Tree Removal Variance and Driveway Approach Permit

Submittal Date:

Submitted To:

Project Location:

December 2024

City of Salem Planning

SE Corner of Gilbert St S and Schurman DR S

Applicant(s):

Applicant's Land Use Representative: Schurman Cottages LLC

Britany Randall of BRAND Land Use <u>Britany@brandlanduse.com</u>

FEASABILITY | PLANNING | LAND USE BRANDLANDUSE.COM 503.370.8704

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Aerial View of Subject Property and Existing Development

Section 1: Property Background and Request

The applicant, Schurman Cottages, LLC, is presenting an 11 unit cottage cluster development including applications for a driveway approach permit and two tree variances.

The applicant is requesting two variances:

- 1. Removal of three significant trees; and
- 2. Removal of more than 50 percent of trees within five consecutive years.

Findings addressing the approval criteria have been provided within this narrative. The applicant has designed the cottage cluster development around an existing grouping of trees, including seven significant trees. The common courtyard for the cottages includes this grouping of trees, providing a sense of privacy and buffer to Schurman Drive S, designated as a collector street. The two variance applications are for the removal of a total of four trees, three significant trees and one 10-inch tree, in order to develop the subject property with the

maximum of dwelling units feasible on this site within the RS zone. The development includes 11 cottages providing a needed housing type within the SWAN Neighborhood Association on Marion County Tax Map and Tax Lot Numbers 073W33DB04800.

The applicant has set aside at least 10 percent of the new impervious area for a stormwater facility.

Section 2: Existing Conditions

The development site is approximately .84 acres in size and is described as Marion County Assessor Map and Tax Lot 073W33DB04800, 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 has a designation of "Single Family Residential".

The Comprehensive Plan designations of surrounding properties include:

North: Across Schurman Drive S, MF "Multifamily Residential"

South: SF "Single Family Residential"

East: SF "Single Family Residential"

West: SF "Single Family Residential"

The subject property is zoned RS (Single Family Residential)

Surrounding properties are zoned as follows:

North: Across Schurman Drive S, RM2 (Multiple Family Residential-II)

South: RS (Single Family Residential)

East: RS (Single Family Residential)

West: RS (Single Family Residential)

Section 3: Findings Applicable to 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 proposal includes a new driveway approach to Gilbert Street S; therefore, 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 has applied for a driveway approach permit as part of this application submittal; with the approval of this application this criterion is 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 proposal does not meet either of the exceptions listed above; therefore, the applicant is applying for a driveway approach permit as part of this application.

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: The applicant is requesting a new driveway approach to Gilbert Street S, classified as a local street in the Salem TSP; therefore, a class 2 driveway approach permit is required and the applicant has applied for this permit as part of this application.

(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 that the class 2 driveway approach permit will be processed using type II procedures.

- (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 submitted the applicable information above with this application package. This requirement 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;

Applicant's Findings: The applicant is proposing a two-way driveway approach to Gilbert Street S. The proposed driveway approach meets the width requirements outlined in table 804-2 and will meet the Public Works Design Standards. This criterion is met.

(2) No site conditions prevent placing the driveway approach in the required location;

Applicant's Findings: The driveway approach is provided in the best location for the site as it is the furthest location from the intersection of Schurman Drive S, classified as a collector street in the Salem TSP, and provides access to the lowest classification of street abutting the subject property. There are no site conditions that prevent placing the driveway approach in the proposed location. This criterion is met.

(3) The number of driveway approaches onto an arterial are minimized;

Applicant's Findings: The applicant is proposing a driveway approach onto a local street and there are no arterial streets abutting the subject property; therefore, this criterion is met.

- (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;

Applicant's Findings: The subject property is a corner lot abutting a collector street, Schurman Drive S, and a local street, Gilbert Street S. The applicant is proposing the driveway approach to Gilbert Street S, which is the lowest classification of street abutting the subject property; therefore, this criterion is met.

(5) The proposed driveway approach meets vision clearance standards;

Applicant's Findings: The proposed driveway approach will serve a use other than single family and two family, which requires ten-foot legs along the driveway and 50-foot legs along the street; as demonstrated on the submitted site plan, the driveway approach meets the vision clearance standards; therefore, this criterion is met.

- (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 local streets, as classified in the Salem Transportation System Plan. The driveway approach does not create traffic hazards and provides for safe turning movements and access into and out of the proposed development. There are no known adverse impacts to the vicinity and the proposed location minimizes impact to the functionality of adjacent streets and the intersection at Schurman Drive S. Additional construction details will be provided at the time of building permit application, as necessary.

Section 804.030 – Access onto Local and Collector Streets

(a) *Number of driveway approaches*. Except as otherwise provided in this chapter, a lot or parcel is entitled to one driveway approach onto a local or collector street. Additional driveway approaches from a single family, two family, three family, or four family use onto a local or collector street may be allowed through Class 1 driveway permit approval.

Applicant's Findings: The applicant is seeking one driveway approach onto Gilbert Street S which is classified as a local street in the Salem Transportation System Plan. This criterion is met.

- (b) Permitted access.
 - (1) Driveway approaches onto local and collector streets 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.
 - (2) No access shall be provided onto a local or collector street 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 driveway approach will provide access to a parking area under review with this application submittal. With the approval of the submitted applications, this criterion will be met.

(c) *Spacing.* Driveway approaches providing direct access to a collector street shall be located no less than 200 feet from intersections with major arterials or minor arterials, measured from centerline to centerline.

Applicant's Findings: The driveway approach does not provide direct access to a collector street; therefore, this is not applicable.

(d) *Vision clearance*. Driveway approaches onto local and collector streets shall comply with the vision clearance requirements set forth in SRC chapter 805.

Applicant's Findings: The proposed driveway approach will serve a use other than single family and two family, which requires ten-foot legs along the driveway and 50-foot legs along the street; as demonstrated on the submitted site plan, the driveway approach meets the vision clearance standards; therefore, this criterion is met.

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).
- (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).

(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 tenfoot legs along the flag lot accessway and 50-foot legs along the intersecting street (see Figure 805-7).
- (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).
- (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 proposed driveway approach will serve a use other than single family and two family, which requires ten-foot legs along the driveway and 50-foot legs along the street; as demonstrated on the submitted site plan, the driveway approach meets the vision clearance standards; therefore, this 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 tree plantings within 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 that in the event of a conflict between standards of this chapter and another chapter of the UDC, the standards in this chapter shall control.

Section 4: Findings Applicable to Tree Variance

Chapter 808 – Preservation of Trees and Vegetation Section 808.001 – Purpose

The purpose of this chapter is to provide for the protection of heritage trees, significant trees, and trees and native vegetation in riparian corridors, as natural resources for the City, and to increase tree canopy over time by requiring tree preservation and planting of trees in all areas of the City.

