Property Line Adjustment, Tentative Partition Plan, Class 3 Site Plan Review, Class 1 Design Review, Class 2 Driveway Approach Permit, and Six Class 2 Adjustments

Submittal Date:	September 2024
Submitted To:	City of Salem Community Planning & Development Department
Project Location:	3021 D Street NE Salem, OR
Applicant(s):	Skyline Builders, LLC
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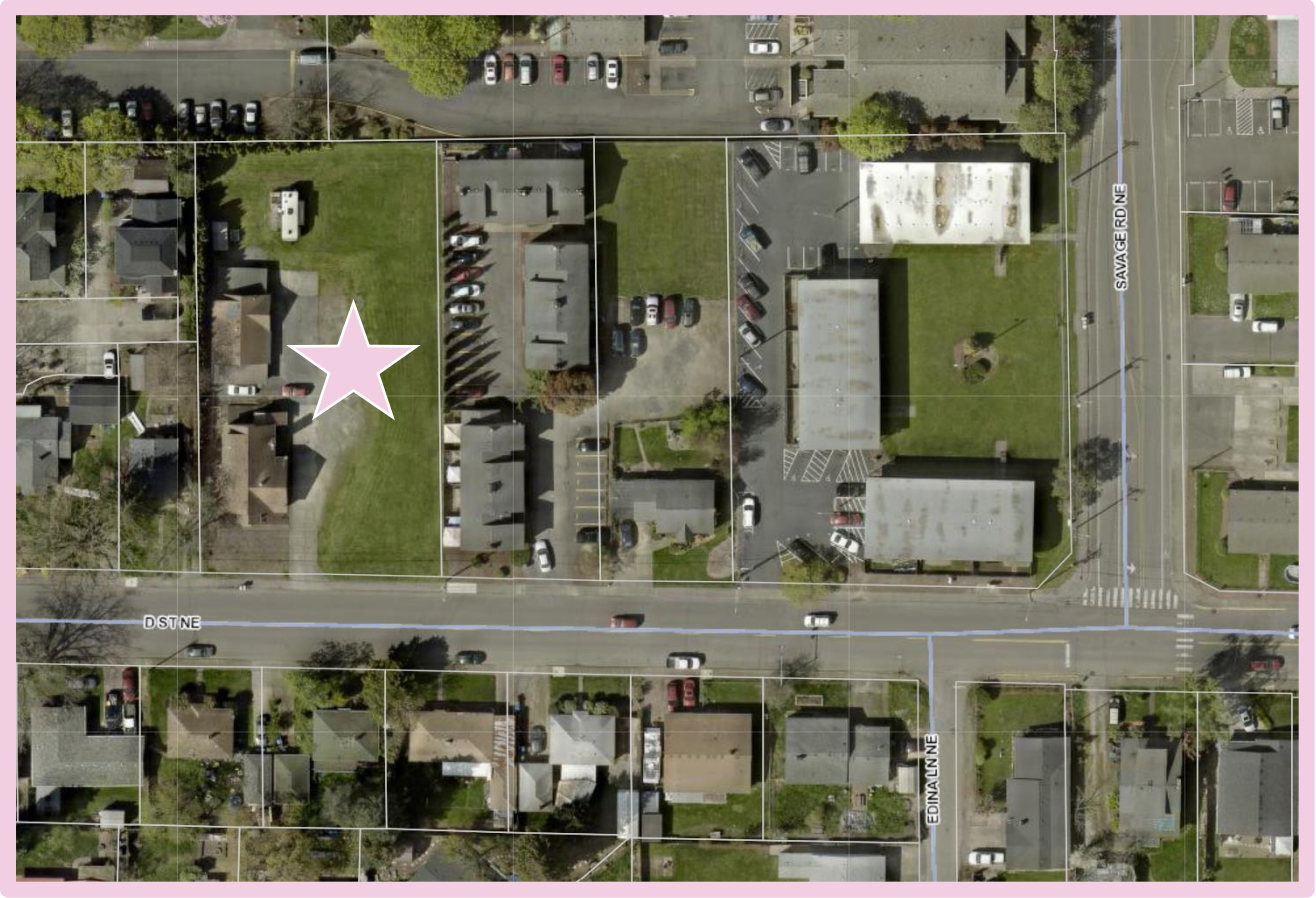


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Aerial View of Subject Property and Existing Development



Section 1: Property Background and Request

The applicant, Skyline Builders, LLC, is presenting a property line adjustment, tentative partition plan, class 3 site plan review, class 1 design review, six class 2 adjustments, and a driveway approach permit to divide the two existing single-family dwellings away from the vacant portion of the subject site and prepare the vacant portion of the site for new development. The vacant portion of the property is proposed to be developed with 12 new multifamily dwelling units and complimentary site improvements.

The proposal includes adjustments to the following development standards:

1. SRC 414.010(a) where lots subdivided or partitioned in the RM-II zone shall be a minimum of 20,000 square feet in size, unless the lots are restricted to contain three or more attached dwelling units per lot, are used for townhouse development, or are used for allowed uses other than household living as the applicant is proposing parcel 1 which will be 4,004 square feet and parcel 2 which will be 16,402 square feet when measured exclusive of the accessway.

2. SRC 514.010(b) lot standards for lot area where 6,000 square feet is required and 4,004 square feet is proposed.
3. SRC 514.010(b) lot standards where the lot depth cannot exceed 300% of the lot width, exclusive of the accessway (57.26' W x 3 = 171.78' Max Depth). In this case, 172 feet is allowed, and 231.85 feet is proposed.
4. SRC Section 800.065(2) – Pedestrian access where a pedestrian connection is required between every building on a development site. In this case, the applicant is proposing to eliminate connections between the existing single-family dwellings and the newly proposed multi-family development.
5. Section 806.035(c)(3) - Table 514-5 zone-to-zone setbacks requires the vehicle use area to be setback from the side property line abutting a residential zone a minimum of 10-feet with Type C landscaping. The applicant is seeking to eliminate the setback and landscaping requirement for a 5.5 foot portion of a parking stall that abuts the proposed trash enclosure and proposed parcel 1.
6. Section 804.035(d) – Spacing requirements onto a minor arterial provide that the driveway shall not be closer than 370 feet to the nearest driveway. The location of the newly constructed driveway approach is approximately 130 feet from the driveway to the east and 120 feet from the driveway to the west. The applicant is seeking a class 2 adjustment to limit the driveway spacing standard to 120 feet as it is impossible to meet the requirement given the frontage, where existing structures do not exist, is less than 100 feet in width.

Section 2: Existing Conditions

The development site is approximately 0.67 acres in size and is described as Marion County Assessor Map and Tax Lot 073W24DC01000. A Marion County Tax Map is included within the exhibits list identifying the subject properties.

The site is located within corporate City limits of the City of Salem. The Salem Area Comprehensive Plan (SACP) map designation for the property is "Multifamily Residential". The property is located within the City's Urban Service Area (USA) making an urban growth preliminary declaration application unnecessary.

The Comprehensive Plan designations of surrounding properties include:

North: MF "Multifamily Residential"

South: Across D Street NE, SF "Single Family Residential"

East: MF "Multifamily Residential"

West: MF "Multifamily Residential"

The subject property is zoned RM2 "Multiple Family Residential 2". Surrounding properties are zoned as follows:

North: RM2 (Multifamily Residential 2) and RS (Single Family Residential)

South: Across D Street NE, RS "Single Family Residential"

East: Across Savage Road NE RM2 (Multifamily Residential 2) and PE (Public/Private Education)

West: RS "Single Family Residential"

Section 3: Applicable Zoning Codes

Salem Revised Code Chapter 205 – Land Division and Reconfiguration

Section 205.001 – Purpose

Section 205.005 – Partition tentative plan

Section 205.030 – Additional Submittal Requirements

Salem Revised Code Chapter 220 – Site Plan Review

Section 220.001 – Purpose

Section 220.005 – Site plan review

Salem Revised Code Chapter 225 – Design Review

Section 225.001 – Purpose

Section 225.005 – Design review

Salem Revised Code Chapter 230 – Historic Preservation

Section 230.001 – Purpose

Section 230.105 – Preservation of archeological resources

Salem Revised Code Chapter 250 – Adjustments

Section 250.001 – Purpose

Section 250.005 – Adjustments

Salem Revised Code Chapter 300 – Procedures for Land Use Applications and Legislative Land Use Proposals

Section 300.001 – Purpose

Section 300.300 – Pre-application Conference

Section 300.310 – Neighborhood Association Contact

Salem Revised Code Chapter 514 – RM-II-Multiple Family Residential

Section 514.001 – Purpose

Section 514.005 – Uses

Section 514.010 – Development standards

Section 514.015 – Design Review

Salem Revised Code Chapter 602 – Airport Overlay Zone

Section 602.001 – Purpose

Section 602.010 – Airport Overlay Zone Boundary

Salem Revised Code Chapter 702 – Multiple Family Design Review Guidelines and Standards

Section 702.001 – Purpose

Section 702.005 – Multiple family design review

Section 702.010 – Multiple family design review standards

Section 702.015 -- Design review standards for multiple family development with five to twelve units

Salem Revised Code Chapter 800 – General Development Standards

Section 800.001 – Purpose

Section 800.005 – Applicability

Section 800.015 – Lot Standards, Generally

Section 800.020 – Designation of Lot Lines

Section 800.025 – Flag Lots

Section 800.055 – Solid waste service areas

Section 800.060 – Exterior lighting

Section 800.065 – Pedestrian Access

Salem Revised Code Chapter 802 – Public Improvements

Section 802.001 – Purpose

Section 802.010 – Design Standards and Specifications

Section 802.015 – Development to Be Served By City Utilities

Section 802.020 – Easements

Section 802.025 – Utilities to Be Placed Underground

Salem Revised Code Chapter 803 – Streets and Right-of-Way- Improvements

Section 803.001 – Purpose

Section 803.010 – Streets, Generally

Section 803.015 – Traffic Impact Analysis

Section 803.025 – Right-of-Way and Pavement Widths

Salem Revised Code Chapter 804 – Driveway Approaches

Section 804.001 – Purpose

Section 804.010 – Applicability

Section 804.015 – Driveway approach permit required

Section 804.025 – Class 2. Driveway approach permit

Section 804.035 – Access onto major and minor arterials

Section 804.045 – Shared access

Section 804.050 – Driveway approach development standards

Section 804.055 – Driveway approach relocation, reconstruction, and maintenance

Section 804.060 – Driveway approach closure

Salem Revised Code Chapter 805 – Vision Clearance

Section 805.001 – Purpose

Section 805.005 – Vision Clearance Areas

Section 805.010 – Obstruction to Vision Prohibited

Section 805.015 – Alternative Standards

Salem Revised Code Chapter 806 – Off-Street Parking, Loading and Driveways

Section 806.001 – Purpose

Section 806.015 – Amount off-street parking

Section 806.020 – Method of providing off-street parking

Section 806.035 – Off-street parking and vehicle use area development standards for uses or activities other than single family, two family, three family, and four family uses or activities

Section 806.040 – Driveway development standards for uses or activities other than single family, two family, three family, and four family uses or activities

Section 806.045 – Bicycle parking; when required

Section 806.050 – Proximity of bicycle parking to use or activity served

Section 806.055 – Amount of bicycle parking

Section 806.060 - Bicycle parking development standards

Salem Revised Code Chapter 807 – Landscaping and Screening

Section 807.001 – Purpose

Section 807.010 – Applicability

Section 807.015 – Landscaping and screening

Section 807.025 – Plant material standards

Section 807.030 – Tree protection measures during construction

Section 4: Findings Applicable to Administrative Procedures

Chapter 300 – Procedures for Land Use Applications and Legislative Land Use Proposals

Section 300.001 – Purpose

The purpose of this chapter is to establish uniform procedures for the review and processing of land use applications, and to establish procedures for legislative land use proposals. This chapter is intended to make the land use application review process clear and understandable for applicants; to facilitate timely review of land use applications by the City; and to enable the public to effectively participate in the local land use decision making process.

Applicant's Findings: *The applicant understands the purpose of Chapter 300 and has provided findings in response to each applicable criterion to satisfy the burden of proof for approvability of the requested application.*

Section 300.300 – Pre-Application Conference

(a) *Purpose.* Pre-application conferences are intended to familiarize applicants with the requirements of the UDC; to provide applicants with an opportunity to meet with city staff to discuss proposed projects in detail; and to identify approval criteria, standards, and procedures prior to filing a land use application. The pre-application conference is intended to be a tool to orient applicants and assist them in navigating the land use process, but is not intended to be an exhaustive review that identifies or resolves all potential issues, and does not bind or preclude the City from enforcing all applicable regulations or from applying regulations in a manner differently than may have been indicated at the time of the pre-application conference.

Applicant's Findings: *In accordance with Table 300-2, class 1 design review applications require a pre-application conference ahead of submitting for land use approval. The applicant held a pre-application conference with staff in accordance with these requirements. Pre-application conference notes are attached within the exhibits of this application. This criterion is met.*

(b) *Applicability and waiver of pre-application requirement*.

(1) Pre-application conferences are mandatory for those land use actions identified under Table 300-2 as requiring a pre-application conference.

(2) Nothing in this section shall preclude an applicant from voluntarily requesting a pre-application conference for any other land use action.

(3) Notwithstanding the provisions of this section, a mandatory pre-application conference may be waived by the Planning Administrator if the application is relatively simple, and good cause is shown by the applicant. An application for a waiver shall be made on forms provided by the Planning Administrator. The applicant for a waiver shall acknowledge that waiving the pre-application conference increases the risk of an application being rejected or processing delayed due to insufficient, incomplete, or incorrect information being provided. The decision of the Planning Administrator on an application to waive a pre-application conference is not appealable.

Applicant's Findings: *In accordance with Table 300-2, class 1 design review applications require a pre-application conference ahead of submitting for land use approval. The applicant held a pre-application conference with staff and did not seek approval of a waiver from the planning administrator. This criterion is not applicable.*

Section 300.310 – Neighborhood Association Contact

(a) *Purpose.* The purpose of neighborhood association contact is to provide an opportunity for neighborhood associations to learn of upcoming land use applications involving land within or adjacent to their boundaries in advance of applications being submitted. This

encourages dialogue and provides opportunities for feedback and resolution of potential issues prior to filing.

Applicant's Findings: *The applicant understands the purpose of requiring neighborhood association contact.*

(b) *Applicability.*

(1) Neighborhood association contact, as provided in this section, is required for those land use applications identified under Table 300-2 as requiring neighborhood association contact.

Applicant's Findings: *Table 300-2 requires neighborhood association contact for the applications. The applicant's representative prepared a letter and sent it to the chair and land use chair of the neighborhood association. The letter was sent via email. The email and the letter are included with this submittal.*

(2) When multiple land use applications are consolidated into a single application and one or more of the applications involved include a requirement for neighborhood association contact and the other applications do not require neighborhood association contact, the entire consolidated application shall require neighborhood association contact.

Applicant's Findings: *The applicant understands because the application is consolidated, neighborhood association contact is required for all applications included. As demonstrated by the contact materials provided, the applicant notified the chair and land use chair of all applications being requested. This criterion is met.*

(3) Nothing in this section shall be construed to preclude additional contact between an applicant and neighborhood association beyond the requirements of this section, or an applicant from contacting a neighborhood association where no neighborhood association contact is required.

Applicant's Findings: *The applicant understands nothing in this section shall preclude additional contact between the applicant and neighborhood association.*

(c) *Process.* Prior to submitting a land use application requiring neighborhood association contact, the applicant shall contact the City-recognized neighborhood association(s) whose boundaries include, or are adjacent to, the subject property via e-mail or mailed letter. The e-mail or mailed letter shall:

(1) Be sent to the chair(s) and land use chair(s) of the applicable neighborhood association(s) prior to submitting the land use application; and

(2) Contain the following information:

(A) The name, telephone number, and e-mail address of the applicant;
(B) The address of the subject property;
(C) A summary of the proposal;
(D) A conceptual site plan, if applicable, that includes the proposed development; and
(E) The date on which the e-mail or letter is being sent;

Applicant's Findings: *The applicant emailed a letter with information relating to the proposal to both the chair and land use chair of the neighborhood association. The letter included all the required information listed above. This criterion is met.*

(d) *Effect on subsequent land use application submittal.* A land use application requiring neighborhood association contact shall not be accepted, as provided under SRC 300.210, unless it is 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.

Applicant's Findings: *The applicant understands the city is unable to accept applications requiring neighborhood association contact prior to contact being made. However, the applicant has demonstrated satisfying this criterion prior to submittal.*

Section 5: Findings Applicable to Property Line Adjustment & Partition

Chapter 205 – Land Division and Reconfiguration

Section 205.001 – Purpose

The purpose of this chapter is to provide regulations governing the division and reconfiguration of land.

Applicant's Findings: *The applicant understands the purpose of the provisions of Chapter 205. The applicant is seeking approval to adjust an existing property line (PLA) and to partition a lawfully created unit of land containing an existing dwelling to divide the existing dwellings away from the remainder of the vacant property to develop 12 new multifamily dwelling units.*

Section 205.005 – Partition Tentative Plan

(a) *Applicability.* Except as provided in ORS 92.010(9), no land shall be divided into three or fewer parcels within a calendar year without receiving tentative partition plan approval as set forth in this section.

Applicant's Findings: *The applicant is seeking approval of a two parcel partition following a property line adjustment in order to divide off the existing single-family dwellings and allows the*

vacant portion of the site to be developed with 12 multifamily dwelling units. The proposed tentative partition plan triggers the applicability of this section.

(b) *Procedure type.* A tentative partition plan is processed as a Type II procedure under SRC chapter 300.

Applicant's Findings: *The applicant understands a tentative partition plan is processed as a Type II procedure. This criterion will be met.*

(c) *Submittal requirements.* In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for tentative partition plan shall include the information required in SRC 205.030.

Applicant's Findings: *This application includes all of items required for submittal. This criterion is met.*

(d) *Criteria.* A tentative partition plan shall be approved if all of the following criteria are met:

(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;

Applicant's Findings: *The lot standards of the RM2 zone are found in SRC Chapter 514.*

<u>Lot Area:</u> The applicant is seeking an adjustment to the minimum lot area requirements for a detached single-family dwelling in order to allow the vacant portion of the site to develop with 12 multi-family dwelling units.

TABLE 514-2. LOT STANDARDS

Requirement	Standard	Limitations & Qualifications
Lot Area		
Single family	Min. 1,500 sq. ft.	Applicable to townhouses.
	Min. 6,000 sq. ft.	Applicable to all other single family, except new single family detached dwellings on nonconforming lots of record less than 6,000 square feet in area.
All other uses	Min. 6,000 sq. ft.	

The applicant is seeking a class 2 adjustment to the minimum lot area from 6,000 square feet down to approximately 4,000 square feet for proposed parcel 1. The proposed lot area matches the minimum lot area requirement for a single family dwelling within the single family (RS) zone which is appropriate in this case and allows the vacant portion of the site to develop in a manner consistent with the RM2 zone. Section 9 of this narrative includes findings for the

approval criteria for the required class 2 adjustment. Proposed parcel 2 is approximately 19,949 square feet, exceeding the minimum 6,000 requirement. Upon approval of the consolidated adjustment, this criterion will be met for both proposed parcels.

<u>Lot Width:</u> The minimum lot width for the single-family parcel and the minimum for the multi-family parcel is 40-feet in accordance with Table 514-2.

Lot Width		
Single family	Min. 20 ft.	Applicable to townhouses.
	Min. 40 ft.	Applicable to all other single family.
All Other Uses	Min. 40 ft.	

Proposed parcel 1 is approximately 49.8 feet in width. Proposed parcel 2 is approximately 79.3 feet in width, but 57.3 feet in width excluding the 22-foot wide accessway. These dimensions are demonstrated on the tentative partition plan included within the exhibits of this application submittal. This criterion is met.

<u>Lot Depth:</u> The minimum lot depth for the single family parcel is 70-feet and the minimum for the multi-family parcel is 80-feet.

Lot Depth		
Single family	Min. 70 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	No Max.	Applicable to townhouses.
	Max. 300% of average lot width	Applicable to all other single family.
All other uses	Min. 80 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	

Proposed parcel 1 is 86.52 feet in depth, meeting the minimum requirement of 70 feet. In accordance with the table, lot depth cannot exceed 300% of the lot width, exclusive of the accessway. In this case for proposed parcel 2, 172 feet is allowed (57.26' W x 3 = 171.78' Max Depth), and 231.85 feet is proposed. The applicant is seeking a class 2 adjustment to this standard for proposed parcel 2 and has demonstrated the intent of the standard (connectivity and buildable properties) is still met. Upon approval of the consolidated adjustment, the proposed parcels will meet this standard.

<u>Street Frontage:</u> The minimum street frontage requirement for both single family and multiple family uses within the RM2 zone is 40 feet. Proposed parcel 1 is a flag lot which will not have street frontage. Proposed parcel 2 has approximately 57.26 feet of street frontage, measured exclusive of the 22 foot wide accessway, which exceeds the minimum requirement.

Street Frontage		
Single family	Min. 20 ft.	Applicable to townhouses.
	Min. 40 ft.	Applicable to all other single family.
	Min. 30 ft.	Applicable to all other single family, when located on a lot fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
All other uses	Min. 40 ft.	

As demonstrated by the findings and the tentative partition plan provided, upon approval of the two requested class 2 adjustments within this section, the lot standards are met by this proposed partition plan.

(B) City infrastructure standards; and

***Applicant's Findings:** The Urban Growth Management Program, detailed in SRC Chapter 200, requires an Urban Growth Area (UGA) Development Permit to be obtained prior to development of property outside the Salem Urban Service Area. Because the subject property is located within the Urban Service Area (USA) a UGA permit is not required.*

The applicant has provided an existing conditions plan and an overall utility plan with this application submittal. As shown on the plans provided within the exhibits, utility infrastructure is present in D Street NE. Additionally, the site is already served by city infrastructure for the two existing dwelling units. As detailed on the overall utility plan, the applicant's civil engineer has proposed a manner in which to improve the existing infrastructure to ensure the site has capacity to serve the additional multifamily development that is proposed. SRC Chapter 205 does require the submission of utility construction plans at this phase of development, however the applicant's engineer has provided utility information to demonstrate services can be made available and will be constructed in compliance with the Public Works Design Standards.

The applicant understands the proposal is subject to SRC Chapter 71 for stormwater improvements. The revised PWDS as adopted in Administrative Rule 109, Division 004 is applicable to ensure the proposed parcels can meet the PWDS. Site plan review and design review applications are included which demonstrate how the applicant is proposing to manage the stormwater from the new impervious surfaces.

The applicant has provided responses to the provisions of SRC Chapter 802. Upon their review of the applicant's submittal, it is anticipated the Public Works Department will provide recommended conditions of approval to ensure the development of infrastructure meets the public improvement requirements of SRC Chapter 802.

As demonstrated on the proposed plans provided with this application submittal, improvements and dedication are proposed along the development site frontage. Further in this narrative, the applicant demonstrates compliance with public improvement requirements. The street network in the immediate vicinity is complete, robust, established and adequate to serve all future phases of development. A TGE form is included with this application. The proposal will add 12 multifamily dwelling units to the site. D Street is classified as a minor arterial street in accordance with the City of Salem TSP. With 12 new units being proposed, a TIA is not triggered.

As demonstrated by the findings included in this narrative and the plans attached, the proposal will meet the city's infrastructure standards.

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

Applicant's Findings: *The applicant has provided findings to the applicable provisions of SRC Chapter 602 Airport Overlay Zone, SRC Chapter 800 General Development Standards, SRC Chapter 802 Public Improvements, SRC Chapter 803 Streets and Right-of-Way Improvements. This application is a consolidated review to complete development of the site with 12 additional multifamily dwelling units. The development plans included demonstrate compliance with vision clearance requirements, the airport overlay, and frontage dedication and improvements.*

Under the city's tree preservation ordinance, pursuant to SRC 808.035(a), a tree conservation plan is required 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. Because removal of trees is not proposed in conjunction with this land division, a tree conservation plan is not required.

As demonstrated by the findings included in this narrative and the plans attached, the proposal will meet the city's applicable special development standards.

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

Applicant's Findings: *Lands abutting the site are fully developed. The partition of the property will allow the vacant portion of the property to develop with multifamily which will meet the purpose of the property's designation. This criterion is met.*

(3) Development within the tentative partition plan can be adequately served by city infrastructure.

Applicant's Findings: *The applicant has provided an existing conditions plan and an overall utility plan with this application submittal. As shown on the plans provided within the exhibits, utility infrastructure is present in D Street NE. Additionally, the site is already served by city infrastructure for the two existing dwelling units. As detailed on the overall utility plan, the applicant's civil engineer has proposed a manner in which to improve the existing infrastructure to ensure the site has capacity to serve the additional multifamily development that is proposed. SRC Chapter 205 does require the submission of utility construction plans at this phase of development, however the applicant's engineer has provided utility information to demonstrate services can be made available and will be constructed in compliance with the Public Works Design Standards.*

The applicant understands the proposal is subject to SRC Chapter 71 for stormwater improvements. The revised PWDS as adopted in Administrative Rule 109, Division 004 is applicable to ensure the proposed parcels can meet the PWDS. Site plan review and design review applications are included which demonstrate how the applicant is proposing to manage the stormwater from the new impervious surfaces.

The applicant has provided responses to the provisions of SRC Chapter 802. Upon their review of the applicant's submittal, it is anticipated the Public Works Department will provide recommended conditions of approval to ensure the development of infrastructure meets the public improvement requirements of SRC Chapter 802.

Development within the tentative partition plan can be adequately served by city infrastructure, this criterion is met.

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

Applicant's Findings: *As demonstrated on the proposed plans provided with this application submittal, improvements and dedication are proposed along the development site frontage. Further in this narrative, the applicant demonstrates compliance with public improvement requirements. The street network in the immediate vicinity is complete, robust, established and adequate to serve all future phases of development. A TGE form is included with this application. The proposal will add 12 multifamily dwelling units to the site. D Street is classified as a minor arterial street in accordance with the City of Salem TSP. With 12 new units being proposed, a TIA is not triggered.*

The street system in and adjacent to the tentative partition plan conforms to the Salem Transportation System Plan, this criterion is met.

(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.

Applicant's Findings: *As demonstrated on the proposed plans provided with this application submittal, improvements and dedication are proposed along the development site frontage. Further in this narrative, the applicant demonstrates compliance with public improvement requirements. The street network in the immediate vicinity is complete, robust, established and adequate to serve all future phases of development. A TGE form is included with this application. The proposal will add 12 multifamily dwelling units to the site. D Street is classified as a minor arterial street in accordance with the City of Salem TSP. With 12 new units being proposed, a TIA is not triggered.*

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, this criterion is met.

(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.

Applicant's Findings: *The applicant is not seeking approval of any variances for the proposed development. The development site is relatively flat and void of vegetation that would need protection from development. This criterion is not applicable.*

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

Applicant's Findings: *The development site is relatively flat and void of vegetation that would need protection from development. The applicant's proposed partition will allow the vacant portion of the site to develop with 12 additional multifamily dwelling units and off-street parking. This criterion is met.*

(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 five acres in size and, except for flag lots, have no dimension that is less than 100 feet.

Applicant's Findings: *The subject property proposed for partitioning is not more than 300 feet from an available sewer main. This criterion is not applicable.*

(e) *Conditions of approval for partitions in areas unserved by City sewer.* In addition to any conditions imposed pursuant to SRC 300.820, 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, the following conditions shall be imposed:
   (1) The parcels shall only be used for residential purposes;
   (2) All buildings and structures shall meet required setbacks from future street rights-of-way; and
   (3) A non-remonstrance agreement shall be signed and recorded against the property agreeing to connect to the City's sewer and water systems when they become available, and waiving the right to object to any future City sewer and water project benefiting the property.

Applicant's Findings: *The subject property proposed for partitioning is not more than 300 feet from an available sewer main. This criterion is not applicable.*

(f) *Expiration.* Tentative partition plan approval shall expire as provided in SRC 300.850, unless an application for final plat is submitted within the time limits set forth in SRC 300.850, or an extension is granted pursuant to SRC 300.850(b).

Applicant's Findings: *The applicant understands the provisions surrounding expiration of approval of a tentative partition plan in accordance with SRC Chapter 300.850(b).*

Section 205.030 – Additional Submittal Requirements

Applications to subdivide, partition, or replat land shall include, in addition to the submittal requirements under SRC chapter 300, the following:

(a) A tentative plan map, of a size and form and in the number of copies meeting the standards established by the Director, containing the following information:
   (1) A title block on each sheet indicating the proposed subdivision or phased subdivision name, or, if available, the partition number; the names and addresses of the landowner; the names and addresses of the professional engineers or surveyors responsible for preparing the plan; date; and township, range and section of the subject property;
   (2) Scale and north arrow;
   (3) The location of all property lines within 50 feet of the perimeter of the subject property;
   (4) The boundaries, dimensions, and area of each proposed lot or parcel;
   (5) The location, width, and names of all existing streets, flag lot accessways, and public accessways abutting the perimeter of the subject property;

(6) The location, width, curve radius, grade, and names of all proposed streets, flag lot accessway, and public accessways;
(7) The location of all existing and proposed easements;
(8) The location, dimensions, and use of all existing and proposed public areas, including, but not limited to, stormwater management facilities and detention facilities;
(9) The location, dimensions, and use of any existing buildings and structures on the subject property, indicating which will remain and which will be removed;
(10) The location of any canals, ditches, waterways, detention facilities, sewage disposal systems, and wells on the subject property, indicating which will remain and which will be removed or decommissioned;
(11) The location of any natural topographic features on the subject property, including, but not limited to, creeks, drainage ways as shown on the most recent USGS maps, wetlands as shown on the Local Wetland Inventory, and floodplains; and
(12) For subdivisions and phased subdivisions, site topography shown at five-foot contour intervals, or two-foot contour intervals for areas within a floodplain;

(b) A current title report for the property;
(c) A completed tree inventory on a form as provided by the Director accurately identifying all existing trees on the property as of the date of application submittal and, if required under SRC chapter 808, a tree conservation plan;
(d) A geological assessment or geo-technical report, if required by SRC chapter 810;
(e) A description of the proposed stormwater management system, including pre and post construction conditions, prepared in accordance with the Public Works Design Standards;
(f) A schematic plan showing the location of existing and proposed city infrastructure;
(g) A preliminary grading plan, for partitions, subdivisions, and phased subdivisions, when grading of the subject property will be necessary to accommodate the proposed development;
(h) For residentially zoned property, where the partition or subdivision will result in a lot or parcel that is one-half acre or larger, a plan for the lot or parcel showing the location of lot or parcel lines and other details of layout, and demonstrating that future further division of the lot or parcel may readily be made without violating the development standards of the UDC and without interfering with the orderly extension and connection of adjacent streets.
(i) For partitions of property located more than 300 feet from an available sewer main, and the property will not connect to City water and sewer, a plan showing:
(1) The location of lot lines and other details of layout demonstrating that the further division and full development of the property to the urban densities

allowed by the comprehensive plan may readily be made in conformance with the development standards of the UDC, and without interfering with the orderly extension and connection of adjacent streets.

(2) The approximate location of city infrastructure following full development to the urban densities allowed by the comprehensive plan.

(j) For subdivisions and phased subdivisions:

(1) A completed trip generation estimate on forms provided by the City;

(2) A traffic impact analysis, if required under SRC chapter 803; and

(3) A statement from the County Surveyor approving the name of the subdivision or phased subdivision.

(k) For a subdivision of RA- or RS-zoned property that is at least ten acres in size, that includes or abuts a planned or existing collector or minor arterial street, and that is located at least one-quarter from all commercial, mixed-use, and neighborhood hub zones; the tentative plan shall designate the lots where neighborhood hub uses are allowed.

(l) For a subdivision of RA- or RS-zoned property that is at least five acres in size; the tentative plan shall designate the lots where middle housing will be developed to meet density requirements.

(m) For any land division creating residential flag lots after November 28, 2022, the tentative plan shall identify the number of units that will be developed on each lot served by the flag lot accessway.

Applicant's Findings: *As applicable, the required additional information has been provided. It is believed this submittal is complete and the review authority has everything needed to render a decision in the case. This criterion is met.*

Section 205.055 – Property line adjustments

(a) *Applicability.* A property line adjustment is required to relocate or eliminate all or a portion of a common property line between two abutting units of land that were lawfully established, as defined by ORS 92.010(3)(a), or to incorporate into another unit of land, as provided by ORS 92.010(9)(e), excess right-of-way that was acquired for street or other right-of-way purposes and subsequently sold by a public body. Property line adjustments shall not be used to create an additional unit of land, or to create units of land that are non-conforming. No property line shall be relocated or eliminated without property line adjustment approval as set forth in this section.

Applicant's Findings: *Prior to recording of the partition, the applicant is seeking to record a property line adjustment to segregate the two single family dwellings on the site away from the vacant portion of the site in order to prepare for the development of 12 multifamily dwelling units. The requested property line adjustment triggers the applicability of this section.*

(b) *Procedure type.* A property line adjustment is processed as a Type I procedure under SRC chapter 300.

Applicant's Findings: *The applicant understands generally, PLA's would follow Type I procedures. However, this application is consolidated and in accordance with SRC Chapter 300, the entire consolidated application will be reviewed following Type II procedures.*

(c) *Submittal requirements.* In addition to the submittal requirements for a Type I application under SRC chapter 300, an application for a property line adjustment shall include:

(1) A copy of recorded deeds for the existing units of land;

(2) A site plan, drawn to scale, indicating:

(A) The dimensions and areas of the units of land before and after the proposed property line adjustment;

(B) Setbacks, building separations, lot coverage, vehicular access, and public and private utilities;

(3) Proof of ownership including, but not limited to, a preliminary title report not older than 30 days for each affected property at the time the application is submitted;

(4) Any additional documents required to establish that the unit(s) of land were legally created;

(5) A copy of the draft property line adjustment deed(s), in a form approved by the Director, containing:

(A) The names of the owners;

(B) Legal descriptions of the adjusted property(ies) and the transacted property prepared and sealed by an Oregon-registered Professional Land Surveyor;

(C) References to original recorded deeds including the creation date and instrument used to lawfully establish each unit of land; and

(D) A place for the signatures of all parties, along with proper notary acknowledgment.

Applicant's Findings: *The applicant believes they have submitted a complete application which includes all of the above required information and documentation.*

(d) *Criteria.* A property line adjustment shall be approved if all of the following criteria are met:

(1) The property line adjustment will not create an additional unit of land;

Applicant's Findings: *The proposed property line adjustment will relocate a common property line but will not create an additional unit of land, as demonstrated by the survey documents included with this application submittal. This criterion is met.*

(2) The property line adjustment will not create nonconforming units of land or nonconforming development, or increase the degree of nonconformity in existing units of land or existing development;

Applicant's Findings: *As demonstrated by the survey documents included, the proposed property line adjustment will make the resulting property more conforming to lot standards in that the property will no longer exceed the 300% width to depth rule. The site plan included with this application demonstrates all setbacks are met to the existing single family dwelling unit including more than 20-feet to the special setback line abutting D Street, a 4 foot 10 inch side yard setback, a side yard setback of more than 13 feet, and a rear yard setback of 20 feet. The property line adjustment will not create nonconforming units of land or nonconforming development, or increase the degree of nonconformity in existing units of land or existing development, this criterion is met.*

(3) The property line adjustment involves only units of land that were lawfully established, where the instruments creating the units of land have been properly recorded, or the property line adjustment involves the incorporation of excess right-of-way, acquired for street or other right-of-way purposes and subsequently sold by a public body, into a unit of land that was lawfully established;

Applicant's Findings: *The applicant's surveyor has determined the properties were created lawfully. This application submittal includes a chain of title dating back to 1960 which will allow the city surveyor to review and make findings in concurrence with the applicant's surveyor. This criterion is met.*

(4) The property line adjustment is not prohibited by any existing City land use approval, or previous condition of approval, affecting one or both of the units of land;

Applicant's Findings: *There are no existing land use approvals the applicant is aware of which would disallow the proposed property line adjustment. This criterion is met.*

(5) The property line adjustment does not involve the relocation or elimination of any public easement or right-of-way; and

Applicant's Findings: *The property line adjustment proposes to relocate a common property line between two existing units of land. The proposal does not include the relocation or elimination of any easement or right-of-way benefitting the public. This criterion is met.*

(6) The property line adjustment does not adversely affect the availability or access to public and private utilities or streets.

Applicant's Findings: *The property line adjustment results in two units of land which will still have street frontage onto D Street. The PLA does not affect the ability to access public and private utilities or streets. This criterion is met.*

(e) *Multiple property line adjustments.* If more than three property line adjustment applications affecting the same unit of land are proposed within a six-month period, the property line adjustments shall be processed as follows:

(1) When the units of land are within a recorded plat, the property line adjustments affecting the units of land shall be by replat; and

(2) When the units of land are not within a recorded plat, the property line adjustments affecting the units of land shall be by partition.

Applicant's Findings: *The applicant is seeking approval of one property line adjustment. This criterion is not applicable.*

(f) *Monumentation recording.*

(1) Property line adjustments shall be surveyed, monumented, and recorded as required by state law. Prior to recording the record of survey map with the county:

(A) The City Surveyor shall review the final property line adjustment deed document(s) and an updated preliminary title report, not older than 30 days from the date of the review, and certify that it:

(i) Identifies the correct owners of each property;

(ii) Identifies the grantor and grantee in the correct manner;

(iii) Includes, when applicable, references to any easements of record:

(iv) Includes a legal description(s) that:

(aa) Accurately describes the adjusted property(ies) and the properties being conveyed;

(bb)Contains bearing and distance calls that mathematically close; and

(cc) Contain, when applicable, correct references to artificial and natural monuments along adjoining property(ies).

(v) Correctly represents the areas in each legal description; and

(vi) Complies with the requirements of state law.

(B) The applicant shall record the final property line adjustment deed(s) document; and

(C) The City Surveyor shall review the record of survey map to ensure:

(i) That the record of survey map conforms with the property line adjustment deeds; and

(ii) Compliance with state law and this section.

Applicant's Findings: *The applicant's surveyor will follow these requirements following land use approval of the requested property line adjustment. This criterion will be met.*

(g) *Expiration.*

(1) Property line adjustment approval shall expire as provided in SRC 300.850, unless the approved property line adjustment deed and record of survey map are recorded with the county.

(2) Multiple property line adjustments processed according to subsection (e) of this section shall expire as provided in SRC 300.850 according to the expiration period specified for the required application.

(3) Evidence demonstrating that the approved property line adjustment deed and record of survey map, when required under subsection (f) of this section, have been recorded with the county shall be provided to the Director.

Applicant's Findings: *The applicant understands the provisions surrounding expiration of approval of a property line adjustment in accordance with SRC Chapter 300.850.*

Section 6: Findings Applicable to Class 3 Site Plan Review

Chapter 220 – Site Plan Review

Section 220.001 – Purpose

The purpose of this chapter is to provide a unified, consistent and efficient means to conduct site plan review for development activity that requires a building permit, to ensure that such development meets all applicable standards of the UDC, including, but not limited to, standards

related to access, pedestrian connectivity, setbacks, parking areas, external refuse storage areas, open areas, landscaping, and transportation and utility infrastructure.

Section 220.005 – Site Plan Review

(a) *Applicability*.

(1) Except as provided in subsection (a)(2) of this section, site plan review approval is required:

(A) Prior to issuance of a building permit, for any development that requires a building permit;

(B) Prior to a change of use, when a building permit is not otherwise required; and

(C) Prior to commencement of work, for any of the following when a building permit is not otherwise required:

(i) Development of a new off-street parking or vehicle use areas;

(ii) Expansion of an existing off-street parking or vehicle use areas, when additional paved surface is added;

(iii) Alteration of an existing off-street parking or vehicle use areas, when the existing paved surface is replaced with a new paved surface;

(iv) Paving of an unpaved area; and

(v) Restriping of an off-street parking or vehicular use areas, when the layout will be reconfigured.

Applicant's Findings: *Site plan review, class 3, is applicable to this submittal as the applicant is seeking a building permit to construct a new multiple family complex on the subject property.*

(2) Exemptions.

(A) The following development that requires a building permit is exempt from site plan review:

(i) Development of a single family use, two family use, three family use, four family use, or cottage cluster on an individual lot, including the construction of accessory structures and paving associated with such uses.

(ii) Sign installation.

(iii) Ordinary maintenance or repair of existing buildings, structures, utilities, landscaping, and

impervious surfaces, and the installation or replacement of operational equipment or fixtures.

(iv) The alteration to the facade of a building, except in the Mixed Use-I (MU-I), Mixed Use- II (MU-II), Mixed Use-III (MU-III), or Mixed Use-Riverfront (MU-R) zones unless there are no standards in the zone that are applicable to the proposed façade alteration.

(v) Interior construction or tenant improvements that involve no change of use or occupancy.

(vi) Demolition permit.

(vii) Construction of a fence.

(B) Any of the activities identified under subsection (a)(1)(C) of this section are exempt from site plan review if they are for a single family use, two family use, three family use, four family use, or cottage cluster on an individual lot.

Applicant's Findings: *The application, as proposed, is not exempt from site plan review. This section is not applicable.*

(b) *Classes*. The three classes of site plan review are:

(1) *Class 1 site plan review*. Class 1 site plan review is site plan review for any development under subsection (a)(1) of this section that does not involve a land use decision or limited land use decision, as those terms are defined in ORS 197.015, and that involves either:

(A) A change of use or change of occupancy where only construction or improvements to the interior of the building or structure are required; or

(B) A change of use when a building permit is not otherwise required.

(2) *Class 2 site plan review*. Class 2 site plan review is site plan review for any development under subsection (a)(1) of this section, other than development subject to Class 1 site plan review, that does not involve a land use decision or limited land use decision, as those terms are defined in ORS 197.015.

(3) *Class 3 site plan review*. Class 3 site plan review is site plan review for any development under subsection (a)(1) of this section that involves a land use decision or limited land use decision, as those terms are defined in ORS 197.015. As used in this subsection, land use decisions and limited land use decisions include, but are not limited to, any development application that:

(A) Requires a Transportation Impact Analysis pursuant to SRC chapter 803;

(B) Requires a geotechnical report or geologic assessment under SRC chapter 810, except where a geotechnical report or geologic assessment has already been approved for the property subject to the development application;
(C) Requires deviation from clear and objective development standards of the UDC relating to streets, driveways or vision clearance areas;
(D) Proposes dedication of right-of-way which is less than the requirements of the Salem Transportation System Plan;
(E) Requires deviation from the clear and objective standards of the UDC and where the Review Authority is granted the authority to use limited discretion in deviating from the standard; or
(F) Involves the imposition of conditions of approval; or
(G) Requires a variance, adjustment, or conditional use permit.

Applicant's Findings: *This proposal triggers a class 3 site plan review as it is consolidated with a driveway approach permit, class 1 design review, tentative partition plan, property line adjustment, and class 2 adjustments.*

(c) *Procedure type*.
(1) Class 1 site plan review is processed as a Type I procedure under SRC chapter 300.
(2) Class 2 site plan review is processed as a Type I procedure under SRC chapter 300.
(3) Class 3 site plan review is processed as a Type II procedure under SRC chapter 300.
(4) An application for site plan review may be processed concurrently with an application for a building permit; provided, however, the building permit shall not be issued until site plan review approval has been granted.

Applicant's Findings: *The consolidated application requires a Type II review.*

(d) *Submittal requirements for Class 1 site plan review*. In lieu of the application submittal requirements under SRC chapter 300, an application for a Class 1 site plan review shall include a completed application form that shall contain the following information:
(1) The names and addresses of the applicant(s), the owner(s) of the subject property, and any authorized representative(s) thereof;
(2) The address or location of the subject property and its assessor's map and tax lot number;
(3) The size of the subject property;
(4) The comprehensive plan designation and zoning of the subject property;

(5) The type of application(s);
(6) A brief description of the proposal; and
(7) Signatures of the applicant(s), owner(s) of the subject property, and/or the duly authorized representative(s) thereof authorizing the filing of the application(s).

(e) *Submittal requirements for Class 2 and Class 3 site plan review*.

(1) *Class 2 site plan review.* In addition to the submittal requirements for a Type I application under SRC chapter 300, an application for Class 2 site plan review shall include the following:

(A) A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:

(i) The total site area, dimensions, and orientation relative to north;
(ii) The location of all proposed primary and accessory structures and other improvements, including fences, walls, and driveways, indicating distance from the structures and improvements to all property lines and adjacent on-site structures;
(iii) Loading areas, if included in the proposed development;
(iv) The size and location of solid waste and recyclables storage and collection areas, and amount of overhead clearance above such enclosures, if included in the proposed development;
(v) An indication of future phases of development on the site, if applicable;
(vi) All proposed landscape areas on the site, with an indication of square footage and their percentage of the total site area;
(vii) The location, height, and material of fences, berms, walls, and other proposed screening as they relate to landscaping and screening required by SRC chapter 807;
(viii) The location of all trees and vegetation required to be protected pursuant to SRC chapter 808;
(ix) The location of all street trees, if applicable, or proposed location of street trees required to be planted at time of development pursuant to SRC chapter 86; and

(x) Identification of vehicle, pedestrian, and bicycle parking and circulation areas, including handicapped parking stalls, disembarking areas, accessible routes of travel, and proposed ramps.

(B) An existing conditions plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:

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

(ii) The location of existing structures and other improvements on the site, including accessory structures, fences, walls, and driveways, noting their distance from property lines; and

(iii) The type, size, and location of all existing trees on the property, with an identification of those trees that will be preserved and those trees that will be removed; and

(iv) The location of the 100-year floodplain, if applicable.

(C) A tree plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:

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

(ii) The location of all existing trees, indicating their species, DBH, critical root zone, and whether they will be preserved or removed;

(iii) The location of all new trees proposed to be planted on the development site, indicating their species and caliper at the time of planting;

(iv) The perimeter and soil depth of all proposed tree planting areas;

(v) The location of all existing and proposed primary and accessory structures;

(vi) The location of all existing and proposed parking and vehicle use areas; and

(vii) For developments that include more than one-half acre of new off-street surface parking, the tree plan shall include the expected tree canopy area

after 15 years for all trees not removed by the proposed development, and the caliper of all proposed new trees at the time of planting in addition to the other requirements of the tree planting plan.

(D) A grading plan depicting proposed site conditions following completion of the proposed development, when grading of the subject property will be necessary to accommodate the proposed development.

(E) A completed trip generation estimate for the proposed development, on forms provided by the City.

(F) Building elevation drawings for any proposed new buildings and any exterior additions or alterations to existing buildings when the height of the building, or a portion of the building is changed.

(G) For development in the Mixed Use-I (MU-I) and Mixed Use-II (MU-II) Mixed Use-III (MU-III), and Mixed Use-Riverfront (MU-R) zones, architectural drawings, renderings, or sketches showing all elevations of the existing buildings and the proposed buildings as they will appear on completion.

(H) For developments that include more than one-half acre of new off-street surface parking, proof of coordination with the local electric utility to ensure the compatibility of tree canopy and root systems with planned and existing utility infrastructure.

(2) *Class 3 site plan review*. In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for Class 3 site plan review shall include the following:

(A) All submittal requirements for a Class 2 site plan review under subsection (e)(1) of this section;

(B) The zoning district, comprehensive plan designation, and land uses for all properties abutting the site;

(C) Driveway locations, public and private streets, bike paths, transit stops, sidewalks, and other bike and pedestrian pathways, curbs, and easements;

(D) The elevation of the site at two-foot contour intervals, with specific identification of slopes in excess of 15 percent;

(E) The location of drainage patterns and drainage courses, if applicable;

(F) A preliminary utility plan showing capacity needs for municipal water, stormwater facilities, and sewer service, and schematic

location of connection points to existing municipal water and sewer services;

(G) Summary table which includes site zoning designation; total site area; gross floor area by use (e.g., manufacturing, office, retail, storage); building height; itemized number of full size compact and handicapped parking stalls, and the collective total number; total lot coverage proposed, including areas to be paved for parking and sidewalks;

(H) A geological assessment or geotechnical report, if required by SRC chapter 810, or a certification from an engineering geologist or a geotechnical engineer that landslide risk on the site is low, and that there is no need for further landslide risk assessment; and

(I) A Transportation Impact Analysis, if required by SRC chapter 803.

Applicant's Findings: *This application is for a class 3 site plan review and includes all of the required information outlined above.*

(f) *Criteria*.

(3) *Class 3 site plan review*. An application for Class 3 site plan review shall be granted if:

(A) The application meets all applicable standards of the UDC;

Applicant's Findings: *The applicant has compiled a complete list of applicable standards and criteria and has provided a response to each within this narrative. Where the proposal is unable to meet the standard, the applicant is requesting adjustments with mitigation where needed and possible. This criterion is met.*

(B) The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately;

Applicant's Findings: *The applicant is proposing dedication and frontage improvements to D Street NE. The transportation system within the area is built up and has a complete network of streets providing for the safe, orderly, and efficient circulation of traffic into and out of the development site. This criterion is met.*

(C) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and

Applicant's Findings: *The applicant has provided findings related to SRC Chapter 806 demonstrating the proposed parking area and driveway is deigned in accordance with the applicable provisions within this narrative. This criterion is met.*

(D) The proposed development will be adequately served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development.

Applicant's Findings: *Complete civil plans are provided demonstrating approximately 85 percent design. The property is abutting the public right-of-way for D Street NE along the south side. There are existing city services in place which will be extended to the development site as demonstrated by the plans provided. This criterion is met.*

Chapter 514 – RM-II-Multiple Family Residential

Section 514.001 – Purpose

The purpose of the Multiple Family Residential-II (RM-II) Zone is to implement the multiple family residential designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The RM-II zone generally allows multiple family residential uses, along with a mix of other uses that are compatible with and/or provide services to the residential area.

Section 514.005 – Uses

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the RM-II zone are set forth in Table 514-1.

Applicant's Findings: *The applicant is proposing to retain the two existing single-family dwelling units, each on their own unit of land and proposes to develop the vacant portion of the property with a multifamily building containing 12 dwelling units with associated improvements and amenities which is an outright permitted use within the zone.*

Section 514.010 – Development Standards

Development within the RM-II zone must comply with the development standards set forth in this section.

(a) *Land division in the RM-II zone.* Lots subdivided or partitioned in the RM-II zone shall be a minimum of 20,000 square feet in size, unless the lots are restricted to contain three or more attached dwelling units per lot, are used for townhouse development, or are used for allowed uses other than household living.

Applicant's Findings: *SRC 414.010(a) requires lots subdivided or partitioned in the RM-II zone to be a minimum of 20,000 square feet in size, unless the lots are restricted to contain three or more attached dwelling units per lot, are used for townhouse development, or are used for allowed uses other than household living as the applicant is proposing parcel 1 which will be 4,004 square feet, and used for an existing single family use, and parcel 2 which will be 16,402 square feet when measured exclusive of the accessway developed with 12 multifamily dwelling*

units. Parcel 1 requires a class 2 adjustment, which the applicant is seeking with findings included in Section 9 of this narrative.

(b) *Lot standards.* Lots within the RM-II zone shall conform to the standards set forth in Table 514-2.

Applicant's Findings: *The lot standards of the RM2 zone are found in SRC Chapter 514.*

<u>Lot Area:</u> The applicant is seeking an adjustment to the minimum lot area requirements for a detached single-family dwelling in order to allow the vacant portion of the site to develop with 12 multi-family dwelling units.

TABLE 514-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
Single family	Min. 1,500 sq. ft.	Applicable to townhouses.
	Min. 6,000 sq. ft.	Applicable to all other single family, except new single family detached dwellings on nonconforming lots of record less than 6,000 square feet in area.
All other uses	Min. 6,000 sq. ft.	

The applicant is seeking a class 2 adjustment to the minimum lot area from 6,000 square feet down to approximately 4,000 square feet for proposed parcel 1. The proposed lot area matches the minimum lot area requirement for a single family dwelling within the single family (RS) zone which is appropriate in this case and allows the vacant portion of the site to develop in a manner consistent with the RM2 zone. Section 9 of this narrative includes findings for the approval criteria for the required class 2 adjustment. Proposed parcel 2 is approximately 19,949 square feet, exceeding the minimum 6,000 requirement. Upon approval of the consolidated adjustment, this criterion will be met for both proposed parcels.

<u>Lot Width:</u> The minimum lot width for the single-family parcel and the minimum for the multi-family parcel is 40-feet in accordance with Table 514-2.

Lot Width		
Single family	Min. 20 ft.	Applicable to townhouses.
	Min. 40 ft.	Applicable to all other single family.
All Other Uses	Min. 40 ft.	

Proposed parcel 1 is approximately 49.8 feet in width. Proposed parcel 2 is approximately 79.3 feet in width, but 57.3 feet in width excluding the 22-foot wide accessway. These dimensions are

demonstrated on the tentative partition plan included within the exhibits of this application submittal. This criterion is met.

<u>Lot Depth:</u> The minimum lot depth for the single family parcel is 70-feet and the minimum for the multi-family parcel is 80-feet.

Lot Depth		
Single family	Min. 70 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	No Max.	Applicable to townhouses.
	Max. 300% of average lot width	Applicable to all other single family.
All other uses	Min. 80 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	

Proposed parcel 1 is 86.52 feet in depth, meeting the minimum requirement of 70 feet. In accordance with the table, lot depth cannot exceed 300% of the lot width, exclusive of the accessway. In this case for proposed parcel 2, 172 feet is allowed (57.26' W x 3 = 171.78' Max Depth), and 231.85 feet is proposed. The applicant is seeking a class 2 adjustment to this standard for proposed parcel 2 and has demonstrated the intent of the standard (connectivity and buildable properties) is still met. Upon approval of the consolidated adjustment, the proposed parcels will meet this standard.

<u>Street Frontage:</u> The minimum street frontage requirement for both single family and multiple family uses within the RM2 zone is 40 feet. Proposed parcel 1 is a flag lot which will not have street frontage. Proposed parcel 2 has approximately 57.26 feet of street frontage, measured exclusive of the 22 foot wide accessway, which exceeds the minimum requirement.

Street Frontage		
Single family	Min. 20 ft.	Applicable to townhouses.
	Min. 40 ft.	Applicable to all other single family.
	Min. 30 ft.	Applicable to all other single family, when located on a lot fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
All other uses	Min. 40 ft.	

As demonstrated by the findings and the tentative partition plan provided, upon approval of the two requested class 2 adjustments within this section, the lot standards are met by this proposal.

(c) *Dwelling unit density.* Dwelling unit density within the RM-II zone shall conform to the standards set forth in Table 514-3.

Applicant's Findings: *The development site is approximately .67 acres in size total. The minimum dwelling unit density within the RMII zone is 15 dwelling units per acre (.67 x 15 = 10.05) requiring the site to contain a minimum of 10 dwelling units to meet density requirements. The maximum dwelling unit density within the RMII zone is 31 dwelling units per acre (.67 x 31 = 20.77) allowing the site to support a maximum of 21 dwelling units. The applicant is seeking to add 12 dwelling units to the vacant portion of the development site and retain two existing single family dwellings. The additional development brings the site into conformance with the minimum density requirements of the RMII zone. This criterion is met.*

(d) *Setbacks.* Setbacks within the RM-II zone shall be provided as set forth in Tables 514-4 and 514-5.

Applicant's Findings: *Criteria (d) through (g) will be addressed through the applicable standards of Chapter 702 for the newly proposed multifamily development on proposed parcel 2. The applicant is providing findings for the two single family dwellings to demonstrate these criteria are met. For clarity, one unit of land will be referred to as the property abutting D Street NE and the other will be referred to as parcel 1. The property abutting D Street NE is subject to a street side setback of 20 feet due to the arterial classification of the street. The applicant has provided a site plan demonstrating the 20 foot setback is taken from the special setback line and the existing dwelling meets the requirement. Parcel 1 is subject to an interior front setback which is 12 feet. A portion of the existing dwelling will be demolished resulting in a setback of more than 13 feet, meeting this requirement. Existing dwellings are subject to a side yard setback of 3 feet. As demonstrated by the site plan provided, both existing dwelling units exceed the minimum side yard setbacks. The dwelling situated on the property abutting D Street NE includes a 20 foot setback to the rear property line once the property line is adjusted through the proposed PLA. The dwelling unit situated on proposed parcel 1 is setback more than 23 feet from the rear property line. As demonstrated, these criteria are met for the existing single family dwellings to be retained.*

The trash enclosure will be integrated as an integral part of the fence screening the single family dwelling on proposed parcel 1 from the multifamily development on proposed parcel 2 which means no setback is required to the accessory structure (trash enclosure).

(e) *Lot coverage; height.* Buildings and accessory structures within the RM-II zone shall conform to the lot coverage and height standards set forth in Table 514-6.

Applicant's Findings: *Criteria (d) through (g) will be addressed through the applicable standards of Chapter 702 for the newly proposed multifamily development on proposed parcel 2. The applicant is providing findings for the two single family dwellings to demonstrate these criteria are met. For clarity, one unit of land will be referred to as the property abutting D Street NE and the other will be referred to as parcel 1. The property abutting D Street NE is approximately 4,467 square feet when measured exclusively of the accessway. To meet the lot coverage standard, no more than 2,680 square feet of the property may be covered by structures. The existing dwelling and front deck cover 1,300 square feet of the property which is approximately 29% lot coverage.*

Parcel 1 is approximately 4,004 square feet. To meet the lot coverage standard, no more than 2,402 square feet of the property may be covered by structures. The existing dwelling, once the proposed demolition is completed, the existing dwelling will cover approximately 1,061 of parcel 1 which is about 26% lot coverage. Neither of the existing dwellings exceed 25-feet in height when measured following the rules in SRC Chapter 111. Within the RMII zone, single family dwellings have a maximum height of 35 feet. These criteria are met.

(f) *Maximum square footage for all accessory structures.* In addition to the maximum coverage requirements established in Table 514-6, accessory structures to single family and two family uses shall be limited to the maximum aggregate total square footage set forth in Table 514-7.

Applicant's Findings: *Criteria (d) through (g) will be addressed through the applicable standards of Chapter 702 for the newly proposed multifamily development on proposed parcel 2. The applicant is providing findings for the two single family dwellings to demonstrate these criteria are met. For clarity, one unit of land will be referred to as the property abutting D Street NE and the other will be referred to as parcel 1. Neither of the existing single family dwellings have accessory structures on their respective properties. This criterion is not applicable.*

(g) *Landscaping.* Landscaping within the RM-II zone shall be provided as set forth in this subsection.
  (1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.
  (2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and 807.

Applicant's Findings: *Criteria (d) through (g) will be addressed through the applicable standards of Chapter 702 for the newly proposed multifamily development on proposed parcel 2. The applicant is providing findings for the two single family dwellings to demonstrate these criteria are met. For clarity, one unit of land will be referred to as the property abutting D Street NE and the other will be referred to as parcel 1. All setbacks to the single family dwellings include landscaped areas as required. This criterion is met.*

(h) *Outdoor storage.* Within the RM-II zone, outdoor storage shall be screened from streets and adjacent properties by a minimum six-foot-high sight-obscuring fence, wall, or hedge.

Applicant's Findings: *Outdoor storage is not proposed. If outdoor storage is provided in the future, the applicant understands the applicable screening requirements and will ensure this standard is met.*

Section 514.015 – Design Review

Design review under SRC chapter 225 is required for development within the RM-II as follows:

(a) Multiple family development shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.
(b) Residential care with five or more self-contained dwelling units shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.

Applicant's Findings: *The applicant is proposing the addition of 12 multifamily dwelling units on proposed parcel 2 triggering design review standards set forth in SRC Chapter 702. The applicant provides findings to the applicable provisions within Section 7 of this narrative.*

Chapter 602 – Airport Overlay Zone

Section 602.001 – Purpose

The purpose of the Airport Overlay Zone is to establish standards to promote air navigational safety and prevent hazards and obstructions to air navigation and flight.

Applicant's Findings: *The applicant understands the purpose of the provisions set forth within the airport overlay zone are directly related to the safety and prevention of hazards and obstructions to air navigation and flight. The applicant is proposing a new multifamily building which will be 36 feet 7 inches to the peak (highest point) of the roof. Responses to the applicable criteria below demonstrate the proposed development will not create an obstruction or hazard to aircraft.*

Section 602.010 – Airport Overlay Zone Boundary

The boundaries of the Airport Overlay Zone are shown in Figure 602-1. The Airport Overlay Zone is divided into the following areas that apply to land beneath, upon, and above the approach surface, transitional surfaces, horizontal surface, and conical surfaces of McNary Field:

(a) *Approach area.* The approach area consists of the following:
    (1) *Runway other than utility runway with only visual approach area.* The inner boundary of the runway other than utility runway with only visual approach area

lies along the end of the primary surface and is 500 feet wide. The area expands outward uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. The centerline of the area is the continuation of the centerline of Runway 16/34.

(2) *Non-precision instrument runway having a non-precision instrument approach with visibility minimums as low as three-quarter mile area.* The inner boundary of the non-precision instrument runway having a non-precision instrument approach with visibility minimums as low as three-quarter mile area lies along the end of the primary surface and is 1,000 feet wide. The area expands outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the primary surface. The centerline of the area is the continuation of the centerline of Runway 13.

(3) *Precision instrument runway approach area.* The inner boundary of the precision instrument runway approach area lies along the end of the primary surface and is 1,000 feet wide. The area expands outward uniformly to a width of 16,000 feet at a horizontal distance of 10,000 feet from the primary surface and thereafter to a horizontal distance of 50,000 feet from the primary surface. The centerline of the area is the continuation of the centerline of Runway 31.

Applicant's Findings: *The property does not fall within the approach area of the airport overlay zone. These criteria are not applicable.*

(b) *Transitional areas.* The transitional areas are those areas that lie beneath the transitional surfaces of each runway.

