

January 22, 2024

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**SUBJECT: Infrastructure Summary  
Pre-App No. 23-98 (23-123766-PA)  
2592 Kuebler Road S  
3-Parcel Partition**

Dear Brandie Dalton:

Below are the Infrastructure Planning comments in regard to the pre-application submittal referenced above.

### **PROPOSAL**

A pre-application conference to discuss the partition of a unit of land into three parcels, for property approximately 34 acres in size, zoned RA (Residential Agriculture), and located at 2592 Kuebler Road S (Marion County Assessors Map and Tax Lot Number: 083W17B0 / 100).

### **SUMMARY OF FINDINGS**

1. The applicant shall convey land for dedication to equal a half-width right-of-way of up to 36-feet on the development side of Kuebler Road S where inadequate (SRC 803.025) based on a rational nexus calculation.
2. Along Kuebler Road S, the applicant may be required to construct a half-street improvement to minor arterial street standards as specified in the City Street Design Standards, consistent with the provisions of SRC Chapter 803. This improvement may be able to be deferred until time of future development per SRC 205.040 and SRC 803.070.
3. The applicant shall convey land for dedication to equal a half-width right-of-way of up to 30-feet on the development side of Croisan Creek Road S (SRC 803.025) based on a rational nexus calculation.
4. The applicant shall convey land for dedication to equal a half-width right-of-way of up to 30-feet on the development side of Ballyntyne Road S (SRC 803.025) based on a rational nexus calculation.
5. Along Ballyntyne Road S and Croisan Creek Road S, the applicant may be required construct a half-street improvement to local street standards as specified in the City Street Design Standards, consistent with the provisions of SRC Chapter 803. This improvement may be able to be deferred until time of future development per SRC 205.040 and SRC 803.070.

6. The Transportation System Plan (TSP) shows a collector street alignment that runs through the property. This TSP alignment is intended to create a uniform intersection with Croisan Creek Road S to the north of the property and extend a new alignment of Croisan Creek Road S through the subject property as a collector street. The applicants shadow plan shall provide a conceptual alignment for this street as part of the required future division plan.
7. The development shall comply with all submittal items and conditions of approval listed under SRC 200.005(d)(8); 200.005(e); 205.030(h); and 205.040. These items are listed in the "Properties Unserved by Public Utilities" section of this memo.
8. 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.
9. City records show the proposed development may be a moderate landslide hazard risk. The applicant has two options for submitting information as part of the partition application:
  - a. Submit a geological assessment from a certified engineering geologist; or
  - b. Submit findings from a qualified professional engineer, architect, or surveyor that ground slopes and geological map information demonstrate a low landslide hazard risk per SRC Chapter 810.
10. There are Salem-Keizer Local Wetland Inventory linear channel wetlands mapped on the subject property. The applicant shall contact the Oregon Department of State Lands to verify if any permits are required for future development. The applicant is required to verify mapped wetland area(s).
11. Croisan Creek flows through the subject property. Open channel drainage easements shall be dedicated along the creek allowing for access and maintenance. The easement width shall be either the 100-year floodway, 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greatest (PWDS-General 1.8(d)).

## **FACTS AND FINDINGS**

### **Urban Growth Area Development Permit**

The subject property is located outside of the Urban Service Area. A UGA permit may be required subject to the type of development. A UGA permit requires an applicant to provide linking and boundary facilities to their property under the standards and requirements of SRC Chapter 200.

- Per SRC Chapter 200, Partitions do not require UGA permits. However, at time of future development, a UGA permit may be required.

### **Properties Unserved by Public Utilities**

As described in the following sections, the subject property is unserved by public water, sanitary sewer, and stormwater. The applicant shall comply with the following code requirements for

property unserved by public utilities:

SRC 200.005(d)(8) Criteria for Approval:

*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.*

200.005(e) Conditions of Approval:

*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.*

205.030 Additional Submittal Requirements:

*(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.*

SRC 205.040. - Partitions which can be further divided.

For partitions of residentially zoned property, when the area of a proposed partition is such that it can be further divided resulting in four or more lots or parcels, the development standards applicable to subdivisions set forth in SRC chapter 803 shall apply. Any improvements resulting

from the application of such standards to the proposed partition shall be constructed, or the applicant shall enter into a deferral agreement which shall be attached to all property within the partition.

## **Water**

### **1. Existing Conditions**

- a. The subject property is located within the S-2 and S-3 water service levels.
- b. There are no public water mains within the vicinity of the subject property to serve the proposed development.

## **Sanitary Sewer**

### **1. Existing Conditions**

- a. There are no public sanitary sewer mains within the vicinity of the subject property to serve the proposed development.

## **Storm Drainage**

### **1. Existing Conditions**

- a. There are no public stormwater mains within the vicinity of the subject property to serve the proposed development.
2. 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.

## **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, traffic impact analysis, and right-of-way dedication are often based on the findings of the Trip Generation Estimate.

Traffic Impact Analysis—As a requirement of development, the applicant may be required to provide a Traffic Impact Analysis (TIA) to identify the impacts of this proposed development on the public transportation system in the area and construct any necessary mitigation measures identified in that report (SRC 803.015). City Traffic Engineering staff will determine the need for a TIA based on the development proposed for the site, and review and approve the TIA for conformance with City Standards.

- A three-parcel partition will not trigger a Traffic Impact Analysis (TIA) per SRC 803.015. Future development of the property may require a TIA.

