

***City of Salem***

**Public Works Department  
Planning Division**

*Application For:*

**Site Plan Review Permit associated with  
the City of Salem Improvements to the  
Aquifer Storage and Recovery (ASR)  
Facilities – Woodmansee Park**

*Map & Tax Lot:*

*Map T8S R3W 10, Tax Lots 200, 300, 400, 800, 900, 2300*

*Prepared For:*

**Owner/Applicant:**

***City of Salem***

*Public Works Department*

*555 Liberty Street SE, Room 325*

*Salem OR 97301*

*Contact: Ben Haney*

*(503) 588-6211*

*bhaney@cityofsalem.net*

**Applicant's Representative:**

***Murraysmith***

*888 SW 5<sup>th</sup> Avenue, Suite 1170*

*Portland, OR 97204*

*Contact: Lael Alderman*

*(503) 225-9010*

*Lael.Alderman@murraysmith.us*

*Prepared By:*

***David Evans and Associates, Inc.***

*2100 SW River Parkway*

*Portland, Oregon 97201*

*Contact: Natalie Warner*

*Phone: (503) 223-6663*

*Natalie.Warner@deainc.com*

***June 2020***

This page was left intentionally blank.

## Table of Contents

---

### Section A - Introduction

1. Development Team Members .....	A-1
2. Property and Zoning Summary .....	A-2
3. Applicant's Written Statement .....	A-2
4. Land Use Reviews Requested .....	A-3
5. Application Fee Calculations .....	A-3

### Section B - Applicable Community Development Standards

Chapter 220. - Site Plan Review .....	B-1
Chapter 511. - RS—Single Family Residential .....	B-4
Chapter 514. - RM-II—Multiple Family Residential .....	B-9
Chapter 540. - PA—Public Amusement .....	B-12
Chapter 800. - General Development Standards .....	B-14
Chapter 802. - Public Improvements .....	B-21
Chapter 803. - Streets and Right-of-Way Improvements .....	B-23
Chapter 804. - Driveway Approaches .....	B-32
Chapter 805. - Vision Clearance .....	B-38
Chapter 806. - Off-Street Parking, Loading and Driveways .....	B-40
Chapter 807. - Landscaping and Screening .....	B-60
Chapter 808. - Preservation of Trees and Vegetation .....	B-66
Chapter 810. - Landslide Hazards .....	B-69

### Section C - Exhibit Drawings

--	Site Layout Plan.....	
C-2	Existing Conditions 1.....	
C-3	Existing Conditions 2.....	
C-4	Existing Conditions 3.....	
C-5	Proposed Conditions – Treatment Facility Site.....	
C-6	Proposed Conditions – Site Access Driveway .....	
C-7	Proposed Conditions – Ped Connection Layout Plan .....	
C-8	Proposed Conditions – Treatment Facility Site Grading Plan .....	
C-5	Proposed Conditions – Access Driveway Site Grading Plan.....	
TF-L-1	Treatment Facility Planting Plan .....	
TF-L-2	Treatment Facility Planting Details.....	

### Section D - Appendices

Appendix 1	Title Report.....	
Appendix 2	Assessors Tax Map ( <i>Marion County</i> ) .....	
Appendix 3	Zoning Map ( <i>City of Salem</i> ) .....	
Appendix 4	Pre-Application Report, March 12, 2020 (PRE-AP20-23/20-103495-PA) .....	
Appendix 5	Trip Generation Estimate .....	
Appendix 6	Preliminary Stormwater Report.....	
Appendix 7	Draft Geotechnical Report.....	

This page was left intentionally blank.

## **A.**

### ***Introduction***

---

1. Development Team Members
2. Property and Zoning Summary
3. Applicant's Written Statement
4. Land Use Reviews Requested
5. Application Fee Calculation

This page was left intentionally blank.

## 1. Development Team Members:

Listed below is a summary of the development team members for the ***City of Salem – Improvements to the Aquifer Storage and Recovery (ASR) Facility Phase 1*** development proposal.

**Owner/Applicant:**

**City of Salem**

Public Works Department  
555 Liberty Street SE, Room 325  
Salem OR 97301  
Telephone: (503) 588-6211  
Contact: Ben Haney  
Email: bhaney@cityofsalem.net

**Applicant's Representative:**

**Murraysmith**

888 SW 5<sup>th</sup> Avenue, Suite 1170  
Portland, OR 97204  
Telephone: (503) 225-9010  
Contact: Lael Alderman  
Email: Lael.Alderman@murraysmith.us

**Planning:**

**David Evans and Associates, Inc.**

2100 S River Parkway  
Portland, OR 97201  
Telephone: (503) 223-6663  
Contact: Natalie Warner  
Email: natalie.warner@deainc.com

**Environmental (Wetlands):**

**David Evans and Associates, Inc.**

2100 S River Parkway  
Portland, OR 97201  
Telephone: (503) 223-6663  
Contact: Ethan Rosenthal  
Email: ejro@deainc.com

**Hydraulic Analysis:**

**Murraysmith**

888 SW 5<sup>th</sup> Avenue, Suite 1170  
Portland, OR 97204  
Telephone: (503) 225-9010  
Contact: Lael Alderman  
Email: Lael.Alderman@murraysmith.us

## 2. Property and Zoning Summary

### Subject Property:

Legal Description:		Map T8S R3W 10	
Tax lot	Parcel size	Zoning	Current Use/ Owner
200	2.17	RM2	Park & Basic Utilities / City of Salem
300	2.86	RS, PA	Park & Basic Utilities / City of Salem
400	7.09	PA	Park & Basic Utilities / City of Salem
800	1.29	PA	Park & Basic Utilities / City of Salem
900	0.22	PA	Park & Basic Utilities / City of Salem
2300	8.70	PA	Park & Basic Utilities / City of Salem

## 3. Applicant's Written Statement

The City of Salem (City) stores drinking water for backup use in a natural underground aquifer in Woodmansee Park. This is called an Aquifer Storage and Recovery (ASR) system. As part of the City's continuing commitment to provide safe and resilient drinking water, the City proposes to improve and expand the ASR system in Woodmansee Park. The ASR improvements are being coordinated with the Woodmansee Park Master Plan Update that will determine other future enhancements within Woodmansee Park.

During the wet weather months, treated drinking water from the North Santiam River is piped to the underground aquifer in Woodmansee Park. This water is stored underground until there is an increased demand for water (summer months) or an emergency. As it is pumped out of the aquifer, it is chlorinated and then enters the water distribution system to be pumped to Salem homes and businesses. This project will improve the ASR system by providing a centralized treatment facility to ensure water recovered from the aquifer continues to meet the high water quality standards Salem's water users have come to expect. In addition, the project will increase the amount of water that can be pumped from the aquifers and distributed in times of increased demand or emergency.

The ASR improvements will centralize treatment processes currently housed at individual ASR wellhouses distributed throughout Woodmansee Park and add a system to adjust pH to ensure the requirements from the Oregon Health Authority for prevention of corrosion are met.

The project is being designed, permitted, and constructed in two phases. The scope of this application is limited to the Phase 1 improvements. Improvements of both phases are outlined in the following bullet points.

### Phase 1

Phase 1 improvements include:

- Construction of a water treatment building to house the water treatment equipment and supplies
- Improvements to an existing driveway off of Sunnyside Road SE used to access ASR facilities
- Pedestrian connectivity improvements, in coordination with Parks
- Onsite bike and vehicular parking improvements



- Landscaping and stormwater improvements

## Phase 2

Phase 2 improvements include:

- Construction of new groundwater wells
- Expansion of ASR piping

The table of contents of this application outlines all the application criteria, exhibit drawings, and appendices submitted for review and approval. Please refer to the application text and drawings for more detailed information regarding the proposed application.

## 4. Land Use Reviews Requested

The City of Salem Revised Code standards identify various procedural reviews based upon the type of land use action being requested. For this application, the Owner/Applicant is requesting the following concurrent reviews.

Land Use Request	Type
Site Plan Review Class 2	I

## 5. Fee Calculations:

The proposed project is required to follow City standard and procedures. The City of Salem Fee Schedule FY 2020 lists application fees for Class 2 Site Plan Review Applications based on project valuation. The preliminary project valuation is \$4.4 million. Therefore, the applicable fees associated with this application are:

Land Use Fees	Fee
Site Plan Review Class 2	\$2,917.00
<b>Total</b>	<b>\$2,917.00</b>

This page was left intentionally blank.

## **B.**

### ***Applicable City of Salem Code Narrative***

---

The following information responds to applicable City of Salem Revised Code Standards for the ***Site Plan Review Application*** associated with the ***City of Salem – Improvements to the Aquifer Storage and Recovery (ASR) Facility Phase 1 development proposal***. The applicant's comments to individual sections are in bold for each applicable standard or regulation. Sections addressed include:

Chapter 220. - Site Plan Review .....	B-1
Chapter 511. - RS—Single Family Residential .....	B-4
Chapter 514. - RM-II—Multiple Family Residential .....	B-9
Chapter 540. - PA—Public Amusement .....	B-12
Chapter 800. - General Development Standards .....	B-14
Chapter 802. - Public Improvements .....	B-21
Chapter 803. - Streets and Right-of-Way Improvements .....	B-23
Chapter 804. - Driveway Approaches .....	B-32
Chapter 805. - Vision Clearance .....	B-38
Chapter 806. - Off-Street Parking, Loading and Driveways .....	B-40
Chapter 807. - Landscaping and Screening .....	B-60
Chapter 808. - Preservation of Trees and Vegetation .....	B-66
Chapter 810. - Landslide Hazards .....	B-69

This page was left intentionally blank.

## CHAPTER 220. - SITE PLAN REVIEW

### Sec. 220.005. - Site plan review.

#### (a) *Applicability.*

- (1) Except as provided in subsection (a)(2) of this section, site plan review approval is required:
  - (A) Prior to issuance of [a] building permit, for any development that requires a building permit; and
  - (B) Prior to commencement of work, for any of the following when a building permit is not otherwise required:
    - (i) Development of a new off-street parking and vehicle use areas;
    - (ii) Expansion of existing off-street parking and vehicle use areas, when additional paved surface is added;
    - (iii) Alteration of existing off-street parking and vehicle use areas, when the existing paved surface is replaced with a new paved surface;
    - (iv) Paving of an unpaved area; and
    - (v) Restriping off-street parking and vehicular use areas, when the layout will be reconfigured.

#### (2) Exemptions.

- (A) The following development that requires a building permit is exempt from site plan review:
  - (i) The construction of a single family or duplex dwelling on an individual lot, including the construction of accessory structures and paving associated with such dwellings.
  - (ii) Sign installation.
  - (iii) Ordinary maintenance or repair of existing buildings, structures, utilities, landscaping, and impervious surfaces, and the installation or replacement of operational equipment or fixtures.
  - (iv) The alteration to the facade of a building except in the Mixed Use-I (MU-I) and Mixed Use-II (MU-II) zones.
  - (v) Interior construction or tenant improvements that involve no change of use.
- (B) Any of the activities identified under subsection (a)(1)(B) of this section are exempt from site plan review if they are for a single family or duplex dwelling on an individual lot;

#### (b) *Classes.* The three classes of site plan review are:

- (1) *Class 1 site plan review.* Class 1 site plan review is site plan review for any development that requires a building permit, that does not involve a land use decision or limited land use decision, as those terms are defined in ORS 197.015, and that involves a change of use or change of occupancy where only construction or improvements to the interior of the building or structure are required.
- (2) *Class 2 site plan review.* Class 2 site plan review is required for any development that requires a building permit, other than development subject to Class 1 site plan review, and that does not involve a land use decision or limited land use decision, as those terms are defined in ORS 197.015.
- (3) *Class 3 site plan review.* Class 3 site plan review is required for any development that requires a building permit, and that involves a land use decision or limited land use decision, as those terms

are defined in ORS 197.015. As used in this subsection, land use decisions and limited land use decisions include, but are not limited to, any development application that:

- (A) Requires a Transportation Impact Analysis pursuant to SRC chapter 803;
- (B) Requires a geotechnical report or geologic assessment under SRC chapter 810, except where a geotechnical report or geologic assessment has already been approved for the property subject to the development application;
- (C) Requires deviation from clear and objective development standards of the UDC relating to streets, driveways or vision clearance areas;
- (D) Proposes dedication of right-of-way which is less than the requirements of the Salem Transportation System Plan;
- (E) Requires deviation from the clear and objective standards of the UDC and where the Review Authority is granted the authority to use limited discretion in deviating from the standard; or
- (F) Requires a variance, adjustment, or conditional use permit.

***Applicant's Response: The applicant acknowledges that a building permit will be required for the proposed water treatment building and associated improvements. No land use decision or limited land use decision, as those terms are defined in ORS 197.015, is requested. A Class 2 Site Plan Review is requested via this application.***

(c) *Procedure type.*

- (1) Class 1 site plan review is processed as a Type I procedure under SRC chapter 300.
- (2) Class 2 site plan review is processed as a Type I procedure under SRC chapter 300.
- (3) Class 3 site plan review is processed as a Type II procedure under SRC chapter 300.
- (4) An application for site plan review may be processed concurrently with an application for a building permit; provided, however, the building permit shall not be issued until site plan review approval has been granted.

***Applicant's Response: The applicant acknowledges that this application will be reviewed under a Type I procedure.***

(d) *Submittal requirements for Class 1 site plan review.*

***Applicant's Response: Not applicable.***

(e) *Submittal requirements for Class 2 and Class 3 site plan review.*

- (1) *Class 2 site plan review.* In addition to the submittal requirements for a Type I application under SRC chapter 300, an application for Class 2 site plan review shall include the following:
  - (A) A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:
    - (i) The total site area, dimensions, and orientation relative to north;
    - (ii) The location of all proposed primary and accessory structures and other improvements, including fences, walls, and driveways, indicating distance from the structures and improvements to all property lines and adjacent on-site structures;
    - (iii) Loading areas, if included in the proposed development;

- (iv) The size and location of solid waste and recyclables storage and collection areas, and amount of overhead clearance above such enclosures, if included in the proposed development;
  - (v) An indication of future phases of development on the site, if applicable;
  - (vi) All proposed landscape areas on the site, with an indication of square footage and their percentage of the total site area;
  - (vii) The location, height, and material of fences, berms, walls, and other proposed screening as they relate to landscaping and screening required by SRC chapter 807;
  - (viii) The location of all trees and vegetation required to be protected pursuant to SRC chapter 808;
  - (ix) The location of all street trees, if applicable, or proposed location of street trees required to be planted at time of development pursuant to SRC chapter 86; and
  - (x) Identification of vehicle, pedestrian, and bicycle parking and circulation areas, including handicapped parking stalls, disembarking areas, accessible routes of travel, and proposed ramps.
- (B) An existing conditions plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:
- (i) The total site area, dimensions, and orientation relative to north;
  - (ii) The location of existing structures and other improvements on the site, including accessory structures, fences, walls, and driveways, noting their distance from property lines; and
  - (iii) The location of the 100-year floodplain, if applicable.
- (C) A grading plan depicting proposed site conditions following completion of the proposed development, when grading of the subject property will be necessary to accommodate the proposed development.
- (D) A completed trip generation estimate for the proposed development, on forms provided by the City.
- (E) For development in the Mixed Use-I (MU-I) and Mixed Use-II (MU-II) zones, architectural drawings, renderings, or sketches showing all elevations of the existing buildings and the proposed buildings as they will appear on completion.

***Applicant's Response: All applicable materials have been included herein.***

- (2) *Class 3 site plan review.*

***Applicant's Response: Not applicable.***

- (f) *Criteria.*

- (1) *Class 1 site plan review.*

***Applicant's Response: Not applicable.***

- (2) *Class 2 site plan review.* An application for a Class 2 site plan review shall be granted if:

- (A) Only clear and objective standards which do not require the exercise of discretion or legal judgment are applicable to the application.
- (B) The application meets all the applicable standards of the UDC.

***Applicant's Response: The proposed use is permitted by right within the applicable zoning designations. The project has been designed to meet all applicable***

*standards of the UDC. No adjustments are proposed. Therefore, these criteria are met.*

(3) *Class 3 site plan review.*

***Applicant's Response: Not applicable.***

Sec. 220.010. - Modification of site plan review approval.

***Applicant's Response: Not applicable. No modification of an existing Site Plan Review approval is requested.***

#### CHAPTER 511. - RS—SINGLE FAMILY RESIDENTIAL

Sec. 511.005. - Uses.

- (a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the RS zone are set forth in Table 511-1.

**TABLE 511-1. USES\***

Use	Status	Limitations & Qualifications
<b>Utilities</b>		
Basic utilities	P	
Drinking water treatment facilities	C	

*\*abridged*

***Applicant's Response:*** *The proposed improvements within the Single Family Residential (RS) zone include the addition of a new water treatment building; associated onsite parking, loading, and vehicular maneuvering areas; as well as associated landscaping and stormwater drainage improvements. The applicable use designation is "Basic Utilities" (as defined in Salem Revised Code (SRC) 400.110(a)). SRC 400.110(a)(1) states that, "Basic utilities are characterized by physical infrastructure providing utility services, including...water.... Such facilities are not regularly occupied by employees and generally do not include parking areas or storage areas for vehicles, equipment, or materials." Examples of Basic Utilities include "unstaffed water filtration equipment" (SRC 404.110(a)(2)). The use designation "Drinking Water Treatment" (as defined in SRC 400.110(c)) does not apply to this application because the water treatment building will not be regularly staffed (see Appendix 4, Pre-Application Conference Case No. PRE-AP20-23, page 4, lines 1-3).*

***The proposed water treatment building will not be regularly staffed. Most operations for the facility will be completed remotely, which will reduce the***



*frequency and duration of staff visits. Water quality and chemistry will be continually monitored and relayed back to the City via telemetry systems, and adjustments to water quality chemicals will also be made remotely in a similar manner. These measures will minimize the need for staff at the water treatment building.*

*Onsite staff time needed for routine operation and maintenance of the water treatment building will be more similar to a pump station or wellhouse, rather than a typical drinking water treatment facility. The proposed water treatment building will require daily visits to check on equipment, lasting less than 30 minutes per day, with no designated staff present at the site for operation. By contrast, a typical drinking water treatment facility has one full-time operator onsite during regular working hours at minimum; some are staffed 24 hours per day. This is true of Salem's primary drinking water treatment facility at Geren Island and the vast majority of the drinking water treatment facilities in Oregon.*

*The project will not involve storage of materials or equipment other than those directly related to the operations and maintenance of the water treatment building. Such materials and equipment will be located primarily inside the building, with the potential for only minor exceptions. Parking will be limited to the minimum required for operations and maintenance related to the water treatment building, and the minimum required by the SRC. No long-term storage of vehicles at the water treatment building is proposed. This further supports the classification of the proposed use as a Basic Utility, rather than a Drinking Water Treatment Facility.*

- (b) Continued uses. Existing cottage housing within the RS zone constructed prior to May 15, 1979, but which would otherwise be made nonconforming by this chapter, is hereby deemed a continued use.

***Applicant's Response: Not applicable.***

Sec. 511.010. - Development standards.

Development within the RS zone must comply with the development standards set forth in this section.

- (a) *Lot standards.* Lots within the RS zone shall conform to the standards set forth in Table 511-2.

***Applicant's Response: Map T8S R3W 10 Tax Lot 300 is zoned RS. No changes in lot dimensions are proposed. The tax lot meets applicable dimensional standards, other than street frontage.***

**TABLE 511-2. LOT STANDARDS\***

Requirement	Standard	Limitations & Qualifications
<b>Lot Area</b>		
All other uses	Min. 6,000 sq. ft.	
<b>Lot Width</b>		
All Uses	Min. 40 ft.	
<b>Lot Depth</b>		
All other uses	Min. 80 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	
<b>Street Frontage</b>		
All other uses	Min. 40 ft.	

