
MEMO

To: File for CU-PAR-SPR-ADJ 25-03 (25-124417-PLN)

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



Subject: Development Services Written Findings
New drive-through oil change business
3271 Lancaster Drive NE

PARTITION DECISION CRITERIA

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

SRC 205.005(d)(1): The tentative partition plan complies with the standards of this chapter and with all applicable provisions of the UDC:

❖ CITY PLATTING STANDARDS

SRC Chapter 205 – Land Division and Reconfiguration

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

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

❖ CITY UTILITY INFRASTRUCTURE STANDARDS

Code authority references are abbreviated in this document as follows: *Salem Revised Code* (SRC); *Public Works Design Standards* (PWDS); *Salem Transportation System Plan* (Salem TSP); and *Stormwater Management Plan* (SMP).

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

Utilities	
Type	Existing Conditions
Water	Water Service Level: G-0
	A 12-inch water main is located in Lancaster Drive NE
Sanitary Sewer	A 12-inch sanitary sewer main is located in Lancaster Drive NE
Storm Drainage	A 24-inch storm main is located in an easement on abutting property to the west

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

SRC Chapter 200 – Urban Growth Management

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

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

▪ Acquisition of property, easements, and right-of-way:

SRC 200.050(d) requires that right-of-way dedicated to the City be free of encumbrances and liens.

Finding: As described in the analysis of SRC Chapter 803 below, right-of-way dedication is required along Lancaster Drive NE. There is an existing electrical vault, electrical transformer, and communication riser along Lancaster Drive NE. Based on the information provided, it is unclear whether or not these power facilities are located in an existing easement on the subject property. As a condition of approval, the applicant shall ensure required right-of-way is unencumbered, obtain quitclaims from private utility owners where there are conflicts, or receive an adjustment to this standard per SRC

200.050(d).

Condition: Prior to final plat approval, required right-of-way dedications and required easements shall be free and clear of encumbrances and liens unless an adjustment to SRC 200.050(d) is approved.

SRC Chapter 71 – Stormwater

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

Finding: Pursuant to SRC 71.080, land divisions are required to provide stormwater flow control facilities and treatment facilities that are sized to serve the entire land division under fully developed conditions. The applicant proposes to develop Parcel A with an oil change facility, for which a Site Plan Review is consolidated with this application. Proposed Lot b will be developed in the future. To demonstrate the proposed lots can meet the requirement of SRC Chapter 71 and the Public Works Design Standards (PWDS), the applicant shall submit a tentative stormwater design prior to final plat approval at time of development on each lot.

Condition: At time of development on each lot, provide an engineered stormwater design pursuant to SRC 71 and the Public Works Design Standards to accommodate new impervious surfaces at time of development.

SRC Chapter 802 – Public Improvements

▪ *Development to be served by City utilities:*

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

Finding: Public water, sanitary sewer, and stormwater infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary utility plan. At time of development on each lot, individual connections to the public system will be provided for the development proposed at that time.

❖ CITY STREET AND RIGHT-OF-WAY STANDARDS

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

Streets

Street Name		Right-of-way Width	Improvement Width
Lancaster Drive NE (Major Arterial)	Standard:	96-feet	68-feet
	Existing Condition:	Variable 80-90-feet	68-feet

SRC 803 – Street and Right-of-way Improvements

▪ *Boundary Street Improvements*

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

Finding: Lancaster Drive NE abuts the subject property and is classified as a major arterial street according to the Salem Transportation System Plan (TSP). Lancaster Drive NE meets the minimum pavement width standard of 68-feet established in SRC 803.025 but does not meet minimum right-of-way width standards for a major arterial street. The ultimate right-of-way width for a major arterial street is 96 feet according to SRC 803.025 Table 803-1 (Right-of-way Width). As a condition of approval per SRC 803.040(a)(2), the applicant shall dedicate 48-feet from the centerline of Lancaster Drive NE.

Condition: On the final plat, convey land for dedication to equal a half-width right-of-way of 48-feet on the development side of Lancaster Drive NE.

▪ *Sidewalks*

Street Standards require that all streets be improved with sidewalks. These standards also require that sidewalks shall be located parallel to and one foot from the adjacent right-of-way (SRC 803.035(l)(2)(A)) and that sidewalks be five feet in width (SRC 803.035(l)(2)(C)).

