

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

DECISION OF THE PLANNING ADMINISTRATOR

REPLAT CASE NO.: REP19-01

APPLICATION NO. : 19-102253-LD

NOTICE OF DECISION DATE: APRIL 10, 2019

SUMMARY: An application to reconfigure a common property line between two adjacent properties, resulting in approximately 18,754 square feet and 14,566 square feet in size. The existing homes on both lots will remain.

REQUEST: The subject properties are approximately 0.43 acres and 0.33 acres in size, respectively, zoned RA (Residential Agriculture), and located at 1790 Barnes Avenue SE and 1812 Barnes Avenue SE (Marion County Assessor Map and Tax Lot Numbers: 083W14AB / 4503 and 083W14AB / 4500).

APPLICANT: Sara Samoylich and Vyacheslav Samoylich

LOCATION: 1790 and 1812 Barnes Ave SE / 97306

CRITERIA: Salem Revised Code 205.025(d)

FINDINGS: The findings are in the attached Decision dated April 9, 2019.

DECISION: The **Planning Administrator APPROVED** Replat Case No. REP19-01 based upon the application materials deemed complete on January 30, 2019 and the findings as presented in this report.

The rights granted by the attached decision must be exercised, or an extension granted, by April 26, 2021 or this approval shall be null and void.

Application Deemed Complete:	<u>January 30, 2019</u>
Notice of Decision Mailing Date:	<u>April 10, 2019</u>
Decision Effective Date:	<u>April 26, 2019</u>
State Mandate Date:	<u>May 30, 2019</u>

Case Manager: Hayley Feightner, hfeightner@cityofsalem.net, 503-540-2315

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, no later than 5:00 p.m., Thursday, April 25, 2019. 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 Planning Commission will review the

NOTICE OF DECISION

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



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>

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**BEFORE THE PLANNING ADMINISTRATOR
OF THE CITY OF SALEM
(CASE NO. REP19-01)**

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

IN THE MATTER OF THE APPROVAL OF)	FINDINGS AND ORDER
REPLAT NO. 19-01;)	
1790 & 1812 BARNES AV SE)	April 10, 2019

REQUEST

An application to reconfigure a common property line between two adjacent properties, resulting in approximately 18,754 square feet and 14,566 square feet in size. The existing homes on both lots will remain.

The subject properties are approximately 0.43 acres and 0.33 acres in size, respectively, zoned RA (Residential Agriculture), and located at 1790 Barnes Avenue SE and 1812 Barnes Avenue SE (Marion County Assessor Map and Tax Lot Numbers: 083W14AB / 4503 and 083W14AB / 4500).

DECISION

The replat is APPROVED subject to the applicable standards of the Salem Revised Code, the findings contained herein.

PROCEDURAL FINDINGS

1. On January 3, 2019, an application for a Replat was filed by Vyacheslav Samoylich for the properties located at 1790 Barnes Avenue SE and 1812 Barnes Avenue SE (Attachment A).
2. The application was deemed complete for processing on January 28, 2019. Notice to surrounding property owners was mailed pursuant to Salem Revised Code on January 30, 2018. The state-mandated local decision deadline for the subject case is May 28, 2019.

SUBSTANTIVE FINDINGS

1. Proposal

An application to reconfigure a common property line between two adjacent properties, resulting in approximately 18,754 square feet and 14,566 square feet in size. The existing homes on both lots will remain.

The subject properties are approximately 0.43 acres and 0.33 acres in size, respectively, zoned RA (Residential Agriculture), and located at 1790 Barnes Avenue SE and 1812

Barnes Avenue SE (Marion County Assessor Map and Tax Lot Numbers: 083W14AB / 4503 and 083W14AB / 4500).

2. Existing Conditions

Site and Vicinity

The subject property consists of two tax lots approximately 0.76 acres in size, which comprises the following units of land; Parcel 2 of Partition Plat No. 2007-10 and a portion of Parcel 1 of Partition Plat No. 92-39. The development site has frontage on Barnes Avenue SE, on the north, which is designated a collector street in the Salem Transportation System Plan (TSP).

