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503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

CLASS 1 WILLAMETTE GREENWAY PERMIT CASE NO.: WGP20-01

APPLICATION NO.: 20-109958-ZO

NOTICE OF DECISION DATE: JULY 30, 2020

REQUEST: A Class 1 Willamette Greenway Permit for the installation of an electronic display wall sign for a 0.18 acre property zoned WSCB (West Salem Central Business District), within the Willamette Greenway Boundary, and located at 110 Wallace Road NW (Polk County Assessors Map and Tax Lot Number: 073W22C 01600).

APPLICANT: Carlos Tarrillo, Global Dynamic Technology LLC, on behalf of Phillip Gerstner, Gerstner Property Group LLC

LOCATION: 110 Wallace Road NW, Salem OR 97304

CRITERIA: Salem Revised Code (SRC) Chapter 600.015(e)(1) – Willamette Greenway Permit

FINDINGS: The findings are in the attached Decision dated July 30, 2020

DECISION: The **Planning Administrator APPROVED** Willamette Greenway - Class 1 WGP20-01 subject to the following conditions of approval:

Condition 1: Prior to any excavation, grading, or construction, a survey map, certified by a licensed Professional Land Surveyor, shall be submitted to the Director showing the Willamette Greenway Boundary and its relationship to the site and survey monuments thereon.

Condition 2: Prior to any excavation, grading, or construction, plans for removal and replacement of any native vegetation shall be submitted to and approved by the Director.

The rights granted by the attached decision must be exercised, or an extension granted, by August 15, 2022 or this approval shall be null and void.

Application Deemed Complete:	<u>July 2, 2020</u>
Notice of Decision Mailing Date:	<u>July 30, 2020</u>
Decision Effective Date:	<u>August 15, 2020</u>
State Mandate Date:	<u>October 30, 2020</u>

Case Manager: Steven McAtee, smcatee@cityofsalem.net, 503-540-2363

NOTICE OF DECISION

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



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 by 5:00 p.m, August 14, 2020. **PLEASE NOTE: Due to the COVID-19 pandemic, City of Salem Offices are closed to the public until further notice.** The notice of appeal can be submitted electronically at planning@cityofsalem.net. 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) 600. 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 Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer 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. For access to case related documents during the closure of City Hall to the public because of the Covid-19 pandemic, please contact the Case Manager.

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

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

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

**WILLAMETTE GREENWAY PERMIT CASE NO. WGP20-01
DECISION**

IN THE MATTER OF APPROVAL OF) CLASS 1 WILLMETTE GREENWAY
WILLAMETTE GREENWAY PERMIT) PERMIT
CASE NO. 20-01)
110 WALLACE ROAD NW - 97304) July 30, 2020

In the matter of the application for a Class 1 Willamette Greenway Permit submitted by Carlos Tarrillo of Global Dynamic Technology LLC., on behalf of the applicant and property owner Gerstner Property Group 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

Summary: A request to construct a 133.6 square foot electronic display wall sign on an existing building.

Request: A Class 1 Willamette Greenway Permit erect a 133.6 square foot electronic display wall sign on the south east façade of an existing building at a property approximately 0.18 acre property zoned WSCB (West Salem Central Business District), within the Willamette Greenway Boundary, and located at 110 Wallace Road NW (Polk County Assessors Map and Tax Lot Number: 073W22C 01600).

A vicinity map illustrating the location of the property is attached hereto and made a part of this staff report (**Attachment A**).

DECISION

APPROVED subject to the applicable standards of the Salem Revised Code, the findings contained herein, conformance with the approved site plans, and subject to the following conditions:

Condition 1: Prior to any excavation, grading, or construction, a survey map, certified by a licensed Professional Land Surveyor, shall be submitted to the Director showing the Willamette Greenway Boundary and its relationship to the site and survey monuments thereon.

Condition 2: Prior to any excavation, grading, or construction, plans for removal and replacement of any native vegetation shall be submitted to and approved by the Director.

FINDINGS

1. Class 1 Willamette Greenway Development Permit Applicability

Pursuant to Section 600.015 of the Salem Revised Code, no intensification, change of use, or development within the Willamette Greenway Overlay Zone shall occur unless a greenway development permit has been issued pursuant to this chapter.

Class 1 greenway development permit. A Class 1 greenway development permit is a permit for any intensification, development, or change of use occurring within the Willamette Greenway, but outside of the compatibility review boundary.

2. Background

On June 18, 2020 a Class 1 Willamette River Greenway Development Permit application was filed for the proposed development. After additional information was received, the application was deemed complete for processing on July 2, 2020. The applicant's proposed site plan is included as **Attachment B** and the applicant's written statement addressing the approval criteria is included as **Attachment C**.

Summary of Record:

The following items are submitted to the record and are available upon request: All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; any materials and comments from public agencies, City departments, neighborhood associations, and the public; and all documents referenced in this report.

Neighborhood and Citizen Comments:

Notice of the application was sent to the West Salem Neighborhood Association and all property owners of record within 250 feet of the subject property. A total of two comments were received from the surrounding community. One comment indicated no concerns for the project. The Glen and Gibson Creeks Watershed Council provided comments indicating, generally, concern that the sign will be visible from the Willamette River and detract from the historic, cultural and economic value of the River. Specific questions and concerns are as follows:

- Concern with whether the proposed electronic display sign will be visible from the Willamette River.
- Concern with whether the sign will meet the restrictions established for lighting visible from the Willamette River, *SRC 600.025(e)*.

Findings: The applicant's site plans, elevations, and written statement indicate that no portion of the sign, or the light it emits, will be visible from the Willamette River. It is obscured by distance, geography, and roadway/transportation infrastructure.

City Department Comments:

The Public Works Department reviewed the proposal and indicated no concerns.

The Fire Department has reviewed the proposal and indicated no concerns.

The Building and Safety Division has reviewed the proposal and indicated no concerns.

Public Agency Comments:

Salem Electric provided the following comment: "*Salem Electric will provide Electric Service according to the rates and policies at the time of construction.*"

3. Analysis of Class 1 Willamette Greenway Permit Approval Criteria

The approval criteria for a Class 1 Willamette Greenway Development Permit are found in SRC 600.015(e)(1). Findings addressing the applicable approval criteria are included below.

Criterion 1:

The proposed intensification, development, or change of use is consistent with:

(i) **The Willamette Greenway Plan.**

Finding: The Oregon Greenway Plan is Goal 15 of the Oregon's Statewide Planning Goals & Guidelines. The Salem Area Comprehensive Plan (SACP) includes adopted Urban Area Goals and Policies consistent with Statewide Planning Goal 15. In turn, the Salem Zoning Code implements the SACP land use goals, and more precisely governs development of the subject property. Therefore, conformance with all applicable standards in SRC Chapter 600 is sufficient to establish consistency with the Greenway Plan. Development of the subject property, as proposed, is consistent with the Greenway Plan.

