

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
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*Si necesita ayuda para comprender esta información, por favor llame
503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

**URBAN GROWTH PRELIMINARY DECLARATION / CLASS 3 SITE PLAN
REVIEW / CLASS 2 ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT
CASE NO.: UGA-SPR-ADJ-DAP25-02**

APPLICATION NO.: 24-120941-PLN

NOTICE OF DECISION DATE: May 14, 2025

REQUEST: A consolidated application for an Urban Growth Preliminary Declaration and Class 3 Site Plan Review for the development of an electric vehicle charging facility for commercial freight trucks on a leased portion of the Salem Airport within the McNary Field Overlay Zone. The application includes one Class 2 Driveway Approach Permit and five Class 2 Adjustments to:

- 1) Increase the maximum width for a two-way driveway from 40 feet to 84 feet for the driveway approach onto Airway Drive SE, per SRC 804.050(b)(2);
- 2) Exceed the maximum amount of off-street parking spaces from three spaces to 10, per SRC 806.015(a);
- 3) Reduce the minimum 15 percent development site landscaping for portions of the site in the IP zone to only the leased area of the project for the first phase of the development, per SRC 553.010(d)(3);
- 4) Reduce the minimum 15 percent development site landscaping for portions of the site in the IP zone to only the leased area of the project for the second phase of the development, per SRC 553.010(d)(3);
- 5) Reduce the minimum 15 percent development site landscaping for portions of the site in the IP zone to only the leased area of the project for the third phase of the development, per SRC 553.010(d)(3).

The subject property is 48.9-acres in size, split zoned IP (Industrial Park) and PS (Public Service) and located at 4025 Airway Drive SE (Marion County Assessor's Map and Tax Lot Number 083W12A / 0500).

APPLICANT: Watt EV, Inc., represented by Zach Pelz of AKS Engineering and Forestry

LOCATION: 4025 Airway Dr SE, Salem OR 97302

CRITERIA: Salem Revised Code (SRC) Chapters 200.025(d) – Urban Growth Preliminary Declaration; 220.005(f)(3) – Class 3 Site Plan Review; 250.005(d)(2) – Class 2 Adjustment; 804.025(d) – Class 2 Driveway Approach Permit

FINDINGS: The findings are in the attached Decision dated May 14, 2025.

DECISION: The **Planning Administrator APPROVED** Urban Growth Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustment and Class 2 Driveway Approach Permit Case No. UGA-SPR-ADJ-DAP25-02 subject to the following conditions of approval:

- Condition 1:** The applicant shall submit a notice of construction for the proposed development to the Oregon Department of Aviation (ODAV), and provide the resulting aeronautical determination letter from ODAV prior to the approval of building permits for vertical construction.
- Condition 2:** At the time of building permit review for vertical construction, the applicant shall provide the resulting aeronautical determination letter from ODAV to determine if an Airport Overlay Zone Height Variance is required. If applicable, the applicant shall obtain approval of an Airport Overlay Zone Height Variance per SRC Chapter 602, prior to issuance of any building permit for a building or structure exceeding the maximum height allowance of the Airport Overlay Zone.
- Condition 3:** At time of building permit review, submit detailed plans of the solid waste enclosure meeting the standards of SRC 800.055.
- Condition 4:** Prior to the issuance of building permits for Phase 3 vertical construction, provide a pedestrian connection from the Phase 3 building to Airway Drive SE or the applicant may alternatively seek an adjustment to this standard.
- Condition 5:** At the time of Phase 3 building permit review, the applicant shall demonstrate that all proposed pedestrian connections conform with the design and material requirements of SRC Chapter 800, specifically SRC 800.065(b) and 800.065(c) and 800.060.
- Condition 6:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).
- Condition 7:** Prior to issuance of a certificate of occupancy for any structure, construct a half-street improvement along the frontage of Airway Drive SE to collector street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.
- Condition 8:** Prior to issuance of a certificate of occupancy for any structure, install street trees to the maximum extent feasible along Airway Drive SE.
- Condition 9:** Prior to issuance of a Building Permit or Civil Site Work permit, submit a site plan that demonstrates compliance with the Vision Clearance Standards in SRC Chapter 805 by removing fencing from the vision clearance area for the driveway approach.
- Condition 10:** Prior to issuance of any construction permits for the proposed development, the applicant shall obtain a Floodplain Development Permit in accordance with SRC Chapter 601.
- Condition 11:** All new electrical equipment shall be designed and constructed to meet the provisions for flood hazard reduction established in SRC 601.070.

- Condition 12:** Enter into a Temporary Facilities Access Agreement for “linking street” improvements and pay a Temporary Access Fee as determined by the Public Works Director for cost of the required improvements per SRC 200.080.
- Condition 13:** At time of building permit review for Phase 2 and Phase 3, provide a landscaping plan detailing a minimum 15% site landscaping is met for the project areas of Phase 2 and Phase 3.
- Condition 14:** The adjusted driveway width, parking maximum, and sitewide landscaping, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.

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

Urban Growth Preliminary Declaration:	<u>May 30, 2027</u>
Class 3 Site Plan Review:	<u>May 30, 2029</u>
Class 2 Adjustment:	<u>May 30, 2029</u>
Class 2 Driveway Approach Permit:	<u>May 30, 2029</u>

Application Deemed Complete:	<u>April 11, 2025</u>
Notice of Decision Mailing Date:	<u>May 14, 2025</u>
Decision Effective Date:	<u>May 30, 2025</u>
State Mandate Date:	<u>August 9, 2025</u>

Case Manager: Peter Domine, pdomine@cityofsalem.net, 503-540-2311

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m., Thursday, May 29, 2025.

The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapters 200, 220, 250, and 804. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The City Council will review the appeal at a public hearing. After the hearing, the City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

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

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

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF)	FINDINGS & ORDER
URBAN GROWTH PRELIMINARY)	
DECLARATION,)	
CLASS 3 SITE PLAN REVIEW,)	
CLASS 2 ADJUSTMENT, AND)	
CLASS 2 DRIVEWAY APPROACH PERMIT,)	
CASE NO. UGA-SPR-ADJ-DAP25-02)	
4025 AIRWAY DR SE)	MAY 14, 2025

In the matter of the applications for an Urban Growth Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustments, and Class 2 Driveway Approach Permit, submitted by the applicant's representative, Zach Pelz of AKS Engineering and Forestry, on behalf of the applicant Watt EV, Inc., and property owner, City of Salem, 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: Development of an electric vehicle charging station and vehicle storage area for commercial freight trucks.

Request: A consolidated application for an Urban Growth Preliminary Declaration and Class 3 Site Plan Review for the development of an electric vehicle charging facility for commercial freight trucks on a leased portion of the Salem Airport within the McNary Field Overlay Zone. The application includes one Class 2 Driveway Approach Permit and five Class 2 Adjustments to:

- 1) Increase the maximum width for a two-way driveway from 40 feet to 84 for the driveway approach onto Airport Drive SE (SRC 804.050(b)(2));
- 2) Exceed the maximum amount of off-street parking spaces from three spaces to 10, per SRC 806.015(a);
- 3) Reduce the minimum 15 percent development site landscaping for portions of the site in the IP zone to only the leased area of the project for the first phase of the development, per SRC 553.010(d)(3);
- 4) Reduce the minimum 15 percent development site landscaping for portions of the site in the IP zone to only the leased area of the project for the second phase of the development, per SRC 553.010(d)(3);
- 5) Reduce the minimum 15 percent development site landscaping for portions of the site in the IP zone to only the leased area of the project for the third phase of the development, per SRC 553.010(d)(3).

The subject property is 48.9-acres in size, split zoned IP (Industrial Park) and PS (Public Service) and located at 4025 Airway Dr SE (Marion County Assessor's Map and Tax Lot Number 083W12A / 0500).

A vicinity map illustrating the location of the property is attached hereto and made a part of this staff report (**Attachment A**).

PROCEDURAL FINDINGS

1. Background

On October 15, 2024, an application for an Urban Growth Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustments, and Class 2 Driveway Approach Permit was filed for the proposed development. After additional information was provided, the applications were deemed complete for processing on April 11, 2025. The 120-day state mandated decision deadline for this consolidated application is August 9, 2025.

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

SUBSTANTIVE FINDINGS

2. 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: 24 120941.

3. Neighborhood Association and Public Comments

The subject property is located within the boundaries of the Southeast Mill Creek (SEMCA) 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 September 30, 2024, the applicant's representative contacted the neighborhood association to provide details about the proposal in accordance with the requirements of the SRC.

Neighborhood Association Comment: Notice of the application was provided to the neighborhood association pursuant to SRC 300.520(b)(1)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. 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, no comments were received from the surrounding property owners and tenants.

4. 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.

Fire Department: Reviewed the proposal and indicated water supply is adequate and requests that a rapid shut-off be located in a conspicuous location, away from charging stations near the entrance.

Staff Response: The applicant is responsible for addressing these comments during the building permit process. The configuration of the buildings and parking area may be modified, if necessary, to meet the Building and Safety Department and Fire Department standards, provided that the modifications meet all applicable development standards and conditions of approval.

5. Public Agency Comments

Oregon Department of Aviation (ODAV): Reviewed the proposal and indicated the following:

1. In accordance with FAR Part 77.9 and OAR 738-070-0060, the proposed development is required to undergo aeronautical evaluations by the FAA and ODAV. The applicant can use the FAA's [Notice Criteria Tool](#) to determine which proposed structures warrant a *notice of construction*, including light poles, cranes, or other tall equipment used during development or maintenance. They are required to provide separate notices of construction to both the FAA and ODAV. The applicant should receive the resulting aeronautical determination letters from the FAA and ODAV prior to approval of any building permits.
2. The height of any new structures, trees, and other planted vegetation should not penetrate FAR Part 77 Imaginary Surfaces, as determined by the FAA and ODAV.
3. Any external lights shall be designed as to not interfere with aircraft or airport operations.

Staff Response: The subject property is located within the Precision Instrument Runway Approach of the City's Airport Overlay Zone. The purpose of the Airport Overlay Zone is to promote air navigational safety and prevent hazards and obstructions to air navigation and flight. Because comments provided by the Oregon Department of Aviation (ODAV) indicate that aeronautical evaluations are required by both the FAA and ODAV, the following condition of approval shall apply to ensure that the required aeronautical evaluation is conducted by ODAV prior to development, in accordance with OAR 738-070-0060:

Condition 1: The applicant shall submit a notice of construction for the proposed development to the Oregon Department of Aviation (ODAV), and provide the resulting aeronautical determination letter from ODAV prior to the approval of building permits for vertical construction.

DECISION CRITERIA FINDINGS

6. Analysis of Urban Growth Preliminary Declaration

Salem Revised Code (SRC) 200.025(d) & (e) set forth the applicable criteria that must be met before an Urban Growth Preliminary Declaration may be issued. The following subsections are organized with approval criteria followed by findings identifying those public facilities that are currently in place and those that must be constructed as a condition of the Urban Growth Preliminary Declaration in order to fully serve the development in conformance with the City's adopted Master Plans and Area Facility Plans.

SRC 200.0025(d): The Director shall review a completed application for an Urban Growth Preliminary Declaration in light of the applicable provisions of the Master Plans and the Area Facility Plans and determine:

- (1) The required facilities necessary to fully serve the development;*
- (2) The extent to which the required facilities are in place or fully committed.*

Finding: Development services has reviewed the applicable Master Plans and Area Facilities Plans and has determined what facilities are necessary to fully serve the development as well as the extent to which the facilities are in place or will be listed as a condition of approval on the development, as described in the below analysis of the development based on relevant standards in SRC 200.055 through SRC 200.075.

SRC 200.025(e): The Urban Growth Preliminary Declaration shall list all required facilities necessary to fully serve the development and their timing and phasing which the developer must construct as conditions of any subsequent land use approval for the development.

Finding: An Urban Growth Preliminary Declaration is required because the subject property is located outside the Urban Service Area in an area without required facilities. Analysis of the development based on relevant standards in SRC 200.055 through SRC 200.075 is as follows:

SRC 200.055 – Standards for Street Improvements

Finding: An adequate linking street is defined as the nearest point on a street that has a minimum 60-foot-wide right-of-way with a minimum 30-foot improvement for local streets or a minimum 34-foot improvement for major streets (SRC 200.055(b)). All streets abutting the property boundaries shall be designed to the greater of the standards of SRC Chapter 803 and the standards of linking streets in SRC 200.055(b).

The nearest adequate linking street improvement, as defined in SRC 200.055(b) is located along Turner Road SE at the Interstate 5 overpass. Turner Road SE is classified as a Minor Arterial roadway according to the Salem Transportation System Plan (TSP). The linking improvement requires widening Airway Drive SE and Turner Road SE to equal a 34-foot-wide linking street improvement from the eastern line of the lease boundary along Airway Drive SE to the Interstate 5 overpass along Turner Road SE, approximately 0.15-miles. Pursuant to SRC 200.080, the Director has approved establishment of a Temporary Facilities Access Agreement (TFAA) to allow payment of a Temporary Access Fee in-lieu of construction of the required facilities. Pursuant to SRC 200.080(a)(4) the Director shall establish a reasonable

contribution towards the construction of the permanent facilities that will ultimately serve the development.

The proposed development is a leased area on airport property. The Airport Master Plan identifies a Runway Protection Zone (RPZ) which limits land that may be developed to allow for safe airway landings. To the west of the leased area is an existing waste transfer station and to the east of the leased area is land which will not be developed due to the RPZ. To the north of the property is undeveloped land also in the RPZ. Because development is restricted outside of the leased area, the linking street improvement will solely serve the leased area; therefore, the Temporary Access Fee amount will be equal to the estimated cost of construction of the linking improvement. The Public Works Director will estimate the cost of construction at time the Applicant and City enter into a Temporary Facilities Access Agreement

SRC 200.060 – Standards for Sewer Improvements

Finding: The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities (SRC 200.060). The applicant shall construct the *Salem Wastewater Management Master Plan* improvements and link the site to existing facilities that are defined as adequate under 200.005(a). As a condition of sewer service, all developments will be required to provide public sewers to adjacent upstream parcels, discussed further below.

The nearest available sewer facilities are located on the subject property, along the southern property boundary. Additional linking sanitary sewer improvements are not required pursuant to SRC 200.060.

SRC 200.065 – Standards for Storm Drainage Improvements

Finding: The proposed development shall be linked to existing adequate facilities by the construction of storm drain lines, open channels, and detention facilities which are necessary to connect to such existing drainage facilities. The applicant shall link the on-site system to existing facilities that are defined as adequate under SRC 200.005(a).

There are no public storm mains in the vicinity of the subject property. The property is served by existing open ditches along Airway Drive SE and the East Fork of Pringle Creek, which is located along the southern property boundary and provide a point for discharge of stormwater. Additional linking stormwater main improvements are not required pursuant to SRC 200.05(a).

SRC 200.070 – Standards for Water Improvements

Finding: The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 200.070). The applicant shall provide linking water mains consistent with the *Water System Master Plan* adequate to convey fire flows to serve the proposed development as specified in the Water Distribution Design Standards.

The nearest available public water main appears to be located in Airway Drive SE, along the boundary of the subject property. Additional linking water improvements are not required per SRC 200.070.