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: (Across Barnes Avenue SE) Single Family Residential

South: Single Family Residential

East: Single Family Residential

West: Single Family Residential

Zoning and Surrounding Land Use

The subject property is zoned RS (Single Family Residential) and is developed with single family residential uses. The surrounding properties are zoned and used as follows:

North: (Across Barnes Avenue SE) RA (Residential Agriculture); existing single family dwellings.

South: RS (Single Family Residential); existing single family dwellings

East: RS (Single Family Residential); existing single family dwellings

West: RA (Residential Agriculture); existing single family dwellings

Relationship to Urban Service Area

The subject property is located inside the City's Urban Service Area. Pursuant to the Urban Growth Management requirements contained under SRC Chapter 200, an Urban Growth Preliminary Declaration is not required when property is located inside the boundaries of the Urban Service Area.

3. Land Use History

- **Urban Growth Area Declaration (UGA90-07; UGA90-09; UGA90-10):** To determine the major public facilities required by the Urban Growth Management Program (UGMP) prior to development. The proposal is to develop 4.79 acres as a single family residential subdivision located in a RA (Residential Agricultural) zone in the 1800 Block of Barnes Road SE.
- **Partition (PAR92-03):** To divide 4.53 acres into 2 lots of 1.36 acres and 3.17 acres in a RA (Residential Agriculture) zone at 1812 Barnes Road SE.
- **Replat (REP06-06):** A replat to adjust the lot lines between a portion of parcel No. 1 of Partition Plat 92-39 and a portion of Lot 20 of Grabenhorst Fruit Farms Number 1 resulting in two lots sized approximately 9,457 square feet and 10,400 square feet for the property located at 1790 and 1802 Barnes Avenue SE.
- **Partition (PAR08-08):** To partition approximately 0.56 acres into 3 lots ranging in size from 8,098 to 8,357 square feet for property located within an RA (Residential Agriculture) zone, and located at 1812 Barnes Avenue SE. The decision expired on May 15, 2010 and no final plat was recorded.

4. 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 Division reviewed the proposal and submitted comments indicating that all lots are to have compliant sewer easements if crossing adjacent lots.

Fire Department - The Salem Fire Department submitted comments indicating that fire department access shall be maintained.

5. Neighborhood Association and Public Comments

The subject property is within the South Gateway Neighborhood Association. 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.” There were no comments received from South Gateway Neighborhood Association.

All property owners within 250 feet of the subject property were mailed notification of the proposed subdivision. There was one comment received after the end of the comment period.

6. Criteria for Granting a Replat

Salem Revised Code (SRC) 205.025(d) sets forth the following criteria that must be met before approval can be granted to a tentative replat. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings evaluating the tentative replat for conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the tentative plan or for the issuance of certain conditions necessary to more fully satisfy the criteria.

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

Finding: The replat does not propose to vacate this public street, or any recorded covenants or restrictions.

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 200 (Urban Growth Management): SRC Chapter 200 (Urban Growth Management) requires issuance of an Urban Growth Preliminary Declaration prior to development of property located outside the City’s Urban Service Area. Because the subject property is located within the City’s Urban Service Area, and because the proposal is for a replat, an Urban Growth Preliminary Declaration is not required for the development pursuant to SRC 200.020.

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.

SRC Chapter 510 (Residential Agriculture): The proposed replat, would result in two parcels, approximately 0.43 acres and 0.33 acres in size. Compliance with development standards within the RA zone are addressed in the following findings:

SRC 510.010(a) – Lot Standards: The minimum lot area requirement is 4,000 square feet, minimum width of a lot is 40-feet and depth of a lot is 70-feet in the RA zone.

Except for flag lots, the RA zone, pursuant to SRC 510.010(a) Table 510-2, requires lots to have a minimum frontage of 40 feet on a street. SRC Chapter 800 (General Development Standards) allows lots to be created without the minimum required frontage on a street when they are developed in conformance with the flag lot development standards set forth in SRC 800.025.

The proposed replat would result in two lots, Lot 1 is approximately 0.43 acres, with a lot width of approximately 108 feet respectively and lot depth of 80 feet respectively. Lot 2 is approximately 0.33 acres, with a lot width of approximately 115 feet and lot depth of approximately 214 feet. Proposed Lot 1 is a flag lot without the minimum required frontage on a street. The flag lot accessway establishing access to this lot was created pursuant to decision REP06-06. Lot 2 will have more than 16 feet along Barnes Avenue SE.

