



Pre-Application Report

Community Development Department
Planning Division

555 Liberty Street SE/Room 305

Phone: 503-588-6173

www.cityofsalem.net/planning

Case Number / AMANDA No. PRE-AP23-95 / 23-123292-PA
Conference Date December 28, 2023
Applicant/Representative Britany Randall
Brand Land Use, LLC
britany@brandlanduse.com
(503) 680-0949
Case Manager Aaron Panko

Mandatory Pre-Application Conference: ☒ Yes ☐ No

Project Description & Property Information	
Project Description	To discuss a proposed Conditional Use Permit and change of use from single family residential to group living, for property approximately 0.62 acres in size
Property Address	211-215 Boone Road SE
Assessor's Map and Tax Lot Number	083W09DD / 10900 and 10901
Existing Use	Single Family Dwellings
Neighborhood Association	Faye Wright Neighborhood Association
Adjacent Neighborhood Association	NA
Comprehensive Plan Map Designation	Single Family Residential
Zoning	RS (Single Family Residential)
Overlay Zone	NA
Urban Service Area	The subject property is located within the Urban Service Area
Urban Renewal Area	NA
Past Land Use Actions	PAR08-07 and PLA19-05

Attendees:

Sean Mansfield, Salem Fire Department – smansfield@cityofsalem.net
Noelle Hall, Building and Safety Division – nhall@cityofsalem.net
Shelby Guizar, Public Works Department – sguizar@cityofsalem.net
Aaron Panko, Planning Division – apanko@cityofsalem.net

Planning Division Comments

Proposal

A pre-application conference to discuss a proposed Conditional Use Permit and change of use from single family residential to group living, for property approximately 0.62 acres in size, zoned RS (Single Family Residential), and located at 211-215 Boone Road SE - 97306 (Marion County Assessors Map and Tax Lot numbers: 083W09DD / 10900 and 10901).

Prior Land Use Actions for Property

PAR08-07: To divide approximately 0.6 acres into three parcels with Parcel 1 consisting of approximately 6,080 square feet, Parcel 2 consisting of approximately 10,374 square feet (approximately 6,063 square feet exclusive of the flag lot accessway), and Parcel 3 consisting of approximately 10,360 square feet (approximately 7,126 square feet exclusive of the flag lot accessway); for property zoned RS (Single Family Residential) and located at 215 Boone Road SE (Marion County Assessor's Map and Tax Lot Number 083W09DD/10900).

PLA19-15: A property line adjustment to eliminate the common property line between two abutting units of land. The property line adjustment will result in a single property approximately 0.38 acres (16,449 square feet) in size. The subject properties are zoned RS (Single Family Residential), and located at 211 Boone Road SE and 213 Boone Road SE (Marion County Assessor Map and Tax Lot numbers: 083W09DD / 10901 and 10902).

Required Land Use Applications

The land use applications checked in the table below have been preliminarily identified as being required for development of the subject property based upon the information provided by the applicant at the time of the pre-application conference. Additional land use applications may be required depending on the specific proposal at the time of future development.

Required Land Use Applications					
Zoning		Site Plan Review			
<input checked="" type="checkbox"/>	Conditional Use (SRC 240.005)	<input type="checkbox"/>	Class 1 Site Plan Review (SRC 220.005)		
<input type="checkbox"/>	Comprehensive Plan Change (SRC 64.020)	<input type="checkbox"/>	Class 2 Site Plan Review (SRC 220.005)		
<input type="checkbox"/>	Zone Change (SRC 265.000)	<input checked="" type="checkbox"/>	Class 3 Site Plan Review (SRC 220.005)		
<input type="checkbox"/>	Temporary use Permit – Class 1 (SRC 701.010)	Design Review			
<input type="checkbox"/>	Temporary Use Permit – Class 2 (SRC 701.010)	<input type="checkbox"/>	Class 1 Design Review (SRC 225.005)		
<input type="checkbox"/>	Non-Conforming Use Extension, Alteration, Expansion, or Substitution (SRC 270.000)	<input type="checkbox"/>	Class 2 Design Review (SRC 225.005)		
<input type="checkbox"/>	Manufactured Dwelling Park Permit (SRC 235.010)	<input type="checkbox"/>	Class 3 Design Review (SRC 225.005)		
Land Divisions		Historic Design Review (SRC 230.020)			
<input checked="" type="checkbox"/>	Property Line Adjustment (SRC 205.055)	<input type="checkbox"/>	Major Commercial	<input type="checkbox"/>	Minor Commercial
<input type="checkbox"/>		<input type="checkbox"/>	Major Public	<input type="checkbox"/>	Minor Public
<input checked="" type="checkbox"/>	Replat (SRC 205.025)	<input type="checkbox"/>	Major Residential	<input type="checkbox"/>	Minor Residential