SRC 200.075 – Standards for Park Sites

Finding: Pursuant to SRC 200.075(a), parks service is not required for the proposed development.

7. Analysis of Class 3 Site Plan Review Approval Criteria

Salem Revised Code (SRC) 220.005(f)(3) provides that an application for a Class 3 Site Plan Review shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 220.005(f)(3)(A): The application meets all applicable standards of the UDC.

Finding: The proposal is for the phased development of an electric vehicle (EV) charging station for commercial freight semi-trucks with associated vehicle storage for the trailers and a 2,000 square foot services building, including an off-street parking area, overall site improvements and landscaping. The subject property is owned by the City of Salem and within the McNary Field Overlay zone. The total property is 48.9 acres in size and is bisected by Airway Drive SE; the proposed development is entirely to the south side of Airway Drive SE. Within the northwest area of the property is the City of Salem's Public Works waste distribution center. The proposed development site is on a leased, vacant area to the southeast approximately 8.8 acres in size. The development site is diagonally split-zoned PS (Public Service) to the west and IP (Industrial Park) to the east. Phase 1 of the development includes the EV charging station and vehicle circulation area, including the driveway approach onto Airway Drive SE, and associated improvements and landscaping. Phase 2 includes the development of an approximately 26,000 square foot paved vehicle storage area for the semi-truck trailers and associated perimeter landscaping and improvements. Phase 3 includes the development of a 2,000 square foot building for associated services such as restrooms and lounge areas for drivers.

The proposal includes a Class 2 Driveway Approach Permit for new access onto Airway Drive SE, and five Class 2 Adjustments to various development standards. As proposed and conditioned in the findings below, the development conforms to the applicable development standards of the UDC as follows.

ZONING AND DEVELOPMENT STANDARDS

SRC Chapter 544 – PS (Public Service) and SRC Chapter 553 – IP (Industrial Park) Zone

SRC 544.005 & 553.005(a) – Uses

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the PS and IP zones are set forth in Table 544-1 & 553-1.

Finding: The proposal is to establish an electric vehicle (EV) charging station for commercial freight semi-trucks with associated vehicle storage for the trailers and a 2,000 square foot services building. The proposed use is classified as a *heavy vehicle and trailer service and storage* use, which is a permitted use in both the PS and IP zones. This standard is met.

SRC 544.010(a) & 553.010(a) – Lot Standards

Lots within the PS and IP zones shall conform to the standards set forth in Table 544-2 and Table 553-2.

Finding: Within the PS zone, there is a minimum lot size of 10,000 square feet; all uses require a minimum lot width of 50 feet, lot depth of 80 feet, and street frontage of 16 feet. Within the IP zone, there is no minimum lot size, width or depth for all use, and all uses other than single-family require a minimum 16 feet of street frontage. The existing lot complies with the minimum lot standards of the PS and IP zones, and no changes to the lot size or dimensions are proposed. This standard is met.

SRC 544.010(b) & 553.010(b) – Setbacks

Setbacks within the PS and IP zones shall be provided as set forth in Table 544-3 and Table 553-3.

Abutting Street

North / East: The subject property is bisected by Airway Drive SE with the development site located entirely on the south side of the street. To the east, the subject property abuts Turner Road SE. Within the PS zone, buildings and accessory structures 35 feet or less in height require a minimum 20-foot setback and vehicle use areas require a six-to-ten-foot setback as set forth by SRC 806. Within the IP zone, buildings and accessory structures, and vehicle use areas abutting a street require a minimum 20-foot setback.

Finding: The development site is located within an 8.8-acre leased area of the overall subject property. The proposed EV charging stations and vehicle circulation area of Phase 1 abutting Airway Drive SE are within the PS-zoned portion of the site and are setback more than 90-to-170 feet from the property line abutting Airway Drive SE, exceeding the minimum standard for the PS zone. To the east, the Phase 1 area of the development site boundary is more than 400 feet from Turner Road SE. The proposed vehicle storage area of Phase 2 is within the IP-zoned portion of the site and is setback more than 50-to-100 feet from Airway Drive SE, exceeding the minimum standard for the IP zone. The proposed building of Phase 3 is within the PS-zoned portion of the site and is setback more than 50 feet from Airway Drive SE and more than 600 feet from Turner Road SE, also exceeding the standard. The development plans indicate a 20-foot landscaped setback along the entire frontage of the development site abutting Airway Drive SE; therefore, these standards are met. Landscape and irrigation plans will be further reviewed for conformance with the requirements of SRC Chapter 807 at the time of building permit review.

Interior Property Lines

South / East: Adjacent to the south is right-of-way for Union Pacific Railroad. Both the PS and IP zones require zone-to-zone setbacks for abutting properties; however, per SRC 800.035(d), setbacks abutting railroad right-of-way shall be five feet in-lieu of the zone-to-zone setback. Adjacent to the east is property split-zoned PS (Public Service) and IP (Industrial Park), which follows the same alignment as the split zoning of the development site. For portions of the site zoned PS abutting a PS zone, there is no minimum building setback, and a vehicle use areas require a minimum five-foot setback. For portions of the site zoned IP abutting an IP zone,

buildings and accessory structures and vehicle use areas all require a minimum 10-foot setback.

Finding: The proposed EV charging stations and vehicle circulation area of Phase 1 are setback more than 250 feet from the property line abutting the railroad and more than 550 feet from the abutting property to the east. The proposed vehicle storage area of Phase 2 is also setback more than 250 to the railroad. The proposed building of Phase 3 is setback nearly 700-to-900 feet from either property line, exceeding the minimum standard. Landscape and irrigation plans will be reviewed again for conformance with the requirements of SRC 807 at the time of building permit review. These standards are met.

SRC 544.010(c) & SRC 553.010(c) – Lot Coverage; Height

Buildings and accessory structures within the PS and IP zones shall conform to the lot coverage and height standards set forth in Tables 544-5 & 553-5.

Finding: The maximum lot coverage within the PS zone is 60 percent and the maximum height of buildings and accessory structures is 70 feet. There is no maximum lot coverage requirement within the IP zone and the maximum building height allowance is 45 feet. The proposed 2,000 square foot building of Phase 3 is entirely within the PS zone and accounts for approximately one percent lot coverage of the approximately 150,000 square foot portion of the development site within the PS zone. Elevations are not provided; however, the applicant's written statement and development plans indicate a building less than 45 feet in height. The proposal meets the standards.

SRC 544.010(d) & SRC 553.010(d) – Landscaping

- (1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- (2) *Vehicle Use Areas.* Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.
- (3) *Development Site.* Within the IP zone, a minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC Chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicular use areas, may count toward meeting this requirement.

Finding: The subject property is 48.9-acres in size and split-zoned PS (Public Service) and with approximately 29-acres zoned IP (Industrial Park). The proposed development is only for a limited 8.8-acre leased portion of the property. Per SRC 111, a development site is defined as "an individual lot or multiple contiguous lots accommodating a single development or complex." A complex is further defined as "a group of buildings, structures, or other development that is functionally or conceptually integrated, regardless of ownership of the development or underlying land, and regardless of whether located on one or more lots or parcels." As such, the development site is the entire 48.9-acre property, and within the 29-acre IP-zoned portion of the property, a minimum 15 percent site landscaping is required, or approximately 1,263,240 square feet. The applicant has requested three Class 2 Adjustments to reduce the minimum 15 percent IP-zone development site landscaping to only the IP-zoned portions of the 8.8-acre leased area comprising the project area. Findings for the requested adjustments are addressed in Section 9 of this decision below. The development plans include a landscaping plan indicating required setbacks will be landscaped meeting the standards of SRC 807.

SRC Chapter 602 – Airport Overlay Zone

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

SRC 602.020(a) – Height. Except as otherwise provided in this chapter, no building, structure, or object shall be erected or increased in height, and no vegetation shall be allowed to grow, to a height in excess of the height limitations set forth in this subsection. If all or part of a lot is located in more than one Airport Overlay Zone area, the applicable height limitation shall be the most restrictive height limitation.

Finding: The subject property is located within the Precision Instrument Runway Approach (PIRA) of the City's Airport Overlay Zone.

(4) Precision instrument runway approach. No building, structure, object, or vegetative growth shall have a height greater than that established by a plane sloping 50 feet outward for each one foot upward beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the extended centerline of Runway 31; thence sloping 40 feet outward for each one foot upward to an additional horizontal distance of 40,000 feet along the extended centerline of Runway 31.

Finding: The Oregon Department of Aviation (ODAV) provided comments indicating the proposed vehicle use areas and building do not appear to impact airspace, though a more formal review initiated through the notice of construction process, as conditioned above, will be required. The height of any new structures, trees, and other planted vegetation shall not penetrate FAR Part 77 Imaginary Surfaces, as determined by the FAA and ODAV. Any proposed external lights shall be designed so as they do not interfere with aircraft or airport operations. The applicant is responsible for obtaining the appropriate determinations and compliance with the applicable FAR and OAR requirements; however, a land use decision for an Airport Overlay Zone Height Variance per SRC Chapter 602 may be required for a building or structure exceeding the maximum height allowance of the Airport Overlay Zone, prior to issuance of any building permit. Therefore, the following condition applies:

Condition 2: At the time of building permit review for vertical construction, the applicant shall provide the resulting aeronautical determination letter from ODAV to determine if an Airport Overlay Zone Height Variance is required. If applicable, the applicant shall obtain approval of an Airport Overlay Zone Height Variance per SRC Chapter 602, prior to issuance of any building permit for a building or structure exceeding the maximum height allowance of the Airport Overlay Zone.

SRC Chapter 800 – General Development Standards

▪ Solid Waste Service Areas

SRC 800.055(a) – Applicability

Solid waste service area design standards shall apply to all new solid waste, recycling, and compostable services areas, where use of a solid waste, recycling, and compostable receptacle of 1 cubic yard or larger is proposed.

Finding: The proposed development includes a new solid waste service area; therefore, the standards of SRC 800.055 are applicable.

SRC 800.055(b) – Solid Waste Receptacle Placement Standards

All solid waste receptacles shall be placed at grade on a concrete pad that is a minimum of 4 inches thick, or on an asphalt pad that is a minimum of 6 inches thick. The pad shall have a slope of no more than 3 percent and shall be designed to discharge stormwater runoff.

- (1) *Pad area.* In determining the total concrete pad area for any solid waste service area:
 - (A) The pad area shall extend a minimum of 1-foot beyond the sides and rear of the receptacle.
 - (B) The pad area shall extend a minimum 3 feet beyond the front of the receptacle.
 - (C) In situations where receptacles face each other, a minimum four feet of pad area shall be required between the fronts of the facing receptacles.

Finding: The proposed trash enclosure is located within the fully paved vehicle use area and thereby meets the pad area requirements. This standard is met.

- (2) *Minimum Separation.*
 - (A) A minimum separation of 1.5 feet shall be provided between the receptacle and the side wall of the enclosure.
 - (B) A minimum separation of 5 feet shall be provided between the receptacle and any combustible walls, combustible roof eave lines, or building or structure openings.

Finding: The development plans do not provide details of the solid waste enclosure or separation. To ensure these standards will be met at time of building permit review, the following condition shall apply.

Condition 3: At time of building permit review, submit detailed plans of the solid waste enclosure meeting the standards of SRC 800.055.

- (3) *Vertical Clearance.*
 - (A) Receptacles 2 cubic yards or less in size shall be provided with a minimum of 8 feet of unobstructed overhead or vertical clearance for servicing.
 - (B) Receptacles greater than 2 cubic yards in size shall be provided with a minimum of 14 feet of unobstructed overhead or vertical clearance for serving.

Finding: As conditioned above, the solid waste service area and enclosure shall be met at time of building permit review.

SRC 800.055(c) – Permanent Drop Box and Compactor Placement Standards.

Permanent drop box and compactors shall meet the placement standards set forth in this section.

Finding: The proposal does not include permanent drop box or compactors; therefore, this standard is not applicable.

SRC 800.055(d) – Solid Waste Service Area Screening Standards

- (1) Solid waste, recycling, and compostable service areas shall be screened from all streets abutting the property and from all abutting residentially zoned property by a minimum six-foot-tall sight-obscuring fence or wall; provided, however, where receptacles, drop boxes, and compactors are located within an enclosure, screening is not required. For the purpose of this standard, abutting property shall also include any residentially zoned property located across an alley from the property.
- (2) Existing screening at the property line shall satisfy screening requirements if it includes a six-foot-tall sight-obscuring fence or wall.

Finding: The applicant's development plans indicate the solid waste service area will be screened within an enclosure. As conditioned above, the solid waste service area and enclosure shall be met at time of building permit review.

SRC 800.055(e) – Solid Waste Service Area Enclosure Standards

When enclosures are used for required screening or aesthetics, such enclosure shall conform to the following standards:

- (1) *Front Opening of Enclosure.* The front opening of the enclosure shall be unobstructed and shall be a minimum of 12 feet in width.

Finding: The applicant's development plans show an enclosure with an open of 15 feet. As conditioned above, the solid waste service area and enclosure shall be met at time of building permit review.

- (2) *Measures to Prevent Damage to Enclosure.*

- (A) Enclosures constructed of wood or chain-link fencing material shall contain a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure to prevent damage from receptacle impacts.
- (B) Enclosures constructed of concrete, brick, masonry block, or similar types of material shall contain a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure, or a fixed bumper rail to prevent damage from receptacle impacts.

Finding: The development plans do not provide details of the solid waste enclosure. As conditioned above, the solid waste service area and enclosure shall be met at time of building permit review.

- (3) *Enclosure Gates.* Any gate across the front opening of an enclosure shall swing freely without obstructions. For any enclosure opening with an unobstructed width of less than 15 feet, the gates shall open a minimum of 120 degrees. For any enclosure opening with an

unobstructed width of 15 feet or greater, the gates shall open a minimum of 90 degrees. All gates shall have restrainers in the open and closed positions.

Finding: As conditioned above, the solid waste service area and enclosure shall be met at time of building permit review.

SRC 800.055(f) – Solid Waste Service Area Vehicle Access

(1) Vehicle Operation Area.

(A) A vehicle operation area shall be provided for solid waste collection service vehicles that are free of obstructions and no less than 45 feet in length and 15 feet in width; provided, however, where the front opening of an enclosure is wider than 15 feet, the width of the vehicle operation area shall be increased to equal the width of the front opening of the enclosure. Vehicle operation areas shall be made available in front of every receptacle.

Finding: The development plans indicate a vehicle operation area perpendicular to the enclosure and extending into vehicle maneuvering area, with a minimum length of 45 feet and a width equal to the width of 17 feet. The proposal meets the standard.

(B) For solid waste service areas having receptacles of two cubic yards or less, the vehicle operation area may be located:

- (i) Perpendicular to the permanent location of the receptacle or the enclosure opening (see Figure 800-8);
- (ii) Parallel to the permanent location of the receptacle or the enclosure opening (see Figure 800-9); or
- (iii) In a location where the receptacle can be safely maneuvered manually not more than 45 feet into a position at one end of the vehicle operation area for receptacle servicing.

Finding: The development plans do not indicate the receptacle size. As conditioned above, the solid waste service area and enclosure shall be met at time of building permit review.