*\*abridged*

- (b) **Setbacks.** Setbacks within the RS zone shall be provided as set forth in Table 511-3.

***Applicant's Response:*** *The proposed water treatment building would be less than 35 feet in height (approximately 13 feet 8 inches) and be located 49 feet from the nearest property line, an interior side property line. The proposed generator enclosure, an accessory structure, would also be located 49 feet from the nearest property line, an interior side property line. Therefore, the applicable setback standards set forth in Table 511-3 are met.*

**TABLE 511-3. SETBACKS\***

Requirement	Standard	Limitations & Qualifications
<b>Interior Side</b>		
<b>Buildings</b>		
All other uses	Min. 5 ft.	Applicable to buildings not more than 35 ft. in height.
	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height.
<b>Accessory Structures</b>		
Accessory to all uses; infill lot	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.

*\*abridged*

- (c) *Lot coverage; height.* Buildings and accessory structures within the RS zone shall conform to the lot coverage and height standards set forth in Table 511-4.

***Applicant's Response: The proposed water treatment building would be less than 50 feet in height (approximately 13 feet 8 inches). The proposed generator enclosure, an accessory structure, would be less than 15 feet in height (approximately 10 feet). The proposed water treatment building and generator enclosure, together with the existing ASR well, would not exceed the standard 35 percent lot coverage. Therefore the applicable lot coverage and height standards set forth in Table 511-4 are met.***

**TABLE 511-4. LOT COVERAGE; HEIGHT\***

Requirement	Standard	Limitations & Qualifications
<b>Lot Coverage</b>		
<b>Buildings and Accessory Structures</b>		
All other uses	Max. 35%	
<b>Height</b>		
<b>Buildings</b>		
All other uses	Max. 50 ft.	
<b>Accessory Structures</b>		
Accessory to all uses	Max. 15 ft.	

*\*abridged*

- (d) *Maximum square footage for all accessory structures.* In addition to the maximum coverage requirements established in Table 511-4, accessory structures to single family and two family uses shall be limited to the maximum aggregate total square footage set forth in Table 511-5.

***Applicant's Response:***     ***No residential uses exist on the site or are proposed. Therefore, maximum aggregate total square footage standards set forth in Table 511-5 do not apply.***

- (e) *Garages required.*

***Applicant's Response:***     ***Not applicable.***

- (f) *Development standards for continued uses.*

***Applicant's Response:***     ***Not applicable.***

Sec. 511.015. - Other provisions.

***Applicant's Response:***     ***Responses to each of the applicable development standards of the UDC are provided herein.***

## CHAPTER 514. - RM-II—MULTIPLE FAMILY RESIDENTIAL

**Applicant's Response:** *Improvements to an existing access driveway to ASR Well #4 off Sunnyside Road SE and installation of a new 24-inch water line are proposed within the RM-II zone. No other improvements within the RM-II zone are proposed. The project's conformance with applicable UDC design standards for the access driveway improvements are addressed within this application under the following chapters: Chapter 802 – Public Improvements, Chapter 803 – Streets and Right-of-Way Improvements, Chapter 804 – Driveway Approaches, Chapter 806 – Off-Street Parking, Loading, and Driveways.* Sec. 514.005. - Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the RM-II zone are set forth in Table 514-1.

**Applicant's Response:** *The proposed water line, a Basic Utility, is permitted by right within the RM-II zone. The project's conformance with applicable UDC design standards for the access driveway improvements are addressed within this application under the following chapters: Chapter 803 – Streets and Right-of-Way Improvements, Chapter 804 – Driveway Approaches, Chapter 806 – Off-Street Parking, Loading, and Driveways.*

**TABLE 514-1. USES\***

Use	Status	Limitations & Qualifications
<b>Utilities</b>		
Basic utilities	P	

*\*abridged*

Sec. 514.010. - Development standards.

Development within the RM-II zone must comply with the development standards set forth in this section.

- (a) *Land division in the RM-II zone.* Lots subdivided or partitioned in the RM-II zone shall be a minimum of 20,000 square feet in size, unless the lots are restricted to contain three or more attached dwelling units per lot, are used for townhouse development, or are used for allowed uses other than household living.

**Applicant's Response:** *Not applicable. No land divisions are proposed.*

- (b) *Lot standards.* Lots within the RM-II zone shall conform to the standards set forth in Table 514-2.

**Applicant's Response:** *Map T8S R3W 10 Tax Lot 200 is zoned RM-II. No changes in lot dimensions are proposed. The tax lot meets applicable dimensional standards.*

**TABLE 514-2. LOT STANDARDS\***

Requirement	Standard	Limitations & Qualifications
<b>Lot Area</b>		
All other uses	Min. 6,000 sq. ft.	
<b>Lot Width</b>		
All Other Uses	Min. 40 ft.	
<b>Lot Depth</b>		
All other uses	Min. 80 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	
<b>Street Frontage</b>		
All other uses	Min. 40 ft.	

*\*abridged*

- (c) *Dwelling unit density.* Dwelling unit density within the RM-II zone shall conform to the standards set forth in Table 514-3. Maximum dwelling unit density cannot be varied or adjusted.

***Applicant's Response:***      ***Not applicable. No dwelling units are proposed.***

- (d) *Setbacks.* Setbacks within the RM-II zone shall be provided as set forth in Tables 514-4 and 514-5.

***Applicant's Response:***      ***Improvements to an existing access driveway to ASR Well #4 off Sunnyside Road SE are proposed within the RM-II zone. The access driveway runs parallel to the southern (interior side) property line of Map T8S R3W 10 Tax Lot 200, which is zoned RM-II and abuts properties that are zoned RS. Applicable setbacks and landscaping standards for the access driveway are included in SRC Section 806.040. - Driveway development standards for uses or activities other than single family, two family, three family, or four family. Per Section 806.040(c)(3) the***

*minimum perimeter setback and landscaping for driveways abutting an interior side property line is 5 feet landscaped according to the Type A standard set forth in Chapter 807. The proposed access driveway improvements will maintain a landscaped setback area that is a minimum of 5 feet and meets or exceeds the Type A landscaping standard. Therefore, these standards are met.*

**TABLE 514-4. SETBACKS\***

Requirement	Standard	Limitations & Qualifications
<b>Interior Side</b>		
<b>Vehicle Use Areas</b>		
All uses, other than single family, two family, three family, and four family	Zone-to-zone setback (Table 514-5)	

*\*abridged*

**TABLE 514-5. ZONE-TO-ZONE SETBACKS\***

Abutting Zone	Type of Improvement	Setback <sup>(1)</sup>	Landscaping & Screening
Residential Zone	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Limitations and Qualifications <sup>(1)</sup> Zone-to-Zone setbacks are not required abutting an alley.			

*\*abridged*

- (e) *Lot coverage; height.* Buildings and accessory structures within the RM-II zone shall conform to the lot coverage and height standards set forth in Table 514-6.

**Applicant's Response:**      ***Not applicable. No buildings or accessory structures are proposed within the RM-II zone.***

- (f) *Maximum square footage for all accessory structures.* In addition to the maximum coverage requirements established in Table 514-6, accessory structures to single family and two family uses shall be limited to the maximum aggregate total square footage set forth in Table 514-7.

***Applicant's Response:***      ***Not applicable. No accessory structures are proposed within the RM-II zone.***

- (g) *Landscaping.* Landscaping within the RM-II zone shall be provided as set forth in this subsection.

- (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 chapters 806 and 807.

***Applicant's Response:***      ***Applicable landscaping standards for the improvements to the existing access driveway to ASR Well #4 are included in SRC Section 806.040. - Driveway development standards for uses or activities other than single family, two family, three family, or four family. Per Section 806.040(c)(3) the minimum perimeter setback and landscaping for driveways abutting an interior side property line is 5 feet landscaped according to the Type A standard set forth in Chapter 807.***

- (h) *Outdoor storage.* Within the RM-II zone, outdoor storage shall be screened from streets and adjacent properties by a minimum six-foot-high sight-obscuring fence, wall, or hedge.

***Applicant's Response:***      ***Not applicable. No outdoor storage is proposed within the RM-II zone.***

Sec. 514.015. - Design review.

Design review under SRC chapter 225 is required for development within the RM-II as follows:

- (a) Multiple family development shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.
- (b) Residential care with five or more self-contained dwelling units shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.

***Applicant's Response:***      ***Not applicable. No multiple family or residential care development is proposed.***

Sec. 514.020. - Other provisions.

***Applicant's Response:***      ***Responses to each of the applicable development standards of the UDC are provided herein.***

CHAPTER 540. - PA—PUBLIC AMUSEMENT

***Applicant's Response:***      ***A pedestrian walkway, pipeline connections to existing wells, and minor stormwater drainage improvements are proposed within the PA zone. No other improvements within the PA zone are proposed. The project's conformance with applicable UDC design standards for this work are addressed within this application in Chapter 802 Public Improvements.***



Sec. 540.005. - Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the PA zone are set forth in Table 540-1.

***Applicant's Response:***      ***The proposed stormwater drainage piping, a Basic Utility, is permitted by right within the PA zone. The project's conformance with applicable UDC design standards for the improvements to the existing access driveway are addressed within this application in Chapter 802 Public Improvements.***

TABLE 540-1. USES*		
Use	Status	Limitations & Qualifications
<b>Utilities</b>		
Basic utilities	P	

*\*abridged*

Sec. 540.010. - Development standards.

Development within the PA zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the PA zone shall conform to the standards set forth in Table 540-2.

***Applicant's Response:***      ***Map T8S R3W 10 Tax Lot 300, 400, 800, 900, and 2300 are zoned PA. No changes in lot dimensions are proposed. The tax lots meets applicable dimensional standards, with the exception of street frontage.***

TABLE 540-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
<b>Lot Area</b>		
All uses	Min. 10,000 sq. ft.	
<b>Lot Width</b>		
All uses	Min. 50 ft.	
<b>Lot Depth</b>		
All uses	Min. 80 ft.	
<b>Street Frontage</b>		
All uses	Min. 16 ft.	

- (b) *Setbacks.* Setbacks within the PA zone shall be provided as set forth in Tables 540-3 and 540-4.

***Applicant's Response:***     ***Not applicable. No buildings, accessory structures, or vehicle use areas are proposed within the PA zone.***

- (c) *Lot coverage; height.* Buildings and accessory structures within the PA zone shall conform to the lot coverage and height standards set forth in Table 540-5.

***Applicant's Response:***     ***Not applicable. No buildings or accessory structures are proposed within the PA zone.***

- (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 chapters 806 and 807.

***Applicant's Response:***     ***Not applicable. No buildings, accessory structures, or vehicle use areas are proposed within the PA zone.***

- (e) *Outdoor storage.* Within the PA zone, outdoor storage shall be screened from streets and adjacent properties by a minimum six-foot-high sight-obscuring fence, wall, or hedge.

***Applicant's Response:***     ***Not applicable. No outdoor storage is proposed.***

Sec. 540.015. - Other provisions.

***Applicant's Response:***   ***Responses to each of the applicable development standards of the UDC are provided herein.***

## CHAPTER 800. - GENERAL DEVELOPMENT STANDARDS

Sec. 800.001. - Purpose.

Sec. 800.005. - Applicability.

Sec. 800.010. - Definitions.

Sec. 800.015. - Lot standards, generally.

- (a) *Buildings to be on a lot.* Every building or structure shall be entirely located on a lot. Where two or more lots are under single ownership to accommodate a single development, the entire combined area shall be considered as a single lot for purposes of the UDC. Buildings that are attached at a common property line, but which otherwise meet all requirements of SRC chapter 56 as separate buildings shall be considered as separate buildings for purposes of this subsection.
- (b) *Side lot lines.* As far as is practicable, side lot lines shall run at right angles to the street upon which the lot faces, except that on curved streets they shall be radial to the curve.

***Applicant's Response:***   ***The proposed building and structures are located entirely within Map T8S R3W 10 Tax Lot 300. No changes to lot lines are proposed.***

Sec. 800.020. - Designation of lot lines.

Sec. 800.025. - Flag lots.

Sec. 800.030. - Hillside lots.

Sec. 800.035. - Setbacks.

- (a) *Setbacks to be unobstructed.* Except as otherwise provided under subsection (b) of this section, required setbacks shall be unobstructed.
- (b) *Permitted projections into required setbacks.* Permitted projections into required setbacks are set forth in Table 800-2.

***Applicant's Response:*** ***No obstructions within setbacks are proposed. Other than landscaping and drainage improvements, the only development activity to occur within a setback area is the improvement of the existing access driveway, which, perpendicularly from Sunnyside Road SE, will cross the interior front and rear setbacks of Map T8S R3W 10 Tax Lot 200 and the interior side setback of Map T8S R3W 10 Tax Lot 300. The improvement of the existing access driveway (widening) is being designed in conformance with all applicable standards of Chapter 803 – Streets and Right-of-Way Improvements, Chapter 804 – Driveway Approaches, Chapter 806 – Off-Street Parking, Loading, and Driveways.***

- (c) *Zone-to-zone setbacks abutting property outside City limits or urban growth boundary.*

***Applicant's Response:*** ***Not applicable. The project site is located within the urban growth boundary, within City limits.***

- (d) *Setbacks abutting an interstate freeway, railroad right-of-way, or alley.*

***Applicant's Response:*** ***Not applicable. The project site does not abut an interstate freeway, railroad right-of-way, or alley.***

Sec. 800.040. - Special setbacks.

***Applicant's Response:*** ***Not applicable. No special setbacks are proposed.***

Sec. 800.045. - Height.

- (a) *Generally.* Unless otherwise provided under the UDC, standards relating to height shall apply to all buildings and structures. Height shall be measured as set forth in SRC chapter 112.
- (b) *Height exceptions.* Except as otherwise provided in this subsection, the following height exceptions are permitted under the UDC:

***Applicant's Response: Not applicable. Proposed buildings and structures will meet applicable height standards, as provided in Chapter 511. - RS—SINGLE FAMILY RESIDENTIAL. No structures are proposed within the RM-II or PA zones.***

Sec. 800.050. - Fences, walls, hedges, gates, and retaining walls.

Unless otherwise provided under the UDC, the standards set forth in this section shall apply to fences, walls, hedges, gates, and retaining walls in all zones. Where screening is required under the UDC in the form of a fence, wall, or hedge, it shall meet the standards set forth in SRC chapter 807, in addition to the standards set forth in this section. For purposes of this section, the term "front yard" means that portion of a lot located between the front property line and a line parallel to the front property line extended from the wall of the main building lying at the greatest distance from the front property line.

(a) *Location, height, and density.* Fences, walls, hedges, gates, and retaining walls shall comply with the location, height, and density standards set forth in this subsection.

(1) *Fences and walls.*

(A) Residential zones and property used for uses falling under household living in other zones. Fences and walls within residential zones, or on property used for uses falling under household living in other zones, shall not exceed a maximum height of eight feet; provided, however:

(i) *Front yard abutting street.* Fences and walls within a front yard abutting a street shall not exceed a maximum height of four feet when located within 20 feet of the property line abutting the street; provided, however, within ten feet of the property line abutting the street any portion of the fence or wall above 30 inches in height shall be less than 25 percent opaque when viewed at any angle at a point 25 feet away from the fence or wall.

(ii) *Side and rear yards abutting street.* Fences and walls within a side or rear yard abutting a street shall not exceed a maximum height of six feet when located within ten feet of a property line abutting a street.

(B) Nonresidential zones. Except for fences and walls on property used for uses falling under household living, fences and walls within nonresidential zones shall not exceed a maximum height of 12 feet; provided, however:

(i) Front, side, and rear yards abutting street. Fences and walls within a front, side, or rear yard abutting a street shall not exceed a maximum height of eight feet when located within ten feet of a property line abutting a street; provided, however, any portion of the fence or wall above 30 inches in height shall be less than 25 percent opaque when viewed at any angle at a point 25 feet away from the fence or wall.

***Applicant's Response: An 8-foot-tall, chain link, security perimeter fence is proposed surrounding the proposed water treatment building, which is to be located on a parcel zoned RS. The fence would be a minimum of 22 feet from the nearest property line, which is an interior side property line, as shown on Sheet TF-C-5 in Section C. Therefore, these standards are met.***

(2) *Hedges.*

***Applicant's Response: Not applicable. No hedges are proposed.***

(3) *Gates.* Where a gate is part of a fence, wall, or hedge it shall conform to the height limitations applicable to fences and walls set forth under SRC 800.050(a)(1). Gates shall not swing open onto a public right-of-way or vehicle or pedestrian easement.

***Applicant's Response:*** ***An 8-foot-tall, chain link, security perimeter fence is proposed surrounding the proposed water treatment building, which is to be located on a parcel zoned RS. The fence would have three gates: two 20-foot-wide rolling gates and one Operations and Maintenance access gate, as shown on Sheet TF-C-5 in Section C. All of the gates will be 6 feet in height, which meets the applicable all height limitations. Therefore, these standards are met.***

- (4) *Retaining walls.* Retaining walls shall not exceed a maximum height of four feet when located at the property line abutting a street. Retaining walls not located at the property line abutting a street may exceed four feet in height.

***Applicant's Response:*** ***Not applicable. No retaining walls are proposed.***

- (b) *Vision clearance.* Notwithstanding any other provision of this section, fence, walls, hedges, gates, and retaining walls shall conform to the vision clearance requirements of SRC chapter 805.

***Applicant's Response:*** ***The proposal will conform with applicable vision clearance standards, as addressed within Chapter 805 herein. Therefore, this standard is met.***

- (c) *Material.*

- (1) *Fences.* Fences shall be constructed of materials specifically designed and manufactured for fencing purposes, including, but not limited to, wooden pickets, vinyl, wrought iron, and chainlink fencing, with or without plastic or wood slats. Materials not specifically designed as fencing material, including, but not limited to, corrugated cardboard, corrugated metal, plywood, wooden pallets, garage doors, concrete rubble, and other junked material, are prohibited. Chicken wire may be used within the Residential Agriculture (RA) Zone if used to raise livestock. Fencing for raising livestock in other zones may be replaced if the use was an allowed use on the property prior to December 31, 2002. Fencing used for the establishment and protection of vegetation is permitted for a period not to exceed six months.
- (2) *Walls.* Walls shall be constructed of materials specifically designed and manufactured for use as walls, including, but not limited to, masonry, rock, concrete, concrete block, or other similar material.

***Applicant's Response:*** ***Fencing is proposed around the perimeter of the water treatment building for security purposes. The fence will be chain link. Therefore, this standard is met.***

- (d) *Hazardous materials.* Fences and walls shall not be constructed of or contain any material which will do bodily harm, such as electric or barbed wire, upturned barbed selvage, broken glass, spikes, or any other hazardous or dangerous material, except as follows:

***Applicant's Response:*** ***The proposed perimeter fencing will not contain any material that would do bodily harm. Therefore, this standard is met.***

- (e) *Maintenance.* Fences and walls shall be structurally maintained in safe condition. Wooden materials shall be protected from rot, decay, and insect infestation, and replaced as necessary. Failure to maintain an electric fence in conformance with the standards set forth in this section shall result in the fence being declared a public nuisance subject to abatement under SRC chapter 50.

***Applicant's Response:*** ***The applicant will maintain and replace the fencing as necessary. Therefore, this standard is met.***

Sec. 800.055. - Solid waste service areas.

Solid waste service areas shall provide for the safe and convenient collection of solid waste and recyclable and compostable materials by the local solid waste collection franchisee.

(a) *Applicability.* Solid waste service area design standards shall apply to:

- (1) All new solid waste, recycling, and compostable service areas, where use of a solid waste, recycling, and compostable receptacle of one cubic yard or larger is proposed; and
- (2) Any change to an existing solid waste service area for receptacles of one cubic yard or larger that requires a building permit.

