

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

DECISION OF THE PLANNING ADMINISTRATOR

VALIDATION OF UNIT OF LAND AND PARTITION CASE NO.: VUL-PAR20-02

APPLICATION NO.: 20-108815-LD / 20-105995-LD

NOTICE OF DECISION DATE: October 1, 2020

SUMMARY: A proposal to validate a unit of land which was created through the recording of a deed in 1972, and divide the resultant lot into three parcels.

REQUEST: A consolidated land use application containing the following requests:

- 1) A validation of unit of land to validate and lawfully establish a unit of land which was unlawfully created though the recording of a deed in 1972 without receiving the required land use approval; and
- 2) A tentative partition to create three parcels, with Parcel 1 consisting of approximately 1.1 acres, Parcel 2 consisting of approximately 4.0 acres, and Parcel 3 consisting of approximately 4.4 4.1 acres.

The unit of land is approximately 9.49 acres in size, zoned IG (General Industrial), and located at 3575 Blossom Drive NE (Marion County Assessor map and tax lot number: 072W06B / 01900).

APPLICANT: Rock Land LLC (Zarosinski Hartwig P.C., Roger Jensen)

LOCATION: 3575 Blossom Drive NE, Salem OR 97305

CRITERIA: Salem Revised Code (SRC) Chapters 205.060(d) – Validation of Unit of Land; 205.0056(d) - Partition

FINDINGS: The findings are in the attached Decision dated October 1, 2020.

DECISION: The **Planning Administrator APPROVED** Validation of Units of Land and Partition VUL-PAR20-02 subject to the following conditions of approval:

- Condition 1:** Record the final partition plat for the validation of unit of land prior to recording the final partition plat for the proposed partition.
- Condition 2:** Design stormwater systems to serve all proposed parcels in compliance with Public Works Design Standards.
- Condition 3:** Accommodate for a future Local street within parcels 2 and 3 from Blossom Drive NE to the west line of the subject property in an alignment conforming to Public Works Design Standards by providing one of the following:
- a. A minimum 60-foot-wide right-of-way; or
 - b. A minimum 60-foot-wide access easement that allows for conversion to right-of-way upon construction of the future street improvements; or
 - c. An agreement acceptable to the Public Works Director ensuring that right-of-way for the future street improvement will be dedicated within parcels 2 and 3 upon construction of future street improvements.
- Condition 4:** Construct a minimum 30-foot-wide Local street within parcels 2 and 3 from Blossom Drive NE to the west line of the property in conformance with Public Works Design Standards. These improvements may be deferred

NOTICE OF DECISION

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

CITY OF Salem
AT YOUR SERVICE

pursuant to Salem Revised Code 803.070. The street may be designed and constructed in phases as specified in the deferral agreement as follows:

- a. *Phase 1:* Accommodate for a Local street connection by providing right-of-way, easement, or agreement as specified in Condition 3 above. Phase 1 is required as a condition of final plat approval.
- b. *Phase 2:* Submit an engineered design for the entire Local street connection with sufficient details to establish the right-of-way alignment as approved by the Public Works Director. Dedicate right-of-way for the Local street improvement as established in the approved street design. Phase 2 is required as a condition of constructing a cumulative total of either: over 15,000 square feet of new and existing buildings on Parcel 2; or over 35,000 square feet of new and existing buildings on Parcel 3.
- c. *Phase 3:* Construct the entire Local street connection. Phase 3 is required as a condition of constructing either: a cumulative total of 20,000 square feet of new and existing buildings on Parcel 2; or a cumulative total of 50,000 square feet of new and existing buildings on Parcel 3.

Condition 5: Provide a 10-foot-wide public utility easement along the entire frontage of Blossom Drive NE.

Condition 6: Construct a half-street improvement to Collector street standards along the Parcel 1 frontage of Blossom Drive NE. These improvements may be delayed until site plan review approval for future development on Parcel 1.

Condition 7: Show all access and utility easements pursuant to Public Works Design Standards on the final plat.

The rights granted by the attached decision must be exercised, or an extension granted, by October 17, 2022, or this approval shall be null and void.

Application Deemed Complete:	<u>July 20, 2020</u>
Notice of Decision Mailing Date:	<u>October 1, 2020</u>
Decision Effective Date:	<u>October 17, 2020</u>
State Mandate Date:	<u>December 7, 2020</u>

Case Manager: Brandon Pike, Planner I, bpike@cityofsalem.net , 503-540-2326

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., Friday, October 16, 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 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.

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

**BEFORE THE PLANNING ADMINISTRATOR
OF THE CITY OF SALEM
(VALIDATION OF UNIT OF LAND & PARTITION PLAT NO. 20-02)**

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

IN THE MATTER OF THE)	FINDINGS AND ORDER
APPROVAL OF VALIDATION OF UNIT)	
OF LAND & TENTATIVE)	
PARTITION PLAN CASE NO. 20-02;)	
3575 BLOSSOM DRIVE NE)	OCTOBER 1, 2020

REQUEST

Summary: A proposal to validate a unit of land which was created through the recording of a deed in 1972, and divide the resultant lot into three parcels.

Request: A consolidated land use application containing the following requests:

- 1) A validation of unit of land to validate and lawfully establish a unit of land which was unlawfully created through the recording of a deed in 1972 without receiving the required land use approval; and
- 2) A tentative partition to create three parcels, with Parcel 1 consisting of approximately 1.1 acres, Parcel 2 consisting of approximately 4.0 acres, and Parcel 3 consisting of approximately 4.4 4.1 acres.

The unit of land is approximately 9.49 acres in size, zoned IG (General Industrial), and located at 3575 Blossom Drive NE (Marion County Assessor map and tax lot number: 072W06B / 01900).

A vicinity map indicating the subject property and surrounding area is included herein as **Attachment A**.

DECISION

The validation of unit of land and tentative partition plan case no. VUL-PAR20-02 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:** Record the final partition plat for the validation of unit of land prior to recording the final partition plat for the proposed partition.
- Condition 2:** Design stormwater systems to serve all proposed parcels in compliance with Public Works Design Standards.

Condition 3: Accommodate for a future Local street within parcels 2 and 3 from Blossom Drive NE to the west line of the subject property in an alignment conforming to Public Works Design Standards by providing one of the following:

- a. A minimum 60-foot-wide right-of-way; or
- b. A minimum 60-foot-wide access easement that allows for conversion to right-of-way upon construction of the future street improvements; or
- c. An agreement acceptable to the Public Works Director ensuring that right-of-way for the future street improvement will be dedicated within parcels 2 and 3 upon construction of future street improvements.

Condition 4: Construct a minimum 30-foot-wide Local street within parcels 2 and 3 from Blossom Drive NE to the west line of the property in conformance with Public Works Design Standards. These improvements may be deferred pursuant to Salem Revised Code 803.070. The street may be designed and constructed in phases as specified in the deferral agreement as follows:

- a. *Phase 1:* Accommodate for a Local street connection by providing right-of-way, easement, or agreement as specified in Condition 3 above. Phase 1 is required as a condition of final plat approval.
- b. *Phase 2:* Submit an engineered design for the entire Local street connection with sufficient details to establish the right-of-way alignment as approved by the Public Works Director. Dedicate right-of-way for the Local street improvement as established in the approved street design. Phase 2 is required as a condition of constructing a cumulative total of either: over 15,000 square feet of new and existing buildings on Parcel 2; or over 35,000 square feet of new and existing buildings on Parcel 3.
- c. *Phase 3:* Construct the entire Local street connection. Phase 3 is required as a condition of constructing either: a cumulative total of 20,000 square feet of new and existing buildings on Parcel 2; or a cumulative total of 50,000 square feet of new and existing buildings on Parcel 3.

Condition 5: Provide a 10-foot-wide public utility easement along the entire frontage of Blossom Drive NE.

