

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

DECISION OF THE PLANNING ADMINISTRATOR

PARTITION CASE NO.: PAR19-07

APPLICATION NO. : 19-109388-LD

NOTICE OF DECISION DATE: June 12, 2019

REQUEST: A tentative partition plan to divide approximately 0.58 acres into 3 parcels, with Parcel 1 consisting of 7,877, Parcel 2 consisting of 5,500 square feet and Parcel 3 consisting of 7,400 exclusive of the flag lot accessway.

The subject property is approximately 0.58 acres in size, zoned RS (Single Family Residential), and located at 3393 Pioneer Drive SE (Marion County Assessor's Map and Tax Lot number 083W03AC03000).

APPLICANT: Brenden McMullen

LOCATION: 3393 Pioneer Drive SE / 97302

CRITERIA: Salem Revised Code 205.005(d)

FINDINGS: The facts and findings are in the attached Order dated June 12, 2019.

DECISION: The Planning Administrator **APPROVED** Partition PAR19-07 subject to the following conditions of approval:

- Condition 1:** At the time of building permit for Parcel 3, the single family dwelling shall be equipped with automatic fire sprinkler system approved by the Fire Marshal.
- Condition 2:** Prior to final partition approval, "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lot accessway that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.
- Condition 3:** Prior to final partition approval, proposed Parcel 1 shall have two off-street parking spaces meeting the standards of SRC Chapter 806 for single family development.
- Condition 4:** Construct sewer services to serve Parcels 2 and 3 within in the public right-of-way.
- Condition 5:** Obtain permits for installation of water services to serve Parcel 2 and 3.

NOTICE OF DECISION

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



- Condition 6:** Dedicate a 10-foot public utility easement (PUE) along the entire frontage of Pioneer Drive SE.
- Condition 7:** Construct additional pavement to a width of 15 feet from centerline along the frontage of Pioneer Drive SE. The pavement shall be constructed to PWDS for the grade and surface standards of a pedestrian access route
- Condition 8:** Along the frontage of Pioneer Drive SE, the right-of-way between the future edge of pavement and the property line shall be landscaped in accordance with SRC 803.035(q) and shall include street trees pursuant to SRC Chapters 86 and 803.
- Condition 9:** Design stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces of Parcel 2 and 3. 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 **June 28, 2021**, or this approval shall be null and void.

Application Deemed Complete:	<u>May 17, 2019</u>
Notice of Decision Mailing Date:	<u>June 11, 2019</u>
Decision Effective Date:	<u>June 2, 2019</u>
State Mandate Date:	<u>September 14, 2019</u>

Case Manager: Olivia Glantz, OGlantz@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 5:00 p.m., Thursday, June 27, 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(s) 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. 19-07)**

*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. 19-07;
3393 PIONEER DRIVE SE**

)
)
)
)

FINDINGS AND ORDER

JUNE 12, 2019

REQUEST

A tentative partition plan to divide approximately 0.58 acres into 3 parcels, with Parcel 1 consisting of 7,877, Parcel 2 consisting of 5,500 square feet and Parcel 3 consisting of 7,400 exclusive of the flag lot accessway.

The subject property is approximately 0.53 acres in size, zoned RS (Single Family Residential), and located at 3393 Pioneer Drive SE (Marion County Assessor's Map and Tax Lot number 083W03AC03000).

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:** At the time of building permit for Parcel 3, the single family dwelling shall be equipped with automatic fire sprinkler system approved by the Fire Marshal.
- Condition 2:** Prior to final partition approval, "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lot accessway that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.
- Condition 3:** Prior to final partition approval, proposed Parcel 1 shall have two off-street parking spaces meeting the standards of SRC Chapter 806 for single family development.
- Condition 4:** Construct sewer services to serve Parcels 2 and 3 within in the public right-of-way.
- Condition 5:** Obtain permits for installation of water services to serve Parcel 2 and 3.
- Condition 6:** Dedicate a 10-foot public utility easement (PUE) along the entire frontage of Pioneer Drive SE.

- Condition 7:** Construct additional pavement to a width of 15 feet from centerline along the frontage of Pioneer Drive SE. The pavement shall be constructed to PWDS for the grade and surface standards of a pedestrian access route
- Condition 8:** Along the frontage of Pioneer Drive SE, the right-of-way between the future edge of pavement and the property line shall be landscaped in accordance with SRC 803.035(q) and shall include street trees pursuant to SRC Chapters 86 and 803.
- Condition 9:** Design stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces of Parcel 2 and 3. Construct stormwater facilities that are proposed in the public right-of-way.

PROCEDURAL FINDINGS

1. On April 16, 2019, an application for a Tentative Partition Plan was filed proposing to divide a 0.58 acre property at 3393 Pioneer Drive SE (Attachment B) into three parcels.
2. The application was deemed complete for processing on May 17, 2019. Notice to surrounding property owners was mailed pursuant to Salem Revised Code on May 17, 2019. The state-mandated local decision deadline is September 14, 2019.

SUBSTANTIVE FINDINGS

1. Proposal

The tentative plan proposes to divide the property into three parcels, with Parcel 1 containing the existing residence and Parcels 2 and 3 created for new residential development (Attachment B). The proposed parcel 1 will access to Pioneer Drive SE and proposed parcels 2 and 3 would take access from a proposed flag lot accessway connecting to Pioneer Drive SE. The three parcels within the tentative partition plan are proposed as follows:

PROPOSED PARCEL 1

Parcel Size: 7,877 square feet, exclusive of the flag lot accessway
Parcel Dimensions: Approximately 76 feet in width and 109 feet in depth excluding the flag lot accessway.

PROPOSED PARCEL 2

Parcel Size: 5,500 square feet,
Parcel Dimensions: Approximately 76 feet in width and 75 feet in depth excluding the flag lot accessway.

