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**503-588-6173**

## DECISION OF THE PLANNING ADMINISTRATOR

**CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT / TREE VARIANCE / CLASS 2 DRIVEWAY APPROACH PERMIT CASE NO.: SPR-ADJ-TRV-DAP25-16**

**APPLICATION NO.: 25-106682-PLN**

**NOTICE OF DECISION DATE:** July 16, 2025

**REQUEST:** A Class 3 Site Plan Review for the development of a new 62,000 square foot building addition to an existing warehousing and distribution use. The proposal includes three Class 2 Driveway Approach Permits for new driveway access onto Oxford Street SE and Lewis Street SE, and three Class 2 Adjustments to:

- 1) Provide a striped-only pedestrian connection between each building on the development site, per SRC 800.065(b);
- 2) To the vision clearance area for a driveway onto Lewis Street SE, per SRC 805.015;
- 3) To reduce the minimum required amount of bicycle parking spaces, per SRC 806.055.

The consolidated application also includes two Tree Variances to remove two maple trees 36 and 37-inches dbh (diameter at breast height). The development site consists of multiple properties totaling approximately 29.86 acres in size, zoned IG (General Industrial) and generally located at 1805 Oxford Street SE (Marion County Assessor's Map and Tax Lot Numbers 073W35BD / 100; 200; 300; 500; 600; 700; 900; 1000; 1100; 1200; 1400)

**APPLICANT:** Salem Watumull LLC (Watumull Properties Corp., Steven Klein), represented by Britany Randall, BRAND Land Use

**LOCATION:** 1805 Oxford St SE, Salem OR 97302

**CRITERIA:** Salem Revised Code (SRC) Chapters 220.005(f)3) – Class 3 Site Plan Review; 250.005(d)(2) – Class 2 Adjustment; 808.045(d)(2) – Tree Variance; 804.025(d) – Class 2 Driveway Approach Permit

**FINDINGS:** The findings are in the attached Decision dated July 16, 2025.

**DECISION:** The **Planning Administrator APPROVED** Class 3 Site Plan Review / Class 2 Adjustment / Tree Variance / Class 2 Driveway Approach Permit Case No. SPR-ADJ-TRV-DAP25-16 subject to the following conditions of approval:

**Condition 1:** The applicant shall submit a notice of construction for the proposed development to the Oregon Department of Aviation (ODAV) and provide the resulting aeronautical determination letter from ODAV prior to the approval of building permits.

**Condition 2:** The applicant shall complete the final plat and record of survey for the

property line adjustment approved under REP-PLA25-04. The plat and record of survey shall be recorded prior to issuance of any building permits required for construction on the site, including for civil site work permits, except the final plat is not necessary prior to the issuance of Erosion Control, Clearing and Grubbing, Grading, and Public Works permits.

- Condition 3:** At time of building permit review, provide a complete landscaping plan meeting the Type A landscaping standards of SRC 807.
- Condition 4:** At the time of building permit, provide a lighting plan demonstrating conformance with SRC 800.060 and SRC 800.065(c).
- Condition 5:** At time of building permit, provide detailed plans of required bicycle parking meeting the development standards of SRC 806.060.
- Condition 6:** 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).
- Condition 7:** Prior to issuance of a Certificate of Occupancy, construct a half-street improvement along the frontage of Oxford Street SE to collector street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.
- Condition 8:** Prior to issuance of a Certificate of Occupancy, construct a half-street improvement along the frontage of Lewis Street SE to local street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.
- Condition 9:** Prior to issuance of a Certificate of Occupancy, construct a 5-foot-wide property line sidewalk along the development frontage of 20<sup>th</sup> Street SE.
- Condition 10:** Prior to issuance of a certificate of occupancy, install street trees to the maximum extent feasible along Oxford Street SE and Lewis Street SE.
- Condition 11:** Prior to issuance of any construction permits for the proposed development, the applicant shall obtain a Floodplain Development Permit in accordance with SRC Chapter 601.
- Condition 12:** Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.075.
- Condition 13:** The adjusted development standards for pedestrian connections, vision clearance, and required bicycle parking, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.

The rights granted by the attached decision must be exercised, or an extension granted, by the following expiration dates, or this approval shall be null and void:

Class 3 Site Plan Review:	<u>August 1, 2029</u>
Class 2 Adjustment:	<u>August 1, 2029</u>
Tree Variance:	<u>August 1, 2027</u>
Class 2 Driveway Approach Permit:	<u>August 1, 2029</u>
Application Deemed Complete:	<u>May 29, 2025</u>
Notice of Decision Mailing Date:	<u>July 16, 2025</u>
Decision Effective Date:	<u>August 1, 2025</u>
State Mandate Date:	<u>September 26, 2025</u>

Case Manager: Peter Domine, [pdomine@cityofsalem.net](mailto: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, in person at 440 Church St SE, Salem OR 97312, by mail, P.O. Box 14300 Salem, OR 97309, or by email at [planning@cityofsalem.net](mailto:planning@cityofsalem.net), no later than 5:00 p.m., July 31, 2025. 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 220, 250, 804 and 808. 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 Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer 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, 440 Church St SE, Salem, 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	)	FINDINGS & ORDER
CLASS 3 SITE PLAN REVIEW	)	
CLASS 2 ADJUSTMENT,	)	
TREE VARIANCE PERMIT AND	)	
CLASS 2 DRIVEWAY APPROACH PERMIT,	)	
CASE NO. SPR-ADJ-TRV-DAP25-16	)	
1805 OXFORD STREET SE	)	JULY 16, 2025

In the matter of the applications for Class 3 Site Plan Review, Class 2 Adjustments, Tree Variance Permits and Class 2 Driveway Approach Permits, submitted by Britany Randall of Brand Land Use, on behalf of the applicant and property owner, Salem Watumull, LLC, 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:** Development of a building addition to an existing complex.

**Request:** A Class 3 Site Plan Review for the development of a new 62,000 square foot building addition to an existing warehousing and distribution use. The proposal includes three Class 2 Driveway Approach Permits for new driveway access onto Oxford Street SE and Lewis Street SE, and three Class 2 Adjustments to:

- 1) Provide a striped-only pedestrian between each building on the development site, per SRC 800.065(b);
- 2) To the vision clearance area for a driveway onto Lewis Street SE, per SRC 805.015;
- 3) To reduce the minimum required amount of bicycle parking spaces, per SRC 806.055.

The consolidated application also includes two Tree Variances to remove two maple trees 36 and 37-inches dbh (diameter at breast height). The development site consists of multiple properties totaling approximately 29.86 acres in size, zoned IG (General Industrial) and generally located at 1805 Oxford Street SE (Marion County Assessor's Map and Tax Lot Numbers 073W35BD / 100; 200; 300; 500; 600; 700; 900; 1000; 1100; 1200; 1400).

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 March 25, 2025, an application for Class 3 Site Plan Review, Class 2 Adjustments, Class 2 Driveway Approach Permit and Tree Variance permits was filed for the proposed development. After additional information was provided, the applications were deemed complete for processing on May 29, 2025. The 120-day state mandated decision deadline for this consolidated application is September 26, 2025.

The applicant's proposed site plan is included as **Attachment B** and the applicant's written statement addressing the approval criteria can be found in the record, accessible 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: 25 106682.

### **3. Neighborhood Association and Public Comments**

The subject property is located within the boundaries of the Southeast Salem Neighborhood Association (SESNA).

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 require neighborhood association contact. On March 14, 2025, the applicant's representative contacted the neighborhood association to provide details about the proposal in accordance with the requirements of the SRC.

Neighborhood Association Comment: Notice of the application was provided to the neighborhood association pursuant to SRC 300.520(b)(1)(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 completion of this staff report, no comments have been received from the neighborhood association.

Homeowners Association: The subject property is not located within a Homeowners Association.

Public Comment: Notice was also provided, pursuant to SRC 300.520(b)(1)(B)(iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property. As of the date of completion of this staff report, two comments were received from the surrounding property owners and tenants, summarized below.

*Concerns regarding the existing gated access to the terminus of Howard Street SE.*

**Staff Response:** The access at the terminus of Howard Street SE is not a permitted driveway approach and the application does not include a driveway approach to alter the access to the site from Howard Street SE. As such, boundary street improvements are not warranted at this area of the development site, only along the frontage of the new building addition at Lewis and Oxford streets.

*Concerns regarding traffic flow for semi-trucks in and out of the property.*

**Staff Response:** As addressed in the findings below, the proposed building addition generates less than 200 average daily vehicle trips to the Local Street system and less than 1,000 average daily vehicle trips onto the Collector Street system. As such, a TIA is not required as part of the development submittal per SRC 803.015(b)(1). As addressed in the findings below, the transportation system will not be negatively impacted by the proposed development.

#### **4. City Department Comments**

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

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

Fire Department: Reviewed the proposal and indicated *Fire Department access and water supply are required per the Oregon Fire Code and will be evaluated at the time of building permit plan review.*

**Staff Response:** The applicant is responsible for addressing these comments during the building permit process. The configuration of the buildings and parking area may be modified, if necessary, to meet the Building and Safety Department and Fire Department standards, provided that the modifications meet all applicable development standards and conditions of approval.

#### **5. Public Agency Comments**

Oregon Department of Aviation (ODAV): Reviewed the proposal and provided the following comment:

In accordance with FAR Part 77.9 and OAR 738-070-0060, the proposed development may be required to undergo aeronautical evaluations by the FAA and ODAV. The applicant can use the FAA's [Notice Criteria Tool](#) to determine which proposed structures (including cranes or other tall equipment used during development or maintenance) warrant a *notice of construction*, including any cranes or other tall construction equipment used during development or maintenance. If so, they are required to provide separate notices of construction to both the FAA and ODAV. The applicant should receive the resulting aeronautical determination letters from the FAA and ODAV prior to approval of any building permits.

