

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

DECISION OF THE PLANNING ADMINISTRATOR

PARTITION CASE NO. PAR19-13

APPLICATION NO. : 19-113414-LD

NOTICE OF DECISION DATE: NOVEMBER 26, 2019

SUMMARY: A partition to create two parcels.

REQUEST: A Partition to divide an existing lot located at 1195 Park Avenue NE 97301 (Marion County Assessor Map and Tax Lot Number 073W24CA12200) and zoned RS (Single Family Residential) into proposed Parcel 1 (5,086 square feet), with frontage on Park Avenue NE, and proposed Parcel 2 (4,345 square feet), with frontage on Camry Court NE; the existing single family dwelling on Parcel 1 is proposed to remain and the existing garage on Parcel 1 is proposed to be modified to meet the required setback from the new rear property line for Parcel 1.

APPLICANT: Dura Built Construction LLC (Zachary J. Zeek)

LOCATION: 1195 Park Ave NE

CRITERIA: Salem Revised Code (SRC) Chapters 205.005(d)

FINDINGS: The findings are in the attached Decision dated November 26, 2019

DECISION: The **Planning Administrator APPROVED** Partition PAR19-13 subject to the following conditions of approval:

Condition 1: Proposed Parcel 2 shall be a minimum of 70 feet deep and 4,000 square feet in area after right-of-way dedication on Camry Court NE.

Condition 2: Prior to final plat approval, the applicant shall either (1) pave the driveway on proposed Parcel 1 to meet the standards of SRC Chapter 806 and obtain required permits to modify the existing garage on proposed Parcel 1 so that it meets the minimum setback from the proposed rear property line or (2) pave the driveway on proposed Parcel 1 to meet the standards of SRC Chapter 806, obtain a demolition permit to remove the existing garage on Proposed Parcel 1, and provide off-street parking meeting the requirements of SRC Chapter 806 on proposed Parcel 1.

Condition 3: Obtain permits for installation of water services to serve Parcel 2.

Condition 4: Construct sewer services that are proposed in the public right-of-way.

Condition 5: Design stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005

CITY OF Salem
AT YOUR SERVICE

designed to accommodate future impervious surfaces on Parcel 2.

Condition 6: Convey for dedication of right-of-way equal to 25 feet from centerline to accommodate the required street improvements along the property frontage of Camry Court NE.

Condition 7: Complete the half-street improvement along the frontage of Camry Court NE to Local cul-de-sac street standards. This includes curb-line sidewalk, landscape strip, and street trees.

Condition 8: Provide a 10-foot-wide public utility easement along the entire frontage of Park Avenue NE and Camry Court NE.

The rights granted by the attached decision must be exercised, or an extension granted, by December 12, 2021 or this approval shall be null and void.

Application Deemed Complete:	<u>September 9, 2019</u>
Notice of Decision Mailing Date:	<u>November 26, 2019</u>
Decision Effective Date:	<u>December 12, 2019</u>
State Mandate Date:	<u>January 7, 2020</u>

Case Manager: Pamela Cole, pcole@cityofsalem.net 503-540-2309

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, no later than 5:00 p.m., December 11, 2019: Any person who presented evidence or testimony at the hearing may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 205.005. The appeal must be filed in duplicate with the City of Salem Planning Division. 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 at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

<http://www.cityofsalem.net/planning>

**BEFORE THE PLANNING ADMINISTRATOR
OF THE CITY OF SALEM
(PARTITION PLAT NO. 19-05)**

*Si necesita ayuda para comprender esta información, por favor llame 503-588-6173.
<http://www.cityofsalem.net/planning>*

IN THE MATTER OF THE)	FINDINGS AND ORDER
TENTATIVE APPROVAL OF)	
PARTITION PLAT NO. 19-13;)	
1195 PARK AVENUE NE)	NOVEMBER 26, 2019

REQUEST

A Partition to divide an existing lot located at 1195 Park Avenue NE 97301 (Marion County Assessor Map and Tax Lot Number 073W24CA12200) and zoned RS (Single Family Residential) into proposed Parcel 1 (5,086 square feet), with frontage on Park Avenue NE, and proposed Parcel 2 (4,345 square feet), with frontage on Camry Court NE; the existing single family dwelling on Parcel 1 is proposed to remain and the existing garage on Parcel 1 is proposed to be modified to meet the required setback from the new rear property line for Parcel 1.

A vicinity map of the subject property is included as **Attachment A**.

DECISION

The tentative partition plan is APPROVED subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the following conditions of final plat approval, unless otherwise indicated:

- Condition 1:** Proposed Parcel 2 shall be a minimum of 70 feet deep and 4,000 square feet in area after right-of-way dedication on Camry Court NE.
- Condition 2:** Prior to final plat approval, the applicant shall either (1) pave the driveway on proposed Parcel 1 to meet the standards of SRC Chapter 806 and obtain required permits to modify the existing garage on proposed Parcel 1 so that it meets the minimum setback from the proposed rear property line or (2) pave the driveway on proposed Parcel 1 to meet the standards of SRC Chapter 806, obtain a demolition permit to remove the existing garage on Proposed Parcel 1, and provide off-street parking meeting the requirements of SRC Chapter 806 on proposed Parcel 1.
- Condition 3:** Obtain permits for installation of water services to serve Parcel 2.
- Condition 4:** Construct sewer services that are proposed in the public right-of-way.

- Condition 5:** Design stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on Parcel 2.
- Condition 6:** Convey for dedication of right-of-way equal to 25 feet from centerline to accommodate the required street improvements along the property frontage of Camry Court NE.
- Condition 7:** Complete the half-street improvement along the frontage of Camry Court NE to Local cul-de-sac street standards. This includes curb-line sidewalk, landscape strip, and street trees.
- Condition 8:** Provide a 10-foot-wide public utility easement along the entire frontage of Park Avenue NE and Camry Court NE.

PROCEDURAL FINDINGS

1. On June 11, 2019, an application for a Tentative Partition Plan was filed proposing to divide a property at 1195 Park Avenue NE (Attachment B) into two parcels.
2. The application was deemed complete for processing on September 9, 2019. Notice to surrounding property owners was mailed pursuant to Salem Revised Code on September 12, 2019. The state-mandated local decision deadline is January 7, 2020.

SUBSTANTIVE FINDINGS

1. Proposal

The tentative plan proposes to divide the property into two parcels, with Parcel 1 containing the existing residence and Parcel 2 created for new residential development (**Attachment B**). The applicant's written statement is included as **Attachment C**. The proposed Parcel 1 will continue to take access from Park Avenue NE, and proposed Parcel 2 would take access from Camry Court NE. The two parcels within the tentative partition plan are proposed as follows:

PROPOSED PARCEL 1

Parcel Size: 5,086 square feet
Parcel Dimensions: Approximately 55 feet in width and 92 feet in depth

PROPOSED PARCEL 2

Parcel Size: 4,345 square feet
Parcel Dimensions: Approximately 55 feet in width and 79 feet in depth

Access and Circulation: The subject property has frontage located on Park Avenue NE, designated as a Collector street within the Salem Transportation System Plan (TSP), and Camry Court NE, designated as a Local cul-de-sac street in the TSP.