(ii) **The Willamette Greenway Riparian Buffer Enhancement Guide.**

Finding: The subject property does not have frontage along the Willamette River, and the proposed development site is located outside of the Willamette Riparian Buffer Area, therefore this standard is not applicable.

(iii) **The applicable standards of this Chapter.**

Finding: Development within the Willamette Greenway Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in SRC Chapter 600.

SRC 600.020 – Uses

Except as otherwise provided in this section, any use or activity that is a permitted, special, conditional, or prohibited use or activity in the underlying zone is a permitted, special, conditional, or prohibited use or activity in the Willamette Greenway Overlay Zone.

(a) Uses in Riparian Buffer. The following uses and activities, when allowed in the underlying zone, shall be the only uses and activities allowed within the riparian buffer of the Willamette Greenway Overlay Zone:

- (1) Uses and activities excepted from a Greenway Development Permit under SRC 600.015(a)(2);
- (2) Riparian restoration and enhancement activities; and
- (3) Water-dependent and water-related uses and activities.

Finding: The 75-foot-wide Willamette River Greenway Buffer does not extend onto the subject property. No uses or activities are proposed within the riparian buffer.

SRC 600.025(a) – General Standards

(1) Existing predominant topographical features of the bank and escarpment shall be preserved and maintained, with the exception of disturbance necessary for:

- (A) The construction or establishment of a water-related, water-dependent, or river-oriented use or activity; and
- (B) Measures necessary to reduce existing or potential bank and escarpment erosion, landslides, or flood hazard conditions.

(2) The slope, soil characteristics, and other physiographic conditions existing within the land area between the ordinary low water line and the Willamette Greenway Boundary shall be considered to assure that the proposed intensification, development, or change of use will not adversely affect the stability of the land area.

(3) The hydraulic effect of the Willamette River on the bank shall be considered in the design of any proposed intensification, development, or change of use.

(4) The hydraulic and flood carrying capacity of the river shall be considered in the design of any proposed intensification, development, or change of use.

(5) Impact on the riparian buffer resulting from the proposed intensification, development, or change in use shall be minimized.

Finding: Proposed development and construction activities will not infringe into the Riparian Buffer Area; this standard is not applicable.

SRC 600.025(b) – Landscaping

(1) Landscaping shall conserve, or if disturbed by the development activity restore to the greatest extent possible, vegetative cover within the Willamette

Greenway Boundary. Landscaping is not required where it would significantly interfere with a water-dependent or water-related use or activity.

(2) Native vegetation removed from the riparian buffer shall be replaced with native vegetation which is compatible with and enhances the functions of the riparian buffer.

(3) Trees and shrubs shall be provided as follows:

(A) A minimum of 1 tree shall be provided for every 20 feet of river frontage.

(B) A minimum of 1 shrub shall be provided for every 2 feet of river frontage.

(C) All trees and shrubs shall be planted within and generally riverward of the Willamette Greenway Boundary.

(D) The planting standards included under subparagraphs (A) and (B) of this paragraph are for calculation purposes only, and do not require linear planting. Groupings of trees, shrubs, or both are encouraged, particularly along the riverbank.

(4) Areas which are not paved or revetted shall be planted with living ground cover.

Finding: The subject property does not have frontage along the Willamette River, the proposed development will not disturb existing vegetative cover within the Willamette Greenway Riparian Buffer. No riparian area replanting is required for this development.

SRC 600.025(c) – Water Quality

(1) Water Quality Development Standards, Generally. In order to protect and improve water quality within the Willamette Greenway Boundary, a riparian buffer, as set forth in paragraph (2) of this subsection, along with one or more of the mitigation measures, as set forth in paragraph (3) of this section, shall be established.

Finding: The subject property does not have frontage along the Willamette River, and the proposed development site is located outside of the Willamette Riparian Buffer Area, therefore this standard is not applicable.

SRC 600.025(d) – Structures

All buildings, structures, and exterior mechanical equipment shall be screened, colored, or surfaced so as to blend with the riparian area. Colors shall be natural earth or leaf tones. Surfaces shall be non-reflective. Screening shall be sight-obscuring.

Finding: The proposed electronic display wall sign is separated from the Willamette River by Highway 22 and is not visible from the Willamette River, therefore this standard is not applicable.

SRC 600.025(e) – Lighting

- (1) Lighting shall not flash, if visible from the Willamette River, and shall not be focused or oriented onto the surface of the Willamette River.
- (2) The maximum aggregate intensity of all lighting falling on the surface of the Willamette River shall not exceed one-tenth foot-candle per square foot.
- (3) No red or green lights shall be visible from the Willamette River.
- (4) Notwithstanding any other provision of this section, lighting necessary for safety of pedestrians may be provided for public or private walkways.

Finding: Flashing lights and red or green lights will not be visible from the Willamette River; therefore, this standard is not applicable.

SRC 600.025(f) – Screening of Parking and Unenclosed Storage

Parking, loading, and unenclosed storage areas shall be screened from the Willamette River and from adjacent properties by:

- (1) A sight-obscuring berm; or
- (2) A sight-obscuring hedge, a minimum of 6 feet in height at maturity. Hedges shall, when planted, be no less than 3 feet in height and shall be of a species capable of attaining a minimum height of 6 feet within 3 years after planting.

Finding: There are no proposed alterations to the existing off-street parking. The existing parking area is separated from the Willamette River by Highway 22 and is not visible from the Willamette River, therefore this standard is not applicable.

SRC 600.025(g) – View Corridors

- (1) Whenever right-of-way located wholly or partially within the Willamette Greenway Overlay Zone is vacated, the city shall retain a scenic easement or other equivalent interest in the area vacated to provide visual access to the Willamette River across the entire width of the vacated right-of-way, or for a width of 30 feet, whichever is less, and along the entire length of the vacated right-of-way. Subject to approval by the City Council, the abutting property owner, or owners, may substitute an area with equivalent size and dimensions under like restriction, if the substitute area provides comparable or better visual access to the Willamette River.
- (2) The area covered by the scenic easement or other equivalent interest shall be limited to use for walkways, bicycle paths, and berms or landscaped areas; provided, however, that within an area of 7.5 feet on either side of the centerline of the scenic easement or other equivalent interest, landscaping and berms shall not exceed 3 feet in height.

Finding: No portion of right-of-way is being vacated with this request, this standard is not applicable.

SRC 600.025(h) – Public Access

Where practical, public access to and along the Willamette River should be provided by easement, dedicated right-of-way, or other appropriate legal means.