**Staff Response:** The subject property is located within the horizontal surface zone of the City's Airport Overlay Zone. The purpose of the Airport Overlay Zone is to promote air navigational safety and prevent hazards and obstructions to air navigation and flight. Because comments provided by the Oregon Department of Aviation (ODAV) indicate that aeronautical evaluations are required by both the FAA and ODAV, the following condition of approval shall apply to ensure that the required aeronautical evaluation is conducted by ODAV prior to development, in accordance with OAR 738-070-0060:

**Condition 1:** The applicant shall submit a notice of construction for the proposed development to the Oregon Department of Aviation (ODAV) and provide the resulting aeronautical determination letter from ODAV prior to the approval of building permits.

## **DECISION CRITERIA FINDINGS**

### **6. Analysis of Class 3 Site Plan Review Approval Criteria**

Salem Revised Code (SRC) 220.005(f)(3) provides that an application for a Class 3 Site Plan Review 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 220.005(f)(3)(A): The application meets all applicable standards of the UDC.***

**Finding:** The proposal is for development of a new 62,000 square foot addition to an existing building and associated site improvements. The development site is 29.86 acres in size and zoned IG (General Industrial); therefore, the proposed development is subject to the use and development standards of the IG (General Industrial) zone, SRC Chapter 554. The proposal also includes three Class 2 Driveway Approach Permits for new access onto Oxford Street SE and Lewis Street SE, three Class 2 Adjustments, and two Tree Variances to remove two maple trees 36 and 37-inches dbh (diameter at breast height). The proposed development conforms to SRC Chapter 554 and all other applicable development standards of the UDC and Salem Revised Code as follows.

## **ZONING AND DEVELOPMENT STANDARDS**

### ***SRC Chapter 554 – IG (General Industrial) Zone***

#### ***SRC 554.005(a) – Uses***

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the IG zone are set forth in Table 554-1.

**Finding:** The proposal is for the construction of a 62,00 square foot building addition on a site serving an existing *warehousing and distribution use*, which is an outright permitted use in the IG zone. This standard is met.

#### ***SRC 554.050(b) – Continued Uses***

Existing single and two-family uses, other than manufactured dwellings, within the IG zone constructed prior to February 1, 1983, but which would otherwise be made nonconforming by this chapter, are hereby deemed continued uses.

**Finding:** The proposal does not include a continued use; therefore, this section is not applicable.

*SRC 554.010(a) – Lot Standards*

Lots within the IG zone shall conform to the standards set forth in Table 554-2.

**Finding:** The proposal includes development of a new building across multiple underlying lots. The development site is comprised of Lots 1 through 12 of Block 3 Lafky's Addition to Salem. The development site was recently approved of a Tentative Replat and Property Line Adjustment, Case REP-PLA25-04, to consolidate the lots and combine it with the main property (tax lot 2800) for one development site totaling approximately 29.86 acres in size. This consolidated site plan review application is being reviewed as if the proposed replat and property line adjustment are complete, and the development site consists of one property. Because the replat and property line adjustment have not been recorded, to ensure the proposed replat and property line adjustment will be completed so as property lines do not encumber the proposed development, the following condition of approval shall apply.

**Condition 2:** The applicant shall complete the final plat and record of survey for the property line adjustment approved under REP-PLA25-04. The plat and record of survey shall be recorded prior to issuance of any building permits required for construction on the site, including for civil site work permits, except the final plat is not necessary prior to the issuance of Erosion Control, Clearing and Grubbing, Grading, and Public Works permits.

There is no minimum lot size, lot width or lot depth for all uses in the IG zone. The minimum street frontage requirement for all uses other than single family is 16 feet. The existing lot has more than 16 feet of frontage on Oxford Street SE to the south, 14<sup>th</sup> Street SE to the west, and after the proposed replat and property line adjustment are completed, more than 16 feet of frontage along 20<sup>th</sup> Street SE. As conditioned, once consolidated into one development site, the lot complies with the minimum lot standards of the IG zone, and no changes to the lot size or dimensions are proposed with this application. This standard is met.

*SRC 554.010(b) – Setbacks*

Setbacks within the IG zone shall be provided as set forth in Table 554-3 and Table 554-4.

*Abutting Street*

**North / South / East / West:** Adjacent to the south is right-of-way for Oxford Street SE; to the east, 20<sup>th</sup> Street SE, as well as the terminus of Howard Street SE and Lewis Street SE, and to the west, 14<sup>th</sup> Street SE. Buildings and accessory structures abutting a street require a minimum five-foot setback. Vehicle use areas adjacent to a street require a minimum six-to-ten-foot setback per SRC Chapter 806.

**Finding:** The proposed building addition is setback five feet from Lewis Street SE to the north; 15 feet from 20<sup>th</sup> Street SE to the east; and between 78 and 11 feet to Oxford Street SE to the south. The proposed building addition is more than 1,000 feet from 14<sup>th</sup> Street SE to the west. No new vehicle use areas or alterations to existing vehicle use areas abutting streets are proposed. This standard is met.



### *Interior Property Lines*

**North:** Adjacent to the north is property zoned IG (General Industrial). In the IG zone, for property abutting IG zoned properties, there is no minimum setback for buildings and vehicle use areas require a minimum setback of five feet.

**Finding:** The site is previously developed with existing buildings and vehicle use areas to the north. The proposed building is setback more than five feet and does not alter the existing development to the north. These standards are met.

### *SRC 554.010(c) – Lot Coverage; Height*

Buildings and accessory structures within the IG zone shall conform to the lot coverage and height standards set forth in Table 554-5.

**Finding:** There is no maximum lot coverage requirement for all uses in the IG zone and the maximum building height allowance is 70 feet. Elevations were not provided; however, the applicant's written statement indicates the proposed building will be less than 70 feet. Building height will be reviewed at time of building permit. The proposal meets the standards.

### *SRC 554.010(d) – Landscaping*

- (1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- (2) *Vehicle Use Areas.* Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.

**Finding:** The development plans indicate that minimum setbacks will be landscaped; however, a complete landscaping plan was not submitted. To ensure the minimum plant units will be provided in the required setbacks, the following condition shall apply.

**Condition 3:** At time of building permit review, provide a complete landscaping plan meeting the Type A landscaping standards of SRC 807.

Landscape and irrigation plans will be further reviewed for conformance with the requirements of SRC Chapter 807 at the time of building permit review.

*SRC 554.010(e) – Industrial performance standards.* Within the IG zone, no land or structures shall be used or occupied unless maintained and operated in continuing compliance with all applicable standards adopted by the Oregon Department of Environmental Quality (DEQ), including the holding of all licenses and permits required by DEQ regulation, local ordinance, state and federal law.

**Finding:** The proposed development is required to comply with all applicable state and federal regulations, including any license and permits that may be required by DEQ.

### ***SRC Chapter 800 – General Development Standards***

#### **▪ Solid Waste Service Areas**

*SRC 800.055(a) – Applicability*

Solid waste service area design standards shall apply to all new solid waste, recycling, and compostable services areas, where use of a solid waste, recycling, and compostable receptacle of 1 cubic yard or larger is proposed.

**Finding:** The proposed development does not include a new solid waste service area; therefore, the standards of SRC 800.055 are not applicable.

▪ ***Pedestrian Access***

*SRC 800.065 – Applicability*

Except where pedestrian access standards are provided elsewhere under the UDC, all developments, other than single family, two family, three family, four family, and multiple family developments, shall include an on-site pedestrian circulation system developed in conformance with the standards in this section. For purposes of this section development means the construction of, or addition to, a building or accessory structure or the construction of, or alteration or addition to, an off-street parking or vehicle use area. Development does not include construction of, or additions to, buildings or accessory structures that are less than 200 square feet in floor area.

**Finding:** The proposal includes development of a new 62,00 square foot building addition to an existing warehouse building; therefore, the pedestrian access standards of SRC Chapter 800 are applicable.

*SRC 800.065(a) – Pedestrian Connections Required*

The on-site pedestrian circulation system shall provide pedestrian connectivity throughout the development site as follows:

*(1) Connection Between Entrances and Streets*

- (A) A pedestrian connection shall be provided between the primary entrance of each building on the development site and each adjacent street. Where a building has more than one primary building entrance, a single pedestrian connection from one of the building's primary entrances to each adjacent street is allowed; provided each of the building's primary entrances are connected, via a pedestrian connection, to the required connection to the street.

**Finding:** The proposed development is for an addition to an existing building which already has a pedestrian connection to Oxford Street SE. The existing building and proposed addition do not include more than one primary entrance requiring additional connections to the street. This standard is met.

- (B) Where an adjacent street is a transit route and there is an existing or planned transit stop along street frontage of the development site, at least one of the required pedestrian connections shall connect to the street within 20 feet of the transit stop.

**Finding:** There is not an existing or planned transit route for any of the adjacent streets; therefore, this standard is not applicable.

*(2) Connection Between Buildings on the same Development Site.*

- (A) Where there is more than one building on a development site, a pedestrian connection, or pedestrian connections, shall be provided to connect the primary building entrances of all of the buildings.

**Finding:** The development site includes multiple buildings, some of which have pedestrian connections and others do not. Due to the nature of the industrial use and safety concerns, the applicant has requested a Class 2 Adjustment to provide striped-only pedestrian connections between each building. Findings for the Adjustment are in Section 7 of this decision.

*(3) Connection Through Off-Street Parking Areas.*

- (A) *Surface parking areas.* Except as provided under subsection (a)(3)(A)(iii) of this section, off-street surface parking areas greater than 25,000 square feet in size, or including four or more consecutive parallel drive aisles shall include pedestrian connections through the parking area to the primary building entrance as provided in this subsection.

**Finding:** The proposed development does not include an off-street surface parking area greater than 25,000 square feet or including four or more consecutive parallel drive aisles; therefore, this standard is not applicable.

