

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

DECISION OF THE PLANNING ADMINISTRATOR

PARTITION CASE NO. PAR18-14

APPLICATION NO. : 18-121786-LD

NOTICE OF DECISION DATE: December 19, 2018

SUMMARY: A proposed partition to divide a lot at 2605 Laurel Avenue NE into two parcels.

REQUEST: A tentative partition plan to divide approximately 0.2 acres (8,920 square feet) zoned RS (Single Family Residential) and located at 2605 Laurel Avenue NE (Marion County Assessor's Map and Tax Lot number 073W14BD03100) into two parcels, with Parcel 1 consisting of approximately 4,501.23 square feet and Parcel 2 consisting of approximately 4,501.37 square feet.

APPLICANT: Francisco Villalobos

LOCATION: 2605 Laurel Avenue NE / 97301

CRITERIA: SRC Chapter 205.005(d)

FINDINGS: The findings are attached in the order dated December 19, 2018.

DECISION: The Planning Administrator **APPROVED** Partition Case No. PAR18-14 subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the conditions of approval listed below, which must be completed prior to final plat approval, unless otherwise indicated:

- Condition 1:** Construct sewer services that are proposed in the public right-of-way.
- Condition 2:** Obtain permits for installation of water services to serve Parcels 1 and 2.
- Condition 3:** Complete the following street improvements in accordance with SRC 803.040 and Public Works Design Standards (PWDS):
- Install street lights and street trees, where needed, along the frontages of both Laurel Avenue NE and Hickory Street NE;
 - Construct property line sidewalk along the frontage of Hickory Street NE;
 - Construct a curb ramp at the intersection of Laurel Avenue NE and Hickory Street NE; and
 - Repair non-conforming sidewalk along the frontage of Laurel Avenue NE to PWDS in compliance with SRC 78.180.

NOTICE OF DECISION

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



Condition 4: Provide a 10-foot public utility easement (PUE) along all street frontages.

Condition 5: Design stormwater systems to serve all proposed parcels in compliance with Public Works Design Standards. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on parcels 1 and 2. Construct stormwater facilities that are proposed in the public right-of-way.

The rights granted by this decision must be exercised or extension granted by **January 4, 2021**, or this approval shall be null and void.

Application Deemed Complete:	<u>November 21, 2018</u>
Notice of Decision Mailing Date:	<u>December 19, 2018</u>
Decision Effective Date:	<u>January 4, 2019</u>
State Mandate Date:	<u>March 21, 2019</u>

Case Manager: Pamela Cole, pcole@cityofsalem.net

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, **no later than Thursday, January 3, 2019, by 5:00 p.m.** 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. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Salem Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

**BEFORE THE PLANNING ADMINISTRATOR
OF THE CITY OF SALEM
(PARTITION PLAT NO. 18-14)**

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

**IN THE MATTER OF THE
TENTATIVE APPROVAL OF
PARTITION PLAT NO. 18-14;
2605 LAUREL AVENUE NE**

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)

**FINDINGS AND ORDER

DECEMBER 19, 2018**

REQUEST

A tentative partition plan to divide approximately 0.2 acres (8,920 square feet) zoned RS (Single Family Residential) and located at 2605 Laurel Avenue NE (Marion County Assessor's Map and Tax Lot number 073W14BD03100) into two parcels, with Parcel 1 consisting of approximately 4,501.23 square feet and Parcel 2 consisting of approximately 4,501.37 square feet.

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

DECISION

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

Condition 1: Construct sewer services that are proposed in the public right-of-way.

Condition 2: Obtain permits for installation of water services to serve Parcels 1 and 2.

Condition 3: Complete the following street improvements in accordance with SRC 803.040 and Public Works Design Standards (PWDS):

- a. Install street lights and street trees, where needed, along the frontages of both Laurel Avenue NE and Hickory Street NE;
- b. Construct property line sidewalk along the frontage of Hickory Street NE;
- c. Construct a curb ramp at the intersection of Laurel Avenue NE and Hickory Street NE; and
- d. Repair non-conforming sidewalk along the frontage of Laurel Avenue NE to PWDS in compliance with SRC 78.180.

Condition 4: Provide a 10-foot public utility easement (PUE) along all street frontages.

Condition 5: Design stormwater systems to serve all proposed parcels in compliance with Public Works Design Standards. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on parcels 1 and 2. Construct stormwater facilities that are proposed in the public right-of-way.