Section 808.015 – Significant Trees

No person shall remove a significant tree, 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.

Applicant's Findings: The applicant is proposing to remove three significant trees for the cottage cluster development. Pursuant to 808.030 a cottage cluster development does not meet the criteria for a tree removal permit; therefore, the applicant is applying for a tree variance. Findings addressing the tree variance are provided below.

Section 808.025 – Trees on Lots or Parcels 20,000 Square Feet or Greater

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. Nothing in this section shall be construed to require the retention of trees, other than heritage trees, significant trees, and trees and vegetation in riparian corridors, beyond the date of site plan review or building permit approval, if the proposed development is other than single family residential, two family residential, three family residential, four family residential, or a cottage cluster.

Applicant's Findings: The subject property is approximately 36,590 square feet and subject to the requirements of this section. The site contains 17 trees meeting the definition of a tree in SRC chapter 808.005. The applicant removed five trees, or 29 percent, within the calendar year of 2024, meeting the exception under SRC 808.030(a)(2)(N) for a tree removal permit. The applicant is requesting to remove a 10-inch tree within the area of the proposed driveway approach as well as three significant trees, as mentioned above, resulting in a total of 53 percent removal within five consecutive calendar years. Therefore, the applicant is applying for a second variance request to remove a total of four trees, or an additional 23 percent, of the trees on the site.

Section 808.045 – Tree Variances

(a) *Applicability.* Tree variances may be granted to allow deviation from the requirements of this chapter where the deviation is reasonably necessary to permit the otherwise lawful development of a property.

Applicant's Findings: As stated above, the applicant is requesting two variance requests, the first to remove three significant trees and the second to remove more than 50 percent of the trees on the site within five consecutive years, which includes the removal of one 10-inch tree within the proposed driveway approach location for a cottage cluster development. The requested tree removals do not meet any of the approval criteria for a tree removal permit; therefore, triggering the applicability of this section for the lawful development of the property.

(b) *Procedure type.* A tree variance is processed as a Type II procedure under SRC chapter 300.

Applicant's Findings: The applicant has applied for a consolidated permit and understands that both applications will be reviewed 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 tree variance 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 the following information:
 - (A) The total site area, dimensions, and orientation relative to north;
 - (B) The location of any existing structures on the site;
 - (C) Identification of the type, size, and location of all existing trees on the property;
 - (D) Identification of those trees proposed for preservation and those designated for removal; and
 - (E) The location of roads, bridges, utilities, and other improvements;

Applicant's Findings: The applicant has submitted a site plan demonstrating the applicable items above. This criterion is met.

- (2) In addition to the information required by subsection (c)(1) of this section, when a riparian corridor is located on the property, an application for a tree variance shall include:
 - (A) A delineation of the boundaries of the riparian corridor on the site plan;
 - (B) Identification of the type and location of any native vegetation within the riparian corridor proposed for removal.

Applicant's Findings: There is not an existing riparian corridor located on the property; therefore, this is not applicable.

- (d) *Approval criteria*. A tree variance shall be granted if either of the following criteria is met:
 - (1) Hardship.
- (A) There are special conditions that apply to the property which create unreasonable hardships or practical difficulties which can be most effectively relieved by a variance; and

Applicant's Findings: The proposed cottage cluster development has been designed around a grouping of existing significant trees on the property. The applicant wanted to ensure that the maximum number of significant trees were kept in order to create privacy and a buffer from an abutting street that is a higher classification of street. Additionally, the applicant is proposing the driveway approach and parking in the only location allowed: to the lowest classification of street and furthest away from an intersection. While the applicant understands parking is not a requirement, providing parking on the site prevents negative impacts and vehicle congestion on Gilbert Street S for the surrounding residential properties and ADA accessibility. The common

courtyard for the cottage cluster development has been designed to incorporate the grouping of seven significant trees, providing an amenity to the future tenants. A cottage cluster is the only type of multiple family permitted within the RS zone; without approval of the variance requests to remove three significant trees and more than 50 percent within five consecutive years the applicant would not be able to provide as many units of additional needed housing on this property. This criterion is met.

(B) The proposed variance is the minimum necessary to allow the otherwise lawful proposed development or activity; or

Applicant's Findings: As mentioned above, the cottage cluster development is the only type of multiple family permitted within the RS zone, allowing the development of 11 new housing units. The cottages have been designed with the future residents in mind, with associated parking and a common courtyard that includes a grouping of seven significant trees. A parking lot is being provided to prevent potential traffic impacts to the surrounding residential properties and provide ADA accessible housing units. The proposed variance is the minimum necessary to allow the lawful development of the proposed cottage cluster housing development. This criterion is met.

- (2) Economical use.
 - (A) Without the variance, the applicant would suffer a reduction in the fair market value of the applicant's property, or otherwise suffer an unconstitutional taking of the applicant's property;
 - (B) The proposed variance is the minimum necessary to prevent a reduction in the fair market value of the applicant's property or otherwise avoid a taking of property; and
 - (C) The proposed variance is consistent with all other applicable local, state, and federal laws.

Applicant's Findings: The applicant is applying for the variance under the hardship approval criteria; therefore, these criteria are not applicable.

- (e) Conditions of approval.
 - (1) Conditions may be imposed on the approval of a tree variance to ensure compliance with the approval criteria and to limit any adverse impacts that may result from granting the tree variance.

Applicant's Findings: The applicant is aware that conditions of approval may be imposed on the approval of the tree variance. The applicant requests to review any proposed conditions of approval prior to decision issuance to ensure that the conditions are achievable and does not make the project cost prohibitive.

- (2) In addition to any condition imposed under subsection (e)(1) of this section, where a variance is proposed to the requirements for the preservation of trees and native vegetation in riparian corridors, the approval shall include the following conditions:
 - (A) Altered riparian corridor areas that can be reasonably restored, shall be restored; and
 - (B) In no case shall alterations to the riparian corridor:
 - (i) Occupy more than 50 percent of the width of the riparian corridor measured from the upland edge of the corridor; or
 - (ii) Result in less than 15 feet of vegetated corridor on each side of the waterway.

Applicant's Findings: As stated previously, the site does not contain a riparian corridor; these additional conditions of approval do not apply.

