

**TO:** Jacob Brown, Planner II  
Community Planning and Development Department

**FROM:** Laurel Christian, Infrastructure Planner III  
Community Planning and Development Department

**DATE:** December 2, 2024



**Infrastructure Memo**  
**Partition Plat No. PAR-ADJ24-12 (24-116270-PLN)**  
**3200 Pheasant Avenue SE**  
**2-Parcel Partition**

## **PROPOSAL**

A consolidated Tentative Partition Plan to divide a property into two parcels, with one Class 2 Adjustment to exceed the maximum lot depth from 120 feet to 145 feet. The subject property is 0.27-acres in size, zoned RS (Single Family Residential) and located at 3200 Pheasant Avenue SE (Marion County Assessors Map and Tax Lot Number 083W03AA/ 3100).

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. Prior to final plat approval, submit a tentative stormwater design to serve all proposed parcels in compliance with Public Works Design Standards. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on Parcels 1 and 2.
2. Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), obtain permits for installation of water services to serve Parcel 1 and 2.
3. Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct sewer services in the public right-of-way to serve Parcel 1 and 2.
4. Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct stormwater facilities that are proposed in the public right-of-way to serve Parcel 1 and 2.

5. Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a new public storm main in Pheasant Avenue SE from the intersection of Pheasant Avenue SE and Ratcliff Drive SE to the subject property in order to serve the proposed development. The public storm main shall be designed and constructed in accordance with the Public Works Design Standards.
6. Prior to final plat approval, all necessary (existing and proposed) access and utility easements must be shown and recorded on the final plat.
7. Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a half-street improvement along the frontage of Pheasant Avenue SE to local street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803 unless the criteria for a fee-in-lieu of improvement are met pursuant to SRC 200.405(a).
8. Prior to final plat approval, provide a 10-foot-wide public utility easement along the frontage of Pheasant Avenue SE on the final plat.
9. Prior to submittal of building permits for any lot within the proposed partition, the developer shall provide a final report from a geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical considerations for each individual building lot.

### **EXISTING CONDITIONS – INFRASTRUCTURE**

The existing conditions of streets abutting the subject property are described in the following table:

<b>Streets</b>			
<b>Street Name</b>		<b>Right-of-way Width</b>	<b>Improvement Width</b>
<b>Pheasant Avenue SE</b> (Local)	Standard:	60-feet	30-feet
	Existing Condition:	60-feet	20-feet

The existing conditions of public utilities available to serve the subject property are described in the following table:

<b>Utilities</b>	
<b>Type</b>	<b>Existing Conditions</b>
<b>Water</b>	Water Service Level:
	A 6-inch water main is located in Pheasant Avenue SE.
<b>Sanitary Sewer</b>	An 8-inch sanitary sewer main is located in Pheasant Avenue SE.

<b>Storm Drainage</b>	A 10-inch storm main is located at the intersection of Pheasant Avenue SE and Ratcliff Drive SE.
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### **DECISION CRITERIA**

SRC 205.005(d) indicates the criteria that must be found to exist before an affirmative decision may be made. The applicable criteria and the corresponding findings are as follows:

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

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

#### ***SRC Chapter 205 – Land Division and Reconfiguration***

The intent of SRC Chapter 205 is to provide for orderly land development through the application of appropriate standards and regulations. The partition process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans. A second review occurs for the created parcels at the time of site plan review/building permit review to assure compliance with the UDC. Compliance with conditions of approval to satisfy the UDC is checked prior to city staff signing the final partition plat.

**Finding:** The applicant shall provide the required field survey and partition plat per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and as per SRC Chapter 205, the approval of the partition plat by the City Surveyor may be delayed or denied based on the non-compliant violation. It is recommended the applicant request a pre-plat review meeting between the City Surveyor and the applicant's project surveyor to ensure compliance with ORS 672.005(2)(g)&(h), 672.007(2)(b), 672.045(2), 672.060(4), *Oregon Administrative Rules* 850-020-0015(4)&(10), 820-020-0020(2), and 820-020-0045(5).