PROCEDURAL FINDINGS

1. On October 30, 2018 an application for a Tentative Partition Plan was filed proposing to divide a 0.2-acre property at 2605 Laurel Avenue NE (Attachment B) into two parcels.
2. After additional information was submitted by the applicant, the application was deemed complete for processing on November 21, 2018. Notice to surrounding property owners was mailed pursuant to Salem Revised Code on November 21, 2018.
3. The applicant submitted a concurrent tree conservation plan on November 1, 2018.

SUBSTANTIVE FINDINGS

1. Proposal

The tentative plan proposes to divide the property into two parcels, with Parcel 1 and Parcel 2 each consisting of approximately 4,501 square feet (Attachment B). The proposed Parcel 1 will access to Hickory Street NE and proposed Parcel 2 would access to Hickory Street NE or Laurel Avenue NE. The two parcels within the tentative partition plan are proposed as follows:

PROPOSED PARCEL 1

Parcel Size: 4,501 square feet,
Parcel Dimensions: Approximately 59.83 feet in width and 75.24 feet in depth.

PROPOSED PARCEL 2

Parcel Size: 4,501 square feet,
Parcel Dimensions: Approximately 59.80 feet in width and 75.28 feet in depth.

Access and Circulation: The subject property has frontage along the southerly property line on Hickory Street NE, which is designated as a local street within the Salem Transportation System Plan (TSP). The subject property has frontage along the easterly property line on Laurel Avenue NE, which is designated as a local street within the Salem Transportation System Plan (TSP).

2. Existing Conditions

Site and Vicinity

The subject property is a rectangular lot with 119.57 feet of frontage on Hickory Street NE along its southerly boundary and 75.30 feet of frontage on Laurel Avenue NE along its easterly boundary. The property is approximately 75.26 feet in width and approximately 119.62 feet in depth from east to west.

Salem Area Comprehensive Plan (SACP) Designation

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

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

North: Single Family Residential
South: (Across Hickory Street NE) Single Family Residential
East: (Across Laurel Avenue NE) Multi-Family Residential
West: Single Family Residential

Zoning and Surrounding Land Use

The subject property is zoned RS (Single Family Residential). The surrounding properties are zoned and used as follows:

North: RS (Single Family Residential); single family dwelling
South: (Across Hickory Street NE) RS (Single Family Residential); single family dwelling
East: (Across Laurel Avenue NE) RM2 (Multi-Family Residential); railroad yard
West: RS (Single Family Residential); single family dwelling

Relationship to Urban Service Area

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

Infrastructure

Water: The subject property is located within the G-0 water service level. An 8-inch public water main is located in Hickory Street NE. A 4-inch public water main is located in Laurel Avenue NE.

Sewer: An 8-inch sewer main is located in the alley abutting the property to the west and also in Hickory Street NE.

Storm Drainage: An 8-inch storm main is located approximately 225 feet north of the subject property in Laurel Avenue NE. A 6-inch storm main is located approximately 150 feet west of the subject property in Hickory Street NE.

Streets: *Hickory Street SE* abuts the southerly boundary of the subject property and is designated as a Local street in the Salem Transportation System Plan (TSP).

- The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- Hickory Street NE has an approximate 30-foot improvement within a 66-foot-wide right-of-way abutting the subject property.

Laurel Avenue NE abuts the easterly boundary of the subject property and is designated as a Local street in the Salem Transportation System Plan (TSP).

- The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- Laurel Avenue NE has an approximate 30-foot improvement within a 66-foot-wide right-of-way abutting the subject property.

3. Public and Private Agency Review

Public Works Department - The City of Salem Public Works Department, Development Services Section, reviewed the proposal and has provided their comments and recommendation for plat approval. Their memorandum is included as Attachment C.

Building and Safety Department - The City of Salem Building and Safety Department reviewed the proposal and commented that there were no apparent site issues.

Salem Fire Department – Salem Fire Department reviewed the proposal and commented that fire has no concerns with the proposed partition and will review items such as fire department access and water supply at time of building permit review.

PGE – PGE reviewed the proposal and commented that development costs would be per current tariff and service requirements. Any rearrangements of existing PGE facilities would be at the customer's expense.

4. Neighborhood Association Comments

The subject property is within the Highland Neighborhood Association (Highland). Notice of the application was provided to the neighborhood association, pursuant to SRC 300.620(b)(2)(B)(iii), which requires public notice to be sent to “any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property.” No comments were received from the neighborhood association prior to the close of the comment period.