Section 808.046 – Protection Measures During Construction

Except where specific protection requirements are established elsewhere under the UDC, any trees or native vegetation required to be preserved or protected under the UDC shall be protected during construction as follows:

- (a) *Trees.* All trees shall be protected during construction with the installation of an above ground silt fence, or its equivalent.
 - (1) The above ground silt fence shall encompass 100 percent of the critical root zone of the tree.
 - (2) Within the area protected by the above ground silt fence, 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.
 - (3) Notwithstanding SRC 808.046(a)(2):
 - (A) Up to a maximum of 30 percent of the critical root zone of a tree may be disturbed in order to accommodate development of the property when a report from an arborist is submitted documenting that such disturbance will not compromise the longterm health and stability of the tree and all recommendations included in the report to minimize any impacts to the tree are followed.
 - (B) Fences, patios, landscaping and irrigation, and accessory and similar structures that do not require a building permit, may be placed or constructed within the critical root zone of a tree.

- (b) *Native vegetation.* All native vegetation shall be protected during construction with the installation of an above ground silt fence, or its equivalent.
 - (1) The above ground silt fence shall be located around the perimeter of the native vegetation.
 - (2) Within the area protected by the above ground silt fence, native vegetation shall not be removed and there shall be no grading, placement of fill, storage of building materials, or parking of vehicles.
- (c) *Duration.* Protection measures required under this section shall remain in place until issuance of notice of final completion for the dwelling unit(s) on the lot, or issuance of certificate of occupancy in all other cases.

Applicant's Findings: The applicant understands the protection measures as described above and will protect the remaining trees on site during development for the duration of development until the issuance of final completion of the dwelling units.

Section 5: 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 required by the Unified Development Code and demonstrated how the proposed cottage cluster development not only satisfies all applicable criteria but would also be a benefit to the community by providing a diverse and needed housing type within the Southwest Association of Neighbors Neighborhood.

Section 6: Exhibits

Exhibit A – Marion County Tax Map



NW1/4 SE1/4 SEC33 T7S R3W W.M.

portions of the taxlot within public ROWs

Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW

Exhibit B – Deeds



Tax Information

Levy Code Area: 24010 Levy Rate: 19.6269 Tax Year: 2023 Annual Tax: \$1,401.76 Exempt Desc: N/A

<u>Legal</u>

RIVERSIDE ACRES, LOT FR 18, ACRES 0.84

Market Value	Land: \$210,340.00		
Market Value	Impr: \$0.00		
Market Value	Total: \$210,340.00		
Assessed \	/alue: \$71,420.00		
Land			
•	Salem-RS - Single Family Residential	Cnty Bldg Use:	Residential
	100 - Residential land only, 1 acre and under, inside city or urban growth boundary	Neighborhood:	
	RSFR - Single Family Residence	Recreation:	
School District:	24J - Salem-Keizer	Primary School:	Candalaria Elementary School
Middle School:	Leslie Middle School	High School:	South Salem High School
Improvement			

Year Built:	Stories:	Finished Area:
Bedrooms:	Bathrooms:	Garage:
Basement Fin:		

Parcel Information

Tax Lot: 073W33DB04800

Parcel #: 587475

Site Address:

Salem OR 97302

Owner: Schurman Cottages LLC

Owner2:

Owner Address: PO Box 3230

Salem OR 97302 - 0230

Twn/Range/Section: 07S / 03W / 33 / SE

Parcel Size: 0.84 Acres (36,590 SqFt)

Plat/Subdivision: Riverside Acres

Lot: 18

Block:

Census Tract/Block: 001300 / 1019

Waterfront:

Assessment Information

. . . .

Transfer Information			
Rec. Date: 09/10/2024	Sale Price: \$275,000.00	Doc Num: 28452	Doc Type: Deed
Owner: Schurman Cottag	ges LLC	Grantor: MILLER JOAN E	
Orig. Loan Amt:		Title Co: AMERITITLE	
Finance Type:	Loan Type:	Lender:	

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.



PO Box 3230 Salem, OR 97302 File No. 640650AM

After recording return to: Schurman Cottages, LLC	MARION COUNTY RECORDS	2024-28452 09/10/2024 02:10 PM
PO Box 3230	\$10.00 \$11.00 \$10.00 \$60.00	\$91.00
Salem, OR 97302	I, Bill Burgess, Cour	ty Clerk for Marion County,
Until a change is requested all tax statements shall be	herein was recorded	the instrument identified in the Official Records.
sent to the following address: Schurman Cottages, LLC	The first that have been	Pgs=2 TLM

STATUTORY WARRANTY DEED

Joan E. Miller, an estate in fee simple,

Grantor(s), hereby convey and warrant to

Schurman Cottages, LLC, an Oregon limited liability company,

Grantee(s), the following described real property in the County of Marion and State of Oregon free of encumbrances except as specifically set forth herein:

Beginning on the North line of Lot 18, Riverside Acres in Marion County, Oregon, at a point that is 213.90 feet West of the Northeast corner of said lot, and running thence South parallel with the East line of said lot, a distance of 197.54 feet; thence West a distance of 167.12 feet to a point on the Southwesterly line of said lot; thence North 48°20' West, a distance of 166.98 feet to the most Westerly corner of said lot; thence North 41°40' East a distance of 115.50 feet to the Northwest corner of said 115.50 feet to the Northwest corner of said lot; thence East, a distance of 215.10 feet to the point of beginning.

SAVE AND EXCEPT that tract of land conveyed to the City of Salem by deed recorded March 1, 1999 in Reel 1573, Page 164 of the Deed Records for Marion County, Oregon.

ALSO SAVE AND EXCEPT the following described tract: Beginning at the Southeast corner of that certain tract of land conveyed to Carlton J. Snow and Sally S. Snow by deed recorded January 14, 1976, in Reel 34, Page 766 of Deed Records for Marion County, Oregon, and running thence South 89°58'22" West along the South line of said Snow tract, a distance of 31.12 feet to a 5/8" iron rod; thence North 07°11'56" East, a distance of 175.43 feet to a 5/8" iron rod on the South line of that certain tract of land conveyed to the City of Salem by deed recorded March 1, 1999 in Reel 1573, Page 164 of the Marion County Deed Records; thence North 90°00'00" East along the South line of said City of Salem tract, a distance of 9.17 feet to a 5/8" iron rod; thence South 00°00'41" West along the East line of said Snow tract, a distance of 174.03 feet to the point of beginning.

The true and actual consideration for this conveyance is \$275,000.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

Real property taxes due, if any, but not yet payable

THIS SPACE RESERVED FOR RECORDER'S USE

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.

Dated: September 6, 2024

Joan E Miller

State of Oregon } ss County of Marion Polk

On this day of September, 2024, before me, <u>Schleen Ann Schler</u> a Notary Public in and for said state, personally appeared Joan E. Miller, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Kathleen Ann Schneder Notary Public for the State of Oregon

Notary Public for the State of Oregon Residing at: <u>State for Drog or</u> Commission Expires: <u>5-232025</u>



Marion County Document Separator Page

Instrument # 2024-28452

September 10, 2024 02:10 PM

State of Oregon County of Marion

I hereby certify that the attached instrument was received and duly recorded by me in Marion County records:

Fee: \$91.00

Bill Burgess Marion County Clerk

This is not an invoice.