***Applicant's Response:*** ***No new solid waste service area is proposed and no changes to an existing solid waste service area is proposed. Any solid waste generated by the construction, operation, or maintenance of the proposed water treatment building will be removed and disposed of offsite as appropriate. Therefore, these standards do not apply.***

Sec. 800.060. - Exterior lighting.

- (a) Exterior lighting shall not shine or reflect onto adjacent properties, or cast glare onto the public right-of-way.
- (b) Exterior light fixtures shall be located and designed so that the light source, when viewed at a height of five feet above the ground at a distance of five feet outside the boundary of the lot, shall be either:
  - (1) Completely shielded from direct view; or
  - (2) No greater than five foot-candles in illumination.

***Applicant's Response:*** ***Any exterior lighting associated with the water treatment building would be either completely shielded from direct view or no greater than five foot-candles in illumination. Exterior lighting will be limited to illumination of the gates and building entrances. Therefore this standard is met.***

Sec. 800.065. - Pedestrian access.

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.

- (a) *Pedestrian connections required.* The on-site pedestrian circulation system shall provide pedestrian connectivity throughout the development site as follows:
  - (1) *Connection between building entrances and streets.*
    - (A) A pedestrian connection shall be provided between the primary building 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 (see Figure 800-11).

***Applicant's Response:*** ***The proposed water treatment building is within the planning area of the Woodmansee Park Master Plan, which is currently being updated. The updated Woodmansee Park Master Plan will include the ASR***

**improvements, as well as other improvements throughout Woodmansee Park, including enhancements to the existing network of walking trails. The applicant will construct a pedestrian connection between the main entrance of the water treatment building and Sunnyside Road SE, the nearest street, as depicted on the attached Section C Exhibit Drawing C-3. The water treatment building is not intended for public use, and the pedestrian access that will be provided is intended only for maintenance workers.**

- (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 (see Figure 800-12).

**Applicant's Response: As stated in the pre-application conference notes, "Cherriots Route 18 travels near the subject property's frontage on Sunnyside Road SE, but there is not a transit stop located along the street frontage of the development site; therefore, this standard is not applicable. The nearest transit stop is at Sunnyside and Hilfiker (Stop ID 641)."**

- (2) *Connection between buildings on the same development site.* 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.

**Applicant's Response: The proposed asphalt concrete pad surrounding the proposed water treatment building would provide a pedestrian connection between the water treatment building and the existing ASR well on the same parcel. The other existing buildings within Woodmansee Park would be connected through a network of walking trails. The Woodmansee Park Master plan, which is currently being updated, will include planned trail enhancements that will provide connections between buildings within the park. The water treatment building is not intended for public use, and the pedestrian access that will be provided is intended only for maintenance workers. Therefore, this standard is met.**

- (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 or where there is no building, through the parking area as provided in this subsection.

**Applicant's Response: Not applicable. The proposed off-street parking area is less than 25,000 square feet.**

- (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.

- (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 following use classifications, use categories, and uses under SRC Chapter 400:
    - (i) Single family;
    - (ii) Two family;
    - (iii) Group living;
    - (iv) Industrial;
    - (v) Infrastructure and utilities; and
    - (vi) Natural resources.
  - (B) Where the use of an abutting property has specific security needs that make providing a connection impractical or undesirable;
  - (C) Where on-site activities on abutting properties, such as the operation of trucks, forklifts, and other equipment and machinery would present safety conflicts with pedestrians;
  - (D) Where buildings or other improvements on abutting properties physically preclude a connection now or in the future; or
  - (E) Where physical conditions of the land, such as topography or existing natural resource areas, including, but not limited to, wetlands, ponds, lakes, streams, or rivers, make providing a connection impractical.

***Applicant's Response:*** *The proposed water treatment building is within the planning area of the Woodmansee Park Master Plan, which is currently being updated. The updated Woodmansee Park Master Plan will include the ASR improvements, as well as other improvements throughout Woodmansee Park, including enhancements to the existing network of walking trails. The applicant will construct a pedestrian connection between the main entrance of the water treatment building and Sunnyside Road SE, the nearest street, as specified in the forthcoming Woodmansee Park Master Plan. A conceptual drawing of the future trail connection is provided with this application (see Sheets TF-C-5 and TF-C-7 in Section C), however, the actual design will be determined by the Woodmansee Park Master Plan.*

*There is an existing access driveway that provides a vehicular connection to the existing ASR Well #4 from Sunnyside Rd SE. The access driveway is in an existing easement across private property on Map T8S R3W 10 Tax Lot 200. This application includes widening the existing access driveway in order to accommodate large service vehicles, which will need to access the proposed water treatment building occasionally. No pedestrian connection is proposed along the access driveway. This is because it is undesirable to encourage pedestrian activity on the private property on which it is located. Therefore, a pedestrian connection is not required in this location per subsection 800.065(a)(5)(B). Pedestrian connections between Sunnyside Road SE and the project site will be provided through the network of walking trails through the park. Therefore, the standards set forth in subsections 800.065(a)(4) and (5) are met.*



(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) Material and width. 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.

***Applicant's Response:*** *The proposed water treatment building is within the planning area of the Woodmansee Park Master Plan, which is currently being updated. The updated Woodmansee Park Master Plan will include the ASR improvements, as well as other improvements throughout Woodmansee Park, including enhancements to the existing network of walking trails. The applicant will construct a pedestrian connection between the main entrance of the water treatment building and Sunnyside Road SE, the nearest street, as specified in the forthcoming Woodmansee Park Master Plan. A conceptual drawing of the future trail connection is provided with this application, however, the actual design will be determined by the Woodmansee Park Master Plan. Therefore, this standard is met.*

(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.

***Applicant's Response:*** *There are no nighttime employees, customers, or residents at Woodmansee Park, as it is open daily from sunrise to sunset. Therefore, the standard provided in subsection 800.065(c) does not apply.*

## CHAPTER 802. - PUBLIC IMPROVEMENTS

Sec. 802.005. - Definitions.

Sec. 802.010. - Design standards and specifications.

Sec. 802.015. - Development to be served by city utilities.

Except as provided under SRC 802.035 and 802.040, all development shall be served by city utilities designed and constructed according to all applicable provisions of the Salem Revised Code and the Public Works Design Standards.

***Applicant's Response: The proposal conforms with all applicable provisions of the SRC and Public Works Design Standards. Therefore, this standard is met.***

Sec. 802.020. - Easements.

Subject to any constitutional limitations, the conveyance or dedication of easements for city utilities may be required as conditions of development approval. Easements may be required that are necessary for the development of adjacent properties. Easements shall, where possible, be centered on, or abut property lines, and shall be not less than ten feet in width. No building, structure, tree, or other obstruction other than landscaping shall be located within an easement required by this section.

***Applicant's Response: The proposed City improvements are to be located on City-owned property or within existing utility easements benefitting the City.***

Sec. 802.025. - Utilities to be placed underground.

- (a) Except as otherwise provided in this section, all utility service shall be provided by underground facilities.
- (b) In industrial and employment and commercial zones, electrical service may be provided by overhead wires where underground utility service is unavailable.
- (c) Stormwater management shall be provided by above ground and below ground facilities.

***Applicant's Response: Electrical service will be provided to the proposed water treatment building via underground conduits, which will feed from existing conduits that serve the existing ASR well on the site. Water service lines will be located underground. A stormwater facility will be provided, as shown on Sheets TF-C-5 and TF-L-1 in Section C. Therefore, these standards are met.***

Sec. 802.030. - Watercourses.

- (a) Any modification to a watercourse shall conform to SRC chapter 601 and the Public Works Design Standards.
- (b) Public improvement and maintenance easements for watercourses may be required. The easements shall, at a minimum, extend 15 feet in each direction from the waterway centerline, ten feet from the top of a recognizable bank, or a sufficient width to pass ten-year flood flows or to accommodate the 100-year floodway on a FEMA regulated stream, whichever is greater. Such easements shall be of a width sufficient to allow both initial improvements and future maintenance and operations. Larger widths may be required.

***Applicant's Response: Watercourses, as defined by SRC Section 802.005. – Definitions, include human-constructed routes in which water flows. The proposal involves the construction of an open, vegetated stormwater detention and water quality facility, which will fall under this definition. This facility will be designed to meet all applicable standards of SRC Chapter 601 and the Public Works Design Standards. The applicant proposes construction of these facilities on City-owned property. The facilities will be maintained by City staff. Therefore, these standards are met.***

Sec. 802.035. - Partitions in areas unserved by city wastewater system.

A partition located more than 300 feet from an available sewer may be approved if the applicable requirements for partitions located more than 300 feet from an available sewer contained within SRC chapter 205 are met.

***Applicant's Response: No partitions are proposed. Therefore, this provision does not apply.***

Sec. 802.040. - Private stormwater, wastewater, and water systems.

A private stormwater, wastewater, or water system may be approved by the Director if each of the following conditions are met:

- (a) City utilities necessary to serve adjacent properties and to provide needed links in the overall collection and distribution system are provided.
- (b) If the system is a water system:
  - (1) The water system conforms to the water distribution standards of the City;
  - (2) Except as authorized by state law, water from the system is not submetered or resold to other parties;
  - (3) Each building under separate ownership has a separate water meter; and
  - (4) The properties served are located within a commercial or an industrial and employment zone.
- (c) If the system serves multiple properties under separate ownership:
  - (1) If the system is a wastewater system, the properties served are located within a commercial or an industrial and employment zone, and each building under separate ownership must have a separate wastewater monitoring manhole. Exceptions to the requirement for monitoring manholes may be granted by the Director if the owner of the system shows that no proposed use has any likelihood of discharging hazardous or illegal materials into the City's wastewater system.
  - (2) An agreement is executed by the utility owner and the owner of the property served by the system. The agreement shall be recorded in the deed records of the applicable county and provide that:
    - (A) The system serving the property is private;
    - (B) The City has no responsibility to maintain the system;
    - (C) The system will not be accepted by the City unless the system was constructed in a manner that conforms to the Public Works Design Standards;
    - (D) A perpetual right of access to read and maintain the meters and inspect the system is granted to the City; and
    - (E) Persons served by the system assume responsibility for any repairs required for the City.

***Applicant's Response: No private utilities are proposed. Therefore, these conditions do not apply.***

## CHAPTER 803. - STREETS AND RIGHT-OF-WAY IMPROVEMENTS

Sec. 803.001. - Purpose.

Sec. 803.005. - Definitions.

Sec. 803.010. - Streets, generally.

Except as otherwise provided in this chapter, all streets shall be improved to include the following: adequate right-of-way, paving, curbing, bike lanes (where required), sidewalks, street lighting, stormwater

facilities; utility easements, turnarounds, construction strips, landscape strips, parking lanes, adequate right-of-way geometry, paving width, grade, structural sections and monumentation, that conforms to the Public Works Design Standards.

Sec. 803.015. - Traffic impact analysis.

- (a) *Purpose.* The purpose of a traffic impact analysis is to ensure that development generating a significant amount of traffic provides the facilities necessary to accommodate the traffic impacts of the proposed development.
- (b) *Applicability.* An applicant shall provide a traffic impact analysis if one of the following conditions exists:
  - (1) The development will generate 200 or more daily vehicle trips onto a local street or alley, or 1,000 daily vehicle trips onto a collector, minor arterial, major arterial, or parkway. Trips shall be calculated using the adopted Institute of Transportation Engineer's Trip Generation Manual. In developments involving a land division, the trips shall be calculated based on the proposed development that will occur on all lots that will be created by the land division.
  - (2) The increased traffic resulting from the development will contribute to documented traffic problems, based on current accident rates, traffic volumes or speeds, and identified locations where pedestrian and/or bicyclist safety is a concern.
  - (3) The City has performed or reviewed traffic engineering analyses that indicate approval of the development will result in levels of service of the street system that do not meet adopted level of service standards.
- (c) *Improvements may be required.* On-site and off-site public or private improvements necessary to address the impacts identified in the traffic impact analysis may be required as conditions of development approval. Improvements include, but are not limited to, street and intersection improvements, sidewalks, bike lanes, traffic control signs and signals, parking regulation, access controls, driveway approach location and design, and street lighting.
- (d) *Exception.* An exception to the requirement for a traffic impact analysis may be granted for development that generates more than the trips specified in subsection (b)(1) of this section if the Director determines the traffic impact analysis is not necessary to satisfy the purposes set forth in subsection (a) of this section.

***Applicant's Response: The traffic impact from the proposed development will be minimal, less than 10 trips per day. Any increases in traffic related to the proposal are not anticipated to contribute to congestion or safety concerns, or lower the level of service on public roads or alleys. Therefore, no traffic impact analysis is anticipated to be required.***

Sec. 803.020. - Public and private streets.

- (a) *Public streets.* Except as provided in subsection (b) of this section, all streets shall be public streets.
- (b) *Private streets.*
  - (1) Internal streets in subdivisions, partitions, and planned unit developments may be either public or privately owned; provided that the internal streets may be required to be public, given the connectivity, size, configuration, location, and number of lots or dwelling units, and the nature and location of public and common facilities and proposed uses.
  - (2) Private streets shall conform to this chapter and the Public Works Design Standards, unless otherwise required by state law.
  - (3) Any subdivision, partition, or planned unit development that includes private streets shall have recorded covenants, conditions, and restrictions which provide that all common property owners

shall be members of a property owners' association. The covenants, conditions, and restrictions shall, at a minimum, require that the association be responsible for the perpetual maintenance and operation of all private streets and related facilities in the development, including, but not limited to, parking areas, private streets, privately owned pedestrian/bikeways, and landscape strips. Such association shall have the power to levy and assess against privately owned property in the development all necessary costs for maintenance and operation of the private streets and related facilities.

***Applicant's Response: The applicant proposes widening an existing access driveway from an 11-foot-wide paved surface to a paved surface up to 30 feet wide. The access driveway is located on private property within an existing easement benefitting the City for access to ASR Well #4. The widening to allow adequate access to the proposed water treatment building will require a new easement or updated easement to cover the increased driveway access width. The applicant acknowledges it is responsible for maintenance of the access driveway.***

Sec. 803.025. - Right-of-way and pavement widths.

- (a) Except as otherwise provided in this chapter, right-of-way width for streets and alleys shall conform to the standards set forth in Table 803-1.

TABLE 803-1. RIGHT-OF-WAY WIDTH		
Right-of-Way	Width	Limitations & Qualifications
Parkway	Min. 120 ft.	Applicable for up to 4 motor vehicle travel lanes.
	Min. 144 ft.	Applicable for greater than 4 motor vehicle travel lanes.
Major arterial	Min. 96 ft.	
Minor arterial	Min. 72 ft.	
Collector	Min. 60 ft.	
Local street	Min. 60 ft.	

Cul-de-sac	Min. 50 ft.	Applicable to the stem of the cul-de-sac.
	Min. 45 ft. radius	Applicable to the turnaround of the cul-de-sac.
Alley	Min. 10 ft.	
	Max. 20 ft.	

- (b) Except as otherwise provided in this chapter, streets shall have an improved curb-to-curb pavement width as set forth in Table 803-2.

TABLE 803-2. PAVEMENT WIDTH		
Street Type	Width	Limitations & Qualifications
Parkway	Min. 80 ft.	
Major arterial	Min. 68 ft.	
Minor arterial	Min. 46 ft.	
Collector	Min. 34 ft.	Applicable to Type A collector.
	Min. 40 ft.	Applicable to Type B collector.
	Min. 34 ft.	Applicable to Type C collector.
Local Street	Min. 30 ft.	
Cul-de-sac	Min. 30 ft.	Applicable to the stem of the cul-de-sac.
	Min 38 ft. radius	Applicable to the turnaround of the cul-de-sac.

- (c) Additional right-of-way, easements, and improvements may be required to accommodate the design and construction of street improvement projects due to steep slopes, soils, water features, wetlands, transit bus bays, and other physical constraints.
- (d) Additional right-of-way and roadway improvements at the intersections of parkways, major arterial, minor arterial, and collector streets, and at intersections and access points for high traffic generators, including, but not limited to, shopping centers, schools, major recreational sites, and office complexes, may be required. The design of all intersections shall conform to the Public Works Design Standards.
- (e) When an area within a subdivision is set aside for commercial or industrial uses, or where probable future conditions warrant, dedication and improvement of streets to greater widths than those provided in subsection (a) of this section may be required.

***Applicant's Response: The development site does not have frontage on a public road. Therefore, no right-of-way dedication is anticipated to be required. Because potential traffic impacts are minimal, no public improvements are anticipated to be required.***

Sec. 803.030. - Street spacing.

- (a) Streets shall have a maximum spacing of 600 feet from right-of-way line to right-of way line along one axis, and not less than 120 feet and not more than 400 feet from right-of-way line to right-of-way line along the other axis.
- (b) Street spacing may be increased where one or more of the following exist:
  - (1) Physical conditions preclude streets meeting the spacing requirements. Physical conditions include, but are not limited to, topography or the existence of natural resource areas such as wetlands, ponds, streams, channels, rivers, lakes, or a resource protected by state or federal law.
  - (2) Buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels, physically preclude streets meeting the spacing requirements, considering the potential for redevelopment.
  - (3) An existing public street or streets terminating at the boundary of the development site exceed the spacing requirements, or are situated such that the extension of the street or streets into the development site would create a block length exceeding the spacing requirements. In such cases, the block length shall be as close to the spacing requirements as practicable.
  - (4) Strict application of the spacing requirements would result in a street network that is no more beneficial to vehicular, pedestrian, or bicycle traffic than the proposed street network, and the proposed street network will accommodate necessary emergency access.

***Applicant's Response: No new streets are proposed. Therefore, these standards do not apply.***

Sec. 803.035. - Street standards.

All public and private streets shall be improved as follows:

- (a) ***Connectivity.*** Local streets shall be oriented or connected to existing or planned streets, existing or planned schools, parks, shopping areas, transit stops, and employment centers located within one-half-mile of the development. Local streets shall be extended to adjoining undeveloped properties for eventual connection with the existing street system. Connections to existing or planned streets and adjoining undeveloped properties for eventual connection with the existing street system shall be provided at no greater than 600-foot intervals unless one or more of the following conditions exist:

- (1) Physical conditions or the topography, including, but not limited to, freeways, railroads, steep slopes, wetlands, or other bodies of water, make a street or public accessway connection impracticable.
  - (2) Existing development on adjacent property precludes a current or future connection, considering the potential and likelihood for redevelopment of the adjacent property; or
  - (3) The streets or public accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, that by their terms would preclude a current or future connection.
- (b) *Improvements.* All street improvements, including sub-base, base, pavement, curbs, sidewalks, and surface drainage shall conform to all provisions of the Salem Revised Code and the Public Works Design Standards.
- (c) *Alignment and grade.* All streets shall be designed with a vertical alignment that conforms to the Public Works Design Standards. No grade of parkway, major arterial, or minor arterial shall exceed six percent. No grade of a collector street shall exceed eight percent. No grade of a local street shall exceed 12 percent.
- (d) *Dead-end streets.* When it appears necessary to provide connectivity into or through an abutting undeveloped area, a dead-end street shall be provided to the boundary of the undeveloped area. The street may be constructed and right-of-way may be dedicated without a turnaround unless the Planning Administrator finds that a turnaround is necessary.
- (e) *Reserve blocks.* Reserve blocks controlling access to a street or alley may be required to be dedicated to address one or more of the following:
- (1) To prevent access to abutting land at the end of a street in order to assure the proper extension of the street pattern and the orderly development of land lying beyond the street.
  - (2) To prevent access to the side of a street on the side where additional width is required to meet the right-of-way standards provided in SRC 803.025.
  - (3) To prevent access to land abutting a street of the development, but not within the development itself.
  - (4) To prevent access to land unsuitable for development.
  - (5) To prevent access prior to payment of street improvement assessments or connection charges.
  - (6) To prevent access to an arterial or collector street.
- (f) *Cul-de-sacs.*
- (1) Cul-de-sacs shall not exceed 800 feet in length.
  - (2) No portion of a cul-de-sac shall be more than 400 feet from an intersecting street or cul-de-sac unless physical constraints make it impractical.
  - (3) Cul-de-sacs shall have a turnaround with a property line radius of not less than that specified in SRC 803.025(a) from the center of the turnaround to the property lines.
- (g) *Intersections; property line radius.*
- (1) Intersections shall conform to the Public Works Design Standards; provided, however, additional right-of-way and roadway improvements at or adjacent to the intersections of parkways, major arterials, minor arterials, and collector streets may be required for intersections and access points for high traffic generators, including, but not limited to, shopping centers, schools, major recreational sites, and office complexes.