- (B) *Parking structures and parking garages.* Where an individual floor of a parking structure or parking garage exceeds 25,000 square feet in size, a pedestrian connection shall be provided through the parking area on that floor to an entrance/exit.

**Finding:** The development site does not include any existing or proposed parking structures or garages; therefore, this standard is not applicable.

*(4) Connection to Existing or Planned Paths and Trails.* Where an existing or planned path or trail identified in the Salem Transportation System Plan (TSP) or the Salem Comprehensive Parks System Master Plan passes through a development site, the path or trail shall:

- (A) Be constructed, and a public access easement or dedication provided; or  
(B) When no abutting section of the trail or path has been constructed on adjacent property, a public access easement or dedication shall be provided for future construction of the path or trail.

**Finding:** There are no planned paths or trails passing through the development site; therefore, this standard is not applicable.

*(5) Connection to Abutting Properties.* Whenever a vehicular connection is provided from a development site to an abutting property, a pedestrian connection shall also be provided. A pedestrian connection is not required, however:

- (A) To abutting properties used for activities falling within the use classifications, use categories, and uses under SRC chapter 400 listed in (i) through (vi).

**Finding:** The development site does not include any vehicular connections to an abutting property; therefore, this standard is not applicable.

***SRC 800.065(b) – Design and materials***

Required pedestrian connections shall be in the form of a walkway, or may be in the form of a plaza.

(1) Walkways shall conform to the following:

(A) Walkways shall be paved with a hard-surface material meeting the Public Works Design Standards and shall be a minimum of five feet in width.

(B) Where a walkway crosses driveways, parking areas, parking lot drive aisles, and loading areas, the walkway shall be visually differentiated from such areas through the use of elevation changes, a physical separation, speed bumps, a different paving material, or other similar method. Striping does not meet this requirement, except when used in a parking structure or parking garage.

(C) Where a walkway is located adjacent to an auto travel lane, the walkway shall be raised above the auto travel lane or separated from it by a raised curb, bollards, landscaping, or other physical separation. If the walkway is raised above the auto travel lane it must be raised a minimum of four inches in height and the ends of the raised portions must be equipped with curb ramps. If the walkway is separated from the auto travel lane with bollards, bollard spacing must be no further than five feet on center.

(2) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.

**Finding:** As addressed above, the applicant has requested a Class 2 Adjustment to provide striped-only pedestrian connections between buildings. Findings for the adjustment are addressed in Section 7 of this decision.

***SRC 800.065(c) – Lighting***

The on-site pedestrian circulation system shall be lighted to a level where the system can be used at night by employees, customers, and residents.

**Finding:** The development plans do not provide any lighting details; however, the applicant's written statement indicates lighting plans will be provided meeting the standards of SRC 800.060. To ensure the lighting meets the standards, the following condition shall apply.

**Condition 4:** At the time of building permit, provide a lighting plan demonstrating conformance with SRC 800.060 and SRC 800.065(c).

***SRC Chapter 806 – Off-Street Parking, Loading, and Driveways***

***SRC 806.015 – Amount Off-Street Parking.***

(a) *Maximum Off-Street Parking.* Except as otherwise provided in this section, and unless otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-1. For the purposes of calculating the maximum amount of off-street parking allowed, driveways shall not be considered off-street parking spaces.

**Finding:** The proposed development does not include any additional off-street parking spaces; therefore, this section is not applicable.

(b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.

**Finding:** The proposal does not include any compact parking spaces for the development site. This standard is met.

- (c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces and falling within the Public Services and Industrial use classifications, and the Business and Professional Services use category, shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.

**Finding:** The proposal does not include uses falling within the Public Services and Industrial use classifications, or the Business and Professional Services use category; therefore, this standard is not applicable.

- (d) *Required electric vehicle charging spaces.* For any newly constructed building with five or more dwelling units on the same lot, including buildings with a mix of residential and nonresidential uses, a minimum of 40 percent of the off-street parking spaces provided on the site for the building shall be designated as spaces to serve electrical vehicle charging. In order to comply with this subsection, such spaces shall include provisions for electrical service capacity, as defined in ORS 455.417.

**Finding:** The proposal does not include any dwelling units; therefore, this standard is not applicable.

▪ ***Off-Street Parking and Vehicle Use Area Development Standards***

*SRC 806.035 – Off-Street Parking and Vehicle Use Area Development Standards.*

- (a) *General Applicability.* The off-street parking and vehicle use area development standards set forth in this section apply to:
- (1) The development of new off-street parking and vehicle use areas;
  - (2) The expansion of existing off-street parking and vehicle use areas, where additional paved surface is added;
  - (3) The alteration of existing off-street parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface; and
  - (4) The paving of an unpaved area.

**Finding:** The proposed development does not include any additional off-street parking spaces, and no changes are proposed to the existing off-street parking or vehicle use areas; therefore, this section is not applicable.

▪ ***Bicycle Parking***

*SRC 806.045 – Bicycle Parking; When Required.*

- (a) *General Applicability.* Bicycle parking shall be provided as required under this chapter for each proposed new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity.
- (b) *Applicability to change of use of existing building in Central Business District (CB), West Salem Central Business District (WSCB), Mixed Use-I (MU-I), Mixed Use-II (MU-II), Mixed Use-III (MU-III), Mixed Use-Riverfront (MU-R), and Edgewater/Second Street Mixed-Use Corridor (ESMU) zone.* Notwithstanding any other provision of this chapter, the bicycle

parking requirements for a change of use of an existing building within the CB, WSCB, MU-I, MU-II, MU-III, MU-R, and ESMU zones where at least 75 percent of the width of the lot at the front setback line is occupied by existing buildings shall be met if there are a minimum of eight bicycle parking spaces located within the public right-of-way of the block face adjacent to the primary entrance of the building. If the minimum number of required bicycle parking spaces are not present within the block face, the applicant shall be required to obtain a permit to have the required number of spaces installed.

- (c) *Applicability to nonconforming bicycle parking area.* When bicycle parking is required to be added to an existing bicycle parking area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

**Finding:** The proposal includes a 62,000 square foot building addition to an existing warehousing and distribution use; therefore, the bicycle parking standards of this section are applicable.

*SRC 806.050 – Proximity of Bicycle Parking to use or Activity Served*

Bicycle parking shall be located on the same development site as the use or activity it serves.

*SRC 806.055 – Amount of Bicycle Parking.*

Unless otherwise provided under the UDC, bicycle parking shall be provided in amounts not less than those set forth in Table 806-9.

**Finding:** The proposal includes the expansion of a *warehousing and distribution* use. Per Table 806-9, a *warehousing and distribution* use requires a minimum of one bicycle parking space per 10,000 square feet for the first 50,000 square feet, plus one space per 20,000 square feet for 50,000 to 100,000 square feet, plus one space per 30,000 square feet for remaining square footage over 100,000 square feet. The development site consists of three existing buildings totaling 559,838 square feet and a building addition with a finished floor area of approximately 58,400 square feet, for a total square footage of 618,282, requiring a total of 25 spaces (1 per 10,000 sq ft for the first 50,000 sq ft = 5; one per 20,000 sq ft between 50,000 and 100,000 sq ft = 2.5; + one per 30,000 sq ft over 100,000 sq ft, or 518,282 sq ft remaining over 100,000 / 30,000 = 17). The applicant has requested a Class 2 Adjustment to reduce the minimum bicycle parking for only those spaces required by the new building, or six spaces. Findings for the adjustment are addressed in Section 7 of this decision.

*SRC 806.060 – Bicycle Parking Development Standards*

Bicycle parking areas shall be developed and maintained as set forth in this section.

(a) *Location.*

- (1) *Short-term bicycle parking.* Short-term bicycle parking areas shall be located within a convenient distance of, and shall be clearly visible from, the primary building entrance. In no event shall bicycle parking areas be located more than 50 feet from the primary building entrance.
  - (2) *Long-term bicycle parking.* Long-term bicycle parking shall be located within a building, or outside of a building, in a well-lighted secure location that is sheltered from precipitation and within a convenient distance of the primary entrance.
- (C) *Long-term bicycle parking for non-residential uses.* Long-term bicycle parking

spaces for non-residential uses shall be located within:

- (i) A restricted access lockable room;
- (ii) A lockable bicycle enclosure; or
- (iii) A bicycle locker.

**Finding:** The development plans do not provide details for the proposed bicycle parking; however, the applicant's written statement indicates these standards will be met at time of building permit. To ensure these standards are met, the following condition shall apply.

**Condition 5:** At time of building permit, provide detailed plans of required bicycle parking meeting the development standards of SRC 806.060.

- (b) *Access.* Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and any barriers, such as curbs or stairs, which would require users to lift their bikes in order to access the bicycle parking area.

**Finding:** As previously conditioned above, these standards will be met at time of building permit review.

- (c) *Dimensions.* All bicycle parking areas shall meet the following dimension requirements:
  - (1) *Bicycle parking spaces.* Bicycle parking spaces shall conform to the minimum dimensions set forth in Table 806-10.
  - (2) *Access aisles.* Bicycle parking spaces shall be served by access aisles conforming to the minimum widths set forth in Table 806-9. Access aisles serving bicycle parking spaces may be located within the public right-of-way.

**Finding:** As previously conditioned, these standards will be met at time of building permit review.

- (d) *Surfacing.* Where bicycle parking is located outside a building, the bicycle parking area shall consist of a hard surface material, such as concrete, asphalt pavement, pavers, or similar material, meeting the Public Works Design Standards.

**Finding:** As previously conditioned above, these standards will be met at time of building permit review.

- (e) *Bicycle Racks.* Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall meet the following standards:
  - (1) Racks must support the bicycle frame in a stable position, in two or more places a minimum of six inches horizontally apart, without damage to wheels, frame, or components.
  - (2) Racks must allow the bicycle frame and at least one wheel to be locked to the rack with a high security, U-shaped shackle lock;
  - (3) Racks shall be of a material that resists cutting, rusting, and bending or deformation; and
  - (4) Racks shall be securely anchored.
  - (5) Examples of types of bicycle racks that do, and do not, meet these standards are shown in Figure 806-12.