(C) The vehicle operation area may be coincident with a parking lot drive aisle, driveway, or alley provided that such area is kept free of parked vehicles and other obstructions at all times except for the normal ingress and egress of vehicles.

Finding: The development plans indicate the vehicle operation area is coincident with the vehicle circulation area; therefore, this standard is met.

(D) Vehicle operation areas shall have a minimum vertical clearance of 14 feet.

Finding: The development plans do not indicate vertical clearance. As conditioned above, the solid waste service area and enclosure shall be met at time of building permit review.

(E) In the event that access to the vehicle operation area is not a direct approach into position for operation of the service vehicle, a turnaround, in conformance with the minimum dimension and turning radius requirements shown in Figure 800-10, shall be required to allow safe and convenient access for collection service.

Finding: The development plans indicate the vehicle operation area provides access in a direct approach; therefore, this standard is not applicable.

- (2) Vehicle operation areas shall be designed so that waste collection service vehicles are not required to back onto a public street or leave the premises.

Finding: The proposed location of the trash enclosure will not require waste collection service vehicles to back onto a public street; therefore, this standard is met.

- (3) Vehicle operation areas shall be paved with asphalt, concrete, or other hard surfacing approved by the Director, and shall be adequately designed, graded, and drained to the approval of the Director.
- (4) Signs. "No Parking" signs shall be placed in a prominent location on the enclosure, or painted on the pavement in front of the enclosure or receptacle, to ensure unobstructed and safe access for the servicing of receptacles.

Finding: The proposed trash enclosure is located within the fully paved vehicle use area, and includes a drain within the enclosure, thereby meeting the surfacing requirements. The applicant can demonstrate the required signage at the time of building permit review, as conditioned. The proposal meets the standard.

▪ ***Pedestrian Access***

SRC 800.065 – Applicability

Except where pedestrian access standards are provided elsewhere under the UDC, all developments, other than single-family, two-family, three-family, four-family, and multiple-family developments, shall include an on-site pedestrian circulation system developed in conformance with the standards in this section. For purposes of this section development means the construction of, or addition to, a building or accessory structure or the construction of, or alteration or addition to, an off-street parking or vehicle use area. Development does not include construction of, or additions to, buildings or accessory structures that are less than 200 square feet in floor area.

Finding: The proposal includes development of a new building serving a *heavy vehicle and trailer service and storage* use greater than 200 square feet; therefore, the pedestrian access standards of SRC Chapter 800 are applicable.

SRC 800.065(a) – Pedestrian Connections Required

The on-site pedestrian circulation system shall provide pedestrian connectivity throughout the development site as follows:

- (1) *Connection Between Entrances and Streets*
 - (A) A pedestrian connection shall be provided between the primary entrance of each building on the development site and each adjacent street. Where a building has more than one primary building entrance, a single pedestrian connection from one of the building's primary entrances to each adjacent street is allowed; provided each of the building's primary entrances are connected, via a pedestrian connection, to the required connection to the street.

Finding: Phase 3 of the proposal includes one 2,000 square foot building, requiring a pedestrian connection to the abutting street. The original submitted development plans included a pedestrian connection from the building to Airway Drive SE; however, further revised plans submitted eliminated this connection. The connection is required; therefore, the following condition shall apply.

Condition 4: Prior to issuance of building permits for Phase 3 vertical construction, provide a pedestrian connection from the Phase 3 building to Airway Drive SE or the applicant may alternatively seek an adjustment to this standard.

(B) Where an adjacent street is a transit route and there is an existing or planned transit stop along street frontage of the development site, at least one of the required pedestrian connections shall connect to the street within 20 feet of the transit stop.

Finding: There is no existing or planned transit route stop along the abutting streets of the development site; therefore, this standard is not applicable.

(C) A pedestrian connection is not required between the primary building entrance and each adjacent street if the development site is a corner lot and the building has a primary building entrance that is located within 20 feet of, and has a pedestrian connection to, the property line abutting one of the adjacent streets; or the building is a service, storage, maintenance, or similar type building not primarily intended for human occupancy.

Finding: The subject property is a corner lot; however, as discussed in the Adjustment findings below, the development site is limited to the 8.8-acre lease area, which does not front more than one street; therefore, this standard is not applicable.

(2) *Connection Between Buildings on the same Development Site.*

(A) Where there is more than one building on a development site, a pedestrian connection, or pedestrian connections, shall be provided to connect the primary building entrances of all of the buildings.

Finding: The development site does not include more than one building; therefore, this standard is not applicable.

(3) *Connection Through Off-Street Parking Areas.*

(A) *Surface parking areas.* Except as provided under subsection (a)(3)(A)(iii) of this section, off-street surface parking areas greater than 25,000 square feet in size, or including four or more consecutive parallel drive aisles shall include pedestrian connections through the parking area to the primary building entrance as provided in this subsection.

Finding: The proposed off-street parking area is less than 25,000 square feet in size; therefore, this standard is not applicable. There are three rows of EV charging stations that are separated and surrounded by four drive aisles; the plans indicate pedestrian connections around and between the rows of charging stations; however, these are not considered off-street parking areas and therefore the pedestrian connections are not required.

(B) Parking structures and parking garages. Where an individual floor of a parking structure or parking garage exceeds 25,000 square feet in size, a pedestrian connection shall be provided through the parking area on that floor to an entrance/exit.

Finding: The development site does not include any existing or proposed parking structures or garages; therefore, this standard is not applicable.

(4) Connection to Existing or Planned Paths and Trails. Where an existing or planned path or trail identified in the Salem Transportation System Plan (TSP) or the Salem Comprehensive Parks System Master Plan passes through a development site, the path or trail shall:

- (A)* Be constructed, and a public access easement or dedication provided; or
- (B)* When no abutting section of the trail or path has been constructed on adjacent property, a public access easement or dedication shall be provided for future construction of the path or trail.

Finding: There are no planned paths or trails passing through the development site; therefore, this standard is not applicable.

(5) Connection to Abutting Properties. Whenever a vehicular connection is provided from a development site to an abutting property, a pedestrian connection shall also be provided. A pedestrian connection is not required, however:

- (A)* To abutting properties used for activities falling within the use classifications, use categories, and uses under SRC chapter 400 listed in (i) through (vi).

Finding: The development site does not include any vehicular connections to an abutting property; therefore, this standard is not applicable.

SRC 800.065(b) – Design and materials.

Required pedestrian connections shall be in the form of a walkway, or may be in the form of a plaza.

(1) Walkways shall conform to the following:

- (A)* Walkways shall be paved with a hard-surface material meeting the Public Works Design Standards and shall be a minimum of five feet in width.
- (B)* Where a walkway crosses driveways, parking areas, parking lot drive aisles, and loading areas, the walkway shall be visually differentiated from such areas through the use of elevation changes, a physical separation, speed bumps, a different paving material, or other similar method. Striping does not meet this requirement, except when used in a parking structure or parking garage.
- (C)* Where a walkway is located adjacent to an auto travel lane, the walkway shall be raised above the auto travel lane or separated from it by a raised curb, bollards, landscaping, or other physical separation. If the walkway is raised above the auto travel lane it must be raised a minimum of four inches in height and the ends of the raised portions must be equipped with curb ramps. If the walkway is separated from the auto travel lane with bollards, bollard spacing must be no further than five feet on center.

(2) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.

Finding: The development plans indicate concrete, raised curb walkways meeting the standards, except where the proposed pedestrian connection in front of the building adjacent to the off-street parking spaces is five feet in width, the plans do not indicate wheel stops or extended curbs to prevent parked vehicles from encroaching into the walkway. To ensure that the proposed pedestrian walkway meets the design and material standards at the time of building permit, the following condition shall apply:

Condition 5: At the time of Phase 3 building permit review, the applicant shall demonstrate that all proposed pedestrian connections conform with the design and material requirements of SRC Chapter 800, specifically SRC 800.065(b) and 800.065(c) and 800.060.

SRC 800.065(c) – Lighting

The on-site pedestrian circulation system shall be lighted to a level where the system can be used at night by employees, customers, and residents.

Finding: The application materials do not provide sufficient detail to determine compliance with this development standard. As conditioned above, the plans will be reviewed for conformance with applicable exterior lighting development standards at the time of building permit review.

SRC Chapter 806 – Off-Street Parking, Loading, and Driveways

SRC 806.015 – Amount Off-Street Parking

(a) *Maximum Off-Street Parking.* Except as otherwise provided in this section, and unless otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-1. For the purposes of calculating the maximum amount of off-street parking allowed, driveways shall not be considered off-street parking spaces.

Finding: There are no minimum parking standards for any development within the City. Phase 1 of the development includes development of the EV charging stations and vehicle circulation area. Phase 2 of the proposal includes the development of 74 vehicle storage spaces for truck and trailer parking entirely within the IP-zoned portion of the development site. Pursuant to SRC 806.035, vehicle storage areas are not subject to minimum off-street parking dimensions or striping, thereby excluding them from maximum parking counts. Because vehicle storage areas in the IP zone are still required to be paved with a hard surface material, the applicant has proposed to stripe the trailer parking area for short-term off-street truck parking and trailer storage, similar to a truck stop, so as to provide uniform trailer parking and safe truck maneuvering. The proposed *heavy vehicle and trailer storage* use allows a maximum of one parking space per 600 square feet of building gross floor area. Phase 3 includes development of a 2,000 square foot building to serve as a rest area for the truck drivers while using the EV charging facilities. The 2,000 square foot building would allow a maximum of three parking spaces ($2,000 / 600 = 3.3$). The applicant has requested a Class 2 Adjustment to exceed the maximum and install 10 off-street parking spaces. Findings for the adjustment are included in Section 9 of this decision.

(b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.

Finding: The proposal does not include any compact parking spaces for the development site. This standard is met.

- (c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces and falling within the Public Services and Industrial use classifications, and the Business and Professional Services use category, shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.

Finding: The proposal does not include uses falling within the Public Services and Industrial use classifications, or the Business and Professional Services use category; therefore, this standard is not applicable.

- (d) *Required electric vehicle charging spaces.* For any newly constructed building with five or more dwelling units on the same lot, including buildings with a mix of residential and nonresidential uses, a minimum of 40 percent of the off-street parking spaces provided on the site for the building shall be designated as spaces to serve electrical vehicle charging. In order to comply with this subsection, such spaces shall include provisions for electrical service capacity, as defined in ORS 455.417.

Finding: The proposal does not include any dwelling units; therefore, this standard is not applicable.

▪ ***Off-Street Parking and Vehicle Use Area Development Standards***

SRC 806.035 – Off-Street Parking and Vehicle Use Area Development Standards

- (a) *General Applicability.* The off-street parking and vehicle use area development standards set forth in this section apply to:
- (1) The development of new off-street parking and vehicle use areas;
 - (2) The expansion of existing off-street parking and vehicle use areas, where additional paved surface is added;
 - (3) The alteration of existing off-street parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface; and
 - (4) The paving of an unpaved area.

Finding: The proposal includes development of an off-street parking area for the building and associated vehicle circulation areas; therefore, this section is applicable.

- (b) *Location.* Off-street parking and vehicle use areas shall not be located within required setbacks.
- (c) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for off-street parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures.

Finding: The proposed off-street parking area complies with all applicable location and perimeter setback requirements. The applicant has provided a landscape plan demonstrating all vehicle use areas comply with the minimum setback and plant unit requirements of SRC Chapters 544, 553 and 806. As addressed in the Class 2 Adjustment findings in Section 9 below, perimeter setbacks and landscape quantities will be met.

- (d) *Interior Landscaping.* Interior landscaping shall be provided for off-street parking areas greater than 5,000 square feet in size, in amounts not less than those set forth in Table 806-4.

Finding: The proposed off-street parking area included in Phase 3 of the development is less than 5,000 square feet in size; therefore, this standard is not applicable.

- (e) *Off-Street Parking Area Dimensions.* Off-street parking areas shall conform to the minimum dimensions set forth in Table 806-5.

Finding: The proposed off-street parking spaces comply with the minimum aisle width and dimensional requirements for standard vehicle parking spaces established in Table 806-5. In addition, the applicant has provided back-up maneuvering details for the truck parking area, and indicated conformance with minimum dimensions for safe drive-aisle and maneuvering widths for the large trailer trucks on the plans. This standard is met.

- (f) *Off-street parking area access and maneuvering.* In order to ensure safe and convenient vehicular access and maneuvering, off-street parking areas shall:
- (1) Be designed so that vehicles enter and exit the street in a forward motion with no backing or maneuvering within the street; and
 - (2) Where a drive aisle terminates at a dead-end, include a turnaround area as shown in Figure 806-8. The turnaround shall conform to the minimum dimensions set forth in Table 806-6.

Finding: The off-street parking area does not terminate at a dead-end anywhere on site, and adequate drive aisle widths for the vehicle circulation of the semi-trucks and trailers is provided throughout the site. The site is designed so that all vehicles will enter and exit the street in a forward motion with no backing or maneuvering within the street; therefore, this standard is met.

- (g) *Grading.* Off-street parking and vehicle use areas shall not exceed a maximum grade of ten percent. Ramps shall not exceed a maximum grade of 15 percent.
- (h) *Surfacing.* Off-street parking and vehicle use areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, up to two feet of the front of a parking space may be landscaped with ground cover plants (see Figure 806-10). Such two-foot landscaped area may count towards meeting interior off-street parking area landscaping requirements when provided abutting a landscape island or planter bay with a minimum width of five feet, but shall not count towards meeting perimeter setbacks and landscaping requirements. Paving is not required for:
- (1) Vehicle storage areas within the IG zone.
 - (2) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC Chapter 701.
 - (3) Gravel off-street parking areas, approved through a conditional use permit.
- (i) *Drainage.* Off-street parking and vehicle use areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.

Finding: The proposed off-street parking and vehicle storage area is developed consistent with the additional development standards for grade, surfacing, and drainage.

- (j) *Bumper guards or wheel barriers.* Off-street parking and vehicle use areas shall include bumper guards or wheel barriers so that no portion of a vehicle will overhang or project into required setbacks and landscaped areas, pedestrian accessways, streets or alleys, or abutting property; provided, however, bumper guards or wheel barriers are not required for:
- (1) Vehicle storage areas.
 - (2) Vehicle sales display areas.

Finding: As addressed and conditioned in the findings for pedestrian connections under SRC 800.060, wheel barriers will be required where the off-street parking spaces abut the pedestrian walkway in front of the building of Phase 3. This standard is met.

- (k) *Off-street parking area striping.* Off-street parking areas shall be striped in conformance with the off-street parking area dimension standards set forth in Table 806-6; provided, however, off-street parking area striping shall not be required for:
- (1) Vehicle storage areas.
 - (2) Vehicle sales display areas.
 - (3) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC Chapter 701.
 - (4) Gravel off-street parking areas, approved through a conditional use permit.
- (l) *Marking and signage.*
- (1) *Off-street parking and vehicle use area circulation.* Where directional signs and pavement markings are included within an off-street parking or vehicle use area to control vehicle movement, such signs and marking shall conform to the Manual of Uniform Traffic Control Devices.
 - (2) *Compact parking.* Compact parking spaces shall be clearly marked indicating the spaces are reserved for compact parking only.
 - (3) *Carpool and vanpool parking.* Carpool and vanpool parking spaces shall be posted with signs indicating the spaces are reserved for carpool or vanpool use only before 9:00 a.m. on weekdays.
- (m) *Lighting.* Lighting for off-street parking and vehicle use areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.