Finding: The proposed development does not have frontage along the Willamette River, therefore this standard is not applicable.

SRC 600.015(f) – Conditions of Approval

(1) Conditions may be imposed on any Greenway Development Permit necessary to ensure that proposed intensification, development, or change of use complies with the Willamette River Greenway Plan and the purpose of this Chapter, and preserves and enhances the natural, scenic, historic, and recreational qualities of the Willamette River Greenway.

(2) In addition to any conditions imposed under paragraph (1) of this subsection, every Greenway Development Permit shall include the following conditions:

Condition 1: Prior to any excavation, grading, or construction, a survey map, certified by a licensed Professional Land Surveyor, shall be submitted to the Director showing the Willamette Greenway Boundary and its relationship to the site and survey monuments thereon.

Condition 2: Prior to any excavation, grading, or construction, plans for removal and replacement of any native vegetation shall be submitted to and approved by the Director.

(iv) Where applicable, the stormwater runoff water quality standards adopted and administered by the Public Works Department.

Finding: The proposed development does not disturb or impact stormwater runoff from the development site. The Public Works Department has reviewed the proposed site plan and indicated no concerns.

Criterion 2:

The proposed intensification, development, or change of use complies with all applicable development standards in the UDC.

Finding: A complete summary of the applicable development standards in the UDC for this development is included in the Willamette Greenway Permit findings of this report.

4. Based upon review of SRC Chapter 600, the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the application complies with the requirements for an affirmative decision.

ORDER

Final approval of Class 1 Willamette Greenway Permit Case No. 20-01 is hereby **APPROVED** subject to SRC Chapter 600, the applicable standards of the Salem Revised Code, conformance with the approved site plan included as **Attachment B**, and the following conditions of approval:

- Condition 1:** Prior to any excavation, grading, or construction, a survey map, certified by a licensed Professional Land Surveyor, shall be submitted to the Director showing the Willamette Greenway Boundary and its relationship to the site and survey monuments thereon.
- Condition 2:** Prior to any excavation, grading, or construction, plans for removal and replacement of any native vegetation shall be submitted to and approved by the Director.

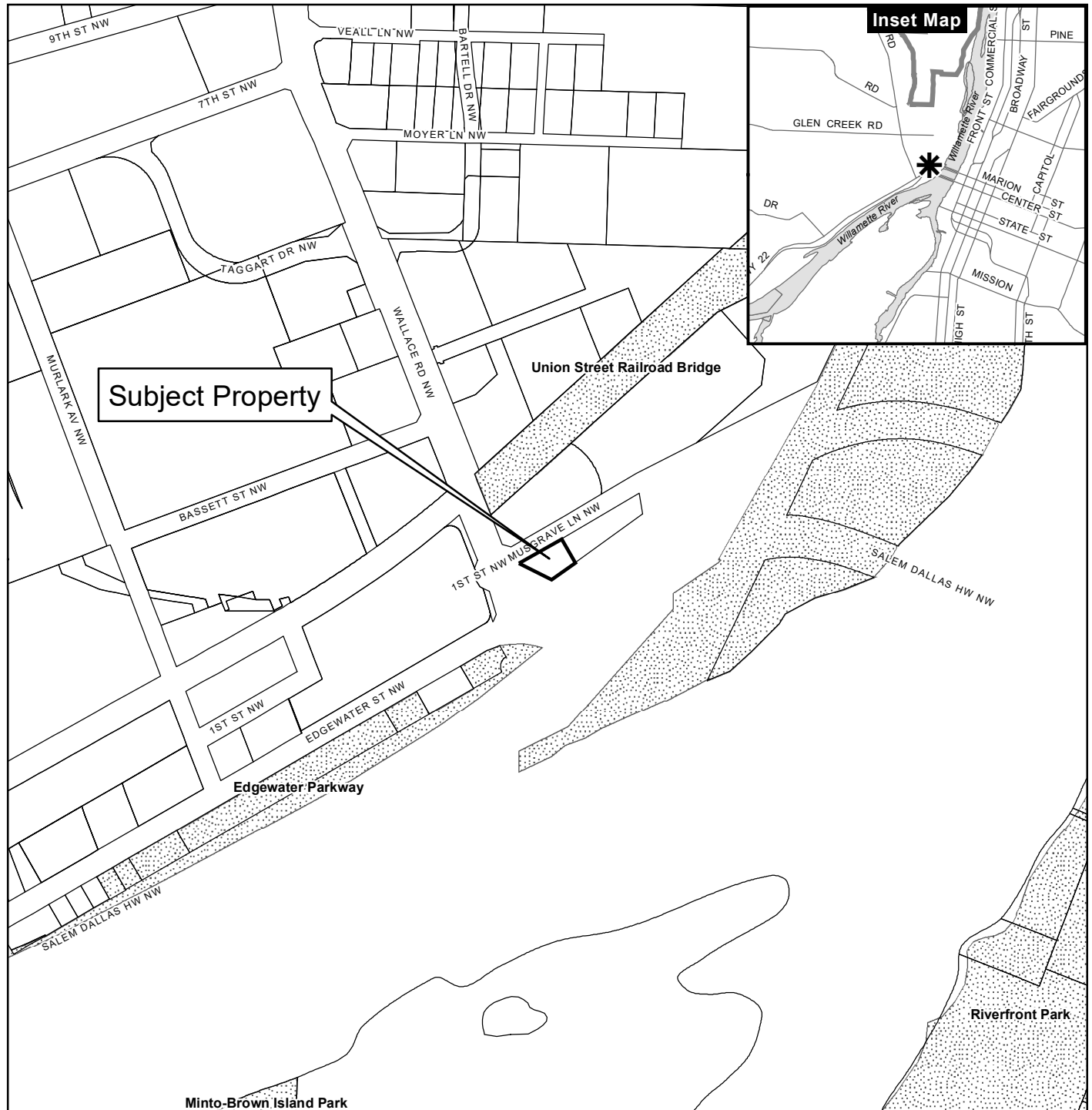


Steven McAtee, Planner II,
On behalf of Lisa Anderson-Ogilvie, AICP
Planning Administrator

- Attachments: A. Vicinity Map
B. Proposed Site Plan
C. Applicant's Written Statement

