

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005



*Si necesita ayuda para comprender esta información, por favor llame
503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

REPLAT TENTATIVE PLAN / CLASS 2 ADJUSTMENT CASE NO.: REP-ADJ25-02

APPLICATION NO.: 24-121236-PLN

NOTICE OF DECISION DATE: March 5, 2025

REQUEST: A Tentative Replat Plan to create two parcels from six discrete units of land. The consolidated application includes two Class 2 Adjustments to reduce the minimum lot depth for proposed Parcel 2 from 80 feet to 51.5 feet and to reduce the minimum lot area from 6,000 square feet to 5,506 square feet. The subject property is 0.4-acres in size, zoned RM-II (Multiple Family Residential II) and located at 676 17th Street SE (Marion County Assessor's Map and Tax Lot 073W26CD / 4401).

APPLICANT: Barker Surveying

LOCATION: 676 17th St SE, Salem OR 97301

CRITERIA: Salem Revised Code (SRC) Chapters 205.025(d) – Replat Tentative Plan; 250.005(d)(2) – Class 2 Adjustment

FINDINGS: The findings are in the attached Decision dated March 5, 2025.

DECISION: The **Planning Administrator APPROVED** Replat Tentative Plan, Class 2 Adjustment Case No. REP-ADJ25-02 subject to the following conditions of approval:

Condition 1: Prior to issuance of a building permit for development on each parcel, the applicant shall submit a revised utility plan demonstrating how each proposed parcel is independently served by sanitary sewer service, water service lines, and water meters as required by SRC 72.091 (Water Service Connections) and SRC 73.065 (Sanitary Service Connections).

Condition 2: Prior to issuance of a building permit for development on the properties which includes a common shared stormwater system, the applicant shall record a Shared Stormwater System Agreement which is in compliance with SRC 802.040.

Condition 3: Prior to final plat, all necessary (existing and proposed) access and utility easements must be shown and recorded on the final plat.

The rights granted by the attached decision must be exercised, or an extension granted, by March 25, 2027, or this approval shall be null and void.

Application Deemed Complete: January 27, 2025
Notice of Decision Mailing Date: March 5, 2025

Decision Effective Date: March 25, 2027
State Mandate Date: May 27, 2025

Case Manager: Peter Domine, pdomine@cityofsalem.net, 503-540-2311

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m., Thursday, March 20, 2025. Any person who presented evidence or testimony at the hearing may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapters 205 and 250. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

<http://www.cityofsalem.net/planning>

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF
CASE NO. REP-ADJ25-02
676 17th ST SE

) FINDINGS AND ORDER
)
) MARCH 5, 2025

In the matter of the application for a Replat Tentative Plan and Class 2 Adjustment, submitted by the applicant, Barker Surveying, on behalf of the property owner, Servando Garcia, the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

Summary: A replat to consolidate six lots into two parcels with two adjustments to lot area and depth.

Request: A Tentative Replat Plan to create two parcels from six discrete units of land. The consolidated application includes two Class 2 Adjustments to reduce the minimum lot depth for proposed Parcel 2 from 80 feet to 51.5 feet and to reduce the minimum lot area from 6,000 square feet to 5,506 square feet. The subject property is 0.4-acres in size, zoned RM-II (Multiple Family Residential II) and located at 676 17th Street SE (Marion County Assessor's Map and Tax Lot 073W26CD / 4401).

A vicinity map illustrating the location of the property is attached hereto and made a part of this staff report (**Attachment A**).

PROCEDURAL FINDINGS

1. Background

On October 17, 2024, a consolidated application for a Tentative Replat and two Class 2 Adjustments was submitted for the proposed development. After additional information was requested and provided, on January 27, 2025, the application was deemed complete for processing. The 120-day state mandated decision deadline for this consolidated application is May 27, 2025.

The applicant's proposed replat plan is included as **Attachment B** and the applicant's written statement addressing the approval criteria can be found online, as indicated below.

SUBSTANTIVE FINDINGS

2. Summary of Record

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 24 121236.

3. Neighborhood and Public Comments

The subject property is located within the boundaries of the SESNA Neighborhood Association.

Applicant Neighborhood Association Contact: SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this proposed consolidated land use application request do not require neighborhood association contact.

Neighborhood Association Comment: Notice of the application was provided to the Neighborhood Association pursuant to SRC 300.620(b)(2)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. As of the date of this decision, no comments were received from the neighborhood association.

Public Comments: Notice was also provided, pursuant to SRC 300.620(b)(2)(B)(iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property. As of the date of this decision, one comment was received from the public, summarized below.

- 1) *Concern regarding the development of a proposed multi-family dwelling on the lot and associated traffic.*

Staff Response: The application is for a replat to consolidate six existing and discrete units of land into two new parcels. The subject property, which is one single tax lot, was previously approved of site plan review for a proposed multiple-family use of three separate four-unit apartment buildings under Land Use Case no. SPR-ADJ-DAP-DR24-27. The proposed replat was a condition of approval of that land use case and is necessary to construct the buildings within the boundaries of individual lots and not across the underlying property lines.

