adversely affect public services to any surrounding properties.

In addition, because the subject property is surrounded by existing developed properties to the north, west, and south, access through the proposed subdivision to these abutting properties is not needed and the proposal therefore does not impede future access to any abutting lots. 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, as identified in the findings included in this decision, that water, sewer, and storm infrastructure are available and 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 205.020(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 in this decision, the subject property is located adjacent to Woodside Drive SE, which is classified as a local street under the City's Transportation System Plan (TSP). The conditions of approval established with the subdivision decision will require improvements to Woodside Drive SE and construction of a new internal private street to serve the development. With established conditions of approval, the street system in and adjacent to the proposed subdivision will conform to the Salem Transportation System Plan (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, a private internal street is extended through the site to provide safe and convenient access to the proposed lots within the subdivision. As 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 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:** The subject property is served by the Wiltsey Road Park, which is an undeveloped park site located southwest, and within one-half mile, of the subject property. Commercial services are also available to serve the site within one-half mile to the east on Commercial Street SE. Access to the park and nearby commercial services is available through the existing transportation system. This approval criterion is met.

***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:** The proposed 22-lot subdivision generates less than 200 average daily vehicle trips to the local street system. Therefore, a traffic impact analysis is not required as part of the proposed subdivision submittal per SRC 803.015(b)(1). This approval criterion is not applicable.

***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 findings included in this decision, 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. As conditioned, the 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 residential 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 to the extent possible. The proposed lots are also of sufficient size and dimension to permit future development of townhouses as allowed within the RS zone. 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 subject property is located inside the City's Urban Service Area and adequate facilities are available. As such, an Urban Growth Area Development Permit is not required, and this approval criterion is therefore not applicable to the proposed development.

## **9. ANALYSIS OF CLASS 1 ADJUSTMENT APPROVAL CRITERIA**

The purpose of the Adjustment Chapter of the City's development code is to provide a process to allow deviations from the development standards of the Salem Revised Code (SRC) for developments that, while not meeting the standards of the code, will continue to meet the intended purpose of those standards. Adjustments provide for an alternative way to meet the purposes of the code and provide flexibility to allow reasonable development of property where special conditions or unusual circumstances exist. Pursuant to SRC 250.005(a)(1)(A), a Class 1 Adjustment is an adjustment to any numerical development standard in the UDC that increases or decreases the standard by not more than 20 percent.

Salem Revised Code (SRC) 250.005(d)(1) sets forth the following criteria that must be met before approval can be granted to an application for a Class 1 Adjustment. The following subsections are organized with approval criteria shown in **bold**, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

***SRC 250.005(d)(1)(A): The purpose underlying the specific development standard proposed for adjustment is:***

- (i) Clearly inapplicable to the proposed development; or***
- (ii) Clearly satisfied by the proposed development.***

**Finding:** As identified in the application materials submitted by the applicant, a Class 1 Adjustment has been requested for three of the lots within the subdivision (*Lots 20-22*) to decrease their minimum lot depth from 70 feet, as required under SRC 510.010(b), to approximately 63 feet to 68 feet.

As indicated in the written statement provided by the applicant, the intent of the minimum lot depth standard is to ensure that required setbacks can be met and still provide an adequate building pad. As demonstrated by this application, the applicant is not requesting an adjustment to either the front yard setback, the face-of-garage setback, or the rear yard setback. An adequate building pad can be provided for a future home within these setbacks despite the smaller depth. The applicant explains that, as such, the intent of this standard remains clearly satisfied by the proposed development. The applicant also notes that the variety of lot depths will provide opportunities for a number of different building footprints, increasing the possibility of unique designs and architectural diversity within this development.

Staff concurs with the findings included in the applicant's written statement. The underlying purpose of the minimum lot depth standard is to ensure sufficient useable space on a lot to accommodate the main building and potential detached accessory structures while maintaining conformance with setbacks and lot coverage requirements. As indicated by the applicant and illustrated on the site plan, the townhouse lots are of sufficient size to accommodate the development of townhouses, as proposed, while still maintaining conformance with the minimum required lot area, lot width, and setbacks standards of the RS zone. The underlying purpose of the minimum lot depth standard is therefore clearly satisfied by the proposed development and this approval criteria is met.

***SRC 250.005(d)(1)(B): The proposed adjustment will not unreasonably impact surrounding existing or potential uses or development.***

**Finding:** The written statement provided by the applicant indicates, in summary, that all surrounding properties have already experienced residential development; however, these properties will not be impacted by the proposed adjustment. Because the future dwellings constructed on Lots 20-22 will still be required to comply with the appropriate setbacks, there will be no apparent difference between these dwellings and the dwellings on nearby lots – as the separation between buildings will remain the same. Additionally, the shorter lot depth and standard setbacks will result in a smaller dwelling, which will have a less visual impact on surrounding properties than a home constructed on a lot with a depth of 70 feet.

Staff concurs with the findings included in the applicant's written statement. The subject property is surrounded by existing development to the north, west, and south. The requested Class 1 Adjustment affects only three of the lots located within the western

portion of the subdivision closest to the existing residential development to the west, and the amount of lot depth reduction for these lots ranges from two feet to seven feet below the minimum required 70-foot lot depth. Because only a small number of the lots closest to the existing residential development to the west are included in the Class 1 Adjustment, because the requested amount of lot depth reduction for those lots is small, and because future development on the lots still will be required to comply with the minimum setback requirements of the RS zone, the proposed lot depth reduction will not unreasonably impact surrounding existing or potential uses or development. This approval criterion is met.

## 10. ANALYSIS OF CLASS 2 ADJUSTMENT APPROVAL CRITERIA

The purpose of the Adjustment Chapter of the City's development code is to provide a process to allow deviations from the development standards of the Salem Revised Code (SRC) for developments that, while not meeting the standards of the code, will continue to meet the intended purpose of those standards. Adjustments provide for an alternative way to meet the purposes of the code and provide flexibility to allow reasonable development of property where special conditions or unusual circumstances exist. Pursuant to SRC 250.005(a)(1)(B), a Class 2 Adjustment is an adjustment to any development standard in the UDC, other than a Class 1 Adjustment; including an adjustment to any numerical development standard that increases or decreases the standard by more than 20 percent.

Salem Revised Code (SRC) 250.005(d)(2) sets forth the following criteria that must be met before approval can be granted to an application for a Class 2 Adjustment. The following subsections are organized with approval criteria shown in **bold**, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

***SRC 250.005(d)(2)(A): The purpose underlying the specific development standard proposed for adjustment is:***

- (i) Clearly inapplicable to the proposed development; or***
- (ii) Equally or better met by the proposed development.***

**Finding:** As identified in the application materials submitted by the applicant, a Class 2 Adjustment has been requested for 11 of the lots within the subdivision (*Lots 1-11*) to decrease their minimum double frontage lot depth from 120 feet, as required under SRC 510.010(b), to approximately 60 feet to 62 feet.

The written statement provided by the applicant indicates, in summary, that the purpose of the double frontage depth standard is to provide additional separation between a future dwelling and the adjacent streetscape in an attempt to minimize vehicle impacts on the livability of the applicable lot. However, this purpose does not apply to the intention of the proposed development. Street "A" is intended to function more as an alleyway for Lots 1 through 11, providing vehicular access to these lots, so that their front yard to Woodside Drive SE can remain more vegetated and increase walkability for pedestrians. This has the added effect of reducing the visual impact of

the outward facing portion of this development. Street "A" is intended to provide an alley-like access to these lots and minimize hardscape within the proposed development; it only provides access to the lots within this development. Additionally, because Street "A" is private, the applicant intends to limit the vehicle speed on this roadway to 15 miles per hour. This additional limitation should help prevent any potential vehicular impacts to the lots. The standard front yard and garage setbacks will also apply on these "double frontage lots"; thereby providing the standard separation between the dwellings and right-of-way.

Staff concurs with the findings included in the applicant's written statement. As shown on the tentative subdivision plan, Lots 1-11 are double frontage lots. Pursuant to SRC Chapter 111 (Definitions), a double frontage lot is a lot that has frontage on two streets that do not intersect at the lot's boundaries – typically with the front property line and the rear property line both abutting a street.

As with the underlying purpose of minimum lot depth standards in general, one of the underlying purposes of the minimum 120-foot double frontage lot depth standard is to ensure adequate space is provided on individual lots to accommodate reasonable development while maintaining conformance with required setback and maximum lot coverage standards. However, in the case of double frontage lots there's an additional underlying purpose of requiring a greater lot depth in order to promote privacy, especially in the rear yard areas of lots which are typically intended to be a more private than front yard areas.

