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ADMINISTRATIVE DECISION FOR CLASS 2 TIME EXTENSION

CASE NO.: PAR14-03EXT3
AMANDA NO.: 20-106597-LD
DATE OF DECISION : May 6, 2020
PROPERTY LOCATION: 780 Idylwood Drive SE
OWNER: Joshua H. Clark

REQUEST

A third request for a 2-year extension of the approval for PAR14-03, a partition to divide approximately 0.5 acres into 2 parcels, with proposed Parcel 1 consisting of 12,482 square feet (9,494 square feet exclusive of the flag lot accessway) and proposed Parcel 2 consisting of 9,278 square feet.

The subject property is zoned RS (Single Family Residential) and is located at 780 Idylwood Drive SE (Marion County Assessor Map and Tax Lot Number: 083W10AC04200) (**Attachment A**).

BACKGROUND

On April 14, 2014, the Planning Administrator approved a proposal to divide approximately 0.5 acres into 2 single family residential lots. The tentative partition approval was set to expire on April 30, 2016.

On April 29, 2016, the applicant submitted a request to extend the approval of the tentative partition plan for the subject property (Case No. PAR14-03EXT1) for a period of two years. After additional required information was submitted, the application for the Class 2 Extension was deemed complete on June 22, 2016. Public notice was provided pursuant to Salem Revised Code (SRC) requirements on June 30, 2016. The decision was effective on August 13, 2016.

On April 13, 2018, the applicant submitted a request to extend the approval of the tentative partition plan for the subject property (Case No. PAR14-03EXT2) for a period of two years. The application for the Class 2 Extension was deemed complete on May 8, 2018. Public notice was provided pursuant to Salem Revised Code (SRC) requirements on May 9, 2018. The decision was effective on June 20, 2018.

On April 1, 2020, the applicant submitted a request to extend the approval of the tentative partition plan for the subject property (Case No. PAR14-03EXT3) for a period of two years. The application for the Class 2 Extension was deemed complete on April 10, 2020. Public notice was provided pursuant to Salem Revised Code (SRC) requirements on April 10, 2020.

FINDINGS

1. Tentative partition plan No. 14-03 was approved on April 14, 2014 (**Attachment B**). At this time, construction of public improvements and other conditions required for final plat approval have not been completed. The applicant has requested a 2-year extension, which would extend the expiration period for the tentative partition plan approval to April 30, 2022.
2. Under the City's Unified Development Code, extension requests are classified under one of the following two classes:
 - **Class 1 Extension.** A Class 1 Extension is an extension that applies when there have been no changes to the standards and criteria used to approve the original application; or
 - **Class 2 Extension.** A Class 2 Extension is an extension that applies when there have been changes to the standards and criteria used to approve the original application, but such changes to the standards and criteria would not require modification of the original approval.

Because there have been changes to the standards and criteria used to approve the original application, this new extension request is classified as a Class 2 Extension.

3. Neighborhood Association and Citizen Comments

- The subject property is located within the Faye Wright Neighborhood Association. No written comments were received from the neighborhood association on the extension request.
- All property owners within 250 feet of the subject property were mailed notification and request for comments on the proposed extension. No public comments were received prior to the comment deadline.

4. City Department and Public Agency Comments

- The Public Works Department reviewed the proposal and indicated that they have no concerns with the proposed extension.
- The Salem Fire Department reviewed the proposal, indicating no concerns with the extension, and noting that certain Fire Department requirements, such as water supply and fire access, will be implemented at the time of building permit applications.
- The Building and Safety Department reviewed the proposal and indicated that no apparent issues exist.

5. Public and Private Service Provider Comments

Notification and request for comments on the proposed extension was distributed to public and private agencies and service providers for the subject property.

- Portland General Electric commented, "Development cost per current tariff and service requirements. Any relocation of PGE facilities on private property or in ROW will be at the developer's expense."

6. Class 2 Time Extension Approval Criteria

SRC 300.850(b)(4)(B) establishes the following approval criterion which must be met in order for a Class 2 Time Extension to be approved:

A Class 2 extension shall be granted if there have been no changes to the standards and criteria used to approve the original application that would require modification of the original approval.

7. Analysis of Class 2 Time Extension Approval Criteria

A Class 2 Extension shall be granted if there have been no changes to the standards and criteria used to approve the original application that would require modification of the original approval.

Finding: Tentative Partition Plan 14-03 was approved in 2014 under the requirements of former SRC Chapter 63 (Subdivisions). Since the approval of the tentative partition plan, the City's zoning and development codes were amended as part of the City's Unified Development Code (UDC) project. The UDC was a multi-year project to update the City's zoning and development codes to make them easier to understand and administer. The intent of the project was to reorganize and streamline, but not to make major policy changes to existing standards and criteria.

The standards and criteria applicable to partitions were included in the standards and criteria updated as part of the UDC. However, because the UDC was not intended to make policy changes, none of those revisions require modification of the original tentative partition plan approval. Minimum lot size and dimensions, street standards, and other requirements applicable to the partition remain the same. Because there have been no changes to the standards and criteria used to approve the original application that would require modification of the original approval, this criterion is met.

DECISION

Based on the requirements of SRC 300.850(b)(4)(B), the proposed Class 2 Extension complies with the requirements for an affirmative decision.

The Class 2 Extension to extend the approval for a two-parcel tentative partition plan (Partition Case No. PAR14-03), on property approximately 0.5 acres in size, zoned RS (Single Family Residential) and located at 780 Idylwood Drive SE (Marion County Assessor Map and Tax Lot Number: 083W10AC04200) is hereby **APPROVED. The extension shall be valid through April 30, 2022.**



Austin Ross, Planner I
Planning Administrator Designee

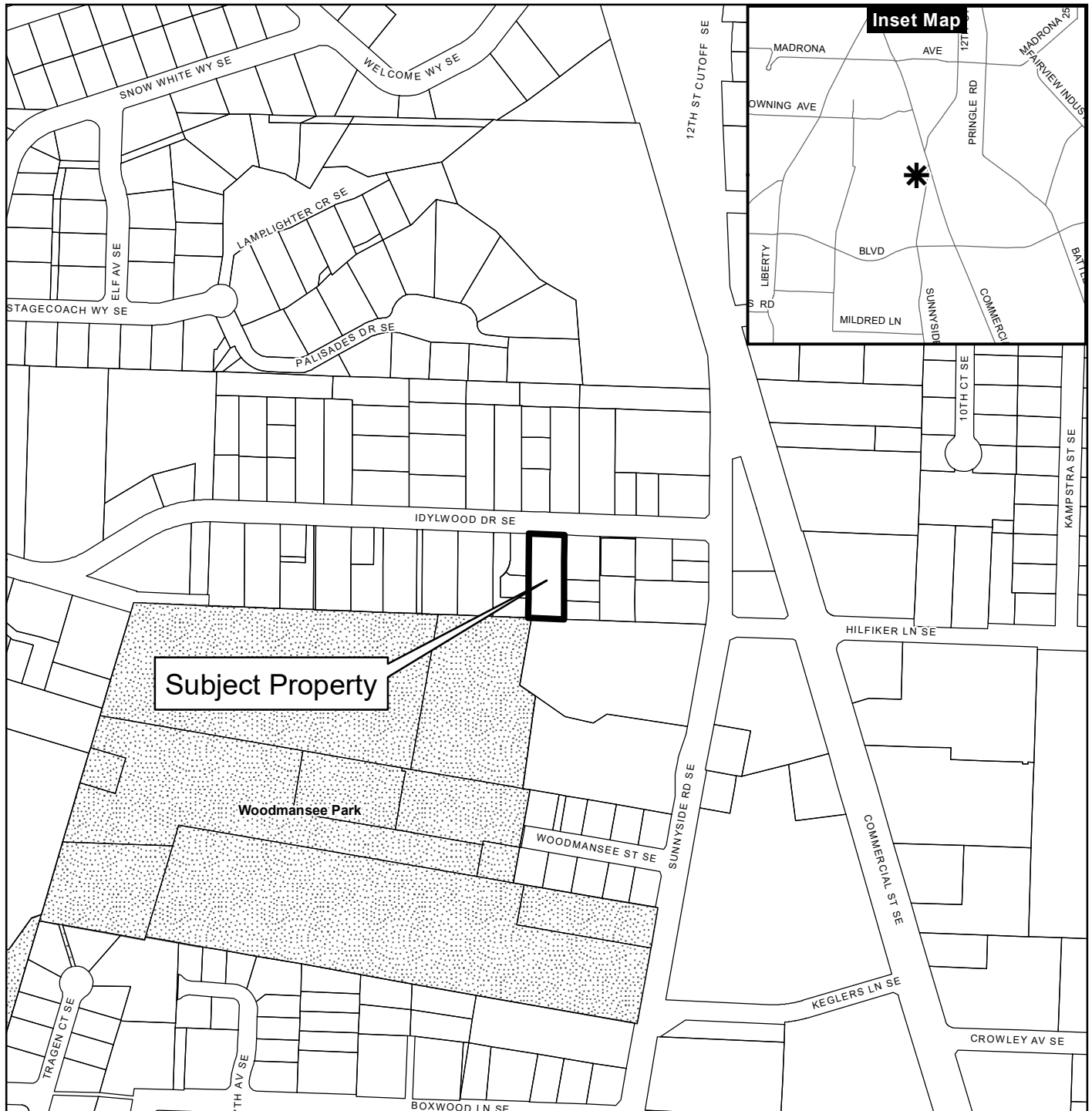
Attachments: A. Vicinity Map
 B. Decision of the Planning Administrator approving Case No. PAR14-03