Condition 6: Construct a half-street improvement to Collector street standards along the Parcel 1 frontage of Blossom Drive NE. These improvements may be delayed until site plan review approval for future development on Parcel 1.

Condition 7: Show all access and utility easements pursuant to Public Works Design Standards on the final plat.

PROCEDURAL FINDINGS

1. On March 17, 2020, an application for a tentative partition plan was filed proposing to divide a 9.49-acre property at 3575 Blossom Drive NE into three parcels.

2. On June 3, 2020, after it was discovered that the subject property was not created without the proper land use approval, an application for a validation of unit of land was filed to establish the subject property as a lawful parcel (see **Attachment B**).
3. After additional information was provided by the applicant, the application was deemed complete for processing and notice of filing of the application was sent, pursuant to Salem Revised Code (SRC) requirements, on July 20, 2020.
4. On September 9, 2020 the applicant provided a 20-day time extension to the state-mandated local decision deadline.
5. The state-mandated local decision deadline for the application is December 7, 2020.

SUBSTANTIVE FINDINGS

1. Proposal

The proposed development includes a validation of a unit of land which was created through the recording of a deed in 1972, and the division of the resultant 9.49-acre lot into three parcels, with proposed parcels 2 and 3 to retain the existing buildings, and proposed Parcel 1 to consist of vacant land for future development (see **Attachment C**). Proposed Parcel 1 will take access from Blossom Drive NE. Access for proposed parcels 2 and 3 will be through either a future Local street or an access easement through the properties, as conditioned. The three parcels within the tentative partition plan are proposed as follows:

PROPOSED PARCEL 1

Parcel Size: 1.1 acres (Approximately 47,016 square feet)
Parcel Dimensions: Approximately 160 feet in width and 281 feet in depth

PROPOSED PARCEL 2

Parcel Size: 4.0 acres (Approximately 173,569 square feet)
Parcel Dimensions: Approximately 250 feet in width and 673 feet in depth

PROPOSED PARCEL 3

Parcel Size: 4.1 acres (Approximately 180,640 square feet), exclusive of the proposed flag lot accessway
Parcel Dimensions: Approximately 246 feet in width and 754 feet in depth, exclusive of the proposed flag lot accessway

Access and Circulation: The subject property has frontage on Blossom Drive NE. Within the Salem Transportation System Plan (TSP), Blossom Drive NE is classified as a Collector street.

2. Existing Conditions

Site and Vicinity

The subject property is irregularly-shaped and has street frontage along two portions of Blossom Drive NE—approximately 159.3 feet of frontage in the southwest corner of the

property, and another 73.7 feet of frontage in the southeast corner. The property is approximately 497.5 feet in width and 951 feet in depth. The applicant proposes to retain the existing buildings on proposed parcels 2 and 3.

Salem Area Comprehensive Plan (SACP) Designation

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

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

North: Community Service Education (CSE)

South: Industrial (IND); and across Blossom Drive NE – Multi-Family Residential (MF)

East: Industrial (IND)

West: Industrial (IND)

Zoning and Surrounding Land Use

The subject property is zoned IG (General Industrial) and is currently developed with warehouse, office, and storage buildings, an equipment storage yard, and a stormwater detention pond. The surrounding properties are zoned and used as follows:

North: RA (Residential Agriculture) – Undeveloped land

South: UT-5 (within Marion County) – *single family* and *motor vehicle services* uses; across Blossom Drive NE – RM (within Marion County) – *single family* uses

East: IG (General Industrial) – *self-service storage* use

West: IG (General Industrial) – *building and grounds services and construction contracting* use

Relationship to Urban Service Area

The subject property is outside the City’s Urban Service Area.

Infrastructure

Water: The subject property is located within the G-0 water service level. A 16-inch water main is located in Blossom Drive NE.

Sewer: A 10-inch sewer main is located in Blossom Drive NE.

Streets: Blossom Drive NE abuts the subject property to the south, which is designated as a Collector street in the Salem Transportation System Plan (TSP).

- The standard for this street classification is a 34- to 40-foot-wide improvement within a 60-foot-wide right-of-way.
- This street has an approximate 24-foot-wide improvement within a 55 to 60-foot-wide right-of-way abutting the subject property.

3. City Department Comments

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 indicated no concerns with the proposal.

Fire Department – The City of Salem Fire Department reviewed the proposal and indicated no concerns, but that items including fire department access and water supply will be required for future construction.

4. Public Agency and Private Service Provider Comments

Notice of the proposal was provided to public agencies and to public and private service providers. No comments were received.

5. Neighborhood Association Comments

The subject property is within the Northgate Neighborhood Association. 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.” Prior to the close of the comment period, no comments were received from the neighborhood association.

6. Public Comments

Property owners and residents within 250 feet of the subject property were mailed notification of the proposed partition. Prior to the close of the comment period, no comments were received from members of the public.

7. Criteria for Granting a Validation of Unit of Land

SRC 205.060(d) sets forth the criteria that must be met before a unit of land can be validated.¹ In order to approve a validation of unit of land, the review authority shall

¹ Notwithstanding criterion SRC 205.060(d)(3), the Review Authority may approve an application to validate a unit of land that was unlawfully created prior to January 1, 2007, if approval was issued for a permit to allow the construction or placement of a dwelling or other building on the unit of land after the sale. No approval has been issued for such construction on the subject land area.

make findings based on evidence provided by the applicant demonstrating that all the following criteria and factors are satisfied.

The applicable criteria are stated below in bold print. Following each criterion is a response and/or finding relative to the proposed tentative partition.

SRC 205.060(d)(1): The unit of land is not a lawfully established unit of land.

Finding: The subject land area was annexed into the City of Salem in November of 1988. The unit of land subject to the validation request was created in 1972 by the recording of a deed, which created three units of land, each approximately 1.24 acres in size, which did not have street frontage (tax lots 500, 600, and 700 north of the subject land area). Because this deed created units of land which were less than 5 acres in size and did not have frontage on a public street, Marion County would have required review and approval to create the subject land area at the time, which the owner(s) at that time did not obtain. Therefore, the subject land area is not a lawfully established unit of land. This criterion is met.

SRC 205.060(d)(2): The unit of land was created through sale or deed or land sales contract executed and recorded before January 1, 2007.

Finding: According to Staff research, the unit of land was created prior to January 1, 2007, by a recorded deed. After having multiple pieces sold off from a parent tract, the remnant tract (the subject land area) was re-described and recorded (Reel 647, Page 447) in 1988. The subject unit of land was not created solely to establish a separate tax account, and was not created by gift or any other method that is not considered a sale. The applicant has provided a copy of the recorded deed creating the subject unit of land through sale as evidence that this criterion is met.

SRC 205.060(d)(3): The unit of land could have complied with applicable criteria for the creation of the unit of land in effect when the unit of land was sold.

Finding: The applicant provided Marion County zoning code chapters 127 and 129, which were in effect in 1972 when the unit of land was created. The development standards of the RA zone required a minimum lot size of 6,000 square feet or greater, if necessitated by setback requirements, and a minimum lot width of 60 feet at the front building line. The subject land area could have met these standards, with a lot size of approximately 413,384 square feet, a lot width of approximately 497.5 feet, and a lot depth of approximately 951.3 feet.

In 1972, the minimum setback for buildings and accessory structures to the street-abutting property line would have been 20 feet. The minimum setback for buildings and accessory structures to the side property lines would have been 5 feet for a 1-story building and 6 feet for a 2.5-story building. The minimum setback for buildings and accessory structures to the rear property lines would have been between 24 and 36 feet, depending on the number of stories of the building. The maximum height for all buildings, except churches and public and semi-public buildings, would have been 35 feet or 2.5 stories. The existing buildings were not on the subject land area at the time it was created in 1972.