In the written statement provided by the applicant it is indicated that the proposed private internal street within the subdivision is intended to function more as an alleyway for Lots 1 through 11 by providing rear vehicular access to the lots while at the same time allowing the front yard areas of the lots adjacent to Woodside Drive SE to remain open and more vegetated to increase walkability for pedestrians and reduce the visual impact of the outward facing portion of the development.

In the case of the proposed development, the underlying purpose of this standard is equally being met due to the design of the proposed internal private street which, because of its reduced width, is more similar to an alley than a street. As such, the need for greater privacy and separation in the rear yard areas of the lots is less than would be needed if the lots were instead abutting a higher classification of street with more traffic. In addition, future development of the lots will still be required to conform to the minimum setback and maximum lot coverage requirements of the RS zone; thereby ensuring conformance with applicable code standards.

In order to ensure that proposed Lots 1-11 meet the underlying purpose of the double frontage lot standard as required by this approval criterion and that the fronts of these lots abutting Woodside Drive are designed to be open and supportive of a walkable and pedestrian-friendly environment, the following condition of approval shall apply:

**Condition 26:** The front lot line for Lots 1-11 shall be the east lot line abutting Woodside Drive SE, and the homes on these lots shall be designed to face Woodside Drive with a front entrance facing the street.

The proposal, as conditioned, conforms to this approval criterion.

***SRC 250.005(d)(2)(B): If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.***

**Finding:** The written statement provided by the applicant indicates, in summary, that the proposed adjustment will not detract from the livability or appearance of the residential area because all visual impacts will be sequestered inside the proposed development. The adjustment will allow all vehicle accesses to these lots to be from the proposed internal street which will eliminate the need for driveway accesses to Woodside Drive SE; thereby allowing Lots 1 through 11 to have their front façades facing outwards without disruption from garages or driveways. This will also result in more vegetation along Woodside Drive SE because impervious surface will not be required for vehicle access, and this will create an attractive external appearance for the proposed subdivision.

Staff concurs with the findings included in the applicant's written statement. The proposed reductions to the minimum required double frontage lot depths will not result in lots which cannot be reasonably developed for their intended purpose. The future townhomes that will be constructed on the lots will be required to meet the applicable minimum setbacks and maximum lot coverage requirements of the RS zone; thereby ensuring development consistent with applicable code standards. In addition, by providing vehicle access to the rear lot the lots and requiring that the fronts of the homes on the lots face Woodside Drive, the proposed development will have an improved appearance so as to not detract from the appearance of the surrounding residential area. This approval criterion is met.

***SRC 250.005(d)(2)(C): If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.***

**Finding:** The proposal includes more than one adjustment. The written statement provided from the applicant indicates, in summary, that the purpose of the RS – Single Family Residential Zone is to implement the single-family residential designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The RS zone generally allows single family, two family, three family, and four family residential uses, along with a mix of other uses that are compatible with and/or provide support and services to the residential area. The proposed development is providing housing types that are compatible with the surrounding area. In actuality, the proposed adjustment allows the proposed development to better comply with this standard by allowing the development to increase its density and provide additional housing units.

Staff concurs with the findings included in the applicant's written statement. Although more one adjustment has been requested, the adjustments are the minimum necessary to allow development of the proposed townhouses. The RS zone allows for a variety of housing types, including attached single-family townhouses, and the proposed lot areas and widths of the lots otherwise exceed the minimum standards of the RS zone. This approval criterion is met.

## 11. ANALYSIS OF CLASS 2 DRIVEWAY APPROACH PERMIT APPROVAL CRITERIA

Pursuant to SRC 804.015, a driveway approach permit is required prior to constructing, relocating, reconstruction, enlarging, or altering any driveway approach. As shown on the tentative subdivision plan, the proposal includes an internal private one-way street that connects to Woodside Drive SE near the northeastern and southeastern corners of the subject property. Because these two private street connections are considered driveway approaches, a Class 2 Driveway Approach Permit is required for the proposed development.

Salem Revised Code (SRC) 804.025(d) provides that an application for a Class 2 Driveway Approach Permit shall be granted if the following criteria are met. The following subsections are organized with approval criteria in **bold**, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

***SRC 804.025(d)(1): The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards.***

**Finding:** The applicant proposes two driveway approaches onto the Woodside Drive SE. As described in the following findings, with the established conditions of approval, the proposed driveway approaches meet the applicable standards of SRC Chapter 804 and the Public Works Design Standards PWDS.

- ***SRC Chapter 804 Driveway Approach Development Standards***

SRC 804.050 establishes development standards for driveway approaches providing access from the public right-of-way to private property in order to provide safe and efficient vehicular access to development sites.

The proposed driveway approaches have been reviewed against the development standards in SRC Chapter 804 for driveway approaches accessing onto a local street serving a residential use. The proposed driveway approaches meet the development standards of the chapter.

- ***Public Works Design Standards***

The *Public Works Design Standards* (PWDS) establish construction standards for driveway approaches to ensure safe and efficient access is provided to private property from the public right-of-way.

The PWDS provide standard details for construction of driveway approaches serving residential uses. All driveway approaches serving the development will be constructed to PWDS Standard Plans, as identified on the applicant's plans. Construction drawings for driveway approaches will be confirmed at time of Building Permit application. The proposed driveway approaches will be constructed to meet the PWDS.

***SRC 804.025(d)(2): No site conditions prevent placing the driveway approach in the required location.***

**Finding:** The Development Services Division reviewed the proposed driveway approach locations and determined that no site conditions exist prohibiting the location of the proposed driveways. This approval criterion is met.

***SRC 804.025(d)(3): The number of driveway approaches onto an arterial are minimized.***

**Finding:** The subject property has frontage on Woodside Drive SE, which is classified as a local street under the Salem Transportation System Plan (TSP). Access onto an arterial street is not proposed. This criterion is therefore not applicable to the proposed development.

***SRC 804.025(d)(4): The proposed driveway approach, where possible:***

***(A) Is shared with an adjacent property; or***

***(B) Takes access from the lowest classification of street abutting the property***

**Finding:** The subject property has frontage on Woodside Drive SE, which is a local street according to the Salem Transportation System Plan (TSP). The property only abuts one street and, as such, access for the driveway approaches is taken from the lowest classification of street abutting the property. This approval criterion is met.

***SRC 804.025(d)(5): The proposed driveway approach meets vision clearance standards.***

**Finding:** The proposed driveways meet the vision clearance standards set forth in SRC Chapter 805. Additionally, the applicant has provided a sight distance analysis for the proposed driveway approaches. The stopping sight distance analysis demonstrates that there is adequate stopping sight distance for the driveway approaches. This approval criterion is met.

***SRC 804.025(d)(6): The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access.***

**Finding:** No evidence has been submitted to indicate that the proposed driveways will create traffic hazards or unsafe turning movements. Additionally, Development Services' analysis of the proposed driveways indicate that they will not create a traffic hazard and will provide for safe turning movements for access to the subject property. This approval criterion is met.

***SRC 804.025(d)(7): The proposed driveway approach does not result in significant adverse impacts to the vicinity.***

**Finding:** The Development Services Division reviewed the proposed driveway approaches. Their analysis of the proposed driveway approaches and the evidence that has been submitted indicate that the location of the proposed driveway approaches

will not have any adverse impacts to the adjacent properties or streets. This approval criterion is met.

***SRC 804.025(d)(8): The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections.***

**Finding:** The proposed driveway approaches serve a new one-way private street. Development Services' analysis of the proposed driveways and the evidence that has been submitted indicate that the proposed driveway approaches serving the one-way private street will not have an impact on the functionality of adjacent streets and intersections. This approval criterion is met.

***SRC 804.025(d)(9): The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.***

**Finding:** The subject property is zoned residential and surrounded by residentially zoned property. The subject property abuts only one street, Woodside Drive SE, which is classified as a local street. The driveway approaches balance the adverse impacts to residentially zoned property by complying with the standards of this chapter and will not have an adverse effect on the functionality of the adjacent streets. This approval criterion is met.

## 12. Conclusion

Based upon review of SRC 205.010(d), 250.005(d)(1) & (2), and 804.025(d), the findings contained under Sections 8-11 above, and the comments described, the Subdivision Tentative Plan, Class 1 Adjustment, Class 2 Adjustment, and Class 2 Driveway Approach Permit comply with the requirements for an affirmative decision. Approval will not adversely affect the safe and healthful development and access to any adjoining lands.