Application Deemed Complete: May 8, 2018
Decision Mailing Date: May 6, 2020
Decision Effective Date: May 22, 2020
State Mandated Decision Date: August 8, 2020

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division Room 305, 555 Liberty Street SE Salem OR 97301 no later than Thursday, May 21, 2020 at 5:00 P.M. **PLEASE NOTE: Due to the COVID-19 pandemic, City of Salem Offices are closed to the public until further notice.** The notice of appeal can be submitted electronically at planning@cityofsalem.net or mailed to City of Salem Planning, Room 320, 555 Liberty Street SE, Salem OR 97301. The appeal must be received by the above date and time. 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 Hearings Officer will review the appeal at a public hearing. The Hearings Officer may amend, rescind, or affirm the action or refer the matter to staff for additional information.

Vicinity Map

780 Idylwood Drive SE



Legend

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

0 100 200 400 Feet



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Community Development Dept.

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NOTICE OF DECISION

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



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503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

PARTITION CASE NO. PAR14-03

APPLICATION NO. : 13-120309-LD

NOTICE OF DECISION DATE: **APRIL 14, 2014**

REQUEST: To divide approximately 0.5 acres into 2 parcels, with proposed Parcel 1 consisting of 12,482 square feet (9,494 square feet exclusive of the flag lot accessway) and proposed Parcel 2 consisting of 9,278 square feet. The property is zoned RS (Single Family Residential) and is located at 780 Idylwood Drive SE (Marion County Assessor's Map and Tax Lot Number: 083W10AC04200).

APPLICANT: LEI ENGINEERING AND SURVEYING**LOCATION:** 780 IDYLWOOD DR SE**CRITERIA:** Salem Revised Code Chapter 63**DECISION:**

The Planning Administrator **GRANTED** Partition Case No. PAR14-03 subject to the following conditions of approval prior to final plat approval, unless otherwise indicated:

- Condition 1.** Design and construct water and sewer services for proposed Parcel 2 in compliance with Public Works Design Standards, and show all necessary access and utility easements on the plat to the satisfaction of the Public Works Director. Sewer service shall be taken from the 27-inch main in Idylwood Drive SE.
- Condition 2:** Provide a storm drainage design for proposed Parcel 2 and the flag lot accessway in compliance with Public Works Design Standards.
- Condition 3:** Pay water connection fees for proposed Parcel 2 prior to plat approval per SRC Chapter 21.
- Condition 4:** At the time of future development of proposed Parcel 2, pave the flag lot accessway to a minimum width of 15 feet. "NO PARKING - FIRE LANE" signs shall be posted on both sides of that portion of the proposed flag lot accessway that serves as a fire apparatus access roadway, and "NO PARKING" signs shall be posted on both sides of the remainder of the flag lot accessway. The address of the proposed flag lot shall be posted at the entrance to the accessway. The accessway shall be privately maintained.

The rights granted by the attached decision must be exercised by April 30, 2016, or this approval shall be null and void.

A copy of the decision is attached.

Application Deemed Complete: March 5, 2014

Notice of Decision Mailing Date: April 14, 2014

Decision Effective Date: April 30, 2014
State Mandate Date: July 3, 2014

Case Manager: Bryce Bishop, Planner II, bbishop@cityofsalem.net BB

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, **no later than 5:00 p.m., April 29, 2014**. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section of SRC Chapter 63. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

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

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

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**BEFORE THE PLANNING ADMINISTRATOR
OF THE CITY OF SALEM
(PARTITION PLAT NO. 14-03)**

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

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

**IN THE MATTER OF THE
APPROVAL OF TENTATIVE
PARTITION PLAN NO. 14-03;
780 IDYLWOOD DR SE**

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**FINDINGS AND ORDER
APRIL 14, 2014**

REQUEST

To divide approximately 0.5 acres into 2 parcels, with proposed Parcel 1 consisting of 12,482 square feet (9,494 square feet exclusive of the flag lot accessway) and proposed Parcel 2 consisting of 9,278 square feet. The property is zoned RS (Single Family Residential) and is located at 780 Idylwood Drive SE (Marion County Assessor Map and Tax Lot Number: 083W10AC04200).

DECISION

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

- Condition 1:** Design and construct water and sewer services for proposed Parcel 2 in compliance with Public Works Design Standards, and show all necessary access and utility easements on the plat to the satisfaction of the Public Works Director. Sewer service shall be taken from the 27-inch main in Idylwood Drive SE.
- Condition 2:** Provide a storm drainage design for proposed Parcel 2 and the flag lot accessway in compliance with Public Works Design Standards.
- Condition 3:** Pay water connection fees for proposed Parcel 2 prior to plat approval per SRC Chapter 21.
- Condition 4:** At the time of future development of proposed Parcel 2, pave the flag lot accessway to a minimum width of 15 feet. "NO PARKING - FIRE LANE" signs shall be posted on both sides of that portion of the proposed flag lot accessway that serves as a fire apparatus access roadway, and "NO PARKING" signs shall be posted on both sides of the remainder of the flag lot accessway. The address of the proposed flag lot shall be posted at the entrance to the accessway. The accessway shall be privately maintained.

PROCEDURAL FINDINGS

On December 31, 2013, an application for tentative partition plan was filed proposing to divide property located at 780 Idylwood Drive SE (Attachment 1) into 2 parcels.

The application was deemed complete and notice to surrounding property owners was mailed pursuant to Salem Revised Code (SRC) requirements on March 5, 2014. The state-mandated local decision deadline is July 3, 2014.

SUBSTANTIVE FINDINGS

1. Salem Area Comprehensive Plan (SACP)

Land Use Plan Map: The subject property is designated "Single Family Residential" on the Salem Area Comprehensive Plan (SACP) Map.

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

Growth Management: The subject property is located inside the City's Urban Service Area. Pursuant to the Urban Growth Management requirements contained under SRC Chapter 66, an Urban Growth Area (UGA) Development Permit is not required when property is located inside the boundaries of the Urban Service Area.

