

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

## DECISION OF THE PLANNING ADMINISTRATOR

**REPLAT CASE NO.: REP22-05**

**APPLICATION NO.: 22-107503-LD**

**NOTICE OF DECISION DATE:** September 12, 2022

**SUMMARY:** An application for a replat to relocate the common property line between two properties.

**REQUEST:** A replat to relocate a common property line between two existing platted lots by moving the property line about 20.48 feet to the west, with Parcel 1 sized approximately 64 61,049 square feet and Parcel 2 sized approximately 45,216 15,174 square feet. The existing building on Parcel 1 would remain and Parcel 2 would consist of vacant land for future development. The subject properties are zoned IG (General Industrial) and located at 4175 Salem Industrial Dr. NE (Marion County Assessors Map and Tax Lot Numbers: 073W01C / 2500 and 073W12B / 5300).

**APPLICANT:** Brandie Dalton on behalf of Matthew Fitzmaurice

**LOCATION:** 4175 Salem Industrial Dr NE

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

**FINDINGS:** The findings are in the attached Decision dated September 12, 2022.

**DECISION:** The **Planning Administrator APPROVED** Replat Case No. REP22-05 subject to the following conditions of approval:

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

The rights granted by the attached decision must be exercised, or an extension granted, by September 28, 2024, or this approval shall be null and void.

Application Deemed Complete:	<u>June 10, 2022</u>
Notice of Decision Mailing Date:	<u>September 12, 2022</u>
Decision Effective Date:	<u>September 28, 2022</u>
State Mandate Date:	<u>October 8, 2022</u>

**Case Manager:** Liz Olmstead, Planner III, [eolmstead@cityofsalem.net](mailto:eolmstead@cityofsalem.net), 503-540-2363

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at [planning@cityofsalem.net](mailto:planning@cityofsalem.net), no later than 5:00 p.m., Tuesday, September 27, 2022. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter 205.

# NOTICE OF DECISION

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



The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

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

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

# BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

## DECISION

IN THE MATTER OF THE APPROVAL	)	FINDINGS AND ORDER
OF TENTATIVE REPLAT	)	
CASE NO. REP22-05;	)	
4175 SALEM INDUSTRIAL DRIVE NE	)	SEPTEMBER 12, 2022

## REQUEST

**Summary:** An application for a replat to relocate the common property line between two properties.

**Request:** A replat to relocate a common property line between two existing platted lots by moving the property line about 20.48 feet to the west, with Parcel 1 sized approximately ~~61~~ 61,049 square feet and Parcel 2 sized approximately ~~15,216~~ 15,174 square feet. The existing building on Parcel 1 would remain and Parcel 2 would consist of vacant land for future development. The subject properties are zoned IG (General Industrial) and located at 4175 Salem Industrial Dr. NE (Marion County Assessors Map and Tax Lot Numbers: 073W01C / 2500 and 073W12B / 5300). 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. On April 5, 2022, an application for a replat was filed proposing to relocate the common property line between two properties at 4175 Salem Industrial Drive NE.
2. On May 6, 2022, additional information was provided and the application was deemed complete for processing. Notice to surrounding property owners and residents was mailed pursuant to Salem Revised Code on May 20, 2022. The state-mandated local decision deadline is September 17, 2022.

## SUBSTANTIVE FINDINGS

### 1. Proposal

The subject property consists of two tax lots, Marion County Assessors Map and Tax Lot Number 073W01C/ 2500 (Parcel 1 of Partition Plat 94-26) and 073W12B / 5300 (Parcel 1 of Partition Plat 2021-65), approximately 1.75 acres in size. The property contains industrial development and a vehicle use area. The proposal is a replat to relocate a common property line between two existing platted lots.

The two parcels within the tentative partition plan are proposed as follows:

#### **PROPOSED PARCEL 1**

Parcel Size:	61,049 square feet
Parcel Dimensions:	Approximately 258 feet in width and 236 feet in depth

#### **PROPOSED PARCEL 2**

Parcel Size:	15,174 square feet
Parcel Dimensions:	Approximately 67 feet in width and 236 feet in depth.

## 2. Applicant's Plans and Statement

Land use applications must include a statement addressing the applicable approval criteria and be supported by proof they conform to all applicable standards and criteria of the Salem Revised Code. The tentative plan of the proposed replat submitted by the applicant showing the size and configuration of the proposed consolidated lots is included as **Attachment B**.

The written statement provided by the applicant addressing the applicable approval criteria associated with the proposal is included as **Attachment C**.

## 3. Summary of Record

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 22 107503.

## 4. Existing Conditions

### Site and Vicinity

The subject property consists of two tax lots, approximately 1.75 acres in size. The subject property has frontage on Salem Industrial Drive NE to the east. Salem Industrial Drive NE is designated as a Local Street under the Salem Transportation System Plan (TSP).

The subject property includes existing buildings and off-street parking/vehicle use areas located on proposed Parcel 1 and proposed Parcel 2 is vacant with planned future development (**Attachment B**).