#### ***(B) City infrastructure standards***

The Development Services division reviewed the proposal for compliance with the City's public facility plans as they pertain to provision of water, sewer, and storm drainage facilities. While SRC Chapter 205 does not require submission of utility construction plans prior to tentative partition plan approval, it is the responsibility of the applicant to design and construct adequate City water, sewer, and storm drainage facilities to serve the proposed development prior to final plat approval without impeding service to the surrounding area. A summary of the existing and required City infrastructure

improvements are as follows:

### ***SRC Chapter 200 - Urban Growth Management***

SRC Chapter 200 (Urban Growth Management) requires issuance of an Urban Growth Preliminary Declaration (UGA) prior to development of property located outside the City's Urban Service Area.

**Finding:** The subject property is located inside the Urban Service Area and adequate facilities are available. No Urban Growth Area permit is required.

### ***SRC Chapter 71 – Stormwater***

The proposed development is subject to SRC Chapter 71 and the revised Public Works Design Standards (PWDS) as adopted in Administrative Rule 109, Division 004.

**Finding:** To demonstrate the proposed parcels can meet the PWDS, the applicant shall submit a tentative stormwater design prior to final plat approval. For a tentative stormwater design, the applicant shall submit infiltration test results, the Simplified Method Form or Engineering Method Report as applicable, and a preliminary site plan showing the building envelope and tentative location of stormwater facilities. The stormwater systems shall be tentatively designed to accommodate the future impervious surfaces on all proposed parcels within the partition.

**Condition:** Prior to final plat approval, submit a tentative stormwater design to serve all proposed parcels in compliance with Public Works Design Standards. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on Parcels 1 and 2.

### ***SRC 802 – Public Improvements***

#### ***▪ Development to be served by City utilities:***

SRC 802.015 requires development to be served by City utilities designed and constructed according to all applicable provisions of the Salem Revised Code and Public Works Design Standards (PWDS).

**Finding:** Public water, sanitary sewer, and stormwater infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary utility plan. As specified in the conditions of approval, private water, sewer, and storm services shall be constructed to serve each lot as a condition of plat approval. All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured prior to final plat approval except as authorized in an improvement agreement per SRC 205.035(c)(7)(B).

Public water and sewer mains are available in Pheasant Avenue SE to serve the

subject property. There are no public storm mains in Pheasant Avenue SE. The nearest public storm main is located at the intersection of Pheasant Avenue SE and Ratcliff Drive SE. The applicant submitted a preliminary stormwater management design utilizing the Simplified Method. The preliminary stormwater design shows GSI serving each individual lot and discharging into a new public storm main in Pheasant Drive SE, as no storm mains currently exist in the portion of the street fronting the property. Sizing for the new main is not provided. The applicant's engineer shall provide a design and sizing for the new public storm main in Pheasant Avenue SE and the applicant shall construct the public storm main to serve the development, as required by SRC Chapter 802.

In order to ensure the parcels are served by public utilities, the following conditions apply:

**Condition:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), obtain permits for installation of water services to serve Parcel 1 and 2.

**Condition:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct sewer services in the public right-of-way to serve Parcel 1 and 2.

**Condition:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct stormwater facilities that are proposed in the public right-of-way to serve Parcel 1 and 2.

**Condition:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a new public storm main in Pheasant Avenue SE from the intersection of Pheasant Avenue SE and Ratcliff Drive SE to the subject property in order to serve the proposed development. The public storm main shall be designed and constructed in accordance with the Public Works Design Standards.

▪ **Easements:**

SRC 802.020 requires the conveyance or dedication of easements for City utilities as a condition of development approval.

**Finding:** Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat. The applicant's preliminary plans show that access and utility easements will be required to serve eventual development of the property.

**Condition:** Prior to final plat approval, all necessary (existing and proposed) access and utility easements must be shown and recorded on the final plat.

