

# 1610 Lancaster Drive SE

## Class 3 Site Plan Review, Class 1 Design Review, Class 2 Adjustments, and Class 2 Driveway Approach Permit

---

**Date:** March 2021

**Submitted to:** City of Salem  
555 Liberty Street SE, #305  
Salem, OR 97301

**Applicant:** Good Well Construction, Inc.  
2825 Foxhaven Drive SE  
Salem, OR 97306

**AKS Job Number:** 8106



3700 River Road N, Suite 1  
Keizer, OR 97303  
503.400.6028

---

## Table of Contents

<b>I.</b>	<b>Executive Summary.....</b>	<b>2</b>
<b>II.</b>	<b>Site Description/Setting .....</b>	<b>3</b>
<b>III.</b>	<b>Applicable Review Criteria .....</b>	<b>3</b>
	SALEM REVISED CODE.....	3
	Chapter 220 – Site Plan Review .....	3
	Chapter 225 – Design Review .....	8
	Chapter 250 – Adjustments .....	9
	Chapter 514 – RM-II Multiple Family Residential .....	13
	Chapter 702 – Multiple Family Design Review Standards .....	18
	Chapter 800 – General Development Standards .....	23
	Chapter 804 – Driveway Approaches.....	31
	Chapter 806 – Off-Street Parking, Loading and Driveways.....	33
	Chapter 807 – Landscaping and Screening .....	43
<b>IV.</b>	<b>Conclusion .....</b>	<b>46</b>

## Exhibits

- Exhibit A:** Preliminary Plans
  - Exhibit B:** City of Salem Application Forms
  - Exhibit C:** Pre-Application Report
  - Exhibit D:** Neighborhood Contact Information
  - Exhibit E:** Property Ownership
-

---

# Class 3 Site Plan Review, Class 1 Design Review, Class 2 Adjustments, and Class 2 Driveway Approach Permit

<b>Submitted to:</b>	City of Salem 555 Liberty Street SE, #305 Salem, OR 97301
<b>Applicant:</b>	Good Well Construction, Inc. 2825 Foxhaven Drive SE Salem, OR 97306
<b>Property Owner:</b>	1610 Lancaster Drive SE, LLC 2350 Timothy Drive NW Salem, OR 97304
<b>Applicant's Consultant:</b>	AKS Engineering & Forestry, LLC 3700 River Road N, Suite 1 Keizer, OR 97303  Contact(s): Zach Pelz, AICP Email: pelzz@aks-eng.com Phone: 503.400.6028
<b>Site Location:</b>	1610 Lancaster Drive SE, Salem, OR 97317
<b>Marion County Assessor's Map:</b>	08 2W 06AB, Tax Lot 9200
<b>Site Size:</b>	±0.40 acres
<b>Land Use Districts:</b>	Multiple Family Residential 2 (RM-II)



---

## I. Executive Summary

AKS Engineering & Forestry, LLC is pleased to submit this application to the City of Salem for a Class 3 Site Plan Review, Class 1 Design Review, Class 2 Adjustments, and Class 2 Driveway Approach Permit, on behalf of our client, Good Well Construction, Inc. (Applicant). The project involves six new multiple family homes with parking, open space, and landscaping on an approximately 0.40-acre property located at 1601 Lancaster Drive SE in Salem's Multiple Family Residential (RM-II) zoning district.

The essential components of this application include:

- Class 3 Site Plan Review for six new multiple family homes
- Class 1 Design Review showing compliance with City standards for multiple family development
- Class 2 Adjustment to modify the setback from the abutting residentially zoned property to the north
- Class 2 Adjustment to modify the setback from the abutting residentially zoned property to the south for the vehicle use area
- A Class 2 Adjustment to modify the vehicle clearance area at the driveway on 40<sup>th</sup> Place SE
- Class 2 Driveway Approach Permit for a new driveway to serve a multiple family use onto a local street

This project is a “housing” application under Oregon Revised Statute (ORS) 197.303(1)(a) as it provides multiple family housing within an urban growth boundary. ORS 197.307(4) states that a local government may apply only clear and objective standards, conditions, and procedures regulating the development of housing, and such standards, conditions, and procedures cannot have the effect, either in themselves or cumulatively, of discouraging housing through unreasonable cost or delay.