### **IT IS HEREBY ORDERED**

That Subdivision Tentative Plan, Class 2 Adjustment, Class 1 Adjustment, and Class 2 Driveway Approach Permit Case No. SUB-ADJ-DAP25-03, for property located at 5831 Woodside Drive SE, is hereby **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, requirements of development, and the conditions of approval listed below, which must be completed prior to final plat approval, unless otherwise indicated:

**Condition 1:** The private street shall be designed to include a minimum 26 feet of unobstructed access width adjacent to the fire hydrant. Where curb and sidewalk are present adjacent to the hydrant, a mountable curb may be provided for hydrant access.

**Condition 2:** Prior to final subdivision plat approval, obtain demolition permits and remove all existing buildings and detached accessory structures from the property.

- Condition 3:** The front lot line for Lot 1 and Lot 11 shall be the east lot line abutting Woodside Drive SE.
- Condition 4:** Prior to building permit approval on each lot, a copy of the maintenance easement required under SRC 800.031 shall be provided.
- Condition 5:** Prior to final plat approval, required right-of-way dedications and required easements shall be free and clear of encumbrances and liens unless an adjustment to SRC 200.050(d) is approved.
- Condition 6:** Prior to final plat approval, provide an engineered stormwater design pursuant to SRC 71 and the Public Works Design Standards to accommodate new impervious surfaces in rights-of-way and future impervious surfaces on all proposed lots.
- Condition 7:** Prior to final plat approval 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 and future impervious surfaces on all proposed lots.
- Condition 8:** Prior to final plat approval or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct an 8-inch public water main in the new private street, as shown on the applicant's preliminary utility plan. The main shall be designed and constructed in accordance with the *Public Works Design Standards*, to serve each lot.
- Condition 9:** Prior to final plat approval or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct 8-inch public sanitary sewer mains within the new private street, as shown on the applicant's preliminary utility plan. The mains shall be designed and constructed in accordance with the *Public Works Design Standards*, to serve each lot.
- Condition 10:** Prior to final plat approval or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct public stormwater mains to serve each lot and the green stormwater infrastructure facility, as shown on the applicant's preliminary utility plan. The mains shall be designed and constructed in accordance with the *Public Works Design Standards*, to serve each lot.
- Condition 11:** On the final plat, dedicate a public access and utility easement to the City of Salem over the new private street and sidewalk to allow access and maintenance of the proposed public utility infrastructure located within the subdivision.
- Condition 12:** On the final plat, dedicate a Water Easement to the City of Salem where water meters are located outside of the private street, in accordance with the Public Works Design Standards.

- Condition 13:** With the final plat, the applicant shall record a Shared Stormwater System Agreement for the private stormwater facility, which is in compliance with SRC 802.040.
- Condition 14:** On the final plat, convey land for dedication to equal a half-width right-of-way of 30-feet on the development side of Woodside Drive SE.
- Condition 15:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a 17-foot-wide half-street improvement along the frontage of Woodside Drive SE to local street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.
- Condition 16:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct the new private street to Local street standards as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803, with the following exceptions:
- A. The private street is approved to have a 20-foot-wide improvement width and a 5-foot-wide curblin sidewalk along one side of the private street.
  - B. The private street is approved to have a grade up to 15-percent.
  - C. The new private street shall be one-way. "No parking" signage shall be placed along both sides of the new internal private street.
- Condition 17:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), install street trees to the maximum extent feasible along Woodside Drive SE.
- Condition 18:** At time of Building Permit for each lot, install street trees to the maximum extend feasible along the Private Street.
- Condition 19:** Private Street Trees planted along the new internal private street shall be maintained in good health and replaced if damaged or dead.
- Condition 20:** Every two attached townhouses shall share a 16-foot-wide driveway approach; where the number of townhouses attached in a row result in one townhouse without a shared driveway approach, the driveway approach to that townhouse shall be limited to a maximum width of 10 feet, as shown on the applicant's preliminary plans.
- Condition 21:** As shown on the applicant's tentative site plan, water meters shall be located adjacent to driveway approaches and sanitary sewer service laterals shall be placed within the driveway approaches.
- Condition 22:** Prior to final plat, 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.

- Condition 23:** On the final plat, provide a 10-foot-wide public utility easement along the frontage of the private street and Woodside Drive SE.
- Condition 24:** Prior to Public Construction Plan Review, provide an updated Geotechnical Report that reflects the approved Tentative Subdivision Plan layout for building lots, streets, and stormwater infrastructure.
- Condition 25:** Prior to submittal of building permits for any lot within the proposed subdivision, the developer 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 26:** The front lot line for Lots 1-11 shall be the east lot line abutting Woodside Drive SE, and the homes on these lots shall be designed to face Woodside Drive with a front entrance facing the street.



---

Bryce Bishop, Planner III



---

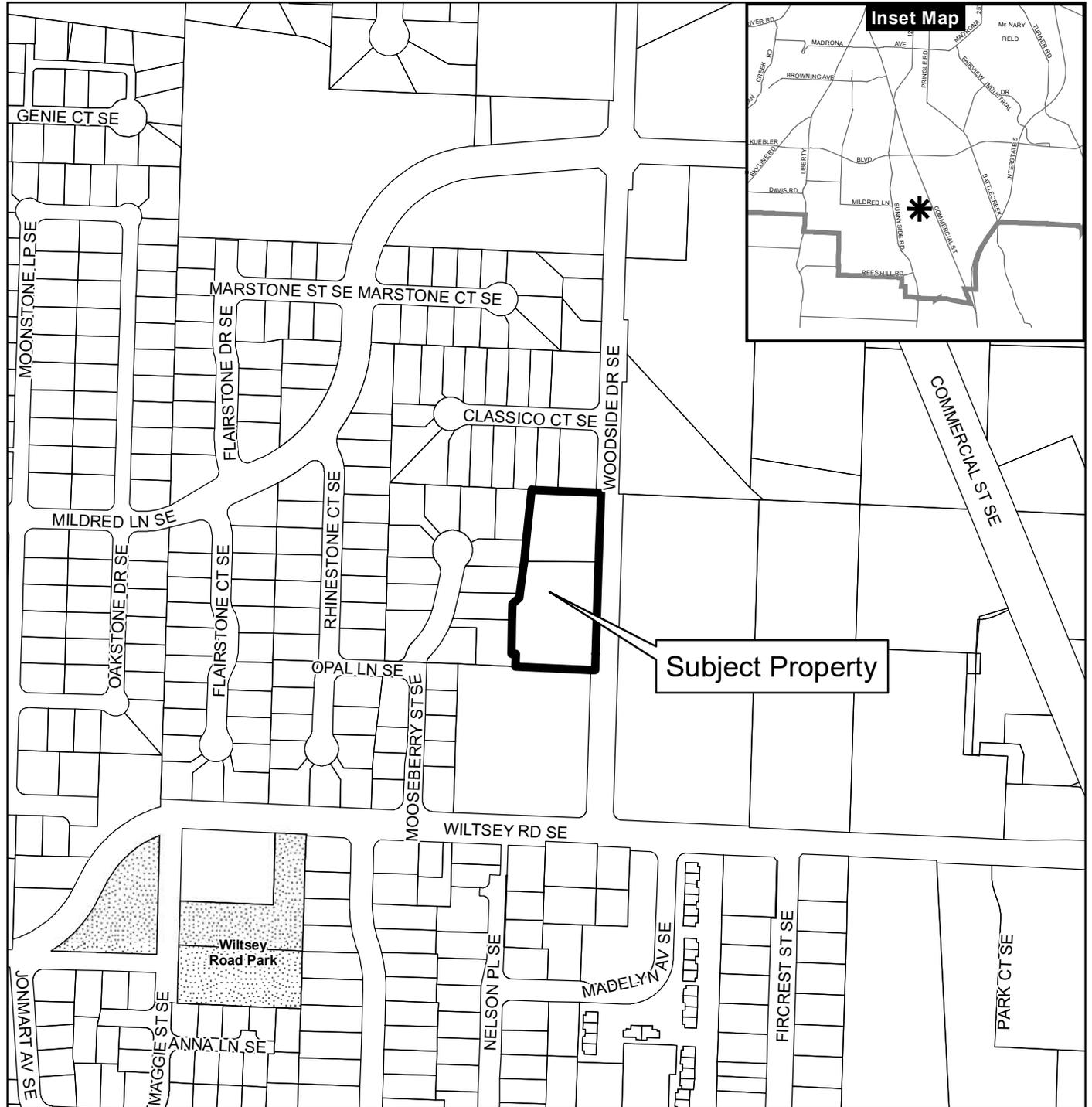
Laurel Christian, Infrastructure Planner III

On behalf of Lisa Anderson-Ogilvie, AICP  
Planning Administrator

- Attachments: A. Vicinity Map  
B. Subdivision Tentative Plan  
C. Public Comments  
D. Salem-Keizer School District Comments