Finding: The proposed off-street parking area is developed consistent with the off-street parking area dimension standards set forth in Table 806-6. The parking area striping, marking, signage, and lighting shall comply with the standards of SRC Chapter 806, and will be verified for conformance at the time of building permit review.

SRC 806.035(n) – Additional standards for new off-street surface parking areas more than one-half acre in size

When a total of more than one-half acre of new off-street surface parking is proposed on one or more lots within a development site, the lot(s) proposed for development shall comply with the additional standards in this subsection. For purposes of these standards, the area of an off-street surface parking area is the sum of all areas within the perimeter of the off-street parking area, including parking spaces, aisles, planting islands, corner areas, and curbed areas, but not including interior driveways and off-street loading areas.

Finding: The proposal does not include more than one-half acres of new off-street parking; therefore, these standards are not applicable.

▪ ***Driveway Development Standards***

SRC 806.040 – For uses or activities other than single-family, two-family, three-family, or four-family

- (a) *Access.* The off-street parking and vehicle use area shall have either separate driveways for ingress and egress, a single driveway for ingress and egress with an adequate turnaround that is always available, or a loop to the single point of access. The driveway approaches to the driveways shall conform to SRC Chapter 804.
- (b) *Location.* Driveways shall not be located within required setbacks, except where the driveway provides access to the street, alley, or abutting property; or where the driveway is a shared driveway located over the common lot line and providing access to two or more uses.
- (c) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for driveways abutting streets, and abutting interior front, side, and rear property lines.
- (d) *Dimensions.* Driveways shall conform to the minimum width set forth in Table 806-8.

Finding: Pursuant to SRC 806.040(d), Table 806-8, two-way driveways are required to have a minimum width of 22 feet. The proposal includes one new driveway approach onto Airway Drive SE with a driveway width of 46 feet. These standards are met.

▪ ***Bicycle Parking***

SRC 806.045 – Bicycle Parking; When Required

- (a) *General Applicability.* Bicycle parking shall be provided as required under this chapter for each proposed new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity.
- (b) *Applicability to change of use of existing building in Central Business District (CB) zone.* Notwithstanding any other provision of this chapter, the bicycle parking requirements for a change of use of an existing building within the CB zone shall be met if there are a minimum of eight bicycle parking spaces located within the public right-of-way of the block face adjacent to the primary entrance of the building. If the minimum number of required bicycle parking spaces are not present within the block face, the applicant shall be required to obtain a permit to have the required number of spaces installed. For purposes of this subsection, "block face" means the area within the public street right-of-way located along one side of a block, from intersecting street to intersecting street.
- (c) *Applicability to nonconforming bicycle parking area.* When bicycle parking is required to be added to an existing bicycle parking area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

Finding: The proposal includes development of a vacant portion of a property for a new use; therefore, this section is applicable.

SRC 806.050 – Proximity of Bicycle Parking to use or Activity Served

Bicycle parking shall be located on the same development site as the use or activity it serves.

SRC 806.055 – Amount of Bicycle Parking

Unless otherwise provided under the UDC, bicycle parking shall be provided in amounts not less than those set forth in Table 806-9.

Finding: The 2,000 square foot building proposed under Phase 3 serving the *heavy vehicle and trailer storage* use requires a minimum of one space per 9,000 square feet of gross floor area, or no bicycle parking spaces ($2,000 / 9,000 = 0.22$). While none are required for the proposed use, the development plans indicate four new bicycle parking spaces will be provided on site of the building under Phase 3.

SRC 806.060 – Bicycle Parking Development Standards

Bicycle parking areas shall be developed and maintained as set forth in this section.

(a) Location.

- (1) Short-term bicycle parking.** Short-term bicycle parking areas shall be located within a convenient distance of, and shall be clearly visible from, the primary building entrance. In no event shall bicycle parking areas be located more than 50 feet from the primary building entrance.
- (2) Long-term bicycle parking.** Long-term bicycle parking shall be located within a building, or outside of a building, in a well-lighted secure location that is sheltered from precipitation and within a convenient distance of the primary entrance.
- (D) Long-term bicycle parking for non-residential uses.** Long-term bicycle parking spaces for non-residential uses shall be located within:
 - (i)** A restricted access lockable room;
 - (ii)** A lockable bicycle enclosure; or
 - (iii)** A bicycle locker.

Finding: The proposal includes four bicycle parking spaces in an area located outside of the building and within 50 feet of a primary entrance, meeting the standard for short-term bicycle parking location.

- (b) Access.** Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and any barriers, such as curbs or stairs, which would require users to lift their bikes in order to access the bicycle parking area.

Finding: The bicycle racks will have direct access to the public right-of-way through the proposed pedestrian path and vehicle use areas. This standard is met. Further conformance with this standard will be verified at the time of building permit review.

(c) Dimensions. All bicycle parking areas shall meet the following dimension requirements:

- (1) Bicycle parking spaces.** Bicycle parking spaces shall conform to the minimum dimensions set forth in Table 806-10.
- (2) Access aisles.** Bicycle parking spaces shall be served by access aisles conforming to the minimum widths set forth in Table 806-9. Access aisles serving bicycle parking spaces may be located within the public right-of-way.

Finding: The development plans indicate spaces six feet in length, with two feet on either side of the rack, and more than four feet of access aisle width, meeting the required dimensions.

- (d) *Surfacing.* Where bicycle parking is located outside a building, the bicycle parking area shall consist of a hard surface material, such as concrete, asphalt pavement, pavers, or similar material, meeting the Public Works Design Standards.

Finding: The development plans indicate the proposed bicycle parking spaces will be located on a paved hard surface material, meeting the standards. .

- (e) *Bicycle Racks.* Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall meet the following standards:
- (1) Racks must support the bicycle frame in a stable position, in two or more places a minimum of six inches horizontally apart, without damage to wheels, frame, or components.
 - (2) Racks must allow the bicycle frame and at least one wheel to be locked to the rack with a high security, U-shaped shackle lock;
 - (3) Racks shall be of a material that resists cutting, rusting, and bending or deformation; and
 - (4) Racks shall be securely anchored.
 - (5) Examples of types of bicycle racks that do, and do not, meet these standards are shown in Figure 806-12.

Finding: The development plans indicate inverted-U/staple-style bike racks will be provided for the short-term bike parking spaces, meeting the standard. Plans for the new rack will be further reviewed for conformance with the requirements of this section at the time of building permit review.

▪ **Off-Street Loading Areas**

SRC 806.065 – Off-Street Loading Areas; When Required

- (a) *General Applicability.* Off-street loading areas shall be provided and maintained for each proposed new use or activity; any change of use or activity, when such change of use or activity results in a greater number of required off-street loading spaces than the previous use or activity; or any intensification, expansion, or enlargement of a use or activity.
- (b) *Applicability to nonconforming off-street loading area.* When off-street loading is required to be added to an existing off-street loading area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

SRC 806.070 – Proximity of Off-Street Loading Areas to use or Activity Served

Off-street loading shall be located on the same development site as the use or activity it serves.

SRC 806.075 – Amount of Off-Street Loading

Unless otherwise provided under the UDC, off-street loading shall be provided in amounts not less than those set forth in Table 806-11.

Finding: Per Table 806-11, a *heavy vehicle and trailer storage* does not require a loading space for a building with a gross floor area less than 5,000 square feet; therefore, these standards are not applicable.

SRC Chapter 807 – Landscaping

All required setbacks shall be landscaped with a minimum of 1 plant unit per 20 square feet of landscaped area. A minimum of 40 percent of the required number of plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Plant materials and minimum plant unit values are defined in SRC Chapter 807, Table 807-2. All building permit applications for development subject to landscaping requirements shall include landscape and irrigation plans meeting the requirements of SRC Chapter 807.

Finding: The applicant has provided a preliminary landscaping plan identifying the areas to be landscaped, which provides a breakdown of the landscape requirements for each setback and demonstrates conformance with the corresponding plant unit requirements. The applicant has requested Class 2 Adjustments to the minimum 15 percent development site landscaping requirement of the IP Zone, findings for which are included in Section 9 of this decision. Landscape and irrigation plans will be further reviewed for conformance with the requirements of SRC 807 at the time of building permit review. This standard is met.

CITY INFRASTRUCTURE STANDARDS

SRC Chapter 200 – Urban Growth Management

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

Finding: The subject property is located outside of the Urban Service Area and an Urban Growth Preliminary Declaration has been included as part of the decision. As conditioned, the proposed development meets the standards in SRC Chapter 200 for Urban Growth Management.

SRC Chapter 71 – Stormwater

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

Finding: The proposed development is subject to SRC Chapter 71 and the Public Works Design Standards that require the use of Green Stormwater Infrastructure (GSI) to treat and detain stormwater generated from the development. The proposed plan demonstrates compliance with PWDS Appendix 4E related to green stormwater infrastructure by setting aside at least ten percent of the total new impervious surface area for installation of green stormwater infrastructure. The applicant's engineer shall design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

Condition 6: Design and construct a storm drainage system at the time of development in compliance with *Salem Revised Code* (SRC) Chapter 71 and *Public Works Design Standards* (PWDS).

SRC Chapter 802 – Public Improvements

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

Utilities & Parks	
Type	Existing Conditions
Water	Water Service Level: G-0
	A 10-inch water main is located in Airway Drive SE.
Sanitary Sewer	A 15-inch sanitary sewer main is located on the subject property.
Storm Drainage	Open ditches are located along Airway Dr SE.
	The East Fork of Pringle Creek is located on the subject property.

▪ *Development to be served by City utilities*

SRC 802.015 requires development to be served by City utilities designed and constructed according to all applicable provisions of the Salem Revised Code and Public Works Design Standards (PWDS).

Finding: Public water, sanitary sewer, and stormwater 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. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the Public Works Design Standards (PWDS) and to the satisfaction of the Public Works Director.

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

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

Streets			
Street Name		Right-of-way Width	Improvement Width
Airway Drive SE (Collector)	Standard:	60-feet	80-feet
	Existing Condition:	34-feet	28-feet

▪ *Boundary Street Improvements*

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

Finding: Airway Drive SE abuts the subject property and is classified as a collector street according to the Salem Transportation System Plan (TSP). Airway Drive SE meets the minimum right-of-way width required for a collector street according to the TSP; however, does not meet the required improvement width standards for a collector street. The ultimate pavement improvement width for a collector street is 34-feet according to SRC 803.025 Table 803-2 (Pavement Width). Airway Drive SE also lacks sidewalks, landscape strips, and street trees on the development side of the street. Pursuant to SRC 803.040(a)(5), construction of a building on the subject property triggers the boundary street improvement required. As such, the required boundary street improvement shall be constructed in conjunction with the proposed building, planned within Phase 3 of the Development.

Condition 7: Prior to issuance of a certificate of occupancy for any structure, construct a half-street improvement along the frontage of Airway Drive SE to collector street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.

▪ ***Street Trees***

Pursuant to SRC 803.035(k) and SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible.

Finding: Airway Drive SE does not currently have landscape strips. As described in the written findings above, a boundary street improvement will be required in conjunction with construction of the proposed building. Street tree planting may be delayed until construction of the boundary street improvement, when landscape strips are established.

Condition 8: Prior to issuance of a certificate of occupancy for any structure, install street trees to the maximum extent feasible along Airway Drive SE.

SRC Chapter 804 – Driveway Approaches

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

Finding: The applicant has applied for one Class 2 Driveway Approach Permit for a new approach onto Airway Drive SE; findings for which are provided in Section 8 below. The proposal also includes a request for a Class 2 Adjustment to exceed the maximum width, addressed in Section 9 below. As described in the findings, the proposal meets the approval criteria for the Class 2 Driveway Approach Permit. With approval of the Class 2 Driveway Approach Permits, and the Class 2 Adjustment to increase the maximum width for the driveway approach, the proposed development meets applicable criteria in SRC Chapter 804 relating to driveway approaches.

SRC Chapter 805 – Vision Clearance

SRC Chapter 805 establishes vision clearance standards in order to ensure visibility for vehicular, bicycle, and pedestrian traffic at the intersections of streets, alleys, flag lot accessways, and driveways.

Finding: The applicant's preliminary site plan does not show the required vision clearance areas at the driveway approach. The applicant's preliminary plans show fencing located in the vision clearance area, which is considered an obstruction, and not permitted per SRC Chapter 805. At time of Building Permit application, the applicant shall submit a site plan that demonstrates no vision clearance obstructions

Condition 9: Prior to issuance of a Building Permit or Civil Site Work permit, submit a site plan that demonstrates compliance with the Vision Clearance Standards in SRC Chapter 805 by removing fencing from the vision clearance area for the driveway approach.

NATURAL RESOURCES

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: A portion of the subject property is designated on the Federal Emergency Management Agency floodplain maps as a Zone "AE" floodplain. The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined the 100-year base flood elevation for the subject development is 217.60-feet. Development within the floodplain requires a floodplain development permit and is subject to the requirements of SRC Chapter 601, including elevation of new structures to a minimum of one foot above the base flood elevation. The proposed building is located outside of the mapped floodplain on the subject property. However, the parking areas and electrical equipment will be located within the floodplain. Grading within the floodplain will require a Floodplain Development Permit in accordance with SRC Chapter 601. Additionally, Pursuant to SRC 601.070(a)(5) electrical equipment shall be elevated one foot above the base flood elevation and shall be designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during conditions of flooding. The final design plans shall incorporate details demonstrating the standards of SRC 601.070(a)(5) are met.

Condition 10: Prior to issuance of any construction permits for the proposed development, the applicant shall obtain a Floodplain Development Permit in accordance with SRC Chapter 601.

Condition 11: All new electrical equipment shall be designed and constructed to meet the provisions for flood hazard reduction established in SRC 601.070.

SRC Chapter 808 – Preservation of Trees and Vegetation

The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove the following trees unless undertaken pursuant to a permit issued under SRC 808.030(d), undertaken pursuant to a tree conservation plan approved under SRC 808.035, or permitted by a variance granted under SRC 808.045.

1. Heritage Trees;
2. Significant Trees (including Oregon White Oaks with diameter-at-breast-height (*dbh*) of 20 inches or greater and any other tree with a *dbh* of 30 inches or greater, with the exception of tree of heaven, empress tree, black cottonwood, and black locust);
3. Trees and native vegetation in riparian corridors; and
4. Trees on lots or parcels 20,000 square feet or greater.

Finding: There are no heritage, significant, or riparian trees identified on the subject property, and no trees proposed for removal. The proposal is in conformance with the preservation of trees under SRC Chapter 808.

SRC Chapter 809 – Wetlands

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

Finding: The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and waterways mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s), including any work in the public right-of-way. Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

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.

SRC 220.005(f)(3)(B): The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately.

Finding: As described in the UGA section of the decision, needed "linking street" improvements are necessary to serve the development, and the Director has allowed payment of a Temporary Access Fee in-lieu of constructing the necessary facilities. As a condition of development, the applicant shall be required to pay the applicable Temporary Access Fee as established by the Public Works Director per SRC 200.080.