2. Existing Conditions

Site and Vicinity

The subject property is a rectangular lot, with 55.03 feet of frontage on Park Avenue NE along its eastern boundary and 54.98 feet of frontage on Camry Court NE on its western boundary. The property is approximately 55 feet wide and approximately 171 feet in depth from west to east. An existing house is situated on the eastern portion of the subject property. The applicant proposes to retain the existing house after the partition and to modify its associated detached garage, which crosses the proposed lot line between the parcels, to provide the required rear setback for the accessory structure as required in the RS (Single Family Residential) zone.

Salem Area Comprehensive Plan (SACP) Designation

Urban Growth Policies: The subject property is located inside of the Salem Urban Growth Boundary and inside the corporate city limits.

Comprehensive Plan Map: The subject property is designated “Single Family Residential” on the Salem Area Comprehensive Plan (SACP) Map. The surrounding properties are designated as follows:

North: Single Family Residential

South: Single Family Residential

East: (Across Park Avenue NE) Single Family Residential

West: (Across Camry Court NE) Single Family Residential

Zoning and Surrounding Land Use

The subject property is zoned RS (Single Family Residential) and is currently occupied by a single family residence. The surrounding properties are zoned and used as follows:

North: RS (Single Family Residential); single family dwellings

South: RS (Single Family Residential); single family dwelling

East: (Across Park Avenue NE) RS (Single Family Residential); single family dwellings

West: (Across Camry Court NE) RS (Single Family Residential); single family dwellings

Relationship to Urban Service Area

The subject property is within the City’s Urban Service Area.

Infrastructure

- Water:* The subject property is located within the G-0 water service level. An 8-inch public water main and a 24-inch public water main are located in Park Avenue NE. A 4-inch public water main is located in Camry Court NE.
- Sewer:* An 18-inch sewer main is located in Park Avenue NE. An 8-inch sewer main is located in Camry Court NE.
- Storm Drainage:* An 18-inch storm main is located in Park Avenue NE. A public detention basin is located in Camry Court NE.
- Streets:* *Park Avenue NE* abuts the eastern boundary of the subject property, and is designated as a Collector street in the Salem Transportation System Plan (TSP).
- The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
 - The abutting portion of Park Avenue NE currently has an approximately 34-foot wide improvement within a 50-foot-wide right-of-way.
 - The frontage of the subject property has a special setback equal to 30 feet from centerline of Park Avenue NE. This width is estimated to be an additional 3 feet from existing property line – see Easement #4437 R2300 P371.
- Camry Court NE* abuts the western boundary of the subject property, and is designated as a Local cul-de-sac street in the Salem Transportation System Plan (TSP).
- The standard for this street classification is a 30-foot-wide improvement within a 50-foot-wide right-of-way.
 - The abutting portion of Camry Court NE currently has an approximately 26-foot wide improvement within a 40-foot-wide right-of-way.
 - The frontage of the subject property has a special setback equal to 25 feet from centerline of Camry Court NE.

3. Public and Private Agency Review

Public Works Department - The City of Salem Public Works Department, Development Services Section, reviewed the proposal and has provided their

comments and recommendation for plat approval. Their memorandum is included as **Attachment D**.

Building and Safety Department - The City of Salem Building and Safety Department reviewed the proposal and commented that they have no objections.

Salem Fire Department – Salem Fire Department reviewed the proposal and have no concerns with the partition. Items including Fire Department access and water supply will be required at the time of future construction.

PGE – PGE commented that development cost would be per current tariff and service requirements.

Salem-Keizer Public Schools - Salem-Keizer Public Schools estimated that the proposed development would add no students to the schools. The property is within the walk zone of Hoover Elementary, Parrish Middle School, and North Salem High School.

4. Neighborhood Association Comments

The subject property is within the Lansing Neighborhood Association. Notice of the application was provided to the neighborhood association, pursuant to SRC 300.620(b)(2)(B)(iii), which requires public notice to be sent to “any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property.” The neighborhood association did not provide any comments.

5. Public Comments

All property owners within 250 feet of the subject property were mailed notification of the proposed partition. Comments were received from 13 neighbors prior to the close of the comment period. Their concerns are summarized below:

- *Increased traffic on a narrow street* – Camry Court NE is only wide enough for one car to pass another, creating traffic congestion. Residents do not object to children using the dead-end street as a playground, as people are forced to drive slowly, but do not want more congestion. The proposed new parcel at 1195 Park should be a flag lot directing traffic onto Park Street.
- *Limited parking on Camry Court NE* – On-street parking is not allowed at the southern end of the street and is allowed only the west side at the northern end of the street. The 10 existing homes on the west side have a maximum of nine on-street parking spaces. If they are all used, children cannot play basketball on the dead-end street residents chose for less traffic and slower traffic. The applicant has fenced the back yard at 1185 Park to the curb on Camry Court NE and installed a gate that feeds vehicles onto Camry, and this has eliminated a parking space. The new driveway will crowd and congest the area even more.

- *Privacy* – The proposed driveway will allow headlights to shine into residences on the other side of Camry Court NE.
- *Turn-around at the end of Camry Court NE* – Cars often use the private driveways to assist turning because vehicles are sometimes parked in the unmarked turn-around or long vehicles do not have enough room to turn with cars parked across the street. turn-around.
- *Fire safety* – The east side of Camry Court NE beyond the business driveway is usually the least congested section of the street but can be unsafe because pick-ups with large mirrors park across the street from each other and Fire vehicles cannot pass through.
- *Difficulty turning left onto D Street NE* – An increase of traffic on Camry Court NE would increase danger of making a left turn onto D Street. People turning right from Park Avenue NE onto D Street NE do not make a complete stop and appear quickly at the intersection of Camry Court NE. New housing on the old Oregon State Hospital property will increase the danger.

Staff Response: The existing lot has frontage on Camry Court NE. The proposed partition divides the western half of 1195 Park Avenue NE from the eastern half of 1195 Park Avenue NE; it does not increase the number of parcels and lots that have frontage or potential driveway access to Camry Court NE. The proposed partition is expected to generate little additional traffic. A single-family dwelling is projected to generate no more than 10 average daily trips.

Due to the width of the subject property and the location of the existing dwelling, access to proposed Parcel 2 is only available from Camry Court. Proposed Parcel 2 meets the standards for a lot with frontage on Camry Court NE.

Camry Court NE met the standards at the time of its development for a street with parking on one side. The street is a public right-of-way and not a private street, so the city cannot limit access without just cause. There is no condition of the initial subdivision approval (Sub. 92-20S) that states that Camry Court is only to serve the properties on the west side of the street. On-street parking on the west side of the street is available to residents and the general public.