**Finding:** As previously conditioned above, these standards will be met at time of building permit review.

▪ ***Off-Street Loading Areas***

*SRC 806.065 – Off-Street Loading Areas; When Required*

- (a) *General Applicability.* Off-street loading areas shall be provided and maintained for each proposed new use or activity; any change of use or activity, when such change of use or activity results in a greater number of required off-street loading spaces than the previous use or activity; or any intensification, expansion, or enlargement of a use or activity.
- (b) *Applicability to nonconforming off-street loading area.* When off-street loading is required to be added to an existing off-street loading area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

*SRC 806.070 – Proximity of Off-Street Loading Areas to use or Activity Served.*

Off-street loading shall be located on the same development site as the use or activity it serves.

*SRC 806.075 – Amount of Off-Street Loading.*

Unless otherwise provided under the UDC, off-street loading shall be provided in amounts not less than those set forth in Table 806-11.

**Finding:** The proposal is for a 62,000 square foot building addition to a warehousing and distribution use; therefore, these standards are applicable. The development site consists of three existing buildings totaling 559,838 square feet and a building addition with a finished floor area of approximately 58,400 square feet, for a total square footage of 618,282. Per Table 806-11, uses falling under the wholesale sales, storage, and distribution category within buildings between 580,001 to 670,000 square feet require a minimum of nine off-street loading spaces. The existing development includes more than nine loading spaces; therefore, additional loading spaces are not required.

***SRC Chapter 807 – Landscaping***

All required setbacks shall be landscaped with a minimum of 1 plant unit per 20 square feet of landscaped area. A minimum of 40 percent of the required number of plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Plant materials and minimum plant unit values are defined in SRC Chapter 807, Table 807-2. All building permit applications for development subject to landscaping requirements shall include landscape and irrigation plans meeting the requirements of SRC Chapter 807.

**Finding:** As previously conditioned, landscape and irrigation plans will be further reviewed for conformance with the requirements of SRC 807 at the time of building permit review.



### ❖ **CITY INFRASTRUCTURE STANDARDS**

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

<b>Utilities &amp; Parks</b>	
<b>Type</b>	<b>Existing Conditions</b>
<b>Water</b>	Water Service Level:
	1. A 30-inch water main is located in Oxford Street SE.
	2. 2-inch water mains are located in Lewis Street SE and 20 <sup>th</sup> Street SE.
<b>Sanitary Sewer</b>	4. 8-inch sanitary sewer mains are located in Oxford Street SE, Lewis Street SE,
<b>Storm Drainage</b>	6. A 60-inch storm main is located in Oxford Street SE.
	7. An 8-inch storm main is located in 20 <sup>th</sup> Street SE.

### ***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 development site is located both within and outside of the urban service area; however, the proposed development does not precede construction of required facilities; therefore a UGA permit is not 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 applicant's engineer submitted a preliminary stormwater management report demonstrating compliance with Stormwater PWDS Appendix 004-E(4) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. To ensure compliance with SRC Chapter 71 relating to stormwater management, the following condition applies:

**Condition 6:** 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***

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

### **▪ *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.

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

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

<b>Streets</b>			
<b>Street Name</b>		<b>Right-of-way Width</b>	<b>Improvement Width</b>
<b>Oxford Street SE (Collector)</b>	Standard:	60-feet	34-feet
	Existing Condition:	60-feet	30-feet
<b>Lewis Street SE (Local)</b>	Standard:	60-feet	30-feet
	Existing Condition:	60-feet	22-feet
<b>20<sup>th</sup> Street SE (Local)</b>	Standard:	60-feet	30-feet
	Existing Condition:	60-feet	30-feet

## ***SRC Chapter 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:** The development site abuts Oxford Street SE, Lewis Street SE, and 20<sup>th</sup> Street SE. Pursuant to SRC 803.40, boundary street improvements are required for the proposed development. Findings for each abutting street are provided in the following findings:

*Oxford Street SE* – The development site abuts Oxford Street SE along the southern property boundary. Oxford Street SE is classified as a collector street according to the Salem Transportation System Plan (TSP). Oxford Street SE has adequate right-of-way with according to to SRC 803.025 Table 803-1 (Right-of-way Width). However, Oxford Street SE lacks adequate pavement improvement width, curbs, sidewalks, and landscape strips according to SRC 803.025 Table 803-2 (Pavement Width) and SRC 803.035 (Street Standards). As a condition of approval per SRC 803.040(a)(2), the applicant shall construct a half-street improvement to collector standards along the development frontage of Oxford Street SE.

**Condition 7:** Prior to issuance of a Certificate of Occupancy, construct a half-street improvement along the frontage of Oxford Street SE to collector street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.

*Lewis Street SE* – The development site abuts Lewis Street SE along the northern property boundary. Lewis SE is classified as a local street according to the Salem Transportation System Plan (TSP). Lewis Street SE has adequate right-of-way with according to SRC 803.025 Table 803-1 (Right-of-way Width). However, Lewis Street SE lacks adequate pavement improvement width, curbs, sidewalks, and landscape strips according to SRC 803.025 Table 803-2 (Pavement Width) and SRC 803.035 (Street Standards). As a condition of approval per SRC 803.040(a)(2), the applicant shall construct a half-street improvement to local street standards along the development frontage of Lewis Street SE.

**Condition 8:** Prior to issuance of a Certificate of Occupancy, construct a half-street improvement along the frontage of Lewis Street SE to local street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.

*20<sup>th</sup> Street SE* – The development site abuts 20<sup>th</sup> Street SE along the eastern property boundary. 20<sup>th</sup> Street SE is classified as a local street according to the Salem Transportation System Plan (TSP). 20<sup>th</sup> Street SE meets the minimum right-of-way width and pavement width standards established in SRC 803.025; therefore, additional boundary street improvements along 20<sup>th</sup> Street SE are not required.

▪ **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:** Property line sidewalks will be constructed as part of the required boundary street improvements for Oxford Street SE and Lewis Street SE. Along 20<sup>th</sup> Street SE, the existing sidewalks are located along the curbline. As shown on the applicant's plans, the sidewalks along 20<sup>th</sup> Street SE will be relocated to the property line along the development frontage of 20<sup>th</sup> Street SE.

**Condition 9:** Prior to issuance of a Certificate of Occupancy, construct a 5-foot-wide property line sidewalk along the development frontage of 20<sup>th</sup> Street SE.

### ▪ ***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:** Street tree plantings are required along Oxford Street SE and Lewis Street SE, where required boundary street improvements will provide landscape strips for street tree plantings. Along 20<sup>th</sup> Street SE, there is an existing public water line located behind the curb and within the landscape strip; therefore, street trees cannot be planted along 20<sup>th</sup> Street SE. As a condition of approval, street tree plantings along Oxford Street SE and Lewis Street SE are required.

**Condition 10:** Prior to issuance of a certificate of occupancy, install street trees to the maximum extent feasible along Oxford Street SE and Lewis Street SE.

### ***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 applicant proposes three new driveway approaches to serve the development site and has applied for a Class 2 Driveway Approach Permit; findings for which are provided in Section X of this decision. As described in the findings below, the proposal meets the approval criteria for a Class 2 Driveway Approach Permit. With approval of the Class 2 Driveway approach permit, the proposed development meets applicable criteria in SRC Chapter 804 relating to driveway approaches.

### ***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:** Pursuant to SRC Chapter 805, vision clearance areas are required for all street intersections and driveway approaches. The applicant's preliminary plans show a vision clearance obstruction at the new driveway approach onto Lewis Street SE which provides access to the proposed structure. The applicant has requested a Vision Clearance Adjustment, findings for which are provided in Section 7 of this decision. With approval of the Class 2 Adjustment to the vision clearance standards established in SRC Chapter 805, the proposed development complies with this chapter.

## ❖ **NATURAL RESOURCES**

### ***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 floodplain maps as a Zone “AE” floodplain. The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined the 100-year base flood elevation for the subject development is 176-feet. 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. An Elevation Certificate is required to verify the new structure’s elevation. The Elevation Certificate shall be submitted to the City to verify each structure’s elevation prior to pouring building foundations and again prior to final occupancy.

**Condition 11:** Prior to issuance of any construction permits for the proposed development, the applicant shall obtain a Floodplain Development Permit in accordance with SRC Chapter 601.

**Condition 12:** Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.075.

### ***SRC Chapter 808 – Preservation of Trees and Vegetation***

The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove the following trees unless undertaken pursuant to a permit issued under SRC 808.030(d), undertaken pursuant to a tree conservation plan approved under SRC 808.035, or permitted by a variance granted under SRC 808.045.

1. Heritage Trees;
2. Significant Trees (including Oregon White Oaks with diameter-at-breast-height (*dbh*) of 20 inches or greater and any other tree with a *dbh* of 30 inches or greater, with the exception of tree of heaven, empress tree, black cottonwood, and black locust);
3. Trees and native vegetation in riparian corridors; and
4. Trees on lots or parcels 20,000 square feet or greater.

**Finding:** There are two maples trees 36 and 37 inches *dbh* (diameter at breast height) on the property proposed for removal. The applicant has requested two Tree Variances, addressed below in Section 9 of this decision.

### ***SRC Chapter 809 – Wetlands***

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

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

## ***SRC Chapter 810 – Landslide Hazards***

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

**Finding:** According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are 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. As conditioned, the required improvements will ensure that 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 warehouse building addition generates less than 200 average daily vehicle trips to the local street system and less than 1,000 average daily vehicle trips onto the collector 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, stormwater facilities, 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.