- (2) The property line radius at intersections shall be not less than the curblin radius as set forth in the Public Works Standards.
- (h) *Cut and fill slopes.* Fill slopes shall begin no closer than two feet from the rear edge of the sidewalk, or if there is no sidewalk, from to the rear edge of the curb. Cut and fill slopes shall not exceed two horizontal to one vertical, provided that slopes not exceeding one to one may be approved upon certification by a qualified engineer or geologist that the slope will remain stable under foreseeable conditions.
- (i) *Slope easements.* Slope easements shall be provided on both sides of the right-of-way where required by Public Works Design Standards.
- (j) *Street alignment.* Consistent with good engineering practice, street alignment shall, so far as possible, avoid natural and constructed obstacles, including, but not limited to, mature trees.
- (k) *Street trees.* Development adjacent to public streets shall provide street trees that meet the standards and specifications set forth in SRC chapter 86.
- (l) *Sidewalks.*
  - (1) *Sidewalk construction required.* Sidewalks conforming to this chapter, the Public Works Design Standards, the Americans with Disabilities Act, the Salem Transportation System Plan, and SRC chapter 78 shall be constructed as a part of street improvement projects.
  - (2) *Sidewalk location; width.*
    - (A) Sidewalks shall be located parallel to and one foot from the adjacent right-of-way; provided, however, on streets having a right-of-way of 50 feet or less, sidewalks shall be located parallel to and abutting the curb.
    - (B) If topography or other conditions make the construction of a sidewalk impossible or undesirable in a location required by this subsection, a different location may be allowed.
    - (C) Except as otherwise provided in this subsection, all sidewalks shall be a minimum of five feet in width.
    - (D) Sidewalks connecting with the direct access to the primary entrance of a school shall be a minimum of eight feet in width along the right-of-way for a distance of 600 feet from the point of connection.
    - (E) Sidewalks shall have an unobstructed four-foot wide clearance around street lights, signs, mailboxes, and other streetscape facilities.
- (m) *Bicycle facility standards.* Streets identified in the Salem Transportation System Plan Bicycle System Map as requiring a bicycle facility must conform to the designation of the Salem Transportation System Plan and the Public Works Design Standards.
- (n) *Utility easements.* Public utility easements may be required for all streets. Unless otherwise specified by the Director, public utility easements shall be a minimum of ten feet in width on each side of the right-of-way.
- (o) *Street lights.* All subdivisions and partitions, and all development on units of land for which site plan review is required, shall include underground electric service, light standards, wiring, and lamps for street lights that conform to the Public Works Design Standards. The developer shall install such facilities. Upon the City's acceptance of improvements, the street lighting system shall become the property of the City.
- (p) *Landscape strips.* Landscape strips for signs, street lights, and shade trees shall be provided that conform to the Public Works Design Standards.

- (q) *Landscaping.* Property owners shall cover at least 75 percent of the unimproved surface area within the right-of-way abutting the property with perennial living plant material which conforms to all other requirements of the UDC, and which is kept free of noxious vegetation.
- (r) *Urban growth area street improvements.* Where a subdivision or partition is located in the Urban Growth Area or the Urban Service Area, and the construction of street improvements by the City has not yet occurred, the street improvements and dedications shall meet the requirements of SRC chapter 200.

***Applicant's Response: The proposed improvements to the existing access driveway (widening) will be designed to meet all applicable design and construction standards. See Sheet TF-C-6 in Section C.***

Sec. 803.040. - Boundary streets.

- (a) *General.* Except as otherwise provided in this section, dedication of right-of-way for, and construction or improvement of, boundary streets of up to one-half of the right-of-way and improvement width specified in SRC 803.025 shall be required as a condition of approval for the following:
  - (1) Subdivisions;
  - (2) Partitions;
  - (3) Planned unit developments;
  - (4) Manufactured dwelling parks; and
  - (5) The construction or enlargement of any building or structure located on property abutting a boundary street and that requires a building permit under SRC chapter 56.
- (b) *Three-quarter street improvement.* If construction of a half-street improvement is insufficient to provide for a minimum of one 12-foot-wide travel lane in each direction or proper street grade, dedication of right-of-way for, and construction or improvement of, a three-quarter street improvement may be required.
- (c) *Additional right-of-way and improvements.* Dedication and improvement of streets to greater widths than those provided in SRC 803.025 may be required when:
  - (1) An area within a subdivision is set aside for commercial or industrial uses, or where probable future conditions warrant.
  - (2) Topographical requirements necessitate either cuts or fills for the proper grading of the streets, additional right-of-way width or slope easements may be required to allow for all cut and fill slopes.
  - (3) Additional area is required for stormwater facilities located within the right-of-way.
- (d) *Exceptions.* Notwithstanding subsections (a) and (b) of this section, the dedication of right-of-way for, and construction or improvement of, boundary streets is not required in the following circumstances:
  - (1) Improvement of the boundary street abutting the property is a funded project in the Five Year Capital Improvement Program;
  - (2) The erection or construction of a new building or structure in a complex, if the new building or structure is less than 2,000 square feet. This exception shall be based on the extent of development existing on December 31, 1995;
  - (3) The enlargement of any building or structure, if the enlargement results in less than a 50 percent increase in gross building area. This exception shall be based on the extent of development existing on December 31, 1995;

- (4) The erection, construction, or enlargement of any building or structure to be used entirely for agriculture, the keeping of livestock and other animals, or animal services, as defined in SRC chapter 400, and which involve no retail sales; or
- (5) The erection, construction, or enlargement of any building or structure that will generate less than 20 new vehicle trips per day according to the Institute of Transportation Engineers' Trip Generation Manual.

(e) *Improvement.*

- (1) All boundary street improvements shall conform to this chapter and the Public Works Design Standards.
- (2) The maximum amount of street widening shall not exceed 17 feet on the development side, plus curb, gutters, sidewalks, bike lanes, stormwater facilities, street lights, and signing where appropriate. The minimum requirement for the opposite side of the centerline is a 12-foot-wide paved travel lane. The boundary street improvement shall be provided along the full length of the boundary.
- (3) If development is proposed for only a portion of a development site or complex, the boundary street improvement shall be provided as follows:
  - (A) Where the area of development exceeds 25 percent of the total development site or complex area, the street improvements shall be the greater of either the actual street frontage of the phase being developed, or the percentage of street frontage equal to the percentage of area being developed.
  - (B) Where the area of development is equal to or less than 25 percent of the total development site or complex area, the street improvement shall be provided in accordance with the following formula:
    - (i)  $\text{Frontage of Required Street Improvement} = \text{Proposed Area of Development} \div \text{Area of Undeveloped Site} \times \text{Total Street Frontage of Entire Development Site or Complex}$ .
  - (C) As used in this subsection, the term "area of development" means that area required for structures, setbacks, off-street parking, landscaping, and any special setbacks.

***Applicant's Response:*** *The development site does not have frontage on a public road. Therefore, no right-of-way dedication is anticipated to be required. Because potential traffic impacts are minimal, no public improvements are anticipated to be required.*

Sec. 803.045. - Monuments.

Proper monuments that conform to the Public Works Design Standards shall be constructed with street improvements.

***Applicant's Response:*** *The development site does not have frontage on a public road. Therefore, no right-of-way dedication is anticipated to be required. Because potential traffic impacts are minimal, no public improvements are anticipated to be required.*

Sec. 803.050. - Public accessways.

- (a) When necessary for public convenience or safety, public accessways may be required to connect to cul-de-sac streets, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths creating access to schools, parks, shopping centers, mass transportation stops, or other

community services, or where it appears necessary to continue the public walkway into a future subdivision or abutting property or streets.

- (b) Public accessways shall conform to the Public Works Design Standards, and have width and location as reasonably required to facilitate public use and, where possible, accommodate utility easements and facilities. Public accessways shall be dedicated on the plat.

***Applicant's Response: The access driveway is not public. Therefore, this does not apply.***

Sec. 803.055. - Traffic control, parking regulation, and street signs and pavement markings.

The developer shall install all required traffic control, parking regulation, street signs, and pavement markings for all paved blocks of streets within a subdivision or partition prior to final acceptance of the public streets by the City, or prior to the issuance of any building permit for construction within the subdivision or partition for private streets. All traffic control, parking regulation, and street signs and pavement markings shall conform to the Public Works Design Standards, and shall be installed at the developer's expense.

***Applicant's Response: The applicant acknowledges that any necessary traffic control, parking regulation, street signs, and pavement markings, if any, associated with this development proposal are to be provided by the applicant.***

Sec. 803.060. - Conveyance by dedication.

All streets within subdivisions or partitions, other than private streets allowed under SRC 803.020, shall be dedicated to the City on the plat.

***Applicant's Response: No subdivisions or partitions are proposed. The proposed access driveway improvements (widening) are to be located within an existing easement benefitting the City for the purpose of providing access to ASR Well #4. The proposed widening will provide adequate access to the site of the proposed water treatment building. Therefore, this provision does not apply.***

Sec. 803.065. - Alternative street standards. Sec. 803.070. - Deferral of construction of certain improvements.

## CHAPTER 804. - DRIVEWAY APPROACHES

Sec. 804.001. - Purpose.

Sec. 804.005. - Definitions.

Sec. 804.010. - Applicability.

This chapter applies to the design, construction, relocation, reconstruction, enlargement, or alteration of any driveway approach.

***Applicant's Response: Widening of the existing access driveway to ASR Well #4 is proposed, on private property, within an existing easement. In order to accommodate the access driveway widening, the existing driveway approach within the right-of-way of Sunnyside Road SE will be enlarged. Therefore, the provisions set forth in SRC Chapter 804 apply.***

Sec. 804.015. - Driveway approach permit required.

- (a) Except as otherwise provided in this chapter, a driveway approach permit shall be obtained prior to constructing, relocating, reconstructing, enlarging, or altering any driveway approach.
- (b) Exceptions. A driveway approach permit is not required for:
  - (1) The construction, relocation, reconstruction, enlargement, or alteration of any driveway approach that requires a state highway access permit; or
  - (2) The construction, relocation, reconstruction, enlargement or alteration of any driveway approach that is part of the construction of a publicly or privately engineered public improvement project.

***Applicant's Response:*** *The project will widen the existing driveway on Sunnyside Rd SE, which the Salem Transportation System Plan designates as a minor arterial facility. The driveway approach enlargement is part of the proposed improvements to the public drinking water system. Therefore, per subsection 804.015(a)(2), a driveway approach permit is not required.*

Sec. 804.020. - Class 1. Driveway approach permit.

***Applicant's Response:*** *Not applicable. The proposed project is a public improvement. Per subsection 804.015(a)(2), a driveway approach permit is not required.*

Sec. 804.025. - Class 2 driveway approach permit.

***Applicant's Response:*** *Not applicable. The proposed project is a public improvement. Per subsection 804.015(a)(2), a driveway approach permit is not required.*

Sec. 804.030. - Access onto local and collector streets.

***Applicant's Response:*** *Not applicable. The affected parcels do not have frontage on a local or collector street. The development site is served by an existing driveway on Sunnyside Road SE, a minor arterial. The applicant proposes enlargement of the existing driveway in order to accommodate the proposed public drinking water system improvements. Per subsection 804.015(a)(2), a driveway approach permit is not required.*

Sec. 804.035. - Access onto major and minor arterials.

(a) *Number of driveway approaches.*

- (1) Except as otherwise provided in this chapter, a complex shall be entitled to one driveway approach onto a major or minor arterial. Additional driveway approaches for a complex may be allowed where:
  - (A) A complex has more than 370 feet of frontage abutting a major or minor arterial;
  - (B) There is a shared access agreement between two or more complexes; or
  - (C) It is impracticable to serve the complex with only one driveway approach.
- (2) No driveway approach is allowed onto a major or minor arterial for development that is not a complex, unless:

- (A) The driveway approach provides shared access;
- (B) The development does not abut a local or collector street; or
- (C) The development cannot be feasibly served by access onto a local or collector street.

***Applicant's Response:*** ***Per SRC Chapter 111. Definitions, "Complex means a group of buildings, structures, or other development that is functionally or conceptually integrated, regardless of the ownership of the development or underlying land, and regardless of whether located on one or more lots or parcels." Woodmansee Park and the ASR infrastructure within the park meet the definition of a complex. Woodmansee Park and the ASR infrastructure within the park are served by two existing driveways Sunnyside Rd SE, a minor arterial facility. One of the driveways is within an easement on private property, used by City staff to access existing ASR infrastructure. The other is the main public entrance to Woodmansee Park. It would be impracticable to serve the site with only one driveway approach, as it would require construction of new onsite vehicle access roads through sports fields or other park space. Therefore, the number of accesses serving the site is consistent with subsection 804.035(a)(1)(C).***

- (b) *Traffic volume threshold.* No driveway approach onto a major or minor arterial shall be allowed unless the development generates 30 or more vehicle trips per day or the driveway approach provides access to a city park.

***Applicant's Response:*** ***The affected driveway approach on Sunnyside Road SE, a minor arterial facility, provides access to a city park. Therefore, this standard is met.***

- (c) *Permitted access.*

- (1) Driveway approaches onto major and minor arterials shall only provide access to a permitted parking or vehicular use area, except where the driveway approach will provide access to a site controlled by a franchised utility service provider or a governmental entity.

***Applicant's Response:*** ***The affected driveway approach on Sunnyside Road SE, a minor arterial facility, will provide access to the proposed vehicle use area surrounding the proposed water treatment building access to a city park. The site is controlled by the City. Therefore, this standard is met.***

- (2) For a corner lot that abuts a local or collector street, the driveway approach shall provide access to the street with the lower street classification.

***Applicant's Response:*** ***The development site is not a corner lot. Therefore, this standard does not apply.***

- (3) No access shall be provided onto a major or minor arterial from a single family or two family use constructed as part of a subdivision or partition.

***Applicant's Response:*** ***The affected driveway approach does not serve a single family or two family use. Therefore, this standard is met.***

- (4) Only forward in/forward out access shall be allowed onto a major or minor arterial.

***Applicant's Response:*** ***The affected driveway approach will allow for forward in/forward out access onto Sunnyside Road SE, a minor arterial facility. Therefore, this standard is met.***

- (d) *Spacing.* Driveway approaches providing direct access to a major or minor arterial shall be no less than 370 feet from the nearest driveway or street intersection, measured from centerline to centerline.

***Applicant's Response:*** *The affected driveway approach provides direct access onto Sunnyside Road SE, a minor arterial facility. The driveway approach does not meet spacing standards of this section. However, this driveway approach is existing and provides direct access to the development site; no new driveway approach is proposed.*

- (e) *Vision clearance.* Driveway approaches onto major and minor arterials shall comply with the vision clearance requirements set forth in SRC chapter 805.

***Applicant's Response:*** *The affected driveway approach provides direct access onto Sunnyside Road SE, a minor arterial facility. The driveway approach will comply with the vision clearance requirements set forth in SRC Chapter 805. Therefore, this standard is met.*

Sec. 804.040. - Access onto parkways.

***Applicant's Response:*** *Not applicable. The affected driveway approach provides access onto Sunnyside Road SE, a minor arterial facility. No parkways abut the development site.*

Sec. 804.045. - Shared access.

- (a) Shared access may be required to serve two or more abutting lots or parcels, when necessary to mitigate or eliminate traffic impacts or safety concerns. Shared access may be provided at the request of an applicant; provided, however, that once the applicant's request has been approved, shared access shall not be eliminated without first obtaining a Class 2 driveway permit.
- (b) Shared access shall conform to this chapter and the Public Works Design Standards, and shall be provided by permanent irrevocable easements that are recorded in the appropriate county.
- (c) Lots and parcels shall be permitted to use temporary direct access onto a street until permanent shared access has been established.

***Applicant's Response:*** *No new shared accesses are proposed. The existing access serves the ASR facilities within Woodmansee Park as well as uses on abutting parcels. The applicant proposes enlargement of the existing driveway in order to accommodate the proposed public drinking water system improvements. Per subsection 804.015(a)(2), a driveway approach permit is not required.*

Sec. 804.050. - Driveway approach development standards.

Driveway approaches shall conform to the following development standards:

- (a) *Design and construction.* Driveway approaches shall be designed and constructed in conformance with this chapter and the Public Works Design Standards.

**Applicant's Response:** *The applicant proposes enlargement of the existing driveway in order to accommodate the proposed public drinking water system improvements. The driveway approach will be designed and constructed in conformance with this chapter and the Public Works Design Standards. Therefore, this standard is met.*

(b) *Width.*

- (1) *Driveway approach width for single family, two family, three family, and four family uses.*

**Applicant's Response:** *The applicant proposes enlargement of the existing driveway in order to accommodate the proposed public drinking water system improvements. The affected driveway approach not serve residential uses. Therefore, these standards do not apply.*

- (2) *Driveway approach width for uses other than single family, two family, three family, and four family.* Driveway approaches serving uses other than single family, two family, three family, and four family shall conform to the minimum and maximum widths set forth in Table 804-2.

**Applicant's Response:** *The applicant proposes enlargement of the existing driveway in order to accommodate the proposed public drinking water system improvements. The driveway approach will be widened to up to 30 feet wide and serve two-way traffic. Therefore, the spacing standards of Table 804-2 are met.*

**TABLE 804-2. DRIVEWAY APPROACH WIDTH FOR USES OTHER THAN SINGLE FAMILY, TWO FAMILY, THREE FAMILY, OR FOUR FAMILY**

Type of Driveway	Width	
	Minimum	Maximum
One-way driveway approach	12 ft.	20 ft.
Two-way driveway approach	22 ft.	40 ft.

- (3) *Measurement.* For purposes of this subsection, driveway approach width shall be determined by measurement of the paved surface of the driveway at the property line.

**Applicant's Response:** *The applicant acknowledges the measurement methodology.*

- (c) *Marking and signage.* Where required by the Public Works Design Standards, driveway approaches shall be clearly marked or signed and maintained in conformance with the Public Works Design Standards.



***Applicant's Response: The driveway approach will be marked or signed and maintained in conformance with the Public Works Design Standards, as required. Therefore, this standard is met.***

Sec. 804.055. - Driveway approach relocation, reconstruction, and maintenance.

- (a) *General.* The Director may require the relocation, reconstruction, or maintenance of a driveway approach where:
  - (1) The driveway approach has become hazardous due to traffic congestion. The determination that a driveway approach is hazardous to the public's use of the right-of-way shall be based on traffic engineering principles and traffic investigations;
  - (2) The driveway approach is not constructed in conformance with this chapter and the Public Works Design Standards;
  - (3) The driveway approach is not maintained in a safe manner; or
  - (4) A public street improvement project is being constructed, and relocation of the driveway approach will more closely conform to the current driveway approach standards.
- (b) *Notice.* Notice of driveway approach relocation, reconstruction, or maintenance shall be given, in writing, to the property owner and any affected tenants stating the grounds for the relocation, reconstruction, or maintenance, the date upon which the requirement becomes effective, and the right to appeal.
- (c) *Appeals.* Any person entitled to notice under subsection (b) of this section may appeal the decision to the Hearings Officer by following the process set forth in SRC 20J.220. The hearing on the appeal shall follow the contested case procedures set forth in SRC 20J.240 through 20J.430.
- (d) *Effect.* If no appeal is filed within the time specified, the affected owner shall have 90 days from the date of the notice to relocate, reconstruct, or maintain the driveway approach in a manner that conforms to this chapter and the Public Works Design Standards.
- (e) *Failure to relocate, reconstruct, or maintain driveway approach.* If the owner fails to relocate, reconstruct, or maintain the driveway approach within 90 days, the Director may cause the relocation, reconstruction, or maintenance to be completed and all expenses will be assessed against the property owner.