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

Vicinity Map 110 Wallace Rd NW



Legend

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

- Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

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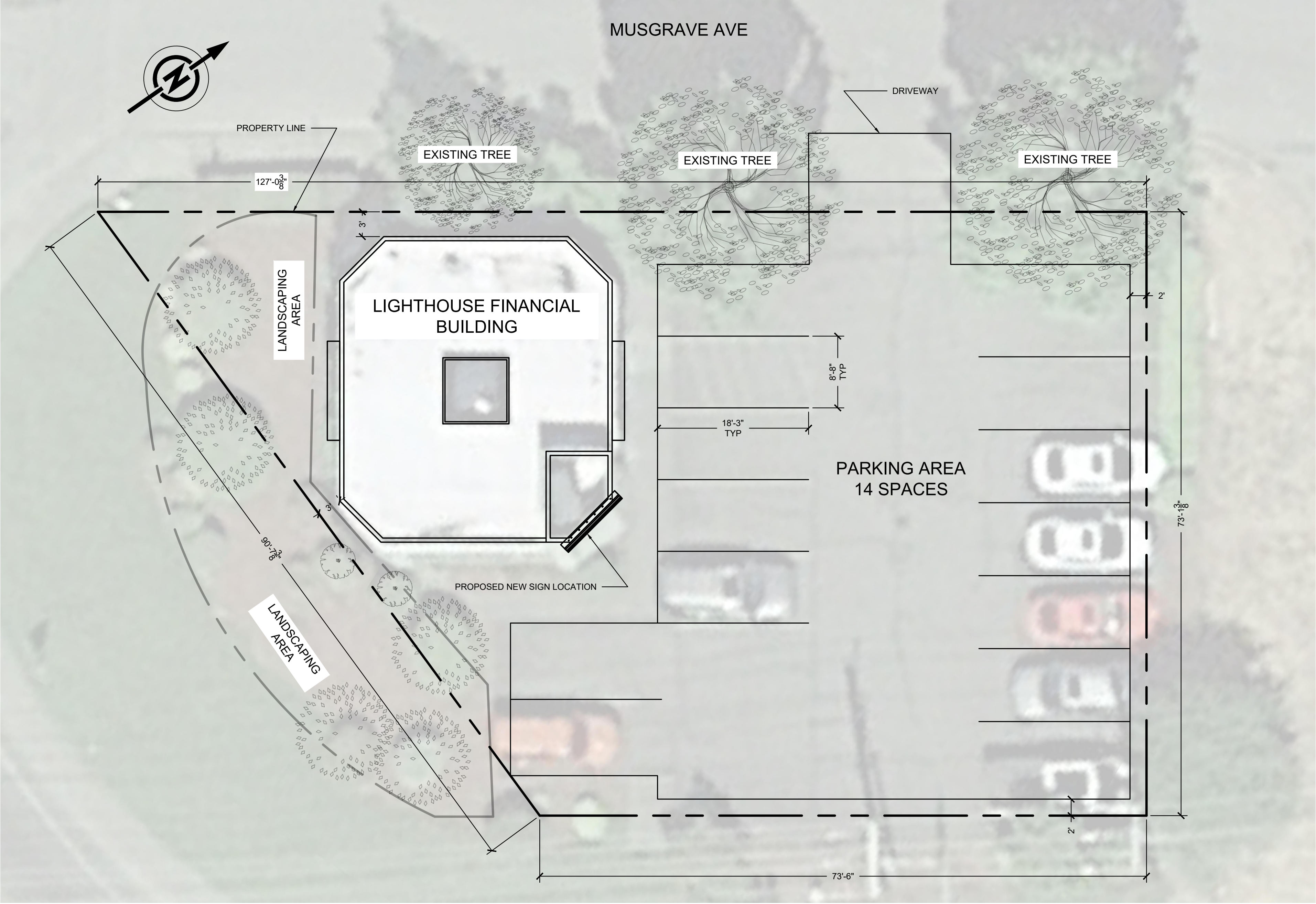


B

B

A

A



NOTE:
TOTAL LOT SQUARE FOOTAGE = 7330. sq. ft.
LANDSCAPING AREA SQUARE FOOTAGE = 1484.sq. ft.

1 LIGHTHOUSE FINANCIAL SITE PLAN
Scale: 1/8" = 1'-0"

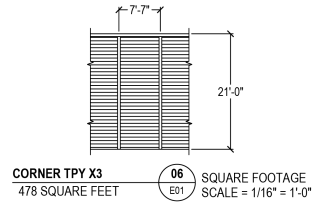
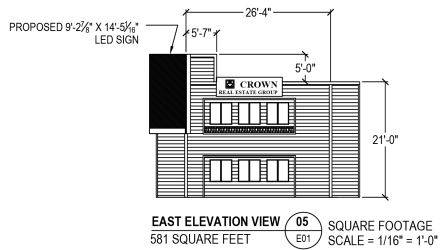
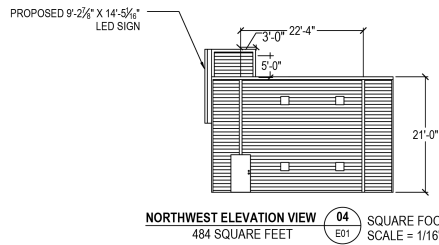
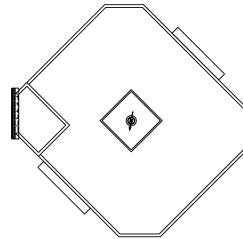
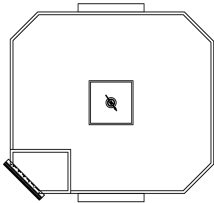
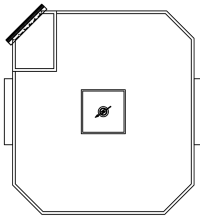
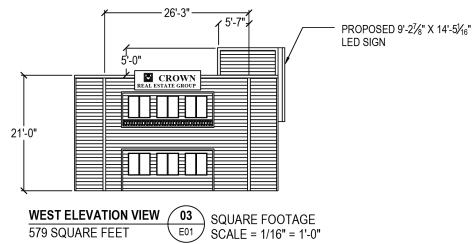
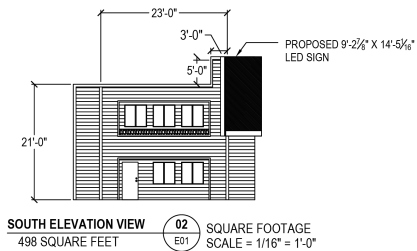
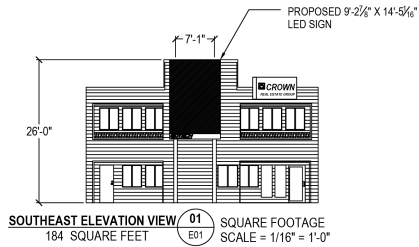
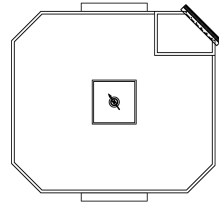
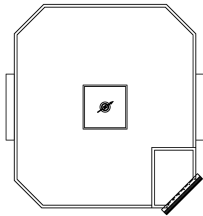
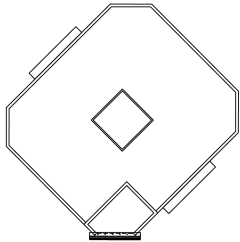
REVISION HISTORY				
ZONE	REV	DECSRIPTION	DATE	APPROVED
A4	B	ADDED LOT FT²	6/29/2020	SDA
A3	C	ADDED LEADER CALLOUT TO PROPOSED NEW SIGN LOCATION	6/30/2020	SDA