PROPOSED PARCEL 3

Parcel Size: 7,400 square feet

Parcel Dimensions: Approximately 100 feet in width and 75 feet in depth

Access and Circulation: The subject property has frontage located on Pioneer Drive SE, 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 100 feet of frontage on Pioneer Drive SE along its eastern boundary. The property is approximately 100 feet wide and approximately 265 feet in depth from east to west. An existing house, constructed in 1948, is situated on the eastern portion of the subject property. The applicant proposes to retain the existing house after the partition.

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: Single Family Residential

East: (Across Pioneer Drive SE) Single Family Residential

West: Multiple Residential

Zoning and Surrounding Land Use

The subject property is zoned RS (Single Family Residential) and is currently occupied by a single family residence. The surrounding properties are zoned and used as follows:

North: RS (Single Family Residential); single family dwelling

South: RS (Single Family Residential); single family dwelling

East: (Across Pioneer Drive SE) RA (Residential Agriculture); single family dwelling

West: RM2 (Multi-Family Residential); multiple 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 S-2 water service level. A 8-inch City of Salem water line is located in Pioneer Drive SE.
- Sewer:* There are 8-inch sanitary sewer main in Pioneer Drive SE.
- Storm Drainage:* There is an existing culvert for public storm located in Pioneer Drive SE.
- Streets:* *Pioneer Drive SE* abuts the eastern 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.
 - The abutting portion of Pioneer Drive SE currently has an approximately 20-foot wide turnpike improvement within a 60-foot-wide right-of-way.

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 D.

Salem Fire Department – Salem Fire Department reviewed the proposal and commented that access is proposed along the north side of the properties. The applicant has proposed a residential fire sprinkler system for the future dwelling on Parcel 3 instead of an approved fire department turnaround. Existing water supply is provided.

Salem-Keizer Public Schools – Planning and Property Services staff for the school district reviewed the proposal and submitted comments indicating that sufficient school capacity exists at the elementary, and middle school levels to serve future development within the proposed partition. The high school (South Salem High school) is over capacity at this time. The school district indicated that students residing at the subject property would not be eligible for school transportation services. The area is within the “walk zone” of the assigned elementary, middle, and high schools.

PGE – PGE reviewed the proposal and stated the following: Development cost per current tariff and service requirements. 10' PUE required on all front street lots.

Neighborhood Association Comments and Public Comments

The subject property is located within the Morningside Neighborhood Association (Morningside). Notice of the application was provided to the neighborhood association, pursuant to SRC 300.520(b)(1)(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. Morningside Neighborhood Association did not provide comments.

All property owners within 250 feet of the subject property were mailed notification of the proposed subdivision. Comments from four property owners within the vicinity of the subject property were submitted prior to the close of the public comment period deadline. Concerns and opposition received can be summarized into the following main categories:

Proposed Garage and Parking: Comments were submitted that the addition of the garage is too close to Pioneer Drive and that parking on the street would be an eyesore.

Staff Response: The subject property is zoned RS (Single Family Residential) and would be required to meet the development standards and uses described in SRC Chapter 511. The RS zone allows for single family dwellings, with two required parking off-street parking spaces per unit. Based on the site plan, the parcels will have adequate parking. The proposed garage will be setback from the right-of-way 20-feet meeting the setbacks of SRC 806.

Covenants, Conditions and Restrictions: Comments were submitted that the subject property is bound by existing restrictive covenants limiting the partition.

Staff Response: SRC 110.060(a) provides that the Unified Development Code shall be applied independently of, and without regard to, any private easement, covenant, condition, restriction, or other legally enforceable interest in, or obligation imposed on, the use or development of land. As such, the City cannot consider the terms of the private CC&R's in this decision.

Safety of Pioneer Drive. Comments submitted express concern about the safety of Pioneer Drive and the impact of adding traffic from partition. Specific concerns raised relating to vehicular, bike, and pedestrian safety on Pioneer Drive include the following:

- Narrowness of roadway;
- Lack of parking;
- Prevalent speeding;

Staff Response: The proposed partition would create two additional parcel for development of single family residences along a span of approximately 100 feet of

frontage along a designated local road. Additional trips attributed to the proposed partition are expected to be minimal in both overall terms and relative to the capacity of the existing and planned street network in the vicinity. Developments located along local streets such as Pioneer Drive are required to mitigate their impacts when they are projected to generate more than 200 average daily trips. This development did not meet that threshold so mitigation is not required for this partition.

Pioneer Drive SE is a Local street and meets the requirement for an alternative street standard under SRC 803.065(a)(2). The existing streets have adequate width for two-way vehicular traffic and allow for limited pedestrian access. The development is proposing to widen the existing street to provide a pedestrian access route along the frontage of the property which affords a place for pedestrians to walk outside of the travel lane.

Tree Removal. Several comments received express concern regarding the removal of trees, which will be required to accommodate the proposed partition. Specific concerns raised regarding tree removal include:

- Removal of trees is a big change for neighborhood.
- The removal of the large cedar tree; and
- Habitat removal

Staff Response: Tree preservation and removal in conjunction with proposed subdivisions is regulated under the City's tree preservation ordinance (SRC Chapter 808). As required under SRC Chapter 808, the applicant submitted a tree conservation plan in conjunction with the proposed subdivision that identifies a total of 24 trees on the property. Of the 24 total trees existing on the property, the proposed tree conservation plan identifies 19 trees (79.2%) for preservation and five trees (20.8%) for removal. There are no significant oaks identified for removal based.

The proposed tree conservation plan preserves 79.2 percent of the existing trees on the property, therefore exceeding the minimum 25 percent preservation requirement under SRC Chapter 808.

Stormwater drainage and sewer system issues: Comments were submitted about additional impervious surface would create flooding and the sewer system is subpar.