Oregon Courts and the Land Use Board of Appeals (LUBA), have generally held that an approval standard is not clear and objective if it imposes on an applicant “subjective, value-laden analyses that are designed to balance or mitigate impacts of the development.” *Rogue Valley Association of Realtors v. City of Ashland*, 35 Or LUBA 139, 158 (1998) *aff'd*, 158 Or App 1 (1999). ORS 197.831 places the burden on local governments to demonstrate that the standards and conditions placed on housing applications can be imposed only in a clear and objective manner. While this application addresses all standards, the Applicant reserves the right to object to the enforcement of standards or conditions that are not clear and objective and does not waive its right to assert that the housing statutes apply to this application. The exceptions in ORS 197.307(4)(a) and 197.307(5) do not apply to this application. ORS 197.307(7)(a) is controlled by ORS 197.307(4). The City has not taken an exception under 197.303(3).

This Application is also a “limited land use application” as that term is defined in ORS 197.015 (12). ORS 197.195 (1) describes how certain standards can be applied to a limited land use application.

The City of Salem Revised Code (SRC) requires the consolidated Class 3 Site Plan Review, Class 1 Design Review, Class 2 Adjustments, and Class 2 Driveway Approach Permit be considered through a Type II procedure. This written statement includes findings that demonstrate that the application complies with all applicable approval standards. These findings are supported by substantial evidence, including preliminary plans and other written documentation. This information provides the necessary basis for the City of Salem to approve the application.

---

## II. Site Description/Setting

The project site consists of Tax Lot 9200 (Marion County Assessor's Map 08 2W 06AB) and is ±0.40 acres in size. The site is a double frontage lot with frontage on Lancaster Drive SE and 40<sup>th</sup> Place SE. The property is improved with an existing single-family home with a driveway onto Lancaster Drive SE that is partially shared with the neighbor to the south. The home is planned to remain on the property as part of this project and is accounted for in all pertinent density and related site development responses as one of the multiple family homes on the site. The properties abutting the site to the north and south are also in the RM-II zoning district and are developed with multiple family homes.

## III. Applicable Review Criteria

### SALEM REVISED CODE

#### Chapter 220 – Site Plan Review

220.005. Site plan review.

(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.

**Response:** This application for a Class 3 Site Plan Review involves development includes three adjustments. A Class 3 Site Plan Review is necessary.

---

(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.

**Response:** This application for a Class 3 Site Plan Review is being processed per the City's Type II procedure.

(d) Submittal requirements for Class 1 site plan review. In lieu of the application submittal requirements under SRC chapter 300, an application for a Class 1 site plan review shall include a completed application form that shall contain the following information:

- (1) The names and addresses of the applicant(s), the owner(s) of the subject property, and any authorized representative(s) thereof;

**Response:** The names and addresses of the Applicant, owner, and authorized representatives are listed on Page 1 of this narrative and on the application forms in Exhibit B. This requirement is met.

- (2) The address or location of the subject property and its assessor's map and tax lot number;

**Response:** The address and location of the subject property, the Assessor's Map, and the tax lot number are listed on Page 1 and on the application forms in Exhibit B. The subject property is further described in the Site Description above. This requirement is met.

- (3) The size of the subject property;

**Response:** The size of the subject property is listed on Page 1. This requirement is met.

- (4) The comprehensive plan designation and zoning of the subject property;

**Response:** The property is designated for multiple family use in the Salem Area Comprehensive Plan and is located in the City of Salem's RM-II zoning district. This requirement is met.

- (5) The type of application(s);

**Response:** The type of application is indicated on the cover of this narrative. This requirement is met.

- (6) A brief description of the proposal; and

**Response:** A brief description of the project is provided in the Executive Summary above. This requirement is met.

- (7) Signatures of the applicant(s), owner(s) of the subject property, and/or the duly authorized representative(s) thereof authorizing the filing of the application(s).