***Applicant's Response: The applicant acknowledges that the Director may require relocation, reconstruction, or maintenance of a driveway approach under the circumstances listed in subsection 804.055(a).***

Sec. 804.060. - Driveway approach closure.

- (a) *General.* The Director may require the closure of a driveway approach where:
  - (1) The driveway approach is not constructed in conformance with this chapter and the Public Works Design Standards;
  - (2) The driveway approach is not maintained in a safe manner;
  - (3) A public street improvement project is being constructed, and closure of the driveway approach will more closely conform to the current driveway approach standards;
  - (4) A new building or driveway is constructed on the property;

- (5) A comprehensive plan change or zone change is proposed for the property served by the driveway;
  - (6) A change of use or activity in an existing building increases the amount of required parking;
  - (7) The driveway approach has been abandoned; or
  - (8) There is a demonstrated safety issue.
- (b) *Notice.* Notice of driveway approach closure shall be given, in writing, to the property owner and any affected tenants stating the grounds for closure, the date upon which the closure becomes effective, and the right to appeal.
  - (c) *Appeals.* Any person entitled to notice under subsection (b) of this section may appeal the decision to the Hearings Officer by following the process set forth in SRC 20J.220. The hearing on the appeal shall follow the contested case procedures set forth in SRC 20J.240 through 20J.430.
  - (d) *Effect.* Closure shall be effective immediately upon the mailing of notice. Unless otherwise provided in the notice, closure terminates all rights to continue the use of the driveway approach for which the notice of closure has been issued.
  - (e) *Failure to close driveway.* If the owner fails to close the driveway approach to conform to the notice within 90 days, the Director may cause the closure to be completed and all expenses will be assessed against the property owner.

***Applicant's Response: The applicant acknowledges that the Director may require the closure of a driveway approach under the circumstances listed in subsection 804.060(a).***

## CHAPTER 805. - VISION CLEARANCE

### Sec. 805.001. - Purpose.

The purpose of this chapter is to ensure visibility for vehicular, bicycle, and pedestrian traffic at the intersections of streets, alleys, flag lot accessways, and driveways.

### Sec. 805.005. - Vision clearance areas.

Vision clearance areas that comply with this section shall be provided at the corners of all intersections; provided, however, vision clearance areas are not required in the Central Business (CB) Zone.

- (a) *Street intersections.* Vision clearance areas at street intersections shall comply with the following:

***Applicant's Response: Not applicable. The proposal will not affect any intersections.***

- (b) *Intersections with driveways, flag lot accessways, and alleys.* Vision clearance areas at intersections of streets and driveways, streets and flag lot accessways, streets and alleys, and alleys and driveways shall comply with the following:

- (1) *Driveways.*

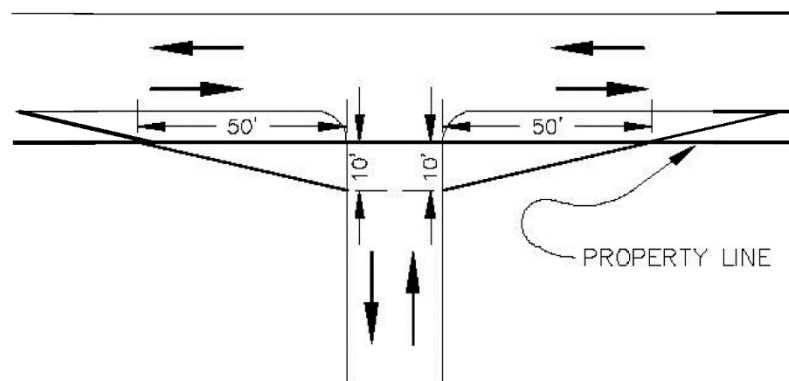
- (A) Driveways serving single family and two family uses. Driveways serving single family and two family uses shall have a vision clearance area on each side of the driveway. The vision clearance area shall have ten-foot legs along each side of the driveway, and ten-foot legs along the intersecting street or alley (see Figure 805-4).

**Applicant's Response:** *Not applicable. The proposal will not affect driveways serving single family or two family uses.*

- (B) Driveways serving uses other than single family and two family. Driveways serving uses other than single family and two family shall have a vision clearance area on each side of the driveway. The vision clearance area shall have ten-foot legs along the driveway and 50-foot legs along the intersecting street or alley (see Figure 805-5).

**Applicant's Response:** *The proposal will widen the existing access on Sunnyside Rd SE from Map T8S R3W 10 Tax Lot 200, which serves uses other than single family and two family uses. Therefore, the vision clearance illustrated in Figure 805-5 applies. The proposed driveway reconfiguration will maintain the vision clearance illustrated in Figure 805-5. Therefore, this standard is met.*

FIGURE 805-5. DRIVEWAYS SERVING USES OTHER THAN SINGLE FAMILY AND TWO FAMILY



- (2) *Flag lot accessways.*

**Applicant's Response:** *Not applicable. The proposal will not affect accessways serving flag lots.*

- (3) *Alleys.* Alleys shall have a vision clearance area on each side of the alley. The vision clearance area shall have ten-foot legs along the alley and ten-foot legs along the intersecting street (see Figure 805-8).

**Applicant's Response:** *Not applicable. The proposal will not affect alleys.*

Sec. 805.010. - Obstructions to vision prohibited.

Except as otherwise provided in this section, vision clearance areas shall be kept free of temporary or permanent obstructions to vision from 30 inches above curb level to 8.5 feet above curb level; provided, however, where there is no curb, the height shall be measured from the street shoulder. As used in this section, temporary or permanent obstruction includes any obstruction located in the right-of-way adjacent to the vision clearance area.

- (a) The following obstructions may be placed in a vision clearance area, unless the cumulative impact of the placement results in an obstruction to vision:
- (1) A column or post, so long as the column or post does not create a visual obstruction greater than 12 inches side-to-side.

- (2) Utility poles and posts, poles, or supporting members of street signs, street lights, and traffic control signs or devices installed by, or at the direction of, the Public Works Department or any other public agency having jurisdiction over the installation.
- (3) On-street parking.
- (b) Trees. Trees may be planted within a vision clearance area provided they are a species listed on the parks approved street tree list, and they comply with the following:
  - (1) The planting area is sufficient to support the tree when mature.
  - (2) The tree will not interfere with overhead utilities.
  - (3) The tree is a species that can be trimmed/pruned to provide necessary visibility.
- (c) Nothing in this chapter shall be deemed to waive or alter any requirements relating to setbacks or landscaping in the UDC. In the event of a conflict between the standards of this chapter and another chapter of the UDC, the standards in this chapter shall control.

***Applicant's Response: The applicant acknowledges that obstructions to vision within the applicable vision clearance area are prohibited, except as provided in this section.***

Sec. 805.015. - Alternative standards.

## CHAPTER 806. - OFF-STREET PARKING, LOADING AND DRIVEWAYS

Sec. 806.001. - Purpose.

Sec. 806.005. - Off-street parking; when required.

- (a) *General applicability.* Off-street parking shall be provided and maintained as required under this chapter for:
  - (1) Each proposed new use or activity.
  - (2) Any change of use or activity, when such change of use or activity results in a parking ratio requiring a greater number of spaces than the previous use or activity.
  - (3) Any intensification, expansion, or enlargement of a use or activity.
- (b) *Applicability to Downtown Parking District.* Within the Downtown Parking District, off-street parking shall only be required and maintained for uses or activities falling under household living.
- (c) *Applicability to nonconforming off-street parking areas.*
  - (1) When off-street parking is required to be added to an existing off-street 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.
  - (2) Notwithstanding subsection (1) of this section, when a property is changed in use to any of the following uses or activities, or any of the following uses or activities are added to a property, any existing deficiency in the number of off-street parking spaces shall not be required to be remedied and only those additional spaces required for the change of use or addition of the new use shall be required:

- (A) Accessory dwelling unit.

Sec. 806.010. - Proximity of off-street parking to use or activity served.

Required off-street parking shall be located on the same development site as the use or activity it serves or in the following locations:

- (a) *Residential zones.* Within residential zones, required off-street parking may be located within 200 feet of the development site containing the use or activity it serves.
- (b) *Nonresidential zones.* Within commercial, mixed-use, public, and industrial and employment zones, other than the CB, WSCB, and SWMU zones, required off-street parking may be located within 500 feet of the development site containing the use or activity it serves.
- (c) *Central business district zone.* Within the Central Business (CB) Zone:
  - (1) Off-street parking for customers may be located within 800 feet of the development site containing the use or activity it serves; and
  - (2) Off-street parking for employees or residents may be located within 2,000 feet of the development site containing the use or activity it serves.
- (d) *South waterfront mixed-use zone.* Within the South Waterfront Mixed Use (SWMU) Zone, required off-street parking may be located anywhere within the South Waterfront Mixed Use (SWMU) Zone. Required off-street parking shall not be located in a different zone.
- (e) *Broadway/High Street Retail Overlay Zone, Broadway/High Street Housing Overlay Zone and Broadway/High Street Transition Overlay Zone.* Within the Broadway/High Street Retail Overlay Zone, Broadway/High Street Housing Overlay Zone and Broadway/High Street Transition Zone, required off-street parking may be located within 800 feet of the development site containing the use or activity it serves.
- (f) *West Salem Central Business District Zone.* Within the West Salem Central Business (WSCB) Zone, required off-street parking may be located within 800 feet of the development site containing the use or activity it serves.
- (g) *Mixed Use-I (MU-I) and Mixed Use-II (MU-II).* Within the Mixed Use-I (MU-I) and Mixed Use-II (MU-II) zones, required off-street parking may be located within 800 feet of the development site containing the use or activity it serves.
- (h) *Exception.* Notwithstanding subsections (a) through (g) of this section, where required off-street parking is to be located off-site from the use or activity it serves, it shall only be located in a zone where the use or activity it serves is allowed, or where commercial parking is allowed.

Sec. 806.015. - Amount off-street parking.

- (a) *Minimum required off-street parking.* Unless otherwise provided under the UDC, off-street parking shall be provided in amounts not less than those set forth in Table 806-1.

***Applicant's Response: There is no minimum off-street parking required for parks and open space. The proposed water treatment building, a Basic Utility, will not be regularly staffed. The total building square footage will be approximately 2,219 square feet. Therefore, there is no minimum number of parking spaces required as set forth in Table 806-1.***

TABLE 806-1. MINIMUM OFF-STREET PARKING\*

Use	Minimum Number of Spaces Required <sup>(1)</sup>	Limitations & Qualifications
<b>Recreation, Entertainment, and Cultural Services and Facilities</b>		
Parks and open space	None	
<b>Utilities</b>		
Basic utilities	<p>The greater of the following:</p> <p>0.75 per employee; or</p> <p>1 per 5,000 sq. ft. (Less than 50,000 sq. ft.)</p> <p>1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.)</p> <p>1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)</p>	

\*abridged

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

***Applicant's Response:*** *There is no minimum number of parking spaces required as set forth in Table 806-1. Therefore, this standard does not apply.*

- (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 five percent of their total off-street parking spaces for carpool or vanpool parking.

***Applicant's Response:*** *There is no minimum number of parking spaces required as set forth in Table 806-1. Therefore, this standard does not apply.*

- (d) *Maximum off-street parking.*

- (1) Maximum off-street parking is based upon the minimum number of required off-street parking spaces. Except as otherwise provided in this section, and otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-2A.

**TABLE 806-2A. MAXIMUM OFF-STREET PARKING**

<b>Minimum Number of Off-Street Parking Spaces Required</b> <i>(From Table 806-1)</i>	<b>Maximum Number of Off-Street Parking Spaces Allowed</b>
20 spaces or less	2.5 times minimum number of spaces required.
More than 20 spaces	1.75 times minimum number of spaces required.

- (2) *Maximum off-street parking where no minimum off-street parking is required.* Where an activity does not require a minimum number of off-street parking spaces based on the requirements of Table 806-1, or because it is located in an area where no minimum off-street parking is required for the activity, maximum off-street parking shall be determined based on the assumed minimum off-street parking set forth in Table 806-2B. Parks and open space are exempt from maximum off-street parking standards.

***Applicant's Response:*** *Parks and open space are exempt from maximum off-street parking standards. The proposed water treatment building, a Basic Utility, will not be regularly staffed. The total building square footage will be approximately 2,219 square feet. Therefore, there is no minimum number of parking spaces required as set forth in Table 806-1. If it were not located within a park, the maximum number of parking spaces for the water treatment building would be approximately three (3.24 spaces) per Table 806-2B. Three parking spaces are proposed to serve the water treatment building, as shown on Sheet TF-C-5 in Section C. There are approximately existing 99 parking spaces serving Woodmansee Park, located around the main public use area of the park.*

**TABLE 806-2B. MAXIMUM OFF-STREET PARKING WHERE NO MINIMUM OFF-STREET PARKING IS REQUIRED**

<b>No Minimum Off-Street Parking Required:</b>	<b>Maximum Off-Street Parking</b>	<b>Limitations &amp; Qualifications</b>
Based on requirements of Table 806-1	1.75 per dwelling unit	Applicable to three family, four family, and multiple family located within the CSDP area or one quarter-mile of the Core Network
	1 per 900 sq. ft.	Applicable to all other uses
Because activity is located in area where no minimum off-street parking is required for the activity	The maximum off-street parking otherwise allowed for the activity if it were located in an area where minimum off-street parking was required.	

(e) *Reductions to required off-street parking through alternative modes of transportation.*

- (1) Construction of transit related improvements. When adjacent to transit service, minimum required off-street parking may be reduced by up to ten percent for redevelopment of an existing off-street parking area for transit-related improvements, including transit stops, pullouts and shelters, park and ride lots, transit-oriented developments, and similar facilities.
- (2) Satisfaction of off-street parking through implementation of a plan for alternative modes of transportation. Minimum required off-street parking for uses or activities other than household living may be reduced through implementation of a plan providing for the use of alternative modes of transportation to decrease the need for off-street parking. The plan shall be reviewed as a Class 2 Adjustment under SRC chapter 250.

(f) *Reductions to required off-street parking for multiple family developments.*



- (1) For multiple family developments, the minimum number of required off-street parking spaces may be reduced through one or more of the following options, provided that the total number of off-street parking spaces reduced shall not exceed 25 percent:
  - (A) *Transit access.* The minimum number of required off-street parking spaces may be reduced by:
    - (i) 10 percent where developments are located within one-quarter mile of a transit stop as measured along a route utilizing public or private streets that are existing or will be constructed with the development; or
    - (ii) 20 percent where developments are located within one-quarter mile of a transit stop that has 15-minute transit service as measured along a route utilizing public or private streets that are existing or will be constructed with the development.
  - (B) *Covered bicycle parking.* The minimum number of required off-street parking spaces may be reduced by one space for every four covered bicycle parking spaces provided in addition to the minimum number of bicycle parking spaces required as set forth in SRC 806.055. The additional covered bicycle parking spaces must meet the standards of SRC 806.060 and must be located on site either outdoors or in a bike storage room that is accessible to all residents of the multiple family development.
  - (C) *Shared car or van.* The minimum number of required off-street parking spaces may be reduced by four spaces for every shared car or shuttle van that is provided on site and available for use by all residents.

***Applicant's Response: Not applicable. No reduction to required minimum off-street parking is proposed.***

Sec. 806.020. - Method of providing off-street parking.

- (a) *General.* Off-street parking shall be provided through one or more of the following methods:
  - (1) *Ownership.* Ownership in fee by the owner of the property served by the parking;
  - (2) *Easement.* A permanent and irrevocable easement appurtenant to the property served by the parking;
  - (3) *Lease Agreement.* A lease agreement with a minimum term of five years; such agreement may be utilized for:
    - (A) Uses or activities other than single family and two family in all zones other than the Central Business (CB) Zone; and
    - (B) All uses in the Central Business (CB) Zone;
  - (4) *Lease or rental agreement in parking structure.* A lease or rental agreement in an off-street parking facility established pursuant to ORS 223.805 to 223.845; such agreement may be utilized for:
    - (A) Uses or activities other than single family and two family in all zones other than the Central Business (CB) Zone; and
    - (B) All uses in the Central Business (CB) Zone;
  - (5) *Joint parking agreement.* A joint parking agreement between the owners of two or more uses or activities, buildings or structures, or lots may be approved by the City. Joint use of required off-street parking spaces through a joint parking agreement may occur where two or more uses or activities on the same or separate development sites are able to share the same parking spaces because their parking demands occur at different times. Joint parking shall meet the following standards:

- (A) Proximity of joint parking to uses or activities served. Joint parking areas shall be located as set forth in SRC 806.010.
- (B) Compatible hours of operation. The hours of operation for the uses or activities subject to a joint parking agreement shall not substantially overlap and there shall be no substantial conflict in the principal operating hours.
- (b) *Review and filing of agreement.* Prior to execution of any lease, rental, or joint parking agreement set forth in this section, the form of such agreement shall be reviewed by the City Attorney. An executed copy of the approved agreement shall be filed with the Planning Administrator.
- (c) *Effect of expiration or termination of agreement.* Upon expiration or termination of any lease, rental, or joint parking agreement set forth in this section, the parking requirements set forth in this chapter shall be fully met within 60 days of the date of such expiration or termination or the use or activity discontinued until the parking requirements are met.

***Applicant's Response: Off-street parking associated with the proposed development is to be on land owned in fee by the City.***

Sec. 806.025. - Off-street parking and vehicle storage area development standards for single family, two family, three family, and four family uses or activities.

Sec. 806.030. - Driveway development standards for single family, two family, three family, and four family uses or activities.

***Applicant's Response: No off-street parking or vehicle storage areas are proposed for single family, two family, three family, or four family uses or activities. Therefore, the standards of Section 806.025 and Section 806.030 do not apply.***

Sec. 806.035. - Off-street parking and vehicle use area development standards for uses or activities other than single family, two family, three family, and four family.

Unless otherwise provided under the UDC, off-street parking and vehicle use areas, other than driveways and loading areas, for uses or activities other than single family, two family, three family, and four family shall be developed and maintained as provided in this section.

- (a) *General applicability.* The off-street parking and vehicle use area development standards set forth in this section shall 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.

***Applicant's Response: The proposal involves the development of a new off-street parking and vehicle use area. Therefore, these standards apply.***

- (b) *Location.*
  - (1) *Generally.* Off-street parking and vehicle use areas shall not be located within required setbacks.

- (2) *Carpool and vanpool parking.* Carpool and vanpool parking shall be located so it is the closest employee parking to the building entrance normally used by employees; provided, however, it shall not be located closer than any parking designated for disabled parking.
- (3) *Underground parking.* Off-street parking may be located underground in all zones, except the RA and RS zones. Such underground parking may be located beneath required setbacks; provided, however, no portion of the structure enclosing the underground parking shall project into the required setback, and all required setbacks located above the underground parking structure shall be landscaped as otherwise required under the UDC.

