

# 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 información, por favor llame  
503-588-6173*

## DECISION OF THE PLANNING ADMINISTRATOR

REPLAT TENTATIVE PLAN CASE NO.: REP25-03

APPLICATION NO.: 25-102016-PLN

NOTICE OF DECISION DATE: March 10, 2025

**REQUEST:** An application for a Tentative Replat to consolidate Lots 14 and 15 of Mapleton Addition Subdivision resulting in a single lot totaling 18,600 square feet (0.43 acres) in size, zoned CR (Retail Commercial), and located at 2710 Broadway Street NE (Marion County Assessor's Map and Tax Lot Number: 073W14BB/4901).

**APPLICANT:** Barker Surveying

**LOCATION:** 2710 Broadway St NE, Salem OR 97301

**CRITERIA:** Salem Revised Code (SRC) Chapter 205.025(d) – Replat Tentative Plan

**FINDINGS:** The findings are in the attached Decision dated March 10, 2025.

**DECISION:** The **Planning Administrator APPROVED** Replat Tentative Plan Case No. REP25-03 subject to SRC Chapters 205, the applicable standards of the Salem Revised Code, and the conditions of approval listed below, which must be completed prior to final plat approval, unless otherwise indicated:

**Condition 1:** Prior to final plat approval, show all existing and proposed easements on the final plat.

The rights granted by the attached decision must be exercised, or an extension granted, by March 26, 2027, or this approval shall be null and void.

Application Deemed Complete:	<u>February 21, 2025</u>
Notice of Decision Mailing Date:	<u>March 10, 2025</u>
Decision Effective Date:	<u>March 26, 2025</u>
State Mandate Date:	<u>June 21, 2025</u>

**Case Manager:** Olivia Dias, Current Planning Manager, [Odias@cityofsalem.net](mailto:Odias@cityofsalem.net), 503-540-2343

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at [planning@cityofsalem.net](mailto:planning@cityofsalem.net), no later than 5:00 p.m., Tuesday, March 25, 2025. Any person who presented evidence or testimony at the hearing may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter 205.025(d) – Replat Tentative Plan. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The

Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, 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**

**DECISION**

**IN THE MATTER OF APPROVAL OF ) FINDINGS AND ORDER**  
**TENTATIVE REPLAT PLAN, )**  
**CASE NO. REP25-03; )**  
**2710 BROADWAY ST NE ) MARCH 10, 2025**

In the matter of the application for a Tentative Replat submitted by Baker Surveying on behalf of the applicant and property owner, District 10 LLC (Harnek Dhote and Simran Dhote) the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

**REQUEST**

**Summary:** A replat to consolidate two existing Lots.

**Request:** An application for a Tentative Replat to consolidate Lots 14 and 15 of Mapleton Addition Subdivision, resulting in a single lot totaling 18,600 square feet (0.43 acres) in size, zoned CR (Retail Commercial), and located at 2710 Broadway Street NE (Marion County Assessor’s Map and Tax Lot Number: 073W14BB / 4901).

A vicinity map indicating the subject property and surrounding area is included herein as **Attachment A**.

**PROCEDURAL FINDINGS**

**1. Background**

On January 14, 2025, an application for a Tentative Replat application was filed proposing to consolidate Lots 14 and 15 of Mapleton Addition Subdivision into one lot at 2710 Broadway Street NE. After additional information was provided, the application was deemed complete for processing on February 21, 2025. The 120-day state mandated decision deadline for this consolidated application is June 21, 2025.

The applicant’s proposed site plan is included as **Attachment B** and the applicant’s written statement addressing the approval criteria applications can be found in the record, accessible online as indicated below.

**SUBSTANTIVE FINDINGS**

**2. Proposal**

The proposal requests tentative replat approval to consolidate Lots 14 and 15 of Mapleton Addition Subdivision, resulting in a single lot totaling 18, 600 square feet (0.43 acres) in size, and located at 2710 Broadway Street NE (Marion County Assessor’s Map and Tax Lot Number: 073W14BB / 4901).