Exhibit C – Articles of Organization

ARTICLES OF ORGANIZATION



Corporation Division

<u>sos.oregon.gov/business</u>

E-FILED Sep 04, 2024 OREGON SECRETARY OF STATE

REGISTRY NUMBER

230547598

TYPE

DOMESTIC LIMITED LIABILITY COMPANY

1. ENTITY NAME

SCHURMAN COTTAGES LLC

2. MAILING ADDRESS

360 BELMONT ST NE SALEM OR 97301 USA

3. PRINCIPAL PLACE OF BUSINESS

360 BELMONT ST NE SALEM OR 97301 USA

4. NAME & ADDRESS OF REGISTERED AGENT

TYRENE BIELENBERG

360 BELMONT ST NE SALEM OR 97301 USA

5. ORGANIZERS

TYRENE BIELENBERG

360 BELMONT ST NE SALEM OR 97301 USA

6. INDIVIDUALS WITH DIRECT KNOWLEDGE

TERENCE BLACKBURN

360 BELMONT ST NE

SALEM OR 97301 USA

7. INITIAL MEMBERS/MANAGERS

MEMBER

230420697 - 1030 SCHURMAN LLC

360 BELMONT ST NE SALEM OR 97301 USA

8. DURATION

PERPETUAL



9. MANAGEMENT

This Limited Liability Company will be manager-managed by one or more managers

10. OPTIONAL PROVISIONS

The company elects to indemnify its members, managers, employees, agents for liability and related expenses under ORS 63.160 to 63.170.

I declare, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any officers, managers, members or agents of the limited liability company on behalf of which the person signs. 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.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

ELECTRONIC SIGNATURE

NAME

TYRENE BIELENBERG

TITLE

ORGANIZER

DATE

09-03-2024

Exhibit D – HOA Statement



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 E – 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 F – TGE Form

	ilem –
\mathcal{O}	AT YOUR SERVICE

Traffic Engineering SectionPublic Works Department555 Liberty Street SE, Room 325Salem, Oregon 97301-3513TTY: 503-588-6292

Trip Generation Estimate

Street _____

Bin # _____ TGE # _____

Date Received _____

Section 1 (To be	e completed by applicant.)				
Applicant Name: BRAND Land Use	Telephone: 503-370-8704				
Applicant Mailing Address: 1720 Liberty St SE, Salem OR 97302					
Location of New Development: Marion Co. Tax Lot 073W33DB04800)				
(Please provide street address. If unknown, provide approximate address					
Description and Size of New Development: <u>11 Unit Cottage Clus</u> (e.g., 150 single-family homes, 20,000 sq. ft. office addition, 12-pump gas					
Description and Size of Existing/Past Development, if any (
Planning Action Involved, if any: (e.g., zone change, subdivision, partition, conditional use, PUD, mobile ho	me park, etc.) Building Permit Involved: Yes □ No □				
Section 2 (To be	e 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	e completed by City staff.)				
Transportation Impact Analysis (TIA)	Transportation Systems Development Charge				
Net Increase in Average Daily Trips:	Net Increase in TSDC Trips:				
(Proposed use minus existing use.)	(Proposed use minus existing use.)				
□ A TIA will be required:	□ A TSDC will be required. (Fee determined by Development Services.)				
□ Arterial/Collector—1000 Trip/day Threshold □ Local Street/Alley—200 Trip/day Threshold					
□ Other:					
□ A TIA will not be required.	□ A TSDC will not be required.				
(For additional information, r	efer to the back of this application.)				
Section 4 (To be	e 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 G – Tree Inventory and Removal Plan

DRAWINGS FOR:

SCHURMAN COTTAGES SE CORNER SHURMAN DR S AND GILBERT ST, TL 073W33DB04800, SALEM, OR 97302

FOR:

CLUTCH INDUSTRIES INC 360 BELMONT ST NE, SALEM, OR 97301

ABBREVIATIONS _ ASPHALT AREA DRAIN AD ASSEMBLY ASSY BLDG, BLD_ _ BUILDING BW___ BOTTOM OF WALL CABLE TELEVISION CATV _ CATCH BASIN . CLEAN-OUT CO _ CONC CONCRETE CENTERLINE DUCTILE IRON PIPE _EDGE OF GRAVEL EOP, EP_ _ EDGE OF PAVEMENT _ ELEVATION ELEV ____ EX, EXIST_____ EXISTING _ FIRE DEPT. CONNECTOR FDC _ FFFT FINISH FLOOR _ FINISH GRADE FIRE HYDRAN FIELD INLET FORCE MAIN GRAV_ _ GRAVEL GAS METER GM _ _ GATE POST GROUND SHO .GAS VALVE HANDICAP _ HIGH-DENSITY POLYETHYLENE HDPE HYDRANT HYD ___ _ IRON ROD _ IRON PIPE

JB P MB MB MH P/L, P P/L, P P/C P/C P/C P/C SVC SVC SSC SVC	INVERT ELEVATION JUNCTION BOX LIGHT POLE METER, MAIN MAILBOX MANHOLE OVER-HEAD PROPERTY LINE POWER POLE POLYVINYL CHLORIDE POWER RADIUS RIGHT-OF-WAY SANITARY SEWER STORM DRAIN SERVICE SIDEWALK TOP OF CURB TELEPHONE TRANSFORMER TRAFFIC SIGNAL TOP OF WALL TYPICAL UNDER GROUND UTILITY VAULT
YPC	YELLOW PLASTIC CAP

SYMBOL	_S		
\mathbb{O}^{DA}	AREA DRAIN	م	SIGN POST
① or 🎹	CATCH BASIN	PED ()	PEDESTAL
000	CLEANOUT		IMAIL BOX
Х.	FIRE HYDRANT	\mathbb{O}	IRRIGATION VALVE
GV(G)	GAS VALVE	¢	LIGHT POLE
wv⊗	WATER VALVE	С О	UTILITY/POWER P
GPW	GAS/POWER/WATER METER		TEST PIT
DSO	DOWN SPOUT	•	MONUMENT FOUND
\bigcirc	MANHOLE TELEPHONE		
\bigcirc	MANHOLE STORM DRAIN		
S	MANHOLE SANITARY SEWER		
	TREES – *TREENAME* DIAMETER (INC NOTE: DIAMETER MEASURED AT BREA	CHES)/DRI AST HEIGH	P RADIUS (FEET) IT