<input type="checkbox"/>	Partition (SRC 205.005)	Wireless Communication Facilities	
<input type="checkbox"/>	Subdivision (SRC 205.010)	<input type="checkbox"/>	Class 1 Permit (SRC 703.020)
<input type="checkbox"/>	Phased Subdivision (SRC 205.015)	<input type="checkbox"/>	Class 2 Permit (SRC 703.020)
<input type="checkbox"/>	Planned Unit Development Tentative Plan (SRC 210.025)	<input type="checkbox"/>	Class 3 Permit (SRC 703.020)
<input type="checkbox"/>	Manufactured Dwelling Park Subdivision (SRC 205.020)	<input type="checkbox"/>	Temporary (SRC 703.100)
<input type="checkbox"/>	Validation of Unit of Land (SRC 205.060)	<input type="checkbox"/>	Adjustment (SRC 703.090)
Relief		Other	
<input type="checkbox"/>	Adjustment – Class 1 (SRC 250.005)	<input type="checkbox"/>	Annexation – Without Comprehensive Plan Change and/or Zone Change (SRC 260.010)
<input type="checkbox"/>	Adjustment – Class 2 (SRC 250.005)	<input type="checkbox"/>	Annexation – With Comprehensive Plan Change and/or Zone Change (SRC 260.010)
<input type="checkbox"/>	Variance (SRC 245.005)	<input type="checkbox"/>	Sign Adjustment (SRC 900.035)
Natural Resources		<input type="checkbox"/>	Sign Conditional Use (SRC 900.045)
<input type="checkbox"/>	Tree Conservation Plan (SRC 808.035)	<input type="checkbox"/>	Sign Variance (SRC 900.040)
<input type="checkbox"/>	Tree Conservation Plan Adjustment (SRC 808.040)	<input type="checkbox"/>	SWMU Zone Development Phasing Plan (SRC 531.015)
<input type="checkbox"/>	Tree Removal Permit (SRC 808.030)	<input type="checkbox"/>	Urban Growth Preliminary Declaration (SRC 200.020)
<input type="checkbox"/>	Tree Variance (SRC 808.045)	<input checked="" type="checkbox"/>	Historic Clearance Review- High Probability Archaeological Zone (SRC 230.020)
<input type="checkbox"/>	Willamette Greenway Permit – Class 1 (SRC 600.015)	<input type="checkbox"/>	Class 2 Driveway Approach Permit (SRC 804.025)
<input type="checkbox"/>	Willamette Greenway Permit – Class 2 (SRC 600.015)	<input type="checkbox"/>	
Staff Comments			
<ul style="list-style-type: none"> • Conditional Use Permit. The purpose of the Conditional Use Permit process is to allow uses that are similar to other uses permitted outright in a zone but because of the manner in which the use may be conducted, or the land and buildings developed for the use, review is required to determine whether the imposition of conditions is necessary to minimize the negative impacts on uses in the surrounding area. A Conditional Use Permit is required to operate a Residential Facility as noted. • Class 3 Site Plan Review. Site plan review is intended to ensure that the development meets all applicable requirements of the Salem Revised Code (SRC). Class 3 Site Plan Review: is required for any development that involves a land use decision or limited land use decision, as those terms are defined in ORS 197.015, or that requires discretion to be used to issue a decision. Site Plan Review is required if the applicant changes the use of the existing dwellings to a Residential Facility. Because of the need for a Conditional Use Permit, a Class 3 Site Plan Review is required for this development proposal. • Property Line Adjustment. If you want to change or remove all or a portion of a property line between two neighboring pieces of land, you will need to apply for a property line adjustment. Property line adjustments cannot be used to create an additional unit of land or to create units of land that do not meet zoning requirements. • Archeological Review. In addition to the land use applications identified above, the subject property appears to be within the Historic and Cultural Resources Protection Zone, if the project results in group disturbance, archeological review for the project may be required. 			

In order to determine what archeological requirements, if any, may be applicable to development of the property it is strongly recommended you contact **Kimberli Fitzgerald**, the City's Historic Preservation Officer. Kimberli can be reached at 503-540-2397 or KFitzgerald@cityofsalem.net.

Online Application Submittal Packets

The City has electronic application submittal guides for the applications identified above. The webpages include a summary of the review procedure, submittal requirements, and approval criteria. The submittal guides can be found on the City's [Land Use Applications](#) page.

Land Use Application Fees

The applicable land use application fees for these applications can be found in the City's [Fee Schedule](#). Land use application fees and descriptions start on **page 21** of the document.

