

NOTICE OF DECISION

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



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

DECISION OF THE PLANNING ADMINISTRATOR

Subdivision / Class 1 Adjustment / Class 2 Adjustment Case No. SUB-ADJ17-11

APPLICATION NO. : 17-106391-LD, 17-119200-ZO & 17-119334-ZO

NOTICE OF DECISION DATE: December 28, 2017

SUMMARY: A consolidated application for the development of a 38-lot subdivision of property located in the 500 to 600 blocks of Salem Heights Avenue S.

Request: A consolidated application for a proposed 38-lot subdivision ("Wren Heights") that includes the following:

- 1) A subdivision tentative plan to divide approximately 9.1 acres into 38 lots ranging in size from approximately 5,251 square feet to approximately 29,771 square feet;
- 2) A Class 1 Adjustment to:
 - a) Allow the maximum lot depth, as required under SRC 511.010(a), Table 511-2, for proposed Lots 17, 18, and 31 to exceed 300% of their average lot widths; and
 - b) Reduce the minimum lot depth for Lot 30 from 120 feet, as required for double frontage lots under SRC 511.010(a), Table 511-2, to approximately 111 feet; and
- 3) A Class 2 Adjustment to reduce the minimum setback adjacent to the interior front property line for portions of the existing house on proposed Lot 5 from 12 feet, as required under SRC 511.010(b), Table 511-3, to a varying setback depth of less than 12 feet.

The subject property is approximately 9.1 acres in size, zoned RS (Single Family Residential), and located in the 500 to 600 blocks of Salem Heights Avenue S (Marion County Assessor Map and Tax Lot Numbers: 083W04AA10400, 10500, 10600, 10601, 10700, 10800).

APPLICANT: Don Jensen for Jensen Consulting and Development

LOCATION: 500 to 600 Blocks of Salem Heights Avenue S / 97302

CRITERIA: Salem Revised Code 205.010(d), 250.005(d)(1) and 250.005(d)(2)

FINDINGS: The Findings are in the attached Order dated December 28, 2017.

DECISION: The Planning Administrator **APPROVED** Subdivision / Class 1 Adjustment / Class 2 Adjustment Case No.: SUB-ADJ17-11 subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the following conditions of approval which must be completed prior to final plat approval, unless otherwise indicated:

Condition 1: The flag lot accessway serving Lot 17 and Lot 18 shall be paved in accordance with the requirements of SRC 800.025(c), Table 800-1. "NO PARKING—FIRE LANE" signs shall be posted on both sides of that segment of the flag lot accessway that is a fire apparatus roadway

and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.

Condition 2: The front lot lines for the double frontage lots and flag lots within the subdivision shall be designated as follows:

Double Frontage Lots

- a) Lot 19: The front lot line of Lot 19 shall be the west property line.
- b) Lots 30 & 31: The front lot line of Lot 30 and Lot 31 shall be the east property line.

Flag Lots

- a) Lot 4: The front lot line of Lot 4 shall be the south property line.
- b) Lot 5: The front lot line of Lot 5 shall be the west property line.
- c) Lots 17 & 18: The front lot line of Lot 17 and Lot 18 shall be the east property line.

Condition 3: Provide an engineered tentative stormwater design to accommodate new impervious surface in the right-of-way and on all proposed lots. Construct stormwater facilities that are proposed in the public right-of-way and in public storm easements.

Condition 4: Construct City infrastructure pursuant to the PWDS as shown on the applicant's tentative plan with the following clarifications:

- a) The City storm easement across the south side of Lot 30 shall be a minimum of 20 feet in width.
- b) Reconstruct the existing sewer main in Salem Heights Avenue S abutting the subject property where the existing pipe condition cannot accommodate new connections.
- c) Abandon the existing sewer system along the west line of the subject property where all service laterals can be reconnected to the new main in Felton Avenue.

Condition 5: Construct water and sewer systems to serve each lot.

Condition 6: Convey land for dedication of right-of-way adjacent to Salem Heights Avenue S to equal 30 feet from the centerline of Salem Heights Avenue S.

Condition 7: Construct a 17-foot-wide half-street improvement along the northern frontage of Salem Heights Avenue S to collector street standards. The street improvements are authorized to match the existing street grade up to a maximum of 12 percent grade.

Condition 8: Construct internal streets to local street standards as shown on the applicant's tentative plan, except as modified below:

- a) Curb-line sidewalks are authorized on the east side of Doughton Street between Felton Street and the north line of the subject property.

- b) Sidewalks are required on both sides of Felton Street. The required sidewalk on the west side of Felton Street between the north line of the subject property and the northwest corner of Lot 16 may be a curb-line sidewalk.
- c) The alternative cul-de-sac turnaround design at the terminus of Earhart Street S is authorized as proposed on the applicant's tentative subdivision plan.

Condition 9: The existing garage on Lot 4 shall either be:

- a) Modified to relocate the existing garage door opening from the southeast side of the structure to the southwest side of the structure, and a new paved driveway to the garage entrance provided;
- b) Modified to convert it to an accessory structure other than a garage by framing-in and enclosing the existing garage door opening, and providing a minimum of two required off-street parking spaces elsewhere on the lot in conformance with the requirements of SRC 806.025; or
- c) Removed, and a minimum of two required off-street parking spaces provided elsewhere on the lot in conformance with the requirements of SRC 806.025.

Condition 10: A minimum of two off-street parking spaces shall be provided for the existing home on Lot 5 in conformance with the requirements of SRC 806.025.

Condition 11: The flag lot accessway serving Lot 4 and Lot 5 shall be paved in accordance with the requirements of SRC 800.025(c), Table 800-1, for a residential flag lot accessway serving 3 to 4 lots. "NO PARKING—FIRE LANE" signs shall be posted on both sides of that segment of the flag lot accessway that is a fire apparatus roadway and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.

Condition 12: Provide a 10-foot-wide public utility easement (PUE) along the street frontage of each lot.

The requested Class 1 Adjustments are APPROVED, subject to the applicable standards of the Salem Revised Code and the findings contained herein.

The requested Class 2 Adjustment is APPROVED, subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the following condition of approval:

Condition 1: The adjustment to the minimum required interior front setback for the existing home on Lot 5 shall apply only to that portion of the existing home that does not meet the minimum interior front setback requirement. If the existing home on Lot 5 is substantially damaged or destroyed by any cause to the extent that the cost of repair or restoration of the home would exceed 60 percent of its replacement cost using new materials and conforming to current building codes, the

adjustment approval shall terminate and the interior front setback requirement shall apply.

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

Tentative Subdivision Plan:	January 13, 2020
Class 1 Adjustment:	January 13, 2020
Class 2 Adjustment:	January 13, 2020

Application Deemed Complete:	October 5, 2017
Notice of Decision Mailing Date:	December 28, 2017
Decision Effective Date:	January 13, 2018
State Mandate Date:	February 2, 2018

Case Manager: Bryce Bishop, bbishop@cityofsalem.net

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., January 12, 2018**. 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 and 250. 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 Salem Planning Commission will review the appeal at a public hearing. After the hearing, the Salem 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
(CASE NO. SUB-ADJ17-11)**

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

IN THE MATTER OF THE APPROVAL OF CONSOLIDATED TENTATIVE SUBVISION PLAN AND CLASS 2 ZONING ADJUSTMENT CASE NO. SUB-ADJ17-11; 500 TO 600 BLOCKS OF SALEM HEIGHTS AVENUE S) FINDINGS AND ORDER)))))) DECEMBER 28, 2017
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REQUEST

A consolidated application for a proposed 38-lot subdivision ("Wren Heights") that includes the following:

- 1) A subdivision tentative plan to divide approximately 9.1 acres into 38 lots ranging in size from approximately 5,251 square feet to approximately 29,771 square feet;
- 2) A Class 1 Adjustment to:
 - a) Allow the maximum lot depth, as required under SRC 511.010(a), Table 511-2, for proposed Lots 17, 18, and 31 to exceed 300% of their average lot widths; and
 - b) Reduce the minimum lot depth for Lot 30 from 120 feet, as required for double frontage lots under SRC 511.010(a), Table 511-2, to approximately 111 feet; and
- 3) A Class 2 Adjustment to reduce the minimum setback adjacent to the interior front property line for portions of the existing house on proposed Lot 5 from 12 feet, as required under SRC 511.010(b), Table 511-3, to a varying setback depth of less than 12 feet.

The subject property is approximately 9.1 acres in size, zoned RS (Single Family Residential), and located in the 500 to 600 blocks of Salem Heights Avenue S (Marion County Assessor Map and Tax Lot Numbers: 083W04AA10400, 10500, 10600, 10601, 10700, 10800).

DECISION

- A. The tentative subdivision plan is **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the following conditions of approval which must be completed prior to final plat approval, unless otherwise indicated:

Condition 1: The flag lot accessway serving Lot 17 and Lot 18 shall be paved in accordance with the requirements of SRC 800.025(c), Table 800-1. "NO PARKING—FIRE LANE" signs shall be posted on both sides of that segment of the flag lot accessway that is a fire apparatus roadway and

"NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.

Condition 2: The front lot lines for the double frontage lots and flag lots within the subdivision shall be designated as follows:

Double Frontage Lots

- a) Lot 19: The front lot line of Lot 19 shall be the west property line.
- b) Lots 30 & 31: The front lot line of Lot 30 and Lot 31 shall be the east property line.

Flag Lots

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- c) Lots 17 & 18: The front lot line of Lot 17 and Lot 18 shall be the east property line.

Condition 3: Provide an engineered tentative stormwater design to accommodate new impervious surface in the right-of-way and on all proposed lots. Construct stormwater facilities that are proposed in the public right-of-way and in public storm easements.

Condition 4: Construct City infrastructure pursuant to the PWDS as shown on the applicant's tentative plan with the following clarifications:

- a) The City storm easement across the south side of Lot 30 shall be a minimum of 20 feet in width.
- b) Reconstruct the existing sewer main in Salem Heights Avenue S abutting the subject property where the existing pipe condition cannot accommodate new connections.
- c) Abandon the existing sewer system along the west line of the subject property where all service laterals can be reconnected to the new main in Felton Avenue.

Condition 5: Construct water and sewer systems to serve each lot.

Condition 6: Convey land for dedication of right-of-way adjacent to Salem Heights Avenue S to equal 30 feet from the centerline of Salem Heights Avenue S.

Condition 7: Construct a 17-foot-wide half-street improvement along the northern frontage of Salem Heights Avenue S to collector street standards. The street improvements are authorized to match the existing street grade up to a maximum of 12 percent grade.

Condition 8: Construct internal streets to local street standards as shown on the applicant's tentative plan, except as modified below:

- a) Curb-line sidewalks are authorized on the east side of Doughton Street between Felton Street and the north line of the subject property.
- b) Sidewalks are required on both sides of Felton Street. The required sidewalk on the west side of Felton Street between the north line of the subject property and the northwest corner of Lot 16 may be a curb-line sidewalk.
- c) The alternative cul-de-sac turnaround design at the terminus of Earhart Street S is authorized as proposed on the applicant's tentative subdivision plan.

Condition 9: The existing garage on Lot 4 shall either be:

- a) Modified to relocate the existing garage door opening from the southeast side of the structure to the southwest side of the structure, and a new paved driveway to the garage entrance provided;
- b) Modified to convert it to an accessory structure other than a garage by framing-in and enclosing the existing garage door opening, and providing a minimum of two required off-street parking spaces elsewhere on the lot in conformance with the requirements of SRC 806.025; or
- c) Removed, and a minimum of two required off-street parking spaces provided elsewhere on the lot in conformance with the requirements of SRC 806.025.

Condition 10: A minimum of two off-street parking spaces shall be provided for the existing home on Lot 5 in conformance with the requirements of SRC 806.025.

Condition 11: The flag lot accessway serving Lot 4 and Lot 5 shall be paved in accordance with the requirements of SRC 800.025(c), Table 800-1, for a residential flag lot accessway serving 3 to 4 lots. "NO PARKING—FIRE LANE" signs shall be posted on both sides of that segment of the flag lot accessway that is a fire apparatus roadway and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.

Condition 12: Provide a 10-foot-wide public utility easement (PUE) along the street frontage of each lot.

- B. The requested Class 1 Adjustments are APPROVED, subject to the applicable standards of the Salem Revised Code and the findings contained herein.
- C. The requested Class 2 Adjustment is APPROVED, subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the following condition of approval:

Condition 1: The adjustment to the minimum required interior front setback for the existing home on Lot 5 shall apply only to that portion of the existing home

that does not meet the minimum interior front setback requirement. If the existing home on Lot 5 is substantially damaged or destroyed by any cause to the extent that the cost of repair or restoration of the home would exceed 60 percent of its replacement cost using new materials and conforming to current building codes, the adjustment approval shall terminate and the interior front setback requirement shall apply.

PROCEDURAL FINDINGS

An application for a tentative subdivision plan was submitted by Project Delivery Group, LLC, on behalf of the applicant Don Jensen, of Jensen Consulting and Development, to divide property located in the 500 to 600 blocks of Salem Heights Avenue S into 38 lots (**Attachment A**). Upon initial review of the proposal and identification of additional information that was needed in order to deem the application complete for processing, the applicant provided the requested additional information and modified their application request to include a Class 1 and Class 2 Adjustment to allow for deviation from certain development standards of the Salem Revised Code (SRC) applicable to the proposed subdivision.

On October 5, 2017, the application was deemed complete and notice was sent pursuant to SRC requirements to owners of property located within 250 feet of the subject property, the Southwest Association of Neighbors (SWAN) neighborhood association, and others entitled to notice under SRC 300.520(b)(1)(B). Notice was subsequently posted on the subject property by the applicant's representatives pursuant to SRC requirements on October 6, 2017.

The state-mandated local decision deadline for this application is March 2, 2018.

SUBSTANTIVE FINDINGS

1. Salem Area Comprehensive Plan (SACP)

Land Use Plan Map: The subject property is designated "Single Family Residential" on the Salem Area Comprehensive Plan Map.

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

Growth Management: The subject property is located inside the City's Urban Service Area. Pursuant to the Urban Growth Management requirements contained under SRC Chapter 200, an Urban Growth Preliminary Declaration is therefore not required in conjunction with the proposed subdivision.

2. Zoning

The subject property is zoned RS (Single Family Residential). The zoning of surrounding properties is as follows:

North	RS (Single Family Residential)
South	Across Salem Heights Avenue S – RS (Single Family Residential)
East	RS (Single Family Residential)
West	RS (Single Family Residential)

3. Natural Features

Trees: The City's tree preservation ordinance (SRC Chapter 808) protects Heritage Trees, Significant Trees (*including Oregon White Oaks with diameter-at-breast-height of 24 inches or greater*), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet. 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, pursuant to SRC 808.035(a), tree conservation plans are required 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 submitted a tree conservation plan in conjunction with the proposed subdivision identifying a total of 235 trees on the property, 16 of which are significant oaks. There are no heritage trees or riparian corridor trees and vegetation located on the property.

Of the 235 total trees existing on the property, the proposed tree conservation plan identifies 106 trees (45.1%) for preservation and 129 trees (54.9%) for removal. However, the tree conservation plan submitted by the applicant does not account for the necessary removal of six additional trees located on Lots 4 and 5 in order to accommodate the construction of the flag lot accessway and turnaround serving these lots and the relocated driveway to the reconfigured garage on Lot 4. The removal of these six additional trees reduces the total number of trees to be preserved to 100 trees (42.6%) and correspondingly increases the total number of trees to be removed to 135 (57.4%).

Of the 135 trees proposed for removal, nine are significant oaks which the applicant has identified for removal based on their location within either the future building envelopes of lots (*applicable to 4 of the 9 significant oaks*) or adjacent to required street and/or sidewalk improvements (*applicable to 5 of the 9 significant oaks*).

The proposed tree conservation plan preserves 42.6 percent of the existing trees on the property, therefore exceeding the minimum 25 percent preservation requirement under SRC Chapter 808. In addition, though nine of the 16 existing significant oaks on the property are proposed to be removed, their removal is necessary because of no reasonable design alternatives that would enable their preservation. The tree conservation plan is

being reviewed by staff and, if approved, will be binding on the lots until final occupancy is granted for the construction of dwelling units on the lots.

In addition to the trees located on the subject property, there are also 11 trees located within the existing right-of-way on the north side of Salem Heights Avenue S. Pursuant to the tree preservation ordinance (SRC Chapter 808), tree conservation plans are required to identify and preserve the minimum required number of trees on the property. Because the 11 trees located within the existing right-of-way of Salem Heights Avenue are not located on the property, they are not subject to the provisions of SRC Chapter 808 and are not counted toward the total number of trees on the site. These trees are instead considered trees on City owned property and are subject to the provisions of SRC Chapter 86. Based on the current under-improved width of Salem Heights Avenue, the existing 11 trees within the right-of-way will likely need to be removed to accommodate the required widening, sidewalk installation, and grading associated with the improvement of Salem Heights.

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.

According to the Salem-Keizer Local Wetland Inventory (LWI) there are no mapped wetlands or waterways located on the subject property. Because there are no wetlands on the property, there will impacts to wetlands as a result of the proposed subdivision.

Landslide Susceptibility: The City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility. According to the City's adopted landslide hazard susceptibility maps, there are no areas of mapped landslide hazard susceptibility identified on the subject property and therefore the proposed subdivision is classified as a low landslide risk. However, a geotechnical investigation, prepared by Redmond Geotechnical Services and dated October 24, 2016, was submitted to the City of Salem. This investigation indicates that development of the subject site into residential home sites does not appear to present a potential geologic and/or landslide hazard provided that the site grading and development activities conform with the recommendations presented within the investigation report.

4. Site Analysis and Lot Layout

The property subject to the proposed subdivision totals approximately 9.1 acres in size and comprised of six existing tax lots (Marion County Assessor Map and Tax Lot Numbers: 083W04AA10400, 10500, 10600, 10601, 10700, & 10800)(**Attachment A**).

The applicant's tentative subdivision plan proposes to divide the 9.1 acre property into 38 lots, one of which will be dedicated to the City for stormwater management purposes, for residential development (**Attachment B**). The majority of the lots within the proposed subdivision range in size from approximately 5,251 square feet to approximately 10,194

square feet. Two of the lots (proposed Lots 4 and 5), however, exceed one-half acre in size. These two lots are flag lots and are respectively approximately 29,770 square feet and 24,808 square feet in size (*when measured exclusive of the flag lot accessway*). The size of these two lots is in part to allow for the preservation of the existing homes located on the property. Although the applicant has indicated no specific plans to demolish the existing homes and further divided these lots, the City's land division ordinance, pursuant to SRC 205.030(g), requires that whenever a residential lot is proposed within a subdivision that is greater than one-half acre in size a future development plan is required to be submitted with the subdivision showing how the lots can be further divided in the future without violating the developments standards of the SRC and without interfering with the orderly extension and connection of adjacent streets. As part of the tentative subdivision plan submittal, the applicant provided the required future development plan showing how each of these large lots could be further divided in the future.

Lot Area: Minimum lot area requirements of the RS zone are established under SRC 511.010(a), Table 511-2. Within the RS zone the minimum lot requirement for lots to be used for the construction of single family dwellings is 4,000 square feet. As shown on the applicant's proposed tentative subdivision plan, all of the lots within the subdivision exceed the minimum 4,000 square-foot lot size requirement.

Lot Dimensions & Street Frontage: Minimum lot dimension and street frontage requirements of the RS zone are established under SRC 511.010(a), Table 511-2. Within the RS zone lots to be used for the construction of single family dwellings are required to meet the following minimum lot dimension and street frontage standards.

Lot Width	Min. 40 ft. Min. 70 ft.
Lot Depth	Min. 120 ft. (<i>Applicable to double frontage lots</i>) Max. 300% of average lot width

Notes

- (1) Lot dimensions are required to measured exclusive of any flag lot accessway.

As shown on the applicant's proposed tentative subdivision plan, all of the lots exceed the minimum lot dimension requirements of the RS zone with exception of the following:

- **Lots 17, 18, and 31 (Maximum Lot Depth):** Based on the proposed configuration of the subdivision, Lots 17, 18, and 31 exceed the maximum lot depth requirement of 300% of the average width of the lots. In order to address the maximum lot depth for these lots, the applicant has requested a Class 1 Adjustment in conjunction with the proposed subdivision to allow the lots to exceed maximum lot depth. Findings

addressing the Class 1 Adjustment request for conformance with the applicable approval criteria are included under Section 10 of this decision.

- **Lot 30 (Minimum Double Frontage Lot Depth):** Based on the proposed configuration of the subdivision, Lot 30 does not meet the minimum required 120-foot lot depth for a double frontage lot (*a lot which has frontage on a street adjacent to both its front and rear property lines*). Lot 30, located in the northeast portion of the subject property, is a double frontage lot with frontage on both the proposed extension of Doughton Street and the proposed turnaround of Earhart Street. In order to address the minimum double frontage lot depth requirement for this lot, the applicant has requested a Class 1 Adjustment in conjunction with the proposed subdivision to allow for the depth of this lot to be less than the minimum required 120 feet. Findings addressing the Class 1 Adjustment request for conformance with the applicable approval criteria are included under Section 10 of this decision.

Street Frontage: Except for flag lots, the RS zone, pursuant to SRC 511.010(a), Table 511-2, requires lots that will be used for the construction of single family dwellings to have a minimum of 40 feet of frontage on a street. 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.

As shown on the applicant's tentative subdivision plan, the proposed lots, with exception of the proposed flag lots (Lots 4, 5, 17, and 18), exceed the minimum 40-foot street frontage requirement. Proposed Lots 4, 5, 17, and 18 are flag lots without the minimum frontage on a street. These proposed lots conform to the flag lot standards of SRC 800.025.

Designation of Front Property Lines: SRC 800.020(a) establishes the following provisions for designating the front property line for various types of lots:

- **Interior Lots.** For interior lots with frontage on only one street, the front property line shall be the property line abutting the street.
- **Corner Lots.** For corner lots, the front property line shall be the property line abutting a street designated by the building permit applicant, provided that lot dimension standards are met.
- **Double Frontage Lots.** For double frontage lots, the front property line shall be the property line abutting a street designated by the building permit applicant, provided that lot dimension standards are met.
- **Flag Lots.** For flag lots, the front property line shall be either 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, unless the Planning Administrator otherwise directs.