Given the size and dimensions of the subject land area, Staff finds that the unit of land could have complied with applicable criteria for the creation of the unit of land in effect when the unit of land was sold. This criterion is met.

SRC 205.005(d)(4): The plat complies with SRC 205.035 and ORS 92.

Finding: The applicant submitted a copy of a proposed plat for the validation **(Attachment B)**. The Public Works Department reviewed the proposal and submitted comments describing the procedure and submittal requirements for recording of a final plat.

8. Criteria for Granting a Tentative Partition

The Salem Revised Code (SRC), which includes the Unified Development Code (UDC), implements the Salem Area Comprehensive Plan land use goals, and governs development of property within the city limits. The partition process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans. A second review occurs for the created parcels at the time of site plan review/building permit review to assure compliance with the UDC. Compliance with conditions of approval to satisfy the UDC is checked prior to city staff signing the final partition plat.

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

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

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

SRC Chapter 554 (General Industrial): The proposed partition would divide the 9.49-acre property into three parcels, with proposed parcels 2 and 3 to retain the existing buildings, and proposed Parcel 1 to consist of vacant land for future development. The subject property is zoned IG (General Industrial). The lot standards of the IG zone are established under SRC 554.010(a) as follows:

Lot Standards for IG zone (General Industrial) (see SRC Chapter 554, Table 554-2)

Requirement	Standard
Lot Area (All uses)	None

Lot Width (All uses)	None
Lot Depth (All uses)	None
Street Frontage (Single family)	Min. 40 ft. / Min. 30 feet (on the turnaround of a cul-de-sac)
Street Frontage (All other uses)	Min. 16 ft.

Staff Response: Proposed Parcel 1 is approximately 47,016 square feet in size, with approximately 159.3 feet of frontage on Blossom Drive NE. It is approximately 160 feet in width and 281 feet in depth.

Proposed Parcel 2 is approximately 173,569 square feet in size, and will be served by either an access easement across Parcel 3 or a future Local street through the subject property. It is approximately 250 feet in width and 673 feet in depth. When taking into account a future 60-foot-wide right-of-way passing through the subject property, proposed Parcel 2 is approximately 154,920 square feet in size, with approximately 312 feet of frontage on the future Local street, depending on the final alignment of the street. It is approximately 262.5 feet in width and 535.5 feet in depth.

Proposed Parcel 3 is approximately 180,640 square feet in size, with approximately 29.2 feet of frontage on Blossom Drive NE, exclusive of the proposed flag lot accessway. It is approximately 246 feet in width and 754 feet in depth, exclusive of the proposed flag lot accessway. When taking into account a future 60-foot-wide right-of-way passing through the subject property, proposed Parcel 3 is approximately 171,999 square feet in size, with approximately 86 feet of frontage on the future Local street, depending on the final alignment of the street. It is approximately 246 feet in width and 754 feet in depth.

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

Setback Standards for IG zone (General Industrial) (see SRC Chapter 554, Table 554-3)

Property Lines Abutting Street:

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

Interior Side Property Lines:

- Buildings, Accessory Structures, and Vehicle Use Areas: Zone-to-zone setback (Table 554-4)

Interior Rear Property Lines:

- Buildings, Accessory Structures, and Vehicle Use Areas: Zone-to-zone setback (Table 554-4)

Staff Response: The minimum setback to property lines abutting a street is 5 feet for buildings and accessory structures, and 6 to 10 feet for vehicle use areas. The minimum zone-to-zone setback to interior property lines abutting the IG zone is zero feet for buildings and accessory structures, and 5 feet with Type A landscaping and screening for vehicle use areas. The minimum zone-to-zone setback to interior property lines abutting residential zones is 40 feet with Type E landscaping and screening for buildings, accessory structures, and vehicle use areas.

The existing buildings are to remain on proposed parcels 2 and 3. The existing buildings and accessory structures exceed the minimum zone-to-zone setback requirements to both IG-zoned and residentially zoned land. Portions of the existing vehicle use areas do not meet the minimum 40-foot setback to residentially zoned land, and there is no Type E landscaping and screening where required; these areas are considered nonconforming, and future development of the parcels would be required to meet landscaping, setbacks and paving requirements of the SRC, unless adjusted through a future land use action.

As conditioned, a future Local street through the subject property will be required at the time of future development. At that time, setbacks from the street to existing and proposed buildings will be reviewed for adherence to these standards. The street will be required to extend from Blossom Drive NE through parcels 2 and 3 to the western property line, and will likely not come close to the existing structures on the subject property.

The proposal meets the standard.

Lot Coverage: Maximum lot coverage requirements within the IG zone are established under SRC 554.010(c), Table 554-5. The IG zone has no maximum lot coverage for buildings and accessory structures.

Staff Response: Proposed Parcel 1 is currently undeveloped and will be reviewed for conformance with the applicable lot coverage standards at the time of development. Since there is no maximum lot coverage percentage within the IG zone, the existing buildings on proposed parcels 2 and 3 adhere to the lot coverage standards of the zone. The proposal meets the standard.

(B) City Infrastructure Standards.

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

SRC Chapter 200 (Urban Growth Management): The Urban Growth Management Program requires that an Urban Growth Area (UGA) Development Permit must be obtained prior to development of property outside the Salem Urban Service Area. The subject property is outside the Urban Service Area. Pursuant to SRC 200.005, the

definition of development does not include partitions; a UGA permit is not required for the proposed partition.

SRC Chapter 205 (Land Division and Reconfiguration): 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. 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) can be requested.

To ensure the plat for the validation of unit of land is recorded prior to the plat for the partition, the following condition of approval shall apply:

Condition 1: Record the final partition plat for the validation of unit of land prior to recording the final partition plat for the proposed partition.

SRC Chapter 802 (Public Improvements): Comments from the Public Works Department indicate that water and sewer infrastructure are available along the perimeter of the site and appear to be adequate to serve the proposed partition. Specifications for required public improvements are summarized in the Public Works Department memo dated September 24, 2020 (**Attachment D**).

SRC 802.015 (Development to be Served by City Utilities). Water, sewer and stormwater services must be provided to each of the proposed parcels, consistent with Public Works Design Standards (PWDS). Each proposed parcel is greater than one acre in size and can accommodate stormwater infrastructure for future impervious surfaces. To ensure services are provided in compliance with the requirements of SRC Chapter 802 and the PWDS, the following condition of approval shall apply:

Condition 2: Design stormwater systems to serve all proposed parcels in compliance with Public Works Design Standards.

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

SRC 803.015 (Traffic Impact Analysis): The proposed three-parcel partition generates less than 1,000 average daily vehicle trips to Blossom Drive NE, which is designated as a Collector street. Pursuant to SRC 803.015(b), a Traffic Impact Analysis is not required as part of the proposed development.

SRC 803.020 (Public and Private Streets): There were no internal streets proposed within the partition by the applicant. As conditioned, all proposed parcels would take access from existing or future streets and/or through a proposed access easement.

SRC 803.025 (Right-of-Way and Pavement Widths): Blossom Drive NE abuts the subject property and is designated as a Collector street in the TSP. The abutting portion of Blossom Drive NE has an approximate 24-foot improvement within a 55 to 60-foot-wide right-of-way.

The half-width right-of-way width on the development side of Blossom Drive NE meets the minimum width standards set forth in SRC 803.025 and the TSP. As conditioned, a half-street improvement along Parcel 1's frontage on Blossom Drive NE will be required, ensuring there will be adequate right-of-way and pavement width along the development side of the street.