4. City Department Comments

Development Services: Reviewed the proposal and provided a memo which is included as **Attachment C**.

Building and Safety: Review the proposal and indicated no concerns.

Fire Department: Reviewed the proposal and indicated that Fire Department access and water supply will be required per the OFC at the time of development.

5. Public Agency Comments

Salem-Keizer School District: Reviewed the proposal and provided a memo dated February 10, 2024, which is included in the record.

Portland General Electric: Reviewed the proposal and provided comments indicating that existing utility poles are within the proposed driveway location and may need to be relocated to accommodate the development; additional easements may need to be recorded; new power extensions and connections crossing the alley underground will be necessary; residential meters must be located within 10-feet on the street side of each building; and new pad-

mounted transformers will be necessary. Contact information for PGE was provided to the applicant.

DECISION CRITERIA FINDINGS

6. Criteria for Granting a Tentative Replat

Pursuant to SRC 205.025(a), a replat is required to reconfigure lots or parcels and public easements in a recorded partition or subdivision plat, to increase or decrease the number of lots in a subdivision, or where multiple property line adjustments require a replat.

SRC 205.025(d) establishes the approval criteria which must be met in order for a replat to be approved. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings of fact evaluating the proposal for conformance with the criteria. Lack of compliance with the following approval criteria is grounds for denial of the tentative plan or for the issuance of conditions of approval to satisfy the criteria.

SRC 205.025(d)(1): The tentative replat does not propose to vacate any public street or road, or any recorded covenants or restrictions.

Finding: The purpose of the proposed replat is to consolidate six existing units of land, consisting of Lots 7 through 11 of Block 26, 27, and 28 of the Capital Park Addition and a remnant tract described in Reel 3022, Page 50 Marion County Deed Records, into two parcels, in order to accommodate development of a new multifamily apartment complex, approved under land use Case No. SPR-ADJ-DAP-DR24-27. The replat does not propose to vacate any public rights-of-way, or any recorded covenants or restrictions. This criterion is met.

SRC 205.025(d)(2): The tentative replat will not create non-conforming units of land or non-conforming development, or increase the degree of non-conformity in existing units of land or development.

Finding: The proposed parcels are located within the RM-II (Multiple-Family Residential II) zone and are required to meet the standards of that zone. Per SRC 514.010(a), lots subdivided or partitioned in the RM-II zone shall be a minimum of 20,000 square feet in size, unless the lots are restricted to contain three or more attached dwelling units per lot, are used for townhouse development, or are used for allowed uses other than household living. The lot standards of the zone are as follows:

TABLE 514-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses other than single-family	Min. 6,000 sq. ft.	
Lot Width		
All uses other than single-family	Min. 40 ft.	
Lot Depth		
All uses other than single-family	Min. 80 ft. Min. 120 ft Applicable to double frontage lots	Max. 300% of average lot width
Street Frontage		

All other uses other than single-family	Min. 40 ft	
---	------------	--

As shown on the replat tentative plan (**Attachment B**), after required right-of-way dedication, proposed Parcel 1 will be approximately 10,824 square feet in size, with 180 feet of street frontage along 17th Street SE, 73 feet of street frontage along Oak Street SE, and will have 58 feet in width and 180 feet in depth, meeting the lot standards of the RM-II zone. Proposed Parcel 2 will be 5,506 square feet, less than the minimum 6,000 square feet, for which the applicant has requested a Class 2 Adjustment. Proposed Parcel 2 will have 93 feet of street frontage along 17th Street SE and will have 107 feet in lot width and 51 feet in lot depth, less than the minimum 80 feet required, for which the applicant has requested a Class 2 Adjustment. The Class 2 Adjustments are addressed in Section 7 of this decision.

With approval of the requested Class 2 Adjustments, as shown on the replat tentative plan, the proposed replat will not result in either the creation of non-conforming units of land or non-conforming development and will not increase the degree of non-conformity in existing units of land or development. This approval criterion is met.

SRC 205.025(d)(3): The tentative replat complies with the standards of this Chapter and with all applicable provisions of the UDC.

Finding: As proposed and conditioned, the proposed replat meets all applicable provisions of the UDC as outlined below.

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 601 – Floodplain

Development in the floodplain shall be regulated to preserve and maintain the capability to the floodplain to convey the flood water discharges and to minimize danger to life and property.

Finding: The subject property is designated on the Federal Emergency Management Agency (FEMA) floodplain maps as a Zone "AE" floodplain and floodway. Development within the floodplain requires a floodplain development permit and is subject to the requirements of SRC Chapter 601, including elevation of new structures to a minimum of one foot above the base flood elevation. See SPR-ADJ-DAP-DR24-27 for specific floodplain development requirements for this property.

SRC Chapter 802 – Public Improvements

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: Development Services has reviewed the proposal for compliance with the City's public facility plans pertaining to the provision of water, sewer, and storm drainage facilities and determined that such facilities are available and appear to be adequate to serve the subject property in conformance with the requirements of SRC Chapter 802 (Public Improvements).

