

# NOTICE OF DECISION

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

## DECISION OF THE PLANNING ADMINISTRATOR

### SUBDIVISION / URBAN GROWTH PRELIMINARY DECLARATION CASE NO. SUB-UGA17-08

APPLICATION NO. : 17-113062-LD & 17-113930-LD

NOTICE OF DECISION DATE: SEPTEMBER 29, 2017

**REQUEST:** A consolidated application for a 20-lot phased subdivision ("Illahe River Estates") on the north side of River Road S, containing the following requests:

- 1) A phased subdivision tentative plan to divide approximately 4.96 acres into 20 lots, with Phase 1 dividing approximately 2.54 acres into 11 lots and Phase 2 dividing approximately 2.42 acres into 9 lots; and
- 2) An Urban Growth Preliminary Declaration to determine the public facilities required under the Urban Growth Management Program to develop the proposed phased subdivision.

The subject property is approximately 4.96 acres in size, zoned RA (Residential Agriculture) and located at 3906 Corredale Drive S (Marion County Assessor's Map and Tax Lot number 084W0101204).

**APPLICANT:** Jeffrey Jones for JS-2, LLC (Jeffrey M. Jones, Samantha R. Jones)

**LOCATION:** 3906 Corredale Drive S / 97302

**CRITERIA:** Subdivision: SRC 205.010(d)  
Urban Growth Preliminary Declaration: SRC 200.025(d) and (e)

**FINDINGS:** The findings are in the attached Order dated September 29, 2017.

**DECISION:** The Planning Administrator **GRANTED** the consolidated Phased Tentative Subdivision and Urban Growth Preliminary Declaration Case No. 17-08 as follows:

**A.** The phased subdivision tentative plan is **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:** Prior to final plat approval for Phase 2, obtain demolition permits and remove the existing buildings on the subject property.

**Condition 2:** Provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots. Construct stormwater facilities that are proposed in the public right-of-way in public storm easements, including the

extension of the existing storm main in River Road S to the west line of the subject property.

**Condition 3:** Maintenance access to the stormwater facility may need to be provided through an easement from Street 'B' pursuant to Public Works Design Standards. If this access is provided within an easement on one or more of the proposed lots, the access shall be developed in one of the following options:

(a) The easement shall be paved and screened pursuant to all of the applicable standards of SRC 806.025 – 806.030 and be available as an off-street parking or vehicle storage area. Under Option "A," a curb cut may be provided at the intersection of the easement and the Street 'B' cul-de-sac.

(b) The easement shall be surfaced with a cellular reinforced concrete system with grass planted within the voids, or similar surfacing as approved by the Public Works Director. Under Option "B," no curb cut may be provided at the intersection of the easement and the Street 'B' cul-de-sac, and parking is prohibited within the easement.

**Condition 4:** Pay the Bailey Ridge Reimbursement District fee pursuant to City Council Resolution 2009-2.

**Condition 5:** Construct public water, sewer, and storm systems within the proposed development as depicted on the schematic utility plan and in compliance with Public Works Design Standards.

**Condition 6:** Prior to final plat approval for each phase, construct the portion of Street 'A' within that phase as a 15-foot-wide half-street improvement on the development (east) side and as a minimum 9-foot-wide pavement section on the opposite (west) side.

**Condition 7:** Prior to final plat approval for Phase 2, construct Firth Avenue S as a 15-foot-wide half-street improvement on the development (south) side.

**Condition 8:** On the final plat of Phase 1, convey land for dedication of right-of-way for Street 'A' and Firth Avenue S within both Phase 1 and Phase 2 of the phased tentative subdivision plan.

**Condition 9:** Dedicate a 10-foot public utility easement (PUE) along the street frontage of all internal streets.

**Condition 10:** Convey land for dedication to equal a half-width right-of-way of 36 feet from the centerline on the development (north) side of River Road S.

**Condition 11:** Construct a 23-foot-wide half-street improvement along the entire frontage of River Road S to Minor Arterial street standards.

**Condition 12:** At the time of development, the developer shall provide a final report from a geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical considerations for each individual building lot.

**Condition 13:** Prior to final plat approval of Phase 1, construct a left turn lane from River Road to northbound Street A with tapers as specified in Public Works Design Standards.

**Condition 14:** Prior to issuance of public construction permits for Phase 1, provide an engineered analysis demonstrating that the design of the intersection of Street 'A' and River Road S meets intersection sight distance standards in both directions.

**B.** The Urban Growth Preliminary Declaration of the facility improvements required to obtain an Urban Growth Area (UGA) Development permit for the subject property is **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the following conditions:

**Condition 15:** Along the entire abutting portion of River Road S, construct a 17-foot-wide linking street improvement on the opposite (south) side to Minor Arterial standards.

**Condition 16:** Extend the existing 8-inch sewer main in River Road S to the west line of the subject property.

**Condition 17:** Extend the existing 16-inch water main in River Road S to the west line of the subject property.

The rights granted by this decision must be exercised or extension granted by **October 17, 2019** or this approval shall be null and void.

Application Deemed Complete:	<u>July 28, 2017</u>
Notice of Decision Mailing Date:	<u>September 29, 2017</u>
Decision Effective Date:	<u>October 17, 2017</u>
State Mandated Decision Date:	<u>November 25, 2017</u>

**Case Manager:** Chris Green, [cgreen@cityofsalem.net](mailto:cgreen@cityofsalem.net); 503.540.2326

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 **Monday, October 16, 2017, 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.

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  
(CASE NO. SUB-UGA17-08)**

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

<b>IN THE MATTER OF THE APPROVAL OF ) CONSOLIDATED URBAN GROWTH ) PRELIMINARY DECLARATION AND ) TENTATIVE PHASED SUBDIVISION PLAN ) CASE NO. SUB-UGA17-08; ) 3906 CORREDALE DRIVE S )</b>	<b>FINDINGS AND ORDER     SEPTEMBER 29, 2017</b>
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**REQUEST**

A consolidated application for a 20-lot phased subdivision ("Illahe River Estates") on the north side of River Road S, containing the following requests:

- 1) A phased subdivision tentative plan to divide approximately 4.96 acres into 20 lots, with Phase 1 dividing approximately 2.54 acres into 11 lots and Phase 2 dividing approximately 2.42 acres into 9 lots; and
- 2) An Urban Growth Preliminary Declaration to determine the public facilities required under the Urban Growth Management Program to develop the proposed phased subdivision.

The subject property is approximately 4.96 acres in size, zoned RA (Residential Agriculture) and located at 3906 Corredale Drive S (Marion County Assessor's Map and Tax Lot number 084W0101204).

**DECISION**

- A. The phased subdivision tentative 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:

- |                     |   |
|---------------------|---|
| <b>Condition 1:</b> | Prior to final plat approval for Phase 2, obtain demolition permits and remove the existing buildings on the subject property.  |
| <b>Condition 2:</b> | Provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots. Construct stormwater facilities that are proposed in the public right-of-way in public storm easements, including the extension of the existing storm main in River Road S to the west line of the subject property. |

- Condition 3:** Maintenance access to the stormwater facility may need to be provided through an easement from Street 'B' pursuant to Public Works Design Standards. If this access is provided within an easement on one or more of the proposed lots, the access shall be developed in one of the following options:
- (a) The easement shall be paved and screened pursuant to all of the applicable standards of SRC 806.025 – 806.030 and be available as an off-street parking or vehicle storage area. Under Option "A," a curb cut may be provided at the intersection of the easement and the Street 'B' cul-de-sac.
  - (b) The easement shall be surfaced with a cellular reinforced concrete system with grass planted within the voids, or similar surfacing as approved by the Public Works Director. Under Option "B," no curb cut may be provided at the intersection of the easement and the Street 'B' cul-de-sac, and parking is prohibited within the easement.
- Condition 4:** Pay the Bailey Ridge Reimbursement District fee pursuant to City Council Resolution 2009-2.
- Condition 5:** Construct public water, sewer, and storm systems within the proposed development as depicted on the schematic utility plan and in compliance with Public Works Design Standards.
- Condition 6:** Prior to final plat approval for each phase, construct the portion of Street 'A' within that phase as a 15-foot-wide half-street improvement on the development (east) side and as a minimum 9-foot-wide pavement section on the opposite (west) side.
- Condition 7:** Prior to final plat approval for Phase 2, construct Firth Avenue S as a 15-foot-wide half-street improvement on the development (south) side.
- Condition 8:** On the final plat of Phase 1, convey land for dedication of right-of-way for Street 'A' and Firth Avenue S within both Phase 1 and Phase 2 of the phased tentative subdivision plan.
- Condition 9:** Dedicate a 10-foot public utility easement (PUE) along the street frontage of all internal streets.

- Condition 10:** Convey land for dedication to equal a half-width right-of-way of 36 feet from the centerline on the development (north) side of River Road S.
- Condition 11:** Construct a 23-foot-wide half-street improvement along the entire frontage of River Road S to Minor Arterial street standards.
- Condition 12:** At the time of development, the developer shall provide a final report from a geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical considerations for each individual building lot.
- Condition 13:** Prior to final plat approval of Phase 1, construct a left turn lane from River Road to northbound Street A with tapers as specified in Public Works Design Standards.
- Condition 14:** Prior to issuance of public construction permits for Phase 1, provide an engineered analysis demonstrating that the design of the intersection of Street 'A' and River Road S meets intersection sight distance standards in both directions.
- B. The Urban Growth Preliminary Declaration of the facility improvements required to obtain an Urban Growth Area (UGA) Development permit for the subject property is APPROVED subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the following conditions:
- Condition 15:** Along the entire abutting portion of River Road S, construct a 17-foot-wide linking street improvement on the opposite (south) side to Minor Arterial standards.
- Condition 16:** Extend the existing 8-inch sewer main in River Road S to the west line of the subject property.
- Condition 17:** Extend the existing 16-inch water main in River Road S to the west line of the subject property.

### PROCEDURAL FINDINGS

1. On June 30, 2017, the applicant submitted an application for a Phased Subdivision Tentative Plan for a proposal to divide an approximately 4.96 acre property at 3906 Corredale Drive S (Attachment A) into 20 lots over the course of two phases.
2. Staff identified that because the subject property is outside of the Urban Service Area, an Urban Growth Preliminary Declaration must be obtain prior to or in conjunction with the application for Phased Tentative Subdivision Plan. After the applicant submitted an application for Urban Growth Area Preliminary Declaration, the consolidated application

was deemed complete for processing on July 28, 2017. Notice to surrounding property owners was mailed pursuant to Salem Revised Code on August 2, 2017.

3. The state-mandated local decision deadline for this case is November 25, 2017.

## **SUBSTANTIVE FINDINGS**

### **1. Proposal**

The tentative plan proposes to divide 4.96 acres into 20 lots for residential development (Attachment B), with development taking place in two phases. Phase 1 would include 11 lots ranging in size from 5,502 square feet to 10,825 square feet, located on the southern portion of the subject property. Access to Phase 1 would be provided from River Road S, via a three-quarter street extending northward from the southwestern corner of the subject property (Street 'A') and an eastward cul-de-sac (Street 'B'). The proposal also includes an approximately 2,222 square foot area along the River Road frontage for construction of a stormwater pond, which would be dedicated to the City.

Phase 2 would subdivide the remaining 2.42 acres into 9 lots ranging in size from 5,836 square feet to 10,805 square feet for residential development. Circulation for Phase 2 would be provided by a further northward extension of Street 'A,' a second eastward cul-de-sac (Street 'C'), and an extension of Firth Avenue S across the northern boundary of the site. Firth Avenue would intersect with Street 'A' at the northwest corner of the subject property. A single family residence, constructed in 2013, is centered within the proposed Phase 2, and would have to be removed prior to make way for development of that portion of the property in the manner proposed by the applicant.

### **2. Existing Conditions**

#### Site and Vicinity

The subject property consists of a single lot, approximately 4.96 acres in size, on the north side of River Road S. The lot has a roughly parallelogram shape, with lot depth ranging from 703 feet to 733 feet of depth from River Road S and lot width of approximately 294 feet. A single-family dwelling was constructed on the northern portion of the subject property in 2013 and takes access from Corredale Drive, a private accessway, at the northwest corner of the subject property. An undeveloped segment of the access easement for Corredale Drive crosses the north boundary of the subject property; the 60-foot-wide easement is split equally between the subject property and the abutting property to the north.

The subject property is primarily open and grassy, with some trees and shrubs concentrated just beyond the southern boundary, within the River Road S right-of-way. Environmental resource and natural hazard maps show no areas of wetlands or floodplains on the subject property. The site slopes gradually upward from the River Road S frontage, from approximately 206 feet above sea level to approximately 236 feet above sea level at the northwest corner.

The subject property was annexed into the City of Salem in 1976 as part of a 484.21-acre tract, and is near the center of a larger area of residential land at the far southwest corner of the Salem city limits and Urban Growth Boundary (UGB), on the north side of River Road S. The land within the UGB and located to the north and west of the subject property is sparsely developed, with single family residences on lots generally five acres or larger in size. Lands to the south of River Road S are outside of the Urban Growth Boundary and are developed in a rural residential pattern.

The 68-lot Bailey Ridge No. 2 subdivision was platted on the abutting property to the east in 2006, and subsequently developed with single family residences. There are no street connections between Bailey Ridge No. 2 and the subject property, preventing east-west connectivity or adequate street spacing in this direction for future development on the subject property. Similar to the subject property, the abutting lots to the north and west are relatively large lots (5.03 acres and 5.04 acres, respectively), each developed with a single family residence accessed from a network of private driveways. This development pattern continues northward and westward from the subject property to the Urban Growth Boundary in both directions.

#### 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 “Developing Residential” on the Salem Area Comprehensive Plan (SACP) Map. The surrounding properties are designated as follows:

North:	Developing Residential
South:	(Across River Road S; in Marion County; outside of Urban Growth Boundary) Rural Residential
East:	Developing Residential
West:	Developing Residential

#### Zoning and Surrounding Land Use

The subject property is zoned RA (Residential Agriculture) and is primarily vacant, with a single family residence on the northern portion of the property. The surrounding properties are zoned and used as follows:

North:	RA (Residential Agriculture); single family residence – large lot/rural residential
South:	(Across River Road S; in Marion County) AR (Marion County Acreage Residential zone); rural residential



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

West: RA (Residential Agriculture); single family residence – large lot/rural residential

#### Relationship to Urban Service Area

The subject property is outside of the City's Urban Service Area. The applicant has requested an Urban Growth Preliminary Declaration for the proposed phased subdivision as part of this consolidated application.

#### Infrastructure

*Water:* The subject property is within the G-0 water service level.

A 16-inch water line is located in River Road S, at the southeast corner of the subject property.

A 12-inch water line is located in Corredale Drive S, at the northeast corner of the subject property.

*Sewer:* An 8-inch sanitary sewer line is located in River Road S.

The subject property is located within the Bailey Ridge Reimbursement District.

*Storm Drainage:* The subject property is located within the Pettijohn Laurel Drainage Basin.

A 12-inch storm main is located in River Road S.

*Streets:* River Road S currently abuts the subject property along the south boundary. This segment of River Road S is designated as a Minor Arterial street in the Salem Transportation System Plan (TSP).

- The standard for this street classification is a 46-foot improvement within a 72-foot-wide right-of-way.
- The abutting portion of River Road S currently has an approximately 26-foot-wide improvement with gravel ("turnpike") shoulders.

### **3. Land Use History**

The subject property was created as a result of a series of partitions creating relatively large, rural residential lots platted in the 1990s:

- **Partition 92-34 (1992):** Divided 44.87 acres into 3 parcels.
- **Partition 93-23PV (1993):** Divided Parcel 3 of 92-34 into 3 parcels.
- **Partition 95-2P (1995):** Divided Parcel 3 of 93-23PV into 3 parcels.
- **Partition 96-4P (1996):** Divided Parcel 1 of 95-2P into 3 parcels. The subject property is Parcel 1 of 96-4P.

#### **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 E.

**Fire Department** - The Salem Fire Department submitted indicating no concerns with the subject land division proposal. Fire Department comments note that issues such as fire department access and water supply will be addressed at the time of permit submittal, and further advise the following regarding the project:

- The fire hydrant water supply shall be connected to the City water system.
- Public fire hydrants shall be relocated to the intersection of the cul-de-sac nearest Lots 13 & 20 and 2 & 8.

**Building and Safety Division** – The Salem Community Development Department, Building and Safety Division, submitted comments indicating no concerns with the proposal at this time.

#### **5. Neighborhood Association Comments**

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

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

All property owners within 250 feet of the subject property were mailed notification of the proposed subdivision. Eleven property owners in the vicinity of the site or members of the public at large submitted comments prior to the comment deadline. Comments received expressed concerns with the following issues:

- **Issue #1 – Vision Clearance at Proposed Intersection of Street ‘A’ and River Road S:** Six comments express concern with vision clearance at the proposed intersection of Street ‘A’ and River Road S. Comments describe the curving pattern of the abutting portion of River Road S and high rate of speed of many drivers.

**Staff Response:** The Assistant City Traffic Engineer has recommended two conditions of approval in order to address potential safety concerns at the proposed intersection of Street ‘A’ and River Road S. Condition 14 requires an engineered study demonstrating that design of the proposed intersection of Street ‘A’ and River Road S meets sight distance requirements in both directions. This study must be submitted prior to the approval of public construction permits for Street ‘A,’ allowing findings of the study to be incorporated into the design of the proposed intersection. In addition, Condition 13 requires the construction of a left-turn lane in this location, allowing for safer turning movements for eastbound traffic at this location.

- **Issue #2 – Intersection Separation Between River Road S Intersections with Tayside Street S and proposed Street ‘A’:** Three comments express traffic safety concerns related to the proximity of the proposed new intersection of Street ‘A’ and River Road S with the existing intersection of Tayside Street S and River Road S, approximately 350 feet to the east.