***SRC 803 – Street and Right-of-way Improvements***

▪ ***Boundary Street Improvements***

Pursuant to SRC 803.025, except as otherwise provided in this chapter, right-of-way width and pavement width for streets and alleys shall conform to the standards set forth in Table 803-1 (Right-of-way Width) and Table 803-2 (Pavement Width). In addition, SRC 803.040 requires dedication of right-of-way for, and construction or improvement of, boundary streets up to one-half of the right-of-way and improvement width specified in SRC 803.025 as a condition of approval for partition applications.

**Finding:** Pheasant Avenue SE abuts the subject property and is classified as a local street according to the Salem Transportation System Plan (TSP). Pheasant Avenue SE meets the current right-of-way width requirement for a local street but does not meet the minimum improvement width standards for a local street. The ultimate improvement width for a local street is 30 feet according to SRC 803.025 Table 803-2 (Pavement Width) and the existing pavement width is approximately 20-feet. As a condition of approval per SRC 803.040(a)(2), the applicant shall construct a half-street improvement to local street standards. Due to the limited street frontage and topography of the right-of-way abutting the property, this improvement may be eligible for fee-in-lieu of construction pursuant to SRC 200.405, if the criteria listed in this section are found to be met.

**Condition:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a half-street improvement along the frontage of Pheasant Avenue SE to local street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803 unless the criteria for a fee-in-lieu of improvement are met pursuant to SRC 200.405(a).

▪ ***Public Utility Easements***

SRC 803.035(n) requires dedication of a 10-foot Public Utility Easements (PUE) along all street rights-of-way.

**Finding:** As a condition of approval, the applicant shall dedicate a 10-foot-wide PUE along the street frontage of Pheasant Avenue SE.

**Condition:** Prior to final plat approval, provide a 10-foot-wide public utility easement along the frontage of Pheasant Avenue SE on the final plat.

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

***SRC Chapter 601 – Floodplain***

Development in the floodplain shall be regulated to preserve and maintain the capability

to the floodplain to convey the flow water discharges and to minimize danger to life and property.

**Finding:** The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

SRC Chapter 805 establishes vision clearance standards in order to ensure visibility for vehicular, bicycle, and pedestrian traffic at the intersections of streets, alleys, flag lot accessways, and driveways.

**Finding:** The proposal includes a 2-parcel partition and does not include the addition of structures on the site. The proposal does not cause a vision clearance obstruction per SRC Chapter 805. Vision clearance will be verified at time of development on each property.

### ***SRC Chapter 809 – Wetlands***

Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetlands laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

**Finding:** According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any wetland areas or hydric soils.

### ***SRC Chapter 810 - Landslide Hazards***

The City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility.

**Finding:** According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 3-point landslide hazard areas on the subject property. The proposed activity of a partition adds 2 activity points to the proposal, which results in a total of 5 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment. A Geological Report, prepared by Redmond Geotechnical Services and dated April 9, 2024, was submitted to the City of Salem. This assessment demonstrates the subject property could be developed without increasing the potential for slope hazard on the site or adjacent properties by utilizing construction methods established in the report.

**Condition:** Prior to submittal of building permits for any lot within the proposed

partition, the developer shall provide a final report from a geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical considerations for each individual building lot.

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

**Findings—** The Development Services division reviewed the proposal and determined that water, sewer, and storm infrastructure are available and appear to be adequate to serve the parcels within the proposed partition, subject to the conditions of approval established in this decision. This approval criterion is met.

***SRC 205.005(d)(4): The street system in and adjacent to the tentative partition plan conforms to the Salem Transportation System Plan.***

**Finding –** As described in the findings above, the subject property is located adjacent to Pheasant Avenue SE, which is classified as a local street under the City's Transportation System Plan (TSP). The conditions of approval established with the partition decision will require improvements to this street to ensure conformance with the TSP. This criterion is met.

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

**Finding:** Access to the proposed partition will be provided by the network of existing public streets that surround the property. As conditioned, the required improvements will ensure that the street system in and adjacent to the subdivision will provide for the safe, orderly, and efficient circulation of traffic to and from the subdivision. This criterion is met.

Prepared by: Laurel Christian, Infrastructure Planner III  
cc: File