Finding: There is an existing curbline sidewalk constructed along the Lancaster Drive NE frontage that is in good condition. SRC Chapter 803 requires sidewalk to be constructed at the property line, however, there are existing underground private utilities in this area creating a conflict. In addition, following the dedication of additional right-of-way along Lancaster Drive NE, there will be approximately two feet of land between the existing sidewalk and the property line. Requiring the sidewalk to be moved to the property line will result in a landscape strip less than two feet in width, which is not wide enough to plant street trees. Per SRC 803.035(l)(2)(B), due to this conflict, the existing curbline sidewalk can remain.

▪ ***Street Trees***

Pursuant to SRC 803.035(k) and SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible.

Finding: Following the dedication of additional right-of-way along Lancaster Drive NE, there will be approximately two feet of land between the sidewalk and the property line, this does not leave enough planting space available in the planter strip for the installation of street trees; therefore, street trees are not required to be planted with development of Proposed Parcel 1.

▪ ***Public Utility Easements***

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

Finding: Public Utility Easements are required along Lancaster Drive NE where they do not currently exist per SRC 803.035(n). As a condition of approval, the applicant shall dedicate a 10-foot-wide PUE along the street frontage of Lancaster Drive NE.

Condition: On the final plat, provide a 10-foot-wide public utility easement along the frontage of Lancaster Drive NE on the final plat.

SRC Chapter 804 – Driveway Approaches

SRC 804 establishes development standards for driveway approaches providing access from the public right-of-way to private property in order to provide safe and efficient vehicular access to development sites.

Finding: The development site is served by an existing driveway approach onto Lancaster Drive NE. The existing driveway approach serving the site meets applicable sections of SRC Chapter 804 and does not warrant modification.

SRC 804.035(a) provides that driveway approaches onto arterial streets are permitted where they provide shared access between two or more abutting properties. The applicant's tentative partition plan indicates that the existing driveway approach to Lancaster Drive NE will be shared between proposed Parcels 1 and 2. Prior to final plat approval, the applicant shall provide a shared access easement between Parcels 1 and 2 for the driveway approach to Lancaster Drive NE.

Condition: On the final plat, provide a shared access easement between Parcels 1 and 2 for the driveway approach to Lancaster Drive NE.

Environmental Factors

SRC Chapter 601 – Floodplain

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

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

SRC Chapter 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. Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

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 no mapped landslide hazard areas on the subject property.

SRC 205.005(d)(2): The tentative partition plan does not impede future access to adjacent land.

Finding: The subject property is approximately 0.64 acres in size and is currently vacant. Abutting land to the north, south and west is fully developed. The proposed partition results in the create of two parcels that will utilize an existing shared driveway approach to Lancaster Drive NE to provide vehicular access to each parcel. The tentative partition does not impede access to abutting land. This criterion is met.

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

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

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

Finding: As described in the findings above, the subject property is located adjacent to Lancaster Drive NE, which is classified as a major arterial street under the City's Transportation System Plan (TSP). Conditions of approval established with the partition decision will require dedication of additional right-of-way along Lancaster Drive NE to comply with minimum requirements, no other improvements along Lancaster Drive NE are warranted with this application. This criterion is met.

SRC 205.005(d)(5): When the tentative partition plan is for property located more than 300 feet from an available sewer main, and the property will not connect to City water and sewer:

- (A) The property is zoned residential;***
- (B) The property has received a favorable site evaluation from the county sanitarian for the installation of an on-site sewage disposal system; and***
- (C) The proposed parcels are at least five acres in size and, except for flag lots, have no dimension that is less than 100 feet.***

Finding: The site is served by available public water and sewer; therefore, this criterion is not applicable.

SITE PLAN REVIEW DECISION CRITERIA

The following Code references indicate 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 220.005(f)(3)(A): The application meets all applicable standards of the UDC (Unified Development Code)

Finding: As proposed and conditioned in the findings within the decision, the development meets all the applicable standards in the UDC as follows:

❖ CITY INFRASTRUCTURE STANDARDS

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

Utilities	
Type	Existing Conditions
Water	Water Service Level: G-0
	A 12-inch water main is located in Lancaster Drive NE
Sanitary Sewer	A 12-inch sanitary sewer main is located in Lancaster Drive NE
Storm Drainage	A 24-inch storm main is located in an easement on abutting property to the west

SRC Chapter 200 – Urban Growth Management

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

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

SRC Chapter 71 – Stormwater

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

Finding: The proposed development is subject to SRC Chapter 71 and the Public Works Design Standards that require the use of Green Stormwater Infrastructure (GSI) to treat and detain stormwater generated from the development. The proposed plan demonstrates compliance with PWDS Appendix 4E related to green stormwater infrastructure by setting aside at least ten percent of the total new impervious surface area for installation of green stormwater infrastructure. The applicant's engineer shall design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

Condition: Design and construct a storm drainage system at the time of development in compliance with *Salem Revised Code* (SRC) Chapter 71 and *Public Works Design Standards* (PWDS).