The proposed subdivision includes a combination of interior lots, corner lots, double frontage lots, and flag lots. Based on the above identified requirements, the front property lines for the interior lots and corner lots within the subdivision will be determined as specified above.

In order to further clarify the front lot line designations for the proposed double frontage lots and flag lots within the subdivision, and to ensure that, based on the proposed lot configurations and location of existing structures, the proposed lots and structures on them meet applicable SRC requirements, except as otherwise may be allowed through a variance or adjustment, the following front lot line designations for will apply:

- ❖ Lot 4: The front lot line of Lot 4 shall be the south property line.
- ❖ Lot 5: The front lot line of Lot 5 shall be the west property line.
- ❖ Lots 17 & 18: The front lot line of Lot 17 and Lot 18 shall be the east property line.
- ❖ Lot 19: The front lot line of Lot 19 shall be the west property line.
- ❖ Lots 30 & 31: The front lot line of Lot 30 and Lot 31 shall be the east property line.

Maximum Number of Flag Lots within Subdivision: SRC Chapter 800 (General Development Standards) establishes a maximum limit on the number of flag lots that may be allowed within a subdivision. Pursuant to SRC 800.025(e), the maximum number of flag lots allowed within a subdivision is 15 percent of the lots. Based on the 37 proposed buildable lots within the subdivision, a maximum of 6 lots may be developed as flag lots.

The applicant's tentative subdivision plan proposes a total of 4 flag lots. That total number of flag lots, however, could increase up to 6 flag lots if the two largest flag lots proposed within the subdivision (Lots 4 and 5) were further divided in the future as shown on the applicant's future development plan. In either case, the number of flag lots proposed by the applicant in the tentative subdivision plan and the potential future development plan conform to the maximum limit on the number of flag lots.

Setback Requirements: The RS zone, pursuant to SRC 511.010(b), Table 511-3, establishes the following minimum setbacks for single family dwellings:

RS Zone Setbacks		
Abutting Street	Min. 12 ft.	Applicable along local streets.
	Min. 20 ft.	Applicable along collector ⁽¹⁾ or arterial streets.
Interior Front	Min. 12 ft.	
Interior Side	Min. 5 ft.	Applicable to new buildings.
	Min. 3 ft.	Applicable to existing buildings.
Interior Rear	Min. 14 ft.	Applicable to any portion of a building not more than one-story in height.
	Min. 20 ft.	Applicable to any portion of a building greater than one-story in height.

RS Zone Setbacks

Notes

- (1) Salem Heights Avenue S is designated as a collector street within the City's Transportation System Plan (TSP). As such, a minimum 20-foot setback is required abutting this street.

Garage Setback: In addition to the setbacks identified above, the off-street parking, loading, and driveways chapter of the code (SRC Chapter 806) requires, pursuant to SRC 806.025(b), garages facing a street or flag lot accessway to be setback a minimum of 20 feet in order to accommodate a driveway and enough space for vehicles to park on the driveway without projecting into the street right-of-way or flag lot accessway.

As shown on the applicant's tentative subdivision plan, two of the proposed lots within the subdivision have existing structures located on them. There is an existing home and garage located on proposed Lot 4 and there is an existing home located on proposed Lot 5. Both the home and garage on Lot 4, and the home on Lot 5, are proposed to be retained. Because these existing structures are proposed to remain, setbacks between the existing structures and the proposed lot new lines must be met, or an adjustment or variance granted to reduce the required setback.

In regards to Lot 4, the existing home meets the applicable setback requirements of the RS zone to the new lot lines. The existing detached garage, however, does not, as currently proposed, meet the minimum required 20-foot setback between the front of the garage and the adjacent flag lot accessway. In order to ensure the existing garage on Lot 4 meets minimum setback requirements, the garage will need to be either:

- 1) Modified to relocate the existing garage door opening from its southeast side to its southwest side, and a new paved driveway to the garage entrance provided;
- 2) Modified to convert it to an accessory structure other than a garage by framing-in and enclosing the existing garage door opening, and providing a minimum of two required off-street parking spaces elsewhere on the lot in conformance with the requirements of SRC 806.025; or
- 3) Removed and a minimum of two required off-street parking spaces provided elsewhere on the lot in conformance with the requirements of SRC 806.025.

In regards to Lot 5, the existing home meets applicable setback requirements to the proposed new interior side and rear property lines, but portions of the home do not, however, meet the minimum required 12-foot interior front setback to the proposed flag lot accessway. In order to address this required front setback, the applicant has requested a Class 2 Adjustment with the subdivision to allow those portions of the existing home that do not meet the minimum 12-foot setback to be reduced to a varying setback depth of less than 12 feet. Findings addressing the Class 2 Adjustment request for conformance with the applicable approval criteria are included under Section 11 of this decision.

All of the other proposed lots within the subdivision do not have existing structures located on them. Future development of those lots, and any new structures constructed on Lots 4 and 5, will be reviewed for conformance with the setback requirements of the RS zone when building permits are submitted for further development of the lots.

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 by buildings and accessory structures on a lot to 60 percent.

As previously discussed, both Lot 4 and Lot 5 have existing structures on them that are intended to remain. Based on the square footages of proposed Lot 4 and Lot 5 and the total square footages of the buildings and accessory structures existing on them, the lot coverage requirements of the RS zone are not exceeded. The resulting lot coverage of Lot 4 is approximately 15.5 percent and the resulting lot coverage of Lot 5 is approximately 7.1 percent; therefore complying with RS zone lot coverage standards.

All of the other proposed lots within the subdivision do not have existing structures located on them. Future development of those lots, and any new structures constructed on Lots 4 and 5, will be reviewed for conformance with the maximum lot coverage requirements of the RS zone when building permits are submitted for further development of the lots.

Access and Circulation: Vehicular access to and within the subdivision is proposed to be provided from Salem Heights Avenue S and the extension of three streets, Felton Street S, Earhart Street S, and Doughton Street S, which are currently dead-end streets which terminate at the northern boundary of the subject property.

The City's Transportation System Plan (TSP) designates Salem Heights as a collector street and Felton Street, Earhart Street, and Doughton Street as local streets.

All of the proposed lots within the subdivision, with the exception of Lots 1 through 8 will take vehicular access from the internal streets proposed within the subdivision; Lots 1 through 8 will take access from Salem Heights Avenue. Because four of the lots within the subdivision are flag lots, their access to the street will be provided by way of flag lot accessways.

SRC 800.025 establishes the following development standards for flag lot accessways serving residentially zoned lots:

Flag Lot Accessway Standards (Residential Zones)		
	1 to 2 Lots Served by Accessway	3 to 4 Lots Served by Accessway
Length	150 ft. Max.	400 ft. Max.
Width	Min. 20 ft.	25 ft. Min.
Paved Width	Min. 15 ft.	20 ft. Min.
Parking	Not Allowed	Not Allowed

Turnaround	Required for flag lot accessways greater than 150 feet in length. <i>(Unless the buildings served by the flag lot accessway are equipped with approved automatic fire sprinkler systems or where geographic features make it impractical and an alternative means of fire protection is provided and approved by the Fire Marshal)</i>
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As shown on the applicant's tentative subdivision plan, the flag lot accessway serving Lots 17 and 18 is approximately 60 feet in length, and located within a 20-foot wide easement, in conformance with the standards for flag lot accessways serving up to two lots. Because the flag lot accessway is less than 150 feet in length a turnaround is not required.

The proposed flag lot accessway serving lots 4 and 5 is approximately 178 feet in length and located within a 25-foot-wide easement. As proposed, the flag lot accessway exceeds the maximum flag lot accessway length of 150 feet and is wider than the minimum required width. The greater length of this flag lot accessway is necessary due to the location of the existing house on proposed Lot 4. SRC 800.025(c)(3)(A) requires unobstructed fire apparatus access to be provided to within 150 feet of any building or portion thereof, unless the building is equipped with an approved automatic fire sprinkler system or where geographic features make it impractical and an alternative means of fire protection is provided and approved by the Fire Marshal. In order to ensure the required fire apparatus to the existing house on Lot 4, the length of the accessway had to be increased beyond the maximum length allowed. Pursuant to SRC 800.025(c), Table 800-1, this greater length is allowed, however, because maximum flag lot accessway length does not apply where geographic features make it impractical, and when approved by the Planning Administrator following review and recommendation by the Fire Marshal. The location of the existing house and its distance from the street are geographic constraints which necessitate a greater flag lot accessway length. The Fire Department has also review the proposal and indicated no objections.

In addition, based on the large size of Lot 4 and Lot 5 there is the potential for these lots to be further divided. The future development plan required to be submitted by the applicant shows that a total of 4 lots could ultimately be served by the flag lot accessway. If Lots 4 and 5 are divided in the future so up to four lots would be served by the accessway as shown on the future development plan, the accessway, as proposed will conform not only to the maximum length allowed for accessways serving 3 to 4 lots because it is less than 400 feet in length, but will also conform to the minimum required accessway width of 25 feet.

Because the flag lot accessway serving Lots 4 and 5 is greater than 150 in width, a turnaround is required. As shown on the applicant's tentative subdivision plan a turnaround is provided that meet Fire Department standards.

5. City Department Comments

- A. **Salem Fire Department.** The Salem Fire Department reviewed the proposal and indicated they have no issues with the proposed subdivision, but will have requirements for Fire Department access with NO PARKING FIRE LANE signs.

Response: The proposed subdivision includes two flag lot accessways. One flag lot accessway serves proposed Lots 4 and 5. The other flag lot accessway serves proposed Lots 17 and 18. Both proposed flag lot accessways conform to the flag lot accessway standards under SRC 800.025(c). In order to ensure adequate Fire Department access, Condition 1 and Condition 11 of the tentative subdivision plan approval require “NO PARKING – FIRE LANE” signs to be posted on both sides of those segments of the flag lot accessways that serve as fire apparatus roadways.

- B. **Public Works Department.** The City of Salem Public Works Department, Development Services Section, reviewed the proposal and provided comments and recommendations for plat approval. The Public Works Department’s comments are included as **Attachment C**.

6. Public Agency and Private Service Provider Comments

- A. **Portland General Electric (PGE).** PGE reviewed the proposal and indicated that development costs will be determined by current tariff and service requirements and that a 10-foot-wide public utility easement (PUE) is required on all front street lots.
- B. **Salem-Keizer Public Schools.** The Salem-Keizer School District reviewed the proposal and provided comments that are included as **Attachment D**. In summary, the School District indicates that the subject property is served by Salem Heights Elementary School, Crossler Middle School, and Sprague High School and that sufficient school capacity exists at these schools to serve the proposed development. The School District indicates that students are within the walk zone of Salem Heights Elementary school, but are outside of the walk zone of Crossler Middle School and Sprague High School. Students are therefore eligible for transportation to both middle school and high school.

7. Neighborhood Association Comments

The subject property is located within the Southwest Association of Neighbors (SWAN) neighborhood association. Notice of the application was provided to the neighborhood association, pursuant to SRC 300.520(b)(1)(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. No comments were received from the neighborhood association.

8. Public Comments

All property owners within 250 feet of the subject property were mailed notification of the proposed subdivision. Comments from 44 property owners within the vicinity of the subject property and members of the public at larger were submitted prior to the close of the public comment period deadline. Of the comments received, two indicated no objections and the remainder expressed concern and opposition to the proposal. Concerns and opposition received can be summarized into the following main categories:

- A. **Safety of Salem Heights Avenue.** The majority of the comments submitted express concern about the safety of Salem Heights Avenue and the impact of adding traffic from 37 additional lots onto a narrow and under-improved collector street that is already heavily trafficked by vehicles and pedestrians. Specific concerns raised relating to vehicular, bike, and pedestrian safety on Salem Heights Avenue include the following:
- Narrowness of roadway;
 - Lack of sidewalks and bike lanes;
 - Prevalent speeding with few speed limit signs to indicate the maximum 25 mph speed limit; and
 - Poor visibility at the crest of the steep hill between Norris and Nohlgren Streets.

Comments received expressed the need for sidewalks on both sides of Salem Heights along its full length as well as traffic calming measures, such as speed bumps, to slow vehicle traffic.

Staff Response: Residential development of properties on Salem Heights Avenue in previous decades did not include the level of street improvements currently required for development. As such, as properties were partitioned, subdivided, or developed in the past, the roadway was not widened and sidewalks were not provided as currently required.

As indicated in the comments from the Public Works Department (**Attachment C**), Salem Heights is an under-improved collector street that does not meet current standards for right-of-way and improvement widths, curbs, and sidewalks. In order to conform to the City's Transportation System Plan (TSP) and the street improvements required in conjunction with subdivisions under SRC Chapter 803 (Streets and Right-of-Way Improvements), all streets within and abutting the proposed subdivision will be required to conform to TSP standards for right-of-way and improvement width, including provision of sidewalks. On Salem Heights Avenue, additional right-of-way will be required to be dedicated along the property's frontage and the street will be widened to accommodate a half-street improvement which will include a sidewalk and bike lane.

Improvement of Salem Heights Avenue along the frontage of the property and construction of the internal streets within the subdivision will increase the number of streets with sidewalks in the vicinity, and fill in gaps in the existing pedestrian network. These new streets will partially address the existing lack of bicycle and pedestrian connections. Because the proposed subdivision will not generate sufficient traffic volumes to require a Traffic Impact Analysis (TIA) under SRC 803.015, off-site mitigation to the existing transportation system is not warranted as a condition of the proposed development. In regards to the installation of speed bumps to slow the speed of traffic, because Salem Heights Avenue is a collector street speed bumps are not allowed.

- B. **Impact of Increased Traffic on Adjacent Streets.** Several comments received express concern with increased traffic in the vicinity as a result of the subdivision.

Specific concerns raised regarding traffic and impacts on adjacent streets include the following:

- Increased traffic on Salem Heights resulting from the connection of the dead-end streets at the north of the property through to Salem Heights Avenue;
- Traffic from subdivision will filter onto streets in the surrounding neighborhood;
- Protected turns in all four directions are needed at the intersections of Salem Heights Avenue and Liberty Road and Madrona Avenue and Liberty Road;
- During standard commute times traffic at the intersection of Salem Heights Avenue and Liberty Road is already heavy and backs up;
- Traffic from an additional 37 lots will make traffic much heavier in an area that is already over-used on a daily basis.
- A Traffic Impact Analysis (TIA) is needed for the proposed subdivision to evaluate its impact on streets and intersections in the area.

Staff Response: The Public Works Department has evaluated the proposal and submitted comments indicating that existing streets in the vicinity have adequate width for two-way vehicle traffic. The proposal will result in a boundary street improvement of Salem Heights Avenue and the extension of new local streets through the subdivision in conformance with current standards for vehicle, pedestrian, and bicycle facilities. These streets will connect to existing streets and fill in gaps within the current street network. The City Traffic Engineer has determined that the proposed development does not generate traffic volumes sufficient to require a traffic impact analysis pursuant to SRC 803.015; therefore, off-site mitigation to the existing transportation system is not warranted as a condition of the proposed development.

C. **Tree Removal.** Several comments received express concern regarding the removal of trees, including significant Oregon White Oaks, which will be required to accommodate the proposed subdivision. Specific concerns raised regarding tree removal include:

- The developer being able to clear cut trees on the property without taking into account how the area looks;
- The removal of the oak trees along Salem Heights Avenue;
- Removal of significant Oregon Whit Oaks; and
- What happens to the trees designated for preservation on Lots 4, 5, 17, and 18 after the subdivision is approved and those lots are further divided in the future?

Staff Response: Tree preservation and removal in conjunction with proposed subdivisions is regulated under the City's tree preservation ordinance (SRC Chapter 808). As required under SRC Chapter 808, the applicant submitted a tree conservation plan in conjunction with the proposed subdivision that identifies a total of 235 trees on the property, 16 of which are significant oaks.

Of the 235 total trees existing on the property, the proposed tree conservation plan will preserve 100 trees (42.6%) and remove 135 trees (57.4%) for removal. Of the 135 trees proposed for removal, nine are significant oaks which the applicant has identified for removal based on their location within either the future building envelopes of lots

(applicable to 4 of the 9 significant oaks) or adjacent to required street and/or sidewalk improvements (applicable to 5 of the 9 significant oaks).

The proposed tree conservation plan preserves 42.6 percent of the existing trees on the property, therefore exceeding the minimum 25 percent preservation requirement under SRC Chapter 808. In addition, though nine of the 16 existing significant oaks on the property are proposed to be removed, their removal is necessary because of no reasonable design alternatives that would enable their preservation. The tree conservation plan is being reviewed by staff and, if approved, will be binding on the lots until final occupancy is granted for the construction of dwelling units on the lots.

In addition to the 235 trees located on the subject property there are also 11 trees located within the existing right-of-way on the north side of Salem Heights Avenue. Pursuant to the tree preservation ordinance, tree conservation plans are required to identify and preserve the minimum required number of trees on the subject property. Because the 11 trees located within the existing right-of-way of Salem Heights Avenue are not located on the property, they are not subject to the provisions of SRC Chapter 808 and are not counted toward the total number of trees on the site. These trees are instead considered trees on City owned property and subject to the provisions of SRC Chapter 86. Based on the current under-improved width of Salem Heights Avenue, the existing 11 trees within the right-of-way will likely need to be removed to accommodate the required widening, sidewalk installation, and grading associated with the improvement of Salem Heights.

As indicated in one of the comments submitted, several of the trees proposed for preservation under the applicant's tree conservation plan are located on Lots 4, 5, 17, and 18. Based on the size and configuration of Lots 17 and 18 these lots cannot be future divided so additional future tree removal in connection with a future partition of these lots is not possible. Lots 4 and 5 on the other hand are of a size and configuration that they could be further divided as shown on the applicant's future development plan. If these lots were to be further divided and the tree conservation plans for the partitions of the lots proposed removal of the maximum allowed 75 percent of the trees, the overall number of trees removed from the subject property, including those removed as a result of a future land division, would still not exceed the maximum 75 percent.

- D. Impact on Neighborhood Character and Adjacent Properties.** Several comments received expressed concern about the impact the proposed subdivision will have on adjacent properties and the character of the existing neighborhood due to a higher density development with smaller lots sizes and homes which are inconsistent with the sizes of lots and homes in the surrounding area.

Staff Response: The single family dwelling parcels proposed within the subdivision range from approximately 5,251 square feet to approximately 29,771 square feet in size, which exceeds the minimum lot size requirement of 4,000 square feet. Their size and layout is consistent with the expected development pattern of properties in the "Single Family Residential" Comprehensive Plan Map designation and RS (Single

Family Residential) zone. There is no approval criterion or development standard which requires single family residential lots to resemble adjacent existing developments. Goal E.b (Residential Development) of the Salem Area Comprehensive Plan (SACP) states that "residential development shall provide housing opportunities for Salem's diverse population." Variation of lot sizes is one means of providing diversity of housing opportunities within the detached single family residential submarket.

- E. **Loss of Wildlife Habitat and Open Space.** Several comments received express concern regarding the loss of wildlife habitat and open space that will result from the clearing and development of the property and suggest that rather than it being developed as a subdivision it should be donated to the City for creation of a new park.

Staff Response: In regards to impacts to wildlife habitat, the subject property has not been identified as a significant wildlife habitat by state wildlife management agencies or by the City. The subject property is located within the Urban Growth Boundary and incorporated limits of the City of Salem, and has been designated on the City of Salem Comprehensive Plan Map as "Single Family Residential," which anticipates existing or future residential development similar to the subdivision proposed by the applicant. Loss of wildlife habitat that has not been identified as significant is not a criterion under the Salem Revised Code for granting or denying a phased tentative subdivision approval.

In regards to impacts on open space, the Salem Area Comprehensive Plan has adopted goals, policies, and plan map designations to protect identified open space areas. The subject property has not been identified as a natural open space area. Instead, the Comprehensive Plan Map designates the subject property as "Single Family Residential," and the site has been zoned RS (Single Family Residential). While currently undeveloped, the subject property is located within an already developed residential area within the corporate limits of the City of Salem, and changes to the landscape 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.

In regards to the property being developed as a park, comments from the Public Works Department (**Attachment C**) indicate that the Comprehensive Parks Master Plan Update shows that the subject property is served by parks. Candelaria Reservoir is an undeveloped park approximately one-half mile northwest of the proposed development and Salem Heights Elementary is a partially developed park area approximately one-quarter of a mile southeast of the proposed development. The Public Works Department also indicates that the Parks Master Plan shows that a potential park site NP-6 was identified near the subject property. However, park site locations are approximate as described on page 73-80 of the plan which provides:

"Locations are mapped to show generally where a park or trail may be located; however, feasible park sites may not be available within the area shown. The actual location will be determined based on a combination of factors, including land availability and cost. Park site selection and development will proceed as neighborhoods develop."

The Public Works Department indicates that no park is proposed within the subject property at this time.

- F. **Impact on Property Values.** Comments received expressed concern that property values will be negatively impacted by the proposed development due to the very small lot sizes and small houses that will likely be constructed on the lots.

Staff Response: Effect on property values is not a criterion under the Salem Revised Code for granting or denying a tentative subdivision approval. The proposal for single family residential development is consistent with the “Single Family Residential” Comprehensive Plan Map designation and RS (Single Family Residential) zone of the subject property. As described above, SACP goal E.b (Residential Development) aims to provide housing opportunities for a diverse population. As such, while SACP goals encourage a diversity of housing property values, the Salem Revised Code neither directly nor indirectly regulates such property values.

- G. **Impact of Stormwater Runoff on Downhill Properties.** Comments received express concern about potential stormwater and drainage impacts on properties located downhill from the subject property as a result of the removal of trees and vegetation from the property and the construction of 37 residences along with driveways and streets.

Staff Response: As described in further detail in findings included under Section 9 of this decision regarding compliance with the standards set forth in SRC Chapter 71 (Stormwater), the proposed subdivision is required to meet flow control requirements which limit runoff to levels not exceeding pre-existing conditions. As required under Condition 3 of the tentative subdivision plan approval, the applicant is also required to provide an engineered tentative stormwater design to accommodate new impervious surface in the right-of-way and on all proposed lots.

