

NOTICE OF DECISION

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



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

DECISION OF THE PLANNING ADMINISTRATOR

PARTITION CASE NO.: PAR20-07

APPLICATION NO.: 19-125484-LD

NOTICE OF DECISION DATE: July 10, 2020

SUMMARY: A proposed partition to divide a property into three parcels.

REQUEST: A tentative partition plan to divide approximately 15 acres zoned IC (Industrial Commercial) and located at 4195 Aumsville Highway SE 97317 (Marion County Assessor Map and Tax Lot 082W0800110) into three parcels, with Parcel 1 consisting of approximately 12.68 acres, Parcel 2 consisting of approximately 0.87 acres, and Parcel 3 consisting of approximately 1.14 acres.

APPLICANT: Brandie Dalton of Multi/Tech Engineering Services on behalf of the applicant Ken Rasmussen and property owner Cascade Legacy Properties LLC (James L. Rasmussen, Trustee, James L. Rasmussen Revocable Living Trust; Kenneth A. Rasmussen, Trustee, Kenneth Rasmussen Revocable Living Trust; Alan D. Rasmussen, Trustee, Alan and Angela Rasmussen Trust; Ryan Rasmussen)

LOCATION: 4195 Aumsville Highway SE

CRITERIA: Salem Revised Code (SRC) Chapter 205.005(d) – Partition.

FINDINGS: The findings are in the attached Decision dated July 10, 2020.

DECISION: The **Planning Administrator APPROVED** Partition PAR20-07 subject to the following conditions of approval:

Condition 1: Prior to final plat approval, provide an engineered sight distance and spacing analysis for tentative driveway locations to determine where shared access and access easements may be required to provide vehicular access to each parcel.

Condition 2: Prior to final plat approval, design water improvements pursuant to CPC-ZC-UGA Condition 14.

Condition 3: As a condition of final plat approval, construct water improvements pursuant to CPC-ZC-UGA Condition 14. This condition can be delayed as specified in an Improvement Agreement.

Condition 4: As a condition of future development on Parcel 1, construct water improvements pursuant to CPC-ZC-UGA Condition 14 as needed to serve Parcel 1.

Condition 5: As a condition of future development on Parcel 2, construct water improvements pursuant to CPC-ZC-UGA Condition 14 as needed to serve Parcel 2.

Condition 6: As a condition of future development on Parcel 3, construct water improvements pursuant to CPC-ZC-UGA Condition 14 as needed to serve Parcel 3.

Condition 7: Prior to final plat approval, design sewer improvements pursuant to CPC-ZC-UGA Condition 13.

Condition 8: As a condition of final plat approval, construct sewer improvements pursuant to CPC-ZC-UGA Condition 13. This condition can be delayed as specified in an Improvement Agreement.

Condition 9: As a condition of future development on Parcel 1, construct sewer improvements pursuant to CPC-ZC-UGA Condition 13 as needed to serve Parcel 1.

Condition 10: As a condition of future development on Parcel 2, construct sewer improvements pursuant to CPC-ZC-UGA Condition 13 as needed to serve Parcel 2.

Condition 11: As a condition of future development on Parcel 3, construct sewer improvements pursuant to CPC-ZC-UGA Condition 13 as needed to serve Parcel 3.

Condition 12: As a condition of future development on Parcel 1, transportation impacts from Parcel 1 shall be limited to a maximum of 5,134 trips per day pursuant to CPC-ZC-UGA18-04 Condition 6.

Condition 13: As a condition of future development on Parcel 2, transportation impacts from Parcel 2 shall be limited to a maximum of 352 trips per day pursuant to CPC-ZC-UGA18-04 Condition 6.

Condition 14: As a condition of future development on Parcel 3, transportation impacts from Parcel 2 shall be limited to a maximum of 462 trips per day pursuant to CPC-ZC-UGA18-04 Condition 6.

Condition 15: As a condition of final plat approval, convey Aumsville Highway SE right-of-way pursuant to CPC-ZC-UGA18-04 Condition 8.

Condition 16: As a condition of final plat approval, convey Joseph Street SE right-of-way pursuant to CPC-ZC-UGA18-04 Condition 9.

Condition 17: As a condition of final plat approval, design and construct Aumsville Highway SE improvements pursuant to CPC-ZC-UGA18-04 Condition 10. In lieu of construction, enter into a deferral agreement specifying that the improvements shall be completed at the time of future development for each parcel.

Condition 18: As a condition of final plat approval, design and construct Joseph Street SE improvements pursuant to CPC-ZC-UGA18-04 Condition 12. In lieu of construction, enter into a deferral agreement and temporary facilities access agreement specifying that CPC-ZC-UGA18-04 Condition 12 shall be completed at the time of future development for each parcel.

Condition 19: As a condition of future development on Parcel 1, construct Aumsville Highway SE improvements along the frontage of Parcels 1, 2, and 3 pursuant to CPC-ZC-UGA Condition 10.

Condition 20: As a condition of future development on Parcel 1, construct Joseph Street SE improvements along the frontage of Parcels 1, 2, and 3 pursuant to CPC-ZC-UGA Condition 11 or 12, if applicable.

Condition 21: As a condition of future development on Parcel 1, obtain street tree removal permits as needed to construct the required improvements.

Condition 22: As a condition of future development on Parcel 2, construct Aumsville Highway SE improvements along the frontage of Parcel 2 and Parcel 3 pursuant to CPC-ZC-UGA Condition 10.

Condition 23: As a condition of future development on Parcel 2, construct Joseph Street SE improvements along the frontage of Parcel 2 and Parcel 3 pursuant to CPC-ZC-UGA Condition 11 or 12, if applicable.

Condition 24: As a condition of future development on Parcel 2, obtain street tree removal permits as needed to construct the required improvements.

Condition 25: As a condition of future development on Parcel 3, construct Aumsville Highway SE improvements along the frontage of Parcel 3 pursuant to CPC-ZC-UGA Condition 10.

Condition 26: As a condition of future development on Parcel 3, construct Joseph Street SE improvements along the frontage of Parcel 3 pursuant to CPC-ZC-UGA Condition 11 or 12, if applicable.

Condition 27: As a condition of future development on Parcel 3, obtain street tree removal permits as needed to construct the required improvements.

Condition 28: Provide a 10-foot-wide public utility easement along the entire frontage of all abutting streets.

Condition 29: Prior to final plat approval, submit a tree removal permit application and/or tree variance application for any removal of significant trees on the subject property that may be required for construction of required street improvements or water, sewer, or stormwater utilities.

Condition 30: As a condition of future development on Parcel 1, submit a tree removal permit application and/or tree variance application for any removal of significant trees that may be required for development on Parcel 1.

Condition 31: As a condition of future development on Parcel 2, submit a tree removal permit application and/or tree variance application for any removal of significant trees that may be required for development on Parcel 2.

Condition 32: As a condition of future development on Parcel 3, submit a tree removal permit application and/or tree variance application for any removal of significant trees that may be required for development on Parcel 3.

Condition 33: As a condition of future development on Parcel 1, provide park facilities for residential uses pursuant to CPC-ZC-UGA18-04 Condition 15. The proportional share of the temporary access fee for Parcel 1 is \$62,537.

Condition 34: As a condition of future development on Parcel 2, provide park facilities for residential uses pursuant to CPC-ZC-UGA18-04 Condition 15. The proportional share of the temporary access fee for Parcel 1 is \$4,291.

Condition 35: As a condition of future development on Parcel 3, provide park facilities for residential uses pursuant to CPC-ZC-UGA18-04 Condition 15. The proportional share of the temporary access fee for Parcel 1 is \$5,622.

The rights granted by the attached decision must be exercised, or an extension granted, by July 28, 2022, or this approval shall be null and void.

Application Deemed Complete:	<u>May 29, 2020</u>
Notice of Decision Mailing Date:	<u>July 10, 2020</u>
Decision Effective Date:	<u>July 28, 2020</u>
State Mandate Date:	<u>September 26, 2020</u>

Case Manager: Pamela Cole, pcole@cityofsalem.net, 503-540-2309

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m., Monday, July 27, 2020. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter 205. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Salem Planning Commission will review the appeal at a public hearing. After the hearing, the Salem 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 by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

**BEFORE THE PLANNING ADMINISTRATOR
OF THE CITY OF SALEM
(PARTITION PLAT NO. 20-07)**

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

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

**IN THE MATTER OF THE
TENTATIVE APPROVAL OF
PARTITION PLAT NO. 20-07;
4195 AUMSVILLE HIGHWAY SE**

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FINDINGS AND ORDER

JULY 10, 2020

In the matter of the application for a Partition submitted by Brandie Dalton of Multi/Tech Engineering Services on behalf of the applicant Ken Rasmussen and property owner Cascade Legacy Properties LLC (James L. Rasmussen, Trustee, James L. Rasmussen Revocable Living Trust; Kenneth A. Rasmussen, Trustee, Kenneth Rasmussen Revocable Living Trust; Alan D. Rasmussen, Trustee, Alan and Angela Rasmussen Trust; Ryan Rasmussen), the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

A tentative partition plan to divide approximately 15 acres zoned IC (Industrial Commercial) and located at 4195 Aumsville Highway SE 97317 (Marion County Assessor Map and Tax Lot 082W0800110) into three parcels, with Parcel 1 consisting of approximately 12.68 acres, Parcel 2 consisting of approximately 0.87 acres, and Parcel 3 consisting of approximately 1.14 acres (see **Attachment A**).

DECISION

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

- Condition 1:** Prior to final plat approval, provide an engineered sight distance and spacing analysis for tentative driveway locations to determine where shared access and access easements may be required to provide vehicular access to each parcel.
- Condition 2:** Prior to final plat approval, design water improvements pursuant to CPC-ZC-UGA Condition 14.
- Condition 3:** As a condition of final plat approval, construct water improvements pursuant to CPC-ZC-UGA Condition 14. This condition can be delayed as specified in an Improvement Agreement.

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- Condition 28:** Provide a 10-foot-wide public utility easement along the entire frontage of all abutting streets.
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- Condition 33:** As a condition of future development on Parcel 1, provide park facilities for residential uses pursuant to CPC-ZC-UGA18-04 Condition 15. The proportional share of the temporary access fee for Parcel 1 is \$62,537.
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- Condition 35:** As a condition of future development on Parcel 3, provide park facilities for residential uses pursuant to CPC-ZC-UGA18-04 Condition 15. The proportional share of the temporary access fee for Parcel 1 is \$5,622.

PROCEDURAL FINDINGS

1. On December 11, 2019, an application for a Tentative Partition Plan was filed proposing to divide a 15-acre land area at 4195 Aumsville Highway SE into three parcels (see **Attachment B**).
2. The application was deemed complete for processing on May 22, 2020. Notice to surrounding property owners was mailed pursuant to Salem Revised Code on May 29, 2020. The state-mandated local decision deadline is September 19, 2020.

SUBSTANTIVE FINDINGS

1. Proposal

The tentative plan proposes to reconfigure a 15-acre area consisting of one tax lot into three parcels. The property is subject to the conditions of CPC-ZC-UGA18-04 (**Attachment C**). All parcels would take access from Aumsville Highway SE unless the applicant obtains variances from previous conditions of approval applicable to the property. The three parcels within the tentative partition plan are proposed as follows:

PROPOSED PARCEL 1

Parcel Size: 12.60 acres
Parcel Dimensions: Approximately 1325 feet in width and 590 feet in depth

PROPOSED PARCEL 2

Parcel Size: 0.87 acres
Parcel Dimensions: Approximately 305 feet in width and 115 feet in depth

PROPOSED PARCEL 3

Parcel Size: 1.14 acres
Parcel Dimensions: Approximately 325 feet in width and 180 feet in depth

Access and Circulation: The subject property has frontage onto both Aumsville Highway SE and Joseph Street SE. Aumsville Highway SE is classified as a Minor Arterial and Joseph Street SE is classified as a Local street within the Salem Transportation System Plan (TSP). The conditions of CPC-ZC-UGA18-04 prohibit access from Joseph Street SE unless variances are obtained in the future.

2. Existing Conditions

Site and Vicinity

The subject property forms an irregular polygon of approximately 15 acres. Proposed Parcel 1 will have approximately 1,630 feet of frontage on Aumsville Highway SE and 1,500 feet of frontage on Joseph Street SE. Proposed Parcel 2 will have approximately 335 feet of frontage on Aumsville Highway SE and 270 feet of frontage on Joseph Street SE. Proposed Parcel 3 will have approximately 345 feet of frontage on Aumsville Highway SE and 435 feet of frontage on Joseph Street SE. The subject property is currently undeveloped. Other development in the vicinity includes single-family residential, agriculture, Corban University, State Police facilities, and industrial.