5. Public Comments

Property owners and tenants within 250 feet of the subject property were mailed notification of the proposed partition. No comments were received from neighbors prior to the close of the comment period.

6. Criteria for Granting a Tentative Partition

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

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

SRC 205.005(d)(1): The tentative partition plan complies with the standards of this Chapter and with all applicable provisions of the UDC, including, but not limited to the following:

(A) Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage, and designation of front and rear lot lines.

SRC Chapter 511 (Single Family Residential): The proposed partition would divide the 0.2 acre property into two parcels with no remainder. The subject property is currently

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

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

Requirement	Minimum Standard
Lot Area (Single Family)	4,000 square feet
Infill Lot ¹	5,500 square feet
Two Family	7,000 square feet
Lot Width	40 feet
Lot Depth (Single Family)	70 feet
Street Frontage	40 feet

The proposed parcels in the partition are both approximately 4,501 square feet in size. The proposed parcels exceed minimum lot area, dimension, and frontage requirements and therefore conform to the applicable standards. The proposed parcels within the partition are also of sufficient size and dimension to permit future development of uses allowed within the zone.

Except for flag lots, the RS zone, pursuant to SRC 511.010(a) Table 511-2, requires lots to have a minimum frontage of 40 feet on a street. Both proposed parcels exceed the minimum frontage requirement.

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

Front Yards and Yards Adjacent to Streets:

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

Rear Yards:

- Minimum 14 feet (for any portion of a main building not more than one story in height); or
- Minimum 20 feet (for any portion of a main building greater than one story in height)

Interior Side Yards (including alley):

- Minimum 5 feet

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

- Minimum 10 feet (Infill Lot)

Setback requirements for the proposed Parcels will be reviewed at the time of application for building permits.

Lot Coverage: Maximum lot coverage requirements within the RS zone are established under SRC 511.010(c), Table 511-4. The RS zone limits the total maximum lot coverage for buildings and accessory structures to 60 percent. Future development of the Parcels will be reviewed for conformance with the development standards of SRC 511 at the time of building permit review.

The proposal meets the requirements of SRC Chapter 511.

SRC Chapter 800 (General Development Standards):

SRC 800.015(a) (Buildings to be on a Lot): Pursuant to SRC 800.015(a), every building or structure shall be entirely located on a lot.

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

SRC 806.015(a) (Minimum Required Off-Street Parking): SRC 806.015(a) requires all Single Family and Two Family dwellings, outside of the Central Salem Development Program (CSDP) Area, to provide a minimum of two off-street parking spaces. The subject property is located outside of the CSDP, and the proposed partition would create two parcels for residential development (proposed Parcels 1 and 2). Off-street parking requirements for the proposed Parcels will be reviewed at the time of application for building permits.

The proposal meets the requirements of SRC Chapter 806.

(B) City Infrastructure Standards.

The Public Works Department reviewed the proposal for compliance with the City's public facility plans pertaining to provision of water, sewer, and storm drainage facilities. While SRC Chapter 205 does not require submission of utility construction plans prior to tentative partition plan approval, it is the responsibility of the applicant to design and construct adequate City water, sewer, and storm drainage facilities to serve the proposed development prior to final plat approval without impeding service to the surrounding area.

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

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

SRC Chapter 802 (Public Improvements): Comments from the Public Works Department indicate that water and sewer infrastructure is available along the perimeter of the site and appears to be adequate to serve the proposed partition. Specifications for required public improvements are summarized in the Public Works Department memo dated December 18, 2018 (Attachment C).

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

Condition 1: Construct sewer services that are proposed in the public right-of-way.

Condition 2: Obtain permits for installation of water services to serve Parcels 1 and 2.

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

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

SRC 803.015 (Traffic Impact Analysis): The proposed two parcel partition generates less than 200 average daily vehicle trips to Hickory Street NE or Laurel Avenue NE, which are designated as Local streets. Therefore, a Traffic Impact Analysis is not required as part of the proposed partition submittal.

SRC 803.020 (Public and Private Streets): There are no internal streets proposed within the partition. The subject property has frontages on Hickory Street NE and Laurel Avenue NE, which are public streets.