### 3. Summary of Record

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City’s online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 25 102016.

### 4. Existing Conditions

#### Site and Vicinity

The proposal consists of two Lots, totaling 0.43 acres in size. The site is a irregular shape abutting Broadway Street NE to the west and Tryon Avenue NE to the south. The subject property is currently development with a building which is currently vacant. The replat is a condition of approval for proposed redevelopment including a four-story mixed-use building.

#### Salem Area Comprehensive Plan (SACP) Designation

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

<b>Comprehensive Plan Map Designations of Surrounding Properties</b>	
<b>North</b>	Across Bliler Avenue; Single Family Residential
<b>East</b>	Multiple Family Residential
<b>South</b>	Across Tryon Avenue NE, Multiple Family Residential
<b>West</b>	Across Broadway Street NE, Multiple Family Residential

#### Zoning Map Designation

The subject property is zoned CR (Retail Commercial). The surrounding properties are zoned as follows:

<b>Zoning of Surrounding Properties</b>	
<b>North</b>	Across Bliler Avenue; RS (Single Family Residential)
<b>East</b>	RM-II (Multi-Family Residential)
<b>South</b>	Across Tryon Avenue NE, RM-II (Multi-Family Residential)
<b>West</b>	Across Broadway Street NE , RM-II (Multi-Family Residential)

Relationship to Urban Service Area

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

Infrastructure

Utilities & Parks	
Type	Existing Conditions
Water	Water Service Level: G-0 1. A 10-inch water main is located in Broadway Street NE.
	2. 6-inch water mains are located in Bliler Avenue NE and Tryon Avenue NE.
Sanitary Sewer	4. An 8-inch public sanitary sewer main terminates at the eastern property line of the subject property.
Storm Drainage	6. A 10-inch storm main is located in Bliler Avenue NE.
	7. A 12-inch storm main is located in Tryon Avenue NE.

Streets			
Street Name		Right-of-way Width	Improvement Width
Broadway Street NE (Minor Arterial)	Standard:	72-feet	46-feet
	Existing Condition:	74-to-95-feet	50-to-66-feet
Tryon Avenue NE (Local)	Standard:	60-feet	30-feet
	Existing Condition:	60-feet	34-feet
Bliler Avenue NE (Local)	Standard:	60-feet	30-feet
	Existing Condition:	60-to-92-feet	75-feet

**5. Neighborhood Association and Public Comments**

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

Applicant Neighborhood Association Contact: SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this proposed consolidated land use application request require neighborhood association contact. On June 23, 2023, the applicant's representative contacted the neighborhood association to provide details about the previous (SPR-ADJ-DAP23-33) proposal but a replat application does not require neighborhood contact in accordance with the requirements of the SRC.

Neighborhood Association Comment: Notice of the application was provided to the Neighborhood Association pursuant to SRC 300.620(b)(2)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are

adjacent to, the subject property. As of the date of completion of this staff report, no comments have been received from the neighborhood association.

Homeowners Association: The subject property is not located within a Homeowners Association.

Public Comment: Notice was also provided, pursuant to SRC 300.520(b)(1)(B)(iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property. As of the date of completion of this staff report, one comment was received after the noticing period ended from the surrounding property owners and tenants, but indicated no objections to the proposal.

## 6. City Department Comments

Development Services: Reviewed the proposal and provided a memo which is included as **Attachment C**.

Building and Safety: Reviewed the proposal and indicated no concerns with the proposal.

Fire Department: Reviewed the proposal and indicated no concerns with the proposal.

## 7. Public Agency Comments

No public agency comments received.

## DECISION CRITERIA

### 8. Criteria for Granting a Tentative Replat

Pursuant to SRC 205.025(a), a replat is required to reconfigure lots or parcels and public easements in a recorded partition or subdivision plat, to increase or decrease the number of lots in a subdivision, or where multiple property line adjustments require a replat.