While the partition will increase the vehicular trips on Camry Court, the street is designed to handle the increased traffic and will not impede access of emergency vehicles on the street. The Fire Department and Public Works Department did not express any concerns regarding emergency vehicle access on Camry Court. Issues with parked vehicles blocking the street, turn-around, or private driveways may be reported to Compliance Services at 503-588-6421 or through <https://www.cityofsalem.net/Pages/report-neighborhood-problems.aspx>.

Future development on proposed Parcel 2 will be required to meet minimum off-street parking and driveway development standards, which require at least two off-

street parking spaces for a single-family dwelling. There are no code restrictions that prohibit driveways across from existing single-family dwellings.

Traffic impacts of other future residential developments in the area will be addressed as those developments occur.

- *Issues with notification* – Three residents on Camry Court NE did not receive notice and one received it only a few days prior to the deadline. Please send communication regarding this matter with some form of certification of delivery.

Staff Response: Notification was mailed to addresses within 250 feet of the subject property according to the procedures of SRC Chapter 300, and notice of this decision will also be mailed according to the procedures. These procedures do not require certification of delivery for mailed notices or other communications. Responses may be emailed or hand-delivered to the Planning Division to ensure that they arrive before deadlines.

6. Criteria for Granting a Tentative Partition

The Salem Revised Code (SRC), which includes the Unified Development Code (UDC), implements the Salem Area Comprehensive Plan land use goals, and governs development of property within the city limits. The partition process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans. A second review occurs for the created parcels at the time of site plan review/building permit review to assure compliance with the UDC. Compliance with conditions of approval to satisfy the UDC is checked prior to city staff signing the final partition plat.

SRC Chapter 205.005(d) sets forth the criteria that must be met before approval can be granted to a tentative partition plan. The following subsections are organized with approval criteria shown in bold, followed by findings of fact upon which the Planning Administrator's decision is based. The requirements of SRC 205.005(d) are addressed within the specific findings which evaluate the proposal's conformance with the applicable criteria. Lack of compliance with the following criteria is grounds for denial of tentative plan or for the issuance of conditions of approval to more fully satisfy the criteria.

SRC 205.005(d)(1): The tentative partition 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.**

SRC Chapter 511 (Single Family Residential): The proposed partition would divide the 0.22-acre property into 2 parcels with no remainder. The subject property is currently

zoned RS (Single Family Residential). The minimum lot area requirements of the RS zone are established under SRC 511.010(a) as follows:

Lot Standards for RS zone (Single Family) (see SRC Chapter 511, Table 511-2)

Requirement	Minimum Standard
Lot Area (Single Family)	4,000 square feet
Infill Lot ¹	5,500 square feet
Lot Width	40 feet
Lot Depth (Single Family)	70 feet
Street Frontage	40 feet

Proposed lots in the partition range from approximately from 4,345 square feet to 5,086 square feet in size. However, Condition 6 below requires a dedication of right-of-way equal to 25 feet from centerline to accommodate required street improvements along the property frontage of Camry Court NE. This right-of-way dedication would reduce the lot depth of proposed Parcel 2 by approximately three feet, from 79 feet to 76 feet, and the lot area by approximately 165 feet (3 feet x 55 feet = 165 feet). Adjusted Parcel 2 would be approximately 4,180 square feet. This area exceeds the minimum lot area of 4,000 square feet. To ensure that adjusted Parcel 2 meets the minimum lot size after the right-of-way dedication, the following condition is required:

Condition 1: Proposed Parcel 2 shall be a minimum of 70 feet deep and 4,000 square feet in area after right-of-way dedication on Camry Court NE.

SRC 511.010(a) requires each lot used for single family residences to have an average depth between the front and rear lot lines of not more than 300 percent of the average width between the side lot lines. The proposed parcels meet this standard.

Except for flag lots, the RS zone, pursuant to SRC 511.010(a) Table 511-2, requires lots to have a minimum frontage of 40 feet on a street. Both proposed parcels meet this standard. SRC Chapter 800 (General Development Standards) allows lots to be created without the minimum required frontage on a street when they are developed in conformance with the flag lot development standards set forth in SRC 800.025. Neither parcel is a flag lot.

The proposed lots exceed minimum lot area, dimension, and frontage requirements and therefore conform to the applicable standards. The proposed lots within the partition are also of sufficient size and dimension to permit future development of uses allowed within the zone.

¹ Infill lot: A residential flag lot created by the partition of land after February 8, 2006.

Setback Requirements: SRC Chapter 511 establishes the following setback standards for development within an RS (Single Family Residential) zone:

Front Yards and Yards Adjacent to Streets:

- Minimum 12 feet (minimum 20 feet when adjacent to a street designated 'Collector', 'Arterial', or 'Parkway')
- Minimum 20 feet for garages

Rear Yards:

- Minimum 14 feet for any portion of a main building not more than one story in height; or
- Minimum 20 feet for any portion of a main building greater than one story in height
- 0 feet for accessory structures not more than 9 feet in height; minimum 1 foot for each 1 foot of height over 9 feet for accessory structures greater than 9 feet in height

Interior Side Yards:

- Minimum 5 feet for new buildings other than zero side yard dwellings and townhouses
- Minimum 3 feet for existing buildings other than zero side yard dwellings and townhouses
- Minimum 10 feet (Infill Lot)
- Minimum 4 feet for accessory structures other than those having one wall which is an integral part of a fence

The existing single-family residence on proposed Parcel 1 exceeds setback standards for side yards, rear yards, and front yards adjacent to a street. However, the existing detached accessory structure on proposed Parcel 1 crosses the proposed line between the parcels and is legally nonconforming with respect to the north side setback. The applicant has proposed to remove part of the garage so that it meets a 4-foot setback from the proposed rear property line. This setback would be adequate for a garage up to 13 feet in height. The proposed modification would leave a garage large enough to accommodate one vehicle. The existing private driveway accommodates one other vehicle parking space but does not meet standards requiring a paved driveway.

To ensure that the garage meets the setback from the proposed rear property line and that parking meeting the requirements of SRC Chapter 806 is provided, the following condition is required:

Condition 2: Prior to final plat approval, the applicant shall either (1) pave the driveway on proposed Parcel 1 to meet the standards of SRC Chapter 806 and obtain required permits to modify the existing garage on proposed Parcel 1 so that it meets the minimum setback from the proposed rear property line or (2) pave the driveway on

proposed Parcel 1 to meet the standards of SRC Chapter 806, obtain a demolition permit to remove the existing garage on Proposed Parcel 1, and provide off-street parking meeting the requirements of SRC Chapter 806 on proposed Parcel 1.

Setback requirements for proposed Parcel 2 will be reviewed at the time of application for building permits. The proposed partition plan provided by the applicant did not show future building envelopes; however, the proposed parcels are of sufficient width and depth to accommodate the required setbacks.