## **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 three Class 2 Adjustments. The following provides a detailed analysis upon which the decision is based for each individual adjustment request:

*(1) To provide striped-only pedestrian connections between each building on the development site, per SRC 800.065(b)*

The proposed development requires the addition of new pedestrian connections between each building on the development site, per SRC 800.065(a), which must meet the design and material standards of SRC 800.065(b). The pedestrian connection design and material standards require that where a connection crosses a vehicle use area, the connections be visually differentiated from the vehicle use area by a change in elevation, physical separation, different paving material, or similar method, and that striping alone is not sufficient. There are existing nonconforming striped-only connections between two of the existing buildings, but not between each building. Because the new building addition requires each building be connected, the applicant has requested to provide striped-only pedestrian connections similar to those already existing throughout the development site. The applicant's written statement indicates that the vehicle use area is primarily for heavy vehicles and loading and is not open to the public. As such, speed bumps throughout the site would conflict with the vehicle operations of the site, and that paving of a different material would be susceptible to damage from the heavy vehicles, and that striping is more visible. The intent of the standard is to provide clear distinctions between pedestrian connections and vehicle use areas. Given the nature of the site, which is not a parking or vehicle use area open to the general public, the differentiation of striped-only paths, like those existing on the site, still provides adequate visual cues to those operating vehicles within the site while providing clear connections between buildings for pedestrians within the complex. The proposal equally meets the intent of the standard, and this criterion is met.

*(2) To the vision clearance area for a driveway onto Lewis Street SE, per SRC 806.015*

The applicant is requesting a Class 2 Adjustment to allow for an Alternative Vision Clearance standard for a driveway approach onto Lewis Street SE which provides internal access to the building. Pursuant to SRC 805.005(b)(1)(B), a 10-foot-by-5-foot vision clearance triangle is required for the driveway approach. The vision clearance triangle is measured from the property line. The building addition has a 5-foot setback from the property line; therefore, cannot meet the vision clearance standard established in SRC 805.005(b)(1)(B). Pursuant to SRC 805.015, the applicant has requested an Alternative Vision Clearance Standard to allow the vision clearance to be measured from the back of the sidewalk, which at the driveway approach is located at the curbline rather than the property line, as shown on the applicant's plans. When the vision clearance is measured from the back of the curbline sidewalk, there is no vision clearance obstruction.

Vision clearance standards are established in order to ensure safety and visibility for vehicular, bicycle, and pedestrian traffic at intersections with streets and driveway approaches. The approach provides access onto Lewis Street SE, which is a dead-end street with relatively low vehicular and pedestrian traffic. The proposed driveway location and Alternative Vision Clearance Standard request meets the adjustment criteria by allowing for turning movements, site distance, and traffic safety in this area equal to what would be accomplished by meeting the development standard. The proposal equally meets the standard, and this approval criterion is met.

*(3) To reduce the minimum required amount of bicycle parking spaces, per SRC 806.055*

The proposal includes the expansion of a *warehousing and distribution* use. Per Table 806-9, a *warehousing and distribution* use requires a minimum of one bicycle parking space per 10,000 square feet for the first 50,000 square feet, plus one space per 20,000 square feet for 50,000 to 100,000 square feet, plus one space per 30,000 square feet for remaining square footage over 100,000 square feet. The development site consists of three existing buildings totaling 559,838 square feet and a building addition with a finished floor area of approximately 58,400 square feet, for a total square footage of 618,282, requiring a total of 25 spaces (1 per 10,000 sq ft for the first 50,000 sq ft = 5; one per 20,000 sq ft between 50,000 and 100,000 sq ft = 2.5; + one per 30,000 sq ft over 100,000 sq ft, or 518,282 sq ft remaining over 100,000 / 30,000 = 17). The applicant has requested a Class 2 Adjustment to reduce the minimum bicycle parking for only those spaces required by the new building, or six spaces.

Previous land use approval, Case SPR15-01, which included a change of use of the existing building from a cannery to a warehousing use, along with a new building and associated site improvements, conditioned 22 bicycle parking spaces be provided; however, the approved building plans indicate only 15 spaces (three wave racks with five spaces each) were installed. Class 2 Site Plan Review permit 18-108569-RP for the development of two new buildings on the site also found that nine additional bicycle parking spaces were required. The approved building plans indicated the nine spaces were provided; however, it is unclear if all of these were ever installed. Between the two previous approvals, 31 bicycle parking spaces would have been required. The new 58,400 square foot building alone would require five bicycle parking spaces (1 per 10,000 square feet for the first 50,000, plus 1 per 30,000 square feet for square footage between 50,000 and 100,000), bringing the total to 29 spaces. The applicant's development plans indicate the same three wave racks on the originally approved site plan for SPR15-01 were installed on site, but the nine spaces required under 18-108569-RP are not. The applicant has proposed to install only six spaces for the new building, meeting the minimum for the building addition with the current development. Given at least 15 spaces were previously installed, the installation of six new spaces for the building will provide an adequate number of spaces for the overall site. As conditioned above, the six spaces will be reviewed for conformance with the bicycle parking space development standards of SRC 806.060 at time of building permit. The proposal equally meets the intent of the standard, and this criterion is met.

***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 IG (General Industrial) zone; therefore, this criterion is not applicable.

***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:** Three separate Class 2 Adjustments have been requested with this development. 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. Any future development, beyond



what is shown in the proposed plans, shall conform to all applicable development standards of the UDC, unless adjusted through a future land use action.

**Condition 13:** The adjusted development standards for pedestrian connections, vision clearance, and required bicycle parking, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.

## **8. Analysis of Class 2 Driveway Approach Permit Criteria**

Salem Revised Code (SRC) 804.025(d) provides that an application for a Class 2 Driveway Approach Permit 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.

The applicant has proposed three new driveway approaches subject to the Class 2 Driveway Approach permit standards. Findings for each driveway approach are provided in the following findings.

***SRC 804.025(d)(1): The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards.***

**Finding:** The applicant proposes three driveway approaches to serve the development site:

*Driveway Approach 1:* A 22-foot-wide driveway approach onto Oxford Street SE providing access to a building maintenance road.

*Driveway Approach 2:* A 22-foot-wide driveway approach onto Lewis Street SE providing access to the warehouse building.

*Driveway Approach 3:* A 22-foot-wide driveway approach onto the terminus of Lewis Street SE providing access to the development site.

As described in the following findings, with established conditions of approval, the proposed driveway approaches meet the applicable standards in the Salem Revised Code Chapter 804 and the Public Works Design Standards. This criterion is met.

### **▪ SRC Chapter 804 Driveway Approach Development Standards**

SRC 804.050 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 proposed driveway approaches have been reviewed against the development standards in SRC Chapter 804 for driveway approaches accessing onto Collector and Local

streets and serving a commercial use. The proposed driveway approaches meet the development standards of the chapter.

▪ ***Public Works Design Standards***

The *Public Works Design Standards* (PWDS) establishes construction standards for driveway approaches to ensure safe and efficient access is provided to private property from the public right-of-way.

**Finding:** The Public Works Design Standards (PWDS) provide a standard detail for construction of driveway approaches serving commercial development (PWDS Standard Plan No. 302). All driveway approaches serving the development will be constructed to PWDS Standard Plans, as identified on the applicant's plans. Construction drawings for driveway approaches will be confirmed at time of Building Permit application. The proposed driveway approaches will be constructed to meet the PWDS.

***SRC 804.025(d)(2): No site conditions prevent placing the driveway approach in the required location.***

**Finding:** Development Services has reviewed the proposal and determined that no site conditions existing prohibit the location of the proposed driveways. This criterion is met.

***SRC 804.025(d)(3): The number of driveway approaches onto an arterial are minimized.***

**Finding:** The proposed development has frontage on a Collector Street (Oxford Street SE) and two Local Streets (Lewis Street SE and 20<sup>th</sup> Street SE). The proposed driveway approaches provide access onto Collector and Local classified street; access onto an Arterial is not proposed. This criterion is met.

***SRC 804.025(d)(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***

**Finding:** The proposed development has frontage on a Collector Street (Oxford Street SE) and two Local Streets (Lewis Street SE and 20<sup>th</sup> Street SE). Findings for each driveway approaches are provided as follows:

*Driveway Approach 1:* This approach provides access onto Oxford Street SE which is classified as a Collector Street according to the Salem Transportation System Plan (TSP). This approach is necessary to provide maintenance access to the building and stormwater facility which is inaccessible from the on-site parking area. Due to existing site conditions, it is not feasible for this approach to be shared with adjacent property nor can access to this portion of the development site be provided from a lower classification of street. Driveway Approach 1 meets the approval criteria as it is not possible to be served by a shared driveway approach or from the lowest classification of street abutting the property. This criterion is met.

*Driveway Approach 2:* This approach provides access onto Lewis Street SE, which is classified as a Local Street according to the Salem TSP. Driveway Approach 2 meets the approval

criteria by taking access from the lowest classification of street abutting the property. This criterion is met.

*Driveway Approach 3:* This approach provides access onto Lewis Street SE, which is classified as a Local Street according to the Salem TSP. Driveway Approach 3 meets the approval criteria by taking access from the lowest classification of street abutting the property. This criterion is met.

***SRC 804.025(d)(5): The proposed driveway approach meets vision clearance standards.***

**Finding:** The applicant proposes three driveway approaches. Findings for each driveway approach are as follows:

*Driveway Approach 1:* This driveway approach meets the vision clearance standards established in SRC 805.005(b)(1)(B) for driveways serving commercial uses. This criterion is met.

*Driveway Approach 2:* For this approach, the applicant has requested a Class 2 Adjustment pursuant to SRC 805.015 to allow an Alternative Vision Clearance Standard, findings for which are provided in Section 7 of this decision. With approval of the Class 2 Adjustment to allow an Alternative Vision Clearance Standard, this approach will meet the Vision Clearance Standards listed in SRC 805.015. This criterion is met.