SRC 803.025 (Right-of-Way and Pavement Widths): The property abuts Laurel Avenue NE to the east and Hickory Street NE to the south. Both abutting streets are designated as Local streets in the TSP. The abutting portions of Hickory Street NE and Laurel Avenue NE have approximate 30-foot-wide improvements within 66-foot-wide rights-of-way and do not meet current standards for local streets. Laurel Avenue NE is lacking in street trees and street lights. Hickory Street NE is lacking in street trees, street lights, and sidewalk, including a curb ramp at the corner of Hickory Street NE and Laurel

Avenue NE. To ensure the streets will meet the standards for a local street, the following condition shall apply:

Condition 3: Complete the following street improvements in accordance with SRC 803.040 and Public Works Design Standards (PWDS):

- a. Install street lights and street trees, where needed, along the frontages of both Laurel Avenue NE and Hickory Street NE;
- b. Construct property line sidewalk along the frontage of Hickory Street NE;
- c. Construct a curb ramp at the intersection of Laurel Avenue NE and Hickory Street NE; and
- d. Repair non-conforming sidewalk along the frontage of Laurel Avenue NE to PWDS in compliance with SRC 78.180.

The proposal meets the requirements of SRC Chapter 803, as conditioned.

SRC 803.030 (Street Spacing): The proposed partition involves further division of a 0.2-acre lot within an established residential area where the network of streets has been in place for several decades. The limited size of the proposal and existing development on adjacent properties preclude development of further street connections as part of the proposal. The requirements of SRC Chapter 803 are not applicable to this proposal.

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

Condition 4: Provide a 10-foot public utility easement (PUE) along all street frontages.

As conditioned, the proposal conforms to applicable street standards.

SRC 803.040 (Boundary Streets): The abutting portion of Hickory Street NE is designated as a Local street in the TSP. The property abuts Laurel Avenue NE to the east which is designated as a Local street in the TSP. The abutting portion of Hickory Street NE has an approximate 30-foot-wide improvement within a 66-foot-wide right-of-way and does not meet the current standard for a Local street. Laurel Avenue NE has an approximate 30-foot-wide improvement within a 66-foot-wide right-of-way and does not meet the current street standard for a local street.

As conditioned above, the proposal meets the requirements of 803.040.

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

SRC Chapter 808 (Preservation of Trees and Vegetation): SRC Chapter 808 (Preservation of Trees and Vegetation) requires tree conservation plans in conjunction with development proposals involving the creation of lots or parcels to be used for the construction of single family or duplex dwelling units, if the development proposal will result in the removal of trees.

The applicant has submitted a tree conservation plan indicating that one of the three trees on the subject site lies within the building envelope and will be removed. The applicant's proposal would remove 33.33% of the trees on site, thus meeting the 25% percent retention standard in SRC 808.035(d)(4).

Condition 2 within the Tree Conservation Plan (TCP18-08) imposes protections measures for the tree during construction. No heritage trees, riparian areas, or significant trees are currently present on the subject property.

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

The Salem-Keizer Local Wetland Inventory (LWI) indicates no wetland areas on the subject property.

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

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

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

Finding: The proposed partition would divide a 0.2-acre property into two proposed parcels with no remainder. The proposed partition would not impede the future use or development of any portion of the property. The adjoining properties are developed with single family dwellings and have access to public streets.

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

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

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

The proposed development is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed parcels can meet the PWDS, the applicant shall submit a tentative stormwater design prior to final plat approval. For a tentative stormwater design, the applicant shall submit infiltration test results, the Simplified Method Form or Engineering Method Report as applicable, and a preliminary site plan showing the building envelope and tentative location of stormwater facilities. An offsite public main may be required. In order to ensure that stormwater systems within the proposed partition meet the requirements of SRC Chapter 71, the following condition shall apply:

Condition 5: Design stormwater systems to serve all proposed parcels in compliance with Public Works Design Standards. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on parcels 1 and 2. Construct stormwater facilities that are proposed in the public right-of-way.

All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 803.035(c)(6)(B) prior to final plat approval. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

As conditioned, the proposal meets this criterion.