2. Zoning

The subject property is zoned RS (Single Family Residential). The zoning of surrounding properties is as follows:

North: Across Idylwood Drive SE, RS (Single Family Residential)
South: RS (Single Family Residential) and RM2 (Multiple Family Residential)
East: RS (Single Family Residential)
West: RS (Single Family Residential)

3. Natural Features

Trees: The City's tree preservation ordinance, SRC Chapter 68.100(a), requires tree conservation plans in conjunction with development proposals involving the creation of lots or parcels to be used for the construction of single family or duplex dwelling units, if the development proposal will result in the removal of trees. The tree preservation ordinance defines "tree" as, "any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more dbh, and possesses an upright arrangement of branches and leaves."

A tree conservation plan was submitted by the applicant, Case No. TCP14-02, for review and approval as required under SRC Chapter 68. The tree conservation plan identifies 16 trees on the property with a diameter-at-breast height (dbh) of 10 inches or greater. There is one significant oak on the property with a dbh of 26 inches.

Under the City's tree preservation ordinance, tree conservation plans are required to preserve all heritage trees, significant trees, trees and native vegetation within riparian corridors, and a minimum of 25 percent of the remaining trees on the property. If less than 25 percent of the existing trees on the property are proposed for preservation, the applicant must show that only those trees reasonably necessary to accommodate the development are designated for removal. If significant trees and trees within a riparian corridor are proposed for removal, the applicant must show that there are no reasonable design alternatives to enable preservation of those trees.

There are no Heritage trees or riparian corridor trees and vegetation on the property. The significant oak is proposed to be preserved. Of the 16 total trees on the property with a dbh of 10-inches or greater, the tree conservation plan preserves 11, or 68.75 percent, which exceeds the minimum 25 percent preservation requirement established under SRC Chapter 68.

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.

The Salem-Keizer Local Wetland Inventory (LWI) does not identify any wetlands or waterways on the subject property. Therefore, there are no impacts related to jurisdictional wetlands or waterways as a result of the proposed partition and development of the property.

Landslide Susceptibility: The City's Landslide Hazard Ordinance, SRC Chapter 69, 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, the subject property is mapped with areas of 2 landslide hazard susceptibility points. There are 2 activity points associated with the proposed development activity, a partition. Pursuant to the requirements of SRC Chapter 69, the cumulative total of 4 points between those associated with the land and those associated with the proposed development activity indicate a low landslide hazard risk. Therefore, a geologic assessment or geotechnical report is not required in conjunction with the proposed partition.

4. Site Analysis and Parcel Layout

The subject property is approximately 0.5 acres (21,872 square feet) in size and currently developed with a single family dwelling and associated accessory structures which are proposed to remain on the property.

The tentative plan proposes to divide the property into two parcels (Attachment 2). Proposed Parcel 1 is the northernmost of the two parcels, and will have frontage on Idylwood Drive SE. The existing single family dwelling and accessory structures will be located on Parcel 1. Proposed Parcel 2 is a flag lot located behind Parcel 1.

Vehicular access to both Parcel 1 and Parcel 2 will be provided by a 20-foot-wide private flag lot accessway.

PROPOSED PARCEL 1

Parcel Size: Approximately 12,482 ft.² (9,494 ft.² exclusive of the flag lot accessway)
Parcel Width: Approximately 75 ft. (Exclusive of the flag lot accessway)
Parcel Depth: Approximately 130 ft.

PROPOSED PARCEL 2 (FLAG LOT)

Parcel Size: Approximately 9,278 ft.²
Parcel Width: Approximately 96 ft.
Parcel Depth: Approximately 96 ft.

Street Frontage: Except for flag lots, SRC 63.145(d) requires lots to have a minimum frontage of 40 feet on a street. Proposed Parcel 1, which abuts Idylwood Drive SE, has approximately 62 feet of frontage on the street, therefore exceeding minimum street frontage requirements.

Proposed Parcel 2 is a flag lot without frontage on a street. Pursuant to SRC 63.155(d) & (e), lots may be created without the minimum frontage on a street when a flag lot accessway conforming to the standards in Table 63-1 is provided. The proposed partition includes a minimum 20-foot-wide flag lot accessway to serve both Parcel 1 and Parcel 2 that conforms to the standards in Table 63-1. Because the proposed flag lot accessway conforms to the standards, Parcel 2 may be created without frontage on a street.

Lot Area: Except for infill lots, SRC 63.145(c) and 146.070(a) require lots to have a minimum lot area of 4,000 square feet. The minimum required lot area for "infill lots" is 5,500 square feet. SRC Chapter 63.030(q)(3) defines an "infill lot" as, "a residential flag lot created by the partition of land after February 8, 2006. Lot area is required to be calculated exclusive of the flag lot accessway.

Proposed Parcel 1 is approximately 9,494 square feet in size exclusive of the flag lot accessway. Proposed Parcel 2, an infill lot, is approximately 9,278 square feet in size. Both proposed parcels exceed minimum lot area requirements.

Lot Dimensions: SRC 63.145(a) & (b), and 146.070(b), require a minimum lot width of 40 feet and an average minimum lot depth of 70 feet. The depth of a proposed lot may not exceed 300 percent of its average width. Lot dimensions are required to be measured exclusive of the flag lot accessway.

For flag lots in partitions, SRC 63.285(a) requires that flag lots have two-dimensional requirements, each perpendicular to the other, generally running parallel to the parcel boundaries, and measured exclusive of the flag lot accessway. The average length across one dimension of the parcel shall be no less than 40 feet and the average length across the perpendicular dimension of the parcel shall be no less than 70 feet.

Proposed Parcel 1 is approximately 75 feet in width, exclusive of the flag lot accessway, and approximately 130 feet in depth. The proposed dimensions of this parcel exceed minimum lot width and depth requirements.

Proposed Parcel 2, a flag lot, has lot dimensions of approximately 96 feet by 96 feet. The proposed dimensions of this parcel exceed the minimum lot dimension requirements for flag lots.

Front Lot Line Designation: SRC Chapter 63.145(e) establishes requirements for the designation of front property lines for corner lots, double frontage lots, flag lots, and all other lots. For flag lots, SRC 63.145(e)(3) requires, unless the Planning Administrator otherwise directs, that the front lot line shall be the outside property line that is an extension of the flag lot accessway, or the line separating the flag portion of the lot or parcel from the lot or parcel between it and the street from which access is provided to the flag lot. For lots other than corner lots, double frontage lots, or flag lots, SRC 63.145(e)(4) requires that the front lot line shall be the property line that has frontage on a public street.

Proposed Parcel 1 is not a corner lot, double frontage lot, or flag lot. This parcel has frontage on Idylwood Drive SE. Based on the requirements of SRC 63.145(e)(4), the front lot line for this parcel shall be the property line abutting Idylwood Drive SE.

Proposed Parcel 2 is a flag lot. Based on the requirements of SRC 63.145(e)(3), and the lot dimension requirements of SRC 63.145(a) & (b), the front property line for this parcel can be either the northern property line or the western property line.

Setback Requirements: SRC Chapter 146 establishes the following minimum setbacks for development within the RS (Single Family Residential) zone:

Front Yards and Yards Adjacent to Streets		
Buildings	Min. 12 ft.	<i>Applicable when adjacent to a local street.</i>
	Min. 20 ft.	<i>Applicable when adjacent to a designated parkway, arterial, or collector street.</i>
	Min. 20 ft.	<i>Applicable to garages.</i>
Accessory Structures	No Min.	<i>Applicable to accessory structures not more than 4 feet in height.</i>
	Same Setback as Required for Main Building	<i>Applicable to accessory structures greater than 4 feet in height.</i>

Proposed Parcel 1 includes an existing single family dwelling and a detached garage located in the front yard. Based on the configuration and street frontage of is parcel, the front lot line is the property line abutting Idylwood Drive SE. Because Idylwood Drive is designated as a collector street, the minimum required front yard setback is 20 feet. The exiting single family dwelling is setback approximately 45 feet from the front property line. The detached garage is setback approximately 26 feet from the front property line. The front setbacks to these existing structures exceed the minimum required front setback adjacent to a collector street.