In order to address stormwater management requirements within the subdivision, a 9,699 square-foot lot within the subdivision, Lot 38, is proposed to be dedicated to the City for stormwater management purposes.

- H. **Adjustments do not Meet Approval Criteria.** Comments submitted express concern that the requested adjustments do not meet the approval criteria and that instead of approving adjustments for the lots, other lot sizes should be increased to allow the homes on the lots to meet standards.

Staff Response: Findings evaluating the Class 1 and Class 2 Adjustments requested by the applicant in conjunction with the proposed subdivision are included under Sections 10 and 11 of this decision. As indicated in the findings under those sections, the requested Class 1 and Class 2 Adjustments are minimal in scope and allow only minor deviations from standards whose underlying purposes are otherwise met by the proposed development. The cumulative effect of the adjustments do not result in a project which is inconsistent with the overall purpose of the RS zone or the “Single Family Residential” designation of the Salem Area Comprehensive Plan.

9. Criteria for Granting a Subdivision Tentative Plan

SRC 205.010(d) sets forth the 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 upon which the Planning Administrator's decision is based. The requirements of SRC 205.010(d) are addressed within the specific findings which evaluate the tentative subdivision plan for 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.

- A. SRC 205.010(d)(1): The tentative subdivision complies with all standards of this Chapter and with all applicable provisions of the UDC, including, but not limited to, the following:***
- (A) Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage, and designation of front and rear lot lines.***
 - (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. The subdivision process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans. A second review occurs for the created lots at the time of 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 subdivision plat. The proposed tentative subdivision plan meets all applicable provisions of the UDC as detailed below.

Lot Standards: The property subject to the proposed subdivision is approximately 9.1 acres in size and zoned RS (Single Family Residential). The proposed subdivision creates a total of 38 lots ranging in size from approximately 5,251 square feet to approximately 29,771 square feet. Of the 38 lots proposed, one lot, Lot 38, will be dedicated to the City as a stormwater management facility. The remainder of the lots within the subdivision are intended for residential development.

The minimum lot standards of the RS zone are established under SRC 511.010(a), Table 511-2. A summary of those standards are identified in the following table:

RS Zone Lot Standards ¹	
Lot Area (<i>Single Family</i>)	Min. 4,000 sq. ft.

Lot Width	Min. 40 ft.
Lot Depth (<i>Single Family</i>)	Min. 70 ft.
	Min. 120 ft. (<i>Applicable to double frontage lots</i>)
	Max. 300% of average lot width
Street Frontage	Min. 40 ft. (<i>Except for flag lots</i>)
<p style="text-align: center;">Notes</p> <p>(1) All lot dimensions (<i>e.g. lot area, width, depth, and street frontage</i>) are required to be measured exclusive of any flag lot accessway per SRC 112.045(a)-(d).</p>	

As shown on the applicant's tentative subdivision plan and identified under Section 4 of this decision, all of the proposed lots, with the exception of Lots 17, 18, 30, and 31, meet the minimum lot size, dimension, and street frontage standards of the RS zone.

As previously identified, proposed Lots 17, 18, and 31 exceed the maximum lot depth requirement of 300% of the average lot width and proposed Lot 30 is a double frontage lot that does not meet the minimum required double frontage lot depth of 120 feet. Because these lots do not conform to the applicable lot standards, the applicant requested a Class 1 Adjustment in conjunction with the proposed subdivision to allow the proposed lots to deviate from these lot standards. As identified under Section 10 of this decision, the requested Class 1 Adjustment for these lots satisfy the approval criteria.

All of the lots within the subdivision, including those requiring the Class 1 and Class 2 Adjustment, are suitable for the general purpose for which they are intended to be used, and each of the lots is of a size and design that will not be detrimental to the public health, safety, and welfare.

Flag Lots: As previously identified, four of the lots within the proposed subdivision (Lots 4, 5, 17, and 18) are flag lots without frontage on a street. Lots not meeting minimum street frontage requirements are allowed subject to conformance with the flag lot standards under SRC 800.025. SRC 800.025 establishes requirements for flag lot size and dimensions, requirements flag lot accessways (*including maximum length, minimum width, when turnarounds are required, and a prohibition on parking on the accessway*), and limits on the overall number of lots that may be served by a flag lot accessway and the overall number of flag lots allowed within a subdivision.

As shown on the applicant's tentative subdivision plan and identified under Section 4 of this decision, the proposed flag lots and the flag lot accessways serving them conform to the applicable flag lot standards of SRC 800.025. The overall number of flag lots within the subdivision and the number of flag lots served by an individual accessway, as currently proposed and which could be established in the future as shown on the applicant's future development plan, do not exceed the allowed maximums; and the proposed flag lot accessways serving the lots conform to the dimension standards and turnaround requirements.

In order to ensure the proposed flag lot accessway serving Lots 17 and 18 conforms to the requirements of SRC 800.205, the following condition of approval shall apply:

Condition 1: The flag lot accessway serving Lot 17 and Lot 18 shall be paved in accordance with the requirements of SRC 800.025(c), Table 800-1. "NO PARKING—FIRE LANE" signs shall be posted on both sides of that segment of the flag lot accessway that is a fire apparatus roadway and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.

Designation of Front Lot Lines: As described under Section 4 of this decision, SRC 800.020(a) establishes requirements for designating the front lot line for various types of lots. The proposed subdivision includes a combination of interior lots, corner lots, double frontage lots, and flag lots. In order to clearly designate the front lot lines for the proposed double frontage lots and flag lots within the subdivision and ensure that existing structures meet the applicable requirements of the SRC based on the proposed lot configurations, except as otherwise is proposed to be allowed through an adjustment, and the proposed orientation of the lots and corresponding setbacks establish a development pattern consistent with that of surrounding properties, the following condition of approval shall apply:

Condition 2: The front lot lines for the double frontage lots and flag lots within the subdivision shall be designated as follows:

Double Frontage Lots

- a) Lot 19: The front lot line of Lot 19 shall be the west property line.
- b) Lots 30 & 31: The front lot line of Lot 30 and Lot 31 shall be the east property line.

Flag Lots

- a) Lot 4: The front lot line of Lot 4 shall be the south property line.
- b) Lot 5: The front lot line of Lot 5 shall be the west property line.
- c) Lots 17 & 18: The front lot line of Lot 17 and Lot 18 shall be the east property line.

City Infrastructure Standards: The Public Works Department reviewed the proposal for compliance with the City's public facility plans pertaining to provision of streets, water, sewer, and storm drainage facilities and determined that the proposed subdivision, with recommended necessary conditions of approval, conforms to the requirements of SRC Chapter 71 (Stormwater), SRC Chapter 802 (Public Improvements), SRC Chapter 803 (Streets and Right-of-Way Improvements), and the Public Works Design Standards (PWDS). While SRC Chapter 205 does not require submission of public construction plans for City infrastructure prior to tentative subdivision plan approval, it is the responsibility of the applicant to design and construct required City infrastructure 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 71 (Stormwater): The proposed subdivision is subject to the stormwater requirements of SRC Chapter 71 and the revised Public Works Design Standards (PWDS) adopted in Administrative Rule 109, Division 004. These requirements limit runoff from the development to levels not exceeding pre-existing conditions.

The Public Works Department indicates that existing stormwater facilities in the area include a 10-inch main located on adjacent property along the east boundary of the subject property.

In order to demonstrate that the proposed lots within the subdivision can meet the PWDS, the following condition of approval shall apply:

Condition 3: Provide an engineered tentative stormwater design to accommodate new impervious surface in the right-of-way and on all proposed lots. Construct stormwater facilities that are proposed in the public right-of-way and in public storm easements.

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). Specifications for required public improvements are summarized in the comments provided by the Public Works Department (**Attachment C**).

In summary, the Public Works Department indicates that water and sewer infrastructure is available along the perimeter of the site and appears to be adequate to serve the proposed subdivision as shown on the applicant's preliminary utility plan; however, the existing sewer main in Salem Heights Avenue is in poor condition and may not be able to accommodate new connections.

In order to ensure that appropriate City infrastructure is provided to serve the proposed subdivision, the following conditions of approval shall apply:

Condition 4: Construct City infrastructure pursuant to the PWDS as shown on the applicant's tentative plan with the following clarifications:

- a) The City storm easement across the south side of Lot 30 shall be a minimum of 20 feet in width.
- b) Reconstruct the existing sewer main in Salem Heights Avenue S abutting the subject property where the existing pipe condition cannot accommodate new connections.

- c) Abandon the existing sewer system along the west line of the subject property where all service laterals can be reconnected to the new main in Felton Avenue.

Condition 5: Construct water and sewer systems to serve each lot.

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

SRC Chapter 803 (Street and Right-of-Way Improvements): The subject property is located on Salem Heights Avenue S and three existing dead-end streets, Felton Street S, Earhart Street S, and Doughton Street S, terminate at the northern boundary of the property. Salem Heights is designated as a collector street under the City's TSP. Felton Street, Earhart Street, and Doughton Street are designated as local streets.

The Public Works Department indicates that Salem Heights has an existing 20-foot-wide improvement within a varied 40-foot to 50-foot-wide right-of-way adjacent to the subject property. The standard for a collector street is a 34-foot wide improvement within a 60-foot-wide right-of-way.

Felton Street, Earhart Street, and Doughton Streets all have an existing 30-foot-wide improvement within a 50-foot-wide right-of-way. The standard for a local street is a 30-foot-wide improvement within a 60-foot-wide right-of-way.

SRC Chapter 803 (Streets and Right-of-Way Improvements) establishes standards for the development of streets located within and adjacent to the proposed subdivision. In order to ensure that the proposed streets within and on the boundary of the proposed subdivision conform to the applicable provisions of SRC Chapter 803 and the City's Transportation System Plan (TSP), the following conditions of approval shall apply:

Condition 6: Convey land for dedication of right-of-way adjacent to Salem Heights Avenue S to equal 30 feet from the centerline of Salem Heights Avenue S.

Condition 7: Construct a 17-foot-wide half-street improvement along the northern frontage of Salem Heights Avenue S to collector street standards. The street improvements are authorized to match the existing street grade up to a maximum of 12 percent grade.

Condition 8: Construct internal streets to local street standards as shown on the applicant's tentative plan, except as modified below:

- a) Curb-line sidewalks are authorized on the east side of Doughton Street between Felton Street and the north line of the subject property.

- b) Sidewalks are required on both sides of Felton Street. The required sidewalk on the west side of Felton Street between the north line of the subject property and the northwest corner of Lot 16 may be a curb-line sidewalk.
- c) The alternative cul-de-sac turnaround design at the terminus of Earhart Street S is authorized as proposed on the applicant's tentative subdivision plan.

As conditioned, the proposed subdivision meets the requirements of SRC Chapter 803.

Special Development Standards:

SRC Chapter 511 (Single Family Residential Zone): The subject property is zone RS (Single Family Residential). SRC Chapter 511 establishes minimum lot size and dimension standards, building setback and height standards, and maximum lot coverage requirements. The proposed lots within the subdivision are of a size and configuration to provide for reasonable development consistent with the requirements of SRC Chapter 511.

The proposed subdivision has been reviewed for conformance with the applicable standards of the RS zone.

As previously indicated, there is an existing home and garage on proposed Lot 4, and an existing home on proposed Lot 5, that are intended to remain. The existing home on Lot 4 meets the minimum setback requirements of the RS zone, but the existing garage, however, does not. The garage specifically does not meet the minimum required setback established under SRC 806.025(b), which requires garages facing a street or flag lot accessway to be setback a minimum of 20 feet in order to accommodate a driveway and enough space for vehicles to park on the driveway without projecting into the street right-of-way or flag lot accessway. In order to ensure the existing garage meets minimum setback requirements, the following condition of approval shall apply:

Condition 9: The existing garage on Lot 4 shall either be:

- a) Modified to relocate the existing garage door opening from the southeast side of the structure to the southwest side of the structure, and a new paved driveway to the garage entrance provided;
- b) Modified to convert it to an accessory structure other than a garage by framing-in and enclosing the existing garage door opening, and providing a minimum of two required off-street parking spaces elsewhere on the lot in conformance with the requirements of SRC 806.025; or

- c) Removed, and a minimum of two required off-street parking spaces provided elsewhere on the lot in conformance with the requirements of SRC 806.025.

The existing home on Lot 5 meets minimum setback requirements except for a portion of the home adjacent to the interior front property line where it does not meet the minimum required 12-foot interior front setback. The setback requirement is specifically not met where the lot line is angled to follow the curve on the north side of the required flag lot accessway turnaround (**Attachment E**). Because a portion of the existing home on Lot 5 does not conform to the applicable setback requirements, the applicant requested a Class 2 Adjustment in conjunction with the proposed subdivision to allow for the required setback to be reduced. As identified under Section 11 of this decision, the requested Class 2 Adjustment satisfies the approval criteria.

None of the other lots within the proposed subdivision have existing structures on them. As such, future development on those undeveloped lots, and construction of any new structures of Lots 4 and 5, will be reviewed for conformance with the RS zone standards at the time of site plan review and/or building permit review.

SRC Chapter 601 (Floodplain Overlay Zone): There are no waterways or mapped floodplain areas on the subject property; therefore, the requirements of SRC Chapter 601 (Floodplain Overlay Zone) are not applicable to the proposed subdivision.

SRC Chapter 806 (Off-Street Parking, Loading, and Driveways): The City's off-street parking chapter (SRC Chapter 806) requires single family dwellings to have a minimum of two off-street parking spaces. As shown on the applicant's tentative subdivision plan, two of the lots within the subdivision (Lot 4 and Lot 5) have existing homes on them that are intended to remain. The existing home on Lot 4 has an existing garage to meet its off-street parking requirements, but the existing home on Lot 5 does not have any approved off-street parking spaces. In order to ensure the existing home on Lot 5 meets minimum off-street parking requirement pursuant to SRC 806.015(a), the following condition of approval shall apply:

Condition 10: A minimum of two off-street parking spaces shall be provided for the existing home on Lot 5 in conformance with the requirements of SRC 806.025.

SRC Chapter 808 (Preservation of Trees and Vegetation): The City's tree preservation ordinance (SRC Chapter 808) protects Heritage Trees, Significant Trees (*including Oregon White Oaks with diameter-at-breast-height of 24 inches or greater*), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet. 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, pursuant to SRC 808.035(a), tree conservation plans are required 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 submitted a tree conservation plan in conjunction with the proposed subdivision identifying a total of 235 trees on the property, 16 of which are significant oaks. There are no heritage trees or riparian corridor trees and vegetation located on the property.

Of the 235 total trees existing on the property, the proposed tree conservation plan identifies 106 trees (45.1%) for preservation and 129 trees (54.9%) for removal. However, the tree conservation plan submitted by the applicant does not account for the necessary removal of six additional trees located on Lots 4 and 5 in order to accommodate the construction of the flag lot accessway and turnaround serving these lots and the relocated driveway to the reconfigured garage on Lot 4. The removal of these six additional trees reduces the total number of trees to be preserved to 100 trees (42.6%) and correspondingly increases the total number of trees to be removed to 135 (57.4%).

Of the 135 trees proposed for removal, nine are significant oaks which the applicant has identified for removal based on their location within either the future building envelopes of lots (*applicable to 4 of the 9 significant oaks*) or adjacent to required street and/or sidewalk improvements (*applicable to 5 of the 9 significant oaks*).

The proposed tree conservation plan preserves 42.6 percent of the existing trees on the property, therefore exceeding the minimum 25 percent preservation requirement under SRC Chapter 808. In addition, though nine of the 16 existing significant oaks on the property are proposed to be removed, their removal is necessary because of no reasonable design alternatives that would enable their preservation. The tree conservation plan is being reviewed by staff and, if approved, will be binding on the lots until final occupancy is granted for the construction of dwelling units on the lots.

In addition to the trees located on the subject property, there are also 11 trees located within the existing right-of-way on the north side of Salem Heights Avenue S. Pursuant to the tree preservation ordinance (SRC Chapter 808), tree conservation plans are required to identify and preserve the minimum required number of trees on the property. Because the 11 trees located within the existing right-of-way of Salem Heights Avenue are not located on the property, they are not subject to the provisions of SRC Chapter 808 and are not counted toward the total number of trees on the site. These trees are instead considered trees on City owned property and subject to the provisions of SRC Chapter 86. Based on the current under-improved width of Salem Heights Avenue, the existing 11 trees within the right-of-way will likely need to be removed to accommodate the required widening, sidewalk installation, and grading associated with the improvement of Salem Heights.

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.

According to the Salem-Keizer Local Wetland Inventory (LWI) there are no mapped wetlands or waterways located on the subject property. Because there are no wetlands on the property, there will be impacts to wetlands as a result of the proposed subdivision.

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, there are no areas of mapped landslide hazard susceptibility identified on the subject property and therefore the proposed subdivision is classified as a low landslide risk. However, a geotechnical investigation, prepared by Redmond Geotechnical Services and dated October 24, 2016, was submitted to the City of Salem. This investigation indicates that development of the subject site into residential home sites does not appear to present a potential geologic and/or landslide hazard provided that the site grading and development activities conform with the recommendations presented within the investigation report.

As identified in the above findings and illustrated by the applicant's tentative subdivision plan, the proposed subdivision, as conditioned, complies with the applicable provisions of the UDC. This criterion is met.

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

Finding: The proposed subdivision divides the entire 9.1 acre property into 38 lots. As in infill proposal within a developed area, properties to the north, south, east, and west of the subject property are developed and in use. Because of this, opportunities to provide additional access and connectivity to surrounding properties for the benefit of facilitating future development is limited.

The proposed subdivision responds to prior development approvals on adjacent lands by making connections and extending streets stubbed to the northern boundary of the subject property; thereby filling in gaps within the existing street network and improving access for not only future residences within the subdivision but also for residences on surrounding properties.

The only adjacent land on the perimeter of the subject property that has the potential for further development are two properties located adjacent to the northwest corner of the subject property. With the extension of Felton Street, street access to these properties will be possible; thereby enhancing the development potential of the adjacent land consistent with this approval criterion, rather than impeding it.

As shown on the applicant's tentative subdivision plan there are two large flag lots (Lot 4 and Lot 5) included in the development. Because of the size of these proposed lots,

the applicant was required to submit a future development plan showing how those lots could be further divided while meeting the applicable standards of the UDC. The future development plan provided by the applicant shows that each of the lots could be divided in two for a total of four lots being served by the proposed flag lot accessway. As described in the findings included under Section 4 of this decision, the lots shown on the future development plan would be in conformance with the applicable standards of the UDC.

In order to ensure that the proposed subdivision does not impede the future further division of Lot 4 and Lot 5 as shown on the applicant's future development plan, the following condition of approval shall apply:

Condition 11: The flag lot accessway serving Lot 4 and Lot 5 shall be paved in accordance with the requirements of SRC 800.025(c), Table 800-1, for a residential flag lot accessway serving 3 to 4 lots. "NO PARKING—FIRE LANE" signs shall be posted on both sides of that segment of the flag lot accessway that is a fire apparatus roadway and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.

By requiring the flag lot accessway serving Lot 4 and lot 5 to be developed to the larger standard applicable to flag lot accessways serving 3 to 4 lots, the future further division of Lot 4 or Lot 5 is facilitated by not requiring an applicant to secure access rights across, and build additional improvements on, the abutting property.

Because the proposed subdivision improves, rather than impedes, possibilities for future development of both adjacent properties on the perimeter of the subject property and the two large lots located within the subject property, the subdivision satisfies this approval criterion.

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

Finding: As indicated in the comments from the City's Public Works Department (**Attachment C**), the proposed subdivision can be adequately served by City infrastructure. Water and sewer infrastructure is available along the perimeter of the site.

Conditions of approval require construction of water and sewer systems to serve each lot and an engineered stormwater design to accommodate future impervious surfaces. In order to provide for the installation and maintenance of private utility infrastructure to serve the subdivision, the following condition of approval shall apply:

Condition 12: Provide a 10-foot-wide public utility easement (PUE) along the street frontage of each lot.

The Public Works Department also reviewed the proposal for consistency with the Comprehensive Parks Master Plan Update and found that the subject property is served by parks, including Candelaria Reservoir, an undeveloped park approximately one-half mile northwest of the proposed development, and Salem Heights Elementary, a partially developed park area approximately one-quarter mile southeast of the proposed development. No park-related improvements are required as a condition of development.

As conditioned, the proposal meets this criterion.

D. SRC 205.010(d)(4): The street system in and adjacent to the tentative subdivision plan conforms to the Salem Transportation System Plan.

Finding: The street system adjacent to the proposed subdivision includes Salem Heights Avenue, which is adjacent to the subject property along its southern boundary, and three dead-end streets (Felton Street, Earhart Street, and Doughton Street) which terminate at the northern boundary of the property for the purpose of future further extension. The proposed subdivision extends these three streets into and through the subject property in order to provide vehicular access to the proposed lots and required connectivity.

Salem Heights Avenue is designated as a collector street under the City's Transportation System Plan (TSP) and Felton, Earhart, and Doughton Streets are designated as local streets.

As indicated in the comments from the Public Works Department (**Attachment C**), Salem Heights Avenue does not currently meet the standard for a collector street in regards to required right-of-way and improvement widths. In addition, a small section of the street, approximately 52.7 feet located adjacent to proposed Lot 1 at the southwest corner of the subdivision (**Attachment F**), exceeds the maximum street grade for a collector street. The existing grade along this section of the street is approximately 9.48 percent, which exceeds the maximum 8 percent grade allowed for a collector street under SRC 803.035(c).

In regards to the right-of-way and improvement widths of Salem Heights, Conditions 6 and 7 of this decision require the applicant to dedicate right-of-way and construct a half-street improvement on Salem Heights Avenue along the frontage of the subject property to collector street standards. In regards to street grade, SRC 803.065(a) allows for the utilization of alternative street standards in situations where a street may not be able to meet applicable standards. Pursuant to SRC 803.065(a)(1) and (3), alternative street standards may be utilized where existing development or physical constraints make compliance with the standard impracticable and where topography or other conditions make construction that conforms to the standards impossible or undesirable. In the case of the small section of Salem Heights Avenue which currently exceeds the maximum 8 percent collector street grade, the Public Works Department indicates that an alternative street standard is authorized and, as provided under Condition No. 7, street improvements for this section of the street are authorized to match the existing

street grade up to a maximum grade of 12 percent. The alternative street standard is warranted due to topography, the existing grade of Salem Heights, and potential impacts on adjacent properties on Salem Heights Avenue to the west if the grade of the street were required to be lowered to conform to the maximum 8 percent standard.