**Response:** All required signatures are provided on the Land Use Application form in Exhibit B. This requirement is met.

(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.

**Response:** Preliminary Plans that include the required information listed above are provided in Exhibit A. These requirements are met.

- (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.

**Response:** An Existing Conditions Plan containing the information required under this section is included in Exhibit A of this application. This requirement is met.

- 
- (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.

**Response:** A Preliminary Grading and Drainage Plan is included in Exhibit A. This requirement is met.

- (D) A completed trip generation estimate for the proposed development, on forms provided by the City.

**Response:** The completed Trip Generation Estimate (TGE) form is included in Exhibit B. This requirement is met.

(\*\*\*)

- (2) Class 3 site plan review. In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for Class 3 site plan review shall include the following:

- (A) All submittal requirements for a Class 2 site plan review under subsection (e)(1) of this section;

**Response:** The submittal requirements for a Class 2 Site Plan Review have been provided as indicated above. This requirement is met.

- (B) The zoning district, comprehensive plan designation, and land uses for all properties abutting the site;

**Response:** This information is provided on Page 1 and 2. This requirement is met.

- (C) Driveway locations, public and private streets, bike paths, transit stops, sidewalks, and other bike and pedestrian pathways, curbs, and easements;

**Response:** These elements are included on the Preliminary Site Plan in Exhibit A as applicable. This requirement is met.

- (D) The elevation of the site at two-foot contour intervals, with specific identification of slopes in excess of 15 percent;

**Response:** Elevations and contour intervals are shown on the Existing Conditions Plan included in Exhibit A. The site does not contain slopes in excess of 15 percent. This requirement is met.

- (E) The location of drainage patterns and drainage courses, if applicable;

**Response:** As shown on the Existing Conditions Plan in Exhibit A, the site is relatively flat. This requirement does not apply.

- (F) A preliminary utility plan showing capacity needs for municipal water, stormwater facilities, and sewer service, and schematic location of connection points to existing municipal water and sewer services;

**Response:** The Preliminary Utility Plan with the required information is provided in Exhibit A. This requirement is met.

- (G) Summary table which includes site zoning designation; total site area; gross floor area by use (e.g., manufacturing, office, retail, storage); building height; itemized number of full size compact and handicapped parking stalls, and the collective total number; total lot



---

coverage proposed, including areas to be paved for parking and sidewalks;

**Response:** A site summary table containing the required information (as applicable) is shown on the Preliminary Site Plan in Exhibit A. This requirement is met.

(H) A geological assessment or geotechnical report, if required by SRC chapter 810, or a certification from an engineering geologist or a geotechnical engineer that landslide risk on the site is low, and that there is no need for further landslide risk assessment; and

**Response:** As discussed previously, the site flat, and a landslide risk assessment is not necessary. This requirement does not apply.

(I) A Transportation Impact Analysis, if required by SRC chapter 803.

**Response:** A TGE form is included in Exhibit B. The six new multiple family homes included in this application will generate fewer than 200 trips per day onto 40<sup>th</sup> Place SE (a local street). Therefore, the new daily trip generated by the project will be below the threshold that would trigger a Transportation Impact Analysis (TIA). A TIA is therefore not required.

(f) Criteria.

(3) Class 3 site plan review. An application for Class 3 site plan review shall be granted if:

(A) The application meets all applicable standards of the UDC;

**Response:** The applicable standards of the Unified Development Code (UDC) are addressed in this narrative. This criterion is met.

(B) The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately;

**Response:** 40<sup>th</sup> Place SE is a local street improved with ±30 feet of pavement width within a 60-foot-wide right-of-way. A sidewalk and landscape strip are planned along the development side of 40<sup>th</sup> Place SE to bring the half of the street fronting the project up to City standards for local streets. The project will not generate enough new trips on to 40<sup>th</sup> Place SE to warrant a TIA. Therefore, negative impacts to the transportation system are not anticipated as a result of the planned project. Safe, orderly, and efficient circulation of traffic into and out of the development will be provided with a driveway designed to meet the applicable City standards. This criterion is met.