SRC 510.010(b) – Setbacks: Setbacks within the RA zone shall be provided as set forth in Tables 510-3.

Abutting Street:

- *North:* The subject property is adjacent to Barnes Avenue SE, a collector street, to the north. There is a minimum 20-foot setback adjacent to a collector street for a single family dwelling.

Interior Front, Side, and Rear:

- *North:* The interior front setback for a building is 12 feet.
- *South:* The rear yard setback standard applicable for a building no greater than one-story in height is 14 feet, and the rear yard setback for a building greater than one-story in height is 20 feet. There is no rear yard setback for accessory structures not more than 9 feet in height, and there is a minimum 1 foot setback for every 1 foot of height over 9 feet.
- *East:* The side yard setback standard for existing dwellings is 3 feet. The side yard setback for a infill lot abutting a RA (Residential Agriculture) or

RS (Single Family Residential) zone is 10 feet, plus 1 foot for each 1 foot of height over 35 feet.

- *West:* The side yard setback standard for existing dwellings is 3 feet. The side yard setback for a infill lot abutting a RA (Residential Agriculture) or RS (Single Family Residential) zone is 10 feet, plus 1 foot for each 1 foot of height over 35 feet.

The proposed replat would not alter the location of the north or west boundaries of the existing development site. Lot 1 and Lot 2 are currently developed with single family residential uses. The proposed eastern property line (side property line) for Lot 1 is greater than 115 feet from existing dwelling. The proposed southern property line (rear lot line) for Lot 2 will be 20 feet from the existing house. Future development of the subject property will be reviewed for conformance with the applicable zone district standards at building permit.

The proposal conforms to the requirements of SRC Chapter 551.

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 lot 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 within the S-2 water service level.

A 10-inch public water main is located in Barnes Avenue SE.

Sewer: An 18-inch sewer main is located in Barnes Avenue SE.

Storm Drainage: A ditch is located along the property frontage of Barnes Avenue SE.

Streets: Barnes Avenue SE currently abuts the subject property along the north boundary of the subject property.

Barnes Avenue SE is designated as a Collector street in the Salem Transportation System Plan (TSP).

- The standard for this street classification is a 34-foot improvement within a 60-foot right-of-way.
- The abutting portion of Barnes Avenue SE currently has an approximate 30-foot-wide improvement within a 60-foot-wide right-of-way.

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. As described in findings above, the replat reconfigures the common boundary between two lots used for single family uses. Each lot contains one single family dwelling and associated accessory structures.

The proposal conforms to the requirements of SRC Chapter 800.

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 proposed replat does not involve the creation of a new lot or parcel. There are several existing trees on the subject property and none are proposed for removal therefore, a tree conservation plan is not required for the proposed replat. Future development of the proposed lot must conform to the requirements of 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 requires notice to DSL for applications for development or land use in areas designated as wetlands on the official wetlands map. The Salem-Keizer Local Wetland Inventory (LWI) does identify any mapped wetlands or waterways on the subject property.

According to the Salem-Keizer Local Wetland Inventory (LWI) there are no mapped wetlands the property. The applicant should contact the Department of State Lands to verify if permits are required for the proposed development.

SRC Chapter 810 (Landslide Hazards): SRC Chapter 810 (Landslide Hazards) establishes requirements for development within areas mapped for potential landslide hazard susceptibility. According to the City's adopted landslide hazard susceptibility maps, the subject property does include a small area of mapped landslide hazard susceptibility points. The subject property is currently developed, pursuant to the requirements of SRC 810.025, a geologic assessment or geotechnical report may be required in conjunction with future development on the subject property.

The proposal meets this criterion.

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. As conditioned, 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 property consists of Parcel 2 of Partition Plat No. 2007-10 and a portion of Parcel 1 of Partition Plat No. 92-39. Pursuant to subsection (1) of ORS 92.185, the replat may only replat the portions of the subject property within a recorded plat.

The proposal complies with the provisions of ORS 92.185(1).