*Driveway Approach 3:* This driveway approach meets the vision clearance standards established in SRC 805.005(b)(1)(B) for driveways serving commercial uses. This criterion is met.

***SRC 804.025(d)(6): The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access.***

**Finding:** No evidence has been submitted to indicate that the proposed driveways will create traffic hazards or unsafe turning movements. Additionally, Development Services analysis of the proposed driveways indicates that they will not create a traffic hazard and will provide for safe turning movements for access to the subject property. This criterion is met.

***SRC 804.025(d)(7): The proposed driveway approach does not result in significant adverse impacts to the vicinity.***

**Finding:** Development Services' analysis of the proposed driveways and the evidence that has been submitted indicate that the location of the proposed driveways will not have any adverse impacts to the adjacent properties or streets. This criterion is met.

***SRC 804.025(d)(8): The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections.***

**Finding:** The applicant proposes three new driveway approaches. As described within the written findings for the Driveway Approach Permits, the proposed approaches meet the criteria of the chapter. By complying with the requirements of this chapter the applicant has minimized impacts to the functionality of adjacent streets and intersections. This criterion is met.

***SRC 804.025(d)(9): The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.***

**Finding:** The proposed driveway approaches are not located in the vicinity of a residentially zoned area. The driveways will not have an adverse effect on the functionality of the adjacent streets. This criterion is met.

## **9. Analysis of Tree Regulation Variance Criteria**

The applicant has requested two Tree Variances to remove two maple trees 36 and 37-inches dbh (diameter-at-breast-height), which are considered significant trees and protected under SRC 808.015. Pursuant to SRC 808.015, 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.

Salem Revised Code (SRC) 808.045(d) sets forth the following criteria that must be met before approval can be granted to a request for a Tree Regulation Variance. In this case, the applicant has requested to address the economical use criterion in SRC 808.045(d)(2).

***SRC 808.045(d)(2)(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;***

**Finding:** The applicant is seeking a tree variance under the approval criteria of SRC 808.045(d)(2) *Economical Use*. The applicant's written statement indicates the two trees proposed for removal are entirely within the footprint of the proposed building addition and without their removal, the buildable area would be significantly reduced in size. The written statement indicates the proposed development is a permitted use within the IG zone and without approval of the variance, the applicant would not be able to utilize a substantial area of the development site that would otherwise be buildable, thereby reducing the value of the property. As described in the findings above, the proposed development is consistent with and meets all the applicable development standards of the zone with regard to lot coverage and setbacks, including new landscaping and tree planting requirements. As proposed, the tree variance is the minimum necessary to allow the otherwise permissible development without reducing the fair market value of the applicant's property. This approval criterion is met.

***SRC 808.045(d)(2)(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***

**Finding:** As described in the findings above and as conditioned, the applicant's requested variances to remove two significant trees 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. This approval criterion is met.

***SRC 808.045(d)(2)(C): The proposed variance is consistent with all other applicable local, state, and federal laws.***

**Finding:** The proposed variance is consistent with all other applicable local, state, and federal laws. This approval criterion is met.

## 10. Conclusion

Based upon review of SRC Chapters 220, 250, 804, and 808, and 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 Class 3 Site Plan Review, Class 2 Adjustment, Tree Regulation Variance, and Class 2 Driveway Approach Permit, Case No. SPR-ADJ-TRV-DAP25-16 is hereby **APPROVED** subject to SRC Chapters 220, 250, 804, and 808 and 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:** The applicant shall submit a notice of construction for the proposed development to the Oregon Department of Aviation (ODAV) and provide the resulting aeronautical determination letter from ODAV prior to the approval of building permits.
- Condition 2:** The applicant shall complete the final plat and record of survey for the property line adjustment approved under REP-PLA25-04. The plat and record of survey shall be recorded prior to issuance of any building permits required for construction on the site, including for civil site work permits, except the final plat is not necessary prior to the issuance of Erosion Control, Clearing and Grubbing, Grading, and Public Works permits.
- Condition 3:** At time of building permit review, provide a complete landscaping plan meeting the Type A landscaping standards of SRC 807.
- Condition 4:** At the time of building permit, provide a lighting plan demonstrating conformance with SRC 800.060 and SRC 800.065(c).
- Condition 5:** At time of building permit, provide detailed plans of required bicycle parking meeting the development standards of SRC 806.060.
- Condition 6:** 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).
- Condition 7:** Prior to issuance of a Certificate of Occupancy, construct a half-street improvement along the frontage of Oxford Street SE to collector street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.
- Condition 8:** Prior to issuance of a Certificate of Occupancy, construct a half-street improvement along the frontage of Lewis Street SE to local street standards

as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.

- Condition 9:** Prior to issuance of a Certificate of Occupancy, construct a 5-foot-wide property line sidewalk along the development frontage of 20<sup>th</sup> Street SE.
- Condition 10:** Prior to issuance of a certificate of occupancy, install street trees to the maximum extent feasible along Oxford Street SE and Lewis Street SE.
- Condition 11:** Prior to issuance of any construction permits for the proposed development, the applicant shall obtain a Floodplain Development Permit in accordance with SRC Chapter 601.
- Condition 12:** Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.075.
- Condition 13:** The adjusted development standards for pedestrian connections, vision clearance, and required bicycle parking, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.



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







Attachments: A. Vicinity Map  
B. Proposed Development Plans  
C. Development Services Memo

# Vicinity Map

## 1805 Oxford 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

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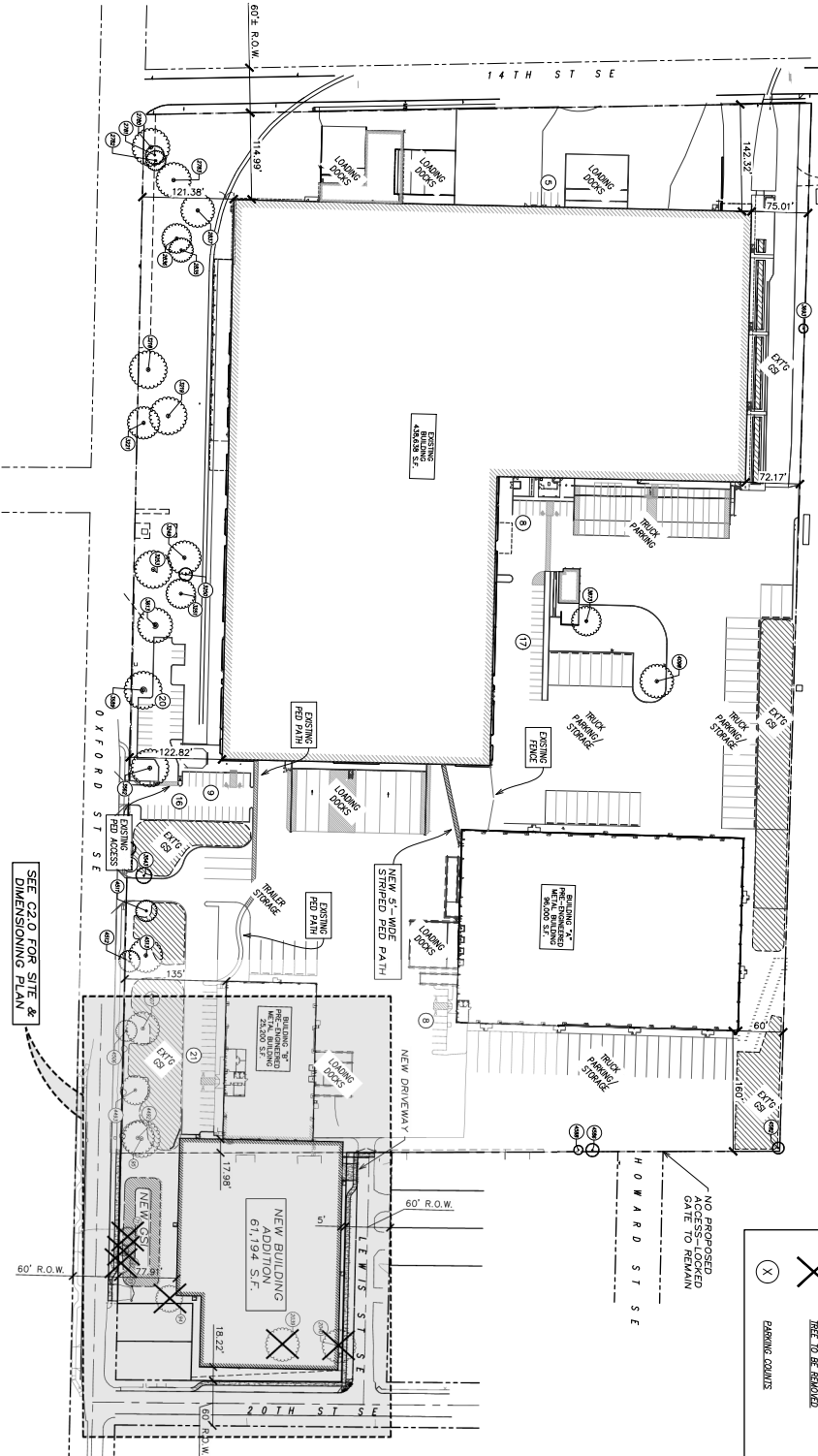


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R:\040\Salem Watumull\Oxford & 20th\Site\Photo\PD-0A SITE & CAMPUS Plan.dwg (C2.1 tab)

EXISTING SITE TREES	
P.T. NO.	TYPE AND SIZE
4588	DECD 10"
4582	DECD 10"
4596	DECD 10"
3545	MAHLE 12"
3593	OAK 10"
3543	OAK 17"
4512	OAK 18"
4511	OAK 18"
3250	OAK 18"
2782	OAK 20"
2835	OAK 23"
2836	OAK 24"
2781	OAK 24"
4513	OAK 25"
2837	OAK 26"
4493	OAK 27"
3249	OAK 27"
4506	OAK 28"
4492	OAK 28"
3221	OAK 28"