SRC 205.025(d) establishes the approval criteria which must be met in order for a replat to be approved. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings of fact evaluating the proposal for conformance with the criteria. Lack of compliance with the following approval criteria is grounds for denial of the tentative plan or for the issuance of conditions of approval to satisfy the criteria.

***SRC 205.025(d)(1): The tentative replat does not propose to vacate any public street or road, or any recorded covenants or restrictions.***

**Finding**: The purpose of the proposed replat is to consolidate Lots 14 and 15 of Mapleton Addition Subdivision into one lot, in order to accommodate development of a four-story mixed-use building approved under a previous approval (SPR-ADJ-DAP23-33). The replat does not propose to vacate any public rights-of-way, or any recorded covenants or restrictions. This criterion is met.

***SRC 205.025(d)(2): The tentative replat will not create non-conforming units of land or non-conforming development, or increase the degree of non-conformity in existing units of land or development.***

**Finding:** The Lot is located within the CR (Retail Commercial) zone and is required to meet the standards of that zone. The lot standards of the zone are as follows:

<b>TABLE 522-2. LOT STANDARDS</b>		
<b>Requirement</b>	<b>Standard</b>	<b>Limitations &amp; Qualifications</b>
<b>Lot Area</b>		
All uses	None	
<b>Lot Width</b>		
All uses	None	
<b>Lot Depth</b>		
All uses	None	
<b>Street Frontage</b>		
All other uses	Min. 16 ft.	

As shown on the replat tentative plan (**Attachment B**), the consolidated lot resulting from the proposed replat is approximately 18,600 square feet in size, with more than 16 feet of street frontage along Biller Ave NE (to the north), Broadway St NE (to the west), and Tryon Ave NE (to the south). The proposed consolidated lot meets the standards of the CR zone and does not result in the creation of non-conforming units of land.

Setbacks and lot coverage requirements applicable to the subject property based on its zoning are included under SRC 522.010(b) and (c). Within the CR zone there is a minimum five-foot setback abutting a street for new buildings. A 15-foot interior side and rear setback is required from the RM2 zoned property to the east. There is also no maximum lot coverage requirement for buildings and accessory structures in the zone.

As shown on the replat tentative plan, the proposed replat will result in a single lot. The previous approval (SPR-ADJ-DAP23-33) assumed demolition of the existing building. As a result, the proposed replat will not result in either the creation of non-conforming units of land or non-conforming development; and will not increase the degree of non-conformity in existing units of land or development. This approval criterion is met.

***SRC 205.025(d)(3): The tentative replat complies with the standards of this Chapter and with all applicable provisions of the UDC.***

**Finding:** As proposed and conditioned in the findings within the memo, the development meets all the applicable standards in the UDC as follows:

***SRC Chapter 200 - Urban Growth Management:***

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

**Finding:** The subject property is located inside the Urban Service Area and adequate facilities are available. No Urban Growth Area permit is required.

### ***SRC Chapter 205 – Land Division and Reconfiguration***

The intent of SRC Chapter 205 is to provide for orderly land development through the application of appropriate standards and regulations. The partition process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans.

**Finding:** The applicant shall provide the required field survey and replat 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.

### ***SRC Chapter 601 - Floodplain:***

Development in the floodplain shall be regulated to preserve and maintain the capability to the floodplain to convey the flood water discharges and to minimize danger to life and property.

**Finding:** The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

### ***SRC Chapter 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).

**Finding:** Development Services has reviewed the proposal for compliance with the City's public facility plans pertaining to the provision of water, sewer, and storm drainage facilities and determined that such facilities are available and appear to be adequate to serve the subject property in conformance with the requirements of SRC Chapter 802 (Public Improvements).

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

**Finding:** Pursuant to SRC Chapter 803.040, replat applications do not trigger boundary street improvements or right-of-way dedications. Development Services has reviewed the proposal for compliance with the City's public facility plans pertaining to the provision of streets and determined that such facilities are available and appear to be adequate to serve the subject property in conformance with SRC Chapter 803 (Streets and Right-of-Way Improvements).