### Salem Area Comprehensive Plan (SACP) Designation

The subject property is designated Industrial on the Salem Area Comprehensive Plan map.

The Comprehensive Plan designations of surrounding properties include:

Comprehensive Plan Designation of Surrounding Properties	
North	Industrial
South	Industrial
East	Across Salem Industrial Drive NE, Industrial
West	Across railroad right-of-way, Industrial Commercial

### Zoning and Surrounding Land Use

The subject property is zoned IG (General Industrial). The zoning of surrounding properties is as follows:

Zoning of Surrounding Properties	
North	IG (General Industrial)
South	IG (General Industrial)
East	Across Salem Industrial Drive NE, General Industrial
West	Across railroad right-of-way, Industrial Commercial

#### Relationship to Urban Service Area

The subject property is located outside of the City's Urban Service Area.

### **5. City Department Comments**

Public Works Department - Reviewed the proposal and provided a memo which is included as **Attachment C**.

Building and Safety Division - Reviewed the proposal and indicated that there appears to be a legal easement for utilities across proposed Parcel 2. The proposed new building will require fire rated construction where closer than 10 feet to adjacent property lines.

Fire Department - Reviewed the proposal and indicated no site concerns.

### **6. Public Agency Comments**

No Public Agency comments were received by the end of the comment period.

### **7. Neighborhood Association Comments**

The subject property is located within the boundaries of the Northgate 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. The applicant submitted documentation of Neighborhood Association Contact provided on June 10, 2022 to the Northgate Neighborhood Association chairs.

Neighborhood Association Comment: Notice of the application was provided to the Northgate Neighborhood Association pursuant to SRC 300.620(b)(2)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. The neighborhood association had no objections to the proposal.

Public Comment: Notice was also provided, pursuant to SRC 300.620(b)(2)(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 from residents were submitted.

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

## DECISION CRITERIA FINDINGS

### 8. Criteria for Granting a Tentative Replat

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

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

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

**Finding:** The purpose of the proposed replat is to move the common property line between Marion County Assessors Map and Tax Lot Numbers: 073W01C/ 2500 (Parcel 1 of Partition Plat 94-26) and 073W12B / 5300 (Parcel 1 of Partition Plat 2021-65), 20.48 feet to the west to accommodate for future development on proposed Parcel 2. The resulting parcels will be 61,049 and 15,174 square feet.

The replat does not propose to vacate any of the public streets that abut the property or any recorded covenants or restrictions. The proposed replat meets this approval criterion.

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

**Finding:** The subject property is zoned IG (General Industrial). The minimum lot size and dimension requirements applicable to the subject property based on its zoning are included under SRC 554.010(a). A summary of the applicable minimum lot size and dimension requirements is provided in the following table:

IG Zone Lot Size & Dimension Standards	
Lot Area	None
Lot Width	None
Lot Depth	None
Street Frontage	Min. 16 ft. <i>(applicable to all uses except for Single Family)</i>

As shown on the replat tentative plan (**Attachment B**), the Parcel 1 will be 61,049 square feet and Parcel 2 will be 15,174 square feet. The proposed lots exceed the minimum lot area, dimension, and street frontage requirements of the IG zone and does not result in the creation of a non-conforming unit of land.

Setbacks and lot coverage requirements applicable to the subject property based on its zoning are included under SRC 554.010(b) and (c) (*IG Zone setbacks and lot coverage standards*) as follows:

IG Zone Setbacks and Lot Coverage	
Abutting Street	Min. 5 ft.
Interior Front	Zone-to-zone setback
Interior Side	Zone-to-zone setback
Interior Rear	Zone-to-zone setback
Zone-to-zone Setback abutting zone: IG	Buildings and accessory structures: None Vehicle use areas: Min. 5 ft.
Zone-to-zone Setback abutting zone abutting railroad right-of-way	Buildings and accessory structures: Min. 5 ft. Vehicle use areas: Min. 5 ft.
Lot Coverage	No Maximum

As shown on the replat tentative plan (**Attachment B**), there is an existing structure on Parcel 1. And Parcel 2 is a vacant lot with proposed future development. The existing building on Parcel 1 is set back 97 feet from the proposed property line and covers 32 percent of the parcel, which complies with the required setbacks and maximum lot coverage. Future development on Parcel must comply with setbacks and lot coverage at time of development. This approval criterion is met.

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

**Finding:** The Unified Development Code (UDC) implements the Salem Area Comprehensive Plan land use goals and governs the development of property within the City limits. The proposed replat meets all applicable provisions of the UDC as detailed below.

SRC Chapter 205 (Land Division and Reconfiguration): The intent of SRC Chapter 205 is to provide for orderly development through the application of appropriate standards and regulations. The replat process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan, and the Water, Sewer, and Storm Drain System Master Plans. The applicant has met all application submittal requirements necessary for adequate review of the proposed replat. The proposed replat conforms to the applicable requirements of SRC Chapter 205.