Proposed Parcel 2 is undeveloped. Based on the configuration and dimensions of this parcel, the front lot line shall be either the north property line or the west property line, whichever is designated as the front property line by the applicant at the time of building permit review. Conformance with required front setbacks will be determined when building permits are submitted for development on the parcel.

Interior Rear Yards		
Buildings	Min. 14 ft.	<i>Applicable to any portion of a main building not more than one-story in height.</i>
	Min. 20 ft.	<i>Applicable to any portion of a main building greater than one-story in height.</i>
Accessory Structures	No Min.	<i>Applicable to accessory structures not more than 9 feet in height.</i>
	Min. 1 foot for each 1 foot of height over 9 feet	<i>Applicable to accessory structures greater than 9 feet in height.</i>

Pursuant to SRC 111.130(p)(2), the rear lot line is the lot line opposite and most distant from the front lot line.

Based on the configuration of proposed Parcel 1, the rear lot line is the south property line. The existing single family dwelling on this parcel is proposed to be setback approximately 27 feet from the rear property line. The proposed setback exceeds the minimum required rear setback of 14-foot for single story buildings.

Based on the configuration and dimensions of proposed Parcel 2, the rear lot line shall be either the south property line or east property line, whichever is located opposite and most distant from the front lot line designated by the applicant at the time of building permit review. Conformance with required rear setbacks will be determined when building permits are submitted for development on the parcel.

Interior Side Yards		
Buildings	Min. 5 ft.	<i>Applicable to buildings on lots other than "infill" flag lots.</i>
	Min. 3 ft.	<i>Applicable to existing buildings on lots other than "infill" flag lots.</i>
	Min. 10 ft.	<i>Applicable to buildings on "infill" flag lots where the side yard abuts property zoned RA or RS.</i>
Accessory Structures	Min. 5 ft.	<i>Applicable to accessory structures not more than 9 feet in height.</i>

Pursuant to SRC Chapter 111.130(q), side lot lines are any lot lines which are not front or rear lot lines. SRC 146.090(c) requires that all side yard setbacks shall be measured from the property line or the most interior access easement line, whichever is most interior to the lot or parcel.

Based on the configuration of proposed Parcel 1, the side lot lines are the east and west property lines. The existing single family dwelling on proposed Parcel 1 is setback approximately 18.5 feet from the east property line and approximately 8 feet from the proposed flag lot accessway running along the west side of the parcel. The detached garage on proposed Parcel 1 is setback approximately 7.5 feet from the east property line and approximately 30 feet from the proposed flag lot accessway running along the west side of the parcel. The side setbacks to these existing structures exceed minimum required side setbacks.

Based on the configuration and dimensions of proposed Parcel 2, the side lot lines shall be either the east and west property lines or the north and south property lines, depending on which lot line is designated as the front property line by the applicant at the time of building permit review. Conformance with required side setbacks will be determined when building permits are submitted for development on the parcel.

Garages and Setbacks: SRC Chapter 146.130 (Garages and Setbacks) establishes requirements for garages to be constructed with new dwelling units in the RS (Single Family Residential) zone. SRC Chapter 146.130 requires each dwelling constructed after February 8, 2006 to 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.

Setback requirements to required garages are established under SRC Chapter 146.130(c), which requires the following:

Garages for single family dwellings, or garages or carports for manufactured homes on individual lots, having a vehicle entrance facing a street or flag lot accessway shall be set back at least 20 feet from one of the following lines, whichever is closest to the proposed entrance of the garage or carport:

- (1) The right-of-way line, property line abutting a flag lot accessway, or most interior access easement line;
- (2) The outside curbline; or
- (3) The edge of the sidewalk furthest from the street.

Proposed Parcel 1 contains an existing detached garage with its vehicle entrance facing the proposed flag lot accessway. The vehicle entrance to the garage is setback approximately 30 feet from the proposed accessway, which exceeds the minimum required setback.

Future development of proposed Parcel 2 will be reviewed for conformance with the garage and setback requirements when building permits are submitted for development on the parcel.

Lot Coverage: The following minimum lot coverage requirements are established for development within the RS (Single Family Residential) zone:

Lot Coverage		
Buildings	Max. 60%	
Accessory Structures	Max. 25% (Rear Yard Coverage)	<i>Applies to lot coverage by all accessory structures located in the rear yard.</i>

Proposed Parcel 1 includes an existing single family dwelling and a detached garage. The total combined square footage of the dwelling and the detached garage equals approximately 2,342 square feet. Based on the size of Parcel 1, measured exclusive of the flag lot accessway, the lot coverage for this parcel equals approximately 25 percent. The lot coverage of Parcel 1 does not exceed the maximum lot coverage of 60 percent.

Access and Circulation: The subject property is located on Idylwood Drive SE. Access to the property is provided from Idylwood Drive, which is designated as a collector street within the Salem Transportation System Plan (TSP).

Both Parcel 1 and Parcel 2 will take access to Idylwood Drive by way of a proposed flag lot accessway located along the western boundary of the subject property.

SRC 63.155(e) allows the Planning Administrator to authorize partitions creating lots without frontage on a public street when flag lot accessways conforming to the standards in Table 63-1 are provided. Flag lot accessways shall be privately and not publicly maintained.

SRC Chapter 63, Table 63-1, establishes the following development standards for flag lot accessways:

Flag Lot Accessway Standards (1-2 Lots)	
Length	150 ft. Max.
Width	20 ft. Min.
Paved Width	15 ft. Min.
Parking	Not Allowed
Turnaround	Not required for flag lot accessways 150 ft. or less in length.

The proposed flag lot accessway is approximately 130 feet in length, a minimum of 20 feet in width, and will serve two lots. Accessways serving 1 to 2 lots are required to be paved to a minimum width of 15 feet. Because the flag lot accessway is less than 150 feet in length, a turnaround is not required.

5. Neighborhood Association Comments

The subject property is located within the boundaries of the Faye Wright Neighborhood Association. The neighborhood association was notified of the proposed partition and no comments were provided.

6. Citizen Comments

All property owners within 250 feet of the subject property were mailed notification of the proposed partition. No comments were provided.

7. City Department Comments

- A. The Fire Department and the Building and Safety Division reviewed the proposal and indicated they have no objections to it.
- B. The Police Department reviewed the proposal and indicated that they have no comments.
- C. The Parks Department reviewed the proposal and indicated that trees within the right-of-way shall be protected or the applicant shall obtain a street tree removal permit from the Urban Forester.
- D. The Public Works Department reviewed the proposal and provided comments and recommendations for plat approval. Comments from the Public Works Department are included as Attachment 3.

8. Public Agency Comments

Comments were not received from any public agencies.

9. Private Service Provider Comments

Portland General Electric (PGE) reviewed the proposal and indicated that development costs are determined by current tariff and service requirements and that a 10-foot public utility easement (PUE) is required on all front street lots.

10. Criteria for Granting a Partitioning

Salem Revised Code (SRC) 63.047(b) and 63.051 set forth the criteria that must be met before approval can be granted to a partition request. This decision addresses the approval criteria of SRC 63.047(b) (Decision of the Planning Administrator for a Partition) and evaluates the considerations of SRC 63.051 (Purpose of Tentative Plan Review; Requirements and Conditions).

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 63.051 are addressed within the specific findings which evaluate the proposal's conformance with the criteria of SRC 63.047(b). Lack of compliance with the following criteria is grounds for denial of the tentative plan or for the issuance of conditions of approval to more fully satisfy the criteria.

A. SRC 63.047(b)(1): Approval of the tentative partition plan does not impede the future use of the remainder of the property under the same ownership, or adversely affect the safe and healthful development of the remainder or any adjoining land or access thereto.