SRC 803.030 (Street Spacing): The proposed partition involves division of a 9.49-acre property, with no internal streets proposed by the applicant. The subject property is in an area on the north side of Blossom Drive NE where no streets intersect with Blossom Drive for approximately 2,724 feet. SRC 803.030(a) provides that streets shall have a maximum spacing of 600 feet from right-of-way line to right-of-way line along one axis, and not less than 120 feet and not more than 400 feet from right-of-way line to right-of-way line along the other axis. The subject property's street frontage begins approximately 625 feet west of the nearest intersection on the north side of Blossom Drive NE (38th Place NE). As conditioned below, the applicant will be required to accommodate a future street through the subject property at the time of future development, ensuring that the proposal meets the requirements of this section.

SRC 803.035 (Street Standards): The abutting portion of Blossom Drive NE does not meet the current standard for a Collector street pursuant to the Salem TSP. The frontage of Blossom Drive NE shall be constructed to meet the Collector standard. As conditioned below, the proposal will meet the standard.

SRC 803.035(a) provides that Local streets shall be extended to adjoining undeveloped properties for eventual connection with the existing street system. There are existing developments in the northern portion of the subject property and on the adjacent property to the east which preclude current or future street connections to those areas. Pursuant to SRC 803.035(a)(2), only a connection to the west is required. To ensure the proposed development meets the requirements of this section, the following conditions of approval shall apply:

Condition 3: Accommodate for a future Local street within parcels 2 and 3 from Blossom Drive NE to the west line of the subject property in an alignment conforming to Public Works Design Standards by providing one of the following:

- a. A minimum 60-foot-wide right-of-way; or
- b. A minimum 60-foot-wide access easement that allows for conversion to right-of-way upon construction of the future street improvements; or
- c. An agreement acceptable to the Public Works Director ensuring that right-of-way for the future street improvement will be dedicated within parcels 2 and 3 upon construction of future street improvements.

Condition 4: Construct a minimum 30-foot-wide Local street within parcels 2 and 3 from Blossom Drive NE to the west line of the property in conformance with Public Works Design Standards. These improvements may be deferred pursuant to Salem Revised Code 803.070. The street may be

designed and constructed in phases as specified in the deferral agreement as follows:

- a. Phase 1: Accommodate for a Local street connection by providing right-of-way, easement, or agreement as specified in Condition 3 above. Phase 1 is required as a condition of final plat approval.
- b. Phase 2: Submit an engineered design for the entire Local street connection with sufficient details to establish the right-of-way alignment as approved by the Public Works Director. Dedicate right-of-way for the Local street improvement as established in the approved street design. Phase 2 is required as a condition of constructing a cumulative total of either: over 15,000 square feet of new and existing buildings on Parcel 2; or over 35,000 square feet of new and existing buildings on Parcel 3.
- c. Phase 3: Construct the entire Local street connection. Phase 3 is required as a condition of constructing either: a cumulative total of 20,000 square feet of new and existing buildings on Parcel 2; or a cumulative total of 50,000 square feet of new and existing buildings on Parcel 3.

Attachment E shows the approximate location of the future street or access easement within the tentative partition plan.

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 5: Provide a 10-foot-wide public utility easement along the entire frontage of Blossom Drive NE.

As conditioned, the proposal conforms to applicable street standards.

SRC 803.040 (Boundary Streets): The abutting portion of Blossom Drive NE does not meet the current standard for a Collector street pursuant to the Salem TSP. Pursuant to SRC 803.040(a), construction of a half-street improvement along this street frontage is required as a condition of approval for a partition.

To ensure the proposal meets the requirements of SRC 803.040, the following condition of approval shall apply:

Condition 6: Construct a half-street improvement to Collector street standards along the Parcel 1 frontage of Blossom Drive NE. These improvements may be delayed until site plan review approval for future development on Parcel 1.

As conditioned, the proposal conforms to applicable boundary 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 808 (Preservation of Trees and Vegetation): SRC Chapter 808 (Preservation of Trees and Vegetation) requires tree conservation plans in conjunction with development proposals involving the creation of lots or parcels to be used for the construction of single family or duplex dwelling units, if the development proposal will result in the removal of trees.

The proposed partition is not for the purpose of creating parcels for single family or duplex dwelling units, and does not result in the removal of trees, therefore a tree conservation plan is not required.

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.

According to the Salem-Keizer Local Wetland Inventory (LWI), 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. According to the City's adopted landslide hazard susceptibility maps, there are no areas of landslide susceptibility on the subject property.

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

Finding: The proposed development would divide the 9.49-acre property into three parcels, with proposed Parcel 1 to be developed in the future, and proposed parcels 2 and 3 to retain the existing buildings and contain area for future expansion. The subject property abuts undeveloped and underdeveloped properties to the north and west. As identified above, there are existing developments in the northern portion of the subject property and on the adjacent property to the east which preclude current or future street connections to those areas. Pursuant to SRC 803.035(a)(2), only a connection to the west is required, as conditioned.

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

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

Finding: The subject property is outside the Urban Service Area. Pursuant to SRC 200.005, the definition of development does not include partitions; a UGA permit is not required for the proposed partition.

Public Works Department staff reviewed the proposal and determined that water and sewer infrastructure are available along the perimeter of the site and appear to be adequate to serve the parcels as shown on the applicant's preliminary partition plan. As specified in the conditions of approval, the applicant will be required to design stormwater systems to serve each proposed parcel.

Condition 7: Show all access and utility easements pursuant to Public Works Design Standards on the final plat.

As conditioned, 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.

Finding: Blossom Drive NE abuts the subject property to the south and does not meet the current standard for a Collector street. As conditioned above, the abutting portion of Blossom Drive NE will conform to the Salem TSP.

As identified above, the applicant will be required at the time of future development to provide a future Local street through the subject property in order to meet street spacing and connectivity requirements.

As conditioned, this criterion is met.

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: As identified above as conditions of future development, the applicant is required to complete a half-street improvement along the Parcel 1 frontage of Blossom Drive NE, as well as accommodate a future Local street through parcels 2 and 3. This ensures the partition, as proposed and conditioned, is served with adequate transportation infrastructure and the street system in and adjacent to the partitioned property will provide for safe, orderly, and efficient circulation of traffic into, through, and out of the partition.

As conditioned, this criterion is 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 subject property is relatively flat; it has a gradual downward slope from southeast to northwest, with an elevation range of approximately 168 feet to 183 feet. The proposed development does not include any removal of trees. The layout allows for reasonable development of all parcels within the partition without 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. The applicant proposes to retain the existing buildings on proposed parcels 2 and 3, alleviating the disruption of topography and vegetation that would result from demolition, grading, and construction associated with redevelopment of this portion of the site.

The proposal meets this criterion.

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

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

Finding: The site is served by available sewer and water. This criterion is not applicable.

9. Conclusion

Based upon review of SRC 205.005, SRC 205.060, the findings contained under sections 7 and 8 above, and the comments described, the validation of unit of land and 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 validation of unit of land and tentative partition plan case no. VUL-PAR20-02, to validate a unit of land which was created through the recording of a deed in 1972, and to divide the resultant 9.49-acre lot into three parcels, with Parcel 1 consisting of approximately 1.1 acres, Parcel 2 consisting of approximately 4.0 acres, and Parcel 3 consisting of approximately 4.1 acres, for property approximately 9.49 acres in size, zoned IG (General Industrial), and located at 3575 Blossom Drive NE (Marion County Assessor map and tax lot number: 072W06B / 1900) 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 for the proposed partition, unless otherwise indicated:

- Condition 1:** Record the final partition plat for the validation of unit of land prior to recording the final partition plat for the proposed partition.
- Condition 2:** Design stormwater systems to serve all proposed parcels in compliance with Public Works Design Standards.
- Condition 3:** Accommodate for a future Local street within parcels 2 and 3 from Blossom Drive NE to the west line of the subject property in an alignment conforming to Public Works Design Standards by providing one of the following:
- a. A minimum 60-foot-wide right-of-way; or
 - b. A minimum 60-foot-wide access easement that allows for conversion to right-of-way upon construction of the future street improvements; or
 - c. An agreement acceptable to the Public Works Director ensuring that right-of-way for the future street improvement will be dedicated within parcels 2 and 3 upon construction of future street improvements.
- Condition 4:** Construct a minimum 30-foot-wide Local street within parcels 2 and 3 from Blossom Drive NE to the west line of the property in conformance with Public Works Design Standards. These improvements may be deferred pursuant to Salem Revised Code 803.070. The street may be designed and constructed in phases as specified in the deferral agreement as follows:
- a. Phase 1: Accommodate for a Local street connection by providing right-of-way, easement, or agreement as specified in Condition 3 above. Phase 1 is required as a condition of final plat approval.
 - b. Phase 2: Submit an engineered design for the entire Local street connection with sufficient details to establish the right-of-way alignment as approved by the Public Works Director. Dedicate right-of-way for the Local street improvement as established in the approved street design. Phase 2 is required as a condition of constructing a cumulative total of either: over 15,000 square feet of new and existing buildings on Parcel 2; or over 35,000 square feet of new and existing buildings on Parcel 3.