DRAWN SDA	DATE 06.29.20
CHECKED TT	DATE 06.29.20
APPROVED TT	DATE 06.129.20

LIGHTHOUSE FINANCIAL		
SIZE C	DGW NO LT0102	REV C
SCALE 1/8" = 1'-0"		SHEET 1 OF 1



REVISION HISTORY				
ZONE	REV	DESCRIPTION	DATE	APPROVED



NOTE:
TOTAL SQAURE FOTTAGE = 2804FT²

DRAWN SDA		LIGHTHOUSE FINANCIAL				
CHECKED						
NA		SIZE C	DGW NO LT 0101			SIZE A
APPROVED						
TT		SCALE 1/16" = 1'-0"			SHEET 1 OF 1	





PO Box 1920, Silverton, OR 97381
www.cascadiapd.com / 503-804-1089

CITY OF SALEM
APPLICATION FOR
LAND USE REVIEW

Gerstner Property Group, LLC
CLASS 1 WILLAMETTE GREENWAY
DEVELOPMENT PERMIT

Location: 110 Wallace Road NW
Salem, OR 97304

Prepared by: Steve Kay, AICP

Applicant: Lighthouse Financial Enterprises
110 Wallace Road NW
Salem, OR 97304

June 18, 2020

APPLICANT'S STATEMENT

PROJECT NAME:	Gerstner Property Group, LLC Class 1 Willamette Greenway Development Permit
REQUEST:	Approval of a Class 1 Willamette Greenway Development Permit to Allow the Installation of a 133.6 sq. ft. LED Wall Sign
ASSESSOR'S INFORMATION:	Map No. 07322C001600 Polk County
APPLICANT'S REPRESENTATIVE:	Global Dynamic Technology Attn: Carlos Tarrillo 1855 Hawthorne Avenue NE Salem, OR 97301 503-400-5607 carlos@gdtechusa.com
APPLICANT/PROPERTY OWNER:	Gerstner Property Group, LLC 7251 Fieldview Street NE Keizer, OR 97303
PROPERTY SIZE:	0.18 acres +/-
LOCATION:	110 Wallace Road NW Salem, OR 97304

I. APPLICABLE REGULATIONS

- 1. WILLAMETTE RIVER GREENWAY PLAN**
- 2. WILLAMETTE GREENWAY RIPARIAN BUFFER ENHANCEMENT GUIDE**
- 3. SALEM UNIFIED DEVELOPMENT CODE**

Chapter 600: Willamette Greenway

II. BACKGROUND:

The applicant and property owner, Gerstner Property Group LLC, is requesting approval of a Class 1 Willamette Greenway Development Permit to install a new wall sign on an existing commercial building located at 110 Wallace Road NW. The 0.18 acre site is zoned West Salem Central Business (WSCB) and is identified by the Polk County Assessor as Map No. 07322C001600. The submitted application is to install a 133.6 sq. ft. LED sign measuring 9'-2 7/8" x 14'-5 1/16" on the west elevation of the existing structure. The sign will project a static image advertising Lighthouse Financial Enterprises, who is the only building tenant. Two existing 43.2 sq. ft. wall signs, each measuring 3'-6" x 12'-0", will also be retained on the structure.

The attached Greenway Site Plan demonstrates that the existing commercial structure is located approximately 494-ft. from the Willamette River and approximately 25-ft. above the waterfront. The plan illustrates that Wallace Marine Park is located directly adjacent to the river, providing an existing 165-ft. riparian buffer along the river. North of the park is an east bound on-ramp, east bound travel lanes, west bound travel lanes, and west bound off-ramp lanes within the State Highway 22 right-of-way. Due to the elevation difference between the site and the river, as well as the height of highway viaducts adjacent to the site, there is no direct line of sight between the proposed sign and the Willamette River.

This Applicant's Statement addresses applicable provisions of the Willamette River Greenway Plan, Willamette Greenway Riparian Buffer Enhancement Guide, and Chapter 600 of the Unified Development Code. Copies of the signed application form, property deed, proposed development plans, and neighborhood association contact documentation have been submitted with this application. The exhibits and this written statement demonstrate that the submitted Class I Willamette Greenway Development Permit meets the criteria for approval.

III. FINDINGS

1. WILLAMETTE RIVER GREENWAY PLAN

A. Salem Area Comprehensive Plan Goals and Policies.

Willamette River Greenway:

GOAL: To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River.

POLICIES:

2. **Riparian vegetation and wildlife within the Greenway Boundary shall be conserved. Conservation shall include protecting and managing riverbanks, sloughs, wildlife and vegetation.**

COMMENT:

Chapter 600 of the Salem Unified Development Code requires the maintenance of 50-ft. to 70-ft. riparian buffers along the Willamette River for vegetation and wildlife habitat. The applicant's submitted Greenway Site Plan demonstrates that a 165-ft. wide riparian buffer is currently provided to the south within Wallace Marine Park. The applicant's proposal to install a wall sign on an existing building on the property will not impact this off-site natural area.

3. **Scenic easements shall be used where practical to preserve and enhance the character of the river within the Greenway Boundary.**

COMMENT:

The attached Greenway Site Plan demonstrates that the existing commercial structure on the site is located approximately 494-ft. from the Willamette River. In addition, there is approximately 25-ft. of elevation gain between the river's ordinary low water line elevation and the subject property. Between the site and Wallace Marine Park is an east bound on-ramp, elevated east bound travel lanes, elevated west bound travel lanes, and west bound off ramp lanes associated with State Highway 22. Due to elevation differences between the site and the river, and the height of the Hwy. 22 viaducts, it is not possible to view the proposed sign from the Willamette River.

6. **Existing parks within the Greenway Boundary shall be preserved and maintained. Additional sites for recreation and scenic views and access to the Willamette River should be acquired.**

COMMENT:

The applicant is proposing to install a wall sign on private property located at 110 Wallace Road NW. Wallace Marine Park was developed south of the subject site and provides recreation, scenic views, and access to the Willamette River. The submitted Site Plan demonstrates that the proposed wall sign will not impact this park, which is located approximately 329-ft. from the subject property, and is visually separated from the site by elevated lanes of State Highway 22.