Finding: The proposed partition will not impede the future use or development of any portion of the subject property. Adjoining properties are developed and have access to public streets. The proposed parcels exceed minimum lot size and dimension standards and are of sufficient size to allow development consistent with applicable zoning standards.

The property's existing frontage on Idylwood Drive SE, and the proposed flag lot accessway serving Parcels 1 and 2, is adequate to provide safe, orderly, and efficient circulation of traffic into and out of the proposed partition. The proposed partition will not adversely affect the safe and healthful development of adjacent properties. This criterion is met.

B. SRC 63.047(b)(2): Provisions for water, sewer, streets, and storm drainage facilities comply with the City's public facility plan.

Finding: The Salem Public Works Department reviewed the proposal for compliance with the City's public facility plans pertaining to the provision of water, sewer, streets, and storm drainage facilities. While SRC Chapter 63 does not require submission of facility construction plans prior to tentative partition plan approval, it is the responsibility of the applicant to design and construct adequate city water, sewer, transportation, and storm drainage facilities to serve the proposed parcels prior to final plat approval without impeding service to the surrounding area. The applicant shall construct improvements to the specifications of the Public Works Department memo dated April 9, 2014 (Attachment 3).

Streets: The subject property is located on Idylwood Drive SE. Idylwood Drive is designated as a collector street in the Salem Transportation System Plan (TSP). The standard for a collector street is a 34-foot-wide improvement within a 60-foot-wide right-of-way.

Idylwood Drive has an existing right-of-way width of 60 feet. Because the existing right-of-way width of Idylwood Drive conforms to minimum right-of-way width standards, dedication of additional right-of-way is not required for the proposed partition.

Idylwood Drive SE is currently improved to an approximate width of 38 feet. Because the improvement width of Idylwood Drive exceeds the minimum required improvement width for a collector street, no street improvements are required for the proposed partition.

Development of the proposed partition will result in an estimated net increase of approximately 10 average daily vehicle trips (ADT) onto public streets. This increase in daily vehicle trips does not warrant a traffic impact analysis.

Water: The Public Works Department indicates that there is an existing 4-inch S-2 water line located in Idylwood Drive SE that appears to be adequate to serve the proposed development.

Sanitary Sewer: The Public Works Department indicates that there is an existing 8-inch sewer main that crosses the subject property from the south property line to the northeast corner of the property. Due to the age and condition of this main, it is not available for new connections. The Public Works Department indicates that there is an existing 27-inch sewer main located within Idylwood Drive SE.

Because the existing 8-inch sewer main is not available for additional sewer taps due to its current condition, sewer service to Parcel 2 will be required to be taken from the existing 27-inch main located in Idylwood Drive SE.

The 8-inch sewer main that crosses the subject property is located within a 10-foot-wide easement. Uses such as buildings, structures, retaining walls, attachments, or overhangs are restricted within easements pursuant to SRC 63.165 and Development Bulletin V2010-07.

Storm Drainage: The Public Works Department indicates that there is an existing 66-inch storm line located in Idylwood Drive SE. The main is not available for private connections.

As indicated in the comments provided by the Public Works Department, water, sewer, and stormwater infrastructure is available to serve the proposed development. To ensure the adequate provision of water, sewer, and storm services to the subject property in conformance with the City's public facility plan, the following conditions of plat approval shall apply:

Condition 1: Design and construct water and sewer services for proposed Parcel 2 in compliance with Public Works Design Standards, and show all necessary access and utility easements on the plat to the satisfaction of the Public Works Director. Sewer service shall be taken from the 27-inch main in Idylwood Drive SE.

Condition 2: Provide a storm drainage design for proposed Parcel 2 and the flag lot accessway in compliance with Public Works Design Standards.

Condition 3: Pay water connection fees for proposed Parcel 2 prior to plat approval per SRC Chapter 21.

C. 63.047(b)(3): The tentative plan complies with all applicable provisions of the Code, including the Salem zoning ordinance, unless a variance or adjustment therefor has been obtained.

Finding: The Salem Revised Code (SRC), which includes the Salem Zoning Code, implements the Salem Area Comprehensive Plan land use goals, and governs development of property within the city limits. The partitioning process reviews development for compliance with city standards and requirements contained in the Subdivision Code, Zoning Code, the Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans. As conditioned, the proposed partition meets all applicable provisions of the Salem Revised Code. Compliance with conditions of approval to satisfy the subdivision ordinance is checked prior to City staff signing the final partition plat, unless otherwise noted. At the time of future development of the proposed parcels, an additional review

will occur at the time of site plan review or building permit approval to assure compliance with the zoning ordinance.

SRC Chapter 63 (Subdivisions): The intent of the subdivision code is to provide for orderly development through the application of appropriate standards and regulations. The applicant met all application submittal requirements necessary for review of the proposed partition. The proposed partition, as conditioned, conforms to the applicable provisions of SRC Chapter 63 as follows:

Parcel Configuration: The proposed partition creates two parcels. Proposed Parcel 1 is approximately 12,482 square feet in size (approximately 9,494 square feet in size exclusive of the flag lot accessway) and proposed Parcel 2, a flag lot, is approximately 9,278 square feet in size.

SRC 63.145 and SRC 146.070 specify minimum lot area, dimension, and frontage requirements in the RS zone. As identified under section 4 of this report, both proposed parcels satisfy minimum lot size, dimension, and frontage standards.

As shown on the tentative partition plan, a 10-foot-wide sewer easement crosses through proposed Parcels 1 and 2. No buildings, structures, attachments, overhangs, projections, retaining walls, or other improvements are allowed within the easement. Though the existing easement crosses through a portion of the potential building envelope of Parcel 2, the resulting building envelope for the parcel, when measured exclusive of the easement, remains at approximately 3,584 square feet or 4,016 square feet, depending on which property line is designated as the front property line at the time of building permit review. The resulting building envelope is of sufficient size to accommodate the reasonable development of the parcel consistent with the requirements of the RS zone.

SRC 63.155(e) allows the Planning Administrator to approve partitions creating lots without frontage on a public street when a flag lot accessway conforming to the standards of Table 63-1 is provided. Proposed Parcel 2 is a flag lot that does not have frontage on a public street. Access to Parcel 1 and Parcel 2 will be provided by a private flag lot accessway. As identified under section 4 of this report, the proposed flag lot accessway serving Parcel 1 and Parcel 2 conforms to the applicable flag lot accessway standards. In order to ensure conformance with the requirements of SRC Chapter 63 pertaining to flag lot accessway development standards, the following condition of approval shall apply:

Condition 4: At the time of future development of proposed Parcel 2, pave the flag lot accessway to a minimum width of 15 feet. "NO PARKING - FIRE LANE" signs shall be posted on both sides of that portion of the proposed flag lot accessway that serves as a fire apparatus access roadway, and "NO PARKING" signs shall be posted on both sides of the remainder of the flag lot accessway. The address of the proposed flag lot shall be posted at the entrance to the accessway. The accessway shall be privately maintained.

Both parcels within the proposed partition will be suitable for the general purpose for which they are intended to be used, and both parcels are of a size and design that will not be detrimental to the public health, safety, and welfare.

Adequate Utilities: The Salem Public Works Department reviewed the proposal and determined that the water, sewer, and storm infrastructure is available and appears to be adequate to serve future development. Costs for the installation and extension of utilities to serve the subject property are the responsibility of the applicant. SRC Section 63.165 requires dedication of public easements for the construction and maintenance of all utilities and public facilities.

Street Connectivity: The proposed partition, as conditioned, conforms to connectivity standards, as detailed in the findings under sections 10.A and 10.B of this report. Approval of the proposed partition, with conditions, does not impede future use of the property, nor adversely affect the safe and healthful development of any adjoining land or access thereto. As an infill proposal, the transportation network is already established. Connections to the existing street system are provided when improved access is provided to serve the proposed parcels.