Consolidated Land Use Application Procedures

When multiple land use applications are required or proposed for a development, the City's land use procedures ordinance (SRC Chapter 300) provides alternatives methods for how such applications may be processed.

The applications may be processed individually in sequence, concurrently, or consolidated into a single application. Where multiple applications proposed to be consolidated include an application subject to review by the Historic Landmarks Commission, the application subject to Historic Landmarks Commission review may be processed individually in sequence or concurrently.

Multiple land use applications consolidated into a single application shall be accompanied by the information and supporting documentation required for each individual land use action. Review of the application shall be according to the highest numbered procedure type and the highest Review Authority required for any of the land use applications proposed to be consolidated.

Multiple applications processed concurrently require the filing of separate applications for each land use action. Each application shall be reviewed separately according to the applicable procedure type and Review Authority and processed simultaneously.

Zoning

The zoning of the subject property has been identified in the table below. For specific requirements of the applicable zone(s), click on the zone(s) in the table.

Base Zones			
<input type="checkbox"/>	EFU – Exclusive Farm Use (SRC 500.000)	<input type="checkbox"/>	MU-II – Mixed Use II (SRC 534.000)
<input type="checkbox"/>	RA – Residential Agriculture (SRC 510.000)	<input type="checkbox"/>	MU-III – Mixed Use III (SRC 535.000)
<input checked="" type="checkbox"/>	RS – Single Family Residential (SRC 511.000)	<input type="checkbox"/>	MU-R – Mixed Use Riverfront (RSC 536.000)
<input type="checkbox"/>	RD – Duplex Residential (SRC 512.000)	<input type="checkbox"/>	ESMU – Edgewater/Second Street Mixed-Use Corridor (SRC 537.000)
<input type="checkbox"/>	RM-1 – Multiple Family Residential (SRC 513.000)	<input type="checkbox"/>	PA – Public Amusement (SRC 540.000)
<input type="checkbox"/>	RM-2 – Multiple Family Residential (SRC 514.000)	<input type="checkbox"/>	PC – Public and Private Cemeteries (SRC 541.000)
<input type="checkbox"/>	RM-3 – Multiple Family Residential (SRC 515.000)	<input type="checkbox"/>	PE – Public and Private Education (SRC 542.000)
<input type="checkbox"/>	CO – Commercial Office (SRC 521.000)	<input type="checkbox"/>	PH – Public and Private Health Services (SRC 543.000)

<input type="checkbox"/>	CR – Retail Commercial (SRC 522.000)	<input type="checkbox"/>	PS – Public Service (SRC 544.000)
<input type="checkbox"/>	CG – General Commercial (SRC 523.000)	<input type="checkbox"/>	PM – Capitol Mall (SRC 545.000)
<input type="checkbox"/>	CB – Central Business District (SRC 524.000)	<input type="checkbox"/>	EC – Employment Center (SRC 550.000)
<input type="checkbox"/>	WSCB – West Salem Central Business District (SRC 525.000)	<input type="checkbox"/>	IC – Industrial Commercial (SRC 551.000)
<input type="checkbox"/>	FMU – Fairview Mixed-Use (SRC 530.000)	<input type="checkbox"/>	IBC – Industrial Business Campus (SRC 552.000)
<input type="checkbox"/>	SWMU – South Waterfront Mixed-Use (SRC 531.000)	<input type="checkbox"/>	IP – Industrial Park (SRC 553.000)
<input type="checkbox"/>	MU-I – Mixed Use I (SRC 533.000)	<input type="checkbox"/>	IG – General Industrial (SRC 554.000)

Overlay Zones

<input type="checkbox"/>	Willamette Greenway (SRC 600.000)	<input type="checkbox"/>	Chemawa-I-5 Northeast Quadrant Gateway (SRC 618.000)
<input type="checkbox"/>	Floodplain (SRC 601.000)	<input type="checkbox"/>	Superior-Rural (SRC 621.000)
<input type="checkbox"/>	Airport (SRC 602.000)	<input type="checkbox"/>	Saginaw Street (SRC 625.000)
<input type="checkbox"/>	Portland Fairgrounds Road (SRC 603.000)	<input type="checkbox"/>	McNary Field (SRC 629.000)

Staff Comments

- The subject property is located within the RS (Single Family Residential) zone. The permitted (P), special (S), conditional (C), and prohibited (N) uses in the RS zone are set forth in Table 511-1.
- Current Use:
A nonprofit shelter serving victims of domestic violence is currently operating on the subject property which is licensed by the City of Salem to serve 20 individuals between both dwellings at 211-215 Boone Road SE.