(C) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and

**Response:** Parking and driveways have been planned to meet applicable City standards for safe and efficient movement of vehicles, bicycles, and pedestrians, as shown on the Preliminary Site Plan in Exhibit A. This criterion is met.

(D) The proposed development will be adequately served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development.

---

**Response:** The development is planned to be served by City water and sewer, as shown on the Preliminary Utility Plan in Exhibit A. The project involves less than 10,000 square feet of new or replaced impervious area. Therefore, the project does not trigger City requirements for water quality or flow control. This criterion is met.

Chapter 225 – Design Review

225.005. Design review.

- (a) **Applicability.** Design review approval is required for development applications that are subject to design review standards and guidelines.

**Response:** The Applicant intends that this application be reviewed under the standards for multiple family design review. Design Review is applicable and included in this application.

(b) **Classes.**

- (1) Class 1 design review is design review that requires the application of design review standards only.
- (2) Class 2 design review is design review that requires the application of design review guidelines, for projects that are limited to building alterations that will be contained within the footprint of the existing building and utilize the same building materials and same window and facade designs.
- (3) Class 3 design review is design review that requires the application of design review guidelines.
- (4) If any portion of the proposed development does not meet all of the applicable design review standards, the entire development shall be subject to Class 3 design review.

**Response:** This project meets the design standards for multiple family development, as documented throughout this narrative and supporting materials. A Class 1 Design Review is required and included in this application.

(c) **Procedure type.**

- (1) Class 1 design review is processed as a Type I procedure under SRC chapter 300.
- (2) Class 2 design review is processed as a Type II procedure under SRC chapter 300.
- (3) Class 3 design review is processed as a Type III procedure under SRC chapter 300.

**Response:** This application for a Class 1 Design Review is being processed as part of a consolidated application that includes a Class 3 Site Plan Review. Therefore, a Type II procedure is necessary and included in this application.

(d) **Submittal requirements.**

(\*\*\*)

- (2) Submittal requirements for Class 1, Class 2, and Class 3 design review. In addition to the submittal requirements set forth under SRC chapter 300, an application for Class 1, Class 2, or Class 3 design review shall include the following:
  - (A) A proposed site plan showing:

- 
- (i) The complete dimensions and setbacks of the lot, and all existing and proposed buildings and structures, including the location, size, height, proposed use, design, and gross floor area of each building.
  - (ii) All existing and proposed walls and fences, including the location, height, type of design, and composition.
  - (iii) The location and design of the existing and proposed on-site pedestrian and vehicle circulation system.
  - (iv) Locations and dimensions of all existing and proposed outdoor storage areas, including, but not limited to, trash collection and recycling areas.
- (B) Architectural drawings, renderings, or sketches showing all elevations of proposed buildings as they will appear on completion.
  - (C) A landscape plan showing the location of natural features, trees, and plant materials proposed to be removed, retained, or planted; the amount, height, type, and location of landscaped areas, planting beds, and plant materials and provisions for irrigation.
  - (D) A topographic survey and grading plan showing two-foot contour intervals on hillside lots and five-foot contour intervals on all other lots.
  - (E) An open space plan showing locations of common and private open space, including active and passive recreational areas. The open space plan shall show the total area of individual classifications of proposed open space and shall be drawn to scale.
  - (F) A statement as to whether the application is intended to meet the standards or the guidelines.

**Response:** Preliminary Plans showing the information required above are included in Exhibit A of this application. The application is intended to meet the standards for multiple family design review. These requirements are met.

(e) Criteria.

- (1) A Class 1 shall be approved if all of the applicable design review standards are met
- (2) A Class 2 or Class 3 design review shall be approved if all of the applicable design review guidelines are met.

**Response:** Findings addressing all the applicable design review standards are included in this narrative. The approval criterion for a Class 1 Design Review is met.

Chapter 250 – Adjustments

250.005. Adjustments.

(a) Applicability.

(1) Classes.