Street Improvements and Right-of-Way Dedication: The subject property has frontage on Idylwood Drive SE. This street is designated as a collector street in the Salem TSP. The standard

for this type of street is a 34-foot-wide improvement within a 60-foot-wide right-of-way. Idylwood Drive SE has an approximate 38-foot-wide improvement within a 60-foot-wide right-of-way. The existing right-of-way and improvement widths of Idylwood Drive conform to the minimum required right-of-way and improvements widths for a collector street and therefore no additional right-of-way dedication or street improvements are required.

Hazards, Site Disruption, and Limitations to Development: The City's Landslide Hazard Ordinance, SRC Chapter 69, 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, the subject property is mapped with areas of 2 landslide hazard susceptibility points. There are 2 activity points associated with the proposed development activity, a partition. Pursuant to the requirements of SRC Chapter 69, the cumulative total of 4 points between those associated with the land and those associated with the proposed development activity indicate a low landslide hazard risk. Therefore, a geologic assessment or geotechnical report is not required in conjunction with the proposed partition.

The City's wetlands ordinance, SRC Chapter 126, establishes requirements for notification to the Oregon Department of State Lands when an application for development is received in an area designated as a wetland on the official wetlands map. According to the Salem-Keizer Local Wetland Inventory (LWI) there are no wetlands or waterways identified on the subject property. Pursuant to SRC Chapter 126, a wetlands notice to the DSL is not required in conjunction with the proposed partition.

SRC Chapter 65 (Excavation and Fills): SRC Chapter 65 (Excavations and Fills) establishes standards to ensure that any excavation or fill adjacent to public right-of-way or within a public easement, designated waterway, or floodplain overlay zone creates no imminent danger to public safety or public facilities and does not create a public nuisance. SRC Chapter 65 also prohibits excavation or fill that causes surface drainage to flow over adjacent public or private property in a volume or location materially different from that which existed before the grading occurred. There is no evidence that the subject property cannot be developed consistent with the provisions of SRC Chapter 65.

Pursuant to SRC 65.040 and prior to any ground disturbing activity, permits shall be required and obtained from the Public Works Director for any excavation work adjoining a public right-of-way, or adjoining or within an easement (or future right-of-way or easement), or within or adjoining a designated waterway, or within a floodplain overlay zone.

SRC Chapter 66 (Urban Growth Management): SRC Chapter 66 (Urban Growth Management) requires that prior to development of property located outside of the city's Urban Service Area, an Urban Growth Area (UGA) Development Permit must be obtained. The subject property is located within the boundaries of the City's Urban Service Area. Pursuant to SRC Chapter 66, an UGA development permit is not required for the proposed partition.

SRC Chapters 68 (Tree Preservation): The City's tree preservation ordinance, SRC Chapter 68.100(a), requires tree conservation plans in conjunction with development proposals involving the creation of lots or parcels to be used for the construction of single family or duplex dwelling units, if the development proposal will result in the removal of trees. The tree preservation ordinance defines "tree" as, "any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more dbh, and possesses an upright arrangement of branches and leaves."

Under the City's tree preservation ordinance tree conservation plans are required to preserve all heritage trees, significant trees, trees and native vegetation within riparian corridors, and a minimum of 25 percent of the remaining trees on the property. If less than 25 percent of the existing trees on the property are proposed for preservation, the applicant must show that only those trees reasonably necessary to accommodate the development are designated for removal. If significant trees and trees within a riparian corridor are proposed for removal, the applicant must show that there are no reasonable design alternatives to enable preservation of those trees.

A tree conservation plan was submitted by the applicant, Case No. TCP14-02, for review and approval as required under SRC Chapter 68. The tree conservation plan identifies 16 trees on the property with a diameter-at-breast height (dbh) of 10 inches or greater. There is one significant oak on the property with a dbh of 26 inches.

There are no Heritage trees or riparian corridor trees and vegetation on the property. The significant oak is proposed to be preserved. Of the 16 total trees on the property with a dbh of 10-inches or greater, the tree conservation plan preserves 11, or 68.75 percent, which exceeds the minimum 25 percent preservation requirement established under SRC Chapter 68.

SRC Chapter 69 (Landslide Hazards): The City's Landslide Hazard Ordinance, SRC Chapter 69, 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, the subject property is mapped with areas of 2 landslide hazard susceptibility points. There are 2 activity points associated with the proposed development activity, a partition. Pursuant to the requirements of SRC Chapter 69, the cumulative total of 4 points between those associated with the land and those associated with the proposed development activity indicate a low landslide hazard risk. Therefore, a geologic assessment or geotechnical report is not required in conjunction with the proposed partition.

SRC Chapter 126 (Wetlands): The City's wetlands ordinance, SRC Chapter 126, establishes requirements for notification to the Oregon Department of State Lands when an application for development is received in an area designated as a wetland on the official wetlands map. According to the Salem-Keizer Local Wetland Inventory (LWI) there are no wetlands or waterways identified on the subject property. Pursuant to SRC Chapter 126, a wetlands notice to the DSL is not required in conjunction with the proposed partition.

SRC Chapter 131 (Accessory Structures): SRC Chapter 131 (Accessory Structures) establishes development standards for detached accessory structures. As shown on the tentative plan, there is an existing detached garaged located in the front yard of proposed Parcel 1. As identified under section 4 of this report, the existing detached garage conforms to the setbacks and lot coverage requirements applicable to proposed Parcel 1.

SRC Chapter 133 (Off-Street Parking, Loading, and Driveways): SRC Chapter 133 establishes requirements for off-street parking, loading, and driveways. Pursuant to SRC Chapter 133, each single family dwelling unit is required to have a minimum of two off-street parking spaces and a paved driveway leading to those spaces.

SRC Chapter 146 (Single Family Residential Zone): The subject property is zoned RS (Single Family Residential). SRC Chapter 146 establishes minimum lot size and dimension standards, building setback and height standards, and maximum lot coverage requirements. The proposed parcels are of a size and configuration to provide for reasonable development consistent with the requirements of SRC Chapter 146.

Proposed Parcel 1 contains an existing single family dwelling and detached garage. As indicated in section 4 of this report, the existing single family dwelling and detached garage comply with all setback requirements of the RS zone.

Future development on proposed Parcel 2 will be reviewed for conformance with the development standards contained under SRC Chapter 146 at the time of building permit submittal for development on that parcel.


11. Conclusion

Based upon review of SRC 63.047(b) and 63.051, the findings contained under section 10 above, and the comments described, the tentative partition complies with the requirements for an affirmative decision. Approval will not adversely affect the safe and healthful development and access to any adjoining lands.

IT IS HEREBY ORDERED

The request to divide approximately 0.5 acres into 2 parcels, with proposed Parcel 1 consisting of 12,482 square feet (9,494 square feet exclusive of the flag lot accessway) and proposed Parcel 2 consisting of 9,278 square feet, for property zoned RS (Single Family Residential) and located at 780 Idylwood Drive SE is hereby GRANTED subject to SRC Chapters 63, 146, and the following conditions prior to final plat approval, unless otherwise indicated:

- Condition 1:** Design and construct water and sewer services for proposed Parcel 2 in compliance with Public Works Design Standards, and show all necessary access and utility easements on the plat to the satisfaction of the Public Works Director. Sewer service shall be taken from the 27-inch main in Idylwood Drive SE.
- Condition 2:** Provide a storm drainage design for proposed Parcel 2 and the flag lot accessway in compliance with Public Works Design Standards.
- Condition 3:** Pay water connection fees for proposed Parcel 2 prior to plat approval per SRC Chapter 21.
- Condition 4:** At the time of future development of proposed Parcel 2, pave the flag lot accessway to a minimum width of 15 feet. "NO PARKING - FIRE LANE" signs shall be posted on both sides of that portion of the proposed flag lot accessway that serves as a fire apparatus access roadway, and "NO PARKING" signs shall be posted on both sides of the remainder of the flag lot accessway. The address of the proposed flag lot shall be posted at the entrance to the accessway. The accessway shall be privately maintained.