- SIGN POST PEDO PEDESTAL MAIL BOX (V) IRRIGATION VALVE ☆ LIGHT POLE UTILITY/POWER POLES
- TEST PIT
- MONUMENT FOUND



PROJEC

I OCATI(

* = PUBLIC PLAN LINE TYDES

LINE I YP	ЕS										
CATV L	INE		CATV —		/	— CATV —	— CATV -	CATV ·	CA1	гv ——	- CATV
COMMUNICATION L	INE		СОМ	—сом-		СОМ	-сом——	—сом——	—сом—	—сом-	СОМ
EASEMENT L	INE								- — —		
FENCE L	INE	—o—	O	O	0	O	-0(~	O	-0	-0
FIBER OPTIC L	INE		FOC —	— FOC -		FOC ——	- FOC ——	— FOC ——	-FOC	— FOC -	—— FOC
0,10								-GAS			
EDGE OF GRAVEL L	INE	•••••			•••••					•••••	
OVERHEAD L	INE		- OH LINI	ES ——	— он	LINES	— OH LII	NES	OH LINES	. <u> </u>	OH LINES
PHONE L	INE		РН ——	РН ——	— PH -	—— PH —	— PH —	— PH ——	– PH ——	- PH ——	— PH ——
POWER L	INE		ELEC —	ELEC) —	— ELEC —	- ELEC -	ELEC -	ELE	:c ——	ELEC
SANITARY SEWER L	INE		SS ——	SS —	– SS -	SS —	— ss —	— ss —	– SS ——	- SS —	— SS ——
STORM DRAIN L	INE		SD	SD	— SD -	SD	— SD —	— SD —	- SD	- SD ——	— SD ——
WATER L	INE		-w	w	-w—	w	-w	ww	w	—w—	w



Know what's **below. Call** before you dig.

BENCHMARK UTILIZED: C.O.S. 3209

ELEV: 151.95' NGVD 29 MARK IS A 1" BRASS DISK, SET IN NORTH CURB AT INTERSECTION OF CROISAN CREEK RD AND RIVER RD S, 14.2' SOUTHEAST OF PP#973,

25.6 FEET NORTH OF MONUMENT BOX IN CENTER OF INTERSECTION.




			TREE	TABLE			
Point No.	Tree Description	Point No.	Tree Description	Point No.	Tree Description	Point No.	Tree Description
1000	DECD 8 4	2043	DECD 4 5	2097	DECD 5 6	2147	DECD 7 10
1001	DECD 8 8	2044	DECD 4 1	2098	DECD 5 8	2148	DECD 8 14
1002 *	MAPLE 10 14	2045	DECD 4 1	2099	DECD 5 4	2151	DECD 4 4
* 1003	OAK 27 16	2046	DECD 5 2	2100	DECD 4 4	2152	DECD 4 4
* 1004	OAK 36 26	2047	DECD 4 6	2101	DECD 6 6	2153	DECD 8 6
* 1005	OAK 26 20	2048	DECD 5 3	2102	DECD 5 2	2154	DECD 4 3
* 1006	OAK 21 12	2049	DECD 4 5	2103	DECD 5 2	2155	DECD 5 4
* 1007	OAK 22 15	2050	DECD 4 5	2104	DECD 5 4	2156	DECD 5 4
* 1008	OAK 22 14	2051	DECD 4 3	2105	DECD 4 7	2157	DECD 7 6
* 1009	OAK 33 25	2052	DECD 4 3	2106	DECD 4 6	2158	DECD 6 5
1010	FIR 12 7	2053	DECD 4 4	2107	DECD 4 5	2159	DECD 5 6
* 1011	OAK 51 20	2054	DECD 4 4	2108	DECD 4 3	2160	DECD 4 5
* 1012	OAK 26 27	2055	DECD 5 3	2109	DECD 4 3	2161	DECD 6 5
* 1013	0AK 32 28	2056	DECD 4 2	2110	DECD 8 5	2162	DECD 4 3
1014	POPLAR 10 6	2058	DECD 8 11	2111	DECD 5 8	2163	DECD 4 2
1015 \star	POPLAR 10 6	2059	HOLLY 4 5	2112	DECD 7 7 X2	2164	DECD 4 2
1016	POPLAR 8 5	2062	DECD 6 4	2113	DECD 6 5 X2	2165	DECD 6 3
1017	POPLAR 9 8	2063	DECD 4 4	2114	DECD 6 5	2166	DECD 5 6
1018 *	DECD 10 11	2064	DECD 6 12	2115	DECD 4 6	2167	DECD 5 3
* 1751 (1)	FIR 37 18	2065	DECD 6 6	2116	DECD 4 3	2168	DECD 6 6
1755 (1)	OAK 19 12	2066	DECD 5 4	2117	DECD 6 5	2169	DECD 6 5
1925 (1)	FIR 19 12	2068	DECD 4 2	2118	DECD 5 6	2170	DECD 6 9
1926 (1)	FIR 20 15	2070	DECD 4 3	2119	DECD 7 9	2171	DECD 9 7
2018	POPLAR 7 7	2071	DECD 7 6	2120	DECD 5 3	2172	DECD 4 3
2019	DECD 7 4	2073	DECD 6 6	2121	DECD 7 4	2173	DECD 5 3
2020	DECD 8 4	2074	APPLE 6 8	2122	DECD 5 2	2174	DECD 4 6
2021	DECD 5 4	2075	APPLE 5 3	2123	DECD 6 5 X2	2175	DECD 4 5
2022	DECD 4 6	2076	DECD 4 1	2124	DECD 6 10	2177	DECD 4 4
2023	ASH 5 7	2078	DECD 4 1 X2	2125	DECD 4 2	2178	DECD 4 4
2024	DECD 4 4	2079	DECD 5 2	2126	DECD 7 5	2179	DECD 4 4
2025	HOLLY 4 4	2080	DECD 5 3 X2	2127	DECD 4 2	2180	DECD 5 4
2026	HOLLY 5 4	2082	DECD 7 10	2128	DECD 5 5	2181	DECD 5 3
2027	ASH 4 3	2083	DECD 6 10	2129	DECD 5 4	2182	DECD 6 4
2028	DECD 5 4 X2	2084	DECD 6 7	2130	DECD 5 9	2183	DECD 8 12
2029	DECD 5 2	2085	DECD 7 8	2131	DECD 5 4	2184 *	DECD 12 4 X3
2030	DECD 4 2	2086	DECD 6 6	2132	DECD 4 4	2185	DECD 4 6
2031	CHERRY 4 6	2087	DECD 4 5	2133 *	DECD 10 7	2186	DECD 4 5
2033	DECD 7 4	2088	DECD 7 9	2134	DECD 7 9	2187	DECD 4 3
2035	DECD 6 3	2089	DECD 5 6	2135	DECD 4 3	2188	DECD 4 3
2036	DECD 9 5	2090	DECD 4 4	2136	DECD 4 5	2189	DECD 4 5
2037	DECD 4 2	2091	DECD 7 4	2137	DECD 5 7	2190	DECD 4 5
2038	DECD 4 3	2092	DECD 5 5	2138	DECD 4 6	2191	DECD 8 8
2039	DECD 6 2	2093	DECD 5 4	2139	DECD 8 12	(1) NOT	ON PROPERTY
2040	DECD 5 2	2094	DECD 7 4	2140	DECD 5 7 X2		
2041	DECD 5 3 X2	2095	DECD 5 9	2141	DECD 6 8		
2042	DECD 4 2	2096	DECD 4 4	2142	DECD 7 5		