**Staff Response:** As described above, the Bailey Ridge No. 2 subdivision immediately to the east does not provide any point of access for street connectivity to Tayside Street S, with the exception of the dead-end stub of Firth Avenue S at the far northeastern corner of the subject property. The proposed intersection of Street ‘A’ and River Road S is located at the far southwestern corner of the subject property, with a three-quarter street improvement on the development side of the west property boundary. This intersection location is the farthest possible distance from the intersection of Tayside Street S and River Road S can be located within the width of the subject property.

Due to the proximity of the existing and proposed intersections and the issues raised in comments, the applicant is required to mitigate potential traffic safety issues at the proposed intersection of Street ‘A’ and River Road S through conditions of approval recommended by the Assistant City Traffic Engineer. In order to allow safe turning movements for eastbound traffic onto Street ‘A,’ Condition 13 requires the construction of a left-turn lane in this location. Condition 14 requires an engineered study demonstrating that design of the proposed intersection of Street ‘A’ and River Road S meets sight distance requirements in both directions.

- **Issue #3 – Filtering of Traffic onto Tayside Street S:** Two comments express concern that, in summary, due to the sight distance issues at the proposed intersection of Street ‘A’ and River Road S, trips generated by new lots in the subdivision will instead opt to use Tayside Street S to access River Road S, thereby increasing traffic on Tayside Street.

**Staff Response:** The completion of Phase 2 would include street connections linking 'Street A' and Tayside Street via a westward extension of Firth Avenue S. At this time, existing developed lots within the Bailey Ridge No. 2 subdivision have their most direct access to River Road S via Tayside Street. Completion of both phases of the proposed subdivision would result in a total of only 20 additional lots in the vicinity, all of which would have more direct access to River Road S via the proposed 'Street A.'

Besides the circuitous route necessary to use Tayside Street to access River Road S from the proposed subdivision, other factors limit the potential for traffic filtering through the existing neighborhood. The phased timing of development of the proposed subdivision would preclude access to Tayside Street until Phase 2 is constructed, and conditions of approval requiring a left-turn lane and additional sight distance study of the intersection of Street 'A' and River Road S will address some of the safety concerns that would otherwise discourage drivers from the new subdivision from taking direct access from this intersection.

- **Issue #4 – Increased Traffic Noise and Congestion:** Four comments express concern that, in summary, increased traffic from the proposed phased subdivision will increase traffic noise and congestion in the vicinity.

**Staff Response:** The proposed phased subdivision would create up to 20 additional lots for development of single family residences served by an internal network of local streets and River Road S, a designated Minor Arterial. Additional trips attributed to the proposed phased subdivision are expected to be within the capacity of the existing and planned street network in the vicinity. Developments located along arterial streets such as River Road S are required to mitigate their traffic impacts when they generate more than 1,000 average daily trips. This development did not meet that threshold so mitigation is not required for the proposed phased subdivision.

- **Issue #5 – Lack of Secondary Access Prior to Development of Phase 2:** Several comments express concern, in summary, that the applicant does not intend to construct Phase 2 as proposed, which would necessitate demolishing a large single family residence constructed in 2013. These comments contend that if Phase 1 were completed and Phase 2 were abandoned, Phase 1 would lack required secondary points of emergency access as well as connectivity to adjacent properties.

**Staff Response:** Pursuant to SRC Chapter 300, Table 300-3, the first phase of a phased subdivision plan must be recorded within two years of the effective date of tentative plan approval, and all subsequent phases must be recorded within ten years.<sup>1</sup> An applicant may also elect not to develop subsequent phases of the subdivision, or any phases at all. Certain approval criteria for tentative subdivision plans and phased

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<sup>1</sup> The two-year expiration period for the first phase of a phased subdivision tentative plan may be extended up to four times, with a maximum period of two years for each extension. The ten year deadline for recording all subsequent phases of the subdivision may not be extended.

tentative subdivision plans address issues that may arise from phased subdivisions in which some, but not all, phases are eventually recorded and developed.

In particular, SRC 205.015(d)(2) and (3) require that phased subdivisions demonstrate that connectivity for streets and utilities is maintained between phases, and that each phase is “substantially and functionally self-contained and self-sustaining with regard to required public improvements.” SRC 205.010(d)(2) requires that a tentative subdivision plan not impede the future use or development of the property or adjacent land. As described in findings below, the proposal meets these criteria subject to Condition 7, which requires that the final plat for Phase 1 include dedication of the rights-of-way for Street ‘A’ and the proposed extension of Firth Avenue S through Phase 2.

Emergency access requirements are specified under the Oregon Fire Code, which sets a maximum of 30 single family dwellings that may be constructed without secondary fire access. The 11 lots proposed within Phase 1 fall below this threshold. Condition 7 addresses the two possible scenarios that could arise if the applicant develops Phase 1 but not Phase 2. If Phase 2 is not developed, and abutting properties to the north and west remain undeveloped, street connectivity across Phase 2 is unnecessary. If Phase 2 is not developed but development is proposed on adjacent properties, these abutting developments are not impeded from use of the undeveloped rights-of-way across the subject property to connect to the existing street network.

- **Issue #6 – Stormwater Issues along West Side of Subject Property:** Seven commenters described existing issues with stormwater drainage problems along the eastern boundary of the subject property and western boundary of developed lots in the abutting Bailey Ridge subdivision.

**Staff Response:** Grading activities associated with future development on the site must comply with local, state, and federal erosion control regulations. The development is required to construct stormwater facilities in compliance with SRC Chapter 71, which includes on-site green stormwater infrastructure such as the detention pond. Public Works staff has reviewed the adequacy of storm drainage facilities proposed for the development and finds that storm drainage infrastructure is available and appears to be adequate to serve future development. Future development on the subject property must ensure that stormwater is collected into stormwater facilities within the subdivision and conveyed safely to approved points of disposal, as is required by the standards established in SRC Chapter 71 and Salem Public Works Development Standards. While the applicant is not required to correct existing drainage problems that exist off-site, the construction of green stormwater infrastructure on the subject property may result in improved drainage conditions in the vicinity.

- **Issue #7 – Adequacy of Infrastructure:** Three comments express concern that the proposal would result in inadequate water pressure to existing residences in the vicinity and for fire suppression. One comment specifically contends that adequacy of infrastructure cannot be evaluated until an Urban Growth

Preliminary Declaration is issued, prior to consideration of the phased tentative subdivision application.

**Staff Response:** Public Works Department staff have evaluated the application, including the schematic utility plan, and provided comments recommending conditions of approval to ensure that master-planned water and sewer improvements are extended to serve the property pursuant to the requirements of the Urban Growth Management Program, and that adequate City infrastructure is provided to serve each proposed lot. Comments from the Public Works Department indicate that adequate infrastructure is available to serve the proposed subdivision, subject to the requirements of the Urban Growth Preliminary Declaration and conditions of approval.

Consolidation of multiple land use actions, such as Urban Growth Preliminary Declarations and phased tentative subdivision plans, is specifically allowed under SRC 300.120(c).<sup>2</sup> Approval criterion SRC 205.010(d)(10) requires that tentative subdivision plans implement on and off-site improvements required under any applicable Urban Growth Preliminary Declaration. The Urban Growth Preliminary Declaration included as part of this consolidated application is subject to the same process of notice and review as the phased tentative subdivision plan.

Comments from the Public Works Department indicate that the subject property and Bailey Ridge Subdivision to the east of the property are located within the G-0 water service level and are served by a 16-inch water main in River Road. This water system has sufficient capacity and pressure to serve the proposed development pursuant to the Water System Master Plan. The area to the north and west of the subject property is located within the Illahe Acreage Water Association (IAWA), which is an area of low capacity not maintained by the City. The IAWA will not be affected by the proposed development because it is located in the S-1 service area and will not be connected to the G-0 water system.

Salem Fire Department has reviewed the proposal and provided comments indicating necessary alignments and connections for fire hydrants to serve the phased subdivision. The development will be required to provide adequate fire flows in accordance with applicable state and local fire codes.

- **Issue #8 – Incomplete Listing of Approval Criteria on Notice of Filing:** One commenter (“Hoyt”) contends, in summary, that because the Notice of Filing only lists the approval criteria for a tentative subdivision plan set forth in SRC 205.010(d), and omits the approval criteria for a *phased* tentative subdivision plan set forth in SRC 205.015(d), that the notice is defective and “only an un-phased subdivision plan can be approved.”

**Staff Response:** Hoyt correctly identifies that the approval criteria for a tentative phased subdivision were inadvertently omitted from the Notice of Filing regarding the

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<sup>2</sup> ORS 22.175(2) requires cities to establish a consolidated procedure for review of all permits necessary for a development project, such as the process provided under SRC 300.120.

proposal. Therefore, only 10 of the 13 criteria required to be met by a phased tentative subdivision plan were listed in the Notice of Filing.

However, the “Description of Request” summary included in the Notice of Filing clearly identifies the proposal as a phased tentative subdivision plan, and enumerates the acreage and number of lots within each proposed phase. The site plan attached to the Notice of Filing clearly delineates Phases 1 and 2 of the proposal. Hoyt’s comment identifies the missing criteria and discusses concerns regarding the applicant’s phasing plan at great length, as do several other comments received. This demonstrates that Hoyt and other commenters were “on notice” as to the phased nature of the proposal and the applicable approval criterion for the proposal.

- **Issue # 9 – Loss of Vegetation along River Road S:** One comment expresses concern that, in summary, the development of the subdivision will result in the loss of existing trees and shrubs along the frontage of the subject property along River Road S.

**Staff Response:** A narrow stand of small deciduous trees and shrubs, grasses, and invasive blackberry vines is located just south of the subject property, within the right-of-way of River Road S. The boundary street improvements to River Road S associated with this proposal, including the extension of sidewalks, bike lanes, and planting strips along this frontage, will replace this vegetation. While being implemented as part of the proposal, these changes are consistent with the existing Transportation System Plan (TSP) designation of the abutting portion of River Road S. The combination of frontage improvements on the south boundary of the property and planting of trees on new residential lots pursuant to SRC Chapter 808 will result in a substantial increase in the number of trees in the vicinity.

- **Issue # 10 – Impact on Property Values:** One comment concerns that, in summary, further construction of homes on the subject property would have a negative impact on the property values of abutting properties within the Bailey Ridge subdivision.

**Staff Response:** Effect on property values is not a criterion under the Salem Revised Code for granting or denying a phased tentative subdivision approval. The proposal for single family residential development is consistent with the “Developing Residential” Comprehensive Plan Map designation and RA (Residential Agriculture) zone of the subject property.

- **Issue # 11 – Impact on Existing Views:** One comment raises concerns that further construction of homes on the subject property would have negative impacts on existing views from abutting properties to the east.

**Staff Response:** The subject property is located within an already developed area within the corporate limits of the City of Salem, and changes to the landscape from future residences in the proposed subdivision are not expected to exceed what would

occur from the presumed development of land within the City zoned for single family residential development. Impact on existing views is not a criterion under the Salem Revised Code for granting or denying a phased tentative subdivision approval.

- **Issue # 12 – Inadequate Wireless Communication Service:** One comment contends, in summary, that the additional homes to be developed in the new subdivision warrant construction of a new wireless communications tower to improve cellular phone service in the vicinity.

**Staff Response:** Cellular phone services are provided by private entities pursuant to franchise agreements and other restrictions. Approval criteria for a phased tentative subdivision plan require the proposed subdivision can be adequately served by City infrastructure, and public and private utilities which must be installed within public rights-of-way or public or private easements.

## **7. Criteria for Granting a Phased Subdivision Tentative Plan**

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 subdivision 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 lots 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 subdivision plat for each respective phase.

SRC Chapter 205.015(d) sets forth the criteria that must be met before approval can be granted to a phased subdivision request. 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 205.015(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 205.015(d)(1): The tentative phased subdivision meets all of the criteria for tentative subdivision plan approval set forth in SRC 205.010(d).**

**Finding:** Compliance with the criteria for tentative subdivision plan approval, as set forth in SRC 205.010(d), is addressed within the findings below.

**SRC 205.010(d)(1): The tentative subdivision complies with all 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 subdivision would divide the 4.96 acres into 20 lots in two phases, and a public facility for stormwater treatment, with no remainder. The subject property is currently zoned RA (Residential Agriculture). SRC Chapter 265.015 provides that any land within an RA zone district that is subject to a subdivision approval shall automatically be re-classified to an RS zone district on the date the subdivision plat is recorded. This provision applies to the subject property. Because the zoning of the subject property will be changed to RS with the recording of the final plat for each respective phase, the following analysis of the subdivision for conformance with the requirements of the UDC is based upon the property being rezoned to RS (Single Family Residential). The minimum lot area requirements of the RS zone are established under SRC 511.010(a) as follows:

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

Requirement	Minimum Standard
Lot Area (Single Family)	4,000 square feet
Lot Width	40 feet
Lot Depth (Single Family)	70 feet
Lot Depth (Double frontage lots)	120 feet
Street Frontage	40 feet

Proposed lots in the subdivision range from approximately 5,502 square feet to 10,825 square feet in size. Lots 3, 19, and 20 are double frontage lots; each of these lots meets the minimum 120-foot lot depth set forth in SRC Chapter 511, Table 511-2. The proposed lots exceed minimum lot area, dimension, and frontage requirements and therefore conform to the applicable standards. The proposed lots within the subdivision are also of sufficient size and dimension to permit future development of uses allowed within the zone.

**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')
- 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

The existing residence on the north side of the property would be located within an approximately 2.42 acre lot subsequent to the platting of Phase 1 but before development of Phase 2. The applicant has provided an existing conditions plan showing the location of the existing residence would meet all applicable setback requirements following the platting of Phase 1. Setback requirements for future development on new lots created as part of the phased subdivision will be reviewed at the time of application for building permits on individual lots.

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 subject property is primarily undeveloped, except for a single family residence on the north portion of the lot. This residence would be located within an approximately 2.42 acre lot subsequent to the platting of Phase 1 but before development of Phase 2. Relative to the tentative subdivision plan, the existing residence would cross proposed lot lines and internal street rights-of-way proposed for Phase 2. In order to ensure that the Phase 2 of the subdivision complies with this SRC 800.015(a) upon recording of the plat, the following condition shall apply:

**Condition 1:** Prior to final plat approval for Phase 2, obtain demolition permits and remove the existing buildings on the subject property.

*SRC 800.020 (Designation of Lot Lines):* SRC 800.020 establishes front lot line designation requirements for corner lots, double frontage lots, flag lots, and all other lots. Corner lots are lots located at the intersection of two streets, typically with street frontage on two sides. Lots 1, 2, 8, and 13 are corner lots; none of these lots would meet lot depth requirements if the wider street frontage was chosen as the front lot line. Therefore, the front lot line for Lots 1, 2, 8, and 13 are as follows along the west property line, fronting Street 'A.'

Double frontage lots have frontage on two streets that do not intersect at the lot's boundaries. Lots 3, 19, and 20 are double frontage lots. As described in findings

above, each of the proposed double frontage lots meets the applicable minimum lot depth for double frontage lots in the RS (Single Family Residential) zone. Therefore, the front lot line for these lots shall be the property line abutting a street provided by the building permit applicant.

The phased tentative subdivision plan does not include any flag lots.

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

**(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 subdivision 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 71 (Stormwater): The proposed partition is subject to the stormwater requirements of SRC Chapter 71 and the revised Public Works Design Standards as adopted in Administrative Rule 109, Division 004. To demonstrate that the proposed parcels can meet the PWDS, the applicant shall provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots.

Pursuant to SRC 71.085, all proposed lots shall be designed and constructed with green stormwater infrastructure. In order to ensure that the partition can accommodate required stormwater facilities, the following condition of plat approval shall apply:

**Condition 2:** Provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots. Construct stormwater facilities that are proposed in the public right-of-way in public storm easements, including the extension of the existing storm main in River Road S to the west line of the subject property.

**Condition 3:** Maintenance access to the stormwater facility may need to be provided through an easement from Street 'B' pursuant to Public Works Design Standards. If this access is provided within an easement on one or more of the proposed lots, the access shall be developed in one of the following options:

- (a) The easement shall be paved and screened pursuant to all of the applicable standards of SRC 806.025 – 806.030 and be available as an off-

street parking or vehicle storage area. Under Option "A," a curb cut may be provided at the intersection of the easement and the Street 'B' cul-de-sac.

- (b) The easement shall be surfaced with a cellular reinforced concrete system with grass planted within the voids, or similar surfacing as approved by the Public Works Director. Under Option "B," no curb cut may be provided at the intersection of the easement and the Street 'B' cul-de-sac, and parking is prohibited within the easement.

As conditioned, the proposal meets the requirements of SRC Chapter 71.

SRC Chapter 200 (Urban Growth Management): The Urban Growth Management Program, detailed in SRC Chapter 200, requires that an Urban Growth Area (UGA) Development Permit must be obtained prior to subdivision of property outside of the Salem Urban Service Area. The subject property is located outside the Urban Service Area and an application for an Urban Growth Preliminary Declaration for the subject property is included as part of the consolidated application. As indicated by the Public Works Department, street, water, sewer, and stormwater infrastructure is available to serve the proposed development, subject to the requirements listed in the Urban Growth Preliminary Declaration. Pursuant to SRC 200.025(e), the developer must construct these improvements as a condition of approval for the phased subdivision tentative plan.

The subject property is located within the Bailey Ridge Reimbursement District and is therefore subject to a reimbursement district fee. In order to ensure that the reimbursement district fee is paid pursuant to SRC 200.355, the following condition shall apply:

**Condition 4:** Pay the Bailey Ridge Reimbursement District fee pursuant to City Council Resolution 2009-2.

This fee is due at the time of final plat and is reimbursable from System Development Charge credits at the time of building permit issuance.