Staff Response: Applicable development standards and conditions of approval require that the applicant design stormwater facilities in compliance with the Public Works Stormwater Management Design Standards prior to final plat approval, addressing feasibility for onsite drainage disposal and any necessary offsite facilities. The proposed development is subject to the requirements of Salem Revised Code Chapter 75 (Erosion Prevention and Sedimentation Control) and Chapter 82 (Clearing and Grading). Permits are required for grading work that exceeds minimum thresholds, and all grading work shall meet prescribed codes and standards. The public sewer system within Pioneer Drive SE is the responsibility of the City of Salem. The proposed

development will add two laterals to the existing 8-inch sewer main which is not considered a significant impact to the overall system.

Impact on Neighborhood Character and Adjacent Properties. Several comments received expressed concern about the impact the proposed partition will have on adjacent properties and the character of the existing neighborhood due to a higher density development with smaller lots sizes and homes which are inconsistent with the sizes of lots and homes in the surrounding area.

Staff Response: The single family dwelling parcels proposed within the partition range from approximately 5,500 square feet to approximately 7,877 square feet in size, which exceeds the minimum lot size requirement of 4,000 square feet. Their size and layout is consistent with the expected development pattern of properties in the "Single Family Residential" Comprehensive Plan Map designation and RS (Single Family Residential) zone. There is no approval criterion or development standard which requires single family residential lots to resemble adjacent existing developments. Goal E.b (Residential Development) of the Salem Area Comprehensive Plan (SACP) states that "residential development shall provide housing opportunities for Salem's diverse population." Variation of lot sizes is one means of providing diversity of housing opportunities within the detached single family residential submarket.

4. 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 0.58-acre property into 3 parcels with no remainder. The subject property is currently zoned RS (Single Family Residential). The minimum lot area requirements of the RA 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
Lot Width	40 feet
Lot Depth (Single Family)	70 feet
Street Frontage	40 feet

Proposed lots in the partition range from approximately from 5,500 square feet to 7,877 square feet in size, excluding the flag lot accessway. The proposed lots exceed minimum lot area, dimension, and frontage requirements and therefore conform to the applicable standards. The proposed lots within the partition are also of sufficient size and dimension to permit future development of uses allowed within the zone.

SRC 511.010(a) requires each lot used for single family residences to have an average depth between the front and rear lot lines of not more than 300 percent of the average width between the side lot lines. The proposal meets this standard.

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. 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. Proposed Parcels 2 and 3 are flag lots without the minimum required frontage on a street. The flag lot accessway meets the standard for flag lot development.

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

Front Yards and Yards Adjacent to Streets:

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

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

- 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:

- Minimum 5 feet
- Minimum 10 feet (Infill Lot)

Proposed parcel 1 will meet all required setbacks to newly established lines. Setback requirements for the proposed Parcels 1 and 2 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. The proposed parcel 1 is approximately 7,877 square feet. The existing dwelling and proposed garage are less than 60% of the proposed parcel. Future development of Parcels 2 and 3 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. The existing residence and proposed garage are proposed to remain, and is shown on the site plan entirely within the boundaries of proposed Parcel 1, in compliance with this standard.

SRC 800.025 (Flag Lots): Lots can be created without the minimum required frontage on a public street when flag lot accessways conforming to the standards of Table 800-1 are provided. Flag lot accessways shall be privately and not publicly maintained.

SRC 800.025 establishes the following development standards for flag lot accessways serving 1 to 2 residentially zoned lots:

Flag Lot Accessway Standards (1-2 Lots)(Residential Zone)	
Length	150 ft. Max.
Width	20 ft. Min.

Paved Width	15 ft. Min.
Parking	Not Allowed
Turnaround	Required for flag lot accessways greater than 150 feet in length. <i>(Unless the buildings served by the flag lot accessway are equipped with approved automatic fire sprinkler systems or where geographic features make it impractical and an alternative means of fire protection is provided and approved by the Fire Marshal)</i>

The proposed flag lot accessway is to serve proposed Parcel 2 and 3 is approximately 185 feet in length and 25 feet in width. Flag lot accessways serving one to two residentially zoned lots is required to be paved to a minimum width of 15 feet. The proposed flag lots conform to the flag lot standards of SRC 800.025, except for the maximum length. The Planning Administrator and Fire Marshal reviewed the proposal and determined the shape of the existing property makes it impractical to meet the maximum length of the flag lot accessway. The applicant has proposed to provide fire sprinklers in the dwelling of Parcel 3. To ensure that Fire Department standards can be met the following conditions applies:

Condition 1: At the time of building permit for Parcel 3, the single family dwelling shall be equipped with automatic fire sprinkler system approved by the Fire Marshal.

Subsection (d) prohibits parking on flag lot accessways. In order to ensure that resident and emergency access remains unobstructed, the following condition shall apply:

Condition 2: Prior to final partition approval, "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lot accessway that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.

As conditioned above, the proposal conforms to the requirements of SRC Chapter 800.

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

SRC 806.015(a) (Minimum Required Off-Street Parking): An existing single family residence currently occupies the subject property, with off-street parking provided by a carport. The applicant proposes the dwelling with garage will remain on Parcel 3. 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 three parcels for residential development (proposed Parcels 2

and 3), with an existing single-family residence remaining on proposed Parcel 1. The applicant is proposing to construct a garage, containing two off street parking spaces. To ensure adequate parking is provided to Parcel 1 the following conditions is required:

Condition 3: Prior to final partition approval, proposed Parcel 1 shall have two off-street parking spaces meeting the standards of SRC Chapter 806 for single family development.

Off-street parking requirements for the proposed Parcel 1 and 2 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 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 June 3, 2019 (Attachment D).

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 shall apply:

Condition 4: Construct sewer services to serve Parcels 2 and 3 within in the public right-of-way.

Condition 5: Obtain permits for installation of water services to serve Parcel 2 and 3.

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 three parcel partition generates less than 200 average daily vehicle trips to Pioneer Drive SE, designated as a local street. 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 Pioneer Drive SE, which is a public street.