Dedication of required right-of-way and improvement of Salem Heights Avenue to collector street standards, and the authorized alternative street standard for maximum grade, ensures the street system adjacent to the subdivision conforms to the TSP as required by this approval criterion.

The street system within the proposed subdivision includes the extension of three local streets, Felton Street, Earhart Street, and Doughton Street.

Felton Street and Doughton Street conform to minimum required right-of-way and improvement widths except for a section of Felton Street located in the northwest corner of the property that does not include a sidewalk along its west side and a section of Doughton Street that has a curb-line sidewalk rather than a property line sidewalk. SRC 803.035(l)(1) requires sidewalks to be constructed as part of street improvement projects. In order to ensure that Felton Street conforms to the sidewalk requirements of SRC 803.035(l), Condition 8 of this decision requires sidewalks to be provided on both side of Felton Street. SRC 803.035(l)(2) establishes requirements for the location of sidewalks. Pursuant to this subsection, sidewalks are generally required to be located adjacent to the right-of-way line/property line unless topography or other conditions make construction of the sidewalk impossible or undesirable at that location. Due to the location of the proposed stormwater management facility on Lot 38 and topographic constraints on the west side of the section of Felton Street located at the northwest corner of the property, Condition 8 of this decision provides that curb-line sidewalks in these locations are allowed.

Earhart Street is proposed as a cul-de-sac street which extends into the subject property and terminates with a turnaround. Pursuant to SRC 803.025(a) and (b), the turnaround of a cul-de-sac street is required to be improved to a diameter of 76 feet within 90-foot-wide diameter right-of-way. Due to physical constraints associated with the property and the need to address the extension of three streets, in a relatively confined area, that were previously extended to the northern boundary of the property for future extension, the applicant has proposed an alternative design for the turnaround at the end of Earhart Street. Rather than a circular turnaround as required under SRC 803.025, a modified hammerhead turnaround design is provided that meets and exceeds the turnaround dimensions required by the Fire Department and, as indicated in the comments from the Public Works Department, is authorized pursuant to SRC 803.065.

As proposed, conditioned, and authorized though alternative street standards, the street network formed by the improved boundary street and new internal streets serving the subdivision conform to the TSP. The proposal meets this criterion.

E. 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: The subdivision proposal includes a network of internal streets, improvements to boundary streets at the perimeter of the subject property, and connections to existing streets in the vicinity to improve traffic circulation in the area by providing additional street connectivity. The internal street system is supplemented by two private flag lot accessways providing vehicular access to two flag lots (Lots 4 and 5) off Salem Heights Avenue and two flag lots (Lots 17 and 18) off Felton Street.

The subdivision, as proposed and conditioned, is served with adequate transportation infrastructure in conformance with the Salem Transportation System Plan (TSP). The proposal meets this criterion.

F. 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: Bicycle and pedestrian access in the vicinity of the subject property is limited by existing development patterns, street network gaps, and underimproved streets. The nearest transit service is provided by Salem-Keizer Transit (Cherriots) Route 21 (*South Commercial*), near the intersection of Commercial Street SE and Ratcliff Drive SE, and Routes 8 and 18 (*12th / Liberty*), near the intersection of Liberty Road S and Madrona Avenue S.

The proposed subdivision is also situated within one-half mile of the following neighborhood activity centers:

- Candalaria Elementary School;
- Salem Heights Elementary School;
- Fircrest Park; and
- Shopping areas along Commercial Street.

Though existing bicycle and pedestrian access in the vicinity is limited, the proposed subdivision will incrementally improve bicycle and pedestrian access between the subject property and adjacent residential areas, transit, and neighborhood activity centers by improving Salem Heights Avenue along the frontage of the property as well as extending local streets through the property to connect to other existing streets on the perimeter of the property. The required boundary street improvement of Salem Heights Avenue will include a sidewalk and bike lane and the internal streets proposed to be extended through the development will include sidewalks.

The sidewalk and bike lane improvements required with the development will help to improve safe and convenient bicycle and pedestrian access in an area where it is currently limited by the existing development pattern on surrounding properties and under improved streets. The proposal, as conditioned, meets this criterion.

G. 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 Public Works Department has reviewed the proposal and finds that the 38-lot subdivision will generate less than 1,000 average daily vehicle trips onto Salem Heights Avenue S, which is designated as a collector street in the City's Transportation System Plan (TSP). Because the number of trips estimated to be generated by the proposed subdivision fall below the minimum threshold to require a transportation impact analysis (TIA), a TIA is not required in conjunction with the proposed subdivision and this approval criterion is therefore not applicable.

H. 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. A number of existing natural and built conditions on the subject property are considered in the street and lot configuration proposed by the applicant.

As described in findings above, the lot and street configuration proposed by the applicant meets applicable development standards, with adjustments to required lot depth for Lots 17, 18, 30, and 31 and the minimum required interior front setback for portions of the existing house on Lot 5, as requested. No existing conditions of topography or vegetation have been identified on the site which would necessitate further adjustments during future development of the property. The proposed layout allows for reasonable development of all lots within the subdivision without any anticipated variances from the UDC. The proposal meets this criterion.

I. 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: The tentative subdivision plan configures lots and streets to allow single family residential development of the site while minimizing disruptions to topography and vegetation. In particular, a number of trees are present along the western border of the subject property. In this area, the configuration and orientation of the proposed lots are such that a significant number of the trees in that area have been designated for preservation under the applicant's tree conservation plan.

There are also several trees located along the southern boundary of the property next to Salem Heights Avenue. Some of these trees are within the existing right-of-way of Salem Heights and others are located on the subject property. Because Salem Heights does not meet the minimum required width for a collector street, the widening of Salem Heights Avenue and the installation of a sidewalk is required in conjunction with the proposed subdivision. Based on the proximity of these trees to Salem Heights Avenue, the required widening will necessitate their removal.

The proposed subdivision, to the extent possible, takes into account the topography and vegetation of the site to minimize the amount of disruption to the site, its topography, and vegetation. The proposal meets this criterion.

- J. 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 within the City's Urban Service Area and therefore does not require an Urban Growth Preliminary Declaration under SRC Chapter 200. This criterion is not applicable to the proposed subdivision.

10. Class 1 Zoning Adjustment

The applicant has requested a Class 1 Adjustment in conjunction with the proposed subdivision to:

- a) Allow the maximum lot depth, as required under SRC 511.010(a), Table 511-2, for proposed Lots 17, 18, and 31 to exceed 300% of their average lot widths; and
- b) Reduce the minimum lot depth for Lot 30 from 120 feet, as required for double frontage lots under SRC 511.010(a), Table 511-2, to approximately 111 feet.

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 italic***, followed by findings of fact upon which the Planning Administrator's decision is based. Lack of compliance with the following criteria is grounds for denial of the Class 1 Adjustment, or for the issuance of certain conditions to ensure the criteria are met.

- A. 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: The requested adjustments satisfy this approval criterion as follows:

Adjustment to Maximum Lot Depth for Lots 17, 18, and 31:

Within the RS (Single Family Residential) zone, the maximum depth of a lot cannot exceed 300 percent of its average width pursuant to SRC 511.010(a), Table 511-2. The underlying purpose of this standard is to ensure efficient use of land and convenient access to lots. If the depth of a residential lot far exceeds its width, the resulting amount of land located in the rear of the lot has a greater potential to be of such size that it could be further divided to accommodate additional lots. However, based on the location of this land, the narrow width of the lot, and the location of any existing structures on the property it may be difficult to access. As such, in order to further develop these areas, existing structures may need to be demolished, neighboring lots may need to be combined together in one land division application in order to provide sufficient access width to reach the rear of the lots, or access to the rear of the lots must be provided by private flat lot accessways rather than public streets.

By limiting the maximum depth of residential lots, the possibility of leaving additional developable land at the rear of a lot is minimized; thereby ensuring the efficient use of land and more efficient access to lots via public streets rather than flag lot accessways.

In the written statement provided by the applicant (**Attachment G**) it is explained that the requested adjustment to the maximum lot depth for Lots 17 and 18 is necessary due to the existing topography of the site and the inability to extend Felton Road to the south and the adjustment to the maximum lot depth for Lot 31 is due to the need to continue the existing alignment of Doughton Street and to provide for access off of the cul-de-sac turnaround of Earhart Street.

Staff concurs with the findings included in the applicant's written statement. The requested adjustments are necessitated based on the proposed street configuration, which is influenced by the topography of the site and the location of existing streets on the perimeter of the property.

As proposed by the applicant, the configuration, lot area, and dimensions of Lots 17, 18, and 31 ensure that the underlying purpose of the maximum lot depth standard is satisfied by the proposed development because, despite the lots have a slightly greater depth than the maximum allowed, the lots are not of a sufficient size to be future divided.

Adjustment to Minimum Lot Depth for Lot 30:

Within the RS (Single Family Residential) zone, double frontage lots with street frontage adjacent to both their front and rear property lines are required to have a minimum lot depth of 120 feet pursuant to SRC 511.010(a), Table 511-2. The underlying purpose of this standard is to ensure that lots that have street frontage adjacent to both their front and rear property lines have an increased lot depth to provide potential for additional

privacy and separation from the street, which is of greater importance for lots abutting collector and arterial streets which convey greater levels of traffic.

In the written statement provided by the applicant (**Attachment G**) it is explained that the requested adjustment to the minimum lot depth for Lot 30 is necessary based on the existing geometry and the need to provide access from the cul-de-sac above and also to tie Doughton Street to Salem Heights Avenue.

Staff concurs with the findings included in the applicant's written statement. The requested adjustment is needed based on the proposed street configuration, which is influenced by the topography of the site and the location of existing streets on the perimeter of the property.

Lot 30 is a double frontage lot with frontage on two streets (Doughton Street adjacent to the front and the proposed cul-de-sac turnaround of Earhart Street adjacent to the rear). Because these streets are local streets, with the rear frontage of the lot adjacent to a cul-de-sac turnaround that will convey very little traffic, the reduced approximate 111-foot depth of Lot 30 satisfies the underlying purpose of the minimum 120-foot lot depth standard by providing a lot depth that, while not meeting the minimum 120-foot depth standard, still provides sufficient depth to allow for separation and privacy from Doughton Street and Earhart Street.

The requested adjustments satisfy this approval criterion.

B. The proposed adjustment will not unreasonably impact surrounding existing or potential uses or development.

The requested adjustments satisfy this approval criterion as follows:

Adjustment to Maximum Lot Depth for Lots 17, 18, and 31:

The proposed adjustment to the maximum allowable lot depth for Lots 17, 18, and 31 will not result in unreasonable impacts to surrounding existing uses or potential future uses or development because, despite the slight increase to maximum allowable lot depth, Lots 17, 18, and 31 are of a size and configuration which limits them from being further divided. This ensures the efficient use of land and prevents potential impacts on potential future uses or development. The greater proposed lot depth also provides additional area for the lots which in turn helps to minimize impacts on surrounding existing uses.

Adjustment to Minimum Lot Depth for Lot 30:

The proposed adjustment to the minimum required lot depth for Lot 30 will not result in unreasonable impacts to surrounding existing uses or potential future uses or development because, despite the depth of Lot 30 falling below the minimum required 120-foot lot depth, the proposed approximate 111-foot lot depth still allows for sufficient depth to accommodate the reasonable development of the lot in compliance with the

setback and lot coverage requirements of the RS zone without impacting future development on surrounding lots.

The requested adjustments satisfy this approval criterion.

11. Class 2 Zoning Adjustment

The applicant has also requested a Class 2 Adjustment in conjunction with the proposed subdivision to reduce the minimum setback adjacent to the interior front property line for portions of the existing house on proposed Lot 5 from 12 feet, as required under SRC 511.010(b), Table 511-3, to a varying setback depth of less than 12 feet.

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 italic***, followed by findings of fact upon which the Planning Administrator's decision is based. Lack of compliance with the following criteria is grounds for denial of the Class 2 Adjustment, or for the issuance of certain conditions to ensure the criteria are met.

A. 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: Within the RS (Single Family Residential) zone, a minimum 12-foot setback is required between buildings and the interior front property line pursuant to SRC 511.010(b), Table 511-3. The underlying purpose of this standard is to ensure that buildings have an adequate setback to the front property line to provide for air, light, and separation from adjacent building and structures on abutting lots.

In the written statement provided by the applicant (**Attachment G**) it is explained that the requested adjustment to the minimum required interior front setback for the existing house on Lot 5 is necessary because the location and geometry of the required fire truck turnaround in relation to the existing house and proposed lots make it impossible to meet the minimum required 12-foot setback.

The proposed setback adjustment requested by the applicant applies to an approximate 6.5-foot long portion of the exterior western wall of the existing home on Lot 5 (**Attachment E**). Within this 6.5-foot long area the setback between the interior front property line and the western exterior wall ranges from approximately 5 feet at the southwest corner of the building to 12 feet. Beyond the affected 6.5-foot long area, the setback for the remainder of the western exterior wall increases from 12 feet to approximately 19.5 feet.

Due to the large size of Lot 5, which is approximately 24,808 square feet exclusive of the flag lot accessway and Fire Department turnaround, the larger than minimum

required setbacks provided to other portions of the home, and the relative limited magnitude of the adjustment request, the underlying purpose of the interior front setback is equally met by the proposed development. The existing home on Lot 5 will be setback to afford adequate air, light, and separation from adjacent buildings and structures on adjacent lots.

In order to ensure that the adjustment applies only to that portion of the existing home that does not meet the interior front setback requirements and that any new development on the lot meets interior front setback requirements, the following condition of approval shall apply:

Condition 1: The adjustment to the minimum required interior front setback for the existing home on Lot 5 shall apply only to that portion of the existing home that does not meet the minimum interior front setback requirement. If the existing home on Lot 5 is substantially damaged or destroyed by any cause to the extent that the cost of repair or restoration of the home would exceed 60 percent of its replacement cost using new materials and conforming to current building codes, the adjustment approval shall terminate and the interior front setback requirement shall apply.

The requested adjustment, as conditioned, satisfies this approval criterion.

B. 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 subject property is zoned RS (Single Family Residential). The RS zone is a residential zone and therefore this approval criterion is applicable to the applicant's requested adjustment.

The proposed reduction of the minimum required 12-foot interior front setback for a 6.5-foot portion of the exterior western wall of the existing home on Lot 5 will not detract from the livability or appearance of the residential area because the reduction applies only to a small portion of the existing home that otherwise meets or exceeds required setbacks to its remaining portions. Any new development on the lot will be required to meet setback requirements. The requested adjustment satisfies this approval criterion.

C. 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: In addition to an adjustment to the minimum required interior front setback for the existing home on Lot 5, the applicant has also requested adjustments to the maximum lot depth for Lots 17, 18, and 31 and the minimum lot depth for Lot 30.

In the written statement provided by the applicant (**Attachment G**) it is explained that the cumulative effect of the requested adjustments is negligible on the surrounding neighborhood and does not detract from the livability or appearance of the residential area. The applicant further indicates that the proposed development and requested adjustments are consistent with the overall purpose of the RS – Single Family zone.

Staff concurs with the findings included in the applicant's written statement. The requested adjustments are minimal in scope and allow only minor deviations from standards whose underlying purposes, as indicated in the associated Class 1 and Class 2 adjustment findings, are otherwise met by the proposed development. Because the requested adjustments allow only minor deviations from the applicable standards for limited number of lots, the cumulative effect of the adjustments will not result in a project which is inconsistent with the overall purpose of the RS zone. The requested adjustment satisfies this approval criterion.

12. Conclusion

Based upon review of SRC 205.010(d), SRC 250.005(d)(1) and (2), the findings contained under sections 9, 10, and 11 above, and the comments described, the tentative subdivision plan, Class 1 Adjustment, and Class 2 Adjustment comply with the requirements for an affirmative decision.

IT IS HEREBY ORDERED

That consolidated Tentative Subdivision, Class 1 Adjustment, and Class 2 Adjustment Case No. SUB-ADJ17-11, which includes the following requests:

- 1) A subdivision tentative plan to divide approximately 9.1 acres into 38 lots ranging in size from approximately 5,251 square feet to approximately 29,771 square feet;
- 2) A Class 1 Adjustment to:
 - c) Allow the maximum lot depth, as required under SRC 511.010(a), Table 511-2, for proposed Lots 17, 18, and 31 to exceed 300% of their average lot widths; and
 - d) Reduce the minimum lot depth for Lot 30 from 120 feet, as required for double frontage lots under SRC 511.010(a), Table 511-2, to approximately 111 feet; and
- 3) A Class 2 Adjustment to reduce the minimum setback adjacent to the interior front property line for portions of the existing house on proposed Lot 5 from 12 feet, as required under SRC 511.010(b), Table 511-3, to a varying setback depth of less than 12 feet.

For property approximately 9.1 acres in size, zoned RS (Single Family Residential), and located in the 500 to 600 blocks of Salem Heights Avenue S (Marion County Assessor Map and Tax Lot Numbers: 083W04AA10400, 10500, 10600, 10601, 10700, 10800), shall be GRANTED as follows:

- A. The tentative subdivision plan is **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the following conditions of

approval which must be completed prior to final plat approval, unless otherwise indicated:

Condition 1: The flag lot accessway serving Lot 17 and Lot 18 shall be paved in accordance with the requirements of SRC 800.025(c), Table 800-1. "NO PARKING—FIRE LANE" signs shall be posted on both sides of that segment of the flag lot accessway that is a fire apparatus roadway and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.

Condition 2: The front lot lines for the double frontage lots and flag lots within the subdivision shall be designated as follows:

Double Frontage Lots

- a) Lot 19: The front lot line of Lot 19 shall be the west property line.
- b) Lots 30 & 31: The front lot line of Lot 30 and Lot 31 shall be the east property line.

Flag Lots

- a) Lot 4: The front lot line of Lot 4 shall be the south property line.
- b) Lot 5: The front lot line of Lot 5 shall be the west property line.
- c) Lots 17 & 18: The front lot line of Lot 17 and Lot 18 shall be the east property line.

Condition 3: Provide an engineered tentative stormwater design to accommodate new impervious surface in the right-of-way and on all proposed lots. Construct stormwater facilities that are proposed in the public right-of-way and in public storm easements.

Condition 4: Construct City infrastructure pursuant to the PWDS as shown on the applicant's tentative plan with the following clarifications:

- a) The City storm easement across the south side of Lot 30 shall be a minimum of 20 feet in width.
- b) Reconstruct the existing sewer main in Salem Heights Avenue S abutting the subject property where the existing pipe condition cannot accommodate new connections.
- c) Abandon the existing sewer system along the west line of the subject property where all service laterals can be reconnected to the new main in Felton Avenue.

Condition 5: Construct water and sewer systems to serve each lot.

Condition 6: Convey land for dedication of right-of-way adjacent to Salem Heights Avenue S to equal 30 feet from the centerline of Salem Heights Avenue S.

- Condition 7:** Construct a 17-foot-wide half-street improvement along the northern frontage of Salem Heights Avenue S to collector street standards. The street improvements are authorized to match the existing street grade up to a maximum of 12 percent grade.
- Condition 8:** Construct internal streets to local street standards as shown on the applicant's tentative plan, except as modified below:
- a) Curb-line sidewalks are authorized on the east side of Doughton Street between Felton Street and the north line of the subject property.
 - b) Sidewalks are required on both sides of Felton Street. The required sidewalk on the west side of Felton Street between the north line of the subject property and the northwest corner of Lot 16 may be a curb-line sidewalk.
 - c) The alternative cul-de-sac turnaround design at the terminus of Earhart Street S is authorized as proposed on the applicant's tentative subdivision plan.
- Condition 9:** The existing garage on Lot 4 shall either be:
- a) Modified to relocate the existing garage door opening from the southeast side of the structure to the southwest side of the structure, and a new paved driveway to the garage entrance provided;
 - b) Modified to convert it to an accessory structure other than a garage by framing-in and enclosing the existing garage door opening, and providing a minimum of two required off-street parking spaces elsewhere on the lot in conformance with the requirements of SRC 806.025; or
 - c) Removed, and a minimum of two required off-street parking spaces provided elsewhere on the lot in conformance with the requirements of SRC 806.025.
- Condition 10:** A minimum of two off-street parking spaces shall be provided for the existing home on Lot 5 in conformance with the requirements of SRC 806.025.
- Condition 11:** The flag lot accessway serving Lot 4 and Lot 5 shall be paved in accordance with the requirements of SRC 800.025(c), Table 800-1, for a residential flag lot accessway serving 3 to 4 lots. "NO PARKING—FIRE LANE" signs shall be posted on both sides of that segment of the flag lot accessway that is a fire apparatus roadway and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.

Condition 12: Provide a 10-foot-wide public utility easement (PUE) along the street frontage of each lot.

- B. The requested Class 1 Adjustments are APPROVED, subject to the applicable standards of the Salem Revised Code and the findings contained herein.
- C. The requested Class 2 Adjustment is APPROVED, subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the following condition of approval:

Condition 1: The adjustment to the minimum required interior front setback for the existing home on Lot 5 shall apply only to that portion of the existing home that does not meet the minimum interior front setback requirement. If the existing home on Lot 5 is substantially damaged or destroyed by any cause to the extent that the cost of repair or restoration of the home would exceed 60 percent of its replacement cost using new materials and conforming to current building codes, the adjustment approval shall terminate and the interior front setback requirement shall apply.