The lot area and dimensions of the proposed replatted lots exceed the minimum lot size, dimension, and street frontage requirements of the IG zone, and the proposed lots are of a size and configuration that is suitable for future development in conformance with the applicable requirements of the IG zone. Future development of Parcel 2 will be reviewed for conformance with the applicable development standards of the zone at the time of site plan review and building permit approval for development of the property.

City Infrastructure Standards: The Public Works Department reviewed the proposal for compliance with the City's public facility plans pertaining to the provision of streets, water, sewer, and storm drainage facilities and determined that such facilities are available and appear to be adequate to serve future development of the lots in conformance with the requirements of SRC Chapter 802 (Public Improvements) and SRC Chapter 803 (Streets and Right-of-Way Improvements). A summary of existing improvements are as follows:

- Water:** The subject property is located in the G-0 water service level.
- A 10-inch water main is located on the subject property within an easement.
- Sewer:** A 18-inch sewer main is located in Salem Industrial Drive NE and extends onto the subject property within an easement.
- Storm Drainage:** A 18-inch storm main is located in Salem Industrial Drive NE.
- Streets:** Salem Industrial Drive NE abuts the east boundary of the subject property. Salem Industrial Drive NE is designated as a Local Street in the Salem TSP.
- The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
  - The street has an approximate 34-foot improvement within a 60-foot-wide right-of-way abutting the subject property

SRC Chapter 808 (Preservation of Trees and Vegetation): The City's tree preservation ordinance (SRC Chapter 808) protects:

- 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.

In addition, tree conservation plans are required in conjunction with any development proposal involving the creation of lots or parcels to be used for the construction of single-family dwelling units or middle housing, if the development proposal will result in the removal of trees.

Because the proposed replat does not involve the creation of a lot to be used for the construction of a single-family dwelling unit or middle housing, a tree conservation plan is not



required in conjunction with the proposed replat. However, any removal of trees from the property to accommodate the future development of the site must still comply with the requirements of the City's tree preservation ordinance (SRC Chapter 808).

**SRC Chapter 809 (Wetlands):** Grading and construction activities within jurisdictional waters of the state are regulated by the Oregon Department of State Lands (DSL) and U.S. Army Corps of Engineers. State and federal wetlands laws are also administered by DSL and the Army Corps of Engineers, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures.

According to the Salem-Keizer Local Wetlands Inventory (LWI), the subject property does not contain any mapped wetlands or waterways. The subject property also does not contain any hydric or wetlands-type soils. As such, no impacts to wetlands or required mitigation measures are required in conjunction with the replat and future development of the subject properties.

**SRC Chapter 810 (Landslide Hazards):** The topography of the subject property is relatively flat. According to the City's adopted landslide hazard susceptibility maps, the subject property does not contain any areas of mapped landslide hazard susceptibility points. Pursuant to the City's landslide hazard ordinance (SRC Chapter 810), a geologic assessment is therefore not required in conjunction with the future development of the subject property.

As identified above, the proposed replat complies with the standards of SRC Chapter 205 and with all applicable provisions of the UDC. This approval criterion is met.

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

ORS 92.185 establishes standards for replatting, including standards for reconfiguration of lots or parcels and public easements, vacation, notice, and utility easements. The proposed replat meets all applicable provisions of ORS 92.185 as detailed below:

**ORS 92.185(1):** *A replat, as defined in ORS 92.010, shall only apply to a recorded plat.*

**Finding:** The land subject to the proposed replat consists of two lots, Marion County Assessors Map and Tax Lot Number 073W01C/ 2500 (Parcel 1 of Partition Plat 94-26) and 073W12B / 5300 (Parcel 1 of Partition Plat 2021-65).

**ORS 92.185(2):** *Notice shall be provided as described in ORS 92.225(4) when the replat is replatting all of an undeveloped subdivision as defined in ORS 92.225.*

**Finding:** Streets and infrastructure have been constructed to serve the platted lots subject to the proposed replat. The existing lots are therefore defined as "developed" pursuant to ORS 92.225 and this requirement is not applicable to the proposal.

**ORS 92.185(3):** *Notice, consistent with the governing body of a city or county approval of a tentative plan of a subdivision plat, shall be provided by the governing body to the owners of property contiguous to the proposed replat.*

**Finding:** As described in the procedural findings included in this decision, notice was provided to owners of property, including any contiguous property, located within 250 feet of the subject property. The public notice provided for replats is the same type of notice provided for subdivisions and other Type II land use applications under SRC 300.520. The proposal therefore satisfies this requirement.

*ORS 92.185(4): When a utility easement is proposed to be realigned, reduced in width or omitted by a replat, all affected utility companies or public agencies shall be notified, consistent with a governing body's notice to owners of the property contiguous to the proposed plat. Any utility company that desires to maintain an easement subject to vacation under this section must notify the governing body within 14 days of the mailing or other service of the notice.*

**Finding:** In addition to providing notice to owners of property located within 250 feet of the subject property, notice of the proposed replat was also provided to public and private utility providers serving the subject property. The replat does not propose to realign, reduce in width, or omit any utility easements. The proposal therefore satisfies this requirement.