Per SRC 400.040(c), nonprofit shelters are characterized by lodging establishments operated by nonprofit organizations that provide overnight accommodations and temporary shelter for the homeless and other vulnerable populations. Individual bath and cooking facilities may or may not be provided.

Per Table 511-1, nonprofit shelters for victims of domestic violence serving 10 or fewer persons are allowed as an outright permitted use in the RS zone.
- Proposed Uses:
 - Alternative 1, Residential Home.
Residential home is defined in SRC Chapter 111 and means a residential treatment or training home, as defined in ORS 443.400, a residential facility registered under ORS 443.480 to 443.500, or an adult foster home licensed under ORS 443.705 to 443.825 that provides residential care alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related. Staff persons required to meet licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential home.

Residential home is a limited type of single-family activity falling under the household living use.

Per Table 511-1, a residential home is an outright permitted use for the subject properties. A residential home serving five or fewer individuals may operate without requiring Site Plan Review for a change of use by the Planning Division. Applicant is advised to contact the Fire Department and Building and Safety Division for more information.
 - Alternative 2, Residential Facility.
Residential Facility is defined in SRC Chapter 111 and means a residential care, residential training, or residential treatment facility, as those terms are defined in ORS 443.400, that provides residential care alone or in conjunction with treatment or training or a combination thereof for six to 15 individuals who need not be related. Staff persons required to meet

licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility.

Residential facility is a limited type of residential care activity falling under the group living use.

Per Table 511-1, a residential facility, as defined under ORS 197.660, is allowed as a conditional use when located on a lot with frontage on an arterial or collector street.

The property located at 215 Boone Road SE (083W09DD / 10900) has frontage along Boone Road SE, which is designated as a collector street. The property located at 211-213 Boone Road SE (083W09DD / 10901) is a flag lot served by an access easement that crosses over 215 Boone Road SE, no portion of the flag lot touches Boone Road SE.

Under the current lot configuration, a residential facility would be prohibited at the 211-213 Boone Road SE location. The applicant may request a Property Line Adjustment or Replat to reconfigure the boundaries of the subject properties, if 211-213 Boone Road SE can be reconfigured so that a portion of the boundary has frontage along Boone Road SE, then it would be eligible for application of a Conditional Use Permit.

If either existing building is changed from a nonprofit shelter use to a residential facility, Site Plan Review (Class 3) would be required for the change of use. Applicant is advised to contact the Fire Department and Building and Safety Division for more information.

○ Alternative 3, Nonprofit Shelter.

The applicant is proposing a change in ownership and operation of the subject property. The applicant may potentially be able to continue using the properties as a nonprofit shelter, with the only difference being property ownership and the organization responsible for operations, if it is determined that new operation is consistent with all applicable use requirements of the RS zone.

Staff recommends that the applicant request a Land Use Verification Letter and provide a written summary of the proposed use, describing the nature and characteristics of the proposed use, accommodations provided, anticipated population served, and type of personal care, training, or treatment that will be provided on-site, if any.

Per Table 511-1, a nonprofit shelter for victims of domestic violence serving 10 or fewer persons is an outright permitted use for the subject properties, continuing this use does not require Site Plan Review for a change of use by the Planning Division. Applicant is advised to contact the Fire Department and Building and Safety Division for more information.

Development Standards

The proposed development will be primarily subject to the provisions of the chapters identified in the table below. For specific requirements, click on chapters in the table.

Development Standards			
<input type="checkbox"/>	Special Use Provisions (SRC 700.000)	<input checked="" type="checkbox"/>	Off-Street Parking, Loading and Driveways (SRC 806.000)
<input checked="" type="checkbox"/>	General Development Standards (SRC 800.000)	<input checked="" type="checkbox"/>	Landscaping and Screening (SRC 807.000)
<input checked="" type="checkbox"/>	Public Improvements (SRC 802.000)	<input checked="" type="checkbox"/>	Preservation of Trees and Vegetation (SRC 808.000)
<input checked="" type="checkbox"/>	Streets and Right-Of-Way Improvements (SRC 803.000)	<input checked="" type="checkbox"/>	Wetlands (SRC 809.000)

<input checked="" type="checkbox"/>	Driveway Approaches (SRC 804.000)	<input checked="" type="checkbox"/>	Landslide Hazards (SRC 810.000)
<input checked="" type="checkbox"/>	Vision Clearance (SRC 805.000)	<input type="checkbox"/>	
Staff Comments			
<ul style="list-style-type: none"> Per Chapter 806, Table 806-1, the maximum off-street parking allowance for a single-family dwelling (residential home) is three spaces per dwelling unit, the maximum allowance for a residential care use is one space per 250 square feet of floor area, and the maximum allowance for a nonprofit shelter use is one space per 200 square feet of floor area. Per Chapter 806, Table 806-8, there is no bicycle parking requirement for a single-family dwelling (residential home). The minimum bicycle parking requirement for a residential care and nonprofit shelter uses is four spaces, or one space per 3,500 square feet of floor area. 100% of required bicycle parking spaces can be long term spaces. 			