SRC 803.025 (Right-of-Way and Pavement Widths): The abutting portions of Pioneer Drive SE designated as a local street in the TSP. The abutting portion of Pioneer Drive SE has an approximate 20-foot-wide turnpike improvement within a 60-foot-wide right-of-way and does not meet the current standard for a local street. Currently, Pioneer Drive SE is a turnpike improvement with no curbs or sidewalks for at least 600 feet in either direction from the subject property. Pursuant to SRC 803.040, the applicant is required to construct Pioneer Drive SE abutting the property to meet local street standards.

As described below, boundary street improvements, along the frontage of Pioneer Drive SE, will include the construction of a temporary pedestrian access route by widening the existing pavement to 15 feet from centerline, and installation of street trees and landscaping along the property frontage. Construction of a pedestrian access route mitigates traffic impacts of the proposed development and contributes to the safe, orderly, and efficient circulation of traffic by reducing potential conflicts between motorists and pedestrians.

SRC 803.030 (Street Spacing): The proposed partition involves further division of a 0.58 acre unit of land, 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.

SRC 803.035 (Street Standards): Pursuant to subsection (n), public utility easements (PUEs) may be required for all streets. Comments from Portland General Electric, the franchise utility provider of electricity for the subject property, request a 10-foot-wide PUE on all street front lots. In order to ensure adequate access for the provision of electricity and other utilities, the following condition shall apply:

Condition 6: Dedicate a 10-foot public utility easement (PUE) along the entire frontage of Pioneer Drive SE.

As conditioned, the proposal conforms to applicable street standards.

SRC 803.040 (Boundary Streets): The abutting portions of Pioneer Drive SE is designated as a local street in the TSP and has an approximate 20-foot-wide

improvement within a 60-foot-wide right-of-way, which does not meet the current standard for a local street. Currently, Pioneer Drive SE is a turnpike improvement, the nearest curb and is located approximately 600 feet, at the intersection of Pioneer Drive SE and Madrona Avenue SE. The applicant proposed and Public Works staff recommends construction of a temporary pedestrian access route by widening the existing pavement to 15 feet from centerline, and installation of street trees along the property frontage. Construction of a pedestrian access route mitigates traffic impacts of the proposed development and contributes to the safe, orderly, and efficient circulation of traffic by reducing potential conflicts between motorists and pedestrians.

Pursuant to SRC 803.040, the applicant is required to construct the entire frontage of Pioneer Drive SE and Madrona Avenue SE to meet local street standards. Boundary street improvements along the frontage of Pioneer Drive SE and Madrona Avenue SE are required. As a condition of approval and pursuant to SRC 803.040, boundary street improvements are required. Construction of a temporary access route by widening the existing pavement to 15 feet from centerline to satisfy this requirement. Street trees shall be provided consistent with local street standards as specified in the Salem Transportation System Plan.

Condition 7: Construct additional pavement to a width of 15 feet from centerline along the frontage of Pioneer Drive SE. The pavement shall be constructed to PWDS for the grade and surface standards of a pedestrian access route

Condition 8: Along the frontage of Pioneer Drive SE, the right-of-way between the future edge of pavement and the property line shall be landscaped in accordance with SRC 803.035(q) and shall include street trees pursuant to SRC Chapters 86 and 803.

(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 an application for tree conservation plan approval in conjunction with the partition application (TCP19-08). Tree preservation and removal in conjunction with proposed subdivisions is regulated under the City's tree preservation ordinance (SRC Chapter 808). As required under SRC Chapter 808, the applicant submitted a tree conservation plan in conjunction with the proposed subdivision that identifies a total of 24 trees on the property. Of the 24 total trees existing on the property, the proposed tree conservation plan identifies 19 trees (79.2%) for preservation and five trees (20.8%) for removal. There are no significant oaks identified for removal based.

The proposed tree conservation plan preserves 79.2 percent of the existing trees on the property, therefore exceeding the minimum 25 percent preservation requirement under SRC Chapter 808.

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

The Salem-Keizer Local Wetland Inventory (LWI) does not identify any wetlands on the subject property. As proposed, the tentative partition plan conforms to all applicable SRC Chapter 809 requirements.

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, there are no areas of landslide susceptibility 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 0.58 acre property into three 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 frontage on Pioneer Drive and proposed flag lot accessway 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 lot 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. In order to ensure that stormwater systems within the proposed partition meet the requirements of SRC Chapter 71, the following condition shall apply:

Condition 9: Design stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces of Parcel 2 and 3. 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 abutting portions of Pioneer Drive SE is designated as a local street in the TSP, is approximately a 20-foot-wide improvement within a 60-foot-wide right-of-way and does not meet current standard for a local street. As described in findings above, pursuant to SRC 803.040, the applicant is required construct the entire frontage of Pioneer Drive SE to meet local street standards. Boundary street improvements along the frontage of Pioneer Drive SE are required.

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: A temporary pedestrian access route by widening the existing pavement to 15 feet from centerline, and installation of street trees along the property frontage. These proposed improvements are implemented by conditions of approval related to pavement and right-of-way standards.

The partition, as proposed and conditioned, is served with adequate transportation infrastructure. The street system adjacent to the partitioned property will provide for 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 essentially flat, sloping downward from the southwest corner to the northeast corner. 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, there is a slight elevation change from south to north across the subject property. The proposed layout distributes this grade change roughly equally across the three parcels, minimizing the need for substantial grading in any single area. The applicant proposes to retain the existing residence on a future parcel within the partition, alleviating the disruption to topography and vegetation that would result from demolition, grading, and construction associated with redevelopment of this portion of the site.

The applicant has submitted an application for a tree conservation plan approval in conjunction with the partition application (TCP19-08). The applicant's proposal would retain 19 trees (79.2%) and remove five trees (20.8%), thus exceeding the 25% percent retention standard in SRC 808.035(d)(4). No heritage trees, riparian areas, or significant trees are identified on the tree conservation plan, and none are currently present on the subject property.