Lot Coverage: Maximum lot coverage requirements within the RS zone are established under SRC 511.010(c), Table 511-4. The RS zone limits the total maximum lot coverage for buildings and accessory structures to 60 percent. The proposed Parcel 1 is approximately 5,086 square feet. The existing dwelling and accessory structure cover less than 60% of the proposed parcel. Future development of Parcel 2 will be reviewed for conformance with the development standards of SRC 511 at the time of building permit review.

Within the RS zone, accessory structures are not permitted on a lot or parcel without a main structure (single-family dwelling). The subject property includes an accessory structure that, if retained, would be on proposed Parcel 1 with a main structure. As conditioned, the proposal meets the requirements of SRC Chapter 511.

SRC Chapter 800 (General Development Standards):

SRC 800.015(a) (Buildings to be on a Lot): Pursuant to SRC 800.015(a), every building or structure shall be entirely located on a lot. The existing residence on proposed Parcel 1 is proposed to remain, and the existing garage will be modified to remain on proposed Parcel 1, in compliance with this standard.

As conditioned above, the proposal conforms to the requirements of SRC Chapter 800.

SRC Chapter 806 (Off-Street Parking, Loading, and Driveways)

SRC 806.015(a) (Minimum Required Off-Street Parking): SRC 806.015(a) requires all Single Family and Two Family dwellings outside of the Central Salem Development Program (CSDP) Area to provide a minimum of two off-street parking spaces. The subject property is located outside of the CSDP, and the proposed partition would create one additional parcel for residential development (proposed Parcel 2), with an existing single-family residence remaining on proposed Parcel 1.

An existing single family residence occupies the subject property within proposed Parcel 1. Off-street parking for this residence is provided by a detached one-car garage, which the applicant indicates will be modified to remain on proposed Parcel 1. Condition 1 requires parking on proposed Parcel 1 meeting the standards of SRC Chapter 806.

Off-street parking requirements for the proposed Parcel 2 will be reviewed at the time of application for building permits.

The proposal meets the requirements of SRC Chapter 806.

(B) City Infrastructure Standards.

The Public Works Department reviewed the proposal for compliance with the City's public facility plans pertaining to provision of water, sewer, and storm drainage facilities. While SRC Chapter 205 does not require submission of utility construction plans prior to tentative partition 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.

SRC Chapter 200 (Urban Growth Management): The Urban Growth Management Program requires that an Urban Growth Area (UGA) Development Permit must be obtained prior to development of property outside the Salem Urban Service Area. The subject property is inside of the Urban Service Area. Therefore, a UGA permit is not required and the proposal conforms to the requirements of SRC Chapter 200.

SRC Chapter 205 (Land Division and Reconfiguration): The applicant shall provide the required field survey and partition plat per Statute and Code requirements outlined in the *Oregon Revised Statutes (ORS)* and SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and as per SRC Chapter 205, the approval of the partition plat by the City Surveyor may be delayed or denied based on the non-compliant violation. It is recommended the applicant request a pre-plat review meeting between the City Surveyor and the applicant's project surveyor to ensure compliance with ORS 672.005(2)(g)&(h), 672.007(2)(b), 672.045(2), 672.060(4), *Oregon Administrative Rules* 850-020-0015(4)&(10), 820-020-0020(2), and 820-020-0045(5).

SRC Chapter 802 (Public Improvements): Comments from the Public Works Department indicate that water and sewer infrastructure is available along the perimeter of the site and appears to be adequate to serve the proposed partition. Specifications for required public improvements are summarized in the Public Works Department memo dated November 8, 2019 (**Attachment D**).

SRC 802.015 (Development to be Served by City Utilities). Water, sewer and stormwater services must be provided to each of the proposed parcels, consistent with Public Works Design Standards (PWDS). In order to ensure water, sewer and stormwater service are provided in compliance with the requirements of SRC Chapter 802 and the PWDS, the following conditions shall apply:

Condition 3: Obtain permits for installation of water services to serve Parcel 2.

Condition 4: Construct sewer services that are proposed in the public right-of-way.

Condition 5: Design stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on Parcel 2.

As conditioned, the proposal meets the requirements of SRC Chapter 802.

SRC Chapter 803 (Streets and Right-of-Way Improvements):

SRC 803.015 (Traffic Impact Analysis): The proposed two-parcel partition generates less than 1,000 average daily vehicle trips to Park Avenue NE, designated as a collector street, and Camry Court NE, designated as a Local cul-de-sac street. Therefore, a Traffic Impact Analysis is not required as part of the proposed partition submittal.

SRC 803.020 (Public and Private Streets): There are no internal streets proposed within the partition. The subject property will take access from Park Avenue NE and Camry Court NE, which are public streets.

SRC 803.025 (Right-of-Way and Pavement Widths): Park Avenue NE is fully improved but lacks adequate right-of-way. However, right-of-way is not warranted along this frontage pursuant to a Public Works Department Policy GM 4-11. The proposed development is subject to a special setback equal to 30 feet from centerline on the development side of Park Avenue NE.

Camry Court NE abuts the subject property and does not meet the current standard for a Local cul-de-sac street. As identified in the conditions of approval, the applicant shall convey for dedication right-of-way equal to 25 feet from centerline to accommodate the required street improvements along the property frontage of Camry Court NE; and complete the half-street improvement to Local cul-de-sac street standards along the frontage of Camry Court NE pursuant to PWDS. This shall include the installation of a curb-line sidewalk, landscape strip, and street trees.

In order to ensure the previously stated requirements are met, the following conditions of approval shall apply:

Condition 6: Convey for dedication of right-of-way equal to 25 feet from centerline to accommodate the required street improvements along the property frontage of Camry Court NE.

Condition 7: Complete the half-street improvement along the frontage of Camry Court NE to Local cul-de-sac street standards. This includes curb-line sidewalk, landscape strip, and street trees.

As conditioned, the proposal meets this criterion.

SRC 803.030 (Street Spacing): The proposed partition involves further division of a 0.22 acre lot, within an established residential area where the network of streets has been in place for several decades. The limited size of the proposal and existing

development on adjacent properties preclude development of further street connections as part of the proposal.

SRC 803.035 (Street Standards): Pursuant to subsection (n), public utility easements (PUEs) may be required for all streets. In order to ensure adequate access for the provision of electricity and other utilities, the following condition shall apply:

Condition 8: Provide a 10-foot-wide public utility easement along the entire frontage of Park Avenue NE and Camry Court NE.

As conditioned, the proposal conforms to applicable street standards.

SRC 803.040 (Boundary Streets): The abutting portion of Park Avenue NE is designated as a Collector street in the TSP and has an approximate 34-foot-wide improvement within a 50-foot-wide right-of-way. Park Avenue NE is fully improved but lacks adequate right-of-way. However, right-of-way is not warranted along this frontage pursuant to a Public Works Department Policy GM 4-11. The proposed development is subject to a special setback equal to 30 feet from centerline on the development side of Park Avenue NE.