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 subdivision. Specifications for required public improvements are summarized in the Public Works Department memo dated September 29, 2017 (Attachment E).

SRC 802.015 requires development to be served by city utilities designed and constructed according to all applicable provisions of the Salem Revised Code

and Public Works Design Standards. The Schematic Utility Plan submitted by the applicant (Attachment C) shows that each individual lot can be served by City utilities designed and constructed according to the applicable provisions of the SRC and PWDS.

In order to ensure that appropriate public infrastructure is provided to each of the new lots created by the subdivision, the following condition shall apply:

**Condition 5:** Construct public water, sewer, and storm systems within the proposed development as depicted on the schematic utility plan and in compliance with Public Works Design Standards.

As conditioned, and subject to the requirements of the corresponding Urban Growth Preliminary Declaration, the proposal is consistent with City infrastructure standards.

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

*SRC 803.015 (Traffic Impact Analysis):* The proposed phased subdivision is projected to generate less than 1,000 daily trips onto River Road S, designated in the TSP as a Minor Arterial street. Accordingly, a Transportation Impact Analysis is not required as part of the review of the tentative subdivision plan, pursuant to subsection (b)(1).

*SRC 803.020 (Public and Private Streets):* The applicant proposes for all internal streets within the subdivision to be public streets.

*SRC 803.025 (Right-of-Way and Pavement Widths):* Standard width of rights-of-way and improved curb-to-curb pavement width are set forth in SRC Table 803-1 and Table 803-2. River Road S abuts the subject property and does not meet the current right-of-way or improvement width standards for a Minor Arterial street. In implementing boundary street requirements pursuant to SRC 803.040, Conditions 10 and 11 require the applicant to dedicate additional right-of-way and construct a 23-foot-wide half street improvement, consistent with the applicable requirements for the segment of River Road S abutting the development.

The phased tentative subdivision plan proposes two streets along the perimeter of the subject property; Street 'A' running along the west boundary and an extension of Firth Avenue S across the northern boundary of the subject property. Conditions 6 and 7 ensure that these streets are constructed to allow eventual completion of full street sections, consistent with the applicable standards set forth in SRC 803.025, at the time of future development on abutting properties.

As conditioned, the proposal meets this requirement.

*SRC 803.030 (Street Spacing):* The street spacing requirements specifies maximum block lengths of 600 feet along one axis, and between 120 feet minimum and 400 feet maximum along the other axis. Street spacing may be increased based on one or more of the conditions set forth in subsection (b).

Applicant Statement: To the east, the subject property abuts a row of subdivided lots and single-family homes fronting Tayside Street S, so through-streets to the east are not feasible. To the west and north, the subject property abuts single-family homes on large lots. Street expansions will be available to the north and west if adjacent tax lots are developed. Therefore, the applicable criteria are met.

Staff Response: Staff concurs with the applicant's statement and finds that due to existing development, in the form of platted and developed single family residential lots, the proposed subdivision is precluded from making connections to adjacent properties to the east within 600-foot intervals, and is excepted from this requirement along the eastern boundary of the subject property, pursuant to SRC 803.030(a)(2).

*SRC 803.035 (Street Standards):* Subsection (a) requires streets within the subdivision to provide connectivity to existing streets and undeveloped properties within the vicinity of the subject property. Existing development precludes street connections to the east. The proposed three-quarter street along the west property line and half-street along the north property line provide for connections to future development on abutting properties. In order to ensure that Street 'A' is constructed so as to provide for future intersections with street connections from the west, and that Firth Avenue S is extended to provide for intersections with street connections from the north, the following conditions shall apply:

**Condition 6:** Prior to final plat approval for each phase, construct the portion of Street 'A' within that phase as a 15-foot-wide half-street improvement on the development (east) side and as a minimum 9-foot-wide pavement section on the opposite (west) side.

**Condition 7:** Prior to final plat approval for Phase 2, construct Firth Avenue S as a 15-foot-wide half-street improvement on the development (south) side.

As conditioned, the proposal complies with the requirements of subsection (a).

Development of Phase 1 will result in a three-quarter street (Street 'A') and a half-street (Firth Avenue S) stubbing into the subject property for Phase 2. In the event that the phased tentative subdivision were abandoned subsequent to the development of Phase 1 but before the development of Phase 2, Street 'A' and Firth Avenue would be interrupted by private property, and unavailable to provide street connections to future development on properties to the north and

northwest. In order to ensure that property within the proposed street alignments of Street 'A' and Firth Avenue remain available for street extensions required pursuant to subsection (c), the following condition shall apply:

**Condition 8:** On the final plat of Phase 1, convey land for dedication of right-of-way for Street 'A' and Firth Avenue S within both Phase 1 and Phase 2 of the phased tentative subdivision plan.

As conditioned, the proposal complies with the requirements of subsection (a).

Subsection (d) requires dead-end streets to be provided to the boundary of the site when necessary to provide connectivity to or through abutting undeveloped areas. The three-quarter street proposed by the applicant along the western boundary (Street 'A') of the subject property provides the equivalent level of connectivity to the abutting undeveloped property as multiple dead-end streets. The unfinished western edge of Street A allows for flexible location of street intersections from the future development of the abutting property to the west. The proposal also includes an extension of Street A to the north property boundary, providing future connectivity to undeveloped abutting property to the north. Condition 8 would require dedication of the right-of-way for Street A and Firth Avenue S across Phase 2, to ensure that future connectivity is provided in the event that Phase 2 is not platted. The proposal complies with the requirements of subsection (d).

Subsection (f) establishes standards for the maximum length, distance from intersections, and radius of cul-de-sacs. Streets 'B' and 'C' are proposed as a cul-de-sacs and meet all applicable dimensional requirements set forth in subsection (f).

Subsection (m) requires streets identified in the Salem Transportation System Plan (TSP) Bicycle System Map as requiring a bicycle facility to conform to the designation of the TSP and Public Works Design Standards. The Bicycle System Element of the TSP proposes bike lanes on the abutting portion of River Road S, consistent with the designation of River Road S as a Minor Arterial street, as well as existing improvements on the adjacent developed sections of River Road S. The boundary street improvements required by Condition 11 would include bicycle lanes on the north side of River Road S, abutting the development. As conditioned, the proposal complies with the requirements of subsection (m).

Pursuant to subsection (n), public utility easements (PUEs) may be required for all streets. Portland General Electric, the franchise utility provider of electricity for the subject property, typically requests 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 9:** Dedicate a 10-foot public utility easement (PUE) along the street frontage of all internal streets.

As conditioned, the proposal conforms to applicable street standards.

*SRC 803.040 (Boundary Streets):* River Road S is a boundary street, running along the entire southern frontage of the subject property.

**Finding:** River Roads abuts the subject property and does not meet the current right-of-way or improvement width standards for a Minor Arterial street. In order to ensure that boundary street improvements are implemented consistent with the Transportation System Plan and Public Works Design Standards, the following conditions shall apply:

**Condition 10:** Convey land for dedication to equal a half-width right-of-way of 36 feet from the centerline on the development (north) side of River Road S.

**Condition 11:** Construct a 23-foot-wide half-street improvement along the entire frontage of River Road S to Minor Arterial street standards.

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

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

SRC Chapter 808 (Preservation of Trees and Vegetation): The City's tree preservation ordinance protects Heritage Trees, Significant Trees (including Oregon White Oaks with diameter-at-breast-height of 24 inches or greater), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet.

In addition, SRC 808.035(a) requires a Tree Conservation Plan for a development proposal involving the creation of lots or parcels to be used for the construction of single-family dwelling units, where trees are proposed for removal. As described in the applicant's written statement, and confirmed by a review of aerial photographs and site visits, there are no trees meeting the definition set forth in SRC 808.005(n) on the subject property. Therefore, a Tree Conservation Plan is not required in association with the proposed subdivision tentative plan.

As proposed, the tentative subdivision plan conforms to all applicable SRC Chapter 808 requirements.



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 subdivision 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 areas on the subject property assigned two landslide hazard susceptibility points. The proposed subdivision adds three activity points to the proposal, which results in a total of five points. Pursuant to SRC Chapter 810, Table 810-1E, the proposed phased subdivision is classified as a moderate landslide risk and requires a geologic assessment.

A geologic assessment, prepared by Redmond Geotechnical Services and dated June 21, 2017, was submitted to the City of Salem. This assessment demonstrates the subject property could be subdivided and developed with single-family dwellings, without increasing the potential for slope hazard on the site or adjacent properties.

In order to ensure that geotechnical considerations are addressed in areas of identified landslide hazard susceptibility, the following condition shall apply:

**Condition 12:** At the time of development, the developer shall provide a final report from a geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical considerations for each individual building lot.

**SRC 205.010(d)(2): The tentative subdivision plan does not impede the future use or development of the property or adjacent land.**

**Applicant Statement:** The subdivision will divide a single tax lot of  $\pm$  4.96 acres into 20 lots for future single-family homes. As shown on the Tentative Subdivision Plan, future lots will meet or exceed the minimum dimensional standards for the RS zone, have adequate frontages on public roads, and be sized to allow future residential uses as allowed in the RS zone.

**Staff Response:** Staff concurs with the applicant's statement. The lots within the proposed subdivision, as proposed and conditioned, are of sufficient size and dimensions to permit future development of one single family dwelling each, or development of other SRC Chapter 511 "permitted," "special," or "conditional" uses. The subject property abuts a built-out single family residential subdivision to the east, and no street or pedestrian connections are available from this existing development. The proposal would not limit or interfere with the established use or future redevelopment of the abutting properties to the east.

Conditions 6 and 7 ensure that streets proposed along the north and west boundaries of the property (Firth Avenue S and Street 'A') are constructed in a manner that allows connections from new streets on abutting undeveloped properties. At the time of final plat of Phase 1, Condition 8 requires right-of-way dedication for the alignment of these perimeter streets through Phase 2, ensuring that connections to abutting undeveloped properties are not dependent on the eventual development of Phase 2.

As conditioned, the proposal meets this criterion.

**SRC 205.010(d)(3): Development within the tentative subdivision plan can be adequately served by City infrastructure.**

**Finding:** Water and sewer infrastructure is available along the perimeter of the site. The concurrent Urban Growth Area Preliminary Declaration specifies water, sewer, and street system improvements required to serve the proposed development, including extension of water and sewer mains and construction of frontage street improvements along River Road S. Developments are required to extend public utility services to serve upstream and neighboring properties; the tentative utility plan appears to meet that requirement, including public sewer extensions to adjacent upstream parcels. Conditions of approval require construction of water, sewer and storm systems to serve each lot, construction of specified street improvements, an engineered stormwater design to accommodate future impervious surfaces, and dedication of a public utility easement to allow installation and maintenance of private utility infrastructure.

The Public Works Department reviewed the proposal for consistency with the Comprehensive Parks Master Plan Update and found that the subject property is served by an undeveloped park site, the Bailey Ridge park property, located approximately 150 feet north of the northeast corner of the subject property. The proposed network of internal streets and stub streets to abutting properties facilitates direct vehicle, pedestrian, and bicycle access to the park site. No park-related improvements are required as a condition of development.

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

The proposal meets this criterion.

**SRC 205.010(d)(4): The street system in and adjacent to the tentative subdivision plan conforms to the Salem Transportation System Plan.**

**Applicant Statement:** River Road S, designated as a Minor Arterial street in the Salem Transportation System Plan (TSP), currently consists of a  $\pm$  46-foot-wide improvement within a 72-foot-wide right-of-way. Where River Road S is underimproved along the frontage, half-street improvements will be constructed in compliance with the City standard for Minor Arterial streets.

**Staff Response:** Conditions 10 and 11 require the applicant to dedicate right-of-way and construct half-street improvements on the River Road S frontage consistent with TSP standards for a Minor Arterial street. Conditions 6 and 7 require that Street 'A' and Firth Avenue S are constructed as a three-quarter street improvement in conformance with local street standards. As shown on the phased tentative subdivision plan, Streets 'B' and 'C' appear to meet applicable cul-de-sac standards. As proposed and conditioned, the street network formed by the improved River Road S and internal streets serving the phased subdivision conform to the TSP. The proposal meets this criterion.

**SRC 205.010(d)(5): The street system in and adjacent to the tentative subdivision plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.**

**Applicant Statement:** River Road S, designated as a Minor Arterial street in the Salem Transportation System Plan (TSP), currently consists of a  $\pm$  46-foot-wide improvement within a 72-foot-wide right-of-way. No additional right-of-way is required, and where River Road S is underimproved along the frontage, half-street improvements will be constructed in compliance with the City standard for Minor Arterial streets.

**Staff Response:** Staff concurs with the applicant's statement. Conditions 6, 7, and 11 ensure that the abutting portion of River Road S and proposed new streets along the perimeter of the subject property will be constructed to meet applicable development standards. Condition 8 further requires dedication of right-of-way to ensure that connectivity provided by three-quarter streets proposed at the perimeter of the subject property is available during all phases of development.

Comments from the Public Works Department indicate that the Assistant City Traffic Engineer has determined that, due to relatively high traffic speeds on River Road S, a Minor Arterial, a left-turn lane is needed to provide safe turning movements from eastbound River Road S to northbound Street 'A.' The Assistant City Traffic Engineer also recommends a condition requiring submittal of an engineered analysis demonstrating how sight distance standards will be met for the proposed design of the intersection and to minimize the potential for

traffic conflicts between drivers entering and exiting the proposed development. In order to ensure that the design of the intersection of 'Street A' and River Road S provides safe, orderly, and efficient access to the proposed phased subdivision, the following conditions shall apply:

- Condition 13:** Prior to final plat approval of Phase 1, construct a left turn lane from River Road to northbound Street A with tapers as specified in Public Works Design Standards.
- Condition 14:** Prior to issuance of public construction permits for Phase 1, provide an engineered analysis demonstrating that the design of the intersection of Street 'A' and River Road S meets intersection sight distance standards in both directions.

The subdivision, as proposed and conditioned, is served with adequate transportation infrastructure. The street system adjacent to the subdivided property will conform to the Salem Transportation System Plan, and provide for safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.

The proposal meets this criterion.

**SRC 205.010(d)(6):** The tentative subdivision plan provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops, or employment centers.

**Finding:** As described in findings above, direct street connections between the subject property to the adjacent Bailey Ridge residential area is precluded by existing development, in the form of platted and developed single family residential lots. The proposed extension of Firth Avenue S along the north boundary of Phase 2 will provide a reasonably direct connection between the subject property and the Bailey Ridge neighborhood.

The proposed subdivision is situated within one-half mile of one neighborhood activity center, the Bailey Ridge park property, an approximately 5.4-acre undeveloped park site located at 3801 Tayside Street S, approximately 150 feet north of the closest lots within Phase 2 of the proposed tentative subdivision. The development of Phase 1, including frontage improvements on River Road S required by Condition 11, would result in reasonably direct pedestrian and bicycle access from Phase 1 lots to the park site via River Road S and Tayside Street S. The development of Phase 2 would include further connections between the

subdivision and the existing street network, with direct access to the park via Street 'A,' an extension of Firth Avenue S, and Tayside Street S.

The subject property is more than two miles from the nearest transit stop, on Skyline Road S.

As conditioned, the proposal meets this criterion.

**SRC 205.010(d)(7): The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis, where applicable.**

**Finding:** The Public Works Department has reviewed the proposal and finds that the 20-lot phased subdivision will generate less than 1,000 average daily vehicle trips to River Road S designated in the Transportation System Plan as Minor Arterial streets. Accordingly, a Transportation Impact Analysis is not required as part of the review of the phased subdivision tentative plan.

**SRC 205.010(d)(8): The tentative subdivision 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 subdivision 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. No trees, waterways, wetlands, or natural hazards have been identified on the subject property.

As described in findings above, the lot and street configuration proposed by the applicant meets applicable development standards without the need for variances and adjustments. No existing conditions of topography or vegetation have been identified on the site which would necessitate further variances during future development of the property. The layout allows for reasonable development of all lots within the subdivision without variances from the UDC.

The proposal meets this criterion.

**SRC 205.010(d)(9): The tentative subdivision plan takes into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will result from the reasonable development of the lots.**

**Applicant Statement:** The subject property generally slopes up from ± 206 feet in elevation at the southern boundary to ± 236 feet at the northern boundary. Vegetation consists only of short grass throughout the property. The Tentative Phased Subdivision Plans show the minimum grading and removal of vegetation

necessary for the reasonable development of planned lots. Therefore, the criteria are met.

**Staff Response:** Staff concurs with the applicant's statement. The tentative subdivision plan configures lots and streets to allow single family residential development of the site while minimizing disruptions to topography and vegetation. The proposal meets this criterion.

**SRC 205.010(d)(10): When the tentative subdivision plan requires an Urban Growth Preliminary Declaration under SRC Chapter 200, the tentative subdivision plan is designed in a manner that ensures that the conditions requiring the construction of on-site infrastructure in the Urban Growth Preliminary Declaration will occur, and, if off-site improvements are required in the Urban Growth Preliminary Declaration, construction of any off-site improvements is assured.**

**Finding:** The subject property is located outside of the Urban Service Area. To assure that major public facilities such as sewers, water, and streets are provided to the proposed site in accordance with the Salem Urban Growth Management Program, an Urban Growth Preliminary Declaration is required prior to development of the subject property. An application for an Urban Growth Preliminary Declaration is included as part of this consolidated application. The tentative subdivision plan has been designed in a manner that ensures that the conditions requiring construction of on-site infrastructure in the approved Urban Growth Preliminary Declaration will occur, as conditioned in Section 9 below.