Condition 12: Enter into a Temporary Facilities Access Agreement for "linking street" improvements and pay a Temporary Access Fee as determined by the Public Works Director for cost of the required improvements per SRC 200.080.

As described in the City Street and Right-of-Way section of the decision, boundary street improvements are conditioned along Airway Drive SE in accordance with SRC 804.040. With listed conditions of approval, access to the proposed development will be provided by a network of streets which are conditioned to be improved. The street system in and adjacent to the development will provide for the safe, orderly, and efficient circulation of traffic to and from the development with established conditions of approval. This criterion is met.

SRC 220.005(f)(3)(C): Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians.

Finding: The driveway access onto Airway Drive SE provides for safe turning movements into and out of the property. This criterion is met.

SRC 220.005(f)(3)(D): The proposed development will be adequately served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development.

Finding: The Development Services division reviewed the proposal and determined that water, sewer, and storm infrastructure are available and appear to be adequate to serve the lots within the proposed development, subject to the conditions of approval established in this decision. This criterion is met.

8. Analysis of Class 2 Driveway Approach Permit Criteria

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

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

Finding: The applicant proposes one driveway approach onto Airway Drive SE, which is classified as a Collector Street. As described in the following findings, with established conditions of approval, the proposed driveway approach meets the applicable standards in the Salem Revised Code Chapter 804 and the Public Works Design Standards. This criterion is met.

▪ SRC Chapter 804 Driveway Approach Development Standards

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

Finding: Pursuant to SRC 804.050(b)(3) driveway approach width is measured as the paved surface at the property line. The maximum driveway approach width is 40-feet per SRC 804.050(b)(2). As shown on the applicant's plans, one 84-foot-wide driveway approach is proposed to serve the development site. The applicant has requested an adjustment to allow

deviation from the maximum driveway approach width standards in SRC 804.050(b)(2), findings for which are provided in this decision. With approval of the Class 2 Adjustment to driveway width, the driveway approach meets all development standards listed in Chapter 804.

▪ ***Public Works Design Standards***

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

Finding: The Public Works Design Standards (PWDS) provide a standard detail for construction of driveway approaches serving commercial development (PWDS Standard Plan No. 302). All driveway approaches serving the development will be constructed to PWDS Standard Plans, as identified on the applicant's plans. Construction drawings for driveway approaches will be confirmed at time of Building Permit application. The applicant's plans identify that the driveway approach will be constructed to commercial approach standards.

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

Finding: Development Services has reviewed the proposal and determined that no site conditions exist prohibiting the location of the proposed driveway approaches. This criterion is met.

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

Finding: The proposed development is a leased site on Airport property. The Airport property has frontage on Airway Drive SE, a Collector Street, and Turner Road SE, a Minor Arterial Street. The leased area only has frontage on Airway Drive SE; therefore, access onto an arterial roadway is proposed. This criterion is not applicable.

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

(A) Is shared with an adjacent property; or

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

Finding: The proposed development is a leased site on Airport property. The Airport property has frontage on Airway Drive SE, a Collector Street, and Turner Road SE, a Minor Arterial Street. The leased area only has frontage on Airway Drive SE, which is the lowest classification of street abutting the leased area and subject property. This criterion is met.

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

Finding: As described in the written findings above, the applicant's site plan shows fencing in the vision clearance area for the driveway approach, which is not a permitted obstruction per SRC Chapter 805. The decision establishes a condition of approval to remove fencing from the vision clearance area for the driveway approach. With the conditions of approval, the approach will meet the vision clearance standards. This criterion is met.

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

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

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

Finding: Development Services' analysis of the proposed driveway and the evidence that has been submitted indicate that the location of the proposed driveway will not have any adverse impacts to the adjacent properties or streets. This criterion is met.

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

Finding: The proposed development is a leased site on Airport property. The Airport property has frontage on Airway Drive SE, a Collector Street, and Turner Road SE, a Minor Arterial Street. The applicant is proposing a driveway to the lower classification of street, and it meets the spacing requirements of SRC Chapter 803. By complying with the requirements of this chapter the applicant has minimized impacts to the functionality of adjacent streets and intersections. This criterion is met.

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

Finding: The proposed driveway approach is not located in the vicinity of a residentially zoned area. The driveway will not have an effect on the functionality of the adjacent streets. This criterion is met.

9. Analysis of Class 2 Adjustment Approval Criteria

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

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

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

Finding: The applicant is requesting five Class 2 Adjustments to exceed the maximum driveway approach width, exceed the maximum off-street parking allowed, and to reduce the minimum development site landscaping across the three proposed phases of development. The following provides a detailed analysis upon which the decision is based for each individual adjustment request:

(1) Increase the maximum width for a two-way driveway from 40 feet to 84 feet for the driveway approach onto Airway Drive SE, per SRC 804.050(b)(2).

The applicant requests a Class 2 Adjustment to increase the maximum width for a two-way driveway from 40 feet to 84 feet for the driveway approach onto Airway Drive SE, per SRC 804.050(b)(2). The proposed use of the property is electrical vehicle charging for freight trucks. As part of the application package, the applicant has provided a plan showing truck turning templates that demonstrates the anticipated size of trucks utilizing the site will require a wider driveway to accommodate truck turning movements without using the opposite lane to make the turning movement. Plans show that when a driveway approach meeting the maximum width allowed is utilized, trucks will need to use the on-coming lane of traffic to make the turning movement into the site, which would not provide for safe access. The proposed driveway configuration meets the adjustment criteria by allowing for turning movements and traffic safety equal to what would be accomplished by meeting the development standard.

(2) Exceed the maximum amount of off-street parking spaces from three spaces to 10, per SRC 806.015(a).

The proposal is for the development of an electric vehicle (EV) charging station for commercial freight trucks, similar to a truck stop and fueling station. The development is classified as a *heavy vehicle and trailer storage* use, which, per the maximum off-street parking spaces permitted under Table 806-1, is one space per 600 square feet of gross floor area of a building serving the use. The majority of the development site is for vehicle circulation areas for the semi-trucks using the charging stations, as well as vehicle storage areas for the tractor trailers and other trucks waiting to use the charging stations. Similar to fuel pump stations, the EV charging stations are not considered off-street parking spaces, nor are the vehicle storage spaces for the trucks and trailers. Phase 3 of the proposed development includes the addition of a 2,000 square foot building to serve as a rest area for the truck drivers while using the EV charging facilities. The 2,000 square foot building would allow a maximum of three parking spaces ($2,000 / 600 = 3.3$).

The applicant has requested a Class 2 Adjustment to exceed the allowed maximum parking from three spaces to ten. The applicant's written statement explains that the proposed use is not directly correlated to the size of the building, and that three off-street parking spaces is insufficient for the use. The applicant's written statement indicates at least five spaces are necessary for one full-time, on-site manager of the facility, four for contract drivers, and at least four more for drop-in parking such as deliveries and other visitors. Parking calculations for typical fueling stations also include covered canopy areas over the fuel stations for gross floor area. Although the three clustered rows of EV charging station are not proposed to be covered, if they were, they would likely exceed 15,000 square feet, allowing far more off-street parking, as is typical of similar uses such as fuel stations. The intent of limiting the number of off-street parking spaces based the size of a building is to allow parking relative to the proposed use, which is typically tied to a building, so as not to create excessive paved areas or induce demand for additional vehicle trips. As the proposed use encompasses a large development site that is primarily used for vehicle services and circulation, and is not wholly correlated to the size of the building, the proposed additional parking spaces will not create excessive paved areas or induced demand for more vehicle trips. As requested, the proposal equally meets the intent of the standard, and this approval criterion is met.

- (3) Reduce the minimum 15 percent development site landscaping for portions of the site in the IP zone to only the leased area of the project for the first phase of the development, per SRC 553.010(d)(3).*
- (4) Reduce the minimum 15 percent development site landscaping for portions of the site in the IP zone to only the leased area of the project for the second phase of the development, per SRC 553.010(d)(3).*
- (5) Reduce the minimum 15 percent development site landscaping for portions of the site in the IP zone to only the leased area of the project for the third phase of the development, per SRC 553.010(d)(3).*

The subject property is 48.9-acres in size and split-zoned PS (Public Service) and IP(Industrial Park), which makes up approximately 29 acres of the property. The proposed development is only for an 8.8-acre leased portion of the property. Per SRC 111, a development site is defined as “an individual lot or multiple contiguous lots accommodating a single development or complex.” A complex is further defined as “a group of buildings, structures, or other development that is functionally or conceptually integrated, regardless of ownership of the development or underlying land, and regardless of whether located on one or more lots or parcels.” Based on these definitions, the development site is the entire 48.9-acre property, and within the 29-acre IP-zoned portion of the property, a minimum 15 percent site landscaping is required, or approximately 1,263,240 square feet. Because the development is proposed to be broken into three separate phases, each phase is required to meet the applicable standards on its own; therefore, the applicant has requested three Class 2 Adjustments to reduce the minimum 15 percent development site landscaping required in the IP zone to only the IP-zoned portions of the 8.8-acre lease area comprising the project area.

The applicant’s written statement explains that applying a minimum 15 percent landscaping across the entire 29-acres of the IP-zoned portion of the entire 48.9-acre property is infeasible and outside the scope of the 8.8-acre lease area of the proposed development. The applicant has provided a summary table of the total area of each phase and the minimum 15 percent landscaping required in the IP-zoned portions of each phase of the 8.8-acre lease area. Phase 1 includes approximately 85,891 square feet within the IP-zoned portion of the lease area, requiring a minimum 12,884 square feet of landscaping; Phase 2 includes approximately 129,569 square feet within the IP-zoned portion of the lease area, requiring a minimum 19,435 square feet of landscaping; and Phase 3 includes approximately 1,113 square feet within the IP-zoned portion of the lease area, requiring a minimum 167 square feet of landscaping. The applicant has proposed approximately 38,072 square feet of landscaping for Phase 1, which amounts to 44 percent of the entire area of Phase 1 ($38,072 / 85,891 = 44$), and more than the minimum 15 percent of the total IP-zoned portion of the 8.8-acre lease area ($216,573$ square feet of lease area zoned IP $\times 0.15 = 32,486$ square feet). With the additional landscaping of Phases 2 and 3, the development will greatly exceed 15 percent across the entire 8.8-acre lease area.

The intent of the minimum 15 percent development site landscaping standard is to provide sitewide landscaping and not only for minimum setback areas. The development proposes not only minimum setback landscaping, but also proposes extended setbacks for additional screening and separation from the street and additional landscaping around the vehicle circulation area. The proposed landscaping treats the 8.8-acre lease area as a single development site, as that is the area being improved. Requiring landscaping across the entire 48.9-acre property would also have to account for existing development, such as the City of

Salem's Public Works waste transfer station on the same property, which was similarly developed, providing landscaping only within its development area. As the Airport continues to lease portions of the property for individual developments, they will collectively contribute to overall site landscaping. The applicant's summary table indicates Phases 2 and 3 will add an additional 31,052 square feet of landscaping when completed, for a total of approximately 69,124 square feet, or 32 percent of the overall IP-zoned portion of the lease area ($69,124 / 216,573 = 32$). To ensure Phase 2 and Phase 3 will meet the minimum landscaping, the following condition shall apply.

Condition 13: At time of building permit review for Phase 2 and Phase 3, provide a landscaping plan detailing a minimum 15% site landscaping is met for the project areas of Phase 2 and Phase 3.

As proposed and conditioned, the proposed landscaping exceeds the minimum 15 percent of the phases of the 8.8-acre project area equally meets the intent of the standard, and this approval criterion is met.

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 located within a PS (Public Service) and IP (Industrial Park) zone; therefore, the criterion is not applicable.

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: Five separate Class 2 Adjustments have been requested with this development. Each of the adjustments has been evaluated separately for conformance with the Adjustment approval criteria. The cumulative impact of the adjustments results in an overall project which is consistent with the intent and purpose of the zoning code. Any future development, beyond what is shown in the proposed plans, shall conform to all applicable development standards of the UDC, unless adjusted through a future land use action.

Condition 14: The adjusted driveway width, parking maximum, and sitewide landscaping, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.

10. Conclusion

Based upon review of SRC Chapters 200, 220, 250, and 804, the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the application complies with the requirements for an affirmative decision.

IT IS HEREBY ORDERED

Final approval of Urban Growth Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustment and Class 2 Driveway Approach, Case No. UGA-SPR-ADJ-DAP25-02 is hereby **APPROVED** subject to SRC Chapters 220, 250, and 804, the applicable standards of the Salem Revised Code, conformance with the approved site plan included as Attachment B, and the following conditions of approval:

- Condition 1:** The applicant shall submit a notice of construction for the proposed development to the Oregon Department of Aviation (ODAV), and provide the resulting aeronautical determination letter from ODAV prior to the approval of building permits for vertical construction.
- Condition 2:** At the time of building permit review for vertical construction, the applicant shall provide the resulting aeronautical determination letter from ODAV to determine if an Airport Overlay Zone Height Variance is required. If applicable, the applicant shall obtain approval of an Airport Overlay Zone Height Variance per SRC Chapter 602, prior to issuance of any building permit for a building or structure exceeding the maximum height allowance of the Airport Overlay Zone.
- Condition 3:** At time of building permit review, submit detailed plans of the solid waste enclosure meeting the standards of SRC 800.055.
- Condition 4:** Prior to the issuance of building permits for Phase 3 vertical construction, provide a pedestrian connection from the Phase 3 building to Airway Drive SE or the applicant may alternatively seek an adjustment to this standard.
- Condition 5:** At the time of Phase 3 building permit review, the applicant shall demonstrate that all proposed pedestrian connections conform with the design and material requirements of SRC Chapter 800, specifically SRC 800.065(b) and 800.065(c) and 800.060.
- Condition 6:** Design and construct a storm drainage system at the time of development in compliance with *Salem Revised Code* (SRC) Chapter 71 and *Public Works Design Standards* (PWDS).
- Condition 7:** Prior to issuance of a certificate of occupancy for any structure, construct a half-street improvement along the frontage of Airway Drive SE to collector street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.
- Condition 8:** Prior to issuance of a certificate of occupancy for any structure, install street trees to the maximum extent feasible along Airway Drive SE.
- Condition 9:** Prior to issuance of a Building Permit or Civil Site Work permit, submit a site plan that demonstrates compliance with the Vision Clearance Standards in SRC Chapter 805 by removing fencing from the vision clearance area for the driveway approach.