# Vicinity Map

## 5831 Woodside Drive SE



**Legend**

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

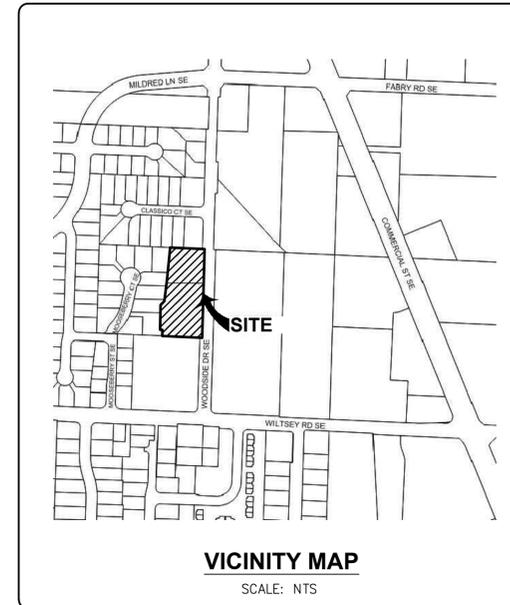
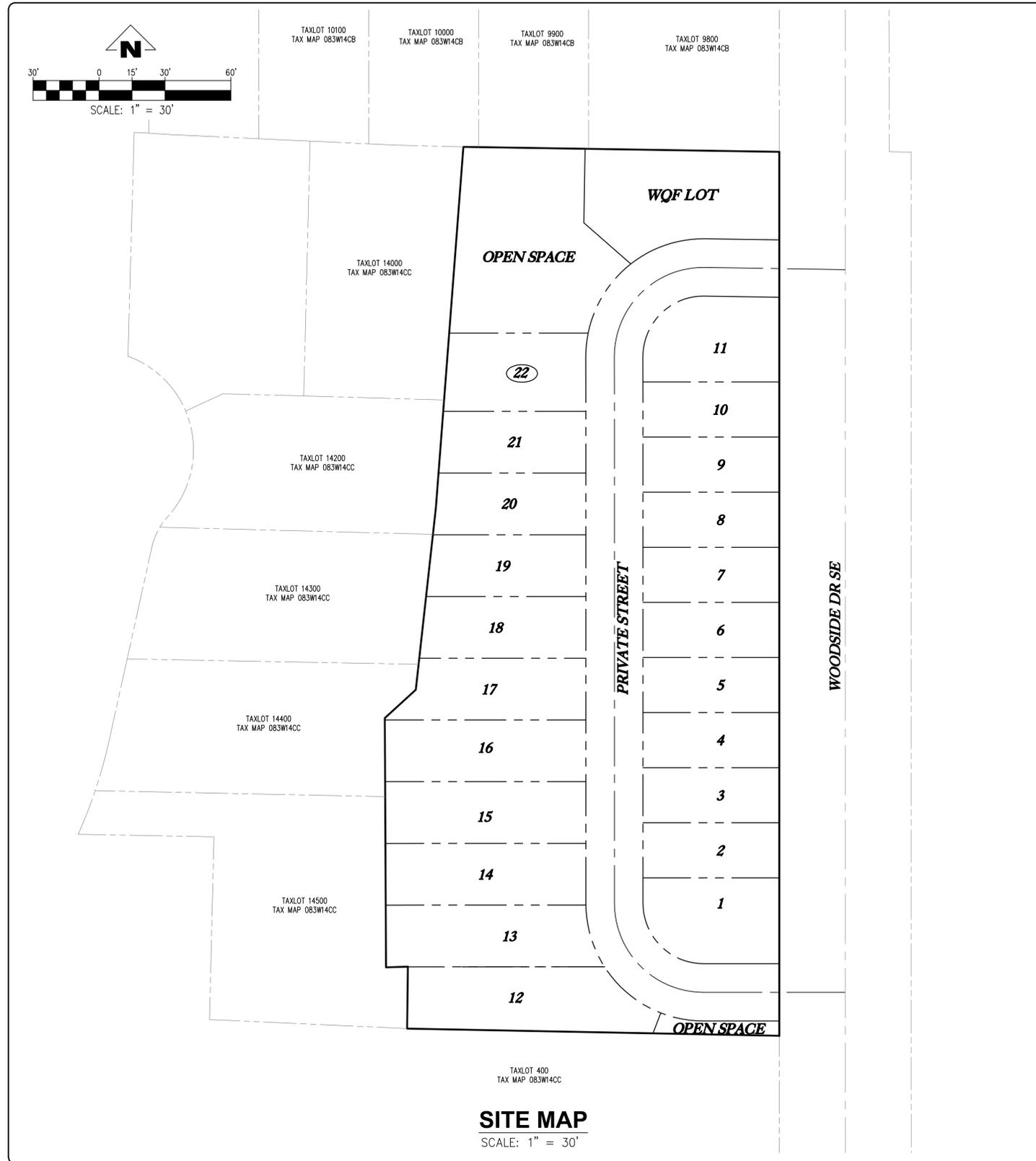


This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

# WOODSIDE TOWNHOMES TENTATIVE PLAN

# Attachment B

## 22 - LOT SUBDIVISION - TENTATIVE SUBDIVISION IMPROVEMENT PLANS TAX MAP 083W14CC TAX LOT 300 & 302 CITY OF SALEM, OREGON



LEGEND	
---	BOUNDARY LINE
---	EXISTING 1' CONTOUR LINE
---	EXISTING 5' CONTOUR LINE
---	EXISTING CROWN (CENTER LINE OF ROAD)
---	EXISTING PAVEMENT
---	EXISTING GRAVEL
---	EXISTING CONCRETE
---	EXISTING BUILDING
---	EXISTING FENCE
---	EXISTING STORM LINE
---	EXISTING STORM INLET
---	EXISTING WATERLINE
---	EXISTING WATER METER
---	EXISTING VALVE
---	EXISTING SANITARY SEWER LINE
---	EXISTING SANITARY SEWER MANHOLE
---	EXISTING SANITARY CLEANOUT
---	EXISTING OVERHEAD POWER
---	EXISTING ELECTRICAL PEDESTAL
---	EXISTING STREET LIGHT
---	EXISTING UTILITY POLE
---	EXISTING UTILITY PEDESTAL
---	EXISTING GAS PIPELINE
---	EXISTING SIGN
---	EXISTING COMMUNICATIONS LINE
---	EXISTING COMMUNICATIONS PEDESTAL
---	EXISTING TREE
---	ADJACENT PROPERTY LINE
---	PROPOSED PROPERTY LINE
---	PROPOSED EASEMENT
---	PROPOSED 1' CONTOUR LINE
---	PROPOSED 5' CONTOUR LINE
---	PROPOSED EDGE OF PAVEMENT
---	PROPOSED PAVEMENT
---	PROPOSED GRAVEL
---	PROPOSED CONCRETE
---	PROPOSED BUILDING
---	PROPOSED FENCE
---	PROPOSED STORM LINE
---	PROPOSED STORM MANHOLE
---	PROPOSED STORM INLET
---	PROPOSED CURB INLET
---	PROPOSED MANHOLE WITH GRATED LID
---	PROPOSED WATERLINE
---	PROPOSED WATER METER
---	PROPOSED FIRE HYDRANT
---	PROPOSED WATER VALVE
---	PROPOSED AIR/VACUUM VALVE
---	PROPOSED SANITARY SEWER LINE
---	PROPOSED SANITARY SEWER MANHOLE
---	PROPOSED SANITARY CLEANOUT
---	PROPOSED SANITARY LATERAL
---	PROPOSED SIGN
---	PROPOSED TREE

SITE DATA	
SITE AREA:	1.59 ACRES
ZONING:	RA
TAXLOT:	300, 302
TAXMAP:	083W14CC
NO OF LOTS:	22

**BENCHMARK INFORMATION**  
THE ELEVATIONS SHOWN HEREON ARE BASED UPON A GNSS OBSERVATION USING THE NAVD88 DATUM.

**PAPER SCALE NOTE**  
THESE PLANS ARE FULL SIZED ON 22"x34" PAPER, IF 11"x17", SCALE ACCORDINGLY.

**FLOOD PLAIN NOTE**  
THIS SITE IS LOCATED FULLY WITHIN ZONE "X", OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN AS DESIGNATED ON THE FLOOD INSURANCE RATE MAP (FIRM) NUMBER 41047C0657G, LAST REVISED JANUARY 19TH, 2000.