***Applicant's Response: The proposed off-street parking and vehicle use area will not be located within a required setback. No carpool, vanpool, or underground parking is proposed.***

(c) *Perimeter setbacks and landscaping.*

(1) *Perimeter setbacks and landscaping, generally.*

- (A) *Perimeter setbacks.* Perimeter setbacks, as set forth in this subsection, shall be required for off-street parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures. Perimeter setbacks for parking garages are set forth under subsection (c)(5) of this section. Perimeter setbacks are not required for:
  - (i) Off-street parking and vehicle use areas abutting an alley.
  - (ii) Vehicle storage areas within the IG zone.
  - (iii) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701, abutting nonresidential zones, uses or activities other than household living, or local streets.
  - (iv) Gravel off-street parking areas, approved through a conditional use permit, abutting nonresidential zones, uses or activities other than household living, or local streets.
  - (v) Underground parking.
- (B) *Perimeter landscaping.* Required perimeter setbacks for off-street parking and vehicle use areas shall be landscaped as set forth in this subsection.

***Applicant's Response: The applicant acknowledges that perimeter setbacks and landscaping will be required for the off-street parking and vehicle use area as set forth in this subsection.***

- (2) *Perimeter setbacks and landscaping abutting streets.* Unless a greater setback is required elsewhere within the UDC, off-street parking and vehicle use areas abutting a street shall be setback and landscaped according to one the methods set forth in this subsection. Street trees located along an arterial street may be counted towards meeting the minimum required number of plant units.

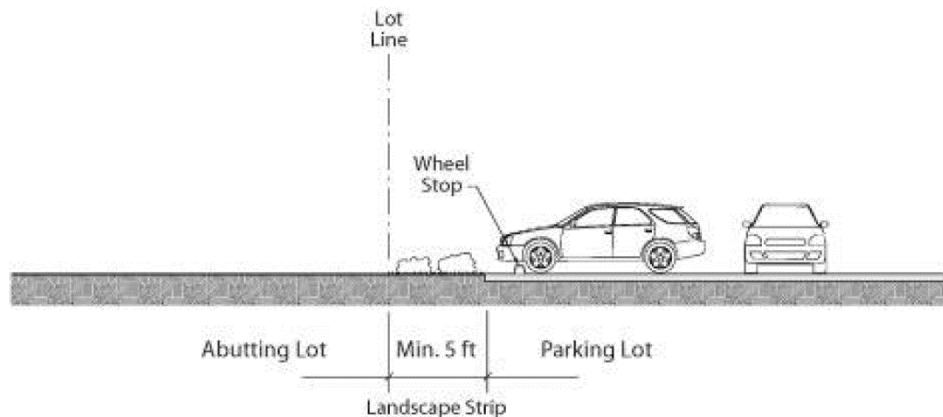
***Applicant's Response: Off-street parking and vehicle use areas abutting a public right-of-way are not proposed. Therefore, this subsection does not apply.***

- (3) *Perimeter setbacks and landscaping abutting interior front, side, and rear property lines.* Unless a greater setback is required elsewhere within the UDC, off-street parking and vehicle use areas abutting an interior front, side, or rear property line shall be setback a minimum of five feet (see Figure 806-5). The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.

***Applicant's Response: The proposed off-street parking and vehicle use area is to abut an interior side property line. Therefore, this subsection applies. The proposed vehicle***

*use area is to be located a minimum of 22 feet from the abutting property line, as shown on Sheet TF-C-5 in Section C. Existing dense vegetation will be retained within the setback area, exceeding the Type A landscaping standard set forth in SRC Chapter 807. Therefore, this standard is met.*

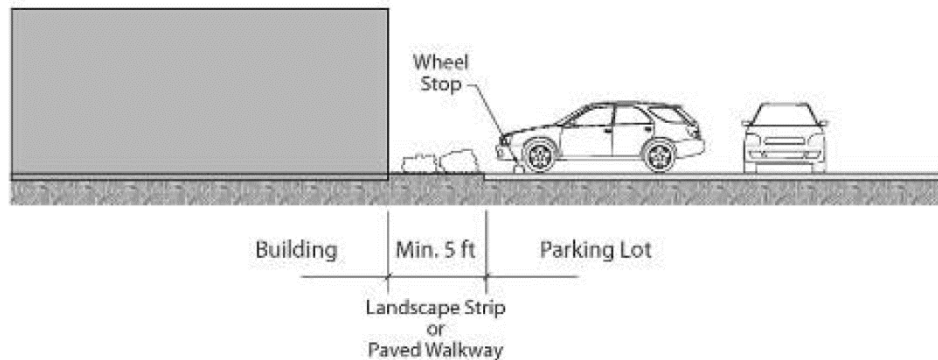
FIGURE 806-5. LANDSCAPING ADJACENT TO AN ADJACENT LOT



- (4) *Setback adjacent to buildings and structures.* Except for drive-through lanes, where an off-street parking or vehicular use area is located adjacent to a building or structure, the off-street parking or vehicular use area shall be setback from the exterior wall of the building or structure by a minimum five-foot-wide landscape strip, planted to the Type A standard set forth in SRC chapter 807, or by a minimum five-foot-wide paved pedestrian walkway (see Figure 806-6). A landscape strip or paved pedestrian walkway is not required for drive-through lanes located adjacent to a building or structure.

***Applicant's Response:*** *The proposed off-street parking and vehicle use area is to surround the proposed water treatment building. Therefore, this subsection applies. The proposed water treatment building will be separated from the vehicle use area by a 5-foot-wide paved sidewalk, as shown on Sheet TF-C-5 in Section C. Therefore, this standard is met.*

FIGURE 806-6. LANDSCAPING ADJACENT TO A BUILDING



- (5) *Perimeter setbacks and landscaping for parking garages.* Perimeter setbacks and landscaping as set forth in subsection (c) of this section shall be required for parking garages; provided, however, perimeter setbacks and landscaping are not required for:

***Applicant's Response:*** ***No parking garages are proposed. Therefore, these standards do not apply.***

(d) *Interior landscaping.*

- (1) *Interior landscaping, generally.* Interior landscaping, as set forth in this subsection, shall be required for off-street parking areas 5,000 square feet or greater in size; provided, however, interior landscaping is not required for:
- (A) Vehicle storage areas.
  - (B) Vehicle display areas.
  - (C) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.
  - (D) Gravel off-street parking areas, approved through a conditional use permit.
  - (E) Underground parking.
  - (F) Parking garages.

***Applicant's Response:*** ***The proposed off-street parking area is less than 5,000 square feet at approximately 600 square feet. Therefore, these standards do not apply.***

- (e) *Off-street parking area dimensions.* Off-street parking areas shall conform to the minimum dimensions set forth in Table 806-6; provided, however, minimum off-street parking area dimensions shall not apply to:
- (1) Vehicle storage areas.
  - (2) Vehicle display areas.

***Applicant's Response:*** ***The three proposed off-street parking spaces are to be at a 90-degree angle to the proposed water treatment building, as shown on Sheet TF-C-5 in Section C. The parking stall widths, aisle widths, curb lengths, and spacing will be designed to be in conformance with applicable minimum off-street parking dimensions set forth in Table 806-6. Therefore, these standards are met.***

**TABLE 806-6. MINIMUM OFF-STREET PARKING AREA DIMENSIONS**

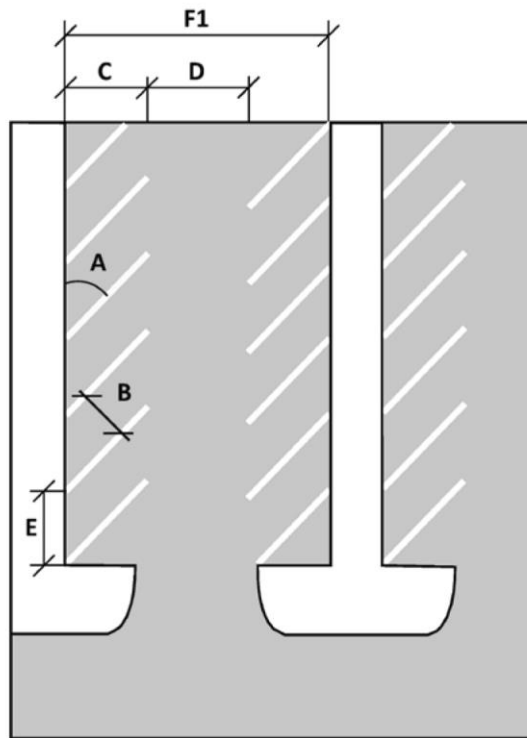
Parking Angle A <sup>(3)</sup>	Type of Space	Stall Width B <sup>(3)</sup>	Stall to Curb C <sup>(3)</sup>	Aisle Width <sup>(1),(2)</sup> D <sup>(3)</sup>	Curb Length E <sup>(3)</sup>	Front of Stall to Front of Stall F1 <sup>(3)</sup>	Overlap Front of Stall to Front of Stall F2 <sup>(3)</sup>
90°	Compact	8'0"	15.0	22.0	8.0	54.0	-
		8'6" <sup>(5)</sup>	15.0	22.0	8.0	54.0	-
	Standard	9'0"	19.0	24.0	9.0	62.0	-
		9'6"	19.0	24.0	9.5	62.0	-
		10'0"	19.0	24.0	10.0	62.0	-

**Limitations and Qualifications**

- (1) For two-way circulation the width of an aisle shall be a minimum of 22 feet.
- (2) The width of an aisle serving both standard and compact parking spaces 80 degrees or more shall be a minimum of 24 feet.
- (3) See Figure 806-8 for corresponding off-street parking area layout requirements.
- (4) Minimum 8'6" standard stall width applies within parking structures of two or more stories.
- (5) Minimum 8'6" compact stall width applies when the side of the parking space abuts a wall or post.

*\*abridged*

FIGURE 806-8. OFF-STREET PARKING AREA LAYOUT REQUIREMENTS



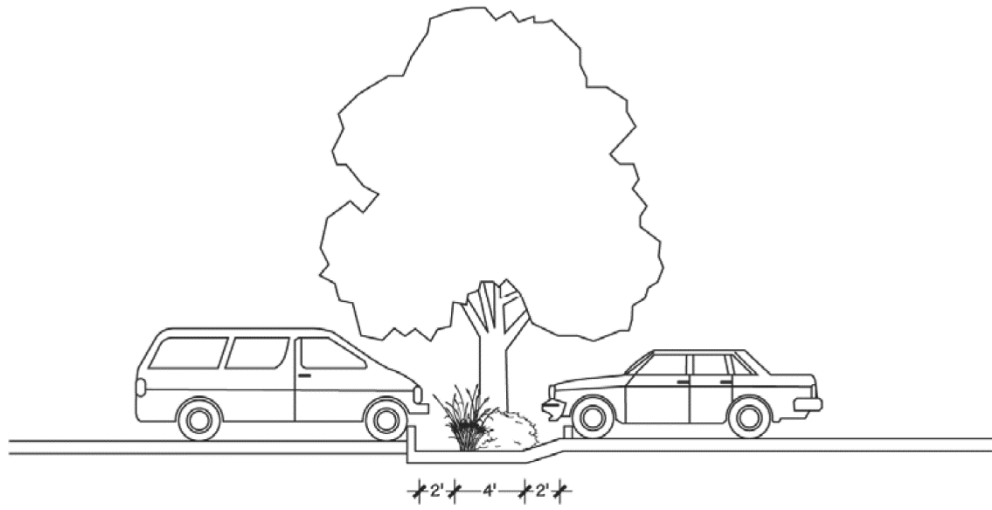
- (f) **Grade.** Off-street parking and vehicle use areas shall not exceed a maximum grade of ten percent. Ramps shall not exceed a maximum grade of 15 percent.

**Applicant's Response:** *The off-street parking and vehicle use area and any associated ramps will be designed to not exceed the maximum grade requirements set forth in this subsection. Therefore, these standards are met.*

- (g) **Surfacing.** Off-street parking and vehicle use areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, up to two feet of the front of a parking space may be landscaped with ground cover plants (see Figure 806-9). Such two-foot landscaped area counts towards meeting interior off-street parking area landscaping requirements, but shall not count towards meeting perimeter setbacks and landscaping requirements. Paving is not required for:
- (1) Vehicle storage areas within the IG zone.
  - (2) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.
  - (3) Gravel off-street parking areas, approved through a conditional use permit.

**Applicant's Response:** *The off-street parking and vehicle use area will be paved with a hard surface material designed to meet the Public Works Design Standards. Therefore, this standard is met.*

FIGURE 806-9. LANDSCAPED FRONT PORTION OF PARKING STALL



- (h) **Drainage.** Off-street parking and vehicle use areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.

**Applicant's Response:** *The off-street parking and vehicle use area will be designed to have adequate drainage in accordance with the Public Works Design Standards. Therefore, this standard is met.*

- (i) **Bumper guards or wheel barriers.** Off-street parking and vehicle use areas shall include bumper guards or wheel barriers so that no portion of a vehicle will overhang or project into required setbacks and landscaped areas, pedestrian accessways, streets or alleys, or abutting property; provided, however, bumper guards or wheel barriers are not required for:

- (1) Vehicle storage areas.
- (2) Vehicle sales display areas.

**Applicant's Response:** *The off-street parking and vehicle use area will include bumper guards or wheel barrier, as necessary, to prevent vehicle overhand into the pedestrian walkway surrounding the proposed water treatment building. Therefore, this standard is met.*

- (j) **Off-street parking area striping.** Off-street parking areas shall be striped in conformance with the off-street parking area dimension standards set forth in Table 806-6; provided, however, off-street parking area striping shall not be required for:

- (1) Vehicle storage areas.
- (2) Vehicle sales display areas.
- (3) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.
- (4) Gravel off-street parking areas, approved through a conditional use permit.

**Applicant's Response:** *The off-street parking will be striped in conformance with the off-street parking area dimension standards set forth in Table 806-6. Therefore, this standard is met.*

- (k) **Marking and signage.**



- (1) *Off-street parking and vehicle use area circulation.* Where directional signs and pavement markings are included within an off-street parking or vehicle use area to control vehicle movement, such signs and marking shall conform to the Manual of Uniform Traffic Control Devices.
- (2) *Compact parking.* Compact parking spaces shall be clearly marked indicating the spaces are reserved for compact parking only.
- (3) *Carpool and vanpool parking.* Carpool and vanpool parking spaces shall be posted with signs indicating the spaces are reserved for carpool or vanpool use only before 9:00 a.m. on weekdays.

***Applicant's Response:*** ***Any directional signs and pavement markings will be designed to conform to the Manual of Uniform Traffic Control Devices. No compact, carpool, or vanpool parking is proposed. Therefore, these standards are met.***

- (l) *Lighting.* Lighting for off-street parking and vehicle use areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.

***Applicant's Response:*** ***Proposed lighting will not shine, reflect, or cast glare onto adjacent properties or a street. Therefore, this standard is met.***

- (m) *Off-street parking area screening.* Off-street parking areas with more than six spaces shall be screened from abutting residentially zoned property, or property used for uses or activities falling under household living, by a minimum six-foot-tall sight-obscuring fence, wall, or hedge; provided, however, screening is not required for vehicle storage areas within the IG zone.

***Applicant's Response:*** ***Fewer than six (three) parking spaces are proposed. Therefore, this standard does not apply.***

Sec. 806.040. - Driveway development standards for uses or activities other than single family, two family, three family, or four family.

Unless otherwise provided under the UDC, driveways for uses or activities other than single family, two family, three family, or four family shall be developed and maintained as provided in this section.

- (a) *Access.* Off-street parking and vehicle use areas shall have either separate driveways for ingress and egress, a single driveway for ingress and egress with an adequate turnaround that is always available, or a loop to the single point of access. The driveway approaches to the driveways shall conform to SRC chapter 804.

***Applicant's Response:*** ***The proposed off-street parking and maneuvering area will include a loop to a single point of access, as shown on Sheet TF-C-5 in Section C. The driveway approach will conform to SRC Chapter 804. Therefore, these standards are met.***

- (b) *Location.* Driveways shall not be located within required setbacks except where:
  - (1) The driveway provides direct access to the street, alley, or abutting property.
  - (2) The driveway is a shared driveway located over the common lot line and providing access to two or more uses.

***Applicant's Response:*** ***The existing access driveway is proposed to be widened to accommodate normal operations and maintenance of the proposed water treatment building. The widened access driveway will not encroach into any required setbacks, except for location through which it provides direct access to ASR***

**Well #4 and the proposed water treatment building (Map T8S R3W 10 Tax Lot 300) from an adjacent property (Map T8S R3W 10 Tax Lot) and from Map T8S R3W 10 Tax Lot to Sunnyside Road SE. Therefore, these standards are met.**

(c) *Setbacks and landscaping.*

- (1) *Perimeter setbacks and landscaping, generally.* Perimeter setbacks and landscaping as set forth in this subsection shall be required for driveways abutting streets and abutting interior front, side, and rear property lines; provided, however, perimeter setbacks and landscaping are not required where:

- (A) The driveway provides direct access to the street, alley, or abutting property.
- (B) The driveway is a shared driveway located over the common lot line and providing access to two or more uses.

***Applicant's Response: The existing access driveway to ASR Well #4 is proposed to be widened to accommodate normal operations and maintenance of the proposed water treatment building. The widened access driveway will not encroach into any required setbacks, except for location through which it provides direct access to the water treatment building (Map T8S R3W 10 Tax Lot 300) from an adjacent property (Map T8S R3W 10 Tax Lot) and from Map T8S R3W 10 Tax Lot to Sunnyside Road SE. Landscaping that meets minimum standards set forth in SRC Chapter 807 will be provided elsewhere within the required setback. Therefore, these standards are met.***

- (2) *Perimeter setbacks and landscaping abutting streets.* Unless a greater setback is required elsewhere within the UDC, driveways abutting a street shall be setback and landscaped according to the off-street parking and vehicle use area perimeter setbacks and landscaping standards set forth under SRC 806.035(c)(2).

***Applicant's Response: The existing access driveway to ASR Well #4 is proposed to be widened to accommodate normal operations and maintenance of the proposed water treatment building. The access driveway does not abut a street, except for at the location through which it provides access. Therefore, these standards do not apply.***

- (3) *Perimeter setbacks and landscaping abutting interior front, side, and rear property lines.* Unless a greater setback is required elsewhere within the UDC, driveways abutting an interior front, side, or rear property line shall be setback a minimum of five feet. The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.

***Applicant's Response: The existing access driveway to ASR Well #4 is proposed to be widened to accommodate normal operations and maintenance of the proposed water treatment building. The access driveway abuts an interior side property line and will be setback a minimum of 5 feet and landscaped according the Type A standard set forth in SRC chapter 807. Therefore, these standards are met.***

(d) *Dimensions.* Driveways shall conform to the minimum width set forth in Table 806-7.

***Applicant's Response: The widened access driveway will serve as a two-way driveway. It will be widened from 11 feet to up to 30 feet wide. The inside radius of curves and***

*corners will be designed to meet the minimum 25 feet radius as provided in Table 806-7. Therefore, these standards are met.*

**TABLE 806-7. MINIMUM DRIVEWAY WIDTH**

Type of Driveway	Width	Inside Radius of Curves & Corners
One-way driveway	12 ft.	25 ft., measured at curb or pavement edge
Two-way driveway	22 ft.	25 ft., measured at curb or pavement edge

- (e) *Surfacing.* All driveways, other than access roads required by the Public Works Design Standards to provide access to City utilities, shall be paved with a hard surface material meeting the Public Works Design Standards. Access roads required by the Public Works Design Standards to provide access to City utilities shall be an all-weather surface material meeting the Public Works Design Standards; provided, however, the first ten feet of the access road leading into the property, as measured from the property line, shall be paved with a hard surface material.

***Applicant's Response:*** *The widened access driveway will be paved with a hard surface material designed to meet the Public Works Design Standards. Therefore, this standard is met.*

- (f) *Drainage.* Driveways shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.