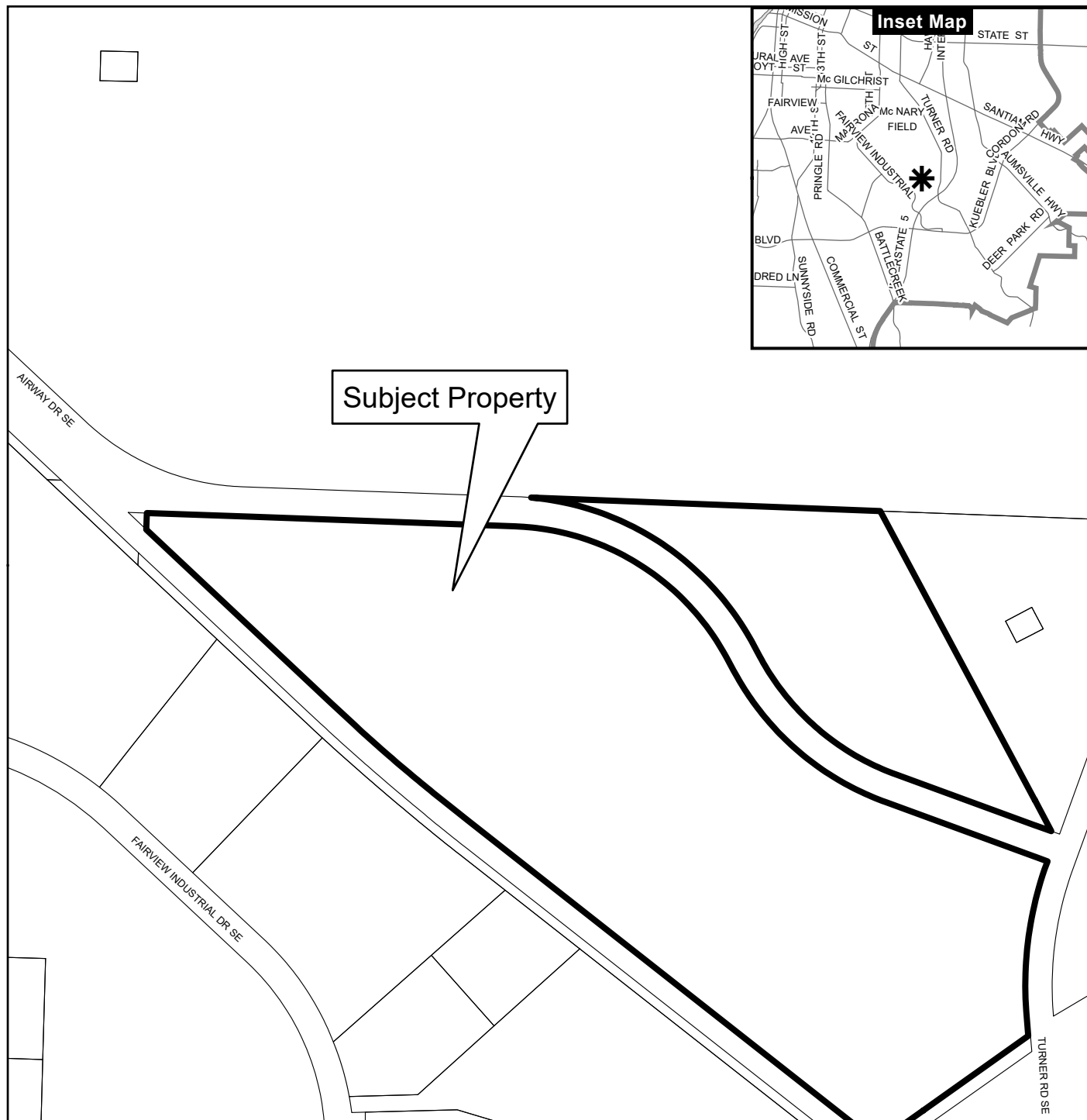
- Condition 10:** Prior to issuance of any construction permits for the proposed development, the applicant shall obtain a Floodplain Development Permit in accordance with SRC Chapter 601.
- Condition 11:** All new electrical equipment shall be designed and constructed to meet the provisions for flood hazard reduction established in SRC 601.070.
- Condition 12:** Enter into a Temporary Facilities Access Agreement for “linking street” improvements and pay a Temporary Access Fee as determined by the Public Works Director for cost of the required improvements per SRC 200.080.
- Condition 13:** At time of building permit review for Phase 2 and Phase 3, provide a landscaping plan detailing a minimum 15% site landscaping is met for the project areas of Phase 2 and Phase 3.
- Condition 14:** The adjusted driveway width, parking maximum, and sitewide landscaping, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.









Peter Domine, Planner II, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Attachments: A. Vicinity Map
B. Proposed Development Plans
C. Development Services Memo

Vicinity Map 4025 Airway Dr SE



Legend

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

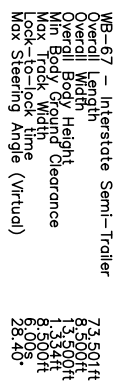
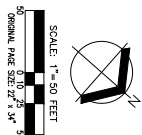
 Parks

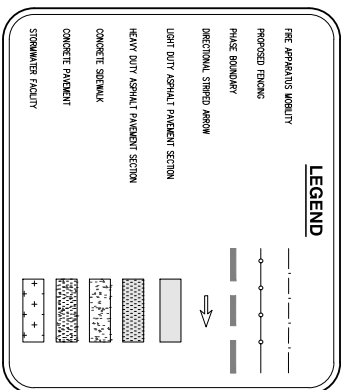
CITY OF Salem
AT YOUR SERVICE
Community Planning and Development

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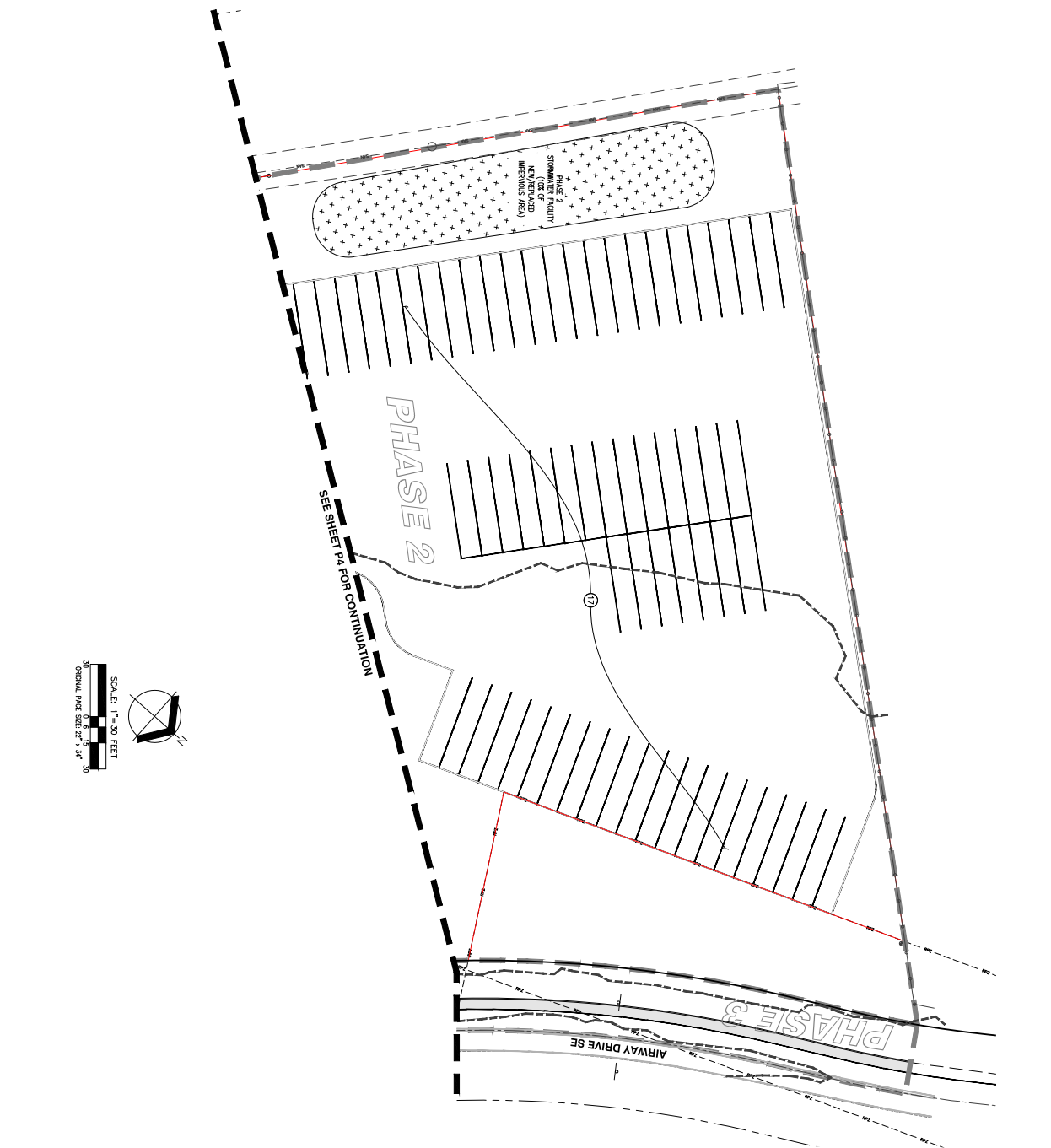


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| PHASE 1 AREA | | PHASE 1 AREA | |
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| TOTAL INCOME CHANGING SPACES PROVIDED = 36 SPACES | | TOTAL INCOME CHANGING SPACES PROVIDED = 36 SPACES | |
| TOTAL PASSENGER SPACES PROVIDED = 4 SPACES (INCLUDES 1 ACCESSIBLE SPACE) | | TOTAL PASSENGER SPACES PROVIDED = 4 SPACES (INCLUDES 1 ACCESSIBLE SPACE) | |
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**ENGINEERING • SURVEYING • NATURAL RESOURCES
FORESTRY • PLANNING • LANDSCAPE ARCHITECTURE**



SITE PLAN DATA

ZONING	= SPLIT ZONED BETWEEN INDUSTRIAL PARK (P) AND PUBLIC SERVICE (PS)
TOTAL SITE AREA	= 22,134.440 SF (349 ACRES)
PHASE 1 PROJECT LEASE AREA	= 17,876.136 SF (24.08 ACRES)
PHASE 2 AREA	= 1773.418 SF (25.96 ACRES)
PHASE 3 AREA	= 433,549 SF (60.77 ACRES)

PARKING SUMMARY

TOTAL TRUCK CHARGING SPACES PROVIDED	=	36 SPACES
TOTAL PASSENGER SPACES PROVIDED	=	6 SPACES (INCLUDES 1 ACCESSIBLE SPACE)
TOTAL PASSENGER LOADING SPACES	=	4 SPACES
REQUIRED BICYCLE SPACES PARKING	=	3 SPACES
PROVIDED BICYCLE SPACES PARKING	=	4 SPACES

SEABACKS P/P/S ZONING DISTRICT

SETBACKS IP/PS ZONING DISTRICT

FRONT YARD	=	20 FT
SIDE YARD	=	10 FT
REAR YARD	=	10 FT

CURB KEYED NOTES ⁽⁷⁸⁾

☐ C TYPE 'C' CURB

☐ M MONOLITHIC CURB AND SIDEWALK

☐ CB CURB BREAK

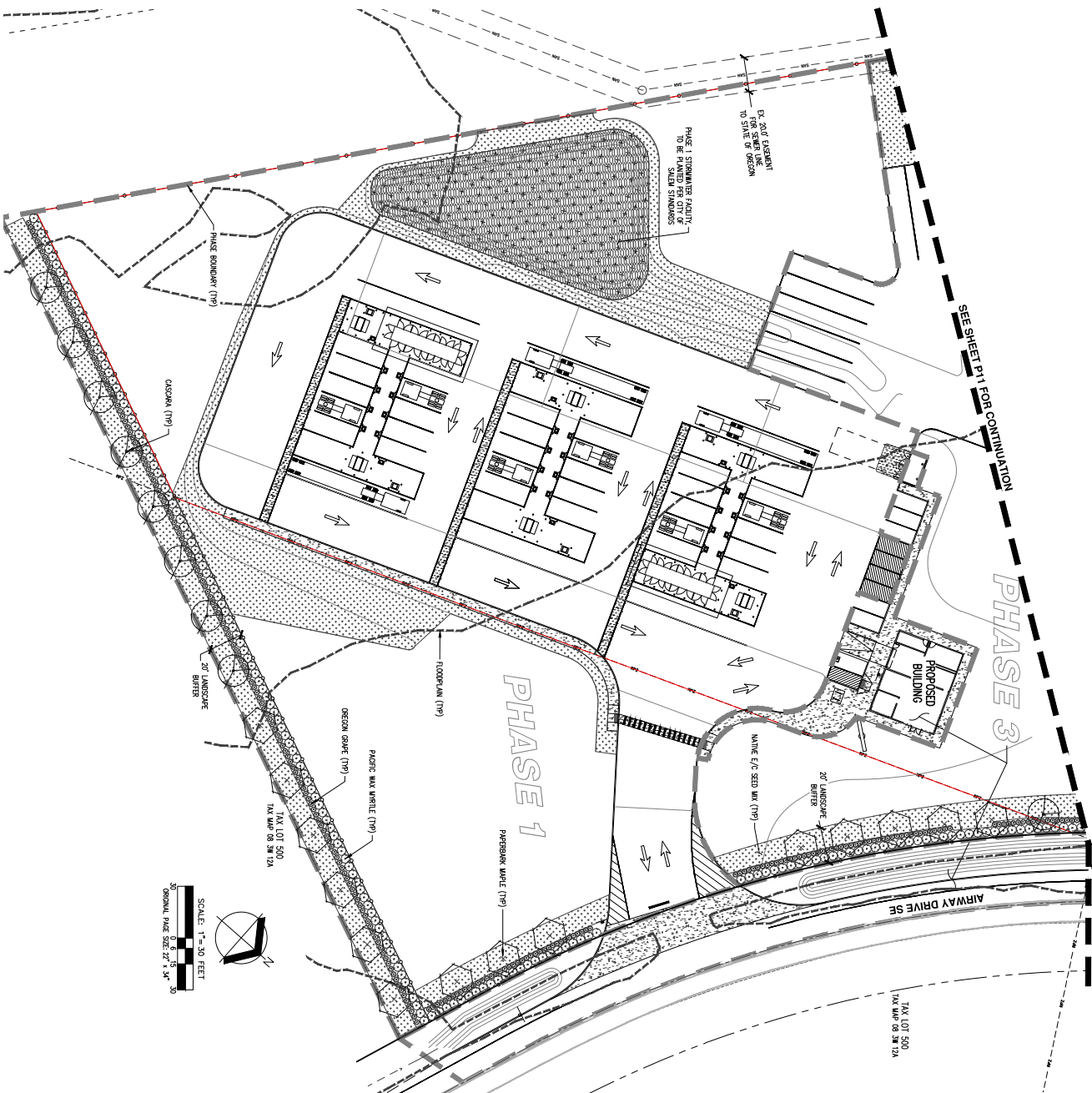
SITE KEYED NOTES

1. ACCESSIBLE CURB RAMP AND ACCESSIBLE PAVING SURFACE.
2. ACCESSIBLE PARKING SOIL, "WALK" MODELTIES VAN ACCESSIBLE SOIL.
3. ACCESSIBLE PARKING STALLS AND REEL STRIPING.
4. INSTALL "WALK" STOP SIGN AND STOP BAR.
5. PAINT 4-INCH WIDE WHITE STRIPE PER CITY STANDARDS.
6. DIRECTIONAL ARROW STRIPE.
7. COMMERCIAL DRIVEWAY APPROACH.
8. COINTEGRATED CHANGING SYSTEM (C/S) BLOCK CHANGING DISPENSER. REFER TO PLANS BY OTHERS.
9. 6'-6" TALL SITE OBSERVING DEVICE.
10. POWER CARNET. REFER TO PLANS BY OTHERS.
11. MEDIUM WALKWAY OBSERVATION. REFER TO PLANS BY OTHERS.
12. MEGAMINI CHANGING SYSTEM (M/C) BLOCK CHANGING DISPENSER. REFER TO PLANS BY OTHERS.
13. TRASH ENCLOSURE BY OTHERS.
14. STAFFE BAY AREA FOR BIKIE PARKING.
15. PROSTHETIC CROSSING.
16. STORAGE ACCESS TOWAL.
17. PAVES 2' SIDEWALK STORAGE AREA.
18. WALKWAY SIGN POLE.
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LEGEND

The diagram illustrates a pavement cross-section with the following layers from top to bottom:

- PROPOSED FACING**: The topmost layer, shown as a solid grey rectangle.
- PHASE BOUNDARY**: Indicated by a horizontal line with circles at the end, separating the facing from the underlying layers.
- DIRECTIONAL STRIPED ARROW**: A large white arrow pointing to the right, indicating traffic direction.
- LIGHT DUTY ASPHALT PAVEMENT SECTION**: A layer with a fine, dotted texture.
- HEAVY DUTY ASPHALT PAVEMENT SECTION**: A layer with a coarser, more pronounced dotted texture.
- CONCRETE SKEWMARK**: A layer with a pattern of small, irregular shapes.
- CONCRETE PAVEMENT**: A layer with a pattern of larger, irregular shapes.
- STORMWATER FACILITY**: The bottom layer, shown as a solid grey rectangle with a pattern of small circles.