EXISTING SITE TREES	
P.T. NO.	TYPE AND SIZE
3613	OAK 29"
3351	OAK 29"
4507	OAK 30"
3873	OAK 30"
2783	OAK 30"
3589	OAK 31"
3219	OAK 31"
2780	OAK 34"
4098	OAK 35"
3218	OAK 39"
3253	OAK 42"
3562	OAK 43"

EXISTING SITE TREES	
P.T. NO.	TYPE AND SIZE
-94	BRAH-LEIGHT-14" (TO BE REMOVED)
-72	CHERRY-10" (TO BE REMOVED)
-73	CHERRY-12" (TO BE REMOVED)
-74	FR-25" (TO BE REMOVED)
-2039	MAHLE-36" (TO BE REMOVED)
-2040	MAHLE-37" (TO BE REMOVED)
95	OAK 33"



**LEGEND**

- NEW CSR
- EXISTING CSR
- AREAS TO BE REMOVED
- PARKING ADJACENTS

NO PROPOSED PARKING ADJACENTS GATE TO REMAIN



SALEM WATUMULL, LLC  
OXFORD ST. & 20TH ST. SITE IMPROVEMENTS  
OVERALL CAMPUS SITE PLAN  
DRAWING C2.1  
JOB NUMBER 2774.5000.0

**WESTECH ENGINEERING, INC.**  
CONSULTING ENGINEERS AND PLANNERS  
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97306  
Phone: (503) 585-2474 Fax: (503) 585-3986  
E-mail: westech@westech-eng.com



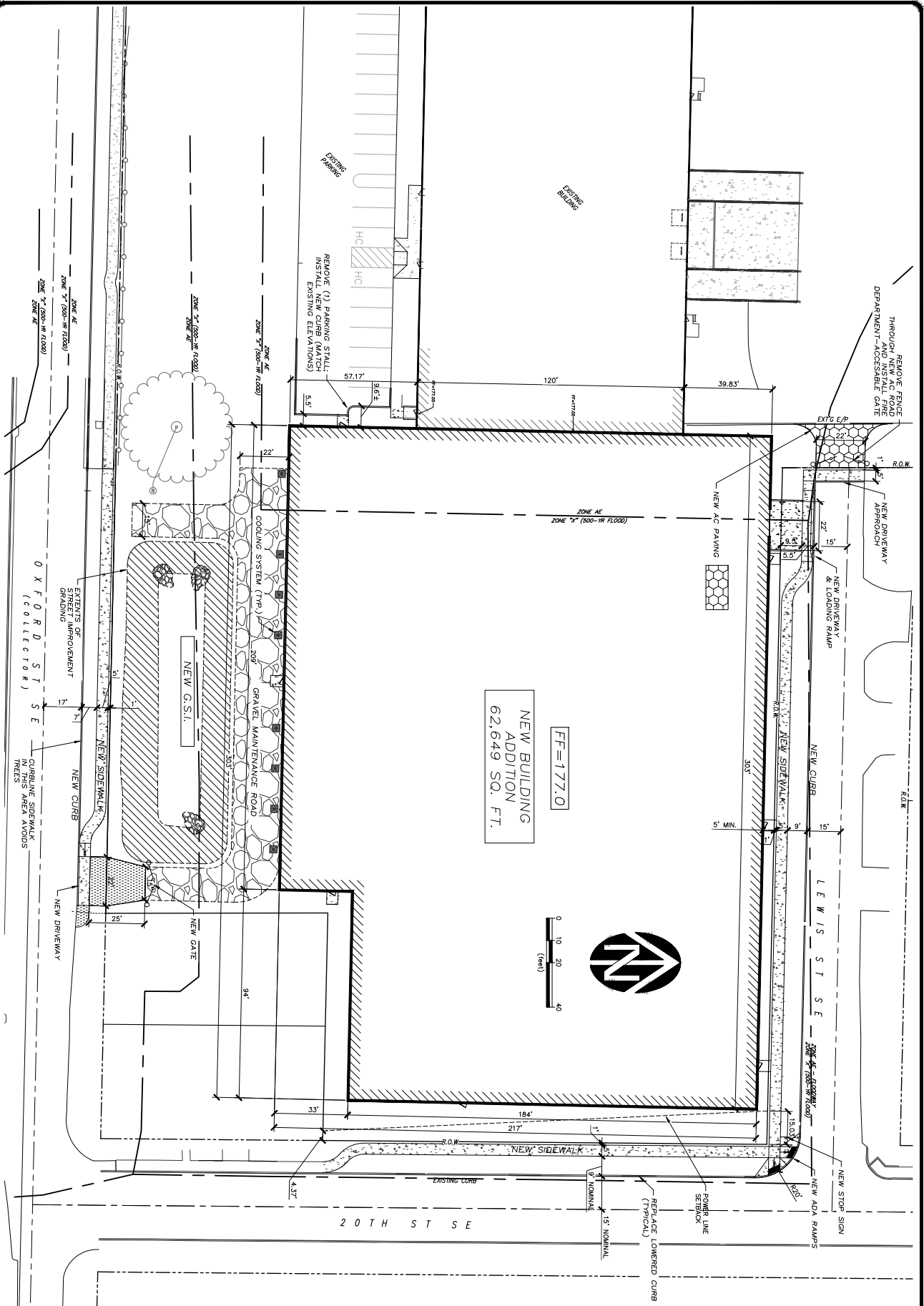
**REVIEW**

VERIFY SCALE  
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1" = 40' (feet)  
IF ANY ONE HONOR  
THIS SHEET, ADJUST  
SCALE ACCORDINGLY

DSN. JW  
DRN. RS  
CKD. JW  
DATE: 02/20/25

NO.	DATE	DESCRIPTION	BY
1		DESCRIPTION	
		REVISIONS	





**To:** File for SPR-ADJ-TRV-DAP25-16 (25-106682-PLN)

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

**Subject:** Development Services Written Findings  
Building Addition to Warehouse  
1805 Oxford Street SE

## **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:

<b>Utilities &amp; Parks</b>	
<b>Type</b>	<b>Existing Conditions</b>
<b>Water</b>	Water Service Level:
	A 30-inch water main is located in Oxford Street SE.
	2-inch water mains are located in Lewis Street SE and 20 <sup>th</sup> Street SE.
<b>Sanitary Sewer</b>	8-inch sanitary sewer mains are located in Oxford Street SE, Lewis Street SE,
<b>Storm Drainage</b>	A 60-inch storm main is located in Oxford Street SE.
	An 8-inch storm main is located in 20 <sup>th</sup> Street SE.

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

SRC Chapter 200 (Urban Growth Management) requires issuance of an Urban Growth

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).

Preliminary Declaration (UGA) prior to development of property located outside the City's Urban Service Area.

**Finding:** The development site is located both within and outside of the urban service area. However, the proposed development does not precede construction of required facilities, an UGA permit is not 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 applicant's engineer submitted a preliminary stormwater management report demonstrating compliance with Stormwater PWDS Appendix 004-E(4) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. To ensure compliance with SRC Chapter 71 relating to stormwater management, the following condition applies:

**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 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.

### **❖ 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
Oxford Street SE (Collector)	Standard:	60-feet	34-feet
	Existing Condition:	60-feet	30-feet
Lewis Street SE (Local)	Standard:	60-feet	30-feet
	Existing Condition:	60-feet	22-feet
20 <sup>th</sup> Street SE (Local)	Standard:	60-feet	30-feet
	Existing Condition:	60-feet	30-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:** The development site abuts Oxford Street SE, Lewis Street SE, and 20<sup>th</sup> Street SE. Pursuant to SRC 803.40, boundary street improvements are required for the proposed development. Findings for each abutting street are provided in the following findings:

*Oxford Street SE* – The development site abuts Oxford Street SE along the southern property boundary. Oxford Street SE is classified as a collector street according to the Salem Transportation System Plan (TSP). Oxford Street SE has adequate right-of-way with according to SRC 803.025 Table 803-1 (Right-of-way Width). However, Oxford Street SE lacks adequate pavement improvement width, curbs, sidewalks, and landscape strips according to SRC 803.025 Table 803-2 (Pavement Width) and SRC 803.035 (Street Standards). As a condition of approval per SRC 803.040(a)(2), the applicant shall construct a half-street improvement to collector standards along the development frontage of Oxford Street SE.

**Condition:** Prior to issuance of a Certificate of Occupancy, construct a half-street improvement along the frontage of Oxford Street SE to collector street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.

*Lewis Street SE* – The development site abuts Lewis Street SE along the northern property boundary. Lewis SE is classified as a local street according to the Salem Transportation System Plan (TSP). Lewis Street SE has adequate right-of-way with according to SRC 803.025 Table 803-1 (Right-of-way Width). However, Lewis Street SE

lacks adequate pavement improvement width, curbs, sidewalks, and landscape strips according to SRC 803.025 Table 803-2 (Pavement Width) and SRC 803.035 (Street Standards). As a condition of approval per SRC 803.040(a)(2), the applicant shall construct a half-street improvement to local street standards along the development frontage of Lewis Street SE.

**Condition:** Prior to issuance of a Certificate of Occupancy, construct a half-street improvement along the frontage of Lewis Street SE to local street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.

*20<sup>th</sup> Street SE* – The development site abuts 20<sup>th</sup> Street SE along the eastern property boundary. 20<sup>th</sup> Street SE is classified as a local street according to the Salem Transportation System Plan (TSP). 20<sup>th</sup> Street SE meets the minimum right-of-way width and pavement width standards established in SRC 803.025; therefore, additional boundary street improvements along 20<sup>th</sup> Street SE are not required.