***Applicant's Response:*** *The widened access driveway will be designed to have adequate drainage in accordance with the Public Works Design Standards. Therefore, this standard is met.*

- (g) *"No Parking" signs.* Driveways shall be posted with one "no parking" sign for every 60 feet of driveway length, but in no event shall less than two signs be posted.

***Applicant's Response:*** *"No parking" signs will be posted along the driveway in conformance with this subsection. Therefore, this standard is met.*

Sec. 806.045. - Bicycle parking; when required.

- (a) *General applicability.* Bicycle parking shall be provided as required under this chapter for:
- (1) Each proposed new use or activity.
  - (2) Any change of use or activity, when such change of use or activity results in a bicycle parking ratio requiring a greater number of spaces than the previous use or activity.
  - (3) Any intensification, expansion, or enlargement of a use or activity.

- (b) *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. Sec. 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.

Sec. 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 806-8.

***Applicant's Response:*** *The proposed use is Basic Utilities. Per Table 806-8, the minimum number of parking spaces is four. The project will provide eight bicycle parking spaces within the 50 feet of the water treatment building entrance in order to meet the minimum bicycle parking requirements of the SRC. The bicycle parking spaces will serve park users. As the water treatment building will not be open to the public and is it undesirable to promote public activity close to the building, the bicycle parking will be placed at a distance from the building's entrance. Therefore, this standard is met.*

TABLE 806-8. MINIMUM BICYCLE PARKING *		
Use	Minimum Number of Spaces Required <sup>(1)</sup>	Limitations & Qualifications
<b>Utilities</b>		
Basic utilities	<p>The greater of the following:  4 spaces; or:  1 per 10,000 sq. ft. for first 50,000 sq. ft.;  plus  1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.;  plus  1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.</p>	










*\*abridged*

Sec. 806.060. - Bicycle parking development standards.

Unless otherwise provided under the UDC, bicycle parking shall be provided in racks or lockers developed and maintained as set forth in this section. The standards set forth in this section shall not apply to City approved bike share stations which utilize bike docking stations.

- (a) *Location.* Except as otherwise provided in this section, bicycle parking shall be located outside a building.
  - (1) Bicycle parking located outside a building shall be located within a convenient distance of, and be clearly visible from, the primary building entrance. In no event shall bicycle parking be located more than 50 feet from the primary building entrance, as measured along a direct pedestrian access route.
  - (2) Where bicycle parking cannot be located outside a building, it may be located inside a building within a convenient distance of, and accessible from, the primary building entrance.
- (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.
- (c) *Dimensions.* Except as provided in subsection (f) of this section, bicycle parking areas shall meet the following dimension requirements:
  - (1) *Bicycle parking spaces.* Bicycle parking spaces shall be a minimum of six feet in length and two feet in width with the bicycle rack centered along the long edge of the bicycle parking space. Bicycle parking space width may be reduced, however, to a minimum of three feet between racks where the racks are located side-by-side.
  - (2) *Access aisles.* Bicycle parking spaces shall be served by a minimum four-foot-wide access aisle. Access aisles serving bicycle parking spaces may be located within the public right-of-way.
- (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.
- (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 806-10.
- (f) *Bicycle lockers.* Where bicycle parking is provided in lockers, the lockers shall meet the following standards:
  - (1) Lockers, except for pie-shaped lockers, shall be a minimum of six feet in length, two feet in width, and four feet in height;
  - (2) Pie-shaped lockers shall be a minimum of six feet in length, 30 inches in width at the widest end, and four feet in height;
  - (3) Lockers shall be served by a minimum four-foot-wide access aisle in front of each locker opening. Access aisles may be located within the public right-of-way; and
  - (4) Lockers shall be securely anchored.

**FIGURE 806-10. EXAMPLES OF BIKE RACKS THAT DO AND DO NOT MEET STANDARDS**

Bike Racks That <u>MEET</u> Standards	Bike Racks That <u>DO NOT MEET</u> Standards
<div data-bbox="235 346 397 388">Staple/Inverted</div>  <div data-bbox="438 346 568 388">Post &amp; Ring</div>  <div data-bbox="292 493 349 525">Loop</div> 	<div data-bbox="755 346 820 388">Wave</div>  <div data-bbox="998 346 1063 388">Spiral</div>  <div data-bbox="1177 346 1258 388">Bollard</div>  <div data-bbox="722 493 852 525">Schoolyard</div>  <div data-bbox="982 493 1112 525">Wheel Well</div>  <div data-bbox="1144 493 1291 525">Coat Hanger</div> 
<p><u>Note:</u> These bike rack styles support the bike frame in a stable position in two or more places a minimum of six-inches horizontally apart without damage to wheels, frame, or components; allow the frame and at least one wheel to be locked with a U-shaped shackle lock; and support a wide variety of bikes.</p>	<p><u>Note:</u> These bike rack styles do not support the bike frame in a stable position in two or more places a minimum of six-inches horizontally apart; do not allow the frame and at least one wheel to be locked with a U-shaped shackle lock; or include features that limit the types of bikes that can be accommodated and which can promote damage to wheels and frames.</p>

***Applicant's Response:*** *Bicycle parking spaces will be designed in conformance with the standards of Section 806.060 – Bicycle Parking Development Standards. Therefore, these standards will be met.*

Sec. 806.065. - Off-street loading areas; when required.

- (a) *General applicability.* Off-street loading shall be provided and maintained as required under this chapter for:
  - (1) Each proposed new use or activity.
  - (2) 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.
  - (3) 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.

Sec. 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.

Sec. 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 806-9.

**Applicant's Response:** *Per Table 806-9, no minimum off-street loading is required. However, because it is needed to serve the proposed water treatment building, the project will provide one off-street loading area in conformance with the standards set forth in Section 806.080 – Off-Street Loading Development Standards. Therefore, this standard is met.*

**TABLE 806-9. MINIMUM OFF-STREET LOADING; DIMENSIONS\***

Use Category/Use	Minimum Number of Spaces Required <sup>(1)</sup>	Dimensions			Limitations & Qualifications
		Width	Length	Height	
<b>Use:</b>					
■ Basic utilities	None	N/A	N/A	N/A	

*\*abridged*

- (a) *Off-street parking used for loading.* An off-street parking area meeting the requirements of this chapter may be used in place of a required off-street loading space when the use or activity does not require a delivery vehicle which exceeds a maximum combined vehicle and load rating of 8,000 pounds and the off-street parking area is located within 25 feet of the building or the use or activity that it serves.

Sec. 806.080. - Off-street loading development standards.

Unless otherwise provided under the UDC, off-street loading shall be developed and maintained as set forth in this section.

- (a) *Location.* Off-street loading areas shall not be located within required setbacks.
- (b) *Perimeter setbacks and landscaping.*
- (1) *Perimeter setbacks and landscaping abutting streets.* Unless a greater setback is required elsewhere within the UDC, off-street loading areas abutting a street shall be setback and landscaped according to the off-street parking and vehicle use area perimeter setback and landscaping standards set forth under SRC 806.035(c)(2).
  - (2) *Perimeter setbacks and landscaping abutting interior front, side, and rear property lines.* Unless a greater setback is required elsewhere within the UDC, off-street loading areas abutting an interior front, side, or rear property line shall be setback a minimum of five feet. The setback shall be landscaped according to the Type A landscaping standard of SRC chapter 807.
- (c) *Dimensions.* Loading areas shall conform to the minimum dimensions set forth in Table 806-9.
- (d) *Maneuvering.* Off-street loading areas shall be of sufficient size, and all curves and corners of sufficient radius, to accommodate the safe operation of a delivery vehicle.
- (e) *Surfacing.* All loading areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, paving is not required for:

- (1) Temporary and seasonal gravel loading areas, approved pursuant to SRC chapter 701.
- (2) Gravel loading areas, approved through a conditional use permit.
- (f) *Drainage*. Loading areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.
- (g) *Lighting*. Lighting for off-street loading areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.

***Applicant's Response: The project will provide an off-street loading area in conformance with the standards set forth in Section 806.080 – Off-Street Loading Development Standards. Therefore, this standard is met.***

## CHAPTER 807. - LANDSCAPING AND SCREENING

Sec. 807.001. - Purpose.

Sec. 807.005. - Definitions.

Sec. 807.010. - Applicability.

The provisions of this chapter apply to all required landscaping and screening under the UDC.

Sec. 807.015. - Landscaping and screening.

Unless otherwise provided under the UDC, required landscaping and screening shall conform to the standards set forth in this section.

- (a) *Landscaping types*. Required landscaping shall be provided according to one of the landscaping types set forth in Table 807-1. Where landscaping is required under the UDC without a reference to a specific landscaping type, the required landscaping shall meet the Type A standard.

***Applicant's Response: The project will provide a landscaped areas meeting the minimum setback requirements as provided in the UDC. Therefore, these standards are met.***

***Widened Access Driveway: Per Section 806.040(c)(3) the minimum perimeter setback and landscaping for driveways abutting an interior side property line is 5 feet landscaped according to the Type A standard.***

***Water Treatment Building: Per Table 511-3, the minimum perimeter setback is 5 feet in the RS zone for buildings not more than 35 feet in height abutting an interior side property line. The proposed water treatment building is more than 5 feet in distance from the interior side property line it abuts. Chapter 511 – RS does not explicitly require landscaping within the setback, however, the project will provide landscaping that exceeds the Type A landscaping type.***



**TABLE 807-1. LANDSCAPING TYPES\***

Landscaping Type	Required Plant Units (PU)	Required Screening
A	Min. 1 PU per 20 sq. ft. of landscaped area	None

*\*abridged*

- (b) *Plant materials and corresponding plant unit values.* Plant materials, their corresponding minimum plant unit values, and minimum plant material size at time of planting for landscaping within required landscaped areas are set forth in Table 807-2. 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 shall provide for a minimum 75 percent coverage of required landscaped areas within five years.

**TABLE 807-2. PLANT MATERIALS AND MINIMUM PLANT UNIT VALUES**

Plant Material	Plant Unit (PU) Value	Size at Planting
1 mature tree	15 PU	
1 shade tree	10 PU	1.5 in. to 2 in. caliper
1 evergreen/conifer tree	5 PU	6 ft. to 8 ft. height
1 ornamental tree	2 PU	1 in. to 1.5 in. caliper
1 large deciduous or evergreen shrub (at maturity: over 4 ft. wide; 4 ft. high)	2 PU	Min. 3 gallon or balled and burlapped
1 small to medium shrub (at maturity: maximum 4 ft. wide; 4 ft. high)	1 PU	Min. 1 gallon
Lawn or other ground cover	1 PU per 50 sq. ft.	

- (c) *Preservation of existing trees and vegetation.* The preservation of existing trees and vegetation is encouraged. If preserved, existing trees as defined under SRC chapter 808, existing trees less than ten inches dbh, and existing vegetation may be utilized to satisfy required landscaping if they conform to the minimum plant unit requirements specified in this chapter.

***Applicant's Response: The project site is a densely vegetated park. Existing trees and vegetation will be preserved to the greatest extent practicable. Therefore, this standard is met.***

- (d) *Tree replanting requirements.* In addition to the landscaping required under this chapter, when existing trees, as defined under SRC chapter 808, are proposed for removal from within required setbacks or from a development site, replanting shall be required as provided in this subsection.
- (1) *Removal of trees within required setbacks.* When an existing tree or trees, as defined under SRC chapter 808, within a required setback are proposed for removal, two new trees shall be planted for each tree removed. Replanted trees shall be of either a shade or evergreen variety with a minimum 1.5 inch caliper.
  - (2) *Removal of trees from development site.* When more than 75 percent of the existing trees, as defined under SRC chapter 808, on a development site are proposed for removal, two new trees shall be planted for each tree removed in excess of 75 percent. Replanted trees shall be of either a shade or evergreen variety with a minimum 1.5 inch caliper. For purposes of this section, existing trees within vision clearance areas, or within areas to be cleared for required roads, utilities, sidewalks, trails, or stormwater facilities, shall not be counted in the total percentage of trees removed from the development site.

***Applicant's Response: No tree removal is proposed within a required setback. Total proposed tree removal is less than 75 percent of the existing trees on site. Therefore, these standards do not apply.***

- (e) *Screening standards.* Unless otherwise provided under the UDC, where screening is required in the form of a fence, wall, or landscaping, it shall conform to the following standards:
- (1) *Height.* Fences and walls shall be a minimum of six feet in height. Landscaping shall be of a species that will attain a height of at least six feet within three years after planting.
  - (2) *Opacity.* Screening shall be sight-obscuring. Fences, walls, and landscaping shall be at least 75 percent opaque when viewed from any angle at a point 25 feet away from the fence, wall, or landscaping. Landscaping shall be of an evergreen species that will attain required opacity within three years after planting.
  - (3) *Maintenance.* Fences and walls shall be maintained in safe condition, and shall be maintained as opaque. Landscaping shall be replaced within six months after dying or becoming diseased to the point that required opacity can no longer be maintained.
- (f) *Berm.* Unless otherwise provided under the UDC, where screening is required in the form a berm, the berm shall be an earthen mound no less than three feet in height above the existing grade, and shall be constructed with a slope no steeper than 3:1 on all sides. The berm shall be planted with plant materials to prevent erosion. The berm shall not alter natural drainage flows from abutting properties.

***Applicant's Response: No screening is required. Therefore, these standards do not apply.***

- (g) *Street trees.* Development adjacent to public streets shall provide street trees that meet the standards and specifications set forth in SRC chapter 86.

***Applicant's Response: The project will widen the existing access driveway to up to 30 feet wide, which will require modifications of the existing driveway within the right-of-way of Sunnyside Rd SE. No new street trees are proposed and no street tree removal is proposed. The project will be in conformance with SRC Chapter 86. Therefore, this standard is met.***

Sec. 807.020. - Landscaping plan.

- (a) All building permit applications for development subject to the landscaping requirements of this chapter shall include a landscaping plan.
- (b) Landscaping plans shall be of a size and form established by the Planning Administrator, and shall include the following:
  - (1) Scale and north arrow.
  - (2) Lot dimensions and footprint of structure(s).
  - (3) A legend indicating the linear footage of perimeter setbacks abutting a street or right-of-way; the linear footage of perimeter setbacks not abutting a street or right-of-way; total building square footage; total square footage of the interior area of the off-street parking area, calculated per SRC 806.035(d)(2); and total number of parking spaces.
  - (4) The location and size of plant materials, identified by common and botanical names, and their expected coverage within five years.
  - (5) The type and location of landscaping features other than plant materials, including, but not limited to, wetlands, creeks, ponds, sculpture, and benches.
  - (6) Fence or wall materials, when screening is required under the UDC.
  - (7) Abutting land uses.
  - (8) The type, size, and location of:
    - (A) Existing trees, as defined under SRC chapter 808, existing trees less than ten inches dbh, and vegetation that will be retained to satisfy landscaping requirements of this chapter.
    - (B) Existing trees, as defined under SRC chapter 808, proposed for removal.
  - (9) Notwithstanding subsection (b)(8) of this section, where the development site is heavily wooded, only those trees that will be affected by the proposed development need to be sited accurately. The remaining trees may be shown on the plan in the general area of their distribution.
  - (10) An irrigation plan identifying the materials, size, and location of all components of the irrigation system.
  - (11) A two-year plant establishment schedule for:
    - (A) Landscaped areas where a permanent underground or drip irrigation system is not required because of the use of drought resistant vegetation; or
    - (B) New vegetation located within stormwater facilities.

***Applicant's Response: A landscaping plan meeting the requirements of this subsection will be included with the building permit application submittal. For this Site Plan Review, a conceptual landscaping plan is provided (see Sheets TF-L-1 TF-L-2 provided in Section C). Therefore, this standard will be met.***

Sec. 807.025. - Plant material standards.

All plant materials shall be, upon installation, vigorous and well-branched, with healthy and well-furnished root systems free of disease, insects, pests, and injuries.

***Applicant's Response: All plant materials will be in conformance with this subsection, as provided in the landscaping plan. Therefore, this standard will be met.***

Sec. 807.030. - Tree protection measures during construction.

Trees used to meet the landscaping requirements set forth in this chapter shall be protected during construction as provided under SRC chapter 808.

***Applicant's Response: Trees will be protected during construction in conformance with the requirements of SRC Chapter 808, as provided in the landscaping plan. Therefore, this standard will be met.***

Sec. 807.035. - Installation.

- (a) Landscaping shall be installed at the time of construction, unless seasonal conditions or temporary site conditions make installation impractical; in which case, an acceptable performance guarantee to ensure installation of the landscaping shall be provided as set forth in SRC 807.050.
- (b) Landscaping shall be installed in a manner that conforms to the standards of the American Association of Nurserymen, Inc.

***Applicant's Response: Landscaping will be installed at the time of construction and in a manner that conforms to applicable standards of the American Association of Nurserymen, Inc., as provided in the landscaping plan. Therefore, this standard will be met.***

Sec. 807.040. - Irrigation.

- (a) A permanent underground or drip irrigation system with an approved backflow prevention device shall be provided for all landscaped areas required under the UDC; provided, however, a permanent underground or drip irrigation system is not required for:
  - (1) Existing healthy vegetation that has been established for at least two years and that is being preserved to meet the landscaping requirements under this chapter;
  - (2) New vegetation that is drought resistant, in which case a two-year plant establishment schedule shall be provided with the landscaping plan describing the amount of water to be applied over a two-year time period and how that water will be distributed to the plant material; and
  - (3) New vegetation located within stormwater facilities as required by the Public Works Design Standards, in which case a two-year plant establishment schedule shall be provided with the landscaping plan describing the amount of water to be applied over a two-year time period and how that water will be distributed to the plant material.
- (b) Wherever feasible, sprinkler heads irrigating lawns or other high-water-demand landscape areas shall be circuited so that they are on a separate zone or zones from those irrigating trees, shrubbery, or other reduced-water-requirement areas.

***Applicant's Response: Existing healthy vegetation that has been established for longer than two years will be preserved to meet setback landscaping requirements. Any new vegetation to be installed within the setback will be drought tolerant and monitored under a two-year establishment schedule, as provided in the landscaping plan. New vegetation is proposed in stormwater facilities at the proposed water treatment building. Therefore, irrigation is not required under this subsection. However, temporary or permanent irrigation may be installed to establish or maintain the vegetation in the proposed stormwater facilities. Therefore, these standards will be met.***

Sec. 807.045. - Maintenance.

- (a) The owner and tenant shall be jointly and severally responsible for maintaining all landscaping material in good condition so as to present a healthy, neat, and orderly appearance.
- (b) Unhealthy or dead plant materials shall be replaced in conformance with the approved landscape plan.

***Applicant's Response: The applicant will be responsible for monitoring and maintenance of landscaping, including replacement of unhealthy or dead plant materials in conformance with the landscaping plan. Therefore, these standards are met.***

Sec. 807.050. - Compliance/performance assurance.

- (a) Planting and installation of all required landscaping shall be inspected and approved prior to the issuance of a certificate of occupancy; provided, however, a certificate of occupancy may be issued prior to the complete installation of all required landscaping if a performance guarantee equal to 100 percent of the cost of plant materials and labor, as determined by the Planning Administrator, is filed with the City assuring such installation within 12 months after the certificate of occupancy is issued.
- (b) A performance guarantee shall consist of a surety bond, cash, certified check, time certificate of deposit, an irrevocable letter of credit, or assignment of savings account in a form approved by the City Attorney and recorded in the deed records of the appropriate county.
- (c) If the installation of the required landscaping is not completed within the specified period, the performance guarantee may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned. The final landscape inspection shall be made prior to any security being returned. Any portions of the plan not installed, not properly installed, or not properly maintained shall cause the inspection to be postponed until the project is completed or cause the security to be used by the City to complete the project.