**SRC 205.015(d)(2): Connectivity for streets and City utilities between each phase ensures the orderly and efficient construction of required public improvements among all phases.**

**Applicant Statement:** As shown on the Phasing Plan, Phase 1 will consist of [11 lots] and Phase 2 will consist of [9 lots]. Phase 1 aligns with the logical extension northward of infrastructure from River Road S. Phase 2 extends construction farther north and a connection to [Firth] Avenue S. The Schematic Utility Plan shows that all City utilities will be extended within rights-of-way. Therefore, the criteria are met.

**Staff Response:** Staff concurs with the applicant's statement. The configuration of the proposed internal street system will allow public streets and utilities within street rights-of-way to be extended from Phase 1 and Phase 2 in a logical and efficient manner.

**SRC 205.015(d)(3): Each phase is substantially and functionally self-contained and self-sustaining with regard to required public improvements.**

**Applicant Statement:** As shown on the Phasing and Schematic Utility Plan, Phase 1 will function as a self-contained and self-sustained subdivision, with full utilities, and street connections to River Road S. Phase 2 simply extends northward from Phase 1,

and completes the through connection to [Firth] Avenue S. Therefore, the criteria are met.

**Staff Response:** Staff concurs with the applicant's statement. The proposed phasing boundary provides for Phase 1 to function as a standalone subdivision, while retaining logical connections to future development of Phase 2.

**SRC 205.015(d)(4): Each phase is designed in such a manner that all phases support the infrastructure requirements for the phased subdivision as a whole.**

**Applicant Statement:** Phase 1 and Phase 2 are designed to support the infrastructure requirements for the subdivision as a whole, as described above in the responses to SRC 205.010(d). Therefore, the criteria are met.

**Staff Response:** The proposed configuration of lots and streets within both phases are designed to provide for efficient connection of utilities and other infrastructure from Phase 1 to Phase 2. Because there are only two phases proposed, a design which supports the orderly and efficient extension of utilities to Phase 2 effectively ensures that infrastructure requirements are supported for the phased subdivision as a whole.

The proposal meets this criterion.

As proposed and conditioned, the tentative phased subdivision plan meets all applicable approval criterion contained in SRC Chapter 205.

## **9. Urban Growth Area Preliminary Declaration**

The Urban Growth Management Program, detailed in SRC Chapter 200, requires that an Urban Growth Preliminary Declaration must be obtained prior to development of property outside the Salem Urban Service Area. An application for an Urban Growth Preliminary Declaration is included as part of this consolidated application. The Urban Growth Preliminary Declaration addresses only those facility requirements necessary to link the development to adequate facilities and boundary requirements abutting the property. All internal facility improvement requirements are addressed under approval criteria for the proposed tentative subdivision plan.

Consistent with SRC 200.025(e), construction of facilities required under SRC Chapter 200 are adopted as conditions of approval for the associated tentative subdivision plan, as described in findings regarding compliance of the proposal with SRC 205.010(d)(10).

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

- (1) The required facilities necessary to fully serve the development;**

**(2) The extent to which the required facilities are in place or fully committed.**

Standards related to required improvements for streets, water, sewer, storm drainage, and park sites are addressed within the specific findings which determine the required facilities necessary to serve the proposed subdivision.

**SRC 200.055 – Standards for Street Improvements**

**Finding:** An adequate linking street is defined in SRC 200.055(b) as the nearest point on a street that has a minimum 60-foot-wide right-of-way with a minimum 30-foot-wide improvement for local streets, or a minimum 34-foot improvement for major streets, such as a designated collector. All streets abutting the property boundaries shall be designed to the greater of the standards of SRC Chapter 803 and the standards of linking streets in SRC 200.055(b). The improved width of the abutting portion of River Road S does not meet the requirements for an adequate linking street. Conditions 10 and 11 implement boundary street improvements along the River Road S frontage as required pursuant to SRC Chapter 803. The applicant shall dedicate and construct the Salem Transportation System Master Plan improvements and link the site to existing facilities that are defined as adequate under SRC 200.005(a), as conditioned below:

**Condition 15:** Along the entire abutting portion of River Road S, construct a 17-foot-wide linking street improvement on the opposite (south) side to Minor Arterial standards.

**SRC 200.060 – Standards for Sewer Improvements**

**Finding:** Standards for sewer improvements specify that the proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities. The nearest available sewer facility is located in River Road S, at the southeast corner of the subject property.

The applicant shall construct the *Salem Wastewater Management Master Plan* improvements and link the site to existing facilities that are defined as adequate under 200.005(a), as conditioned below:

**Condition 16:** Extend the existing 8-inch sewer main in River Road S to the west line of the subject property.

**SRC 200.065 – Standards for Storm Drainage Improvements**

**Finding:** Standards for storm drainage improvements specify that the proposed development shall be linked to existing adequate facilities by the construction of storm drain lines, open channels, and detention facilities which are necessary to connect to such existing drainage facilities. The nearest available public storm system is located in River Road S, at the southeast corner of the subject property. The applicant shall link



the on-site system to existing facilities that are defined as adequate under SRC 200.005(a).

### **SRC 200.070 – Standards for Water Improvements**

**Finding:** Standards for water improvements specify that the proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pump stations that connect to such existing water service facilities. The applicant shall provide linking water mains consistent with the *Water System Master Plan* adequate to convey fire flows to serve the proposed development as specified in the Water Distribution Design Standards. The nearest available water facility is located in River Road S, at the southeast corner of the subject property.

The applicant shall construct the *Water System Master Plan* improvements and link the site to existing facilities that are defined as adequate under SRC 200.005(a), as conditioned below:

**Condition 17:** Extend the existing 16-inch water main in River Road S to the west line of the subject property.

### **SRC 200.075 – Standards for Park Sites**

**Finding:** Standards for park sites specify that the applicant shall reserve for dedication prior to development property necessary for an adequate neighborhood park, access to such park, or recreational routes based upon the *Salem Comprehensive Park System Master Plan* (CPSMP). The CPSMP establishes park policies and requirements consistent with SRC 200.075. City Council adopted an update to the CPSMP on May 13, 2013. The Master Plan update shows that the subject property is served by an undeveloped park site, the Bailey Ridge park property, which is located within one-half mile of the subject property. No park-related improvements needed to ensure compliance with the Urban Growth Management Program standards for park sites.

Consistent with SRC 200.025(e), construction of the facilities described in this declaration are required as conditions of approval for the associated tentative subdivision plan in findings regarding compliance of the proposal with SRC 205.010(d)(10).

## **10. Conclusion**

Based upon review of SRC 200.025, SRC 205.015, the findings contained under Sections 8, and 9 above, and the comments described, the consolidated application complies with the requirements for an affirmative decision.

## IT IS HEREBY ORDERED

That consolidated Phased Tentative Subdivision and Urban Growth Preliminary Declaration, Case No. 17-08, which includes the following requests:

1. A phased subdivision tentative plan to divide approximately 4.96 acres into 20 lots, with Phase 1 dividing approximately 2.54 acres into 11 lots and Phase 2 dividing approximately 2.42 acres into 9 lots; and
2. An Urban Growth Preliminary Declaration to determine the facility improvements required to obtain an Urban Growth Area (UGA) Development Permit for the subject property;

On property zoned RA (Residential Agriculture), and located at 3906 Corredale Drive S (Marion County Assessor Map and Tax Lot Number: 084W0101204), shall be GRANTED as follows:

- A. The phased subdivision tentative plan is **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:** Prior to final plat approval for Phase 2, obtain demolition permits and remove the existing buildings on the subject property.

**Condition 2:** Provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots. Construct stormwater facilities that are proposed in the public right-of-way in public storm easements, including the extension of the existing storm main in River Road S to the west line of the subject property.

**Condition 3:** Maintenance access to the stormwater facility may need to be provided through an easement from Street 'B' pursuant to Public Works Design Standards. If this access is provided within an easement on one or more of the proposed lots, the access shall be developed in one of the following options:

- (a) The easement shall be paved and screened pursuant to all of the applicable standards of SRC 806.025 – 806.030 and be available as an off-street parking or vehicle storage area. Under Option "A," a curb cut may be provided at the intersection of the easement and the Street 'B' cul-de-sac.

- (b) The easement shall be surfaced with a cellular reinforced concrete system with grass planted within the voids, or similar surfacing as approved by the Public Works Director. Under Option "B," no curb cut may be provided at the intersection of the easement and the Street 'B' cul-de-sac, and parking is prohibited within the easement.

- Condition 4:** Pay the Bailey Ridge Reimbursement District fee pursuant to City Council Resolution 2009-2.
- Condition 5:** Construct public water, sewer, and storm systems within the proposed development as depicted on the schematic utility plan and in compliance with Public Works Design Standards.
- Condition 6:** Prior to final plat approval for each phase, construct the portion of Street 'A' within that phase as a 15-foot-wide half-street improvement on the development (east) side and as a minimum 9-foot-wide pavement section on the opposite (west) side.
- Condition 7:** Prior to final plat approval for Phase 2, construct Firth Avenue S as a 15-foot-wide half-street improvement on the development (south) side.
- Condition 8:** On the final plat of Phase 1, convey land for dedication of right-of-way for Street 'A' and Firth Avenue S within both Phase 1 and Phase 2 of the phased tentative subdivision plan.
- Condition 9:** Dedicate a 10-foot public utility easement (PUE) along the street frontage of all internal streets.
- Condition 10:** Convey land for dedication to equal a half-width right-of-way of 36 feet from the centerline on the development (north) side of River Road S.
- Condition 11:** Construct a 23-foot-wide half-street improvement along the entire frontage of River Road S to Minor Arterial street standards.
- Condition 12:** At the time of development, the developer shall provide a final report from a geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical considerations for each individual building lot.
- Condition 13:** Prior to final plat approval of Phase 1, construct a left turn lane from River Road to northbound Street A with tapers as specified in Public Works Design Standards.

**Condition 14:** Prior to issuance of public construction permits for Phase 1, provide an engineered analysis demonstrating that the design of the intersection of Street 'A' and River Road S meets intersection sight distance standards in both directions.

B. The Urban Growth Area Preliminary Declaration of the facility improvements required to obtain an Urban Growth Area (UGA) Development Permit for the subject property is **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the following conditions:

**Condition 15:** Along the entire abutting portion of River Road S, construct a 17-foot-wide linking street improvement on the opposite (south) side to Minor Arterial standards.

**Condition 16:** Extend the existing 8-inch sewer main in River Road S to the west line of the subject property.

**Condition 17:** Extend the existing 16-inch water main in River Road S to the west line of the subject property.



Christopher Green, AICP, Planning Administrator Designee

Attachments: A. Vicinity Map  
B. Phased Tentative Subdivision Plan  
C. Schematic Utility Plan  
D. Applicant's Written Statement on Consolidated Application  
E. City of Salem Public Works Department Comments

Application Deemed Complete:	<u>July 28, 2017</u>
Notice of Decision Mailing Date:	<u>September 29, 2017</u>
Decision Effective Date:	<u>October 17, 2017</u>
State Mandated Decision Date:	<u>November 25, 2017</u>

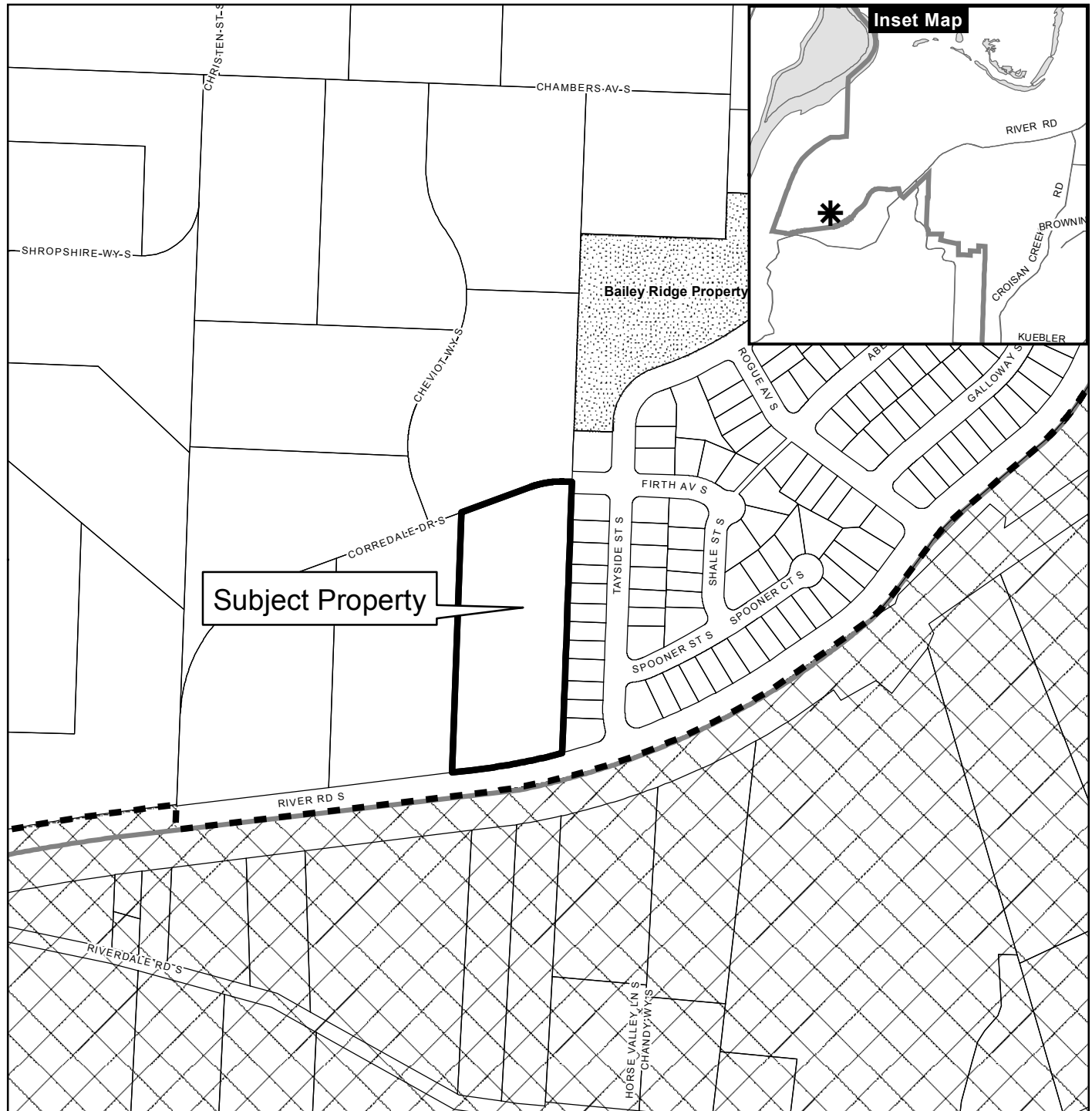
The rights granted by this decision must be exercised or extension granted by **October 17, 2019** or this approval shall be null and void.

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 **Monday, October 16, 2017, 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

## 3906 Corredale Drive S



### Legend

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

Parks

**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.

0 100 200 400 Feet



CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	1875.86'	1°38'00"	53.47'	S76°22'00"W 53.47'
C2	1875.86'	0°27'35"	15.05'	S77°24'47"W 15.05'
C3	1891.35'	5°47'59"	191.45'	S80°33'27"W 191.37'
C4	1294.64'	1°41'15"	38.13'	S80°51'01"W 38.13'
C5	30.00'	99°14'17"	51.96'	N47°31'55"W 45.71'
C6	20.00'	90°00'00"	31.42'	N47°05'14"E 28.28'
C7	224.00'	13°09'28"	51.44'	N85°30'30"E 51.33'
C8	45.00'	10°24'22"	8.17'	N73°54'41"E 8.16'
C9	45.00'	37°34'02"	29.51'	N49°55'29"E 28.98'
C10	45.00'	54°52'21"	43.10'	N3°42'17"E 41.47'
C11	45.00'	41°01'52"	32.23'	N44°14'50"W 31.54'
C12	45.00'	64°44'36"	50.85'	S82°51'56"W 48.19'
C13	45.06'	38°56'28"	30.62'	S30°59'55"W 30.04'
C14	18.02'	74°50'28"	23.54'	S45°27'24"W 21.90'
C15	172.79'	12°58'37"	39.13'	S85°38'33"W 39.05'
C16	20.00'	90°00'00"	31.42'	N42°54'46"W 28.28'
C17	199.00'	13°10'08"	45.74'	N85°30'10"E 45.64'

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C18	20.00'	90°00'00"	31.42'	N47°05'14"E 28.28'
C19	25.00'	44°24'55"	19.38'	S65°42'19"E 18.90'
C20	45.00'	18°01'39"	14.16'	S52°30'41"E 14.10'
C21	45.00'	24°57'25"	19.60'	S74°00'13"E 19.45'
C22	45.00'	44°41'01"	35.09'	N71°10'35"E 34.21'
C23	45.00'	68°14'22"	53.60'	N14°42'53"E 50.48'
C24	45.00'	87°58'44"	69.10'	N63°23'40"W 62.51'
C25	45.00'	24°56'39"	19.59'	S60°08'38"W 19.44'
C26	25.00'	44°24'55"	19.38'	S69°52'46"W 18.90'
C27	20.00'	90°00'00"	31.42'	N42°54'46"W 28.28'
C28	20.00'	67°43'55"	23.64'	N35°57'11"E 22.29'
C29	220.00'	8°46'39"	33.70'	N74°12'21"E 33.67'
C30	217.46'	18°07'29"	68.79'	N87°33'04"E 68.50'
C31	250.00'	26°20'28"	114.93'	S82°59'30"W 113.93'
C32	246.50'	26°40'05"	114.73'	N83°05'35"E 113.70'

STREET A		
Line #	Length	Direction
L2	238.10'	N2° 05' 13.73"E
L1	197.59'	N2° 05' 13.73"E