### ***SRC Chapter 809 – Wetlands:***

**Finding:** Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetlands laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures. SRC Chapter 809 establishes requirements for notification of DSL when



an application for development is received in an area designated as a wetland on the official wetlands map.

**Finding:** According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any wetland areas or hydric soils.

***SRC Chapter 810 – Landslide Hazards:***

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

**Finding:** According to the City’s adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property. Pursuant to the City’s landslide hazard ordinance (SRC Chapter 810), a geologic assessment is therefore not required in conjunction with this request.

***SRC 205.025(d)(4): The tentative replat complies with all applicable provisions of ORS Chapter 92.***

**Findings:** The applicant shall provide the required field survey and subdivision replat as per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and the SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and pursuant to SRC 205.035, the approval of the replat plat by the City Surveyor may be delayed or denied based on the non-compliant violation. The City Surveyor will confirm ORS 92 compliance as part of the final plat mylar review.

**SRC 205.025(d)(6)—The tentative replat does not adversely affect the availability of, or access to, City infrastructure or public or private utilities or streets.**

**Findings:** Development Services has reviewed the applicant’s preliminary plan for this site. The water, sewer, and storm infrastructure are existing, and appear to be adequate to serve the proposed replat. Public streets abutting the subject property are available to provide adequate street access.

There is an existing public sanitary sewer main that terminates on the subject property, at the eastern property line. This sanitary sewer main is located in a public utility easement that extends from the eastern property line to the western property line, through the subject property. The public sanitary sewer main does not, however; extend the width of the property, it terminates at the eastern property line. According to SPR-ADJ-DAP23-33, At time of building permit review, the unused portion of this easement may be quitclaimed. As a condition of approval, all existing and proposed easements shall be shown on the final plat.

**Condition 1:** Show all existing and proposed easements on the final plat.

***SRC 205.025(d)(5): The tentative replat is not prohibited by any existing City land use approval or previous condition of approval, affecting one or both of the units of land.***

**Finding:** The previous land use decision conditioned the replat to consolidate in order to further development application. There are no other approvals associated with any past land

use decisions, affecting the subject property that prohibit the proposed replat. This approval criterion is met.

***SRC 205.025(d)(6): The tentative replat does not adversely affect the availability of, or access to, City infrastructure or public or private utilities or streets.***

**Finding:** The Development Services Division has reviewed the proposal and indicated in summary, as specified in **Attachment C**, that water, sewer, and storm infrastructure are existing and appear to be adequate to serve the proposed replat in conformance with the requirements of SRC Chapter 802 (Public Improvements). Public streets abutting the subject property are available to provide adequate street access.

The title report indicates there are existing easements that are not shown on the tentative replat plan. All existing and proposed easements shall be shown on the final plat. As such, the above condition applies.

As conditioned, the proposal does not adversely affect the availability of, or access to, City infrastructure or public or private utilities or streets. This criterion is met.

## **9. Conclusion**

Based upon review of SRC Chapters 205, the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the tentative partition application complies with the requirements for an affirmative decision. Approval will not adversely affect the safe and healthful development and access to any adjoining lands.

### **IT IS HEREBY ORDERED**

Final approval of Replat Tentative Plan, Case No. REP23-03 is hereby **APPROVED** subject to SRC Chapters 205, the applicable standards of the Salem Revised Code, and the conditions of approval listed below, which must be completed prior to final plat approval, unless otherwise indicated:

**Condition 1:** Prior to final plat approval, show all existing and proposed easements on the final plat.

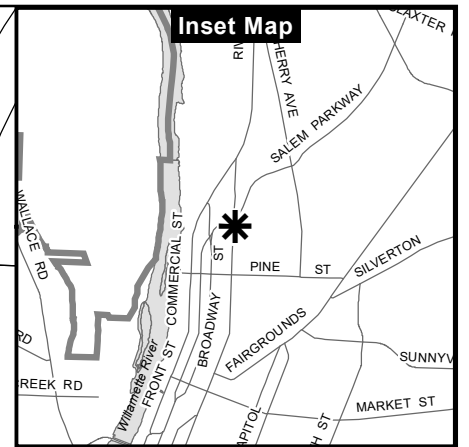
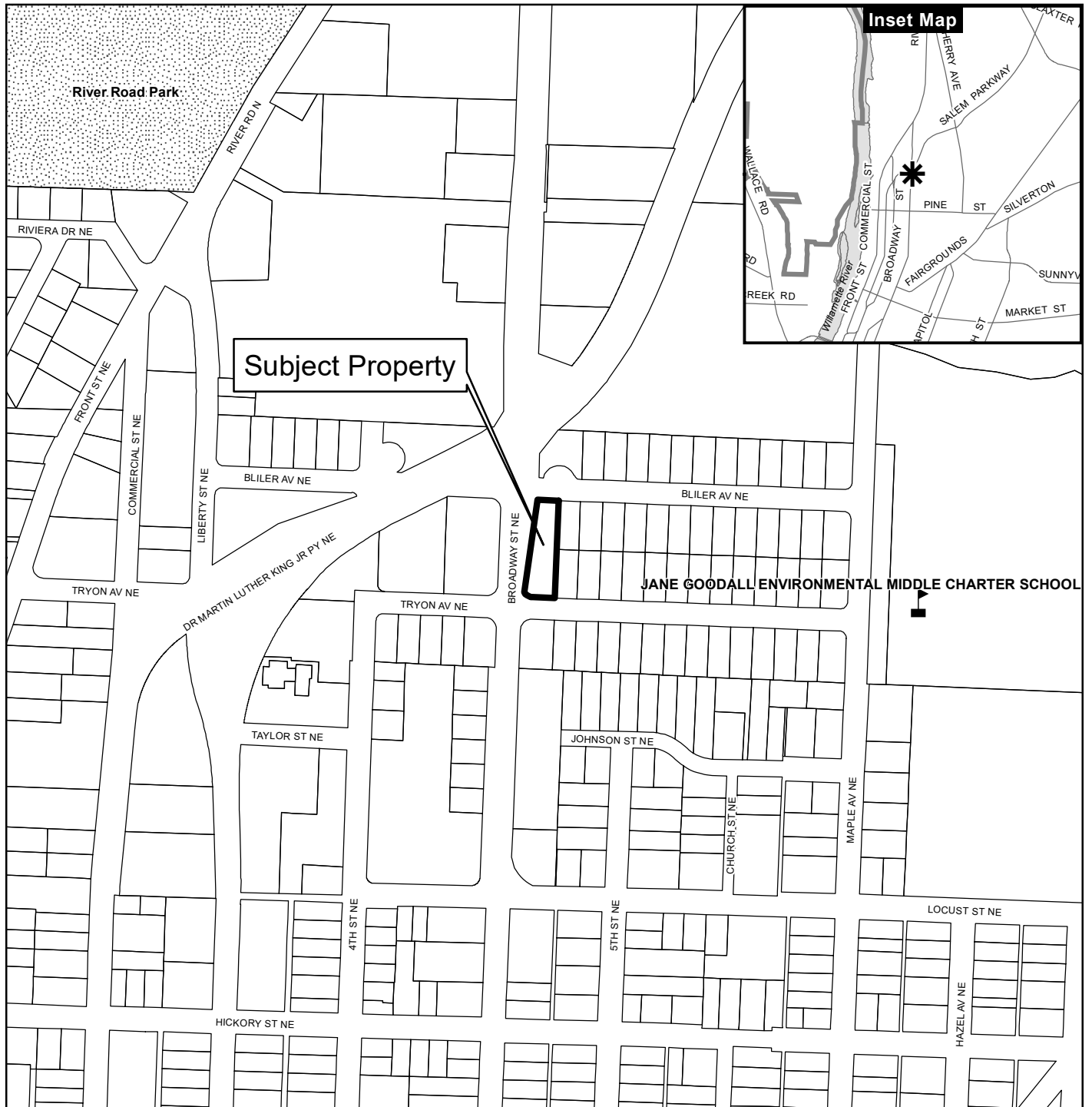