▪ ***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:** Property line sidewalks will be constructed as part of the required boundary street improvements for Oxford Street SE and Lewis Street SE. Along 20<sup>th</sup> Street SE, the existing sidewalks are located along the curbline. As shown on the applicant's plans, the sidewalks along 20<sup>th</sup> Street SE will be relocated to the property line along the development frontage of 20<sup>th</sup> Street SE.

**Condition:** Prior to issuance of a Certificate of Occupancy, construct a 5-foot-wide property line sidewalks along the development frontage of 20<sup>th</sup> Street SE.

▪ ***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:** Street tree plantings are required along Oxford Street SE and Lewis Street SE, where required boundary street improvements will provide landscape strips for street tree plantings. Along 20<sup>th</sup> Street SE, there is an existing public water line located behind the curb and within the landscape strip; therefore, street trees cannot be planted along 20<sup>th</sup> Street SE. As a condition of approval, street tree plantings along Oxford Street SE and Lewis Street SE are required.

**Condition:** Prior to issuance of a certificate of occupancy, install street trees to the maximum extent feasible along Oxford Street SE and Lewis Street SE.

### ***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 applicant proposes a three new driveway approach to serve the development site and has applied for a Class 2 Driveway Approach Permit; findings for which are provided in this decision. As described in the findings below, the proposal meets the approval criteria for a Class 2 Driveway Approach Permit. With approval of the Class 2 Driveway approach permit, the proposed development meets applicable criteria in SRC Chapter 804 relating to driveway approaches.

### ***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:** Pursuant to SRC Chapter 805, vision clearance areas are required for all street intersections and driveway approaches. The applicant's preliminary plans show a vision clearance obstruction at the new driveway approach onto Lewis Street SE which provides access to the proposed structure. The applicant has requested a Vision Clearance Adjustment, findings for which are provided below. With approval of the Class 2 Adjustment to the vision clearance standards established in SRC Chapter 805, the proposed development complies with this chapter.

## **❖ NATURAL RESOURCES**

### ***SRC 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 floodplain maps as a Zone "AE" floodplain. The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined the 100-year base flood elevation for the subject development is 176-feet. 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. An Elevation Certificate is

required to verify the new structure's elevation. The Elevation Certificates shall be submitted to the City to verify each structure's elevation prior to pouring building foundations and again prior to final occupancy.

**Condition:** Prior to issuance of any construction permits for the proposed development, the applicant shall obtain a Floodplain Development Permit in accordance with SRC Chapter 601.

**Condition:** Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.075.

### ***SRC Chapter 809 – Wetlands***

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

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

### ***SRC Chapter 810 – Landslide Hazards***

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

**Finding:** According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are 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. As conditioned, the required improvements will ensure that 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 warehouse building addition generates less than 200 average daily vehicle trips to the local street system and less than 1,000 average daily vehicle trips onto the collector 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.

## **CLASS 2 DRIVEWAY APPROACH PERMIT DECISION CRITERIA**

Salem Revised Code (SRC) 804.025(d) provides that an application for a Class 2 Driveway Approach Permit 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.

The applicant proposes three (3) new driveway approaches subject to the Class 2 Driveway Approach permit Standards. Findings for each driveway approach are provided in the following findings.

***SRC 804.025(d)(1): The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards.***

**Finding:** The applicant proposes three (3) driveway approaches to serve the development site:

*Driveway Approach 1:* A 22-foot-wide driveway approach onto Oxford Street SE providing access to a building maintenance road.

*Driveway Approach 2:* A 22-foot-wide driveway approach onto Lewis Street SE providing access to the warehouse building.

*Driveway Approach 3:* A 22-foot-wide driveway approach onto the terminus of Lewis Street SE providing access to the development site.



As described in the following findings, with established conditions of approval, the proposed driveway approaches meet the applicable standards in the Salem Revised Code Chapter 804 and the Public Works Design Standards. This criterion is met.

▪ ***SRC Chapter 804 Driveway Approach Development Standards***

SRC 804.050 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 proposed driveway approaches have been reviewed against the development standards in SRC Chapter 804 for driveway approaches accessing onto a collector and local streets and serving a commercial use. The proposed driveway approaches meet the development standards of the chapter.

▪ ***Public Works Design Standards***

The *Public Works Design Standards* (PWDS) establishes construction standards for driveway approaches to ensure safe and efficient access is provided to private property from the public right-of-way.

**Finding:** The Public Works Design Standards (PWDS) provide a standard detail for construction of driveway approaches serving commercial development (PWDS Standard Plan No. 302). All driveway approaches serving the development will be constructed to PWDS Standard Plans, as identified on the applicant's plans. Construction drawings for driveway approaches will be confirmed at time of Building Permit application. The proposed driveway approaches will be constructed to meet the PWDS.

***SRC 804.025(d)(2): No site conditions prevent placing the driveway approach in the required location.***

**Finding:** Development Services has reviewed the proposal and determined that no site conditions exist prohibiting the location of the proposed driveways. This criterion is met.

***SRC 804.025(d)(3): The number of driveway approaches onto an arterial are minimized.***

**Finding:** The proposed development has frontage on a collector street (Oxford Street SE) and local streets (Lewis Street SE and 20<sup>th</sup> Street SE). The proposed driveway approaches provide access onto collector and local classified street; access onto an arterial is not proposed. This criterion is met.

***SRC 804.025(d)(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**

**Finding:** The proposed development has frontage on a collector street (Oxford Street SE) and local streets (Lewis Street SE and 20<sup>th</sup> Street SE). Findings for each driveway approaches are provided as follows:

*Driveway Approach 1:* This approach provides access onto Oxford Street SE which is classified as a collector street according to the Salem Transportation System Plan (TSP). This approach is necessary to provide maintenance access to the building and stormwater facility which is inaccessible from the on-site parking area. Due to existing site conditions, it is not feasible for this approach to be shared with adjacent property not can access to this portion of the development site be provided from a lower classification of street. Driveway Approach 1 meets the approval criteria as it is not possible to be served by a shared driveway approach or from the lowest classification of street abutting the property. This criterion is met.

*Driveway Approach 2:* This approach provides access onto Lewis Street SE, which is classified as a local street according to the Salem TSP. Driveway Approach 2 meets the approval criteria by taking access from the lowest classification of street abutting the property. This criterion is met.

*Driveway Approach 3:* This approach provides access onto Lewis Street SE, which is classified as a local street according to the Salem TSP. Driveway Approach 3 meets the approval criteria by taking access from the lowest classification of street abutting the property. This criterion is met.

**SRC 804.025(d)(5): The proposed driveway approach meets vision clearance standards.**

**Finding:** The applicant proposes three driveway approaches. Findings for each driveway approach are as follows:

*Driveway Approach 1:* This driveway approach meets the vision clearance standards established in SRC 805.005(b)(1)(B) for driveways serving commercial uses. This criterion is met.

*Driveway Approach 2:* For this approach, the applicant has requested a Class 2 Adjustment pursuant to SRC 805.015 to allow an Alternative Vision Clearance Standard, findings for which are provided below. With approval of the Class 2 Adjustment to allow an Alternative Vision Clearance Standard, this approach will meet the Vision Clearance Standards listed in SRC 805.015. This criterion is met.

*Driveway Approach 3:* This driveway approach meets the vision clearance standards established in SRC 805.005(b)(1)(B) for driveways serving commercial uses. This criterion is met.

***SRC 804.025(d)(6): The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access.***

**Finding:** No evidence has been submitted to indicate that the proposed driveways will create traffic hazards or unsafe turning movements. Additionally, Development Services analysis of the proposed driveways indicates that they will not create a traffic hazard and will provide for safe turning movements for access to the subject property. This criterion is met.

***SRC 804.025(d)(7): The proposed driveway approach does not result in significant adverse impacts to the vicinity.***

**Finding:** Development Services' analysis of the proposed driveways and the evidence that has been submitted indicate that the location of the proposed driveways will not have any adverse impacts to the adjacent properties or streets. This criterion is met.

***SRC 804.025(d)(8): The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections.***

**Finding:** The applicant proposes three new driveway approaches. As described within the written findings for the Driveway Approach Permits, the proposed approaches meet the criteria of the chapter. By complying with the requirements of this chapter the applicant has minimized impacts to the functionality of adjacent streets and intersections. This criterion is met.

***SRC 804.025(d)(9): The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.***

**Finding:** The proposed driveway approaches are not located in the vicinity of a residentially zoned area. The driveways will not have an effect on the functionality of the adjacent streets. This criterion is met.

## **CLASS 2 ADJUSTMENT DECISION CRITERIA**

Analysis of the proposed Class 2 adjustment based on relevant criteria in SRC 250.005(d)(2) is as follows:

***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 a Class 2 Adjustment to allow for an Alternative Vision Clearance standard for a driveway approach onto Lewis Street SE which provides internal access to the building. Pursuant to SRC 805.005(b)(1)(B), a 10-foot-by-5-foot vision clearance triangle is required for the driveway approach. The vision clearance triangle is measured from the property line. The building addition has a 5-foot setback from the property line; therefore, cannot meet the vision clearance standard established in SRC 805.005(b)(1)(B). Pursuant to SRC 805.015, the applicant has requested an Alternative Vision Clearance Standard to allow the vision clearance to be measured from the back of the sidewalk, which at the driveway approach is located at the curblines rather than the property line, as shown on the applicant's plans. When the vision clearance is measured from the back of the curblines sidewalk, there is no vision clearance obstruction.

Vision clearance standards are established in order to ensure safety and visibility for vehicular, bicycle, and pedestrian traffic at intersections with streets and driveway approaches. The approach provides access onto Lewis Street SE, which is a dead-end street with relatively low vehicular and pedestrian traffic. The proposed driveway location and Alternative Vision Clearance Standard request meets the adjustment criteria by allowing for turning movements, sight distance, and traffic safety in this area equal to what would be accomplished by meeting the development standard.