Bryce Bishop, Urban Planning Administrator Designee

- Attachments:
1. Vicinity Map
 2. Applicant's Tentative Partition Plan
 3. City of Salem Public Works Department Comments

Application Deemed Complete: March 5, 2014
Notice of Decision Mailing Date: April 14, 2014
Decision Effective Date: April 30, 2014
State Mandated Decision Date: July 3, 2014

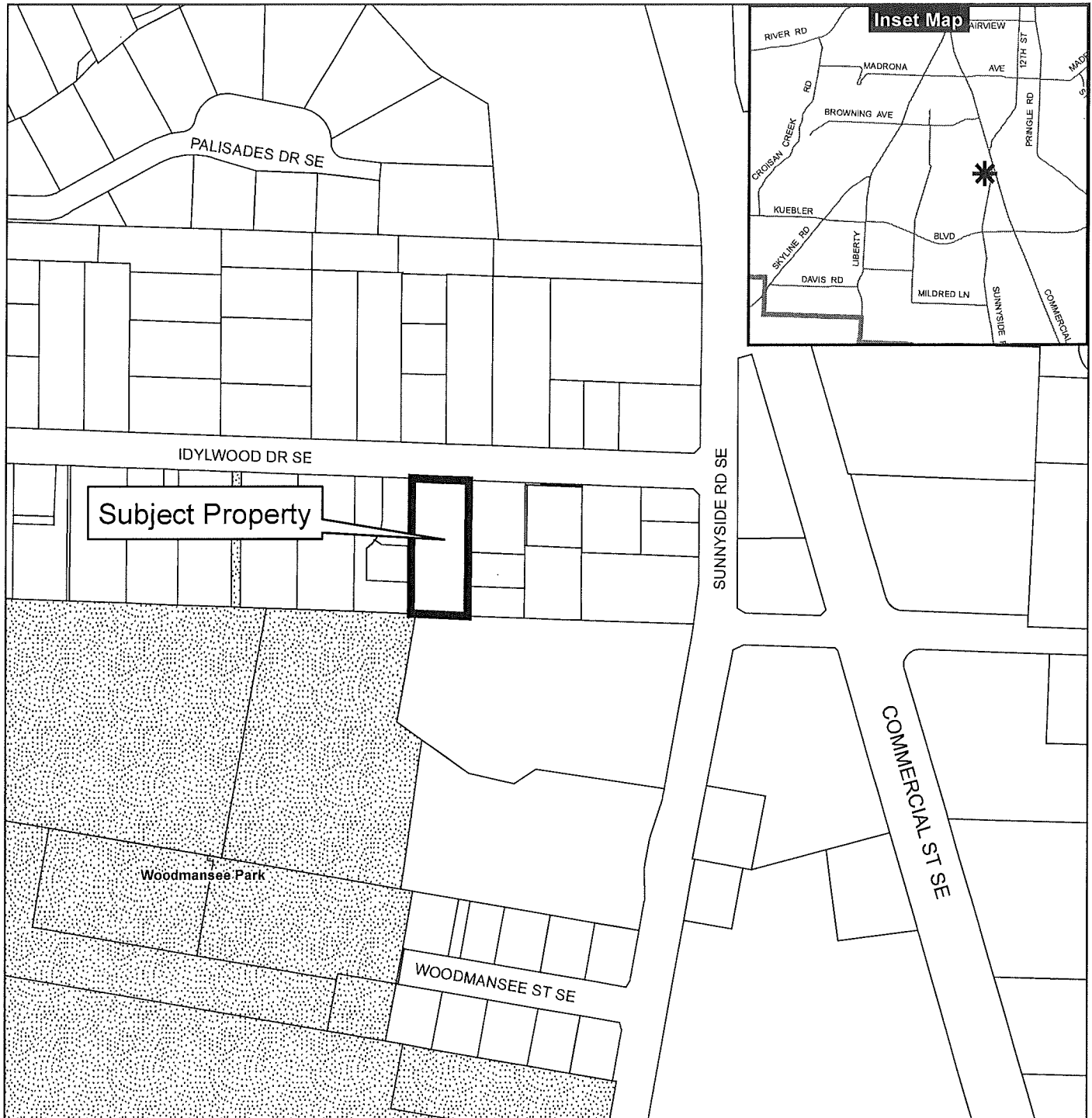
The rights granted by this decision must be exercised or extension granted by April 30, 2016 or this approval shall be null and void.

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 **Tuesday, April 29, 2014, 5:00 p.m.** The notice of appeal must contain the information required by SRC 300.1020 and state where the decision failed to conform to the provisions of the applicable code section of SRC Chapter 63. 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.

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Vicinity Map 780 Idylwood Drive SE



Legend

Taxlots

Urban Growth Boundary

City Limits

Outside Salem City Limits

Historic District

Schools

Parks

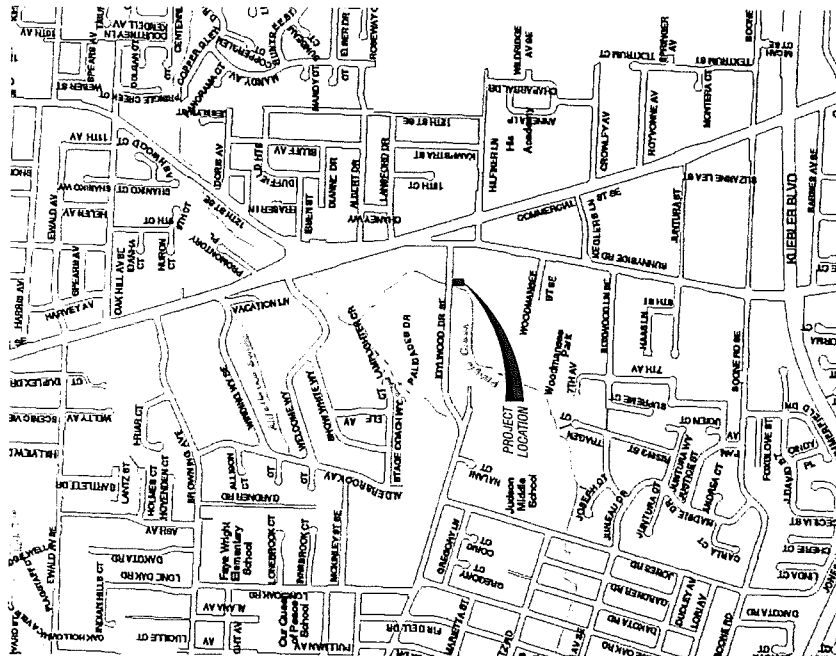
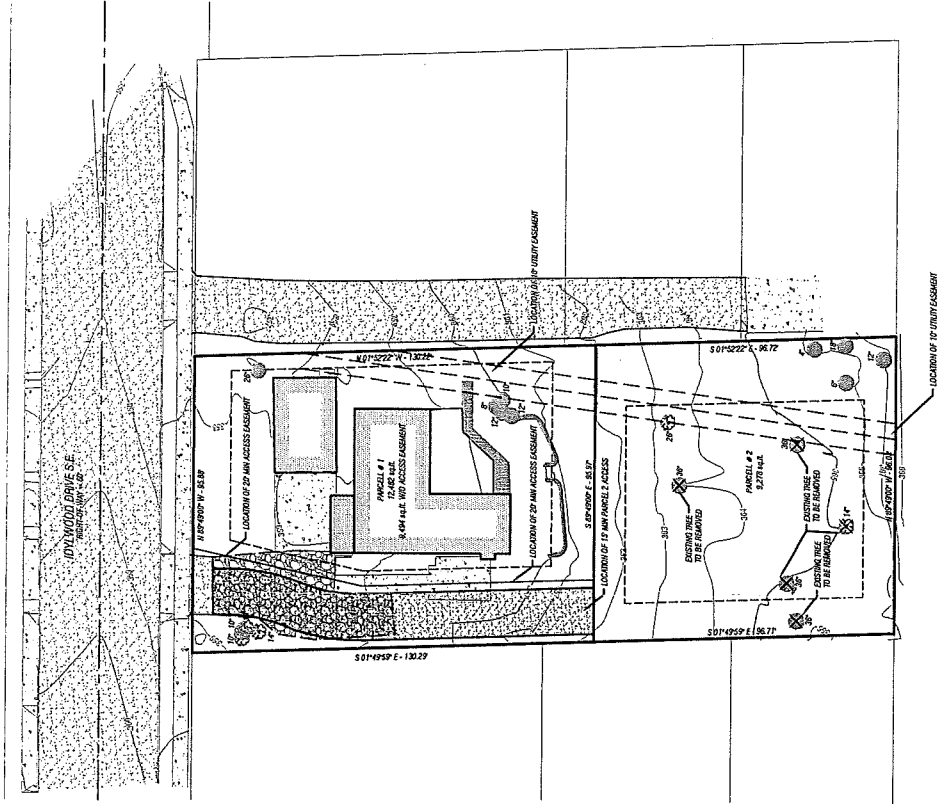
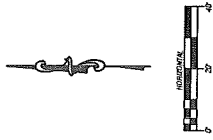
CITY OF *Salem*
AT YOUR SERVICE
Community Development Dept.