- c. Phase 3: Construct the entire Local street connection. Phase 3 is required as a condition of constructing either: a cumulative total of 20,000 square feet of new and existing buildings on Parcel 2; or a cumulative total of 50,000 square feet of new and existing buildings on Parcel 3.

Condition 5: Provide a 10-foot-wide public utility easement along the entire frontage of Blossom Drive NE.

Condition 6: Construct a half-street improvement to Collector street standards along the Parcel 1 frontage of Blossom Drive NE. These improvements may be delayed until site plan review approval for future development on Parcel 1.

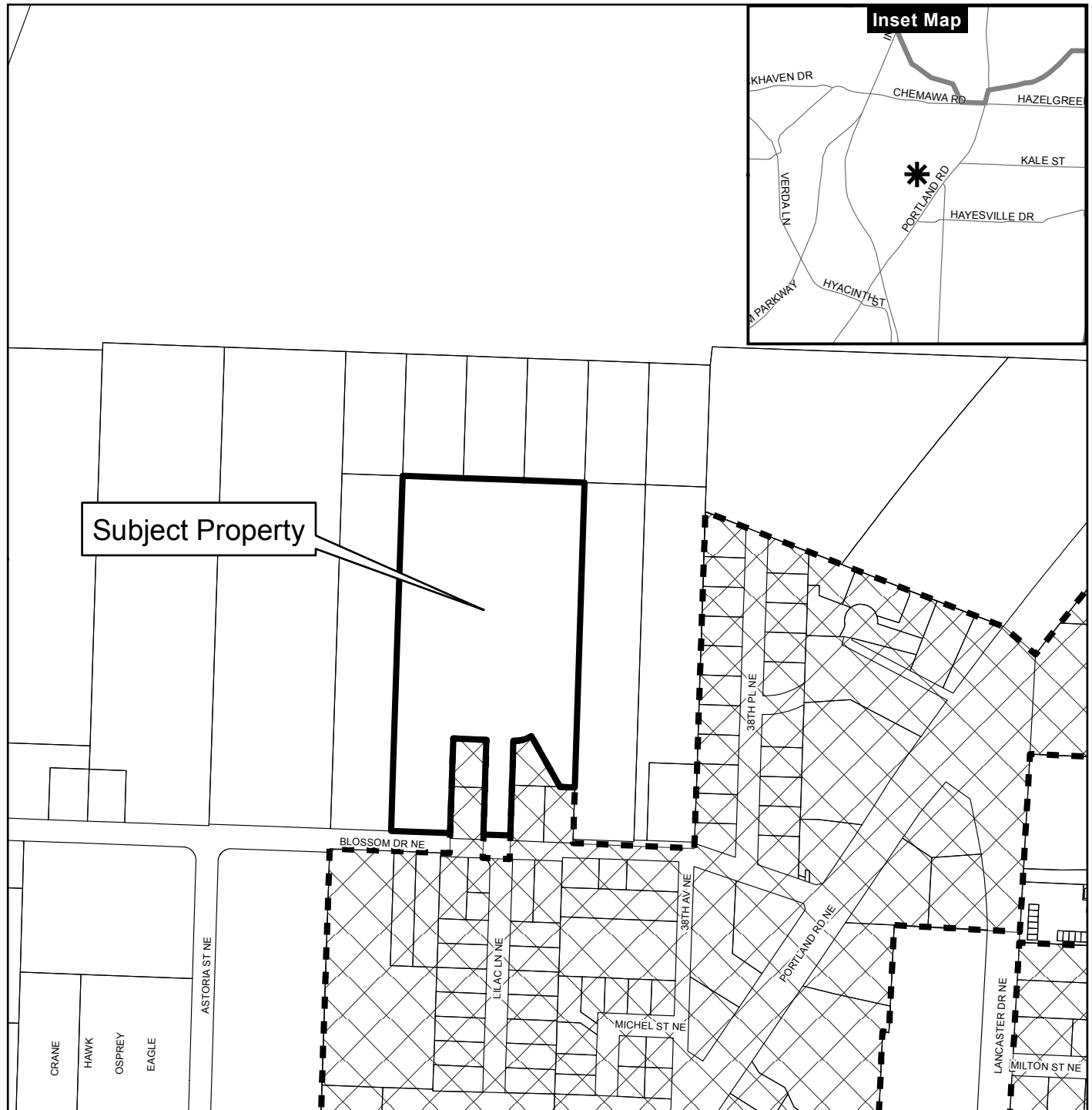
Condition 7: Show all access and utility easements pursuant to Public Works Design Standards on the final plat.

A handwritten signature in blue ink, appearing to read 'B. Pike', is positioned above a horizontal line.

Brandon Pike, Planner I, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Attachments: A. Vicinity Map
B. Proposed Validation Plat
C. Tentative Partition Plan
D. City of Salem Public Works Department Memorandum
E. Tentative Partition Plan with Approximate Location of Future Street or Access Easement

Vicinity Map 3575 Blossom Drive NE



Legend

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

Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

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

0 100 200 400 Feet





0' 100'

SCALE: 1" = 100'