SRC 802.040 permits private stormwater, wastewater, and water systems under certain circumstances. The proposed development does not meet the approval criteria for private water or sanitary sewer systems in SRC 802.040. As such, each proposed parcel is required to be individually served with water and sewer services (SRC 72.091 (Water Service Connections) and SRC 73.065 (Sanitary Service Connections)). The proposed tentative plan shows the three proposed buildings on both parcels being served by one water meter along Oak Street SE and a combined sanitary sewer service line discharging to a sewer main in 17th Street SE. As a condition of approval, each parcel shall have an independent water service and meter, and sanitary sewer lines.

Condition 1: Prior to issuance of a building permit for development on each parcel, the applicant shall submit a revised utility plan demonstrating how each proposed parcel is independently served by sanitary sewer service, water service lines, and water meters as required by SRC 72.091 (Water Service Connections) and SRC 73.065 (Sanitary Service Connections).

SRC 802.040 allows for the development of shared stormwater systems. As shown on the applicant's utility plan, the proposal includes a shared stormwater management system. Per SRC 802.040(c)(2) the applicant shall record a Shared Stormwater System Agreement which provides the required conditions listed in SRC 802.040.

Condition 2: Prior to issuance of a building permit for development on the properties which includes a common shared stormwater system, the applicant shall record a Shared Stormwater System Agreement which is in compliance with SRC 802.040.

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

Finding: Pursuant to SRC Chapter 803.040, replat applications do not trigger boundary street improvements or right-of-way dedications. Development Services has reviewed the proposal for compliance with the City's public facility plans pertaining to the provision of streets and determined that such facilities are available and appear to be adequate to serve the subject property in conformance with SRC Chapter 803 (Streets and Right-of-Way Improvements).

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: The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and/or hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands 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.

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 2-point landslide hazard areas on the subject property. The proposed activity of a multi-family development adds 2 activity points to the proposal, which results in a total of 4 points. Therefore, the proposed development is classified as a low landslide risk and no additional information is required.

SRC 205.025(d)(4): The tentative replat complies with all applicable provisions of ORS Chapter 92.

Finding: ORS 92.185 establishes standards for replatting, including standards for reconfiguration of lots or parcels and public easements, vacation, notice, and utility easements. The applicant shall provide the required field survey and subdivision replat as per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and the SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and pursuant to SRC 205.035, the approval of the replat plat by the City Surveyor may be delayed or denied based on the non-compliant violation. The City Surveyor will confirm ORS 92 compliance as part of the final plat mylar review. This criterion is met.

SRC 205.025(d)(5): The tentative replat is not prohibited by any existing City land use approval or previous condition of approval, affecting one or both of the units of land.

Finding: There are no past land use decisions, or conditions of approval associated with any past land use decisions, affecting the subject property that prohibit the proposed replat. The proposed replat was a condition of approval for the proposed development of three new multifamily buildings, approved in land use Case No. SPR-ADJ-DAP-DR24-27. This approval criterion is met.

SRC 205.025(d)(6): The tentative replat does not adversely affect the availability of, or access to, City infrastructure or public or private utilities or streets.

Finding: Development Services has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are existing, and appear to be adequate to serve the proposed replat as conditioned. Private utility easements for private water and stormwater services serving the proposed complex are required to be identified on the final plat.

As shown on the applicant's utility plans, there are utilities crossing property lines. A private utility easement is required for the water line crossing proposed Parcel 1 to serve proposed Parcel 2. A private stormwater easement is required crossing proposed Parcel 2 for the private stormwater facility on Parcel 1.

The subject property abuts 17th Street SE to the west and Oak Street SE to the north. Direct access for the subject property will not be permitted onto 17th Street SE, the approved site plan (SPR-ADJ-DAP24-27) indicates that vehicle access for the complex will be provided via Oak Street SE and the abutting public alley to the Driveway access to Oak Street is located on proposed Parcel 1, an access easement shall be provided for the benefit of proposed Parcel 2. All necessary access and private utility easements shall be shown on the final plat.

Condition 3: Prior to final plat, all necessary (existing and proposed) access and utility easements must be shown and recorded on the final plat.

7. Analysis of Class 2 Adjustment Approval Criteria

Salem Revised Code (SRC) 250.005(d)(2) provides that an application for a Class 2 Adjustment shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 250.005(d)(2)(A): The purpose underlying the specific development standard proposed for adjustment is:

- (i) Clearly inapplicable to the proposed development; or***
- (ii) Equally or better met by the proposed development.***

Finding: The applicant is requesting two Class 2 Adjustments to:

Reduce the minimum lot size of proposed Parcel 2 from 6,000 square feet to 5,506 square feet, per SRC 514.010(b), Table 514-2.