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.

9. Conclusion

Based upon review of SRC 205.005, the findings contained under Section 8 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. 19-07, to divide a 0.58 acres into three parcels, with Parcel 1 consisting of 7,877, Parcel 2 consisting of 5,500 square feet and Parcel 3 consisting of 7,400 exclusive of the flag lot accessway, for property zoned RS (Single Family Residential) and located at 3393 Pioneer Drive SE 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:** At the time of building permit for Parcel 3, the single family dwelling shall be equipped with automatic fire sprinkler system approved by the Fire Marshal.
- Condition 2:** Prior to final partition approval, "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lot accessway that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.
- Condition 3:** Prior to final partition approval, proposed Parcel 1 shall have two off-street parking spaces meeting the standards of SRC Chapter 806 for single family development.
- Condition 4:** Construct sewer services to serve Parcels 2 and 3 within in the public right-of-way.
- Condition 5:** Obtain permits for installation of water services to serve Parcel 2 and 3.
- Condition 6:** Dedicate a 10-foot public utility easement (PUE) along the entire frontage of Pioneer Drive SE.
- Condition 7:** Construct additional pavement to a width of 15 feet from centerline along the frontage of Pioneer Drive SE. The pavement shall be constructed to PWDS for the grade and surface standards of a pedestrian access route
- Condition 8:** Along the frontage of Pioneer Drive SE, the right-of-way between the future edge of pavement and the property line shall be landscaped in accordance with SRC 803.035(q) and shall include street trees pursuant to SRC Chapters 86 and 803.
- Condition 9:** Design stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively designed to

accommodate future impervious surfaces of Parcel 2 and 3. Construct stormwater facilities that are proposed in the public right-of-way.



Olivia Glantz, Planning Administrator Designee

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

Application Deemed Complete: May 17, 2019
Notice of Decision Mailing Date: June 12, 2019
Decision Effective Date: June 28, 2019
State Mandated Decision Date: September 14, 2019

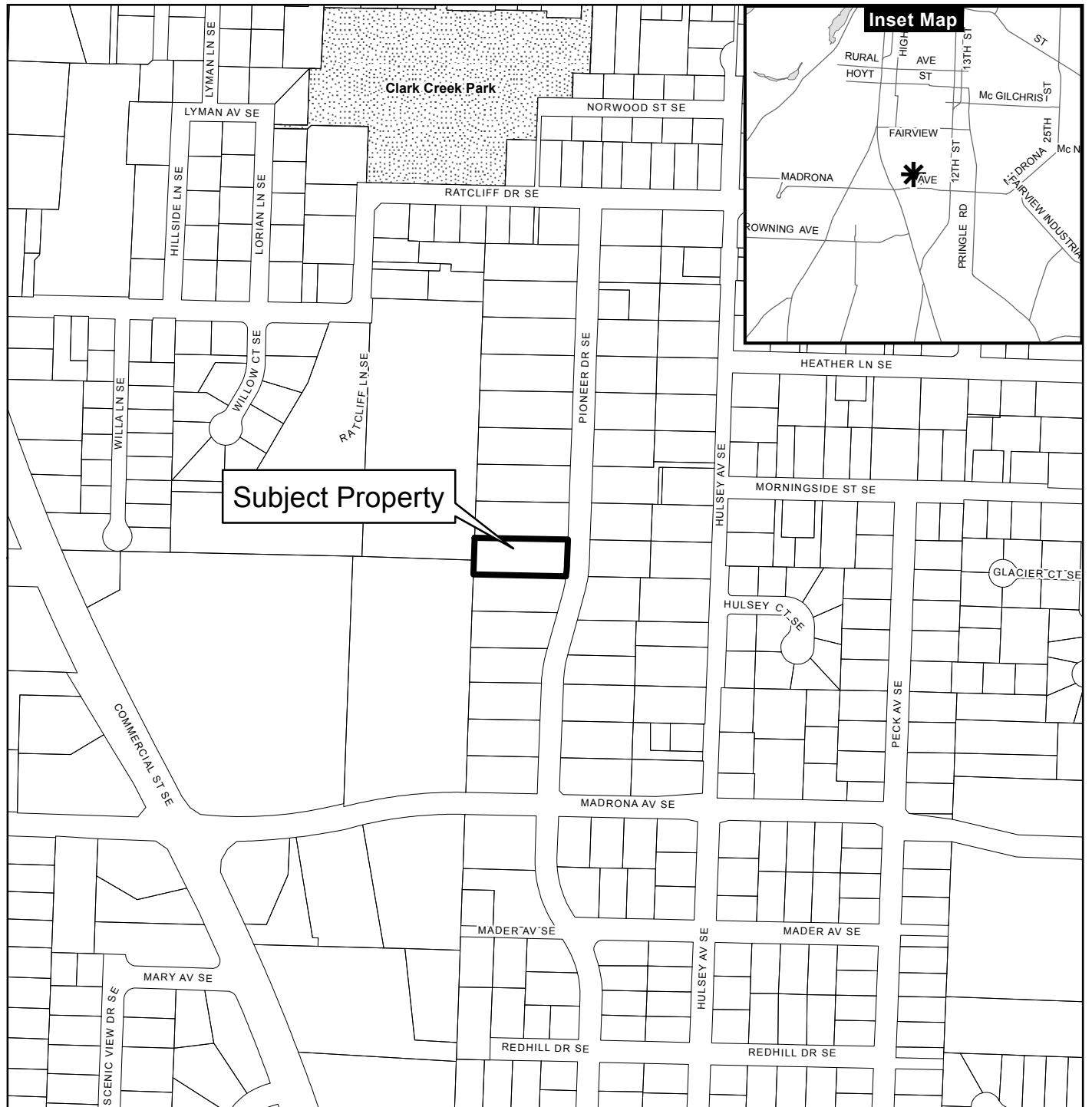
The rights granted by this decision must be exercised or extension granted by **June 28, 2021**, or this approval shall be null and void.