Applicant's Findings: *The property does not fall within the transitional area of the airport overlay zone. These criteria are not applicable.*

(c) *Horizontal area.* The boundary of the horizontal area is established by swinging arcs with 5,000 feet radii, for all utility or visual runways, and 10,000 feet radii, for all other runways, from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal area does not include the approach and transitional areas.

Applicant's Findings: *The property does not fall within the horizontal area of the airport overlay zone. These criteria are not applicable.*

(d) *Conical surface area.* The conical surface area commences at the periphery of the horizontal area and extends outward a horizontal distance of 4,000 feet.

Applicant's Findings: *The portion of the site where the development is being proposed falls within the conical surface area of the airport overlay zone. "Airport Runway elevation in NGVD 29 is 210'. Ground elevation at the site is approximately 207'. The height restriction for the*

conical zone is 150'+distance from horizonal zone divided by 20, according to SRC 602.020. The site is in the conical zone, roughly 650 feet outside of the periphery of the horizontal zone. 650'/20=32.5'. Therefore, our maximum height above Airport Runway elevation is 150+32.5=182.5'. 210'+182.5'=392.5' maximum elevation of building. 392.5-339=53.5' maximum building height. The result of this analysis demonstrates the applicant's building will not interfere with the restrictions of the airport overlay zone. This criterion is met.

Chapter 800 – General Development Standards

Section 800.001 – Purpose

The purpose of this chapter is to establish certain standards that apply generally to development throughout the City, regardless of zone.

Section 800.005 – Applicability

The standards set forth in this chapter apply to all development in every zone unless otherwise exempted by the UDC. In the event of a conflict between the standards set forth in this chapter and any other provision of the UDC, the more restrictive provision shall apply.

Applicant's Findings: *The provisions of SRC Chapter 800 are triggered because the applicant is applying for a class 3 site plan review to develop the subject property with a multiple family use. The applicant understands if any conflict of standards exists within the UDC, the more restrictive provision will be applicable.*

Section 800.015 – Lot Standards, Generally

(a) *Lot shape and size*. In addition to meeting all applicable lot standards of the UDC, all lots intended for development, as far as practicable, shall be of a size and configuration so that their net remaining area exclusive of required setbacks, easements, riparian corridors, and mapped floodplain/floodway boundaries and wetlands is buildable.

Applicant's Findings: *The applicant is proposing both a property line adjustment and a partition with this application. Because the applicant is consolidating applications for development of the remaining portion of the site that is currently vacant, the applicant has demonstrated the properties are of sufficient shape and size to be buildable. This criterion is met.*

(b) *Buildings to be on a lot*. Every building or structure shall be entirely located on an individual lot. Buildings that are attached at a common property line, but which otherwise meet all requirements of SRC chapter 56 as separate buildings shall be considered as separate buildings for purposes of this subsection.

Applicant's Findings: *The site plans included in this applicable submittal demonstrate each existing dwelling and the newly proposed multifamily building will each be on their own property entirely. This criterion is met.*

(c) *Side lot lines*. As far as is practicable, side lot lines shall run at right angles to the street upon which the lot faces, except that on curved streets they shall be radial to the curve.

Applicant's Findings: *The newly proposed parcels 1 and 2 are slightly irregular in shape but remain geometric with right angles. The irregular shape allows the remaining vacant portion of the site to develop with 12 multifamily dwelling units. The developability of the vacant portion of the property is demonstrated by the site plans included with this application submittal. This criterion is met.*

Section 800.020 – Designation of Lot Lines

(a) *Front lot line.* The front lot line shall be designated as set forth in this subsection (see Figure 800-1).
  (1) *Interior lot*. For an interior lot, the front lot line shall be the property line abutting the street.
  (2) *Corner lot*. For a corner lot, the front lot line shall be the property line abutting a street designated by the building permit applicant; provided, however, that lot dimension standards are met.
  (3) *Double frontage lot.* For a double frontage lot, the front lot line shall be the property line abutting a street designated by the building permit applicant; provided, however, that lot dimension requirements are met.
  (4) *Flag lot*. For a flag lot, the front lot line shall be the outside property line that is an extension of the flag lot accessway or the property line separating the flag portion of the lot from the lot between it and the street from which access is provided to the flag lot, unless the Planning Administrator otherwise directs, in which case the front lot line shall be set forth in the conditions of approval for the tentative plan of the plat, which shall be recorded on deeds conveying lots.
  (5) *Other lots.* In the case of any lot not covered by subsections (a)(1) through (4) of this section, the front lot line shall be the property line that the architecturally designed front of the building faces.

(b) *Rear lot line.* The rear lot line shall be designated as set forth in this subsection (see Figure 800-2).
  (1) *Generally.* For all lots, except those identified in subsection (b)(2) of this section, the rear lot line shall be the property line that is opposite and most parallel to, and located the greatest distance from, the front lot line.
  (2) *Trapezoidal, triangular, diamond, or other shaped lots*. For trapezoidal, triangular, diamond, or other shaped lots with a distance between the side lot lines at the rear of the lot of less than ten feet, the rear lot line for purposes of determining required setbacks shall be a line ten feet in width drawn between the side lot lines and located parallel to and at the maximum distance from the front lot line (see Figure 800-3).

(c) *Side lot line.* A side lot line is any lot line which is not a front or rear lot line.

Applicant's Findings: *The applicant understands the provisions related to designating lot lines. The southern property line of each property is the front, the east and west property lines are the side property lines, and the north property lines is the rear. This criterion is met.*

Section 800.025 – Flag Lots

Flag lots are allowed subject to the standards set forth in this section.

(a) *Lot area.* The lot area of a flag lot shall conform to the lot area standards of the UDC. Lot area shall be calculated exclusive of the flag lot accessway.

(b) *Lot dimensions.* The lot dimensions of a flag lot shall conform to the lot dimension standards of the UDC. Lot dimensions shall be calculated exclusive of the flag lot accessway.

(c) *Flag lot accessways.* Flag lot accessways shall be developed and maintained in conformance with the standards set forth in Table 800-1 and this subsection.

(1) *Maximum development served by flag lot accessway.* A maximum of four lots may be served by a flag lot accessway. For residential lots created after November 28, 2022, a maximum of four residential units may be served by the flag lot accessway.

(2) *Flag lot accessway grade.* Flag lot accessway grade shall conform to the Salem Fire Prevention Code.

(3) *Fire Department access and flag lot accessway turnarounds*.

(A) Unobstructed fire apparatus access shall be provided to within 150 feet of any facility, building, or portion of a building, unless the building is equipped with an approved automatic fire sprinkler system or where geographic features make it impractical and an alternative means of fire protection is provided and approved by the Fire Marshal.

(B) Flag lot accessways greater than 150 feet in length shall include a turnaround meeting Salem Fire Prevention Code standards, unless the buildings served by the flag lot accessway are equipped with approved automatic fire sprinkler systems or where geographic features make it impractical and an alternative means of fire protection is provided and approved by the Fire Marshal.

(d) *Parking prohibited on flag lot accessways.* Parking shall be prohibited on flag lot accessways. No parking signs shall be posted and maintained on both sides of the accessway. The signs shall read "NO PARKING"; provided, however, where parking is prohibited because of a fire lane, the signs shall read "NO PARKING - FIRE LANE" and shall be installed in accordance with Salem Fire Prevention Code standards.

(e) *Maximum percentage of flags lots within a subdivision.* Within a subdivision, up to 15 percent of the lots may be flag lots.

Applicant's Findings: *Parcel 1 of the proposed partition is proposed to be a flag lot. The accessway will be retained on parcel 2. This arrangement is demonstrated on the tentative partition plan included with this application submittal. The applicable criteria for a flag lot are met upon approval of the requested lot area adjustment.*

Section 800.055 – Solid waste service areas

Solid waste service areas shall provide for the safe and convenient collection of solid waste and recyclable and compostable materials by the local solid waste collection franchisee.

Applicant's Findings: *The solid waste area proposed is identified on the architectural site plan included with this application submittal. The enclosure is located conveniently for residents to use and is in a location which allows for safe collection from the franchisee. As demonstrated below, the design of the solid waste area meets the standards.*

(a) *Applicability.* Solid waste service area design standards shall apply to:
  (1) All new solid waste, recycling, and compostable service areas, where use of a solid waste, recycling, and compostable receptacle of one cubic yard or larger is proposed; and
  (2) Any change to an existing solid waste service area for receptacles of one cubic yard or larger that requires a building permit.

Applicant's Findings: *The applicant is proposing a new solid waste collection area alongside the proposed 12-unit apartment building. The inclusion of the new solid waste area triggers the applicability of this section.*

(b) *Solid waste receptacle placement standards.* All solid waste receptacles shall be placed at grade on a concrete pad that is a minimum of four inches thick, or on an asphalt pad that is a minimum of six inches thick. The pad shall have a slope of no more than a three percent and shall be designed to discharge stormwater runoff consistent with the overall stormwater management plan for the site approved by the Director.
  (1) *Pad area.* In determining the total concrete pad area for any solid waste service area:
    (A) The pad area shall extend a minimum of one foot beyond the sides and rear of the receptacle; and
    (B) The pad area shall extend a minimum three feet beyond the front of the receptacle.
    (C) In situations where receptacles face each other, a minimum four feet of pad area shall be required between the fronts of the facing receptacles.

(2) *Minimum separation*.

(A) A minimum separation of 1.5 feet shall be provided between the receptacle and the side wall of the enclosure.

(B) A minimum separation of five feet shall be provided between the receptacle and any combustible walls, combustible roof eave lines, or building or structure openings.

Applicant's Findings: *As shown on the civil plans provided with this application submittal, the new trash enclosure will be placed at grade on a concrete pad. At the time of building permit, the applicant will supply construction details demonstrating compliance with these design standards, including slope and runoff discharge. This criterion will be met.*

(3) *Vertical clearance*.

(A) *Receptacles two cubic yards or less.* Receptacles two cubic yards or less in size shall be provided with a minimum of eight feet of unobstructed overhead or vertical clearance for servicing.

(B) *Receptacles greater than two cubic yards.* Receptacles greater than two cubic yards in size shall be provided with a minimum of 14 feet of unobstructed overhead or vertical clearance for servicing; provided, however, overhead or vertical clearance may be reduced to eight feet:

(i) For enclosures covered by partial roofs, where the partial roof over the enclosure does not cover more than the rear eight feet of the enclosure, as measured from the inside of the rear wall of the enclosure (see Figure 800-6); or

(ii) Where a physical barrier is installed within, and a maximum of eight feet from the front opening of, the enclosure preventing the backward movement of the receptacle (see Figure 800-7).

Applicant's Findings: *At the time of building permit, the applicant will identify the receptacle size and demonstrate adequate vertical clearance. This criterion will be met.*

(c) *Permanent drop box and compactor placement standards*.

(1) All permanent drop boxes shall be placed on a concrete pad that is a minimum of six inches thick. The pad shall have a slope of no more than one percent and shall be designed to discharge stormwater runoff consistent with the overall stormwater management plan for the site approved by the Director.

(2) All permanent compactors shall be placed on a concrete pad that is structurally engineered or in compliance with the manufacturer specifications. The pad shall

have a slope of no more than three percent and shall be designed to discharge stormwater runoff consistent with the overall stormwater management plan for the site approved by the Director.

(3) Pad area. The pad area shall be a minimum of 12 feet in width. The pad area shall extend a minimum of five feet beyond the rear of the permanent drop box or compactor.

(4) Minimum separation. A minimum separation of five feet shall be provided between the permanent drop box or compactor and any combustible walls, combustible roof eave lines, or building or structure openings.

Applicant's Findings: *The applicant is not proposing a drop box or compacter for this site. Therefore, these criteria are not applicable.*

(d) *Solid waste service area screening standards*.

(1) Solid waste, recycling, and compostable service areas shall be screened from all streets abutting the property and from all abutting residentially zoned property by a minimum six-foot-tall sight-obscuring fence or wall; provided, however, where receptacles, drop boxes, and compactors are located within an enclosure, screening is not required. For the purpose of this standard, abutting property shall also include any residentially zoned property located across an alley from the property.

Applicant's Findings: *The applicant is proposing to construct a trash enclosure, eliminating the requirement of screening. Additionally, the entire site will be screened from abutting properties to the east, west, and north. The placement of the buildings, the trash enclosure, and the perimeter sight obscuring fence collectively will render the trash areas virtually undetectable from neighboring properties. This criterion is met.*

(2) Existing screening at the property line shall satisfy screening requirements if it includes a six-foot-tall sight-obscuring fence or wall.

Applicant's Findings: *The applicant is proposing to construct a trash enclosure, eliminating the requirement of screening however they are also proposing a 6 foot sight obscuring fence. The placement of the buildings, the trash enclosure, and the perimeter sight obscuring fence collectively will render the trash areas virtually undetectable from neighboring properties. This criterion is met*

(e) *Solid waste service area enclosure standards.* When enclosures are used for required screening or aesthetics, such enclosures shall conform to the standards set forth in this subsection. The overall dimensions of an enclosure are dependent upon the number and size of receptacles the enclosure is designed to accommodate.

Applicant's Findings: *The site includes screening, and the solid waste area is placed in a manner on site that it is screened by buildings to abutting properties. The applicant is not relying on the enclosure for screening or aesthetics. These criteria are met but not applicable.*

(f) *Solid waste service area vehicle access.*

(1) Vehicle operation area.

(A) A vehicle operation area shall be provided for solid waste collection service vehicles that is free of obstructions and no less than 45 feet in length and 15 feet in width; provided, however, where the front opening of an enclosure is wider than 15 feet, the width of the vehicle operation area shall be increased to equal the width of the front opening of the enclosure. Vehicle operation areas shall be made available perpendicular to the front of every receptacle, or, in the case of multiple receptacles within an enclosure, perpendicular to every enclosure opening.

Applicant's Findings: *A perpendicular unobstructed vehicle operation area meeting or exceeding the minimum 15-foot width and 45-foot length area is provided for the trash enclosure on site. This criterion is met.*

(B) For solid waste service areas having receptacles of two cubic yards or less, the vehicle operation area may be located:

(i) Perpendicular to the permanent location of the receptacle or the enclosure opening (see Figure 800-8);

(ii) Parallel to the permanent location of the receptacle or the enclosure opening (see Figure 800-9); or

(iii) In a location where the receptacle can be safely maneuvered manually not more than 45 feet into a position at one end of the vehicle operation area for receptacle servicing.

Applicant's Findings: *A perpendicular unobstructed vehicle operation area meeting or exceeding the minimum 15-foot width and 45-foot length area is provided for the trash enclosure on site. This criterion is met.*

(C) The vehicle operation area may be coincident with a parking lot drive aisle, driveway, or alley provided that such area is kept free of parked vehicles and other obstructions at all times except for the normal ingress and egress of vehicles.

Applicant's Findings: *The operation areas are coincident with the parking lot drive aisles in accordance with this section. This criterion is met.*

(D) Vertical clearance. Vehicle operation areas shall have a minimum vertical clearance of 14 feet.

Applicant's Findings: *With no overhead obstructions, this criterion is met.*

(E) In the event that access to the vehicle operation area is not a direct approach into position for operation of the service vehicle, a turnaround, in conformance with the minimum dimension and turning radius requirements shown in Figure 800-10, shall be required to allow safe and convenient access for collection service.

Applicant's Findings: *The trash enclosure provides access at a direct approach. This criterion is not applicable.*

(2) Vehicle operation areas shall be designed so that waste collection service vehicles are not required to back onto a public street or leave the premises.

Applicant's Findings: *The turnaround integrated into the site design will allow the collection vehicles to keep a continued forward movement and will never require backing into the street or backing movements to leave the premises. This criterion is met.*

(3) Vehicle operation areas shall be paved with asphalt, concrete, or other hard surfacing approved by the Director, and shall be adequately designed, graded, and drained to the approval of the Director.

Applicant's Findings: *The civil plans provided with this application submittal demonstrate compliance with this standard. Additional information, as needed, will be provided at the time of building permit for review and approval of the Director. This criterion is met.*

(4) Signs. "No Parking" signs shall be placed in a prominent location on the enclosure, or painted on the pavement in front of the enclosure or receptacle, to ensure unobstructed and safe access for the servicing of receptacles.

Applicant's Findings: *No parking signs will be placed in compliance with this section. This criterion will be met.*

(g) *Notice to solid waste collection franchisee.* Upon receipt of an application to vary or adjust the standards set forth in this section, notification and opportunity to comment shall be provided to the applicable solid waste collection franchisee. Notice required under this subsection shall be in addition to the notification required for a variance or adjustment under SRC chapter 300.

Applicant's Findings: *The applicant is not proposing to adjust any of the standards set forth in this section, therefore, this criterion is not applicable.*

Section 800.060 – Exterior Lighting

(a) Exterior lighting shall not shine or reflect onto adjacent properties, or cast glare onto the public right-of-way.

Applicant's Findings: *The newly proposed lighting plan will not cast a glare onto the public right-of-way. This criterion is met.*

(b) Exterior light fixtures shall be located and designed so that the light source, when viewed at a height of five feet above the ground at a distance of five feet outside the boundary of the lot, shall be either:
    (1) Completely shielded from direct view; or
    (2) No greater than five foot-candles in illumination.

Applicant's Findings: *Any taller light fixtures provided to adequate illumination to the parking area will be equipped with shields in accordance with this section. This criterion is met.*

Section 800.065 – Pedestrian access

Except where pedestrian access standards are provided elsewhere under the UDC, and unless otherwise provided in this section, all developments, other than development of single-family, two-family, three-family, and four-family uses, and multiple family uses subject to SRC chapter 702, shall include an on-site pedestrian circulation system developed in conformance with the standards in this section. For purposes of this section development means the construction of, or addition to, a building or accessory structure or the construction of, or alteration or addition to, an off-street parking or vehicle use area. Development does not include construction of, or additions to, buildings or accessory structures that are less than 200 square feet in floor area. Development also does not include the installation of electric vehicle charging stations in existing approved parking lots or vehicle use areas.

Applicant's Findings: *The pedestrian standards of this section are applicable. The applicant has demonstrated compliance with all applicable standards through this narrative and shown on the site plan included with this submittal.*

(a) *Pedestrian connections required.* The on-site pedestrian circulation system shall provide pedestrian connectivity throughout the development site as follows:
    (1) *Connection between building entrances and streets.*
        (A) Except as otherwise provided in this subsection, a pedestrian connection shall be provided between the primary building entrance of each building on the development site and each adjacent street. Where a building has more than one primary

building entrance, a single pedestrian connection from one of the building's primary entrances to each adjacent street is allowed; provided each of the building's primary entrances are connected, via a pedestrian connection, to the required connection to the street (see Figure 800-11).

(B) Where an adjacent street is a transit route and there is an existing or planned transit stop along street frontage of the development site, at least one of the required pedestrian connections shall connect to the street within 20 feet of the transit stop (see Figure 800-12).

(C) A pedestrian connection is not required between the primary building entrance of a building and each adjacent street if:

(i) The development site is a corner lot and the building has a primary building entrance that is located within 20 feet of, and has a pedestrian connection to, the property line abutting one of the adjacent streets; or

(ii) The building is a service, storage, maintenance, or similar type building not primarily intended for human occupancy.

Applicant's Findings: *As shown on the site plan provided, the newly proposed multifamily building is not oriented toward the street as the street frontage is actually quite narrow in comparison to other portions of the site. However, the site has been designed in a manner which includes a complete network of pedestrian connections for the new multifamily use. As demonstrated, the front of the building on the site will have an unobstructed walkway out to the street and the public sidewalk along D Street NE. The frontage of the site is not along a transit route. These criteria, as applicable, are met.*

(2) *Connection between buildings on the same development site.*

(A) Except as otherwise provided in this subsection, where there is more than one building on a development site, a pedestrian connection, or pedestrian connections, shall be provided to connect the primary building entrances of all of the buildings.

(B) A pedestrian connection, or pedestrian connections, is not required between buildings on the same development site if:

(i) The buildings have a primary building entrance that is located within 20 feet of, and has a pedestrian connection to, the property line abutting a street; and

(ii) A public sidewalk within the adjacent street right-of-way provides pedestrian access between the primary building entrances; or

(iii) The buildings are service, storage, maintenance, or similar type buildings not primarily intended for human occupancy.

Applicant's Findings: *The applicant is seeking an adjustment to this standard. The existing conditions of the site include two single family dwellings and a large vacant area. The proposal includes separating the single family dwellings onto their own properties to be sold separately from the newly proposed multifamily development. The single family properties will function independently from the multifamily development site with the exception of the accessway provided for the benefit of newly proposed parcel 1. The uses are proposed to be screened from each other to offer as much separation and privacy for the single family dwellings as possible. The applicant includes findings for the requested class 2 adjustment for this standard in Section 9 of this narrative. Upon approval of the requested adjustment, these criteria are not applicable.*

(3) *Connection through off-street parking areas.*

Applicant's Findings: *The size of the proposed parking area for the new 12 unit multifamily development does not trigger the applicability of this section. This criterion is not applicable.*

(4) *Connection to existing or planned paths and trails.* Where an existing or planned path or trail identified in the Salem Transportation System Plan (TSP) or the Salem Comprehensive Parks System Master Plan passes through a development site, the path or trail shall:

(A) Be constructed, and a public access easement or dedication provided; or

(B) When no abutting section of the trail or path has been constructed on adjacent property, a public access easement or dedication shall be provided for future construction of the path or trail.

Applicant's Findings: *There are no existing or planned paths or trails abutting the development site. This criterion is not applicable.*

(5) *Connection to abutting properties.* Whenever a vehicular connection is provided from a development site to an abutting property, a pedestrian connection shall also be provided. A pedestrian connection is not required, however:

(A) To abutting properties used for activities falling within the following use classifications, use categories, and uses under SRC chapter 400:

(i) Single-family;
(ii) Two-family;
(iii) Group living;
(iv) Industrial;
(v) Infrastructure and utilities; and
(vi) Natural resources.

(B) Where the use of an abutting property has specific security needs that make providing a connection impractical or undesirable;

(C) Where on-site activities on abutting properties, such as the operation of trucks, forklifts, and other equipment and machinery would present safety conflicts with pedestrians;

(D) Where buildings or other improvements on abutting properties physically preclude a connection now or in the future; or

(E) Where physical conditions of the land, such as topography or existing natural resource areas, including, but not limited to, wetlands, ponds, lakes, streams, or rivers, make providing a connection impractical.

Applicant's Findings: *Pedestrian connections to abutting properties is not proposed. This criterion is not applicable.*

(b) *Design and materials.* Required pedestrian connections shall be in the form of a walkway, or may be in the form of a plaza. Where a path or trail identified in the Salem Transportation System Plan (TSP) or Salem Comprehensive Parks System Master Plan is required, the path or trail shall conform to the applicable standards of the TSP or Salem Comprehensive Parks System Master Plan in-lieu of the standards in this subsection.

(1) Walkways shall conform to the following:

(A) Material and width. Walkways shall be paved with a hard-surface material meeting the Public Works Design Standards, and shall be a minimum of five feet in width.

Applicant's Findings: *All required pedestrian connections will be 5 feet in width. All walkways will be hard surfaced meeting the public works design standards. This criterion is met.*

(B) Where a walkway crosses driveways, parking areas, parking lot drive aisles, and loading areas, the walkway shall be visually differentiated from such areas through the use of elevation changes, a physical separation, speed bumps, a different paving material, or other similar method. Striping does not meet this requirement, except when used in a parking structure or parking garage.

Applicant's Findings: *There are no instances where a pedestrian walkway will cross a driveway or parking lot drive aisle. This criterion is not applicable.*

(C) Where a walkway is located adjacent to an auto travel lane, the walkway shall be raised above the auto travel lane or separated from it by a raised curb, bollards, landscaping or other physical separation. If the walkway is raised above the auto travel lane it must be raised a minimum of four inches in height and the ends of the raised portions must be equipped with curb ramps. If the walkway is separated from the auto travel lane with bollards, bollard spacing must be no further than five feet on center.

Applicant's Findings: *Walkways adjacent to vehicle use areas are separated by a 6-inch raised curb. This criterion is met.*

(2) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.

Applicant's Findings: *Wheel stops or an extended curb will be provided where parking stalls abut the pedestrian walkway. This criterion will be met, and more details will be provided at the time of building permit submittal.*

(c) *Lighting.* The on-site pedestrian circulation system shall be lighted to a level where the system can be used at night by employees, customers, and residents.

Applicant's Findings: *The pedestrian path will be lit and each light will be equipped with a house shield or will be kept at the pedestrian scale to prevent light or glare from impacting the adjacent residential uses. This criterion is met*

(d) *Applicability of standards to development sites comprised of lots under separate ownership.*

(1) When a development site is comprised of lots under separate ownership, the pedestrian access standards set forth in this section shall apply only to the lot, or lots, proposed for development, together with any additional contiguous lots within the development site that are under the same ownership as those proposed for development.

(2) Where the pedestrian access standards of this section would otherwise require additional pedestrian connections throughout the development site beyond just the lot, or lots, proposed for development and any contiguous lots under the same ownership, the required pedestrian connections shall be extended to the boundaries of the lot, or lots, proposed for development and any contiguous lots under the same ownership in order to allow for future extension of required

pedestrian connections through the other lots within the development site in conformance with the standards in this section.

Applicant's Findings: *The applicant has provided all required pedestrian connections in conformance with this section.*

Chapter 802 – Public Improvements

Section 802.001 – Purpose

The purpose of this chapter is to establish the means and standards whereby public improvements are provided for development within the City.

Applicant's Findings: *The applicant understands the purpose of the provisions of this chapter. The proposal triggers public improvements thereby triggering the applicability of this section. The applicant has provided findings for all applicable criteria.*

Section 802.015 – Development to be Served by City Utilities

Except as provided under SRC 802.035 and 802.040, all development shall be served by city utilities designed and constructed according to all applicable provisions of the Salem Revised Code and the Public Works Design Standards.

Applicant's Findings: *The applicant has provided civil plans detailing how the proposal will be served by city infrastructure and demonstrating compliance with all applicable Public Works Design Standards. This criterion is met.*

Section 802.020 – Easements

Subject to any constitutional limitations, the conveyance or dedication of easements for city utilities may be required as conditions of development approval. Easements may be required that are necessary for the development of adjacent properties. Easements shall, where possible, be centered on, or abut property lines, and shall be not less than ten feet in width. No building, structure, tree, or other obstruction other than landscaping shall be located within an easement required by this section.

Applicant's Findings: *As required, easements will be provided. If applicable, this criterion will be met.*

Section 802.025 – Utilities to be Placed Underground

(a) Except as otherwise provided in this section, all utility service shall be provided by underground facilities.
(b) In industrial and employment and commercial zones, electrical service may be provided by overhead wires where underground utility service is unavailable.

(c) Stormwater management shall be provided by above ground and below ground facilities.

Applicant's Findings: *The applicant has retained an engineer who designs and constructs utilities to Public Works Design Standards including placing utilities underground. As applicable, these criteria will be met.*

Chapter 803 – Streets and Right-of-Way Improvements

Section 803.001 – Purpose

The purpose of this chapter is to establish standards for streets and other improvements within public right-of-way in the City.

Section 803.010 – Streets, Generally

Except as otherwise provided in this chapter, all streets shall be improved to include the following: adequate right-of-way, paving, curbing, bike lanes (where required), sidewalks, street lighting, stormwater facilities; utility easements, turnarounds, construction strips, landscape strips, parking lanes, adequate right-of-way geometry, paving width, grade, structural sections and monumentation, that conforms to the Public Works Design Standards.

Applicant's Findings: *Dedication of frontage and frontage improvements to D Street NE to minor arterial standards is proposed with this project as detailed on the civil drawings included with this application submittal. All improvements are proposed to meet the Public Works Design Standards in accordance with this section. This criterion is met.*

Section 803.015 – Traffic Impact Analysis

(a) *Purpose.* The purpose of a traffic impact analysis is to ensure that development generating a significant amount of traffic provides the facilities necessary to accommodate the traffic impacts of the proposed development.

Applicant's Findings: *The applicant understands the purpose of some development triggering a TIA. As shown in section (b) below, a TIA is not applicable in this case due to the limited number of daily trips generated on to a minor arterial street, no documented traffic issues within the area, and no analysis done by the city to demonstrate the network of streets do not meet adopted level of service standards within the area.*

(b) *Applicability.* An applicant shall provide a traffic impact analysis if one of the following conditions exists:

(1) The development will generate 200 or more daily vehicle trips onto a local street or alley, or 1,000 daily vehicle trips onto a collector, minor arterial, major arterial, or parkway. Trips shall be calculated using the adopted Institute of Transportation Engineer's Trip Generation Manual. In developments involving a

land division, the trips shall be calculated based on the proposed development that will occur on all lots that will be created by the land division.

Applicant's Findings: *The property fronts on and will have access to D Street NE which is designated a minor arterial street along the subject property frontage in accordance with the City of Salem's Transportation System Plan. The applicant is proposing a multiple family development with 12 dwelling units. In accordance with the most current Transportation Engineer's Trip Generation Manual, one multiple family dwelling unit generates approximately 6.74 trips per day. Because the applicant is proposing 12 dwelling units, the overall development will introduce approximately 80.88 new daily trips onto D Street NE. Due to the classification of D Street NE being a minor arterial street, the threshold for a TIA is 1,000 new trips. This project does not trigger a TIA.*

(2) The increased traffic resulting from the development will contribute to documented traffic problems, based on current accident rates, traffic volumes or speeds, and identified locations where pedestrian and/or bicyclist safety is a concern.

Applicant's Findings: *The applicant concludes there are no documented traffic issues within the immediate vicinity of the proposal which would trigger the requirement of a TIA.*

(3) The City has performed or reviewed traffic engineering analyses that indicate approval of the development will result in levels of service of the street system that do not meet adopted level of service standards.

Applicant's Findings: *The applicant has not been made aware of any city traffic engineering analysis indicating this development would result in service issues for the adjacent street system. Because the applicant is proposing dedication and frontage improvements proportional to the project, and the project puts far less than the 1,000-trip threshold onto D Street NE, the applicant has demonstrated a TIA is not warranted for this project.*

Section 803.025 – Right-of-Way and Pavement Widths

(a) Except as otherwise provided in this chapter, right-of-way width for streets and alleys shall conform to the standards set forth in Table 803-1.

Applicant's Findings: *In accordance with Table 803-1, the right-of-way width for a minor arterial street is 72-feet. Along the project frontage, the right-of-way width was substandard, and a 6-foot dedication coupled with an 11 foot special setback is needed and proposed. The applicant has shown on the civil plans provided that dedication is proposed, and a special setback is in place providing a 36-foot half street improvement from the centerline of D Street NE. This criterion is met.*

(b) Except as otherwise provided in this chapter, streets shall have an improved curb-to-curb pavement width as set forth in Table 803-2.

Applicant's Findings: *The applicant has detailed their proportional frontage improvement on the civil plans provided. This criterion is met.*

(c) Additional right-of-way, easements, and improvements may be required to accommodate the design and construction of street improvement projects due to steep slopes, soils, water features, wetlands, transit bus bays, and other physical constraints.

Applicant's Findings: *None of the physical constraints listed within this section are applicable to the subject site. The applicant is providing a 6 foot right-of-way dedication along their frontage and an additional 11 foot special setback, it is not anticipated any additional dedication, or easements would be required outside of the standard 10-foot PUE along the new property line.*

(d) Additional right-of-way and roadway improvements at the intersections of parkways, major arterial, minor arterial, and collector streets, and at intersections and access points for high traffic generators, including, but not limited to, shopping centers, schools, major recreational sites, and office complexes, may be required. The design of all intersections shall conform to the Public Works Design Standards.

Applicant's Findings: *This project does not include or trigger intersection improvements. As demonstrated earlier in this narrative, the project generates just about 80.88 trips daily onto a minor arterial street. The street is currently substandard, but the applicant is proposing dedication, frontage improvements, and is recognizing the special setback up to a half street pursuant to code to bring D Street NE up to its expected service level in a manner that is proportionate to the proposed project.*

(e) When an area within a subdivision is set aside for commercial or industrial uses, or where probable future conditions warrant, dedication and improvement of streets to greater widths than those provided in subsection (a) of this section may be required.

Applicant's Findings: *This project does not include a subdivision. This criterion is not applicable.*

Chapter 806 – Off-Street Parking, Loading, and Driveways

Section 806.001 – Purpose

The purpose of this chapter is to establish standards for off-street parking and vehicle use areas, bicycle parking, loading areas, and driveways.

Section 806.015 – Amount of Off-Street Parking

(a) *Maximum off-street parking.* Except as otherwise provided in this section, and unless otherwise provided under the UDC, off-street parking shall not exceed the amounts set

forth in Table 806-1. For the purposes of calculating the maximum amount of off-street parking allowed, driveways shall not be considered off-street parking spaces.

Applicant's Findings: *In accordance with Table 806-1, the maximum off-street parking spaces allowed for the proposed multifamily use is 1.75 spaces per dwelling unit because no studio units are proposed. The applicant is proposing 12 dwelling units providing a maximum allowed off-street parking of 21 stalls. The proposal includes 12 parking spaces, which doesn't exceed the maximum allowed. This criterion is met.*

TABLE 806-1. MAXIMUM OFF-STREET PARKING

Use	Maximum Number of Spaces Allowed[1], [2], [3]	Limitations and Qualifications
Household Living		
Single family	3 per dwelling unit	
Two family, three family, and four family	1.75 per dwelling unit	
Multiple family	1.2 per dwelling unit	Applicable to studio units.
	1.75 per dwelling unit	Applicable to all other dwelling units.

(b) *Compact parking.* Up to 75 percent of the off-street parking spaces provided on a development site may be compact parking spaces.

Applicant's Findings: *The applicant's proposal includes 4 compact parking spaces which are designated on the site plan. With 12 spaces proposed total, 4 compact spaces equal 25 percent of the provided off-street parking, meeting the limits of this provision.*

(c) *Carpool and vanpool parking.* New developments with 60 or more required off-street parking spaces, and falling within the public services and industrial use classifications, and the business and professional services use category, shall designate a minimum of five percent of their total off-street parking spaces for carpool or vanpool parking.

Applicant's Findings: *Carpool and vanpool parking is not required. This criterion is not applicable.*

(d) *Required electric vehicle charging spaces.* For any newly constructed building with five or more dwelling units on the same lot, including buildings with a mix of residential and nonresidential uses, a minimum of 40 percent of the off-street parking spaces provided on the site for the building shall be designated as spaces to serve electrical vehicle charging. In order to comply with this subsection, such spaces shall include provisions for electrical service capacity, as defined in ORS 455.417.

Applicant's Findings: *The applicant understands a minimum of 5 (12 x .40 = 4.8) parking stalls must be plumbed with conduit for electric vehicle charging. The applicant will provide details on the EV charging capacity at the time of building permit submittal. This criterion will be met.*

Section 806.020 – Method of Providing Off-Street Parking

(a) *General.* If provided, off-street parking shall be accommodated through one or more of the following methods:
  (1) *Ownership*. Ownership in fee by the owner of the property served by the parking;
  (2) *Easement.* A permanent and irrevocable easement appurtenant to the property served by the parking;
  (3) *Lease Agreement.* A lease agreement
  (4) *Lease or rental agreement in parking structure.* A lease or rental agreement in an off-street parking facility established pursuant to ORS 223.805 to 223.845;

Applicant's Findings: *The applicant is providing the off-street parking through method (1) ownership. As shown on the site plan included with this application submittal, the off-street parking area is on the same site as the development it serves. This criterion is met.*

(b) *Review and filing of agreement*. Prior to execution of any lease or rental agreement set forth in this section, the form of such agreement shall be reviewed by the City Attorney. An executed copy of the approved agreement shall be filed with the Planning Administrator.

Applicant's Findings: *The applicant is providing the off-street parking through method (1) ownership. For this reason, an agreement will not be required or filed. This criterion is not applicable.*

Section 806.035 – Off-Street Parking and Vehicle Use Are Development Standards for Uses of Activities Other Than Single-Family, Two-Family, Three-Family, and Four-Family

Unless otherwise provided under the UDC, off-street parking and vehicle use areas, other than driveways and loading areas, for uses or activities other than single family, two family, three family, and four family shall be developed and maintained as provided in this section.

(a) *General applicability.* The off-street parking and vehicle use area development standards set forth in this section shall apply to:

(1) The development of new off-street parking and vehicle use areas;

(2) The expansion of existing off-street parking and vehicle use areas, where additional paved surface is added;

(3) The alteration of existing off-street parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface; and

(4) The paving of an unpaved area.

Applicant's Findings: *The off-street parking area is being proposed alongside a new 12-unit multifamily development which triggers the applicability of this section.*

(b) *Location.*

(1) *Generally*. Off-street parking and vehicle use areas shall not be located within required setbacks.

Applicant's Findings: *The off-street parking and vehicle use areas are not proposed to be placed within setbacks. This criterion is met.*

(2) *Carpool and vanpool parking.* Carpool and vanpool parking shall be located so it is the closest employee parking to the building entrance normally used by employees; provided, however, it shall not be located closer than any parking designated for disabled parking.

Applicant's Findings: *Carpool and vanpool parking are not required or proposed. This criterion is not applicable.*

(3) *Underground parking*. Off-street parking may be located underground in all zones, except the RA and RS zones. Such underground parking may be located beneath required setbacks; provided, however, no portion of the structure enclosing the underground parking shall project into the required setback, and all required setbacks located above the underground parking structure shall be landscaped as otherwise required under the UDC.

Applicant's Findings: *Underground parking is not proposed. This criterion is not applicable.*

(c) *Perimeter setbacks and landscaping.*

(1) *Perimeter setbacks and landscaping, generally.*

(i) *Perimeter setbacks.* Perimeter setbacks, as set forth in this subsection, shall be required for off-street parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures. Perimeter setbacks for

parking garages are set forth under subsection (c)(5) of this section. Perimeter setbacks are not required for:

(i) Off-street parking and vehicle use areas abutting an alley.

(ii) Vehicle storage areas within the IG zone.

(iii) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701, abutting nonresidential zones, uses or activities other than household living, or local streets.

(iv) Gravel off-street parking areas, approved through a conditional use permit, abutting nonresidential zones, uses or activities other than household living, or local streets.

(v) Underground parking.

(B) *Perimeter landscaping.* Required perimeter setbacks for off-street parking and vehicle use areas shall be landscaped as set forth in this subsection.

Applicant's Findings: *The applicant has provided a proposed site plan demonstrating compliance with the requirement that all perimeter setbacks be landscaped. This criterion is met.*

(2) *Perimeter setbacks and landscaping abutting streets*. Unless a greater setback is required elsewhere within the UDC, off-street parking and vehicle use areas abutting a street shall be setback and landscaped according to one the methods set forth in this subsection. Street trees located along an arterial street may be counted towards meeting the minimum required number of plant units.

(A) *Method A.* The off-street parking and vehicle use area shall be setback a minimum of ten feet (see Figure 806-1). The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.

(B) *Method B.* The off-street parking and vehicle use area shall be setback to accommodate a berm, the top of which shall be a minimum of 2.5 feet higher than the elevation of the abutting off-street parking or vehicle use area (see Figure 806-2). The berm shall have a slope no steeper than a 3:1 on all sides, and shall be landscaped according to the Type A standard set forth in SRC chapter 807 with plant materials to prevent erosion. The berm shall not alter natural drainage flows from abutting properties. Any portion of the berm that encroaches into a vision clearance

area set forth in SRC chapter 805 shall have a height no greater than the maximum allowed under SRC 805.010.

(C) *Method C.* The off-street parking and vehicle use area shall be setback a minimum six feet to accommodate a minimum three-foot drop in grade from the elevation at the right-of-way line to the elevation of the abutting off-street parking or vehicular use area (see Figure 806-3). The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.

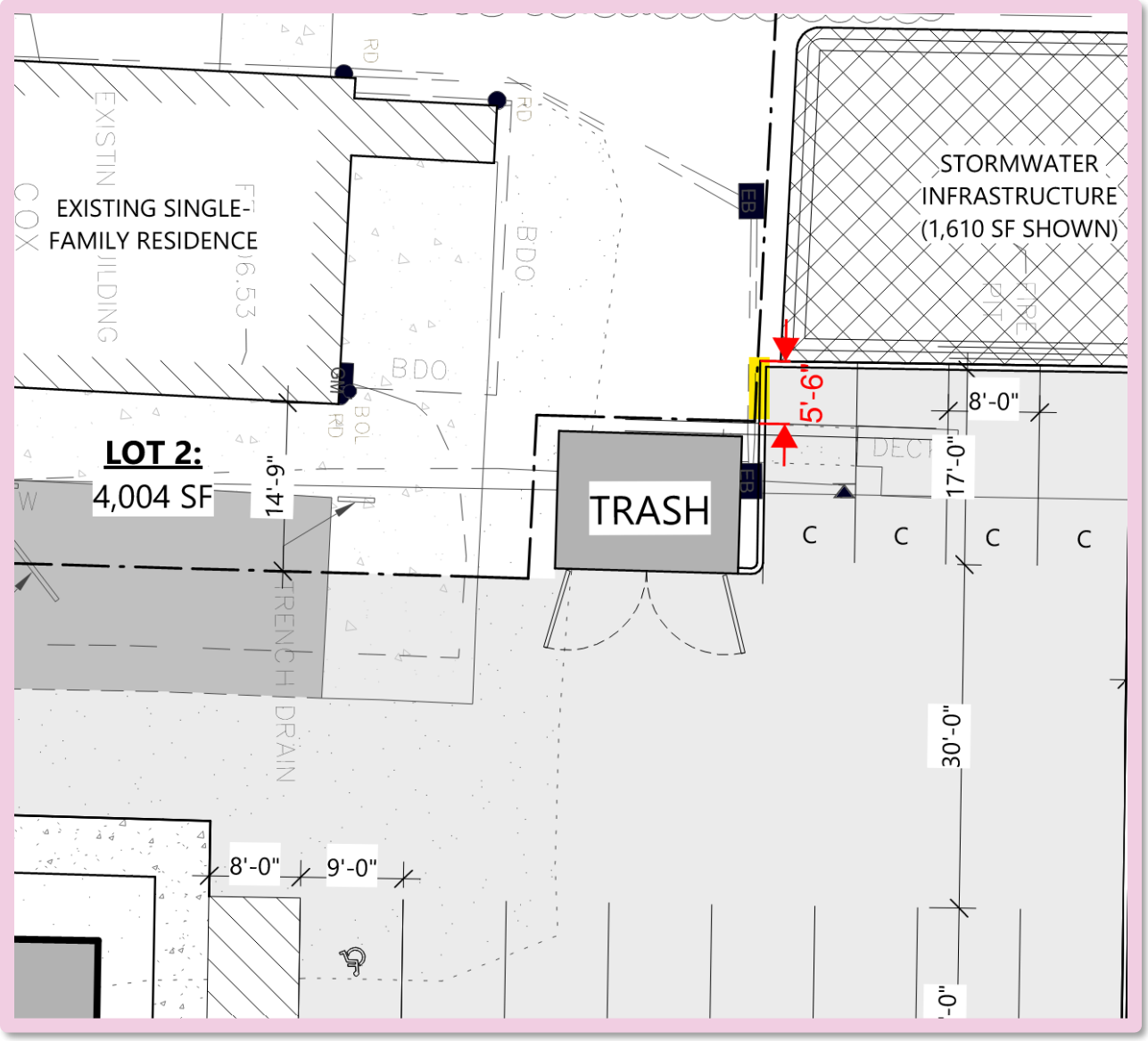
(D) *Method D.* The off-street parking and vehicle use area shall be setback a minimum six feet in conjunction with a minimum three-foot-tall brick, stone, or finished concrete wall (see Figure 806-4). The wall shall be located adjacent to, but entirely outside, the required setback. The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807. Any portion of the wall that encroaches into a vision clearance area set forth in SRC chapter 805 shall have a height no greater than the maximum allowed under SRC 805.010.

(E) *Method E.* The off-street parking and vehicle use area shall be setback a minimum of six feet to accommodate green stormwater infrastructure meeting the Public Works Design Standards.

Applicant's Findings: *As demonstrated by the site plan included, the building is proposed to be placed between the parking area and the street, as required by SRC 702. These criteria are not applicable.*

(3) *Perimeter setbacks and landscaping abutting interior front, side, and rear property lines.* Unless a greater setback is required elsewhere within the UDC, off-street parking and vehicle use areas abutting an interior front, side, or rear property line shall be setback a minimum of five feet (see Figure 806-5). The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.

Applicant's Findings: *Table 514-5 zone-to-zone setbacks requires the vehicle use area to be setback from the side property line abutting a residential zone a minimum of 10-feet with Type C landscaping. The site plan demonstrates that all setbacks are met or exceeded by the proposal and site fencing is existing or proposed, with the exception of the parking stall abutting the trash enclosure which does not meet the setback requirement. The applicant is seeking an adjustment to setback standards for 5.5 feet of a parking stall which is not setback 10 feet from proposed parcel 1.*



Upon approval of the requested class 2 adjustment, this criterion is met.

(4) *Setback adjacent to buildings and structures.* Except for drive-through lanes, where an off-street parking or vehicular use area is located adjacent to a building or structure, the off-street parking or vehicular use area shall be setback from the exterior wall of the building or structure by a minimum five-foot-wide landscape strip, planted to the Type A standard set forth in SRC chapter 807, or by a minimum five-foot-wide paved pedestrian walkway (see Figure 806-6). A landscape strip or paved pedestrian walkway is not required for drive-through lanes located adjacent to a building or structure.

Applicant's Findings: *The vehicle use areas are setback from the proposed building a minimum of 8 feet 8 inches. Within the setback, the applicant provides pedestrian amenities and connections as well as landscaping and bicycle parking. This criterion is met.*

(5) *Perimeter setbacks and landscaping for parking garages.* Perimeter setbacks and landscaping as set forth in subsection (c) of this section shall be required for parking garages; provided, however, perimeter setbacks and landscaping are not required for:

(A) Any portion of a parking garage with frontage on a street and containing ground floor uses or activities other than parking.

(B) Any parking garage within an industrial zone, public zone, or commercial zone, other than a CO zone, that abuts an interior front, side, or rear property line where there is no required building setback.

(C) Any parking garage abutting an alley.

Applicant's Findings: *The applicant is not proposing a parking garage. This criterion is not applicable.*

(d) *Interior landscaping.*

Applicant's Findings: *The off-street parking area is approximately 3,800 square feet which does not trigger interior landscaping. These criteria are not applicable.*

(e) *Off-street parking area dimensions.* Off-street parking areas shall conform to the minimum dimensions set forth in Table 806-6; provided, however, minimum off-street parking area dimensions shall not apply to:

(1) Vehicle storage areas.

(2) Vehicle display areas.

Applicant's Findings: *The parking area includes 12 parking stalls, of which 4 are proposed to be compact, meeting the dimensions of 15 feet in depth and 8.5 feet in width. The remaining standard stalls are 19 feet in depth and 9 feet in width. All of the parking stalls meet the dimensions for the 90 degree parking angle standards. This criterion is met.*

(f) *Off-street parking area access and maneuvering.* In order to ensure safe and convenient vehicular access and maneuvering, off-street parking areas shall:

(1) Be designed so that vehicles enter and exit the street in a forward motion with no backing or maneuvering within the street; and

(2) Where a drive aisle terminates at a dead-end, include a turnaround area as shown in Figure 806-9. The turnaround shall conform to the minimum dimensions set forth in Table 806-6.

Applicant's Findings: *In no case will any vehicle be forced to back out into a street. There is enough room behind all parking stalls which would allow vehicles to enter and exit the street in a forward motion. The drive aisle terminates at a dead-end, but the drive aisle is 30 feet wide which does not require a turnaround. As applicable, this criterion is met.*

(g) *Grade*. Off-street parking and vehicle use areas shall not exceed a maximum grade of ten percent. Ramps shall not exceed a maximum grade of 15 percent.

Applicant's Findings: *The site is relatively flat; the only grades present were designed by the applicant's civil engineer in the interest of properly draining stormwater. This criterion is met.*

(h) *Surfacing.* Off-street parking and vehicle use areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, up to two feet of the front of a parking space may be landscaped with ground cover plants (see Figure 806-10). Such two-foot landscaped area may count towards meeting interior off-street parking area landscaping requirements when provided abutting a landscape island or planter bay with a minimum width of five feet but shall not count towards meeting perimeter setbacks and landscaping requirements. Paving is not required for:
    (1) Vehicle storage areas within the IG zone.
    (2) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.
    (3) Gravel off-street parking areas, approved through a conditional use permit.

Applicant's Findings: *The proposed off-street parking and vehicle use areas are proposed to be paved with a hard surface material meeting the Public Works Design Standards. Details regarding the construction will be provided at the time of building permit for the director's review and approval. This criterion will be met.*

(i) *Drainage.* Off-street parking and vehicle use areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.

Applicant's Findings: *As shown on the civil plans provided, the off-street parking and vehicle use areas are designed, graded, and drained according to the Public Works Design Standards, or to the approval of the director. Additional details regarding the construction will be provided at the time of building permit for the director's review and approval. This criterion will be met.*

(j) *Bumper guards or wheel barriers*. Off-street parking and vehicle use areas shall include bumper guards or wheel barriers so that no portion of a vehicle will overhang or project into required setbacks and landscaped areas, pedestrian accessways, streets or alleys, or abutting property; provided, however, bumper guards or wheel barriers are not required for:
    (1) Vehicle storage areas.

(2) Vehicle sales display areas.

Applicant's Findings: *The applicant will provide either extended curbs or wheel stops to prevent vehicles from encroaching into required landscaping or the pedestrian walkways. This criterion will be met.*

(k) *Off-street parking area striping.* Off-street parking areas shall be striped in conformance with the off-street parking area dimension standards set forth in Table 806-6; provided, however, off-street parking area striping shall not be required for:
   (1) Vehicle storage areas.
   (2) Vehicle sales display areas.
   (3) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.
   (4) Gravel off-street parking areas, approved through a conditional use permit.

Applicant's Findings: *The proposed vehicle use area consists of 12 parking stalls situated at 90 degrees. There is a mix of both standard and compact stalls which meet the minimum dimensional standards set forth for 90-degree parking stalls in Table 806-6. The off street parking area will be striped in a manner consistent with this design. This criterion is met.*

(l) *Marking and signage.*
   (1) *Off-street parking and vehicle use area circulation.* Where directional signs and pavement markings are included within an off-street parking or vehicle use area to control vehicle movement, such signs and marking shall conform to the Manual of Uniform Traffic Control Devices.

Applicant's Findings: *The proposed parking area is designed in a manner that maneuvering is intuitive; it is not anticipated directional markings or signage will be necessary to control vehicular movement. However, if markings or signage are determined to be necessary, the applicant will ensure they conform to the Manual or Uniform Traffic Control Devices. If applicable, this criterion will be met.*

   (2) *Compact parking.* Compact parking spaces shall be clearly marked indicating the spaces are reserved for compact parking only.

Applicant's Findings: *The site plan shows the compact parking stalls will be marked indicating they are reserved for compact parking only. This criterion is met.*

   (3) *Carpool and vanpool parking.* Carpool and vanpool parking spaces shall be posted with signs indicating the spaces are reserved for carpool or vanpool use only before 9:00 a.m. on weekdays.

Applicant's Findings: *Carpool and vanpool parking is not proposed or required. This criterion is not applicable.*

(m) *Lighting*. Lighting for off-street parking and vehicle use areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.

Applicant's Findings: *As demonstrated on the site plan, lighting placement and height were considered for all parking lot lighting to ensure it will not shine or reflect onto adjacent residentially zoned property. This criterion is met.*

(n) *Additional standards for new off-street surface parking areas more than one-half acre in size.* When a total of more than one-half acre of new off-street surface parking is proposed on one or more lots within a development site, the lot(s) proposed for development shall comply with the additional standards in this subsection. For purposes of these standards, the area of an off-street surface parking area is the sum of all areas within the perimeter of the off-street parking area, including parking spaces, aisles, planting islands, corner areas, and curbed areas, but not including interior driveways and off-street loading areas.

Applicant's Findings: *The parking area is less than a half-acre in size. None of these criteria are applicable.*

Section 806.040 – Driveway Development Standards for Uses of Activities Other Than Single-Family, Two-Family, Three-Family, and Four-Family

Unless otherwise provided under the UDC, driveways for uses or activities other than single family, two family, three family, or four family shall be developed and maintained as provided in this section.

(a) *Access.* Off-street parking and vehicle use areas shall have either separate driveways for ingress and egress, a single driveway for ingress and egress with an adequate turnaround that is always available, or a loop to the single point of access. The driveway approaches to the driveways shall conform to SRC chapter 804.

Applicant's Findings: *The applicant is seeking approval of a class 2 driveway approach permit and has provided findings in response to SRC Chapters 804 and 805. As demonstrated on the site plan included with this submittal, a single driveway is proposed with adequate width to accommodate ingress and egress. The driveway loops through the site returning vehicles to the single access point.*

(b) *Location.* Driveways shall not be located within required setbacks except where:
  (1) The driveway provides direct access to the street, alley, or abutting property.
  (2) The driveway is a shared driveway located over the common lot line and providing access to two or more uses.

Applicant's Findings: *The proposed driveway falls within the setback area, but it provides direct access to D Street NE in accordance with this section.*

(c) *Setbacks and landscaping.*

(1) *Perimeter setbacks and landscaping, generally.* Perimeter setbacks and landscaping as set forth in this subsection shall be required for driveways abutting streets and abutting interior front, side, and rear property lines; provided, however, perimeter setbacks and landscaping are not required where:

(A) The driveway provides direct access to the street, alley, or abutting property.

(B) The driveway is a shared driveway located over the common lot line and providing access to two or more uses.

(2) *Perimeter setbacks and landscaping abutting streets*. Unless a greater setback is required elsewhere within the UDC, driveways abutting a street shall be setback and landscaped according to the off-street parking and vehicle use area perimeter setbacks and landscaping standards set forth under SRC 806.035(c)(2).

(3) *Perimeter setbacks and landscaping abutting interior front, side, and rear property lines.* Unless a greater setback is required elsewhere within the UDC, driveways abutting an interior front, side, or rear property line shall be setback a minimum of five feet. The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.

Applicant's Findings: *Because the driveway provides direct access to the street, there is no setback required. This criterion is not applicable.*

(d) *Dimensions.* Driveways shall conform to the minimum width set forth in Table 806-7.

Applicant's Findings: *In accordance with Table 806-8, the minimum driveway width for two-way traffic is 22-feet. As demonstrated on the site plan provided, the driveway is proposed to be 22-feet in width. This criterion is met.*

(e) *Surfacing.* All driveways, other than access roads required by the Public Works Design Standards to provide access to City utilities, shall be paved with a hard surface material meeting the Public Works Design Standards. Access roads required by the Public Works Design Standards to provide access to City utilities shall be an all-weather surface material meeting the Public Works Design Standards; provided, however, the first ten feet of the access road leading into the property, as measured from the property line, shall be paved with a hard surface material.

Applicant's Findings: *The driveway is proposed to be paved with a hard surface material meeting the Public Works Design Standards. Details regarding the construction will be provided at the time of building permit for the director's review and approval. This criterion will be met.*

(f) *Drainage.* Driveways shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.

Applicant's Findings: *As shown on the civil plans provided, the driveway has been designed, graded, and drained according to the Public Works Design Standards, or to the approval of the director. Additional details regarding the construction will be provided at the time of building permit for the director's review and approval. This criterion will be met.*

(g) *"No Parking" signs.* Driveways shall be posted with one "no parking" sign for every 60 feet of driveway length, but in no event shall less than two signs be posted.

Applicant's Findings: *No parking signs may need to be posted along the driveway where the portion of the driveway does not lead to any parking stalls and it is approximately 140-feet in length, requiring three no parking signs. If applicable, this criterion will be met.*

Section 806.045 – Bicycle Parking; When Required

(a) *General applicability.* Bicycle parking shall be provided as required under this chapter for:
  (1) Each proposed new use or activity.
  (2) Any change of use or activity.
  (3) Any intensification, expansion, or enlargement of a use or activity.

(b) *Applicability to change of use of existing building in Central Business District (CB), West Salem Central Business District (WSCB), Mixed Use-I (MU-I), Mixed Use-II (MU-II), Mixed Use-III (MU-III), Mixed Use-Riverfront (MU-R), and Edgewater/Second Street Mixed-Use Corridor (ESMU) zone.* Notwithstanding any other provision of this chapter, the bicycle parking requirements for a change of use of an existing building within the CB, WSCB, MU-I, MU-II, MU-III, MU-R, and ESMU zones where at least 75 percent of the width of the lot at the front setback line is occupied by existing buildings shall be met if there are a minimum of eight bicycle parking spaces located within the public right-of-way of the block face adjacent to the primary entrance of the building. If the minimum number of required bicycle parking spaces are not present within the block face, the applicant shall be required to obtain a permit to have the required number of spaces installed. For purposes of this subsection, "block face" means the area within the public street right-of-way located along one side of a block, from intersecting street to intersecting street.

(c) *Applicability to nonconforming bicycle parking area.* When bicycle parking is required to be added to an existing bicycle parking area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

Applicant's Findings: *The proposed new development of the subject site triggers the applicability of this section.*

Section 806.050 – Proximity of Bicycle Parking to Use or Activity Served

Except as otherwise provided in this chapter, bicycle parking shall be located on the same development site as the use or activity it serves.

Applicant's Findings: *As shown on the site plan provided, bicycle parking is provided on the same development site at the use it serves. This criterion is met.*

Section 806.055 – Amount of Bicycle Parking

(a) *Minimum required bicycle parking.* Unless otherwise provided under the UDC, bicycle parking shall be provided in amounts not less than those set forth in Table 806-9.

Applicant's Findings: *In accordance with Table 806-9, the minimum off-street bicycle parking spaces required is 1 space per dwelling unit. With 12 dwelling units proposed, 12 bicycle parking spaces are required. As shown on the site plan provided, the site includes 12 bicycle parking spaces with 8 spaces located outdoors spread along the frontage of the new building for convenient access for residents and the remaining 4 spaces will be included within each of the 4 ground floor dwelling units. This criterion is met.*

(b) *Long-term bicycle parking.* Long-term bicycle parking may be provided to satisfy a percentage of the minimum bicycle parking spaces required under this chapter. Such long-term bicycle parking shall not exceed the amounts set forth in Table 806-8. The maximum percentage of long-term bicycle parking allowed is based solely on the minimum number of bicycle parking spaces required. This standard shall not be construed to prohibit the provision of additional long-term bicycle parking spaces provided the minimum number of required spaces is met. *(Example: A restaurant requiring a minimum of four bicycle parking spaces may, but is not required to, designate one of the required spaces as a long-term space. Additional short-term and long term spaces may be provided as long as the minimum required three short-term spaces are maintained).*

Applicant's Findings: *The applicant is proposing 4 long term parking spaces within the 4 ground floor dwelling units. This criterion is met.*

Section 806.060 – Bicycle Parking Development Standards

Unless otherwise provided under the UDC, bicycle parking shall be developed and maintained as set forth in this section. The standards set forth in this section shall not apply to City approved bike share stations which utilize bike docking stations.

(a) *Location.*

(1) *Short-term bicycle parking.* Short-term bicycle parking shall be located outside a building within a convenient distance of, and clearly visible from, the primary

building entrance. In no event shall bicycle parking be located more than 50 feet from the primary building entrance, as measured along a direct pedestrian access route.

Applicant's Findings: *Bicycle parking facilities are distributed throughout the site in an effort to provide parking opportunities to all residents which are safe and convenient. There are no instances where bicycle parking is located more than 50 feet from the primary building entrances. This criterion is met.*

(2) *Long-term bicycle parking.*

(A) *Generally.* Long-term bicycle parking shall be located:

(i) Within a building, on the ground floor or on upper floors when the bicycle parking areas are easily accessible by an elevator; or

(ii) On-site, outside of a building, in a well-lighted secure location that is sheltered from precipitation and within a convenient distance of the primary entrance.

(B) *Long-term bicycle parking for residential uses.* Long-term bicycle parking spaces for residential uses shall be located within:

(i) A residential dwelling unit;

(ii) A lockable garage;

(iii) A restricted access lockable room serving an individual dwelling unit or multiple dwelling units;

(iv) A lockable bicycle enclosure; or

(v) A bicycle locker.

(C) *Long-term bicycle parking for non-residential uses.* Long-term bicycle parking spaces for non-residential uses shall be located within:

(i) A restricted access lockable room;

(ii) A lockable bicycle enclosure; or

(iii) A bicycle locker.

Applicant's Findings: *The applicant is proposing 4 long term bicycle parking spaces, one within each of the 4 ground floor dwelling units. This criterion is met.*

(b) *Access.* All bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and any barriers, such as curbs or stairs, which would require users to lift their bikes in order to access the bicycle parking area.

Applicant's Findings: *Each bicycle parking area has direct access to the pedestrian network on site. The pedestrian network provides access to the primary building entrances and to the public sidewalk along D Street NE. This criterion is met.*

(c) *Dimensions*. All bicycle parking areas shall meet the following dimension requirements:

(1) *Bicycle parking spaces.* Bicycle parking spaces shall conform to the minimum dimensions set forth in Table 806-10.

(2) *Access aisles.* Bicycle parking spaces shall be served by access aisles conforming to the minimum widths set forth in Table 806-10. Access aisles serving bicycle parking spaces may be located within the public right-of-way.

Applicant's Findings: *As shown on the site plan provided, the applicant is proposing staple bicycle racks meeting the dimensions of a horizontal side-by-side parking space, meeting the dimensional requirements detailed in Table 806-10. This criterion is met.*

(d) *Surfacing.* Where bicycle parking is located outside a building, the bicycle parking area shall consist of a hard surface material, such as concrete, asphalt pavement, pavers, or similar material, meeting the Public Works Design Standards.