*ORS 92.185(5): A replat shall not serve to vacate any public street or road.*

**Finding:** The proposed replat does not vacate any public street or road. The public streets abutting the property will remain in place. The proposal therefore satisfies this requirement.

*ORS 92.185(6): A replat shall comply with all subdivision provisions of this chapter and all applicable ordinances and regulations adopted under this chapter.*

**Finding:** Staff has reviewed the proposed replat for compliance with the applicable provisions of the ORS Chapter 92 and the Salem Revised Code. As described in the findings in this decision regarding conformance with the approval criteria under SRC 205.025(d), the proposed replat complies with all applicable subdivision standards, including lot size and dimensions, access and circulation, and availability of public and private utility infrastructure. The proposal therefore satisfies this requirement. The proposal complies with the requirements of ORS Chapter 92.

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

**Finding:** There are no past land use decisions, or conditions of approval associated with any past land use decisions, affecting the subject property that prohibit the proposed replat. This approval criterion is met.

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

**Finding:** The Public Works Department reviewed the proposal and indicated in summary, as specified in **Attachment D**, that water, sewer, and storm drainage facilities are available and appear to be adequate to serve the subject property in conformance with the requirements of SRC Chapter 802 (Public Improvements), and public streets abutting the subject property are

available to provide adequate street access to the property in conformance with SRC Chapter 803 and the Salem Transportation System Plan (TSP).

In order to ensure applicable rights of access are maintained to existing and proposed utilities on the property following the replat of the lots, the following condition of approval shall apply:

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

The proposed replat, as conditioned, meets this criterion.

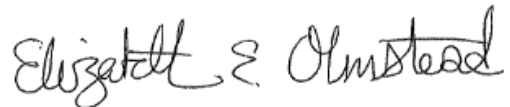
## 9. Conclusion

Based upon review of SRC 205.005, the findings contained under Section 8 above, the tentative partition plan complies with the requirements for an affirmative decision. Approval will not adversely affect the safe and healthful development and access to any adjoining lands.

### IT IS HEREBY ORDERED

The request to relocate a common property line between two existing platted lots by moving the property line about 20.48 feet to the west, with Parcel 1 sized approximately 61,049 square feet and Parcel 2 sized approximately 15,174 square feet for property zoned IG (General Industrial) and located at 4175 Salem Industrial Dr. NE (Marion County Assessors Map and Tax Lot Numbers: 073W01C / 2500 and 073W12B / 5300), is hereby **APPROVED** subject to SRC Chapters 205 and 554, and the following condition prior to final plat approval, unless otherwise indicated:

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

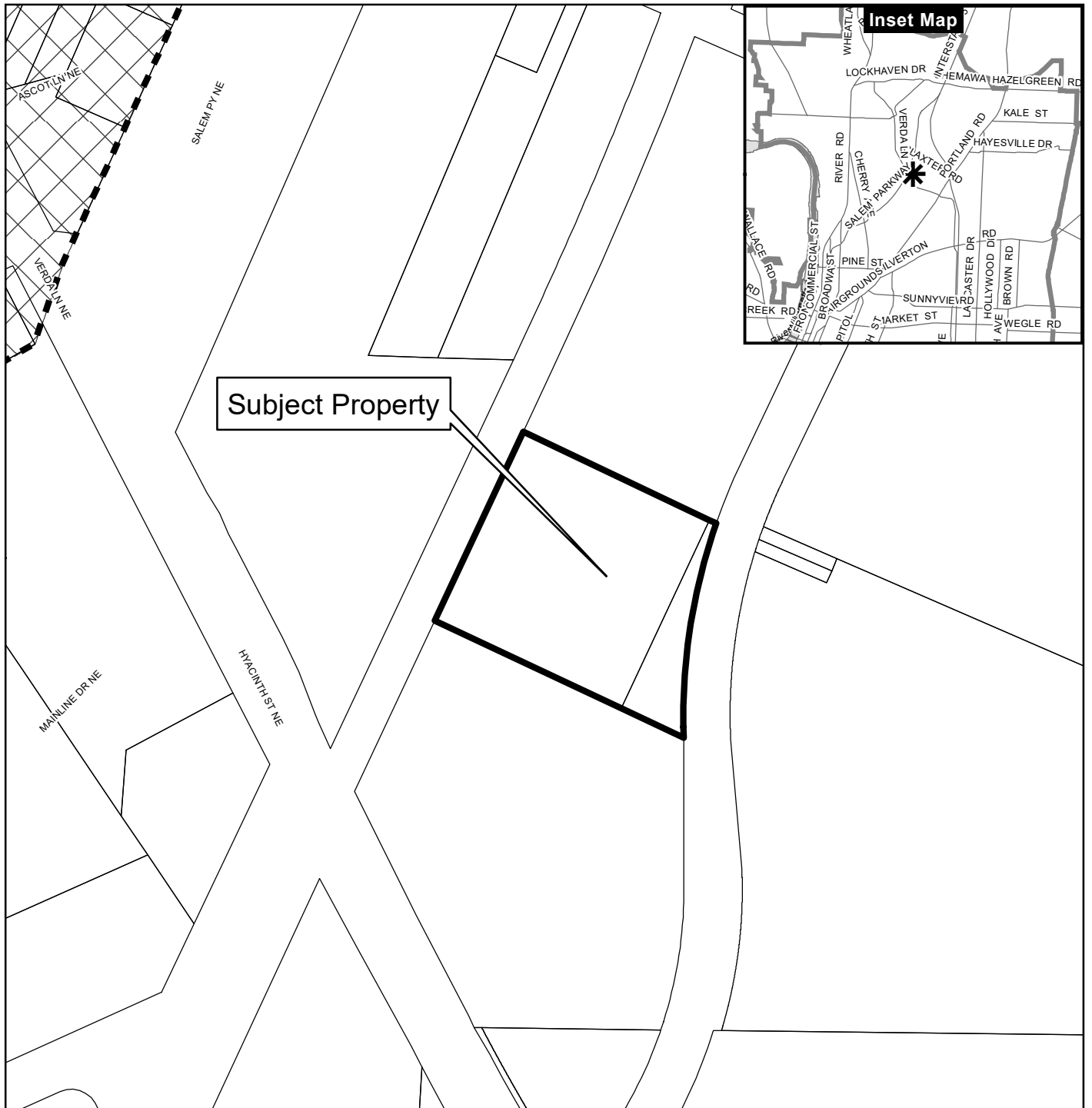


Liz Olmstead, Planner III, on behalf of  
Lisa Anderson-Ogilvie, AICP  
Planning Administrator

Attachments: A. Vicinity Map  
B. Tentative Partition Plan  
C. Applicant's Written Statement  
D. Public Works Department Memorandum

# Vicinity Map

## 4175 Salem Industrial Dr NE



### Legend

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

Parks

**CITY OF Salem**  
AT YOUR SERVICE  
Community Development Dept.

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0 100 200 400 Feet



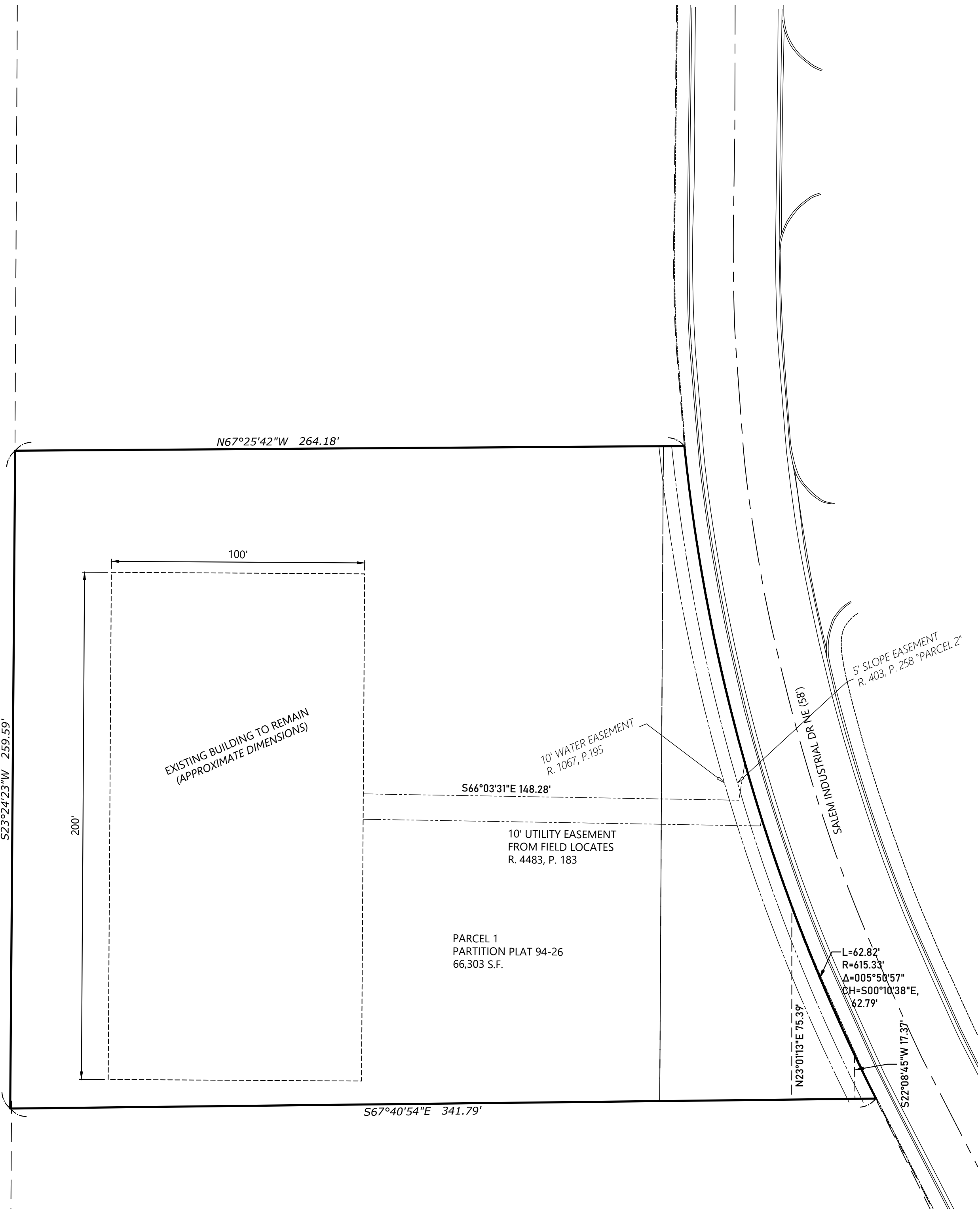
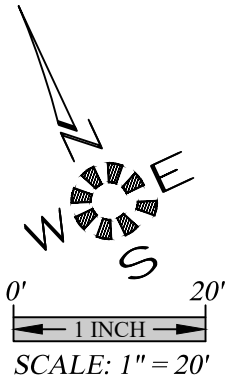
PROPOSED PARTITION PLAT