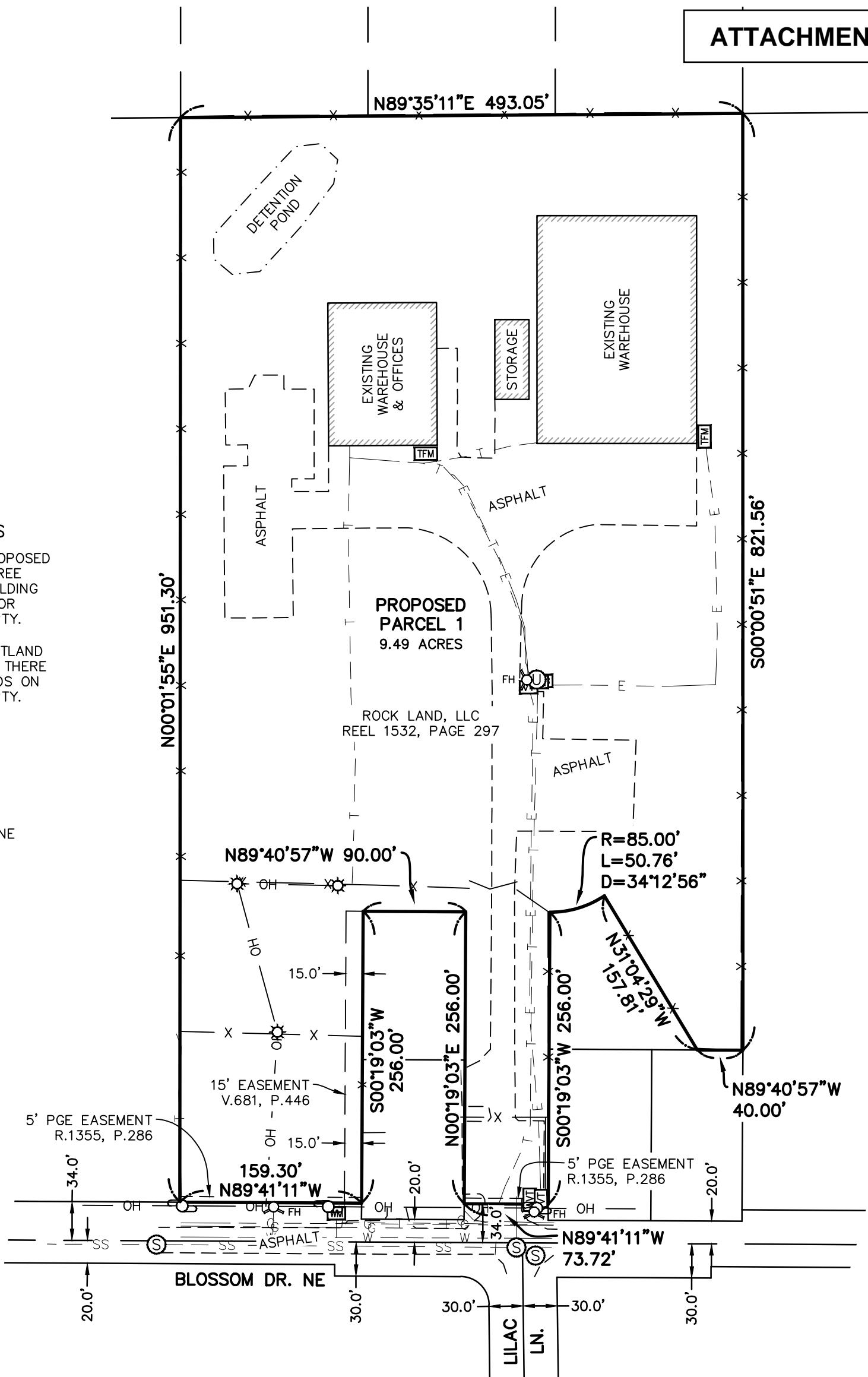
ATTACHMENT B

PROPERTY NOTES

- A) THERE IS NO PROPOSED DEVELOPMENT, TREE REMOVAL OR BUILDING MODIFICATIONS FOR SUBJECT PROPERTY.
- B) PER THE DSL WETLAND INVENTORY MAP, THERE ARE NO WETLANDS ON SUBJECT PROPERTY.

LANDOWNER:

ROGER JENSEN
3575 BLOSSOM DR. NE
SALEM, OR 97305



LEGEND

- ⊙ SANITARY SEWER MANHOLE
⊞ WM WATER METER
⊞ WVT WATER VAULT
FH FIRE HYDRANT
⊞ EB ELECTRICAL BOX
⊞ VT ELECTRICAL VAULT
⊞ TFM ELECTRICAL TRANSFORMER
⊙ LIGHT POLE
⊙ UTILITY POLE
⊙ UTILITY MANHOLE

- SS --- SEWER LINE UNDERGROUND
--- W --- WATERLINE UNDERGROUND
--- G --- GAS LINE UNDERGROUND
--- T --- COMMUNICATION LINE UNDERGROUND
--- E --- ELECTRICAL LINE UNDERGROUND
--- X --- FENCE LINE

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569

RENEWS: 6-30-2021

PARTITION TENTATIVE PLAN
FOR A VALIDATION OF UNIT OF LAND

IN THE NW 1/4 OF SECTION 6,
TOWNSHIP 7 SOUTH, RANGE 2 WEST, W.M.
CITY OF SALEM, MARION COUNTY, OREGON

DATE: JUNE 03, 2020

SURVEYED FOR: ROGER JENSEN



FORTY FIVE NORTH
SURVEYING, LLC

1583 Country Glen Ave. NE, Keizer, OR 97303
P: (503) 558-3330 E: info@ffnsurveying.com

JOB NO.
20-164

SHEET
1/1



SCALE: 1" = 100'

ATTACHMENT C

PROPOSED EASEMENTS

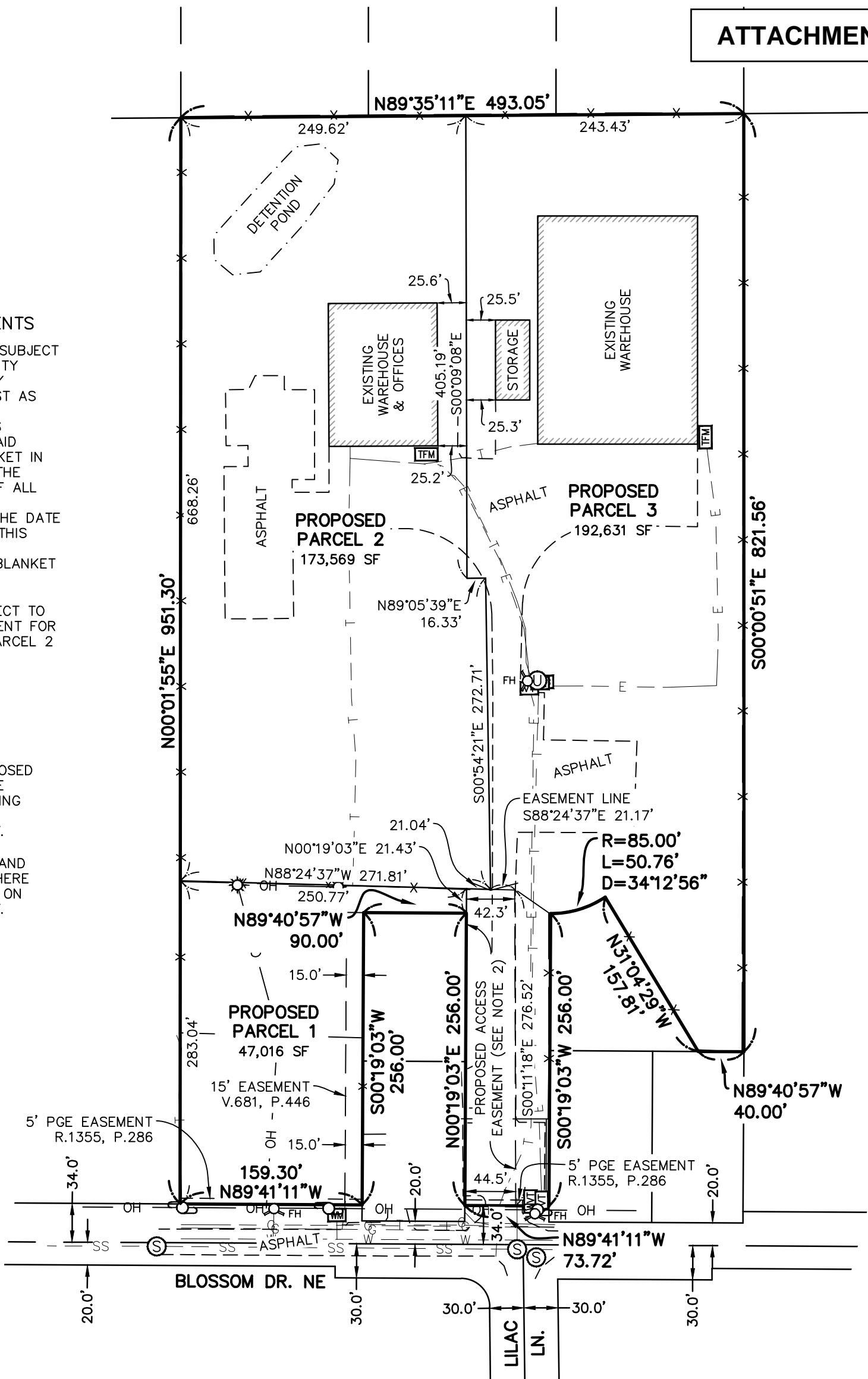
- 1) ALL PARCELS ARE SUBJECT TO A PRIVATE UTILITY EASEMENT FOR ANY UTILITIES THAT EXIST AS OF THE DATE OF RECORDING OF THIS PARTITION PLAT. SAID EASEMENT IS BLANKET IN NATURE AND FOR THE MUTUAL BENEFIT OF ALL PARCELS. UTILITIES INSTALLED AFTER THE DATE OF RECORDING OF THIS PLAT WILL NOT BE INCLUDED IN THIS BLANKET EASEMENT.
- 2) PARCEL 3 IS SUBJECT TO AN ACCESS EASEMENT FOR THE BENEFIT OF PARCEL 2 AS SHOWN.