Bryce Bishop, Planning Administrator Designee

- Attachments:
- A. Vicinity Map
 - B. Tentative Subdivision Plan
 - C. City of Salem Public Works Department Comments
 - D. Salem-Keizer School District Comments
 - E. Proposed Setback Adjustment Diagram for Existing Home on Lot 5
 - F. Salem Heights Street Grade Exceeding Eight Percent
 - G. Applicant's Written Statement

Application Deemed Complete:	<u>October 5, 2017</u>
Notice of Decision Mailing Date:	<u>December 28, 2017</u>
Decision Effective Date:	<u>January 13, 2018</u>
State Mandated Decision Date:	<u>March 2, 2018</u>

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

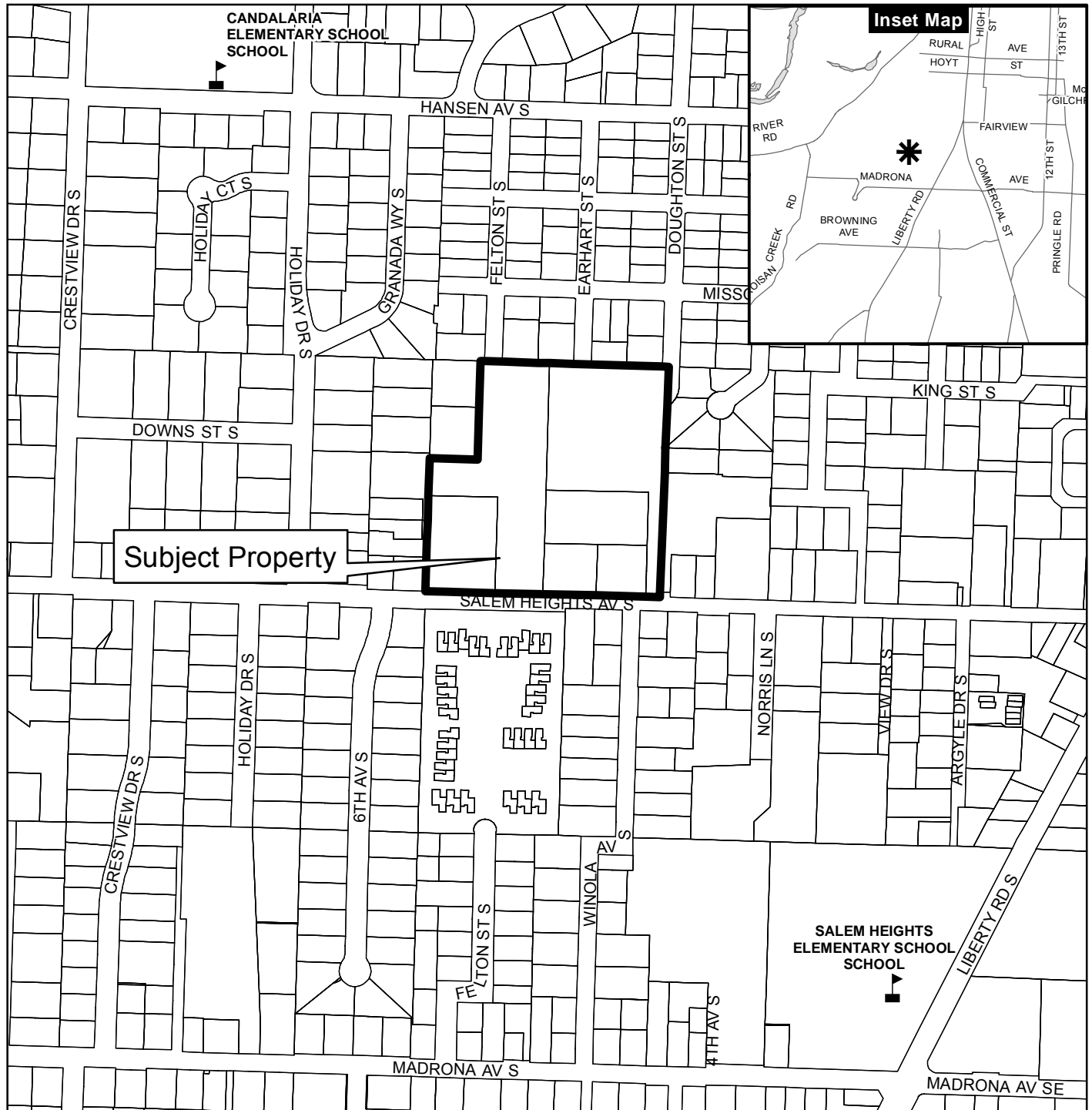
Tentative Subdivision Plan:	<u>January 13, 2020</u>
Class 1 Adjustment:	<u>January 13, 2020</u>
Class 2 Adjustment:	<u>January 13, 2020</u>

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 **Friday, January 12, 2018, 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

500 to 600 Blocks of Salem Heights Avenue S



Legend

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

- Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

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0 100 200 400 Feet



TENTATIVE SUBDIVISION PLAN

FOR

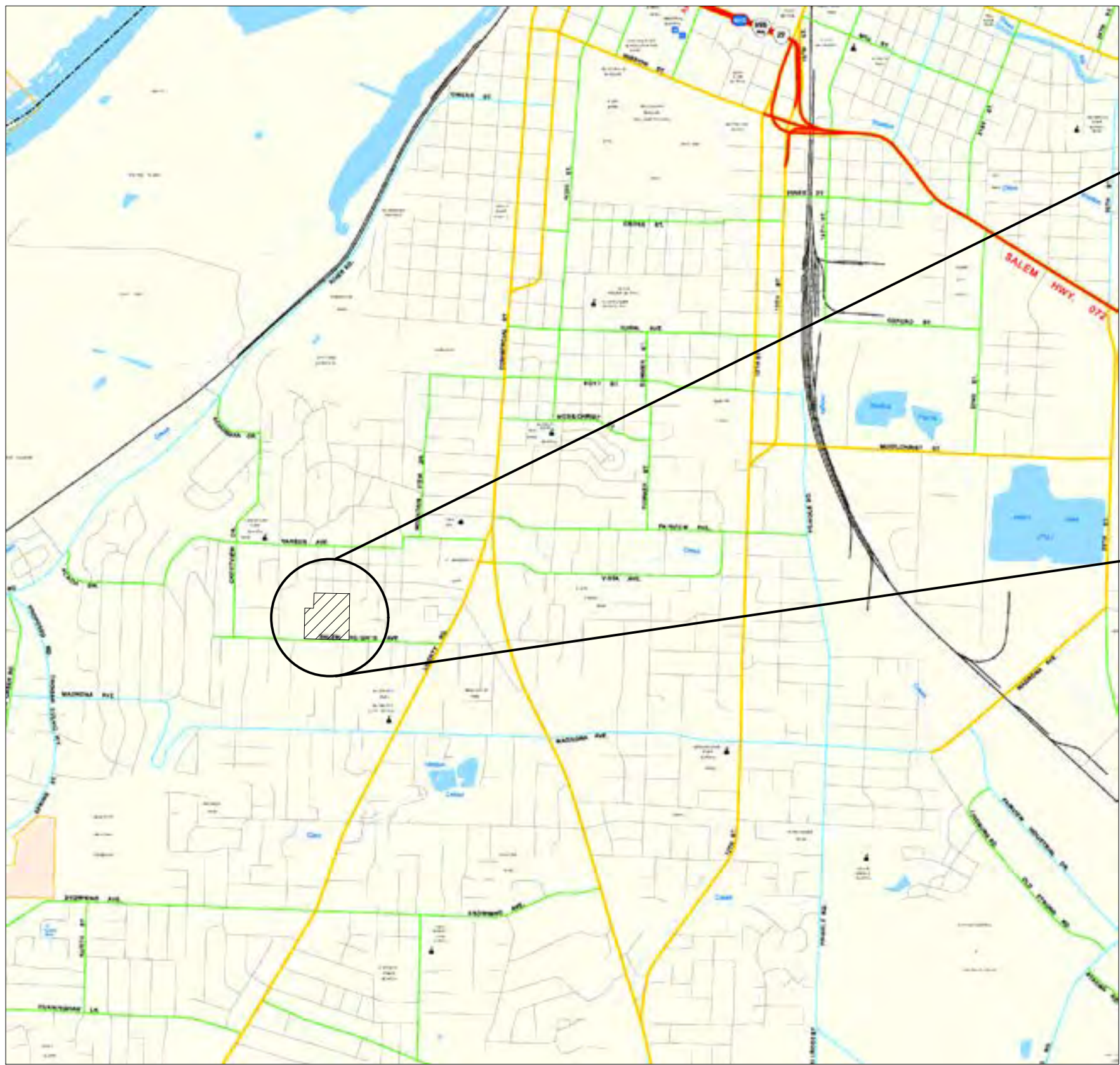
WREN HEIGHTS SUBDIVISION

575, 500, 525 & 625 SALEM HEIGHTS AVENUE, SALEM, MARION COUNTY, OREGON

NE ¼ NE ¼ SEC 4 T8S R3W

TAXLOT # 10500, 10400, 10800, 10700, 10601 & 10600

JUNE 2017



OVERALL VICINITY MAP
NTS

PROJECT LOCATION



VICINITY MAP
NTS

Sheet List Table

DRAWING NO.	DRAWING NAME
C-0.01	COVER SHEET
C-1.01	EXISTING CONDITIONS
C-1.05	LOT AND STREET LAYOUT PLAN
C-1.09	GRADING AND DRAINAGE PLAN
C-1.13	SANITARY / WATER PLAN
C-5.01	TYPICAL STREET SECTIONS

PROJECT CONTACTS

LANDOWNERS:

JANE ANN HARVEY RT
H THOMAS HARVEY JR
MARY INEZ & HARMON T HARVEY
625 SALEM HEIGHTS AVE S
SALEM, OR 97302

DEVELOPER:

ENCORE DEVELOPMENT, LLC
941 PLAYER DRIVE N
KEIZER 97307

CIVIL ENGINEER:

PROJECT DELIVERY GROUP, LLC
KEITH WHISENHUNT, PE
3772 PORTLAND RD NE
SALEM, OREGON 97301
503-364-4004 (OFFICE)
503-302-8766 (CELL)
keithw@pdgpnw.com

LAND SURVEYOR:

PROJECT DELIVERY GROUP, LLC
PAUL KOWALCZYK, PL5
3772 PORTLAND RD NE
SALEM, OREGON 97301
503-364-4004 (OFFICE)
paulk@pdgpnw.com

ATTACHEMNT B

LEGEND

PROPOSED PCC

PROPOSED AC

EXISTING PCC

EXISTING AC

REMOVE EXISTING PAVEMENT

PROPOSED WATER

EXISTING WATER

PROPOSED SANITARY SEWER

PROPOSED STORM SEWER

SANITARY SEWER CLEANOUT

EXISTING SANITARY SEWER

EXISTING STORM SEWER

PROPOSED WATER METER

PROPOSED FIRE HYDRANT

PROPOSED WATER VALVE

PROPOSED BLOW-OFF VALVE

PROPOSED WATER METER

EXISTING WATER METER

EXISTING WATER VALVE

EXISTING FIRE HYDRANT

HOSE BIB

PROPOSED CATCH BASIN

EXISTING CATCH BASIN

EXISTING GRASS

EVERGREEN TREE

DECIDUOUS TREE

STORMWATER INFRASTRUCTURE

EXISTING COMMUNICATION LINE

EXISTING POWER LINE

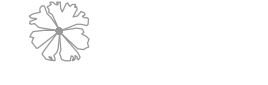
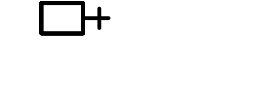
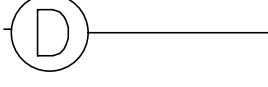
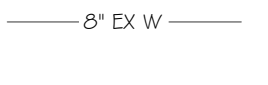
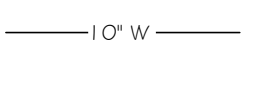
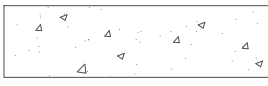
EXISTING GAS LINE

EXISTING POWER POLE

EXISTING GUY ANCHOR

EXISTING TELECOMMUNICATIONS PEDESTAL

EXISTING GAS STAND PIPE



TENTATIVE SUBDIVISION
PLAN

JENSEN
CONSULTING AND
DEVELOPMENT, LLC

KEIZER, OREGON

REVISIONS			
NO.	DESCRIPTION	DATE	BY

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VERT DATUM: NAVD 1988
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VERT SCALE: AS SHOWN
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DRAWN: KW
CHECKED: ---

APPROVED:

SHEET TITLE

COVER SHEET

C-0.01

JENSEN
CONSULTING AND
DEVELOPMENT, LLC

KEIZER, OREGON

REVISIONS			
	DESCRIPTION	DATE	BY

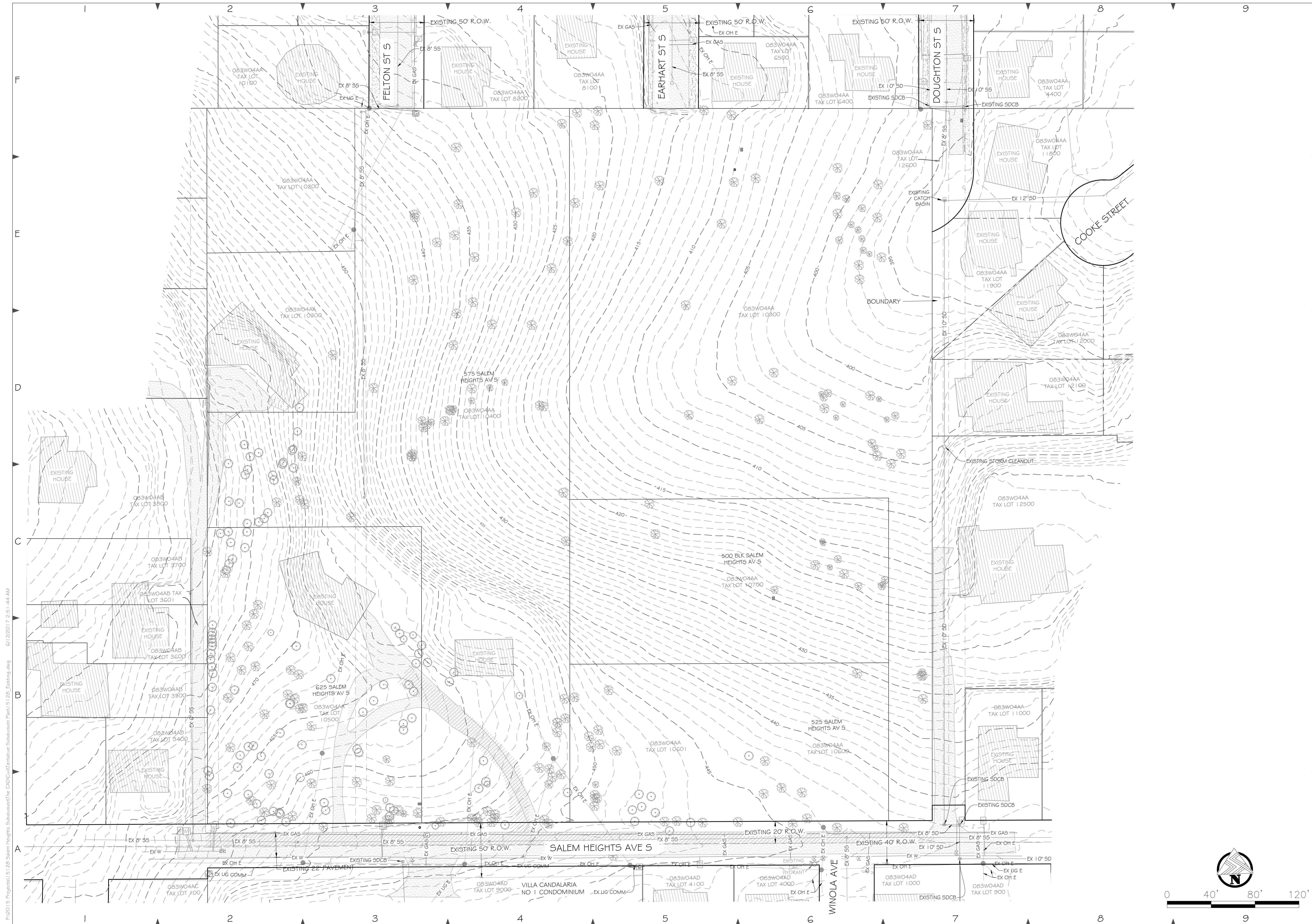
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APPROVED: _____

SHEET TITLE

EXISTING
CONDITIONS

C-1.01



TENTATIVE SUBDIVISION PLAN

JENSEN CONSULTING AND DEVELOPMENT, LLC

KEIZER, OREGON

REVISIONS			
NO.	DESCRIPTION	DATE	BY

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VERT DATUM: NAVD 1988
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CHECKED:

APPROVED:

SHEET TITLE

LOT AND STREET LAYOUT

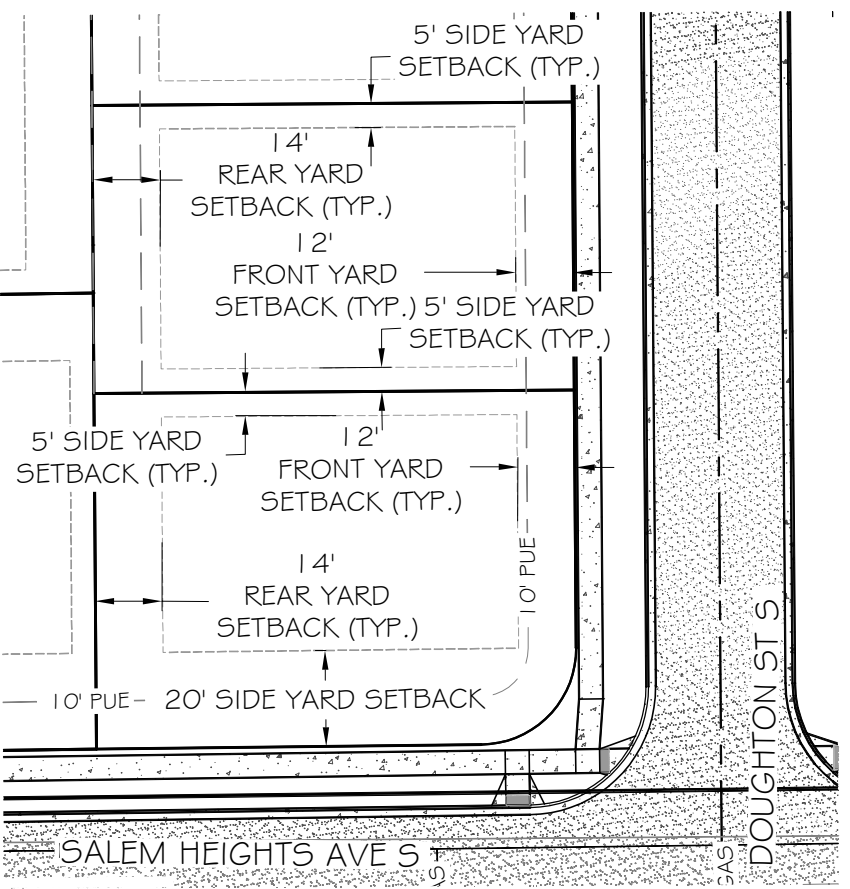
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GENERAL NOTES

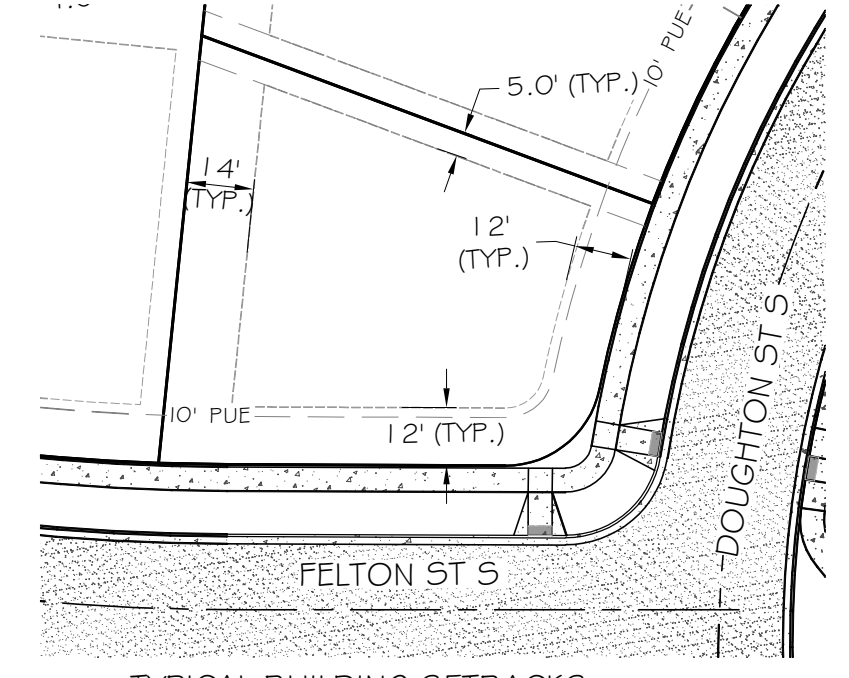
- REFERENCE SHEET C-5.01 FOR TYPICAL STREET SECTIONS.
- DRIVEWAY ACCESS PLAN REPRESENTED BY ARROWS SHOWN:
- LOT 38 TO BE DEDICATED TO THE CITY OF SALEM FOR STORMWATER MANAGEMENT PURPOSES.