Due to the narrow north-south orientation of the development site, the applicant has requested a Class 2 Adjustment to reduce the minimum lot size of proposed Parcel 2. The applicant's written statement indicates the widening of 17th Street SE in 1985 exceeded the current 72-foot standard for a Minor Arterial Street, resulting in a variable centerline width of 42-to-52 feet along the property frontage, creating narrow nonconforming residual lots. Due to the narrow site constraints of the property and other development standards of the RM-II zone and the multi-family design review standards, allowing a smaller lot size is necessary to accommodate any future development. The average lot area of the two parcels exceeds 6,000 square feet, and the proposed 5,506 square foot area of Parcel 2 can still accommodate the future development approved in land use Case No. SPR-ADJ-DAP-DR24-27. As proposed, the reduced lot size equally meets the intent of the minimum lot size, and is in compliance with this criterion.

Reduce the minimum lot depth of proposed Parcel 2 from 80 feet to 51 feet, per SRC 514.010(b), Table 514-2.

As described above, due to the narrow north-south orientation of the development site because of past street widening of 17th Street, the applicant has requested a Class 2 Adjustment to reduce the minimum lot depth of proposed Parcel 2. Due to the narrow site constraints of the property and other development standards of the RM-II zone and the multi-family design review standards, allowing a narrower lot depth is necessary to accommodate future development. Because of the street widening, the lot depth could not be met for this

portion of the property. Given that 17th Street is a complete street and will not be widened in the future, the lot depth is an existing condition. Left as one parcel, the property would meet the minimum lot depth with Oak Street as the front of the lot. The proposed replat creating two parcels does not change the existing conditions or reduce the lot size. As proposed, Parcel 2 can still accommodate the future development approved in land use Case No. SPR-ADJ-DAP-DR24-27. As proposed, the reduced lot depth equally meets the intent of the minimum lot depth, and is in compliance with this criterion.

SRC 250.005(d)(2)(B): If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.

Finding: The subject property is located within an RM-II (Multiple Family Residential) zone, which is a residential zone. The adjustments that have been requested with this proposal are the minimum necessary to allow the otherwise reasonable development of the property according to the development standards of the RM-II zone. Approval of the requested adjustments will not result in development that detracts from the livability or appearance of the residential area because, as identified in the findings included in this decision, the underlying purposes of the development standards proposed for adjustment with the development otherwise will continue to be equally or better met. This approval criterion is met.

SRC 250.005(d)(2)(C): If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

Finding: Two separate Class 2 Adjustments have been requested with this development. Pursuant to SRC Chapter 514, the purpose of the Multiple-Family Residential II zone is to implement the multiple-family designation of the Salem Area Comprehensive Plan, which is intended to allow multiple-family residential uses, along with a mix of other uses that are compatible with and/or provide services to the residential area. Each of the adjustments has been evaluated separately for conformance with the Adjustment approval criteria. The cumulative impact of the adjustments results in an overall project which is consistent with the intent and purpose of the zoning code.

8. Conclusion

Based upon review of SRC Chapters 205 and 250, the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the application complies with the requirements for an affirmative decision.

IT IS HEREBY ORDERED

Final approval of Replate Tentative Plan, Class 2 Adjustment Case No. REP-ADJ25-02 is hereby **APPROVED** subject to SRC Chapters 205 and 250, the applicable standards of the Salem Revised Code, conformance with the approved site plan included as **Attachment B**, and the following conditions of approval:

Condition 1: Prior to issuance of a building permit for development on each parcel, the applicant shall submit a revised utility plan demonstrating how each proposed parcel is independently served by sanitary sewer service, water service lines, and water meters as required by SRC 72.091 (Water Service Connections) and SRC 73.065 (Sanitary Service Connections).

- Condition 2:** Prior to issuance of a building permit for development on the properties which includes a common shared stormwater system, the applicant shall record a Shared Stormwater System Agreement which is in compliance with SRC 802.040.
- Condition 3:** Prior to final plat, all necessary (existing and proposed) access and utility easements must be shown and recorded on the final plat.