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. The subject property is contiguous to the Urban Growth Boundary along the entire eastern property line and along the eastern two-thirds of the property line abutting Joseph Street SE.

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

- North: Across Joseph Street SE, Community Services-Government (CSG); outside Urban Growth Boundary
- South: Across Aumsville Highway SE, Community Services-Education (CSE)
- East: Outside Urban Growth Boundary
- West: Across Aumsville Highway SE, Community Services-Education (CSE)

Zoning and Surrounding Land Use

The subject property is zoned IC (Industrial Commercial). The surrounding properties are zoned and used as follows:

- North: Across Joseph Street SE, PH (Public and Private Health Services) – Department of Corrections; Marion County SA (Special Agriculture) -- single-family residential
- South: Across Aumsville Highway SE, PE (Public and Private Educational Services) and PH (Public and Private Health Services) – Corban University
- East: Marion County AR (Acreage Residential) -- single-family residential
- West: Across Aumsville Highway SE, PE (Public and Private Educational Services) – Corban University

Relationship to Urban Service Area

The subject property is outside of the City’s Urban Service Area. The property is subject to Urban Growth Area Preliminary Declaration (UGA) CPC-ZC-UGA18-04.

Infrastructure

Water:

- a. The subject property is located in the S-1, T, and T+ water service levels.
- b. A 36-inch S-1 water line is located in Aumsville Highway SE and Deer Park Drive SE. Mains of this size generally convey flows of 2,100 to 4,900 gallons per minute.
- c. No T or T+ water mains are currently available to serve the proposed development.

Sewer:

- a. The nearest adequate linking facility appears to be an existing 15-inch sewer line in Aumsville Highway SE, approximately 0.64 miles northwest of the subject.

Storm Drainage:

- a. The subject property is within the Mill Creek Drainage Basin.

Streets:

Aumsville Highway SE

- a. 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.
- b. Existing Conditions—This street has an approximate 20- to 48-foot-wide improvement within a 60- to 64-foot-wide right-of-way.

Joseph Street SE

- a. Standard—This street is designated as a Local street in the Salem TSP. The westerly 850 feet of the street frontage is located within the Urban Growth Boundary with a standard of a 30-foot-wide improvement within a 60-foot-wide right-of-way. The easterly portion of the street frontage is located outside the Urban Growth Boundary.
- b. Existing Conditions—This street has a varying width improvement with approximately 215 feet of 34-foot-wide improvement prior to tapering to a 20-foot Turnpike improvement within a 60-foot-wide right-of-way abutting the subject property.

Linking Street—The nearest adequate linking street is Aumsville Highway SE. 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). Aumsville Highway SE adjacent to the subject property is an adequate linking street. Joseph Street SE does not meet linking street standards.

Parks

Park facilities would be required for residential uses pursuant to UGA (CPC-ZC-UGA18-04) Condition 15.

3. Public and Private Agency Review

Public Works Department - The City of Salem Public Works Department reviewed the proposal and has provided their comments and recommendation for plat approval. Their memorandum is included as **Attachment D**.

Building and Safety Division - The City of Salem Building and Safety Division reviewed the proposal and identified no apparent issues.

Fire Department – The City of Salem Fire Department reviewed the proposal and provided the following comments: *FIRE has no concerns with the Partition. Items including but not limited to fire department access and water supply will be addressed at time of building construction.*

4. Neighborhood Association Comments

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

5. Public Comments

Property owners and residents within 250 feet of the subject property were mailed notification of the proposed partition. Three comments were received:

- One neighbor requested copies of application submittal materials including the application, trip generation form, written statement, preliminary grading plan, schematic utility plan, geotechnical analysis, partition tentative plan, any plan that would describe ingress/egress access to the newly created lots, and an explanation of what the owners of the parcels intend to do with the properties once they are partitioned and whether the properties will be sold or developed.

Staff Response: Staff provided the requested materials. The partition decision will not be approving access points onto Joseph Street because the previous decisions require variances for access onto Joseph Street, and the applicant has not applied for variances. The applicant's representative instructed staff to disregard preliminary development plans provided in their submittal and explaining where they intend to create accesses.

The applicant's representative stated that it is undecided how the parcels within the site will be further developed, the properties are zoned IC and could be developed in several ways, and they do not know how the parcels will be developed or who will own them in the future. Staff is not evaluating a specific development proposal in this decision. This decision concerns whether the proposal for the division into three parcels meets applicable criteria for a partition. Conditions of approval for the partition will be written to conform with the previous decisions and to anticipate future development under the IC (Industrial Commercial) zoning.

- One neighbor was generally supportive of the proposal as long as the pre-established conditions (CPC-ZC-UGA18-04) are complied with and met.

Staff Response: The conditions for the partition are consistent with the conditions of CPC-ZC-UGA18-04.

- One neighbor was opposed to all development of this property and had the following concerns:
 - Traffic issues including blind curves on both roads, downhill slopes with narrow lanes and multiple curves, heavy tree and brush lines, side road drop offs that affect road conditions and vision, speeding traffic from Aumsville into Salem, dangerous intersections at Joseph Street SE/Deer Park Drive SE and at Joseph Street SE/Aumsville Highway SE, possible congested traffic at the corner of Joseph St SE/Deer Park Drive SE, a history of auto accidents and fatalities, narrow width of Joseph Street SE requiring residents to slow down and pull to the side of the road to pass, a possible increase of head-on crashes, lack of confidence in speed bumps and yellow lights to solve possible problems at the intersections, and a request to build an overpass from Joseph Street SE over Aumsville Highway SE to Deer Park Drive SE
 - Effects of development on deer that rest and graze on the property
 - Increased congestion within the City boundaries
 - Concerns that the State was negligent in selling the property and the State Police facility will lose security by allowing public traffic on a rural road that should be a security buffer.

Staff Response: Consistent with the conditions of approval for CPC-ZC-UGA18-04, the conditions of approval for the partition require right-of-way dedication and street improvements on Aumsville Highway SE and Joseph Street SE, allow no access onto Joseph Street SE from the proposed development unless variances are approved in the future, and limit future development on each parcel to a specified number of trips. Conditions also require an engineered sight distance and spacing analysis for tentative driveway locations.

Deer are not endangered or protected.

Development density within the City is determined by the applicable zoning.

The City and the owner of the subject property are not responsible for the State's decision to sell the property or for maintaining a security buffer around the State Police facility.

6. Criteria for Granting a Tentative Partition

The Salem Revised Code (SRC), which includes the Unified Development Code (UDC), implements the Salem Area Comprehensive Plan land use goals, and governs development of property within the city limits. The partition process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans. A second review occurs for the created parcels at the time

of site plan review/building permit review to assure compliance with the UDC. Compliance with conditions of approval to satisfy the UDC is checked prior to city staff signing the final partition plat.

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

The applicant's statement addressing the approval criteria is included as **Attachment E**. The applicant's representative also submitted a statement requesting that staff disregard preliminary redevelopment plans that were included with other submittal items (**Attachment F**).

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

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

The Unified Development Code (UDC) implements the Salem Area Comprehensive Plan land use goals and governs the development of property within the City limits. The proposed partition meets all applicable provisions of the UDC as detailed below.

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

SRC Chapter 205 (Land Division and Reconfiguration): The intent of SRC Chapter 205 is to provide for orderly development through the application of appropriate standards and regulations. The partitioning process reviews development for compliance with City

standards and requirements contained in the UDC, the Salem Transportation System Plan, and the Water, Sewer, and Storm Drain System Master Plans. The applicant has met all application submittal requirements necessary for adequate review of the proposed partitioning. The proposed partition conforms to the applicable requirements of SRC Chapter 205.

(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 551 (Industrial Commercial): The proposed partition would divide the 15-acre property into three parcels. The subject properties are zoned IC (Industrial Commercial). The minimum lot area requirements of the IC zone are established under SRC 551.010(a) as follows:

Lot Standards for IC zone (Industrial Commercial) (see SRC Chapter 551, Table 551-2)

Requirement	Minimum Standard
Lot Area (All uses)	None
Lot Width (All uses)	None
Lot Depth (All uses)	None
Street Frontage (Single family)	40 feet / 30 feet (on the turnaround of a cul-de-sac)
All other uses	16 feet

Staff Response: Proposed Parcel 1 is approximately 12.6 acres, would have approximately 1,630 feet of frontage on Aumsville Highway SE and 1,500 feet of frontage on Joseph Street SE, and would be approximately 1,325 feet in width and 590 feet in depth. Proposed Parcel 2 would be approximately 0.87 acres, would have approximately 335 feet of frontage on Aumsville Highway SE and 270 feet of frontage on Joseph Street SE, and would be approximately 305 feet in width and 115 feet in depth. Proposed Parcel 3 would be approximately 1.14 acres, would have approximately 345 feet of frontage on Aumsville Highway SE and 435 feet of frontage on Joseph Street SE, and would be approximately 325 feet in width and 180 feet in depth.

Each of the three proposed parcels in the partition meet the area, width, depth, and frontage lot standards. The proposed parcels within the partition are of sufficient size and dimension to permit future development of uses allowed within the zones.

Setback Standards for IC zone (Industrial Commercial) (see SRC Chapter 551, tables 551-3 and 551-4)

Adjacent to Streets:

- Buildings: Minimum 5 feet
- Vehicle Use Areas: Per SRC Chapter 806

Interior Front, Side, and Rear:

- Buildings:
 - o Single family and two family: No minimum
 - o Multiple family: Minimum 15 feet
 - o All other uses: Zone-to-zone setback (Table 551-4)
- Vehicle Use Areas:
 - o Single family and two family: Per SRC Chapter 806
 - o Multiple family: Minimum 15 feet
 - o All other uses: Zone-to-zone setback (Table 551-4)

Staff Response: There are no existing structures on the proposed parcels. The applicant has not provided a development plan at this time. Future development within the parcels will be reviewed for adherence to setback requirements at the time of application for building permits or site plan review or design review. The proposed parcels greatly exceed the minimum parcels size for their respective zones, which provide sufficient width and depth to accommodate the required setbacks.

Lot Coverage: Maximum lot coverage requirements within the IC zone are established under SRC 551.010(c), Table 551-4. The IC zone does not have a maximum lot coverage standard for any uses.

Landscaping: Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807. Vehicle use areas shall be landscaped as provided under SRC chapters 806 and 807. A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicular use areas, may count towards meeting this requirement.

Staff Response: The proposed parcels will be reviewed for conformance with the standards of SRC 551 at the time of development.

The proposal meets the applicable requirements of SRC Chapter 551.

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.

Staff Response: There are no existing structures on the proposed parcels. Future development on the parcels will be reviewed against this standard at the time of site plan review and/or building permit.

The proposal meets the requirements of SRC Chapter 800.

SRC Chapter 804 (Driveway Approaches)

SRC 804.025 (Class 2 driveway approach permit): A Class 2 driveway approach is required for a driveway approach onto a minor arterial. Criteria for approval are:

- (1) The proposed driveway approach meets the standards of this chapter and the Public Works Design Standards;
- (2) No site conditions prevent placing the driveway approach in the required location;
- (3) The number of driveway approaches onto an arterial are minimized;
- (4) The proposed driveway approach, where possible:
 - (A) Is shared with an adjacent property; or
 - (B) Takes access from the lowest classification of street abutting the property;
- (5) The proposed driveway approach meets vision clearance standards;
- (6) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;
- (7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;
- (8) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and
- (9) The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

SRC 804.035 (Access onto major and minor arterials): Except as otherwise provided in SRC Chapter 804, a complex shall be entitled to one driveway approach onto a minor arterial. Additional driveways may be allowed where a complex has more than 370 feet of frontage, there is a shared access agreement, or it is impracticable to serve the complex with only one driveway approach. No driveway approach is allowed onto a minor arterial for development that is not a complex, unless the approach provides shared access; the development does not abut a local or collector street; or the development cannot be feasibly served by access onto a local or collector street. Driveway approaches shall be no less than 370 feet from the nearest driveway or street intersection, measured from centerline to centerline, and shall comply with the vision clearance requirements of SRC Chapter 805.

Staff Response: The applicant has not provided a development plan or proposed driveway locations with the Partition application.

In order to minimize traffic impacts of development of the subject property on residents on Joseph Street SE, the decision for CPC-ZC-UGA18-04 included Condition 4, which states "No driveways shall be allowed from the subject property onto the section of

Joseph Street SE that is inside the Urban Growth Boundary unless a variance is obtained from this condition” and Condition 5, which states “No driveways shall be allowed from the subject property onto the section of Joseph Street SE that is outside the Urban Growth Boundary.” The applicant would need to apply for a variance to obtain relief from either of those conditions. The applicant has not requested variances from the conditions at this time. Therefore, the Partition decision requires that driveway approaches will be from Aumsville Highway SE, a Minor Arterial street.