A REPLAT OF PARCEL 1, PARTITION PLAT  
94-26 & PARCEL 1, PARTITION PLAT 2021-65  
IN THE NW 1/4 SEC. 12 & SW 1/4 SEC. 1, T. 7 S., R. 3 W., W.M.  
CITY OF SALEM, MARION COUNTY, OREGON

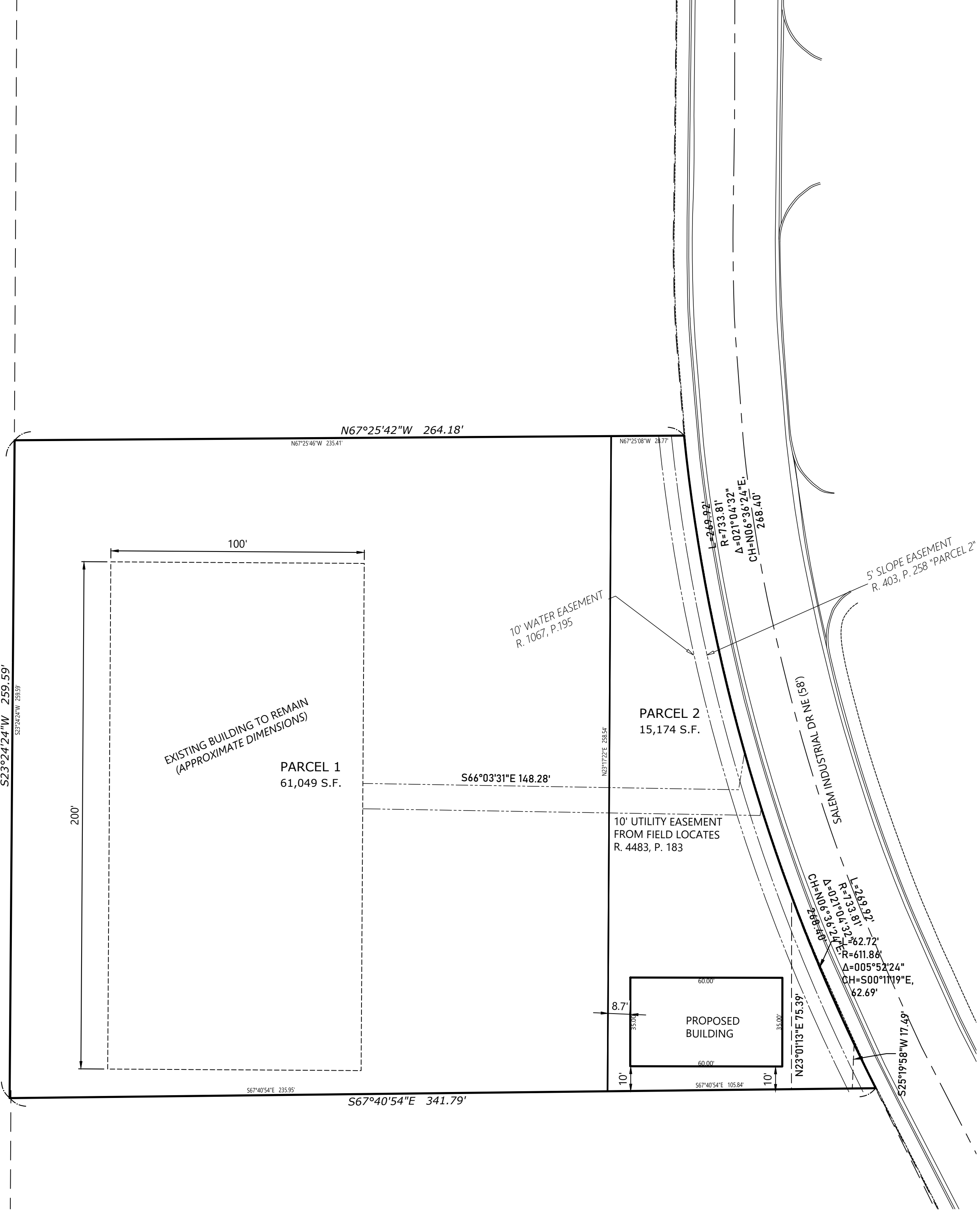
Owner/Developer:  
FFI Investments, LLC.  
3957 Croisan Mountain Dr S  
SALEM, OREGON 97302