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, water, and sewer infrastructure were constructed to serve the existing properties. Each of the properties are developed with a single family dwelling and associated accessory structures. The existing land is therefore defined as a “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 and substantive findings included in this report, notice was provided to owners of property, including contiguous property, located within 250 feet of the subject property. 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 utilities serving the subject property. 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 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 report regarding criterion SRC 205.025(d), the proposed replat complies with all applicable subdivision standards, including lot configuration 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: The subject property was platted as part of a subdivision Grabenhorst Fruit Farms. Upon review of previous land use cases in the record, staff finds that the tentative replat is not prohibited by any existing City land use approval or previous condition of approval affecting the subject property. The proposal therefore satisfies this criterion.

***SRC 205.010(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, as specified in Attachment C, 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). Barnes Avenue SE does not meet the minimum requirements for the street classification as specified in the Salem Transportation System Plan. However, dedication of right-of-way and boundary street improvements are not warranted in conjunction with the replat pursuant to SRC 803.040. The proposed replat ensures adequate provision of City infrastructure and streets to serve the proposed lots. The proposal meets this criterion.

8. Conclusion

Based upon review of SRC 205.025(d), the findings contained under section 7 above, and the comments described, and subject to the conditions of approval adopted herein, the tentative replat complies with the requirements for an affirmative decision.

IT IS HEREBY ORDERED

The request to Replat Parcel 2 of Partition Plat No. 2007-10 and a portion of Parcel 1 of Partition Plat No. 92-39 into two lots approximately 0.43 acres and 0.33 acres in size, zoned RA (Residential Agriculture), and located at 1790 Barnes Avenue SE and 1812 Barnes Avenue SE (Marion County Assessor Map and Tax Lot Numbers: 083W14AB / 4503 and 083W14AB / 4500) is hereby **APPROVED** subject to SRC Chapters 205, 551.



Hayley Feightner, Planning Administrator Designee

Attachments: A. Vicinity Map
B. Tentative Replat Plan – as submitted
C. City of Salem Public Works Department Comments

Application Deemed Complete:	<u>January 30, 2019</u>
Notice of Decision Mailing Date:	<u>April 10, 2018</u>
Decision Effective Date:	<u>April 26, 2019</u>
State-Mandated Decision Deadline:	<u>May 30, 2019</u>