7. **New development and changes of land uses which are compatible with the Greenway concept as defined in the State Land Use Goal may be permitted along the Willamette River.**

COMMENT:

As discussed above, the proposed wall sign is located where it will not impact natural areas, recreation, or access along the Willamette Greenway. Due to elevation differences between the subject site and the riverfront, as well as the presence of highway viaducts along the Highway 22 right-of-way, the proposed sign will not impact scenic views in the Greenway. The attached Site Plan and Building Elevations indicate that the sign will be installed on an existing structure. The building is located within the WSCB zone and is currently occupied by two commercial uses that are permitted in the zone and the Willamette River Greenway. Therefore, the proposed sign is compatible with the Greenway concept as defined in the State Land Use Goal.

River-Oriented Mixed Uses Area:

GOAL: To increase riverfront development opportunities for a combination of urban uses that take advantage of the scenic, natural and recreational qualities of the riverfront.

POLICIES:

1. **Visual access should be provided to the riverfront from buildings through the provision of such design features as: waterfront orientation of building layout, windows, balconies and lanais.**

COMMENT:

Due to the location of elevated sections of Highway 22, as well as grade differences between the site and riverfront, there is no visual connection between the subject property and the Willamette River. As such, the existing building at 110 Wallace Road NW was not designed with waterfront orientation and the proposed sign will not impact visual access to the river.

2. **Visual access and a sense of openness shall be provided by maximizing the open space between buildings and between buildings and the river.**

COMMENT:

Visual access and a sense of openness within the Willamette Greenway are currently provided by Wallace Marine Park, which includes the preservation of a 165-ft. riparian corridor between the site and the river. The attached Greenway Site Plan demonstrates that Highway 22 viaducts are located between the park and the subject property, therefore the proposed wall sign will not impact existing open space between buildings and the river.

4. **Conservation of mature ground cover and trees, wildlife habitats and the natural contours and exposure of the riverbank shall be assured through the careful placement of buildings and related site improvements such as parking areas**

COMMENT:

The attached Greenway Site Plan indicates that an existing riparian buffer, measuring approximately 165-ft. wide, is currently provided within Wallace Marine Park. The applicant's Site Plan demonstrates that the proposed wall sign will not impact mature vegetation, wildlife habitat, or natural topography along the riverbank.

B. PLAN DESIGNATIONS

- 2. The Greenway Development District delineates an area wherein lands are committed to urban uses. In this district there are a variety of uses, primarily commercial and industrial. These lands which are committed to urban uses shall be permitted to continue as such. Review criteria regarding a change, or an intensification of a land use within the Development District, are contained in Chapter 120 of Salem Revised Statutes.**

COMMENT:

The subject site is zoned WSCB and is located in an area where land is committed to urban uses. Allowed uses within the WSCB zone include a variety of commercial activities. The proposed wall sign is permitted within the WSCB zone and will advertise services for Lighthouse Financial Enterprises, one of the tenants of the building. Two existing wall signs will also be retained to provide advertising for the building tenant. These commercial uses and associated signage are permitted urban uses within the Greenway Development District.

2. WILLAMETTE GREENWAY RIPARIAN BUFFER ENHANCEMENT GUIDE

Riparian Buffer Area Enhancement. For enhancement purposes, the riparian buffer area shall be composed of three sections. Each section is ecologically significant and should be managed uniquely to provide water quality, habitat, and aesthetic benefits. Requirements related to plant spacing and coverage by shrubs, trees, and groundcover are provided in Table 1.

Enhancement Sections:

Riverside Section. The riverside section shall begin at the ordinary high water line and extend landward to the break in the slope where the slope exceeds 20%. Species listed in the "Riparian" or "Wetland" columns of the City of Salem Native Plant List shall be planted in this section.

COMMENT:

Within Wallace Marine Park, the Riverside Enhancement Section extends approximately 30-ft. from the ordinary high water line. The park is maintained by the City of Salem in accordance with the Willamette Greenway Riparian Buffer Enhancement Guide. The proposed Site Plan demonstrates that the proposed wall sign at 110 Wallace Road NW will not impact this portion of the riparian buffer.

Escarpment Section. The escarpment section will begin at the landward side of the riverside section and extend landward to the break in the slope where the slope

becomes less than 20%. Species listed in the "Riparian" or "Forest Slope" columns of the City of Salem Native Plan List shall be planted in this section.

COMMENT:

The Escarpment Enhancement Section is located between 30-ft. and 70-ft. from the ordinary high water line within Wallace Marine Park. The submitted Site Plan demonstrates that the proposed wall sign at will not impact this portion of the riparian buffer. As mentioned above, the City of Salem currently maintains the park in accordance with the Willamette Greenway Riparian Buffer Enhancement Guide.

Outer Section. The outer section will begin at the landward side of the escarpment section and extend landward to the edge of the Riparian Buffer Area 40 feet. Species listed in the "upland forest," "thicket," and "grass" columns of the City of Salem Native Plan List shall be planted in this section.

COMMENT:

The Outer Enhancement Section starts approximately 70-ft. from the ordinary high water line and extends to the limits of Wallace Marine Park. Since the City of Salem maintains the park, it contains vegetation consistent with the Willamette Greenway Riparian Buffer Enhancement Guide. The applicant's Site Plan demonstrates that the proposed wall sign will not impact this portion of the riparian buffer.

3. SALEM UNIFIED DEVELOPMENT CODE

Chapter 600: Willamette Greenway

Section 600.010: Willamette Greenway Overlay Zone boundary; compatibility review boundary.

- (a) Willamette Greenway Overlay Zone boundary. The boundary of the Willamette Greenway Overlay Zone shall be the Willamette Greenway Boundary, as mapped by the Oregon Department of Transportation. At the time of annexation, the Willamette Greenway Overlay Zone shall be automatically applied to any land, or portion thereof, within the annexed territory that lies within the Willamette Greenway Boundary.**

COMMENT:

A review of City of Salem maps indicates that the subject site is located within the Willamette Greenway Overlay Zone boundary, therefore this chapter applies.

- (b) Compatibility Review Boundary. The Compatibility Review Boundary is that area within the Willamette Greenway Overlay Zone that is located along each bank of the Willamette River, and lying 150 feet from the ordinary low water line of the Willamette River.**

COMMENT:

As demonstrated by the attached Greenway Site Plan, the subject site is located approximately 495-ft. from the ordinary low water line of the Willamette River. Since this distance exceeds 150-ft, the property is not located within the Compatibility Review Boundary.

Section 600.015: Willamette Greenway Development Permit.

(a) Applicability.