## Streets

### 1. Kuebler Road S

- a. Standard—This street is designated as a minor arterial street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.
- b. Existing Conditions—This street has a variable right-of-way and improvement width along the frontage of the property.
- c. Right-of-Way—The applicant shall convey land for dedication to equal a half-width right-of-way of up to 36-feet on the development side of Kuebler Road S where inadequate (SRC 803.025) based on a rational nexus calculation.
- d. Improvements—The existing street condition along the frontage of Kuebler Road S is underimproved, as defined in SRC 803.005. The applicant may be required to construct a half-street improvement to minor arterial street standards as specified in the City Street Design Standards, consistent with the provisions of SRC Chapter 803. This improvement may be able to be deferred until time of future development per SRC 205.040 and SRC 803.070.

### 2. Croisan Creek Road S – Existing Local

- a. Standard—This street is designated as a local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 20-foot improvement within a 50-foot-wide right-of-way abutting the subject property.
- c. Right-of-Way—The applicant shall convey land for dedication to equal a half-width right-of-way of up to 30-feet on the development side of Croisan Creek Road S (SRC 803.025) based on a rational nexus calculation.
- d. Improvements—The existing street condition along the frontage of Croisan Creek Road S is underimproved, as defined in SRC 803.005. The applicant may be required to construct a half-street improvement to local street standards as specified in the City Street Design Standards, consistent with the provisions of SRC Chapter 803. This improvement may be able to be deferred until time of future development per SRC 205.040 and SRC 803.070.

### 3. Croisan Creek Road S – Collector Transportation System Plan Alignment

- a. The Transportation System Plan shows a collector street alignment that runs through the property. This TSP alignment is intended to create a uniform intersection with Croisan Creek Road S to the north of the property and extend a new alignment of Croisan Creek Road S through the subject property as a collector street. The applicants shadow plan shall provide a conceptual alignment for this street.

4. Ballyntyne Road S

- a. Standard—This street is designated as a local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
  - b. Existing Conditions—This street has an approximate 20-foot improvement within a 40-foot-wide right-of-way abutting the subject property.
  - c. Right-of-Way—The applicant shall convey land for dedication to equal a half-width right-of-way of up to 30-feet on the development side of Ballyntyne Road S (SRC 803.025) based on a rational nexus calculation.
  - d. Improvements—The existing street condition along the frontage of Ballyntyne Road S is underimproved, as defined in SRC 803.005. The applicant may be required to construct a half-street improvement to local street standards as specified in the City Street Design Standards, consistent with the provisions of SRC Chapter 803. This improvement may be able to be deferred until time of future development per SRC 205.040 and SRC 803.070.
5. Access control—Pursuant to SRC 804.035(c)(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.* The applicant shall be required to obtain an adjustment to this section if the existing driveway approach onto Kuebler Road S is intended to serve a new single-family dwelling. This adjustment should be consolidated with the partition application. No new driveway approaches onto Kuebler Road S will be approved.
6. Vision clearance—Requirements shall be observed at all street and driveway intersections as provided for in SRC Chapter 805.
7. Connectivity—At the time of development, the applicant shall be required to comply with the Street Standards for connectivity (SRC 803.035(a)).
8. Sidewalk—Pursuant to SRC 78.180(a), the applicant shall construct sidewalk and replace non-conforming portions of existing sidewalk along abutting streets in conformance with the provisions of SRC Chapter 78 and PWDS.
9. Street Trees—Pursuant to SRC 86.015(e), any person undertaking development adjacent to public streets shall 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.

**Natural Resources**

1. For projects greater than one acre, a National Pollutant Discharge Elimination System (NPDES) permit from the Oregon Department of Environmental Quality is required for all construction activities that disturb one acre or more. Proof of a valid permit must be submitted at the time of plans submission. City construction permits will not be issued without a valid NPDES permit. City permits will not be issued without a valid NPDES erosion control plan approval letter or written certification by the applicant that a permit is not required for this project.


2. City records show there are category 2-to-5 landslide hazard areas mapped on the site. A partition is assigned 2 activity points, for a total of 7 activity points indicating a moderate landslide risk per SRC Chapter 810. The applicant has two options for submitting information as part of the partition application:
  - a. Submit a geological assessment from a certified engineering geologist; or
  - b. Submit findings from a qualified professional engineer, architect, or surveyor that ground slopes and geological map information demonstrate a low landslide hazard risk per SRC Chapter 810. If the assessment indicates landslide hazards on the site, the Building Official shall specify the requirements of a high landslide risk assessment.
3. Croisan Creek flows through the subject property. Open channel drainage easements shall be dedicated along the creek allowing for access and maintenance. The easement width shall be either the 100-year floodway, 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greatest (PWDS-General 1.8(d)).
4. An existing floodway and floodplain are located on the subject property designated on the Federal Emergency Management Agency (FEMA) floodplain maps. Development within the floodplain requires a floodplain development permit and is subject to the requirements of SRC Chapter 601. An Elevation Certificate is required to verify the elevation of the structure(s).
5. The Salem-Keizer Local Wetland Inventory shows that there are wetland channels mapped on the property. The applicant should contact the Oregon Department of State Lands (DSL) to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s), including any work in the public right-of-way. A wetland delineation may be required by DSL.

### **General Comments**

1. 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.
2. All utilities and roadway facilities shall be designed and constructed to meet the requirements of the City of Salem PWDS and Standard Construction Specifications.
3. 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).
4. Systems Development Charges (SDC) for Parks, Transportation, Water, Wastewater, and Stormwater systems are collected 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.
  - 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.

Sincerely,



Laurel Christian, Infrastructure Planner II  
Community Planning and Development Department

cc: File