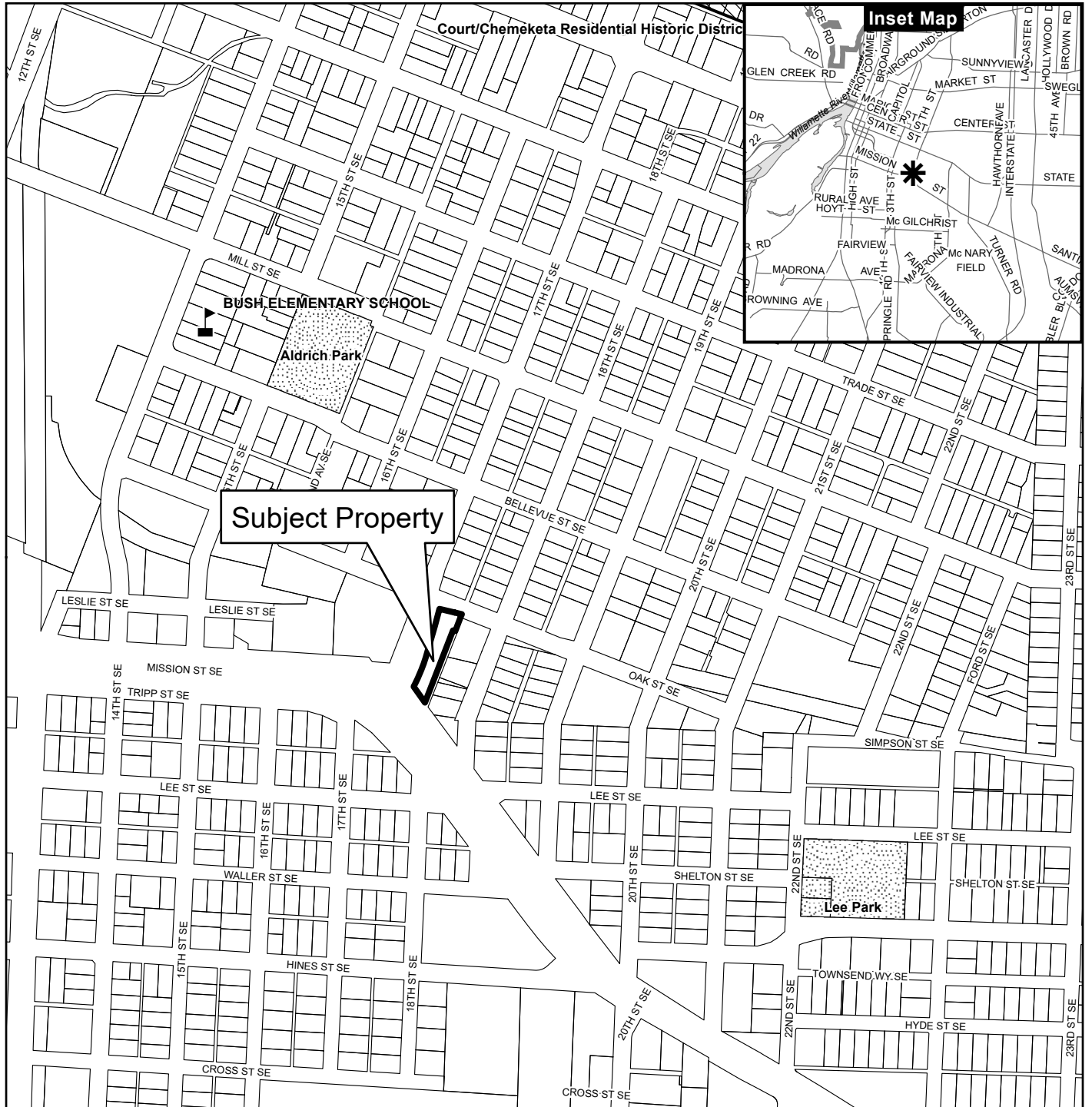


Peter Domine, Planner II, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

- Attachments:
- A. Vicinity Map
 - B. Tentative Replat Plan
 - C. Development Services Memo

Vicinity Map

676 17th Street SE



Legend

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools

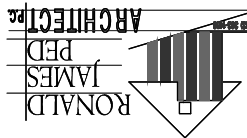
Parks

CITY OF Salem
AT YOUR SERVICE
Community Planning and Development

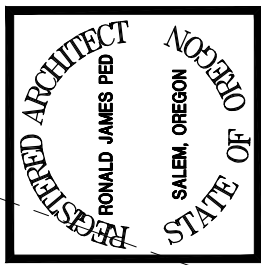
This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