STREET B			
Line #/Curve #	Length	Bearing/Delta	Radius
L3	71.67'	S87° 54' 46.27"E	
C17	45.74'	13.17	199.00'
L4	58.90'	N79° 06' 50.97"E	
L5	20.00'	N10° 53' 09.03"W	

FIRTH AVE			
Line #/Curve #	Length	Bearing/Delta	Radius
L8	289.50	S69° 49' 08.73"W	
C31	114.93	26.34	250.00

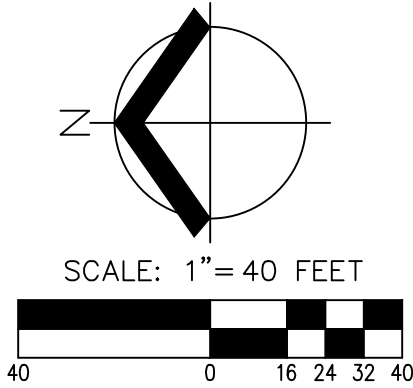
STREET C		
Line #	Length	Direction
L6	131.00	N2° 05' 13.73"E
L7	173.93	N2° 05' 13.73"E

PHASING SUMMARY		
PHASE	LOTS	AREA (ACRES)
1	11	2.54
2	9	2.42
TOTAL	20	4.96

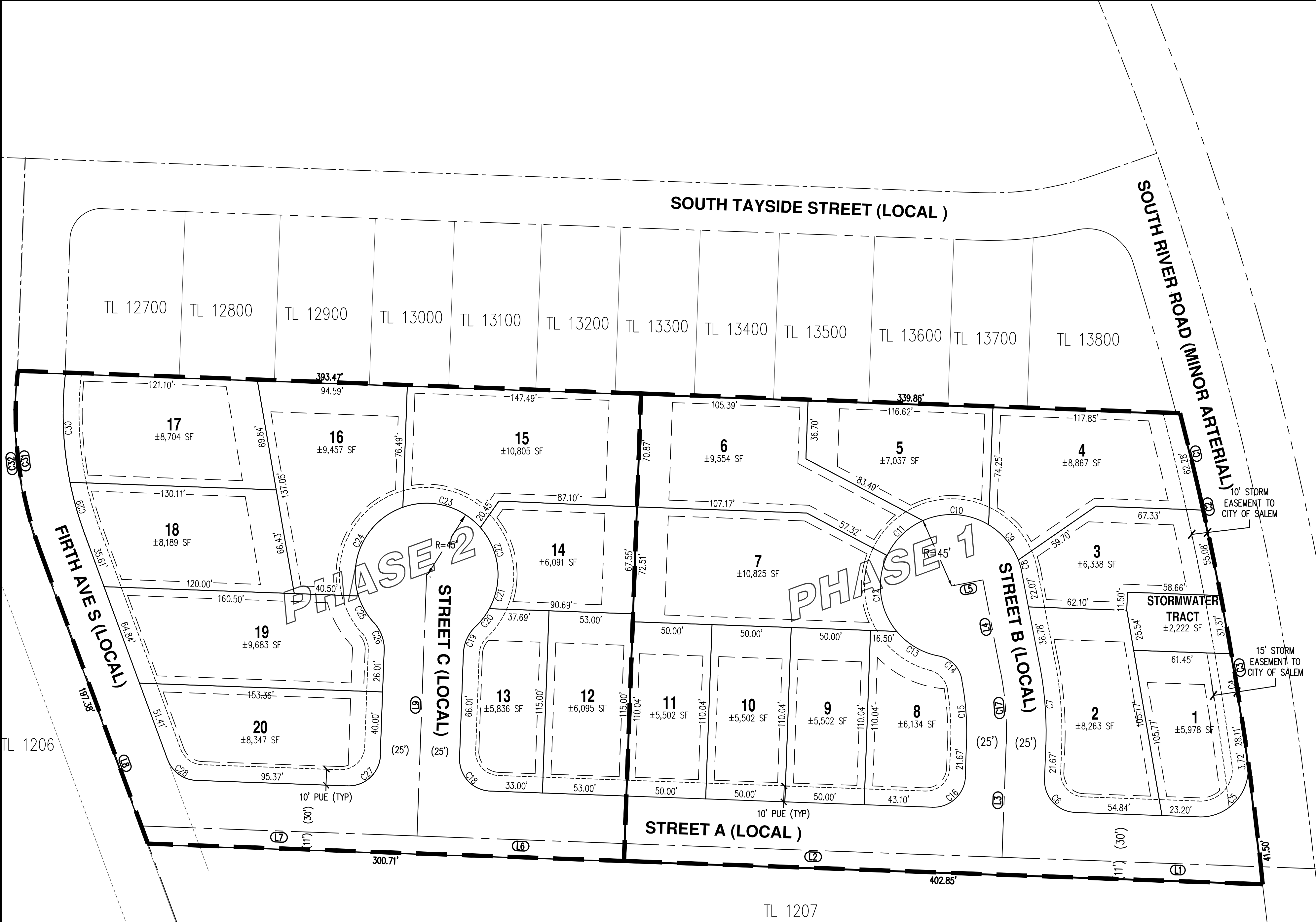
EASEMENT LEGEND

PUBLIC UTILITY EASEMENT PUE

NOTE:  
THE PURPOSE OF THIS PRELIMINARY PLAT IS TO SHOW THE PROPOSED LOT DIMENSIONS AND AREAS. THIS IS NOT AN OFFICIAL PLAT AND IS NOT TO BE USED FOR SURVEY PURPOSES.



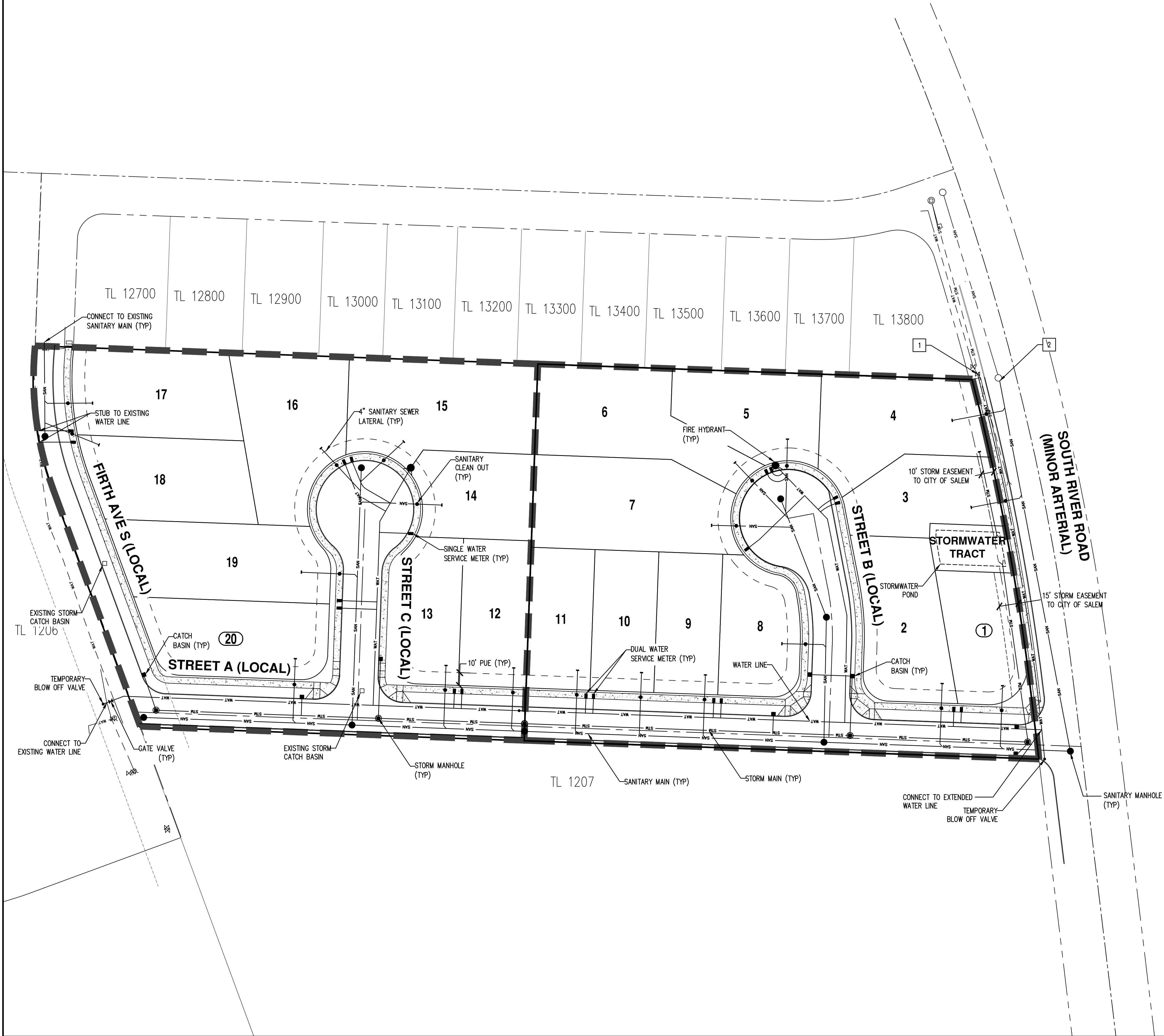
SETBACK TABLE	
ABUTTING STREET	MIN. 12' LOCAL STREETS MIN. 20' COLLECTOR OR ARTERIAL STREETS
INTERIOR SIDE	MIN. 5'
INTERIOR REAR	MIN. 20'





COMPOSITE UTILITY KEYED NOTES

- 1. EXTEND EXISTING WATER LINE.
- 2. EXTEND EXISTING SANITARY MAIN.



ILLAHE RIVER ESTATES  
SUBDIVISION  
SALEM  
OREGON  
TAX MAP 084001

SCHEMATIC UTILITY PLAN

DESIGNED BY: JSA  
DRAWN BY: JSA  
CHECKED BY: DMK  
SCALE: AS NOTED  
DATE: 6/30/2017  
REGISTERED PROFESSIONAL ENGINEER  
DAVID M. KARR, P.E.  
EXPIRES: JUNE 30, 2019  
REVISIONS

JOB NUMBER  
5785  
SHEET  
C020

AKS  
AKS ENGINEERING & FORESTRY, LLC  
4300 CHERRY AVE NE  
KEIZER, OR 97305  
P: 503.400.6028  
F: 503.400.1722  
aks-eng.com  
ENGINEERING - SURVEYING - NATURAL RESOURCES  
FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE



# **Land Use Application for Illahe River Estates Subdivision**

---

**Date:** June 30, 2017

**Submitted to:** City of Salem  
555 Liberty Street SE, Room 305  
Salem, OR 97301

**Applicant:** JS-2, LLC  
1840 West Nob Hill St. SE  
Salem, OR 97302



4300 Cherry Avenue NE  
Keizer, OR 97303  
(503) 400-6028

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## **Exhibits**

- Exhibit A:** Application Forms and Checklists
  - Exhibit B:** Recorded Deeds and Title Report
  - Exhibit C:** Tentative Subdivision Plan
  - Exhibit D:** Trip Generation Estimate Form
  - Exhibit E:** Approved Subdivision Name
  - Exhibit F:** Pre-Application Conference Reports
  - Exhibit G:** Marion County Assessor/Vicinity Map
  - Exhibit H:** Geotechnical/Geological Assessment Report
-

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# Land Use Application For Illahe River Estates Subdivision

<b>Submitted to:</b>	City of Salem Planning Division 555 Liberty Street SE, Room 305 Salem, OR 97301
<b>Applicant/ Property Owner:</b>	JS-2, LLC 1840 West Nob Hill St. SE Salem, OR 97302
<b>Applicant's Consultant:</b>	AKS Engineering & Forestry, LLC 4300 Cherry Avenue NE Keizer, OR 97303 Contact: David M. Karr, PE, PLS Email: davidk@aks-eng.com Phone: (503) 400-6028 Fax: (503) 400-7722
<b>Site Location:</b>	West of Tayside Street S and North of River Road S
<b>Site Size:</b>	± 4.96 Acres
<b>Assessor's Tax Map:</b>	083W01 Tax Lot 01204
<b>Land Use Districts:</b>	RA (Residential Agriculture) to become RS (Single Family Residential) automatically upon recording of the subdivision plat



---

## **I. Executive Summary**

The applicant is pleased to submit this Phased Subdivision application to divide a  $\pm$  4.96-acre site into 20 lots for the future construction of detached, single-family homes. The subject property is zoned RA (Residential Agriculture) and designated Developing Residential in the City of Salem Comprehensive Plan. The plans and narrative necessary for an Urban Growth Area Development Permit are being provided concurrently with this Subdivision application.

The essential components of the Illahe River Estates Subdivision application include:

- 20 lots that meet or exceed City standards for future detached, single-family homes.
- Integrated on-site storm water management
- A public street system with improvement including sidewalks and landscaping strips.
- Half-street improvements along the South River Road frontage.
- Extension of water and sanitary mains to the western property boundary

This Phased Subdivision application is a “Needed Housing” application. “Needed Housing” is defined in Oregon Revised Statute (ORS) 197.303(1)(a) as including owner and renter-occupied single-family housing. Oregon Revised Statute 197.307(4) provides that a local government may apply only clear and objective standards, conditions, and proceedings regulating the development of needed housing on buildable land. The subject property is identified as buildable land pursuant to Oregon Administrative Rules (OAR) 660-008-0005. The application addresses all applicable approval but the Applicant reserves the right to assert that any subjective standard, condition or process may not be applied to the preliminary subdivision application.

This written narrative, together with the Tentative Phased Subdivision Plans and other documentation included in the application materials, establishes the application complies with all applicable approval criteria. As detailed throughout the application, this documentation represents substantial evidence and provides the basis for approval of the application by the City of Salem.

## **II. Site Description/Setting**

The subject property is in southwest Salem, at the northwest corner of the intersection of River Road S and Tayside Street S. The subject site consists of a single tax lot zoned RA (Residential Agriculture). A survey commissioned by the applicant found the site area to be  $\pm$  4.96 acres. This is the site area used in the Tentative Subdivision Plan and throughout this analysis.

The subject property generally slopes up from  $\pm$  206 feet in elevation at the southern boundary to  $\pm$  236 feet at the northern boundary. The property is an empty grass field.

Properties to the east are zoned RS, have been subdivided, and contain single-family homes. Properties to the north and west are zoned RA and contain single-family homes on large lots. The Urban Growth Boundary (UGB) and City Limits is located on the south side of River Road S.

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### III. Applicable Review Criteria

#### SALEM REVISED CODE

##### Title VII – Permits, Streets, and Public Ways

#### CHAPTER 86 TREES ON CITY OWNED PROPERTY

##### 86.65 Planting Trees on City Property.

- (a) Except as provided in this Chapter the City shall be responsible for planting City trees.
- (b) Any person required to or desiring to plant trees on City property must file a permit application with the City. Upon receipt of an application under this section, the Director shall investigate the location where the tree or trees are to be planted and may grant a permit only if the location will allow for the normal growth and development of each tree. The permit shall specify the location, variety, and grade of each tree and method of planting. The permit shall be valid for 180 days from date of issue.
- (c) Every property owner whose property abuts upon any street shall plant City trees conforming to the provisions of this Chapter as a condition of final occupancy for construction of any building located upon the property. Applications for tree planting shall be made at the time of application for building permits. An inspection shall be made to verify that trees have been planted at the time of the final inspection. In lieu of planting City trees, the applicant may elect to pay a fee for the City to install any required trees as set by resolution of the City Council.
- (d) Upon passing final inspection, trees planted on City property shall become the property of the City.

**RESPONSE:** As shown on the Tentative Phased Subdivision Plan, construction of internal and boundary streets is planned to be consistent with the applicable provisions of the Salem Revised Code (SRC) and the Public Works Design Standards (PWDS). Applications for street tree plantings will be submitted at the same time as building permit applications. Therefore, the criteria are met.

##### Title X – Zoning

#### CHAPTER 205 LAND DIVISION AND RECONFIGURATION

##### 205.010. Subdivision Tentative Plan.

- (a) **Applicability.** No land shall be divided into four or more lots within a calendar without receiving tentative subdivision plan approval as set forth in this section.
- (b) **Procedure Type.** A tentative subdivision plan is processed as a Type II procedure under SRC Chapter 300.
- (c) **Submittal Requirements.** In addition to the submittal requirements for a Type II application under SRC Chapter 300, an application for tentative subdivision plan shall include the information required in SRC 205.030.

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**RESPONSE:** The project involves dividing the ± 4.96-acre site into 20 lots for the future construction of detached, single-family homes. Tentative Subdivision Plans are included with this narrative as Exhibit C, as are other submittal requirements and the application required under SRC Chapter 300 and SRC 205.030. Therefore, the criteria are met.

(d) **Criteria.** A tentative subdivision plan shall be approved if all of the following criteria are met:

(1) The tentative subdivision 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.

**RESPONSE:** Each lot will be suitable for a single-family home. As shown on the Tentative Subdivision Plan, lots will meet the applicable provisions of the Unified Development Code (UDC). Lot standards, including dimensions and area, are further addressed below in the responses to SRC Chapter 511 RS – Single-Family Residential.