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, June 27, 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

3393 Pioneer Drive SE



Legend

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

0 100 200 400 Feet



CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

- NOTES & LEGEND:
- (E) = EXISTING FEATURE
 - (P) = PROPOSED FEATURE
 - = EXISTING OBJECT
 - = POWER POLE
 - 346 = CURRENT CONTOUR
 - EP = EDGE PAVEMENT (E)
 - Ⓢ = PROPOSED REMOVAL
 - PCC = PORTLAND CEMENT CONCRETE
 - [Hatched Box] = PROPERTY LOCATION

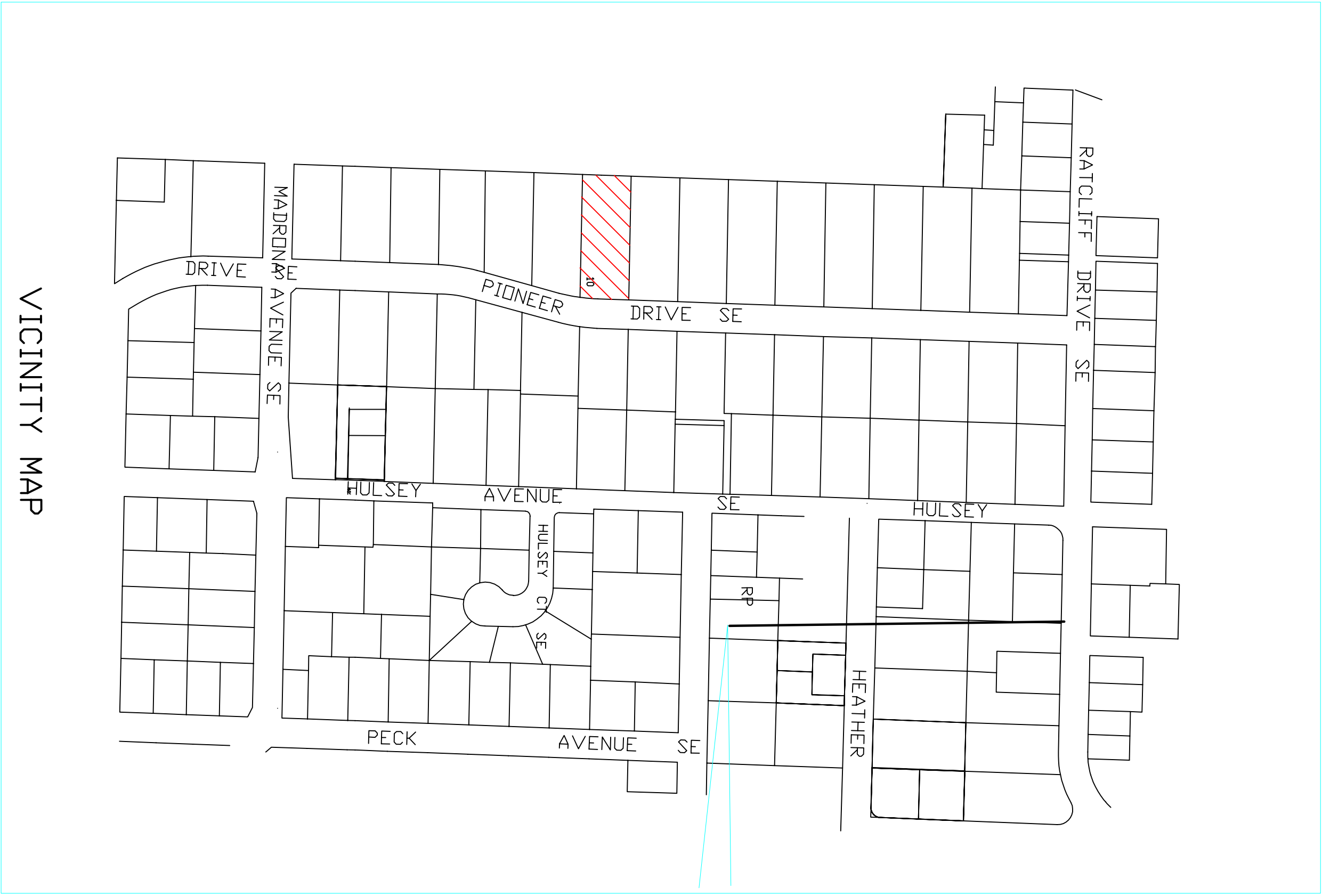
④ PROPOSED STORMWATER DETENTION/WATER QUALITY LOCATIONS

PROPOSED STORM WATER PLAN

Stormwater management plan is schematically shown on drawing and more particularly described as follows:
On Parcels 1 and 2, the developer proposes to construct Green Storm Water Infrastructure (GSI) in the form of filtration rain gardens designed by the City's Simplified Approach as contained in the Storm water design standards.
The developer also proposes to construct a rain garden on T.L. 8000 to accommodate the runoff from the private accessway that is not captured on either Parcels 1 or 2.
All over-flow from the rain gardens will be piped to the public 18" storm drain pipe in Peck Ave.

ALTERNATIVE STREET STANDARD – PROPOSAL

SFC 803065 allows the normal 3/4 street frontage improvement requirement to be varied where existing development or physical constraint makes compliance with the standard impracticable. Since the existing Pioneer Street improvement is a turnpike street of approximate 20' paved width for hundreds of feet in each direction of this proposed development, it would not be practical to design and construct a short mid-block section of a curbed 3/4 street that would be expected to fit a future full improvement of the entire street. Also it is very doubtful that the remainder of this street will be improved to City standards any time soon.
For these reasons the proposal is to only widen the pavement (without constructing curb and sidewalk) along the frontage at this time.