0 100 200 400 Feet





REV 1 - 04.09.24
REV 2 - 05.24.24



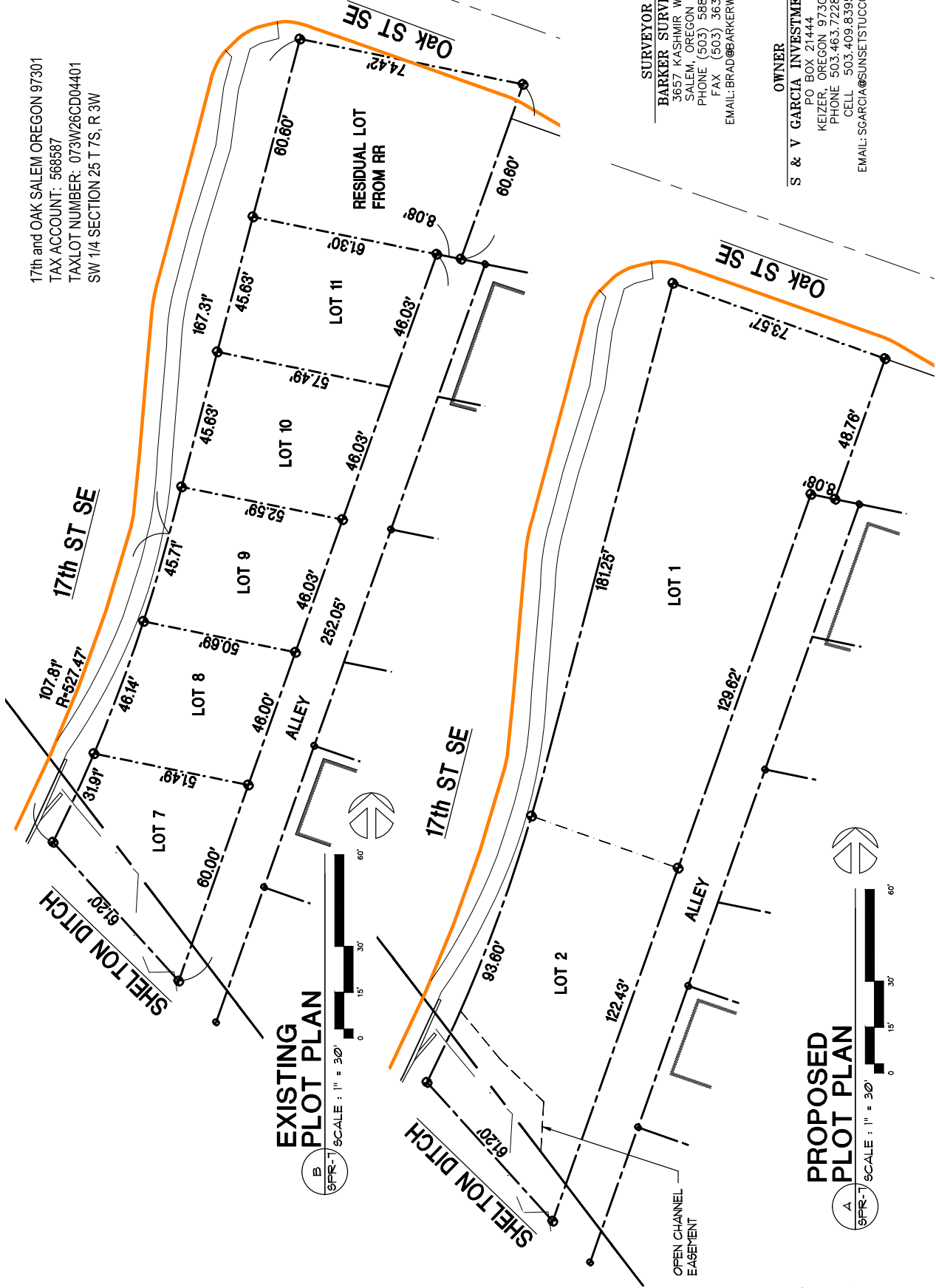
REPLAT
NEW APARTMENTS FOR
SERVANDO GARCIA
17th and OAK, SALEM OR 97301

DATE: 02-07-2024
DRAWN: TB
JOB NO.: 2169

SPR-7

SURVEYOR
BARKER SURVEYING
3657 KASHMIR WAY SE
SALEM, OREGON 97317
PHONE (503) 588-8800
FAX (503) 363-2469
EMAIL: BRAD@BARKERWILSON.COM

OWNER
S & V GARCIA INVESTMENTS LLC
PO BOX 21444
KEIZER, OREGON 97307
PHONE 503.463.7228
CELL 503.409.8395
EMAIL: SGARCIA@SUNSETSTUCCO.COM



17th and OAK SALEM OREGON 97301
TAX ACCOUNT: 568587
TAXLOT NUMBER: 073W26CD04401
SW 1/4 SECTION 25 T 7S, R 3W

**EXISTING
PLOT PLAN**

SPR-7 SCALE: 1" = 30'