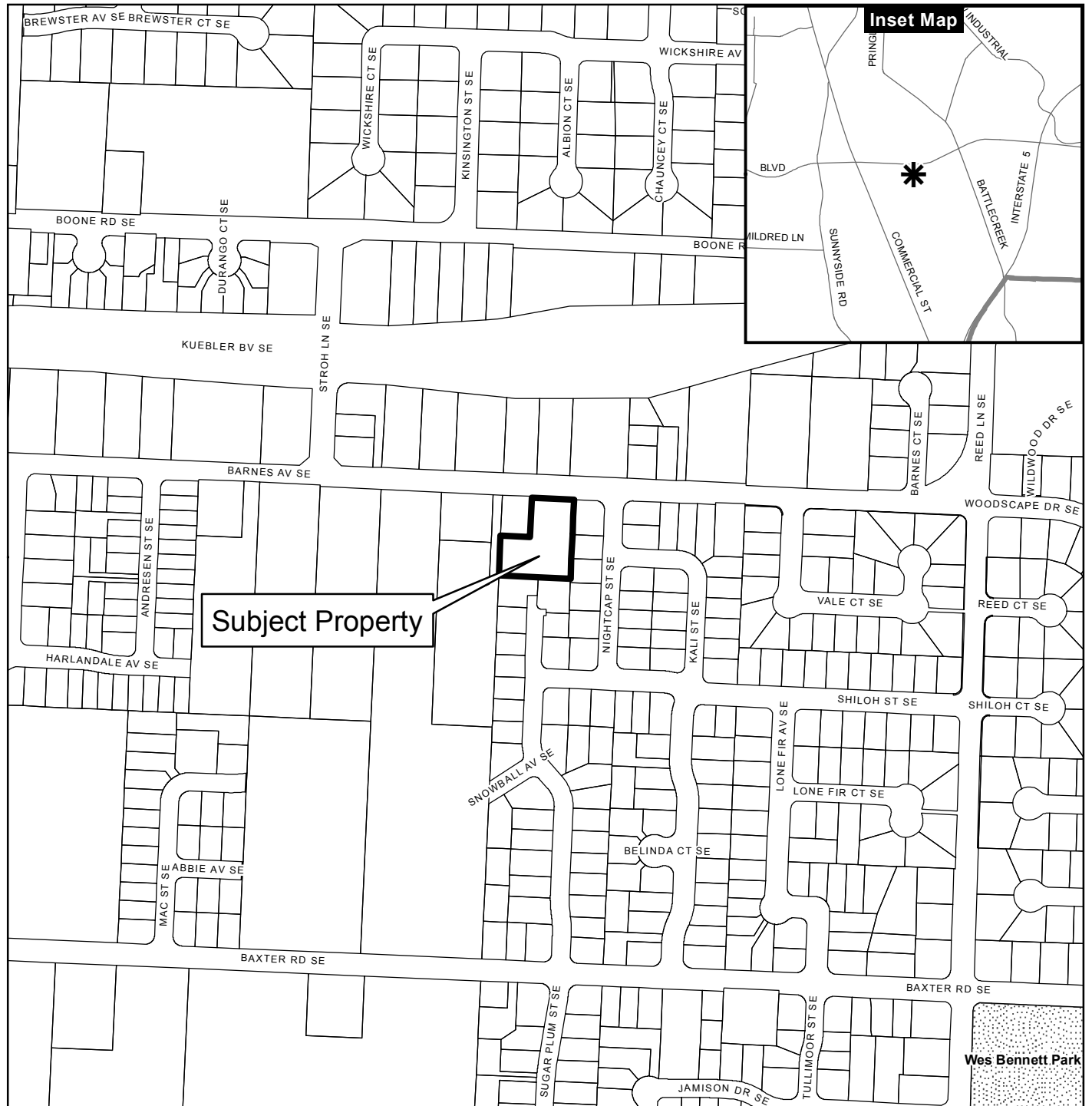
The rights granted by this decision must be exercised or extension granted by **April 26, 2021** or this approval shall be null and void.

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, April 25, 2019, 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