**PROJECT CONTACTS**

**OWNER:**  
WOODSIDE, LLC  
C/O MIKE SMITH & STEVE PARKER  
PO BOX 4582, SALEM, OR 97301  
MCMSSMITH@AOL.COM  
(503)-932-3670 (P)

**SURVEYOR:**  
LAND MARKERS SURVEYING, LLC  
4068 HUDSON AVE NE  
SALEM, OR 97301  
CONTACT: TROY PETERSON, PLS  
(503) 581-0911 (P)

**CIVIL ENGINEER:**  
EMERIO DESIGN, LLC  
1500 VALLEY RIVER DR, SUITE 100  
EUGENE, OR 97401  
CONTACT: DANIEL BOULTINGHOUSE, PE  
(503) 746-8812 (P)  
(503) 639-9592 (F)

DRAWING INDEX	
SHEET NO.	SHEET TITLE
1	COVER SHEET
2	EXISTING CONDITIONS AND DEMOLITION PLAN
3	TENTATIVE PLAT
4	TENTATIVE SITE PLAN
5	TENTATIVE COMPOSITE UTILITY PLAN
6	TENTATIVE COMPOSITE UTILITY PLAN - WOODSIDE DR STREET & STORM
7	TENTATIVE COMPOSITE UTILITY PLAN - PRIVATE ST STREET & STORM
8	TENTATIVE COMPOSITE UTILITY PLAN - WOODSIDE DR SANITARY SEWER & WATER
9	TENTATIVE COMPOSITE UTILITY PLAN - PRIVATE ST SANITARY SEWER & WATER
10	TYPICAL STREET SECTIONS
11	TENTATIVE GRADING AND EROSION CONTROL PLAN
12	WATER QUALITY FACILITY DETAILS
13	TREE CONSERVATION PLAN
14	DRIVEWAY PLAN

**ENGINEER'S NOTE TO CONTRACTOR**

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES SHOWN ON THESE PLANS ARE OBTAINED BY A SEARCH OF AVAILABLE RECORDS. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT THOSE SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN ON THESE DRAWINGS. THE CONTRACTOR FURTHER ASSUMES ALL LIABILITY AND RESPONSIBILITY FOR THE UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN OR NOT SHOWN ON THESE DRAWINGS.

THE CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPT FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO THE COMMENCEMENT OF WORK.

THIS DESIGN COMPLIES WITH ORS 92.044 (7) IN THAT NO UTILITY INFRASTRUCTURE IS DESIGNED TO BE WITHIN ONE (1) FOOT OF A SURVEY MONUMENT LOCATION SHOWN ON A SUBDIVISION OR PARTITION PLAT. NO DESIGN EXCEPTIONS NOT FINAL FIELD LOCATION CHANGES SHALL BE PERMITTED IF THAT CHANGE WOULD CAUSE ANY UTILITY INFRASTRUCTURE TO BE PLACED WITHIN THE PROHIBITED AREA.

**NOTICE TO EXCAVATORS:**  
ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER.  
(NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503)-232-1987).

POTENTIAL UNDERGROUND FACILITY OWNERS  
**Dig Safely.**  
Call the Oregon One-Call Center  
DIAL 811 or 1-800-332-2344

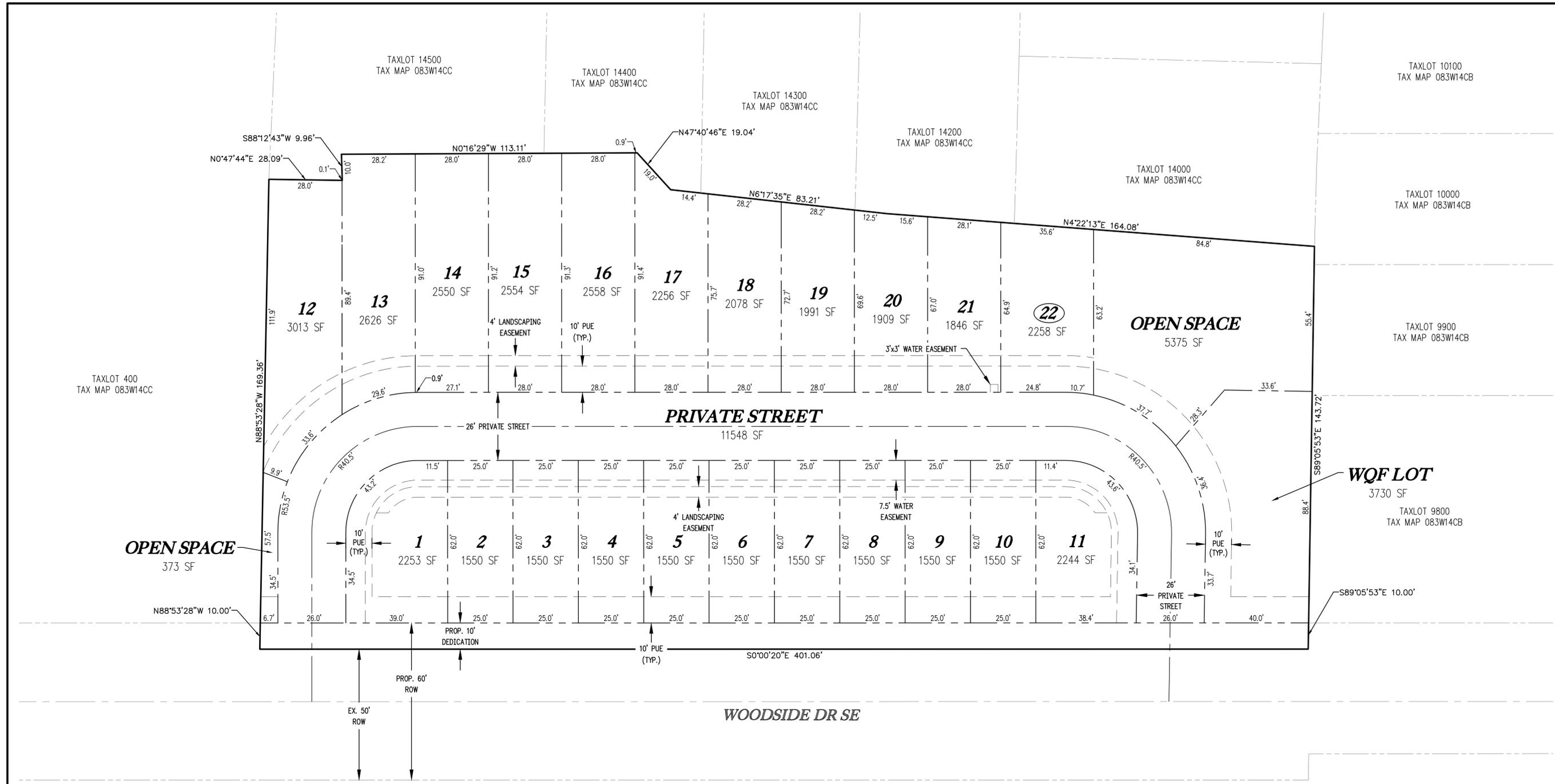
WOODSIDE TOWNHOMES  
TENTATIVE PLAN  
5831 WOODSIDE DRIVE  
SALEM, OREGON 97301  
TL 300 & 302, MAP 083W14CC

COVER SHEET

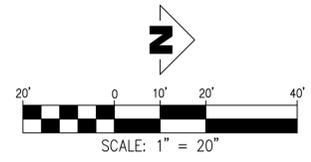
**EMERIO**  
ENGINEERING • SURVEYING • DESIGN  
1500 VALLEY RIVER DRIVE, SUITE 100  
EUGENE, OREGON 97401  
TEL: (503) 746-8812  
FAX: (503) 639-9592  
www.emeriodesign.com