Applicant's Findings: *As shown on the site plan provided, the bicycle parking area will consist of a hard surface material, such as concrete, asphalt pavement, pavers, or similar material, meeting the Public Works Design Standards. This criterion will be met.*

(e) *Bicycle racks.* Where bicycle parking is provided in racks, the racks may be horizontal or vertical racks mounted to the ground, floor, or wall. Bicycle racks shall meet the following standards:

(1) Racks must support the bicycle in a stable position.

(A) For horizontal racks, the rack must support the bicycle frame in a stable position in two or more places a minimum of six inches horizontally apart without damage to the wheels, frame, or components.

(B) For vertical racks, the rack must support the bicycle in a stable vertical position in two or more places without damage to the wheels, frame, or components.

(2) Racks must allow the bicycle frame and at least one wheel to be locked to the rack with a high security, U-shaped shackle lock;

(3) Racks shall be of a material that resists cutting, rusting, and bending or deformation; and

(4) Racks shall be securely anchored.

(5) Examples of types of bicycle racks that do, and do not, meet these standards are shown in Figure 806-11.

Applicant's Findings: *At the time of building permit submittal, the applicant will provide details regarding the long term bicycle parking racks provided in the 4 ground floor dwelling units. This criterion will be met.*

(f) *Bicycle lockers.* Where bicycle parking is provided in lockers, the lockers shall meet the following standards:
  (1) Lockers shall conform to the minimum dimensions set forth in Table 806-10.
  (2) Lockers shall be served by an access aisle conforming to the minimum width set forth in Table 806-10 in front of each locker opening.
  (3) Lockers shall be securely anchored.

Applicant's Findings: *Bicycle lockers are not proposed. These criteria are not applicable.*

Chapter 807 – Landscaping and Screening

Section 807.001 – Purpose

The purpose of this chapter is to establish standards for required landscaping and screening under the UDC to improve the appearance and visual character of the community, promote compatibility between land uses, encourage the retention and utilization of existing vegetation, and preserve and enhance the livability of the City.

Section 807.010 – Applicability

The provisions of this chapter apply to all required landscaping and screening under the UDC.

Applicant's Findings: *The development triggers the landscaping requirements of Chapter 807. Below the applicant provides findings regarding how the proposal meets the applicable criteria.*

Section 807.015 – Landscaping and Screening

Unless otherwise provided under the UDC, required landscaping and screening shall conform to the standards set forth in this section.

Applicant's Findings: *The landscape type required for the development site is Type A: one plant unit per 20 square feet, and Type C: one plant unit per 16 square feet with screening. All interior side and the interior rear setbacks are required to be a minimum of 10-feet and landscaped to Type C standards. At the time of building permit submittal, the applicant will supply landscape plans demonstrating compliance with the applicable provisions of this section. As applicable, these criteria will be met.*

Section 807.025 – Plant Material Standards

All plant materials shall be, upon installation, vigorous and well-branched, with healthy and well-furnished root systems free of disease, insects, pests, and injuries.

Applicant's Findings: *The landscape installer and applicant will work together to source acceptable and healthy plant materials for the development site meeting the standards of this section. This criterion will be met.*

Section 807.030 – Tree Protection Measures During Construction

Trees used to meet the landscaping requirements set forth in this chapter shall be protected during construction as provided under SRC chapter 808.

Applicant's Findings: *There are no trees existing on the development site. This criterion is not applicable.*

Section 7: Findings Applicable to Class 1 Design Review

Chapter 225 – Design Review
Section 225.001 – Purpose

The purpose of this chapter is to create a process to review development applications that are subject to design review guidelines and design review standards.

Applicant's Findings: *The applicant understands the purpose of requiring design review. This application is for a multiple family development and triggers a class 1 design review. The applicant has provided findings to all applicable criteria below.*

Section 225.005 – Design Review

(a) *Applicability.* Design review approval is required for development applications that are subject to design review standards and guidelines.

Applicant's Findings: *The proposed development triggers design review in accordance with this section.*

(b) *Classes.*

(1) Class 1 design review is design review that requires the application of design review standards only.

(2) Class 2 design review is design review that requires the application of design review guidelines, for projects that are limited to building alterations that will be contained within the footprint of the existing building and utilize the same building materials and same window and facade designs.

(3) Class 3 design review is design review that requires the application of design review guidelines.

(4) If any portion of the proposed development does not meet all of the applicable design review standards, the entire development shall be subject to Class 3 design review.

Applicant's Findings: *As proposed, the development is being reviewed under a Class 1 Design Review process. The applicant is meeting the design review standards for multiple family development in accordance with SRC Chapter 702.*

(c) *Procedure type.*

(1) Class 1 design review is processed as a Type I procedure under SRC chapter 300.
(2) Class 2 design review is processed as a Type II procedure under SRC chapter 300.
(3) Class 3 design review is processed as a Type III procedure under SRC chapter 300.

Applicant's Findings: *The Class 1 Design Review is a Type I procedure. However, because the application has been consolidated, the entire application will be reviewed using Type II procedures.*

(d) *Submittal requirements.*

(1) *Submittal requirements for pre-application conference.* In addition to the submittal requirements for a pre-application conference under SRC chapter 300, an application for a Class 1, Class 2, or Class 3 design review pre-application conference shall include the following:

(A) An existing conditions plan showing:

(i) Existing site conditions;
(ii) The use of all adjacent buildings;
(iii) The zoning of the site and adjacent properties;
(iv) Topography of the site; and
(v) Location of all trees and prominent landscape features.

(B) Schematic plans for the proposed development.

Applicant's Findings: *All of the required information listed above has been provided with this application submittal. This criterion is met.*

(2) *Submittal requirements for Class 1, Class 2, and Class 3 design review.* In addition to the submittal requirements set forth under SRC chapter 300, an application for Class 1, Class 2, or Class 3 design review shall include the following:

(A) A proposed site plan showing:

(i) The complete dimensions and setbacks of the lot, and all existing and proposed buildings and structures, including the location, size, height, proposed use, design, and gross floor area of each building.
(ii) All existing and proposed walls and fences, including the location, height, type of design, and composition.

(iii) The location and design of the existing and proposed on-site pedestrian and vehicle circulation system.

(iv) Locations and dimensions of all existing and proposed outdoor storage areas, including, but not limited to, trash collection and recycling areas.

(B) Architectural drawings, renderings, or sketches showing all elevations of proposed buildings as they will appear on completion.

(C) A landscape plan showing the location of natural features, trees, and plant materials proposed to be removed, retained, or planted; the amount, height, type, and location of landscaped areas, planting beds, and plant materials and provisions for irrigation.

(D) A topographic survey and grading plan showing two-foot contour intervals on hillside lots and five-foot contour intervals on all other lots.

(E) An open space plan showing locations of common and private open space, including active and passive recreational areas. The open space plan shall show the total area of individual classifications of proposed open space and shall be drawn to scale.

(F) A statement as to whether the application is intended to meet the standards or the guidelines.

Applicant's Findings: *Each of the required elements above has been provided with the application submittal. This criterion has been met.*

(e) *Criteria.*

(1) A Class 1 design review shall be approved if all of the applicable design review standards are met.

(2) A Class 2 or Class 3 design review shall be approved if all of the applicable design review guidelines are met.

Applicant's Findings: *This application includes a Class 1 design review which meets the design standards for multiple family development as outlined in Chapter 702.*

(f) *Conditions of approval.* Notwithstanding SRC 300.820, the Review Authority may not attach conditions to a Class 1 design review approval.

Applicant's Findings: *The applicant understands conditions of approval may not be attached to the Class 1 design review; however, the design review is consolidated with applications which the review authority may assign conditions of approval to.*

Chapter 702 – Multiple Family Design Review Standards

Section 702.001 – Purpose

The purpose of this chapter is to establish design review standards for multiple family development.

Applicant's Findings: *The applicant understands the purpose of Chapter 702 for multiple family design review and has provided responses to each applicable criterion below.*

Section 702.005 – Multiple Family Design Review

(a) Except as provided under subsection (b) of this section, and unless otherwise provided in the UDC, design review under SRC chapter 225 is required for all multiple family development.

Applicant's Findings: *In accordance with SRC Chapter 702, design review is required for the proposed development. The applicant is meeting the design standards which falls under a Class 1 Design Review.*

(b) Exceptions. Multiple family design review is not required for:
- (A) Cottage clusters, when allowed as a special use.
- (B) Multiple family development within a mixed-use building.
- (C) Multiple family development within:
  - (i) The Central Business District (CB) Zone.
  - (ii) The South Waterfront Mixed-Use (SWMU) Zone.
  - (iii) A National Register Historic District
  - (iv) The Public and Private Health Services (PH) Zone.
  - (v) The Mixed Use-I (MU-I) Zone.
  - (vi) The Mixed Use-II (MU-II) Zone.
  - (vii) The Mixed Use-Riverfront (MU-R) Zone
  - (viii) The West Salem Central Business District (WSCB) Zone.

Applicant's Findings: *None of the exceptions listed in this section are applicable to this application.*

Section 702.010 – Multiple Family Design Review Standards

Multiple family development shall comply with all of the applicable design review standards as follows:

(a) Multiple family development with five to 12 dwelling units shall comply with the design review standards set forth in SRC 702.015 or the design review standards set forth in SRC 702.020.

Applicant's Findings: *The applicant is proposing 12 dwelling units which triggers the design review standards set forth in SRC 702.015.*

(b) Multiple family development with 13 or more dwelling units shall comply with the design review standards set forth in SRC 702.020.

Applicant's Findings: *The applicant is proposing 12 dwelling units. This criterion is not applicable.*

(c) The design review standards set forth in this chapter are in addition to, and not in lieu of, all other applicable development standards in the UDC. Where the design review standards conflict with the development standards in the UDC, the design review standards shall be the applicable development standard.

Applicant's Findings: *The applicant understands the standards set forth in this section are in addition to other applicable design standards.*

Section 702.015 – Design Review Standards for Multiple Family Development with Five to Twelve Units

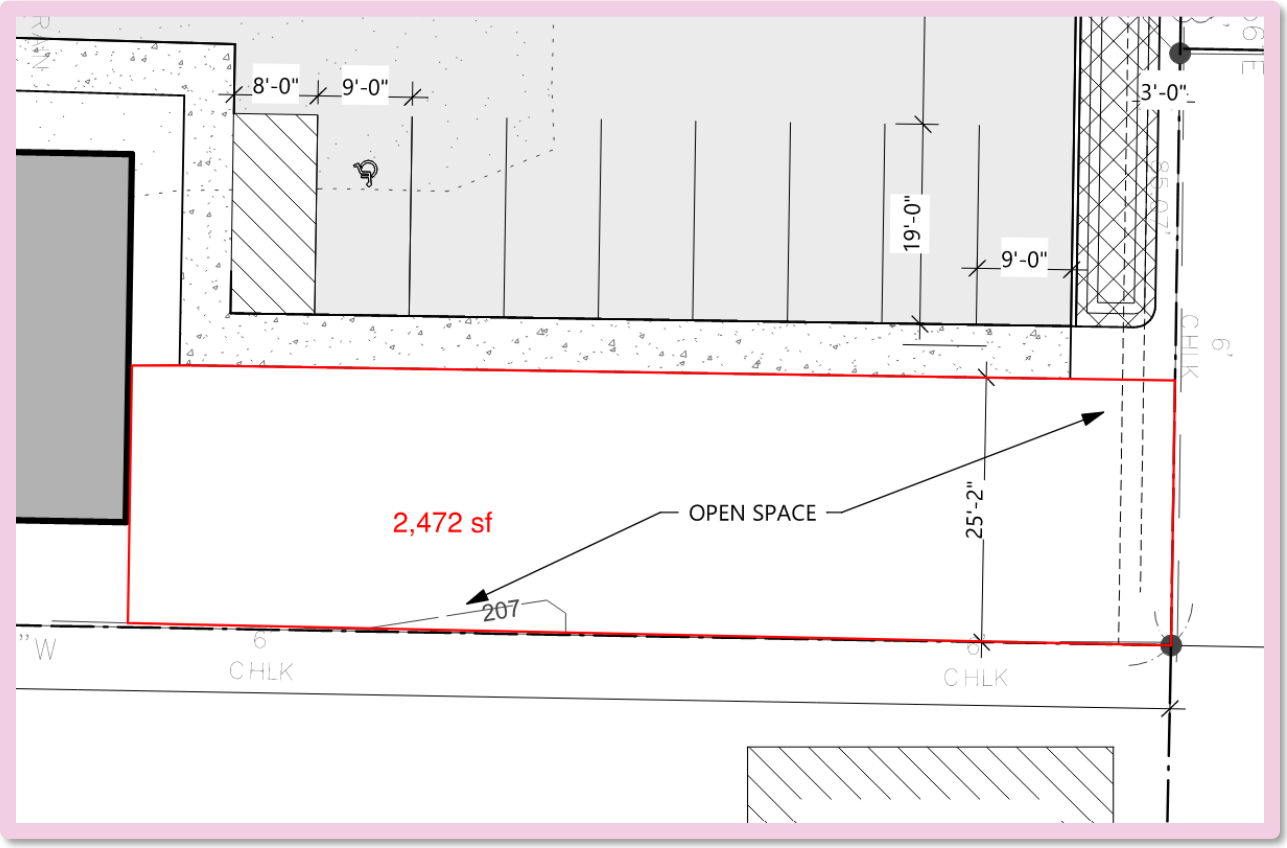
(a) *Open space standards*.

(1) To encourage the preservation of natural open space qualities that may exist on a site and to provide opportunities for active and passive recreation, all newly constructed multiple family developments shall provide a minimum 20 percent of the gross site area as designated and permanently reserved open space. For the purposes of this subsection, the term "newly constructed multiple family developments" shall not include multiple family developments created through only construction or improvements to the interior of an existing building(s). Indoor or covered recreation space may count toward this open space requirement.

Applicant's Findings: *Proposed parcel 2 is 19,949 square feet, 3,990 square feet is 20 percent of the gross site. As demonstrated on the site plan provided, 4,686 is proposed as open space measure excluding the GSI area which exceeds the minimum 20 percent standard within this section. This criterion is met.*

(A) To ensure usable open space, at least one common open space area shall be provided within the development that is at least 500 square feet in size and has a minimum dimension of 20 feet for all sides.

Applicant's Findings: *The common open space area is proposed to be 2,472 square feet in size with the smallest dimension exceeding 25 feet.*



This criterion is met as proposed.

(B) To allow for a mix of different types of open space areas and flexibility in site design, private open space, meeting the size and dimension standards set forth in Table 702-1, may count toward the open space requirement. All private open space must meet the size and dimension standards set forth in Table 702-1.

Applicant's Findings: *The applicant does not need to rely on private open space counting toward common open space requirements as the minimum standard is exceeded by the proposal. Each of the private open spaces is shown on the plans provided with this application submittal and exceeds the minimum requirement shown in Table 702-1.*

TABLE 702-1. PRIVATE OPEN SPACE SIZE AND DIMENSIONS		
Location of Dwelling Unit	Minimum Open Space Area Size	Minimum Dimension
Not more than 5 feet above finished grade	96 sq. ft.	6 ft.
More than 5 feet above finished grade	48 sq. ft.	6 ft.

This criterion is met.

(C) To encourage active recreational opportunities for residents, the square footage of an improved open space area may be counted twice toward the total amount of required open space, provided each such area meets the standards set forth in this subsection. Example: a 500-square-foot improved open space area may count as 1,000 square feet toward the open space requirement.

(i) Be a minimum 500 square feet in size with a minimum dimension of 20 feet for all sides; and

(ii) Include at least one of the following types of features:

a. Covered pavilion.

b. Ornamental or food garden.

c. Developed and equipped children's play area, with a minimum 30-inch tall fence to separate the children's play area from any parking lot, drive aisle, or street.

d. Sports area or court (e.g., tennis, handball, volleyball, basketball, soccer).

e. Swimming pool or wading pool.

(D) To encourage proximity to and use of public parks, the total amount of required open space may be reduced by 50 percent for developments that are located within one-quarter mile of a publicly-owned urban, community, or neighborhood park as measured along a route utilizing public or private streets that are existing or will be constructed with the development.

Applicant's Findings: *The applicant is proposing to exceed the minimum open space requirement and is not relying on any of these methods in order to meet the standards.*

(b) *Landscaping standards*.

(1) Where a development site abuts property that is zoned Residential Agricultural (RA) or Single Family Residential (RS), a combination of landscaping and

screening shall be provided to buffer between the multiple family development and the abutting RA or RS zoned property. The landscaping and screening shall include the following:

(A) A minimum of one tree, not less than 1.5 inches in caliper, for every 30 linear feet of abutting property width; and

(B) A minimum six-foot tall, decorative, sight-obscuring fence or wall. The fence or wall shall be constructed of materials commonly used in the construction of fences and walls, such as wood, stone, rock, brick, or other durable materials. Chainlink fencing with slats shall not be allowed to satisfy this standard.

(2) Multiple family developments shall comply with the landscaping standards applicable in the underlying zone in which such developments are located.

Applicant's Findings: *The surrounding properties are zoned RM2, these criteria are not applicable.*

(c) *Site safety and security*.

(1) Windows shall be provided in all habitable rooms, other than bathrooms, on each wall that faces common open space, parking areas, and pedestrian paths to encourage visual surveillance of such areas and minimize the appearance of building bulk.

Applicant's Findings: *Floor plans and elevations are provided which depict that each habitable room, with the exception of the bathrooms, include at least one window facing common open space, parking areas, and pedestrian paths. The windows are placed in a manner which encourages visual surveillance as well as minimizing the appearance of building bulk in accordance with this section. This criterion is met.*

(2) Lighting shall be provided that illuminates all exterior dwelling unit entrances, parking areas, and pedestrian paths within the development.

Applicant's Findings: *Wall packs and light posts are provided to illuminate dwelling unit entrances, parking areas, and pedestrian paths. Exterior lighting details will be provided at the time of building permit application and will all be equipped with house shields whenever needed to eliminate casting a glare or shining onto neighboring properties. This criterion is met.*

(d) *Parking and site design*.

(1) To minimize the visual impact of on-site parking and to enhance the pedestrian experience, off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street.

Applicant's Findings: *As demonstrated by the site plan included in this application package, the off-street vehicle use areas are proposed to be located behind the building which is placed between the street and the parking area. This criterion is met.*

(2) To ensure safe pedestrian access to and throughout a development site, pedestrian pathways shall be provided that connect to and between buildings, common open space, and parking areas, and that connect the development to the public sidewalks. Pedestrian pathways shall be a minimum of five feet in width.

Applicant's Findings: *The site is small and includes just one new building. The pedestrian path connects the building to the parking area and common open space and back to the sidewalk along the public street.*

(e) *Façade and building design*.

(1) Where a development site abuts property zoned Residential Agricultural (RA) or Single Family Residential (RS), buildings shall be setback from the abutting RA or RS zoned property as set forth in Table 702-2 to provide appropriate transitions between new buildings and structures on-site and existing buildings and structures on abutting sites.

(A) A five-foot reduction is permitted to each required setback in Table 702-2 provided that the height of the required fence in Sec. 702.015(b)(1)(B) is increased to eight feet tall.

Applicant's Findings: *The surrounding properties are zoned RM2, this criterion is not applicable.*

(2) On sites with 75 feet or more of buildable width, a minimum of 40 percent of the buildable width shall be occupied by building placed at the setback line to enhance visual interest and activity along the street. Accessory structures shall not apply towards meeting the required percentage.

Applicant's Findings: *Proposed parcel 2 has less than 50 feet of buildable width. This criterion is not applicable.*

(3) To orient buildings to the street, any ground-level unit, cluster of units, or interior lobbies, or portions thereof, located within 25 feet of the property line abutting a street shall have an architecturally defined primary building entrance facing the street, with direct pedestrian access to the adjacent sidewalk.

Applicant's Findings: *The portion of the building closest to the property line is more than 35 feet away. This criterion is not applicable.*

(4) A porch or architecturally defined entry area shall be provided for each ground level dwelling unit. Shared porches or entry areas shall be provided to not more

than four dwelling units. Individual and common entryways shall be articulated with a differentiated roof, awning, stoop, forecourt, arcade or portico.

Applicant's Findings: *The applicant has provided a design which includes an architecturally defined common entry way for the dwelling units as shown on the elevation drawings provided. As demonstrated, the applicant has provided an architecturally defined entrance to the dwelling units and defined the first floor from the upper floors with a change in materials and horizontal banding. This criterion is met.*

(5) Roof-mounted mechanical equipment, other than vents or ventilators, shall be screened from ground level view. Screening shall be as high as the top of the mechanical equipment, and shall be integrated with exterior building design.

Applicant's Findings: *The proposal does not include any roof mounted equipment which would require screening. This criterion is not applicable.*

(6) To reinforce the residential character of the neighborhood, flat roofs, and the roof ridges of sloping roofs, shall not exceed a horizontal length of 75 feet without providing differences in elevation of at least four feet in height. In lieu of providing differences in elevation, a cross gable or dormer that is a minimum of four feet in length may be provided. (See Figure 702-1)

Applicant's Findings: *The roof pitches are articulated and differentiated in accordance with this standard with no continuous horizontal length exceeding 75 feet without differentiation. This criterion is met.*

Section 8: Findings Applicable Driveway Approach Permit

Chapter 804 – Driveway Approaches

Section 804.001 – Purpose

The purpose of this chapter is to establish development standards for safe and efficient access to public streets.

Section 804.010 – Applicability

This chapter applies to the design, construction, relocation, reconstruction, enlargement, or alteration of any driveway approach.

Applicant's Findings: *The applicant is proposing a new driveway leading to D Street NE, triggering the applicability of this section.*

Section 804.015 – Driveway Approach Permit Required

(a) Except as otherwise provided in this chapter, a driveway approach permit shall be obtained prior to constructing, relocating, reconstructing, enlarging, or altering any driveway approach.

Applicant's Findings: *The applicant understands they must obtain a driveway approach permit for each new proposed driveway prior to commencing construction. This criterion will be met.*

(b) Exceptions. A driveway approach permit is not required for:
  (1) The construction, relocation, reconstruction, enlargement, or alteration of any driveway approach that requires a state highway access permit; or
  (2) The construction, relocation, reconstruction, enlargement or alteration of any driveway approach that is part of the construction of a publicly or privately engineered public improvement project.

Applicant's Findings: *The applicant is proposing a new driveway leading to D Street NE and none of the exceptions listed above are applicable.*

Section 804.025 – Class 2 Driveway Approach Permit

(a) *Required*. A Class 2 driveway approach permit is required for:
  (1) A driveway approach onto a local, collector, minor arterial, major arterial, or parkway street providing access to a use other than single family, two family, three family, or four family;
  (2) Maintenance, repair, or replacement of an existing permitted driveway approach, which is part of, or needed for, redevelopment of commercial or industrially zoned property.

Applicant's Findings: *Subsection (2) listed above, a driveway approach onto a minor arterial street providing access to a use other than single-family, two-family, three-family, or four-family uses triggers the applicability of the Class 2 Driveway Approach Permit in this case.*

(b) *Procedure type.* A Class 2 driveway approach permit is processed as a Type II procedure under SRC chapter 300.

Applicant's Findings: *The applicant understands the Class 2 Driveway approach permit will be reviewed using Type II procedures set forth under SRC Chapter 300.*

(c) *Submittal requirements.* In lieu of the application submittal requirements under SRC chapter 300, an application for a Class 2 driveway approach permit shall include the following:
  (1) A completed application form.

(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 location and dimensions of the proposed driveway approach;
    (B) The relationship to nearest street intersection and adjacent driveway approaches;
    (C) Topographic conditions;
    (D) The location of all utilities;
    (E) The location of any existing or proposed buildings, structures, or vehicular use areas;
    (F) The location of any trees and vegetation adjacent to the location of the proposed driveway approach that are required to be protected pursuant to SRC chapter 808; and
    (G) The location of any street trees adjacent to the location of the proposed driveway approach.
(3) Identification of the uses or activities served, or proposed to be served, by the driveway approach.
(4) Any other information, as determined by the Director, which may be required to adequately review and analyze the proposed driveway approach for conformance with the applicable criteria.

Applicant's Findings: *The applicant has provided all of the required materials listed above. The Review Authority has all of the information necessary to issue a decision in this case. This criterion is met.*

(d) *Criteria*. A Class 2 driveway approach permit shall be granted if:
(1) The proposed driveway approach meets the standards of this chapter and the Public Works Design Standards;
(2) No site conditions prevent placing the driveway approach in the required location;
(3) The number of driveway approaches onto an arterial are minimized;
(4) The proposed driveway approach, where possible:
    (A) Is shared with an adjacent property; or
    (B) Takes access from the lowest classification of street abutting the property;
(5) The proposed driveway approach meets vision clearance standards;
(6) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;
(7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;

(8) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and
(9) The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

Applicant's Findings: *The driveway approach meets the standards of this chapter and the Public Works Design Standards for driveway approaches leading to minor arterial streets, as classified in the Salem Transportation System Plan. Additional construction details will be provided at the time of building permit application, as necessary.*

Section 804.035 – Access onto major and minor arterials

(a) *Number of driveway approaches.*
(1) Except as otherwise provided in this chapter, a complex is entitled to one driveway approach onto a major or minor arterial. Additional driveway approaches for a complex may be allowed where:
(A) A complex has more than 370 feet of frontage abutting a major or minor arterial;
(B) There is a shared access agreement between two or more complexes; or
(C) It is impracticable to serve the complex with only one driveway approach.
(2) Development that is not a complex, and is other than a single family, two family, three family, or four family use, is entitled to one driveway approach onto a major or minor arterial where:
(A) The driveway approach provides shared access;
(B) The development does not abut a local or collector street; or
(C) The development cannot be feasibly served by access onto a local or collector street.
(3) A single family, two family, three family, or four family use is entitled to one driveway approach onto a major or minor arterial where:
(A) The driveway approach provides access to an existing single family, two family, three family, or four family use; or
(B) The driveway approach provides access to a proposed single family, two family, three family, or four family use on a lot created prior to March 16, 2022.

Applicant's Findings: *The applicant is proposing to reconstruct one 22 foot wide driveway which will serve the newly proposed multifamily development and provide access to the two existing single family dwellings. This criterion is met.*

(b) *Traffic volume threshold.* No driveway approach onto a major or minor arterial shall be allowed unless the development generates 30 or more vehicle trips per day or the driveway approach provides access to a city park or a single family, two family, three family, or four family use.

Applicant's Findings: *The newly proposed use includes 12 multifamily dwelling units which triggers an additional 80.88 trips onto the minor arterial street. This criterion is met.*

(c) *Permitted access*.

(1) Driveway approaches onto major and minor arterials shall only provide access to a permitted parking or vehicular use area, except where the driveway approach will provide access to a site controlled by a franchised utility service provider or a governmental entity.

Applicant's Findings: *The driveway approach will provide access to a parking area under review with this application submittal. With the approval of the Class 3 Site Plan Review, this criterion will be met.*

(2) For a corner lot that abuts a local or collector street, the driveway approach shall provide access to the street with the lower street classification.

Applicant's Findings: *The subject site is not a corner lot. This criterion is not applicable.*

(3) No access shall be provided onto a major or minor arterial from a proposed new single family, two family, three family, or four family use on an existing lot abutting an alley.

Applicant's Findings: *The site does not abut an existing alley. This criterion is not applicable.*

(4) No access shall be provided onto a major or minor arterial from a single family, two family, three family, or four family use constructed as part of a subdivision or partition.

Applicant's Findings: *The single family uses are existing and the applicant is proposing a shared driveway approach with the multifamily. This criterion is not applicable.*

(5) Only forward in/forward out access shall be allowed onto a major or minor arterial.

Applicant's Findings: *In no case will any vehicle be forced to back out onto the street. This criterion is met.*

(d) *Spacing.* Except for driveway approaches providing access to a single family, two family, three family, or four family use, driveway approaches onto a major or minor arterial

shall be no less than 370 feet from the nearest driveway or street intersection, measured from centerline to centerline.

Applicant's Findings: *The location of the newly constructed driveway approach is approximately 130 feet from the driveway to the east and 120 feet from the driveway to the west. The applicant is seeking a class 2 adjustment to limit the driveway spacing standard to 120 feet as it is impossible to meet the requirement given the frontage, where existing structures do not exist, is less than 100 feet in width.*

(e) *Vision clearance.* Driveway approaches onto major and minor arterials shall comply with the vision clearance requirements set forth in SRC chapter 805.

Applicant's Findings: *The vision clearance requirement for the driveway serving this development is as follows: ten-foot legs along the driveway and 50-foot legs along the intersecting street or alley. The applicant understands these vision clearance triangles must be kept free of any obstruction exceeding 30-inches above curb level. This has been carefully considered when taking into account planting materials within these areas. This criterion is met.*

Section 804.045 – Shared access

a) Shared access may be required to serve two or more abutting lots or parcels, when necessary to mitigate or eliminate traffic impacts or safety concerns. Shared access may be provided at the request of an applicant; provided, however, that once the applicant's request has been approved, shared access shall not be eliminated without first obtaining a Class 2 driveway permit.
b) Shared access shall conform to this chapter and the Public Works Design Standards, and shall be provided by permanent irrevocable easements that are recorded in the appropriate county.
c) Lots and parcels shall be permitted to use temporary direct access onto a street until permanent shared access has been established.

Applicant's Findings: *The applicant is proposing a shared access in accordance with this section. These criteria are met as applicable.*

Section 804.050 – Driveway Approach Development Standards

Driveway approaches shall conform to the following development standards:

(a) *Design and construction*. Driveway approaches shall be designed and constructed in conformance with this chapter and the Public Works Design Standards.

Applicant's Findings: *The proposed driveway approach leading to D Street NE meets the standard of this chapter and the Public Works Design Standards for a driveway approach*

leading to a minor arterial street. Additional construction details will be provided at the time of building permit application, as necessary. This criterion is met.

(b) *Width*.

(1) *Driveway approach width for single family, two family, three family, and four family uses* . Driveway approaches serving single family, two family, three family, and four family uses shall conform to the minimum and maximum widths set forth in Table 804-1.

(2) *Driveway approach width for uses other than single family, two family, three family, and four family* . Driveway approaches serving uses other than single family, two family, three family, and four family shall conform to the minimum and maximum widths set forth in Table 804-2.

(3) *Measurement.* For purposes of this subsection, driveway approach width shall be determined by measurement of the paved surface of the driveway at the property line.

Applicant's Findings: *The minimum and maximum driveway widths set forth in Table 804-2 are applicable to this request. For a two-way driveway approach the minimum width is 22-feet and the maximum is 40-feet. As demonstrated on the site plan, the driveway leading to D Street NE is proposed to be 22-feet wide. This criterion is met.*

(c) *Marking and signage*. Where required by the Public Works Design Standards, driveway approaches shall be clearly marked or signed and maintained in conformance with the Public Works Design Standards.

Applicant's Findings: *Markings and signage are not required for the proposed driveway approach permit. This criterion is not applicable.*

Chapter 805 – Vision Clearance

Section 805.001 – Purpose

The purpose of this chapter is to ensure visibility for vehicular, bicycle, and pedestrian traffic at the intersections of streets, alleys, flag lot accessways, and driveways.

Section 805.005 – Vision Clearance Areas

Vision clearance areas that comply with this section shall be provided at the corners of all intersections; provided, however, vision clearance areas are not required in the Central Business (CB) Zone.

(a) *Street intersections.* Vision clearance areas at street intersections shall comply with the following:

(1) *Uncontrolled intersections.* At uncontrolled intersections, the vision clearance area shall have 30-foot legs along each street (see Figure 805-1).

(2) *Controlled intersections*. At controlled intersections, the vision clearance area shall have a ten-foot leg along the controlled street and a 50-foot leg along the uncontrolled street (see Figure 805-2).

(3) *One-way streets*. Notwithstanding subsections (a)(1) and (2) of this section, at an uncontrolled or controlled intersection of a one-way street, no vision clearance area is required on the corners of the intersection located downstream from the flow of traffic (see Figure 805-3).

Applicant's Findings: *The proposal does not include a new intersection or street. This criterion is not applicable.*

(b) *Intersections with driveways, flag lot accessways, and alleys.* Vision clearance areas at intersections of streets and driveways, streets and flag lot accessways, streets and alleys, and alleys and driveways shall comply with the following:

(1) *Driveways.*

(A) Driveways serving single family and two family uses. Driveways serving single family and two family uses shall have a vision clearance area on each side of the driveway. The vision clearance area shall have ten-foot legs along each side of the driveway, and ten-foot legs along the intersecting street or alley (see Figure 805-4).

(B) Driveways serving uses other than single family and two family. Driveways serving uses other than single family and two family shall have a vision clearance area on each side of the driveway. The vision clearance area shall have ten-foot legs along the driveway and 50-foot legs along the intersecting street or alley (see Figure 805-5).

Applicant's Findings: *Subsection A above is not applicable to the proposal. The vision clearance requirement for the driveways serving this development are as follows: ten-foot legs along the driveway and 50-foot legs along the intersecting street or alley. The applicant understands these vision clearance triangles must be kept free of any obstruction exceeding 30-inches above curb level. This has been carefully considered when taking into account planting materials within these areas. This criterion is met.*

(2) *Flag lot accessways.*

(A) Flag lot accessways serving single family and two family uses. Flag lot accessways serving single family and two family uses shall have a vision clearance area on each side of the flag lot accessway. The vision clearance area shall have ten-foot legs along each side of

the flag lot accessway, and ten-foot legs along the intersecting street (see Figure 805-6).

(B) Flag lot accessways serving uses other than single family and two family. Flag lot accessways serving uses other than single family and two family shall have a vision clearance area on each side of the flag lot accessway. The vision clearance area shall have ten-foot legs along the flag lot accessway and 50-foot legs along the intersecting street (see Figure 805-7).

Applicant's Findings: *The development is not served by a flag lot accessway; this criterion is not applicable.*

(3) *Alleys.* Alleys shall have a vision clearance area on each side of the alley. The vision clearance area shall have ten-foot legs along the alley and ten-foot legs along the intersecting street (see Figure 805-8).

Applicant's Findings: *The development is not served by an alley; this criterion is not applicable.*

(4) *Measurement.* The legs of a vision clearance area shall be measured along the right-of-way line and along the intersecting driveway, flag lot accessway, or alley.

Applicant's Findings: *The vision clearance areas have been measured as set forth in this section. The criterion is met.*

Section 805.010 – Obstructions to Vision Prohibited

Except as otherwise provided in this section, vision clearance areas shall be kept free of temporary or permanent obstructions to vision from 30 inches above curb level to 8.5 feet above curb level; provided, however, where there is no curb, the height shall be measured from the street shoulder. As used in this section, temporary or permanent obstruction includes any obstruction located in the right-of-way adjacent to the vision clearance area.

(a) The following obstructions may be placed in a vision clearance area, unless the cumulative impact of the placement results in an obstruction to vision:
  (1) A column or post, so long as the column or post does not create a visual obstruction greater than 12 inches side-to-side.
  (2) Utility poles and posts, poles, or supporting members of street signs, street lights, and traffic control signs or devices installed by, or at the direction of, the Public Works Department or any other public agency having jurisdiction over the installation.
  (3) On-street parking.

Applicant's Findings: *The applicant understands the provisions for obstructions placed in vision clearance triangles. This criterion will be met.*

(b) Trees. Trees may be planted within a vision clearance area provided they are a species listed on the parks approved street tree list, and they comply with the following:
    (1) The planting area is sufficient to support the tree when mature.
    (2) The tree will not interfere with overhead utilities.
    (3) The tree is a species that can be trimmed/pruned to provide necessary visibility.

Applicant's Findings: *The applicant understands the provisions for obstructions placed in vision clearance triangles. This criterion will be met.*

(c) Nothing in this chapter shall be deemed to waive or alter any requirements relating to setbacks or landscaping in the UDC. In the event of a conflict between the standards of this chapter and another chapter of the UDC, the standards in this chapter shall control.

Applicant's Findings: *The applicant understands the provisions for obstructions placed in vision clearance triangles. This criterion will be met.*

Section 805.015 – Alternative Standards

Alternative vision clearance standards that satisfy the purpose of this chapter, and that are consistent with recognized traffic engineering standards, may be approved where a vision clearance area conforming to the standards of this chapter cannot be provided because of the physical characteristics of the property or street, including, but not limited to, grade embankments, walls, buildings, structures, or irregular lot shape, or where the property has historic neighborhood characteristics, including, but not limited to, established plantings or mature trees, or buildings or structures constructed before 1950. Alternative vision clearance standards shall be approved through a Class 2 Adjustment under SRC chapter 250.

Applicant's Findings: *The applicant is not seeking alternatives to any vision clearance standards set forth in this section or any other applicable section of the UDC. This criterion is not applicable.*

Section 9: Findings Applicable to Adjustments

Chapter 250 – Adjustments
Section 250.001 – Purpose

The purpose of this chapter is to provide a process to allow deviations from the development standards of the UDC for developments that, while not meeting the standards of the UDC, will continue to meet the intended purpose of those standards. Adjustments provide for an alternative way to meet the purposes of the Code and provide for flexibility to allow reasonable development of property where special conditions or unusual circumstances exist.

Applicant's Findings: *The applicant understands the purpose of the adjustments chapter is to allow deviations from the development standards that will continue to meet the intended purpose of those standards. Responses to each applicable criterion are provided below.*

Section 250.005 – Adjustments

(a) *Applicability*.

(1) *Classes*.

(A) A Class 1 adjustment is an adjustment to any numerical development standard in the UDC that increases or decreases the standard by not more than 20 percent.

Applicant's Findings: *Each of the requested adjustments are proposing to adjust the standards numerical value by more than 20 percent which triggers a class 2 adjustment. These criteria are not applicable.*

(B) A Class 2 adjustment is an adjustment to any development standard in the UDC other than a Class 1 adjustment, including an adjustment to any numerical development standard in the UDC that increases or decreases the standard by more than 20 percent.

Applicant's Findings: *Each of the requested adjustments are proposing to adjust the standards numerical value by more than 20 percent which triggers a class 2 adjustment.*

(2) *Prohibition.* Notwithstanding subsection (a)(1) of this section, an adjustment shall not be granted to:

(A) Allow a use or activity not allowed under the UDC;
(B) Change the status of a use or activity under the UDC;
(C) Modify a definition or use classification;
(D) Modify a use standard;
(E) Modify the applicability of any requirement under the UDC;
(F) Modify a development standard specifically identified as non-adjustable;
(G) Modify a development standard that contains the word "prohibited";
(H) Modify a procedural requirement under the UDC;
(I) Modify a condition of approval placed on property through a previous planning action;
(J) A design review guideline or design review standard, except Multiple Family Design Review Standards in SRC Chapter 702, which may be adjusted; or

(K) The required landscaping in the Industrial Business Campus (IBC) Zone.

Applicant's Findings: *The adjustments being sought are not prohibited in accordance with the list above. This criterion is not applicable.*

(b) *Procedure type*. Class 1 and Class 2 adjustments are processed as a Type II Procedure under SRC chapter 300.

Applicant's Findings: *The adjustments are consolidated with other applications and will be processed using Type II procedures.*

(c) *Submittal requirements.* In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for a Class 1 or Class 2 adjustment shall include the following:

(1) A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing all information necessary to establish satisfaction with the approval criteria. By way of example, but not of limitation, such information may include the following:

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

(B) The location of all proposed primary and accessory structures and other improvements, including fences, walls, and driveway locations, indicating distance to such structures from all property lines and adjacent on-site structures;

(C) All proposed landscape areas on the site, with an indication of square footage and as a percentage of site area;

(D) The location, height, and material of fences, berms, walls, and other proposed screening as they relate to landscaping and screening required by SRC chapter 807;

(E) The location of all trees and vegetation required to be protected pursuant to SRC chapter 808; and

(F) Identification of vehicle, pedestrian, and bicycle parking and circulation areas, including handicapped parking stalls, disembarking areas, accessible routes of travel, and proposed ramps.

(2) An existing conditions plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:

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

(B) The location of existing structures and other improvements on the site, including accessory structures, fences, walls, and driveways, noting their distance from property lines;
(C) The location of the 100-year floodplain, if applicable; and
(D) The location of drainage patterns and drainage courses, if applicable.

Applicant's Findings: *The application provided includes all information required by this section. In conjunction with the site plan and this written narrative, the review authority has all the information necessary to render a decision in this case. This criterion is met.*

(d) *Criteria.*
(1) An application for a Class 1 adjustment shall be granted if all of the following criteria are met:
(A) The purpose underlying the specific development standard proposed for adjustment is:
(i) Clearly inapplicable to the proposed development; or
(ii) Clearly satisfied by the proposed development.
(B) The proposed adjustment will not unreasonably impact surrounding existing or potential uses or development.

Applicant's Findings: *The applicant is seeking approval of Class 2 adjustments; these criteria are not applicable.*

(2) An application for a Class 2 adjustment shall be granted if all of the following criteria are met:
(A) The purpose underlying the specific development standard proposed for adjustment is:
(i) Clearly inapplicable to the proposed development; or
(ii) Equally or better met by the proposed development.
(B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.

Applicant's Findings: *The applicant is seeking approval of six (6) class 2 adjustments as follows;*

1. *SRC 414.010(a) where lots subdivided or partitioned in the RM-II zone shall be a minimum of 20,000 square feet in size, unless the lots are restricted to contain three or more attached dwelling units per lot, are used for townhouse development, or are used*

for allowed uses other than household living as the applicant is proposing parcel 1 which will be 4,004 square feet and parcel 2 which will be 16,402 square feet when measured exclusive of the accessway. The applicant is seeking an adjustment to this standard to allow proposed parcel 1 to be partitioned from the vacant portion of the development site. The proposed adjustment is consistent with the underlying purpose of the requirement because it will allow the vacant portion of the development site to be developed with a multifamily use bringing the site more into conformance with the purpose of the RM2 zone. The applicant understands the purpose of preserving larger properties within this zone is to afford multifamily units to be constructed. In this case, it is important the applicant is permitted to separate the existing single family dwelling from the remainder of the site so that additional dwelling units can be added. This adjustment meets approval criterion (ii) for equally meeting the purpose of the standard.

2. *SRC 514.010(b) lot standards for lot area where 6,000 square feet is required, and 4,004 square feet is proposed. The applicant is seeking an adjustment to this standard to allow proposed parcel 1 to be partitioned from the vacant portion of the development site. The proposed adjustment is consistent with the underlying purpose of the requirement because it will allow the vacant portion of the development site to be developed with a multifamily use bringing the site more into conformance with the purpose of the RM2 zone. The applicant understands the purpose of preserving larger properties within this zone is to afford multifamily units to be constructed. In this case, it is important the applicant is permitted to separate the existing single family dwelling from the remainder of the site so that additional dwelling units can be added. This adjustment meets approval criterion (ii) for equally meeting the purpose of the standard.*

3. *SRC 514.010(b) lot standards where the lot depth cannot exceed 300% of the lot width, exclusive of the accessway (57.26' W x 3 = 171.78' Max Depth). In this case, 172 feet is allowed, and 231.85 feet is proposed. In accordance with the table, lot depth cannot exceed 300% of the lot width, exclusive of the accessway. Proposed parcel 2 is limited to 172 feet to meet this standard (57.26' W x 3 = 171.78' Max Depth), and 231.85 feet is proposed. The intent of the standard (connectivity and buildable properties) is still met. The applicant is consolidating their development applications including the partition, site plan review, and design review to demonstrate the site is still able to be developed in a manner consistent with the RM2 zone. The applicant is working with existing conditions and an existing lot depth, this standard has to be adjusted to allow the vacant portion of the site to develop. The applicant is proposing the new building at the southern portion of the site which allows easier access for fire in case of an emergency, the deepest portion of the site will be preserved for off-street parking and open space. The manner in which the applicant is proposing to develop the site is consistent with the development*

standards. This adjustment meets approval criterion (ii) for equally meeting the purpose of the standard.

4. *SRC Section 800.065(2) – Pedestrian access where a pedestrian connection is required between every building on a development site. In this case, the applicant is proposing to eliminate connections between the existing single-family dwellings and the newly proposed multi-family development. The applicant is seeking to eliminate pedestrian connections to the existing single-family dwellings as if they are not part of the development site. Once the property line adjustment and land divisions are recorded, the dwellings will change ownership and will not be included with the multifamily development. Screening will be provided where possible (to not block vehicle access) but the uses will exist independently. The applicant is proposing pedestrian connections meeting the standards for the new multifamily development. Therefore, this adjustment meets approval criterion (ii) for equally meeting the purpose of the standard.*

5. *Section 806.035(c)(3) - Table 514-5 zone-to-zone setbacks requires the vehicle use area to be setback from the side property line abutting a residential zone a minimum of 10-feet with Type C landscaping. The applicant is seeking to eliminate the setback and landscaping requirement for a 5.5 foot portion of a parking stall that abuts the proposed trash enclosure and proposed parcel 1. The applicant is seeking an adjustment to this standard for a small portion of the parking stall to abut the screening between proposed parcel 1 and proposed parcel 2. The purpose of the setback, landscaping, and screening requirements to vehicle use areas is to prevent headlights from shining into abutting residential homes. Due to the parking stall being placed to the north of the dwelling and the installation of the sight obscuring fence, this adjustment meets approval criterion (ii) for equally meeting the purpose of the standard.*

6. *Section 804.035(d) – Spacing requirements onto a minor arterial provide that the driveway shall not be closer than 370 feet to the nearest driveway. The location of the newly constructed driveway approach is approximately 130 feet from the driveway to the east and 120 feet from the driveway to the west. The applicant is seeking a class 2 adjustment to limit the driveway spacing standard to 120 feet as it is impossible to meet the requirement given the frontage, where existing structures do not exist, is less than 100 feet in width. Because the applicant is proposing a shared driveway approach between the existing single family dwellings and the newly proposed multifamily development, the adjustment being sought is consistent with the purpose of the standard. Additionally, the property is entitled to one driveway approach and no matter the location, this standard cannot be met due to the limited frontage of the site. This adjustment meets approval criterion (ii) for equally meeting the purpose of the standard.*

(C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

Applicant's Findings: *The applicant is seeking approval of six (6) adjustments which are only necessary because they are working around existing development and the multifamily addition is essentially infill. The proposal is still demonstrating to be consistent with the overall purpose of the zone and as proposed, the site will be more in alignment with the RM2 zone upon completion of this project even as proposed to be adjusted. This criterion is met.*

(e) *Transfer of adjustments.* Unless otherwise provided in the final decision granting the adjustment, an adjustment shall run with the land.

Applicant's Findings: *The applicant understands should the development site transfer ownership, the adjustments will run with the land and the rights granted will transfer to the new owner.*

Section 10: Findings Applicable to Historic Clearance Review

Chapter 230 – Historic Preservation

Section 230.001 – Purpose

The purpose of this chapter is to identify, designate, and preserve significant properties related to the community's prehistory and history; encourage the rehabilitation and ongoing viability of historic buildings and structures; strengthen public support for historic preservation efforts within the community; foster civic pride; encourage cultural heritage tourism; and promote the continued productive use of recognized resources, and to implement the policies contained in the Salem Area Comprehensive Plan for the preservation of historic resources.

Section 230.105 – Preservation of Archeological Resources

(a) Archeological resources shall be protected and preserved in place subject to the requirements of federal, state, and local regulations, including the guidelines administered by the Oregon State Historic Preservation Office and ORS 358.905—358.961.

(b) A person may not excavate, injure, destroy or alter an archaeological site or object or remove an archaeological object located on public or private lands unless that activity is authorized by a permit issued under ORS 390.235. A violation of this subsection is a misdemeanor.

Applicant's Findings: *The applicant understands the development site has been identified as potentially containing sensitive archeological areas. At the time of development and excavation,*

the applicant will prepare an inadvertent discovery plan to be on file with the city's archeologist in the event something is discovered on site. These criteria will be met.

Section 11: Conclusion

Based on the facts and findings presented by the applicant within this detailed written narrative, the applicant believes they have satisfied the burden of proof and demonstrated how the proposed Property Line Adjustment, Tentative Partition Plan, Site Plan Review, Design Review, Adjustments, and Driveway Approach Permit not only satisfies all applicable criteria but would also be a benefit to the community by providing a needed housing type within the corporate city limits of Salem.

Section 12: Exhibits

Exhibit A – Marion County Tax Map

07 3W 24DC

SEE MAP 073W24CA

SEE MAP 073W24DB

SEE MAP 073W24DA

SEE MAP 073W24CD

SEE MAP 073W24C

SEE MAP 073W24DD

SEE MAP 073W25AB

SEE MAP 073W25AA

CAMRY COURT

D STREET NE

SAVAGE AVE

WEDGEWOOD COURT NE

KNOX AVENUE NE

PARK AVENUE NE

FREDRICK ST NE

REE-DEL COURT NE

EDINA LANE NE

DANDEE COURT

CHARTER

VINYARD AVENUE NE

NORMAN AV NE

BIEBER ST

EDINA LANE

1/16 COR

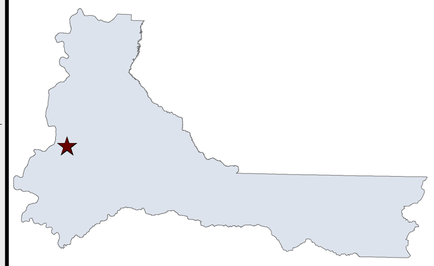
1/4 COR

24 01 0

POINT IS 855.74' N0 03W 870.37' S88 37E FROM SW COR I. BAKER D.L.C. NO. 81

THIS 5.28 SQ. FT. UNACCOUNTED FOR IN DEEDS

07 3W 24DC
SALEM



MARION COUNTY, OREGON

SW1/4 SE1/4 SEC24 T7S R3W W.M.

SCALE 1" = 100'

LEGEND

LINE TYPES

- Taxlot Boundary
- Historical Boundary
- Road Right-of-Way
- Easement
- Railroad Right-of-Way
- Railroad Centerline
- Private Road ROW
- Taxcode Line
- Subdivision/Plat Bndry
- Map Boundary
- Waterline - Taxlot Bndry
- Waterline - Non Bndry

CORNER TYPES

- + 1/16TH Section Cor.
- 1/4 Section Cor.
- DLC Corner
- 16 15 / 21 22 Section Corner

NUMBERS

Tax Code Number

00 00 0

Acreage *0.25 AC*

All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

NOTES

Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW

200.00
175.00

CANCELLED NUMBERS

900
1100
1400
13801
13900

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY

Marion County OREGON — Assessors Office Cartography Dept

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT www.co.marion.or.us

PLOT DATE: 5/13/2022

SALEM
07 3W 24DC

Exhibit B – Deeds

L-5479

VOL 608 PAGE 636

MORTGAGE

THIS MORTGAGE WITNESSETH: That for value received, CALVIN C. COX and DOREEN A. COX, husband and wife

hereinafter called the "Mortgagors," hereby grant, bargain, sell and convey unto SALEM FEDERAL SAVINGS AND LOAN ASSOCIATION, a corporation organized and existing under an Act of Congress of the United States of America known as "Home Owners' Loan Act of 1933," hereinafter called the "Mortgagee," the following described real property, situate in the County of Marion, State of Oregon, to-wit:

Beginning at a point in the center of "D" Street which is 20.56 chains north 0° 45' west and 7.3195 chains south 89° 04' east from the most southerly southwest corner of the Isaac Baker Donation Land Claim in Township 7 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; and running thence south 89° 04' east, a distance of 65 feet; thence north 0° 53' west, a distance of 180 feet; thence north 89° 04' west, a distance of 65 feet; thence south 0° 53' east, 180 feet to the place of beginning.

3 4 D B - 7 - 3 W

61

together with all and singular the appurtenances, tenements and hereditaments, all interest therein which the mortgagors may hereafter acquire, and the rents, issues and profits hereinafter mentioned, which premises the mortgagors hereby covenant and warrant they own in fee simple free and clear of encumbrance and title to which they will warrant and defend against the lawful claims of all persons.

This conveyance is given as a FIRST MORTGAGE to secure payment on the sum of Sixteen Thousand and No/100 DOLLARS with interest from date until paid, payable in One Hundred Forty (140) equal consecutive monthly installments, including interest, of $ 142.00 each, beginning the 15th day of June, 1967, all in accordance with the provisions of one promissory note of even date herewith executed by the mortgagors to the mortgagee, to which reference hereby is made.

This mortgage is also security for the payment to the mortgagee of all additional advances hereafter made by the mortgagee to the mortgagors, in money, the total of said advances not to exceed the sum of $ 4,000.00.

The mortgagors covenant and agree to and with the mortgagee: To pay when due, and before delinquency, all taxes and assessments and other governmental charges and liens and charges hereafter assessed or upon said premises, to make no sale of said property, to keep the same at all times free from all encumbrances, whether superior or inferior to the lien of this mortgage, except the written consent thereto of the mortgagee in first hand and obtained, to maintain in repair or construction of buildings in course of construction or hereafter constructed thereon, within six months from the date hereof or the date construction thereof has first been commenced, to suffer or permit no waste or deterioration or crime to be committed thereon, to obey all conditions and restrictions of record relating to the use of said property, to suffer or permit no building now or hereafter erected upon said premises to be removed therefrom, or demolished, to suffer or commit no waste, to make no additions to, changes or alterations in any building now erected or which may thereafter be erected on said premises without the prior written consent of the mortgagee, and to maintain all buildings now thereon and hereafter erected thereon, in good repair, and continuously insured against loss and damage by fire in a company named by the mortgagee, in a sum not less than $16,000.00 with loss payable to the mortgagee as its interest may appear, on policies of insurance to be prepared by the mortgagee and delivered to the mortgagors and which policies are to be kept in force by the mortgagors continuously from the date hereof until the mortgage debt is paid, and to deliver such policies and renewals thereof to the mortgagee before the expiration of the old policies, to assign said policies and renewals to the mortgagee, to cause all loss or damage under said policies and proceeds thereof to be paid to the mortgagee, to release and assign to the mortgagee all claims thereunder and apply the same on the mortgage or to repair or rebuild the damaged premises thereon, at the option of the mortgagee, and in the event that the mortgagors fail to insure as in this judgment of the mortgagee are necessary to keep the improvements on said premises in the state of repair and condition as exist at the time of the execution of the note and mortgage as made, then the mortgagee shall have, and hereby is given the right and authority to enter upon said premises and make such repairs and to charge the reasonable actual cost thereof to the mortgagors, and the amount so paid for the making of such repairs shall be added to and become a part of the principal amount secured hereunder, and in default thereof, as determined shall draw and be effective from said date of the payment.

The failure of the mortgagee to insist upon the strict performance of any of the covenants and agreements herein contained, or to exercise any right or option herein contained, shall not be construed to be a waiver of such or any covenant or agreement itself, or of any subsequent breach thereof.

The mortgagors hereby agree that the said mortgagee, the furniture and heating system including water heaters, burners and fuel storage tank and similar equipment, and all plumbing, electrical, screen doors, mirrors, window shades and screens, shutters, cupboards, built-in bookcases, linoleum, and other floor coverings now or hereafter installed in and on said premises, and any additions or fixtures now or hereafter planted or growing on said premises, and all replacements of the foregoing items in whole or in part now or shall be considered part of the freehold and covered by this mortgage. None of said articles enumerated or other items shall be removed from said premises except for repair or when unnecessary for replacement.

In the event of default by the mortgagors in the performance by them of any covenant or agreement herein contained or any note while said note or any part thereof is past due and such default continues, the mortgagee shall have the exclusive right to collect the rental and income from said premises and under the terms of this mortgage or any note possession of said premises except only so long as the mortgagors may be permitted by the mortgagee to collect the same as hereinafter provided, and the mortgagors hereby assign all rents, issues and profits of said property as further security for the payment of said note and all renewals or extensions thereof and of such items as may hereafter be assigned as additional security, and the mortgagors hereby agree that the mortgagee may, at its option, without notice, either in person or by agent, with or without bringing any action or proceeding, or by a receiver appointed by a court, and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of said premises or any part thereof, in its own name sue for or otherwise collect said rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, including reasonable attorney's fees, upon any indebtedness secured hereby, and in such order as the mortgagee may determine. The entering upon and taking possession of said premises, the collection of such rents, issues and profits and the application thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice, and the enforcement of such right or remedy by the mortgagee shall not operate to release or affect the liability of the mortgagors or the surety or guarantor for the payment of the indebtedness or the performance of any other obligation secured hereby or affect the rights of the mortgagee with respect to any property not theretofore sold or disposed of. It is further agreed that the mortgagee may at any time after default in the payment of any indebtedness secured hereby or in the performance of any agreement contained herein, all at the option of the mortgagee and without affecting the liability of any person for the payment of any indebtedness secured hereby (except those persons expressly released in writing), and without affecting the lien hereof upon the property described herein for the full amount of all unpaid indebtedness secured hereby, declare all sums secured hereby immediately due and payable and foreclose this mortgage in the manner provided by law for the foreclosure of mortgages on real property and the mortgagee shall be entitled to recover in such proceeding all costs and expenses incident thereto, including a reasonable attorney's fee in such amount as shall be fixed by the court.

The mortgagors further agree that failure to insure as herein provided, or any action of the mortgagee in procuring or maintaining insurance as herein provided, shall not relieve the mortgagors from the responsibility to pay all indebtedness secured hereby and all payments to be made under the obligations hereof, at the time and in the manner herein specified.

The mortgagors further agree that should they fail to make any payment or do any act as herein provided, then the mortgagee, but without obligation so to do and without notice to or demand upon the mortgagors and without releasing the mortgagors from any obligation hereof, may make or do the same in such manner and to such extent as the mortgagee may deem necessary to protect the security hereof. In connection therewith (without limiting its general powers), the mortgagee shall have and is given the right, but not the obligation, to enforce and prosecute any action or proceeding affecting said premises or the title thereto, to appear in and defend any such action or proceeding, to pay, purchase, contest or compromise any encumbrance, charge or lien which in the judgment of the mortgagee appears to be prior or superior hereto, and in exercising any such powers, to pay necessary expenses, employ counsel and pay reasonable attorney's fees. The mortgagors further agree to pay to the mortgagee immediately and without demand all such sums so paid by the mortgagee, together with interest thereon from the date of payment at the rate of 8% per annum until paid, and all such sums shall be secured by this mortgage.

The mortgagors further agree that in the event that all or any part of the premises, or any interest therein, is sold, agreed to be sold, conveyed or alienated by the mortgagors, or by the operation of law or otherwise, all obligations secured by this mortgage, irrespective of the maturity dates expressed therein, at the option of the mortgagee, and without demand or notice, shall immediately become due and payable. In the event that any action or proceeding is commenced which affects the property described herein or the title thereto, or any suit or action is brought to collect the note or any portion thereof or to foreclose this mortgage or enforce any provision of the note or this mortgage, the mortgagors agree to pay such sum as the trial court may adjudge reasonable as attorney's fees at trial and on any appeal of such action or proceeding. In addition to the foregoing, the mortgagors agree to pay all costs and expenses of every kind incurred by the mortgagee in connection with the foreclosure of this mortgage, including reasonable attorney's fees and costs of title reports.

The mortgagors further agree that if any portion of said premises be taken by any public authority or sold in lieu of such taking, or if the grade of any street or other way is changed during the term of this mortgage, the mortgagee shall have the right to receive and collect all damages awarded by reason of such taking or change of grade, and the same are hereby assigned to the mortgagee, who may apply the same to the costs of its ownership and the balance on the amount due under the note secured hereby.

The mortgagee may release any part of the security held for the indebtedness, and may agree with any party liable for any of said indebtedness to extend the time for payment of all or any part thereof, without notice to or the consent of any junior lienholder or guarantor, and such extension, release or agreement shall not impair or affect the lien or priority of this mortgage as to the balance of the indebtedness secured hereby, and shall not release the liability of the original grantor hereof or the liability of any guarantor or surety for any of said indebtedness, nor shall such extension, release or agreement preclude the mortgagee from foreclosing this mortgage for any default not specifically released, extended or agreed to by the mortgagee, or from exercising any of the rights or remedies herein contained.

The terms hereof shall bind the heirs, personal representatives, successors and assigns of the parties hereto; and whenever the context so requires, the masculine gender includes the feminine and the neuter, and the singular number includes the plural, and the word "note" includes the plural as well as the singular. If the mortgagors consist of more than one person, the obligations of the mortgagors shall be joint and several.

IN WITNESS WHEREOF, the mortgagors have hereunto set their hands and seals this 3rd day of May 1967

(SEAL) Calvin C. Cox (SEAL)

(SEAL) Doreen A. Cox (SEAL)

STATE OF OREGON)
) ss.
County of Marion)

On this 3rd day of May 1967 personally appeared the above named

CALVIN C. COX and DOREEN A. COX, husband and wife

and acknowledged the foregoing instrument to be their voluntary act and deed.

Notary Public for Oregon

My Commission Expires: 7/15/70

806056

Document #806056 Recorded May 10, 1967 at 9:30 o'clock A.M. Herman Wm. Lanke, Recorder

Exhibit C – Articles of Organization

Corporation/Limited Liability Company - Information Change

Secretary of State - Corporation Division - 255 Capitol St. NE, Suite 151 - Salem, OR
Please Type or Print Legibly in **Black** ink. Attach Ad

FILED: FEB 16, 2024
OREGON SECRETARY OF STATE

176066398-25906494

SKYLINE BUILDERS LLC AAR

For office use only

REGISTRY NUMBER: 1760663-98

ENTITY TYPE: (•) DOMESTIC ( ) FOREIGN

In accordance with Oregon Revised Statute 192.410-192.490, the information on this application is public re
We must release this information to all parties upon request and it will be posted on our website.

1. NAME OF CORPORATION OR LIMITED LIABILITY COMPANY:

Skyline Builders LLC

Complete only the sections that you are updating.

2. BUSINESS ACTIVITY

3. PRINCIPAL PLACE OF BUSINESS: (Street Address)

3519 Fairview Industrial Drive SE

Salem OR 97301

4. THE REGISTERED AGENT HAS BEEN CHANGED TO:

5. REGISTERED AGENT'S PUBLICLY AVAILABLE ADDRESS:

Must be an Oregon Street Address, which is identical to the registered agent's office.