In order for staff to evaluate where shared access and access easements may be required on Aumsville Highway SE; to ensure that future driveways meet vision clearance standards, provide for safe turning movements and access, minimize adverse impacts, meet other driveway standards, and do not create traffic hazards; and to determine whether alternative street standards, additional right-of-way, slope easements, additional removal of significant trees, etc. will be required, the following condition is required:

Condition 1: Prior to final plat approval, provide an engineered sight distance and spacing analysis for tentative driveway locations to determine where shared access and access easements may be required to provide vehicular access to each parcel.

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

SRC 806.015(a) (Minimum Required Off-Street Parking): SRC 806.015(a) specifies minimum parking requirements.

Staff Response: Off-street parking requirements for the proposed parcels will be reviewed at the time of development.

The proposal meets the requirements of SRC Chapter 806.

(B) City Infrastructure Standards.

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

SRC Chapter 200 (Urban Growth Management): The subject property is located outside of the Urban Service Area and does not have access to all of the facilities required by SRC Chapter 200. An Urban Growth Preliminary Declaration (CPC-ZC-UGA18-04) was approved for the site effective October 22, 2018. However, a partition application does not require an Urban Growth (UG) Preliminary Declaration. The UG

Preliminary Declaration requirements from CPC-ZC-UGA18-04 are apportioned to either final plat approval or to future development of each parcel, as appropriate.

SRC Chapter 802 (Public Improvements): Comments from the Public Works Department indicate that water, sewer, and storm infrastructure in the area are insufficient and improvements are required to serve the property. Specifications for required public improvements are summarized in the Public Works Department memo (**Attachment D**) and in the conditions of approval.

SRC 802.015 (Development to be Served by City Utilities). Water, sewer and stormwater services must be provided to each of the proposed parcels, consistent with Public Works Design Standards (PWDS).

Water and sewer infrastructure are not available along the perimeter of the site. Public water and sewer facilities shall be constructed to serve each lot as a condition of plat approval. Construction of facilities in the right-of-way is required prior to final plat except as authorized in an improvement agreement per SRC 205.035(c)(7)(B).

To ensure that the required water facilities are provided, the following conditions shall apply:

Condition 2: Prior to final plat approval, design water improvements pursuant to CPC-ZC-UGA Condition 14.

Condition 3: As a condition of final plat approval, construct water improvements pursuant to CPC-ZC-UGA Condition 14. This condition can be delayed as specified in an Improvement Agreement.

Condition 4: As a condition of future development on Parcel 1, construct water improvements pursuant to CPC-ZC-UGA Condition 14 as needed to serve Parcel 1.

Condition 5: As a condition of future development on Parcel 2, construct water improvements pursuant to CPC-ZC-UGA Condition 14 as needed to serve Parcel 2.

Condition 6: As a condition of future development on Parcel 3, construct water improvements pursuant to CPC-ZC-UGA Condition 14 as needed to serve Parcel 3.

To ensure that the required sewer facilities are provided, the following conditions shall apply:

Condition 7: Prior to final plat approval, design sewer improvements pursuant to CPC-ZC-UGA Condition 13.

Condition 8: As a condition of final plat approval, construct sewer improvements pursuant to CPC-ZC-UGA Condition 13. This condition can be delayed as specified in an Improvement Agreement.

Condition 9: As a condition of future development on Parcel 1, construct sewer improvements pursuant to CPC-ZC-UGA Condition 13 as needed to serve Parcel 1.

Condition 10: As a condition of future development on Parcel 2, construct sewer improvements pursuant to CPC-ZC-UGA Condition 13 as needed to serve Parcel 2.

Condition 11: As a condition of future development on Parcel 3, construct sewer improvements pursuant to CPC-ZC-UGA Condition 13 as needed to serve Parcel 3.

The proposed development is subject to SRC Chapter 71 and PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed parcels can meet PWDS, the applicant shall submit a tentative stormwater design prior to final plat approval. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces of all parcels and the applicant shall construct stormwater facilities that are proposed in the public right-of-way.

Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

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

SRC 803.015 (Traffic Impact Analysis): Condition 6 of CPC-ZC-UGA18-04 limits traffic impacts from future development on the subject property to a maximum of 5,948 average daily trips. This limitation has been divided proportionally based on the size of each parcel as follows: Parcel 1 – 5,134 trips; Parcel 2 – 352 trips; and Parcel 3 – 462 trips.

To ensure compliance with the trip cap requirements, the following conditions shall apply:

Condition 12: As a condition of future development on Parcel 1, transportation impacts from Parcel 1 shall be limited to a maximum of 5,134 trips per day pursuant to CPC-ZC-UGA18-04 Condition 6.

Condition 13: As a condition of future development on Parcel 2, transportation impacts from Parcel 2 shall be limited to a maximum of 352 trips per day pursuant to CPC-ZC-UGA18-04 Condition 6.

Condition 14: As a condition of future development on Parcel 3, transportation impacts from Parcel 2 shall be limited to a maximum of 462 trips per day pursuant to CPC-ZC-UGA18-04 Condition 6.

SRC 803.020 (Public and Private Streets): There are no internal streets proposed within the partition. All parcels would take access from Aumsville Highway SE unless variances to the conditions of approval of CPC-ZC-UGA18-04 are approved in the future to allow access from Joseph Street SE.

SRC 803.025 (Right-of-Way and Pavement Widths): The existing right-of-way along the frontage of Aumsville Highway SE does not meet the Minor Arterial street standard of a 72-foot-wide right-of-way, and the existing right-of-way along the frontage of Joseph Street SE does not meet the Local street standard of a 60-foot-wide right-of-way. Prior to final plat approval, the applicant shall be required to convey right-of-way on Aumsville Highway SE pursuant to CPC-ZC-UGA18-04 Condition 8 and on Joseph Street SE pursuant to CPC-ZC-UGA18-04 Condition 9. The following conditions are required to meet these conditions:

Condition 15: As a condition of final plat approval, convey Aumsville Highway SE right-of-way pursuant to CPC-ZC-UGA18-04 Condition 8.

Condition 16: As a condition of final plat approval, convey Joseph Street SE right-of-way pursuant to CPC-ZC-UGA18-04 Condition 9.

The existing improvements along the frontage of Aumsville Highway SE do not meet Minor Arterial standards of 46-foot-wide improvement, and the existing improvements along Joseph Street SE do not meet Local street standards of a 30-foot-wide improvement. Prior to plat approval, the applicant shall be required to design and construct the improvements for both streets or, in lieu of construction, enter into a deferral agreement specifying that the improvements shall be completed at the time of future development for each parcel. The following conditions are required to meet these conditions:

Condition 17: As a condition of final plat approval, design and construct Aumsville Highway SE improvements pursuant to CPC-ZC-UGA18-04 Condition 10. In lieu of construction, enter into a deferral agreement specifying that the improvements shall be completed at the time of future development for each parcel.

Condition 18: As a condition of final plat approval, design and construct Joseph Street SE improvements pursuant to CPC-ZC-UGA18-04 Condition 12. In lieu of construction, enter into a deferral agreement and temporary facilities access agreement specifying that CPC-ZC-UGA18-04 Condition 12 shall be completed at the time of future development for each parcel.

- Condition 19:** As a condition of future development on Parcel 1, construct Aumsville Highway SE improvements along the frontage of Parcels 1, 2, and 3 pursuant to CPC-ZC-UGA Condition 10.
- Condition 20:** As a condition of future development on Parcel 1, construct Joseph Street SE improvements along the frontage of Parcels 1, 2, and 3 pursuant to CPC-ZC-UGA Condition 11 or 12, if applicable.
- Condition 21:** As a condition of future development on Parcel 1, obtain street tree removal permits as needed to construct the required improvements.
- Condition 22:** As a condition of future development on Parcel 2, construct Aumsville Highway SE improvements along the frontage of Parcel 2 and Parcel 3 pursuant to CPC-ZC-UGA Condition 10.
- Condition 23:** As a condition of future development on Parcel 2, construct Joseph Street SE improvements along the frontage of Parcel 2 and Parcel 3 pursuant to CPC-ZC-UGA Condition 11 or 12, if applicable.
- Condition 24:** As a condition of future development on Parcel 2, obtain street tree removal permits as needed to construct the required improvements.
- Condition 25:** As a condition of future development on Parcel 3, construct Aumsville Highway SE improvements along the frontage of Parcel 3 pursuant to CPC-ZC-UGA Condition 10.
- Condition 26:** As a condition of future development on Parcel 3, construct Joseph Street SE improvements along the frontage of Parcel 3 pursuant to CPC-ZC-UGA Condition 11 or 12, if applicable.
- Condition 27:** As a condition of future development on Parcel 3, obtain street tree removal permits as needed to construct the required improvements.

As conditioned, the proposal meets the requirements of SRC Chapter 803.

SRC 803.030 (Street Spacing): The proposed partition involves division of a 15-acre land area and does not involve the creation of streets.

SRC 803.035 (Street Standards): Pursuant to subsection (a), *Connectivity*, 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.

The east property line of the subject property, approximately 215 feet in length, abuts a single tax lot at 5500 Joseph Street SE. This abutting property has frontage on Joseph Street SE and Aumsville Highway SE and is fully developed, outside the city limits, and outside the Urban Growth Boundary. No street connections are required to abutting property.

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

Condition 28: Provide a 10-foot-wide public utility easement along the entire frontage of all abutting streets.

As conditioned, the proposal conforms to applicable street standards.

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

SRC Chapter 601 (Floodplain Overlay Zone): Public Works staff has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

SRC Chapter 807.015(d) Tree Replanting Requirements. In addition to the landscaping required under this chapter, when existing trees, as defined under SRC Chapter 808, are proposed for removal from within required setbacks or from a development site, replanting shall be required as provided in this subsection.

(1) *Removal of trees within required setbacks.* When an existing tree or trees, as defined under SRC chapter 808, within a required setback are proposed for removal, two new trees shall be planted for each tree removed. Replanted trees shall be of either a shade or evergreen variety with a minimum 1.5-inch caliper.

(2) *Removal of trees from development site.* When more than 75 percent of the existing trees, as defined under SRC chapter 808, on a development site are proposed for removal, two new trees shall be planted for each tree removed in excess of 75 percent. Replanted trees shall be of either a shade or evergreen variety

with a minimum 1.5-inch caliper. For purposes of this section, existing trees within vision clearance areas, or within areas to be cleared for required roads, utilities, sidewalks, trails, or stormwater facilities, shall not be counted in the total percentage of trees removed from the development site.

The applicant submitted a tree inventory indicating a total of 160 trees with 32 (20 percent) proposed for preservation and 128 (80 percent) proposed for removal, including 37 Oregon white oaks 24 inches in diameter or larger (significant trees). The numbers indicate that more than 75 percent of the trees are proposed for removal, requiring replanting of two new trees for each tree removed in excess of 75 percent. However, because designs identifying vision clearance areas and areas to be cleared for required roads, utilities, sidewalks, trails, or stormwater facilities have not been submitted, staff cannot determine the replanting requirements at this time for trees within required setbacks or removal of trees from the development site. Compliance with replanting requirements will be required at the time of development of each parcel.

SRC Chapter 808 (Preservation of Trees and Vegetation): SRC Chapter 808 (Preservation of Trees and Vegetation) requires tree conservation plans in conjunction with development proposals involving the creation of lots or parcels to be used for the construction of single family or duplex dwelling units, if the development proposal will result in the removal of trees. SRC Chapter 808 requires preservation of (1) trees on lots or parcels 20,000 square feet or greater prior to site plan review or building permit approval, (2) significant trees (Oregon white oaks 24 inches or greater in diameter at a point 4.5 feet above grade), (3) trees in a riparian corridor, and (4) native vegetation in a riparian corridor, unless the removal is undertaken pursuant to a tree and vegetation removal permit issued under SRC 808.030, undertaken pursuant to a tree conservation plan approved under SRC 808.035, or undertaken pursuant to a tree variance granted under SRC 808.045.

The subject property is greater than 20,000 square feet and contains significant trees. Any removal of protected trees requires a tree conservation plan, tree removal permit, or tree variance unless the removal qualifies as an exception under SRC 808.030.

No development of lots or parcels for single family or duplex dwelling units is proposed at this time. Therefore, a tree conservation plan is not required for the proposed tentative partition. Future developments, such as a subdivision of the lots for single family or duplex dwelling units, may require a Tree Conservation Plan.