TREE LEGEND										
POINT #			-	TREE DESCRIPTION						
####		TREE TYPE		##	##					
LABEL ON	LABEL ON PLAN TYPE OF TREE		-	TREE DIAMETER @ BREAST HEIGHT (IN)	DRIP LINE (FT)					
*	SIGNIFIC	ANT TREE								
		ANT TREE OAK TREE OR OTHER ≥ 3"ø								
	TREE ≥ 10"ø @ BREAST HEIGHT.									
\mathbf{X}	TREE RE	REMOVAL								
*	TREE REMOVED IN 2024									







DEQ EROSION CONTROL STANDARD NOTES:

- 1. Hold a pre-construction meeting of project construction personnel that includes the inspector to discuss erosion and sediment control measures and construction limits. (Schedule A.8.c.i.(3))
- 2. All inspections must be made in accordance with DEQ 1200-C permit requirements. (Schedule A.12.b and Schedule B.1)
- 3. Inspection logs must be kept in accordance with DEQ's 1200-C permit requirements. (Schedule B.1.c and B.2)
- 4. Retain a copy of the ESCP and all revisions on site and make it available on request to DEQ, Agent, or the local municipality. During inactive periods of greater than seven (7) consecutive calendar days, the above records must be retained by the permit registrant but do not need to be at the construction site. (Schedule B.2.c)
- 5. All permit registrants must implement the ESCP. Failure to implement any of the control measures or practices described in the ESCP is a violation of the permit. (Schedule A 8.a)
- 6. The ESCP must be accurate and reflect site conditions. (Schedule A.12.c.i)
- 7. Submission of all ESCP revisions is not required. Submittal of the ESCP revisions is only under specific conditions. Submit all necessary revision to DEQ or Agent within 10 days. (Schedule A.12.c.iv. and v)
- 8. Phase clearing and grading to the maximum extent practical to prevent exposed inactive areas from becoming a source of erosion. (Schedule A.7.a.iii)
- 9. Identify, mark, and protect (by construction fencing or other means) critical riparian areas and vegetation including important trees and associated rooting zones, and vegetation areas to be preserved. Identify vegetative buffer zones between the site and sensitive areas (e.g., wetlands), and other areas to be preserved, especially in perimeter areas. (Schedule A.8.c.i.(1) and (2))
- 10. Preserve existing vegetation when practical and re-vegetate open areas. Re-vegetate open areas when practicable before and after grading or construction. Identify the type of vegetative seed mix used. (Schedule A.7.a.v)
- 11. Maintain and delineate any existing natural buffer within the 50-feet of waters of the state. (Schedule A.7.b.i.and (2(a)(b))
- 12. Install perimeter sediment control, including storm drain inlet protection as well as all sediment basins, traps, and barriers prior to land disturbance. (Schedule A.8.c.i.(5))
- 13. Control both peak flow rates and total stormwater volume, to minimize erosion at outlets and downstream channels and streambanks. (Schedule A.7.c)
- 14. Control sediment as needed along the site perimeter and at all operational internal storm drain inlets at all times during construction, both internally and at the site boundary. (Schedule A.7.d.i)
- 15. Establish concrete truck and other concrete equipment washout areas before beginning concrete work. (Schedule A.8.c.i.(6))
- 16. Apply temporary and/or permanent soil stabilization measures immediately on all disturbed areas as grading progresses. Temporary or permanent stabilizations measures are not required for areas that are intended to be left unvegetated, such as dirt access roads or utility pole pads. (Schedule A.8.c.ii. (3))
- 17. Establish material and waste storage areas, and other non-stormwater controls. (Schedule A.8.c.i.(7))
- 18. Prevent tracking of sediment onto public or private roads using BMPs such as: construction entrance, graveled (or paved) exits and parking areas, gravel all unpaved roads located onsite, or use an exit tire wash. These BMPs must be in place prior to land-disturbing activities. (Schedule A 7.d.ii and A.8.c.i(4))
- 19. When trucking saturated soils from the site, either use water-tight trucks or drain loads on site. (Schedule A.7.d.ii.(5))
- 20. Control prohibited discharges from leaving the construction site, i.e., concrete wash-out, wastewater from cleanout of stucco, paint and curing compounds. (Schedule A.6)
- 21. Use BMPs to prevent or minimize stormwater exposure to pollutants from spills; vehicle and equipment fueling, maintenance, and storage; other cleaning and maintenance activities; and waste handling activities. These pollutants include fuel, hydraulic fluid, and other oils from vehicles and machinery, as well as debris, fertilizer, pesticides and herbicides, paints, solvents, curing compounds and adhesives from construction operations. (Schedule A.7.e.i.(2))
- 22. Implement the following BMPs when applicable: written spill prevention and response procedures, employee training on spill prevention and proper disposal procedures, spill kits in all vehicles, regular maintenance schedule for vehicles and machinery, material delivery and storage controls, training and signage, and covered storage areas for waste and supplies. (Schedule A. 7.e.iii.)
- 23. Use water, soil-binding agent or other dust control technique as needed to avoid wind-blown soil. (Schedule A 7.a.iv)
- 24. The application rate of fertilizers used to reestablish vegetation must follow manufacturer's recommendations to minimize nutrient releases to surface waters. Exercise caution when using time-release fertilizers within any waterway riparian zone. (Schedule A.9.b.iii)
- 25. If an active treatment system (for example, electro-coagulation, flocculation, filtration, etc.) for sediment or other pollutant removal is employed, submit an operation and maintenance plan (including system schematic, location of system, location of inlet, location of discharge, discharge dispersion device design, and a sampling plan and frequency) before operating the treatment system. Obtain plan approval before operating the treatment system. Operate and maintain the treatment system according to manufacturer's specifications. (Schedule A.9.d)
- 26. Temporarily stabilize soils at the end of the shift before holidays and weekends, if needed. The reaistrant is responsible for ensuring that soils are stable during rain events at all times of the year. (Schedule A 7.b)
- 27. As needed based on weather conditions, at the end of each workday soil stockpiles must be stabilized or covered, or other BMPs must be implemented to prevent discharges to surface waters or conveyance systems leading to surface waters. (Schedule A 7.e.ii.(2))
- 28. Construction activities must avoid or minimize excavation and bare ground activities during wet weather. (Schedule A.7.a.i)
- 29. Sediment fence: remove trapped sediment before it reaches one third of the above ground fence height and before fence removal. (Schedule A.9.c.i)
- 30. Other sediment barriers (such as biobags): remove sediment before it reaches two inches depth above ground height and before BMP removal. (Schedule A.9.c.i)
- 31. Catch basins: clean before retention capacity has been reduced by fifty percent. Sediment basins and sediment traps: remove trapped sediments before design capacity has been reduced by fifty percent and at completion of project. (Schedule A.9.c.iii& iv)
- 32. Within 24 hours, significant sediment that has left the construction site, must be remediated. Investigate the cause of the sediment release and implement steps to prevent a recurrence of the discharge within the same 24 hours. Any in-stream clean-up of sediment shall be performed according to the Oregon Division of State Lands required timeframe. (Schedule A.9.b.i)
- 33. The intentional washing of sediment into storm sewers or drainage ways must not occur. Vacuuming or dry sweeping and material pickup must be used to cleanup released sediments. (Schedule A.9.b.ii)
- 34. The entire site must be temporarily stabilized using vegetation or a heavy mulch layer, temporary seeding, or other method should all construction activities cease for 30 days or more. (Schedule A.7.f.i)
- 35. Provide temporary stabilization for that portion of the site where construction activities cease for 14 days or more with a covering of blown straw and a tackifier, loose straw, or an adequate covering of compost mulch until work resumes on that portion of the site. (Schedule A.7.f.ii)
- 36. Do not remove temporary sediment control practices until permanent vegetation or other cover of exposed areas is established. Once construction is complete and the site is stabilized, all temporary erosion controls and retained soils must be removed and disposed of properly, unless doing so conflicts with local requirements. (Schedule A.8.c.iii(1) and D.3.c.ii and iii)