Natural Resources

Trees: There are trees present on the subject property. The City's tree preservation ordinance (SRC Chapter 808) protects Heritage Trees, Significant Trees (*including Oregon White Oaks with diameter-at-breast-height of 20 inches or greater and any other tree greater than 30 inches in dbh except Tree of heaven (Ailanthus altissima), Empress tree (Paulownia tomentosa), Black cottonwood (Populus trichocarpa), and Black locust (Robinia pseudoacacia)*), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet. The tree preservation ordinance defines "tree" as, "any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more dbh, and possesses an upright arrangement of branches and leaves."

Wetlands: According to the Salem-Keizer Local Wetland Inventory (LWI) there are no areas of mapped wetlands present on the subject property. However, the applicant is advised that the City will provide notification of any development applications to the Department of State Lands who may require additional wetland studies of the subject property.

Landslide Hazard Susceptibility: According to the City's adopted landslide hazard susceptibility maps the subject property does not contain mapped landslide hazards. A change of use is not assigned any activity points. A total of 0 points indicates a low landslide risk, a geological assessment is not required.

Neighborhood Association Contact and Open House

Applicants are required to contact the applicable neighborhood association for certain types of land use applications prior to application submittal. For a limited number of application types, an open house or presentation at a neighborhood association meeting is required. This allows the neighborhood association to be involved early in the process and helps to identify any potential issues that might arise.

The table below indicates if the proposed development must meet either the neighborhood association contact requirement or open house/neighborhood association meeting requirement prior to application submittal.

Pre-Submittal Requirement			
<input checked="" type="checkbox"/>	Neighborhood Association Contact (SRC 300.310)	<input type="checkbox"/>	Open House (SRC 300.320)
Staff Comments			
<ul style="list-style-type: none"> Neighborhood association contact is required prior to submittal of a Conditional Use Permit application. 			

Neighborhood Association Contact

When a land use application requires neighborhood association contact, the applicant must contact the City-recognized neighborhood association(s) whose boundaries include, and are adjacent to, the subject property via e-mail or letter.

The e-mail or letter must be sent to **both** the Neighborhood Association Chair(s) and Land Use Chair(s) of the applicable neighborhood association and contain the following information:

- 1) The name, telephone number, and e-mail address of the applicant;
- 2) The address of the subject property;
- 3) A summary of the proposal;
- 4) A conceptual site plan, if applicable, that includes the proposed development; and
- 5) The date on which the e-mail or letter is being sent.

Note: Land use applications requiring neighborhood association contact will not be accepted unless they are accompanied by a copy of the e-mail or letter that was sent to the neighborhood association and a list of the e-mail or postal addresses to which the e-mail or letter was sent.

Open House

When a land use application requires an open house, the applicant must arrange and attend one open house to share the development proposal with the neighborhood and surrounding property owners and residents prior to application submittal.

The open house must be within the boundaries of the City-recognized neighborhood association in which the subject property is located or within two miles of the subject property. The applicant must provide written notice of the open house to the applicable neighborhood association(s) and the Planning Administrator and must post notice of the open house on the subject property. **Note: Applicants can choose to present their proposals at a neighborhood association meeting in-lieu of arranging and attending an open house.**

Neighborhood Association Information

For your convenience, neighborhood association(s) contact information is included below. Please note that the identified neighborhood association chair(s), and their corresponding contact information, is current as of the date of the pre-application conference, but this information is subject to change if the chair(s) or their contact information has changed subsequent to the date of the pre-application conference.

Up-to-date contact information for neighborhood representatives may also be obtained by visiting the [Neighborhood Association page](#) on the City's website or by contacting the City's Neighborhood Program Coordinator at 503-540-2303.

Applicable Neighborhood Association(s):	Meeting Date, Time, & Location	Neighborhood Association Chair(s)
Faye Wright Neighborhood Association	2 nd Tuesday each month @ 6:30 PM <i>See calendar for specific dates and meeting locations</i>	Sylvia Machado (<i>Chair</i>) fayewright@saalemneighbors.org Bev Ecklund (<i>Land Use Chair</i>) bev.ecklund@gmail.com

Salem Revised Code Available Online

The entire [Salem Revised Code](#) can be accessed online through the link.