- (A) A Class 1 adjustment is an adjustment to any numerical development standard in the UDC that increases or decreases the standard by not more than 20 percent.
- (B) A Class 2 adjustment is an adjustment to any development standard in the UDC other than a Class 1 adjustment, including an adjustment

---

to any numerical development standard in the UDC that increases or decreases the standard by more than 20 percent.

**Response:** Three Class 2 adjustments are included in this application. One adjustment will reduce the applicable setback from the abutting residentially zoned property to the north from 10 feet to 6 feet. The other adjustment will reduce the setback that applies to the vehicular use area along the southern property boundary from 10 feet to 4.67 feet. The third will position the vision clearance area to place the required 50-foot leg along the intersecting street described under SRC 805.005(b)(1)(B) along the intersecting street (40<sup>th</sup> Place SE). The included adjustments require modifying the applicable standards by more than 20%. Therefore, three Class 2 adjustments are necessary and included in this application.

- (2) **Prohibition. Notwithstanding subsection (a)(1) of this section, an adjustment shall not be granted to:**
  - (A) Allow a use or activity not allowed under the UDC;
  - (B) Change the status of a use or activity under the UDC;
  - (C) Modify a definition or use classification;
  - (D) Modify a use standard;
  - (E) Modify the applicability of any requirement under the UDC;
  - (F) Modify a development standard specifically identified as non-adjustable;
  - (G) Modify a development standard that contains the word "prohibited";
  - (H) Modify a procedural requirement under the UDC;
  - (I) Modify a condition of approval placed on property through a previous planning action;
  - (J) A design review guideline or design review standard, except Multiple Family Design Review Standards in SRC Chapter 702, which may be adjusted; or
  - (K) The required landscaping in the Industrial Business Campus (IBC) Zone.

**Response:** The project does not include an adjustment to any of the standards, guidelines, or requirements listed in (A) through (K) above. The project meets the applicable design review standards for multiple family development. This standard is met.

- (b) **Procedure type. Class 1 and Class 2 adjustments are processed as a Type II Procedure under SRC chapter 300.**

**Response:** Three Class 2 adjustments are included in this consolidated application and are being processed as a Type II procedure.

- (c) **Submittal requirements. In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for a Class 1 or Class 2 adjustment shall include the following:**
  - (1) A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing all information necessary to establish satisfaction with the approval criteria. By

---

way of example, but not of limitation, such information may include the following:

- (A) The total site area, dimensions, and orientation relative to north;
- (B) The location of all proposed primary and accessory structures and other improvements, including fences, walls, and driveway locations, indicating distance to such structures from all property lines and adjacent on-site structures;
- (C) All proposed landscape areas on the site, with an indication of square footage and as a percentage of site area;
- (D) 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;
- (E) The location of all trees and vegetation required to be protected pursuant to SRC chapter 808; and
- (F) Identification of vehicle, pedestrian, and bicycle parking and circulation areas, including handicapped parking stalls, disembarking areas, accessible routes of travel, and proposed ramps.

**Response:** Preliminary Plans with the applicable information required in (A) through (F) above are included in Exhibit A. This requirement is met.

- (2) 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:

- (A) The total site area, dimensions, and orientation relative to north;
- (B) The location of existing structures and other improvements on the site, including accessory structures, fences, walls, and driveways, noting their distance from property lines;
- (C) The location of the 100-year floodplain, if applicable; and
- (D) The location of drainage patterns and drainage courses, if applicable.

**Response:** The Existing Conditions Plan is provided in Exhibit A. This requirement is met.

(\*\*\*)

- (2) An application for a Class 2 adjustment shall be granted if all of the following criteria are met:

- (A) The purpose underlying the specific development standard proposed for adjustment is:
  - (i) Clearly inapplicable to the proposed development; or
  - (ii) Equally or better met by the proposed development.

**Response:** Three Class 2 adjustments are included in this application. One adjustment will reduce the applicable setback from the abutting residentially zoned property to the north from 10 feet to 6 feet. The other adjustment will reduce the setback that applies to the vehicular use area along the southern property boundary from 10 feet to 4.67 feet. The third will adjust the location of the vision clearance triangle on 40<sup>th</sup> Place SE.