Rev. 12/15/15 By: Krista Ratliff

Silt Con Sed Stor Con Roc Perr

YEAR: MONTH:	'24 11	'24 12	'25 01	'25 02	'25 03	'25 04	'25 05	'25 06	'25 07	'25 08	'25 09	'25 10
CLEARING	Х	Х	Х									
EXCAVATION	X	Х	Х	Х	Х	Х	Х	Х	Х			
GRADING	Х	Х	Х	Х	Х	Х	Х	Х	Х			
CONSTRUCTION	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	X	X
SEDIMENT CONTROLS:												
Silt Fencing	X	Х	Х	Х	Х	Х	Х	Х	Х	Х	X	Х
Sediment Traps	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	X	Х
Sediment Basins												
Storm Inlet Protection	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х
Drainage Swales												
Check Dams												
Contour Furrows												
Terracing												
Pipe Slope Drains												
Rock Outlet Protection												
Gravel Construction Entrance												
Grass—lined Channel (Turf Reinforcement Mats)												
Protection of trees with construction fences												
Temporary Seeding and Planting												
Permanent Seeding and Planting												
Other:												

CONTROL MEASURE	PHASE 1	PHASE 2	PHASE 3	PHASE 4	PHASE 5			
Silt Fencing	X	Х	Х	Х				
Construction Entrance	X	X						
Sediment Traps			X	X				
Storm Inlet Protection	X	X	X	X				
Concrete Washout								
Rock Outlet Protection			Х	Х	X			
Permanent Seeding and Planting					X			
Phase 1: Prior to Ground Disturbance Phase 2: After Completion of Rough Grading Phase 3: After Installation of Storm Facilities Phase 4: After Paving & Construction								

Phase 5: After Project Completion and Cleanup

INSPECTION FREQUENCY FOR BMP

Site Condition	Minimum Frequency
. Active period	Daily when stormwater runoff, including runoff from snowmelt, is occurring.
	At least once every 14 days, regardless of whether stormwater runoff is occurring.
2. Prior to the site becoming inactive or in anticipation of site inaccessibility.	Once to ensure that erosion and sediment control measures are in working order. Any necessary maintenance and repair must be made prior to leaving the site.
3. Inactive periods greater than seven (14) consecutive calendar days	Once every month.
4. Periods during which the site is naccessible due to inclement weather	If practical, inspections must occur daily at a relevant and accessible discharge point or downstream location.
5. Periods during which discharge is unlikely due to frozen conditions	Monthly. Resume monitoring immediately upon melt, or when weather conditions make discharge likely.

BMP Rationale

A comprehensive list of available Best Management Practices (BMP) options based on DEQ's 1200-C Permit Application and ESCP Guidance Document has been reviewed to complete this Erosion and Sediment Control Plan. Some of the above listed BMPs were not chosen because they were determined to not effectively manage erosion prevention and sediment control for this project based on specific site conditions, including soil conditions, topographic constraints, accessibility to the site, and other related conditions. As the project progresses and there is a need to revise the ESCP, an Action Plan will be submitted.

SOIL TYPE(S):	PER MARION CO. SOIL SURVEY THE SITE SOILS INCLUDE, "SANTIAM SILT LOAM, 3 TO 6 PERCENT SLOPES" AND "SILVERTON SILT LOAM, 2 TO 12 PERCENT SLOPES".
EROSION HAZARD:	PER MARION CO. SOIL SURVEY EROSION HAZARD RANGE IS "SLIGHT" TO "MODERATE"
SITE AREA:	0.85 Ac
DISTURBANCE AREA:	0.82 Ac

SUPPLEMENTAL WESTECH NOTES:

- (i.e. vegetation/landscaping) is established on all disturbed areas.
- embankments and cut slopes to prevent sediment transport.
- completed and/or vegetation is established.
- all impacted catch basins and storm pipes prior to acceptance by the Owner.
- corrected at the sole expense of the Contractor.
- is established.
- ends securely fastened to a post.
- silt and sediment captured.

- 16. Stabilized construction entrances shall be installed at the beginning of construction and maintained for the the duration of the project.
- leaving the site.
- and repair and/or cleanout of any structures used to trap sediment.
- ensure sediment laden water does not enter the storm drain system.
- shall not leave any bare around visible through the straw.
- construction is completed.
- method to provide stable areas for seeds to rest.
- supplier recommendations.
- irrigate the seeded and mulched areas as required to establish the grass cover.
- Application rate shall be 100 lbs. per acre minimum.
- and experience as required in Schedule A.6.b.i-ii of the 1200-C Permit

1. Erosion control measures shall be maintained in such a manner as to ensure that sediment and sediment-laden water does not enter the drainge system, roadways, or violate applicable water quality standards.