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


Olivia Dias, Current Planning Manager, on behalf of  
Lisa Anderson-Ogilvie, AICP  
Planning Administrator

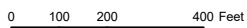
Attachments:           A. Vicinity Map  
                              B. Replat Tentative Plan  
                              C. Development Services Memo

# Vicinity Map 2710 BROADWAY STREET NE



**Legend**

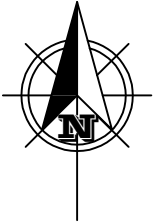
-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks



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# PROPOSED REPLAT

LOCATED IN THE NW 1/4 SEC 14, T7S, R3W, WM,  
IN THE CITY OF SALEM, MARION COUNTY, OREGON



SCALE: 1"=20'  
DATE: 2/4/2025

**OWNER:**  
DISTRICT 10 LLC  
PO BOX 155  
INDEPENDENCE, OR 97351

**LOCATION:**  
2710 BROADWAY ST NE  
SALEM, OR 97301

**ZONING:**  
RETAIL COMMERCIAL

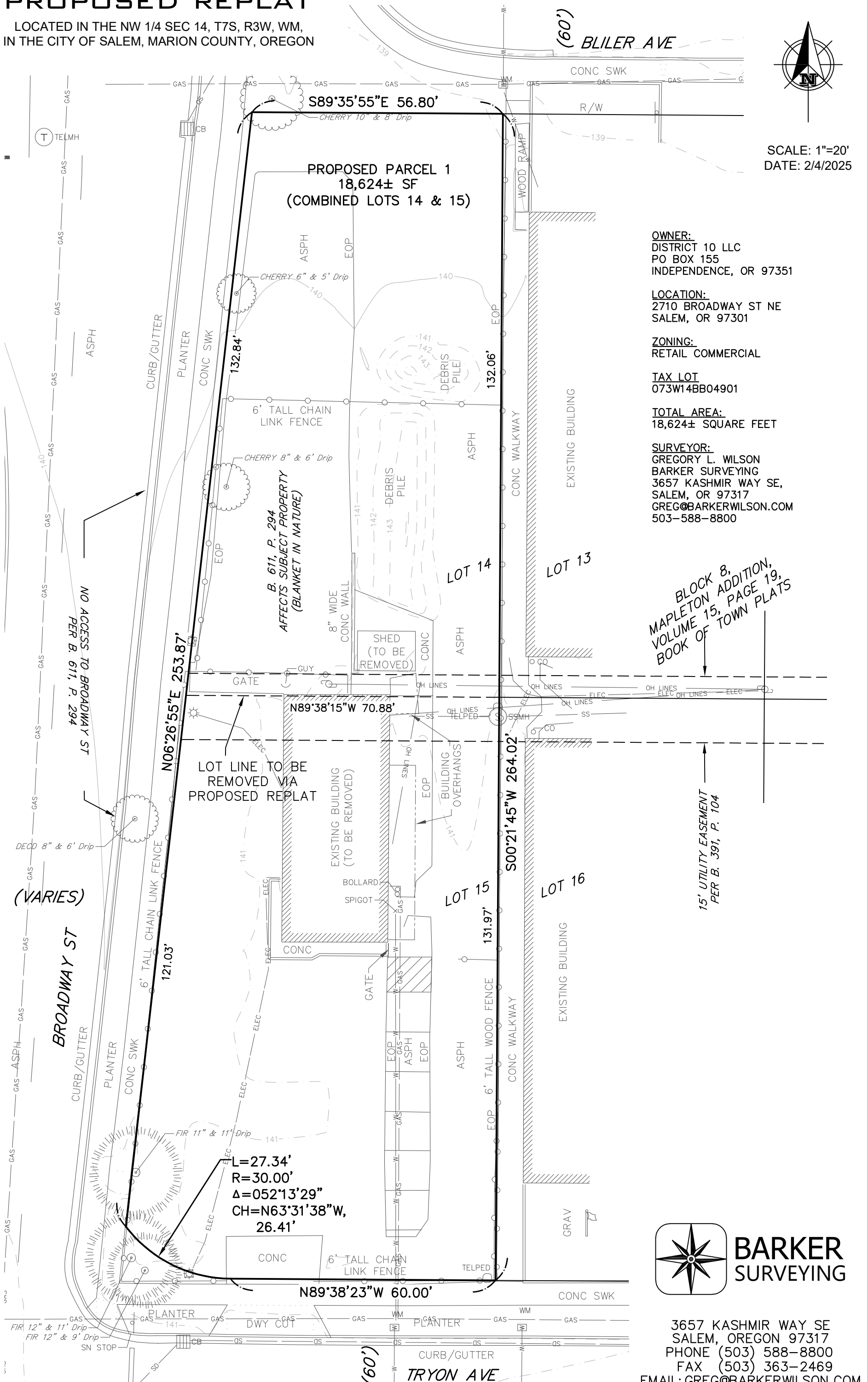
**TAX LOT**  
073W14BB04901

**TOTAL AREA:**  
18,624± SQUARE FEET

**SURVEYOR:**  
GREGORY L. WILSON  
BARKER SURVEYING  
3657 KASHMIR WAY SE,  
SALEM, OR 97317  
GREG@BARKERWILSON.COM  
503-588-8800

BLOCK 8,  
MAPLETON ADDITION,  
VOLUME 15, PAGE 19,  
BOOK OF TOWN PLATS

15' UTILITY EASEMENT  
PER B. 391, P. 104



**BARKER SURVEYING**

3657 KASHMIR WAY SE  
SALEM, OREGON 97317  
PHONE (503) 588-8800  
FAX (503) 363-2469  
EMAIL: GREG@BARKERWILSON.COM



# MEMO

**TO:** Olivia Dias, Current Planning Manager  
Community Planning and Development Department

**FROM:** Laurel Christian, Infrastructure Planner III  
Community Planning and Development Department