PRELIMINARY PLANT SCHEDULE

SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SIZE/CONTAINER	SPACING
TREES					
	19	ACER GREENUM	PAPERBARK MAPLE	2" D.L. 840	AS SHOWN
	13	RHYNCHUS PURSHIANA	CASCADIA	2" D.L. 840	AS SHOWN
SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SIZE/CONTAINER	SPACING
SHRUBS					
	331	WIBONIA ADONIDAEUM	OREGON GRAPE	1 GAL. CONT.	36" o.c.
	222	WIBONIA CALIFORNICA	PACIFIC MAUI WINTER	1 GAL. CONT.	60" o.c.
GROUND COVERS					
	35,129 SF	EROSION CONTROL, SEED MIX, NATIVE E/C MIX - SUIVING SEEDS (OR APPROVED EQUIVALENT) BARELY (HIGHEST BROADLEAFED) 40% CALIFORNIA BROME (BROMUS CARINATUS) 20% NATIVE RED FESCUE (FESTUCA RUBRA) 20% BROWN TOP (LOSTOPHILA CRYPTOTA) 20% WHITE DORNICUS (DORNICUS EXEHA) 2% APPLY AT A RATE OF 1 LB. PER 1,000 SF OR AS RECOMMENDED BY SUPPLIER			
		STORMWATER FACILITY TO BE PLANTED PER QTY OF SLOPE STANDARDS			

PRELIMINARY LANDSCAPE NOTES

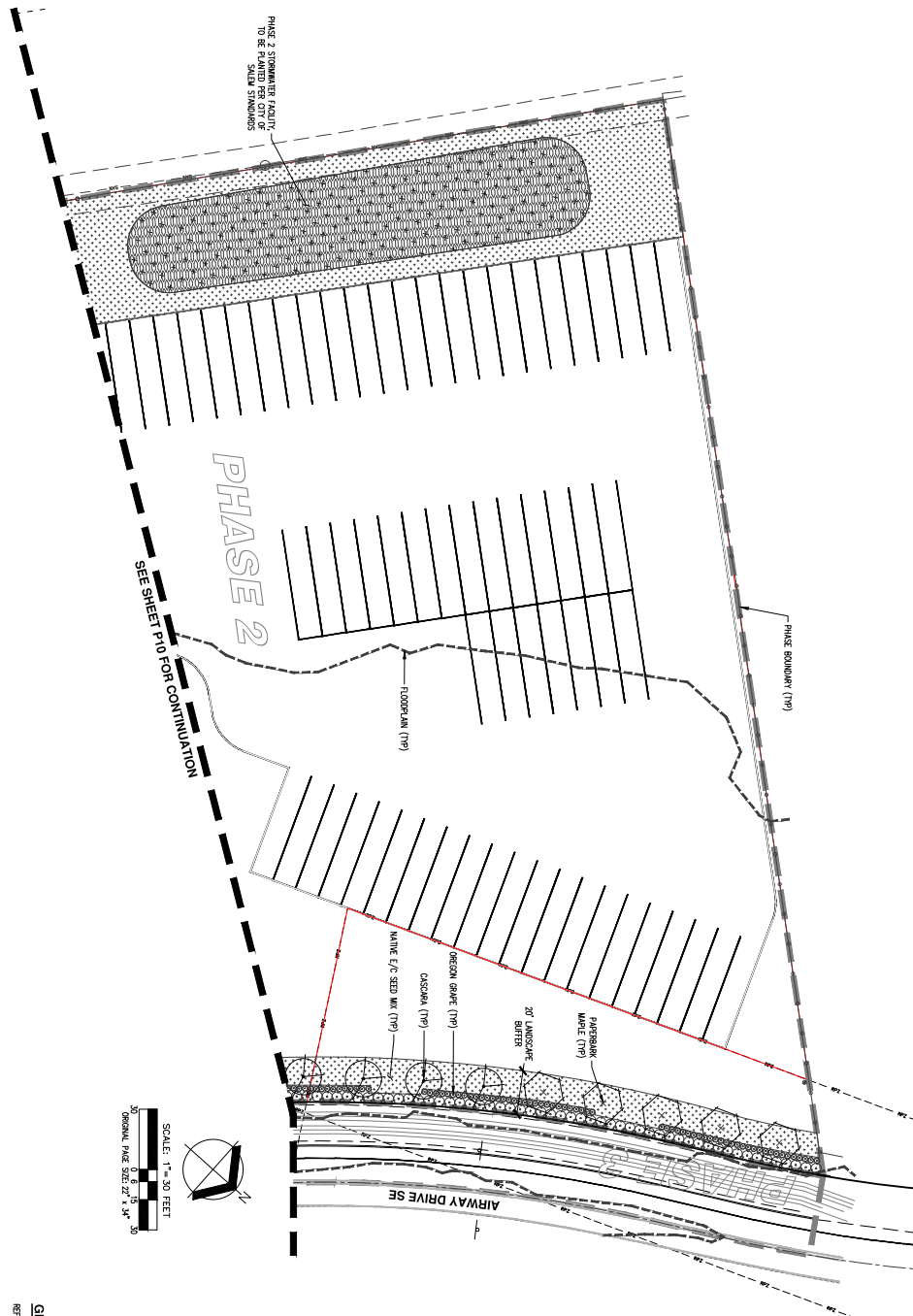
1. PLANT SPECIES, SIZE, SPACING, QUANTITIES, ETC., ARE TO BE PLANT MATERIAL OR EQUIVALENTS. PLANT MATERIAL SHALL BE OF EQUAL OR BETTER QUALITY THAN THAT SPECIFIED. PLANT MATERIAL SHALL BE OF EQUAL OR BETTER QUALITY THAN THAT SPECIFIED. PLANT MATERIAL SHALL BE OF EQUAL OR BETTER QUALITY THAN THAT SPECIFIED.
2. PLANTING IS RESPONSIBLE FOR PLANTING PLANT AND MATERIAL. QUANTITIES FOR PLANTING ARE FOR PLANTING THEMSELVES WITH SITE CONDITIONS. SHOULD DISAPPEARANCE OCCUR, DESIGN INTENT PERMITS OVER QUANTITIES LISTED.
3. ALL PLANTS AND MATERIAL SHALL BE PLANTED TO THE CITY OF SALEM LANDSCAPE DESIGN STANDARDS AND TO THE AMERICAN STANDARDS FOR NURSERY STOCK, AND 2011, CURRENT EDITION, IN ALL PLANTS PLANT IN ACCORDANCE WITH BEST PRACTICE STANDARDS. PLANTS SHALL BE PLANTED TO THE CITY OF SALEM LANDSCAPE DESIGN STANDARDS AND TO THE AMERICAN STANDARDS FOR NURSERY STOCK, AND 2011, CURRENT EDITION, IN ALL PLANTS PLANT IN ACCORDANCE WITH BEST PRACTICE STANDARDS.
4. PLANTING SHALL BE RESPONSIBLE FOR PLANTING PLANT AND MATERIAL. QUANTITIES FOR PLANTING ARE FOR PLANTING THEMSELVES WITH SITE CONDITIONS. SHOULD DISAPPEARANCE OCCUR, DESIGN INTENT PERMITS OVER QUANTITIES LISTED.
5. A PERMANENT UNDERGROUND IRRIGATION SYSTEM WITH A BACKFLOW DEVICE APPROVED BY THE CITY OF SALEM SHALL BE PROVIDED FOR ALL LANDSCAPED AREAS WITHIN THE PROJECT WORK AREA FOR THE ESTABLISHMENT AND LONG-TERM HEALTH OF PLANT MATERIAL. THE IRRIGATION SYSTEM SHALL BE DESIGNED BY THE LANDSCAPE CONTRACTOR, USING CURRENT WATER-SAVING TECHNOLOGY. THE IRRIGATION SYSTEM SHALL BE DESIGNED BY THE LANDSCAPE CONTRACTOR, USING CURRENT WATER-SAVING TECHNOLOGY. THE IRRIGATION SYSTEM SHALL BE DESIGNED BY THE LANDSCAPE CONTRACTOR, USING CURRENT WATER-SAVING TECHNOLOGY.
6. THE OWNER SHALL BE RESPONSIBLE FOR MAINTAINING ALL LANDSCAPE MATERIAL IN GOOD CONDITION SO AS TO PRESENT A HEALTHY, REFLECTED IN COMPLIANCE WITH THE REQUIREMENTS OF THE CURRENTLY APPLICABLE LANDSCAPE PLAN.
7. MAINTENANCE SHALL BE RESPONSIBLE FOR MAINTAINING ALL LANDSCAPE MATERIAL IN GOOD CONDITION SO AS TO PRESENT A HEALTHY, REFLECTED IN COMPLIANCE WITH THE REQUIREMENTS OF THE CURRENTLY APPLICABLE LANDSCAPE PLAN.
8. PLANTING SHALL NOT BE PLANTED CLOSER THAN 24" FROM CURB BURNS OR BURN AREAS. SPACING SHALL NOT BE PLANTED CLOSER THAN 36" FROM CURB BURNS.

SITE DATA

ZONING	SPAT ZONED BETWEEN INDUSTRIAL PARK (P) AND PUBLIC SERVICE (PS)
PLANTING SITE AREA	= 11,240 SF (4,400 SQ. FT.)
PLANTING PROJECT LATE AREA	= 11,240 SF (4,400 SQ. FT.)
PHASE 2 AREA	= 11,240 SF (4,400 SQ. FT.)
PHASE 3 AREA	= 11,240 SF (4,400 SQ. FT.)

PHASE 1 LANDSCAPE AREA AND PLANT UNIT REQUIREMENTS

PHASE 1 LANDSCAPE BUTTER AREA	= 11,240 SF
PLANT UNITS REQUIRED (PU)	= 11,240 SF (4,400 SQ. FT.)
SHADE TREES PROVIDED (PT)	= 11,240 SF (4,400 SQ. FT.)
GROUND COVER PROVIDED (PC)	= 11,240 SF (4,400 SQ. FT.)
STORMWATER FACILITY AREA	= 11,240 SF (4,400 SQ. FT.)
ADDITIONAL LANDSCAPE AREA PROVIDED	= 11,240 SF (4,400 SQ. FT.)
TOTAL PHASE 1 LANDSCAPE AREA PROVIDED	= 11,240 SF (4,400 SQ. FT.)
PHASES 2 AND 3 LANDSCAPE AREA AND PLANT UNIT REQUIREMENTS	
PHASES 2 AND 3 LANDSCAPE BUTTER AREA	= 11,240 SF
PLANT UNITS REQUIRED (PU)	= 11,240 SF (4,400 SQ. FT.)
SHADE TREES PROVIDED (PT)	= 11,240 SF (4,400 SQ. FT.)
GROUND COVER PROVIDED (PC)	= 11,240 SF (4,400 SQ. FT.)
STORMWATER FACILITY AREA	= 11,240 SF (4,400 SQ. FT.)
ADDITIONAL LANDSCAPE AREA PROVIDED	= 11,240 SF (4,400 SQ. FT.)
TOTAL PHASE 2 AND 3 LANDSCAPE AREA PROVIDED	= 11,240 SF (4,400 SQ. FT.)



GENERAL NOTE

REFER TO SHEET P10 FOR PLANT SCHEDULE AND GENERAL LANDSCAPE NOTES.

PRELIMINARY LANDSCAPE PLAN - NORTH
3111 AIRWAY DR SE
WATTEV SALEM, INC.
SALEM, OREGON

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JO# NUMBER: 10662
 DATE: 01/03/2025
 DESIGNED BY: ED
 DRAWN BY: TMT
 CHECKED BY: TEB

REGISTERED
 PRELIMINARY
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 CONSTRUCTION
 CONSULTING ARCHITECTS

P11



MEMO

To: File for UGA-SPR-ADJ-DAP25-02 (24-120941-PLN)

Prepared By: Laurel Christian, Infrastructure Planner III
Community Planning and Development Department

Subject: Development Services Written Findings
Electric Vehicle Charging Station for Freight Trucks
4025 Airway Drive SE

ANALYSIS OF URBAN GROWTH PRELIMINARY DECLARATION

Salem Revised Code (SRC) 200.025(d) & (e) set forth the applicable criteria that must be met before an Urban Growth Preliminary Declaration may be issued. The following subsections are organized with approval criteria followed by findings identifying those public facilities that are currently in place and those that must be constructed as a condition of the Urban Growth Preliminary Declaration in order to fully serve the development in conformance with the City's adopted Master Plans and Area Facility Plans.

SRC 200.025(d): The Director shall review a completed application for an Urban Growth Preliminary Declaration in light of the applicable provisions of the Master Plans and the Area Facility Plans and determine:

- (1) The required facilities necessary to fully serve the development;***
- (2) The extent to which the required facilities are in place or fully committed.***

Finding: Development services has reviewed the applicable Master Plans and Area Facilities Plans and has determined what facilities are necessary to fully serve the development as well as the extent to which the facilities are in place or will be listed as a condition of approval on the development, as described in the below analysis of the development based on relevant standards in SRC 200.055 through SRC 200.075.

SRC 200.025(e): The Urban Growth Preliminary Declaration shall list all required facilities necessary to fully serve the development and their timing and phasing which the developer must construct as conditions of any subsequent land use approval for the development.

Finding: An Urban Growth Preliminary Declaration is required because the subject property is located outside the Urban Service Area in an area without required facilities. Analysis of the development based on relevant standards in SRC 200.055 through SRC 200.075 is as follows:

Code authority references are abbreviated in this document as follows: *Salem Revised Code (SRC)*; *Public Works Design Standards (PWDS)*; *Salem Transportation System Plan (Salem TSP)*; and *Stormwater Management Plan (SMP)*.