KEYNOTES - WORK BY CONTRACTOR

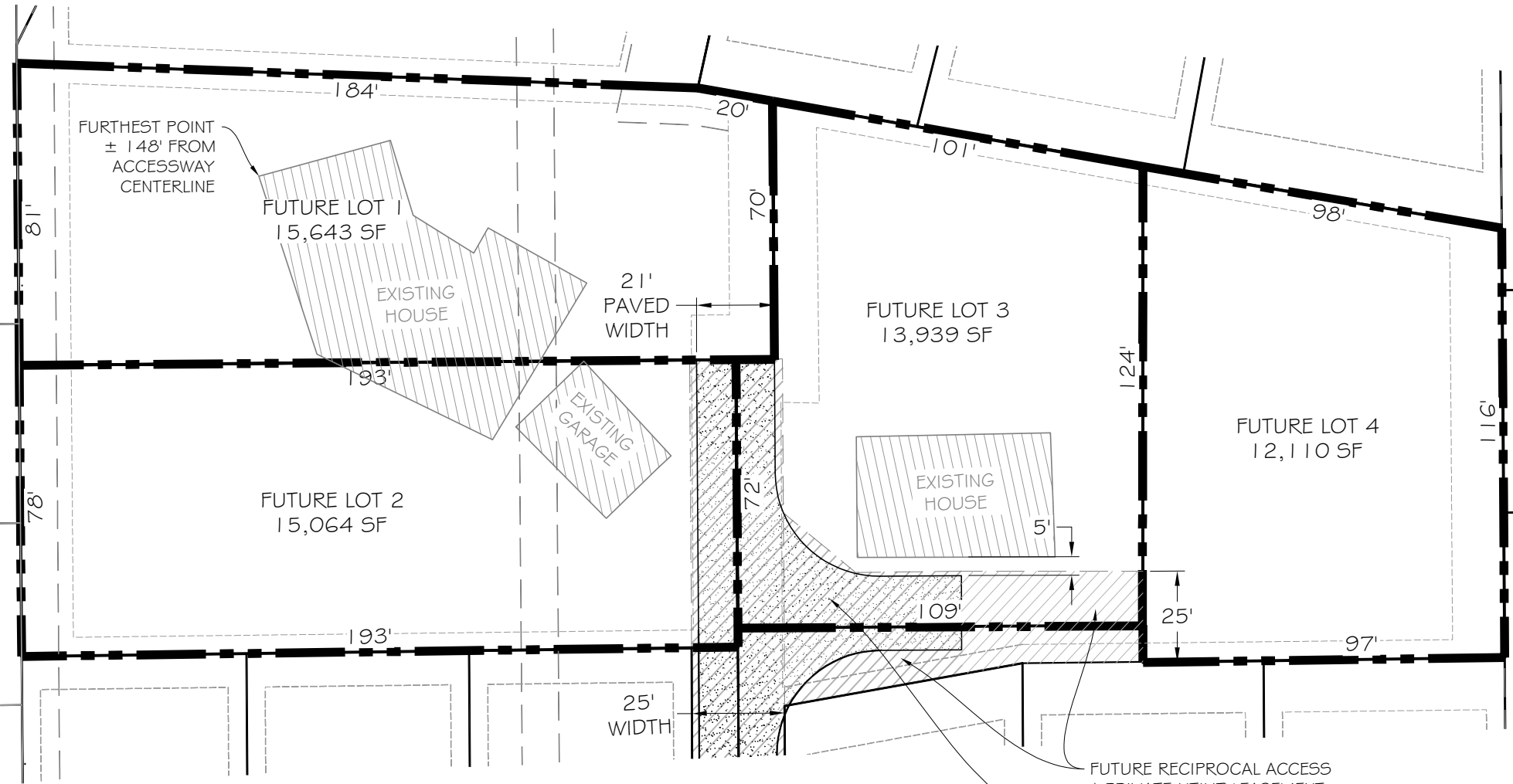
- POWER POLE AND OVERHEAD ELECTRIC LINES TO BE RELOCATED AS SHOWN
- REFERENCE PLAN ENLARGEMENT 3 FOR FUTURE DIVISION PLAN OF LOT 4.
- REFERENCE PLAN ENLARGEMENT 3 FOR FUTURE DIVISION PLAN OF LOT 5.
- CONSTRUCT ADA COMPLIANT RAMP. REFERENCE CITY OF SALEM STANDARD PLAN NO. 306



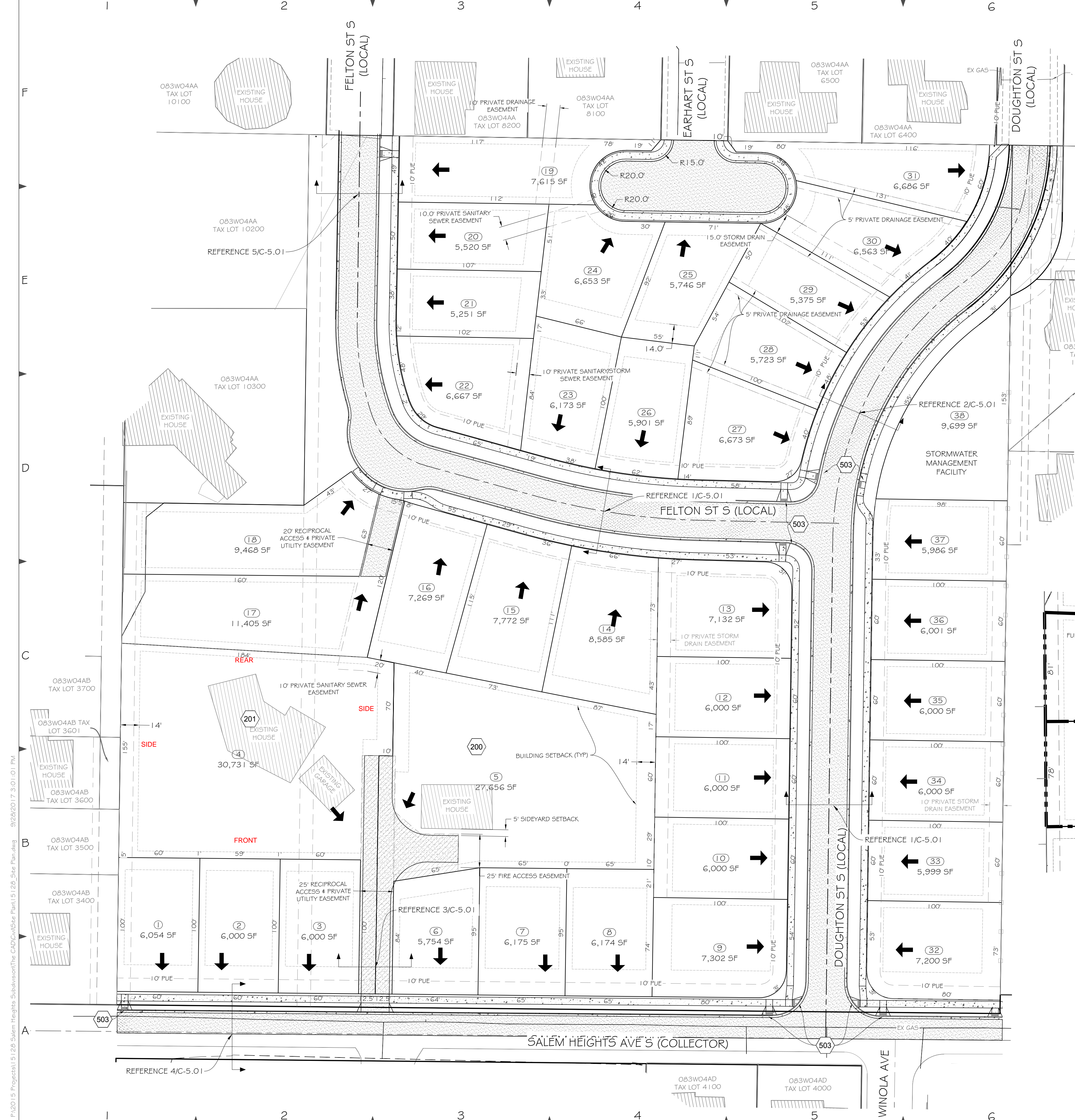
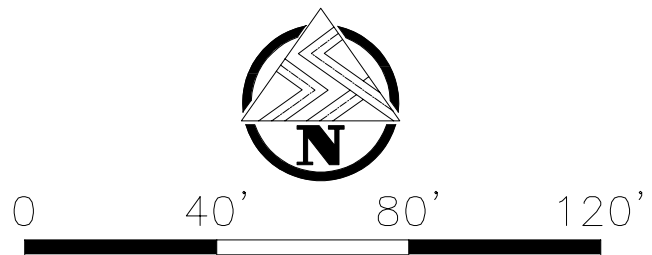
1 TYPICAL BUILDING SETBACKS ADJOINING COLLECTOR STREET AND LOCAL STREET
SCALE: N.T.S.



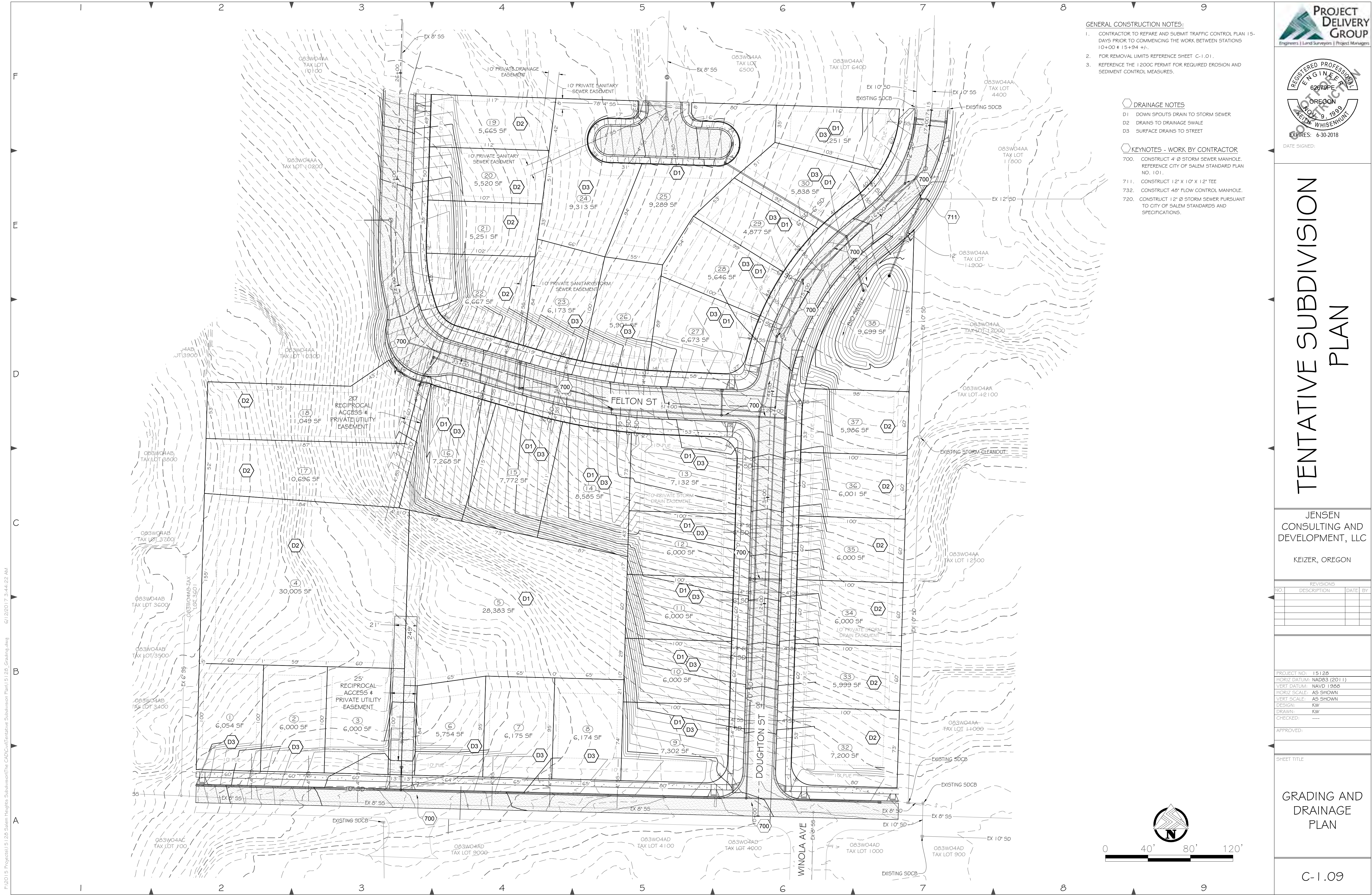
2 TYPICAL BUILDING SETBACKS ADJOINING LOCAL STREET
SCALE: N.T.S.



3 FUTURE DIVISION PLAN
SCALE: 1" = 40'



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- GENERAL CONSTRUCTION NOTES:
1. CONTRACTOR TO REPAIR AND SUBMIT TRAFFIC CONTROL PLAN 15-DAYS PRIOR TO COMMENCING THE WORK BETWEEN STATIONS 10+00 & 15+94 +/-.
 2. FOR REMOVAL LIMITS REFERENCE SHEET C-1.01.
 3. REFERENCE THE 1200C PERMIT FOR REQUIRED EROSION AND SEDIMENT CONTROL MEASURES.

- DRAINAGE NOTES
- D1 DOWN SPOUTS DRAIN TO STORM SEWER
 - D2 DRAINS TO DRAINAGE SWALE
 - D3 SURFACE DRAINS TO STREET

- KEYNOTES - WORK BY CONTRACTOR
- 700. CONSTRUCT 4' Ø STORM SEWER MANHOLE. REFERENCE CITY OF SALEM STANDARD PLAN NO. 101.
 - 711. CONSTRUCT 12" X 10' X 12" TEE
 - 732. CONSTRUCT 48" FLOW CONTROL MANHOLE.
 - 720. CONSTRUCT 12" Ø STORM SEWER PURSUANT TO CITY OF SALEM STANDARDS AND SPECIFICATIONS.

PROJECT DELIVERY GROUP
Engineers | Land Surveyors | Project Managers

REGISTERED PROFESSIONAL ENGINEER
OREGON
NOV. 9, 1999
KEITH WHISENUNT
EXPIRES: 6-30-2018
DATE SIGNED:

TENTATIVE SUBDIVISION PLAN

JENSEN
CONSULTING AND
DEVELOPMENT, LLC
KEIZER, OREGON

REVISIONS			
NO.	DESCRIPTION	DATE	BY

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APPROVED:

SHEET TITLE

GRADING AND
DRAINAGE
PLAN

C-1.09

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GENERAL CONSTRUCTION NOTES:
EXISTING HOUSES TO BE CONVERTED TO CITY WATER AND SEWER

KEYNOTES - WORK BY CONTRACTOR

- 801. CONSTRUCT FIRE HYDRANT ASSEMBLY. REFERENCE CITY OF SALEM STANDARD PLAN NO. 413.
- 803. CONSTRUCT 1" WATER SERVICE WITH 1" SERVICE LINE. REFERENCE CITY OF SALEM STANDARD PLAN NO. 410. (TYP.)
- 805. CONSTRUCT BLOW-OFF VALVE. REFERENCE CITY OF SALEM STANDARD PLAN NO. 405.
- 900. CONSTRUCT 4" Ø SANITARY SEWER MANHOLE. REFERENCE CITY OF SALEM STANDARD PLAN NO. 101.
- 908. CONSTRUCT SANITARY SEWER SERVICE. REFERENCE CITY OF SALEM STANDARD PLAN NO. 106. (TYP.)



DATE SIGNED:

TENTATIVE SUBDIVISION
PLAN

JENSEN
CONSULTING AND
DEVELOPMENT, LLC

KEIZER, OREGON

REVISIONS			
NO.	DESCRIPTION	DATE	BY

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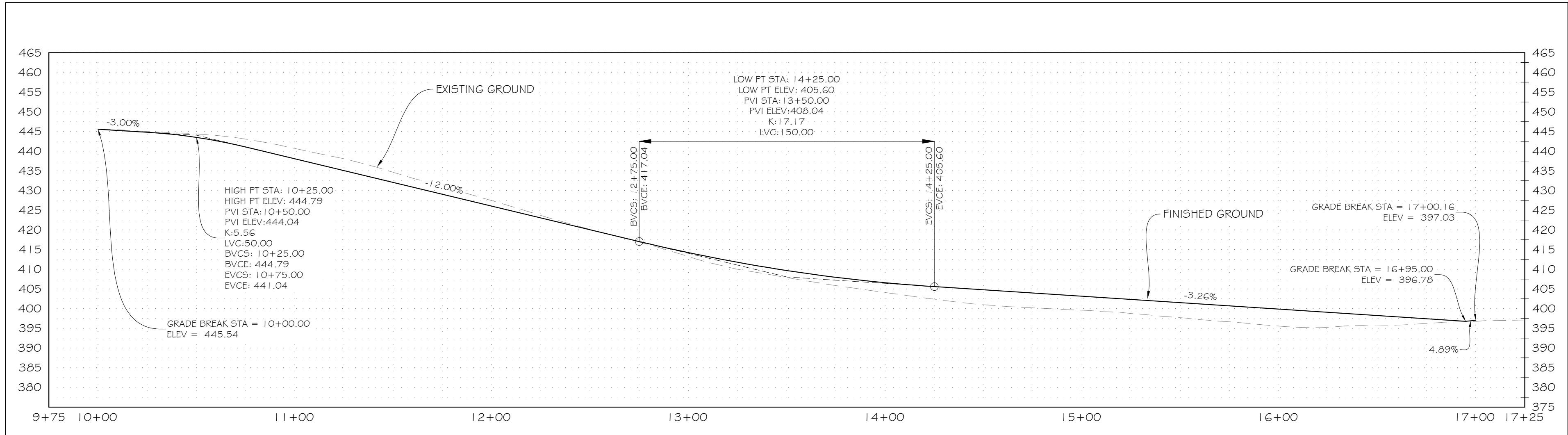
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SANITARY /
WATER PLAN

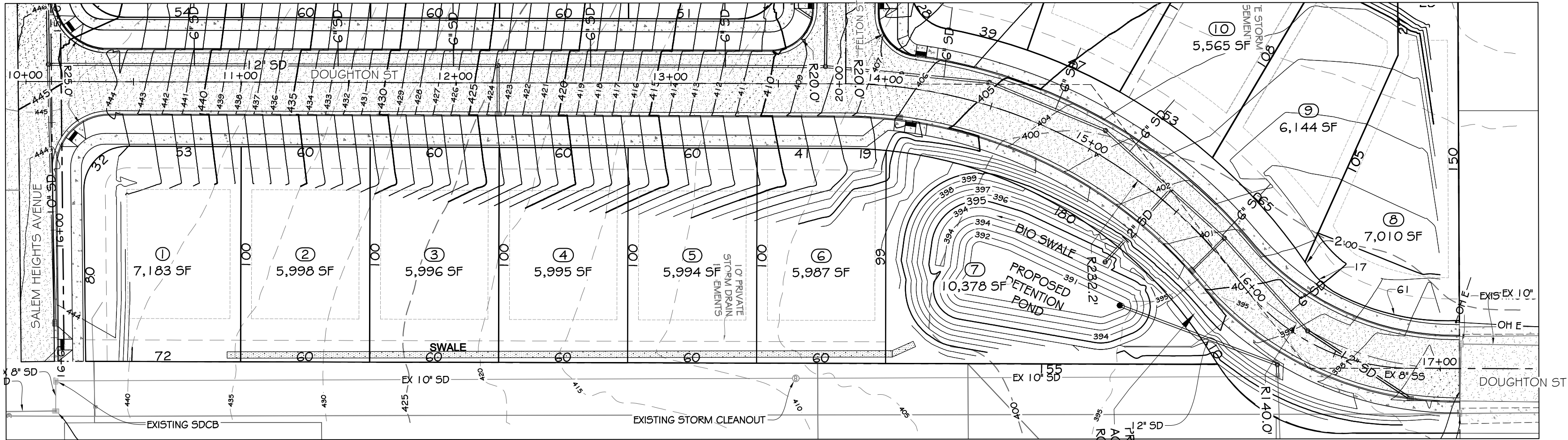
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F
E
D
C
B
A



② DOUGHTON ST GRADING PLAN 9+75-13+50
HORIZONTAL SCALE: 1"=40' VERTICAL SCALE: 1"=10'



① DOUGHTON ST GRADING PLAN 10+00-13+50
SCALE: 1"=40'

GENERAL CONSTRUCTION NOTES:

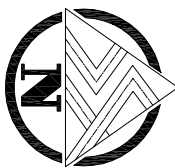
- CONTRACTOR TO REPAIR AND SUBMIT TRAFFIC CONTROL PLAN 15- DAYS PRIOR TO COMMENCING THE WORK BETWEEN STATIONS 10+00 & 15+94 +/-.
- FOR REMOVAL LIMITS REFERENCE SHEET C-1.01.
- REFERENCE THE 1200C PERMIT FOR REQUIRED EROSION AND SEDIMENT CONTROL MEASURES.

DRAINAGE NOTES

- D1 DOWN SPOUTS DRAIN TO STORM SEWER
- D2 DRAINS TO DRAINAGE SWALE
- D3 SURFACE DRAINS TO STREET

KEYNOTES - WORK BY CONTRACTOR

- 700. CONSTRUCT 4' Ø STORM SEWER MANHOLE. REFERENCE CITY OF SALEM STANDARD PLAN NO. 101.
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- 732. CONSTRUCT 48" FLOW CONTROL MANHOLE.
- 720. CONSTRUCT 12" Ø STORM SEWER PURSUANT TO CITY OF SALEM STANDARDS AND SPECIFICATIONS.