**DATE:** March 5, 2025

**SUBJECT: Infrastructure Memo**  
**REP25-03 (25-102016-PLN)**  
**2710 Broadway Street NE**  
**Replat for Lot Consolidation**

## PROPOSAL

An application for a Tentative Replat to consolidate Lots 14 and 15 of Mapleton Addition Subdivision resulting in a single lot totaling 18,600 square feet (0.43 acres) in size, zoned CR (Retail Commercial), and located at 2710 Broadway Street NE (Marion County Assessors Map and Tax Lot Number: 073W14BB/4901).

## RECOMMENDED CONDITIONS OF PLAT APPROVAL

1. Show all existing and proposed easements on the final plat.

## EXISTING CONDITIONS – INFRASTRUCTURE

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

<b>Streets</b>			
<b>Street Name</b>		<b>Right-of-way Width</b>	<b>Improvement Width</b>
<b>Broadway Street NE (Minor Arterial)</b>	Standard:	72-feet	46-feet
	Existing Condition:	74-to-95-feet	50-to-66-feet
<b>Tryon Avenue NE (Local)</b>	Standard:	60-feet	30-feet
	Existing Condition:	60-feet	34-feet
<b>Bliler Avenue NE (Local)</b>	Standard:	60-feet	30-feet
	Existing Condition:	60-to-92-feet	75-feet

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

<b>Utilities &amp; Parks</b>	
<b>Type</b>	<b>Existing Conditions</b>
<b>Water</b>	Water Service Level: G-0
	A 10-inch water main is located in Broadway Street NE.
	6-inch water mains are located in Bliler Avenue NE and Tryon Avenue NE.
<b>Sanitary Sewer</b>	An 8-inch public sanitary sewer main terminates at the eastern property line of the subject property.
<b>Storm Drainage</b>	A 10-inch storm main is located in Bliler Avenue NE.
	A 12-inch storm main is located in Tryon Avenue NE.