6. ADDRESS WHERE THE DIVISION MAY MAIL NOTICES:

7. THE NEW REGISTERED AGENT HAS CONSENTED TO THIS APPOINTMENT. The entity has been notified in writing of this change.

8. THE STREET ADDRESS OF THE NEW REGISTERED OFFICE AND THE BUSINESS ADDRESS OF THE REGISTERED AGENT ARE IDENTICAL.

9. INDIVIDUAL WITH DIRECT KNOWLEDGE (Names and Addresses)
List the name and address of at least one individual who is a director, or controlling shareholder of the corporation (member or manager of the LLC) or an authorized representative with direct knowledge of the operations and business activities of the corporation or LLC.

10. NAME(S) AND ADDRESS(ES)OF CORPORATE OFFICERS OR LLC MEMBERS/MANAGERS

Business and Professional Corporations list the name and address of one President and one Secretary (ORS 60.787, ORS 62.455, ORS 554.315).
Nonprofit Corporations list the name and address of one President and one Secretary. Nonprofit Corporations that are Public Benefit list the name and address of one Treasurer (ORS 65.371).
Limited Liability Companies list the names and addresses of the managers for a manager-managed limited liability company or the name and address of at least one member for a member-managed limited liability company (ORS 63.787). Please attach a separate sheet of paper if needed.
If making changes to this section, list all current names and addresses. This replaces what is currently on the record.

PRESIDENT OR **OWNER(S) (MEMBERS):** (Names and Addresses)	**SECRETARY** OR **MANAGER(S):** (Names and Addresses)	**TREASURER - NONPROFIT ONLY:** (Name and Address)
MARC Gallegos 6057 Hollow Stump LN SE, Salem OR 97317		
LANDON HATTAN 1280 FIR Street South, Salem OR 97302		

11. EXECUTION: I declare as an authorized signer, under penalty of perjury, that this document does not fraudulently conceal, obscure, alter, or otherwise misrepresent the identity of any person including officers, directors, employees, members, managers or agents. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

SIGNATURE: Lauren Langston

PRINTED NAME: Lauren Langston

TITLE: CONSTRUCTION ADMIN

CONTACT NAME: (To resolve questions with this filing)

Lauren Langston

PHONE NUMBER: (Include area code)

503-716-7148

FEES

No Processing Fee

Free copies are available at sos.oregon.gov/business using the Business Name Search program.

Exhibit D – Title Report

TICOR TITLE™
Company of Oregon

PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein Ticor Title Company of Oregon hereby reports that it is prepared to issue, or cause to be issued, as of the specified date, a policy or policies of title insurance describing the land and the estate or interest hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage of said policy or policies are set forth in Exhibit One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Chicago Title Insurance Company, a/an Florida corporation.

Please read the exceptions shown or referred to herein and the Exceptions and Exclusions set forth in Exhibit One of this report carefully. The Exceptions and Exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

This preliminary report is for the exclusive use of the parties to the contemplated transaction, and the Company does not have any liability to any third parties nor any liability until the full premium is paid and a policy is issued. Until all necessary documents are placed of record, the Company reserves the right to amend or supplement this preliminary report.

Countersigned



Peter Harris

315 Commercial St SE, Ste 150, Salem, OR 97301
(503)585-1881 FAX (503)370-7915

PRELIMINARY REPORT

ESCROW OFFICER: Laura Thies
Laura.Thies@TicorTitle.com
(503)585-1881

ORDER NO.: 471824129969
Supplement 7: Eff Date/ Loan Amount

TITLE OFFICER: Janie Stone and Tina Turner

TO: Ticor Title Company of Oregon
315 Commercial St SE, Ste 150
Salem, OR 97301

ESCROW LICENSE NO.: 200406224
OWNER/SELLER: Estate of Calvin C. Cox
BUYER/BORROWER: Creswell HLDGS LLC, an Oregon limited liability company
PROPERTY ADDRESS: 3021 D Street NE, Salem, OR 97301-2879

EFFECTIVE DATE: August 22, 2024, 08:00 AM

1. THE POLICY AND ENDORSEMENTS TO BE ISSUED AND THE RELATED CHARGES ARE:

	AMOUNT	PREMIUM
ALTA Owner's Policy 2021 **Owner's Standard**	$ 941,018.75	$ 2,013.00
OTIRO Endorsement No. 110		$ 0.00
ALTA Loan Policy 2021 **Extended Lender's** **Proposed Insured: Legacy Lending, LLC**	$ 752,815.00	$ 619.00
OTIRO 209.10-06 - Restrictions, Encroachments, Minerals - Current Violations (ALTA 9.10-06)		$ 100.00
OTIRO 222-06 - Location (ALTA 22-06)		$ 0.00
OTIRO 208.1 - Environmental Protection Lien (ALTA 8.1 - 2021)		$ 0.00
Government Lien Search		$ 50.00

2. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

   A Fee

3. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

   The Heirs and/or Devisees of Calvin C. Cox, deceased

4. THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE CITY OF SALEM, COUNTY OF MARION, STATE OF OREGON, AND IS DESCRIBED AS FOLLOWS:

   SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

EXHIBIT "A"

Legal Description

Parcel 1:

Beginning at an iron pipe which is 24.23 chains North 0°45' West and 7.3095 chains North 89°31' East from the most Southerly Southwest corner of the Donation Land Claim of Isaac Baker and wife in Township 7 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, and from thence running South 0°53' East 3.849 chains to the middle of the County Road; thence South 89°04' East along the middle of that said road, 0.6495 chains; thence North 0°53' West, 3.865 chains to an iron pipe; thence South 89°31' West 0.6495 chains to the place of beginning.

Parcel 2:

Beginning at a point in the center line of D Street, which point is 7.969 chains South 89°04' East 20.56 chains North 0°45' West from the most Southerly Southwest corner of Isaac Baker Donation Land Claim in Township 7 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; thence North 0°53' West 3.865 chains to an iron pipe; thence North 89°31' East 1.283 chains; thence South 0°53' East 3.896 chains to the center of D Street; thence North 89°04' West 1.283 chains to the point of beginning.

AS OF THE DATE OF THIS REPORT, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN THE POLICY FORM WOULD BE AS FOLLOWS:

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.

2. Any facts, rights, interests or claims, which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.

3. Easements, or claims of easement, which are not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.

4. Any encroachment (of existing improvements located on the Land onto adjoining land or of existing improvements located on adjoining land onto the subject Land), encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the subject Land.

5. Any lien or right to a lien for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

SPECIFIC ITEMS AND EXCEPTIONS:

6. Unpaid Property Taxes are as follows:

Fiscal Year:	2022-2023
Amount:	$6,325.13, plus interest, if any

Unpaid Property Taxes are as follows:

Fiscal Year:	2023-2024
Amount:	$6,507.10, plus interest, if any
Levy Code:	24010
Account No.:	527217
Map No.:	073W24DC01000

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

7. City Liens, if any, in favor of the City of Salem. None found as of March 6, 2024.

8. Rights of the public to any portion of the Land lying within the area commonly known as streets, roads and highways.

9. A deed of trust to secure an indebtedness in the amount shown below,

Amount:	$150,000.00
Dated:	April 1, 2005
Trustor/Grantor:	Calvin C. Cox and Doreen A. Cox
Trustee:	U.S. Bank Trust Company, National Association
Beneficiary:	U.S. Bank, National Association
Loan No.:	3000360067
Recording Date:	May 10, 2005
Recording No:	Reel 2476, Page 175

The Deed of Trust set forth above is purported to be a “Credit Line” Deed of Trust. It is a requirement that the Trustor/Grantor of said Deed of Trust provide written authorization to close said credit line account to the Lender when the Deed of Trust is being paid off through the Company or other Settlement/Escrow Agent or provide a satisfactory subordination of this Deed of Trust to the proposed Deed of Trust to be recorded at closing.

10. Existing leases and tenancies, if any, and any interests that may appear upon examination of such leases.

11. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

12. Any lien or right to a lien for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

13. Due probate and administration of the estate shown below. Personal representative appointed in said estate has power to execute the forthcoming conveyance to a bona fide purchaser.

Estate of:	Calvin C. Cox, deceased
Court:	Circuit
County:	Marion
Probate No.:	24PB00829
Personal Representative:	Douglas C. Cox
Attorney for Estate:	Monica D. Pacheco

14. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2024-2025.

ADDITIONAL REQUIREMENTS/NOTES:

A. [Intentionally Deleted]

B. [Intentionally Deleted]

C. Note: There are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:

Parties: Creswell HLDGS LLC, an Oregon limited liability company

D. In addition to the standard policy exceptions, the exceptions enumerated above shall appear on the final ALTA Policy unless removed prior to issuance.

E. Note: The State of Oregon requires every ALTA Owner's Policy (07-01-2021) to include the OTIRO 110 Endorsement as a supplement to the definition of Insured in said Owner's Policy's Conditions to confirm coverage is the same for an Oregon Registered Domestic Partner as it is for a Spouse.

F. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, processing, manufacture, sale, dispensing or use of marijuana and psilocybin, the Company is not able to close or insure any transaction involving Land associated with these activities.

G. Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.

H. Note: No utility search has been made or will be made for water, sewer or storm drainage charges unless the City/Service District claims them as liens (i.e. foreclosable) and reflects them on its lien docket as of the date of closing. Buyers should check with the appropriate city bureau or water service district and obtain a billing cutoff. Such charges must be adjusted outside of escrow.

I. Note: Effective January 1, 2008, Oregon law (ORS 314.258) mandates withholding of Oregon income taxes from sellers who do not continue to be Oregon residents or qualify for an exemption. Please contact your Escrow Closer for further information.

J. THE FOLLOWING NOTICE IS REQUIRED BY STATE LAW: YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT SEEN, PLEASE CONTACT THE ESCROW AGENT.

K. Recording Charge (Per Document) is the following:

County	First Page	Each Additional Page
Marion	$86.00	$5.00
Benton	$108.00	$5.00
Polk	$91.00	$5.00
Linn	$105.00	$5.00

Note: When possible the company will record electronically. An additional charge of $5.00 applies to each document that is recorded electronically.

Note: Please send any documents for recording to the following address:
Portland Title Group
Attn: Recorder
1455 SW Broadway, Suite 1450
Portland, OR. 97201

L. Note: This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.

M. NOTE: IMPORTANT INFORMATION REGARDING PROPERTY TAX PAYMENTS:
Fiscal Year: July 1st through June 30th
Taxes become a lien on real property, but are not yet payable: July 1st
Taxes become certified and payable (approximately on this date): October 15th
First one third payment of taxes is due: November 15th
Second one third payment of taxes is due: February 15th
Final payment of taxes is due: May 15th

Discounts: If two thirds are paid by November 15th, a 2% discount will apply. If the full amount of the taxes are paid by November 15th, a 3% discount will apply.

Interest: Interest accrues as of the 15th of each month based on any amount that is unpaid by the due date. No interest is charged if the minimum amount is paid according to the above mentioned payment schedule.

N. **Note: The only conveyance(s) affecting said Land, which recorded since 1964, are as follows:**

Grantor: Clyde Leonard Fey
Grantee: Stella M. Noble and James Douglas Mason
Recording Date: July 14, 1964
Recording No: Volume 588, Page 489

Grantor: Stella M. Fry , Stella M.Noble and Earl Noble, James Douglas Mason and Alice I. Mason
Grantee: Calvin Cox and Doreen A. Cox, as tenants by the entirety
Recording Date: July 14, 1964
Recording No: Volume 588, Page 491

Death Certificate for Doreen A. Cox
Recording Date: December 8, 2023
Recording No: 2023-036184

EXHIBIT ONE

2021 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (07-01-2021)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
   i. the occupancy, use, or enjoyment of the Land;
   ii. the character, dimensions, or location of any improvement on the Land;
   iii. the subdivision of land; or
   iv. environmental remediation or protection.
   b. any governmental forfeiture, police, regulatory, or national security power.
   c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
   a. created, suffered, assumed, or agreed to by the Insured Claimant;
   b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   c. resulting in no loss or damage to the Insured Claimant;
   d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
   e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser or encumbrancer had been given for the Insured Mortgage at the Date of Policy.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business law.
5. Invalidity or unenforceability of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or Consumer Protection Law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction creating the lien of the Insured Mortgage is a:
   a. fraudulent conveyance or fraudulent transfer;
   b. voidable transfer under the Uniform Voidable Transactions Act; or
   c. preferential transfer:
      i. to the extend the Insured Mortgage is not a transfer made as a contemporaneous exchange for new value; or
      ii. for any reason not stated in the Covered Risk 13.b
7. Any claim of a PACA-PSA Trust. Exclusion 7 does not modify or limit the coverage provided under Covered Risk 8.
8. Any lien on the Title for real estate taxes or assessments imposed by a governmental authority and created or attaching between the Date of Policy and the date of recording of the Insured Mortgage in the Public Records. Exclusion 8 does not modify or limit the coverage provided under Covered Risk 2.b. or 11.b.
9. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

2021 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (07-01-2021)
EXCLUSIONS FROM COVERAGE

The following matters are excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
   i. the occupancy, use, or enjoyment of the Land;
   ii. the character, dimensions or location of any improvement on the Land;
   iii. the subdivision of land; or
   iv. environmental remediation or protection;
   b. any governmental forfeiture, police, regulatory, or national security power
   c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.

   Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
   a. created, suffered, assumed or agreed to by the Insured Claimant;
   b. not known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   c. resulting in no loss or damage to the Insured Claimant;
   d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
   e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A is a:
   a. fraudulent conveyance or fraudulent transfer, or
   b. voidable transfer under the Uniform Voidable Transactions Act; or
   c. preferential transfer:
      i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
      ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

title to water.

EXHIBIT ONE

2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions or location of any improvement erected on the land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed or agreed to by the Insured Claimant;
   (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with the applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
   (a) a fraudulent conveyance or fraudulent transfer, or
   (b) a preferential transfer for any reason not stated in the Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions or location of any improvement erected on the land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed or agreed to by the Insured Claimant;
   (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
   (a) a fraudulent conveyance or fraudulent transfer, or
   (b) a preferential transfer for any reason not stated in the Covered Risk 9 of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

WIRE SAFE™ | Inquire before you wire!

WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice.
If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. DO NOT use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** DO NOT send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do NOT reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

Federal Bureau of Investigation:
http://www.fbi.gov

Internet Crime Complaint Center:
http://www.ic3.gov

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FIDELITY NATIONAL FINANCIAL
PRIVACY NOTICE

Effective July 1, 2024

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

Collection of Personal Information

FNF may collect the following categories of Personal Information:

- contact information (*e.g.*, name, address, phone number, email address);
- demographic information (*e.g.*, date of birth, gender, marital status);
- identity information (*e.g.* Social Security Number, driver's license, passport, or other government ID number);
- financial account information (*e.g.* loan or bank account information);
- biometric data (*e.g.* fingerprints, retina or iris scans, voiceprints, or other unique biological characteristics, and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Collection of Browsing Information

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics

Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

Use of Personal Information

FNF uses Personal Information for these main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To prevent and detect fraud;
- To maintain the security of our systems, tools, accounts, and applications;
- To verify and authenticate identities and credentials;
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.
- To provide reviews and testimonials about our services, with your consent.

When Information Is Disclosed

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to affiliated or nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to affiliated or nonaffiliated third parties with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Security of Your Information

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

Choices With Your Information

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (https://fnf.com/pages/californiaprivacy.aspx) or call (888) 413-1748.

For Connecticut Residents: For additional information about your Connecticut consumer privacy rights, or to make a consumer privacy request, or to appeal a previous privacy request, please email privacy@fnf.com or call (888) 714-2710.

For Colorado Residents: For additional information about your Colorado consumer privacy rights, or to make a consumer privacy request, or appeal a previous privacy request, please email privacy@fnf.com or call (888) 714-2710.

For Nevada Residents: We are providing this notice pursuant to state law. You may be placed on our internal Do Not Call List by calling FNF Privacy at (888) 714-2710 or by contacting us via the information set forth at the end of this Privacy Notice. For further information concerning Nevada's telephone solicitation law, you may contact: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: aginquiries@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes. For additional information about your Oregon consumer privacy rights, or to make a consumer privacy request, or appeal a previous privacy request, please email privacy@fnf.com or call (888) 714-2710

We may disclose the categories of Personal Information and Browsing information listed above to the following categories of third parties:

- FNF affiliates and subsidiaries;
- Non-affiliated third parties, with your consent;
- Business in connection with the sale or other disposition of all or part of the FNF business and/or assets;
- Service providers;
- Law endorsement or authorities in connection with an investigation, or in response to a subpoena or court order.

For Texas Residents: For additional information about your Texas consumer privacy rights, or to make a consumer privacy request, or appeal a previous privacy request, please email privacy@fnf.com or call (888) 714-2710.

We may disclose the categories of Personal Information and Browsing information listed above to the following categories of third parties:

- FNF affiliates and subsidiaries;
- Non-affiliated third parties, with your consent;
- Business in connection with the sale or other disposition of all or part of the FNF business and/or assets;
- Service providers;
- Law endorsement or authorities in connection with an investigation, or in response to a subpoena or court order.

For Utah Residents: For additional information about your Utah consumer privacy rights, or to make a consumer privacy request, please call (888) 714-2710.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

For Virginia Residents: For additional information about your Virginia consumer privacy rights, or to make a consumer privacy request, or appeal a previous privacy request, please email privacy@fnf.com or call (888) 714-2710.

Information From Children

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

Your Consent To This Privacy Notice; Notice Changes

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice.

Accessing and Correcting Information; Contact Us

If you have questions or would like to correct your Personal Information, visit FNF's Privacy Inquiry Website or contact us by phone at (888) 714-2710, by email at privacy@fnf.com, or by mail to:

Fidelity National Financial, Inc.
601 Riverside Avenue,
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

TICOR TITLE™
Company of Oregon

PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein Ticor Title Company of Oregon hereby reports that it is prepared to issue, or cause to be issued, as of the specified date, a policy or policies of title insurance describing the land and the estate or interest hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage of said policy or policies are set forth in Exhibit One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Chicago Title Insurance Company, a/an Florida corporation.

Please read the exceptions shown or referred to herein and the Exceptions and Exclusions set forth in Exhibit One of this report carefully. The Exceptions and Exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

This preliminary report is for the exclusive use of the parties to the contemplated transaction, and the Company does not have any liability to any third parties nor any liability until the full premium is paid and a policy is issued. Until all necessary documents are placed of record, the Company reserves the right to amend or supplement this preliminary report.

Countersigned



Peter Harris

315 Commercial St SE, Ste 150, Salem, OR 97301
(503)585-1881 FAX (503)370-7915

PRELIMINARY REPORT

ESCROW OFFICER: Laura Thies
Laura.Thies@TicorTitle.com
(503)585-1881

ORDER NO.: 471824129969
Supplement 2: add note N

TITLE OFFICER: Janie Stone and Tina Turner

TO: Ticor Title Company of Oregon
315 Commercial St SE, Ste 150
Salem, OR 97301

ESCROW LICENSE NO.: 200406224
OWNER/SELLER: Estate of Calvin C. Cox
BUYER/BORROWER: Skyline Co, LLC. and Vesta RE Holdings, LLC
PROPERTY ADDRESS: 3021 D Street NE, Salem, OR 97301-2879

EFFECTIVE DATE: February 26, 2024, 08:00 AM

1. THE POLICY AND ENDORSEMENTS TO BE ISSUED AND THE RELATED CHARGES ARE:

	AMOUNT	PREMIUM
ALTA Owner's Policy 2021 **Owner's Standard**	$ 700,000.00	$ 1,650.00
OTIRO Endorsement No. 110		$ 0.00
ALTA Loan Policy 2021 **Extended Lender's**	$ 693,000.00	$ 592.00
OTIRO 209.10-06 - Restrictions, Encroachments, Minerals - Current Violations (ALTA 9.10-06)		$ 100.00
OTIRO 222-06 - Location (ALTA 22-06)		$ 0.00
OTIRO 208.1 - Environmental Protection Lien (ALTA 8.1 - 2021)		$ 0.00
Government Lien Search		$ 50.00

2. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

   A Fee

3. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

   The Heirs and/or Devisees of Calvin C. Cox, deceased

4. THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE CITY OF SALEM, COUNTY OF MARION, STATE OF OREGON, AND IS DESCRIBED AS FOLLOWS:

   SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

EXHIBIT "A"

Legal Description

Parcel 1:

Beginning at an iron pipe which is 24.23 chains North 0°45' West and 7.3095 chains North 89°31' East from the most Southerly Southwest corner of the Donation Land Claim of Isaac Baker and wife in Township 7 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, and from thence running South 0°53' East 3.849 chains to the middle of the County Road; thence South 89°04' East along the middle of that said road, 0.6495 chains; thence North 0°53' West, 3.865 chains to an iron pipe; thence South 89°31' West 0.6495 chains to the place of beginning.

Parcel 2:

Beginning at a point in the center line of D Street, which point is 7.969 chains South 89°04' East 20.56 chains North 0°45' West from the most Southerly Southwest corner of Isaac Baker Donation Land Claim in Township 7 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; thence North 0°53' West 3.865 chains to an iron pipe; thence North 89°31' East 1.283 chains; thence South 0°53' East 3.896 chains to the center of D Street; thence North 89°04' West 1.283 chains to the point of beginning.

AS OF THE DATE OF THIS REPORT, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN THE POLICY FORM WOULD BE AS FOLLOWS:

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.

2. Any facts, rights, interests or claims, which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.

3. Easements, or claims of easement, which are not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.

4. Any encroachment (of existing improvements located on the Land onto adjoining land or of existing improvements located on adjoining land onto the subject Land), encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the subject Land.

5. Any lien or right to a lien for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

SPECIFIC ITEMS AND EXCEPTIONS:

6. Unpaid Property Taxes are as follows:

Fiscal Year:	2022-2023
Amount:	$6,325.13, plus interest, if any

Unpaid Property Taxes are as follows:

Fiscal Year:	2023-2024
Amount:	$6,507.10, plus interest, if any
Levy Code:	24010
Account No.:	527217
Map No.:	073W24DC01000

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

7. City Liens, if any, in favor of the City of Salem. An inquiry has been directed to the City Clerk concerning the status of said liens and a report will follow if such liens are found.

8. Rights of the public to any portion of the Land lying within the area commonly known as streets, roads and highways.

9. A deed of trust to secure an indebtedness in the amount shown below,

Amount:	$150,000.00
Dated:	April 1, 2005
Trustor/Grantor:	Calvin C. Cox and Doreen A. Cox
Trustee:	U.S. Bank Trust Company, National Association
Beneficiary:	U.S. Bank, National Association
Loan No.:	3000360067
Recording Date:	May 10, 2005
Recording No:	Reel 2476, Page 175

The Deed of Trust set forth above is purported to be a “Credit Line” Deed of Trust. It is a requirement that the Trustor/Grantor of said Deed of Trust provide written authorization to close said credit line account to the Lender when the Deed of Trust is being paid off through the Company or other Settlement/Escrow Agent or provide a satisfactory subordination of this Deed of Trust to the proposed Deed of Trust to be recorded at closing.

10. Existing leases and tenancies, if any, and any interests that may appear upon examination of such leases.

11. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

12. Any lien or right to a lien for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

13. Due probate and administration of the estate shown below. Personal representative appointed in said estate has power to execute the forthcoming conveyance to a bona fide purchaser.

Estate of:	Calvin C. Cox, deceased
Court:	Circuit
County:	Marion
Probate No.:	24PB00829
Personal Representative:	Douglas C. Cox
Attorney for Estate:	Monica D. Pacheco

ADDITIONAL REQUIREMENTS/NOTES:

A. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below.

Limited Liability Company: Skyline Co, LLC

a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.

b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.

c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.

d. A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created

e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

B. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below.

Limited Liability Company: Vesta RE Holdings, LLC

a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.

b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.

c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.

d. A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created

e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

C. Note: There are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:

Parties: Skyline Co, LLC and Vesta RE Holdings, LLC

D. In addition to the standard policy exceptions, the exceptions enumerated above shall appear on the final ALTA Policy unless removed prior to issuance.

E. Note: The State of Oregon requires every ALTA Owner's Policy (07-01-2021) to include the OTIRO 110 Endorsement as a supplement to the definition of Insured in said Owner's Policy's Conditions to confirm coverage is the same for an Oregon Registered Domestic Partner as it is for a Spouse.

F. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, processing, manufacture, sale, dispensing or use of marijuana and psilocybin, the Company is not able to close or insure any transaction involving Land associated with these activities.

G. Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.

H. Note: No utility search has been made or will be made for water, sewer or storm drainage charges unless the City/Service District claims them as liens (i.e. foreclosable) and reflects them on its lien docket as of the date of closing. Buyers should check with the appropriate city bureau or water service district and obtain a billing cutoff. Such charges must be adjusted outside of escrow.

I. Note: Effective January 1, 2008, Oregon law (ORS 314.258) mandates withholding of Oregon income taxes from sellers who do not continue to be Oregon residents or qualify for an exemption. Please contact your Escrow Closer for further information.

J. THE FOLLOWING NOTICE IS REQUIRED BY STATE LAW: YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT SEEN, PLEASE CONTACT THE ESCROW AGENT.

K. Recording Charge (Per Document) is the following:

County	First Page	Each Additional Page
Marion	$86.00	$5.00
Benton	$108.00	$5.00
Polk	$91.00	$5.00
Linn	$105.00	$5.00

Note: When possible the company will record electronically. An additional charge of $5.00 applies to each document that is recorded electronically.

Note: Please send any documents for recording to the following address:
Portland Title Group
Attn: Recorder
1455 SW Broadway, Suite 1450
Portland, OR. 97201

L. Note: This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.

M. NOTE: IMPORTANT INFORMATION REGARDING PROPERTY TAX PAYMENTS:
Fiscal Year: July 1st through June 30th
Taxes become a lien on real property, but are not yet payable: July 1st
Taxes become certified and payable (approximately on this date): October 15th
First one third payment of taxes is due: November 15th
Second one third payment of taxes is due: February 15th
Final payment of taxes is due: May 15th

Discounts: If two thirds are paid by November 15th, a 2% discount will apply. If the full amount of the taxes are paid by November 15th, a 3% discount will apply.

Interest: Interest accrues as of the 15th of each month based on any amount that is unpaid by the due date. No interest is charged if the minimum amount is paid according to the above mentioned payment schedule.

N. **Note: The only conveyance(s) affecting said Land, which recorded since 1964, are as follows:**

Grantor: Clyde Leonard Fey
Grantee: Stella M. Noble and James Douglas Mason
Recording Date: July 14, 1964
Recording No: Volume 588, Page 489

Grantor: Stella M. Fry , Stella M.Noble and Earl Noble, James Douglas Mason and Alice I. Mason
Grantee: Calvin Cox and Doreen A. Cox, as tenants by the entirety
Recording Date: July 14, 1964
Recording No: Volume 588, Page 491

Death Certificate for Doreen A. Cox
Recording Date: December 8, 2023
Recording No: 2023-036184

EXHIBIT ONE

2021 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (07-01-2021)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
      i. the occupancy, use, or enjoyment of the Land;
      ii. the character, dimensions, or location of any improvement on the Land;
      iii. the subdivision of land; or
      iv. environmental remediation or protection.
   b. any governmental forfeiture, police, regulatory, or national security power.
   c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
   a. created, suffered, assumed, or agreed to by the Insured Claimant;
   b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   c. resulting in no loss or damage to the Insured Claimant;
   d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
   e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser or encumbrancer had been given for the Insured Mortgage at the Date of Policy.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business law.
5. Invalidity or unenforceability of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or Consumer Protection Law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction creating the lien of the Insured Mortgage is a:
   a. fraudulent conveyance or fraudulent transfer;
   b. voidable transfer under the Uniform Voidable Transactions Act; or
   c. preferential transfer:
      i. to the extend the Insured Mortgage is not a transfer made as a contemporaneous exchange for new value; or
      ii. for any reason not stated in the Covered Risk 13.b
7. Any claim of a PACA-PSA Trust. Exclusion 7 does not modify or limit the coverage provided under Covered Risk 8.
8. Any lien on the Title for real estate taxes or assessments imposed by a governmental authority and created or attaching between the Date of Policy and the date of recording of the Insured Mortgage in the Public Records. Exclusion 8 does not modify or limit the coverage provided under Covered Risk 2.b. or 11.b.
9. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

2021 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (07-01-2021)
EXCLUSIONS FROM COVERAGE

The following matters are excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
      i. the occupancy, use, or enjoyment of the Land;
      ii. the character, dimensions or location of any improvement on the Land;
      iii. the subdivision of land; or
      iv. environmental remediation or protection;
   b. any governmental forfeiture, police, regulatory, or national security power
   c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.

   Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
   a. created, suffered, assumed or agreed to by the Insured Claimant;
   b. not known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   c. resulting in no loss or damage to the Insured Claimant;
   d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
   e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A is a:
   a. fraudulent conveyance or fraudulent transfer, or
   b. voidable transfer under the Uniform Voidable Transactions Act; or
   c. preferential transfer:
      i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
      ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

EXHIBIT ONE

2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions or location of any improvement erected on the land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed or agreed to by the Insured Claimant;
   (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with the applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
   (a) a fraudulent conveyance or fraudulent transfer, or
   (b) a preferential transfer for any reason not stated in the Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions or location of any improvement erected on the land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed or agreed to by the Insured Claimant;
   (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
   (a) a fraudulent conveyance or fraudulent transfer, or
   (b) a preferential transfer for any reason not stated in the Covered Risk 9 of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

WIRE SAFE™ | Inquire before you wire!

WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice.
If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. DO NOT use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** DO NOT send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do NOT reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

Federal Bureau of Investigation:
http://www.fbi.gov

Internet Crime Complaint Center:
http://www.ic3.gov

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FIDELITY NATIONAL FINANCIAL
PRIVACY NOTICE

Effective December 1, 2023

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

Collection of Personal Information

FNF may collect the following categories of Personal Information:

- contact information (*e.g.*, name, address, phone number, email address);
- demographic information (*e.g.*, date of birth, gender, marital status);
- identity information (*e.g.* Social Security Number, driver's license, passport, or other government ID number);
- financial account information (*e.g.* loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Collection of Browsing Information

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics

Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

Use of Personal Information

FNF uses Personal Information for these main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.
- To provide reviews and testimonials about our services, with your consent.

When Information Is Disclosed

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to affiliated or nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to affiliated or nonaffiliated third parties with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Security of Your Information

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

Choices With Your Information

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (https://fnf.com/pages/californiaprivacy.aspx) or call (888) 413-1748.

For Connecticut Residents: For additional information about your Connecticut consumer privacy rights, or to make a consumer privacy request, or to appeal a previous privacy request, please email privacy@fnf.com or call (888) 714-2710.

For Colorado Residents: For additional information about your Colorado consumer privacy rights, or to make a consumer privacy request, or appeal a previous privacy request, please email privacy@fnf.com or call (888) 714-2710.

For Nevada Residents: We are providing this notice pursuant to state law. You may be placed on our internal Do Not Call List by calling FNF Privacy at (888) 714-2710 or by contacting us via the information set forth at the end of this Privacy Notice. For further information concerning Nevada's telephone solicitation law, you may contact: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: aginquiries@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Utah Residents: For additional information about your Utah consumer privacy rights, or to make a consumer privacy request, please call (888) 714-2710.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

For Virginia Residents: For additional information about your Virginia consumer privacy rights, or to make a consumer privacy request, or appeal a previous privacy request, please email privacy@fnf.com or call (888) 714-2710.

Information From Children

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

Your Consent To This Privacy Notice; Notice Changes

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice.

Accessing and Correcting Information; Contact Us

If you have questions or would like to correct your Personal Information, visit FNF's Privacy Inquiry Website or contact us by phone at (888) 714-2710, by email at privacy@fnf.com, or by mail to:

Fidelity National Financial, Inc.
601 Riverside Avenue,
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

Marion County Parcel Information

TICOR TITLE™

Parcel Information

Parcel #:	**527217**
Tax Lot:	**073W24DC01000**
Site Address:	3021 D St NE
	Salem OR 97301 - 2879
Owner:	Cox, Calvin C
Owner2:	Cox, Doreen A
Owner Address:	3021 D St NE
	Salem OR 97301 - 2879
Twn/Range/Section:	07S / 03W / 24 / SE
Parcel Size:	0.67 Acres (29,185 SqFt)
Plat/Subdivision:	
Lot:	
Block:	
Census Tract/Block:	000702 / 1012
Waterfront:	

Tax Information

Levy Code Area:	24010
Levy Rate:	19.6269
Tax Year:	2023
Annual Tax:	$6,507.10
Exempt Desc:	N/A

Legal

ACRES 0.67

Assessment Information

Market Value Land:	$205,600.00
Market Value Impr:	$509,130.00
Market Value Total:	$714,730.00
Assessed Value:	$331,540.00

Land

Zoning:	RM2 - Multiple Family Residential 2	**Cnty Bldg Use:**	134 - Residential - Multi Story Above Grade With Basement
Cnty Land Use:	101 - Residential improved, 1 acre and under, inside city or urban growth boundary	**Neighborhood:**	
Std Land Use:	RSFR - Single Family Residence	**Recreation:**	
School District:	24J - Salem-Keizer	**Primary School:**	Hoover Elementary School
Middle School:	Parrish Middle School	**High School:**	North Salem High School

Improvement

Year Built:	1939	**Stories:**	1	**Finished Area:**	3,722
Bedrooms:	6	**Bathrooms:**	5	**Garage:**	
Basement Fin:					

Transfer Information

Loan Date:	05/10/2005	**Loan Amt:**	$150,000.00	**Doc Num:**	24760175	**Doc Type:**	Deed Of Trust
Loan Type:	FIX	**Finance Type:**	Conventional	**Lender:**	US BK NATIONAL ASSN		
Sale Date:	07/01/1998	**Sale Price:**		**Doc Num:**	06080636	**Doc Type:**	DEED

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

FORM No. 1—WARRANTY DEED.

KNOW ALL MEN BY THESE PRESENTS, That STELLA M. FRY, a widow, STELLA M. NOBLE and EARL R. NOBLE, wife and husband, and JAMES DOUGLAS MASON and ALICE I. MASON, husband and wife,

in consideration of -----Ten and no/100----------($10.00)-------- Dollars, to them paid by CALVIN C. COX and DOREEN A. COX, husband and wife,

do hereby grant, bargain, sell and convey unto said CALVIN C. COX and DOREEN A. COX, husband and wife, as tenants by the entirety, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Marion and State of Oregon, bounded and described as follows, to-wit:

Parcel No. 1:

Beginning at an iron pipe which is 24.23 chains North 0° 45' West and 7.3095 chains North 89° 31' East from the most Southerly Southwest corner of the Donation Land Claim of Isaac Baker and wife in Township 7 South, of Range 3 West of the Willamette Meridian in Marion County, Oregon, and from thence running South 0° 53' East 3.849 chains to the middle of the County Road; thence South 89° 04' East along the middle of the said road, .6495 chains; thence North 0° 53' West, 3.865 chains to an iron pipe; thence South 89° 31' West .6495 chains to the place of beginning.

Parcel No. 2:

Beginning at a point in the center line of D Street, which point is 7.969 chains South 89° 04' East 20.56 chains North 0° 45' West from the most southerly Southwest corner of Isaac Baker Donation Land Claim in Township 7 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; thence North 0° 53' West 3.865 chains to an iron pipe; thence North 89° 31' East 1.283 chains; thence South 0° 53' East 3.896 chains to the center of D Street; thence North 89° 04' West 1.283 chains to the point of beginning, containing one-half acre, more or less.
Save and except all roads and roadways.

To Have and to Hold the above described and granted premises unto the said CALVIN C. COX and DOREEN A. COX, husband and wife, their heirs and assigns forever.

And the grantor s above named do covenant to and with the above named grantee s, their heirs and assigns that they are lawfully seised in fee simple of the above granted premises, that the above granted premises are free from all encumbrances, [redacted]

and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness Our hand s and seal s this day of June, 19 64.

Executed in the Presence of [redacted]

Stella M. Fry (SEAL)
James Douglas Mason (SEAL)
Alice I. Mason (SEAL)
Stella M. Noble (SEAL)
Earl R. Noble

728169

STATE OF OREGON,
County of Marion } ss.

BE IT REMEMBERED, That on this 9th day of June, 1964, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Stella M. Fry, a widow; who is known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that she executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

Lucille M. Shepard
Notary Public for Oregon.
My Commission expires MY COMMISSION EXPIRES JAN. 11, 1968

STATE OF OREGON } ss.
County of Marion }

BE IT REMEMBERED, That on this 1st day of June, 1964, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within Stella M. Noble and Earl R. Noble, wife and husband, who are known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

Kathleen J. Lawler
Notary Public for Oregon
My commission expires: 5-22-67

728169

WARRANTY DEED
(FORM No. 2)

STELLA M. FRY, et al,
TO
CALVIN C. COX and DOREEN A. COX, husband and wife.

STATE OF OREGON, } ss.
County of MARION

I certify that the within instrument was received for record on the 14th day of JUN, 1964 at 2:52 o'clock P.M., and recorded in book 588 Record of Deeds on page 491 of said County.

Witness my hand and seal of County affixed.
Wm. Hamlet, County Clerk—Recorder.
By ..... Deputy.

STEVENS-NESS LAW PUB. CO., PORTLAND

The Commercial Bank
Salem, Ore

2.50

STATE OF OREGON } ss.
County of Marion }

BE IT REMEMBERED, That on this 9th day of June, 1964, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named James Douglas Mason and Alice I. Mason, husband and wife, who are known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

Lucille M. Shepard
Notary Public for Oregon
My commission expires:
My Commission Expires JAN 11, 1966

728169

Exhibit E – HOA Statement

BRAND

Homeowners Association Information

The applicant is submitting this statement to confirm there is no homeowners association (HOA) which is active or registered with the Oregon Secretary of State which impacts the subject property.

Exhibit F – HCRPZ Acknowledgement

BRAND

Historic and Cultural Resources Protection Zone Acknowledgement

The applicant is aware the subject site is identified on the City of Salem's Historic and Cultural Resources Protection Zone map. The applicant's consultant has discussed properties within these areas with the city's Historic Preservation Officer, Kimberli Fitzgerald. No public funding will be utilized to develop the subject site. At the time the site is developed, the applicant's contractors will have an inadvertent discovery plan on file with the city.

Exhibit G – TGE Form

CITY OF Salem AT YOUR SERVICE

Traffic Engineering Section
Public Works Department
555 Liberty Street SE, Room 325 Telephone: 503-588-6211
Salem, Oregon 97301-3513 TTY: 503-588-6292

Trip Generation Estimate

Street _____

Bin # _____ TGE # _____

Date Received _____

Section 1 (To be completed by applicant.)

Applicant Name: Skyline Builders, LLC Telephone: 503-370-8704 (BRAND)

Applicant Mailing Address: 3519 Fairview Industrial Drive SE, Salem 97302

Location of New Development: 3021 D Street NE
(Please provide street address. If unknown, provide approximate address and geographical description/nearest cross streets.)

Description and Size of New Development: 12 New Multi-Family Units
(e.g., 150 single-family homes, 20,000 sq. ft. office addition, 12-pump gas station, 50-student day care, additional parking, etc.)

Description and Size of Existing/Past Development, if any (note whether to remain or be removed): Two Existing SF homes to remain

Planning Action Involved, if any: PLA-PAR-SPR-DAP-ADJ-DR
(e.g., zone change, subdivision, partition, conditional use, PUD, mobile home park, etc.)

Building Permit Involved: Yes ☒ No ☐

Section 2 (To be completed by City staff.)

Proposed Use	**Existing Use**
Development Quantity:	Development Quantity:
ITE Land Use Code:	ITE Land Use Code:
Trip Generation Rate/Equation:	Trip Generation Rate or Equation:
Average Daily Trips:	Average Daily Trips:
ELNDT Adjustment Factors	**ELNDT Adjustment Factors**
Trip Length: Linked Trip:	Trip Length: Linked Trip:
TSDC Trips:	TSDC Trips:

Section 3 (To be completed by City staff.)

Transportation Impact Analysis (TIA)

Net Increase in Average Daily Trips: _____
(Proposed use minus existing use.)

☐ A TIA **will** be required:
- ☐ Arterial/Collector—1000 Trip/day Threshold
- ☐ Local Street/Alley—200 Trip/day Threshold
- ☐ Other: _____

☐ A TIA **will not** be required.

Transportation Systems Development Charge

Net Increase in TSDC Trips: _____
(Proposed use minus existing use.)

☐ A TSDC **will** be required.
(Fee determined by Development Services.)

☐ A TSDC **will not** be required.

(For additional information, refer to the back of this application.)

Section 4 (To be completed by City staff.)

Remarks:

Date: _____

cc: ☐ Chief Development Services Engineer
☐ Community Development
☐ Building Permit Application
☐ _____

By: _____

Information Required to Assess the Need for a Traffic Impact Analysis and Transportation Systems Development Charge

The following information is required in order to assess the need for a Traffic Impact Analysis (TIA) and to calculate the Transportation Systems Development Charge (TSDC) to be levied on a proposed new development.

TIA Determination:

The City of Salem may require that a TIA be prepared as part of the approval process for major new development. The purpose of a TIA is to estimate the traffic impacts created by a new development on the surrounding street system. Any significantly adverse traffic impacts identified in the TIA must be mitigated by the applicant.

The estimated daily traffic generation of a new development is used as the criteria for determining whether a TIA is needed. If the new development access is located on an arterial or collector and the estimated daily traffic generation is more than 1000 trips, a TIA may be required. If access is located on a local street or alley and the generated trips exceed 200, a TIA may be required. Other criteria such as site access issues, driveway restrictions, and existing facilities deficiencies may also be used, if recommended by City Traffic Engineering staff.

The City Traffic Engineer makes the determination as to whether a TIA is required. (For more information on TIA criteria, see Development Bulletin No. 19 dated January 20, 1995.) When the determination has been made, copies of the Trip Generation Estimate form are sent to Public Works Development Services Division and the applicant. If a planning action is required, a copy is also forwarded to the Community Development Department.

TSDC Analysis:

The City of Salem charges a TSDC on all new development that creates a net increase in traffic on the surrounding street system. The total charge is assessed on a per trip fee times the TSDC trips calculated for the development. For more information on the TSDC, see Council Staff Report dated October 9, 1995.

To assist in estimating the daily trips generated by a new development, please answer the questions in Section 1 of this sheet and return it to Room 325 of the Civic Center. If you have any questions, Traffic Engineering staff are available at 503-588-6211. A copy of the completed trip generation estimate will be returned to you at the address provided in Section 1.

No Land Use, Planning, or Development Approval applications requiring Trip Generation Estimates will be processed until this information has been provided and the TIA/TSDC assessment has been made by City Traffic Engineering staff.

Exhibit H – Expedited Land Division Form

City of Salem, Oregon
Community Development Department
Planning Division

Permit Application Center
Phone: 503-588-6213
Fax: 503-588-6005
www.cityofsalem.net/planning
@Salem_Planning

Expedited Land Division Application Form (ORS 197.360-380)

What is an Expedited Land Division?

The expedited land division process provides an alternative to the standard procedures for certain land division requests. An applicant may choose to use the expedited land division process if their land division request meets all of the applicable requirements specified in Oregon Revised Statute (ORS) 197.360 (see reverse side). The steps in this procedure differ from the regular subdivision procedure, but still include a public review and opportunity for appeal. The steps are described in ORS 197.365-375.

Is it faster than the regular subdivision process?

The expedited land division process is intended to streamline the regular land use process that land divisions normally follow under state law, which allows up to 120 days for final city approval. In Salem, however, the typical processing time for a land division application (subdivision, partition, or replat) that meets city standards and is complete when submitted, is far less than the 120 days that state law allows. Therefore, in Salem, in many cases there is no difference in processing time between a regular land division and expedited land division.

What are the requirements to qualify for the Expedited Land Division process?

ORS 197.360 lists the requirements to qualify for an expedited land division review. These requirements are summarized below. The full text of ORS 197.360 is included on the reverse side of this form.

The proposed land division (i.e. subdivision, partition, or replat):

1. Must be on residentially zoned land and must be solely for the purposes of residential use;
2. Must not create building lots that provide for dwellings or accessory buildings within areas that contain natural resource protections, such as, but not limited to, the Willamette Greenway;
3. Must satisfy all City street standards and connectivity requirements; and
4. Must either:
    a. *Create enough lots or parcels to allow building residential units at 80 percent or more of the maximum net density permitted by the zoning designation of the site; or*
    b. *Will be sold or rented to households with incomes below 120 percent of the median family income for the county in which the project is built.*

Why am I receiving this application form for Expedited Land Division now?

The expedited land division process has existed since 1995; however, the 2015 Oregon Legislature required that all land division applicants be notified of the expedited land division option and how to apply.

Are you applying for an Expedited Land Division?

Yes ☐ **No** ☑ (If yes, then attach a written description of how the proposal satisfies ORS 197.360)

Applicant Name: Skyline Builders, LLC Telephone: 503-370-8704-BRAND

Applicant Mailing Address: Skyline Builders, LLC

Site Address: 3519 Fairview Industrial Drive SE, Salem 97302

(Signature) (Print Name) (Date)

ORS 197.360:

(1) *As used in this section:*

> ***(a)*** *"Expedited land division" means a division of land under ORS 92.010 to 92.192, 92.205 to 92.245 or 92.830 to 92.845 by a local government that:*
>
> > ***(A)*** *Includes only land that is zoned for residential uses and is within an urban growth boundary.*
> >
> > ***(B)*** *Is solely for the purposes of residential use, including recreational or open space uses accessory to residential use.*
> >
> > ***(C)*** *Does not provide for dwellings or accessory buildings to be located on land that is specifically mapped and designated in the comprehensive plan and land use regulations for full or partial protection of natural features under the statewide planning goals that protect:*
> >
> > > ***(i)*** *Open spaces, scenic and historic areas and natural resources;*
> > >
> > > ***(ii)*** *The Willamette River Greenway;*
> > >
> > > ***(iii)*** *Estuarine resources;*
> > >
> > > ***(iv)*** *Coastal shorelands; and*
> > >
> > > ***(v)*** *Beaches and dunes.*
> >
> > ***(D)*** *Satisfies minimum street or other right-of-way connectivity standards established by acknowledged land use regulations or, if such standards are not contained in the applicable regulations, as required by statewide planning goals or rules.*
> >
> > ***(E)*** *Will result in development that either:*
> >
> > > ***(i)*** *Creates enough lots or parcels to allow building residential units at 80 percent or more of the maximum net density permitted by the zoning designation of the site; or*
> > >
> > > ***(ii)*** *Will be sold or rented to households with incomes below 120 percent of the median family income for the county in which the project is built.*
>
> ***(b)*** *"Expedited land division" includes land divisions that create three or fewer parcels under ORS 92.010 to 92.192 and meet the criteria set forth in paragraph (a) of this subsection.*

(2) *An expedited land division as described in this section is not a land use decision or a limited land use decision under ORS 197.015 or a permit under ORS 215.402 or 227.160.*

(3) *The provisions of ORS 197.360 to 197.380 apply to all elements of a local government comprehensive plan and land use regulations applicable to a land division, including any planned unit development standards and any procedures designed to regulate:*

> ***(a)*** *The physical characteristics of permitted uses;*
>
> ***(b)*** *The dimensions of the lots or parcels to be created; or*
>
> ***(c)*** *Transportation, sewer, water, drainage and other facilities or services necessary for the proposed development, including but not limited to right-of-way standards, facility dimensions and on-site and off-site improvements.*

(4) *An application for an expedited land division submitted to a local government shall describe the manner in which the proposed division complies with each of the provisions of subsection (1) of this section.*

Exhibit I – Neighborhood Association/Transit Contact

Britany Randall

From:	Britany Randall
Sent:	Tuesday, September 3, 2024 1:53 PM
To:	nesca@salemneighbors.org; johnson.ian.patrick@gmail.com
Cc:	planning@cherriots.org; Kenneth.Spencer@pgn.com
Subject:	Notice of Land Use Application Submittal - Skyline Builder's D Street
Attachments:	Land Use Set 24-023 D Street Multifamily 07-23-2024 (1).pdf; Neighborhood Contact Skyline Construction D.pdf

Hello,

Attached please find a notice of land use application for a proposed 12-unit multifamily building within the boundaries of the NESCA Neighborhood Association.

Thank you,

Britany Randall

BRAND Land Use

Owner & Principal Planner

Office: (503) 370-8704
Cell: (503) 680-0949
Place: 1720 Liberty Street SE
Salem, OR 97302
www.brandlanduse.com

BRAND

Notice of Land Use Application Submittal

September 3, 2024

North East Salem Community Association (NESCA)

Stacey Vieyra-Braendle
nesca@salemneighbors.org

Ian Johnson
Johnson.ian.patrick@gmail.com

RE: Property Line Adjustment, Partition, Site Plan Review, Driveway Approach Permit, Adjustments, and Design Review for property identified as Marion County Map and Tax lot Numbers 073W24DC01000

Dear NESCA Chair and Land Use Chair,

We are reaching out to you regarding a project within the boundaries of your Neighborhood Association.

The applicant/property owners are seeking approval of a property line adjustment, partition, site plan review, design review, driveway approach permit, and six adjustments for a new 12-unit multiple family development. This application will be processed using Type II procedures. The neighborhood association, property owners, and tenants within 250-feet of all portions of the property will receive notice of the application and have an opportunity to provide comments.

The proposal includes adjustments to the following development standards:
1. SRC 414.010(a) where lots subdivided or partitioned in the RM-II zone shall be a minimum of 20,000 square feet in size, unless the lots are restricted to contain three or more attached dwelling units per lot, are used for townhouse development, or are used for allowed uses other than household living as the applicant is proposing parcel 1 which will be 4,004 square feet and parcel 2 which will be 16,402 square feet when measured exclusive of the accessway.
2. SRC 514.010(b) lot standards for lot area where 6,000 square feet is required and 4,004 square feet is proposed.
3. SRC 514.010(b) lot standards where the lot depth cannot exceed 300% of the lot width, exclusive of the accessway (57.26' W x 3 = 171.78' Max Depth). In this case, 172 feet is allowed, and 231.85 feet is proposed.
4. SRC Section 800.065(2) – Pedestrian access where a pedestrian connection is required between every building on a development site. In this case, the applicant is proposing to

eliminate connections between the existing single-family dwellings and the newly proposed multi-family development.

5. Section 806.035(c)(3) - Table 514-5 zone-to-zone setbacks requires the vehicle use area to be setback from the side property line abutting a residential zone a minimum of 10-feet with Type C landscaping. The applicant is seeking to eliminate the setback and landscaping requirement for a 5.5 foot portion of a parking stall that abuts the proposed trash enclosure and proposed parcel 1.

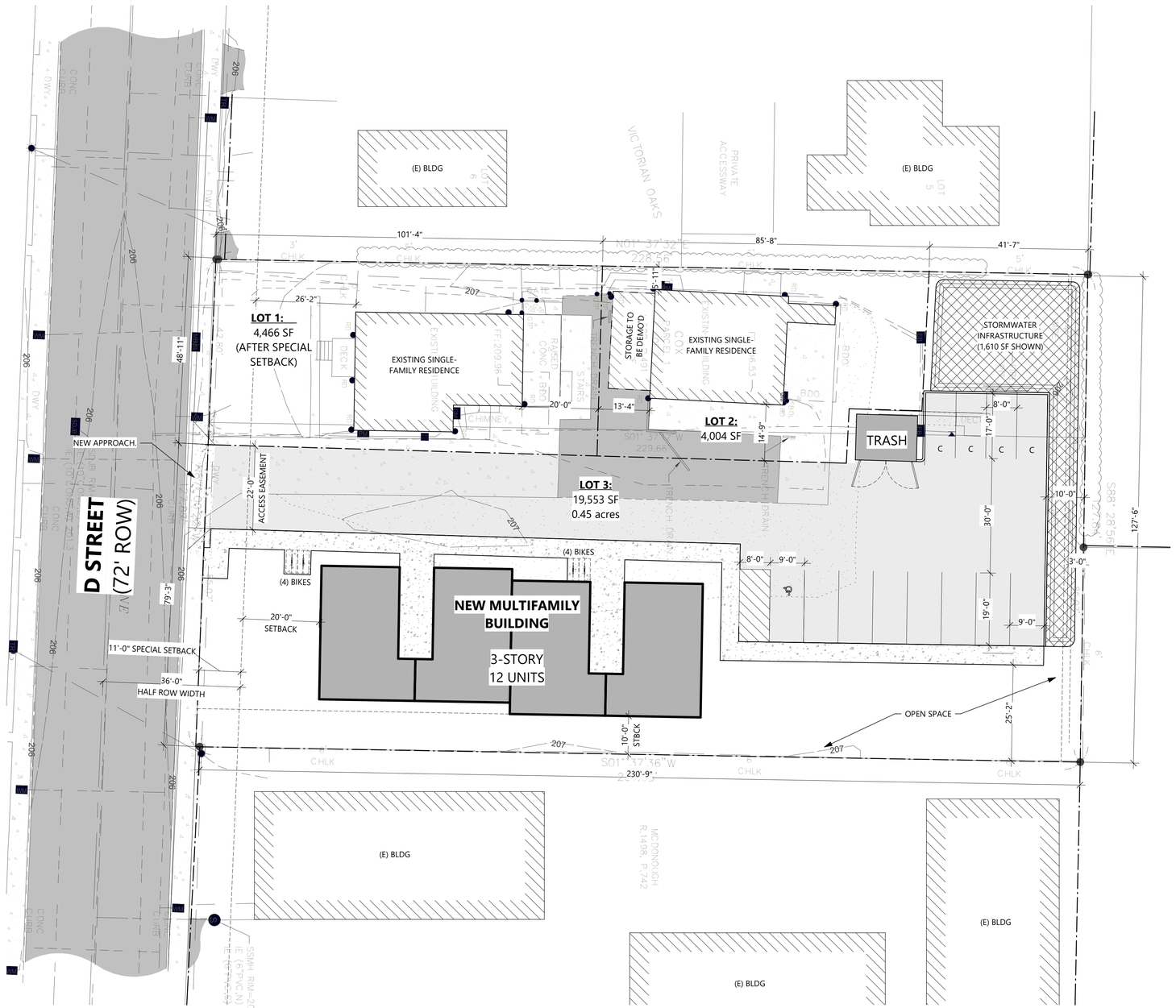
6. Section 804.035(d) – Spacing requirements onto a minor arterial provide that the driveway shall not be closer than 370 feet to the nearest driveway. The location of the newly constructed driveway approach is approximately 130 feet from the driveway to the east and 120 feet from the driveway to the west. The applicant is seeking a class 2 adjustment to limit the driveway spacing standard to 120 feet as it is impossible to meet the requirement given the frontage, where existing structures do not exist, is less than 100 feet in width.

We hope that you find this letter and attached conceptual plan informative. If you have any questions regarding this notice, please contact the applicant's land use representative.

Thank you.

Applicant Information
Skyline Builders, LLC

Applicant Representative Information
BRAND Land Use, LLC | Britany Randall
Ph: 503-370-8704
Britany@BRANDlanduse.com



SITE AREA:

EXISTING: 29,430 sf (0.67 acres)

NEW: (AFTER SPECIAL SETBACK)
- LOT 1: 4,466 sf
- LOT 2: 4,004 sf
- LOT 3: 19,553 sf

ZONING REVIEW:

DENSITY:

MINIMUM:	15 UNITS/ACRE	=	6 UNITS
MAXIMUM:	31 UNITS/ACRE	=	13 UNITS
UNITS SHOWN:		=	12 UNITS

LOT COVERAGE:

MAXIMUM:	60% (11,732 sf)
SHOWN:	15.7% (5,866 sf)

OPEN SPACE:

MINIMUM:	30% (4,030 sf)
SHOWN:	TBD

PARKING:

VEHICLE:			
MAXIMUM:	1.75/UNIT	=	21 SPACES
SHOWN:		=	12 SPACES
BIKE:			
MINIMUM:	1/UNIT	=	13
SHOWN:		=	13 (8 EXTERIOR PLUS 1 PER GROUND FLOOR UNIT)

1 PRELIMINARY SITE PLAN
SCALE: 1/16" = 1'-0"

Copyright © 2024-25 LIFT Architecture

LIFT
ARCHITECTURE
1130 Liberty St SE Suite 230 | Salem, OR 97302

PRELIMINARY NOT FOR CONSTRUCTION

Preliminary Site Plan For: New Multifamily

3021 D Street NE, Salem, OR 97301

REVISIONS:

SHEET:
A1.01
SITE PLAN

PROJECT # 2024-023
DATE: 7/23/2024

Exhibit J – Existing Conditions Plan

0' 20' 40'

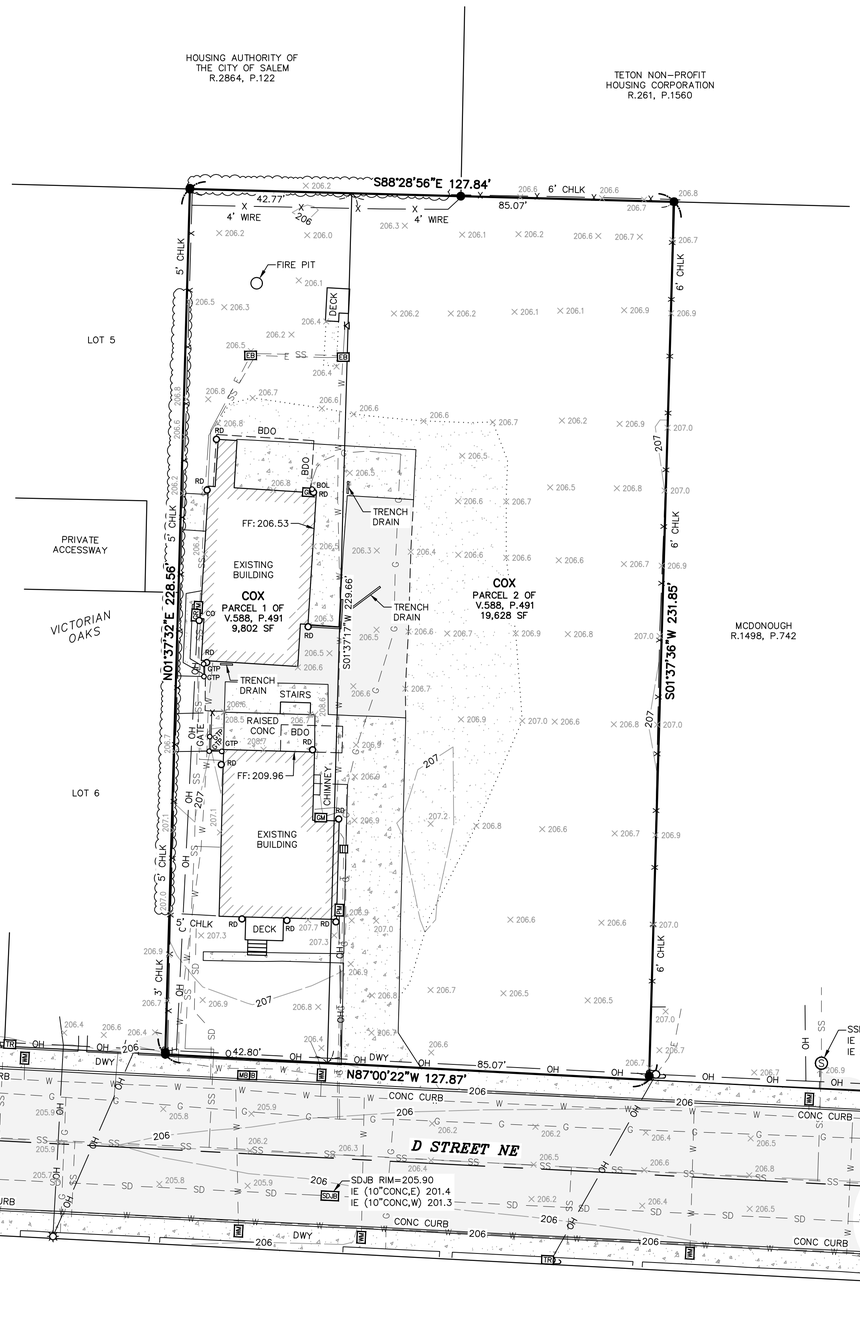
SCALE: 1 INCH = 20 FEET

LEGEND

- FOUND MONUMENT
- SDJB STORM JUNCTION BOX
- RD ROOF DRAIN
- AREA DRAIN
- S SANITARY SEWER MANHOLE
- CO CLEANOUT
- WM WATER METER
- WATER FAUCET
- EB ELECTRICAL BOX
- PM POWER METER
- LIGHT POLE
- UTILITY POLE
- TB COMMUNICATION RISER
- GM GAS METER
- GR GRINDER PUMP
- GTP GATE POST
- BOL BOLLARD
- MB MAILBOX
- CONCRETE
- GRAVEL
- ASPHALT

- SS SEWER LINE UNDERGROUND
- SD STORM LINE UNDERGROUND
- W WATERLINE UNDERGROUND
- G GAS LINE UNDERGROUND
- T COMMUNICATION LINE UNDERGROUND
- E ELECTRICAL LINE UNDERGROUND
- OH OVERHEAD POWER LINE
- X FENCE LINE
- ARBORVITAE ROW

- CONC CONCRETE
- BDO BUILDING OVERHANG
- CHLK CHAINLINK
- DWY DRIVEWAY
- R,# P.# REEL & PAGE
- V,# P.# VOLUME & PAGE
- FF FINISH FLOOR
- SF SQUARE FEET



NOTES

1. BASIS OF BEARINGS IS THE OREGON STATE PLANE NORTH ZONE 3601, NAD83(2011), EPOCH 2010.00. ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES.
2. ELEVATIONS WERE ESTABLISHED BY GPS RTK OBSERVATIONS TO CITY OF SALEM BENCHMARK "6040". MARK IS AN ALUMINUM DISK IN THE CURB AT THE SOUTHEAST CORNER OF LANCASTER DRIVE NE AND D STREET NE. ELEVATION = 208.48' (CITY OF SALEM DATUM, NGVD29)
3. THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED VISIBLE EVIDENCE OF ABOVE GROUND APPURTENANCES ALONG WITH SURFACE UTILITY MARKINGS BY OTHERS. ALL UNDERGROUND UTILITIES SHOWN WERE MARKED ON THE SURFACE BY AN "OREGON ONE-CALL NOTIFICATION CENTER" REQUEST AS WELL AS "MARK IT OUT, LLC", A PRIVATE LOCATING SERVICE PROVIDER. SURVEYOR MAKES NO GUARANTEE AS TO THE ACCURACY OR COMPLETENESS OF SAID MARKINGS, HOWEVER, THEY ARE LOCATED AS ACCURATELY AS THEY ARE MARKED ON THE GROUND. ALL UTILITY LOCATIONS SHOULD BE VERIFIED PRIOR TO CONSTRUCTION.
4. PER ORS 209.150, ANY SURVEY MONUMENT REMOVED, DISTURBED OR DESTROYED SHALL BE REPLACED BY A PROFESSIONAL LAND SURVEYOR WITHIN 90 DAYS AT THE EXPENSE OF THE PERSON OR PUBLIC AGENCY RESPONSIBLE FOR SAID REMOVAL, DISTURBANCE OR DESTRUCTION.
5. FIELD SURVEYED APRIL, 2024.