BY:  
MULTI/TECH ENGINEERING SERVICES, INC.  
1155 13TH ST. S.E. SALEM, OREGON 97302  
503-363-9227

MAY 2ND, 2022



EXISTING CONDITIONS



PROPOSED CONDITIONS

REGISTERED OREGON  
PROFESSIONAL  
LAND SURVEYOR

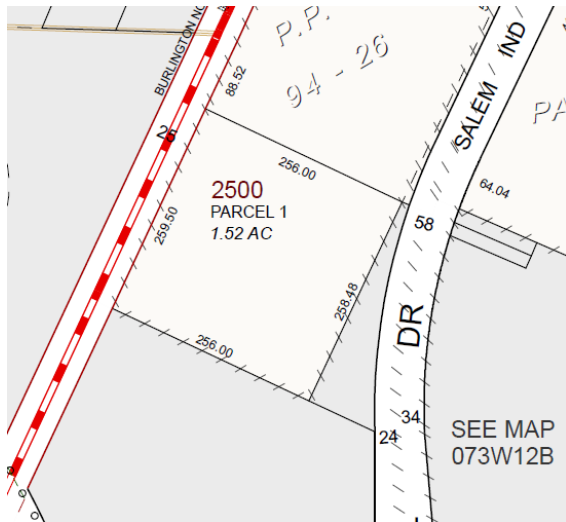
JULY 13, 2004  
ROBERT D. HAMMAN  
64202LS

EXPIRES: 6-30-2023





Tax Lot 2500:



**CRITERIA AND APPLICANT'S REASONS ADDRESSING UDC 205.025(d):**

The decision criteria for replats without a concurrent variance under UDC Chapter 205.025(d) must be found to exist before an affirmative decision may be made for a replat application.

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

Applicant Findings: There are no streets proposed to be vacated.

*General Circulation:* The proposed replat will result in the replat a 073W01C/Tax Lot 2500 (Parcel 1 of Partition Plat 94-26) and 073W12B/Tax Lot 5300 by moving the common property line about 20.48 feet to the west. Vehicular access to both parcels will continue to be taken from Salem Industrial Drive via a shared drive-way. The existing streets will provide safe and efficient access to the parcels and the existing street system, by providing direct access to the site.

*Boundary Streets:* Salem Industrial Drive abuts the subject properties to the east. Boundary street improvements will be determined with and met at the time of development.

*Internal Streets:* There are no internal public streets proposed or required in conjunction with the proposed replat.

*Transportation Planning Rule Review:*

The City of Salem's TPR encourages a reduction in automobile trips by capitalizing on transit opportunities and by creating an environment that encourages people to walk. The proposed replat is a "limited land use decision" pursuant to Oregon Revised Statute (ORS) 197.015, and has therefore been reviewed for consistency with the State's TPR multi-modal connectivity requirements.

As an infill proposal, the transportation network in the area is already established or continuing to be established with new development. Connections to the existing system are provided by existing streets and access to serve the new parcels. The subject property, as proposed and conditioned, is served with adequate transportation infrastructure, and the street system adjacent to the property provides for safe, orderly, and efficient circulation of traffic into and out of the property.

The major street network in the area has been established and is consistent with the Salem Transportation System Plan which implements the Comprehensive Plan. Public Works Department will address any applicable requirements for right-of-way conveyance that might be required because of this replat.

Salem Industrial Drive is a 'collector' street and provides connections to the street system that serves the area.

The replat is served with other adequate transportation infrastructure, and the street system adjacent the property will conform to the Salem Transportation System Plan and provide for safe, orderly, and efficient circulation of traffic into, through, and out of the subject property once the access ways are hard-surfaced and physically connected to the public street system.

**UDC 205.025(d)(2): *The tentative replat will not create nonconforming units of land or nonconforming development, or increase the degree of nonconformity in existing units of land or development.***

Applicant Findings: The subject properties are currently vacant. The replat creates two large parcels by adjusting the common property line. Both of which will have more than adequate building envelopes for future development. Therefore, the replat will not create non-conforming uses on the site.