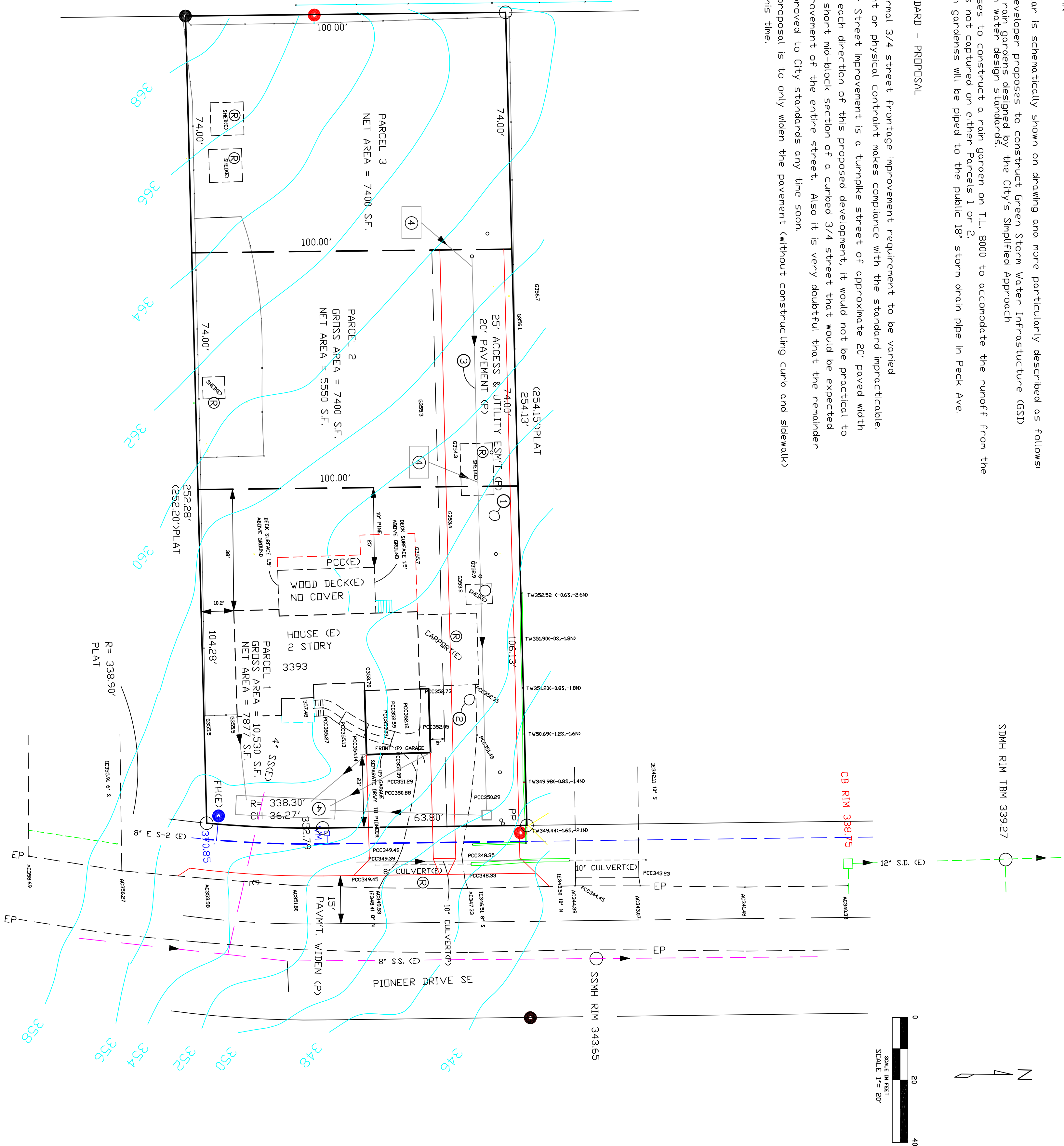


VICINITY MAP

NO SCALE



LOCATION



PROPOSED PARTITION - WRITTEN STATEMENT

Proposed partitioning developments must address how the proposal addresses certain approval criteria for a Partition Tentative Plan as contained in SRC 205.005(d). This proposal is to partition an existing platted subdivision Lot of 25,330 square feet into three parcels; Parcel 1 of 10,530 square feet (net 7877 square feet excluding the easement), Parcel 2 (a flag parcel) of 7400 square feet (5550 square feet excluding the flag) and Parcel 3 a flag parcel) of 7400 square feet.

The developers response to the specific criteria to be addressed is as follows:

a. Criteria - Lot standards.

Response - The proposed parcels meet or exceeds all the minimum dimensions and area requirements of the UDC for a residential zone including minimum width (40 feet), minimum area (5500 square feet), minimum flag width (20 feet), maximum flag length, and maximum depth the width ratio. The front line of Parcel 2 is the west line.

b. Criteria - Infrastructure standards

Response- The flag access to Parcels 2 and 3 will be paved to a 20 foot width. The existing house on Parcel 1 is already served with all city utilities. Parcels 2 and 3 will be served with sewer, water and storm as noted on the Tentative Plan.

c. Criteria - Special development standards

Response- No special development standards have been identified at this point.

d. Criteria - The tentative plan does not impede the future use or development of the property or adjacent land.

Response- The proposed division maximizes the density of the existing parcel if the house at 3393 remains on Parcel 1. The accessway is proposed to be 25 feet wide with 20 foot wide pavement, where only a 20 foot wide access with 15 feet of pavement is required. This additional width keeps the option open to access an additional parcel on the property to the north (3373) at a future date.

e. Criteria - Development within the tentative plan can be adequately served with city infrastructure.