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

Finding: The property abuts Laurel Avenue NE to the east and Hickory Street NE to the south. Both abutting streets are designated as Local streets in the TSP and do not meet current standards for Local streets. Laurel Avenue NE is lacking in street trees and street lights. Hickory Street NE is lacking in street trees, street lights, and sidewalk,

including a curb ramp at the corner of Hickory Street NE and Laurel Avenue NE. Pursuant to SRC 803.040, the applicant shall construct up to a half-street improvement along both frontages to Local street standards. The applicant shall install street lights and street trees, where needed, along the frontages of both Laurel Avenue NE and Hickory Street NE; construct property line sidewalk along the frontage of Hickory Street NE; and construct a curb ramp at the intersection of Laurel Avenue NE and Hickory Street NE pursuant to SRC 803.040 and in compliance with PWDS. Pursuant to SRC 78.180, the applicant shall repair non-conforming sidewalks along the frontage of Laurel Avenue NE at the time of building construction, in compliance with PWDS. No additional right-of-way dedication is needed.

As conditioned above, the proposal meets this criterion.

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

Finding: The property abuts Laurel Avenue NE to the east and Hickory Street NE to the south. Both abutting streets are designated as Local streets in the TSP and do not meet current standards for Local streets. Laurel Avenue NE is lacking in street trees and street lights. Hickory Street NE is lacking in street trees, street lights, and sidewalk, including a curb ramp at the corner of Hickory Street NE and Laurel Avenue NE. Pursuant to SRC 803.040, the applicant shall construct up to a half-street improvement along both frontages to Local street standards. The applicant shall install street lights and street trees, where needed, along the frontages of both Laurel Avenue NE and Hickory Street NE; construct property line sidewalk along the frontage of Hickory Street NE; and construct a curb ramp at the intersection of Laurel Avenue NE and Hickory Street NE pursuant to SRC 803.040 and in compliance with PWDS. Pursuant to SRC 78.180, the applicant shall repair non-conforming sidewalks along the frontage of Laurel Avenue NE at the time of building construction, in compliance with PWDS. No additional right-of-way dedication is needed.

As conditioned, the street system adjacent to the tentative partition plan will provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the partition.

SRC 205.005(d)(6): The tentative partition plan takes into account the topography and vegetation of the site so the need for variances is minimized to the greatest extent practicable.

Finding: The proposed partition has been reviewed to ensure that adequate measures have been planned to alleviate natural or fabricated hazards and limitations to development, including topography and vegetation of the site. The layout allows for reasonable development of all parcels within the partition without variances from the UDC. The site is relatively flat. The applicant submitted a concurrent Tree Conservation Plan (TCP18-08) which indicates one, or 33.33%, of the trees on the subject site is planned for removal. The proposal meets this criterion.

SRC 205.005(d)(7): The layout, size, and dimensions of the parcels within the tentative partition plan take into account the topography and vegetation of the site, such that the least disruption of site, topography, and vegetation will occur from the reasonable development of the parcels.

Finding: As described in findings above, the subject site is flat. The proposed layout minimizes the need for substantial grading in any single area and allows retention of 66.66 percent of the existing trees.

The proposal meets this criterion.

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

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

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

7. Conclusion

Based upon review of SRC 205.005, the findings contained under Section 6 above, and the comments described, the tentative partition plan complies with the requirements for an affirmative decision. Approval will not adversely affect the safe and healthful development and access to any adjoining lands.

IT IS HEREBY ORDERED

That Tentative Partition Plan Case No. 18-14, to divide approximately 0.2 acres (8,920 square feet) zoned RS (Single Family Residential) and located at 2605 Laurel Avenue NE (Marion County Assessor's Map and Tax Lot number 073W14BD03100) into two parcels, with Parcel 1 consisting of approximately 4,501.23 square feet and Parcel 2 consisting of approximately 4,501.37 square feet, is hereby **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the conditions of approval listed below, which must be completed prior to final plat approval, unless otherwise indicated:

Condition 1: Construct sewer services that are proposed in the public right-of-way.

Condition 2: Obtain permits for installation of water services to serve Parcels 1 and 2.

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Pamela Cole, Planner II
Planning Administrator Designee

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

Application Deemed Complete: November 21, 2018
Notice of Decision Mailing Date: December 19, 2018
Decision Effective Date: January 4, 2019
State Mandated Decision Date: March 21, 2019

The rights granted by this decision must be exercised or extension granted by **January 4, 2021**, or this approval shall be null and void.