1790 & 1812 Barnes Avenue SE



Legend

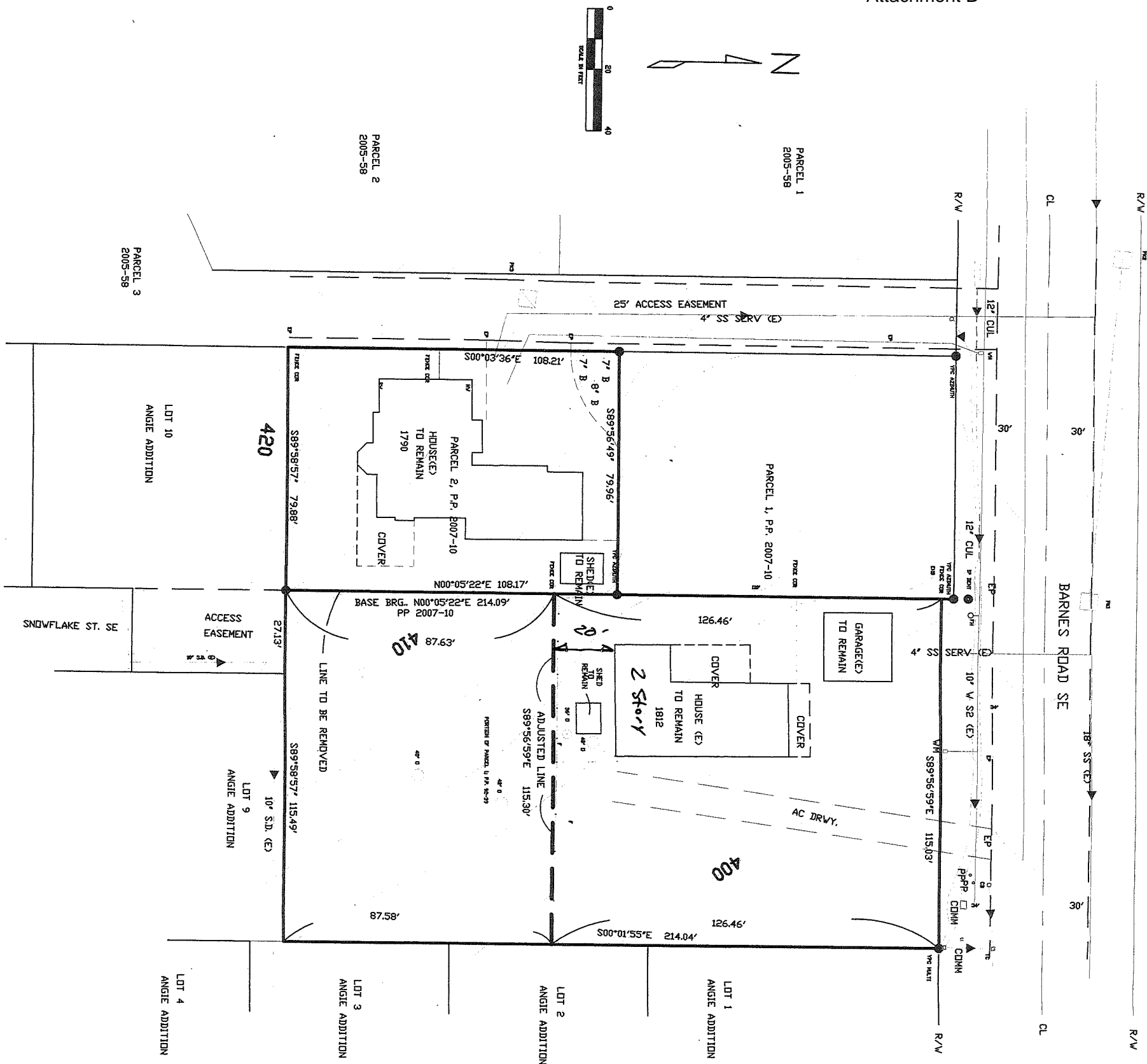
- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools

Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

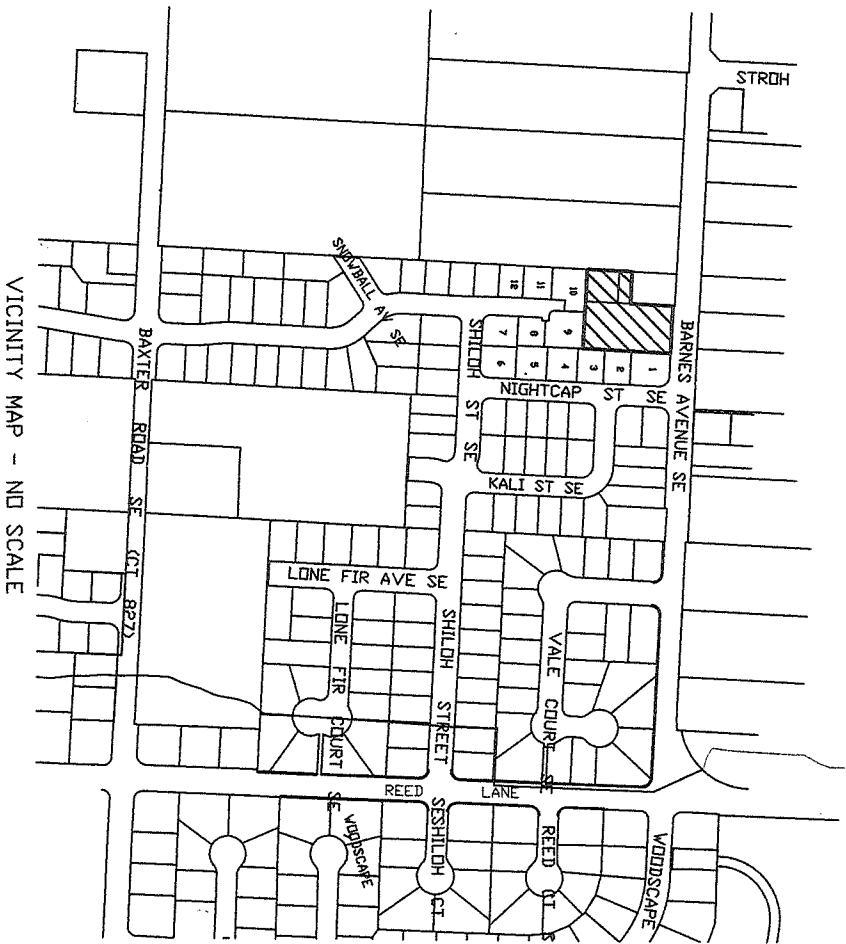
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REPLAT FROM ASSIGNED TO PAGE 001000-0000000000