FFN SURVEYING
7230 3rd Street SE #145, Turner, OR 97392
P: (503) 558-3330 E: info@ffnsurveying.com

TOPOGRAPHIC SURVEY

FOR: SKYLINE BUILDERS, LLC

IN THE SE 1/4 OF SECTION 24, T.7S., R.3W., W.M.
CITY OF SALEM, MARION COUNTY, OREGON

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569

RENEWS: 6-30-2025

REVISIONS

NO.	DATE	DESCRIPTION
0	21APR24	INITIAL RELEASE

JOB NO. 24-500

SHEET 1/1

Exhibit K – Tentative Partition Plan

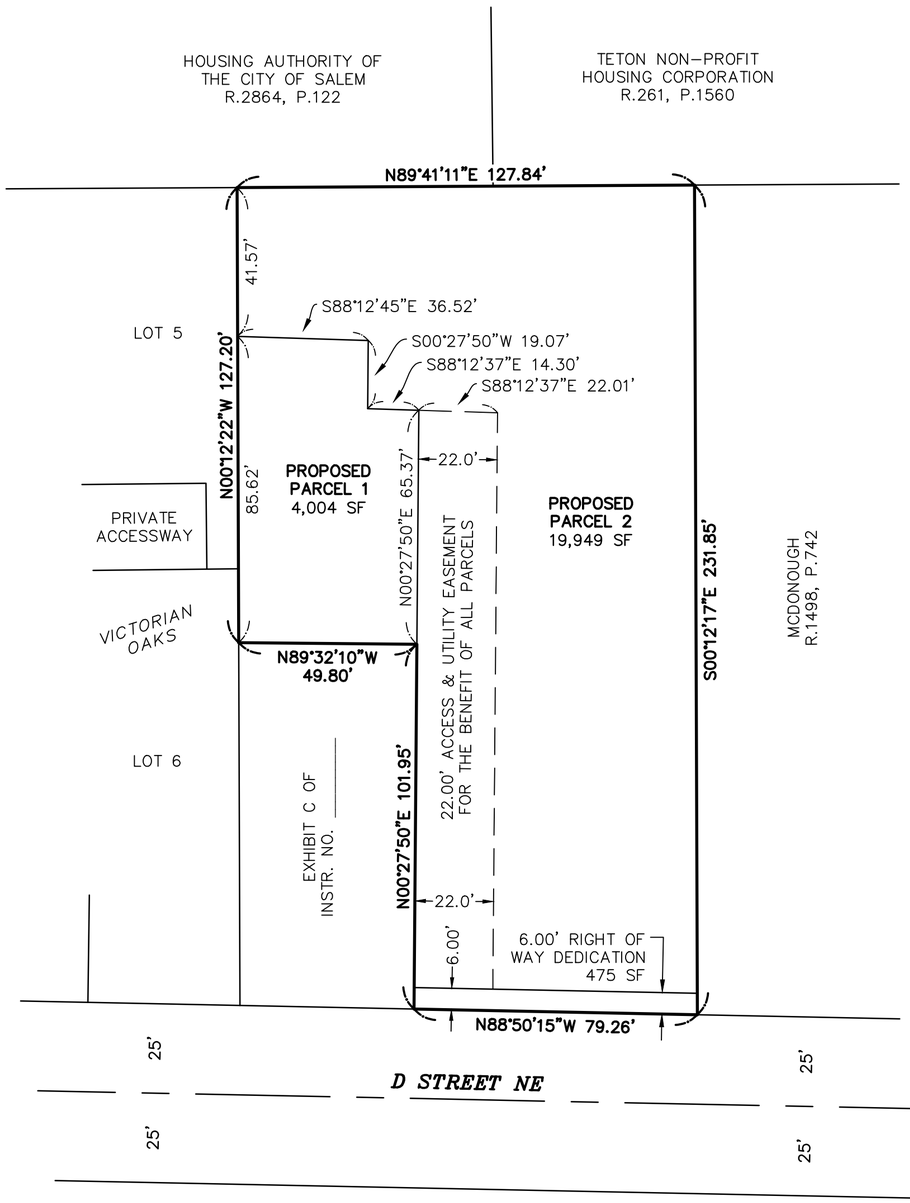
PROPOSED PARTITION PLAT

IN THE SE 1/4 OF SECTION 24, T.7S., R.3W., W.M.
CITY OF SALEM, MARION COUNTY, OREGON

DATE: JULY 17, 2024

0' 30' 60'

SCALE: 1 INCH = 30 FEET



REGISTERED PROFESSIONAL LAND SURVEYOR

DRAFT

OREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569

RENEWS: 6-30-2025

SURVEYED FOR: SKYLINE BUILDERS, LLC

FFN SURVEYING

7230 3rd Street SE #145, Turner, OR 97392
P: (503) 558-3330 E: info@ffnsurveying.com

JOB NO. 24-500

SHEET 1/1

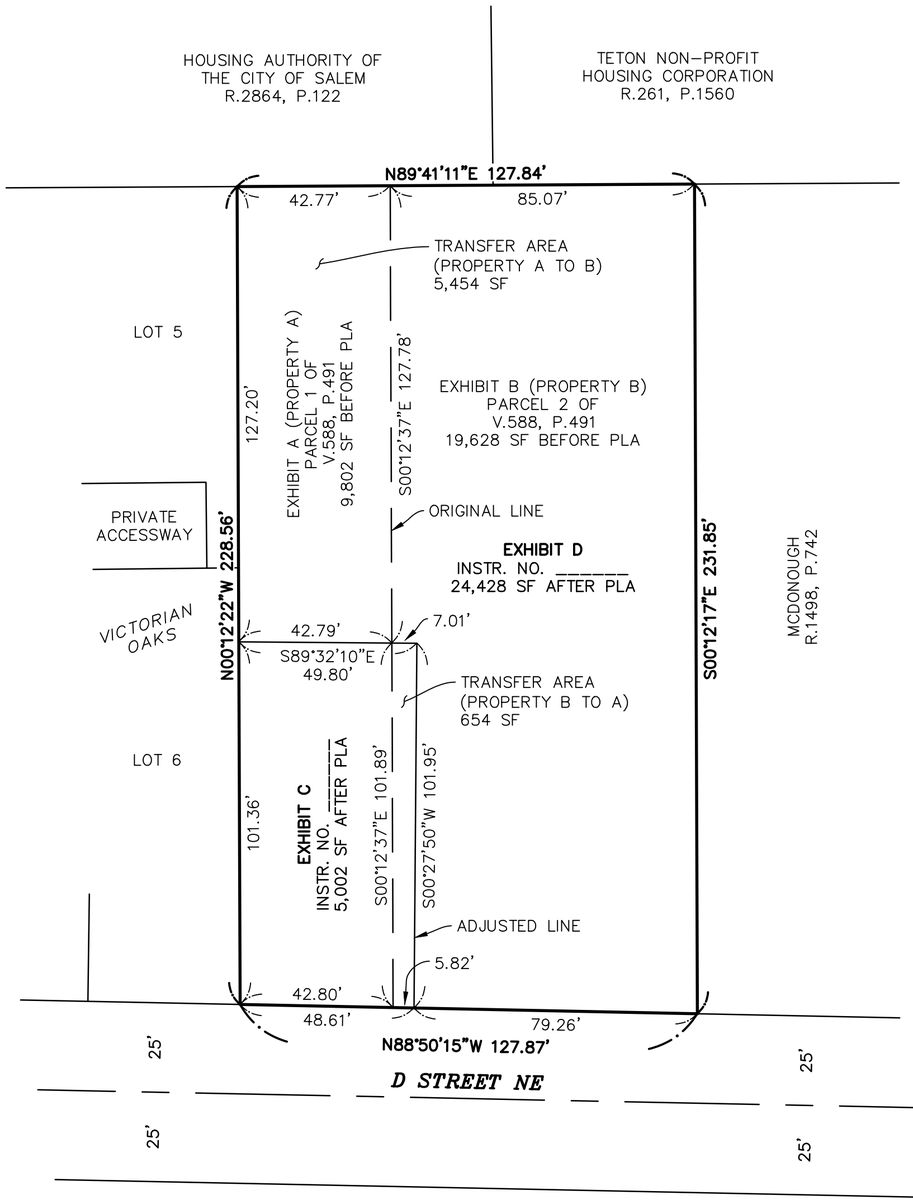
Exhibit L – Property Line Adjustment Record of Survey

PROPOSED PROPERTY LINE ADJUSTMENT

IN THE SE 1/4 OF SECTION 24, T.7S., R.3W., W.M.
CITY OF SALEM, MARION COUNTY, OREGON

DATE: JULY 17, 2024

0' 30' 60'
SCALE: 1 INCH = 30 FEET



REGISTERED PROFESSIONAL LAND SURVEYOR
DRAFT
OREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569
RENEWS: 6-30-2025

RECEIVED ___ /___ /___ BY MARION COUNTY SURVEYOR.
APPROVED FOR FILING ON
___ /___ /___
MCSR _____

SURVEYED FOR: SKYLINE BUILDERS, LLC

FFN SURVEYING
7230 3rd Street SE #145, Turner, OR 97392
P: (503) 558-3330 E: info@ffnsurveying.com

JOB NO. 24-500

SHEET 1/1

Exhibit M – Proposed PLA Deeds

After recording, return to:
Skyline Builders, Inc.
3519 Fairview Industrial Dr. SE
Salem, OR 97317

Send tax statements to:
Skyline Builders, Inc.
3519 Fairview Industrial Dr. SE
Salem, OR 97317

Property Line Adjustment Deed

Skyline Builders, Inc., 3519 Fairview Industrial Drive SE, Salem, OR 97317, hereinafter called Grantor, is the owner of real property located in City of Salem, Marion County, Oregon, referred to herein as Property A, and more particularly described on Exhibit A, which is attached hereto and by this reference incorporated herein. Skyline Builders, Inc., 3519 Fairview Industrial Drive SE, Salem, OR 97317, hereinafter called Grantee, is the owner of real property located in City of Salem, Marion County, Oregon, referred to herein as Property B, more particularly described on Exhibit B, which is attached hereto and by this reference incorporated herein.

The purpose of this Property Line Adjustment Deed (Deed) is to effect a property line adjustment between Property A and Property B such that Property A will be reduced in size by approximately 4,800 square feet and will hereafter consist of only the land described on Exhibit C, which is attached hereto and incorporated herein by this reference, and Property B will be increased in size by approximately 4,800 square feet and will hereafter consist of the land more particularly described on Exhibit D, which is attached hereto and incorporated herein by this reference.

NOW THEREFORE, in order to effect the property line adjustment and to create the reconfigured properties as described on Exhibits C and D, Grantor does hereby grant, transfer, and convey unto Grantee all of that certain real property situated in Marion County, Oregon, described on Exhibit E, which is attached hereto and by this reference incorporated herein.

“BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON’S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336, AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND

REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010."

The true and actual consideration for this transfer, stated in terms of dollars is N/A, however, the actual consideration consists of other property or values which is the whole consideration. The purpose of this Deed is to effect a property line adjustment, and the two parcels are to remain separate and distinct.

This property line adjustment deed is executed this _____ day of _____, 20_____ .

Grantor/Grantee:

Skyline Builders, Inc.

By: _____
Landon Hattan, Owner

STATE OF OREGON)
) ss.
County of _____)
This instrument was acknowledged before me on _____, 20_____ ,
by Landon Hattan, Owner, Skyline Builders, Inc.

_____
Notary Public—State of Oregon
My commission expires: _____

EXHIBIT A

A unit of land situated in the southeast one-quarter of Section 24, Township 7 South, Range 3 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, being all that property as described in Parcel 1 of Volume 588, Page 491, Marion County Deed Records, and more particularly described as follows:

Beginning at an iron pipe which is 24.23 chains North 0°45' West and 7.3095 chains North 89°31' East from the most Southerly Southwest corner of the Donation Land Claim of Isaac Baker and wife in Township 7 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, and from thence running South 0°53' East 3.849 chains to the middle of the County Road; thence South 89°04' East along the middle of that said road, 0.6495 chains; thence North 0°53' West, 3.865 chains to an iron pipe; thence South 89°31' West 0.6495 chains to the place of beginning. Save and except all roads and roadways.

Containing 9,802 square feet, more or less.



EXHIBIT B

A unit of land situated in the southeast one-quarter of Section 24, Township 7 South, Range 3 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, being all that property as described in Parcel 2 of Volume 588, Page 491, Marion County Deed Records, and more particularly described as follows:

Beginning at a point in the center line of D Street, which point is 7.969 chains South 89°04' East 20.56 chains North 0°45' West from the most Southerly Southwest corner of Isaac Baker Donation Land Claim in Township 7 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; thence North 0°53' West 3.865 chains to an iron pipe; thence North 89°31' East 1.283 chains; thence South 0°53' East 3.896 chains to the center of D Street; thence North 89°04' West 1.283 chains to the point of beginning.

Containing 19,628 square feet, more or less.



EXHIBIT C

A unit of land situated in the southeast one-quarter of Section 24, Township 7 South, Range 3 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, being a portion of that property as described in Parcels 1 and 2 of Volume 588, Page 491, Marion County Deed Records, and more particularly described as follows:

Beginning on the north line of D Street NE, being 25.00 feet from the centerline thereof when measured at right angles, at a point which bears South 88°50’15” East, 48.61 feet from the southeast corner of Lot 6 of VICTORIAN OAKS, Marion County Plat Records;

thence, along the north line of said D Street NE, North 88°50’15” West, 48.61 feet to the southeast corner of said Lot 6;

thence, along the east line of said Lot 6, North 00°12’22” West, 101.36 feet;

thence, leaving said east line, South 89°32’10” East, 49.80 feet;

thence, South 00°27’50” West, 101.95 feet to the Point of Beginning.

Containing 5,002 square feet, more or less.

Bearings based on Oregon Coordinate Reference System “Salem” zone.



EXHIBIT D

A unit of land situated in the southeast one-quarter of Section 24, Township 7 South, Range 3 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, being a portion of that property as described in Parcels 1 and 2 of Volume 588, Page 491, Marion County Deed Records, and more particularly described as follows:

Beginning on the north line of D Street NE, being 25.00 feet from the centerline thereof when measured at right angles, at a point which bears South 88°50’15” East, 48.61 feet from the southeast corner of Lot 6 of VICTORIAN OAKS, Marion County Plat Records;

thence, leaving the north line of said D Street NE, North 00°27’50” East, 101.95 feet;

thence, North 89°32’10” West, 49.80 feet to the east line of said Lot 6;

thence, along the east line of said Lot 6, and the northerly extension thereof, North 00°12’22” West, 127.20 feet to the northeast corner of Lot 5 of said VICTORIAN OAKS, being coincident with the south line of that property as described in Reel 2864, Page 122, Marion County Deed Records;

thence, along the south line of said Reel 2864, Page 122, and the easterly extension thereof, North 89°41’11” East, 127.84 feet to the northwest corner of that property as described in Reel 1498, Page 742, Marion County Deed Records;

thence, along the west line of said Reel 1498, Page 742, South 00°12’17” East, 231.85 feet to the north line of said D Street NE;

thence, along the north line of said D Street NE, North 88°50’15” West, 79.26 feet to the Point of Beginning.

Containing 24,428 square feet, more or less.

Bearings based on Oregon Coordinate Reference System “Salem” zone.



EXHIBIT E

Transfer Area Property A to Property B

A unit of land situated in the southeast one-quarter of Section 24, Township 7 South, Range 3 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, being a portion of that property as described in Parcel 1 of Volume 588, Page 491, Marion County Deed Records, and more particularly described as follows:

Beginning at the northeast corner of Lot 5 of VICTORIAN OAKS, Marion County Plat Records, being coincident with the south line of that property as described in Reel 2864, Page 122, Marion County Deed Records;

thence, along the south line of said Reel 2864, Page 122, North 89°41'11" East, 42.77 feet;

thence, leaving said south line, South 00°12'37" East, 127.78 feet;

thence, North 89°32'10" West, 42.79 feet to the east line of Lot 6 of said VICTORIAN OAKS;

thence, along the east line of said Lot 6, and the northerly extension thereof, North 00°12'22" West, 127.20 feet to the Point of Beginning.

Containing 9,802 square feet, more or less.

Bearings based on Oregon Coordinate Reference System "Salem" zone.

Transfer Area Property B to Property A

A unit of land situated in the southeast one-quarter of Section 24, Township 7 South, Range 3 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, being a portion of that property as described in Parcel 2 of Volume 588, Page 491, Marion County Deed Records, and more particularly described as follows:

Beginning on the north line of D Street NE, being 25.00 feet from the centerline thereof when measured at right angles, at a point which bears South 88°50'15" East, 48.61 feet from the southeast corner of Lot 6 of VICTORIAN OAKS, Marion County Plat Records;

thence, along the north line of said D Street NE, North 88°50'15" West, 5.82 feet;

thence, leaving said north line, North 00°12'37" West, 101.89 feet;

thence, South 89°32'10" East, 7.01 feet;

thence, South 00°27'50" West, 101.95 feet to the Point of Beginning.

Containing 654 square feet, more or less.

Bearings based on Oregon Coordinate Reference System "Salem" zone.

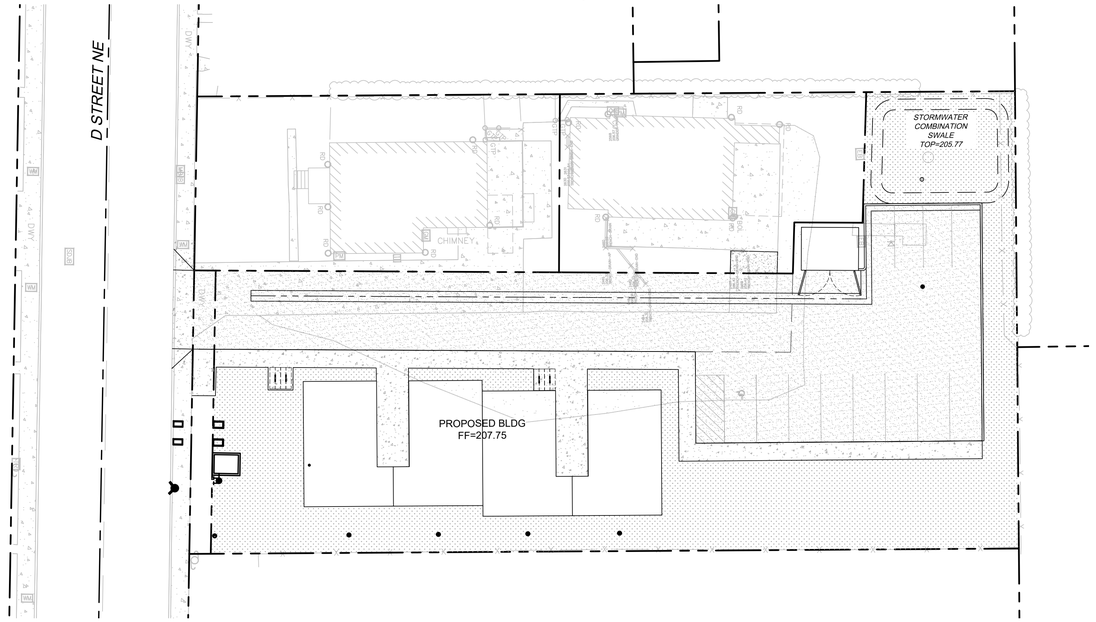


Exhibit N – Civil Plan Set

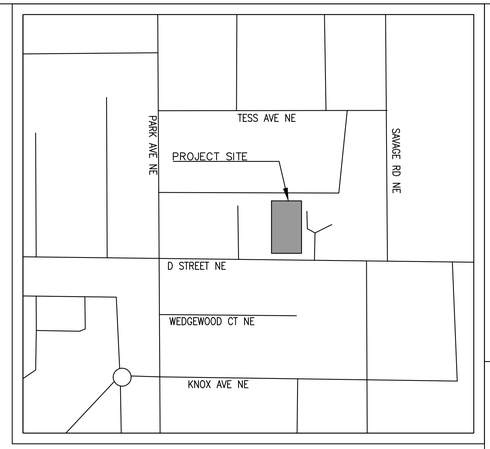
PRELIMINARY PLANS FOR:

MULTI-FAMILY DEVELOPMENT

3021 & 3027 D STREET
SALEM OR, 97301



INDEX MAP
SCALE:1":20'



VICINITY MAP
NOT TO SCALE

PROJECT DIRECTORY:

APPLICANT:
SKYLINE BUILDERS, LLC
1280 FIR ST S
SALEM, OR 97302
P:503.428.2758
LANDON@SKYLINE-CO.COM

CIVIL ENGINEER:
7 OAKS ENGINEERING, INC.
STEVEN JOHNSON, P.E.
345 WESTFIELD ST. #107
SILVERTON, OR. 97381
503.308.8520
STEVEN@7OAKSENGINEERING.COM

LAND SURVEYOR :
FFN SURVEYING
7230 3RD STREET SE #145
TURNER, OR 97392
P: 503.558.3330
INFO@FFNSURVEYING.COM

ARCHITECT:
LIFT ARCHITECTURE
1130 LIBERTY ST SE SUITE 230
SALEM, OR 97302
P: 503.420.8520
INFO@LIFTARCHITECTURE.COM

UTILITY PURVEYORS:

WATER:
CITY OF SALEM
555 LIBERTY STREET SE
SALEM, OREGON.
503.588.6311

STORM DRAIN:
CITY OF SALEM
555 LIBERTY STREET SE
SALEM, OREGON.
503.588.6311

SEWER:
CITY OF SALEM
555 LIBERTY STREET SE
SALEM, OREGON.
503.588.6311

FIRE:
CITY OF SALEM
555 LIBERTY STREET SE
SALEM, OREGON.
503.588.6311

ELECTRIC:
PORTLAND GENERAL ELECTRIC
KEN SPENCER
KENNETH.SPENCER@PGN.COM
503.970.7200

NATURAL GAS:
NORTHWEST NATURAL GAS COMPANY
3123 BROADWAY ST NE
SALEM, OR. 97303
503.585.6611

ROADWAYS:
CITY OF SALEM
555 LIBERTY STREET SE
SALEM, OREGON.
503.588.6311

SHEET INDEX:

1 – TITLE SHEET
2 – PRELIMINARY GRADING PLAN
3 – PRELIMINARY WET UTILITY PLAN
4 – PRELIMINARY STORMWATER PLAN
5 – STORMWATER DETAILS

NOTICE TO EXCAVATORS:
ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER. (NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS 503-232-1987).

POTENTIAL UNDERGROUND FACILITY OWNERS
Dig Safely.
Call the Oregon One-Call Center
DIAL 811 or 1-800-332-2344

ENGINEER'S NOTICE TO CONTRACTOR:
THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES SHOWN IN THESE PLANS ARE OBTAINED BY A SEARCH OF AVAILABLE RECORDS, AND TO THE BEST OF OUR KNOWLEDGE, THERE ARE NOT EXISTING UTILITIES EXCEPT THOSE SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE ALL PRECAUTIONARY MEASURES TO PROTECT THE UTILITIES SHOWN, AND ANY OTHER LINES OR STRUCTURES NOT SHOWN ON THESE PLANS, AND IS RESPONSIBLE FOR THE PROTECTION OF ANY DAMAGE TO THESE LINES OR STRUCTURES.

CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION FOR THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENTS SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY, ITS EMPLOYEES, AND AGENTS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT.

THE CONTRACTOR SHALL BE RESPONSIBLE TO REPORT DISCREPANCIES IN PLANS AND/OR FIELD CONDITIONS IMMEDIATELY TO THE DESIGN ENGINEER FOR RESOLUTION PRIOR TO CONSTRUCTION, AND SHALL BE RESPONSIBLE FOR DISCREPANCIES NOT SO REPORTED AND RESOLVED.

ABBREVIATIONS:

PL	PROPERTY LINE	TYP.	TYPICAL
FF	FINISHED FLOOR	MIN.	MINIMUM
TC	TOP OF CURB	SS	SANITARY SEWER
FS	FINISHED SURFACE	SD	STORM DRAIN
FL	FLOW LINE	CF	CURB FACE
FG	FINISHED GRADE	WM	WATER METER
GB	GRADE BREAK	FDC	FIRE DEPARTMENT CONNECTION
CL	CENTERLINE	APN	ACCESSOR'S PARCEL MAP
R	RIDGE LINE	SQ.FT	SQUARE FEET
R/W	RIGHT OF WAY	INV.	INVERT
WV	WATER VALVE	BF	BACKFLOW
PR.	PROPOSED	CFS	CUBIC FEET PER SECOND
NAP	NOT A PART	SCH.	SCHEDULE
FT	FEET	PVC	POLYVINYL CHLORIDE
EV	ELECTRIC VEHICLE	SDR	SPECIAL DRAWING RIGHT
CAV	CLEAN AIR VEHICLE	PSI	POUNDS PER SQUARE INCH
STD.	STANDARD	NFPA	NATIONAL FIRE PREVENTION ASSOCIATION
AC.	ACRES	CB	CATCH BASIN
CUP	CONDITIONAL USE PERMIT	D	DIAMETER
EX.	EXISTING	VCP	VITRIFIED CLAY PIPE

PROJECT SURVEY:
IN THE SE ¼ OF SECTION 24, T.7S., R.3W., W.M.
CITY OF SALEM, MARION COUNTY OREGON

7 OAKS ENGINEERING
345 WESTFIELD ST. #107
SILVERTON, OR. 97381
503.308.8554
ADMIN@7OAKSENGINEERING.COM

STAMP:
REGISTERED PROFESSIONAL ENGINEER
96126PE
PRELIMINARY
OREGON
MAY 12, 2010
STEVEN JOHNSON

NO	DATE	ISSUE DESCRIPTION

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS AND NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

THESE DRAWINGS MAY HAVE BEEN REPRODUCED AT A SIZE DIFFERENTLY THAN ORIGINALLY DRAWN. OWNER AND ENGINEER ASSUME NO RESPONSIBILITY FOR USE OF INCORRECT SCALE.

CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO PROCEEDING WITH CONSTRUCTION AND NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES OR CONFLICTS.

QC BY: DRAWN BY:

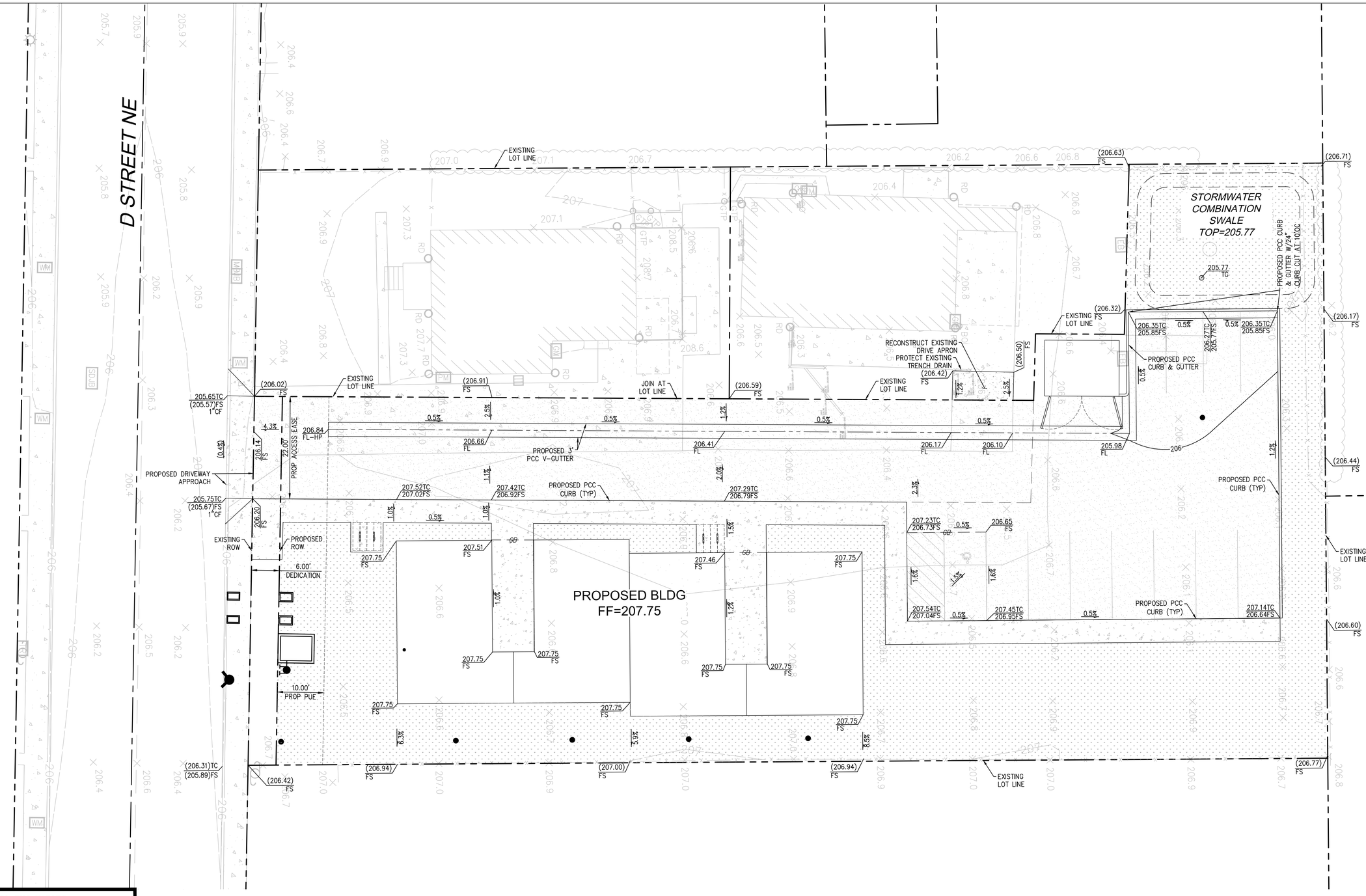
PROJECT NAME: MULTI-FAMILY DEVELOPMENT
PROJECT ADDRESS: 3021 & 3027 D STREET NE SALEM OR, 97301

SHEET TITLE: TITLE SHEET

DATE: 08/20/2024

SHEET NUMBER: 1

JOB #00330



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(NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS 503-232-1987).

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SCALE: 1"=10'

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PRELIMINARY
OREGON
MAY 12, 2010
STEVEN JOHNSON

NO	DATE	ISSUE DESCRIPTION

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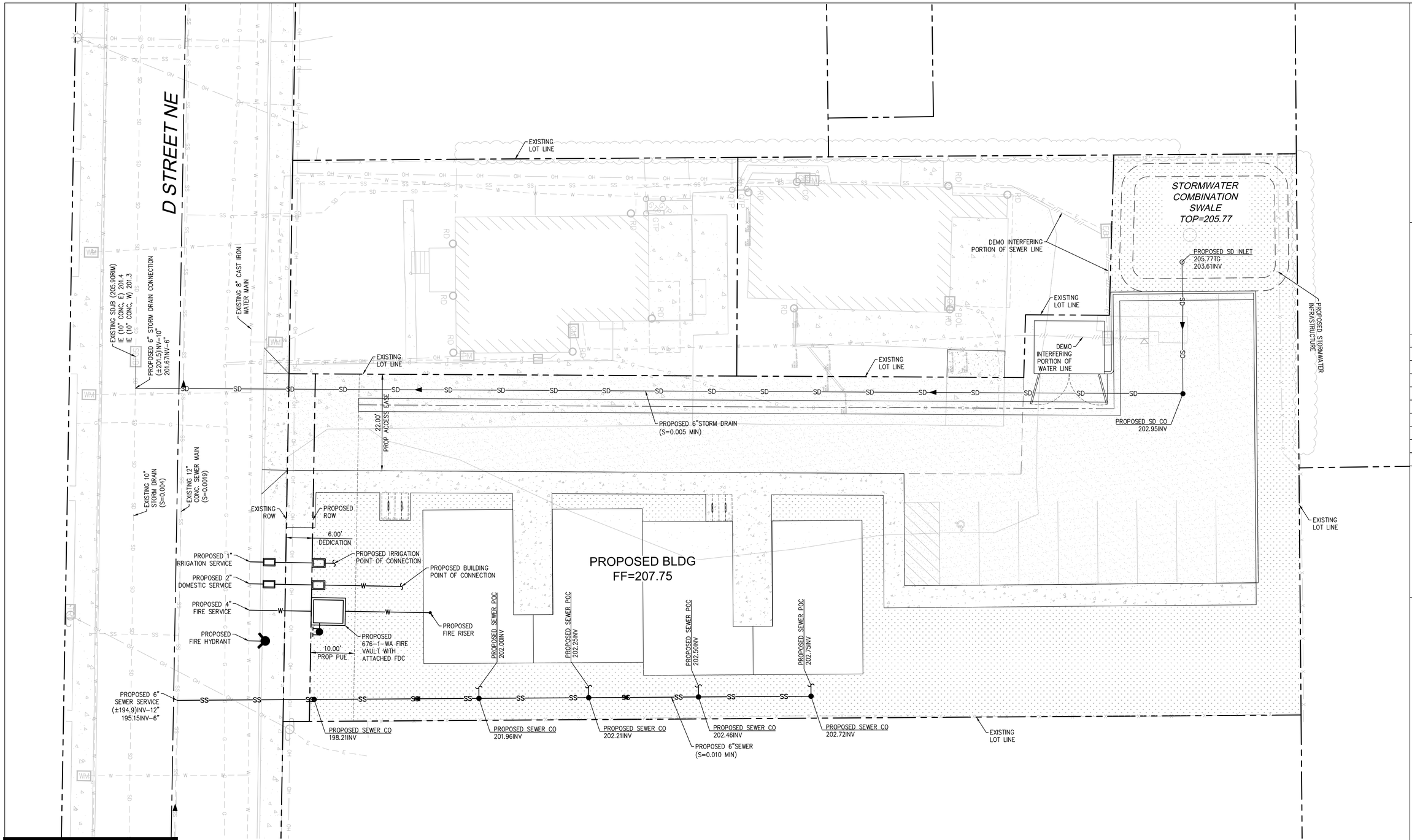
PROJECT NAME: MULTI-FAMILY DEVELOPMENT
PROJECT ADDRESS: 3021 & 3027 D STREET NE SALEM OR, 97301

SHEET TITLE: PRELIMINARY GRADING PLAN

DATE: 08/20/2024

SHEET NUMBER: 2

JOB #00330



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LEGEND:

- SD — PROPOSED DRAIN LINE
- SS — PROPOSED SEWER
- W — PROPOSED WATER
- APPROXIMATE LIMITS OF UTILITY REMOVAL
- PROPOSED WATER METER
- PROPOSED CLEANOUT

UTILITY GENERAL NOTES:

1. REFER TO SEPARATE UTILITY PURVEYOR FOR ELECTRICAL AND GAS SERVICES.
2. ALL EXISTING UTILITIES SHALL BE PROTECTED IN PLACE UNLESS OTHERWISE SPECIFICALLY CALLED FOR ON THE PLANS.
3. THE ENGINEER OF RECORD SHALL BE CONTACTED IF ANY DISCREPANCIES ARISE IN THE FIELD.

N

10 5 0 10 20

SCALE: 1"=10'

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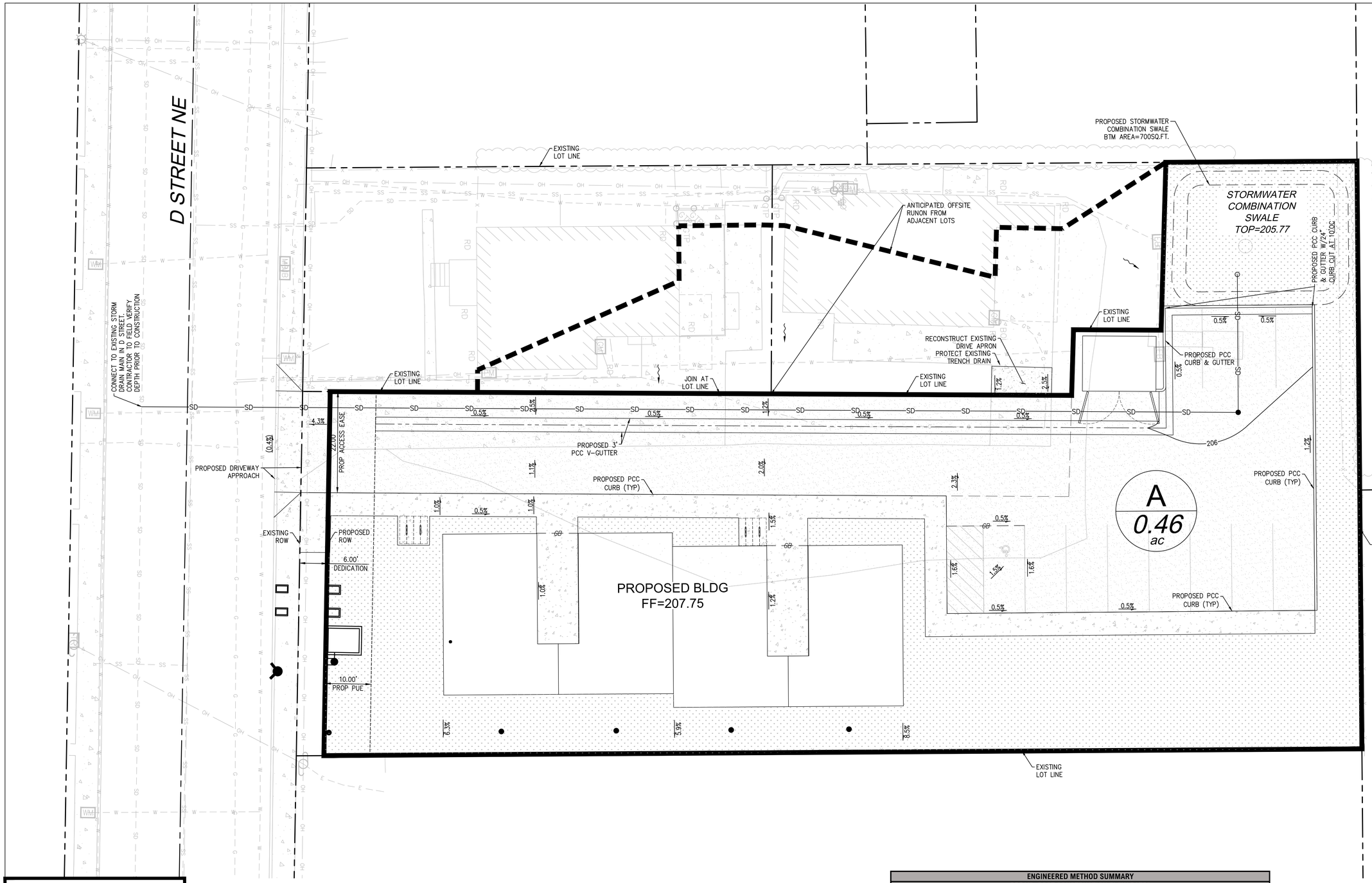
PROJECT NAME: MULTI-FAMILY DEVELOPMENT
PROJECT ADDRESS: 3021 & 3027 D STREET NE SALEM OR, 97301

SHEET TITLE: PRELIMINARY WET UTILITY PLAN

DATE: 08/20/2024

SHEET NUMBER: 3

JOB #00330



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LEGEND:

HYDROLOGY SUBAREA BOUNDARY LINE

XX / AC — SUB-AREA LABEL

ENGINEERED METHOD SUMMARY
PRE VS. POST CONSTRUCTION FLOW RATES

FACILITY ID	PEAK FLOW RATE (CFS)									
	HALF OF THE 2 YEAR STORM		5 YEAR STORM		10 YEAR STORM		25 YEAR STORM		100 YEAR STORM	
PROJECT SITE	PRE	POST	PRE	POST	PRE	POST	PRE	POST	PRE	POST
A	0.1	0.08	0.16	0.09	0.2	0.09	0.25	0.1	0.34	0.27

*Number were taken to the 100th place, and rounded accordingly.

CATCHMENT AND FACILITY TABLE

AREA	TOTAL AREA (SF)/(AC.)	IMPERVIOUS AREA (SF)	PERVIOUS AREA (SF)
A	19,553	13,687	5,866

N

10 5 0 10 20

SCALE: 1"=10'

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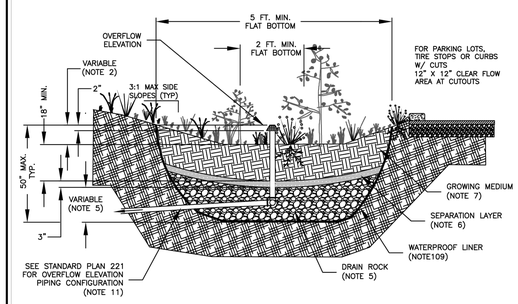
PROJECT NAME: MULTI-FAMILY DEVELOPMENT
PROJECT ADDRESS: 3021 & 3027 D STREET NE SALEM OR, 97301

SHEET TITLE: PRELIMINARY STORMWATER PLAN

DATE: 08/20/2024

SHEET NUMBER: 4

JOB #00330



NOTES:

1. PROVIDE PROTECTION FROM ALL VEHICLE TRAFFIC, EQUIPMENT STAGING, AND FOOT TRAFFIC IN PROPOSED INFILTRATION AREAS PRIOR TO, DURING, AND AFTER CONSTRUCTION.

2. DIMENSIONS:
   A. WIDTH OF SWALE: 5 FT. – 12 FT.
   B. DEPTH OF SWALE (FROM TOP OF GROWING MEDIUM TO OVERFLOW ELEVATION):
      SIMPLIFIED 9"
      ENGINEERED 6"–12"
   C. LONGITUDINAL SLOPE OF SWALE: 6.0% OR LESS
   D. FLAT BOTTOM WIDTH: 2 FT. MIN.
   E. SIDE SLOPES OF SWALE: 3:1 MAXIMUM

3. LOCATION / SETBACK:
   A.INFILTRATION VEGETATED SWALES MUST BE 10 FT. FROM FOUNDATION AND 5 FT. FROM PROPERTY LINES

4. OVERFLOW:
   A. EMERGENCY OVERFLOW PATH SHALL BE IDENTIFIED ON THE STORMWATER MANAGEMENT PLAN

5. DRAIN ROCK:
   A. SIZE: 1 1/2"–3/4" WASHED AGGREGATE
   B. DEPTH: 0"–48"

6. SEPARATION BETWEEN DRAIN ROCK AND GROWING MEDIUM: SHALL BE A 3" LAYER OF 3/4"–1/4" OPEN GRADED AGGREGATE

7. GROWING MEDIUM:
   A. DEPTH: 18" MINIMUM
   B. SEE DESIGN STANDARDS FOR REQUIREMENTS

8. VEGETATION: SEE DESIGN STANDARDS FOR REQUIREMENTS

9. CHECK DAMS: SHALL BE PLACED ACCORDING TO FACILITY DESIGN. REFER TO STANDARD PLAN 220

10. ALONG STREETS: PROTECT SUBGRADE WITHWATERPROOF LINER (30 mil. PVC OR EQUAL) ALONG STREET EDGE TO BOTTOM OF SWALE. SEE STANDARD PLAN 233

11. PIPING:
    SEE STANDARD PLAN 221

CITY OF SALEM
DEPARTMENT OF PUBLIC WORKS

STANDARD PLAN
COMBINATION SWALE

APPROVED	CITY ENGINEER	1/01/14 DATE	DRAWN BY	KAK 12/2013	**NO. 219**
			CHECKED BY	KR 12/2013	

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QC BY: DRAWN BY:

PROJECT NAME: MULTI-FAMILY DEVELOPMENT
PROJECT ADDRESS: 3021 & 3027 D STREET NE
SALEM OR, 97301

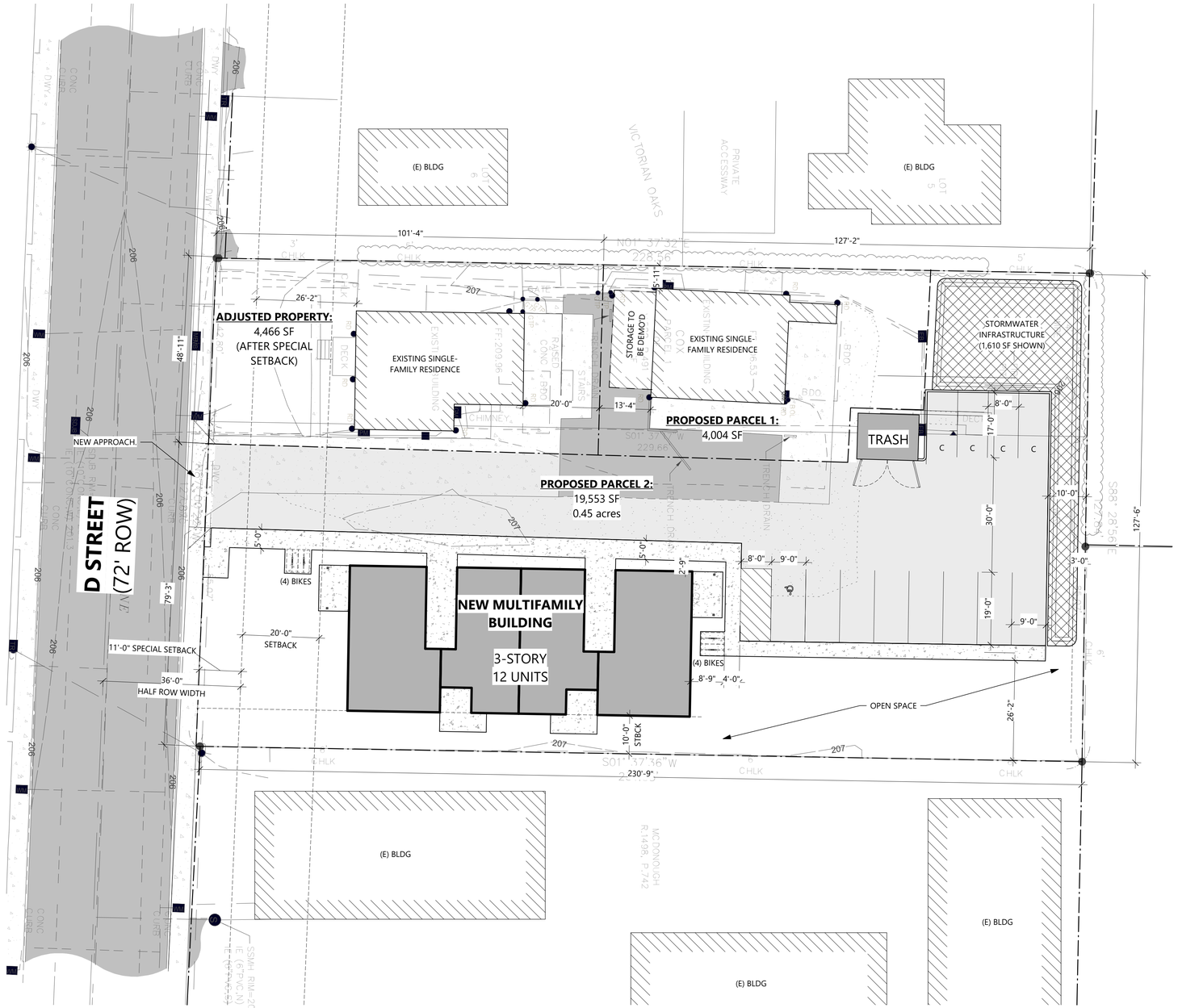
SHEET TITLE:
STORMWATER DETAILS

DATE: 08/20/2024

SHEET NUMBER: 5

JOB #00330

Exhibit O – Architectural Plan Set



1 PRELIMINARY SITE PLAN
SCALE: 1/16" = 1'-0"

SITE AREA:

EXISTING: 29,430 sf (0.67 acres)

NEW: (AFTER SPECIAL SETBACK)
- ADJUSTED PROPERTY: 4,466 sf
- PROPOSED PARCEL 1: 4,004 sf
- PROPOSED PARCEL 2: 19,553 sf

ZONING REVIEW:

DENSITY:

MINIMUM:	15 UNITS/ACRE	=	6 UNITS
MAXIMUM:	31 UNITS/ACRE	=	13 UNITS
UNITS SHOWN:		=	12 UNITS

LOT COVERAGE:

MAXIMUM:	60% (12,091 sf)
SHOWN:	15% (3,068 sf)

OPEN SPACE:

MINIMUM:	20% (4,030 sf)
SHOWN:	TBD

PARKING:

VEHICLE:			
MAXIMUM:	1.75/UNIT	=	21 SPACES
SHOWN:		=	12 SPACES
BIKE:			
MINIMUM:	1/UNIT	=	12
SHOWN:		=	12 (8 EXTERIOR PLUS 1 PER GROUND FLOOR UNIT)

LIFT ARCHITECTURE
1130 Liberty St SE Suite 230 | Salem, OR 97302

PRELIMINARY NOT FOR CONSTRUCTION

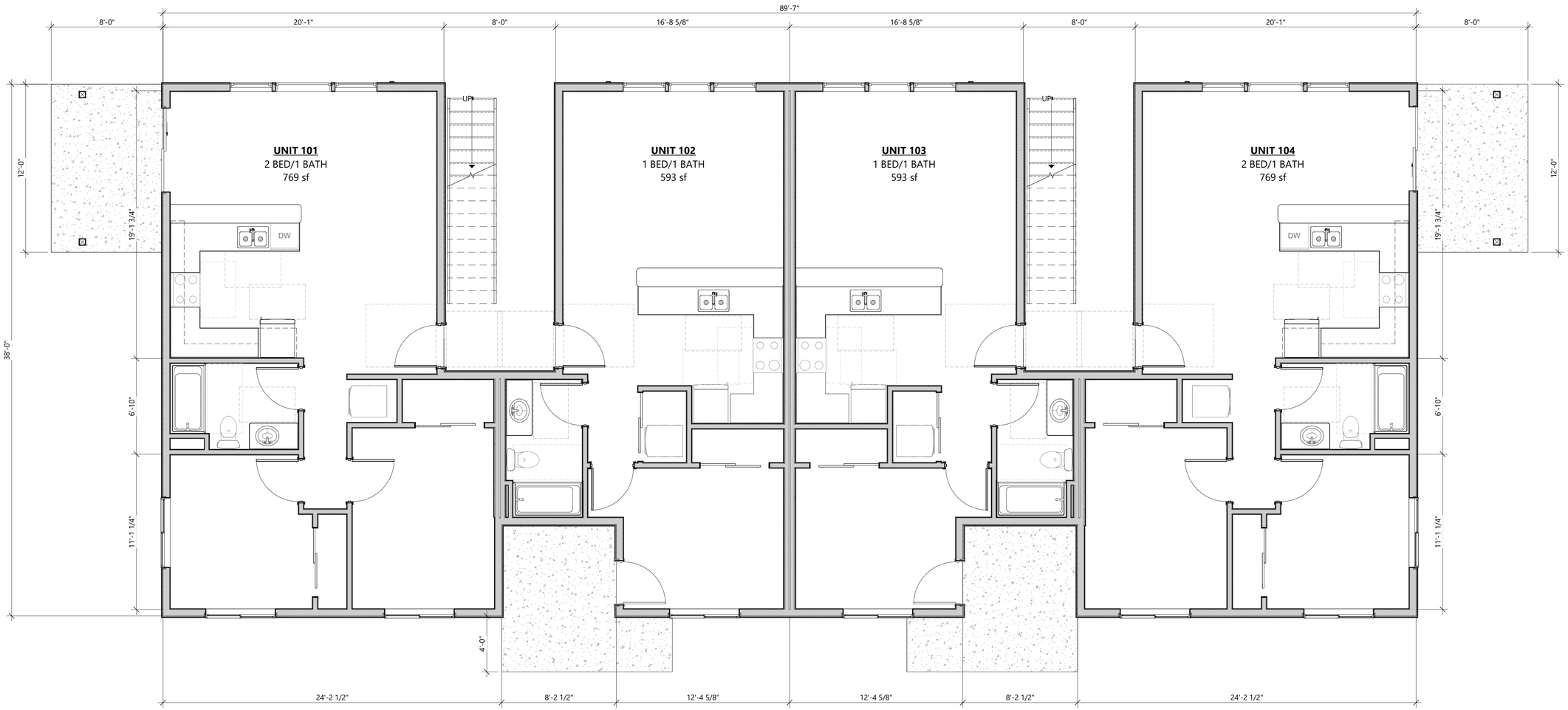
New Multifamily Development
3021 D Street
Salem, OR 97301

REVISIONS:

SHEET:
A1.01
SITE PLAN

PROJECT # 2024-023
DATE: 9/5/2024

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1 GROUND FLOOR PLAN

SCALE: 1/4" = 1'-0"

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Salem, OR 97301

REVISIONS:

SHEET:
A1.21
GROUND FLOOR PLAN

PROJECT # 2024-023
DATE: 9/5/2024



1 SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

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REVISIONS:

SHEET:

A1.22

SECOND FLOOR PLAN

PROJECT # 2024-023

DATE: 9/5/2024



1 WEST ELEVATION

SCALE: 1/4" = 1'-0"



2 SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

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REVISIONS:

SHEET:

A2.01

ELEVATIONS

PROJECT # 2024-023

DATE: 9/5/2024



1 EAST ELEVATION

SCALE: 1/4" = 1'-0"



2 NORTH ELEVATION

SCALE: 1/4" = 1'-0"

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New Multifamily Development
3021 D Street
Salem, OR 97301

REVISIONS:

SHEET:

A2.02

ELEVATIONS

PROJECT # 2024-023

DATE: 9/5/2024

Exhibit P – Stormwater Report

PRELIMINARY STORMWATER MANAGEMENT REPORT

FOR

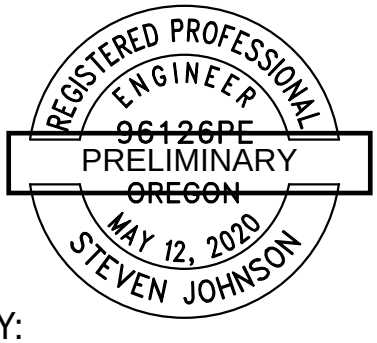
MULTIFAMILY DEVELOPMENT

At

3021 & 3027 D STREET NE

SALEM, OR. 97301

August 21st, 2024



PREPARED BY:

7 OAKS ENGINEERING, INC.
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Silverton, Or. 97381
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SEAL BEACH, CA. 90740
562.537.6038

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I. PURPOSE OF REPORT 3
II. PROJECT DESCRIPTION 3
A. EXISTING CONDITION 3
B. PROPOSED CONDITION 3
III. METHODOLOGY 5
APPENDIX A - MAPS
APPENDIX B - CALCULATIONS
APPENDIX C - PLANS
APPENDIX D - SOIL INFORMATION

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I. PURPOSE OF REPORT

This report describes the proposed improvements compliance with the City of Salem Stormwater Design Handbook for Developers and Large Projects.

II. PROJECT DESCRIPTION

The site is located at 3021 & 3027 D Street NE in the City of Salem. The property is bordered by D Street NE to the south with private property to the west and north.

A. EXISTING CONDITION

The existing site is currently vacant with a portion of grass and an existing driveway made of concrete. Gravel can also be found on a portion of the site just east of the existing properties. The northeast portion of the site was found to have higher elevations which then slopes toward the northwest portion of the site. South of this portion of the site, is generally flat but slopes slightly towards the south.

The existing site is not located within a FEMA flood zone overlay per FIRM Map 41047C0375G, effective 1/19/2000.

B. PROPOSED CONDITION

The proposed development will be a new 3-story 12-unit multifamily building, with a proposed parking lot and proposed stormwater infrastructure. Where the parking lot is located, the draining pattern will generally remain the same, draining from the northeast portion of the lot to the west where the proposed rain garden will be located.

In the northeastern section of the site, there will be a parking lot that slopes downward toward the north, directing runoff into the bioswale. Simultaneously, the northwestern portion of the site will slope into the rain garden. The proposed rain garden and bioswale serve to address the site's zero-infiltration rate, as indicated in the Geotechnical Report (Branch Engineering Project No. 24-1447). Any excess water from the rain garden and bioswale will flow to the curb along D Street NE. Importantly, the total post-development flow rate will not exceed the predevelopment flow rate.

There is existing runon from the adjacent development, and although the proposed combination swale is not sized for the existing development, the overflow conveyance system has been sized to anticipate the small amount of runon.

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Geotechnical Report:

Branch Engineering, dated May 22, 2024
Project No. 24-1447

Infiltration Rates:

Table 1: Infiltration Test Results

Test ID	*Soil Description*	*Test Depth (inches)*	*Infiltration Rate (in/hr)*
IT-1	Light Brown - Clayey Silt (ML/CL)	56	0
IT-2	Light Brown – Clayey Silt (ML/CL)	58	0

Groundwater:
Groundwater was not encountered at the explored depth of 7-feet. One well log Mari 66067 showed no groundwater to a depth of 22-feet.

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III. METHODOLOGY

The City of Salem's stormwater design handbook for developers and large projects, and Chapter 71 of the Salem Revised Code (SRC) require the following;

Flow Control Requirements

- Stormwater detention facilities must be designed such that the post-development peak runoff rate is equal to or less than the pre-development peak runoff rate for half of the 2-year, 24-hour storm and the 10-year, 24-hour storm, 25-year and 100-year 24-hour storm event.

- The detention volume for a volume-based stormwater flow control facility (such as dry detention basin) shall be sufficient to detain a 100-year design storm event without overflow.

Water Quality Treatment Requirements

- Stormwater treatment facilities must be designed to treat 80% of the average annual rainfall using the water quality design storm event of 1.38 inches in 24 hours.

GSI Requirements

The City of Salem requires large projects to apply GIS to the maximum extent feasible (MEF). The MEF requirements are;

- The total area of the site covered by GSI facilities is at least 10 percent of the combined amount of new plus replaced impervious surfaces on the entire site or;

- GSI is used to fully mitigate the impacts of stormwater runoff from at least 80 percent of the total new plus replaced impervious surfaces.

The proposed development will utilize an infiltration rain garden to mitigate 80 percent of the total new impervious surface area.

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IV. CALCULATIONS

The development will be designed in accordance with the Design Standards in Division 004, Appendix D. The Santa Barbara Urban Hydrograph (SBUH) method will be the selected methodology used in the computer program HydroCAD Version 10.20. The following parameters were inputted;

Storm Type: *Type 1A Rainfall Distribution*
Soil Group: *Group C*

Curve Number:

Land Cover Category	Curve Numbers for Hydrologic Soil Group			
	A	B	C	D
Impervious Surface	**98**	**98**	**98**	**98**
Pervious Land Cover				
Pre-developed	35	58	72	79
Unamended Soils	72	82	87	89
Amended Soils	39	61	74	80

Rainfall Depth:

24-hour Rainfall Depths for Salem	
Design Storm Event	**Precipitation (inches/24 hours)**
WQ Event	1.38
2-year	2.20
10-year	3.20
100-year	4.40

The 25-year 24-hour storm event precipitation is 3.6 in/24 hr per PWDS Table 4D-3

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V. SUMMARY

The proposed development will implement a combination swale per City Std. No. 219 at the northwest corner of the site. A low flow pipe has been designed, with an orifice control, to reduce the post development flow rate to not exceed the pre development flow rate, as demonstrated below. The combination swale has been sized with a bottom surface area of 700 square feet.

Lastly, the GSI combination swale has been sized to properly treat the Water Quality Storm Event of 1.38 in/hr. The tables below provide the summary of calculations derived using HydroCAD. Please refer to the Appendix for the complete calculations.