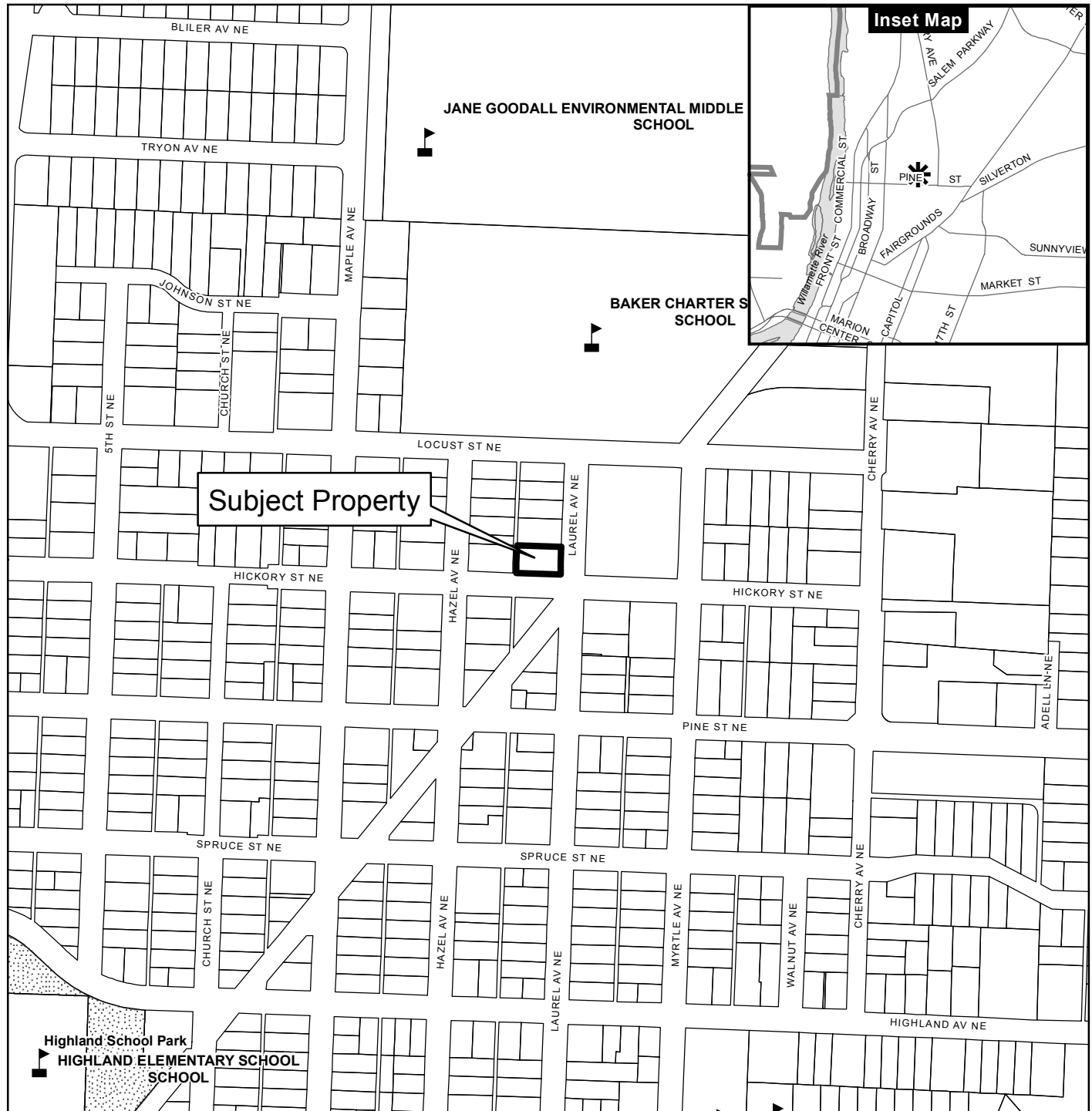
A copy of the complete Case File is available for review during regular business hours at the Planning Division office, 555 Liberty Street SE, Room 305, Salem OR 97301.

This decision is final unless written appeal from a party with standing to appeal, along with an appeal fee, is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem, Oregon 97301, **no later than Thursday, January 3, 2019, by 5:00 p.m.** The notice of

appeal must contain the information required by SRC 300.1020. The notice of appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the notice of appeal is untimely and/or lacks the proper fee, the notice of appeal will be rejected. The Salem Planning Commission will review the appeal at a public hearing. The Planning Commission may amend, rescind, or affirm the action or refer the matter to staff for additional information.