PROPOSED STORM WATER PLAN
Existing stormwater facilities are as shown. There are no proposed stormwater facilities proposed as there is no construction is proposed.

NOTES & LEGEND:
(E) = EXISTING OBJECT
--- = EXISTING OBJECT
PP = POWER POLE
EP = EDGE PAVEMENT
P = PROPOSED REMOVAL
= PROPERTY LOCATION



VICINITY MAP - NO SCALE

REPLAT APPLICATION
LOCATION:
1790 & 1812 BARNES RD. SE
SEC. 14, T. 8 S., R. 3 W, W.M.
T.L. 4500 & 4503

LAND OWNERS: VYACHESLAV P. AND SARA SAMOYLICH
6179 31ST AVE. SE
SALEM, OR 97317
CAMERON J. & SHALANE K. HERTEL
1790 BARNES RD. SE
SALEM, OR 97306

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Karl D. Goertzen
OREGON
SEPTEMBER 22, 1977
KARL D. GOERTZEN
1195
RENEWAL DATE: 6-30-2019

KARL D. GOERTZEN, PE, PLS
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MEMO

TO: Hayley Feightner, Planner I
Community Development Department

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

DATE: April 5, 2019

SUBJECT: **PUBLIC WORKS RECOMMENDATIONS**
REPLAT NO. 19-01 (19-102253-LD)
1790 AND 1812 BARNES AVENUE SE
2-LOT RECONFIGURATION

PROPOSAL

An application to reconfigure a common property line between two adjacent properties, resulting in approximately 18,754 square feet and 14,566 square feet in size. The existing homes on both lots will remain. The subject properties are approximately 0.43 acres and 0.33 acres in size, respectively, zoned RA (Residential Agriculture), and located at 1790 Barnes Avenue SE and 1812 Barnes Avenue SE (Marion County Assessor's Map and Tax Lot Numbers: 083W14AB / 4503 and 083W14AB / 4500).

SUMMARY OF FINDINGS

The proposed replat meets applicable requirements related to public infrastructure.

FACTS

1. Barnes Avenue SE

- a. Standard—This street is designated as a Collector street in the Salem Transportation System Plan (TSP). The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Condition—This street has an approximate 30-foot improvement within a 60-foot to 64-foot-wide right-of-way abutting the subject property.

Storm Drainage

1. Existing Condition

- a. A ditch is located along the property frontage of Barnes Avenue SE.

Water

1. Existing Conditions

- a. The subject property is located in the S-2 water service level.
- b. There is a 10-inch public water main in Barnes Avenue SE.

Sanitary Sewer

1. Existing Sewer

- a. An 18-inch sewer main is located in Barnes Avenue SE.

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 Unified Development Code.

Findings—Public Works staff has analyzed the proposed development for compliance with applicable provisions of SRC Chapters 21, 70-78, 200, 205, 601, 802-805, 809, and 810. The tentative replat appears to comply with these standards.

The applicant shall provide the required field survey and partition 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 as per SRC 205.035(a), the approval of the partition replat 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 applicant shall provide the required field survey and partition replat as per Statute and Code requirements outlined in the ORS and the SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and as per SRC 205.035(a), the approval of the partition replat by the City Surveyor may be delayed or denied based on the non-compliant violation.

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 are adequate to serve the proposed replat. Barnes Avenue SE does not meet the minimum requirements for the street classification as specified in the Salem TSP. However, dedication of right-of-way and boundary street improvements are not warranted in conjunction with the replat pursuant to SRC 803.040.

Prepared by: Jennifer Scott, Program Manager
cc: File