PROPERTY NOTES

- A) THERE IS NO PROPOSED DEVELOPMENT, TREE REMOVAL OR BUILDING MODIFICATIONS FOR SUBJECT PROPERTY.
- B) PER THE DSL WETLAND INVENTORY MAP, THERE ARE NO WETLANDS ON SUBJECT PROPERTY.

LANDOWNER:

ROGER JENSEN
3575 BLOSSOM DR. NE
SALEM, OR 97305



LEGEND

- ⊙ SANITARY SEWER MANHOLE
⊞ WATER METER
⊞ WVT WATER VAULT
FH FIRE HYDRANT
⊞ EB ELECTRICAL BOX
⊞ VT ELECTRICAL VAULT
⊞ TFM ELECTRICAL TRANSFORMER
⊙ LIGHT POLE
⊙ UTILITY POLE
⊙ UTILITY MANHOLE

- SS — SEWER LINE UNDERGROUND
— W — WATERLINE UNDERGROUND
— G — GAS LINE UNDERGROUND
— T — COMMUNICATION LINE UNDERGROUND
— E — ELECTRICAL LINE UNDERGROUND
— X — FENCE LINE

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569

RENEWS: 6-30-2021

PARTITION TENTATIVE PLAN

IN THE NW 1/4 OF SECTION 6,
TOWNSHIP 7 SOUTH, RANGE 2 WEST, W.M.
CITY OF SALEM, MARION COUNTY, OREGON

DATE: MARCH 13, 2020

SURVEYED FOR: ROGER JENSEN



FORTY FIVE NORTH
SURVEYING, LLC

1583 Country Glen Ave. NE, Keizer, OR 97303
P: (503) 558-3330 E: info@ffnsurveying.com

JOB NO.
20-164

SHEET
1/1



MEMO

TO: Brandon Pike, Planner I
Community Development Department

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

DATE: September 24, 2020

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
VUL-PAR20-02 (20-105995)
3575 BLOSSOM DRIVE NE
THREE-PARCEL PARTITION**

PROPOSAL

A consolidated land use application containing the following requests:

1. A Validation of Unit of Land to validate and lawfully establish a unit of land that was unlawfully created though the recording of a deed in 1972 without receiving the required land use approval; and
2. A tentative partition to create three parcels, with Parcel 1 consisting of approximately 1.1 acres, Parcel 2 consisting of approximately 4.0 acres, and Parcel 3 consisting of approximately 4.4 acres.

The unit of land is approximately 9.49 acres in size, zoned IG (General Industrial), and located at 3575 Blossom Drive NE (Marion County Assessor map and tax lot number: 072W06B / 01900).

RECOMMENDED CONDITIONS OF PARTITION PLAT APPROVAL

1. Record the final partition plat for the Validation of Unit of Land prior to recording the final partition plat for the proposed partition.
2. Accommodate for a future Local street within Parcels 2 and 3 from Blossom Drive NE to the west line of the subject property in an alignment conforming to PWDS by providing one of the following:
 - a. A minimum 60-foot-wide right-of-way; or
 - b. A minimum 60-foot-wide access easement that allows for conversion to

- right-of-way upon construction of the future street improvements; or
 - c. An agreement acceptable to the Public Works Director ensuring that right-of-way for the future street improvement will be dedicated within Parcels 2 and 3 upon construction of future street improvements.
3. Construct a minimum 30-foot-wide Local street within Parcels 2 and 3 from Blossom Drive NE to the west line of the property in conformance with PWDS. These improvements may be deferred pursuant to SRC 803.070. The street may be designed and constructed in phases as specified in the deferral agreement as follows:
- a. Phase 1: Accommodate for a Local street connection by providing right-of-way, easement, or agreement as specified in condition 2 above. Phase 1 is required as a condition of final plat approval.
 - b. Phase 2: Submit an engineered design for the entire Local street connection with sufficient details to establish the right-of-way alignment as approved by the Public Works Director. Dedicate right-of-way for the Local street improvement as established in the approved street design. Phase 2 is required as a condition of constructing a cumulative total of either: over 15,000 square feet of new and existing buildings on Parcel 2; or over 35,000 square feet of new and existing buildings on Parcel 3.
 - c. Phase 3: Construct the entire Local street connection. Phase 3 is required as a condition of constructing either: a cumulative total of 20,000 square feet of new and existing buildings on Parcel 2; or a cumulative total of 50,000 square feet of new and existing buildings on Parcel 3.
4. Construct a half-street improvement to Collector street standards along the Parcel 1 frontage of Blossom Drive NE. These improvements may be delayed until Site Plan Review approval for future development on Parcel 1.
5. Design stormwater systems to serve all proposed parcels in compliance with PWDS.
6. Show all access and utility easements pursuant to PWDS on the final plat.
7. Provide a 10-foot-wide public utility easement along the entire frontage of Blossom Drive NE.

FACTS

1. Blossom Drive NE

- a. Standard—This street is designated as a Collector street in the Salem TSP. The standard for this street classification is a 34- to 40-foot-wide improvement within a 60-foot-wide right-of-way.

- b. Existing Conditions—This street has an approximate 24-foot improvement within a 55- to 60-foot-wide right-of-way abutting the subject property. The half-width right-of-way on the development side meets the standard.

Storm Drainage

1. Existing Conditions

- a. A 10-inch storm main is located in Blossom Drive NE, approximately 115 feet west of the subject property.
- b. A private stormwater detention basin is located in the northwest corner of the subject property.

Water

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. A 16-inch public water main is located in Blossom Drive NE.

Sanitary Sewer

1. Existing Sewer

- a. A 10-inch sewer main is located in Blossom Drive NE.

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). The applicant shall record the final partition plat for the Validation of Unit of Land prior to recording the final partition plat for the proposed partition.

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 Blossom Drive NE pursuant to SRC 803.035(n).

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

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property.

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

Findings—Water and sewer infrastructure are available along the perimeter of the site and appear to be adequate to serve the property as shown on the applicant's preliminary partition plan. Construction of facilities in the right-of-way is required prior to final plat except as authorized in an improvement agreement per SRC 205.035(c)(7)(B).

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

All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 205.035(c)(7)(B) prior to final plat approval. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

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

Findings—Blossom Drive NE abuts the subject property and does not meet the current standard for a Collector street. As a condition of development on Parcel 1, the applicant is required to construct a half-street improvement along the Parcel 1 frontage of Blossom Drive NE to Collector street standards. These improvements may be delayed until Site Plan Review approval for future development on Parcel 1.

In order to meet City street connectivity standards, the applicant shall accommodate for a future Local street within Parcels 2 and 3 from Blossom Drive NE to the west line of the subject property in an alignment conforming to PWDS by providing one of the following:

- a. A minimum 60-foot-wide right-of-way; or
- b. A minimum 60-foot-wide access easement that allows for conversion to right-of-way upon construction of the future street improvements; or
- c. An agreement acceptable to the Public Works Director ensuring that right-of-way for the future street improvement will be dedicated within parcels 2 and 3 upon construction of future street improvements.