The decision for CPC-ZC-UGA18-04 requires a higher standard for removal of significant trees. Condition 2 of CPC-ZC-UGA18-04 states, "Removal of significant trees from the subject property shall require either a tree removal permit documenting that the trees are hazardous or a tree variance." This condition was intended by staff to apply to trees within the subject property boundary that existed at the time when the application for CPC-ZC-UGA18-04 was submitted, prior to any dedication of right-of-way proposed with this partition. Significant trees that would need to be removed for required boundary streets and other required improvements may only be approved for removal through a

tree removal permit or tree variance. Hazardous trees may be removed through approval of a tree removal permit. Non-hazardous trees will require approval of a tree variance.

The applicant submitted a tree inventory indicating a total of 160 trees with 32 (20 percent) proposed for preservation and 128 (80 percent) proposed for removal, including 37 Oregon white oaks 24 inches in diameter or larger (significant trees). The applicant also submitted a preliminary tree evaluation report noting conditions of significant trees and other trees, identifying those that are recommended for removal, and explaining why they are recommended for removal. Some of the trees are identified as currently hazardous, while others are identified as requiring removal because they would be damaged by construction on the property or they would be in the path of or suffer severe root damage from the widening of Joseph Street SE or Aumsville Highway SE. Because the applicant has not submitted designs for the proposed improvements on Joseph Street SE or Aumsville Highway SE, the tree evaluation and inventory would likely need to be revised and may be resubmitted for the required tree removal permit and/or tree variance application. The following conditions are required to ensure compliance with the conditions of CPC-ZC-UGA18-04 related to significant trees:

Condition 29: Prior to final plat approval, submit a tree removal permit application and/or tree variance application for any removal of significant trees on the subject property that may be required for construction of required street improvements or water, sewer, or stormwater utilities.

Condition 30: As a condition of future development on Parcel 1, submit a tree removal permit application and/or tree variance application for any removal of significant trees that may be required for development on Parcel 1.

Condition 31: As a condition of future development on Parcel 2, submit a tree removal permit application and/or tree variance application for any removal of significant trees that may be required for development on Parcel 2.

Condition 32: As a condition of future development on Parcel 3, submit a tree removal permit application and/or tree variance application for any removal of significant trees that may be required for development on Parcel 3.

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 shows that the subject property does not contain any wetland areas.

SRC Chapter 810 (Landslide Hazards): The City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility. SRC 810.020 requires a geological assessment or report when regulated activity is proposed in a mapped landslide hazard area.

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 3-point landslide hazard areas on the subject property. The proposed activity of a partition adds 2 activity points to the proposal, which results in a total of 5 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment. A Geological Assessment, prepared by Redmond Geotechnical Services and dated April 30, 2020 was submitted to the City of Salem. This assessment demonstrates the subject property could be developed without increasing the potential for slope hazard on the site or adjacent properties if developed in accordance with the recommendations of the assessment.

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

Finding: The proposed partition would divide the 15-acre land area into three parcels, with the proposed parcels to be developed in the future. The proposed partition would not impede the future use or development of any portion of the property. The adjoining property to the east is zoned Marion County AR (Acreage Residential), is developed with a residence, has frontage on Joseph Street SE and Aumsville Highway SE, and has access to Joseph Street SE.

The proposed configuration of parcels allows for the future development of the site consistent with applicable zoning standards. The proposal does not adversely affect the safe and healthful development of adjacent properties. The proposal, as conditioned, meets this criterion.

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

Finding: Water and sewer infrastructure are not available along the perimeter of the site. Public water and sewer facilities shall be constructed to serve each lot as a condition of plat approval. Construction of facilities in the right-of-way is required prior to final plat except as authorized in an agreement per SRC 205.035(c)(7)(B).

The proposed development is subject to SRC Chapter 71 and PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed parcels can meet the PWDS, the applicant shall submit a tentative stormwater design prior to final plat approval. For a tentative stormwater design, the applicant shall submit infiltration test result, the Simplified Method Form or Engineering Method Report as applicable, and a

preliminary site plan showing the building envelope and tentative location of stormwater facilities.

Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

Condition 15 of CPC-ZC-UGA18-04 requires a temporary access fee of \$72,450 for park facilities as a condition of residential use. This is an area-based fee and has been divided proportionally based on the size of each parcel as follows: Parcel 1 - \$62,537; Parcel 2 - \$4,291; and Parcel 3 - \$5,622. The following conditions are required to ensure the temporary access fees are paid:

Condition 33: As a condition of future development on Parcel 1, provide park facilities for residential uses pursuant to CPC-ZC-UGA18-04 Condition 15. The proportional share of the temporary access fee for Parcel 1 is \$62,537.

Condition 34: As a condition of future development on Parcel 2, provide park facilities for residential uses pursuant to CPC-ZC-UGA18-04 Condition 15. The proportional share of the temporary access fee for Parcel 1 is \$4,291.

Condition 35: As a condition of future development on Parcel 3, provide park facilities for residential uses pursuant to CPC-ZC-UGA18-04 Condition 15. The proportional share of the temporary access fee for Parcel 1 is \$5,622.

As conditioned above, this criterion is met.

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

and

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

Finding: The proposed land division may create access limitations based on sight distance and driveway spacing standards pursuant to SRC Chapter 804. The applicant shall provide an engineered sight distance and spacing analysis for tentative driveway locations to determine where shared access and access easements may be required to provide vehicular access to each parcel.

Boundary street improvements and right-of-way dedication are required along the entire frontage of abutting streets as specified in CPC-ZC-UGA18-04. In general, the design of boundary street improvements is required to be completed prior to final plat approval in order to ensure that adequate right-of-way exists to construct the required improvements. Construction of the improvements can be deferred pursuant to the

terms of a deferral agreement (SRC 803.070) or an improvement agreement (SRC 803.035(c)(7)(B)). Completion of the conditions of approval for CPC-ZC-UGA18-04 prior to full build-out of the site will provide for safe, orderly, and efficient circulation of traffic.

Condition 6 of CPC-ZC-UGA18-04 specifies that transportation impacts be limited to a maximum total of 5,948 vehicle trips per day. This limitation has been divided proportionally based on the size of each parcel as follows: Parcel 1 – 5,134 trips; Parcel 2 – 352 trips; and Parcel 3 – 462 trips.

As conditioned above, these criteria are met.

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

Finding: The proposed partition has been reviewed to ensure that adequate measures have been planned to alleviate natural or fabricated hazards and limitations to development, including topography and vegetation of the site. The existing trees on the subject property are predominantly concentrated in clusters in the northern and southern areas of proposed Parcel 1 and near the boundary between Parcels 2 and 3. The proposed layout allows for reasonable development of all parcels while minimizing the need for variances from the UDC.

The proposal meets this criterion.

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

Finding: As described in the findings above, the proposed partition has been reviewed to ensure that adequate measures have been planned to alleviate natural or fabricated hazards and limitations to development, including topography and vegetation of the site. The layout allows for reasonable development of all parcels within the partition without variances from the UDC. Each of the proposed parcels includes open areas that will allow for development of the proposed parcels with a reasonably low amount of disruption to the site's topography and vegetation.

The proposal meets this criterion.

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

(A) The property is zoned residential;

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

Finding: The site will be served by City sewer and water. Therefore, this criterion does not apply.

7. Conclusion

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

IT IS HEREBY ORDERED

That Tentative Partition Plan Case No. 20-07, to divide approximately to divide approximately 15 acres zoned IC (Industrial Commercial) and located at 4195 Aumsville Highway SE 97317 (Marion County Assessor Map and Tax Lot 082W0800110) into three parcels, with Parcel 1 consisting of approximately 12.68 acres, Parcel 2 consisting of approximately 0.87 acres, and Parcel 3 consisting of approximately 1.14 acres (see **Attachment A**), is hereby **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the conditions of approval listed below, which must be completed prior to final plat approval, unless otherwise indicated:

- Condition 1:** Prior to final plat approval, provide an engineered sight distance and spacing analysis for tentative driveway locations to determine where shared access and access easements may be required to provide vehicular access to each parcel.
- Condition 2:** Prior to final plat approval, design water improvements pursuant to CPC-ZC-UGA Condition 14.
- Condition 3:** As a condition of final plat approval, construct water improvements pursuant to CPC-ZC-UGA Condition 14. This condition can be delayed as specified in an Improvement Agreement.
- Condition 4:** As a condition of future development on Parcel 1, construct water improvements pursuant to CPC-ZC-UGA Condition 14 as needed to serve Parcel 1.
- Condition 5:** As a condition of future development on Parcel 2, construct water improvements pursuant to CPC-ZC-UGA Condition 14 as needed to serve Parcel 2.

- Condition 6:** As a condition of future development on Parcel 3, construct water improvements pursuant to CPC-ZC-UGA Condition 14 as needed to serve Parcel 3.
- Condition 7:** Prior to final plat approval, design sewer improvements pursuant to CPC-ZC-UGA Condition 13.
- Condition 8:** As a condition of final plat approval, construct sewer improvements pursuant to CPC-ZC-UGA Condition 13. This condition can be delayed as specified in an Improvement Agreement.
- Condition 9:** As a condition of future development on Parcel 1, construct sewer improvements pursuant to CPC-ZC-UGA Condition 13 as needed to serve Parcel 1.
- Condition 10:** As a condition of future development on Parcel 2, construct sewer improvements pursuant to CPC-ZC-UGA Condition 13 as needed to serve Parcel 2.
- Condition 11:** As a condition of future development on Parcel 3, construct sewer improvements pursuant to CPC-ZC-UGA Condition 13 as needed to serve Parcel 3.
- Condition 12:** As a condition of future development on Parcel 1, transportation impacts from Parcel 1 shall be limited to a maximum of 5,134 trips per day pursuant to CPC-ZC-UGA18-04 Condition 6.
- Condition 13:** As a condition of future development on Parcel 2, transportation impacts from Parcel 2 shall be limited to a maximum of 352 trips per day pursuant to CPC-ZC-UGA18-04 Condition 6.
- Condition 14:** As a condition of future development on Parcel 3, transportation impacts from Parcel 2 shall be limited to a maximum of 462 trips per day pursuant to CPC-ZC-UGA18-04 Condition 6.
- Condition 15:** As a condition of final plat approval, convey Aumsville Highway SE right-of-way pursuant to CPC-ZC-UGA18-04 Condition 8.
- Condition 16:** As a condition of final plat approval, convey Joseph Street SE right-of-way pursuant to CPC-ZC-UGA18-04 Condition 9.
- Condition 17:** As a condition of final plat approval, design and construct Aumsville Highway SE improvements pursuant to CPC-ZC-UGA18-04 Condition 10. In lieu of construction, enter into a deferral agreement specifying that the improvements shall be completed at the time of future development for each parcel.

- Condition 18:** As a condition of final plat approval, design and construct Joseph Street SE improvements pursuant to CPC-ZC-UGA18-04 Condition 12. In lieu of construction, enter into a deferral agreement and temporary facilities access agreement specifying that CPC-ZC-UGA18-04 Condition 12 shall be completed at the time of future development for each parcel.
- Condition 19:** As a condition of future development on Parcel 1, construct Aumsville Highway SE improvements along the frontage of Parcels 1, 2, and 3 pursuant to CPC-ZC-UGA Condition 10.
- Condition 20:** As a condition of future development on Parcel 1, construct Joseph Street SE improvements along the frontage of Parcels 1, 2, and 3 pursuant to CPC-ZC-UGA Condition 11 or 12, if applicable.
- Condition 21:** As a condition of future development on Parcel 1, obtain street tree removal permits as needed to construct the required improvements.
- Condition 22:** As a condition of future development on Parcel 2, construct Aumsville Highway SE improvements along the frontage of Parcel 2 and Parcel 3 pursuant to CPC-ZC-UGA Condition 10.
- Condition 23:** As a condition of future development on Parcel 2, construct Joseph Street SE improvements along the frontage of Parcel 2 and Parcel 3 pursuant to CPC-ZC-UGA Condition 11 or 12, if applicable.
- Condition 24:** As a condition of future development on Parcel 2, obtain street tree removal permits as needed to construct the required improvements.
- Condition 25:** As a condition of future development on Parcel 3, construct Aumsville Highway SE improvements along the frontage of Parcel 3 pursuant to CPC-ZC-UGA Condition 10.
- Condition 26:** As a condition of future development on Parcel 3, construct Joseph Street SE improvements along the frontage of Parcel 3 pursuant to CPC-ZC-UGA Condition 11 or 12, if applicable.
- Condition 27:** As a condition of future development on Parcel 3, obtain street tree removal permits as needed to construct the required improvements.
- Condition 28:** Provide a 10-foot-wide public utility easement along the entire frontage of all abutting streets.
- Condition 29:** Prior to final plat approval, submit a tree removal permit application and/or tree variance application for any removal of significant trees on the subject property that may be required for construction of required street improvements or water, sewer, or stormwater utilities.