(B) **City infrastructure standards.**

**RESPONSE:** The subject property is located outside of the Urban Service Area. The City of Salem Public Works Recommendations for Pre-App No. 17-09 (17-102908-PA) outlined the following issues and findings, which are addressed in the Tentative Subdivision Plan:

- **WATER:** The subject property is located within the G-0 water-service level. There is a 16-inch water line (typical flows of 5000 to 10,000 gallons/minute) located in River Road S and a 12-inch water line (typical flows of 2,100 and 4,900 gallons/minute) located in Corredale Drive S.
- **SEWER:** There is an 8-inch sewer line located in River Road S. The on-site system will be linked to existing facilities. The project site is part of the Bailey Ridge Sewer Reimbursement District, and fees are due at the time of final plat approval.
- **STORM:** There is a 12-inch storm line located in River Road S. An on-site storm water system will be designed and constructed in compliance with the applicable provisions of the 2014 PWDS.
- **STREETS:** River Road S, designated as a Minor Arterial street in the Salem Transportation System Plan (TSP), currently consists of a ± 46-foot-wide improvement within a 72-foot-wide right-of-way. No additional right-of-way is required and where River Road S is underimproved along the frontage, half-street improvements will be constructed in compliance with the City standard for Minor Arterial streets.

With the existing infrastructure and planned improvements, the project will comply with City infrastructure standards.

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

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**RESPONSE:** Per the Salem-Keizer Local Wetland Inventory (LWI), there are no mapped wetlands or waterways located on the subject property. City floodplain maps do not show flood hazards abutting the site. City records show there are category two landslide hazard areas mapped on the subject property. Therefore, a geological assessment is attached. The City did not identify any other special development standards in the Pre-Application Report for Pre-App No. 17-09 (17-102908-PA). Therefore, the criteria are met.

(2) The tentative subdivision plan does not impede the future use or development of the property or adjacent land.

**RESPONSE:** The subdivision will divide a single tax lot of ± 4.96 acres into 20 lots for future single-family homes. As shown on the Tentative Subdivision Plan, future lots will meet or exceed minimum dimensional standards for the RS zone, have adequate frontages on public roads, and be sized to allow future residential uses as allowed in the RS zone.

The subject property abuts an undeveloped lot to the west and a single-family home on a large lot to the north. A street expansion will be available when the lot to the west is developed. Because the single-family home is technically on the same lot, the proposed road running through the development will assist in the development of the north lot. Therefore, the criteria are met.

(3) Development within the tentative subdivision plan can be adequately served by City infrastructure.

**RESPONSE:** The subject property is located outside of the Urban Service Area. The City of Salem Public Works Recommendations for Pre-App No. 17-09 (17-102908-PA) outlined the following issues and findings, which are addressed in the Tentative Subdivision Plan:

- **WATER:** The subject property is located within the G-0 water-service level. There is a 16-inch water line (typical flows of 5000 to 10,000 gallons/minute) located in River Road S and a 12-inch water line (typical flows of 2,100 and 4,900 gallons/minute) located in Corredale Drive S.
- **SEWER:** There is an 8-inch sewer line located in River Road S. The on-site system will be linked to existing facilities. The project site is part of the Bailey Ridge Sewer Reimbursement District, and fees are due at the time of final plat approval.
- **STORM:** There is a 12-inch storm line located in River Road S. An on-site storm water system will be designed and constructed in compliance with the applicable provisions of the 2014 PWDS.
- **STREETS:** River Road S, designated as a Minor Arterial street in the Salem Transportation System Plan (TSP), currently consists of a ± 46-foot-wide improvement within a 72-foot-wide right-of-way. No additional right-of-way is required and where River Road S is underimproved along the frontage, half-street improvements will be constructed in compliance with the City standard for Minor Arterial streets.

With the existing infrastructure and planned improvements, the project can be adequately served by City infrastructure.



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- (4) The street system in and adjacent to the tentative subdivision plan conforms to the Salem Transportation System Plan.

**RESPONSE:** River Road S, designated as a Minor Arterial street in the Salem Transportation System Plan (TSP), currently consists of a ± 46-foot-wide improvement within a 72-foot-wide right-of-way. Where River Road S is underimproved along the frontage, half-street improvements will be constructed in compliance with the City standard for Minor Arterial streets.

The project includes dedication of land and full-street improvements for a new, internal cul-de-sac that limits local street connectivity. Attached are findings for how the proposal will comply with the connectivity requirements.

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

**RESPONSE:** River Road S, designated as a Minor Arterial street in the Salem Transportation System Plan (TSP), currently consists of a ± 46-foot-wide improvement within a 72-foot-wide right-of-way. No additional right-of-way is required, and where River Road S is underimproved along the frontage, half-street improvements will be constructed in compliance with the City standard for Minor Arterial streets.

The project includes dedication of land and full-street improvements for new, internal cul-de-sacs that meet the applicable provisions of SRC 803.025. These frontage and internal street improvements are designed to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision. Therefore, the criteria are met.

- (6) The tentative subdivision plan provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops, or employment centers.

**RESPONSE:** All boundary and internal streets will be designed and improved in conformance with the Salem TSP to provide safe bicycle and pedestrian access within the subdivision and connection to adjacent residential areas. Therefore, the criteria are met.

- (7) The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis, where applicable.

**RESPONSE:** Improvements to the transportation system are described above in the responses to SRC 205.010(d)(1) through 205.010(d)(6). No traffic impact analysis is required.

- (8) The tentative subdivision plan takes into account the topography and vegetation of the site so the need for variances is minimized to the greatest extent practicable.

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**RESPONSE:** No variances are planned. Therefore, the criteria do not apply.

- (9) The tentative subdivision plan takes into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will result from the reasonable development of the lots.

**RESPONSE:** The subject property generally slopes up from  $\pm$  206 feet in elevation at the southern boundary to  $\pm$  236 feet at the northern boundary. Vegetation consists only of short grass throughout the property. The Tentative Phased Subdivision Plans show the minimum grading and removal of vegetation necessary for the reasonable development of planned lots. Therefore, the criteria are met.

- (10) When the tentative subdivision plan requires an Urban Growth Preliminary Declaration under SRC Chapter 200, the tentative subdivision plan is designed in a manner that ensures that the conditions requiring the construction of on-site infrastructure in the Urban Growth Preliminary Declaration will occur, and, if off-site improvements are required in the Urban Growth Preliminary Declaration, construction of any off-site improvements is assured.

**RESPONSE:** An Urban Growth Area Development Permit is necessary in conjunction with the Subdivision application. Infrastructure conditions and planned improvements are described above in the responses to SRC 205.010(d)(1) through 205.010(d)(5). No off-site improvements are required. Therefore, the criteria are met.

**205.015. Phased Subdivision Tentative Plan.**

- (a) **Applicability.** The subdivision of land may be phased. No land shall be divided as a phased subdivision without receiving Tentative subdivision plan approval as set forth in this section. When the subdivision of land is phased, one tentative plan is approved for the entire phased subdivision, and each individual phase receives separate final plat approval.
- (b) **Procedure Type.** A Tentative subdivision plan is processed as a Type II procedure under SRC Chapter 300.
- (c) **Submittal Requirements.** In addition to the submittal requirements for a Type II application under SRC Chapter 300, an application for Tentative subdivision plan shall include:
- (1) The information required in SRC 205.030; and
- (2) A phasing plan that indicates the tentative boundaries of each phase, the sequencing of the phases, the tentative configuration of lots in each phase, and a plan for the construction of all required city infrastructure in each phase.

**RESPONSE:** The Tentative Phased Subdivision Plans included as Exhibit C contain the information required in SRC 205.030. A Phasing Plan is included in Exhibit C. The Phasing Plan shows Phase 1 will consist of  $\pm$  11 lots and Phase 2 will consist of  $\pm$  9 lots. Phase 1 aligns with the logical northward extension of infrastructure from River Road S. Phase 2 extends construction farther north and a connection to First Avenue S. Therefore, the criteria are met.

(d) Approval Criteria. A Tentative subdivision plan shall be approved if all of the following criteria are met:

(1) The Tentative subdivision plan meets all of the criteria for tentative subdivision plan approval set forth in SRC 205.010(d).

**RESPONSE:** SRC 205.010(d) is addressed in detail above. The criteria are met.

(2) Connectivity for streets and City utilities between each phase ensures the orderly and efficient construction of required public improvements among all phases.

**RESPONSE:** As shown on the Phasing Plan, Phase 1 will consist of ± 11 lots and Phase 2 will consist of ± 9 lots. Phase 1 aligns with the logical northward extension of infrastructure from River Road S. Phase 2 extends construction farther north and a connection to First Avenue S. The Schematic Utility Plan shows that all City utilities will be extended within the rights-of-way. Therefore, the criteria are met.

(3) Each phase is substantially and functionally self-contained and self-sustaining with regard to required public improvements.

**RESPONSE:** As shown on the Phasing Plan and Schematic Utility Plan, Phase 1 will function as a self-contained and self-sustained subdivision, with full utilities, and street connections to River Road S. Phase 2 simply extends northward from Phase 1, and completes the through connection to First Avenue S. Therefore, the criteria are met.

(4) Each phase is designed in such a manner that all phases support the infrastructure requirements for the phased subdivision as a whole.

**RESPONSE:** Phase 1 and Phase 2 are designed to support the infrastructure requirements for the subdivision as a whole, as described above in the responses to SRC 205.010(d). Therefore, the criteria are met.

## CHAPTER 511 RS – SINGLE- FAMILY RESIDENTIAL

### 511.005. Uses.

(a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the RS zone are set forth in Table 511-1.

Table 511-1: Uses		
Use	Status	Limitations & Qualifications
Household Living		
Single Family	P	The following Single Family activities: <ul style="list-style-type: none"><li>▪ Single family detached dwelling.</li><li>▪ Residential Home, as defined under ORS 197.660.</li><li>▪ Manufactured dwelling park, subject to SRC Chapter 235.</li></ul>
	S	The following Single Family activities: <ul style="list-style-type: none"><li>▪ Manufactured home, subject to SRC 700.025.</li></ul>

		<ul style="list-style-type: none"> <li>▪ Townhouse, subject to SRC 700.080.</li> <li>▪ Zero side yard dwelling, subject to SRC 700.090.</li> </ul>
	N	All other Single Family.

**RESPONSE:** The project involves the creation of lots for the future construction of detached, single-family homes, a permitted use in the RS zone. Therefore, the criteria are met.

**511.010. Development Standards.**

Development within the RS zone must comply with the development standards set forth in this section.

- (a) Lot Standards. Lots within the RS zone shall conform to the standards set forth in Table 511-2.

Table 511-2: Lot Standards		
Requirement	Standard	Limitations & Qualifications
<b>LOT AREA</b>		
Single Family	Min. 4,000 sq. ft.	
Two Family	Min. 4,000 sq. ft.	Applicable to two family shared housing.
	Min. 7,000 sq. ft.	Applicable to all other Two Family.
All Other Uses	Min. 6,000 sq. ft.	
Infill Lot	Min. 5,500 sq. ft.	Applicable to all infill lots, unless a greater minimum lot area is required for the specific use.
<b>LOT WIDTH</b>		
All Uses	Min. 40 ft.	
<b>LOT DEPTH</b>		
Single Family and Two Family	Min. 70 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	
<b>STREET FRONTAGE</b>		
Single Family	Min. 40 ft.	
	Min. 30 ft.	<p>Applicable to lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more.</p> <p>In no case shall the lot width be less than 40 ft. at the front building setback line.</p>

**RESPONSE:** The project involves the creation of lots for the future construction of detached, single-family homes. As shown on the Tentative Subdivision Plan, the planned lots will be more than 4,000 square feet in area, wider than 40 feet, deeper than 70 feet, and the depth of each lot will be less than 300% of its average width. All lots will have the required

minimum street frontage, including the lots fronting the lone cul-de-sac. Therefore, the criteria are met.

- (b) Setbacks. Setbacks within the RS zone shall be provided as set forth in Table 511-3.

Table 511-3: Setbacks		
Requirement	Standard	Limitations & Qualifications
ABUTTING STREET		
Buildings		
All Uses	Min. 12 ft.	Applicable along collector or arterial streets.
	Min. 20 ft.	
INTERIOR SIDE		
Buildings		
Single Family	Min. 5 ft.	Applicable to new buildings, other than zero side yard dwellings and townhouses.
	Min. 3 ft.	Applicable to existing buildings, other than zero side yard dwellings and townhouses.
	Per SRC 700.080	Applicable to townhouses.
	Per SRC 700.090	Applicable to zero side yard dwellings.
INTERIOR REAR		
Buildings		
All Uses	Min. 14 ft.	Applicable to any portion of a building not more than one-story in height.
	Min. 20 ft.	Applicable to any portion of a building greater than one-story in height.

**RESPONSE:** Setbacks will be reviewed with building permit applications for single-family dwellings on the lots within the planned subdivision. The planned lots meet the applicable dimensional requirements for the RS zone, and, therefore, the applicable standards can be met.

- (c) Lot Coverage; Height. Buildings and accessory structures within the RS zone shall conform to the lot coverage and height standards set forth in Table 511-4.

Table 511-4: Coverage; Height		
Requirement	Standard	Limitations & Qualifications
<b>LOT COVERAGE</b>		
<b>Buildings and Accessory Structures</b>		
Single Family and Two Family	Max. 60%	
All Other Uses	Max. 35%	
<b>REAR YARD COVERAGE</b>		
<b>Buildings</b>		
All Uses	N/A	
<b>HEIGHT</b>		
<b>Buildings</b>		
	Max. 35 ft.	Applicable to new buildings.

Single Family and Two Family	Max. 28 ft. or existing building height, whichever is greater	Applicable to existing buildings.
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**RESPONSE:** Lot coverage and height will be reviewed with building permit applications for single-family dwellings on the lots within the planned subdivision. The planned lots meet the applicable dimensional requirements for the RS zone, and, therefore, the applicable standards can be met.

(e) Garages Required.

- (1) Except as otherwise provided in SRC 700.025 for manufactured homes on individual lots, each dwelling constructed after February 8, 2006 within the RS zone shall have, at the time of original construction, a garage that is constructed of like materials and color as the dwelling. The garage may be attached to, or detached from, the dwelling. Nothing in this paragraph shall prevent subsequent removal or conversion of the garage, so long as the minimum number of required off-street parking spaces is maintained.
- (2) Exception to this standard may be made if, at the time of building permit review, the applicant can show that the construction of the dwelling is being provided by a not-for-profit organization to families at or below the City's 60 percent median income level, as defined by the U.S. Department of Housing and Urban Development; and provision is made for a minimum of 480 cubic feet of on-site storage within a portion of the dwelling unit, or within a detached accessory structure. Such exemption shall only be made for those dwellings built on lots created through a subdivision.

**RESPONSE:** Garages will be reviewed with building permit applications for single-family dwellings on the lots within the planned subdivision. The planned lots meet the applicable dimensional requirements for the RS zone, and, therefore, the applicable standards can be met.

## CHAPTER 800 GENERAL DEVELOPMENT STANDARDS

### 800.015. Lot Standards, Generally.

- (a) Buildings to be on a Lot. Every building or structure shall be entirely located on a lot. Where two or more lots are under single ownership to accommodate a single development, the entire combined area shall be considered as a single lot for purposes of the UDC. Buildings that are attached at a common property line, but which otherwise meet all requirements of SRC Chapter 56 as separate buildings shall be considered as separate buildings for purposes of this subsection.
- (b) Side Lot Lines. As far as is practicable, side lot lines shall run at right angles to the street upon which the lot faces, except that on curved streets they shall be radial to the curve.

**RESPONSE:** The subdivision is designed to accommodate a single-family home on each individual lot. The location of each home on its lot will be reviewed with building permit applications.

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As shown on the Tentative Phased Subdivision Plan, side lot lines will run at right angles to the street each lot fronts, as far as practicable. Side lot lines for lots on the cul-de-sac will be radial to the curve of the cul-de-sac, as far as practicable. Therefore, the criteria are met.

**800.020. Designation of Lot Lines.**

- (a) **Front Lot Line.** The front lot line shall be designated as set forth in this subsection (see Figure 800-1).
  - (1) **Interior Lot.** For an interior lot, the front lot line shall be the property line abutting the street.
  - (2) **Corner Lot.** For a corner lot, the front lot line shall be the property line abutting a street designated by the building permit applicant, provided, however, that lot dimension standards are met.
  - (3) **Double Frontage Lot.** For a double frontage lot, the front lot line shall be the property line abutting a street designated by the building permit applicant, provided, however, that lot dimension requirements are met.
  - (4) **Flag Lot.** For a flag lot, the front lot line shall be the outside property line that is an extension of the flag lot accessway or the property line separating the flag portion of the lot from the lot between it and the street from which access is provided to the flag lot, unless the Planning Administrator otherwise directs, in which case the front lot line shall be set forth in the conditions of approval for the tentative plan of the plat, which shall be recorded on deeds conveying lots.
  - (5) **Other Lots.** In the case of any lot not covered by paragraphs (1) through (4) of this subsection, the front lot line shall be the property line that the architecturally designed front of the building faces.

**RESPONSE:** Front lot lines will be designated as set forth in this Section. For each corner and double-frontage lot within the subdivision, the front lot line will be the property line abutting the street designated by the building permit applicant. No flag lots are planned.

- (b) **Rear lot line.** The rear lot line shall be designated as set forth in this subsection (see Figure 800-2).
  - (1) **Generally.** For all lots, except those identified in paragraph (2) of this subsection, the rear lot line shall be the property line that is opposite and most parallel to, and located the greatest distance from, the front lot line.
  - (2) **Trapezoidal, Triangular, Diamond, or Other Shaped Lots.** For trapezoidal, triangular, diamond, or other shaped lots with a distance between the side lot lines at the rear of the lot of less than 10 feet, the rear lot line for purposes of determining required setbacks shall be a line 10 feet in width drawn between the side lot lines and located parallel to and at the maximum distance from the front lot line (see Figure 800-3).



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- (c) **Side Lot Line.** A side lot line is any lot line which is not a front or rear lot line.

**RESPONSE:** Rear and side lot lines will be designated as set forth in this Section. For cul-de-sac Lots 3, 4, 14, and 15 the rear lot line will be the southernmost lot line. For cul-de-sac Lots 5, 6, and 7, the rear lot line will be the northernmost lot line.