The UDC does not state a specific purpose for the interior side setbacks. However, the Applicant understands that the purpose of the setbacks from the abutting residential

---

property is to maintain light, air, promote a reasonable physical relationship between residences, and provide privacy for neighboring properties.

For the requested adjustment along the northern property line, the adjusted setback equally meets this underlying purpose. The nearest improvement on the property to the north is a private parking area serving a multiple family building. The residences on the neighboring property are located on the western portion of the property. Therefore, the reduced setback will maintain a reasonable physical relationship between residences and provide privacy for both abutting properties. The parking area on the neighboring lot is screened from the Applicant's property with a 6-foot-high sight obscuring fence and the adjusted 6-foot setback exceeds the standard perimeter setbacks abutting interior lot lines for off-street parking areas and vehicle use areas under SRC 806.035.(c)(3). Furthermore, Table 514-4 identifies a number of building setback requirements in the RM-II zoning district, such as one-, two-, three-, and four-family and accessory structures that require only a 5-foot interior side setback. Therefore, the requested 6-foot setback is reasonable when compared with other building setbacks allowed in the district and will maintain the livability and character of the district. Finally, the setback area is planned to be planted with trees and shrubs that will provide  $\pm 1.87$  times the minimum required plant units (PU) in the setback area (109.6 PU provided / 58.4 PU required =  $\pm 1.87$ ). The adjusted setback is  $\pm 1,168$  square feet in area requiring 58.4 PU to meet the Type C requirement for 1 PU per 20 square feet of landscape area ( $\pm 1,168$  square feet / 20 = 58.4 PU required). Thirty 3 gallon large shrubs @ 2 PU each provide 60 PU. Four large shade trees @ 10 PU each provide 40 PU. 480 square feet of existing lawn provide 9.6 PU. The additional plantings will provide additional screening and buffering to maintain privacy for residents of both properties.

For the requested adjustment to the vehicle use area setback along the southern property line, the adjustment equally meets the intent of the standard. The nearest improvement on the property to the south is also a vehicle use area. Because of the similarity of the two neighboring uses, the adjusted setback will not negatively impact the abutting use and will maintain a reasonable physical relationship between residences on both neighboring properties. The adjusted setback from the interior property line will result in a finished setback that will vary from  $\pm 12$  to  $\pm 15$  feet from the adjacent vehicle use area on the neighboring lot. Finally, the setback area is planned to be planted with trees and shrubs that will provide  $\pm 1.64$  times the minimum required plant units (PU) in the setback area (74.43 PU provided / 45.40 PU required =  $\pm 1.64$ ). The adjusted setback area is  $\pm 908$  square feet in area requiring 45.40 PU to meet the Type C requirement for 1 PU per 20 square feet of landscape area ( $\pm 908$  square feet / 20 = 45.40 PU required). Twenty 3 gallon large shrubs @ 2 PU each provide 40 PU. Four large shade trees @ 10 PU each provide 30 PU. 221 square feet of existing lawn provide 4.43 PU. The adjusted setback area will be screened from the abutting property with a 6-foot-high fence and the additional plantings will provide an additional buffer from the neighboring property.

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

The adjustment is included in this application to place the required 50-foot leg along the intersecting street described under SRC 805.005(b)(1)(B) along the intersecting street (40<sup>th</sup> Place SE) instead of at the front property line as illustrated in Figure 805-5. Placing the vision clearance triangle at the edge of the travel lane equally meets the purpose of the standard because it ensures that the vehicles using the travel lanes on 40<sup>th</sup> Place SE are visible to the vehicle operators using the driveway. Other jurisdictions typically place vision triangles at the travel lanes in this fashion in order to meet the underlying purpose of this standard.

This criterion is met.

- (B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.

**Response:** As discussed in the previous response, the adjusted interior setbacks are both planned to include screening and landscaping that exceed the standards in the RM-II zone so the development will not detract from the livability or appearance of the residential area. The adjusted vision clearance area will allow for safe egress from the site. This criterion is met.