- Condition 30:** As a condition of future development on Parcel 1, submit a tree removal permit application and/or tree variance application for any removal of significant trees that may be required for development on Parcel 1.
- Condition 31:** As a condition of future development on Parcel 2, submit a tree removal permit application and/or tree variance application for any removal of significant trees that may be required for development on Parcel 2.
- Condition 32:** As a condition of future development on Parcel 3, submit a tree removal permit application and/or tree variance application for any removal of significant trees that may be required for development on Parcel 3.
- Condition 33:** As a condition of future development on Parcel 1, provide park facilities for residential uses pursuant to CPC-ZC-UGA18-04 Condition 15. The proportional share of the temporary access fee for Parcel 1 is \$62,537.
- Condition 34:** As a condition of future development on Parcel 2, provide park facilities for residential uses pursuant to CPC-ZC-UGA18-04 Condition 15. The proportional share of the temporary access fee for Parcel 1 is \$4,291.
- Condition 35:** As a condition of future development on Parcel 3, provide park facilities for residential uses pursuant to CPC-ZC-UGA18-04 Condition 15. The proportional share of the temporary access fee for Parcel 1 is \$5,622.

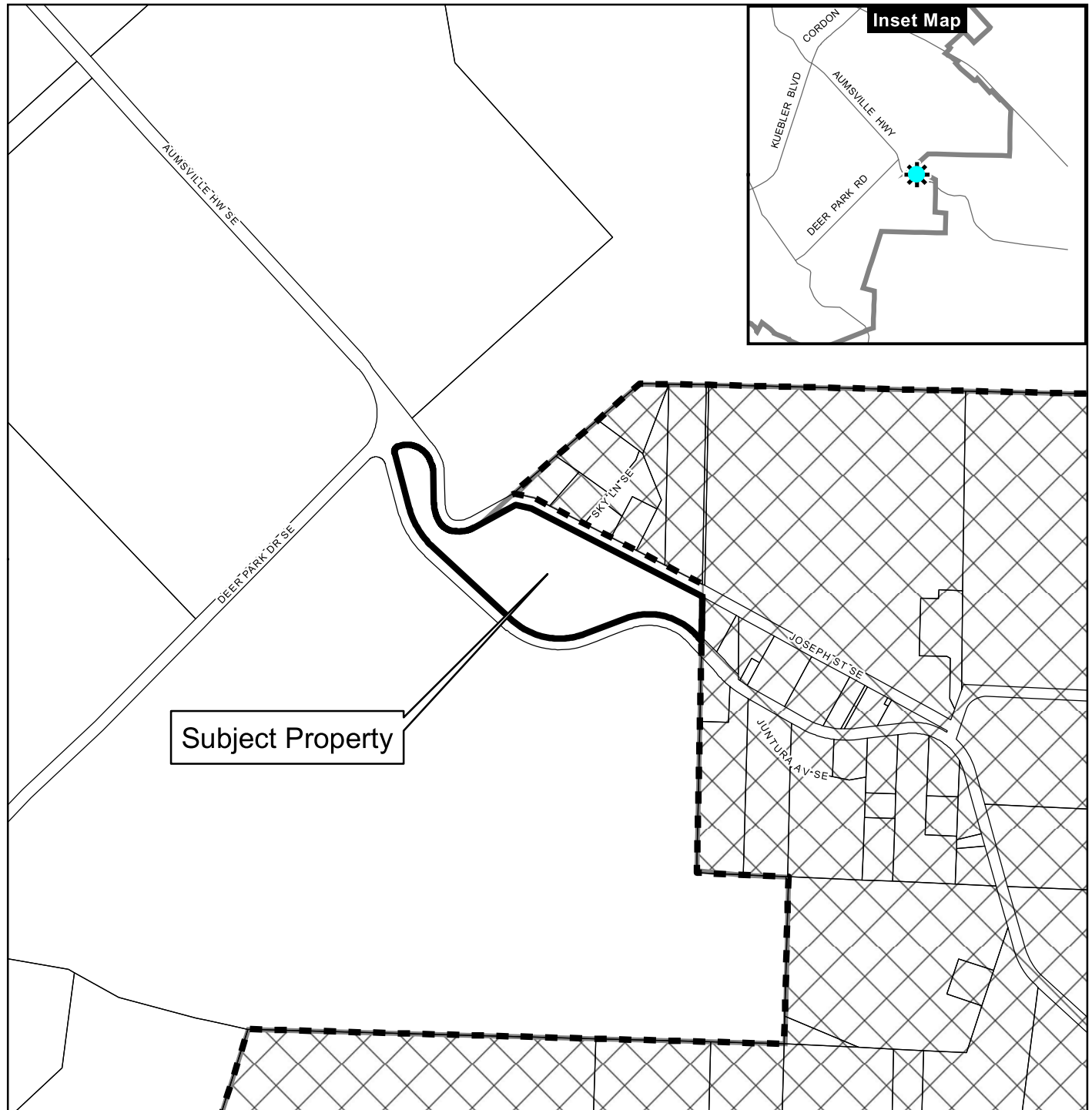


Pamela Cole, Planner II, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

- Attachments:
- A. Vicinity Map
 - B. Applicant's Tentative Partition Plan
 - C. Conditions of Approval for CPC-ZC-UGA18-04
 - D. City of Salem Public Works Department Memorandum
 - E. Applicant's Statement
 - F. Applicant's Request for Staff to Disregard Preliminary Redevelopment Plans

Vicinity Map

4195 Aumsville Highway SE



Legend

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

Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

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1133 S. Main St., 4th Floor, Portland, OR 97202
(503) 224-1133 FAX: (503) 224-1133

Owner/Developer:
KEN RASMUSSEN
INDUSTRIAL SPACE ASSOCIATES
P.O. BOX 110
AUMSVILLE, OREGON 97325

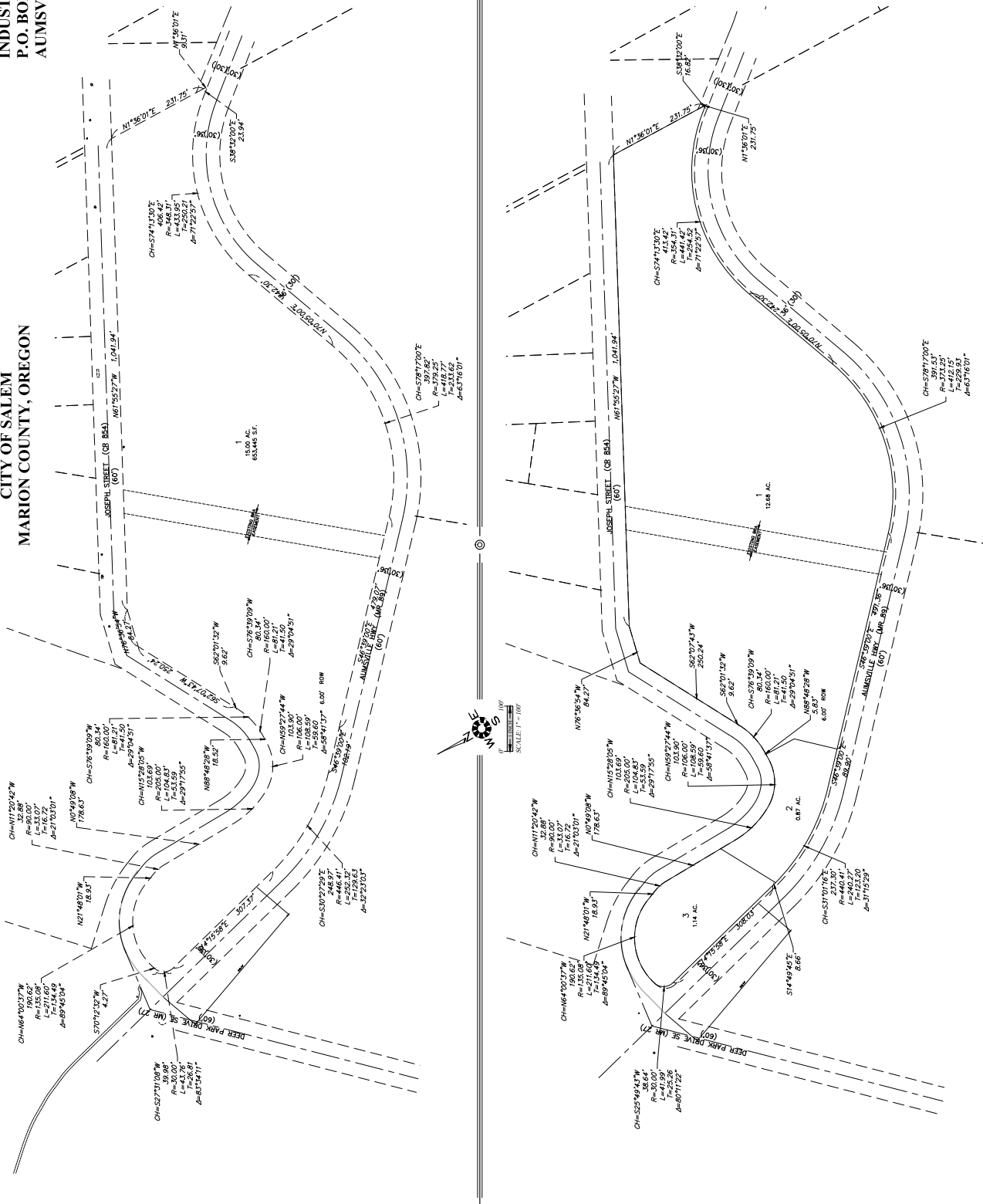
JOSEPH ST. PROPERTY
SEC. 8, T. 2 S., R. 8 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON

PARTITION PLAN

JOSEPH ST. PROPERTY

NO CHANGES, MODIFICATIONS
OR REVISIONS TO BE
MADE TO THESE DRAWINGS
WITHOUT WRITTEN
AUTHORIZATION FROM THE
DESIGN ENGINEER
PRECEDENCE OVER
DIMENSIONS & NOTES TAKE
GRAPHICAL REPRESENTATION.

Scale: AS SHOWN
Date: DEC 2018
Checked: M.D.G.
Drawn: M.D.G.
Design: M.D.G.



BEFORE THE CITY COUNCIL OF THE CITY OF SALEM

IN THE MATTER OF AMENDING) ORDER NO. 2018-07 CPC-ZC-UGA 18-04
THE DECISION OF THE PLANNING) COMPREHENSIVE PLAN CHANGE /
COMMISSION FOR) ZONE CHANGE / URBAN GROWTH
COMPREHENSIVE PLAN CHANGE /) PRELIMINARY DECLARATION
ZONE CHANGE / URBAN GROWTH) CASE NO. CPC-ZC-UGA18-04
PRELIMINARY DECLARATION)
CASE NO. CPC-ZC-UGA18-04)

This matter coming regularly for hearing before the City Council, at its September 24, 2018, meeting, and the City Council, having received evidence and heard testimony, makes the following findings, and adopts the following order amending the decision of the Planning Commission in Comprehensive Plan Change/Zone Change/Urban Growth Preliminary Declaration Case No. CPC-ZC-UGA18-04, and approving the application.

PROCEDURAL FINDINGS:

- (a) On July 19, 2018, the Planning Commission issued an order approving a consolidated application for a Comprehensive Plan Change/Zone Change/ Urban Growth Preliminary Declaration (Case No. CPC-ZC-UGA18-04) subject to conditions of approval.
- (b) On August 3, 2018, Mark Shipman, on behalf of Mark E. Krautmann, filed a timely appeal pursuant to SRC 300.1010.
- (c) On August 27, 2018, the City Council opened a hearing to receive evidence and testimony regarding the application and immediately continued the public hearing to September 24, 2018 at the applicant's request. On September 24, 2018, the City Council received evidence and testimony regarding the application; the public hearing was closed on September 24, 2018. The City Council conducted deliberations on September 24, 2018 and voted to amend the decision of the Planning Commission.