**800.025. Flag Lots.**

Flag lots are allowed subject to the standards set forth in this section.

- (a) **Lot Area.** The lot area of a flag lot shall conform to the lot area standards of the UDC. Lot area shall be calculated exclusive of the flag lot accessway.
- (b) **Lot Dimensions.** The lot dimensions of a flag lot shall conform to the lot dimension standards of the UDC. Lot dimensions shall be calculated exclusive of the flag lot accessway.
- (c) **Flag Lot Accessways.** Flag lot accessways shall be developed and maintained in conformance with the standards set forth in Table 800-1 and this subsection.

**RESPONSE:** No flag lots are planned. Therefore, the criteria do not apply.

**800.035. Setbacks.**

- (a) **Setbacks to be Unobstructed.** Except as otherwise provided under subsection (b) of this section, required setbacks shall be unobstructed.
- (b) **Permitted Projections into Required Setbacks.** Permitted projections into required setbacks are set forth in Table 800-2.

**RESPONSE:** Setbacks will be evaluated with building permit applications. However, the lots have been designed to meet applicable dimensional standards and will accommodate single-family dwellings in compliance with applicable setback standards. Therefore, the criteria are met.

**800.040. Special Setbacks.**

- (a) **Generally.** To afford better light, air, and vision on public streets and to permit the eventual widening of streets without creating nonconforming structures, special setbacks are hereby established. No structures or paving, other than those identified under subsection (d) of this section, shall be placed within a special setback.

**RESPONSE:** No special setback requirements have been identified on the subject property. All required dedication of land for streets will be perfected upon recordation of the final subdivision plat. Therefore, the special setback criteria do not apply.

**800.045. Height.**

- (a) **Generally.** Unless otherwise provided under the UDC, standards relating to height shall apply to all buildings and structures. Height shall be measured as set forth in SRC Chapter 112.

**RESPONSE:** No buildings are planned at this time. The heights of single-family homes will be evaluated with building permit applications. Therefore, the height criteria do not apply.



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## CHAPTER 802 PUBLIC IMPROVEMENTS

### 802.015. Development to be served by City Utilities.

Except as provided under SRC 802.035 and SRC 802.040, all development shall be served by city utilities designed and constructed according to all applicable provisions of the Salem Revised Code and the Public Works Design Standards.

**RESPONSE:** As shown on the Schematic Utility Plan in Exhibit C, the subdivision and each individual lot will be served by City utilities designed and constructed according to the applicable provisions of the SRC and PWDS. Therefore, the criteria are met.

### 802.020. Easements.

Subject to any constitutional limitations, the conveyance or dedication of easements for city utilities may be required as conditions of development approval. Easements may be required that are necessary for the development of adjacent properties. Easements shall, where possible, be centered on, or abut property lines, and shall be not less than 10 feet in width. No building, structure, tree, or other obstruction other than landscaping shall be located within an easement required by this section.

**RESPONSE:** As shown on the Schematic Utility Plan in Exhibit C, 10-foot-wide public utility easements will be provided abutting street-side property lines. Therefore, the criteria are met.

### 802.025. Utilities to be Placed Underground.

- (a) Except as otherwise provided in this section, all utility service shall be provided by underground facilities.
- (b) In industrial and employment and commercial zones, electrical service may be provided by overhead wires where underground utility service is unavailable.
- (c) Stormwater management shall be provided by above-ground and below-ground facilities.

**RESPONSE:** As shown on the Schematic Utility Plan in Exhibit C, all utility service will be provided underground, except for the stormwater system, which will include above-ground and below-ground facilities. Therefore, the criteria are met.

## CHAPTER 803 STREETS AND RIGHT-OF-WAY IMPROVEMENTS

### 803.010. Streets, Generally.

Except as otherwise provided in this Chapter, all streets shall be improved to include the following: adequate right-of-way, paving, curbing, bike lanes (where required), sidewalks, street lighting, stormwater facilities; utility easements, turnarounds, construction strips, landscape strips, parking lanes, adequate right-of-way geometry, paving width, grade, structural sections and monumentation, that conforms to the Public Works Design Standards.

**RESPONSE:** As shown on the Tentative Phased Subdivision Plans, rights-of-way will be dedicated and streets improved to include facilities in conformance with Table 803-1, below, and the PWDS. Therefore, the criteria are met.

### 803.020. Public and Private Streets.

- (a) **Public Streets.** Except as provided in subsection (b) of this section, all streets shall be public streets.

**RESPONSE:** All boundary and internal streets of the are planned to be public streets. Therefore, the criteria are met.

**803.025. Right-of-Way and Pavement Widths.**

- (a) Except as otherwise provided in this Chapter, right-of-way width for streets and alleys shall conform to the standards set forth in Table 803-1.

Table 803-1: Right-of-Way Width		
Right-of-Way	Width	Limitations & Qualifications
Collector	Min. 60 ft.	
Local Street	Min. 60 ft.	
Cul-de-sac	Min. 50 ft.	Applicable to the stem of the cul-de-sac.
	Min. 45 ft. radius	Applicable to the turnaround of the cul-de-sac.

**RESPONSE:** As shown on the Phased Tentative Subdivision Plans, rights-of-way will be dedicated in conformance with Table 803-1. River Road S is designated as a Minor Arterial street in the TSP, and it has adequate right-of-way. The project includes dedication of land and full-street improvements for new, internal cul-de-sacs as well as a new internal local street that meet the applicable provisions of SRC 803.025. Therefore, the criteria are met.

- (b) Except as otherwise provided in this Chapter, streets shall have an improved curb-to-curb pavement width as set forth in Table 803-2.

Table 803-2: Pavement Width		
Street Type	Width	Limitations & Qualifications
Collector	Min. 34 ft.	Applicable to a Type A collector.
	Min. 40 ft.	Applicable to a Type B collector.
	Min. 34 ft.	Applicable to a Type C collector.
Local Street	Min. 30 ft.	
Cul-de-sac	Min. 30 ft.	Applicable to the stem of the cul-de-sac.
	Min. 38 ft. radius	Applicable to the turnaround of the cul-de-sac.

**RESPONSE:** As shown on the Tentative Subdivision Plan, half-street improvements based on the Minor Arterial street standard will be constructed along the River Road S frontage. The new, internal cul-de-sac and the new internal local street will be constructed with the appropriate pavement widths. Therefore, the criteria are met.

**803.030. Street Spacing.**

- (a) Streets shall have a maximum spacing of 600 feet from right-of-way line to right-of way line along one axis, and not less than 120 feet and not more than 400 feet from right-of-way line to right-of-way line along the other axis.

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**RESPONSE:** As shown on the Tentative Subdivision Plan, all blocks will meet the required spacing standards.

- (b) Street spacing may be increased where one or more of the following exist:
  - (1) Physical conditions preclude streets meeting the spacing requirements. Physical conditions include, but are not limited to, topography or the existence of natural resource areas such as wetlands, ponds, streams, channels, rivers, lakes, or a resource protected by state or federal law.
  - (2) Buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels, physically preclude streets meeting the spacing requirements, considering the potential for redevelopment.
  - (3) An existing public street or streets terminating at the boundary of the development site exceed the spacing requirements, or are situated such that the extension of the street or streets into the development site would create a block length exceeding the spacing requirements. In such cases, the block length shall be as close to the spacing requirements as practicable.
  - (4) Strict application of the spacing requirements would result in a street network that is no more beneficial to vehicular, pedestrian, or bicycle traffic than the proposed street network, and the proposed street network will accommodate necessary emergency access.

**RESPONSE:** An increase to the street spacing standards is not necessary. Therefore, the criteria do not apply.

#### 803.035. Street Standards.

All public and private streets shall be improved as follows:

- (a) Connectivity. Local streets shall be oriented or connected to existing or planned streets, existing or planned schools, parks, shopping areas, transit stops, and employment centers located within one half mile of the development. Local streets shall be extended to adjoining undeveloped properties for eventual connection with the existing street system. Connections to existing or planned streets and adjoining undeveloped properties for eventual connection with the existing street system shall be provided at no greater than 600-foot intervals unless one or more of the following conditions exist:
  - (1) Physical conditions or the topography, including, but not limited to, freeways, railroads, steep slopes, wetlands, or other bodies of water, make a street or public accessway connection impracticable.
  - (2) Existing development on adjacent property precludes a current or future connection, considering the potential and likelihood for redevelopment of the adjacent property; or

- 
- (3) The streets or public accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, that by their terms would preclude a current or future connection.

**RESPONSE:** To the east, the subject property abuts a row of subdivided lots and single-family homes fronting the west side of Tayside Street S, so through-streets to the east are not feasible. To the west and north, the subject property abuts single-family homes on large lots. Street expansions will be available to the north and west if the adjacent tax lots are developed. Therefore, the applicable criteria are met.

- (b) **Improvements.** All street improvements, including sub-base, base, pavement, curbs, sidewalks, and surface drainage shall conform to all provisions of the Salem Revised Code and the Public Works Design Standards.
- (c) **Alignment and Grade.** All streets shall be designed with a vertical alignment that conforms to the Public Works Design Standards. No grade of parkway, major arterial, or minor arterial shall exceed 6 percent. No grade of a collector street shall exceed 8 percent. No grade of a local street shall exceed 12 percent.

**RESPONSE:** Street improvements can and will conform to the applicable provisions of the SRC and PWDS. Therefore, the criteria are met.

- (d) **Dead-End Streets.** When it appears necessary to provide connectivity into or through an abutting undeveloped area, a dead-end street shall be provided to the boundary of the undeveloped area. The street may be constructed and right-of-way may be dedicated without a turnaround unless the Planning Administrator finds that a turnaround is necessary.

**RESPONSE:** No dead-end streets are planned. Therefore, the criteria are not applicable.

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- (f) **Cul-de-sacs.**
- (1) Cul-de-sacs shall not exceed 800 feet in length.
- (2) No portion of a cul-de-sac shall be more than 400 feet from an intersecting street or cul-de-sac unless physical constraints make it impractical.
- (3) Cul-de-sacs shall have a turnaround with a property line radius of not less than that specified in SRC 803.025(a) from the center of the turnaround to the property lines.

**RESPONSE:** As shown on the Tentative Subdivision Plan, two cul-de-sacs are planned. The cul-de-sacs will comply with the applicable criteria.

- (g) **Intersections; Property Line Radius.**

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- (1) Intersections shall conform to the Public Works Design Standards; provided, however, additional right-of-way and roadway improvements at or adjacent to the intersections of parkways, major arterials, minor arterials, and collector streets may be required for intersections and access points for high traffic generators, including, but not limited to, shopping centers, schools, major recreational sites, and office complexes.
  - (2) The property line radius at intersections shall be not less than the curb line radius as set forth in the Public Works Standards.

**RESPONSE:** As shown on the Tentative Subdivision Plan, intersections conform or can conform to the applicable provisions of the PWDS. Therefore, the criteria are met.

- (h) Cut and Fill Slopes. Fill slopes shall begin no closer than two feet from the rear edge of the sidewalk, or if there is no sidewalk, from to the rear edge of the curb. Cut and fill slopes shall not exceed two horizontal to one vertical, provided that slopes not exceeding one to one may be approved upon certification by a qualified engineer or geologist that the slope will remain stable under foreseeable conditions.
- (i) Slope Easements. Slope easements shall be provided on both sides of the right-of-way where required by Public Works Design Standards.
- (j) Street Alignment. Consistent with good engineering practice, street alignment shall, so far as possible, avoid natural and constructed obstacles, including but not limited to mature trees.

**RESPONSE:** The subject property generally slopes up from  $\pm 206$  feet in elevation at the southern boundary to  $\pm 236$  feet at the northern boundary. Cut and fill slopes abutting sidewalks will not exceed two horizontal to one vertical, unless a qualified geological engineer certifies slopes will remain stable at greater ratios.

Slope easements are not anticipated to be necessary, but such easements may be provided on both sides of right-of-way where required by the PWDS.

The street alignment avoids constructed obstacles and significant trees. Therefore, the criteria are met.

- (k) Street Trees. Development adjacent to public streets shall provide street trees that meet the standards and specifications set forth in SRC Chapter 86.

**RESPONSE:** Street trees are addressed in the response to SRC Chapter 86, above. Applications for street tree planting will be submitted with building permit applications. Therefore, the criteria are met.

- (l) Sidewalks.
  - (1) Sidewalk Construction Required. Sidewalks conforming to this Chapter, the Public Works Design Standards, the Americans with Disabilities Act, the Salem Transportation System Plan, and SRC Chapter 78 shall be constructed as a part of street improvement projects.

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(2) Sidewalk Location; Width.

- (A) Sidewalks shall be located parallel to and 1-foot from the adjacent right-of-way; provided, however, on streets having a right-of-way of 50 feet or less, sidewalks shall be located parallel to and abutting the curb.
- (B) If topography or other conditions make the construction of a sidewalk impossible or undesirable in location required by this subsection, a different location may be allowed.
- (C) Except as otherwise provided in this paragraph, all sidewalks shall be a minimum of 5 feet in width.
- (D) Sidewalks connecting with the direct access to the primary entrance of a school shall be a minimum of 8 feet in width along the right-of-way for a distance of 600 feet from the point of connection.
- (E) Sidewalks shall have an unobstructed 4-foot wide clearance around street lights, signs, mailboxes, and other streetscape facilities.

**RESPONSE:** Sidewalk locations and widths are shown on the Schematic Utility Plan included in Exhibit C. Sidewalk designs and construction will conform to the applicable provisions of the SRC, PWDS, the Americans with Disabilities Act (ADA), and the Salem TSP. Therefore, the criteria are met.

- (m) **Bicycle Facility Standards.** Streets identified in the Salem Transportation System Plan Bicycle System Map as requiring a bicycle facility must conform to the designation of the Salem Transportation System Plan and the Public Works Design Standards.

**RESPONSE:** The Salem Transportation System Plan Bicycle System Map does not identify or propose bicycle facilities within or abutting the subject property. Therefore, the criteria do not apply.

- (n) **Utility Easements.** Public utility easements may be required for all streets. Unless otherwise specified by the Public Works Director, public utility easements shall be a minimum of 10 feet in width on each side of the right-of-way.

**RESPONSE:** The Tentative Subdivision Plan and Schematic Utility Plan show a 10-foot-wide public utility easement abutting all streets. Therefore, the criteria are met.

- (o) **Street Lights.** All subdivisions and partitions, and all development on units of land for which site plan review is required, shall include underground electric service, light standards, wiring, and lamps for street lights that conform to the Public Works Design Standards. The developer shall install such facilities. Upon the City's acceptance of improvements, the street lighting system shall become the property of the City.
- (p) **Landscape Strips.** Landscape strips for signs, street lights, and shade trees shall be provided that conform to the Public Works Design Standards.

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**RESPONSE:** Underground infrastructure for street lights will be provided. Landscape strips are shown on the Schematic Utility Plan. Therefore, the criteria are met.

- (q) Landscaping. Property owners shall cover at least 75 percent of the unimproved surface area within the right-of-way abutting the property with perennial living plant material which conforms to all other requirements of the UDC, and which is kept free of noxious vegetation.

**RESPONSE:** The majority of right-of-way within and bordering the subdivision will contain improved surface area. Street tree planting and other landscaping measures will be reviewed with building permit applications. Therefore, the criteria are met.

- (r) Urban Growth Area Street Improvements. Where a subdivision or partition is located in the Urban Growth Area or the Urban Service Area, and the construction of street improvements by the City has not yet occurred, the street improvements and dedications shall meet the requirements of SRC Chapter 66.

**RESPONSE:** An Urban Growth Area Development Permit is requested concurrently with the Subdivision application. Street improvements and dedication will meet all applicable provisions of the SRC and PWDS. Therefore, the criteria are met.

#### 803.040. Boundary Streets.

- (a) Except as otherwise provided in this section, dedication of right-of-way for, and construction or improvement of, boundary streets of up to one-half of the right-of-way and improvement width specified in SRC 803.025 shall be required as a condition of approval for the following:
- (1) Subdivisions;
  - (2) Partitions;
  - (3) Planned unit developments;
  - (4) Manufactured dwelling parks; and
  - (5) The construction or enlargement of any building or structure located on property abutting a boundary street and that requires a building permit under SRC Chapter 56.
- (b) Three-Quarter Street Improvement. If construction of a half-street improvement is insufficient to provide for a minimum of one 12-foot-wide travel lane in each direction or proper street grade, dedication of right-of-way for, and construction or improvement of, a three-quarter street improvement may be required.

**RESPONSE:** River Road S is designated as a Minor Arterial street in the Salem TSP and currently consists of a 46-foot-wide improvement within a 72-foot-wide right-of-way. Local streets require a 30-foot-wide paved surface within a 60-foot-wide right-of-way. No additional right-of-way is required, and the Tentative Subdivision Plan show half-street improvements will be constructed to provide a 23-foot improvement on the development side of River Road S.

## CHAPTER 804 DRIVEWAY APPROACHES

#### 804.015. Driveway Approach Permit Required.





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- (a) Except as otherwise provided in this Chapter, a driveway approach permit shall be obtained prior to constructing, relocating, reconstructing, enlarging, or altering any driveway approach.

**RESPONSE:** Driveway approaches will be reviewed with building permit applications for single-family dwellings on the lots within the planned subdivision. The planned lots meet the applicable dimensional requirements for the RS zone, and, therefore, the applicable driveway standards can be met.

## CHAPTER 805 VISION CLEARANCE

### 805.005. Vision Clearance Areas.

Vision clearance areas that comply with this section shall be provided at the corners of all intersections; provided, however, vision clearance areas are not required in the Central Business (CB) Zone.