Camry Court NE is designated as a Local cul-de-sac street in the Salem TSP and has an approximate 26-foot improvement within a 40-foot-wide right-of-way abutting the subject property. As identified in the conditions of approval, the applicant shall convey for dedication right-of-way equal to 25 feet from centerline to accommodate the required street improvements along the property frontage of Camry Court NE; and complete the half-street improvement to Local cul-de-sac street standards along the frontage of Camry Court NE pursuant to PWDS. This shall include the installation of a curb-line sidewalk, landscape strip, and street trees.

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

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 the construction of single family or duplex dwelling units, if the development proposal will result in the removal of trees. The applicant has submitted a tree conservation plan in compliance with this requirement.

SRC Chapter 809 (Wetlands): Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetlands laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

The Salem-Keizer Local Wetland Inventory (LWI) does not identify any wetlands on the subject property. As proposed, the tentative partition plan conforms to all applicable SRC Chapter 809 requirements.

SRC Chapter 810 (Landslide Hazards): 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, there no areas of landslide susceptibility on the subject property.

SRC 205.005(d)(2): The tentative partition plan does not impede the future use or development of the property or adjacent land.

Finding: The proposed partition would divide a 0.22 acre property into two proposed parcels with no remainder. The proposed partition would not impede the future use or development of any portion of the property. The adjoining properties are developed and have access to public streets.

The proposed configuration of parcels allows for the future development of the site consistent with applicable zoning standards. The property's existing frontages on Park Avenue NE and Camry Court NE are sufficient to provide access to each of the proposed parcels. The proposal does not adversely affect the safe and healthful development of adjacent properties. The proposal meets this criterion.

SRC 205.005(d)(3): Development within the tentative partition plan can be adequately served by City infrastructure.

Finding: The subject property is within the Urban Service Area. Public Works Department staff reviewed the proposal and determined that water and sewer infrastructure are available along the perimeter of the site and are adequate to serve the property as shown on the applicant's preliminary partition plan. As specified in the conditions of approval, private water, sewer, and storm services shall be constructed to serve each lot as a condition of plat approval. 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).

The proposed development is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed parcels can meet the 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.

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.

Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

As conditioned, the proposal meets this criterion.

SRC 205.005(d)(4): The street system in and adjacent to the tentative partition plan conforms to the Salem Transportation System Plan.

Finding: Park Avenue NE is fully improved but lacks adequate right-of-way. However, right-of-way is not warranted along this frontage pursuant to Public Works Department Policy GM 4-11. The proposed development is subject to a special setback equal to 30 feet from centerline on the development side of Park Avenue NE.

Camry Court NE abuts the subject property and does not meet the current standard for a Local cul-de-sac street. As identified in the conditions of approval, the applicant shall convey for dedication right-of-way equal to 25 feet from centerline to accommodate the required street improvements along the property frontage of Camry Court NE; and complete the half-street improvement to Local cul-de-sac street standards along the frontage of Camry Court NE pursuant to PWDS. This shall include the installation of a curb-line sidewalk, landscape strip, and street trees.

As conditioned above, this criterion is met.

SRC 205.005(d)(5): The street system in and adjacent to the tentative partition plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the partition.

Finding: Pursuant to SRC 803.040, construction of a half-street improvement is warranted along the frontage of Camry Court NE. Improvements shall include the installation of a curb-line sidewalk, landscape strip, and street trees. The applicant is required to install street trees to the maximum extent feasible in conformance with SRC Chapter 86 and PWDS, as identified in the conditions of approval.

As conditioned above, this criterion is met.

SRC 205.005(d)(6): The tentative partition 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 partition 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. The layout allows for reasonable development of all parcels within the partition without variances from the UDC. The proposal meets this criterion.

SRC 205.005(d)(7): The layout, size, and dimensions of the parcels within the tentative partition plan take into account the topography and vegetation of the

site, such that the least disruption of site, topography, and vegetation will occur from the reasonable development of the parcels.

Finding: As described in findings above, the proposed partition 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. The layout allows for reasonable development of all parcels within the partition without variances from the UDC. The site is relatively flat. The application is proposing to retain the existing single family dwelling on proposed Parcel 1, further limiting the amount of site disturbance that will be required in the future.

The proposal meets this criterion.

SRC 200.005(d)(8): When the tentative partition plan is for property located more than 300 feet from an available sewer main, and the property will not connect to City water and sewer:

- (A) The property is zoned residential;**
- (B) The property has received a favorable site evaluation from the county sanitarian for the installation of an on-site sewage disposal system; and**
- (C) The proposed parcels are at least 5 acres in size and, except for flag lots, have no dimension that is less than 100 feet.**

Finding: The site is served by available sewer and water. Therefore, this criterion does not apply.

9. Conclusion

Based upon review of SRC 205.005, the findings contained under Section 8 above, and the comments described, the tentative partition plan complies 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 Tentative Partition Plan Case No. 19-13, to divide approximately 0.22 acres into 2 parcels, with Parcel 1 consisting of 5,086 square feet and Parcel 2 consisting of 4,345 square feet, for property zoned RS (Single Family Residential), and located at 1195 Park Avenue NE is hereby **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the conditions of approval listed below, which must be completed prior to final plat approval, unless otherwise indicated:

Condition 1: Proposed Parcel 2 shall be a minimum of 70 feet deep and 4,000 square feet in area after right-of-way dedication on Camry Court NE.

- Condition 2:** Prior to final plat approval, the applicant shall either (1) pave the driveway on proposed Parcel 1 to meet the standards of SRC Chapter 806 and obtain required permits to modify the existing garage on proposed Parcel 1 so that it meets the minimum setback from the proposed rear property line or (2) pave the driveway on proposed Parcel 1 to meet the standards of SRC Chapter 806, obtain a demolition permit to remove the existing garage on Proposed Parcel 1, and provide off-street parking meeting the requirements of SRC Chapter 806 on proposed Parcel 1.
- Condition 3:** Obtain permits for installation of water services to serve Parcel 2.
- Condition 4:** Construct sewer services that are proposed in the public right-of-way.
- Condition 5:** Design stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on Parcel 2.
- Condition 6:** Convey for dedication of right-of-way equal to 25 feet from centerline to accommodate the required street improvements along the property frontage of Camry Court NE.
- Condition 7:** Complete the half-street improvement along the frontage of Camry Court NE to Local cul-de-sac street standards. This includes curb-line sidewalk, landscape strip, and street trees.
- Condition 8:** Provide a 10-foot-wide public utility easement along the entire frontage of Park Avenue NE and Camry Court NE.