SUBSTANTIVE FINDINGS:

The City Council adopts the following as findings for this decision:

- (a) The analysis, conclusions and findings in, and incorporated into, the July 19, 2018 Planning Commission Order and the analysis in the Applicant's August 24, 2018 Response to the Appeal are adopted as the Findings of the Salem City Council ("Findings") in support of this decision.
- (b) Based upon the Findings as supplemented herein, the Comprehensive Plan Change, as proposed and subject to conditions adopted in the Planning Commission's July 19, 2018 decision order, meets all of the criteria for a minor comprehensive plan map amendment approval set forth in SRC 64.025(e)(2).
 - 1) Given the residential and commercial development that is approved for, and has occurred in the area surrounding the property, Applicant provided sufficient evidence to meet the flexible standard set forth in SRC 64.025(e)(2). The evidence of existing and proposed development in the area demonstrates a change from Community Service-

Government to Industrial-Commercial Comprehensive Plan Map designation will not have a significant impact on the area and Applicant provided sufficient evidence to demonstrate the criteria are satisfied given the level of impact of the proposed amendment.

- (c) Based upon the Findings, as supplemented herein, the Zone Change, as proposed and subject to conditions adopted in the Planning Commission's July 19, 2018 decision order, meets all of the criteria for a zone change set forth in SRC 265.005(e), with the following additional condition to reduce possible conflicts between future development on the subject property and uses on the nearby properties due to agricultural practices on those nearby properties:

Condition 16: Prior to any development activities on the property, the property owner shall sign and record on the real property, the following declaratory statement recognizing the provisions of ORS 30.936 and 30.937. In addition, the property owner shall provide a copy of this declaratory statement to any tenants who buy/lease any residential unit on the property:

The property herein described is situated in or near a farm or forest zone or area in Marion County, Oregon, where the intent is to encourage, and minimize conflicts with, farm and forest use. Specifically, residents, property owners and visitors may be subjected to common, customary and accepted farm or forest management practices conducted in accordance with federal and state laws that ordinarily and necessarily produce noise, dust, smoke and other impacts. The grantors, including their heirs, assigns and lessees do hereby accept the potential impacts from farm and forest practices as normal and necessary and part of the risk of establishing a dwelling, structure or use in this area, and acknowledge the need to avoid activities that conflict with nearby farm and forest uses and practices. Grantors will not pursue a claim for relief or course of action alleging injury from farming or forest practice for which no action is allowed under ORS 30.936 or 30.937. This covenant will run with the land and is intended to and hereby bind owners, their successor, heirs, assigns and lessees.

- 1) Given the residential and commercial development that is approved for, and has occurred in the area surrounding the property, Applicant provided sufficient evidence to meet the flexible standard set forth in SRC 265.005(e)(2). The evidence of existing and proposed development in the area demonstrates a change from PH to IC Zoning will not have a significant impact on the area and Applicant provided sufficient evidence to demonstrate the criteria are satisfied given the level of impact of the proposed zone change.
- (d) Based upon the Findings as supplemented herein, the request for an Urban Growth Preliminary Declaration, as proposed sufficiently identified potential uses to allow consideration of the request and determination of required facilities for development and subject to conditions adopted in the Planning Commission's July 19, 2018 decision order, meets all of the criteria for an Urban Growth Preliminary Declaration determination set forth in SRC 200.025(d).

- (e) Testimony submitted by Mark Krautmann (the appellant) and Jolly Krautmann for the June 19, 2018 Planning Commission hearing and included in the record for the appeal asserts that development of the subject property would create conflict with adjoining exclusive farm use (EFU) activities such as dust from lime applications, application of pesticides and herbicides, and use of propane cannons because neighbors on the subject property may not understand or may misunderstand these practices. Testimony submitted by Mark Hoyt on behalf of the appellant at the September 24, 2018 City Council hearing noted the applicant did not object to the adoption of a condition requiring a declaratory statement recognizing the provisions of ORS 30.936 and 30.937 to be recorded on the subject property and provided to future tenants who buy/lease any residential unit on the subject property. The City Council adopted the requested condition as a condition of the zone change.
- (f) The City Council therefore AMENDS the application for a Comprehensive Plan Change/Zone Change/Urban Growth Preliminary Declaration, as proposed and subject to conditions adopted in the Planning Commission's July 19, 2018 order, with the following additional condition of the zone change:

Condition 16: Prior to any development activities on the property, the property owner shall sign and record on the real property, the following declaratory statement recognizing the provisions of ORS 30.936 and 30.937. In addition, the property owner shall provide a copy of this declaratory statement to any tenants who buy/lease any residential unit on the property:

The property herein described is situated in or near a farm or forest zone or area in Marion County, Oregon, where the intent is to encourage, and minimize conflicts with, farm and forest use. Specifically, residents, property owners and visitors may be subjected to common, customary and accepted farm or forest management practices conducted in accordance with federal and state laws that ordinarily and necessarily produce noise, dust, smoke and other impacts. The grantors, including their heirs, assigns and lessees do hereby accept the potential impacts from farm and forest practices as normal and necessary and part of the risk of establishing a dwelling, structure or use in this area, and acknowledge the need to avoid activities that conflict with nearby farm and forest uses and practices. Grantors will not pursue a claim for relief or course of action alleging injury from farming or forest practice for which no action is allowed under ORS 30.936 or 30.937. This covenant will run with the land and is intended to and hereby bind owners, their successor, heirs, assigns and lessees.

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF SALEM, OREGON:

Section 1. The Planning Commission's July 19, 2018 decision for Comprehensive Plan Change/Zone Change/ Urban Growth Preliminary Declaration Case No. CPC-ZC-UGA18-04, together with the conditions of approval contained therein, as supplemented herein and by the analysis in the Applicants

August 24, 2018 Response to the Appeal is adopted as the Decision of the City Council as hereby amended.

Section 2. This order constitutes the final land use decision and any appeal must be filed with the Oregon Land Use Board of Appeals within 21 days of the date that notice of this decision is mailed to persons with standing to appeal.

ADOPTED by the City Council this 22nd day of October, 2018.

ATTEST:


City Recorder

Checked by: Pamela Cole

NOTICE OF DECISION

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



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

DECISION OF THE PLANNING COMMISSION

Comprehensive Plan Change / Zone Change / Urban Growth Preliminary Declaration Case No. CPC-ZC-UGA18-04

APPLICATION NO. : 18-106238-ZO, 18-106836-ZO & 18-106236-LD

NOTICE OF DECISION DATE: July 19, 2018

Summary: A consolidated application to change the Comprehensive Plan Map designation and zoning from "Community Services-Government" with PH (Public and Private Health Services) zoning to "Industrial-Commercial" with IC (Industrial Commercial) zoning and an Urban Growth Preliminary Declaration permit.

Request: An application to change the Comprehensive Plan Map designation and zoning from "Community Services-Government" with PH (Public and Private Health Services) zoning to "Industrial-Commercial" with IC (Industrial Commercial) zoning and an Urban Growth Preliminary Declaration to determine the public facilities required to serve the subject property. The subject property is approximately 15 acres in size, zoned PH (Public and Private Health Services) and located at 4195 Aumsville Highway SE (Marion County Assessor Map and Tax Lot Number 082W0800110).

APPLICANT(S): Kenneth Rasmussen

OWNER(S): Cascade Legacy Properties, LLC (James L. Rasmussen, Kenneth A. Rasmussen, Alan D. Rasmussen, Ryan Rasmussen)

REPRESENTATIVE(S): Brandie Dalton for Multi Tech Engineering Services Inc.

LOCATION: 4195 Aumsville Highway SE

CRITERIA: Comprehensive Plan Change SRC Chapter 64.025(e)(2)
Quasi-Judicial Zone Change SRC Chapter 265.005(e)
Urban Growth Preliminary Declaration: SRC Chapter 200.025(d) & (e)

FINDINGS: The Facts and Findings are in the attached document dated July 19, 2018.

DECISION: The Planning Commission **APPROVED** Comprehensive Plan Map, Zone Change, Urban Growth Preliminary Declaration Case No. CPC-ZC-UGA18-04 subject to the following conditions of approval:

COMPREHENSIVE PLAN MAP CHANGE AND ZONE CHANGE

Condition 1: Prior to development, the applicant shall submit a map and inventory of all trees 10 inches or greater in diameter.

- Condition 2:** Removal of significant trees from the subject property shall require either a tree removal permit documenting that the trees are hazardous or a tree variance.
- Condition 3:** The landscaped setbacks from the Joseph Street SE right-of-way and property line abutting the Acreage Residential zone shall be designed to maximize retention of existing trees and non-nuisance vegetation.
- Condition 4:** No driveways shall be allowed from the subject property onto the section of Joseph Street SE that is inside the Urban Growth Boundary unless a variance is obtained from this condition.
- Condition 5:** No driveways shall be allowed from the subject property onto the section of Joseph Street SE that is outside the Urban Growth Boundary.
- Condition 6:** Transportation impacts from the 15-acre site shall be limited to a maximum total of 5,948 vehicle trips per day.
- Condition 7:** The minimum setback from the Joseph Street SE right-of-way shall be 30 feet, landscaped with a minimum of one plant unit per 20 square feet.

URBAN GROWTH PRELIMINARY DECLARATION

- Condition 8:** Convey land for dedication to equal a half-width right-of-way of 36 feet along the entire frontage of Aumsville Highway SE.
- Condition 9:** Convey land for dedication to equal a half-width right-of-way of 30 feet along the portion of frontage where Joseph Street SE is located within the Urban Growth Boundary.
- Condition 10:** Along the entire frontage of Aumsville Highway SE, construct a three-quarter street improvement to Minor Arterial standards of 23 feet from centerline on the development side and 12 feet wide on the opposite side. Additional pavement width shall be required as set forth in the Public Works Design Standards (PWDS) to provide a left-turn lane at each driveway approach proposed along Aumsville Highway SE.
- Condition 11:** If a driveway approach is constructed along Joseph Street to provide vehicular access to the proposed development:
- a. Convey land for dedication to equal a half-width right-of-way of 30 feet along the portion of frontage where Joseph Street SE is located outside the Urban Growth Boundary.

- b. Along the portion of frontage where Joseph Street SE is located inside the Urban Growth Boundary, construct a three-quarter street improvement to Local street standards of 15 feet from centerline on the development side and 12-foot-wide on the opposite side;
- c. Along the portion of frontage where Joseph Street SE is located outside the Urban Growth Boundary, construct a 30-foot-wide linking street improvement.

Condition 12: If no driveway approach is constructed along Joseph Street SE to provide vehicular access to the proposed development and access is provided exclusively from Aumsville Highway, either:

- a. Along the portion of frontage where Joseph Street SE is located inside the Urban Growth Boundary, construct a three-quarter street improvement to Local street standards of 15 feet from centerline on the development side and 12-foot-wide on the opposite side; or
- b. Pay a temporary access fee of \$85,000 pursuant to SRC 200.080.

Condition 13: Construct a minimum 8-inch sewer main from the nearest adequate sewer to the subject property. The nearest adequate linking facility is currently an existing 15-inch sewer line in Aumsville Highway SE, approximately 0.64 miles northwest of the subject property.

Condition 14: Construct the following water facilities consistent with the *Water System Master Plan* and as approved by the Public Works Director:

- a. Construct an S-2 pump station to serve the S-2 water service area in the vicinity of the subject property; and
- b. Construct S-1 main(s) from the existing S-1 water system to the new S-2 pump station; and
- c. Construct S-2 main(s) from the pump station to the subject property; and
- d. Construct S-2 main(s) along the boundary of the subject property to serve adjacent properties pursuant to Public Works Design Standard.

Condition 15: As a condition of residential use, the applicant has two options for providing park facilities to serve the subject property:

- a. Convey or acquire 2 acres of property for dedication of neighborhood park facility NP-41, NP-44, or equivalent; or
- b. Pay a temporary access fee of \$72,450 pursuant to SRC 200.080(a).

VOTE:

Yes 3 No 2 Absent 3 (Levin, Pollock, Schweickart) Abstained 1 (Griggs)



Rich Fry, President
Salem Planning Commission

Application Deemed Complete:	<u>April 17, 2018</u>
Public Hearing Date:	<u>June 19, 2018 & July 17, 2018</u>
Notice of Decision Mailing Date:	<u>July 19, 2018</u>
Decision Effective Date:	<u>August 4, 2018</u>
State Mandate Date:	<u>September 12, 2018</u>

Case Manager: Pamela Cole, pcole@cityofsalem.net

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, **no later than 5:00 p.m., August 3, 2018**. Any person who presented evidence or testimony at the hearing may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 64, 200, 265. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Salem City Council will review the appeal at a public hearing. After the hearing, the Salem City Council 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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MEMO

TO: Pamela Cole, Planner II
Community Development Department

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

DATE: June 25, 2020

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
PARTITION PLAT NO. 20-07 (19-125484-LD)
4195 AUMSVILLE HW SE
3-PARCEL PARTITION**

PROPOSAL

A tentative partition plan to divide approximately 15 acres zoned IC (Industrial Commercial) and located at 4195 Aumsville Highway SE 97317 (Marion County Assessor Map and Tax Lot 082W0800110) into three parcels, with Parcel 1 consisting of approximately 12.68 acres, Parcel 2 consisting of approximately 0.87 acres, and Parcel 3 consisting of approximately 1.14 acres.