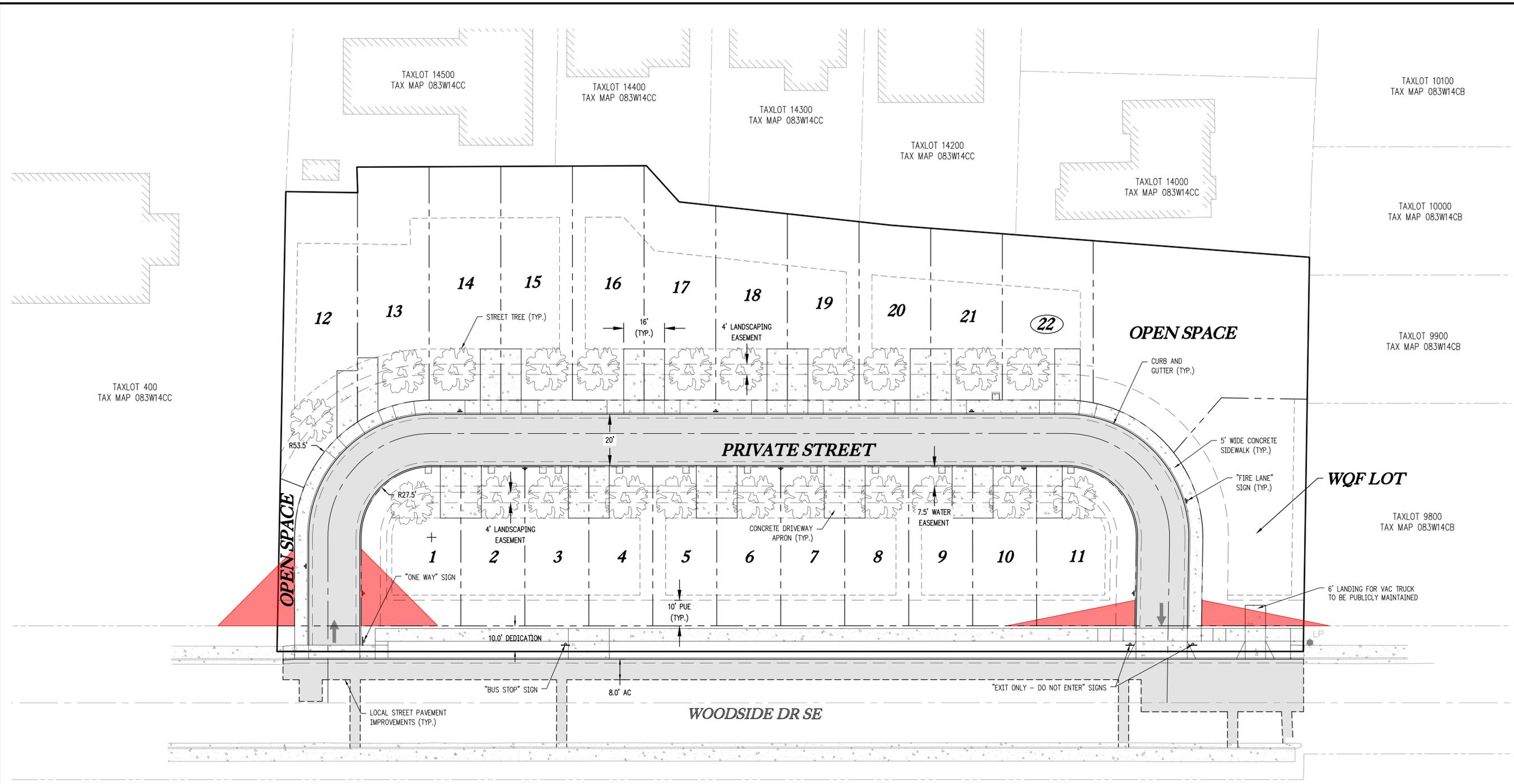
FILE: P:\1999-001\_Woodside Development\1999-001\_03.plt, Layout: 3 TENTATIVE PLAT, Plot Date: 4/11/2025 11:12 AM, by: Keaton Smith



**TENTATIVE PLAT**  
SCALE: 1" = 20'



FILE: P:\1999-001\_Woodside Development\1999-001\_Ops\1999-001\_04psit\_Layout: 4 TENTATIVE SITE PLAN, Plot Date: 4/11/2025 11:25 AM, by: Keaton Smith



**TENTATIVE SITE PLAN**  
SCALE: 1" = 20'

RESIDENTIAL SINGLE FAMILY (RS) SETBACK REQUIREMENTS - SRC TABLE 511-3	
ABUTTING STREET FRONT SETBACK, MIN. (FEET):	12
INTERIOR FRONT SETBACK, MIN. (FEET):	12
INTERIOR SIDE SETBACK, MIN. (FEET):	0
TOWNHOUSE LOT COMMON WALL:	5
END UNIT EXTERIOR WALL:	5
ANY OTHER USE:	20
INTERIOR REAR SETBACK, MIN. (FEET):	20

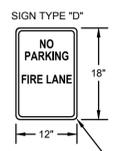
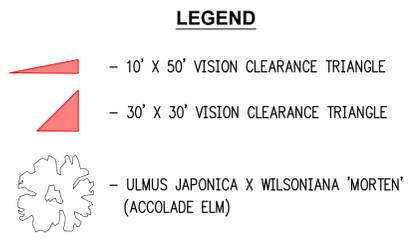
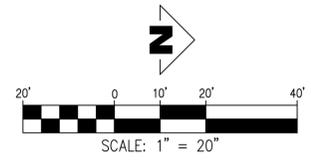
RESIDENTIAL SINGLE FAMILY (RS) LOT COVERAGE REQUIREMENTS - SRC TABLE 511-4	
LOT COVERAGE, MAXIMUM, (PERCENT):	60

DENSITY CALCULATIONS	
TOTAL RESIDENTIAL LOT AREA	= 44,091 SF (1.01 AC)
TOTAL RESIDENTIAL LOT COUNT	= 22 UNITS
TOTAL DENSITY	= 21.78 UNITS/AC

SITE AREAS	
PUBLIC RIGHT-OF-WAY:	4,010 SF (0.09 AC)
PRIVATE STREET:	11,548 SF (0.27 AC)
WATER QUALITY FACILITY:	3,730 SF (0.09 AC)
OPEN SPACE LOTS:	5,748 SF (0.13 AC)
RESIDENTIAL LOTS:	44,091 SF (1.01 AC)
TOTAL AREA:	69,128 SF (1.59 AC)

**STREET TREE PLANTING NOTES**

- ONE TREE PER LOT SHALL BE PLANTED INSIDE THE 4' LANDSCAPING EASEMENT IN LOTS 1-22, SUBJECT TO VISION CLEARANCE AREA STANDARDS AND PLACEMENT OF DRIVEWAYS AND PUBLIC UTILITIES.
- ONE SMALL TREE SHALL BE PLANTED PER EVERY 30 FEET OF STREET FRONTAGE, IN THE RIGHT-OF-WAY, ALONG THE WOODSIDE DRIVE SE FRONTAGE, SUBJECT TO VISION CLEARANCE AREA STANDARDS AND PLACEMENT OF PUBLIC UTILITIES.



"FIRE LANE" SIGN SHALL HAVE A MINIMUM DIMENSION OF 12 INCHES WIDE BY 18 INCHES HIGH AND HAVE RED LETTERS ON A WHITE REFLECTIVE BACKGROUND.

**Case Number:** SUB-ADJ-DAP25-03

**Permit Number:**24 120815 00 PLN

## Attachment C

**Name:** Ace Matkin

**Submission Date:** 6/5/2025

**Comment:**

Having lived near the site of this planned development for many years, I have long been aware of any issues that would arise from development at this location. Not only is this road not ready for heavier traffic in its present state, as it is difficult to have two vehicles pass side by side due to the restricted sight distance, the overgrowth on one side, and the many cars that already park on both sides of the road, which effectively leads to the road becoming a single-lane road despite its width. In addition, a driveway being installed on the point of the hill where this is planned to be located would be too sudden and difficult for drivers coming from the bottom of the hill, due to the nature of the hill being at a rather steep angle where one cannot easily see the top from the bottom. And, due to the amount of cars that already park on Woodside, it would be difficult to turn into a driveway from either direction. Also, building here would likely cause more parking overflow than there already is, leading to more people parked on an already congested road that is unsafe for pedestrians to cross as it is.

Furthermore, I would like to address that the signs posted as a notice of this planned development were placed in an area that is impossible for most to read, as the side they were installed on has no sidewalk, and pedestrians cannot read them from across the street, also, those driving on Woodside cannot easily see them due to their orientation, as well as one being exceptionally too close to the slope of the hill, where it can easily go unnoticed.