- (1) Except as provided under subsection (a)(2) of this section, no intensification, change of use, or development within the Willamette Greenway Overlay Zone shall occur unless a greenway development permit has been issued pursuant to this chapter.**

COMMENT:

The applicant is proposing to install a 133.6 sq. ft. LED sign measuring 9'-2 7/8" x 14'-5 1/16" on the west elevation of an existing building located at 110 Wallace Road NW. Since the site is located within the Willamette Greenway Overlay Zone, the applicant is requesting approval of a Greenway Development Permit.

(b) Classes.

- (1) Class 1 greenway development permit. A Class 1 greenway development permit is a permit for any intensification, development, or change of use occurring within the Willamette Greenway, but outside of the compatibility review boundary.**

COMMENT:

As discussed above, the subject site is located within the Willamette Greenway, but outside of the Compatibility Review Boundary. As required, the submitted Application Form indicates that the applicant is requesting a Class 1 Greenway Development Permit.

- (d) Submittal requirements. In addition to the submittal requirements under SRC chapter 300, an application for a Class 1 or Class 2 greenway development permit shall include the following:**

- (1) An existing conditions plan, of a size and form and in the number of copies meeting the standards established by the Director, containing the following information:**

(A) The total site area, dimensions, and orientation relative to north;

(B) Site topography shown at five-foot contour

intervals, or two-foot contour intervals for areas within a floodplain;

- (C) The location of existing buildings, accessory structures, and other improvements on the site, including parking areas, loading areas, driveways and driveway approaches, fences, and walls, and whether they are to be removed;
- (D) The location of the 100 year floodplain, if applicable; and
- (E) The location of drainage patterns and drainage courses, if applicable.

COMMENT:

The attached Site Plan and FEMA Map provide all of the applicable information listed above. The exhibits demonstrate that while the subject property is located within the 100-year floodplain, it is not located within the Willamette River floodway.

- (2) A site plan, of a size and form and in the number of copies meeting the standards established by the Director, containing the following information:
 - (A) The total site area, dimensions, and orientation relative to north;
 - (B) The use, location, distance to property lines, and height of all proposed buildings and accessory structures;
 - (C) The location, distance to property lines, and layout of all proposed parking areas, including the size, number, and dimensions of proposed spaces;
 - (D) The location of all proposed driveways and driveway approaches;
 - (E) The location and square footage of all proposed landscaping;
 - (F) The location, height, and material of all proposed fences, walls, berms, and other proposed screening;
 - (G) The location of all trees and vegetation required to be protected pursuant to SRC chapter 808;
 - (H) The location of the riparian buffer required under

SRC 600.025(c)(2);

- (I) The location of the ordinary low water line and the ordinary high water line; and**
- (J) The location of proposed pedestrian circulation areas.**

COMMENT:

The submitted Site Plan provides all applicable dimensions listed above. The applicant's Greenway Site Plan illustrates that an existing 165-ft. riparian buffer along the Willamette River is located within Wallace Marine Park. The attached FEMA Map demonstrates that the ordinary low water line and ordinary high water line are sited within a floodway area that is contained within Wallace Marine Park.

- (3) Identification of the color and exterior surface materials of all proposed buildings, structures, fences, walls, and mechanical equipment.**

COMMENT:

The applicant is proposing to install a LED wall sign on an existing structure. The attached Sign Manufacturer Statement indicates that the constructed sign will consist of an earth tone black matte finished material. However, due to the location of elevated sections of Highway 22, the proposed sign will not be visible from the river.

- (4) A mitigation plan containing the following:**

- (A) Identification of a wider riparian buffer, in compliance with the standards set forth in SRC 600.025(c)(3)(A), if a greater riparian buffer is chosen as a mitigation measure under SRC 600.025(c)(3).**
- (B) An enhancement plan, in accordance with the Willamette Greenway Riparian Buffer Enhancement Guide, if riparian buffer enhancement is chosen as a mitigation measure under SRC 600.025(c)(3).**
- (C) An off-street parking stormwater management plan, in compliance with the standards set forth in SRC 600.025(c)(3)(C), if off-street parking design standards for stormwater quantity and quality are chosen as a mitigation measure under SRC 600.025(c)(3).**
- (D) A tree planting plan, in compliance with the standards set forth in SRC 600.025(c)(3)(D) if tree planting for stormwater management is chosen as**

a mitigation measure under SRC 600.025(c)(3).

- (E) The location and design of proposed alternative paving techniques, in accordance with the standards set forth in SRC 600.025(c)(3)(E), if utilization of alternative paving techniques is chosen as a mitigation measure under SRC 600.025(c)(3).

COMMENT:

As demonstrated by the Greenway Site Plan, the existing riparian buffer within Wallace Marine Park is located approximately 329-ft. from the subject property. Since the applicant is not proposing to impact the riparian buffer, and no visual or stormwater impacts are created by the proposed sign, no mitigation measures are proposed.

- (5) A report by a certified engineering geologist or geotechnical engineer demonstrating that the standards specified in SRC 600.025(a)(2) have been met.

COMMENT:

The applicant is proposing to install a wall sign on an existing structure. Structural engineering plans have been submitted with this application to demonstrate that the sign can be safely attached to the building. Since the wall sign does not require excavation or installation of a new footing, a geotechnical report is not required for this application.

- (6) A report by a registered professional engineer detailing the hydraulic and flood carrying capacity of the river.

COMMENT:

The attached FEMA Map indicates that the subject site is located outside of the Willamette River floodway. The existing structure was constructed in 1978, before the current FEMA Map was prepared. Since the proposed sign will be installed approximately 9-ft. above the base flood elevation of 146-ft., the sign will not impact the flood carrying capacity of the river.

(e) Criteria.

- (1) Class 1 greenway development permit. An application for a Class 1 greenway development permit shall be granted if all of the following criteria are met:
 - (A) The proposed intensification, development, or change of use is consistent with:
 - (i) The Willamette River Greenway Plan;

COMMENT:

The applicant has addressed how the proposed sign is consistent with the Willamette River Greenway Plan in the narrative provided above.

- (ii) **The Willamette Greenway Riparian Buffer Enhancement Guide;**

COMMENT:

The applicant has addressed how the proposed sign is consistent with the Willamette Greenway Riparian Buffer Plan in the narrative provided above.

- (iii) **The applicable standards of this chapter; and**

COMMENT:

This Applicant's Statement has addressed all applicable standards of this chapter.

- (iv) **Where applicable, the stormwater runoff water quality standards adopted and administered by the Public Works Department.**

COMMENT:

As demonstrated by the submitted Building Elevations and Site Plan, the proposed wall sign will be attached to an existing structure on the subject site. Since the applicant is not proposing to create new impervious surfaces on the property, stormwater runoff water quality standards do not apply to this application.