**PROPOSED
PLOT PLAN**

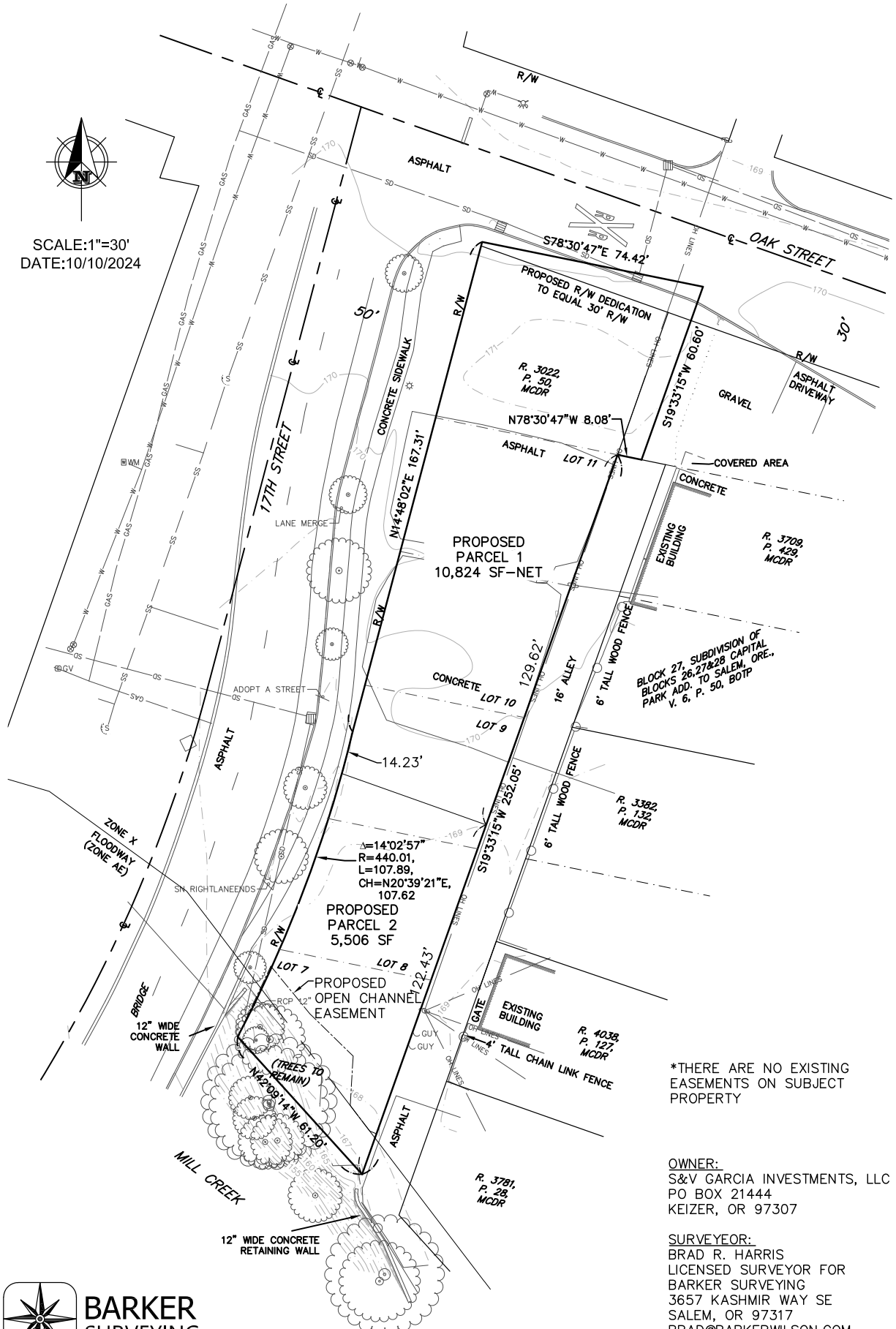
SPR-7 SCALE: 1" = 30'

PROPOSED RE-PLAT

LOCATED IN THE S.W. 1/4 OF SECTION 26, T. 7 S., R. 3 W., W.M.
CITY OF SALEM, MARION COUNTY, OREGON



SCALE:1"=30'
DATE:10/10/2024



BARKER
SURVEYING



MEMO

TO: Peter Domine, Planner II
Community Planning and Development Department

FROM: Aaron Panko, Infrastructure Planner III
Community Planning and Development Department

DATE: March 3, 2025

SUBJECT: **Infrastructure Memo**
REP-ADJ25-02 (24-121236-PLN)
676 17th Street SE
A Replat to Consolidate Six Lots into Two Parcels

PROPOSAL

A Tentative Replat Plan to create two parcels from six discrete units of land. The consolidated application includes two Class 2 Adjustments to reduce the minimum lot depth for proposed Parcel 2 from 80 feet to 51.5 feet and to reduce the minimum lot area from 6,000 square feet to 5,506 square feet. The subject property is 0.4-acres in size, zoned RM-II (Multiple Family Residential II) and located at 676 17th Street SE (Marion County Assessors Map and Tax Lot 073W26CD / 4401).

RECOMMENDED CONDITIONS OF PLAT APPROVAL

1. Prior to issuance of a building permit for development on each parcel, the applicant shall submit a revised utility plan demonstrating how each proposed parcel is independently served by sanitary sewer service, water service lines, and water meters as required by SRC 72.091 (Water Service Connections) and SRC 73.065 (Sanitary Service Connections).
2. Prior to issuance of a building permit for development on the properties which includes a common shared stormwater system, the applicant shall record a Shared Stormwater System Agreement which is in compliance with SRC 802.040.
3. Prior to final plat, all necessary (existing and proposed) access and utility easements must be shown and recorded on the final plat.

EXISTING CONDITIONS – INFRASTRUCTURE

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

Streets			
Street Name		Right-of-way Width	Improvement Width
17 th Street SE (Minor Arterial)	Standard:	72-feet	46-feet
	Existing Condition:	92-to-108-feet	62-to-72-feet
Oak Street SE (Local)	Standard:	60-feet	30-feet
	Existing Condition:	50-to-60-feet	42-feet
Unnamed Alley	Standard:	10-to-20-feet	10-to-20-feet
	Existing Condition:	16-feet	Unimproved

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

Utilities & Parks	
Type	Existing Conditions
Water	Water Service Level: G-0
	A 4-inch water main is located in 17 th Street SE.
	An 8-inch water main is located in Oak Street SE.
Sanitary Sewer	An 8-inch sanitary sewer main is located in 17 th Street SE.
Storm Drainage	A 12-inch storm main is located in 17 th Street SE and Oak Street SE.
Parks	The proposed development is served by Aldrich Park one-quarter mile north of the subject property.