RECOMMENDED CONDITIONS OF PLAT APPROVAL

The following recommendations refer to conditions of approval from a prior land use case CPC/ZC/UGA18-04 in order to clarify when in the development process the condition of approval shall be completed.

The following conditions must be met prior to final plat approval:

1. Provide an engineered sight distance and spacing analysis for tentative driveway locations to determine where shared access and access easements may be required to provide vehicular access to each parcel.
2. Provide a 10-foot-wide public utility easement along the entire frontage of abutting streets.
3. Convey Aumsville Highway SE right-of-way pursuant to UGA Condition 8.
4. Convey Joseph Street SE right-of-way pursuant to UGA Condition 9.
5. Design and construct Aumsville Highway SE improvements pursuant to UGA Condition 10. In lieu of construction, enter into a deferral agreement specifying that the improvements shall be completed at the time of future development for each parcel.

6. Design and construct Joseph Street SE improvements pursuant to UGA Condition 12. In lieu of construction, enter into a deferral agreement and temporary facilities access agreement specifying that UGA Condition 12 shall be completed at the time of future development for each parcel.
7. Design sewer improvements pursuant to UGA Condition 13.
8. Design water improvements pursuant to UGA Condition 14.

The following conditions are required as a condition of final plat approval and can be delayed as specified in an Improvement Agreement:

9. Construct sewer improvements pursuant to UGA Condition 13.
10. Construct water improvements pursuant to UGA Condition 14.

The following conditions are required as a condition of future development on Parcel 1:

11. Transportation impacts from Parcel 1 shall be limited to a maximum of 5,134 trips per day pursuant to CPC Condition 6.
12. Construct Aumsville Highway SE improvements along the frontage of Parcels 1, 2, and 3 pursuant to UGA Condition 10.
13. Construct Joseph Street SE improvements along the frontage of Parcels 1, 2, and 3 pursuant to Condition 11 or 12 if applicable.
14. Construct sewer improvements pursuant to UGA Condition 13 as needed to serve Parcel 1.
15. Construct water improvements pursuant to UGA Condition 14 as needed to serve Parcel 1.
16. Provide park facilities for residential uses pursuant to UGA Condition 15. The proportional share of the temporary access fee for Parcel 1 is \$62,537.
17. Obtain street tree removal permits as needed to construct the required improvements.

The following conditions are required as a condition of future development on Parcel 2:

18. Transportation impacts from Parcel 2 shall be limited to a maximum of 352 trips per day pursuant to CPC Condition 6.
19. Construct Aumsville Highway SE improvements along the frontage of Parcel 2 and Parcel 3 pursuant to UGA Condition 10.

20. Construct Joseph Street SE improvements along the frontage of Parcel 2 and Parcel 3 pursuant to Condition 11 or 12 if applicable.
21. Construct sewer improvements pursuant to UGA Condition 13 as needed to serve Parcel 2.
22. Construct water improvements pursuant to UGA Condition 14 as needed to serve Parcel 2.
23. Provide park facilities for residential uses pursuant to UGA Condition 15. The proportional share of the temporary access fee for Parcel 2 is \$4,291.
24. Obtain street tree removal permits as needed to construct the required improvements.

The following conditions are required as a condition of future development on Parcel 3:

25. Transportation impacts from Parcel 3 shall be limited to a maximum of 462 trips per day pursuant to CPC Condition 6.
26. Construct Aumsville Highway SE improvements along the frontage of Parcel 3 pursuant to UGA Condition 10.
27. Construct Joseph Street SE improvements along the frontage of Parcel 3 pursuant to Condition 11 and 12, if applicable.
28. Construct sewer improvements pursuant to UGA Condition 13 as needed to serve Parcel 3.
29. Construct water improvements pursuant to UGA Condition 14 as needed to serve Parcel 3.
30. Provide park facilities for residential uses pursuant to UGA Condition 15. The proportional share of the temporary access fee for Parcel 3 is \$5,622.
31. Obtain street tree removal permits as needed to construct the required improvements.

FACTS

Streets

1. Aumsville Highway SE

- a. Existing Conditions—This street has a 20-to-48-foot-wide improvement a 60-to-64-foot-wide right-of-way.

- b. 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.

2. Joseph Street SE

- a. Existing Conditions—This street has a varying width improvement with approximately 215 feet of 34-foot-wide improvement prior to tapering to a 20-foot Turnpike improvement within a 60-foot-wide right-of-way abutting the subject property.
- b. Standard—This street is designated as a Local street in the Salem TSP. The westerly 850 feet of the street frontage is located within the Urban Growth Boundary with a standard of a 30-foot-wide improvement within a 60-foot-wide right-of-way. The easterly portion of the street frontage is located outside the Urban Growth Boundary.

Storm Drainage

1. Existing Condition

- a. The subject property is within the Mill Creek Drainage Basin.

Water

1. Existing Conditions

- a. The subject property is located in the S-1, T, and T+ water service levels.
- b. A 12-inch S-1 water line is located in Aumsville Highway SE and Deer Park Drive SE. Mains of this size generally convey flows of 2,100 to 4,900 gallons per minute.
- c. No T or T+ water mains are currently available to serve the proposed development.

Sanitary Sewer

1. Existing Sewer

The nearest adequate linking facility appears to be an existing 15-inch sewer line in Aumsville Highway SE, approximately 0.64 miles northwest of the subject.

CRITERIA AND FINDINGS

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

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

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

(B) City infrastructure standards; and

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

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

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

A 10-foot-wide public utility easement is required along the entire frontage of abutting streets pursuant to SRC 803.035(n).

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

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 3-point landslide hazard areas on the subject property. The proposed activity of a partition adds 2 activity points to the proposal, which results in a total of 5 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment. A Geological Assessment prepared by Redmond Geotechnical Services and dated April 30, 2020, was submitted to the City of Salem. This assessment demonstrates the subject property could be developed without increasing the potential for slope hazard on

the site or adjacent properties if developed in accordance with the recommendations of the assessment.

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

Findings—Water and sewer infrastructure are not available along the perimeter of the site. Public water and sewer facilities shall be constructed to serve each lot as a condition of plat approval. Construction of facilities in the right-of-way is required prior to final plat except as authorized in an improvement agreement per SRC 205.035(c)(7)(B).

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

Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

Condition 15 of CPC-ZC-UGA18-04 requires a temporary access fee of \$72,450 for park facilities as a condition of residential use. This is an area-based fee and has been divided proportionally based on the size of each parcel as follows: Parcel 1 - \$62,537; Parcel 2 - \$4,291; and Parcel 3 - \$5,622.

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

Findings—The proposed land division may create access limitations based on sight distance and driveway spacing standards pursuant to SRC Chapter 804. The applicant shall provide an engineered sight distance and spacing analysis for tentative driveway locations to determine where shared access and access easements may be required to provide vehicular access to each parcel.

Boundary street improvements and right-of-way dedication are required along the entire frontage of abutting streets as specified in CPC-ZC-UGA18-04. In general, the design of boundary street improvements is required to be completed prior to final plat approval in order ensure that adequate right-of-way exists to construct the required improvements. Construction of the improvements can be deferred pursuant to the terms of a deferral agreement (SRC 803.070) or an improvement agreement (SRC 803.035(c)(7)(B)). Completion of the conditions of approval for CPC-ZC-UGA18-04 prior to full build-out of the site will provide for safe, orderly, and efficient circulation

of traffic.

Condition 6 of CPC-ZC-UGA18-04 specifies that transportation impacts shall be limited to a maximum total of 5,948 vehicle trips per day. This limitation has been divided proportionally based on the size of each parcel as follows: Parcel 1 - 5,134 trips; Parcel 2 – 352 trips; and Parcel 3 – 462 trips.

cc: File

Joseph Street-Partition

Revised-May 11, 2020

Background:

The site is located on the south side of Joseph Street and on the north side of Aumsville Hwy (082W08/Tax Lot 110), and addressed as 4195 Aumsville Highway SE.

The site consists of Tax Lot 110 totaling approximately 15 acres in size. The property has street frontage on Joseph Street to the north/northeast and Aumsville Highway to the south/southwest of the site. The official location of access has not been determined yet and will be determined prior to building permits on the site. When developed, access to and from the site will be taken from Joseph Street and Aumsville Hwy per the Conditions of Approval in CPC-ZC-UGA18-04. The site is underdeveloped, and the applicant has applied for a UGA permit to determine some improvements that will be required with the development of the site.

On October 25, 2018, Comprehensive Plan Change/Zone Change/Urban Growth Preliminary Declaration Case No. CPC-ZC-UGA18-04 was approved for the subject property. The approval rezoned the subject property from PH to IG.

Proposal:

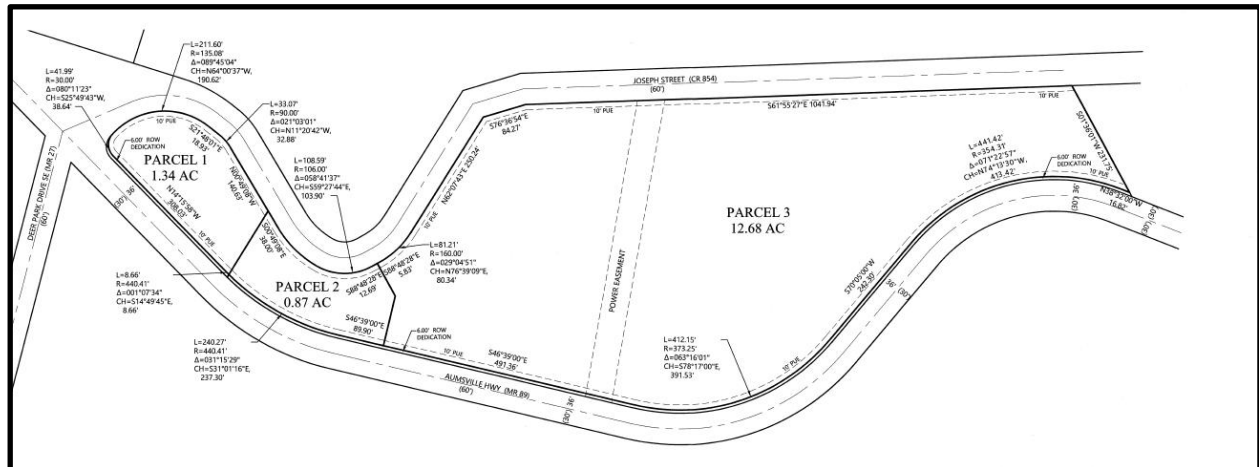
The subject property is 15 acres in size and zoned IC (Industrial Commercial). The applicant is requesting to partition the subject property into three parcels as shown on the site plans.

Proposed:

Parcel 1: 1.34 acres

Parcel 2: 0.87 acres

Parcel 3: 12.68 acres



SITE VICINITY and CHARACTERISTICS:

The site is located within the City limits and the Urban Growth Boundary. The subject property is located outside the Urban Service Area. The vicinity map is attached. The surrounding land uses within the vicinity are zoned as follows:

North/Northeast:	Across Joseph Street, PH (Public and Private Health Services, Marion County SA (Special Agriculture)
South/Southwest:	Across Aumsville Highway, PE (Public and Private Education Services), PH (Public and Private Health Services)
East:	Marion County AR (Acreage Residential)

CRITERIA AND APPLICANT'S REASONS ADDRESSING UDC 205.005(d):

The decision criteria for partitions without a concurrent variance under UDC Chapter 205.005(d) must be found to exist before an affirmative decision may be made for a partition application.

UDC 205.005(d)(1):

Front Lot Line:

When developed, access to and from the site will be taken from Joseph Street and Aumsville Hwy per the Conditions of Approval outlined in CPC-ZC-UGA18-04.

Parcel 1-South Lot Line

Parcel 2-South Lot Line

Parcel 3-South Lot Line

Lot Area:

The subject property is zoned IC, therefore, there are no lot standards.

Parcel 1: 1.34 acres

Parcel 2: 0.87acres

Parcel 3: 12.68 acres

City Infrastructure standards- Water, sewer, storm drainage plans will be submitted to the Public Works Department for final plat and construction plan approval at the final plat stage. The tentative site plan illustrates the location of the public utility lines. The proposal meets applicable Salem Area Comprehensive Plan Policies for properties within the Urban Growth Boundary. The proposal encourages the efficient use of developable commercial land. Public facilities and services are or will be available to serve the site, including services such as water, sanitary and storm sewer and fire/life/safety services.