▪ ***SRC 200.055—Standards for Street Improvements***

Finding: An adequate linking street is defined as the nearest point on a street that has a minimum 60-foot-wide right-of-way with a minimum 30-foot improvement for local streets or a minimum 34-foot improvement for major streets (SRC 200.055(b)). All streets abutting the property boundaries shall be designed to the greater of the standards of SRC Chapter 803 and the standards of linking streets in SRC 200.055(b).

The nearest adequate linking street improvement, as defined in SRC 200.055(b) is located along Turner Road SE at the Interstate 5 overpass. Turner Road SE is classified as a minor arterial roadway according to the Salem Transportation System Plan (TSP). The linking improvement requires widening Airway Drive SE and Turner Road SE to equal a 34-foot wide linking street improvement from the eastern line of the lease boundary along Airway Drive SE to the Interstate 5 overpass along Turner Road SE, approximately 0.15-miles. Pursuant to SRC 200.080 the Director has approved establishment of a Temporary Facilities Access Agreement (TFAA) to allow payment of a Temporary Access Fee in lieu of construction of the required facilities. Pursuant to SRC 200.080(a)(4) the Director shall establish a reasonable contribution towards the construction of the permanent facilities that will ultimately serve the development.

The proposed development is a leased area on airport property. The Airport Master Plan identifies a Runway Protection Zone (RPZ) which limits land that may be developed to allow for safe airway landings. To the west of the leased area is an existing waste transfer station and to the east of the leased area is land which will not be developed due to the RPZ. To the north of the property is undeveloped land also in the RPZ. Because development is restricted outside of the leased area, the linking street improvement will solely serve the leased area. Therefore, the Temporary Access Fee amount will be equal to the estimated cost of construction of the linking improvement. The Public Works Director will estimate the cost of construction at time the Applicant and City enter into a Temporary Facilities Access Agreement.

▪ ***SRC 200.060—Standards for Sewer Improvements***

Finding: The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities (SRC 200.060). The applicant shall construct the *Salem Wastewater Management Master Plan* improvements and link the site to existing facilities that are defined as adequate under 200.005(a). As a condition of sewer service, all developments will be required to provide public sewers to adjacent upstream parcels, discussed further below.

The nearest available sewer facilities are located on the subject property, along the southern property boundary. Additional linking sanitary sewer improvements are not required pursuant to SRC 200.060.

▪ ***SRC 200.065—Standards for Storm Drainage Improvements***

Finding: The proposed development shall be linked to existing adequate facilities by the construction of storm drain lines, open channels, and detention facilities which are necessary to connect to such existing drainage facilities. The applicant shall link the on-site system to existing facilities that are defined as adequate under SRC 200.005(a).

There are no public storm mains in the vicinity of the subject property. The property is served by existing open ditches along Airway Drive SE and the East Fork of Pringle Creek, which is located along the southern property boundary and provide a point for discharge of stormwater. Additional linking stormwater main improvements are not required pursuant to SRC 200.05(a).

▪ ***SRC 200.070—Standards for Water Improvements***

Finding: The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 200.070). The applicant shall provide linking water mains consistent with the *Water System Master Plan* adequate to convey fire flows to serve the proposed development as specified in the Water Distribution Design Standards.

The nearest available public water main appears to be located in Airway Drive SE, along the boundary of the subject property. Additional linking water improvements are not required per SRC 200.070.

▪ ***SRC 200.075—Standards for Park Sites***

Finding: Pursuant to SRC 200.075(a), parks service is not required for the proposed development.

SITE PLAN REVIEW DECISION CRITERIA

The following Code references indicate the criteria that must be found to exist before an affirmative decision may be made. The applicable criteria and the corresponding findings are as follows:

SRC 220.005(f)(3)(A): The application meets all applicable standards of the UDC (Unified Development Code)

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

❖ **CITY INFRASTRUCTURE STANDARDS**

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

Utilities & Parks	
Type	Existing Conditions
Water	Water Service Level: G-0
	A 10-inch water main is located in Airway Drive SE.
Sanitary Sewer	A 15-inch sanitary sewer main is located on the subject property.
Storm Drainage	Open ditches are located along Airway Drive SE.
	The East Fork of Pringle Creek is located on the subject property.

SRC Chapter 200 – Urban Growth Management

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

Finding: The subject property is located outside of the Urban Service Area and an Urban Growth Preliminary Declaration has been included as part of the decision. As conditioned, the proposed development meets the standards in SRC Chapter 200 for Urban Growth Management.

SRC Chapter 71 – Stormwater

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

Finding: The proposed development is subject to SRC Chapter 71 and the Public Works Design Standards that require the use of Green Stormwater Infrastructure (GSI) to treat and detain stormwater generated from the development. The proposed plan demonstrates compliance with PWDS Appendix 4E related to green stormwater infrastructure by setting aside at least ten percent of the total new impervious surface area for installation of green stormwater infrastructure. The applicant's engineer shall design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

Condition: Design and construct a storm drainage system at the time of development in compliance with *Salem Revised Code* (SRC) Chapter 71 and *Public Works Design Standards* (PWDS).

SRC 802 – Public Improvements

▪ ***Development to be served by City utilities:***

SRC 802.015 requires development to be served by City utilities designed and constructed according to all applicable provisions of the Salem Revised Code and Public Works Design Standards (PWDS).

Finding: Public water, sanitary sewer, and stormwater 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. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the Public Works Design Standards (PWDS) and to the satisfaction of the Public Works Director.

❖ **CITY STREET AND RIGHT-OF-WAY STANDARDS**

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

Streets			
Street Name		Right-of-way Width	Improvement Width
Airway Drive SE (Collector)	Standard:	60-feet	80-feet
	Existing Condition:	34-feet	28-feet
	Special Setback:	N/A	

SRC 803 – Street and Right-of-way Improvements

▪ ***Boundary Street Improvements***

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

Finding: Airway Drive SE abuts the subject property and is classified as a collector street according to the Salem Transportation System Plan (TSP). Airway Drive SE meets the minimum right-of-way width required for a collector street according to the TSP; however, does not meet the required improvement width standards for a collector street. The ultimate pavement improvement width for a collector street is 34-feet according to SRC 803.025 Table 803-2 (Pavement Width). Airway Drive SE also lacks sidewalks, landscape strips, and street trees on the development side of the street. Pursuant to SRC 803.040(a)(5), construction of a building on the subject property triggers the boundary street improvement required. As such, the required boundary street improvement shall be constructed in conjunction with the proposed building,

planned within Phase 3 of the Development.

Condition: Prior to issuance of a certificate of occupancy for any structure, construct a half-street improvement along the frontage of Airway Drive SE to collector street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.

▪ ***Street Trees***

Pursuant to SRC 803.035(k) and SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible.

Finding: Airway Drive SE does not currently have landscape strips. As described in the written findings above, a boundary street improvement will be required in conjunction with construction of the proposed building. Street tree planting may be delayed until construction of the boundary street improvement, when landscape strips are established.

Condition: Prior to issuance of a certificate of occupancy for any structure, install street trees to the maximum extent feasible along Airway Drive SE.

SRC Chapter 804 – Driveway Approaches

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

Finding: The applicant proposes a new driveway approach onto Airway Drive SE and has applied for a Class 2 Driveway Approach Permit; findings for which are provided in this decision. The applicant has also applied for an adjustment to the maximum driveway approach width. As described in the findings below, the proposal meets the approval criteria for a Class 2 Driveway Approach Permit and Class 2 Adjustment for driveway width. With approval of the Class 2 Driveway approach permit and Class 2 Adjustment, the proposed development meets applicable criteria in SRC Chapter 804 relating to driveway approaches.

SRC Chapter 805 – Vision Clearance

SRC Chapter 805 establishes vision clearance standards in order to ensure visibility for vehicular, bicycle, and pedestrian traffic at the intersections of streets, alleys, flag lot accessways, and driveways.

Finding: The applicant's preliminary site plan does not show the required vision clearance areas at the driveway approach. The applicant's preliminary plans show fencing located in the vision clearance area, which is considered an obstruction, and not

permitted per SRC Chapter 805. At time of Building Permit application, the applicant shall submit a site plan that demonstrates no vision clearance obstructions.

Condition: Prior to issuance of a Building Permit or Civil Site Work permit, submit a site plan that demonstrates compliance with the Vision Clearance Standards in SRC Chapter 805 by removing fencing from the vision clearance area for the driveway approach.

❖ **NATURAL RESOURCES**

SRC 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: A portion of the subject property is designated on the Federal Emergency Management Agency floodplain maps as a Zone “AE” floodplain. The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined the 100-year base flood elevation for the subject development is 217.60-feet. Development within the floodplain requires a floodplain development permit and is subject to the requirements of SRC Chapter 601, including elevation of new structures to a minimum of one foot above the base flood elevation. The proposed building is located outside of the mapped floodplain on the subject property. However, the parking areas and electrical equipment will be located within the floodplain. Grading within the floodplain will require a Floodplain Development Permit in accordance with SRC Chapter 601. Additionally, Pursuant to SRC 601.070(a)(5) electrical equipment shall be elevated one foot above the base flood elevation and shall be designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during conditions of flooding. The final design plans shall incorporate details demonstrating the standards of SRC 601.070(a)(5) are met.

Condition: Prior to issuance of any construction permits for the proposed development, the applicant shall obtain a Floodplain Development Permit in accordance with SRC Chapter 601.

Condition: All new electrical equipment shall be designed and constructed to meet the provisions for flood hazard reduction established in SRC 601.070.

SRC Chapter 809 – Wetlands

Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal

wetlands laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

Finding: The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and waterways mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s), including any work in the public right-of-way. Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

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.

Criteria: SRC 220.005(f)(3)(B) The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately

Finding: As described in the UGA section of the decision, needed "linking street" improvements are necessary to serve the development and the Director has allowed payment of a Temporary Access Fee in lieu of constructing the necessary facilities. As a condition of development, the applicant shall be required to pay the applicable Temporary Access Fee as established by the Public Works Director per SRC 200.080.

Condition: Enter into a Temporary Facilities Access Agreement for "linking street" improvements and pay a Temporary Access Fee as determined by the Public Works Director for cost of the required improvements per SRC 200.080.

As described in the City Street and Right-of-Way section of the decision, boundary street improvements are conditioned along Airway Drive SE in accordance with SRC 804.040. With listed conditions of approval, access to the proposed development will be provided by a network of streets which are conditioned to be improved. The street system in and adjacent to the development will provide for the safe, orderly, and efficient circulation of traffic to and from the development with established conditions of

approval. This criterion is met.

Criteria: SRC 220.005(f)(3)(C) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians

Finding: The driveway access onto Airway Drive SE provides for safe turning movements into and out of the property. This criterion is met.

Criteria: SRC 220.005(f)(3)(D) The proposed development will be adequately served with City water, sewer, storm drainage, and other utilities appropriate to the nature of the development

Finding— The Development Services division reviewed the proposal and determined that water, sewer, and storm infrastructure are available and appear to be adequate to serve the lots within the proposed development, subject to the conditions of approval established in this decision. This approval criterion is met.

CLASS 2 DRIVEWAY APPROACH PERMIT DECISION CRITERIA

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

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

Finding: The applicant proposes one driveway approaches onto Airway Drive SE, which is classified as a collector street. As described in the following findings, with established conditions of approval, the proposed driveway approaches meet the applicable standards in the Salem Revised Code Chapter 804 and the Public Works Design Standards. This criterion is met.

▪ SRC Chapter 804 Driveway Approach Development Standards

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

Finding: Pursuant to SRC 804.050(b)(3) driveway approach width is measured as the paved surface at the property line. The maximum driveway approach width is 40-feet per SRC 804.050(b)(2). As shown on the applicant's plans, one 84-foot-wide driveway approach is proposed to serve the development site. The applicant has requested an adjustment to allow deviation from the maximum driveway approach width standards in

SRC 804.050(b)(2), findings for which are provided in this decision. With approval of the Class 2 Adjustment to driveway width, the driveway approach meets all development standards listed in Chapter 804.

▪ ***Public Works Design Standards***

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

Finding: The Public Works Design Standards (PWDS) provide a standard detail for construction of driveway approaches serving commercial development (PWDS Standard Plan No. 302). All driveway approaches serving the development will be constructed to PWDS Standard Plans, as identified on the applicant's plans. Construction drawings for driveway approaches will be confirmed at time of Building Permit application. The applicant's plans identify that the driveway approach will be constructed to commercial approach standards.

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

Finding: Development Services has reviewed the proposal and determined that no site conditions existing prohibiting the location of the proposed driveway. This criterion is met.

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

Finding: The proposed development is a leased site on Airport property. The Airport property has frontage on Airway Drive SE, a collector street, and Turner Road SE, a minor arterial street. The leased area only has frontage on Airway Drive SE, which is classified as a collector street. No access onto an arterial roadway is proposed. This criterion is not applicable.

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

(A) Is shared with an adjacent property; or

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

Finding: The proposed development is a leased site on Airport property. The Airport property has frontage on Airway Drive SE, a collector street, and Turner Road SE, a minor arterial street. The leased area only has frontage on Airway Drive SE, which is classified as a collector street and the lowest classification of street abutting the leased area and subject property. This criterion is met.

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

Finding: As described in the written findings above, the applicant's site plan shows fencing in the vision clearance area for the driveway approach, which is not a permitted obstruction per SRC Chapter 805. The decision establishes a condition of approval to remove fencing from the vision clearance area for the driveway approach. With listed on conditions of approval, the approach will meet the vision clearance standards. This criterion is met.

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

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

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

Finding: Development Services' analysis of the proposed driveway and the evidence that has been submitted indicate that the location of the proposed driveway will not have any adverse impacts to the adjacent properties or streets. This criterion is met.

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

Finding: The proposed development is a leased site on Airport property. The Airport property has frontage on Airway Drive SE, a collector street, and Turner Road SE, a minor arterial street. The applicant is proposing a driveway to the lower classification of street and it meets the spacing requirements of SRC Chapter 803. By complying with the requirements of this chapter the applicant has minimized impacts to the functionality of adjacent streets and intersections. This criterion is met.

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

Finding: The proposed driveway approach is not located in the vicinity of a residentially zoned area. The driveway will not have an effect on the functionality of the adjacent streets. This criterion is met.

CLASS 2 ADJUSTMENT DECISION CRITERIA

Analysis of the proposed Class 2 adjustment based on relevant criteria in SRC 250.005(d)(2) is as follows:

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: The applicant requests a Class 2 Adjustment to increase the maximum width for a two-way driveway from 40 feet to 84 feet for the driveway approach onto Airway Drive SE, per SRC 804.050(b)(2). The proposed use of the property is electrical vehicle charging for freight trucks. As part of the application package, the applicant has provided a plan showing truck turning templates that demonstrates the anticipated size of trucks utilizing the site will require a wider driveway to accommodate truck turning movements without using the opposite lane to make the turning movement. Plans show that when a driveway approach meeting the maximum width allowed is utilized, trucks will need to use the on-coming lane of traffic to make the turning movement into the site, which would not provide for safe access. The proposed driveway configuration meets the adjustment criteria by allowing for turning movements and traffic safety equal to what would be accomplished by meeting the development standard.