***Applicant's Response: The applicant acknowledges that the landscaping shall be installed and inspected prior to final building permit closeout, and that, a performance guarantee will be required.***

Sec. 807.055. - Administrative relief.

Unless otherwise provided under the UDC, when special circumstances or exceptional site characteristics are applicable to a property, the landscaping requirements of this chapter may be modified through a Class 3 site plan review, pursuant to SRC chapter 220, upon finding that one of the following criteria is met:

- (a) The proposed landscaping meets the intent of providing a buffer between adjacent uses of differing character;
- (b) The proposed landscaping incorporates the increased retention of mature tree(s);
- (c) The proposed landscaping provides protection for wildlife habitat and existing native vegetation and plant materials maintained in a natural state; or
- (d) The proposed landscaping incorporates elements to maintain solar access or provides for wind protection.

***Applicant's Response: The proposal meets the applicable landscaping requirements of this chapter and no modifications are proposed. Therefore, these criteria do not apply.***

## CHAPTER 808. - PRESERVATION OF TREES AND VEGETATION

Sec. 808.001. - Purpose.

Sec. 808.005. - Definitions.

Sec. 808.010. - Heritage trees.

- (a) *Designation of heritage trees.* The Council may, by resolution, designate a heritage tree upon nomination by the property owner, in recognition of the tree's location, size, or age; botanical interest; or historic or cultural significance.
- (b) *Protection of heritage trees.* No person shall remove a heritage tree unless the tree has been determined to be a hazardous tree by a certified arborist, and such determination is verified by the Planning Administrator.
- (c) *Rescinding heritage tree designation.* The Council shall rescind a heritage tree designation if the tree has been removed pursuant to subsection (b) of this section.

***Applicant's Response:*** *There are no designated heritage trees on the site. No trees are nominated for designation. No heritage trees are proposed for removal. Therefore, these standards do not apply.*

Sec. 808.015. - Significant trees.

No person shall remove a significant tree, unless the removal is undertaken pursuant to a tree and vegetation removal permit issued under SRC 808.030, undertaken pursuant to a tree conservation plan approved under SRC 808.035, or undertaken pursuant to a tree variance granted under SRC 808.045.

***Applicant's Response:*** *Per UDC Section 808.005 – Definitions, "Significant tree means rare, threatened, or endangered trees of any size, as defined or designated under state or federal law and included in the tree and vegetation technical manual, and Oregon white oaks (Quercus garryana) with a dbh of 24 inches or greater." No significant trees are proposed for removal for the work within the scope of this application (Phase 1). Therefore, these standards do not apply.*

Sec. 808.020. - Trees and native vegetation in riparian corridors.

No person shall remove a tree in a riparian corridor or native vegetation in a riparian corridor, 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. Roots, trunks, and branches of trees removed in riparian corridors shall remain within the riparian corridor, unless determined to be a potential hazard or impediment to stream flow by the Director.

***Applicant's Response:*** *Pringle Creek is located on the project site. Per UDC Chapter 111 – Definitions, the riparian corridor of Pringle Creek is measured 50 feet horizontally from the top of the bank. No trees or native vegetation within the riparian corridor are proposed for removal. Therefore, these standards do not apply.*

Sec. 808.025. - Trees on lots or parcels 20,000 square feet or greater.

No person shall, prior to site plan review or building permit approval, remove a tree on a lot or parcel that is 20,000 square feet or greater, or on contiguous lots or parcels under the same ownership that total 20,000 square feet or greater, unless the removal is undertaken pursuant to a tree and vegetation removal permit issued under SRC 808.030, undertaken pursuant to a tree conservation plan approved under SRC 808.035, or undertaken pursuant to a tree variance granted under SRC 808.045. Nothing in this section shall be construed to require the retention of trees, other than heritage trees, significant trees, and trees and vegetation in riparian corridors, beyond the date of site plan review or building permit approval, if the proposed development is other than single family residential or two family residential.

***Applicant's Response: The project site, Woodmansee Park, is comprised of multiple contiguous tax lots under the ownership of the City, whose area is greater than 20,000 square feet. Tree removal is proposed on the project site on Map T8S R3W 10 Lot 300, which is necessary for the construction of the proposed water treatment building and associated stormwater improvements. A Site Plan Review is requested via this application, and no tree removal is proposed prior to issuance of a Site Plan Review approval. Therefore, this standard is met and no Tree Removal Permit, Tree Conservation Plan, or Tree Variance is required.***

Sec. 808.030. - Tree and vegetation removal permits.

(a) *Applicability.*

- (1) Except as provided in subsection (a)(2) of this section, no trees or native vegetation protected under SRC 808.015, SRC 808.020, or SRC 808.025 shall be removed unless a tree and vegetation removal permit has been issued pursuant to this section.

***Applicant's Response: No significant trees (SRC 808.015) or trees or vegetation in riparian corridors (SRC 808.020) are proposed for removal. Review of proposed tree removal on lots 20,000 square feet or greater (SRC 808.025) is requested via this Site Plan Review application. Therefore, no Tree Removal Permit, Tree Conservation Plan, or Tree Variance is required.***

Sec. 808.035. - Tree conservation plans.

(a) *Applicability.* A tree conservation plan is required in conjunction with any development proposal for the creation of lots or parcels to be used for single family or two family uses, if the development proposal will result in the removal of trees.

***Applicant's Response: This application does not involve the creation of lots or parcels to be used for single family or two family uses. Therefore, these standards do not apply and no Tree Conservation Plan is required.***

Sec. 808.040. - Tree conservation plan adjustments.

***Applicant's Response: Not applicable. No tree conservation plan adjustment is requested.***

Sec. 808.045. - Tree variances.

***Applicant's Response: Not applicable. This application conforms to all requirements provided under this chapter; no variances are requested.***

Sec. 808.050. - Tree planting requirements.

- (a) Within development proposals for the creation of lots or parcels to be used for single family or two family uses, each lot or parcel shall contain, at a minimum, the number of trees set forth in Table 808-1.
- (b) If there are insufficient existing trees on a lot or parcel to satisfy the number of trees required under Table 808-1, additional trees sufficient to meet the requirement shall be planted. The additional trees shall be a minimum 1.5-inch caliper.

***Applicant's Response: The project site is a densely forested park. Each of the affected parcels is greater than 9,000 square feet (the smallest affected tax lot is approximately 9,600 square feet). The number of existing trees on the site far exceeds the minimum tree count in table 808-1. Therefore, no minimum tree planting is required, as provided in this section.***

TABLE 808-1. TREE PLANTING REQUIREMENTS	
Lot or Parcel Size	Minimum Trees Required
6,000 ft. <sup>2</sup> or less	2
6,001 ft. <sup>2</sup> to 7,000 ft. <sup>2</sup>	3
7,001 ft. <sup>2</sup> to 8,000 ft. <sup>2</sup>	4
8,001 ft. <sup>2</sup> to 9,000 ft. <sup>2</sup>	5
Greater than 9,000 ft. <sup>2</sup>	6

Sec. 808.055. - Tree and native vegetation replacement standards within riparian corridors.

Where replacement of trees and native vegetation within a riparian corridor is required by this chapter, the replacement shall comply with the following:

- (a) Trees and native vegetation removed shall be replaced at an area replacement ratio of one-to-one. If there is inadequate space for replanting at or near the location where the tree or native vegetation was removed, replanting may occur elsewhere within the riparian corridor on the property.
- (b) Replacement trees shall have a minimum 1.5-inch caliper and shall be of species authorized in the Tree and Vegetation Technical Manual.
- (c) Replacement vegetation shall be of sizes and species authorized in the Tree and Vegetation Technical Manual.



***Applicant's Response: No trees or vegetation will be removed within the riparian corridor. Therefore, these standards do not apply.***

Sec. 808.060. - Tree canopy preservation fund.

- (a) Funds collected from any grants and donations for the planting, maintenance, and preservation of trees shall go into a tree canopy preservation fund, 95 percent of which funds shall be designated for the acquisition, maintenance, and preservation of groves of trees within the City or the Salem-Keizer Urban Growth boundary. The remaining five percent shall be used to promote the planting of new trees as follows, at the discretion of the Director:
  - (1) In a public or private park, school yard, riparian corridor, or nature area;
  - (2) In public rights-of-way, except in storm or sewer easements; or
  - (3) In the form of a donation to nonprofit organizations for the purposes of planting trees within the City or the Salem-Keizer Urban Growth boundary.
- (b) The City shall conduct a tree canopy study every census year, using the most economically feasible method, for the purposes of measuring the effectiveness of this chapter and other development-related ordinances in preserving and improving the amount of tree canopy area within the City or the Salem-Keizer Urban Growth boundary.

***Applicant's Response: The applicant acknowledges there may be future opportunities to utilize tree canopy preservation funds for planting, maintenance, or preservation of trees on the affected parcels, as provided in the forthcoming Woodmansee Park Master Plan and other City projects and initiatives.***

## CHAPTER 810. - LANDSLIDE HAZARDS

Sec. 810.001. - Purpose.

Sec. 810.005. - Applicability.

This chapter applies to all areas of land designated as Moderate Landslide Hazard Risk or High Landslide Hazard Risk pursuant to this chapter.

Sec. 810.010. - Definitions.

Sec. 810.015. - Map adoption.

Areas subject to this chapter shall be shown on landslide hazard susceptibility maps, which shall be adopted by administrative rule by the Director pursuant to SRC chapter 20J. The landslide hazard susceptibility maps shall indicate the general location of areas of low, moderate, and high susceptibility to landslides, areas of known slide hazards, and slope contours. These maps shall be based on the best available information.

Sec. 810.020. - Landslide hazard construction permit.

- (a) *Applicability.*

- (1) Except as provided in subsection (a)(2) of this section, no person shall engage in any of the following activities in areas designated as moderate or high total landslide hazard risk without first obtaining a landslide hazard construction permit.
  - (A) Excavation or fill, as independent activity, exceeding two feet in depth or 25 cubic yards of volume;
  - (B) Installation or construction of any structure greater than 500 square feet in area;
  - (C) Alteration, enlargement, reconstruction, or relocation of a structure greater than 500 square feet in area that requires any modification to the foundation;
  - (D) Land division, planned unit development, or manufactured dwelling park; or
  - (E) Tree removal, as an independent activity, on regulated slopes greater than 60 percent.
- (2) Exemptions. A landslide hazard construction permit is not required for the following:
  - (A) Excavation and fill exceeding two feet in depth or 25 cubic yards of volume within a public right-of-way or public utility easement.
  - (B) Activities otherwise identified in subsection (a)(1) of this section which must be undertaken immediately to prevent an imminent threat to public health or safety, or prevent imminent danger to public or private property; provided, however:
    - (i) The person undertaking such emergency activity shall notify the Director within one working day following the commencement of the activity.
    - (ii) If the Director determines that the activity, or any part thereof, is beyond the scope of allowed emergency activity, enforcement action may be taken.

***Applicant's Response: The proposal includes the construction of a water treatment building, which will be greater than 500 square feet (approximately 2,219 square feet). Therefore, a landslide hazard construction permit is required per this section and requested via this application.***

- (b) *Procedure type.* A landslide hazard construction permit is processed as a Type I procedure under SRC chapter 300.

***Applicant's Response: A Type I review procedure is requested via this application.***

- (c) *Submittal requirements.* In lieu of the application submittal requirements under SRC chapter 300, an application for a landslide hazard construction permit shall include the following:

- (1) A completed application form.
- (2) A geological assessment, geotechnical report, or both, as applicable.

***Applicant's Response: A completed application form is included with the application materials. A geological assessment is included as Appendix 7.***

- (d) *Criteria.* A landslide hazard construction permit shall be granted if:

- (1) The geological assessment, geotechnical report, or both, as applicable, meets the standards of this chapter; and
- (2) The geological assessment, geotechnical report, or both, as applicable:
  - (A) Indicates the development can proceed without a risk of landslide hazard; or
  - (B) Sets forth mitigation measures that will reduce or eliminate the risk of landslide hazard.

***Applicant's Response: A geological report meeting the standards of this chapter is included with this application (See Appendix 7 - Geotechnical Engineering Report). The***

***report's findings include that the site may be developed without risk of a landslide hazard. The primary geotechnical considerations are the presence of shrinking-swelling and fine-grained soils. Section 5.0 of the geotechnical report includes recommendations to eliminate the risk of landslide hazard. Therefore, these criteria are met.***

- (e) *Director may have report re reviewed.* The Director may, at the City's expense, elect to have an independent certified engineering geologist or geotechnical engineer, selected from a list of prequalified consultants, review the report or its conclusions.

***Applicant's Response: The applicant acknowledges that an independent, qualified professional may review the Geotechnical Engineering Report (Appendix 7).***

- (f) *Conclusions and recommendations.* Conclusions and recommendations set forth in an approved geological assessment or geotechnical report shall be incorporated as conditions of approval of the landslide hazard construction permit. The landslide hazard construction permit shall be incorporated into any land use approval connected with the regulated activity.

***Applicant's Response: The applicant acknowledges that recommendations included in the Geotechnical Engineering Report (Appendix 7) may be included in a decision on this application as conditions of approval.***

Sec. 810.025. - Landslide hazard risk assessment.

- (a) *Graduated Response Tables.* The Graduated Response Tables set forth in this subsection are used to determine the total landslide hazard risk and required level of site investigation for regulated activities under this chapter. To determine the total landslide hazard risk, follow the steps set forth in this subsection. Where any portion of a proposed activity is identified under multiple landslide susceptibility ratings, the highest rating shall apply.

- (1) *Step One: Earthquake Induced Landslide Susceptibility.* Select one assigned point value from Table 810-1A and proceed to step two.

<b>TABLE 810-1A. EARTHQUAKE-INDUCED LANDSLIDE SUSCEPTIBILITY RATINGS</b>	
<b>Physiographic and Geologic Categories</b>	<b>Assigned Point Value</b>
Property identified under very low or low categories on IMS-17 or IMS-18.	0 Points
Property identified under a moderate category on IMS-17 or IMS-18.	2 Points
Property identified under a high category on IMS-17 or IMS-18.	3 Points
<b>References:</b> Interpretive Map Series (IMS-17), Interpretive Map Series (IMS-18)	

- (2) *Step Two: Water-Induced Landslide Susceptibility.* Select one assigned point value from Table 810-1B and proceed to step 3.

**TABLE 810-1B. WATER-INDUCED LANDSLIDE SUSCEPTIBILITY RATINGS**

<b>Physiographic and Geologic Categories</b>		<b>Assigned Point Value</b>
Property identified under Category 1 on IMS-5 and IMS-6 Reports.		0 Points
Property identified under Categories 2 or 3 on IMS-5 or IMS-6 Reports.		2 Points
Property outside the boundaries of IMS-5, IMS-6, IMS-17, IMS-18, and IMS-22 and between 15% - 25 % slopes, including 25%.		2 Points
Property identified under Categories 4, 5a, 5b, or 6 on IMS-5 or IMS-6 Reports.		3 Points
Property identified in IMS-22 Report.		3 points
Property outside the boundaries of IMS-5, IMS-6, IMS-17, IMS-18, and IMS-22 and over 25% slopes.		3 Points
<u>References:</u> Interpretive Map Series (IMS-5), Interpretive Map Series (IMS-6), Interpretive Map Series (IMS-17), Interpretive Map Series (IMS-18), Interpretive Map Series (IMS-22) and Slope Contour Map		

- (3) *Step Three: Activity Susceptibility Ratings.* Select one assigned point value from Table 810-1C and proceed to step four.

**Table 810-1C. ACTIVITY SUSCEPTIBILITY RATINGS\***

<b>Type of Activity</b>		<b>Assigned Point Value</b>
Installation or construction of any structure greater than 500 square feet in area.	Commercial or industrial building permit	3 Points

*\*abridged*

- (4) *Step Four: Cumulative Score.* Add the sub-totals from Tables 810-1A, 810-1B, and 810-1C. Proceed to step five.

**TABLE 810-1D. CUMULATIVE SCORE**

Step 1. Earthquake-Induced Landslide Susceptibility Rating  Points: ____	Step 2. Water-Induced Landslide Susceptibility Rating  Points: ____	Step 3. Activity Susceptibility Rating  Points: ____	Step 4. <b>Cumulative Score</b>  <b>Total Points: ____</b>
--	---	--	---

- (5) *Step Five: Total Landslide Risk.* Determine the total landslide hazard risk from Table 810-1E. If the total landslide hazard risk meets or exceeds the thresholds for moderate or high landslide hazard risk set forth in Table 810-1E, a geological assessment, geotechnical report, or both, as applicable, shall be provided by the applicant, and the action specified therein undertaken or insured before any regulated activity may be permitted or approved.

**TABLE 810-1E. TOTAL LANDSLIDE HAZARD RISK**

<b>Cumulative Score</b>  (From Table 810-1D)	<b>Landslide Hazard Risk</b>	<b>Requirement</b>
4 or fewer points	Category A - Low	No Requirements
5 - 8 points	Category B - Moderate	Geologic Assessment/ Geotechnical Report
9 or more points	Category C - High	Geotechnical Report

- (b) After determining the total landslide hazard risk under subsection (a) of this section, the following shall be required:
- (1) *Low landslide hazard risk.* If application of Table 810-1E indicates a low landslide hazard risk, all regulated activities may proceed without further investigation, permitting, or approval required by this chapter.
  - (2) *Moderate landslide hazard risk.* If application of Table 810-1E indicates a moderate landslide hazard risk, a geological assessment shall be submitted for all regulated activities. If the geological assessment indicates that mitigation measures are necessary to safely undertake the regulated activity, a geotechnical report prepared by a certified engineering geologist and geotechnical engineer shall be submitted.
  - (3) *High landslide hazard risk.* If application of Table 810-1E indicates a high landslide hazard risk, a geotechnical report prepared by a certified engineering geologist and geotechnical engineer shall be submitted for all regulated activities.

***Applicant's Response: According to the City's adopted landslide hazard susceptibility maps there are landslide hazard areas identified in the area of development, equal to 2 points. In addition, construction of a commercial building is assigned 3 activity points. A cumulative score of 5 points indicates a moderate landslide hazard risk. A geotechnical report was prepared for the project and is included within this application. Therefore, this standard is met.***

Sec. 810.030. - Standards for geological assessments and geotechnical reports.

Geological assessments and geotechnical reports required under this chapter shall include the information required by this section.

- (a) ***Geological assessment.*** A geological assessment shall include information and data regarding the nature, distribution of underlying geology, and the physical and chemical properties of existing soils; an opinion as to stability of the site; and conclusions regarding the effect of geologic conditions on the proposed development. The geological assessment shall bear the stamp of a certified engineering geologist.
- (b) ***Geotechnical report.*** A geotechnical report shall include a comprehensive description of the site topography and geology; an opinion as to the adequacy of the proposed development from an engineering standpoint; an opinion as to the extent that instability on adjacent properties may adversely affect the project; a description of the field investigation and findings; conclusions regarding the effect of geologic conditions on the proposed development; and specific requirements for plan modification, corrective grading, and special techniques and systems to facilitate a safe and stable development. The report shall provide other recommendations, as necessary, commensurate with the project grading and development. The geotechnical report shall bear the stamp of a certified engineering geologist and geotechnical engineer.

***Applicant's Response: A geotechnical report meeting the criteria of subsection 810.030(b) is provided herein. See Appendix 7. Therefore this standard is met.***

Sec. 810.035. - Certification of compliance.

No regulated activity requiring a geotechnical report shall receive final approval or be permitted for properties located in areas of high landslide hazard risk until the Director receives a written statement by a geotechnical engineer that all measures contained in the geotechnical report are completed, in place, and operable.

***Applicant's Response: The applicant acknowledges that a written statement by a geotechnical engineer certifying compliance with the recommendations of the geotechnical report will be required prior to final approvals and project closeout.***