The subject property is located within the UGB and outside the Urban Service Area (USA). Therefore, an Urban Growth Preliminary Declaration (CPC-ZC-UGA18-04) was applied for and issued on October 25, 2018. This criterion has been met.

Proposed Storm Water Management System:

An LID (low impact development) Storm water technique will be used to mitigate the increase in pollutants contributed from development. The exact system will be determined at the time of design. If required, any proposed technique will meet City of Salem Stormwater Management standards in means and methods to provide all aspects of Storm water management.

Special development standards-The subject property is not located within any overlay, floodplain, or vision clearance issues on the site. There are no special development standards that apply to this site.

Prior to development of the site, any potential wetlands will be identified.

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

Approval of the proposed partition does not impede future use of the remainder of the subject property or adjoining lands. The proposal will divide the entire site into three parcels, with Parcel 1 being 1.34 acres in size, Parcel 2 is 0.87 acres in size, and Parcel 3 is 12.68 acres in size. The subject and adjoining properties have access to the existing system that is currently in place.

All three parcels along with surrounding parcels have access and/or will have access when developed. Therefore, the approval does not impede future use of the remainder. The proposal provides for further development of the site consistent with current zoning standards.

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

The property is outside the Urban Services Area (USA). CPC-ZC-UGA18-04 was issued on October 25, 2018, for the subject property.

The Public Works Department is responsible for reviewing the proposal to determine the public facility construction and other requirements necessary to serve the development and provide for future development of any adjoining properties. The City's adopted facility plans and construction requirements are the basis for the provision of facilities and any conditions of approval imposed on the development to meet service requirements.

City of Salem water and sewer service is available to the proposed parcels. The improvement of the access ways will facilitate vehicle and pedestrian access to the public street system. The Salem-Keizer School District and the Salem-Keizer Transit District serve the site.

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

General Circulation: The proposed partition will result in the creation of three parcels. Vehicular access to the proposed parcels will be taken from Joseph Street to the north of the property. When developed, access to and from the site will be taken from Joseph Street and Aumsville Hwy per the Conditions of Approval outlines in CPC-ZC-UGA18-04. The existing streets will provide safe and efficient access to the Parcels and the existing street system, by providing direct access to the site.

Boundary Streets: There are two streets abutting the subject properties, Joseph Street, running along the north side of the property and Aumsville Hwy running along the south side of the property. Boundary street improvements will be determined with and met by the Conditions of Approval at the time of development of the site.

Internal Streets: There are no internal public streets proposed or required in conjunction with the proposed partition.

Transportation Planning Rule Review:

The City of Salem's TPR encourages a reduction in automobile trips by capitalizing on transit

opportunities and by creating an environment that encourages people to walk. The proposed partition is a "limited land use decision" pursuant to Oregon Revised Statute (ORS) 197.015, and has therefore been reviewed for consistency with the State's TPR multi-modal connectivity requirements, and is consistent as follows:

- (a) Mass Transit: The nearest transit service near the site is provided via Route 11 (Aumsville HWY), on Aumsville Hwy to the west of the site. There is no transit service within proximity to the site.

As an infill proposal, the transportation network in the area is already established or continuing to be established with new development. Connections to the existing system are provided by existing streets and access to serve the new parcels. The subject property, as proposed and conditioned, is served with adequate transportation infrastructure, and the street system adjacent to the property provides for safe, orderly, and efficient circulation of traffic into and out of the property.

The major street network in the area has been established and is consistent with the Salem Transportation System Plan which implements the Comprehensive Plan. Public Works Department will address any applicable requirements for right-of-way conveyance that might be required because of this partition.

The partition is served with other adequate transportation infrastructure, and the street system adjacent the 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 subject property once the access ways are hard-surfaced and physically connected to the public street system.

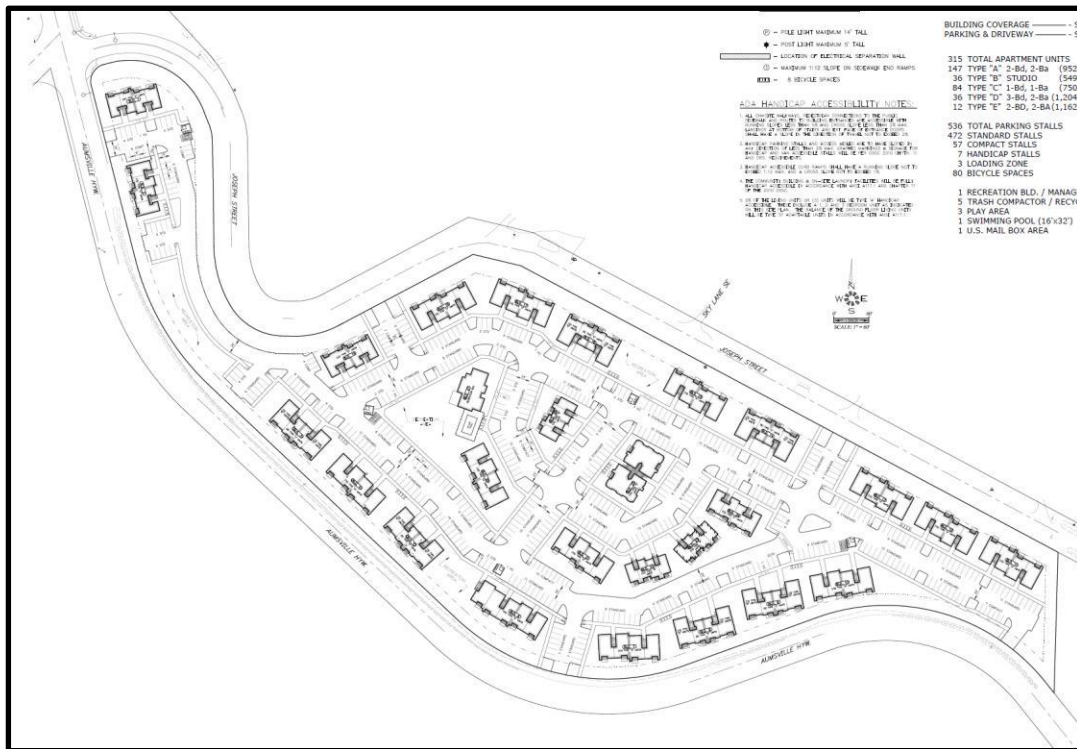
UDC 205.005(d)(5): "The street system in and adjacent to the tentative partition plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the partition."

The major street network in the area has been established and is consistent with the Salem Transportation System Plan which implements the Comprehensive Plan. Public Works Department will address any applicable requirements for right-of-way conveyance that might be required prior to development of the site.

The partition is served with other adequate transportation infrastructure, and the street system adjacent the 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 subject property once the access ways are hard-surfaced and physically connected to the public street system.

Block Length/Street Spacing: Blocks shall be a maximum of 600 feet between street centerlines. The subject property is approximately 1800 feet in length. The applicant is currently only proposing a partition with no internal streets to break up the block length. The applicant will be proposing development on the site that will require additional land-use approvals, such as Site Plan/Design Review. These additional land-use approvals will outline access points to and from the site. The access points will break up the then of the blocks. There will be more than enough street connections within the proposed development, therefore, block lengths will be in compliance with code.

Potential Development of the Site:



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

The subdivision code requires City approval of lots be suitable for the general purpose for which they are likely to be developed. No lots can be of such a size or configuration that is detrimental to public health, safety, or welfare or sanitary needs of users of the parcel or lot.

The partition plan takes into consideration the topography and vegetation of the site. There are trees located on the site, but there are no trees proposed for removal with this partition.

The proposed lots are of sufficient size and dimensions to permit future development. The lot dimensions are illustrated on the tentative site plan and are in conformance to the minimum standards in the Code. Final conformance to minimum lot size and buildable lot area will be confirmed when the final plat is submitted to the City for review and approval.

The layout of the lots takes into consideration the topography and vegetation of the site. All lots and streets are in compliance with the UDC.

A Geological Assessment dated April 30, 2020, has been provided as part of this packet. Therefore, this criteria has been met.

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

The subdivision code, requires City approval of lots be suitable for the general purpose for which they are likely to be developed. No lots can be of such a size or configuration that is detrimental to public health, safety, or welfare or sanitary needs of users of the parcel or lot.

The proposed parcels are of sufficient size and dimensions to permit future development of all three parcels. The parcel dimensions are illustrated on the tentative site plan and are in conformance to the minimum standards in the UDC. The subdivision and zone codes regulate minimum lot sizes. Final conformance to minimum lot size and buildable lot area will be confirmed when the final plat is submitted to the City for review and approval.

Tree Conservation Plan:

There are 160 trees located throughout the site, with 128 trees designated for removal and 32 trees to be preserved.

*160 Trees on site

-37 Oregon White Oaks (24" in diameter or greater) included in the 160 trees on site

*128 Trees to be removed

-31 Oregon White Oaks included in the 128 trees to be removed

*32 Trees to remain

-6 Oregon White Oaks included in the 32 trees to remain

The tree report submitted indicates that several trees will have to be removed and why the need to be removed. See attached tree report. All trees for designated for preservation and removal are documented on a tree conservation plan. This partition is only to create three parcels for future development. However, required street improvements require several trees to be removed. Therefore, a Tree Conservation Plan has been provided.

This concludes the applicant's summary addressing the requirements of the code for partitioning approval to create three parcels. If you have any questions or need additional information, please call Brandie Dalton, Land-Use Planner, at Multi/Tech Engineering, Inc., Salem, OR at (503) 363-9227.

Pamela Cole

From: Brandie Dalton <BDalton@mtengineering.net>
Sent: Friday, May 22, 2020 11:41 AM
To: Pamela Cole
Cc: krasmussen
Subject: RE: Aumsville HWY Partition
Attachments: 6591p-PARTITION.pdf

Pam,

We have now provided all the required information for you to move:

Title Report-The required deeds have been provided and we are currently working on getting you a current Title Report. You can move forward without the Title Report.

Geo. Report-Per Jennifer Scott's email dated May 21, 2020, the requested information is in the provide Report. So the City has this time already.

Partition Plan-The revised partition plan is attached. All required information has been provided on the plan for your to move forward. A redevelopment plan is not being provided due to the fact that one is not needed. After talking with the applicant it is undecided on how the parcels within this site will be further developed. The properties are zoned IC and could be developed in several ways. At this time, we do not know how the parcels will be developed or who will own them in the future. So please void any redevelopment plans we have provided to you as part of this submittal. We are just proposing a 3 Parcel Partition in an IC zone.

As for access location and improvements, those can all be made conditions of approval. We are aware that any development on the parcels will be subject to the **Conditions of Approval per CPC-ZC-UGA18-04**. When developed, access to and from the site will be taken from Joseph Street and Aumsville Hwy per the Conditions of Approval in CPC-ZC-UGA18-04. This is only to partition the site.

Please continue forward.

Thank you,

Brandie Dalton
 Land-Use Planner
 Multi/Tech Engineering Services, Inc
 1155 SE 13th Street
 Salem, Oregon 97302
 (503) 363-9227

From: Pamela Cole <PCole@cityofsalem.net>
Sent: Thursday, May 21, 2020 12:56 PM
To: Brandie Dalton <BDalton@mtengineering.net>
Cc: Lisa Anderson-Ogilvie <LMAnderson@cityofsalem.net>
Subject: RE: Aumsville HWY Partition

Yes, and I discussed them with Glenn Davis, Jennifer Scott, and Lisa Anderson-Ogilvie.

Here's an update to our information request.

Thanks.

Pamela Cole

Planner II

City of Salem | Community Development Department

555 Liberty St SE, Suite 305, Salem OR 97301

pcole@cityofsalem.net | 503-540-2309

[Facebook](#) | [Twitter](#) | [YouTube](#) | [CityofSalem.net](#)

From: Brandie Dalton <BDalton@mtengineering.net>
Sent: Thursday, May 21, 2020 10:43 AM
To: Pamela Cole <PCole@cityofsalem.net>
Cc: Lisa Anderson-Ogilvie <LMAnderson@cityofsalem.net>
Subject: Aumsville HWY Partition

Pam,

Just wanted to make sure you have had a chance to review the Aumsville HWY documents we submitted last week to the PAC Portal.

Thank you,

Brandie Dalton
Land-Use Planner
Multi/Tech Engineering Services, Inc
1155 SE 13th Street
Salem, Oregon 97302
(503) 363-9227