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

**Response:** The stated purpose of the RM-II Zone is to implement the multiple family residential designation of the Salem Area Comprehensive Plan. The adjusted setbacks will allow the reasonable development of the property with multiple family residential use at a density that is permitted in the district resulting in a project that is consistent with the overall purpose of the zone. This criterion is met.

- (e) Transfer of adjustments. Unless otherwise provided in the final decision granting the adjustment, an adjustment shall run with the land.

**Response:** The Applicant acknowledges that the adjustments run with the land.

#### Chapter 514 – RM-II Multiple Family Residential

##### 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.

Table 514-1: Uses		
Use	Status	Limitations & Qualifications
Household Living		
Multiple Family	P	

**Response:** This project involves a multiple family use as permitted in the RM-II Zone. This standard is met.

##### 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.



**Response:** This application does not include a land division. This standard does not apply.

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

Table 514-2: Lot Standards		
Requirement	Standard	Limitations & Qualifications
<b>Lot Area</b>		
Single Family	Min. 1,500 sq ft.	Applicable to townhouses
	Min 6,000 sq ft	Applicable to all other Single Family, except new single family detached dwellings on non-conforming lots of record less than 6,000 square feet in area.
<b>Lot Width</b>		
Single Family	Min 20 ft.	Applicable to townhouses
	Min 40 ft.	Applicable to all other Single Family
All Other Uses	Min 40 ft.	
<b>Lot Depth</b>		
Single Family	Min 70 ft.	
	Min 120 ft.	Applicable to double frontage lots
	Max 300% of average lot width	
All Other Uses	Min 80 ft.	
	Min 120 ft.	Applicable to double frontage lots
	Max 300% of average lot width	
<b>Street Frontage</b>		
Single Family	Min 20 ft.	Applicable to townhouses
	Min 40 ft.	Applicable to Single Family
	Min 30 ft.	Applicable to all other Single Family, when located on a lot fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
All Other Uses	Min. 40 ft.	

**Response:** This application does not include a land division or reconfiguration. The lot standards do not apply.

- (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.

Table 514-3 Dwelling Unit Density			
Use	Standard		Limitations & Qualifications
	Minimum	Maximum	
Single Family, Two Family, and Multiple Family	12 dwelling units per acre	28 dwelling units per acre	



	N/A	N/A	Applicable to new single family detached dwelling on non-conforming lot of record less than 6,000 square feet in area
	6 dwelling units per acre	28 dwelling units per acre	Applicable to manufactured dwelling parks developed pursuant to SRC Chapter 235

**Response:** The area of the project site is ±0.40 acres. Therefore, 5 units are required to meet the minimum density requirement (±0.40 acres X 12 units per acre = ±4.80 units) and the maximum density allowed is 11 units (±0.40 acres X 28 units per acre = ±11.20 units). The project includes seven units across one 6-plex building and one existing home. This standard is met.

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

Table 514-4: Lot Setbacks		
Requirement	Standard	Limitations & Qualifications
<b>Abutting Street</b>		
<b>Buildings</b>		
Single Family and Two Family	Min 12 ft.	Applicable along collector or arterial streets
	Min 20 ft.	
All other uses	Min 12 ft. plus one foot for each one-foot of height over 12 ft, but not to exceed 20 feet in depth	
<b>Vehicle Use Areas</b>		
All uses, other than Single Family and Two Family	Min. 12 ft.	
<b>Interior Front</b>		
<b>Buildings</b>		
Single Family and Two Family	Min 12 ft.	
All Other Uses	Zone-to-Zone Setback (Table 514-5)	
<b>Vehicle Use Areas</b>		
All uses, other than Single Family and Two Family	Zone to Zone Setback (Table 514-5)	
<b>Interior Side</b>		
<b>Buildings</b>		
Single Family	Min 5 ft.	Applicable to new buildings, other than townhouses and zero side yard dwellings
	Min 3 ft.	Applicable to existing buildings, other than townhouses and zero side yard dwellings
	None	Applicable to townhouses
	Per SRC 700.090	Applicable to zero side yard dwellings
Two Family	Min 5 ft.	
All other uses	Zone-to-Zone Setback (Table 514-5)	
<b>Vehicle Use Areas</b>		