## Bryce Bishop

---

**From:** Lisa Anderson-Ogilvie  
**Sent:** Friday, June 13, 2025 8:33 AM  
**To:** Bryce Bishop  
**Subject:** FW: Folder Number: 24-120815-PLN Case Number: SUB-ADJ-DAP25-03  
**Attachments:** IMG\_0251.jpeg; IMG\_0252.jpeg; IMG\_0254.jpeg; IMG\_0250.jpeg; IMG\_0249.jpeg

---

**From:** David Crain <mrdcrain@gmail.com>  
**Sent:** Thursday, June 12, 2025 4:37 PM  
**To:** Lisa Anderson-Ogilvie <LMAAnderson@cityofsalem.net>  
**Subject:** Folder Number: 24-120815-PLN Case Number: SUB-ADJ-DAP25-03

**Folder Number:** 24-120815-PLN

**Case Number:** SUB-ADJ-DAP25-03

Dear Members of the Planning Commission,

I am writing as a concerned neighboring property owner regarding the proposed development of 22 townhouse units, three of which directly abut my property. I recognize the need for housing and I urge the Commission to take into serious consideration the following impacts this project will have on adjacent residents and the surrounding environment:

1. **Loss of Mature Fir Trees:** The removal of seven large, mature fir trees along the shared property line is deeply concerning. These trees provide year-round privacy to my backyard, reduce noise, and contribute significantly to the visual character of the neighborhood. Their elimination would not only degrade the view but also disrupt the established habitat. No tree replacement plan has been offered to mitigate this specific loss.
2. **Traffic and Safety Impacts:** The narrow street that provides access to the proposed development already has restricted sight lines, particularly near driveways and corners. An increase in vehicle traffic, on-street parking overflow, and pedestrian movement from 22 new residences will heighten the risk of accidents and compromise pedestrian and driver safety. The current infrastructure does not appear capable of safely supporting this density increase.
3. **Impact on Property Value and Taxation:** My property is currently assessed at a higher rate due to its designated "view" status. The addition of multi-story townhouses will directly obstruct that view, reducing property value. This creates an unfair tax burden and warrants reassessment or mitigation.
4. **Soil Erosion and Slope Stability:** The pre-construction plans indicate slopes as steep as 1:1 on the site. Without appropriate engineering controls, these slopes present a clear risk for soil erosion, runoff into neighboring yards, and long-term slope instability. This poses not only an environmental risk but also potential liability for adjacent properties.

I respectfully request that the Commission require the developer to:

- Preserve or replace the removed trees with a meaningful replanting plan using mature, native species to maintain the privacy and visual nature of the neighborhood.
- Conduct a comprehensive traffic and pedestrian safety study.

- Reevaluate the project's height and placement to preserve existing view corridors for neighboring properties.
- Provide a geological report and soil stabilization plan to address slope and erosion concerns.
- Consider reducing the number of townhouses approved for this property if the above objections cannot be satisfactorily resolved.

Thank you for considering these important issues. I believe thoughtful planning and mitigation can ensure this project meets community needs without compromising the safety, livability, and character of the existing neighborhood.

Sincerely,

David and Shannon Crain  
5868 Mooseberry Ct SE, Salem, OR 97306  
[mrdcrain@gmail.com](mailto:mrdcrain@gmail.com)

971-719-0842





NO  
TURN  
AROUND

1924

ROAD  
AHEAD







## Bryce Bishop

---

**From:** Jordan Wade <jkwade03@gmail.com>  
**Sent:** Thursday, June 12, 2025 4:43 PM  
**To:** Bryce Bishop  
**Subject:** Comment on Land Use Proposal – Case Number SUB-ADJ-DAP25-03

To the City of Salem Planning Division,

I appreciate the City of Salem's commitment to address the pressing need for housing, especially during a time when so many are struggling to find stable, affordable places to live. It's clear the city is working to meet the moment with thoughtful planning and long-term goals in mind, and far be it from me to impede those efforts.

That being said, I respectfully request the Planning Division consider the unique character of our neighborhood, and the significant investments current residents have made into their homes as they contemplate site improvements. For many of the homes in the area, the scenic views are a defining feature—and are likely a factor in property tax assessments. The obstruction, or outright elimination of these views would not only affect the aesthetic and personal value of homes but unavoidably raises concerns surrounding their market and assessed values as well.

Please accept my correspondence as an appeal to, and an encouragement for the city to explore options preserve key view corridors, incorporate visual buffers, and/or utilize design strategies to reduce visual disruption to the existing community. With careful planning, I believe it's possible to meet the city's housing goals while also maintaining the integrity of established neighborhoods.

Thank you for your consideration, for the opportunity to share my perspective, and for your service!

Sincerely,

JKW

J.K. Wade

P.S. As they are available upon request, please provide me with a copy of the complete case file, including all materials submitted by the applicant and any applicable professional studies. Thank you!

# REQUEST FOR COMMENTS

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

**REGARDING:** Subdivision Tentative Plan / Class 2 Adjustment / Class 1 Adjustment / Class 2 Driveway Approach Permit Case No. SUB-ADJ-DAP25-03

**PROJECT ADDRESS:** 5831 Woodside Dr SE, Salem OR 97306

**AMANDA Application No.:** 24-120815-PLN

**COMMENT PERIOD ENDS:** June 12, 2025, at 5:00 p.m.

**SUMMARY:** Proposed Subdivision Tentative Plan to divide approximately 1.59 acres into 22 lots with associated site improvements.

**REQUEST:** A consolidated application for a proposed Subdivision Tentative Plan to divide approximately 1.59 acres into 22 residential lots, ranging in size from approximately 1,550 square feet to 3,013 square feet, to accommodate single family townhomes; together with a proposed private internal street, an open space lot, and a lot for stormwater treatment. The proposal also includes:

- 1) A Class 1 Adjustment to decrease the minimum required lot depth for Lots 20-22 from 70 feet to approximately 63 feet to 68 feet (SRC 510.010(b));
- 2) A Class 2 Adjustment to decrease the minimum required double frontage lot depth for Lots 1-11 from 120 feet to approximately 60 feet to 62 feet (SRC 510.010(b)); and
- 3) A Class 2 Driveway Approach Permit for the two access points of the proposed private street onto Woodside Drive SE.

The subject property totals approximately 1.59 acres in size, is zoned RA (Residential Agriculture), and located at 5831 Woodside Drive SE (Marion County Assessor's Map and Tax Lot Numbers: 083W14CC00300 and 083W14CC00302).

The Planning Division is interested in hearing from you about the attached proposal. Staff will prepare a Decision that includes consideration of comments received during this comment period. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents. The complete case file, including all materials submitted by the applicant and any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports, are available upon request.

**Comments received by 5:00 p.m., Thursday, June 12, 2025,** will be considered in the decision process. Comments received after this date will be not considered. *Comments submitted are public record. This includes any personal information provided in your comment such as name, email, physical address and phone number. Mailed comments can take up to 7 calendar days to arrive at our office. To ensure that your comments are received by the deadline, we recommend that you e-mail your comments to the Case Manager listed below, or submit comments online at <https://eqov.cityofsalem.net/PlanningComments>*

**CASE MANAGER:** Bryce Bishop, Planner III, City of Salem, Planning Division; PO Box 14300, Salem OR 97309-3986; Phone: 503-540-2399; E-Mail: [bbishop@cityofsalem.net](mailto:bbishop@cityofsalem.net).

For information about Planning in Salem, please visit: <http://www.cityofsalem.net/planning>

## PLEASE CHECK THE FOLLOWING THAT APPLY:

1. I have reviewed the proposal and have no objections to it.

2. I have reviewed the proposal and have the following comments: My concern is the additional traffic from 22 homes. Typical is 2 to 3 trips per day times 22 = 44 for an single car family w/ 83 for double car families would pose a significant increase in traffic. Does the current configuration support that?

Name/Agency: James Behling  
Address: 5804 Woodside Dr SE Salem, Oregon 97306  
Phone: 503-569-7932  
Email: \_\_\_\_\_  
Date: 6-8-25

**IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM**

## Bryce Bishop

---

**From:** kirk williams <kirkwwjd@gmail.com>  
**Sent:** Thursday, June 5, 2025 8:55 PM  
**To:** Bryce Bishop  
**Subject:** 5831 Woodside Dr SE Salem ORegon 97306

Hi Bryce,

My name is Kirk Williams we own the property directly behind 5831 Woodside, 5878 Mooseberry Court- Original owners. Our concerns are road and car noise from the 22 residents that will be living on the Woodside parcel, multilevel buildings blocking our view, lights shining into our backyard at all times of the night. There is only 1.5 acres there, according to the zoning it is not zoned for multi level structure residences and still comes up as Grabenhurst Fruit Farms which is zoned for RA, which is Residential with some light agricultural use. We and other neighbors on our against the proposed development and will be sending comments regarding this prior to June 12.

--

Kirk Williams  
503-302-4088  
Salem, Oregon

# REQUEST FOR COMMENTS

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

**REGARDING:** Subdivision Tentative Plan / Class 2 Adjustment / Class 1 Adjustment / Class 2 Driveway Approach Permit Case No. SUB-ADJ-DAP25-03

**PROJECT ADDRESS:** 5831 Woodside Dr SE, Salem OR 97306

**AMANDA Application No.:** 24-120815-PLN

**COMMENT PERIOD ENDS:** June 12, 2025, at 5:00 p.m.

RE  
JUN - 9 2025  
By: \_\_\_\_\_

**SUMMARY:** Proposed Subdivision Tentative Plan to divide approximately 1.59 acres into 22 lots with associated site improvements.