ENGINEERED METHOD SUMMARY										
PRE VS. POST CONSTRUCTION FLOW RATES										
FACILITY ID	PEAK FLOW RATE (CFS)									
	HALF OF THE 2 YEAR STORM		5 YEAR STORM		10 YEAR STORM		25 YEAR STORM		100 YEAR STORM	
PROJECT SITE	PRE	POST	PRE	POST	PRE	POST	PRE	POST	PRE	POST
A	0.1	0.08	0.16	0.09	0.2	0.09	0.25	0.1	0.34	0.27

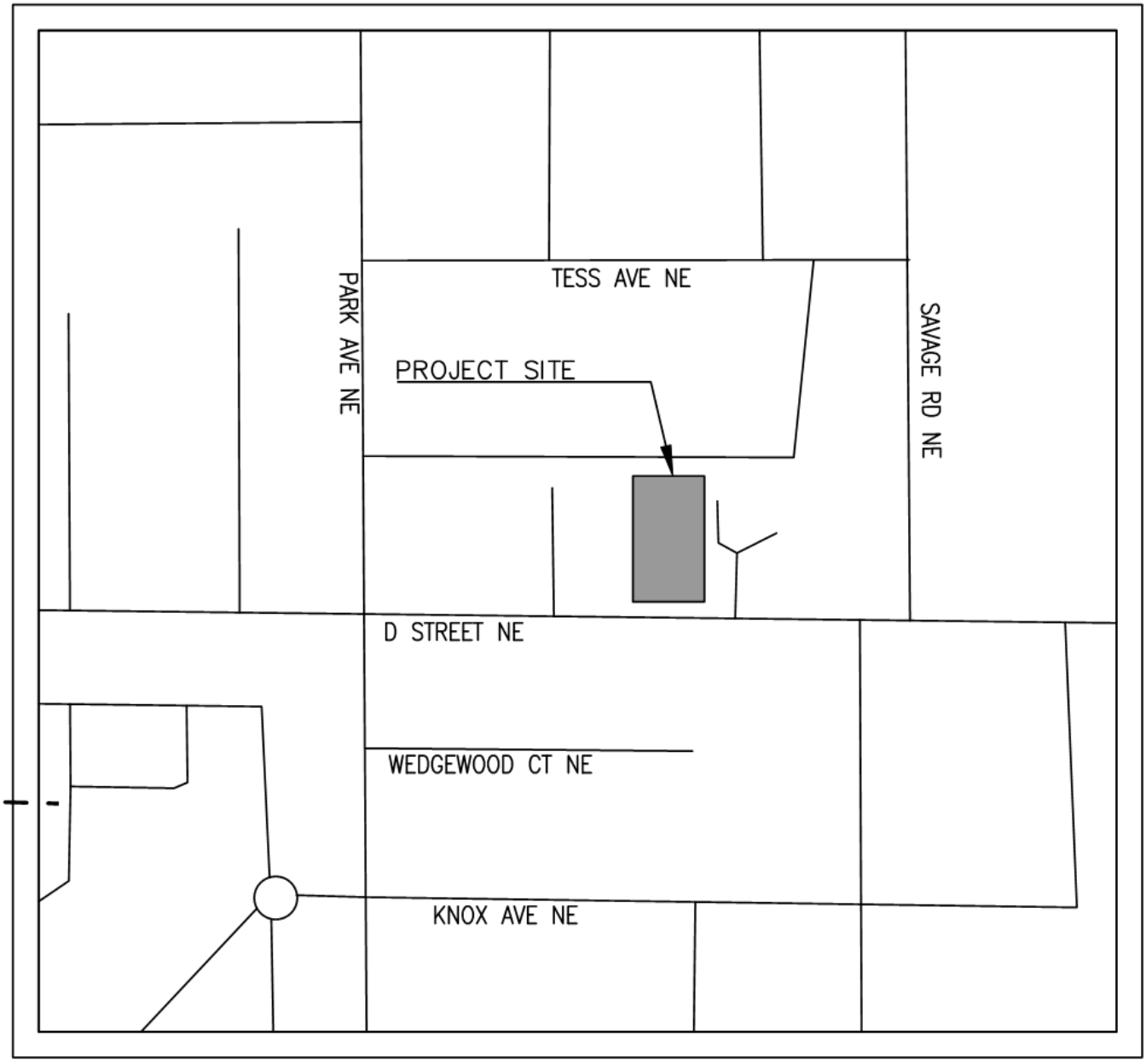
CATCHMENT AND FACILITY TABLE			
AREA	TOTAL AREA (SF)/(AC.)	IMPERVIOUS AREA (SF)	PERVIOUS AREA (SF)
A	19,553	13,687	5,866

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APPENDIX A – MAPS



VICINITY MAP
NOT TO SCALE

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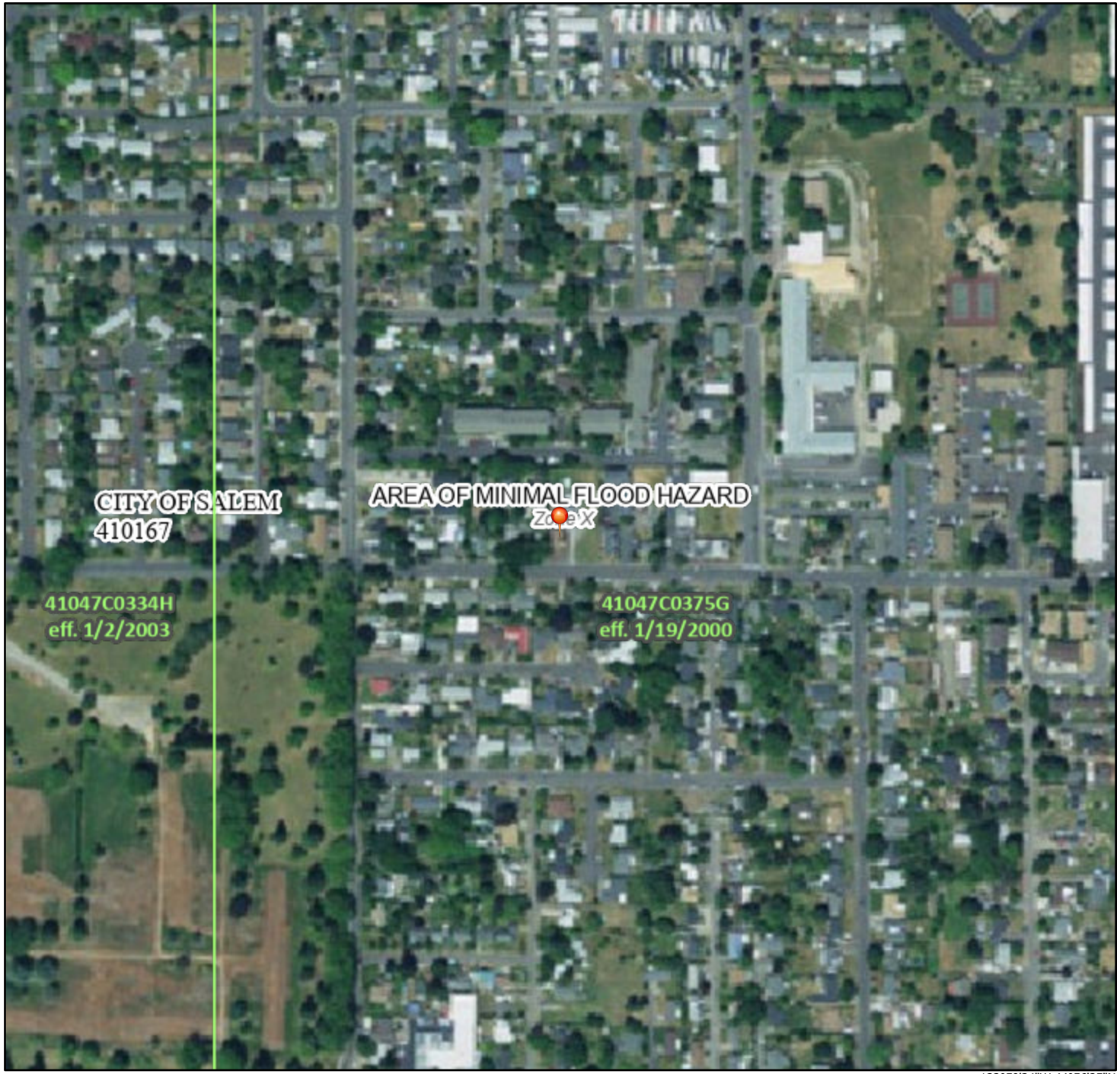
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National Flood Hazard Layer FIRMette

FEMA

123°0'11"W 44°56'50"N



122°59'34"W 44°56'25"N

0 250 500 1,000 1,500 2,000 Feet

1:6,000

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 Cross Sections with 1% Annual Chance
- 17.5 Water Surface Elevation
- Coastal Transect
- 513 Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 7/23/2024 at 6:30 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

APPENDIX B – CALCULATIONS

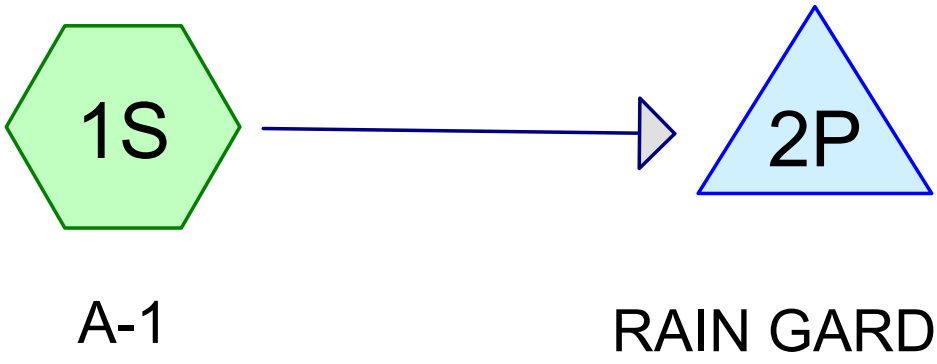
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POST DEVELOPMENT HYDROCAD

THE ELEVATIONS SHOWN HEREIN ARE ARBITARY AND USED FOR CALCULATION PURPOSES ONLY



Subcat Reach Pond Link

Routing Diagram for Post_Development_00330
Prepared by 7 Oaks Engineering, Inc, Printed 8/20/2024
HydroCAD® 10.20-4a s/n 12691 © 2023 HydroCAD Software Solutions LLC

Rainfall Events Listing

Event#	Event Name	Storm Type	Curve	Mode	Duration (hours)	B/B	Depth (inches)	AMC
1	2-Yr	Type IA 24-hr		Default	24.00	1	2.20	2
2	5-Yr	Type IA 24-hr		Default	24.00	1	2.80	2
3	10-Yr	Type IA 24-hr		Default	24.00	1	3.20	2
4	25-Yr	Type IA 24-hr		Default	24.00	1	3.60	2
5	100-Yr	Type IA 24-hr		Default	24.00	1	4.40	2
6	WQV	Type IA 24-hr		Default	24.00	1	1.38	2

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.135	86	<50% Grass cover, Poor, HSG C (1S)
0.314	98	Paved parking, HSG C (1S)
0.449	**94**	**TOTAL AREA**

Soil Listing (all nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.000	HSG A	
0.000	HSG B	
0.449	HSG C	1S
0.000	HSG D	
0.000	Other	
0.449		**TOTAL AREA**

Ground Covers (all nodes)

HSG-A (acres)	HSG-B (acres)	HSG-C (acres)	HSG-D (acres)	Other (acres)	Total (acres)	Ground Cover	Subcatchment Numbers
0.000	0.000	0.135	0.000	0.000	0.135	<50% Grass cover, Poor	1S
0.000	0.000	0.314	0.000	0.000	0.314	Paved parking	1S
0.000	**0.000**	**0.449**	**0.000**	**0.000**	**0.449**	**TOTAL AREA**	

Pipe Listing (all nodes)

Line#	Node Number	In-Invert (feet)	Out-Invert (feet)	Length (feet)	Slope (ft/ft)	n	Width (inches)	Diam/Height (inches)	Inside-Fill (inches)	Node Name
1	2P	203.18	203.17	2.0	0.0050	0.013	0.0	4.0	0.0	
2	2P	203.18	203.17	2.0	0.0050	0.013	0.0	1.5	0.0	

Time span=0.01-40.00 hrs, dt=0.05 hrs, 801 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment1S: A-1 Runoff Area=19,553 sf 70.00% Impervious Runoff Depth=1.58"
Flow Length=175' Tc=5.0 min CN=94 Runoff=0.19 cfs 0.059 af

Pond 2P: RAIN GARDEN Peak Elev=205.04' Storage=339 cf Inflow=0.19 cfs 0.059 af
Outflow=0.08 cfs 0.059 af

Total Runoff Area = 0.449 ac Runoff Volume = 0.059 af Average Runoff Depth = 1.58"
30.00% Pervious = 0.135 ac 70.00% Impervious = 0.314 ac

Summary for Subcatchment 1S: A-1

[49] Hint: Tc<2dt may require smaller dt

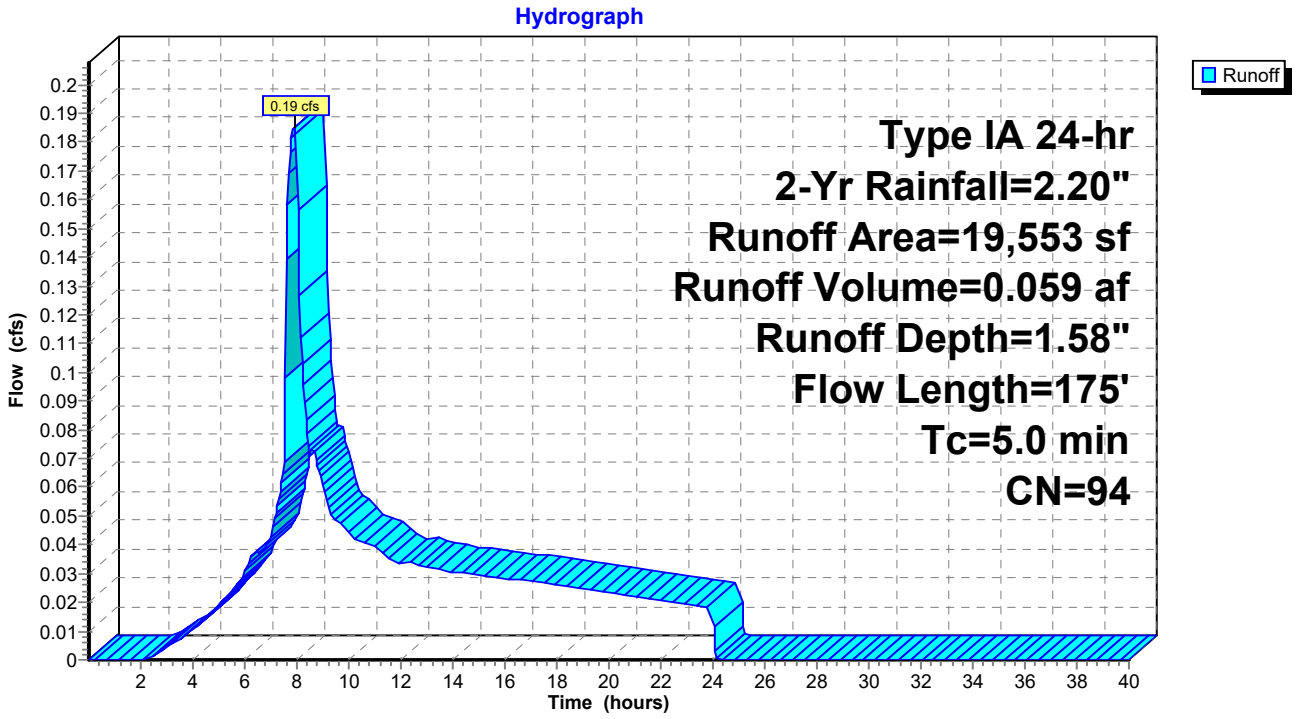
Runoff = 0.19 cfs @ 7.90 hrs, Volume= 0.059 af, Depth= 1.58"
Routed to Pond 2P : RAIN GARDEN

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.01-40.01 hrs, dt= 0.05 hrs
Type IA 24-hr 2-Yr Rainfall=2.20"

Area (sf)	CN	Description
13,687	98	Paved parking, HSG C
5,866	86	<50% Grass cover, Poor, HSG C
19,553	94	Weighted Average
5,866	86	30.00% Pervious Area
13,687	98	70.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	175		0.58		**Direct Entry,**

Subcatchment 1S: A-1



Summary for Pond 2P: RAIN GARDEN

Inflow Area = 0.449 ac, 70.00% Impervious, Inflow Depth = 1.58" for 2-Yr event
Inflow = 0.19 cfs @ 7.90 hrs, Volume= 0.059 af
Outflow = 0.08 cfs @ 8.40 hrs, Volume= 0.059 af, Atten= 57%, Lag= 30.2 min
Primary = 0.08 cfs @ 8.40 hrs, Volume= 0.059 af

Routing by Stor-Ind method, Time Span= 0.01-40.01 hrs, dt= 0.05 hrs / 2
Peak Elev= 205.04' @ 8.40 hrs Surf.Area= 700 sf Storage= 339 cf
Flood Elev= 206.34' Surf.Area= 700 sf Storage= 1,057 cf

Plug-Flow detention time= 47.4 min calculated for 0.059 af (100% of inflow)
Center-of-Mass det. time= 48.0 min (781.8 - 733.7)

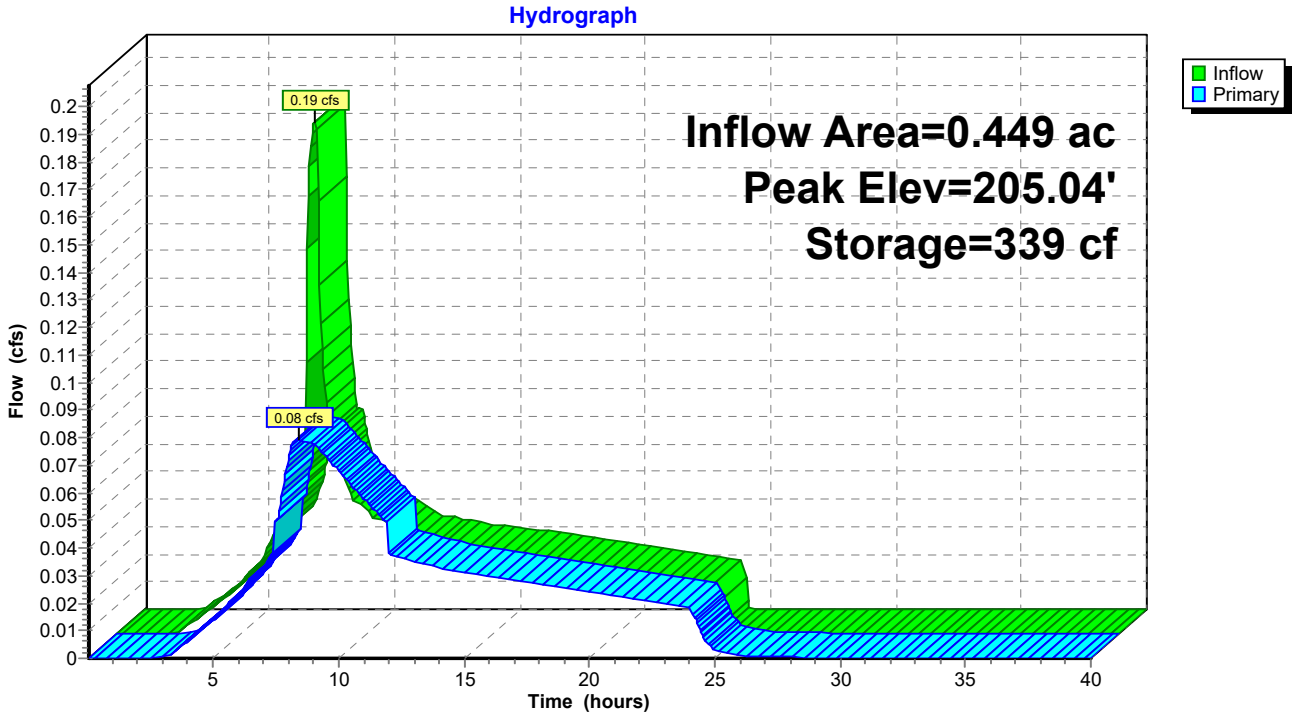
Volume	Invert	Avail.Storage	Storage Description
#1	203.18'	1,057 cf	**Custom Stage Data (Irregular)** Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Perim. (feet)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
203.18	700	157.0	0.0	0	0	700
203.68	700	157.0	30.0	105	105	779
203.93	700	157.0	0.0	0	105	818
205.43	700	157.0	30.0	315	420	1,053
206.18	700	157.0	100.0	525	945	1,171
206.34	700	157.0	100.0	112	1,057	1,196

Device	Routing	Invert	Outlet Devices
#1	Device 2	206.18'	**12.0" Horiz. Orifice/Grate** C= 0.600 Limited to weir flow at low heads
#2	Primary	203.18'	**4.0" Round Culvert** L= 2.0' Ke= 0.500 Inlet / Outlet Invert= 203.18' / 203.17' S= 0.0050 '/' Cc= 0.900 n= 0.013, Flow Area= 0.09 sf
#3	Device 2	203.18'	**1.5" Round Culvert** L= 2.0' Ke= 0.500 Inlet / Outlet Invert= 203.18' / 203.17' S= 0.0050 '/' Cc= 0.900 n= 0.013, Flow Area= 0.01 sf

Primary OutFlow Max=0.08 cfs @ 8.40 hrs HW=205.04' (Free Discharge)
└**2=Culvert** (Passes 0.08 cfs of 0.55 cfs potential flow)
  └**1=Orifice/Grate** (Controls 0.00 cfs)
  └**3=Culvert** (Inlet Controls 0.08 cfs @ 6.46 fps)

Pond 2P: RAIN GARDEN



Time span=0.01-40.00 hrs, dt=0.05 hrs, 801 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment1S: A-1 Runoff Area=19,553 sf 70.00% Impervious Runoff Depth=2.16"
Flow Length=175' Tc=5.0 min CN=94 Runoff=0.25 cfs 0.081 af

Pond 2P: RAIN GARDEN Peak Elev=205.58' Storage=528 cf Inflow=0.25 cfs 0.081 af
Outflow=0.09 cfs 0.081 af

Total Runoff Area = 0.449 ac Runoff Volume = 0.081 af Average Runoff Depth = 2.16"
30.00% Pervious = 0.135 ac 70.00% Impervious = 0.314 ac

Summary for Subcatchment 1S: A-1

[49] Hint: Tc<2dt may require smaller dt

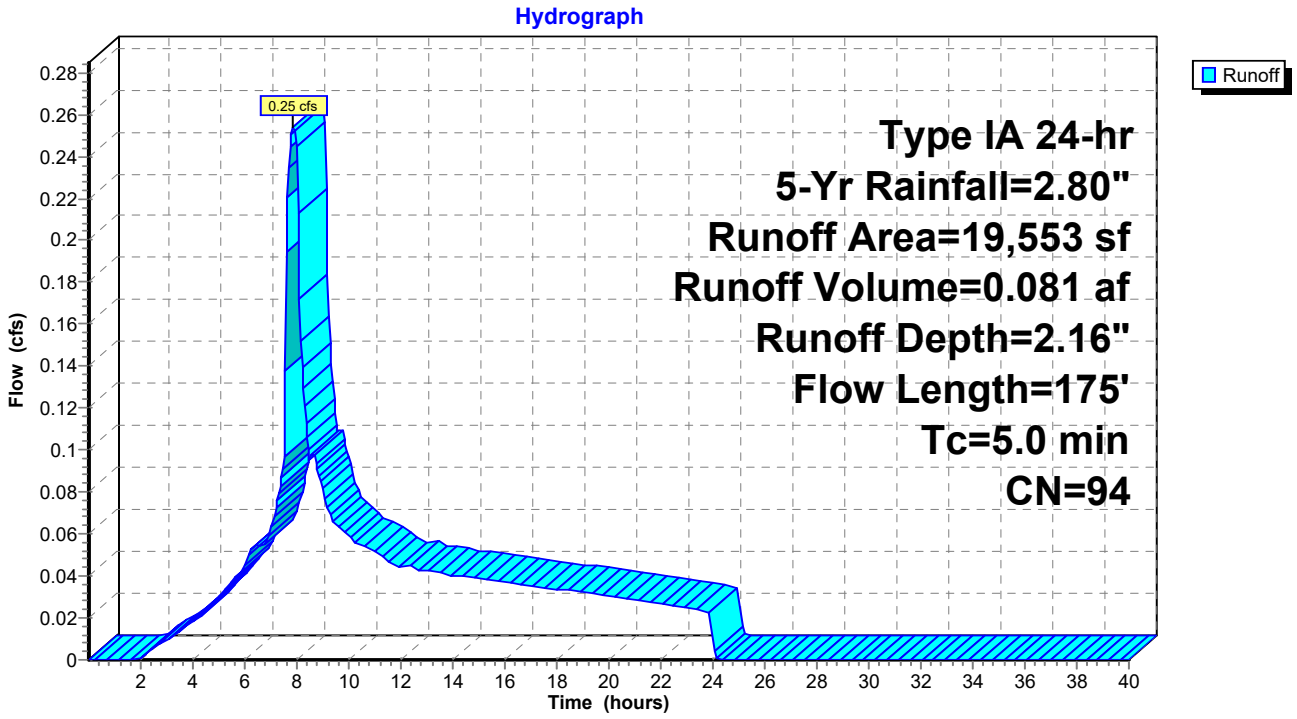
Runoff = 0.25 cfs @ 7.89 hrs, Volume= 0.081 af, Depth= 2.16"
Routed to Pond 2P : RAIN GARDEN

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.01-40.01 hrs, dt= 0.05 hrs
Type IA 24-hr 5-Yr Rainfall=2.80"

Area (sf)	CN	Description
13,687	98	Paved parking, HSG C
5,866	86	<50% Grass cover, Poor, HSG C
19,553	94	Weighted Average
5,866	86	30.00% Pervious Area
13,687	98	70.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	175		0.58		**Direct Entry,**

Subcatchment 1S: A-1



Summary for Pond 2P: RAIN GARDEN

Inflow Area = 0.449 ac, 70.00% Impervious, Inflow Depth = 2.16" for 5-Yr event
Inflow = 0.25 cfs @ 7.89 hrs, Volume= 0.081 af
Outflow = 0.09 cfs @ 8.81 hrs, Volume= 0.081 af, Atten= 64%, Lag= 55.5 min
Primary = 0.09 cfs @ 8.81 hrs, Volume= 0.081 af

Routing by Stor-Ind method, Time Span= 0.01-40.01 hrs, dt= 0.05 hrs / 2
Peak Elev= 205.58' @ 8.81 hrs Surf.Area= 700 sf Storage= 528 cf
Flood Elev= 206.34' Surf.Area= 700 sf Storage= 1,057 cf

Plug-Flow detention time= 57.7 min calculated for 0.081 af (100% of inflow)
Center-of-Mass det. time= 57.9 min (776.3 - 718.4)

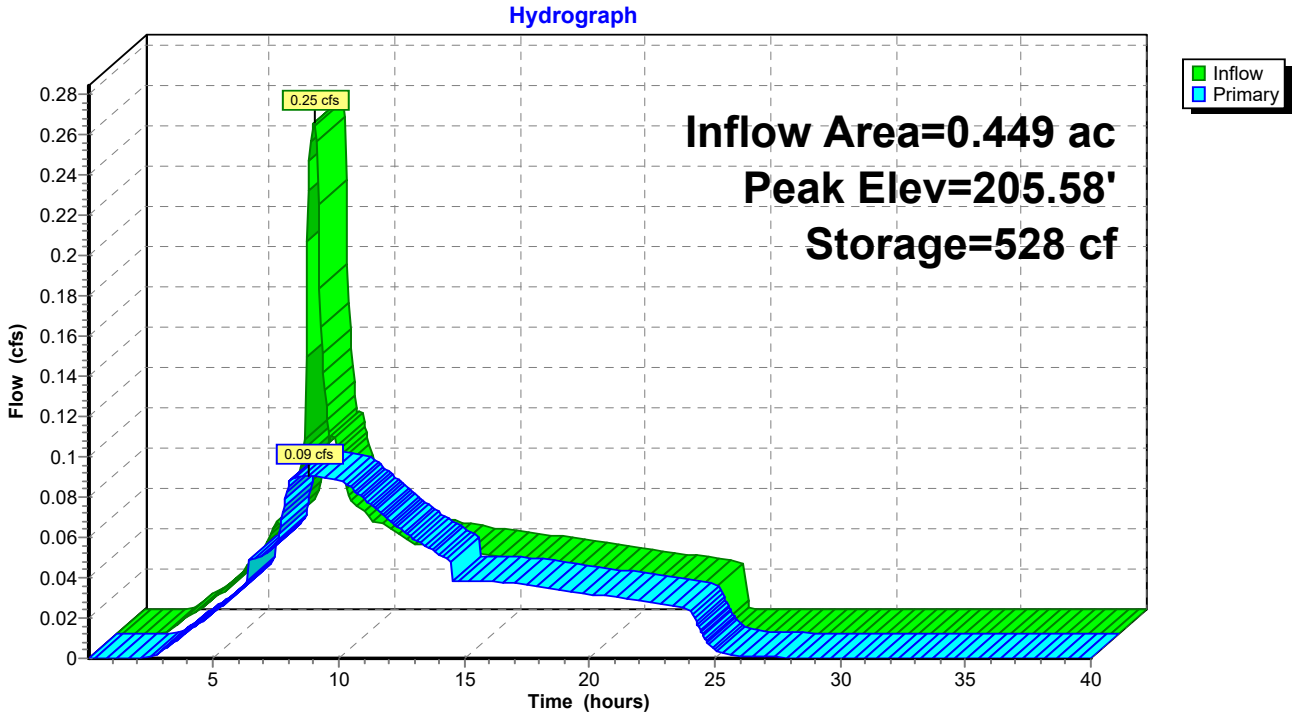
Volume	Invert	Avail.Storage	Storage Description
#1	203.18'	1,057 cf	**Custom Stage Data (Irregular)** Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Perim. (feet)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
203.18	700	157.0	0.0	0	0	700
203.68	700	157.0	30.0	105	105	779
203.93	700	157.0	0.0	0	105	818
205.43	700	157.0	30.0	315	420	1,053
206.18	700	157.0	100.0	525	945	1,171
206.34	700	157.0	100.0	112	1,057	1,196

Device	Routing	Invert	Outlet Devices
#1	Device 2	206.18'	**12.0" Horiz. Orifice/Grate** C= 0.600 Limited to weir flow at low heads
#2	Primary	203.18'	**4.0" Round Culvert** L= 2.0' Ke= 0.500 Inlet / Outlet Invert= 203.18' / 203.17' S= 0.0050 '/' Cc= 0.900 n= 0.013, Flow Area= 0.09 sf
#3	Device 2	203.18'	**1.5" Round Culvert** L= 2.0' Ke= 0.500 Inlet / Outlet Invert= 203.18' / 203.17' S= 0.0050 '/' Cc= 0.900 n= 0.013, Flow Area= 0.01 sf

Primary OutFlow Max=0.09 cfs @ 8.81 hrs HW=205.58' (Free Discharge)
└**2=Culvert** (Passes 0.09 cfs of 0.63 cfs potential flow)
  └**1=Orifice/Grate** (Controls 0.00 cfs)
  └**3=Culvert** (Inlet Controls 0.09 cfs @ 7.37 fps)

Pond 2P: RAIN GARDEN



Time span=0.01-40.00 hrs, dt=0.05 hrs, 801 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment1S: A-1 Runoff Area=19,553 sf 70.00% Impervious Runoff Depth=2.54"
Flow Length=175' Tc=5.0 min CN=94 Runoff=0.30 cfs 0.095 af

Pond 2P: RAIN GARDEN Peak Elev=205.82' Storage=694 cf Inflow=0.30 cfs 0.095 af
Outflow=0.09 cfs 0.095 af

Total Runoff Area = 0.449 ac Runoff Volume = 0.095 af Average Runoff Depth = 2.54"
30.00% Pervious = 0.135 ac 70.00% Impervious = 0.314 ac

Summary for Subcatchment 1S: A-1

[49] Hint: Tc<2dt may require smaller dt

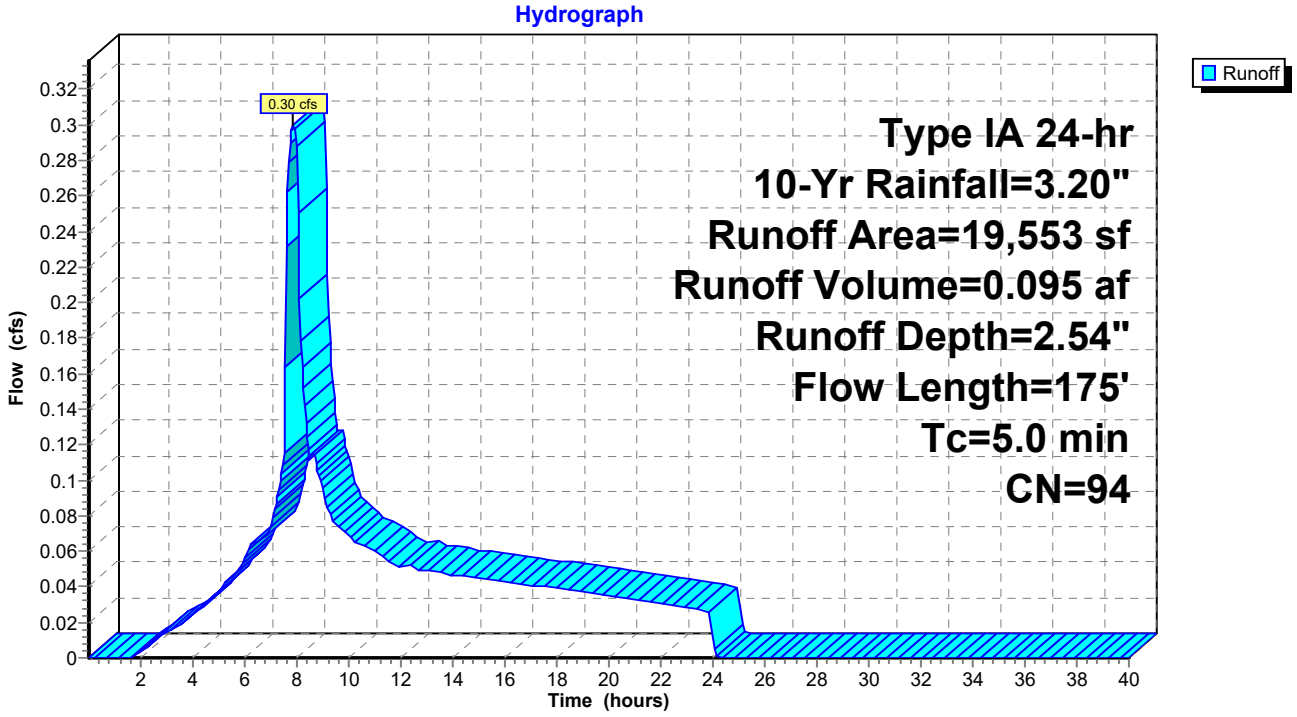
Runoff = 0.30 cfs @ 7.88 hrs, Volume= 0.095 af, Depth= 2.54"
Routed to Pond 2P : RAIN GARDEN

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.01-40.01 hrs, dt= 0.05 hrs
Type IA 24-hr 10-Yr Rainfall=3.20"

Area (sf)	CN	Description
13,687	98	Paved parking, HSG C
5,866	86	<50% Grass cover, Poor, HSG C
19,553	94	Weighted Average
5,866	86	30.00% Pervious Area
13,687	98	70.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	175		0.58		**Direct Entry,**

Subcatchment 1S: A-1



Summary for Pond 2P: RAIN GARDEN

Inflow Area = 0.449 ac, 70.00% Impervious, Inflow Depth = 2.54" for 10-Yr event
Inflow = 0.30 cfs @ 7.88 hrs, Volume= 0.095 af
Outflow = 0.09 cfs @ 8.99 hrs, Volume= 0.095 af, Atten= 68%, Lag= 66.7 min
Primary = 0.09 cfs @ 8.99 hrs, Volume= 0.095 af

Routing by Stor-Ind method, Time Span= 0.01-40.01 hrs, dt= 0.05 hrs / 2
Peak Elev= 205.82' @ 8.99 hrs Surf.Area= 700 sf Storage= 694 cf
Flood Elev= 206.34' Surf.Area= 700 sf Storage= 1,057 cf

Plug-Flow detention time= 69.1 min calculated for 0.095 af (100% of inflow)
Center-of-Mass det. time= 68.1 min (778.8 - 710.7)

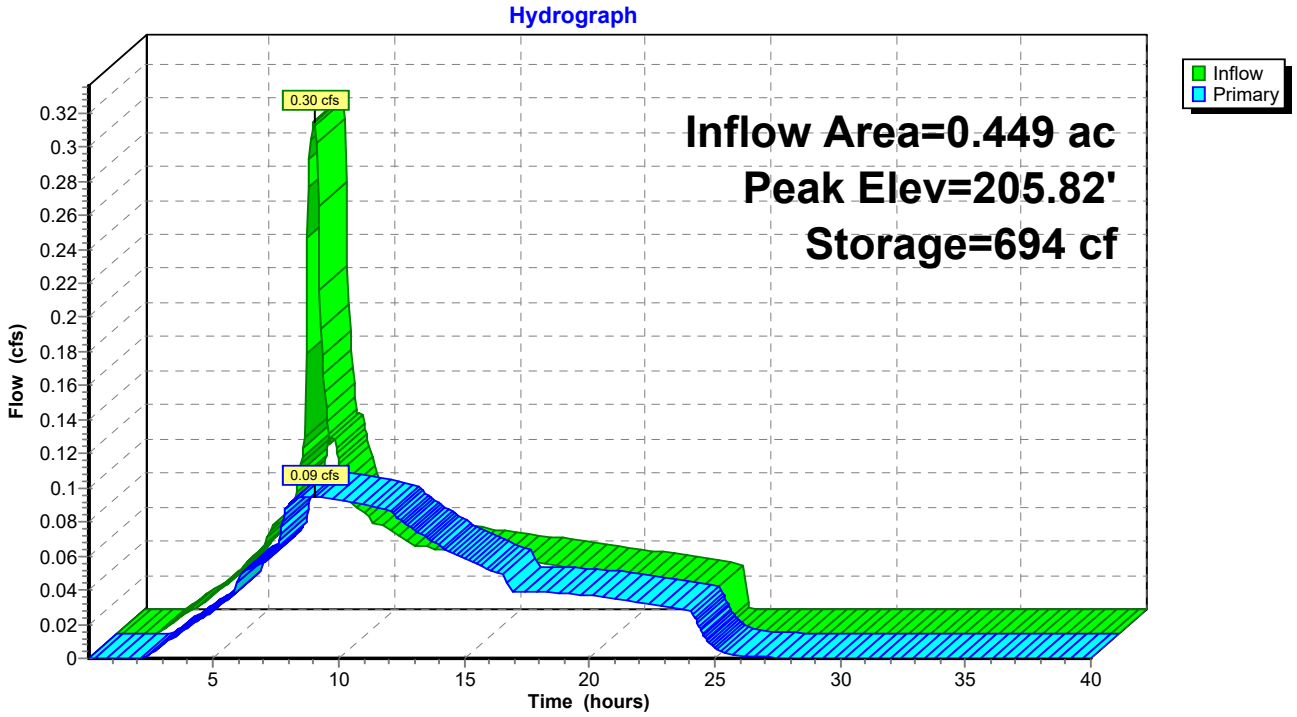
Volume	Invert	Avail.Storage	Storage Description
#1	203.18'	1,057 cf	**Custom Stage Data (Irregular)** Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Perim. (feet)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
203.18	700	157.0	0.0	0	0	700
203.68	700	157.0	30.0	105	105	779
203.93	700	157.0	0.0	0	105	818
205.43	700	157.0	30.0	315	420	1,053
206.18	700	157.0	100.0	525	945	1,171
206.34	700	157.0	100.0	112	1,057	1,196

Device	Routing	Invert	Outlet Devices
#1	Device 2	206.18'	**12.0" Horiz. Orifice/Grate** C= 0.600 Limited to weir flow at low heads
#2	Primary	203.18'	**4.0" Round Culvert** L= 2.0' Ke= 0.500 Inlet / Outlet Invert= 203.18' / 203.17' S= 0.0050 '/' Cc= 0.900 n= 0.013, Flow Area= 0.09 sf
#3	Device 2	203.18'	**1.5" Round Culvert** L= 2.0' Ke= 0.500 Inlet / Outlet Invert= 203.18' / 203.17' S= 0.0050 '/' Cc= 0.900 n= 0.013, Flow Area= 0.01 sf

Primary OutFlow Max=0.09 cfs @ 8.99 hrs HW=205.82' (Free Discharge)
└**2=Culvert** (Passes 0.09 cfs of 0.66 cfs potential flow)
  └**1=Orifice/Grate** (Controls 0.00 cfs)
  └**3=Culvert** (Inlet Controls 0.09 cfs @ 7.73 fps)

Pond 2P: RAIN GARDEN



Time span=0.01-40.00 hrs, dt=0.05 hrs, 801 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment1S: A-1 Runoff Area=19,553 sf 70.00% Impervious Runoff Depth=2.93"
Flow Length=175' Tc=5.0 min CN=94 Runoff=0.35 cfs 0.110 af

Pond 2P: RAIN GARDEN Peak Elev=206.08' Storage=874 cf Inflow=0.35 cfs 0.110 af
Outflow=0.10 cfs 0.110 af

Total Runoff Area = 0.449 ac Runoff Volume = 0.110 af Average Runoff Depth = 2.93"
30.00% Pervious = 0.135 ac 70.00% Impervious = 0.314 ac

Summary for Subcatchment 1S: A-1

[49] Hint: Tc<2dt may require smaller dt

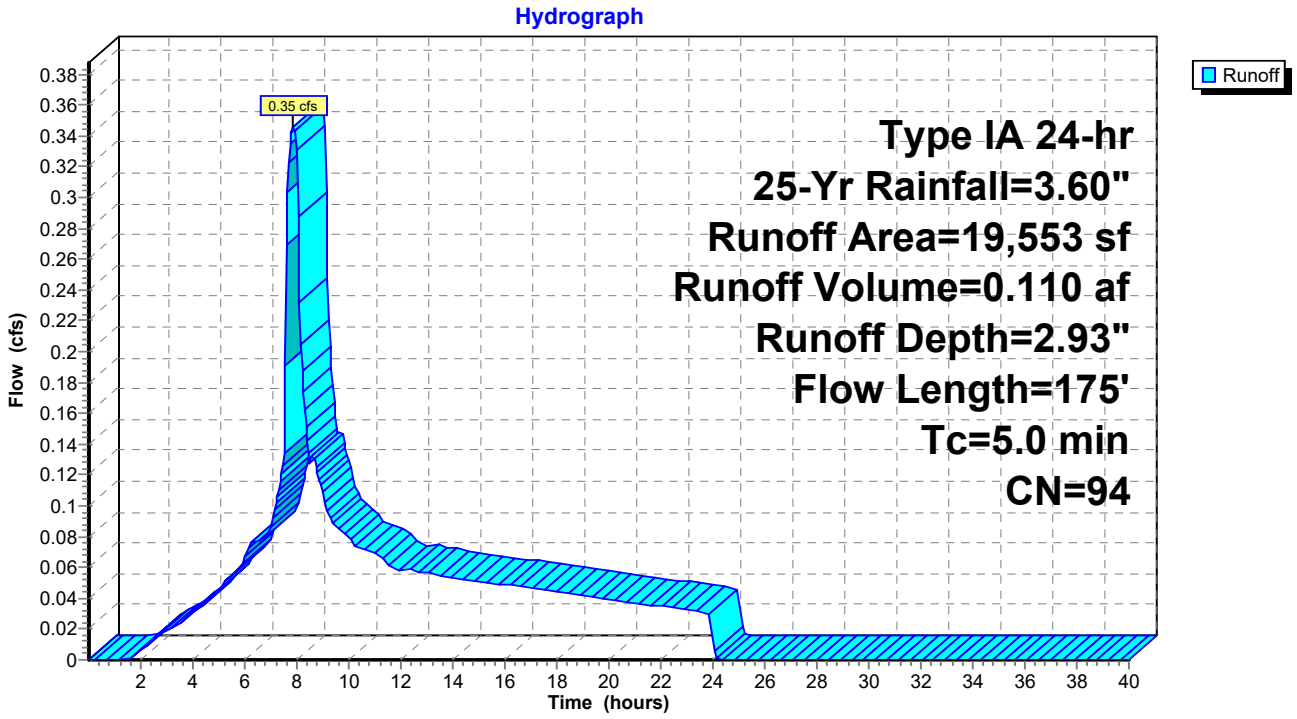
Runoff = 0.35 cfs @ 7.88 hrs, Volume= 0.110 af, Depth= 2.93"
Routed to Pond 2P : RAIN GARDEN

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.01-40.01 hrs, dt= 0.05 hrs
Type IA 24-hr 25-Yr Rainfall=3.60"

Area (sf)	CN	Description
13,687	98	Paved parking, HSG C
5,866	86	<50% Grass cover, Poor, HSG C
19,553	94	Weighted Average
5,866	86	30.00% Pervious Area
13,687	98	70.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	175		0.58		**Direct Entry,**

Subcatchment 1S: A-1



Summary for Pond 2P: RAIN GARDEN

Inflow Area = 0.449 ac, 70.00% Impervious, Inflow Depth = 2.93" for 25-Yr event
Inflow = 0.35 cfs @ 7.88 hrs, Volume= 0.110 af
Outflow = 0.10 cfs @ 9.13 hrs, Volume= 0.110 af, Atten= 71%, Lag= 75.2 min
Primary = 0.10 cfs @ 9.13 hrs, Volume= 0.110 af

Routing by Stor-Ind method, Time Span= 0.01-40.01 hrs, dt= 0.05 hrs / 2
Peak Elev= 206.08' @ 9.13 hrs Surf.Area= 700 sf Storage= 874 cf
Flood Elev= 206.34' Surf.Area= 700 sf Storage= 1,057 cf

Plug-Flow detention time= 80.7 min calculated for 0.110 af (100% of inflow)
Center-of-Mass det. time= 82.6 min (786.9 - 704.4)

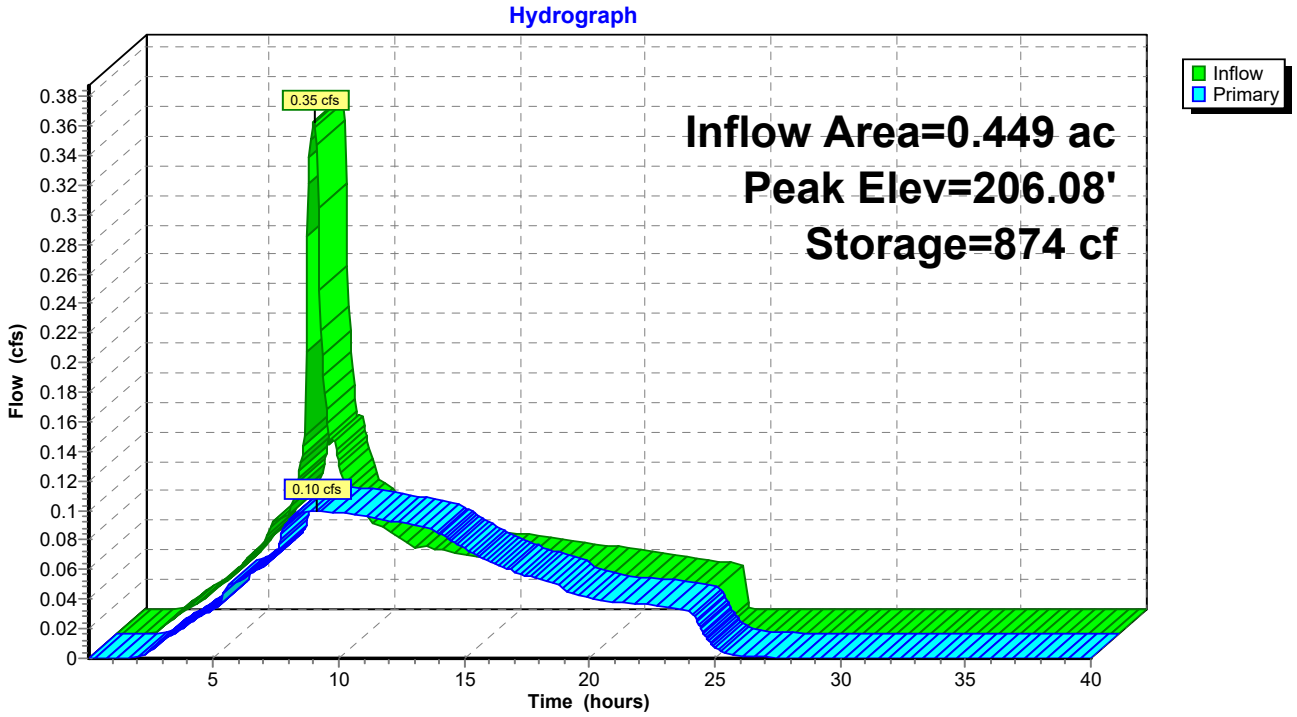
Volume	Invert	Avail.Storage	Storage Description
#1	203.18'	1,057 cf	**Custom Stage Data (Irregular)** Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Perim. (feet)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
203.18	700	157.0	0.0	0	0	700
203.68	700	157.0	30.0	105	105	779
203.93	700	157.0	0.0	0	105	818
205.43	700	157.0	30.0	315	420	1,053
206.18	700	157.0	100.0	525	945	1,171
206.34	700	157.0	100.0	112	1,057	1,196

Device	Routing	Invert	Outlet Devices
#1	Device 2	206.18'	**12.0" Horiz. Orifice/Grate** C= 0.600 Limited to weir flow at low heads
#2	Primary	203.18'	**4.0" Round Culvert** L= 2.0' Ke= 0.500 Inlet / Outlet Invert= 203.18' / 203.17' S= 0.0050 '/' Cc= 0.900 n= 0.013, Flow Area= 0.09 sf
#3	Device 2	203.18'	**1.5" Round Culvert** L= 2.0' Ke= 0.500 Inlet / Outlet Invert= 203.18' / 203.17' S= 0.0050 '/' Cc= 0.900 n= 0.013, Flow Area= 0.01 sf

Primary OutFlow Max=0.10 cfs @ 9.13 hrs HW=206.08' (Free Discharge)
└**2=Culvert** (Passes 0.10 cfs of 0.69 cfs potential flow)
  └**1=Orifice/Grate** (Controls 0.00 cfs)
  └**3=Culvert** (Inlet Controls 0.10 cfs @ 8.11 fps)

Pond 2P: RAIN GARDEN



Time span=0.01-40.00 hrs, dt=0.05 hrs, 801 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment1S: A-1 Runoff Area=19,553 sf 70.00% Impervious Runoff Depth=3.72"
Flow Length=175' Tc=5.0 min CN=94 Runoff=0.44 cfs 0.139 af

Pond 2P: RAIN GARDEN Peak Elev=206.24' Storage=990 cf Inflow=0.44 cfs 0.139 af
Outflow=0.27 cfs 0.139 af

Total Runoff Area = 0.449 ac Runoff Volume = 0.139 af Average Runoff Depth = 3.72"
30.00% Pervious = 0.135 ac 70.00% Impervious = 0.314 ac

Summary for Subcatchment 1S: A-1

[49] Hint: Tc<2dt may require smaller dt

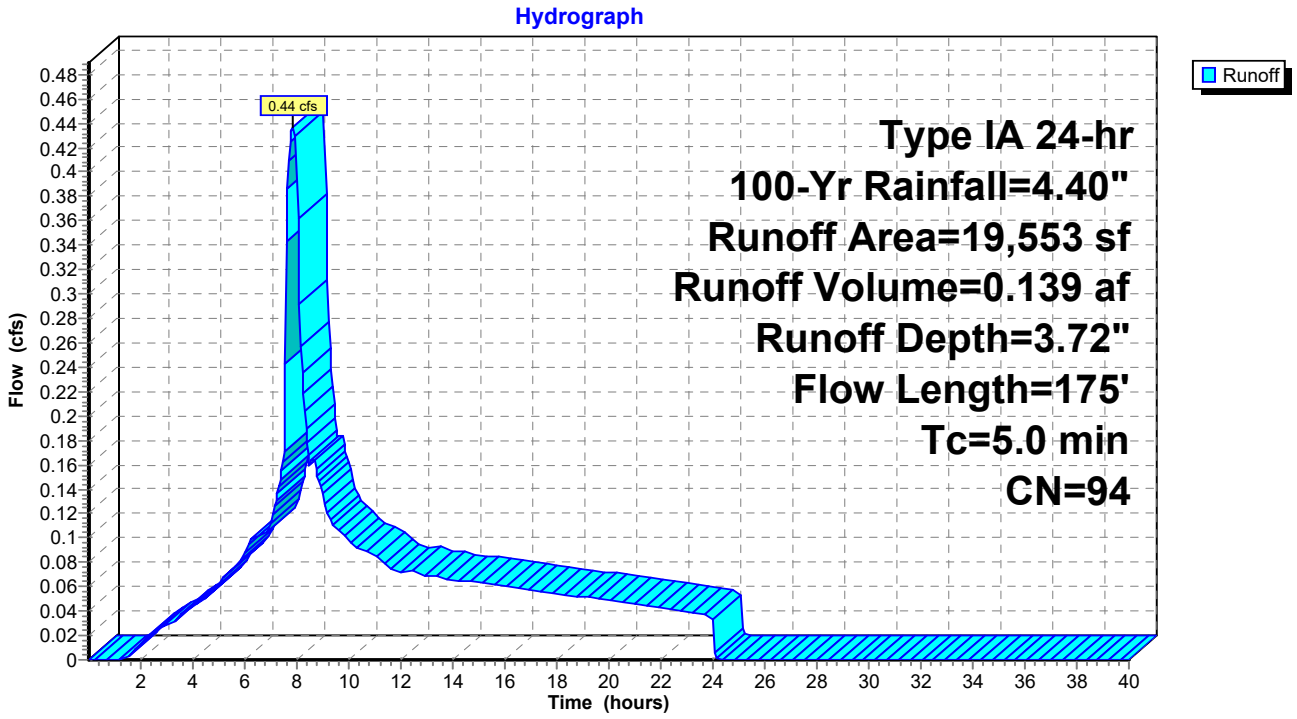
Runoff = 0.44 cfs @ 7.87 hrs, Volume= 0.139 af, Depth= 3.72"
Routed to Pond 2P : RAIN GARDEN

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.01-40.01 hrs, dt= 0.05 hrs
Type IA 24-hr 100-Yr Rainfall=4.40"

Area (sf)	CN	Description
13,687	98	Paved parking, HSG C
5,866	86	<50% Grass cover, Poor, HSG C
19,553	94	Weighted Average
5,866	86	30.00% Pervious Area
13,687	98	70.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	175		0.58		**Direct Entry,**

Subcatchment 1S: A-1



Summary for Pond 2P: RAIN GARDEN

Inflow Area = 0.449 ac, 70.00% Impervious, Inflow Depth = 3.72" for 100-Yr event
Inflow = 0.44 cfs @ 7.87 hrs, Volume= 0.139 af
Outflow = 0.27 cfs @ 8.14 hrs, Volume= 0.139 af, Atten= 38%, Lag= 16.2 min
Primary = 0.27 cfs @ 8.14 hrs, Volume= 0.139 af

Routing by Stor-Ind method, Time Span= 0.01-40.01 hrs, dt= 0.05 hrs / 2
Peak Elev= 206.24' @ 8.14 hrs Surf.Area= 700 sf Storage= 990 cf
Flood Elev= 206.34' Surf.Area= 700 sf Storage= 1,057 cf

Plug-Flow detention time= 89.7 min calculated for 0.139 af (100% of inflow)
Center-of-Mass det. time= 90.5 min (785.0 - 694.5)

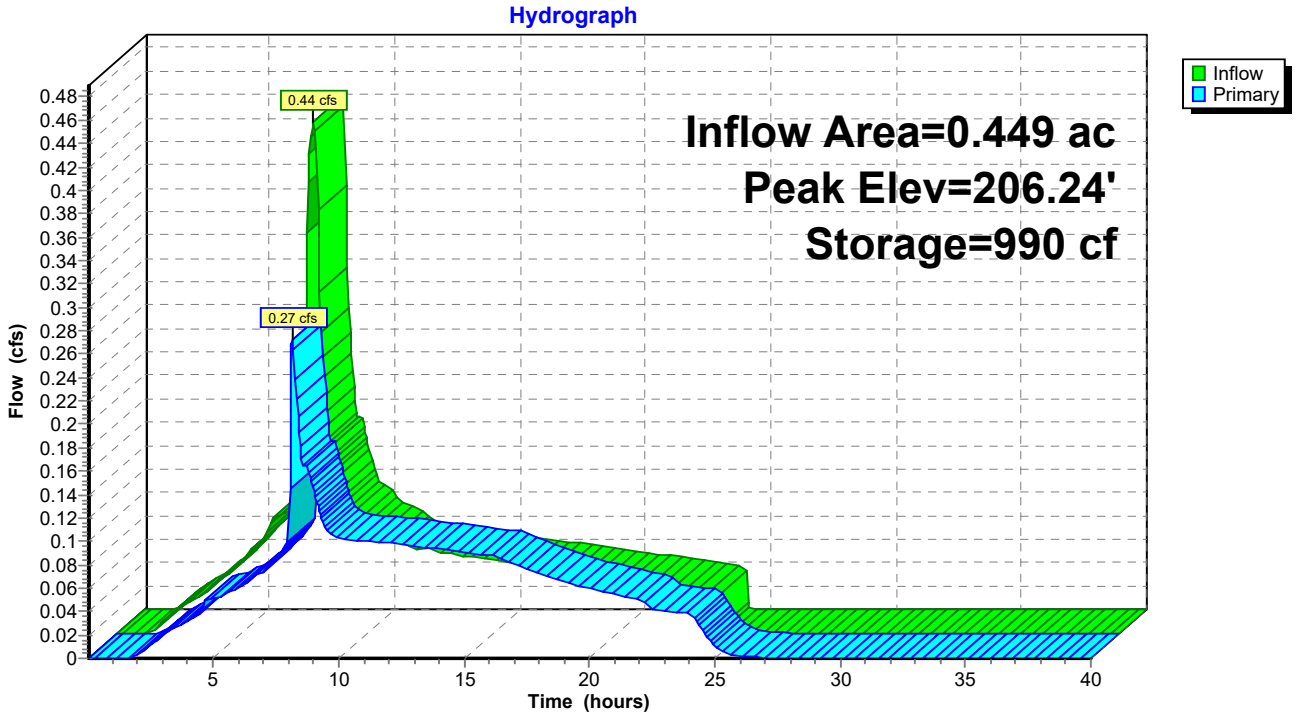
Volume	Invert	Avail.Storage	Storage Description
#1	203.18'	1,057 cf	**Custom Stage Data (Irregular)** Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Perim. (feet)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
203.18	700	157.0	0.0	0	0	700
203.68	700	157.0	30.0	105	105	779
203.93	700	157.0	0.0	0	105	818
205.43	700	157.0	30.0	315	420	1,053
206.18	700	157.0	100.0	525	945	1,171
206.34	700	157.0	100.0	112	1,057	1,196

Device	Routing	Invert	Outlet Devices
#1	Device 2	206.18'	**12.0" Horiz. Orifice/Grate** C= 0.600 Limited to weir flow at low heads
#2	Primary	203.18'	**4.0" Round Culvert** L= 2.0' Ke= 0.500 Inlet / Outlet Invert= 203.18' / 203.17' S= 0.0050 '/' Cc= 0.900 n= 0.013, Flow Area= 0.09 sf
#3	Device 2	203.18'	**1.5" Round Culvert** L= 2.0' Ke= 0.500 Inlet / Outlet Invert= 203.18' / 203.17' S= 0.0050 '/' Cc= 0.900 n= 0.013, Flow Area= 0.01 sf

Primary OutFlow Max=0.27 cfs @ 8.14 hrs HW=206.24' (Free Discharge)
└**2=Culvert** (Passes 0.27 cfs of 0.72 cfs potential flow)
  └**1=Orifice/Grate** (Weir Controls 0.17 cfs @ 0.83 fps)
  └**3=Culvert** (Inlet Controls 0.10 cfs @ 8.34 fps)

Pond 2P: RAIN GARDEN



Time span=0.01-40.00 hrs, dt=0.05 hrs, 801 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment1S: A-1 Runoff Area=19,553 sf 70.00% Impervious Runoff Depth=0.83"
Flow Length=175' Tc=5.0 min CN=94 Runoff=0.09 cfs 0.031 af

Pond 2P: RAIN GARDEN Peak Elev=204.09' Storage=138 cf Inflow=0.09 cfs 0.031 af
Outflow=0.05 cfs 0.031 af

Total Runoff Area = 0.449 ac Runoff Volume = 0.031 af Average Runoff Depth = 0.83"
30.00% Pervious = 0.135 ac 70.00% Impervious = 0.314 ac