- (B) **The proposed intensification, development, or change of use complies with all applicable development standards in the UDC.**

COMMENT:

As required, the applicant has addressed all applicable development standards in the Salem Unified Development Code for the requested Class 1 Willamette Greenway Development Permit. A separate application was previously submitted by the applicant to address how the proposed sign meets applicable Chapter 900 Sign Code standards.

Section 600.025: Development standards.

Development within the Willamette Greenway Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with

the development standards applicable in the underlying zone or any other overlay zone, the development standards in this section shall be the applicable development standard.

(a) General standards.

- (1) Existing predominant topographical features of the bank and escarpment shall be preserved and maintained, with the exception of disturbance necessary for:**

COMMENT:

Within Wallace Marine Park, the bank and escarpment extends approximately 70-ft. from of the ordinary high water line. As demonstrated by the submitted Site Plan and Greenway Site Plan, the proposed wall sign will not impact existing topographic features within the park.

- (2) The slope, soil characteristics, and other physiographic conditions existing within the land area between the ordinary low water line and the Willamette Greenway Boundary shall be considered to assure that the proposed intensification, development, or change of use will not adversely affect the stability of the land area.**

COMMENT:

The attached Greenway Site Plan demonstrates that the existing commercial structure and proposed wall sign are located approximately 494-ft. from the Willamette River and approximately 25-ft. above the river's ordinary low water line. The plan illustrates that Wallace Marine Park is located directly adjacent to the river, providing an existing 165-ft. riparian corridor along the waterway. North of the park is an east bound on-ramp, east bound travel lanes, west bound travel lanes, and west bound off ramp lanes associated with State Highway 22. The subject site is located well above the river bank and escarpment area and is generally flat. Therefore, the proposed wall sign will not adversely affect the stability of the land area.

- (3) The hydraulic effect of the Willamette River on the bank shall be considered in the design of any proposed intensification, development, or change of use.**

COMMENT:

The attached FEMA Map indicates that the subject site is located outside of the floodway. Although the site is located within the limits of the 100-year floodplain, the proposed sign will be installed approximately 9-ft. above the base flood elevation of 146-feet. As such, the sign will not create a hydraulic effect on the Willamette River.

- (4) The hydraulic and flood carrying capacity of the river shall be considered in the design of any proposed intensification, development, or change of use.**

COMMENT:

As discussed above, the subject site is not located within the Willamette River floodway. The attached Sign Elevation demonstrates that the proposed wall sign will be located approximately 9-ft. above the base flood elevation, therefore the sign will not impact the hydraulic and flood carrying capacity of the river.

- (5) Impact on the riparian buffer resulting from the proposed intensification, development, or change in use shall be minimized.**

COMMENT:

The submitted Greenway Site Plan illustrates that the 165-ft. wide riparian buffer within Wallace Marine Park is located approximately 330-ft. from the subject site. Therefore, the proposed wall sign will not impact existing vegetation and wildlife habitat along the river.

- (b) Landscaping.**

COMMENT:

As indicated by the submitted Site Plan, the applicant is proposing to install a wall sign on an existing building. Since no existing landscaped areas will be impacted, and no new landscaping is proposed, these development standards do not apply.

- (c) Water quality.**

COMMENT:

The applicant's proposed wall sign does not create new impervious surfaces or is subject to stormwater runoff standards. Therefore, water quality standards do not apply to this application.

- (d) Structures. All buildings, structures, and exterior mechanical equipment shall be screened, colored, or surfaced so as to blend with the riparian area. Colors shall be natural earth or leaf tones. Surfaces shall be non-reflective. Screening shall be sight-obscuring.**

COMMENT:

As indicated by the Sign Manufacturer Statement, the constructed sign will consist of an earth tone black matte finish material. However, due to the location of elevated sections of Highway 22 between the subject site and the Willamette River, the proposed sign will not be visible from the waterway.

- (e) Lighting.**

- (1) Lighting shall not flash, if visible from the Willamette River, and shall not be focused or oriented onto the surface of the Willamette River.**

- (2) The maximum aggregate intensity of all lighting falling on the surface of the Willamette River shall not exceed one-tenth foot-candle per square foot.**
- (3) No red or green lights shall be visible from the Willamette River.**
- (4) Notwithstanding any other provision of this section, lighting necessary for safety of pedestrians may be provided for public or private walkways.**

COMMENT:

The applicant is proposing to install a 133.6 sq. ft. LED sign measuring 9'-2 7/8" x 14'-5 1/16" on the west elevation of the existing structure. The sign will project a static image advertising Lighthouse Financial Enterprises, one of the tenants of the building. No flashing images or red or green lights are proposed with the sign. Due to elevation difference, between the site and the river, as well as the height of Hwy. 22 viaducts adjacent to the site, there is no direct line of sight between the proposed sign and the Willamette River. Since no light will be projected on the surface of the river, the maximum light intensity standard will also be met.

- (f) Screening of parking and unenclosed storage areas. Parking, loading, and unenclosed storage areas shall be screened from the Willamette River and from adjacent properties by:**

COMMENT:

The applicant is not proposing to develop parking or unenclosed storage areas, therefore these development standards do not apply.

- (g) View corridors.**

COMMENT:

The City has not vacated a right-of-way within this portion of the Willamette Greenway Overlay Zone or created a scenic easement in the vicinity of the subject property. Therefore, these development standards do not apply.

- (h) Public access. Where practical, public access to and along the Willamette River should be provided by easement, dedicated right-of-way, or other appropriate legal means.**

COMMENT:

As demonstrated by the attached Greenway Site Plan, the subject property is not located adjacent to the Willamette River or provides an opportunity for public access. The plan indicates that public access to the river is currently provided through Wallace Marine Park, which is owned and maintained by the City of Salem.

IV. SUMMARY AND CONCLUSIONS

Based on the above findings, the applicant has demonstrated compliance with applicable sections of the Willamette Greenway Plan, Willamette Greenway Riparian Buffer Enhancement, and Salem Revised Code. Therefore, the applicant requests that the submitted application be approved.

V. **EXHIBITS UPLOADED WITH THIS APPLICATION**

<u>File Name</u>	<u>Description</u>
50-Application.pdf	Class 1 Willamette Greenway Development Permit Application Form
51-Deed.pdf	Property Deed
54-Written Statement.pdf	Applicant's Statement Addressing Approval Criteria
60-Site-plan-greenway-REV02.pdf	Revised Greenway Site Plan
60-site-plan-REV01.pdf	Revised Site Plan
61-FEMA Map	FEMA FIRMette Map
66-engineering.pdf	Sign Engineering Calculations and Details
67-sign-elevation.pdf	Building and Sign Elevations
68-Blueprint 110 Wallace RD.pdf	Building Floor Plans
69-Housing-email.pdf	Neighborhood Contact Documentation
70-Written statement-5.pdf	Sign Manufacturer Statement