0 40' 80' 120'



DATE SIGNED:

TENTATIVE SUBDIVISION
PLAN

Encore
Development, LLC

KEIZER, OREGON

REVISIONS			
NO.	DESCRIPTION	DATE	BY

PROJECT NO: 15126
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VERT DATUM: NAVD 1988
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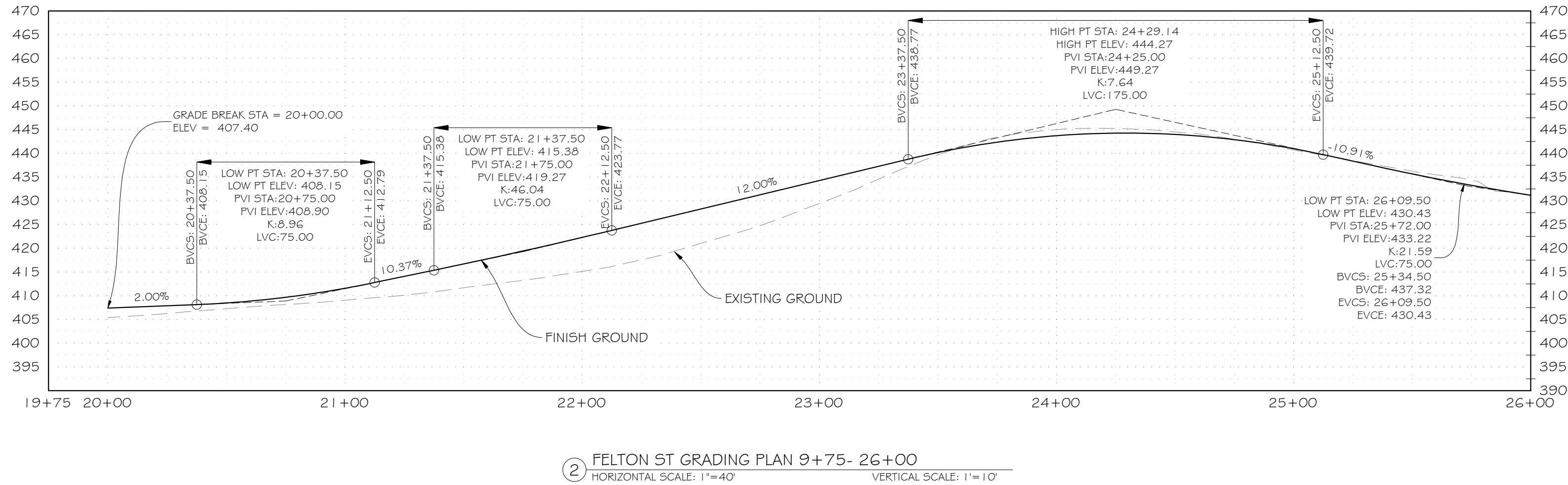
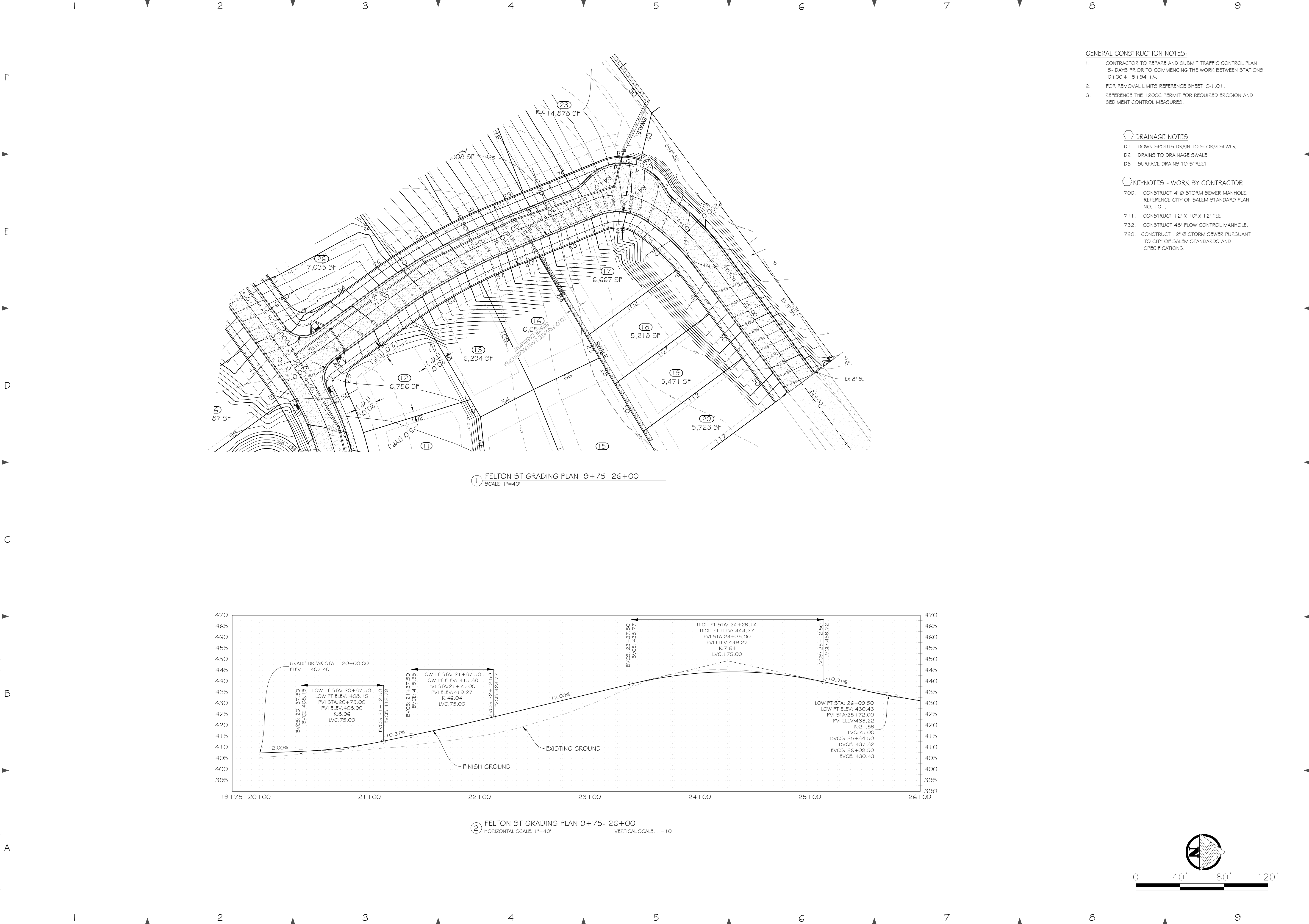
APPROVED:

SHEET TITLE

DOUGHTON
STREET
GRADING
PLAN AND
PROFILE

C-1.10

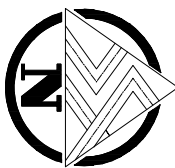
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- GENERAL CONSTRUCTION NOTES:
- CONTRACTOR TO REPAIR AND SUBMIT TRAFFIC CONTROL PLAN 15- DAYS PRIOR TO COMMENCING THE WORK BETWEEN STATIONS 10+00 & 15+94 +/-.
 - FOR REMOVAL LIMITS REFERENCE SHEET C-1.01.
 - REFERENCE THE 1200C PERMIT FOR REQUIRED EROSION AND SEDIMENT CONTROL MEASURES.

- DRAINAGE NOTES
- D1 DOWN SPOUTS DRAIN TO STORM SEWER
 - D2 DRAINS TO DRAINAGE SWALE
 - D3 SURFACE DRAINS TO STREET

- KEYNOTES - WORK BY CONTRACTOR
- 700. CONSTRUCT 4' Ø STORM SEWER MANHOLE. REFERENCE CITY OF SALEM STANDARD PLAN NO. 101.
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PROJECT DELIVERY GROUP
Engineers | Land Surveyors | Project Managers

REGISTERED PROFESSIONAL ENGINEER
62679
OREGON
NOV. 9, 1999
KEITH WHISENAND
EXPIRES: 6-30-2018
DATE SIGNED:

TENTATIVE SUBDIVISION
PLAN

Encore
Development, LLC

KEIZER, OREGON

REVISIONS			
NO.	DESCRIPTION	DATE	BY

PROJECT NO.: 15128

HORIZ DATUM: NAD83 (2011)

VERT DATUM: NAVD 1988

HORIZ SCALE: AS SHOWN

VERT SCALE: AS SHOWN

DESIGN: KW

DRAWN: SHS

CHECKED: ---

APPROVED: _____

SHEET TITLE

FELTON
STREET
GRADING
PLAN AND
PROFILE

C-1.11

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TENTATIVE SUBDIVISION
PLAN

JENSEN
CONSULTING AND
DEVELOPMENT, LLC
KEIZER, OREGON

REVISIONS			
NO.	DESCRIPTION	DATE	BY

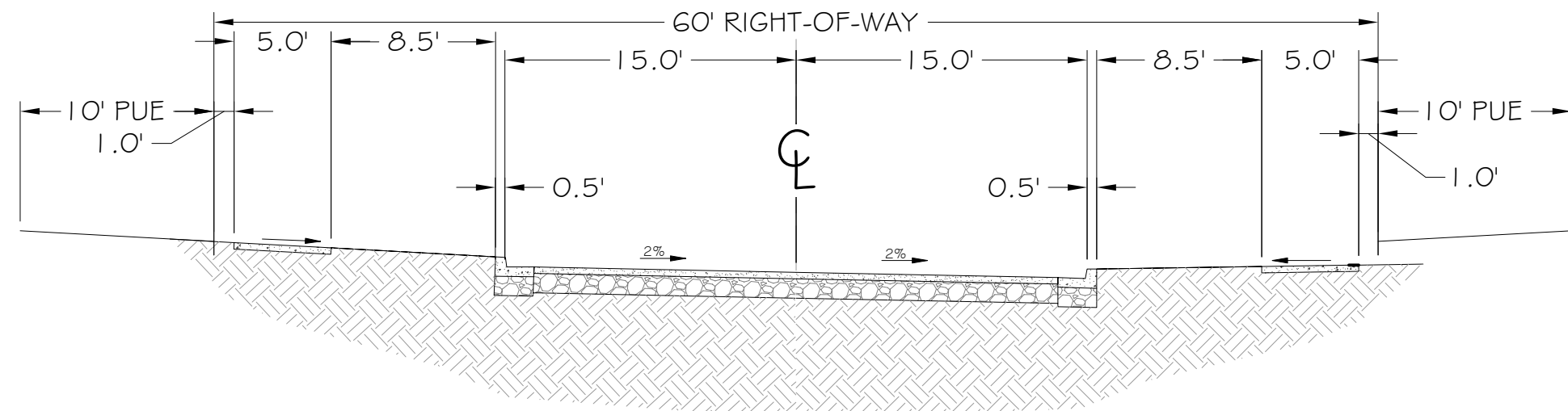
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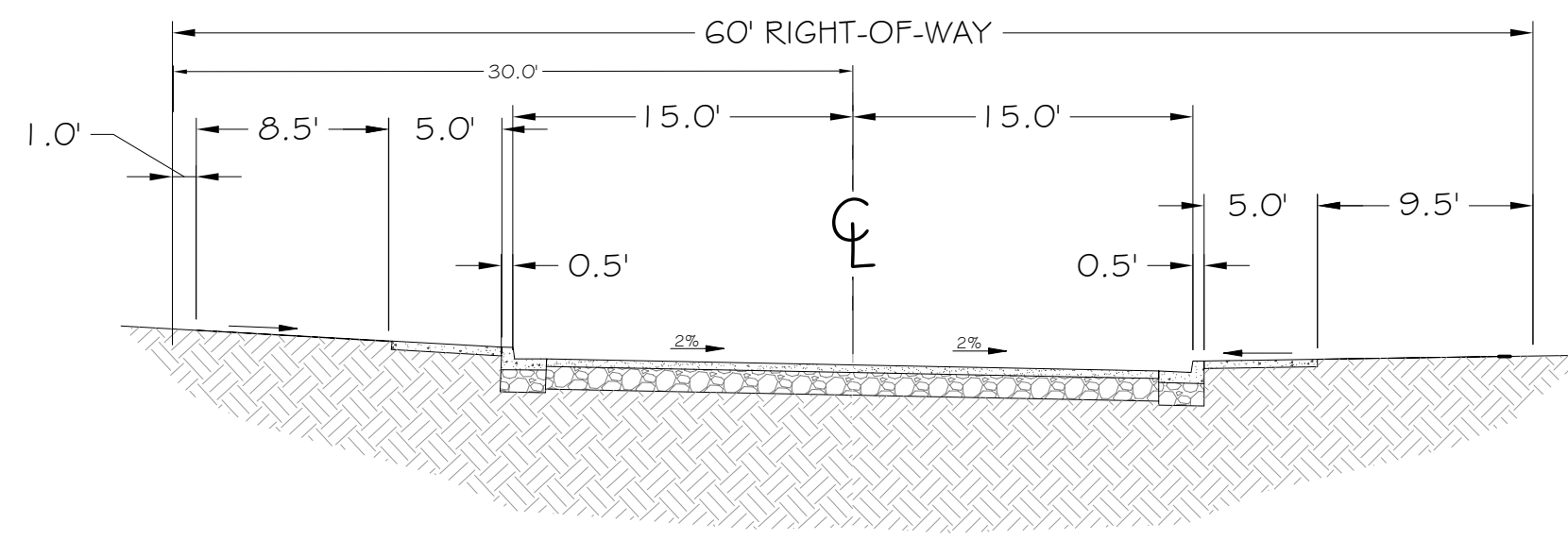
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TYPICAL
STREET
SECTIONS

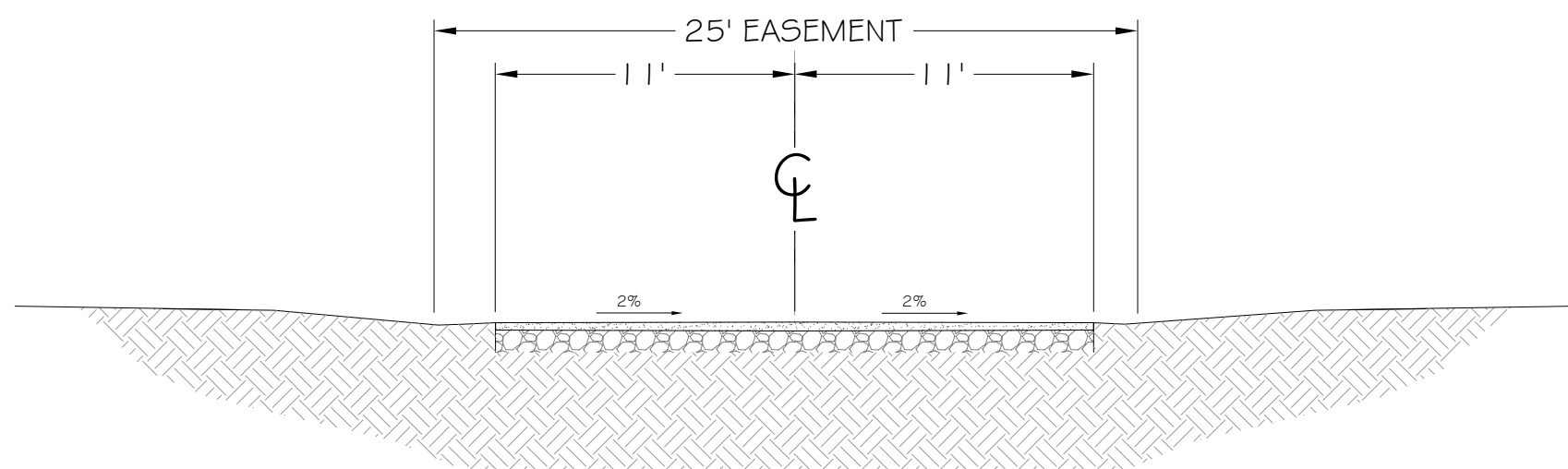
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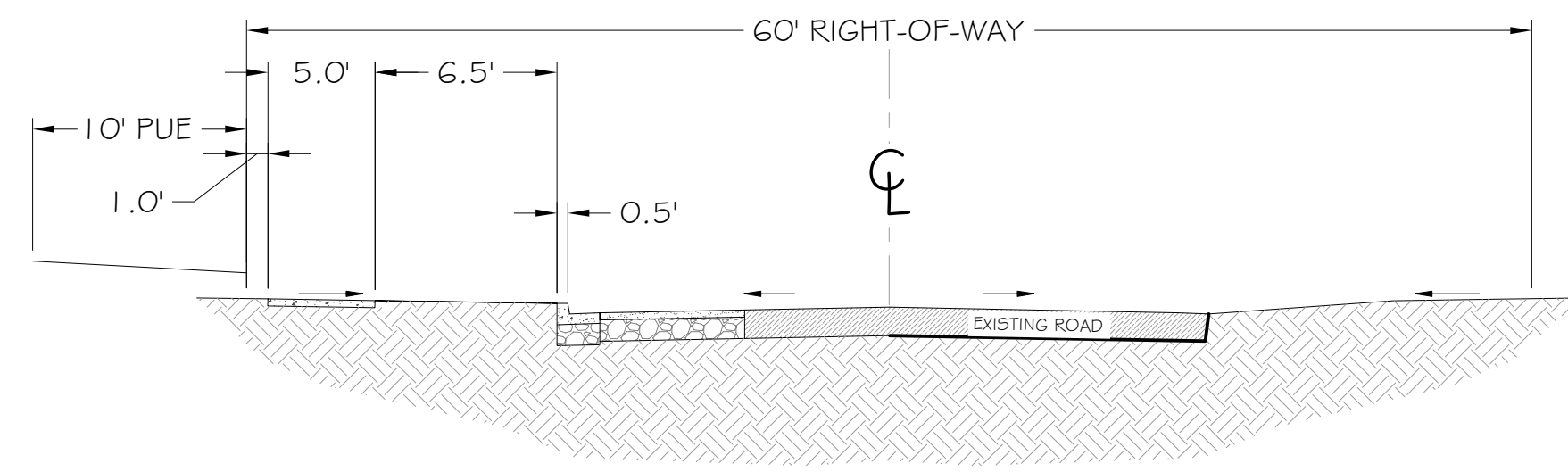
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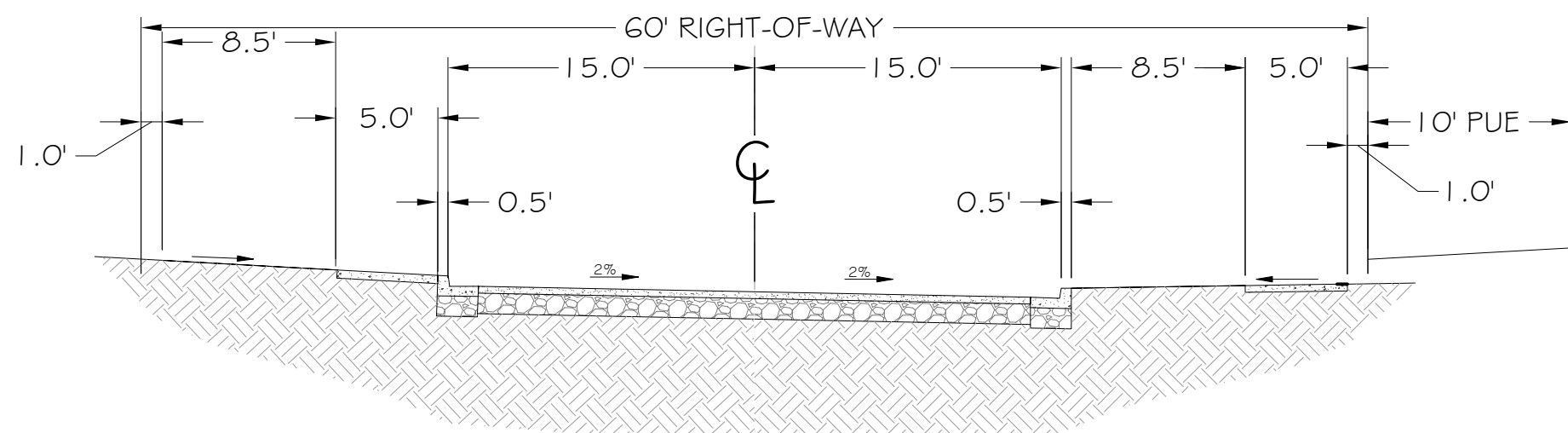
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3 TYPICAL SECTION - FLAGLOT DRIVEWAY
SCALE: NTS



4 TYPICAL SECTION - SALEM HEIGHTS AVE
SCALE: NTS



5 TYPICAL SECTION - FELTON ST 13+02-15+86
SCALE: NTS



MEMO

TO: Bryce Bishop, Planner II
Community Development Department

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

DATE: December 28, 2017

SUBJECT: PUBLIC WORKS RECOMMENDATIONS
SUBDIVISION PLAT/ADJUSTMENT NO. 17-11 (17-106391-LD)
575 SALEM HEIGHTS AVENUE S
38-LOT SUBDIVISION

RECEIVED

DEC 28 2017

PROPOSAL

COMMUNITY DEVELOPMENT

A consolidated application for the development of a 38-lot subdivision of property located in the 500 to 600 blocks of Salem Heights Avenue S, Wren Heights, that includes a subdivision tentative plan to divide approximately 9.1 acres into 38-lots with adjustments

The subject property is approximately 9.1 acres in size, zoned RS (Single Family Residential), and located in the 500 to 600 blocks of Salem Heights Avenue S (Marion County Assessor's Map and Tax Lot Numbers: 083W04AA10400, 10500, 10600, 10601, 10700, 10800).

RECOMMENDED CONDITIONS OF PLAT APPROVAL

1. Construct water and sewer systems to serve each lot.
2. Along the entire northern frontage of Salem Heights Avenue S, construct a 17-foot wide half-street improvement and convey land for dedication of right-of-way to equal 30 feet from the centerline. The street improvements are authorized to match the existing street grade up to a maximum of 12 percent grade.
3. Construct internal streets to Local street standards as shown on the applicant's tentative plan, except as modified below:
 - a. Sidewalks are required on both sides of Felton Street S. The required sidewalk on the west side of Felton Street S between the north line of the subject property and the northwest corner of Lot 16 may be constructed along the curb line.

4. Provide an engineered tentative stormwater design to accommodate new impervious surface in the right-of-way and on all proposed lots. Construct stormwater facilities that are proposed in the public right-of-way and in public storm easements.
5. Construct City infrastructure pursuant to the PWDS as shown on the applicant's tentative plan with the following clarifications:
 - a. The City storm easement across the south side of Lot 30 shall be a minimum of 20 feet in width.
 - b. Reconstruct the existing sewer main in Salem Heights Avenue S abutting the subject property where the existing pipe condition cannot accommodate new connections.
 - c. Abandon the existing sewer system along the west line of the subject property where all service laterals can be reconnected to the new main in Felton Street S.
6. Provide a 10-foot-wide public utility easement along the street frontage of each lot.

FACTS

Streets

1. Salem Heights Avenue S

- a. **Standard**—This street is designated as a Collector street in the Salem TSP. The standard for this street is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
- b. **Existing Condition**—There is an existing 20-foot improvement within a varied 40-to-50-foot-wide right-of-way adjacent to the subject property.

2. Felton Street S

- a. **Standard**—This street is designated as a Local street in the Salem TSP. The standard for this street is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- b. **Existing Condition**—There is an existing 30-foot improvement within a 50-foot-wide right-of-way adjacent to the subject property.

3. Earhart Street S

- a. **Standard**—This street is designated as a Local street in the Salem TSP. The

standard for this street is a 30-foot-wide improvement within a 50-foot-wide right-of-way.

- b. Existing Condition—There is an existing 30-foot improvement within a 50-foot-wide right-of-way adjacent to the subject property.