Proposed Lot area:

\*Parcel 1- 61,012 square feet

\*Parcel 2- 15,216 square feet

*Lot Frontage:* The proposed parcels have direct lot frontage along Salem Industrial Drive to the east.

*City Infrastructure standards:* Water, sewer, storm drainage plans will be submitted to the Public Works Department for final plat and construction plan approval at the final plat stage. The tentative site plan illustrates the location of the public utility lines. The proposal meets applicable Salem Area Comprehensive Plan Policies for properties within the Urban Growth Boundary. The proposal encourages the efficient use of developable commercial land. Public facilities and services are or will be available to serve the site, including services such as water, sanitary and storm sewer and fire/life/safety services.

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

Applicant Findings: The proposal complies to all applicable standards of the subdivision code and with existing development and public facilities. There is an existing building located on Tax Lot 2500 that will remain. The replat is to adjust the common property line. Therefore, creating parcels of land that are in



compliance with the Code. Setbacks and Code compliances will be reviewed prior to building permit approval.

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

Applicant Findings: The tentative replat complies with all applicable provisions of ORS Chapter 92. The proposed parcel is in compliance with the requirements of the code. The property will be surveyed and a plat will be recorded as required by ORS 92.

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

Applicant Findings: The replat is not prohibited by an approval or condition of approval.

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

Applicant Findings: There is an existing building located on Tax Lot 2500 that will remain. Tax Lot 5300 is vacant, but have public utilities available. The subject property is located on the west side of Salem Industrial Drive. The proposal is to replat a 073W01C/Tax Lot 2500 (Parcel 1 of Partition Plat 94-26) and 073W12B/Tax Lot 5300 by moving the common property line about 20.48 feet to the west.

City of Salem water and sewer service is available to the proposed parcels. The improvement of the access ways will facilitate vehicle and pedestrian access to the public street system. The Salem-Keizer School District and the Salem-Keizer Transit District serve the site.

The major street network in the area has been established and is consistent with the Salem Transportation System Plan which implements the Comprehensive Plan.

The replat is served with other adequate transportation infrastructure, and the existing street system adjacent the property and the access easement will conform to the Salem Transportation System Plan and provide for safe, orderly, and efficient circulation of traffic into, through, and out of the subject property physically connected to the public street system.

**Trees:** The subject properties are zoned IG and there are no trees located on the sites.

**Homeowners Association:** There is no Homeowners Association associated with these properties.



# MEMO

**TO:** Liz Olmstead, Planner III  
Community Development Department

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

**DATE:** June 28, 2022

**SUBJECT:** PUBLIC WORKS RECOMMENDATIONS  
REP22-05 (22-107503)  
4175 SALEM INDUSTRIAL DRIVE NE  
REPLAT TO ADJUST A PROPERTY LINE

## PROPOSAL

A replat to relocate a common property line between two existing platted lots by moving the property line 20.48 feet to the west, with Parcel 1 sized approximately 61,049 square feet and Parcel 2 sized approximately 15,216 square feet. The existing building on Parcel 1 would remain and Parcel 2 would consist of vacant land for future development. The subject properties are zoned IG (General Industrial) and located at 4175 Salem Industrial Drive NE (Marion County Assessors Map and Tax Lot Numbers: 073W01C / 2500 and 073W12B / 5300).

## RECOMMENDED CONDITIONS OF PLAT APPROVAL

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

## FACTS

### **Streets**

1. Salem Industrial Drive NE
  - a. Standard - This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
  - b. Existing Conditions - This street has an approximate 34-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

## Storm Drainage

### 1. Existing Conditions

- a. An 18-inch stormwater main is located in Salem Industrial Drive NE.

## Water

### 1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. A 10-inch water main is located on the subject property within an easement.

## Sanitary Sewer

### 1. Existing Sewer

- a. An 18-inch sewer main is located in Salem Industrial Drive NE and extends onto the subject property within an easement.

## CRITERIA AND FINDINGS

SRC 205.025(d) indicates the criteria that must be found to exist before an affirmative decision may be made. The applicable criteria and the corresponding findings are as follows:

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

**Findings**—The applicant's proposal does not vacate any public rights-of-way.

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

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

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

**Findings**—The City Surveyor will confirm ORS 92 compliance as part of the final plat mylar review.

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

**Findings**—The Public Works Department has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are existing, and appear to be adequate to serve the proposed replat. Public streets abutting the subject property are available to provide adequate street access. The applicant shall ensure relocated property lines coincide with future driveway locations and do not create conflicts with existing utility poles, cable boxes, fire hydrants, etc.

All existing and proposed easements shall be shown on the final plat. An existing water main and sewer main easement is shown on the tentative replat plan.

Prepared by: Laurel Christian, Program Coordinator  
cc: File