SRC Chapter 802 – Public Improvements

- ***Development to be served by City utilities:***

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

Finding: Public water, sanitary sewer, and stormwater infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary utility plan. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the Public Works Design Standards (PWDS) and to the satisfaction of the Public Works Director. The applicant is advised that a sewer monitoring manhole may be required, and the trash area shall be designed in compliance with Public Works Standards.

▪ ***Easements:***

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

Finding: The applicant's site plan shows a stormwater discharge for the proposed Green Stormwater Infrastructure (GSI) facility crossing over neighboring property to the west and draining to a public stormwater main that is located on private property. Prior to building permit issuance, the applicant shall obtain a private storm drain easement on abutting property to the west to connect the proposed GSI to a public stormwater main located on private property.

Condition: Prior to building permit issuance, the applicant shall obtain a private storm drain easement on abutting property to the west to connect the proposed Green Stormwater Infrastructure to a public stormwater main located on private property.

❖ **CITY STREET AND RIGHT-OF-WAY STANDARDS**

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

Streets			
Street Name		Right-of-way Width	Improvement Width
Lancaster Drive NE (Major Arterial)	Standard:	96-feet	68-feet
	Existing Condition:	Variable 80-90-feet	68-feet

SRC 803 – Street and Right-of-way Improvements

▪ ***Boundary Street Improvements***

Pursuant to SRC 803.025, except as otherwise provided in this chapter, right-of-way

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

Finding: Lancaster Drive NE abuts the subject property and is classified as a major arterial street according to the Salem Transportation System Plan (TSP). Lancaster Drive NE meets the minimum pavement width standard of 68-feet established in SRC 803.025 but does not meet minimum right-of-way width standards for a major arterial street. The ultimate right-of-way width for a major arterial street is 96 feet according to SRC 803.025 Table 803-1 (Right-of-way Width). As a condition of approval of the tentative partition, the applicant is required to dedicate right-of-way equal to 48-feet from the centerline of Lancaster Drive NE.

SRC Chapter 804 – Driveway Approaches

SRC 804 establishes development standards for driveway approaches providing access from the public right-of-way to private property in order to provide safe and efficient vehicular access to development sites.

Finding: The development site is served by an existing driveway approach onto Lancaster Drive NE that will be shared between proposed Parcels 1 and 2. The existing driveway approach serving the site meets applicable sections of SRC Chapter 804 and does not warrant modification.

SRC Chapter 805 – Vision Clearance

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

Finding: The proposal buildings and structures do not cause a vision clearance obstruction per SRC Chapter 805, the vision clearance standards established in SRC Chapter 805 are met.

❖ ENVIRONMENTAL FACTORS

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

SRC Chapter 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. Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

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 no mapped landslide hazard areas on the subject property.

SRC 220.005(f)(3)(B): The transportation system into and out of the proposed development conforms to all applicable city standards.

Finding: Access to the proposed development will be provided by the network of existing public streets that surround the property. The street system in and adjacent to the development will provide for the safe, orderly, and efficient circulation of traffic to and from the development. This criterion is met.

SRC 220.005(f)(3)(C): The proposed development mitigates impacts to the transportation system consistent with the approved traffic impact analysis, where applicable.

Finding: The proposed drive-through oil change facility generates less than 1000 average daily vehicle trips to the arterial street system. Therefore, a TIA is not required

as part of the development submittal per SRC 803.015(b)(1). This criterion is not applicable.

SRC 220.005(f)(3)(D): The proposed development will be served with City water, sewer, storm drainage, and other utilities.

Finding: The Development Services Division reviewed the proposal and determined that water, sewer, and storm infrastructure are available and appear to be adequate to serve the lots within the proposed development, subject to the conditions of approval established in this decision. This approval criterion is met.