### **DECISION CRITERIA**

SRC 205.025(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 205.025(d)(1) The tentative replat does not propose to vacate any public street or road, or any recorded covenants or restrictions.***

**Findings**—The replat does not propose to vacate any of the public streets that abut the property or any recorded covenants or restrictions. This criterion is met.

***SRC 205.025(d)(3) The tentative replat complies with the standards of this Chapter and with all applicable provisions of the UDC.***

**Finding:** As proposed and conditioned in the findings within the memo, the development meets all the applicable standards in the UDC as follows:

#### ***SRC Chapter 200 - Urban Growth Management:***

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

**Finding:** The subject property is located inside the Urban Service Area and adequate facilities are available. No Urban Growth Area permit is required.

#### ***SRC Chapter 205 – Land Division and Reconfiguration***

The intent of SRC Chapter 205 is to provide for orderly land development through the application of appropriate standards and regulations. The partition process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans.

**Finding:** The applicant shall provide the required field survey and replat 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.

***SRC Chapter 601 - Floodplain:***

Development in the floodplain shall be regulated to preserve and maintain the capability to the floodplain to convey the flood water discharges and to minimize danger to life and property.

**Finding:** The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

***SRC Chapter 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).

**Finding:** Development Services has reviewed the proposal for compliance with the City's public facility plans pertaining to the provision of water, sewer, and storm drainage facilities and determined that such facilities are available and appear to be adequate to serve the subject property in conformance with the requirements of SRC Chapter 802 (Public Improvements).

***SRC Chapter 803 – Street and Right-of-way Improvements:***

**Finding:** Pursuant to SRC Chapter 803.040, replat applications do not trigger boundary street improvements or right-of-way dedications. Development Services has reviewed the proposal for compliance with the City's public facility plans pertaining to the provision of streets and determined that such facilities are available and appear to be adequate to serve the subject property in conformance with SRC Chapter 803 (Streets and Right-of-Way Improvements).

***SRC Chapter 809 – Wetlands:***

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

**Finding:** According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any wetland areas or hydric soils.

***SRC Chapter 810 – Landslide Hazards:***

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

**Finding:** According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property. Pursuant to the City's landslide hazard ordinance (SRC Chapter 810), a geologic assessment is therefore not required in conjunction with this request.

**SRC 205.025(d)(4)—The tentative replat complies with all applicable provisions of ORS Chapter 92.**

**Findings:** The applicant shall provide the required field survey and subdivision replat as per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and the SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and pursuant to SRC 205.035, the approval of the replat plat by the City Surveyor may be delayed or denied based on the non-compliant violation. The City Surveyor will confirm ORS 92 compliance as part of the final plat mylar review.

**SRC 205.025(d)(6)—The tentative replat does not adversely affect the availability of, or access to, City infrastructure or public or private utilities or streets.**

**Findings:** Development Services has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are existing, and appear to be adequate to serve the proposed replat. Public streets abutting the subject property are available to provide adequate street access.

There is an existing public sanitary sewer main that terminates on the subject property, at the eastern property line. This sanitary sewer main is located in a public utility easement that extends from the eastern property line to the western property line, through the subject property. The public sanitary sewer main does not, however; extend the width of the property, it terminates at the eastern property line. According to SPR-ADJ-DAP23-33, At time of building permit review, the unused portion of this easement may be quitclaimed. As a condition of approval, all existing and proposed easements shall be shown on the final plat.

**Condition:** Show all existing and proposed easements on the final plat.

Prepared by: Laurel Christian, Infrastructure Planner II  
cc: File