**REQUEST:** A consolidated application for a proposed Subdivision Tentative Plan to divide approximately 1.59 acres into 22 residential lots, ranging in size from approximately 1,550 square feet to 3,013 square feet, to accommodate single family townhomes; together with a proposed private internal street, an open space lot, and a lot for stormwater treatment. The proposal also includes:

- 1) A Class 1 Adjustment to decrease the minimum required lot depth for Lots 20-22 from 70 feet to approximately 63 feet to 68 feet (SRC 510.010(b));
- 2) A Class 2 Adjustment to decrease the minimum required double frontage lot depth for Lots 1-11 from 120 feet to approximately 60 feet to 62 feet (SRC 510.010(b)); and
- 3) A Class 2 Driveway Approach Permit for the two access points of the proposed private street onto Woodside Drive SE.

The subject property totals approximately 1.59 acres in size, is zoned RA (Residential Agriculture), and located at 5831 Woodside Drive SE (Marion County Assessor's Map and Tax Lot Numbers: 083W14CC00300 and 083W14CC00302).

The Planning Division is interested in hearing from you about the attached proposal. Staff will prepare a Decision that includes consideration of comments received during this comment period. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents. The complete case file, including all materials submitted by the applicant and any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports, are available upon request.

**Comments received by 5:00 p.m., Thursday, June 12, 2025,** will be considered in the decision process. Comments received after this date will be not considered. *Comments submitted are public record. This includes any personal information provided in your comment such as name, email, physical address and phone number. Mailed comments can take up to 7 calendar days to arrive at our office. To ensure that your comments are received by the deadline, we recommend that you e-mail your comments to the Case Manager listed below, or submit comments online at <https://egov.cityofsalem.net/PlanningComments>.*

**CASE MANAGER:** Bryce Bishop, Planner III, City of Salem, Planning Division; PO Box 14300, Salem OR 97309-3986; Phone: 503-540-2399; E-Mail: [bbishop@cityofsalem.net](mailto:bbishop@cityofsalem.net).

For information about Planning in Salem, please visit: <http://www.cityofsalem.net/planning>

## PLEASE CHECK THE FOLLOWING THAT APPLY:

1. I have reviewed the proposal and have no objections to it.

2. I have reviewed the proposal and have the following comments: *I have no objection provided my rental property below the project (1390 Classic and 5831 Woodside) is not impacted in any way, now or in the future.*

Name/Agency: *Virginia Pulwyle*  
Address: *636 Martinway, Monmouth, OR 97361*  
Phone: *503-779-6313*  
Email: *v.pulwyle@gmail.com*  
Date: *6/3/25*

**IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM**



Business & Support Services  
2450 Lancaster Drive NE • PO Box 12024 • Salem, Oregon 97309  
503-399-3036 • FAX: 503-399-3407

Andrea Castañeda, Superintendent

June 6, 2025

Bryce Bishop, Planner  
Planning Division, City of Salem  
555 Liberty Street SE, Room 305  
Salem OR 97301

RE: Land Use Activity Case No. SUB-ADJ-DAP25-03, 5831 Woodside Dr. SE

The City of Salem issued a Request for Comments for a Land Use Case as referenced above. Please find below comments on the impact of the proposed land use change on the Salem-Keizer School District.

### **IDENTIFICATION OF SCHOOLS SERVING THE SUBJECT PROPERTY**

The School District has established geographical school attendance areas for each school known as school boundaries. Students residing in any residence within that boundary are assigned to the school identified to serve that area. There are three school levels, elementary school serving kindergarten thru fifth grade, middle school serving sixth thru eighth grade, and high school serving ninth thru twelfth grade. . The schools identified to serve the subject property are:

<b>School Name</b>	<b>School Type</b>	<b>Grades Served</b>
Battle Creek	Elementary	K thru 5
Judson	Middle	6 thru 8
Sprague	High	9 thru 12

*Table 1*

### **SCHOOL CAPACITY & CURRENT ENROLLMENT**

The School District has established school capacities which are the number of students that a particular school is designed to serve. Capacities can change based on class size. School capacities are established by taking into account core infrastructure (gymnasium, cafeteria, library, etc.) counting the number of classrooms and multiplying by the number of students that each classroom will serve. A more detailed explanation of school capacity can be found in the School District's adopted Facility Plan.

School Name	School Type	School Enrollment	School Design Capacity	Enroll./Capacity Ratio
Battle Creek	Elementary	425	601	71%
Judson	Middle	797	1,059	75%
Sprague	High	1,685	2,248	75%

Table 2

**POTENTIAL ADDITIONAL STUDENTS IN BOUNDARY AREA RESULTING FROM APPROVAL OF LAND USE CASE**

The School District anticipates the number of students that may reside at the proposed development based on the housing type, single family (SF), duplex/triplex/four-plex (DU), multi-family (MF) and mobile home park (MHP). The School District commissioned a study by the Mid-Willamette Valley Council of Governments in 2021 to determine an estimate of students per residence, for the Salem-Keizer area, in each of the four housing types. Since the results are averages, the actual number of students in any given housing type will vary. The table below represents the resulting estimates for the subject property:

School Type	Qty. of New Residences	Housing Type	Average Qty. of Students per Residence	Total New Students
Elementary	22	SF	0.168	4
Middle			0.098	2
High			0.144	3

Table 3

**POTENTIAL EFFECT OF THIS DEVELOPMENT ON SCHOOL ENROLLMENT**

To determine the impact of the new residential development on school enrollment, the School District compares the school capacity to the current enrollment plus estimates of potential additional students resulting from land use cases over the previous two calendar years. A ratio of the existing and new students is then compared with the school design capacity and expressed as a percentage to show how much of the school capacity may be used.

School Name	School Type	School Enrollment	New Students During Past 2 yrs	New Student from this Case	Total New Students	School Design Cap.	Enroll./Cap. Ratio
Battle Creek	Elem.	425	2	4	6	601	72%
Judson	Mid.	797	19	2	21	1,059	77%
Sprague	High	1,685	66	3	69	2,248	78%

Table 4

**ESTIMATE OF THE EFFECT ON INFRASTRUCTURE – IDENTIFICATION OF WALK ZONES AND SCHOOL TRANSPORTATION SERVICE**

Civic infrastructure needed to provide connectivity between the new residential development and the schools serving the new development will generally require roads, sidewalks and bicycle lanes. When developing within one mile of school(s), adequate pathways to the school should be provided that would have raised sidewalks. If there are a large number of students walking, the sidewalks should be wider to accommodate the number of students that would be traveling the

path at the same time. Bike lanes should be included, crosswalks with flashing lights and signs where appropriate, traffic signals to allow for safe crossings at busy intersections, and any easements that would allow students to travel through neighborhoods. If the development is farther than one mile away from any school, provide bus pullouts and a covered shelter (like those provided by the transit district). Locate in collaboration with the District at a reasonable distance away from an intersection for buses if the distance is greater than ½ mile from the main road. If the distance is less than a ½ mile then raised sidewalks should be provided with stop signs where students would cross intersections within the development as access to the bus stop on the main road. Following is an identification, for the new development location, that the development is either located in a school walk zone or is eligible for school transportation services.

School Name	School Type	Walk Zone or Eligible for School Transportation
Battle Creek	Elementary	Eligible for School Transportation
Judson	Middle	Eligible for School Transportation
Sprague	High	Eligible for School Transportation

Table 5

### ESTIMATE OF NEW SCHOOL CONSTRUCTION NEEDED TO SERVE DEVELOPMENT

The School District estimates the cost of constructing new school facilities to serve our community. The costs of new school construction is estimated using the Rider Levett Bucknall (RLB) North America Quarterly Construction Cost Report and building area per student from Cornerstone Management Group, Inc. estimates. The costs to construct school facilities to serve the proposed development are in the following table.

School Type	Number of Students	Estimate of Facility Cost Per Student*	Total Cost of Facilities for Proposed Development*
Elementary	4	\$105,625	\$422,500
Middle	2	\$137,443	\$274,886
High	3	\$169,260	\$169,260
<b>TOTAL</b>			<b>\$1,205,166</b>

Table 6

\*Estimates based on average of Indicative Construction Costs from “RLB Construction Cost Report North America Q1 2025”

Sincerely,

David Fridenmaker  
Business and Support Services

c: T.J. Crockett, Acting Chief Operations Officer, David Hughes, Director of Operations & Logistics, Mitch Hamilton, Acting Director of Transportation