Vicinity Map

2605 Laurel Av NE



Legend

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

- Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

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MEMO

TO: Pamela Cole, Planner II
Community Development Department

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

DATE: December 18, 2018

SUBJECT: PUBLIC WORKS RECOMMENDATIONS
PAR18-14 (18-121786)
2605 LAUREL AVENUE NE
2-LOT PARTITION

PROPOSAL

To divide approximately 0.2 acres into 2 parcels in an RS (Single Family Residential) zone at 2605 Laurel Avenue NE.

RECOMMENDED CONDITIONS OF PLAT APPROVAL

1. Complete the following street improvements in accordance with SRC 803.040 and PWDS:
 - a. Install street lights and street trees, where needed, along the frontages of both Laurel Avenue NE and Hickory Street NE;
 - b. Construct property line sidewalk along the frontage of Hickory Street NE;
 - c. Construct a curb ramp at the intersection of Laurel Avenue NE and Hickory Street NE; and
 - d. Repair non-conforming sidewalk along the frontage of Laurel Avenue NE to PWDS in compliance with SRC 78.180.
2. Construct sewer services that are proposed in the public right-of-way.
3. Obtain permits for installation of water services to serve Parcels 1 and 2.
4. Design stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on parcels 1 and 2. Construct stormwater facilities that are

proposed in the public right-of-way.

5. Provide a 10-foot-wide public utility easement along all street frontages.

FACTS

STREETS

1. Laurel Avenue 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 Condition—This street has an approximate 30-foot improvement within a 66-foot-wide right-of-way abutting the subject property.

2. Hickory Street 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 Condition—This street has an approximate 30-foot improvement within a 66-foot-wide right-of-way abutting the subject property.

Storm Drainage

1. Existing Conditions

- a. An 8-inch storm main is located approximately 225 feet north of the subject property in Laurel Avenue NE.
- b. A 6-inch storm main is located approximately 150 feet west of the subject property in Hickory Street NE.

Water

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. An 8-inch public water main is located in Hickory Street NE.

- c. A 4-inch public water main is located in Laurel Avenue NE.

Sanitary Sewer

1. Existing Sewer

- a. An 8-inch sewer main is located in the alley abutting the property to the west and also in Hickory Street NE.

CRITERIA AND FINDINGS

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

SRC 205.005(d)(1)—The tentative partition plan complies with the standards of this Chapter and with all applicable provisions of the Unified Development Code, including, but not limited to the following:

- (A) Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage, and designation of front and rear lot lines;**
- (B) City infrastructure standards; and**
- (C) Any special development standards, including, but not limited to floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.**

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

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

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

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

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

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

Findings—Water and sewer infrastructure are available along the perimeter of the site and appear to be adequate to serve the property as shown on the applicant's preliminary partition plan. As specified in the conditions of approval, private water, sewer, and storm services shall be constructed to serve each lot as a condition of plat approval. Construction of facilities in the right-of-way is required prior to final plat except as authorized in an improvement agreement per SRC 205.035(c)(6)(B).

The proposed development is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed parcels can meet PWDS, the applicant shall submit a tentative stormwater design prior to final plat approval. For a tentative stormwater design, the applicant shall submit infiltration test results, the Simplified Method Form or Engineering Method Report as applicable, and a preliminary site plan showing the building envelope and tentative location of stormwater facilities. An offsite public main may be required.

All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 205.035(c)(6)(B) prior to final plat approval. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

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

Finding—Laurel Avenue NE and Hickory Street NE abut the subject property and do not meet current standards for Local streets. Laurel Avenue NE is lacking in street trees and street lights. Hickory Street NE is lacking in street trees, street lights, and sidewalk, including a curb ramp at the corner of Hickory Street NE and Laurel Avenue NE. Pursuant to SRC 803.040, the applicant shall construct up to a half-street improvement along both frontages to Local street standards. The applicant shall install street lights and street trees, where needed, along the frontages of both Laurel Avenue NE and

Hickory Street NE; construct property line sidewalk along the frontage of Hickory Street NE; and construct a curb ramp at the intersection of Laurel Avenue NE and Hickory Street NE pursuant to SRC 803.040 and in compliance with PWDS.

Pursuant to SRC 78.180, the applicant shall repair non-conforming sidewalks along the frontage of Laurel Avenue NE at the time of building construction, in compliance with PWDS.

No additional right-of-way dedication is needed.

Prepared by: Jennifer Scott, Program Manager
cc: File