4. Doughton Street S

- a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Condition—There is an existing 30-foot improvement within a 50-foot-wide right-of-way adjacent to the subject property.

Storm Drainage

Existing Condition—A 10-inch storm main is located on adjacent property along the east boundary of the subject property.

Water

Existing Conditions

1. The subject property is located within the S-2 water service level.
2. An 8-inch S-2 water line is located in Salem Heights Avenue S.
3. A 6-inch S-2 water line is located in Doughton Street S. This main extends south to Salem Heights Avenue S, within a 10-foot public easement.
4. A 2-inch S-2 water line is located in Felton Street S.
5. A 6-inch S-2 water line is located in Earhart Street S.

Sanitary Sewer

Existing Sewer

1. An 8-inch sanitary sewer main is located in Salem Heights Avenue S.
2. An 8-inch sanitary sewer main is located along the western portion of the subject property, within a 10-foot public easement.

3. There are 8-inch sanitary sewer mains located in Felton Street S, Earhart Street S, and Doughton Street S, along the north portion of the subject property.

CRITERIA AND FINDINGS

SRC 205.010(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 205.010(d)(1)—The tentative subdivision 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:

1. 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;
2. City infrastructure standards; and
3. 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).

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 Landslide Hazards, there are no areas of landslide susceptibility on the subject property. The proposed subdivision adds three activity points to the proposal, which results in a total of three points. Therefore, the proposed subdivision is classified as a low landslide risk. However, a geotechnical investigation, prepared by Redmond Geotechnical Services and dated October 24, 2016, was submitted to the City of Salem. This investigation indicates that development of the subject site into residential home sites does not appear to present a potential geologic and/or landslide hazard provided that the site grading and development activities conform with the recommendations presented within the investigation report.

SRC 205.010(d)(3)—Development within the tentative subdivision plan can be

adequately served by City infrastructure.

Findings—Water and sewer infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary utility plan. However, the existing sewer main in Salem Heights Avenue S is in poor condition and may not be able to accommodate new connections. Therefore, the applicant shall be required to reconstruct the existing sewer main in Salem Heights Avenue S abutting the subject property where the existing pipe condition cannot accommodate new connections. If the sewer main is reconstructed by the developer, then the development is not subject to sewer connection fees pursuant to SRC Chapter 21.

The applicant's preliminary plan appears to propose realignment of the existing public sewer main along the west line of the subject property. The applicant shall abandon the existing sewer system abutting Felton Street S, where all service laterals can be reconnected to the new public sewer main.

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 provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots.

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)(6)(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 205.010(d)(4) and SRC 205.0010(d)(5)—The street system in and adjacent to the tentative subdivision plan conforms to the *Salem Transportation System Plan*. 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—Salem Heights Avenue S abuts the subject property and does not meet the current standard for a Collector street. As identified in the conditions of approval, the applicant is required to construct a half-street improvement along the entire frontage of this street.

Pursuant to SRC 803.065(a)(3), the Director may authorize the use of one or more alternate street standards where topography or other conditions make the construction that conforms to the standards impossible or undesirable. All internal streets will be constructed to Local Street standards as specified in the Salem TSP, with the exception of the following alternative street standards:

1. The applicant is requesting an alternate street standard for the east side of Doughton Street S, north of the Felton Street S intersection, to allow for curblin sidewalks. Curblin sidewalks are authorized due to existing topography and the proposed location of the stormwater management facility.
2. The applicant is requesting an alternate street standard for the west side of Felton Street S along the north/south portion, to allow for curblin sidewalks. Curblin sidewalks are authorized due to the existing topography.
3. The applicant is requesting a turnaround at the terminus of Earhart Street S that does not conform with the cul-de-sac standards in SRC Chapter 803. The alternative turnaround provides radii that accommodate for street cleaning equipment and fire trucks. The alternative turnaround is authorized based on site layout and topography.

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.

Findings—The Comprehensive Parks Master Plan Update shows that the subject property is served by developed parks. Candalaria Reservoir is an undeveloped park approximately one-half mile northwest of the proposed development; Salem Heights Elementary is a partially developed park area approximately one-quarter of a mile southeast of the proposed development; pedestrian sidewalk connections are available from the subject property to these park areas. No park-related improvements are recommended as a condition of development.

The Parks Master Plan also shows that a potential park site NP-6 was identified near the subject property. However, the park site locations are approximate as described on page 73-80 of the plan, "Locations are mapped to show generally where a park or trail may be located; however, feasible park sites may not be available within the area shown. The actual location will be determined based on a combination of factors, including land availability and cost. Park site selection and development will proceed as neighborhoods develop." No park is proposed within the subject property at this time.

SRC 205.010(d)(7)—The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis, where applicable.

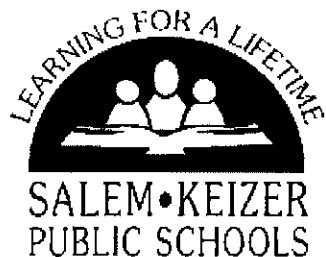
Findings—The proposed 38-lot subdivision generates less than 1,000 average daily vehicle trips to Salem Heights Avenue S. Therefore, a Traffic Impact Analysis was not

required as part of the proposed subdivision submittal.

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.

Findings—Existing street trees are located along the north line of Salem Heights Avenue S that may need to be removed in conjunction with the street improvements abutting the subject property. Street tree removal is subject to street tree permits pursuant to SRC 86.050.

Prepared by: Lyle J. Misbach, PE, CFM, Assistant Chief Development Engineer
cc: File



DAVID FRIDENMAKER, Manager
 Facility Rental, Planning, Property Services
 3630 State Street, Bldg. C • Salem, Oregon 97301-5316
 503-399-3335 • FAX: 503-375-7847

Christy Perry, Superintendent

October 16, 2017

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

FAX No. 503-588-6005

RE: Land Use Activity
 Salem Case No. SUB-ADJ17-11, 500 to 600 Blocks of Salem Heights Ave S

SUMMARY OF COMMENTS

School Assignment: Salem Heights Elementary School, Crossler Middle School, Sprague High School
 School Capacity: Sufficient school capacity currently exists to serve the proposed development
 School Transportation Services: Students residing at the subject property location will be eligible for school transportation services to Crossler Middle School and Sprague High School, and will be within the walk zone for Salem Heights Elementary School

Below is data and the District's comments regarding the proposed land use activity identified above. If you have questions, please call at (503) 399-3335.

ELEMENTARY SCHOOL INFORMATION (GRADES K TO 5)

1. School Name: Salem Heights Elementary School
2. Estimated change in student enrollment due to proposed development: 7
3. Current school capacity: 406
4. Estimate of school enrollment including new development: 340
5. Ratio of estimated school enrollment to total capacity including new development: 84%.
6. Walk Zone Review: Within walk zone of Elementary School.
7. Estimate of additional students due to previous 2016 land use applications: 0
8. Estimate of additional students due to previous 2017 land use applications: 0
9. Estimated cumulative impact of 2016-17 land use actions on school capacity: 84% of capacity.

MIDDLE SCHOOL INFORMATION (GRADES 6 TO 8)

1. School Name: Crossler Middle School
2. Estimated change in student enrollment due to proposed development: 4
3. Current school capacity: 969
4. Estimate of school enrollment including new development: 847
5. Ratio of estimated school enrollment to total capacity including new development: 87%
6. Walk Zone Review: Eligible for transportation to Middle School
7. Estimate of additional students due to previous 2016 land use applications: 33
8. Estimate of additional students due to previous 2017 land use applications: 7

9. Estimated cumulative impact of 2016-17 land use actions on school capacity: 91% of capacity.

HIGH SCHOOL INFORMATION (GRADES 9 TO 12)

1. School Name: Sprague High School
2. Estimated change in student enrollment due to proposed development: 5
3. Current school capacity: 1,940
4. Estimate of school enrollment including new development: 1,734
5. Ratio of estimated school enrollment to total capacity including new development: 89%
6. Walk Zone Review: Eligible for transportation to High School.
7. Estimate of additional students due to previous 2016 land use applications: 36
8. Estimate of additional students due to previous 2017 land use applications: 12
9. Estimated cumulative impact of 2016-17 land use actions on school capacity: 92% of capacity.

ESTIMATE SUMMARY (GRADES K TO 12):

1. Total estimated change in student enrollment: 16
2. Total estimated student enrollment over capacity: 0
3. Total estimated capital costs for new schools for new school capacity: 0

Developer should provide paved walk route(s) to allow pedestrian access and bicycle access to school(s) from all residences within the new development and should provide all improvements required by the City of Salem where new transportation routes are established or existing transportation routes change, such as school flashers, crosswalks, and signage. As per ORS 195.115, when the walk zone review indicates "eligible for transportation due to hazard" the District requests that the City initiate a planning process with the District to identify the barriers and hazards to children walking or bicycling to and from school, determine if the hazards can be eliminated by physical or policy changes and include the hazard elimination in the City's planning and budgeting process.

ASSUMPTIONS:

1. When land use request is granted, 35 new residence(s) will be built.
2. Estimates are computed using the Student Rate per Dwelling Method described in the District's Facility Study for years 2001-2020.
3. In our region, the median costs for new schools are \$50,831 per student for elementary schools, \$54,625 per student for middle schools and \$46,389 per student for high schools.¹

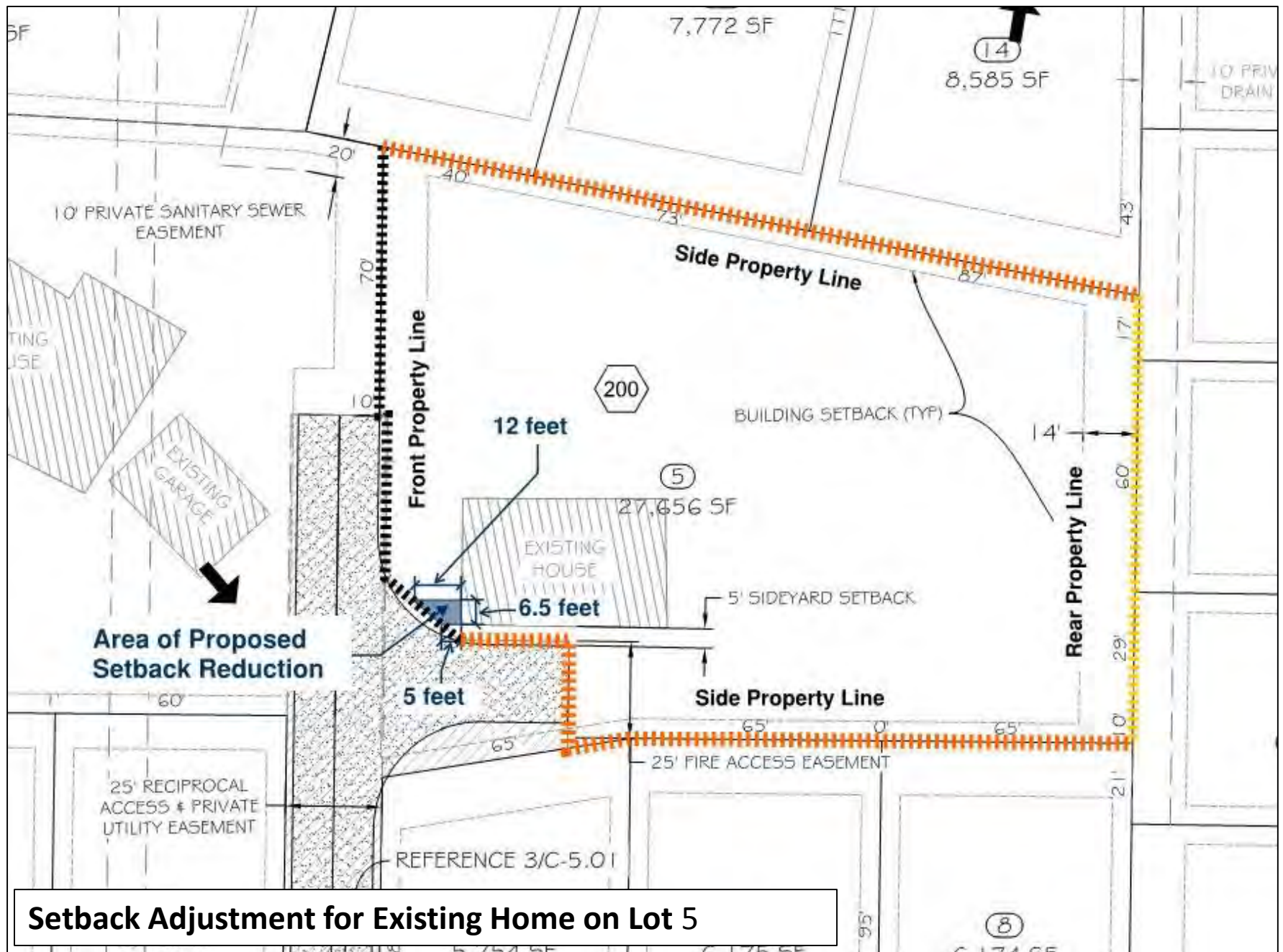
Sincerely,



David Fridenmaker, Manager
Planning and Property Services

c: Mike Wolfe, Chief Operations Officer
David Hughes, Manager – Custodial, Property and Auxiliary Services
William White, Manager - Risk Management
Michael Shields, Director of Transportation

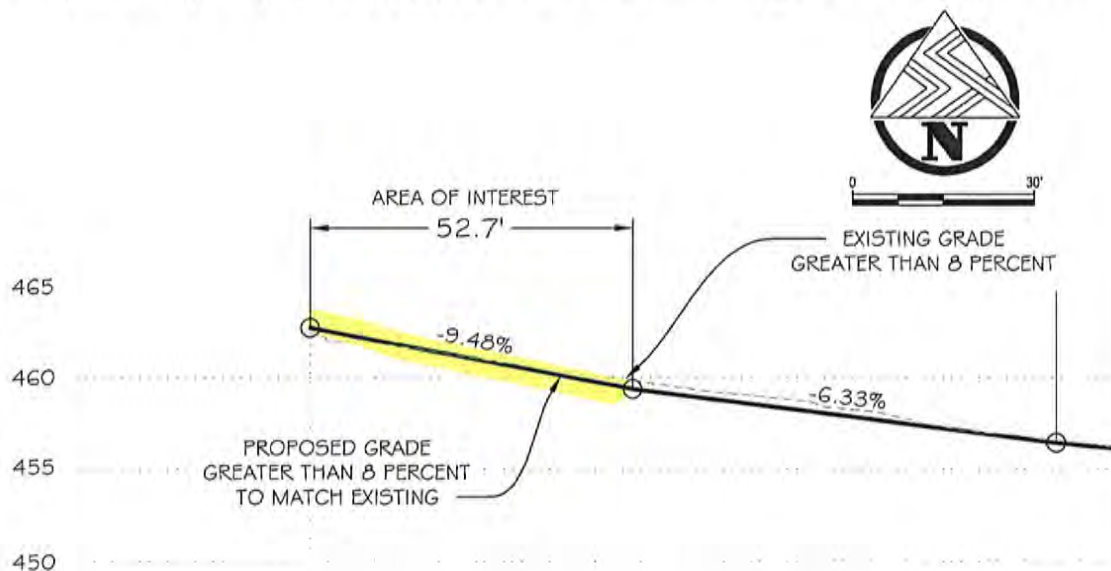
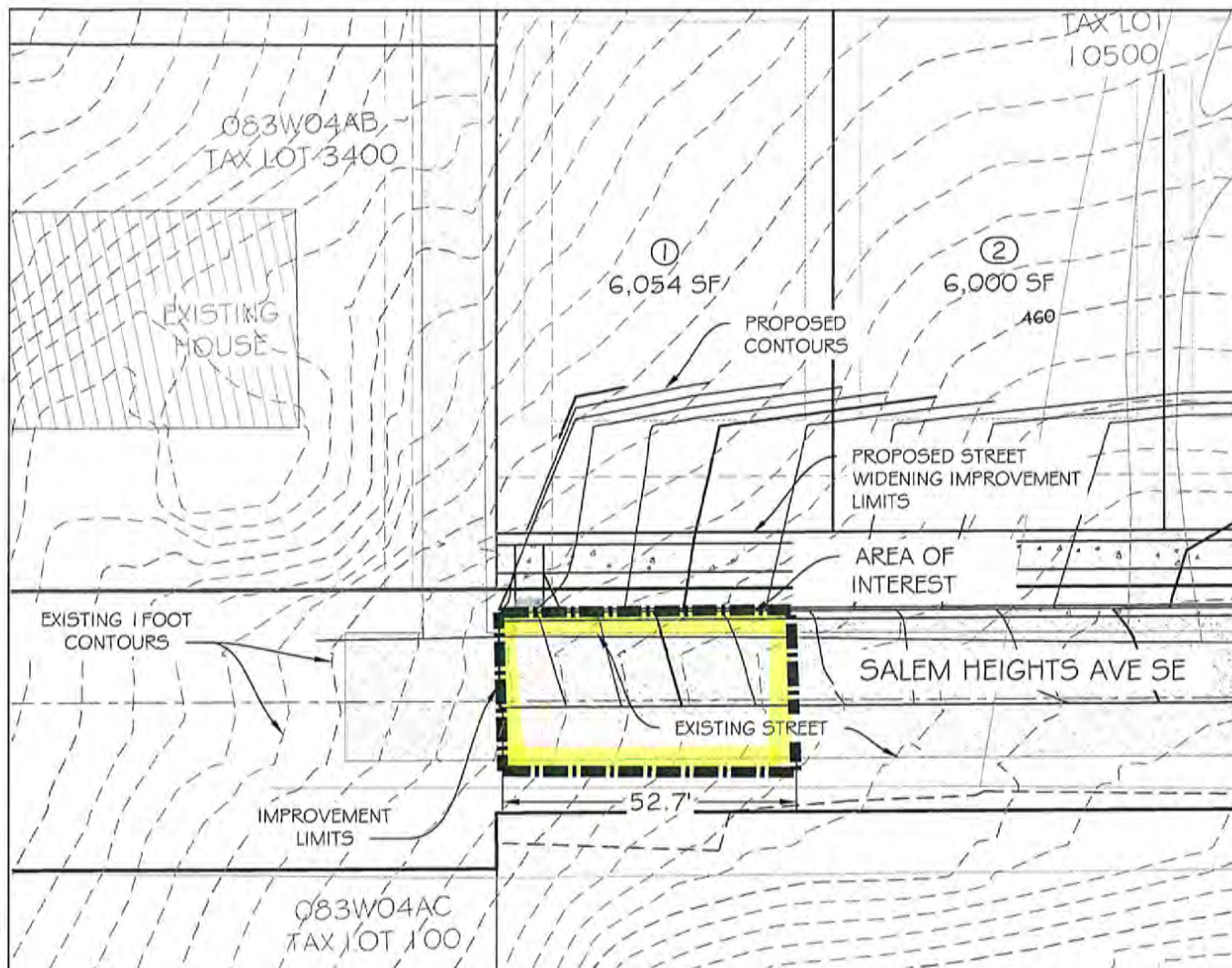
¹ Paul Abramson, 20th Annual School Construction Report, *School Planning & Management*, Feb. 2015



Setback Adjustment for Existing Home on Lot 5

PLOT DATE/TIME: 11/8/2017 - 4:11pm

P:\2015 Projects\15128 Salem Heights Subdivision\The CAD\Civil\Tentative Subdivision Plan\15128_StreetSWExhibit.dwg



SALEM HEIGHTS AVE SE PROFILE
SCALE: 1"=30'H, 1"= 10'V



PROPOSED ROAD GRADE EXHIBIT "A"
SALEM HEIGHTS AVE SW



Memo:

Date: September 28, 2017
 To: Bryce Bishop, Planner II
 From: Project Delivery Group, LLC, Planning
 Re: 17-106391-LD (Tentative Subdivision)
 17-106392-NR (Tree Conservation Plan)

This memo outlines the adjustments that are necessary for the project listed above.

250.001. Purpose

The purpose of this Chapter is to provide a process to allow deviations from the development standards of the UDC for developments that, while not meeting the standards of the UDC, 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 for flexibility to allow reasonable development of property where special conditions or unusual circumstances exist. (Ord No. 12-12)

250.005. Adjustments

(a) Applicability.

(1) Classes. (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.

1. **Adjustment #1, #2 and #3: Lots 17, 18 and 31 appear to exceed the 300% maximum of the average lot depth.**

Applicant's Response: The Applicant is requesting a 2% Class 1 adjustment to the maximum 300% lot depth for lot 17 and a 4% Class 1 adjustment to lot 18. These requests are necessary due to the existing topography and inability to extend Felton Road to the south. The applicant is also requesting an 11% adjustment to the 300% maximum lot depth for lot 31 due to the need to continue the existing alignment of Doughton Street and to provide for access off of the cul-de-sac of Earhart street. There are no other options available.

2. **Adjustment #4: Lot 30 does not appear to meet the double frontage standards.**

Applicant's Response: City of Salem standards require a minimum of 120-foot lot depth for double-frontage lots. Lot 30 has a depth of 111-feet so the Applicant is requesting an 8% Class 1 adjustment to the lot depth standards. This adjustment is based on existing geometry and the

need to provide access from the cul-de-sac above and also to tie Doughton Street to Salem Heights Avenue.

3. Adjustment #5: *Existing House in Lot 5 does not meet interior front setback of 12 feet.*

Applicant's Response: The Applicant is requesting a Class 2 Adjustment to the interior front yard setback. The location and geometry of the required fire truck turnaround in relationship to the existing house and proposed lots makes it impossible to meet the 12-foot setback requirement.

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.

Applicant's Response: The Applicant is requesting a total of four adjustments. As stated in section 511.001 Purpose, "The purpose of the Single Family Residential (RS) 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 residential uses, along with a mix of other uses that are compatible with and/or provide services to the residential area.

The cumulative effect of these five adjustments is negligible on the surrounding neighborhood and does not detract from the livability or appearance of the residential area. The proposed development and requested adjustments are consistent with the overall purpose of the RS – Single Family zone.

Attached to this letter are the revised drawings related to the modifications noted above. If you have any other questions, please feel free to contact me.

Sincerely,

Project Delivery Group, LLC

Mark B. Ferris, RLA
Director of Planning and Development