DECISION CRITERIA

SRC 205.025(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 205.025(d)(1): The tentative replat does not propose to vacate any public street or road, or any recorded covenants or restrictions.

Finding: The replat does not propose to vacate any of the public streets that abut the property or any recorded covenants or restrictions. This criterion is met.

SRC 205.025(d)(3): The tentative replat complies with the standards of this Chapter and with all applicable provisions of the UDC.

Finding: As proposed and conditioned in the findings within the memo, the development meets all the applicable standards in the UDC 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 601 – Floodplain:

Development in the floodplain shall be regulated to preserve and maintain the capability to the floodplain to convey the flood water discharges and to minimize danger to life and property.

Finding: The subject property is designated on the Federal Emergency Management Agency (FEMA) floodplain maps as a Zone "AE" floodplain and floodway. Development within the floodplain requires a floodplain development permit and is subject to the requirements of SRC Chapter 601, including elevation of new structures to a minimum of one foot above the base flood elevation. See SPR-ADJ-DAP-DR24-27 for specific floodplain development requirements for this property.

SRC Chapter 802 – Public Improvements:

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: Development Services has reviewed the proposal for compliance with the City's public facility plans pertaining to the provision of water, sewer, and storm drainage facilities and determined that such facilities are available and appear to be adequate to serve the subject property in conformance with the requirements of SRC Chapter 802 (Public Improvements).

SRC 802.040 permits private stormwater, wastewater, and water systems under certain circumstances. The proposed development does not meet the approval criteria for private water or sanitary sewer systems in SRC 802.040. As such, each proposed parcel is required to be individually served with water and sewer services (SRC 72.091 (Water Service Connections) and SRC 73.065 (Sanitary Service Connections)). The proposed tentative plan shows the three proposed buildings on both parcels being served by one water meter along Oak Street SE and a combined sanitary sewer service line discharging to a sewer main in 17th Street SE. As a condition of approval, each parcel shall have an independent water service and meter, and sanitary sewer lines.

Condition: Prior to issuance of a building permit for development on each parcel, the applicant shall submit a revised utility plan demonstrating how each proposed parcel is independently served by sanitary sewer service, water service lines, and water meters as required by SRC 72.091 (Water Service Connections) and SRC 73.065 (Sanitary Service Connections).

SRC 802.040 allows for the development of shared stormwater systems. As shown on the applicant's utility plan, the proposal includes a shared stormwater management system. Per SRC 802.040(c)(2) the applicant shall record a Shared Stormwater System Agreement which provides the required conditions listed in SRC 802.040.

Condition: Prior to issuance of a building permit for development on the properties which includes a common shared stormwater system, the applicant shall record a Shared Stormwater System Agreement which is in compliance with SRC 802.040.

SRC Chapter 803 – Street and Right-of-way Improvements:

Finding: Pursuant to SRC Chapter 803.040, replat applications do not trigger boundary street improvements or right-of-way dedications. Development Services has reviewed the proposal for compliance with the City's public facility plans pertaining to the provision of streets and determined that such facilities are available and appear to be adequate to serve the subject property in conformance with SRC Chapter 803 (Streets and Right-of-Way Improvements).

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: The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and/or hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands 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.

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 2-point landslide hazard areas on the subject property. The proposed activity of a multi-family development adds 2 activity points to the proposal, which results in a total of 4 points. Therefore, the proposed development is classified as a low landslide risk and no additional information is required.

SRC 205.025(d)(4): The tentative replat complies with all applicable provisions of ORS Chapter 92.

Finding: The applicant shall provide the required field survey and subdivision replat as per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and the SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and pursuant to SRC 205.035, the approval of the replat plat by the City Surveyor may be delayed or denied based on the non-compliant violation. The City Surveyor will confirm ORS 92 compliance as part of the final plat mylar review.

SRC 205.025(d)(6): The tentative replat does not adversely affect the availability of, or access to, City infrastructure or public or private utilities or streets.

Finding: Development Services has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are existing, and appear to be adequate to serve the proposed replat as conditioned. Private utility easements for private water and stormwater services serving the proposed complex are required to be identified on the final plat.

As shown on the applicant's utility plans, there are utilities crossing property lines. A private utility easement is required for the water line crossing proposed Parcel 1 to serve proposed Parcel 2. A private stormwater easement is required crossing proposed Parcel 2 for the private stormwater facility on Parcel 1.

The subject property abuts 17th Street SE to the west and Oak Street SE to the north. Direct access for the subject property will not be permitted onto 17th Street SE, the approved site plan (SPR-ADJ-DAP24-27) indicates that vehicle access for the complex will be provided via Oak Street SE and the abutting public alley to the Driveway access to Oak Street is located on proposed Parcel 1, an access easement shall be provided for the benefit of proposed Parcel 2. All necessary access and private utility easements shall be shown on the final plat.

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

Prepared by: Aaron Panko, Infrastructure Planner III
cc: File