2. The erosion control construction, maintenance, replacement and upgrading of the erosion control facilities is the responsibility of the Contractor until all construction is completed and approved, and permanent erosion control

3. All recommended erosion control procedures are dependent on construction methods, staging, site conditions, weather and scheduling. During the construction period, erosion control facilities shall be upgraded as necessary due to unexpected storm events and to ensure that sediment and sediment laden water does not leave the site.

4. The Contractor is responsible for control of sediment transport within project limits. If an installed erosion control system does not adequately contain sediment on site, then the erosion control measures shall be adjusted or supplemented by the Contractor as necessary to ensure that sediment laden water does not leave the site. Additional measures shall be provided as required to ensure that all paved areas are kept clean for the duration of the project. Additional interim measures will include, at a minimum, installation of silt fences in accordance with the details shown on the drawings. These measures shall be installed along all exposed

5. All existing and newly constructed storm inlets and drains shall be protected until pavement surfaces are

6. Erosion control facilities and sediment fences on active sites shall be inspected by the Contractor at least daily during any period with measurable precipitation. Any required repairs or maintenance shall be completed immediately. The erosion control facilities on inactive sites shall be inspected and maintained by the Contractor a minimum of once a month or within 24 hours following the start of a storm event.

7. All catch basins and conveyance lines shall be cleaned prior to paving. The cleaning operation shall not flush sediment-laden water into the downstream system. The Contractor shall remove all accumulated sediment from

8. The Contractor is solely responsible for protection of all adjacent property and downstream facilities from erosion and siltation during project construction. Any damage resulting from such erosion and siltation shall be

9. The Contractor shall provide site watering as necessary to prevent wind erosion of fine-grained soils.

10. Unless otherwise indicated on the drawings, all temporary erosion control facilities, including sediment fences, silt sacks, bio-bags, etc. shall be removed by the Contractor within 30 days after permanent landscaping/vegetation

11. Sediment fences shall be constructed of continuous filter fabric to avoid use of joints. When joints are necessary, filter cloth shall be spliced together only at a support post, with a minimum 6-inch overlap, and both

12. Sediment fence shall be installed per drawing details. Sediment fences shall have adequate support to contain all

13. The standard strength filter fabric shall be fastened securely to stitched loops installed on the upslope side of the posts. and 6 inches of the fabric shall be extended into the trench. The fabric shall not extend more than 30 inches above the original ground surface. Filter fabric shall not be stapled to existing trees.

14. Bio-filter bags shall be clean 100 percent wood product waste. Bags shall be 18-inch x 18-inch x 30-inch, weigh approximately 45 lbs., and be contained in a bag made of 1/2-inch plastic mesh.

15. Sediment barriers shall be maintained until the up-slope area has been permanently stabilized. At no time shall more than 10-inches of sediment be allowed to accumulate behind sediment fences. No more than 2 inches of sediment shall be allowed to accumulate behind bio-filter bags. Sediment shall be removed prior to reaching the above stated depths. New sediment barriers shall be installed uphill as required to control sediment transport.

duration of the project. Additional measures may be required to ensure that all paved areas are kept clean for

17. The Contractor shall verify that all trucks are well sealed when transporting saturated soils from the site. Water drippage from trucks transporting saturated soils must be reduced to less than 1 gallon per hour prior to

18. The entrance shall be maintained in a condition that will prevent tracking or flow of mud onto the public right-of-way or approved access point. The entrance may require periodic top dressing as conditions demand,

19. All materials spilled, dropped, washed, or tracked from vehicles onto roadways or into storm drains must be removed immediately, and the Contractor shall provide protection of downstream inlets and catch basins to

20. Temporary grass cover measures must be fully established by October 15th, or other cover measures (ie. erosion control blankets with anchors, 3-inches minimum of straw mulch, 6 mil HDPE plastic sheet, etc.) shall be in place over all disturbed soil areas until April 30th. To establish an adequate grass stand for controlling erosion by October 15th, it is recommended that seeding and mulching occur by September 1st. Straw mulch, if used,

21. Minimum wet weather slope protection. For slopes steeper than 3H:1V but less than 2H:1V, use Tensar/North American Green Type S150 erosion control blanket. For slopes 2H:1V or steeper, use Tensar/North American Green Type SC150 erosion control blanket. Use a minimum of 2-inches straw mulch or Tensar/North American Green Type S150 for slopes flatter than 3H:1V. Slope protection shall be placed on all disturbed areas immediately after completion of each section of construction activity, until the erosion control seeding has been established. As an option during temporary or seasonal work stoppages, a 6-mil HDPE plastic sheet may be placed on exposed slopes. The plastic sheet shall be provided with an anchor trench at the top and bottom of the slope, and shall be sandbagged on the slopes as required to prevent damage or displacement by wind.

22. Permanent erosion control vegetation on all embankments and disturbed areas shall be re-established as soon as

23. Soil preparation. Topsoil should be prepared according to landscape plans, if available, or recommendations of grass seed supplier. It is recommended that slopes be textured before seeding by rack walking (ie. driving a crawling tractor up and down the slopes to leave a pattern of cleat imprints parallel to slope contours) or other

24. When used, hydromulch shall be applied with grass seed at a rate of 2000 lbs. per acre between April 30 and June 10, or between September 1 and October 1. On slopes steeper than 10 percent, hydroseed and mulch shall be applied with a bonding agent (tackifier). Application rate and methodology to be in accordance with seed

25. When used in lieu of hydromulch, dry, loose, weed free straw used as mulch shall be applied at a rate of 4000 lbs. per acre (double the hydromulch application requirement). Anchor straw by working in by hand or with equipment (rollers, cleat trackers, etc.). Mulch shall be spread uniformly immediately following seeding.

26. When conditions are not favorable to germination and establishment of the grass seed, the Contractor shall

27. Seeding. Recommended erosion control grass seed mix is as follows. Dwarf grass mix (low height, low maintenance) consisting of dwarf perennial ryegrass (80 % by weight), creeping red fescue (20 % by weight).

28. Grass seed shall be fertilized at a rate of 10 lbs. per 1000 S.F with 16-16-16 slow release type fertilizer. Development areas within 50 feet of water bodies and wetlands must use a non-phosphorous fertilizer.

29. Prior to starting construction contractor shall acquire the services of a DEQ Certified Erosion and Sediment Control Inspector and shall submit an "Action Plan" to DEQ indentifying their names, contact information, training

30. Contractor shall submit "Notice of Termination" to DEQ to end the 1200-C permit coverage once all soil disturbance activities have been completed and final stabilization of exposed soils has occured.





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SECTION A-A





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