Response- the tentative plan demonstrates how the property can be served with City water, sanitary sewer, storm drains, and street access.

f. Criteria - the street system in and adjacent to the tentative plan conforms to the Salem Transportation System Plan (STSP).

Response- No new public streets are being created. The additional private access approach to Pioneer Drive (a residential street in the STSP) is a proper use of a residential street and consistent with the character of the street.

g. Criteria - the street system in a adjacent to the tentative plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the partition.

Response- Again, no new public street is being created. The traffic patterns in this local neighborhood are well established and no changes are being proposed. Vehicles leaving proposed

Parcels 2 and 3 will have the opportunity to turnaround on the house site and drive forward when exiting onto Pioneer Drive.

h . Criteria - The tentative plan takes into account the topography and vegetation of the site so the need for variances or adjustments is minimized.

Response- No variances or adjustments are being requested.

I . Criteria - The layout, size, and dimensions of the parcels within the tentative plan take into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will occur from the reasonable development of the parcels.

Response- It appears only 21% of the existing trees will definitely need to be removed to provide for the accessway construction and building envelope areas. The grade of the flag driveway will conform as much as possible to the existing ground contours.



J . Criteria - For properties located more than 300 feet from an available sanitary sewer.

Response- this criteria does not apply since the sanitary sewer is available adjacent to the parcel as shown on the tentative plan.



MEMO

TO: Olivia Glantz, Planner III
Community Development Department

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

DATE: June 11, 2019

SUBJECT: **PUBLIC WORKS RECOMMENDATIONS**
PAR19-07 (19-109388-LD)
3393 PIONEER DRIVE SE
3-PARCEL PARTITION

PROPOSAL

To divide approximately 0.58 acres into 3 parcels in an RS (Single Family Residential) zone at 3393 Pioneer Drive SE (Marion County Assessor's Map and Tax Lot Number 083W03AC03000).

RECOMMENDED CONDITIONS OF PLAT APPROVAL

1. Construct additional pavement to a width of 15 feet from centerline along the frontage of Pioneer Drive SE. The pavement shall be constructed to PWDS for the grade and surface standards of a pedestrian access route.
2. Along the frontage of Pioneer Drive SE, the right-of-way between the future edge of pavement and the property line shall be landscaped in accordance with SRC 803.035(q) and shall include street trees pursuant to SRC Chapters 86 and 803.
3. Obtain permits for installation of water services to serve Parcels 2 and 3.
4. Construct sewer services to serve Parcels 2 and 3 within in the public right-of-way.
5. 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 2 and 3. Construct stormwater facilities that are proposed in the public right-of-way.
6. Provide a 10-foot-wide public utility easement along the entire frontage of Pioneer Drive SE.

FACTS

1. Pioneer Drive SE

- 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 20-foot turnpike improvement within a 60-foot-wide right-of-way abutting the subject property.

Storm Drainage

1. Existing Condition

- a. A culvert and ditch storm system is located in Pioneer Drive SE.

Water

1. Existing Conditions

- a. The subject property is located in the S-2 water service level.
- b. An 8-inch public water line is located in Pioneer Drive SE.

Sanitary Sewer

1. Existing Sewer

- a. An 8-inch sewer line is located in Pioneer Drive SE.

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 Pioneer Drive SE 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)(7)(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 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.

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)(7)(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—Pioneer Drive SE abuts the subject property and does not meet the current standard for a Local street. It is currently constructed as a turnpike improvement along its entire length. The nearest curb and sidewalk is located approximately 600 feet south of the subject property at the intersection of Pioneer Drive SE and Madrona Avenue SE. As a condition of land division pursuant to SRC 803.040, Boundary street improvements are required. Public Works staff recommends construction of a temporary access route by widening the existing pavement to 15 feet from centerline to satisfy this requirement. The pavement shall be constructed to PWDS for the grade and surface standards of a pedestrian access route. The improvement shall also include landscaping and the installation of street trees in accordance with SRC Chapter 803. Construction of a pedestrian access route mitigates traffic impacts of the proposed development and contributes to the safe, orderly, and efficient circulation of traffic by reducing potential conflicts between motorists and pedestrians.

No special setback is required along Pioneer Drive SE because the existing right-of-way meets the standard for a Local street.

RESPONSE TO CITIZEN COMMENTS:

Stormwater Drainage: Comments were received regarding stormwater and flooding concerns downstream from the proposed development.

Staff Response: The proposed development is subject to requirements of SRC Chapter 71 and PWDS. These requirements limit runoff from the development to levels not exceeding pre-existing conditions. Pioneer Drive SE stormwater capacity will not be affected by the proposed development. The engineered stormwater design shall address runoff, drainage patterns, and potential flooding within and abutting the proposed development.

Subpar Sewer: Comments were received stating the sewer system within Pioneer Drive SE is subpar and additional connections should not be allowed.

Staff Response: The public sewer system within Pioneer Drive SE is the responsibility of the City of Salem. The proposed development will add two laterals to the existing 8-inch sewer main, which is not considered a significant impact to the overall system.

Traffic Safety: Comments were received regarding concerns with additional traffic attributable to the proposed development, and its effect on pedestrian safety.

Staff Response: Pioneer Drive SE is a Local street and meets the requirement for an alternative street standard under SRC 803.065(a)(2). The existing streets have adequate width for two-way vehicular traffic and allow for limited pedestrian access. The development is proposing to widen the existing street to provide a pedestrian access route along the frontage of the property that affords a place for pedestrians to walk outside of the travel lane.

The proposed partition would create two additional parcels for single family development. Additional trips attributed to the proposed partition are minimal relative to the capacity of existing and planned street network in the vicinity. The proposed development does not generate traffic volumes sufficient to require a Traffic Impact Analysis pursuant to SRC 803.015; therefore, off-site mitigation to the transportation system is not warranted as a condition of the proposed development.

Prepared by: Jennifer Scott, Program Manager
cc: File