Summary for Subcatchment 1S: A-1

[49] Hint: Tc<2dt may require smaller dt

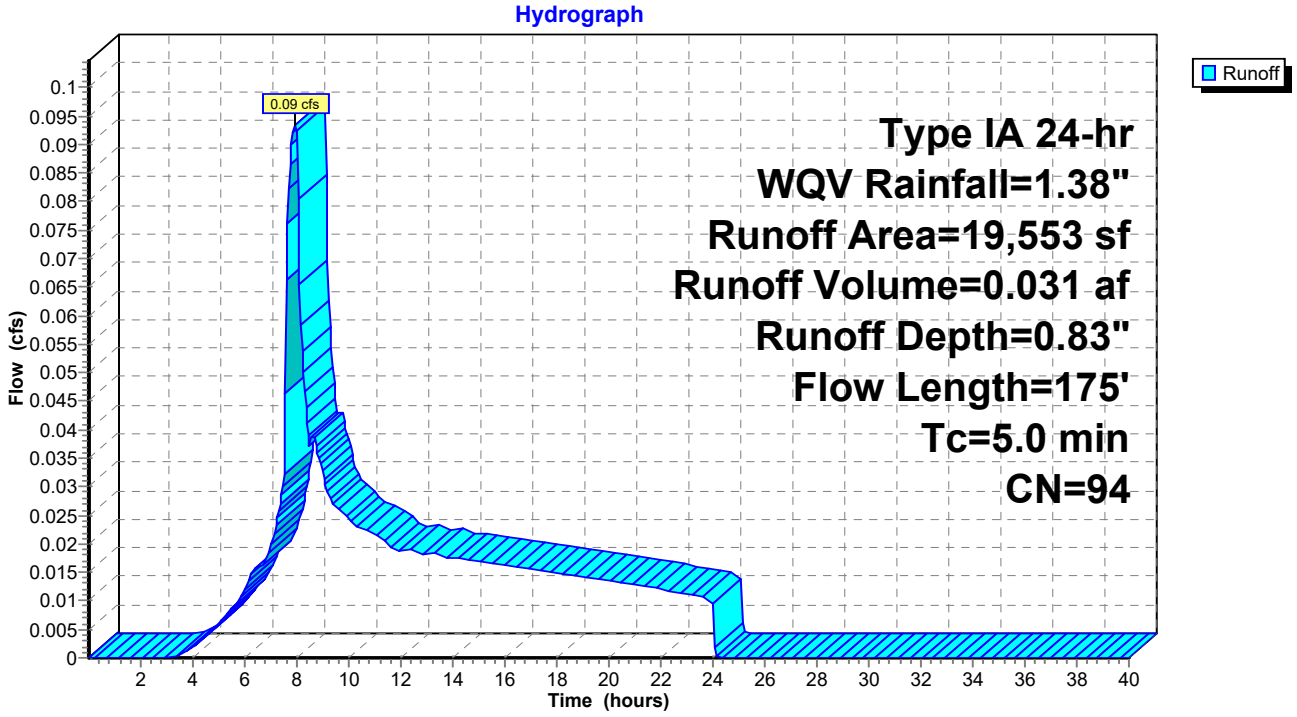
Runoff = 0.09 cfs @ 7.93 hrs, Volume= 0.031 af, Depth= 0.83"
Routed to Pond 2P : RAIN GARDEN

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.01-40.01 hrs, dt= 0.05 hrs
Type IA 24-hr WQV Rainfall=1.38"

Area (sf)	CN	Description
13,687	98	Paved parking, HSG C
5,866	86	<50% Grass cover, Poor, HSG C
19,553	94	Weighted Average
5,866	86	30.00% Pervious Area
13,687	98	70.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	175		0.58		**Direct Entry,**

Subcatchment 1S: A-1



Summary for Pond 2P: RAIN GARDEN

Inflow Area = 0.449 ac, 70.00% Impervious, Inflow Depth = 0.83" for WQV event
Inflow = 0.09 cfs @ 7.93 hrs, Volume= 0.031 af
Outflow = 0.05 cfs @ 8.21 hrs, Volume= 0.031 af, Atten= 42%, Lag= 16.4 min
Primary = 0.05 cfs @ 8.21 hrs, Volume= 0.031 af

Routing by Stor-Ind method, Time Span= 0.01-40.01 hrs, dt= 0.05 hrs / 2
Peak Elev= 204.09' @ 8.21 hrs Surf.Area= 700 sf Storage= 138 cf
Flood Elev= 206.34' Surf.Area= 700 sf Storage= 1,057 cf

Plug-Flow detention time= 40.5 min calculated for 0.031 af (100% of inflow)
Center-of-Mass det. time= 40.9 min (810.1 - 769.1)

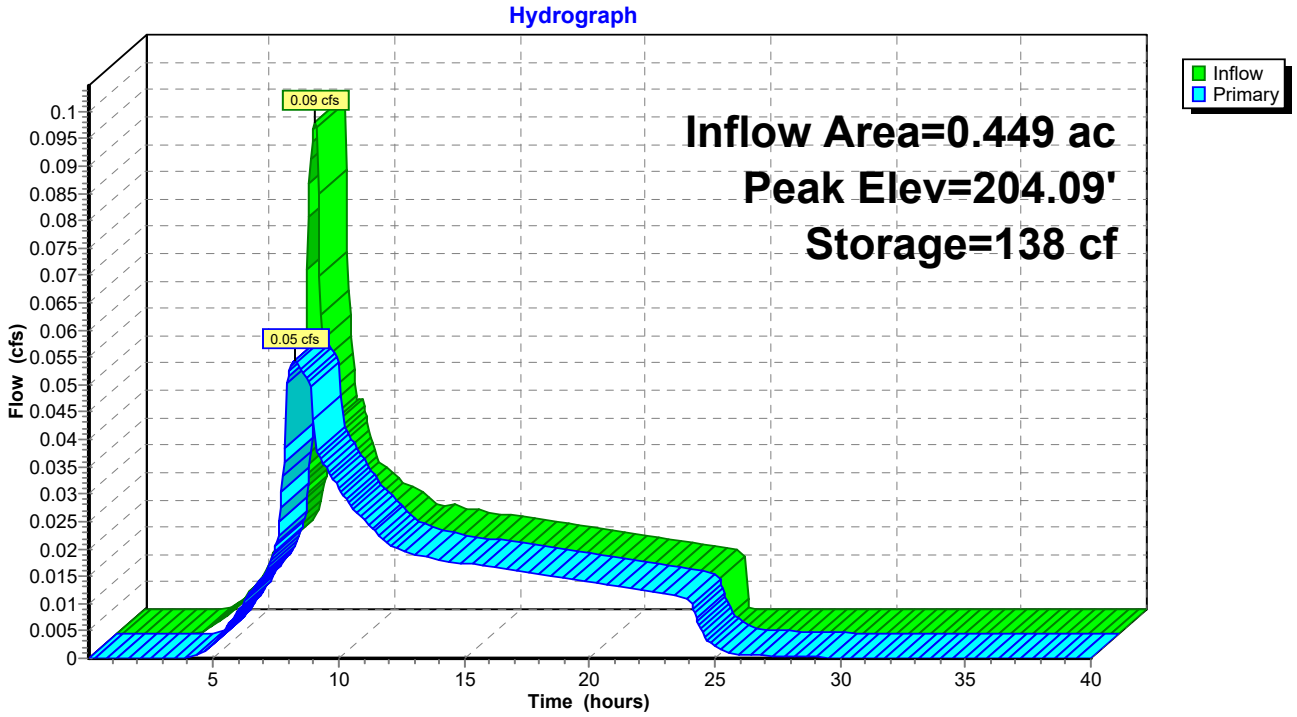
Volume	Invert	Avail.Storage	Storage Description
#1	203.18'	1,057 cf	**Custom Stage Data (Irregular)** Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Perim. (feet)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
203.18	700	157.0	0.0	0	0	700
203.68	700	157.0	30.0	105	105	779
203.93	700	157.0	0.0	0	105	818
205.43	700	157.0	30.0	315	420	1,053
206.18	700	157.0	100.0	525	945	1,171
206.34	700	157.0	100.0	112	1,057	1,196

Device	Routing	Invert	Outlet Devices
#1	Device 2	206.18'	**12.0" Horiz. Orifice/Grate** C= 0.600 Limited to weir flow at low heads
#2	Primary	203.18'	**4.0" Round Culvert** L= 2.0' Ke= 0.500 Inlet / Outlet Invert= 203.18' / 203.17' S= 0.0050 '/' Cc= 0.900 n= 0.013, Flow Area= 0.09 sf
#3	Device 2	203.18'	**1.5" Round Culvert** L= 2.0' Ke= 0.500 Inlet / Outlet Invert= 203.18' / 203.17' S= 0.0050 '/' Cc= 0.900 n= 0.013, Flow Area= 0.01 sf

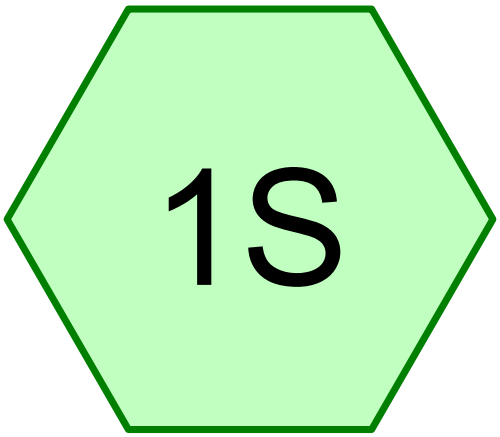
Primary OutFlow Max=0.05 cfs @ 8.21 hrs HW=204.09' (Free Discharge)
└**2=Culvert** (Passes 0.05 cfs of 0.36 cfs potential flow)
  └**1=Orifice/Grate** (Controls 0.00 cfs)
  └**3=Culvert** (Inlet Controls 0.05 cfs @ 4.42 fps)

Pond 2P: RAIN GARDEN



PRE DEVELOPMENT HYDROCAD

THE ELEVATIONS SHOWN HEREIN ARE ARBITARY AND USED FOR CALCULATION PURPOSES ONLY



EX

Subcat Reach Pond Link

Routing Diagram for Pre-Development - 00330
Prepared by 7 Oaks Engineering, Inc, Printed 8/20/2024
HydroCAD® 10.20-4a s/n 12691 © 2023 HydroCAD Software Solutions LLC

Rainfall Events Listing

Event#	Event Name	Storm Type	Curve	Mode	Duration (hours)	B/B	Depth (inches)	AMC
1	2-Yr	Type IA 24-hr		Default	24.00	1	2.20	2
2	5-Yr	Type IA 24-hr		Default	24.00	1	2.80	2
3	10-Yr	Type IA 24-hr		Default	24.00	1	3.20	2
4	25-Yr	Type IA 24-hr		Default	24.00	1	3.60	2
5	100-Yr	Type IA 24-hr		Default	24.00	1	4.40	2
6	WQV	Type IA 24-hr		Default	24.00	1	1.38	2

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.449	86	<50% Grass cover, Poor, HSG C (1S)
0.449	**86**	**TOTAL AREA**

Soil Listing (all nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.000	HSG A	
0.000	HSG B	
0.449	HSG C	1S
0.000	HSG D	
0.000	Other	
0.449		**TOTAL AREA**

Ground Covers (all nodes)

HSG-A (acres)	HSG-B (acres)	HSG-C (acres)	HSG-D (acres)	Other (acres)	Total (acres)	Ground Cover	Subcatchment Numbers
0.000	0.000	0.449	0.000	0.000	0.449	<50% Grass cover, Poor	1S
0.000	**0.000**	**0.449**	**0.000**	**0.000**	**0.449**	**TOTAL AREA**	

Time span=0.01-60.00 hrs, dt=0.05 hrs, 1201 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment1S: EX Runoff Area=19,553 sf 0.00% Impervious Runoff Depth=1.00"
Flow Length=275' Slope=0.0200 '/' Tc=5.0 min CN=86 Runoff=0.10 cfs 0.038 af

Total Runoff Area = 0.449 ac Runoff Volume = 0.038 af Average Runoff Depth = 1.00"
100.00% Pervious = 0.449 ac 0.00% Impervious = 0.000 ac

Summary for Subcatchment 1S: EX

[49] Hint: Tc<2dt may require smaller dt

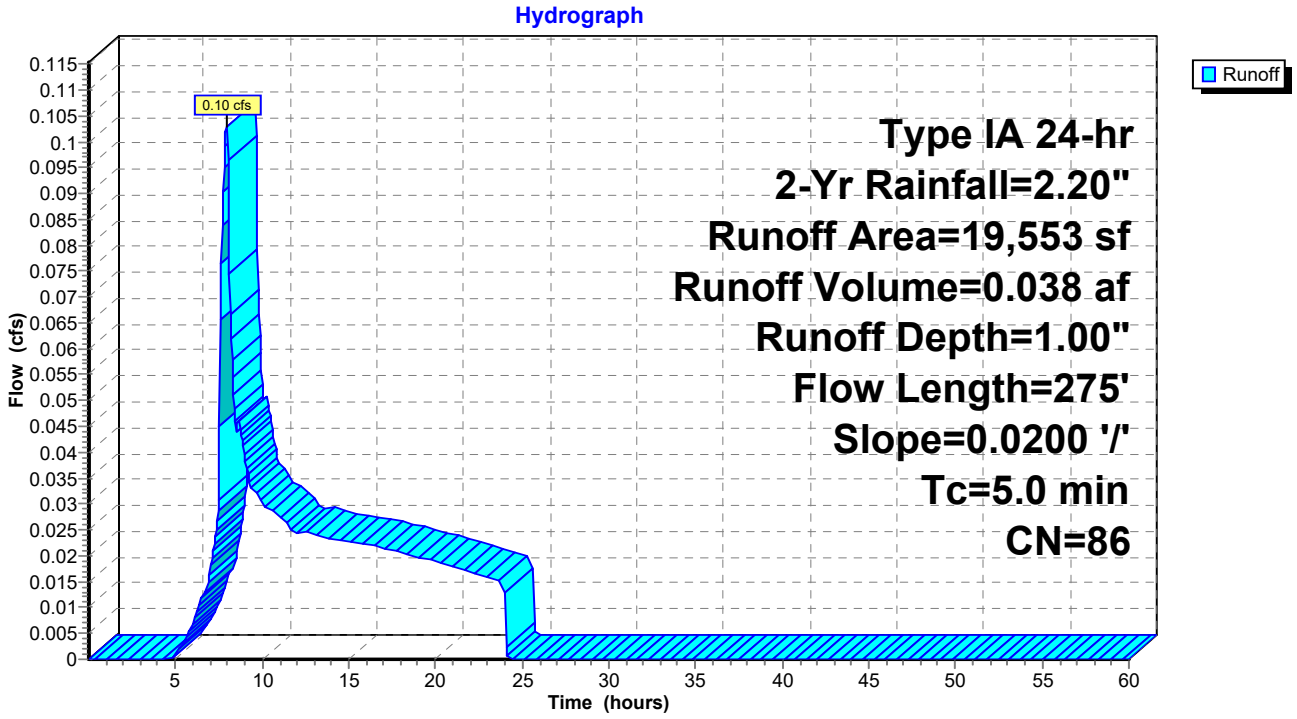
Runoff = 0.10 cfs @ 7.97 hrs, Volume= 0.038 af, Depth= 1.00"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.01-60.01 hrs, dt= 0.05 hrs
Type IA 24-hr 2-Yr Rainfall=2.20"

Area (sf)	CN	Description
19,553	86	<50% Grass cover, Poor, HSG C
19,553	86	100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.3	275	0.0200	1.40		**Sheet Flow,** Smooth surfaces n= 0.011 P2= 2.20"
3.3	275	Total, Increased to minimum Tc = 5.0 min			

Subcatchment 1S: EX



Time span=0.01-60.00 hrs, dt=0.05 hrs, 1201 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment1S: EX Runoff Area=19,553 sf 0.00% Impervious Runoff Depth=1.49"
Flow Length=275' Slope=0.0200 '/' Tc=5.0 min CN=86 Runoff=0.16 cfs 0.056 af

Total Runoff Area = 0.449 ac Runoff Volume = 0.056 af Average Runoff Depth = 1.49"
100.00% Pervious = 0.449 ac 0.00% Impervious = 0.000 ac

Summary for Subcatchment 1S: EX

[49] Hint: Tc<2dt may require smaller dt

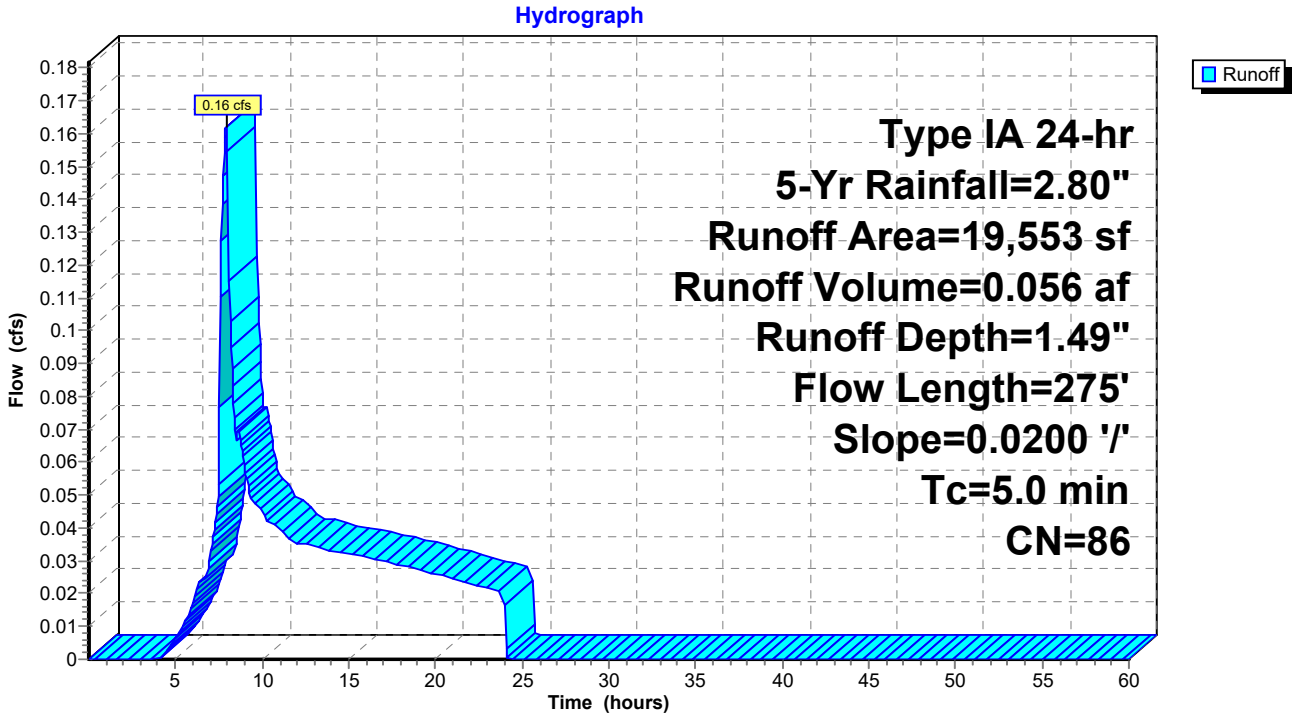
Runoff = 0.16 cfs @ 7.95 hrs, Volume= 0.056 af, Depth= 1.49"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.01-60.01 hrs, dt= 0.05 hrs
Type IA 24-hr 5-Yr Rainfall=2.80"

Area (sf)	CN	Description
19,553	86	<50% Grass cover, Poor, HSG C
19,553	86	100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.3	275	0.0200	1.40		**Sheet Flow,** Smooth surfaces n= 0.011 P2= 2.20"
3.3	275	Total, Increased to minimum Tc = 5.0 min			

Subcatchment 1S: EX



Time span=0.01-60.00 hrs, dt=0.05 hrs, 1201 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment1S: EX Runoff Area=19,553 sf 0.00% Impervious Runoff Depth=1.84"
Flow Length=275' Slope=0.0200 '/' Tc=5.0 min CN=86 Runoff=0.20 cfs 0.069 af

Total Runoff Area = 0.449 ac Runoff Volume = 0.069 af Average Runoff Depth = 1.84"
100.00% Pervious = 0.449 ac 0.00% Impervious = 0.000 ac

Summary for Subcatchment 1S: EX

[49] Hint: Tc<2dt may require smaller dt

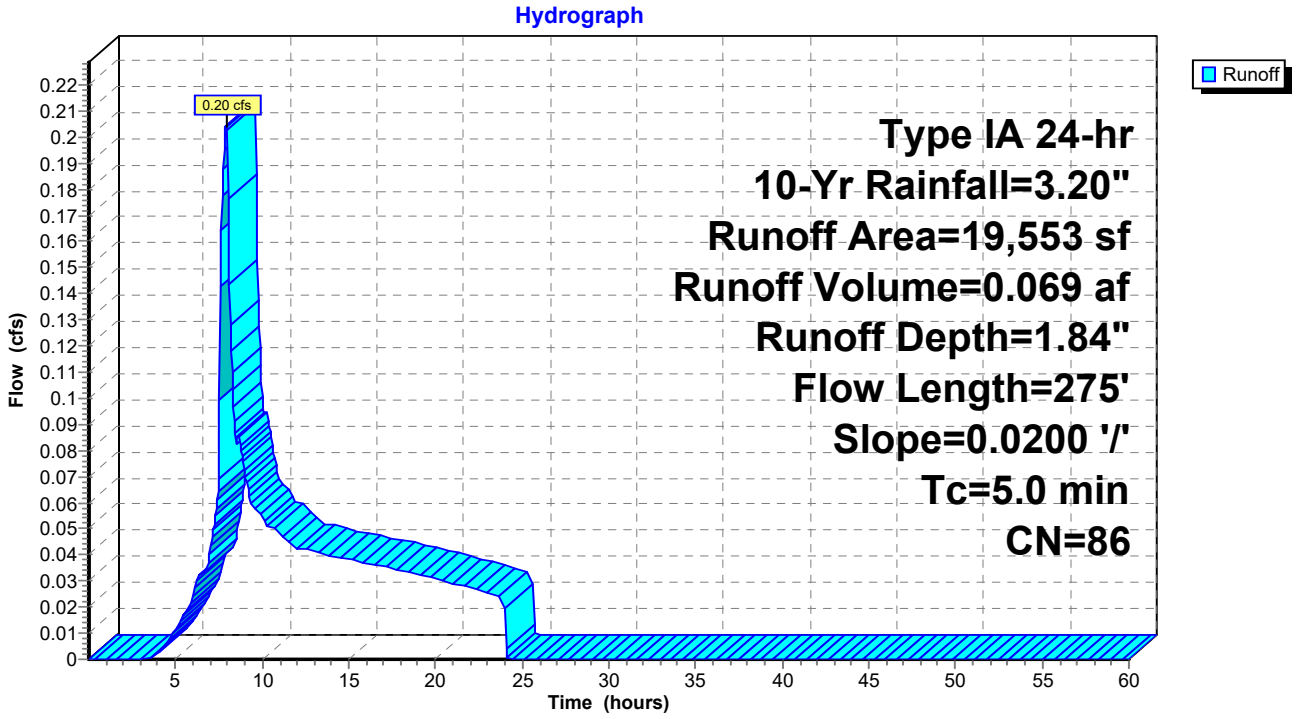
Runoff = 0.20 cfs @ 7.94 hrs, Volume= 0.069 af, Depth= 1.84"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.01-60.01 hrs, dt= 0.05 hrs
Type IA 24-hr 10-Yr Rainfall=3.20"

Area (sf)	CN	Description
19,553	86	<50% Grass cover, Poor, HSG C
19,553	86	100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.3	275	0.0200	1.40		**Sheet Flow,** Smooth surfaces n= 0.011 P2= 2.20"
3.3	275	Total, Increased to minimum Tc = 5.0 min			

Subcatchment 1S: EX



Time span=0.01-60.00 hrs, dt=0.05 hrs, 1201 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment1S: EX Runoff Area=19,553 sf 0.00% Impervious Runoff Depth=2.19"
Flow Length=275' Slope=0.0200 '/' Tc=5.0 min CN=86 Runoff=0.25 cfs 0.082 af

Total Runoff Area = 0.449 ac Runoff Volume = 0.082 af Average Runoff Depth = 2.19"
100.00% Pervious = 0.449 ac 0.00% Impervious = 0.000 ac

Summary for Subcatchment 1S: EX

[49] Hint: Tc<2dt may require smaller dt

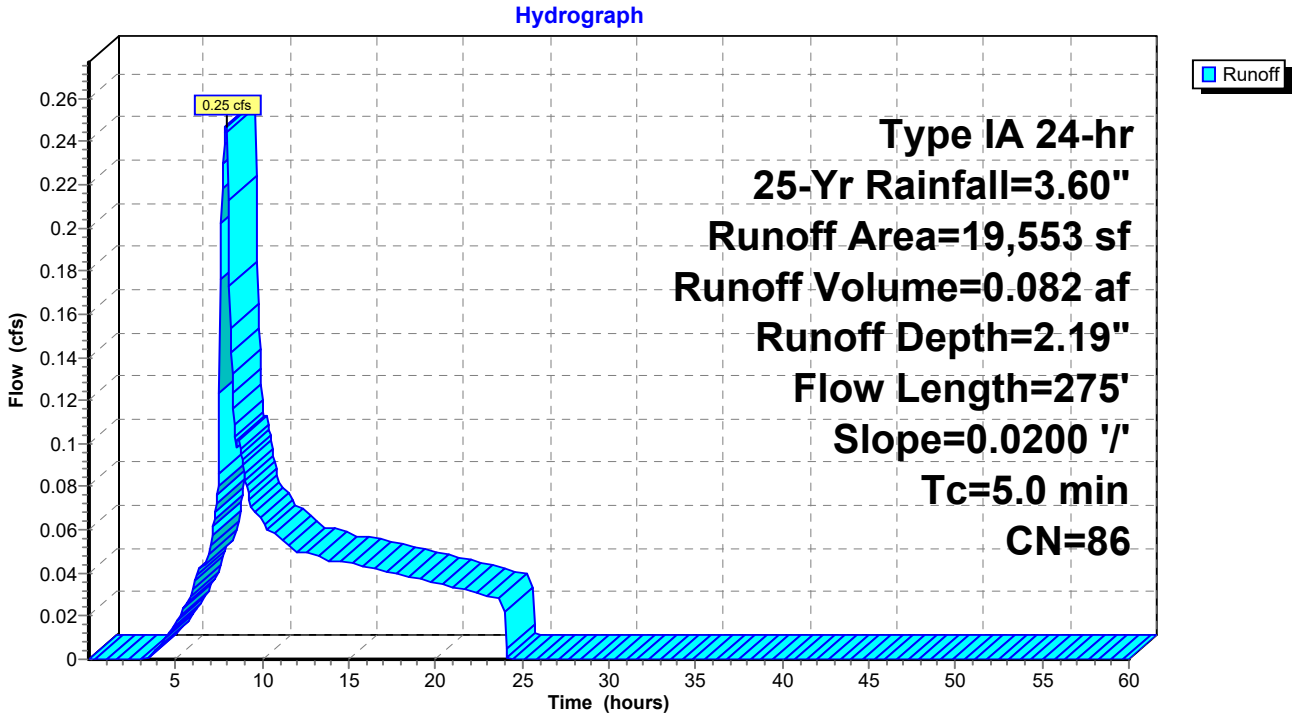
Runoff = 0.25 cfs @ 7.93 hrs, Volume= 0.082 af, Depth= 2.19"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.01-60.01 hrs, dt= 0.05 hrs
Type IA 24-hr 25-Yr Rainfall=3.60"

Area (sf)	CN	Description
19,553	86	<50% Grass cover, Poor, HSG C
19,553	86	100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.3	275	0.0200	1.40		**Sheet Flow,** Smooth surfaces n= 0.011 P2= 2.20"
3.3	275	Total, Increased to minimum Tc = 5.0 min			

Subcatchment 1S: EX



Time span=0.01-60.00 hrs, dt=0.05 hrs, 1201 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment1S: EX Runoff Area=19,553 sf 0.00% Impervious Runoff Depth=2.91"
Flow Length=275' Slope=0.0200 '/' Tc=5.0 min CN=86 Runoff=0.34 cfs 0.109 af

Total Runoff Area = 0.449 ac Runoff Volume = 0.109 af Average Runoff Depth = 2.91"
100.00% Pervious = 0.449 ac 0.00% Impervious = 0.000 ac

Summary for Subcatchment 1S: EX

[49] Hint: Tc<2dt may require smaller dt

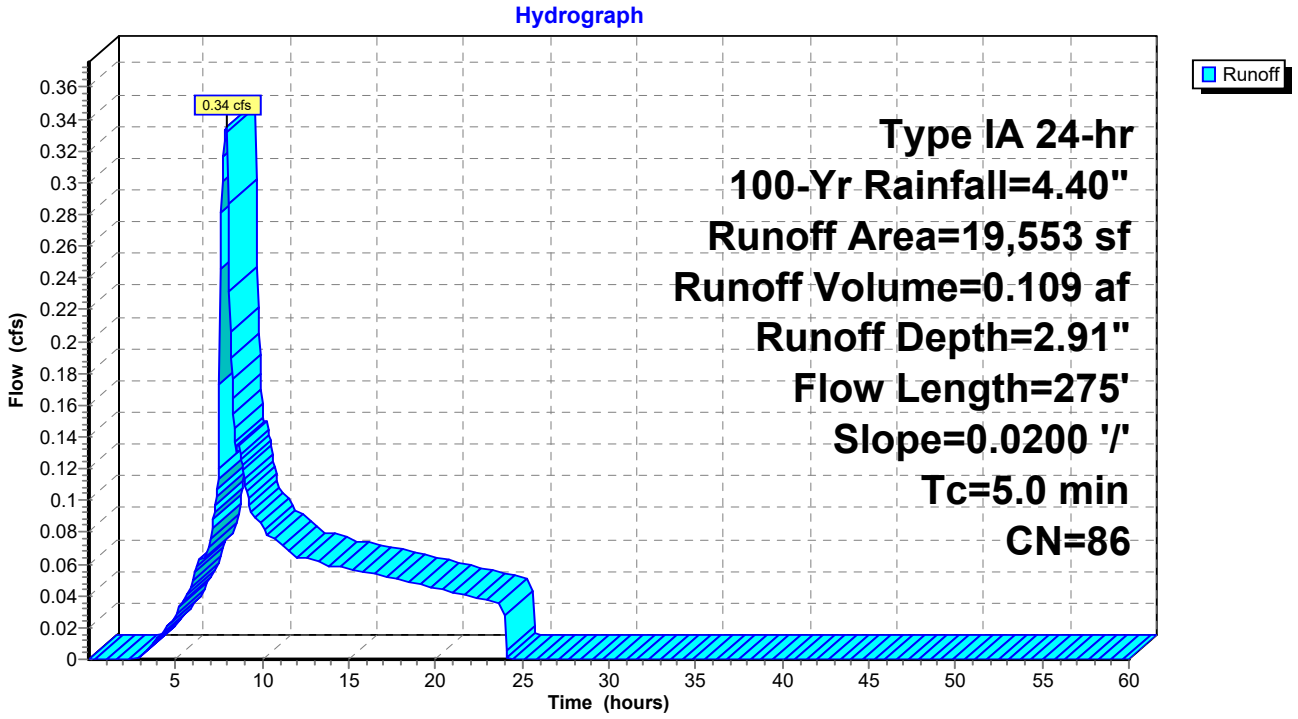
Runoff = 0.34 cfs @ 7.92 hrs, Volume= 0.109 af, Depth= 2.91"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.01-60.01 hrs, dt= 0.05 hrs
Type IA 24-hr 100-Yr Rainfall=4.40"

Area (sf)	CN	Description
19,553	86	<50% Grass cover, Poor, HSG C
19,553	86	100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.3	275	0.0200	1.40		**Sheet Flow,** Smooth surfaces n= 0.011 P2= 2.20"
3.3	275	Total, Increased to minimum Tc = 5.0 min			

Subcatchment 1S: EX



Time span=0.01-60.00 hrs, dt=0.05 hrs, 1201 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment1S: EX Runoff Area=19,553 sf 0.00% Impervious Runoff Depth=0.41"
Flow Length=275' Slope=0.0200 '/' Tc=5.0 min CN=86 Runoff=0.03 cfs 0.016 af

Total Runoff Area = 0.449 ac Runoff Volume = 0.016 af Average Runoff Depth = 0.41"
100.00% Pervious = 0.449 ac 0.00% Impervious = 0.000 ac

Summary for Subcatchment 1S: EX

[49] Hint: Tc<2dt may require smaller dt

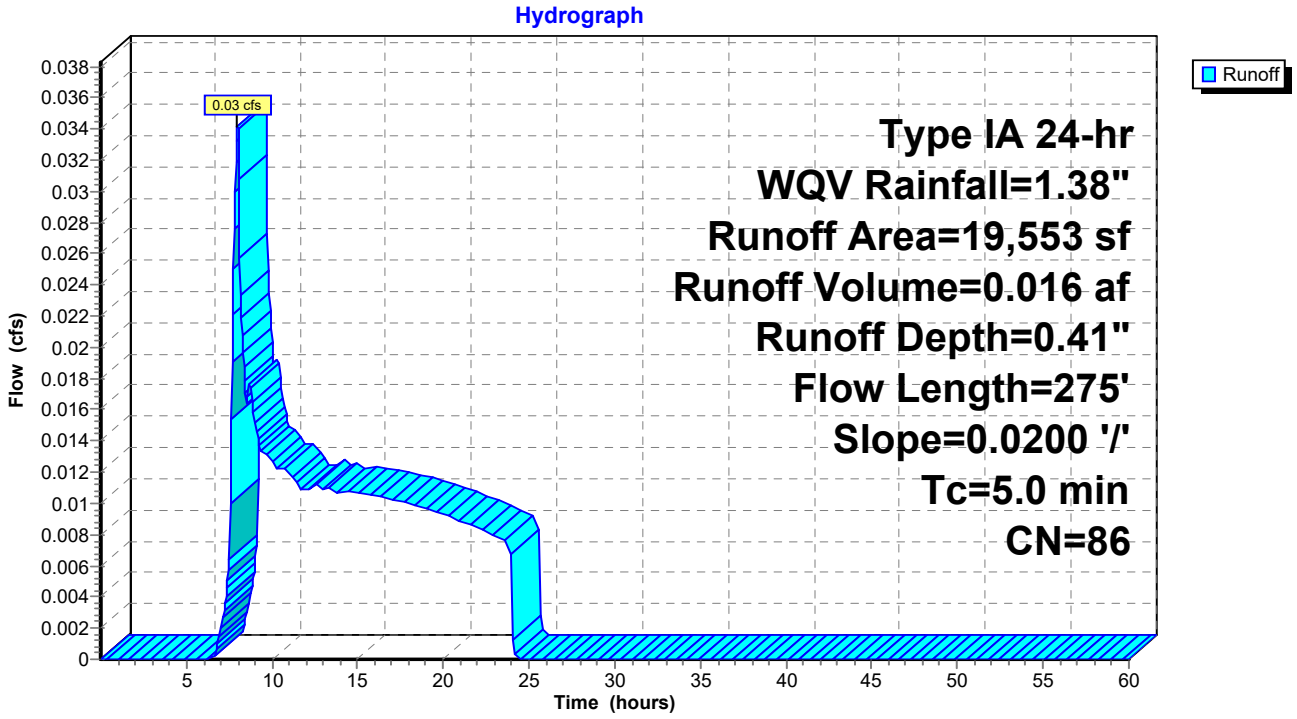
Runoff = 0.03 cfs @ 7.99 hrs, Volume= 0.016 af, Depth= 0.41"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.01-60.01 hrs, dt= 0.05 hrs
Type IA 24-hr WQV Rainfall=1.38"

Area (sf)	CN	Description
19,553	86	<50% Grass cover, Poor, HSG C
19,553	86	100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.3	275	0.0200	1.40		**Sheet Flow,** Smooth surfaces n= 0.011 P2= 2.20"
3.3	275	Total, Increased to minimum Tc = 5.0 min			

Subcatchment 1S: EX



APPENDIX C – PLANS

OREGON OFFICE
345 WESTFIELD ST. #107
SILVERTON, OR. 97381
503.308.8554

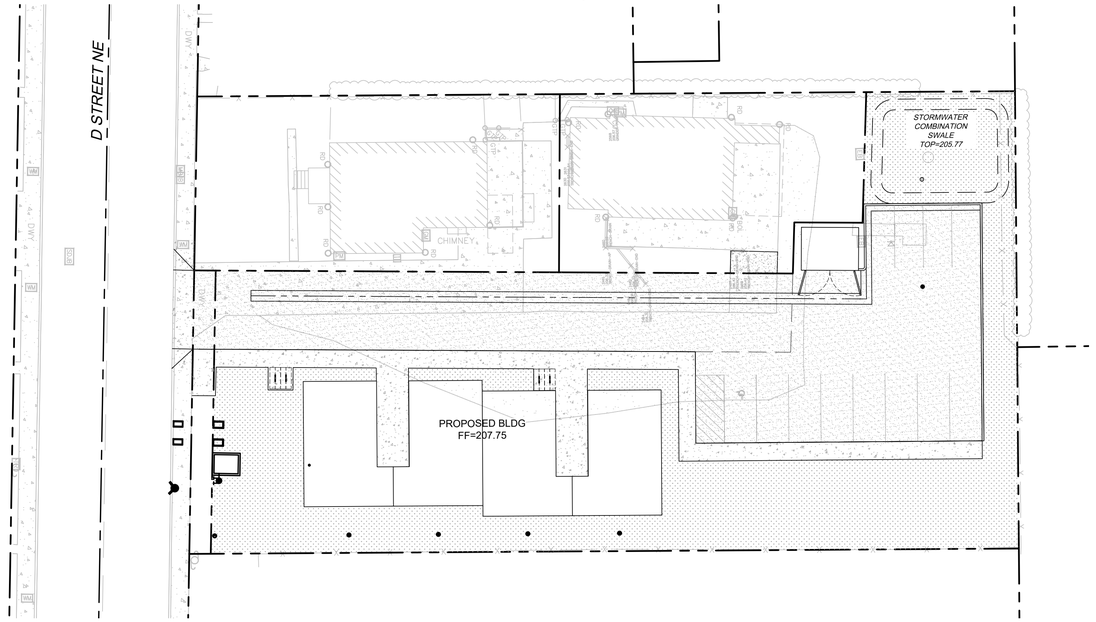
HELLO@7OAKSENGINEERING.COM

CALIFORNIA OFFICE
12337 SEAL BEACH BLVD. #1028
SEAL BEACH, CA. 90740
562.537.6038

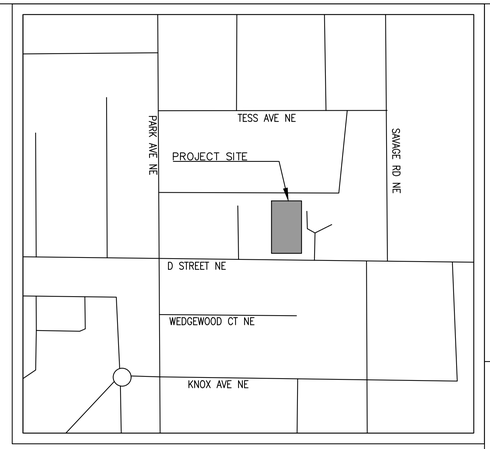
PRELIMINARY PLANS FOR:

MULTI-FAMILY DEVELOPMENT

3021 & 3027 D STREET
SALEM OR, 97301



INDEX MAP
SCALE:1":20'



VICINITY MAP
NOT TO SCALE

PROJECT DIRECTORY:

APPLICANT:
SKYLINE BUILDERS, LLC
1280 FIR ST S
SALEM, OR 97302
P:503.428.2758
LANDON@SKYLINE-CO.COM

CIVIL ENGINEER:
7 OAKS ENGINEERING, INC.
STEVEN JOHNSON, P.E.
345 WESTFIELD ST. #107
SILVERTON, OR. 97381
503.308.8520
STEVEN@7OAKSENGINEERING.COM

LAND SURVEYOR :
FFN SURVEYING
7230 3RD STREET SE #145
TURNER, OR 97392
P: 503.558.3330
INFO@FFNSURVEYING.COM

ARCHITECT:
LIFT ARCHITECTURE
1130 LIBERTY ST SE SUITE 230
SALEM, OR 97302
P: 503.420.8520
INFO@LIFTARCHITECTURE.COM

UTILITY PURVEYORS:

WATER:
CITY OF SALEM
555 LIBERTY STREET SE
SALEM, OREGON.
503.588.6311

STORM DRAIN:
CITY OF SALEM
555 LIBERTY STREET SE
SALEM, OREGON.
503.588.6311

SEWER:
CITY OF SALEM
555 LIBERTY STREET SE
SALEM, OREGON.
503.588.6311

FIRE:
CITY OF SALEM
555 LIBERTY STREET SE
SALEM, OREGON.
503.588.6311

ELECTRIC:
PORTLAND GENERAL ELECTRIC
KEN SPENCER
KENNETH.SPENCER@PGN.COM
503.970.7200

NATURAL GAS:
NORTHWEST NATURAL GAS COMPANY
3123 BROADWAY ST NE
SALEM, OR. 97303
503.585.6611

ROADWAYS:
CITY OF SALEM
555 LIBERTY STREET SE
SALEM, OREGON.
503.588.6311

SHEET INDEX:

1 – TITLE SHEET
2 – PRELIMINARY GRADING PLAN
3 – PRELIMINARY WET UTILITY PLAN
4 – PRELIMINARY STORMWATER PLAN
5 – STORMWATER DETAILS

NOTICE TO EXCAVATORS:
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ABBREVIATIONS:

PL	PROPERTY LINE	TYP.	TYPICAL
FF	FINISHED FLOOR	MIN.	MINIMUM
TC	TOP OF CURB	SS	SANITARY SEWER
FS	FINISHED SURFACE	SD	STORM DRAIN
FL	FLOW LINE	CF	CURB FACE
FG	FINISHED GRADE	WM	WATER METER
GB	GRADE BREAK	FDC	FIRE DEPARTMENT CONNECTION
CL	CENTERLINE	APN	ACCESSOR'S PARCEL MAP
R	RIDGE LINE	SQ.FT	SQUARE FEET
R/W	RIGHT OF WAY	INV.	INVERT
WV	WATER VALVE	BF	BACKFLOW
PR.	PROPOSED	CFS	CUBIC FEET PER SECOND
NAP	NOT A PART	SCH.	SCHEDULE
FT	FEET	PVC	POLYVINYL CHLORIDE
EV	ELECTRIC VEHICLE	SDR	SPECIAL DRAWING RIGHT
CAV	CLEAN AIR VEHICLE	PSI	POUNDS PER SQUARE INCH
STD.	STANDARD	NFPA	NATIONAL FIRE PREVENTION ASSOCIATION
AC.	ACRES	CB	CATCH BASIN
CUP	CONDITIONAL USE PERMIT	D	DIAMETER
EX.	EXISTING	VCP	VITRIFIED CLAY PIPE

PROJECT SURVEY:
IN THE SE ¼ OF SECTION 24, T.7S., R.3W., W.M.
CITY OF SALEM, MARION COUNTY OREGON

7 OAKS ENGINEERING
345 WESTFIELD ST. #107
SILVERTON, OR. 97381
503.308.8554
ADMIN@7OAKSENGINEERING.COM

STAMP:
REGISTERED PROFESSIONAL ENGINEER
96126PE
PRELIMINARY
OREGON
MAY 12, 2010
STEVEN JOHNSON

NO	DATE	ISSUE DESCRIPTION

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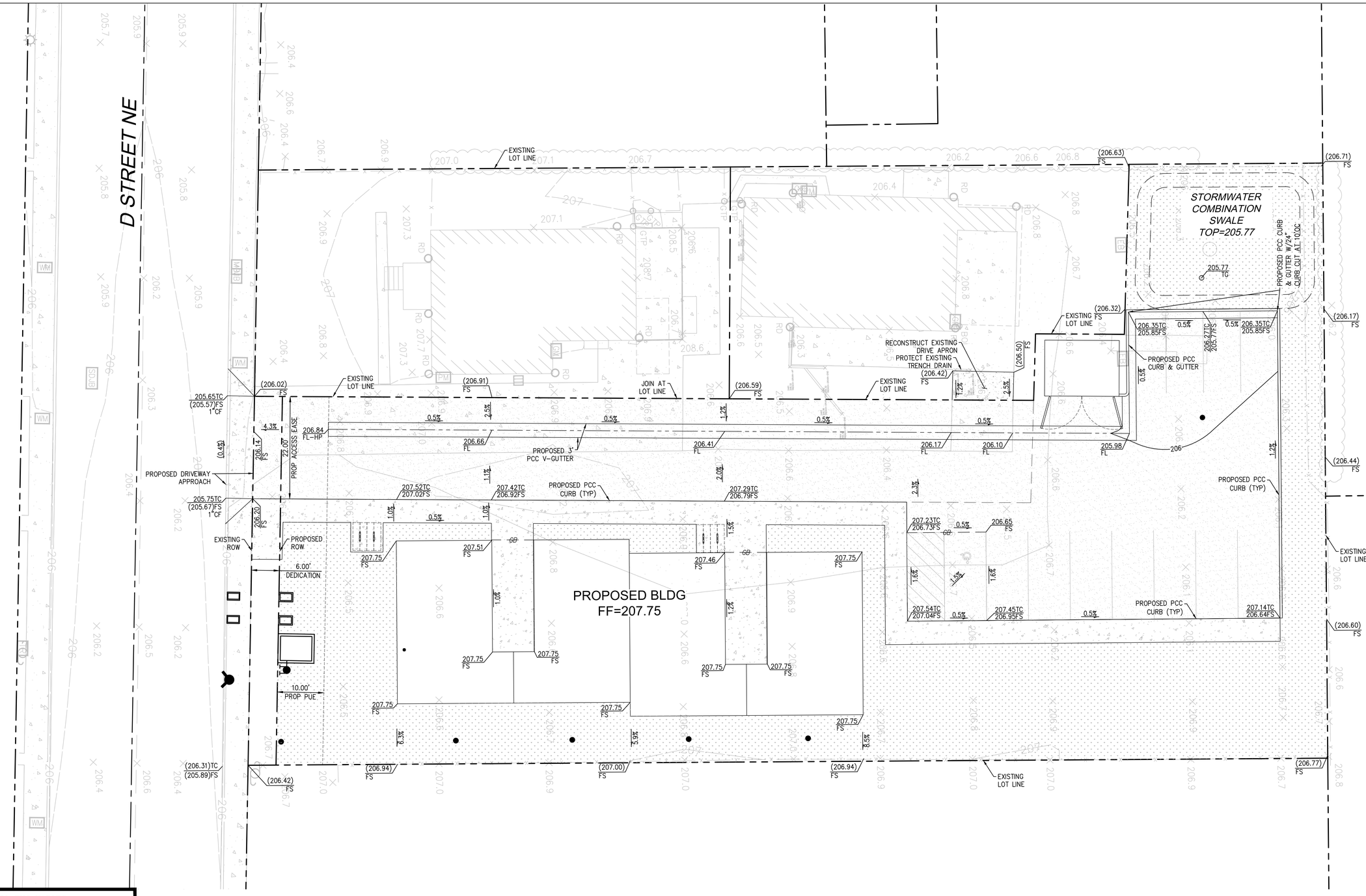
PROJECT NAME: MULTI-FAMILY DEVELOPMENT
PROJECT ADDRESS: 3021 & 3027 D STREET NE SALEM OR, 97301

SHEET TITLE: TITLE SHEET

DATE: 08/20/2024

SHEET NUMBER: 1

JOB #00330



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SCALE: 1"=10'

7OAKS ENGINEERING
345 WESTFIELD ST. #107
SILVERTON, OR. 97381
503.308.8554
ADMIN@7OAKSENGINEERING.COM

STAMP:

REGISTERED PROFESSIONAL ENGINEER
96126PE
PRELIMINARY
OREGON
MAY 12, 2010
STEVEN JOHNSON

NO	DATE	ISSUE DESCRIPTION

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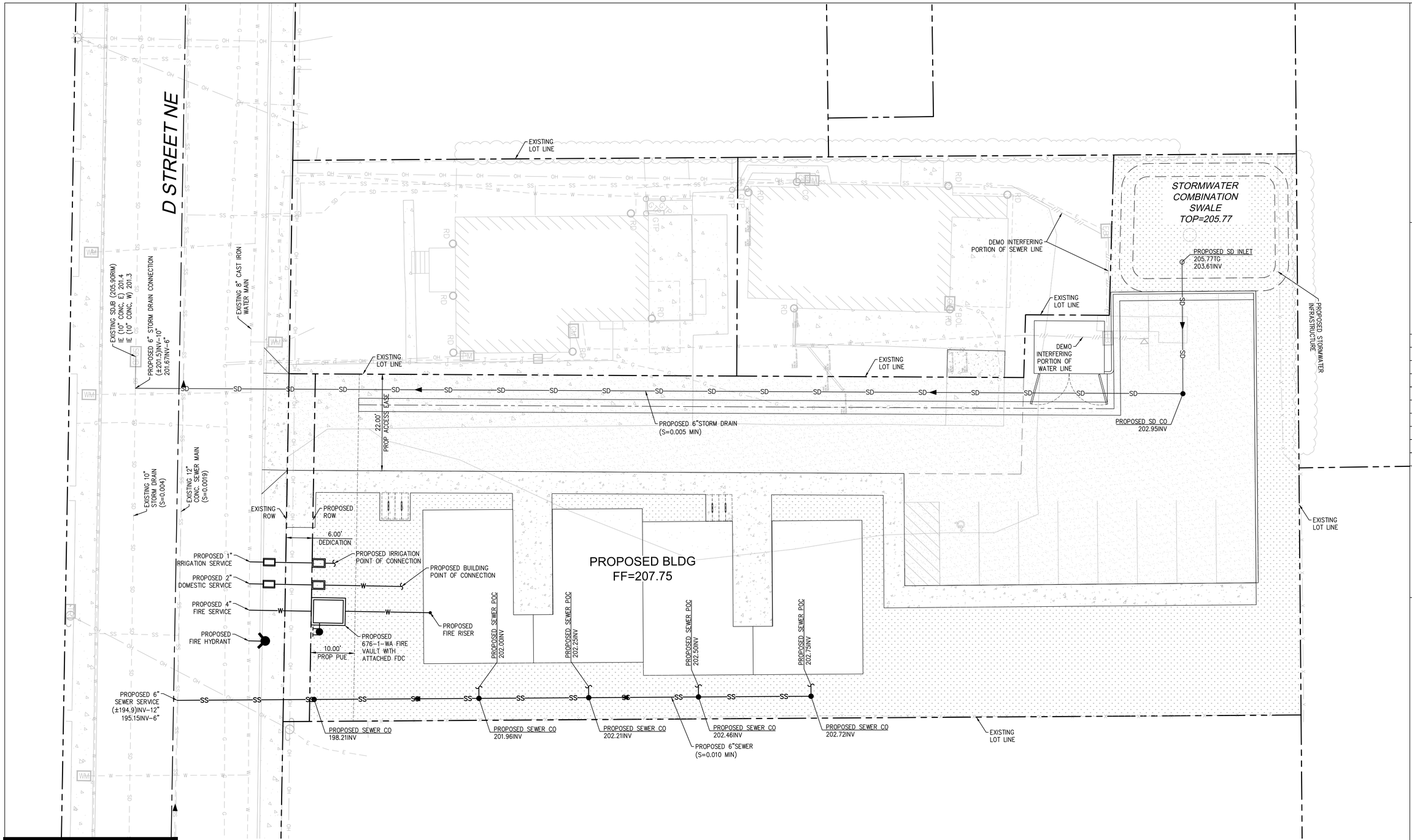
PROJECT NAME: MULTI-FAMILY DEVELOPMENT
PROJECT ADDRESS: 3021 & 3027 D STREET NE SALEM OR, 97301

SHEET TITLE: PRELIMINARY GRADING PLAN

DATE: 08/20/2024

SHEET NUMBER: 2

JOB #00330



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LEGEND:

- SD — PROPOSED DRAIN LINE
- SS — PROPOSED SEWER
- W — PROPOSED WATER
- APPROXIMATE LIMITS OF UTILITY REMOVAL
- PROPOSED WATER METER
- PROPOSED CLEANOUT

UTILITY GENERAL NOTES:

1. REFER TO SEPARATE UTILITY PURVEYOR FOR ELECTRICAL AND GAS SERVICES.
2. ALL EXISTING UTILITIES SHALL BE PROTECTED IN PLACE UNLESS OTHERWISE SPECIFICALLY CALLED FOR ON THE PLANS.
3. THE ENGINEER OF RECORD SHALL BE CONTACTED IF ANY DISCREPANCIES ARISE IN THE FIELD.

N

10 5 0 10 20

SCALE: 1"=10'

7OAKS ENGINEERING
345 WESTFIELD ST. #107
SILVERTON, OR. 97381
503.308.8554
ADMIN@7OAKSENGINEERING.COM

STAMP:

REGISTERED PROFESSIONAL ENGINEER
96126PE
PRELIMINARY
OREGON
MAY 12, 2010
STEVEN JOHNSON

NO	DATE	ISSUE DESCRIPTION

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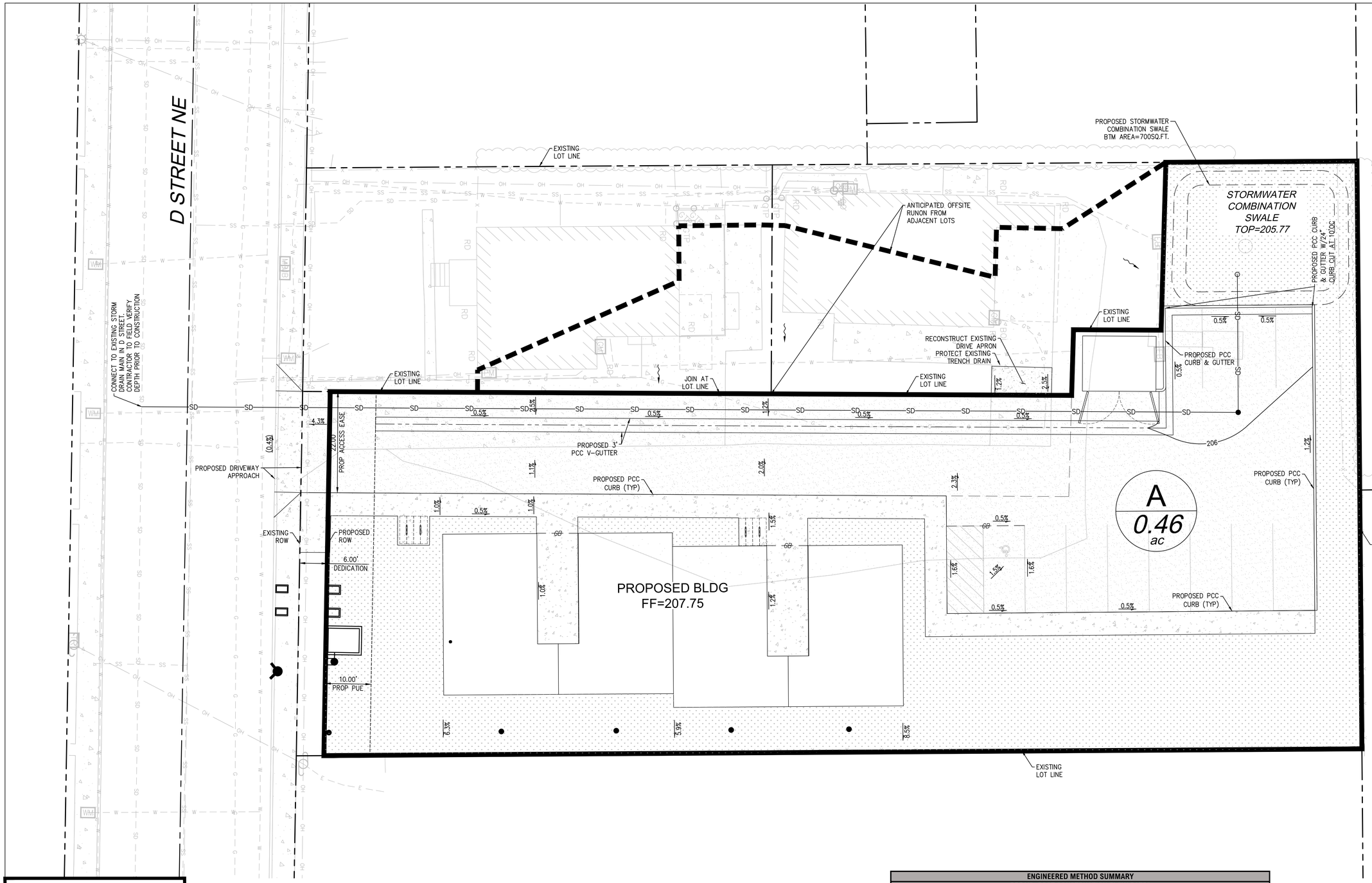
PROJECT NAME: MULTI-FAMILY DEVELOPMENT
PROJECT ADDRESS: 3021 & 3027 D STREET NE SALEM OR, 97301

SHEET TITLE: PRELIMINARY WET UTILITY PLAN

DATE: 08/20/2024

SHEET NUMBER: 3

JOB #00330



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LEGEND:

HYDROLOGY SUBAREA BOUNDARY LINE

XX / AC — SUB-AREA LABEL

ENGINEERED METHOD SUMMARY
PRE VS. POST CONSTRUCTION FLOW RATES

FACILITY ID	PEAK FLOW RATE (CFS)									
	HALF OF THE 2 YEAR STORM		5 YEAR STORM		10 YEAR STORM		25 YEAR STORM		100 YEAR STORM	
PROJECT SITE	PRE	POST	PRE	POST	PRE	POST	PRE	POST	PRE	POST
A	0.1	0.08	0.16	0.09	0.2	0.09	0.25	0.1	0.34	0.27

*Number were taken to the 100th place, and rounded accordingly.

CATCHMENT AND FACILITY TABLE

AREA	TOTAL AREA (SF)/(AC.)	IMPERVIOUS AREA (SF)	PERVIOUS AREA (SF)
A	19,553	13,687	5,866

N

10 5 0 10 20

SCALE: 1"=10'

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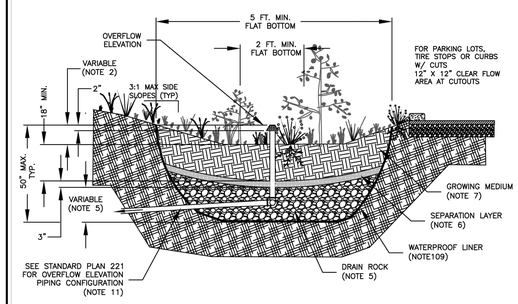
PROJECT NAME: MULTI-FAMILY DEVELOPMENT
PROJECT ADDRESS: 3021 & 3027 D STREET NE SALEM OR, 97301

SHEET TITLE: PRELIMINARY STORMWATER PLAN

DATE: 08/20/2024

SHEET NUMBER: 4

JOB #00330



NOTES:

1. PROVIDE PROTECTION FROM ALL VEHICLE TRAFFIC, EQUIPMENT STAGING, AND FOOT TRAFFIC IN PROPOSED INFILTRATION AREAS PRIOR TO, DURING, AND AFTER CONSTRUCTION.

2. DIMENSIONS:
   A. WIDTH OF SWALE: 5 FT. – 12 FT.
   B. DEPTH OF SWALE (FROM TOP OF GROWING MEDIUM TO OVERFLOW ELEVATION):
      SIMPLIFIED 9"
      ENGINEERED 6"–12"
   C. LONGITUDINAL SLOPE OF SWALE: 6.0% OR LESS
   D. FLAT BOTTOM WIDTH: 2 FT. MIN.
   E. SIDE SLOPES OF SWALE: 3:1 MAXIMUM

3. LOCATION / SETBACK:
   A.INFILTRATION VEGETATED SWALES MUST BE 10 FT. FROM FOUNDATION AND 5 FT. FROM PROPERTY LINES

4. OVERFLOW:
   A. EMERGENCY OVERFLOW PATH SHALL BE IDENTIFIED ON THE STORMWATER MANAGEMENT PLAN

5. DRAIN ROCK:
   A. SIZE: 1 1/2"–3/4" WASHED AGGREGATE
   B. DEPTH: 0"–48"

6. SEPARATION BETWEEN DRAIN ROCK AND GROWING MEDIUM: SHALL BE A 3" LAYER OF 3/4"–1/4" OPEN GRADED AGGREGATE

7. GROWING MEDIUM:
   A. DEPTH: 18" MINIMUM
   B. SEE DESIGN STANDARDS FOR REQUIREMENTS

8. VEGETATION: SEE DESIGN STANDARDS FOR REQUIREMENTS

9. CHECK DAMS: SHALL BE PLACED ACCORDING TO FACILITY DESIGN. REFER TO STANDARD PLAN 220

10. ALONG STREETS: PROTECT SUBGRADE WITHWATERPROOF LINER (30 mil. PVC OR EQUAL) ALONG STREET EDGE TO BOTTOM OF SWALE. SEE STANDARD PLAN 233

11. PIPING:
    SEE STANDARD PLAN 221

CITY OF SALEM
DEPARTMENT OF PUBLIC WORKS

STANDARD PLAN
COMBINATION SWALE

APPROVED	CITY ENGINEER	1/01/14 DATE	DRAWN BY	KAK 12/2013	**NO. 219**
			CHECKED BY	KR 12/2013	

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ENGINEER'S NOTICE TO CONTRACTOR:

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES SHOWN IN THESE PLANS ARE OBTAINED BY A SEARCH OF AVAILABLE RECORDS, AND TO THE BEST OF OUR KNOWLEDGE, THERE ARE NOT EXISTING UTILITIES EXCEPT THOSE SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE ALL PRECAUTIONARY MEASURES TO PROTECT THE UTILITIES SHOWN, AND ANY OTHER LINES OR STRUCTURES NOT SHOWN ON THESE PLANS, AND IS RESPONSIBLE FOR THE PROTECTION OF ANY DAMAGE TO THESE LINES OR STRUCTURES.

CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION FOR THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENTS SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY, ITS EMPLOYEES, AND AGENTS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT.

THE CONTRACTOR SHALL BE RESPONSIBLE TO REPORT DISCREPANCIES IN PLANS AND/OR FIELD CONDITIONS IMMEDIATELY TO THE DESIGN ENGINEER FOR RESOLUTION PRIOR TO CONSTRUCTION, AND SHALL BE RESPONSIBLE FOR DISCREPANCIES NOT SO REPORTED AND RESOLVED.

7OAKS ENGINEERING
345 WESTFIELD ST. #107
SILVERTON, OR. 97381
503.308.8554
ADMIN@7OAKSENGINEERING.COM

STAMP:

REGISTERED PROFESSIONAL ENGINEER
96126PE
PRELIMINARY
OREGON
MAY 12, 2020
STEVEN JOHNSON

NO	DATE	ISSUE DESCRIPTION

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS AND NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

THESE DRAWINGS MAY HAVE BEEN REPRODUCED AT A SIZE DIFFERENTLY THAN ORIGINALLY DRAWN. OWNER AND ENGINEER ASSUME NO RESPONSIBILITY FOR USE OF INCORRECT SCALE.

CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO PROCEEDING WITH CONSTRUCTION AND NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES OR CONFLICTS.

QC BY: DRAWN BY:

PROJECT NAME: MULTI-FAMILY DEVELOPMENT
PROJECT ADDRESS: 3021 & 3027 D STREET NE
SALEM OR, 97301

SHEET TITLE:
STORMWATER DETAILS

DATE: 08/20/2024

SHEET NUMBER: 5

JOB #00330

APPENDIX D – SUPPORTING SOILS REPORT

OREGON OFFICE
345 WESTFIELD ST. #107
SILVERTON, OR. 97381
503.308.8554

HELLO@7OAKSENGINEERING.COM

CALIFORNIA OFFICE
12337 SEAL BEACH BLVD. #1028
SEAL BEACH, CA. 90740
562.537.6038

Marion County Area, Oregon

WuA—Woodburn silt loam, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: 24s3
Elevation: 150 to 350 feet
Mean annual precipitation: 40 to 45 inches
Mean annual air temperature: 52 to 54 degrees F
Frost-free period: 200 to 210 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Woodburn and similar soils: 85 percent
Minor components: 1 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Woodburn

Setting

Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Silty alluvium and mixed mineralogy loess

Typical profile

H1 - 0 to 17 inches: silt loam
H2 - 17 to 32 inches: silty clay loam
H3 - 32 to 68 inches: silt loam

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: About 25 to 32 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: High (about 12.0 inches)

Interpretive groups

Land capability classification (irrigated): 2w
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: C
Ecological site: R002XC008OR - Valley Terrace Group
Forage suitability group: Moderately Well Drained < 15% Slopes (G002XY004OR)
Other vegetative classification: Moderately Well Drained < 15% Slopes (G002XY004OR)

Branch ENGINEERING inc
Since 1977
civil · transportation
structural · geotechnical
SURVEYING

May 22, 2024

Landon Hattan
Skyline Builders
1280 Fir Street S
Salem, Oregon 97302

RE: SITE INFILTRATION TESTING
3021 D STREET NE
SALEM, OREGON
BRANCH ENGINEERING INC. PROJECT NO. 24-147

Branch Engineering Inc (BEI) visited the subject site, see Site Vicinity Map (Figure 1), on May 8, 2024 to conduct site infiltration testing in the two test sites shown on Figure 2 that had been previously set up on May 1, 2024. The results presented herein are for preliminary design of any on-site stormwater system and should be verified by the design engineer of record (EOR) for final design and at the time of construction. The following is a summary of our site visit and test results.

SITE SOILS

Four test pits were excavated using a rubber-tracked excavator on the site in the approximate locations shown on the attached Figure-2. Two of the pits (1 and 4 labeled as IT-1 and IT-2) were set up for preliminary infiltration testing of the subsurface soils at depth of 56- to 58-inches below surface grade (BSG). The observed soils were visually classified using the American Society of Testing and Materials (ASTM) Method D-2488. The soils observed in the test pits were generally consistent in material composition with about 1.5-feet of either soft topsoil overlying a clayey silt alluvium that was moist and medium stiff that extended to the maximum depth investigated.

A nearby Oregon Water Resources Department (OWRD) well logs, see attached, describe a similar soil type as what BEI observed to a depth over 20-feet BGS. The NRCS Web Soil Survey of Marion County maps the site soils as terrace deposits of Woodburn silt loam derived from silty alluvium and mixed mineralogy loess.

GROUNDWATER

We did not encounter any groundwater during our on-site explorations to a depth of 7-feet BGS and the well log Mari 66067 shows no groundwater to a depth of 22-feet. A 1961 well log from the area indicates a static groundwater depth of 19-feet BGS with first encountered groundwater appearing to be at 50-feet BGS.

INFILTRATION TESTING

Site infiltration testing was conducted on May 8, 2024 in general accordance with the procedures set forth in the Salem Administrative Rules 109-004 Appendix C for the encased falling head method. The soil is assumed to be laterally homogeneous and that sidewall infiltration is negligible as a 6-inch diameter, open-ended, plastic standpipe was used for containment of the water column. Standing water remained in the standpipe from the initial pre-saturation of the test holes seven days prior to testing. Additional water was to the test standpipes to create a 24- to 28-inch hydraulic head on the

soil and measured one hour later with no detectable change in the water level. The measured infiltration rate in both test holes is considered to be zero.

Table 1: Infiltration Test Results

Test ID	*Soil Description*	*Test Depth (inches)*	*Infiltration Rate (in/hr)*
IT-1	Light Brown - Clayey Silt (ML/CL)	56	0
IT-2	Light Brown – Clayey Silt (ML/CL)	58	0

CONCLUSIONS

The infiltration rates measured in the field are zero, this rate is considered preliminary and should be confirmed by the EOR for final design of the stormwater facility as soil type and consistency may vary with distance from the test location.

Although not considered feasible based on our preliminary results, any areas proposed for infiltration shall not be subjected to compaction of the soil by vehicle traffic, storage of materials, or other means that can influence the rate of infiltration in those areas. It is the client/design professional's responsibility to determine that the stormwater facility meets these requirements for sizing, setbacks, and overflow routing.

LIMITATIONS

This report has been prepared for the exclusive use of the addressee and their designated representatives for use in design of the proposed development. The analysis and recommendations contained herein were prepared in general accordance with the standards of practice for the area at the time of this report's preparation, and may not be suitable for purposes other than those described in this report.

Subsurface explorations indicate soil conditions at specific locations and depths and do not necessarily reflect soil and groundwater variations that may exist at other locations at the site; however, site conditions were generally consistent in all our explorations. If design changes are made that may affect the results of our testing, development plans change, or at least a year passes between our investigation and the site development, we reserve the right to review the changes for applicability.

We assume no responsibility or liability for engineering, inspection, or testing performed by others and no warranty, expressed or implied, is given. Use of this report constitutes an agreement and consent by the addressee and their designated representatives to the limitations listed above.

If you have any questions regarding the test method, please contact the undersigned.
Sincerely,

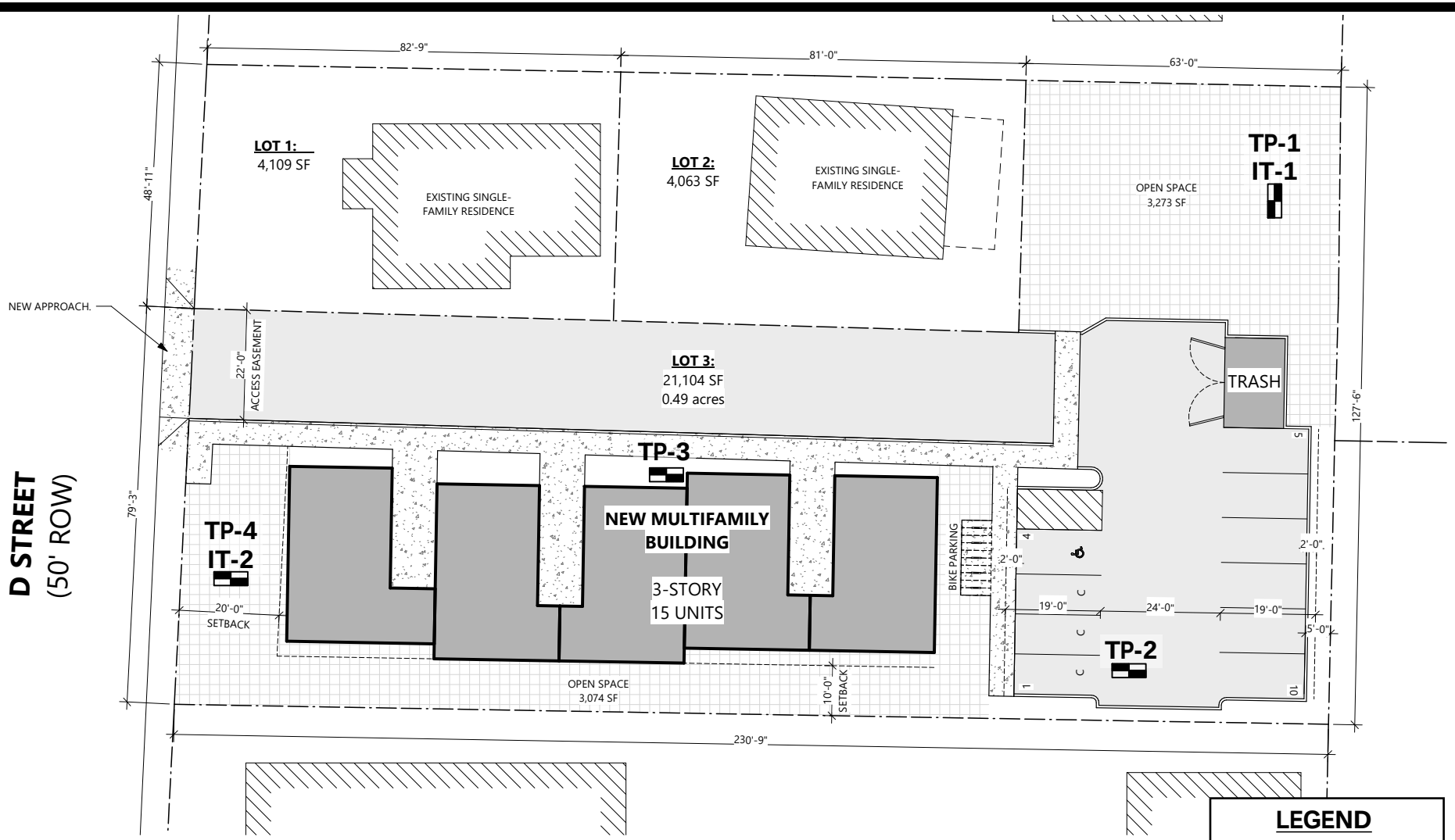
Branch Engineering Inc,



Ronald J. Derrick, P.E., G.E.
Principal Geotechnical Engineer

ATTACHED:

Figure-1, Site Vicinity Map
Figure-2, Site Exploration Map
ORWD Well Logs (3)
USDA NRCS Site Soil Mapping and Soil Description



SOURCE: LIFT ARCHITECTURE, NEW MULTIFAMILY 3021 D STREET, SEET A1.01, 4/4/2024

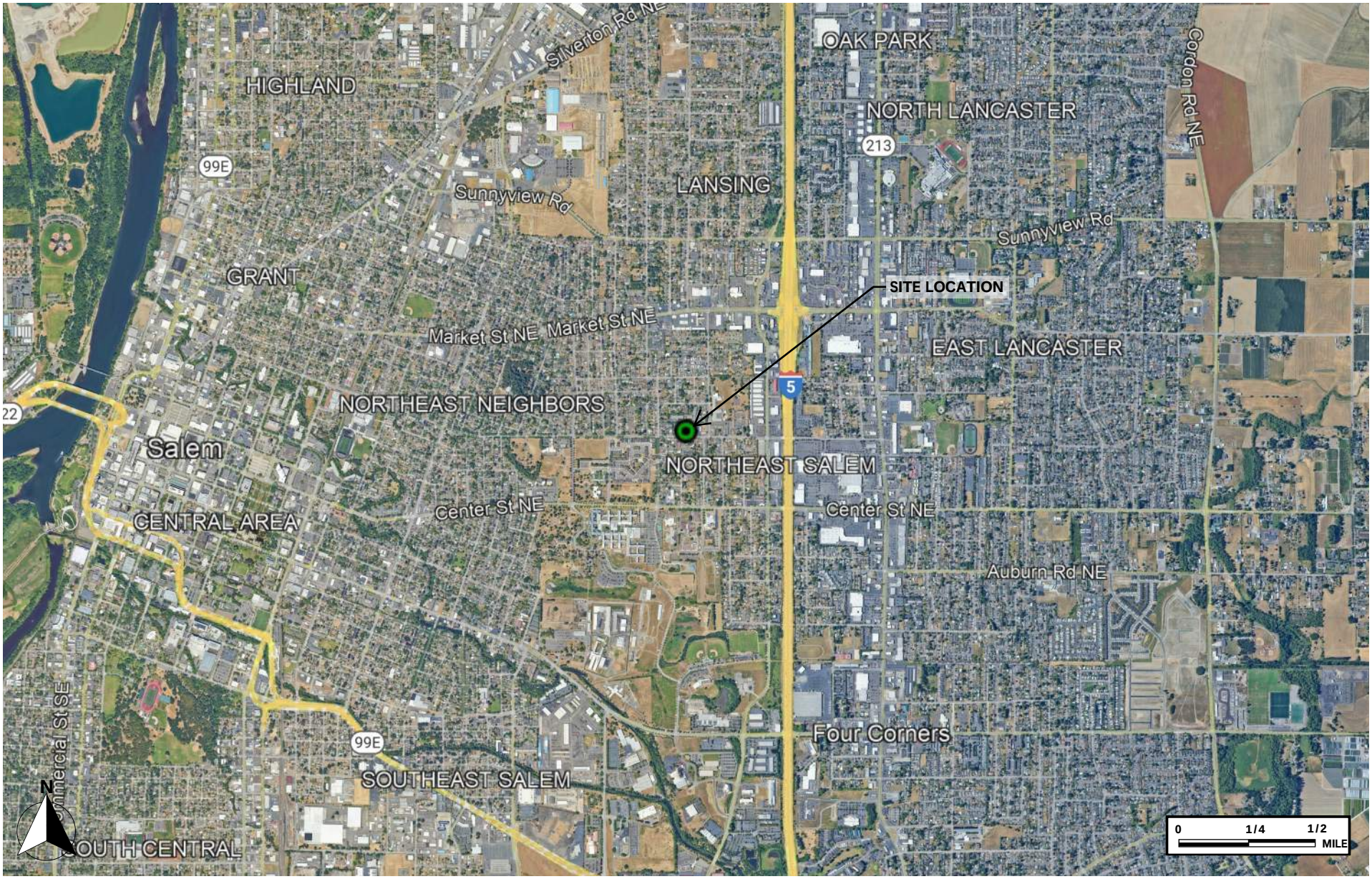
Branch ENGINEERING Inc Since 1977

SITE PLAN — D STREET MULTIFAMILY

3021 D STREET NE, SALEM, OREGON

FIGURE-2

PROJECT NO. 24-147



SOURCE: GOOGLE EARTH PRO®

Branch ENGINEERING Inc Since 1977

VICINITY MAP — D STREET MULTIFAMILY

3021 D STREET NE, SALEM, OREGON

FIGURE-1

PROJECT NO. 24-147

RECEIVED
AUG 1961
STATE ENGINEER
SALEM, OREGON

MARI.... 8058
MARI

File Original and First Copy with the STATE ENGINEER, SALEM, OREGON

WATER WELL REPORT
STATE OF OREGON

State Well No. 7/3W-24Q

State Permit No. .....

(1) OWNER:
Name WALTER. R. HOELCHER
Address 3281 D. ST
SALEM ORE

(2) LOCATION OF WELL:
County MARION Owner's number, if any—
¼ ¼ Section T. 7S R. 3W W.M.
Bearing and distance from section or subdivision corner
3281 D.ST. SALEM ORE

[redacted] Garden City Addition & City of Salem
Lot # 13

(3) TYPE OF WORK (check):
New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):
Domestic ☒ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☐

(5) TYPE OF WELL:
Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(6) CASING INSTALLED:
Threaded ☐ Welded ☒
4" Diam. from 0 ft. to 90 ft. Gage 4"
..." Diam. from ... ft. to ... ft. Gage ...
..." Diam. from ... ft. to ... ft. Gage ...

(7) PERFORATIONS:
Perforated? ☐ Yes ☒ No
Type of perforator used
SIZE of perforations in. by in.
... perforations from ... ft. to ... ft.
... perforations from ... ft. to ... ft.
... perforations from ... ft. to ... ft.
... perforations from ... ft. to ... ft.
[redacted] perforations from ... ft. to ... ft.

(8) SCREENS:
Well screen installed ☐ Yes ☒ No
Manufacturer's Name ...
Type ... Model No. ...
[redacted] Slot size ... Set from ... ft. to ... ft.
Diam. ... Slot size ... Set from ... ft. to ... ft.

(9) CONSTRUCTION:
Was well gravel packed? ☐ Yes ☒ No Size of gravel: ...
Gravel placed from ... ft. to ... ft.
Was a surface seal provided? ☒ Yes ☐ No To what depth? 1'— ft.
Material used in seal SANITARY SEAL
Did any strata contain unusable water? ☒ Yes ☐ No
Type of water? IRON Depth of strata 50'705'
Method of sealing strata off CASED

(10) WATER LEVELS:
Static level 19 ft. below land surface Date 7-1961
Artesian pressure ... lbs. per square inch Date ...

Log Accepted by:
[Signed] W. R. Hoelcher (Owner) Date July 27, 19 61

(11) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☐ Yes ☐ No If yes, by whom?
Yield: gal./min. with ... ft. drawdown after ... hrs.
" " " "
" " " "
Bailer test 15 gal./min. with 65 ft. drawdown after 1 hrs.
Artesian flow ... g.p.m. Date ...
Temperature of water 55° Was a chemical analysis made? ☐ Yes ☒ No

(12) WELL LOG:
Diameter of well 4" inches.
Depth drilled 90' ft. Depth of completed well 90' ft.
Formation: *Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.*

MATERIAL	FROM	TO
TOPSOIL	0	2
YELLOW CLAY	2	30
BLUE CLAY	30	35
CONGLOMERATE	35	50
WATER GRAVEL	50	51
CONGLOMERATE	51	55
YELLOW CLAY	55	58
SAND FINE GRAIN	58	59
CONGLOMERATE	59	84
SAND FINE GRAIN	84	85
CONGLOMERATE	85	89
WATER GRAVEL #1"—	89	90

Work started 7-17- 1961 Completed 7-19- 1961

(13) PUMP:
Manufacturer's Name ...
Type: Jet H.P. 1

Well Driller's Statement:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME S. A. SHEDD & SONS
(Person, firm, or corporation) (Type or print)
Address 2505 BROOKS ST. SALEM O.
Driller's well number ...
[Signed] S. A. Shedd (Well Driller)
License No. 6 Date 7-18-, 19 61

(USE ADDITIONAL SHEETS IF NECESSARY)

MARI 66067

STATE OF OREGON
GEOTECHNICAL HOLE REPORT
(as required by OAR 690-240-0035)

MARI 66067

(1) OWNER/PROJECT

Hole Number B1

PROJECT NAME/NBR: 3194 Knox, Ruby Garner

First Name Ruby Last Name Garner
Company
Address 3194 Knox Ave NE
City Salem State Or Zip 97301

(2) TYPE OF WORK

☒ New ☐ Deepening ☒ Abandonment
☐ Alteration (repair/recondition)

(3) CONSTRUCTION

☐ Rotary Air ☐ Hand Auger ☐ Hollow stem auger
☐ Rotary Mud ☐ Cable ☒ Push Probe
☐ Other

(4) TYPE OF HOLE:

◉ Uncased Temporary ○ Cased Permanent
○ Uncased Permanent ○ Slope Stablity
○ Other
Other:

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AUG 26 2016
SALEM, OR

(5) USE OF HOLE

soil testing

(6) BORE HOLE CONSTRUCTION

Special Standard ☐ (Attach copy)
Depth of Completed Hole 22.00 ft.

BORE HOLE Dia	From	To	SEAL Material	From	To	Amt	sacks/ lbs
2.25	0	22					

Backfill placed from ft. to ft. Material
Filter pack from ft. to ft. Material Size

(7) CASING/SCREEN

Casing	Screen	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
◉	○	.75	☐	0	10	40	○	◉	☐	☒
○	◉	.75	☐	10	22	40	○	◉	☐	☒
○	○		☐				○	○	☐	☐
○	○		☐				○	○	☐	☐
○	○		☐				○	○	☐	☐

(8) WELL TESTS

○ Pump ○ Bailer ○ Air ○ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration(hr)

Temperature NA °F Lab analysis ☐ Yes By
Supervising Geologist/Engineer
Water quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF HOLE (legal description)

County MARION Twp 7 S N/S Range 3 W E/W WM
Sec 24 SW 1/4 of the SW 1/4 Tax Lot 05400
Tax Map Number Lot
Lat ° ' " or DMS or DD
Long ° ' " or DMS or DD
◉ Street address of hole ○ Nearest address
3194 Knox Ave NE Salem Oregon

(10) STATIC WATER LEVEL

	Date	SWL(psi)	+	SWL(ft)
Existing Well / Predeepening			☐	N/A
Completed Well			☐	

Flowing Artesian? ☐
WATER BEARING ZONES Depth water was first found N/A

SWL Date	From	To	Est Flow	SWL(psi)	+	SWL(ft)
					☐	N/A
					☐	
					☐	
					☐	
					☐	

(11) SUBSURFACE LOG

Ground Elevation

Material	From	To
Top soil fill	0	2
brown silty clay	2	8
light brown silty clay	8	22

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JAN 15 2016
SALEM, OR

Date Started 12-05-2015 Completed 12-05-2015

(12) ABANDONMENT LOG:

Material	From	To	Amt	sacks/ lbs
Bentonite Chips	0	22	35	P

RECEIVED BY OWRD
MAR 10 2016
SALEM, OR

Date Started 12-05-2015 Completed 12-05-2015

Professional Certification (to be signed by an Oregon licensed water or monitoring well constructor, Oregon registered geologist or professional engineer).

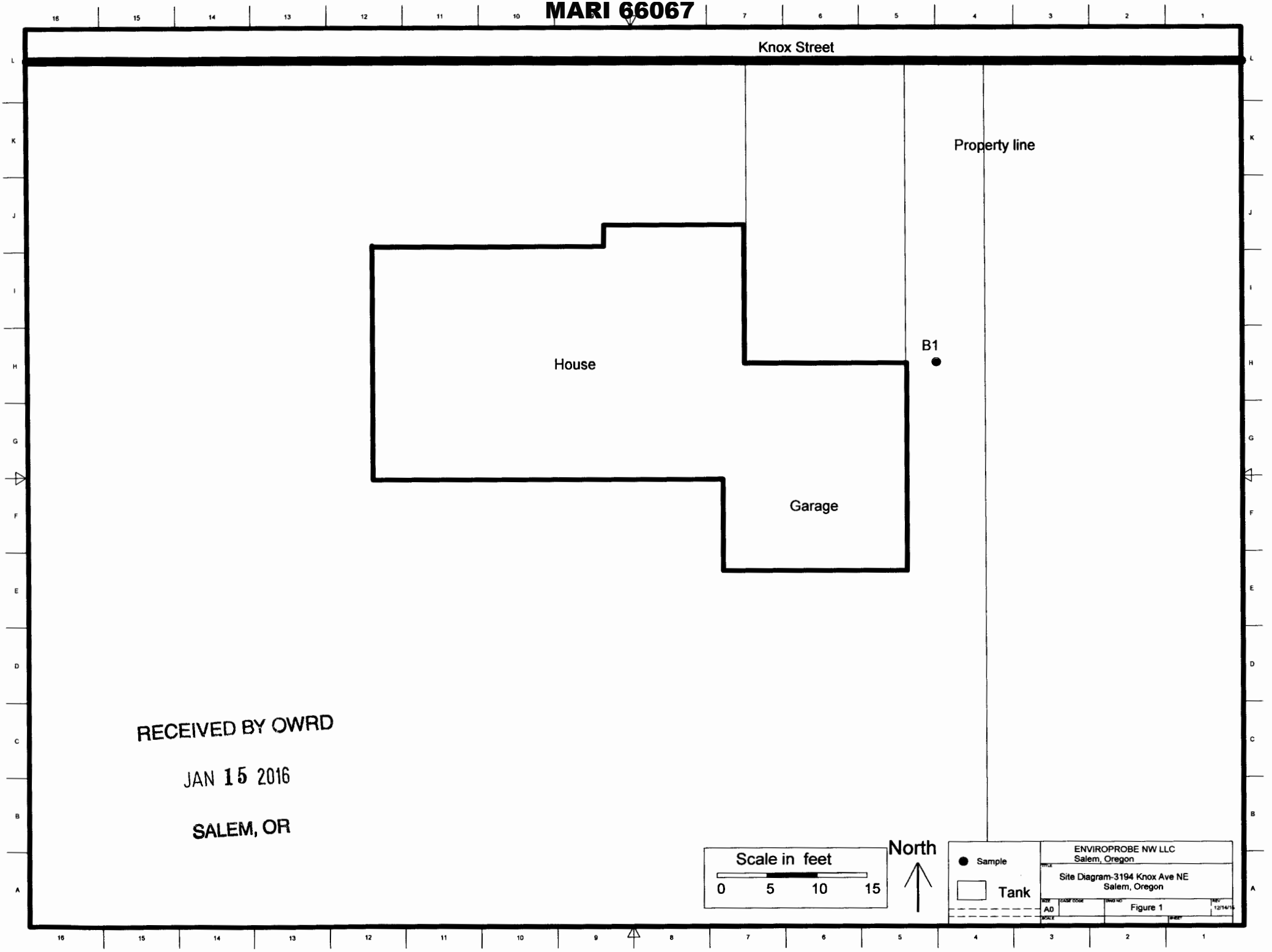
I accept responsibility for the construction, deepening, alteration, or abandonment work performed during the construction dates reported above. All work performed during this time is in compliance with Oregon geotechnical hole construction standards. This report is true to the best of my knowledge and belief.

License/Registration Number 10587 Date 12/15/15
First Name Karl Last Name Van Zandt
Affiliation Enviroprobe NW LLC

ORIGINAL - WATER RESOURCES DEPARTMENT
THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

Form Version: 0.96

MARI 66067



RECEIVED BY OWRD

JAN 15 2016

SALEM, OR

MARI 66144

STATE OF OREGON
GEOTECHNICAL HOLE REPORT
(as required by OAR 690-240-0035)

3/16/2016

(1) OWNER/PROJECT

Hole Number B8

PROJECT NAME/NBR: 5-648/DAS - SALEM

First Name _____ Last Name _____

Company OREGON DEPARTMENT OF ADMINISTRATIVE SERVICES

Address 155 COTTAGE ST NE

City SALEM State OR Zip 97301

(2) TYPE OF WORK

☒ New ☐ Deepening ☒ Abandonment
☐ Alteration (repair/recondition)

(3) CONSTRUCTION

☐ Rotary Air ☐ Hand Auger ☐ Hollow stem auger
☒ Rotary Mud ☐ Cable ☐ Push Probe
☐ Other _____

(4) TYPE OF HOLE:

◉ Uncased Temporary ○ Cased Permanent
○ Uncased Permanent ○ Slope Stablity
○ Other
Other: _____

(5) USE OF HOLE

GEOTECHNICAL

(6) BORE HOLE CONSTRUCTION

Special Standard ☐ (Attach copy)

Depth of Completed Hole 20.00 ft.

BORE HOLE Dia	From	To	SEAL Material	From	To	Amt	sacks/ lbs
3.87	0	20	Bentonite Chips	0	20	3	S

Backfill placed from _____ ft. to _____ ft. Material _____
Filter pack from _____ ft. to _____ ft. Material _____ Size _____

(7) CASING/SCREEN

Casing	Screen	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
○	○		☐				○	○	☐	☐
○	○		☐				○	○	☐	☐
○	○		☐				○	○	☐	☐
○	○		☐				○	○	☐	☐
○	○		☐				○	○	☐	☐

(8) WELL TESTS

○ Pump ○ Bailer ○ Air ○ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration(hr)

Temperature _____ °F Lab analysis ☐ Yes By _____

Supervising Geologist/Engineer _____

Water quality concerns? ☐ Yes (describe below) TDS amount _____ _____

From	To	Description	Amount	Units

(9) LOCATION OF HOLE (legal description)

County MARION Twp 7.00 S N/S Range 3.00 W E/W WM
Sec 24 SE 1/4 of the SW 1/4 Tax Lot 100
Tax Map Number _____ Lot _____
Lat ° ' " or 44.94238889 DMS or DD
Long ° ' " or -123.00056944 DMS or DD
○ Street address of hole ◉ Nearest address
901 PARK AVE NE SALEM, OR

(10) STATIC WATER LEVEL

	Date	SWL(psi)	+	SWL(ft)
Existing Well / Predeepening			☐	
Completed Well			☐	

Flowing Artesian? ☐
Depth water was first found _____

WATER BEARING ZONES

SWL Date	From	To	Est Flow	SWL(psi)	+	SWL(ft)
					☐	
					☐	
					☐	
					☐	
					☐	

(11) SUBSURFACE LOG

Ground Elevation _____

Material	From	To
Silt & Some Clay	0	10
Sandy Silt	10	20

Date Started 3/10/2016 Completed 3/10/2016

(12) ABANDONMENT LOG:

Material	From	To	Amt	sacks/ lbs
Bentonite Chips	0	20	3	S

Date Started 3/10/2016 Completed 3/10/2016

Professional Certification

(to be signed by an Oregon licensed water or monitoring well constructor, Oregon registered geologist or professional engineer).

I accept responsibility for the construction, deepening, alteration, or abandonment work performed during the construction dates reported above. All work performed during this time is in compliance with Oregon geotechnical hole construction standards. This report is true to the best of my knowledge and belief.

License/Registration Number 10607 Date 3/16/2016

First Name ADONIS Last Name PABLO

Affiliation WESTERN STATES SOIL CONSERVATION

ORIGINAL - WATER RESOURCES DEPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

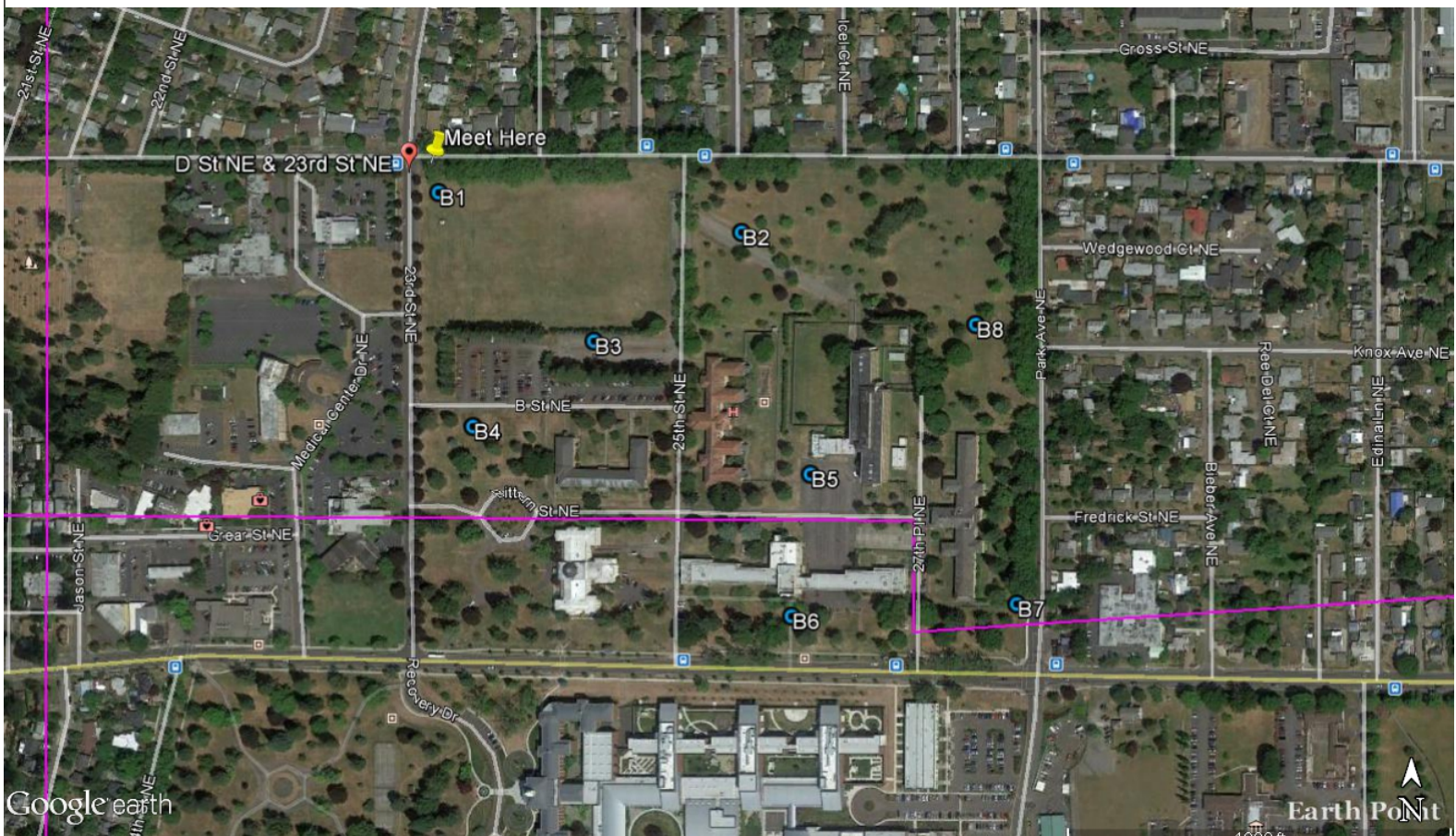
Form Version:

GEOTECHNICAL HOLE REPORT - Map with location identified must be attached and shall include an approximate scale and north arrow

MARI 66144

3/16/2016

Map of Hole



Soil Map—Marion County Area, Oregon
(3021 D Street NE, Salem OR)



Map Scale: 1:2,210 if printed on A landscape (11" x 8.5") sheet.

N

Meters
0 30 60 120 180

Feet
0 100 200 400 600

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Marion County Area, Oregon
Survey Area Data: Version 21, Sep 8, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 17, 2023—Jun 3, 2023

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Am	Amity silt loam	3.8	16.0%
WuA	Woodburn silt loam, 0 to 3 percent slopes	19.8	84.0%
Totals for Area of Interest		**23.5**	**100.0%**

Marion County Area, Oregon

WuA—Woodburn silt loam, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: 24s3
Elevation: 150 to 350 feet
Mean annual precipitation: 40 to 45 inches
Mean annual air temperature: 52 to 54 degrees F
Frost-free period: 200 to 210 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Woodburn and similar soils: 85 percent
Minor components: 1 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Woodburn

Setting

Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Silty alluvium and mixed mineralogy loess

Typical profile

H1 - 0 to 17 inches: silt loam
H2 - 17 to 32 inches: silty clay loam
H3 - 32 to 68 inches: silt loam

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: About 25 to 32 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: High (about 12.0 inches)

Interpretive groups

Land capability classification (irrigated): 2w
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: C
Ecological site: R002XC008OR - Valley Terrace Group
Forage suitability group: Moderately Well Drained < 15% Slopes (G002XY004OR)
Other vegetative classification: Moderately Well Drained < 15% Slopes (G002XY004OR)

Hydric soil rating: No

Minor Components

Aquolls, somewhat poorly drained
Percent of map unit: 1 percent
Landform: Terraces
Hydric soil rating: Yes

Data Source Information

Soil Survey Area: Marion County Area, Oregon
Survey Area Data: Version 21, Sep 8, 2023

Hydric soil rating: No

Minor Components

Aquolls, somewhat poorly drained
Percent of map unit: 1 percent
Landform: Terraces
Hydric soil rating: Yes

Data Source Information

Soil Survey Area: Marion County Area, Oregon
Survey Area Data: Version 21, Sep 8, 2023

Exhibit Q – Pre-Application Conference Notes

CITY OF Salem AT YOUR SERVICE
Community Planning and Development

Pre-application Infrastructure Summary

Development Services Division

555 Liberty Street SE/Room 320
Phone: 503-584-4646
developmentservices@cityofsalem.net

Case No. / AMANDA No.	PRE-AP24-25 / 24-107990-PA
Conference Date	May 6, 2024
Applicant	Landon Hattan, Skyline Builders LLC landon@skyline-co.com
Representative	Same as applicant
Development Services Staff Contact	Zach Diehl, Permit Program Manager zdiehl@cityofsalem.net / 503-588-6211 ext. 7435

Project Description & Property Information	
Property Address	3021 D Street NE
Assessor's Tax Lot Number(s)	073W24DC01000
Project Description	Three-Parcel Partition with New Multi-Family Development

Development Services - Infrastructure Summary

Proposal

A pre-application conference to discuss a three-lot partition with two existing single-family residences, and review of a new multi-family development consisting of 15 apartment units on a resulting lot, for property 0.67 acres in size, zoned RM-II (Multiple Family Residential), and located at 3021 D Street NE (Marion County Assessor Map and Tax lot numbers: 073W24DC / 1000).

Urban Growth Area Preliminary Declaration (UGA)

UGA Permit	
Not Required ☒	The subject property is located inside the Urban Service Area and adequate facilities are available. No Urban Growth Area permit is required.

Utility Information

Water	
Water Service Level	G-0
Existing Conditions	8-inch and 30-inch water mains are located in D Street NE
Required Improvements	N/A – Public water is available to serve the proposed development.
Water Meters Service	Water meters shall be placed along the right-of-way of streets adjacent to the subject property (PWDS Water 5.9(b)).
Sanitary Sewer	
Existing Conditions	A 12-inch sewer main is located in D Street NE.

Required Improvements	N/A – Public sewer is available to serve the proposed development.
Sanitary Sewer Service	Every building shall have an independent connection with a public or private collection system (SRC 73.065).
Storm Drainage	
Existing Conditions	A 10-inch storm main is located in D Street NE.
Required Improvements	N/A – Public storm is available to serve the proposed development.
Green Stormwater Infrastructure	Design and construct a storm drainage system at the time of development for areas of replaced and new impervious surface. The tentative plan application shall include findings that demonstrate how the proposed development will comply with Public Works Design Standards (PWDS) Appendix 4E related to green stormwater infrastructure.

Transportation

Traffic			
Trip Generation Estimate	The City Traffic Engineer will determine through a Trip Generation Estimate the number of new vehicle trips this development will generate. Requirements for street improvements, a traffic impact analysis, and right-of-way dedication are often based on the findings of the Trip Generation Estimate.		
Traffic Impact Analysis	N/A - Based on the scope of the development reviewed at the pre-application conference meeting, a Traffic Impact Analysis is not required per SRC 803.015.		
Streets			
D Street NE	**Street Classification**	Minor Arterial	
	Right-of-way Width	Standard: 72-feet	Existing Condition: 50-feet
	Improvement Width	Standard: 46-feet	Existing Condition: 37-feet
	Special Setback	36-feet from centerline	
	Required Improvements	Convey land for dedication to equal a half-width right-of-way of up to 36-feet from centerline on the development side of D Street NE. Provide property line sidewalks along the property frontage and planter strips to accommodate street trees.	
Sidewalks	Construct sidewalks and replace non-conforming portions of existing sidewalk along abutting streets in conformance with the provisions of SRC Chapter 78 and PWDS (SRC 78.180(a)).		
Street Trees	Provide street trees to the maximum extent feasible in accordance with the standards and specifications set forth in SRC Chapter 86 and applicable administrative rules (SRC 86.015(e)).		
Connectivity	At the time of development, the applicant shall be required to comply with the Street Standards for connectivity (SRC 803.035(a)).		
Driveway Approaches			
Class 2 Driveway Approach Permit (SRC 804.025)	Required ☒	Not Applicable ☐	

Driveway Approach Adjustments	Spacing Standards	Required ☒	Not Applicable ☐
	Access to an Arterial Street	Required ☐	Not Applicable ☒
Vision Clearance	Requirements shall be observed at all street and driveway intersections as provided for in SRC Chapter 805.		
Staff Comments			
Driveway Approach Comments - proposed driveway approach to D Street NE does not meet the spacing standards in SRC Chapter 804 due to the proximity of adjacent driveways in the vicinity. As part of the application package, the applicant shall apply for an adjustment to driveway spacing per SRC 804.035(d).			

Natural Resources

Summary Items				
Erosion Control	For projects less than one acre, a City-issued erosion control permit is required prior to the start of any ground disturbing activities as specified in SRC Chapter 75.			
Floodplain Development	Within Special Flood Hazard Area	Yes ☐ No ☒		
Landslide Hazards	Mapped Hazard	None Mapped		
	Geo-assessment	Required ☐ Not Required ☒		
Wetlands	N/A ☒	Hydric Soils ☐	Wetlands ☐	Linear Channels ☐

General Comments

Plan Review: All development activity will require building and/or construction permits in accordance with the SRC, the PWDS, and Standard Construction Specifications. Permits will not be issued by the City of Salem Permit Application Center until all construction plans have been approved by the Public Works Department.

Public Works Design Standards: All public utilities and roadway facilities shall be designed and constructed to meet the requirements of the City of Salem PWDS and Standard Construction Specifications found here:

https://www.cityofsalem.net/business/building-in-salem/helpful-resources/engineering-and-technical-resources/standard-plans-construction-specifications-and-public-works-design-standards

Grading Permits: The applicant shall be required to obtain a clearing and grading permit prior to conducting any clearing and grading operations on parcels within the city limits (SRC 82.030).

Fire Flow Test Information: Upon request, fire flow tests can be performed on hydrants adjacent to a development site. Contact Development Services to request a new fire flow test by emailing developmentservices@cityofsalem.net with the hydrant location and requested static and residual flow test locations, if applicable..

System Development Charges: Systems Development Charges (SDC) for Parks, Transportation, Water, Wastewater, and Stormwater systems are collected from developers at the time of building permit issuance based on the relative impacts of each project and are used to pay for construction of new public infrastructure that supports growth.

a. The current fee schedule can be found here: https://www.cityofsalem.net/business/building-in-salem/fees-and-forms/salem-fee-schedule

b. Exemptions for Affordable Housing Projects are established in SRC Chapter 41.150. Affordable Housing units that are rental or lease-to-purchase require a deed restriction maintaining affordability for a time period not less than 5 years and not more than 30-years, as elected by the applicant. If you think your project may qualify for Affordable Housing SDC Exemptions, please contact Public Works Development Services to discuss needed documentation.

Land Division: The following webpage provides guidance on the Land Survey (Platting) Process: https://www.cityofsalem.net/business/land-use-zoning/development-application-help/finalize-your-land-survey-plat

Access to Utility Maps: The City of Salem maintains water, wastewater, and stormwater distribution utilities. The public utility locations can be found using the following link: https://www.cityofsalem.net/business/building-in-salem/helpful-resources/engineering-and-technical-resources/access-to-utility-maps

Pre-Application Report

Community Development Department

Planning Division

555 Liberty Street SE/Room 305
Phone: 503-588-6173
www.cityofsalem.net/planning

Case No. / AMANDA No.	PRE-AP24-25 / 24-107990-PA
Conference Date	May 6, 2024
Applicant	Landon Hattan landon@skyline-co.com
Representative	Skyline Builders LLC See applicant
Case Manager	Jamie Donaldson, Planner III

Mandatory Pre-Application Conference: ☒ **Yes** ☐ **No**

Project Description & Property Information	
Project Description	Partition & Multi-family development
Property Address	3021 & 3027 D Street NE
Assessor's Map and Tax Lot Number	Marion County – 073W24DC01000
Existing Use	Three-family residential
Legal Units of Land	The property does not appear to be platted as part of a Subdivision or Partition. Without reviewing deeds for the subject property, it is not possible for staff to determine if the subject property is a legal lot. At the time of land use application, historic deeds and Chain of Title may be required to confirm lot legality.
Neighborhood Association	North East Salem Community Association (NESCA)
Zoning	RM-II (Multiple Family Residential-II)
Comprehensive Plan Map Designation	MFR - Multi-Family Residential
Urban Service Area	The subject property is located within the City's Urban Service Area.
Urban Renewal Area	None
Past Land Use Actions	LLA98-11*

Planning Division Comments

Proposal

A pre-application conference to discuss a three-lot partition with two existing single-family residences, and review of a new multi-family development consisting of 15 apartment units on a resulting lot, for property 0.67 acres in size, zoned RM-II (Multiple Family Residential), and located at 3021 D Street NE (Marion County Assessor Map and Tax lot numbers: 073W24DC / 1000).

Prior Land Use Actions for Property

LLA98-11: Lot Line Adjustment (LLA) 98-11, between 3027 and 3029 D Street NE (Marion County Assessor's Map No. 73W24DC).

***Note:** Staff could not find a record of that the lot line adjustment was recorded in City records, or with the County survey records available online to the public. Deed research and chain-of-title will need to confirm where the legal lot lines are.

Other Department/Agency Comments

Note: Any comments below only reflect notes provided to the Planner in our permitting system. Please reach out to the contacts listed below for specific department questions.

PGE: For questions, please contact Ken Spencer at Kenneth.Spencer@pgn.com.

Fire: For further questions, please contact Sean Mansfield directly at (503) 589-2130 or by email at SMansfield@cityofsalem.net.

Building and Safety: For further questions, please contact Matt O'Donnell directly at (503) 540-2022 or by email at modonnell@cityofsalem.net.

Development Services: For further questions, please contact Zach Diehl at (503) 584-4642 or by email at zdiehl@cityofsalem.net.

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**			
☐	Conditional Use (SRC 240.005)	☐	Class 1 Site Plan Review (SRC 220.005)		
☐	Comprehensive Plan Change (SRC 64.020)	☐	Class 2 Site Plan Review (SRC 220.005)		
☐	Zone Change (SRC 265.000)	☒	Class 3 Site Plan Review (SRC 220.005)		
☐	Temporary use Permit – Class 1 (SRC 701.010)	**Design Review**			
☐	Temporary Use Permit – Class 2 (SRC 701.010)	☒	Class 1 Design Review (SRC 225.005)		
☐	Non-Conforming Use Extension, Alteration, Expansion, or Substitution (SRC 270.000)	☐	Class 2 Design Review (SRC 225.005)		
☐	Manufactured Dwelling Park Permit (SRC 235.010)	☐	Class 3 Design Review (SRC 225.005)		
Land Divisions		**Historic Design Review (SRC 230.020)**			
☒	Property Line Adjustment (SRC 205.055)	☐	Major Commercial	☐	Minor Commercial
☒	Replat (SRC 205.025)	☐	Major Public	☐	Minor Public
☒	Partition (SRC 205.005)	☐	Major Residential	☐	Minor Residential
☐	Subdivision (SRC 205.010)	**Wireless Communication Facilities**			
☐	Phased Subdivision (SRC 205.015)	☐	Class 1 Permit (SRC 703.020)		
☐	Planned Unit Development Tentative Plan (SRC 210.025)	☐	Class 2 Permit (SRC 703.020)		
☐	Manufactured Dwelling Park Subdivision (SRC 205.020)	☐	Class 3 Permit (SRC 703.020)		
☐	Middle Housing Land Division (SRC 205.051)	☐	Temporary (SRC 703.100)		

☒	Validation of Unit of Land (SRC 205.060)	☐	Adjustment (SRC 703.090)
Relief		**Other**	
☒	Adjustment – Class 1 (SRC 250.005)	☐	Annexation – Without Comprehensive Plan Change and/or Zone Change (SRC 260.010)
☒	Adjustment – Class 2 (SRC 250.005)	☐	Annexation – With Comprehensive Plan Change and/or Zone Change (SRC 260.010)
☐	Variance (SRC 245.005)	☐	Sign Adjustment (SRC 900.035)
Natural Resources		☐	Sign Conditional Use (SRC 900.045)
☐	Tree Conservation Plan (SRC 808.035)	☐	Sign Variance (SRC 900.040)
☐	Tree Conservation Plan Adjustment (SRC 808.040)	☐	SWMU Zone Development Phasing Plan (SRC 531.015)
☐	Tree Removal Permit (SRC 808.030)	☐	Urban Growth Preliminary Declaration (SRC 200.020)
☐	Tree Variance (SRC 808.045)	☒	Historic Clearance Review- High Probability Archaeological Zone (SRC 230.020)
☐	Willamette Greenway Permit – Class 1 (SRC 600.015)	☒	Class 2 Driveway Approach Permit (SRC 804.025)
☐	Willamette Greenway Permit – Class 2 (SRC 600.015)	☐	

Staff Comments

Some of the applications checked in this list are to anticipate various development scenarios which may or may not occur. Additional details are as follows:

Replat - $6,180
Partition Tentative Plan - $5,679*
Property Line Adjustment - $1,259*
As outlined in SRC 205.005, no land shall be divided into three or fewer parcels within a calendar year without first receiving tentative partition plan approval. A replat may be done to reconfigure lawfully established lots or parcels in a recorded partition or subdivision plat. For properties that may have been lawfully established by some other means, a property line adjustment may be done to relocate or eliminate all or a portion of a common property line between two abutting units of land. If the land is determined to not be lawfully created, a Partition may only be done if the outside boundary is the same as it was originally platted.

Validation of a Unit of Land - $6,180*
As outlined in SRC 205.060, a unit of land unlawfully created maybe lawfully established through a validation, for units of land created by sale or deed after 1968 and not approved through a land use decision by the City. If the property is found to not have been lawfully established, then a Validation may be required prior to, or in conjunction with, any other land division/consolidation application.

***Note:** It is recommended that any land division/consolidation applications are applied for separately from the development applications, either prior to development applications or concurrently, so that subsequent steps for plat review may continue forward while Site Plan Review is still being processed. See also: Finalizing Your Land Survey (Plat).

Class 3 Site Plan Review (Multi-Family) - starts at $2,104* (based on valuation of project)
The purpose of site plan review is to provide a unified, consistent and efficient means to conduct site plan review for development activity that requires a building permit, to ensure that such development meets all applicable standards of the UDC, including, but not limited to, standards related to access, pedestrian connectivity, setbacks, parking areas, external refuse storage areas, open areas, landscaping, and transportation and utility infrastructure.

Class 2 Driveway Approach Permit - $664*
The purpose of the driveway approach permit is to establish development standards for safe and efficient access to public streets.

Class 1 Design Review - $713*
The purpose of design review is to create a process to review development applications that are subject to design review guidelines and design review standards. The proposed multi-family development requires Class 1 Design Review.

Adjustment(s) – starts at $961* or $1,920* (varies by Class and number of adjustments requested)
If a request to deviate from a required development standard is included, then a Class 1 or Class 2 Adjustment would be required.

Archaeological Review: In addition to the land use applications identified above, the subject property appears to be **within** the Historic and Cultural Resources Protection Zone, and 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 the City's Historic Preservation Officer, Kimberli Fitzgerald, at 503-540-2397 or KFitzgerald@cityofsalem.net for more information.

*Fees reflect the most recent fee schedule effective July 1, 2023, and are subject to a $5.00 automation surcharge for processing. Fees are expected to change again starting July 1, 2024.

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. Specific webpages applicable to the proposal are as follows:

- **Validate Property Boundaries:**
  https://www.cityofsalem.net/business/land-use-zoning/development-application-help/validate-property-boundaries
- **Replat:**
  https://www.cityofsalem.net/business/land-use-zoning/development-application-help/reconfigure-your-land-replat
- **Partition:**
  https://www.cityofsalem.net/business/land-use-zoning/development-application-help/partition-your-land-into-three-or-less-lots
- **Property Line Adjustment:**
  https://www.cityofsalem.net/business/land-use-zoning/development-application-help/move-your-property-lines-property-line-adjustment
- **Finalizing Your Land Survey (Plat):**
  https://www.cityofsalem.net/business/land-use-zoning/development-application-help/finalize-your-land-survey-plat
- **Site Plan Review:**
  https://www.cityofsalem.net/business/land-use-zoning/development-application-help/build-on-your-property
- **Design Review (Application):**
  https://www.cityofsalem.net/business/land-use-zoning/development-application-help/design-review
- **Multifamily Housing Design Standards:**
  https://www.cityofsalem.net/business/land-use-zoning/development-application-help/design-review
- **Zoning Adjustment (if applicable):**
  https://www.cityofsalem.net/business/land-use-zoning/development-application-help/seek-an-adjustment-to-land-use-standards

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			
☐	EFU – Exclusive Farm Use (SRC 500.000)	☐	MU-II – Mixed Use II (SRC 534.000)
☐	RA – Residential Agriculture (SRC 510.000)	☐	MU-III – Mixed Use III (SRC 535.000)
☐	RS – Single Family Residential (SRC 511.000)	☐	MU-R – Mixed Use Riverfront (RSC 536.000)
☐	RD – Duplex Residential (SRC 512.000)	☐	ESMU – Edgewater/Second Street Mixed-Use Corridor (SRC 537.000)
☐	RM-I – Multiple Family Residential (SRC 513.000)	☐	PA – Public Amusement (SRC 540.000)
☒	RM-II – Multiple Family Residential (SRC 514.000)	☐	PC – Public and Private Cemeteries (SRC 541.000)
☐	RM-III – Multiple Family Residential (SRC 515.000)	☐	PE – Public and Private Education (SRC 542.000)
☐	CO – Commercial Office (SRC 521.000)	☐	PH – Public and Private Health Services (SRC 543.000)
☐	CR – Retail Commercial (SRC 522.000)	☐	PS – Public Service (SRC 544.000)
☐	CG – General Commercial (SRC 523.000)	☐	PM – Capitol Mall (SRC 545.000)
☐	CB – Central Business District (SRC 524.000)	☐	EC – Employment Center (SRC 550.000)
☐	WSCB – West Salem Central Business District (SRC 525.000)	☐	IC – Industrial Commercial (SRC 551.000)
☐	FMU – Fairview Mixed-Use (SRC 530.000)	☐	IBC – Industrial Business Campus (SRC 552.000)
☐	SWMU – South Waterfront Mixed-Use (SRC 531.000)	☐	IP – Industrial Park (SRC 553.000)
☐	MU-I – Mixed Use I (SRC 533.000)	☐	IG – General Industrial (SRC 554.000)

Overlay Zones			
☐	Willamette Greenway (SRC 600.000)	☐	Chemawa-I-5 Northeast Quadrant Gateway (SRC 618.000)
☐	Floodplain (SRC 601.000)	☐	Superior-Rural (SRC 621.000)
☒	Airport (SRC 602.000)	☐	Saginaw Street (SRC 625.000)
☐	Portland Fairgrounds Road (SRC 603.000)	☐	McNary Field (SRC 629.000)

Staff Comments

RM-II – Multiple Family Residential (SRC 514)
The underlying zone of the subject property. The use and development standards of SRC Chapter 514 are applicable to proposed development of the property. The proposed use (*multiple family*) is allowed outright in the RM-II zone.

Airport Overlay Zone (SRC 602)
The overlay zone of the subject property. Future development at this site will be required to undergo aeronautical evaluations by the FAA and ODAV.

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			
☐	Special Use Provisions (SRC 700.000)	☒	Vision Clearance (SRC 805.000)
☒	Multiple Family Design Review Guidelines and Standards (SRC 702.000)	☒	Off-Street Parking, Loading and Driveways (SRC 806.000)
☒	General Development Standards (SRC 800.000)	☒	Landscaping and Screening (SRC 807.000)
☒	Public Improvements (SRC 802.000)	☐	Preservation of Trees and Vegetation (SRC 808.000)
☒	Streets and Right-Of-Way Improvements (SRC 803.000)	☐	Wetlands (SRC 809.000)
☒	Driveway Approaches (SRC 804.000)	☐	Landslide Hazards (SRC 810.000)

Staff Comments

Development Standards (SRC 514.010)

- Lots subdivided or partitioned in the RM-II zone shall be a minimum of 20,000 square feet in size, unless the lots are restricted to **contain three or more attached dwelling units per lot**, are used for townhouse development, or are used for allowed uses other than household living.
  - The proposed partition would not provide the required three or more dwelling units per lot for the existing residences, and would therefore require additional units be added to the existing structures, or approval of a Zoning Adjustment to the standard, meeting the criteria under SRC 250.005(d)(2).
- Table 514-2, Lot Standards: A minimum 6,000 square foot lot is required for all uses other than townhomes in the RM-II zone.
  - The proposed parcels for the existing residences will each require approval of a Zoning Adjustment to the standard, meeting the criteria under SRC 250.005(d)(2).
- Table 514-4 and 514-5, Setbacks: A 10-ft setback for with Type C landscaping is required for muti-family buildings, accessory structures, and vehicle use areas abutting residential-zoned properties.
  - Existing structures shall meet setbacks to any new property lines, which should be placed in locations that require the least number of adjustments in order to be more supportable.
  - As proposed, the vehicle use area does not meet the minimum 10-foot setback along the north and east property lines.
  - The special setback along D Street shall apply in addition to the front setback requirement for the proposed multi-family building.

Multiple Family Design Standards (SRC 702.020)
The applicant is advised to review the design standards for multi-family residential developments set forth in SRC chapter 702.020. Without building elevations and landscape plans, it's not possible to determine if the proposal will meet many of the standards from this chapter. The applicant is advised to carefully examine this chapter and revise their proposal as necessary. Please feel free to contact me with questions.

- To orient buildings to the street, any ground-level unit, cluster of units, interior lobbies, or portions thereof, located within 25 feet of the property line abutting a street shall have an architecturally defined primary building entrance facing that street, with direct pedestrian access to adjacent sidewalks. As proposed, the plans do not appear to meet the pedestrian access for ground floor units along D Street.
- A porch or architecturally defined entry area shall be provided for each ground level dwelling unit. Shared porches or entry areas shall be provided to not more than four dwelling units. Individual and common entryways shall be articulated with a differentiated roof, awning, stoop, forecourt, arcade or portico.

General Development Standards (SRC 800.000)
Special Setbacks (SRC 800.040): The proposed development may be subject to a special setback equal to 36 feet from centerline of D Street NE depending on the width available for required street improvements. The special setback shall apply in addition to other setbacks required under the UDC. Setbacks required elsewhere under the UDC shall be measured from the special setback line.

Driveway Approaches (SRC 804)
Any new driveway or modification to the existing driveway proposed along D Street NE is subject to the standards in SRC 804.025. Additionally, driveway access onto an Arterial Street is subject to the standards in SRC 804.035.

Off-Street Parking, Loading and Driveways (SRC 806)
The off-street parking provided for the development site will need to meet the requirements of Chapter 806 for amount of required vehicle and bicycle parking.

- New parking updates became effective May 24, 2023, which have eliminated minimum parking requirements altogether. Maximum parking amounts, bicycle parking, and loading spaces still apply.
- SRC 806.015, Table 806-1, establishes maximum parking amounts for a multi-family use at 1.75 spaces for all dwelling units other than studios.
  - Any newly constructed building with five or more dwelling units on the same lot shall designate spaces to serve electrical vehicle charging for a minimum of 40% percent of the off-street parking spaces provided on the site.
- SRC 806.035: The requirements of this section apply for the development of new off-street parking and vehicle use areas.
  - As proposed, the development does not meet the dead-end turnaround requirements in this section.
- SRC 806.055, Table 806-8, requires bicycle parking to be provided at 1 space per dwelling unit.
  - Long-term bicycle parking within dwelling units or lobbies is allowed for 100% of the required bicycle parking for multi-family uses.
- SRC 806.075, Table 806-11, establishes minimum loading zone requirements based on the number of units provided.

Landscaping and Screening (SRC 807.000)
All required setbacks and vehicle use areas shall be landscaped, pursuant to SRC 514.010(d). Landscaping shall meet the Type A or Type C standard as outlined in Chapter 807, unless otherwise noted. Multi-family developments subject to Design Review shall conform to the landscaping standards under SRC Chapter 702; specifically, SRC 702.020(b) for a development of this size. Conformance with these standards will need to be provided on the final submittal materials, including plant units, sizes, and density.

Natural Resources

Trees (SRC Chapter 808): The City's tree preservation ordinance (SRC Chapter 808) protects Heritage Trees; Significant Trees (including Oregon White Oaks with diameter-at-breast-height *(dbh)* of 20 inches or greater and any other tree, with the exception of tree of heaven, empress tree, black cottonwood, and black locust, with a dbh of 30 inches or greater); trees and native vegetation in riparian corridors; and trees on lots or parcels 20,000 square feet or greater. 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."

Pursuant to SRC 808.025, no person shall, prior to site plan review or building permit approval, remove a tree on a lot or parcel that is 20,000 square feet or greater, or on contiguous lots or parcels under the same ownership that total 20,000 square feet or greater, unless the removal is undertaken pursuant to a tree and vegetation removal permit issued under SRC 808.030, undertaken pursuant to a tree conservation plan approved under SRC 808.035, or undertaken pursuant to a tree variance granted under SRC 808.045.

Tree Protection Measures: SRC 808.046 requires the protection of the critical root zone of all trees required to be preserved or protected under the UDC. Protection measures include the installation of an above ground silt fence, or its equivalent, around 100 percent of the critical root zone of the tree. The critical root zone measures **one-foot in radius for each one-inch of dbh of the tree**. In the case of non-significant trees, the critical root zone may alternatively be determined by a certified arborist through submittal of an arborist repot.

Within the critical root zone, the tree's trunk, roots, branches, and soil shall be protected to ensure the health and stability of the tree; and there shall be no grading, placement of fill, storage of building materials, or parking of vehicles. Up to 30 percent of the critical root zone of a tree may be disturbed in order to accommodate development of a property but only in conjunction with the submittal of a report from a certified arborist documenting that such disturbance will not compromise the long-term health and stability of the tree and all recommendations included in the report to minimize any impacts to the tree are followed.

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			
☒	Neighborhood Association Contact (SRC 300.310)	☐	Open House (SRC 300.320)
Staff Comments			
A Partition or Class 3 Site Plan Review application requires that the applicant contact the applicable neighborhood association(s) prior to application submittal. Refer to SRC 300.310 for requirements for contacting the neighborhood association(s).			

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)
North East Salem Community Association (NESCA)	**Check calendar for specific dates/location**	Chair: Stacey Vieyra-Braendle nesca@salemneighbors.org Land Use Chair: Ian Johnson johnson.ian.patrick@gmail.com

Salem Revised Code Available Online

The entire Salem Revised Code can be accessed online through the City's website at:
https://www.cityofsalem.net/government/laws-rules/salem-revised-code