Pamela Cole, Planner II, Planning Administrator Designee

- Attachments: A. Vicinity Map
B. Applicant's Tentative Partition Plan
C. Applicant's Written Statement on Tentative Partition Plan
D. City of Salem Public Works Department Comments

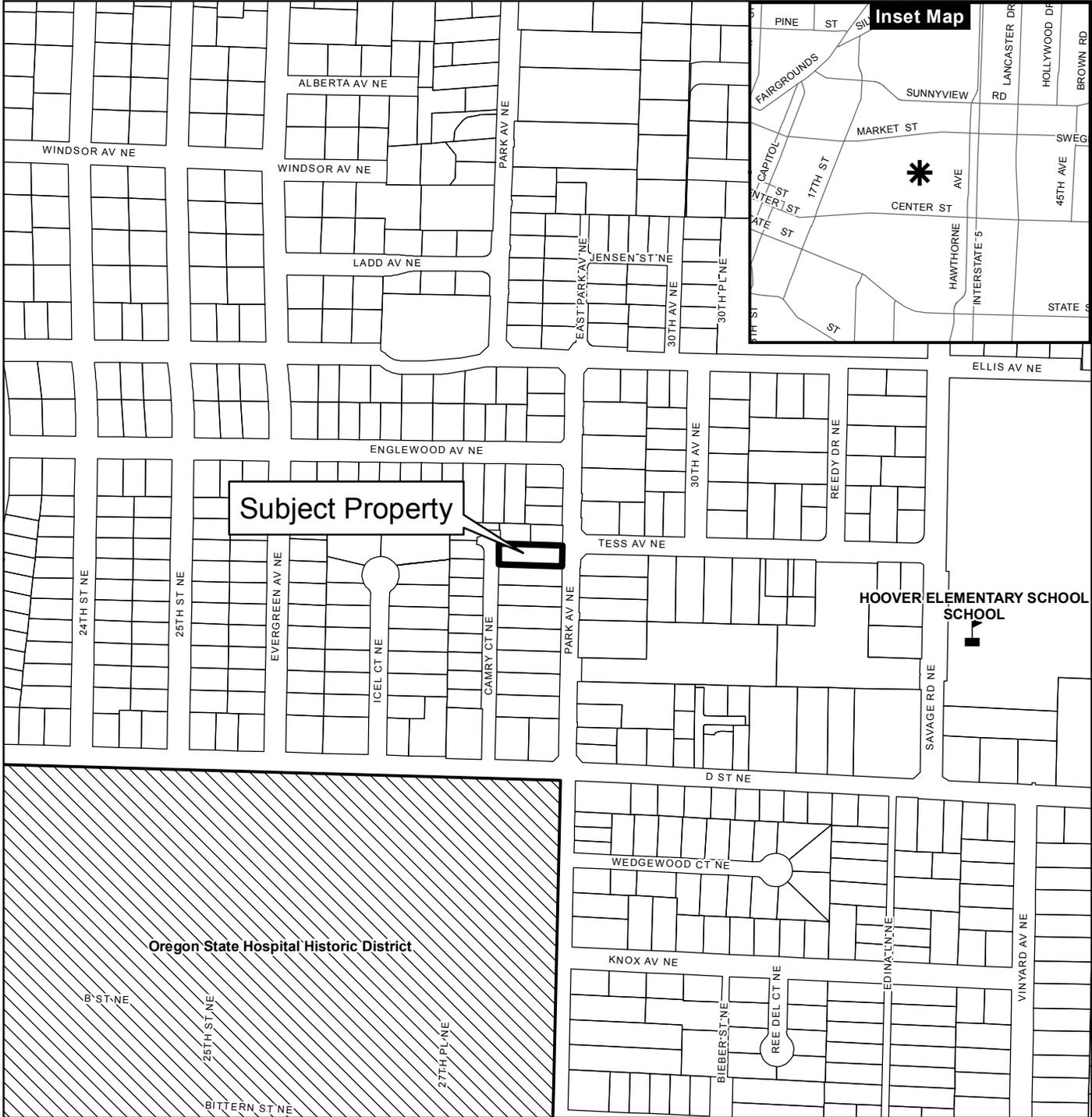
Application Deemed Complete: September 9, 2019
Notice of Decision Mailing Date: November 26, 2019
Decision Effective Date: December 12, 2019
State Mandated Decision Date: January 7, 2020

The rights granted by this decision must be exercised or extension granted by **December 12, 2021**, or this approval shall be null and void.

A copy of the complete Case File is available for review during regular business hours at the Planning Division office, 555 Liberty Street SE, Room 305, Salem OR 97301.

This decision is final unless written appeal from a party with standing to appeal, along with an appeal fee, is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem, Oregon 97301, **no later than Wednesday, December 11, 2019 by 5:00 p.m.** The notice of appeal must contain the information required by SRC 300.1020. The notice of appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the notice of appeal is untimely and/or lacks the proper fee, the notice of appeal will be rejected. The Salem Planning Commission will review the appeal at a public hearing. The Planning Commission may amend, rescind, or affirm the action or refer the matter to staff for additional information.

Vicinity Map 1195 Park Av NE



Legend

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

Parks



0 100 200 400 Feet



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.

LEGEND

- ⊗ = Water Valve
- ⊠ = Catch Basin
- = Manhole
- ⊙ = Utility
- ⊞ = Water Meter
- ⊕ = Street Light
- ⊖ = Sewer Cleanout
- ⊙ = Blowoff
- x-x- = Fence

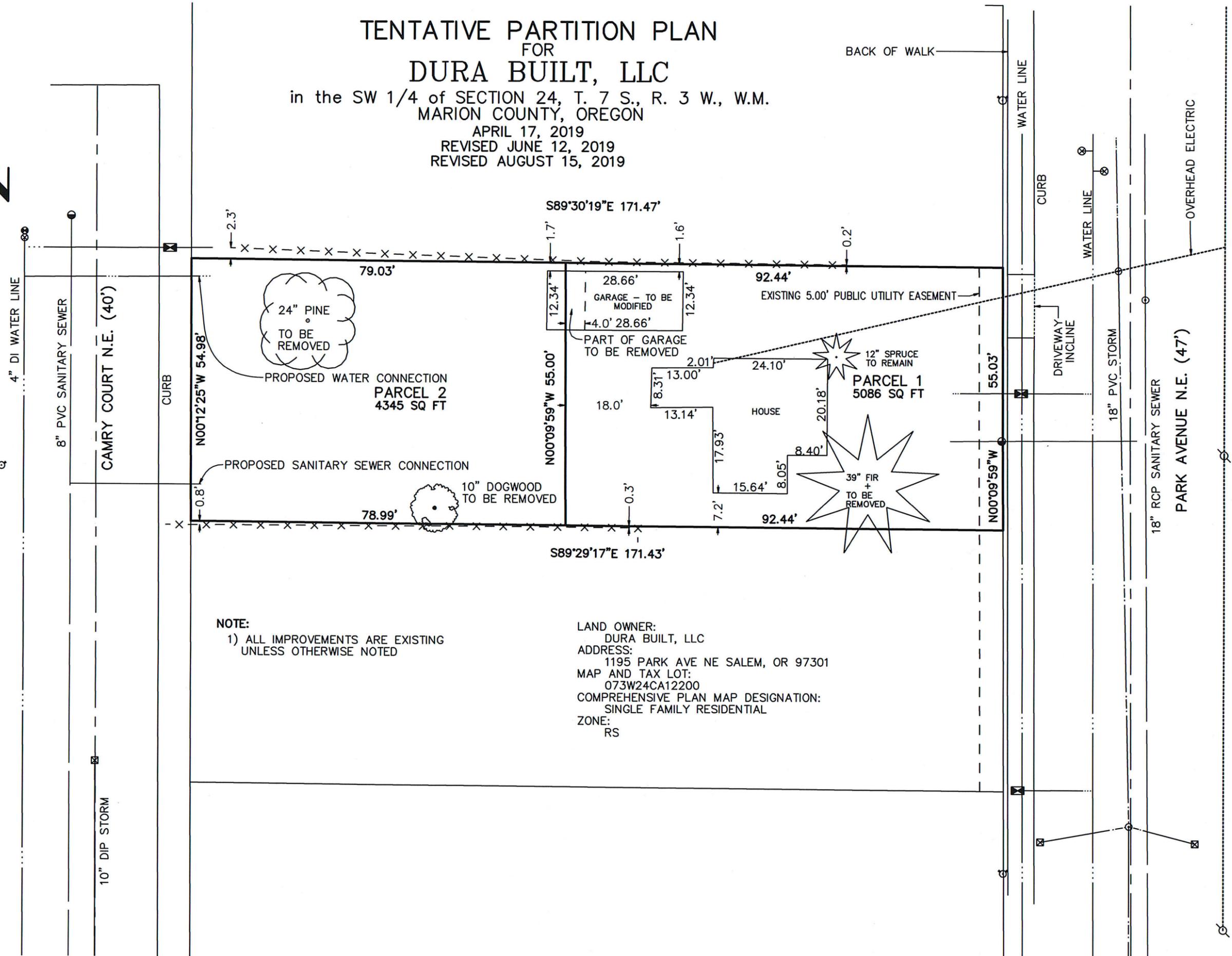
SCALE : 1" = 20'