As a condition of future development on Parcels 2 and 3, the applicant shall construct a minimum 30-foot-wide Local street within the subject property from Blossom Drive NE to the west line of the property. These improvements may be deferred pursuant to SRC 803.070. The street may be designed and constructed in phases as specified in the deferral agreement as follows:

- a. Phase 1: Accommodate for a Local street connection by providing right-of-way, easement, or agreement as specified in condition 2 above. Phase 1 is required as a condition of final plat approval
- b. Phase 2: Submit an engineered design for the entire Local street connection with sufficient details to establish the right-of-way alignment as approved by the Public Works Director. Dedicate right-of-way for the Local street improvement as established in the approved street design. Phase 2 is required as a condition of constructing a cumulative total of either: over 15,000 square feet of new and existing buildings on Parcel 2; or over 35,000 square feet of new and existing buildings on Parcel 3.

- c. Phase 3: Construct the entire Local street connection. Phase 3 is required as a condition of constructing either: a cumulative total of 20,000 square feet of new and existing buildings on Parcel 2; or a cumulative total of 50,000 square feet of new and existing buildings on Parcel 3.

Prepared by: Jennifer Scott, Program Manager
cc: File



0' 100'

SCALE: 1" = 100'

ATTACHMENT E

PROPOSED EASEMENTS

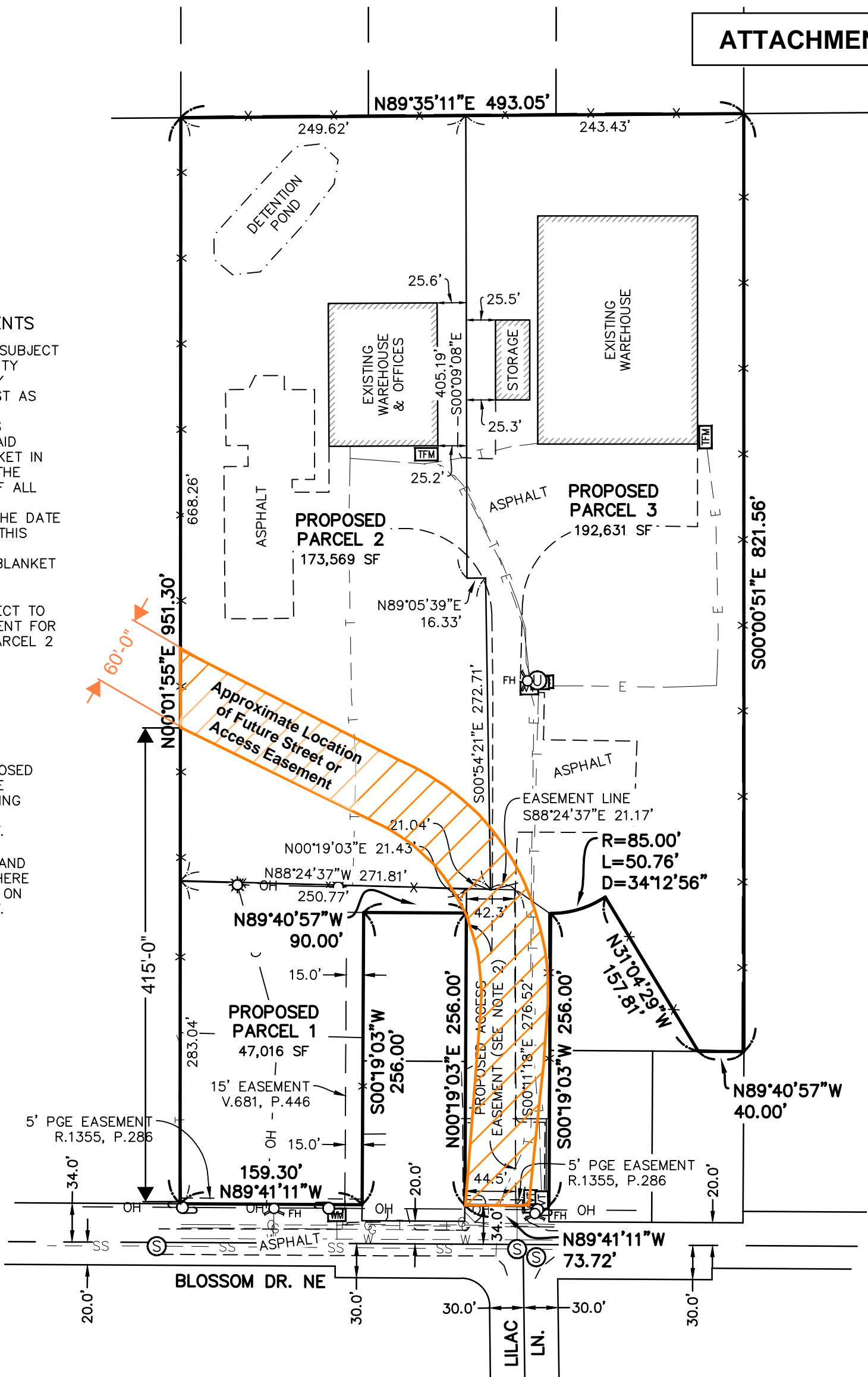
- 1) ALL PARCELS ARE SUBJECT TO A PRIVATE UTILITY EASEMENT FOR ANY UTILITIES THAT EXIST AS OF THE DATE OF RECORDING OF THIS PARTITION PLAT. SAID EASEMENT IS BLANKET IN NATURE AND FOR THE MUTUAL BENEFIT OF ALL PARCELS. UTILITIES INSTALLED AFTER THE DATE OF RECORDING OF THIS PLAT WILL NOT BE INCLUDED IN THIS BLANKET EASEMENT.
- 2) PARCEL 3 IS SUBJECT TO AN ACCESS EASEMENT FOR THE BENEFIT OF PARCEL 2 AS SHOWN.

PROPERTY NOTES

- A) THERE IS NO PROPOSED DEVELOPMENT, TREE REMOVAL OR BUILDING MODIFICATIONS FOR SUBJECT PROPERTY.
- B) PER THE DSL WETLAND INVENTORY MAP, THERE ARE NO WETLANDS ON SUBJECT PROPERTY.

LANDOWNER:

ROGER JENSEN
3575 BLOSSOM DR. NE
SALEM, OR 97305



LEGEND

- | | |
|--|------------------------|
| | SANITARY SEWER MANHOLE |
| | WATER METER |
| | WATER VAULT |
| | FIRE HYDRANT |
| | ELECTRICAL BOX |
| | ELECTRICAL VAULT |
| | ELECTRICAL TRANSFORMER |
| | LIGHT POLE |
| | UTILITY POLE |
| | UTILITY MANHOLE |

- | | |
|--|--------------------------------|
| | SEWER LINE UNDERGROUND |
| | WATERLINE UNDERGROUND |
| | GAS LINE UNDERGROUND |
| | COMMUNICATION LINE UNDERGROUND |
| | ELECTRICAL LINE UNDERGROUND |
| | FENCE LINE |

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569

RENEWS: 6-30-2021

PARTITION TENTATIVE PLAN

IN THE NW 1/4 OF SECTION 6,
TOWNSHIP 7 SOUTH, RANGE 2 WEST, W.M.
CITY OF SALEM, MARION COUNTY, OREGON

DATE: MARCH 13, 2020

SURVEYED FOR: ROGER JENSEN



FORTY FIVE NORTH
SURVEYING, LLC

1583 Country Glen Ave. NE, Keizer, OR 97303
P: (503) 558-3330 E: info@ffnsurveying.com

JOB NO.
20-164

SHEET
1/1