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ATTACHMENT 1

ATTACHMENT 2

SITE PLAN - 780 IDYLWOOD DRIVE S.E. - PARTITION



VICINITY MAP
1" = 500' APPROXIMATE SCALE

SHEET	1
DWG	14-41.01W6
DATE	02-11-2014
PROJECT	14-41



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780 IDYLWOOD DR. S.E.
PARTITION
PREPARED FOR
JOSHUA H. CLARK

SITE PLAN

DESIGN	J. VAN AGTMAEL, LST
DRAWN	J. VAN AGTMAEL, LST
CHECKED	B. MARTIN, PE
APPROVED	B. MARTIN, PE
NO.	
DATE	
REVISION	
BY	
APPD	

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APR 09 2014

MEMO

COMMUNITY DEVELOPMENT

TO: Bryce Bishop, Planner II
Community Development Department

FROM: *GD* Glenn Davis, P.E., C.F.M., Chief Development Engineer
Public Works Department

DATE: April 9, 2014

SUBJECT: PUBLIC WORKS RECOMMENDATIONS
PAR 14-03 (13-120309)
780 IDYLWOOD DRIVE SE

GD

PROPOSAL

To divide approximately 0.50 acres into two parcels with Proposed Parcel 1 consisting of 12,482 square feet and Proposed Parcel 2 consisting of 9,278 square feet, for property zoned RS (Single Family Residential) and located at 780 Idylwood Drive SE.

RECOMMENDED CONDITIONS OF PLAT APPROVAL

1. Design and construct water and sewer services for proposed Parcel 2 in compliance with PWDS, and show all necessary access and utility easements on the plat to the satisfaction of the Public Works Director. Sewer service shall be taken from the 27-inch main in Idylwood Drive SE.
2. Provide a storm drainage design for proposed Parcel 2 and accessway in compliance with PWDS.
3. Pay water connection fees for proposed Parcel 2 prior to plat approval per SRC Chapter 21.

FACTS

Streets

1. Idylwood Drive SE
 - a. Standard—this street is designated as a collector street in the Salem TSP. The standard for this street is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
 - b. Existing Conditions—there is an approximate 38-foot improvement within a 60-foot-wide right-of-way adjacent to the subject property.

ATTACHMENT 3

Storm Drainage

Existing Condition—a 66-inch storm line is located in Idylwood Drive SE. This main is not available for private connections.

Water

Existing Condition—a 4-inch S-2 water line is located in Idylwood Drive SE. Mains of this size generally convey flows of 120 to 300 gallons per minute.

Sanitary Sewer

Existing Conditions

- a. An 8-inch sewer main transverses the subject property from the south boundary line to the northeast corner of the property within a 10-foot-wide easement. This aging main is not available for new connections.
- b. An existing 27-inch sewer main is located within Idylwood Drive SE. Mains of this size generally convey flows of 900 to 2,200 gallons per minutes.

CRITERIA AND FINDINGS

SRC 63.047(b) and 63.051 indicate the criteria that must be found to exist before an affirmative decision may be made. These criteria and the corresponding findings are as follows:

SRC 63.047(b)(2) Provisions for water, sewer, streets, and storm drainage facilities comply with the city's public facility plan.

Finding—the water, sewer, and storm infrastructure is available and appears to be adequate to serve future development. The applicant shall demonstrate storm drainage for Parcel 2 and the future accessway is in compliance with SRC 71 and the Stormwater Design Standards in effect at the time of the land division application.

As shown on the applicant's preliminary plat, an existing 10-foot sanitary sewer easement exists on the subject property. Uses such as new buildings, structures, retaining walls, attachments or overhangs are restricted within these easements as described in SRC 63.165 and Development Bulletin V2010-07. Based on findings from the City's Wastewater Collections staff, the existing 8-inch sewer main on the subject property is not available in its current condition for any additional taps. As specified in the conditions of approval, sewer service to Parcel 2 shall be taken from the existing 27-inch main in Idylwood Drive SE.

Idylwood Drive SE meets the right-of-way width standards for its classification of street per the Salem TSP. No street improvements are warranted as a condition of this partition per SRC 63.238(b).

SRC 63.047(b)(3) The tentative plan complies with all applicable provisions of this Code, including the Salem zoning ordinance, except as may be waived by variance granted as provided in this chapter.

Finding—Public Works staff has analyzed the proposed development for compliance with applicable provisions of SRC Chapters 21, 63-66, 69-70, 72-78, 80, and 140. Any Code provisions found to be out of compliance are shown in the recommended conditions of development.

The applicant shall provide the required field survey and partition plat as per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and the SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and as per SRC 63.060(a), the approval of the partition plat by the City Surveyor may be delayed or denied based on the non-compliant violation. It is recommended the applicant request a pre-plat review meeting between the City Surveyor and the applicant's project surveyor to ensure compliance with ORS 672.005(2)(g)&(h), ORS 672.007(2)(b), ORS 672.045(2), ORS 672.060(4), *Oregon Administrative Rules* 850-020-0015(4)&(10), 820-020-0020(2) and 820-020-0045(5).

SRC 63.051(a)(2) The proposed street system in and adjacent to a subdivision or partition conforms to the *Salem Transportation System Plan* adopted under SRC 64.230, and is designed in such a manner as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision or partition.

Finding—the existing configuration of Idylwood Drive SE is adequate to provide safe, orderly, and efficient circulation of traffic to the proposed partition.

SRC 63.051(a)(3) That the proposed subdivision or partition will be adequately served with city water and sewer, and will be served by other utilities appropriate to the nature of the subdivision or partition.

Finding—the water, sewer, and storm infrastructure is available along the perimeter of the site and appears to be adequate to serve the property. As specified in the conditions of approval, private water, sewer, and storm services shall be constructed to serve Parcel 2 as a condition of plat approval.

SRC 63.051(a)(5) The proposal conforms to the Salem Zoning Code (SRC Title X) and the excavation and fill provisions of SRC Chapter 65.

Finding—Prior to any ground disturbing activity, permits shall be required and obtained from the Public Works Director for any excavation work adjoining a public right-of-way, or adjoining or within an easement (or future right-of-way or easement), or within or adjoining a designated waterway, or within a floodplain overlay zone (SRC 65.040).

Prepared by: Robin Bunse, C.F.M., Administrative Analyst II

cc: File