TENTATIVE PARTITION PLAN
FOR
DURA BUILT, LLC

in the SW 1/4 of SECTION 24, T. 7 S., R. 3 W., W.M.
MARION COUNTY, OREGON

APRIL 17, 2019
REVISED JUNE 12, 2019
REVISED AUGUST 15, 2019



NOTE:
1) ALL IMPROVEMENTS ARE EXISTING
UNLESS OTHERWISE NOTED

LAND OWNER:
DURA BUILT, LLC
ADDRESS:
1195 PARK AVE NE SALEM, OR 97301
MAP AND TAX LOT:
073W24CA12200
COMPREHENSIVE PLAN MAP DESIGNATION:
SINGLE FAMILY RESIDENTIAL
ZONE:
RS

REGISTERED
PROFESSIONAL
LAND SURVEYOR

James S. Hepler

OREGON
JULY 25, 1990
JAMES S. HEPLER
2451

EXPIRES: 6-30-21

8/19/19

Dura Built, LLC
PO Box 783
Salem, OR 97308

From the Desk of Zachary Zeek
zachary_zeek@hotmail.com
503-551-8836

Pamela Cole
Planner II
City of Salem | Community Development Department
555 Liberty St SE, Suite 305, Salem OR 97301
pcole@cityofsalem.net | 503-540-2309
[Facebook](#) | [Twitter](#) | [YouTube](#) | CityofSalem.net

RE: Partition Application 19-113414-LP, 1195 Park Ave NE--Written Statement

With concern to the application requirement to provide a written statement describing the above referenced partition application and how it meets the criteria for a partition tentative plan [SRC 205.005(d)]:

Application Narrative:

This application is made in reference to the property located at 1195 Park Ave NE, Salem, OR, 97301. The application seeks to partition the existing subject parcel into a total of two (2) new conforming SFR parcels. The existing zoning is SFR and the proposed new parcels would maintain SFR zoning. Proposed new Parcel 2 would be accessed by existing frontage to Camry Ct NE. There is an existing residence and detached garage which would remain on Parcel 1. The existing garage on Parcel 1 would be reduced in length to meet setback standards in relation to the proposed new lot line. The existing residence on Parcel 1 would be remodeled with an addition and would maintain standard setbacks. There are a total of 4 trees noted on the proposed partition site plan. The 12" spruce tree noted on Parcel 1 will be preserved and the other 3 trees shall be removed which meets the standard criteria to preserve at least 25% of the noted trees. A tree conservation plan is attached separately to as required for submission. There are no other development issues to address. City utilities are present in Camry Ct and sufficient to serve the proposed new lot. Storm water management is proposed to be handled on-site according to the Simplified Method design standard and will be designed and built at the time of building

construction according to SRC 71.080(b). Neither a geological assessment nor geo-technical report is required for this application. A Transportation Impact Analysis is not required for this application.

Additional Written Statement Requirements:

- **SRC 205.005(d)(1)**—The tentative partition plan complies with the standards of this chapter and with all applicable provisions of the UDC, including, but not limited to the following:
 - **RESPONSE:** *Condition Met—this tentative partition plan complies with the standards of this chapter and with all applicable provisions of the UDC.*
 - **(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.
 - **RESPONSE:** *Condition met—*
 - *Proposed Lot size is greater than 4,000 sq ft—proposed to be ~4,345 sq ft*
 - *Proposed Lot width is greater than 40 ft—proposed to be ~55 ft*
 - *Proposed Lot depth is greater than 70 ft and less than 300% of the average lot width—proposed to be ~79 ft*
 - **(B)**—City infrastructure standards
 - **RESPONSE:** *Condition Met—this tentative partition plan does not create, require, or request any development which deviates from City infrastructure standards*
 - *A new 5' side walk would be installed at the time of building permits along the curb adjacent to Camry Ct according to SRC 803.035(L)(2).*
 - **(C)**—Any special development standards, including, but not limited to, floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance
 - **RESPONSE:** *Condition Met—this tentative partition plan does not create, require, or request consideration for any special development standards. The site is not in a floodplain, does not require or request special setbacks, does not require geological or geotechnical analysis, and provides vision clearance according to existing standards.*
- **SRC 205.005(d)(2)**—The tentative partition plan does not impede the future use or development of the property or adjacent land
 - **RESPONSE:** *Condition met—this tentative partition plan does not create, require, or request any development action which would impede the future use or development of the subject property or adjacent land.*
- **SRC 205.005(d)(3)**—Development within the tentative partition plan can be adequately served by city infrastructure.