- (a) Street Intersections. Vision clearance areas at street intersections shall comply with the following:
- (1) Uncontrolled Intersections. At uncontrolled intersections, the vision clearance area shall have 30-foot legs along each street (see Figure 805-1).
  - (2) Controlled Intersections. At controlled intersections, the vision clearance area shall have a 10-foot leg along the controlled street and a 50-foot leg along the uncontrolled street (see Figure 805-2).
  - (3) One-Way Streets. Notwithstanding paragraphs (1) and (2) of this subsection, at an uncontrolled or controlled intersection of a one-way street, no vision clearance area is required on the corners of the intersection located downstream from the flow of traffic (see Figure 805-3).

**RESPONSE:** As shown on the Tentative Subdivision Plan, street intersections have been designed to comply with vision clearance standards. Upon development of the subdivision streets and infrastructure, vision clearance areas will be kept free of prohibited obstructions from 2.5 feet to 8.5 feet above curb level. Therefore, the applicable criteria are met.

## CHAPTER 806 OFF-STREET PARKING, LOADING, AND DRIVEWAYS

### 806.015. Amount Off-Street Parking.

- (a) Minimum Required Off-Street Parking. Unless otherwise provided under the UDC, off-street parking shall be provided in amounts not less than those set forth in Table 806-1.

Table 806-1: Minimum Off-Street Parking		
Use	Minimum Number of Spaces Required	Limitations & Qualifications
Single Family	2	Applicable to all Single Family, unless noted below.
	1	Applicable to Single Family located within the CSDP area.

**RESPONSE:** Off-street parking will be reviewed with building permit applications for single-family dwellings on the lots within the planned subdivision. The planned lots meet the applicable



dimensional requirements for the RS zone, and, therefore, the applicable off-street parking standards can be met.

**806.030. Driveway Development Standards for Single Family and Two Family Uses or Activities.**

Unless otherwise provided under the UDC, driveways for Single Family and Two Family uses or activities shall be developed and maintained as provided in this section.

- (a) **Location.** Driveways crossing from the lot line to a permitted off-street parking area by the shortest direct route shall be permitted within yards abutting streets.
- (b) **Dimensions.** Driveways shall conform to the minimum dimensions set forth in Table 806- 4. The minimum width of a driveway serving more than one parking space must meet the standard set forth in Table 806-4 for only the first 20 feet of depth behind the parking spaces served; beyond 20 feet, the minimum width may be reduced to 10 feet.

Table 806-4: Minimum Driveway Dimensions		
Number of Parking Spaces Served	Width	Depth
1 space	10 ft.	20 ft.
2 spaces	16 ft.	20 ft.
3 or more spaces	22 ft.	20 ft.

- (c) **Surfacing.**
  - (1) All driveways, except those serving developments on parcels within approved partitions located more than 300 feet from an available sewer, shall be paved with a hard surface material meeting the Public Works Design Standards. Driveways serving developments on parcels within approved partitions located more than 300 feet from an available sewer are not required to be paved.
  - (2) Access to vehicle storage areas shall be paved with a hard surface material meeting the Public Works Design Standards when such access is being utilized for parking.

**RESPONSE:** Driveways will be reviewed with building permit applications for single-family dwellings on the lots within the planned subdivision. The planned lots meet the applicable dimensional requirements for the RS zone, and, therefore, the applicable driveway standards can be met.

**CHAPTER 808 PRESERVATION OF TREES AND VEGETATION**

**808.030. Tree and Vegetation Removal Permits.**

- (a) **Applicability.**
  - (1) Except as provided in paragraph (2) of this subsection, no trees or native vegetation protected under SRC 808.015, SRC 808.020, or SRC 808.025 shall be removed unless a Tree and Vegetation Removal Permit has been issued pursuant to this section.

- (2) Exceptions. A Tree and Vegetation Removal Permit is not required for the removal of trees or native vegetation protected under SRC 808.015 SRC 808.020, or SRC 808.025 when the removal is:

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- (O) Undertaken pursuant to a Tree Conservation Plan, required in conjunction with any development proposal for the creation of lots or parcels to be used for Single Family or Two Family uses or activities, approved under SRC 808.035;

**RESPONSE:** Plans do not include removal of trees or native vegetation protected under Chapter 808. Therefore, a Tree and Vegetation Removal Permit is not required.

#### 808.050. Tree Planting Requirements.

- (a) Within development proposals for the creation of lots or parcels to be used for Single Family or Two Family uses, each lot or parcel shall contain, at a minimum, the number of trees set forth in Table 808-1.
- (b) If there are insufficient existing trees on a lot or parcel to satisfy the number of trees required under Table 808-1, additional trees sufficient to meet the requirement shall be planted. The additional trees shall be a minimum 1.5 inch caliper.

Table 808-1: Tree Planting Requirements	
Lot or Parcel Size	Minimum Trees Required
6,000 ft. or less	2
6,001 ft. to 7,000 ft.	3
7,001 ft. to 8,000 ft.	4
8,001 ft. to 9,000 ft.	5
Greater than 9,000 ft.	6

**RESPONSE:** Landscaping and tree planting requirements for individual lots will be reviewed with building permit applications for single-family dwellings on the lots within the planned subdivision. The planned lots meet the applicable dimensional requirements for the RS zone, and, therefore, the applicable tree planting standards can be met.

## CHAPTER 809 WETLANDS

#### 809.010. Criteria for Identification.

Using the Local Wetlands Inventory, a functional and quality assessment of all inventoried wetlands within the city and the UGB, and the best available information, the Director shall identify local wetlands as Locally Significant or Non-Significant.

**RESPONSE:** Per the Salem-Keizer LWI, the subject property does not contain any mapped wetlands or waterways. Therefore, this Chapter does not apply.

## CHAPTER 810 LANDSLIDE HAZARDS

#### 810.005. Applicability.

This chapter applies to all areas of land designated as Moderate Landslide Hazard Risk or High Landslide Hazard Risk pursuant to this Chapter.

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**RESPONSE:** City records show there are category two landslide hazard areas mapped on the subject property. Therefore, a geological assessment is attached.

#### **IV. Conclusion**

The required findings have been made, and this written narrative and the accompanying documentation demonstrate the application is consistent with the applicable provisions of the Salem Revised Code. The evidence in the record is substantial and supports approval of the application. Therefore, the applicant respectfully requests the City of Salem approve the Illahe River Estates Subdivision application and concurrent Urban Growth Area Development Permit application.



# MEMO

**TO:** Chris Green, Planner II  
Community Development Department

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

**DATE:** September 29, 2017

**SUBJECT:** PUBLIC WORKS RECOMMENDATIONS  
SUB-UGA 17-08 (17-113062-LD; 17-113930-LD)  
3900 BLOCK OF CORREDALE DR S  
20-LOT SUBDIVISION

## PROPOSAL

A consolidated application for a 20-Lot phased subdivision in Illahe River Estates located on the north side of River Road S, containing the following requests:

1. A phased subdivision tentative plan to divide approximately 4.96 acres into 20 Lots, with Phase 1 dividing approximately 2.54 acres into 11 Lots and Phase 2 dividing approximately 2.42 acres into 9 Lots; and
2. An Urban Growth Preliminary Declaration to determine the public facilities required under the Urban Growth Management Program to develop the proposed phased subdivision.

The subject property is approximately 4.96 acres in size, zoned RA (Residential Agriculture) and located at 3906 Corredale Drive S (Marion County Assessor's Map and Tax Lot number: 084W01 01204).

## RECOMMENDED URBAN GROWTH PRELIMINARY DECLARATION CONDITIONS

### Condition of Plat Approval for Phase 1

1. Along the entire frontage of River Road S, construct a 23-foot-wide half width improvement on the development side and a 17-foot-wide linking street improvement on the opposite side to minor arterial standards.
2. Extend the existing 16-inch water main in River Road S to the west line of the subject property.
3. Extend the existing 8-inch sewer main in River Road S to the west line of the subject property.



## RECOMMENDED SUBDIVISION CONDITIONS

### Condition of All Phases

1. Provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed Lots. Construct stormwater facilities that are proposed in the public right-of-way and in public storm easements, including the extension of the existing storm main in River Road S to the west line of the subject property. Maintenance access to the stormwater tract may need to be provided through an easement from Street B pursuant to PWDS.
2. Construct public water, sewer, and storm systems within the proposed development pursuant to PWDS as depicted on the schematic utility plan.
3. Dedicate a 10-foot public utility easement along the street frontage of all internal streets.
4. Pay the Bailey Ridge Reimbursement District fee pursuant to Resolution 2009-2.
5. At the time of development, the developer shall provide a final report from a geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical considerations for each individual building lot.

### As a Condition of Phase 1

1. Convey land for dedication to equal a half-width right-of-way of 36 feet from the centerline on the development side of River Road S.
2. Convey land for dedication of right-of-way for Street A and Firth Avenue S within both Phase 1 and Phase 2 of the proposed development.
3. Construct a left turn lane from River Road S to northbound Street A with tapers as specified in PWDS.
4. Provide an engineered analysis demonstrating that intersection sight distance standards are being met in both directions at the Street A/River Road S intersection.
5. Construct Street A within Phase 1 as a 15-foot-wide half-street improvement on the development side and a minimum 9-foot-wide pavement section on the opposite side. Construct Street B to cul-de-sac standards.

### As a Condition of Phase 2

1. Construct Street A and Firth Avenue within Phase 2 as a 15-foot-wide half-street improvement on the development side and a minimum 9-foot-wide pavement section on the opposite side. Construct Street C to cul-de-sac standards.

## **FACTS**

### **Streets**

#### **River Road S**

1. **Existing Condition**—This street has an approximate 26-foot improvement along the frontage of the subject property.
2. **Standard**—This street is designated as a Minor Arterial street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.

### **Storm Drainage**

#### **Existing Conditions**

1. A 12-inch storm main is located in River Road S.
2. The subject property is within the Pettijohn Laurel Drainage Basin.

### **Water**

#### **Existing Conditions**

1. The subject property is located in the G-0 water service level.
2. A 16-inch water line is located in River Road S, at the southeast corner of the subject property.
3. A 12-inch water line is located in Corredale Drive S, at the northeast corner of the subject property.

### **Sanitary Sewer**

#### **Existing Sewer**

1. An 8-inch sewer line is located in River Road S.
2. The property is located within the Bailey Ridge Reimbursement District.

### **Parks**

The undeveloped Bailey Ridge Property is located within one-half-mile of the subject property.



## **CRITERIA AND FINDINGS**

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

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

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

River Road S at the east line of the subject property meets the standards for an adequate linking street. Boundary street improvements are required along River Road S. A 23-foot half-width improvement is required on the development side, and a 17-foot-wide linking street improvement is required on the opposite side to Minor Arterial street standards.

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

**Findings**—The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities (SRC 200.060). The nearest available sewer facility is located in River Road S, at the southeast corner of the subject property. The applicant shall construct the *Salem Wastewater Management Master Plan* improvements and link the site to existing facilities that are defined as adequate under 200.005(a).

The Wastewater Management Master Plan shows that an 8-inch sewer main is required in River Road S. The applicant shall be required to extend the existing 8-inch sewer main in River Road S from the east line to the west line of the subject property.

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

**Findings**—The proposed development shall be linked to existing adequate facilities by the construction of storm drain lines, open channels, and detention facilities which are necessary to connect to such existing drainage facilities. The nearest available public storm system is located in River Road S, at the southeast corner of the subject property. The applicant shall link the on-site system to existing facilities that are defined as adequate under SRC 200.005(a).

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

**Findings**—The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 200.070). The nearest available water facility



is located in River Road S, at the southeast corner of the subject property. The applicant shall provide linking water mains consistent with the *Water System Master Plan* adequate to convey fire flows to serve the proposed development as specified in the Water Distribution Design Standards.

The Water Master Plan shows that a 16-inch water main is required in River Road S. The applicant shall be required to extend the existing 16-inch water main in River Road S from the east line to the west line of the subject property.

**SRC 200.075—Standards for Park Sites**

**Findings**—The Comprehensive Parks Master Plan Update shows that the subject property is served by undeveloped parks. The Bailey Ridge Property is an undeveloped park site within one-half-mile of the subject property. No park-related improvements are recommended as a condition of development.

**SRC 205.010(d)(1)**—The tentative subdivision 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:

1. 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;
2. City infrastructure standards; and
3. 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 subdivision 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).

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 Landslide Hazards, there are areas of landslide susceptibility on the subject property. There are two mapped site points for the property pursuant to SRC Chapter 810. The proposed subdivision adds three activity points to the proposal, which results in a total of five points. Therefore, the proposed subdivision is classified as a moderate landslide risk and requires a geologic assessment. A geologic assessment, prepared by Redmond Geotechnical Services and dated June 21, 2017, was submitted to the City of Salem. This assessment demonstrates the subject property could be



subdivided and developed with single-family dwellings, without increasing the potential for slope hazard on the site or adjacent properties.

**SRC 205.010(d)(3)**—Development within the tentative subdivision plan can be adequately served by City infrastructure.

**Findings**—Water and sewer infrastructure is available at the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary utility plan. Developments are required to extend public utility services to serve upstream and neighboring properties; the tentative utility plan appears to meet this requirement.

As a condition of sewer service, all developments will be required to provide public sewers to adjacent upstream parcels. This shall include the extension of sewer mains in easements or rights-of-way across the property to adjoining properties, and across the street frontage of the property to adjoining properties when the main is located in the street right-of-way. The tentative subdivision plan shows public sewer extensions to adjacent upstream parcels.

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 provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed Lots.

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

**SRC 205.010(d)(4) and SRC 205.0010(d)(5)**—The street system in and adjacent to the tentative subdivision plan conforms to the *Salem Transportation System Plan*. The street system in and adjacent to the tentative subdivision plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.

**Findings**—River Road S abuts the subject property and does not meet the current standard for a Minor Arterial street. Boundary street improvements along the entire frontage of the subject property are required pursuant to SRC 803.040. In addition, the Assistant City Traffic Engineer has determined that a left-turn lane is needed to provide safe turning movements from eastbound River Road S to northbound Street A. Pursuant to PWDS, the applicant's engineer shall provide a sight distance analysis of the Street A/River Road S intersection.

The applicant is proposing a three-quarter street improvement on Street A along the west line of the subject property. The applicant shall construct Street A as a 15-foot-wide half-street improvement on the development side and a minimum 9-foot-wide pavement section on the opposite side. Street B and Street C shall be



constructed to cul-de-sac standards.

**SRC 205.010(d)(6)**—The tentative subdivision plan provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops, or employment centers.

**Findings**—The Comprehensive Parks Master Plan Update shows that the subject property is served by undeveloped parks. The Bailey Ridge Property is an undeveloped park site within one-half-mile of the subject property. No park-related improvements are recommended as a condition of development.

**SRC 205.010(d)(7)**—The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis, where applicable.

**Findings**—The proposed 20-lot subdivision generates less than 1,000 average daily vehicle trips to River Road S. Therefore, a Traffic Impact Analysis was not required as part of the proposed subdivision submittal.

**SRC 205.015(d)(2)**—Connectivity for streets and City utilities between each phase ensures the orderly and efficient construction of required public improvements among all phases.

**Findings**—As conditioned in Phase 1, right-of-way dedication will provide future street connectivity through the extension of Street A and Corredale Drive S to connect to Firth Avenue S. The extension of utilities in River Road S and through both phases as shown on the schematic utility plan meet the requirements for connectivity pursuant to PWDS.

**SRC 205.015(d)(3)**—Each phase is substantially and functionally self-contained and self-sustaining with regard to required public improvements.

**Findings**—Phase 1 is self-contained and self-sustaining with the extension of existing utilities and the improvements required along River Road S.

**SRC 205.015(d)(4)**—Each phase is designed in such a manner that all phases support the infrastructure requirements for the phased subdivision as a whole.

**Findings**—The extension of utilities and improvements in and to River Road S as proposed and conditioned support the infrastructure requirements of the first phase of the development and will contribute to the second phase.



## RESPONSE TO CITIZEN COMMENTS

1. **Traffic Connectivity**—River Road is a Minor Arterial street abutting the south line of the subject property. Corredale Drive S terminates at the northeast and northwest corners of the subject property. Phase 1 will construct an internal street along the west line of the property to the north line of Phase 1. In order to provide for future connectivity, the applicant is required to dedicate right-of-way along the west and north lines of Phase 2. Street construction is not warranted until the time of final plat for Phase 2. Secondary fire access is determined by Uniform Fire Code requirements.
2. **Traffic Safety**—River Road S is a Minor Arterial street with relatively high speeds. In order to provide safe access to the proposed development, the applicant is required to construct an eastbound to northbound left turn lane. In addition, the applicant's engineer is required to analyze sight distance to minimize the potential for traffic conflicts entering and exiting the proposed development.
3. **Pedestrian Safety**—Bailey Ridge Subdivision abuts the east line of the subject property. When Bailey Ridge Subdivision was constructed, the developer was required to construct off-site linking street improvements, which provided additional width for multiple modes of travel along River Road S and at the railroad crossing. The proposed development will include sidewalk improvements within the subject property and along River Road S connecting to the improvements constructed by Bailey Ridge Subdivision.
4. **Stormwater**—The proposed development is subject to requirements of SRC Chapter 71 and PWDS. The engineered stormwater design shall address runoff, drainage patterns, and potential flooding within and abutting the proposed development.
5. **Water Pressure**—The subject property and Bailey Ridge Subdivision to the east of the property are located within the G-0 water service level and are served by a 16-inch water main in River Road S. This water system has sufficient capacity and pressure to serve the proposed development pursuant to the Water System Master Plan. The area to the north and west of the subject property is located within the Illahe Acreage Water Association, which is an area of low capacity not maintained by the City. The Illahe Acreage Water Association will not be affected by the proposed development because it is located in the S-1 service area and will not be connected to the G-0 water system.

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