- **RESPONSE:** *Condition met—existing City infrastructure is existing and adequate to serve this tentative partition plan.*
 - *Vehicular transportation is served by Camry Ct, which is a pre-existing developed street.*
 - *Pedestrian transportation would be served by a new 5' sidewalk installed at the time of building construction along the curb adjacent to Camry Ct according to SRC 803.035(L)(2).*
 - *New driveway aprons will be installed at the time of building construction according to code.*
 - *City utilities are existing and located and accessible in Camry Ct*
 - *8" PVC sanitary sewer*
 - *4" DI water line*
 - *10" DIP storm*
- **SRC 205.005(d)(4)**—The street system in and adjacent to the tentative partition plan conforms to the Salem Transportation System Plan
 - **RESPONSE:** *Condition met—Camry Ct is an existing developed street which conforms to the Salem Transportation System Plan. This tentative partition plan does not create, request, or require any additional street system development requirements.*
- **SRC 205.005(d)(5)**—The street system in and adjacent to the tentative partition plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the partition
 - **RESPONSE:** *Condition met—Camry Ct is a pre-existing developed street which conforms to City requirements for safe, orderly, and efficient circulation of traffic to the partition. This tentative partition plan does not create, request, or require any additional street system development.*
- **SRC 205.005(d)(6)**—The tentative partition plan takes into account the topography and vegetation of the site so the need for variances is minimized the greatest extent practicable.
 - **RESPONSE:** *Condition met—the topography and vegetation of this tentative partition plan does not create, require, or request any variances. The lot is generally flat.*
- **SRC 205.005(d)(7)**—The layout, size, and dimensions of the parcels within the tentative partition plan take into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will occur from the reasonable development of the parcels.
 - **RESPONSE:** *Condition met—the layout, size, and dimension of the proposed new parcel takes into account the topography and vegetation of the site. Development of the new parcel does not create, require, or request any development which would be abnormally disruptive to the site.*

- **SRC 205.005(d)(8)**—When the tentative partition plan is for property located more than 300 feet from an available sewer main, and the property will not connect to City water and sewer:
 - **RESPONSE:** *This condition section is not applicable. This tentative partition plan is located less than 300 feet from an available sewer main and will be connected to City water and sewer.*

Please find the additional attached documents to complete the application requirements:

- Copy of Recorded Deed showing the ownership and applicant to be the same
- Trip Generation Estimate form as submitted to Public Works
- Title Report
- Tree Inventory and Tree Conservation Plan
- Schematic Utility Plan (shown on site plan)
- Partition tentative site plan

Please let me know if any additional information is required.

Sincerely,

Zachary Zeek

Zachary Zeek, Member
Dura Built, LLC



MEMO

TO: Pamela Cole, Planner II
Community Development Department

FROM: Glenn J. Davis, PE, CFM, Chief Development Engineer
Public Works Department

DATE: November 8, 2019

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
PAR19-13 (19-113414)
1195 PARK AVENUE NE
TWO-PARCEL PARTITION**

A handwritten signature in blue ink, appearing to read "Glenn J. Davis", located to the right of the "FROM:" field.

PROPOSAL

To divide approximately 0.22 acres into 2 parcels in an RS (Single Family Residential) zone at 1195 Park Avenue NE (073W24CA 12200).

RECOMMENDED CONDITIONS OF PLAT APPROVAL

1. Convey for dedication of right-of-way equal to 25 feet from centerline to accommodate the required street improvements along the property frontage of Camry Court NE.
2. Complete the half-street improvement along the frontage of Camry Court NE to Local cul-de-sac street standards. This includes curb-line sidewalk, landscape strip, and street trees.
3. Obtain permits for installation of water services to serve parcel 2.
4. Construct sewer services that are proposed in the public right-of-way.
5. Design stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on parcel 2.
6. Provide a 10-foot-wide public utility easement along the entire frontage of Park Avenue NE and Camry Court NE.

FACTS

1. Park Avenue NE

- a. Standard—This street is designated as a Collector street in the Salem TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 34-foot improvement within a 50-foot-wide right-of-way abutting the subject property.
- c. Special Setback—The frontage of the subject property has a special setback equal to 30 feet from centerline of Park Avenue NE. This width is estimated to be an additional 3 feet from existing property line – see Easement #4437 R2300 P371.

2. Camry Court NE

- a. Standard—This street is designated as a Local cul-de-sac street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 50-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 26-foot improvement within a 40-foot-wide right-of-way abutting the subject property.
- c. Special Setback—The frontage of the subject property has a special setback equal to 25 feet from centerline of Camry Court NE.

Storm Drainage

1. Existing Conditions

- a. An 18-inch storm main is located in Park Avenue NE.
- b. A public detention basin is located in Camry Court NE.

Water

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. 8-inch and 24-inch public water mains are located in Park Avenue NE.
- c. A 4-inch public water main is located in Camry Court NE.

Sanitary Sewer

1. Existing Sewer

- a. An 18-inch sewer main is located in Park Avenue NE.
- b. An 8-inch sewer main is located in Camry Court NE.

CRITERIA AND FINDINGS

SRC 205.005(d) indicates the criteria that must be found to exist before an affirmative decision may be made. The applicable criteria and the corresponding findings are as follows:

SRC 205.005(d)(1)—The tentative partition plan complies with the standards of this Chapter and with all applicable provisions of the Unified Development Code, 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; and**
- (C) Any special development standards, including, but not limited to floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.**

Findings—The applicant shall provide the required field survey and partition plat per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and as per SRC Chapter 205, the approval of the partition plat by the City Surveyor may be delayed or denied based on the non-compliant violation. It is recommended the applicant request a pre-plat review meeting between the City Surveyor and the applicant's project surveyor to ensure compliance with ORS 672.005(2)(g)&(h), 672.007(2)(b), 672.045(2), 672.060(4), *Oregon Administrative Rules* 850-020-0015(4)&(10), 820-020-0020(2), and 820-020-0045(5).

Public Works staff has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

A 10-foot-wide public utility easement is required along the entire frontage of Camry Court NE and Park Avenue NE pursuant to SRC 803.035(n).

According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any wetland areas.

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property.

SRC 205.005(d)(3)—Development within the tentative partition plan can be adequately served by City infrastructure.

Findings—Water and sewer infrastructure are available along the perimeter of the site and are adequate to serve the property as shown on the applicant's preliminary partition plan. As specified in the conditions of approval, private water, sewer, and storm services shall be constructed to serve each lot as a condition of plat approval. 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).

The proposed development is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed parcels can meet the 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.

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. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

SRC 205.005(d)(4) and SRC 205.005(d)(5)—**The street system in and adjacent to the tentative partition plan conforms to the *Salem Transportation System Plan*. The street system in and adjacent to the tentative partition plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the partition.**

Finding— Park Avenue NE is fully improved but lacks adequate right-of-way. However, right-of-way is not warranted along this frontage pursuant to Public Works Department Policy GM 4-11. The proposed development is subject to a special setback equal to 30 feet from centerline on the development side of Park Avenue NE.

Camry Court NE abuts the subject property and does not meet the current standard for a Local cul-de-sac street. As identified in the conditions of approval, the applicant shall convey for dedication right-of-way equal to 25 feet from centerline to accommodate the required street improvements along the property frontage of Camry Court NE; and complete the half-street improvement to Local cul-de-sac street standards along the frontage of Camry Court NE pursuant to PWDS. This shall include the installation of a curb-line sidewalk, landscape strip, and street trees.

Prepared by: Jennifer Scott, Program Manager
cc: File