All uses, other than Single Family and Two Family	Zone-to-Zone Setback (Table 514-5)	
<b>Interior Rear</b>		
<b>Buildings</b>		
Single Family and Two Family	Min 14 ft.	Applicable to any portion of a building not more than one-story in height
	Min 20 ft.	Applicable to any portion of a building greater than one-story in height.
All other uses	Zone-to-Zone Setback (Table 514-5)	
<b>Vehicle Use Areas</b>		
All uses, other than Single Family and Two Family	Zone-to-Zone Setback (Table 514-5)	

**Response:** As shown on the Preliminary Site Plan in Exhibit A the maximum required 20-foot building setback is provided from the two abutting streets for the new 6-plex building. See below for responses to the applicable zone-to-zone setbacks. These standards are met.

Table 514-5: Zone-To-Zone Setbacks			
Abutting Zone	Type of Improvement	Setback	Landscaping & Screening
EFU	Buildings and Accessory Structures	Min. 10 ft.	Type C
	Vehicle Use Areas		
Residential Zone	Buildings and Accessory Structures	Min. 10 ft.	Type C
	Vehicle Use Areas		
Mixed-Use Zone	Buildings and Accessory Structures	Min. 10 ft.	Type C
	Vehicle Use Areas		
Commercial Zone	Buildings and Accessory Structures	Min. 10 ft.	Type C
	Vehicle Use Areas		
Public zone	Buildings and Accessory Structures	Min. 10 ft.	Type C
	Vehicle Use Areas		
Industrial and Employment Zone	Buildings and Accessory Structures	Min. 15 ft.	Type C
	Vehicle Use Areas		
Limitations and Qualifications: Zone-to-Zone setbacks are not required abutting an alley.			

**Response:** The applicable zone-to-zone setbacks are met with two Class 2 adjustments included in this application. One adjustment will reduce the applicable setback from the abutting residentially zoned property to the north from 10 feet to 6 feet. The adjusted northern setback area is planned to be planted with trees and shrubs that will provide  $\pm 1.87$  times the minimum required plant units (PU) in the setback area (109.6 PU provided / 58.4 PU required =  $\pm 1.87$ ). The adjusted setback is  $\pm 1,168$  square feet in area requiring 58.4 PU to meet the Type C requirement for 1 PU per 20 square feet of landscape area ( $\pm 1,168$  square feet / 20 = 58.4 PU required). Thirty 3-gallon large shrubs @ 2 PU each provide 60 PU. Four large shade trees @ 10 PU each provide 40 PU. 480 square feet of existing lawn provide 9.6 PU. The shrubs and shade trees are positioned adjacent to the new 6-plex

building in order to provide additional screening from neighboring properties to the north. The fencing requirement for the Type C standard is met with an existing fence along this property boundary.

An adjustment is also included in this application to reduce the zone-to-zone setback that applies to the vehicular use area along the southern property boundary from 10 feet to 4.67 feet. The southern setback area is planned to be planted with trees and shrubs that will provide  $\pm 1.64$  times the minimum required plant units (PU) in the setback area (74.43 PU provided / 45.40 PU required =  $\pm 1.64$ ). The adjusted setback area is  $\pm 908$  square feet in area requiring 45.40 PU to meet the Type C requirement for 1 PU per 20 square feet of landscape area ( $\pm 908$  square feet / 20 = 45.40 PU required). Twenty 3 gallon large shrubs @ 2 PU each provide 40 PU. Four large shade trees @ 10 PU each provide 30 PU. 221 square feet of existing lawn provide 4.43 PU. The adjusted setback area will be screened from the abutting property with a 6-foot-high fence and the additional plantings will provide an additional buffer from the neighboring property. With the included adjustments, the applicable zone-to-zone setbacks are met.

Table 514-6 Lot Coverage; Height		
Requirement	Standard	Limitations & Qualifications
<b>Lot Coverage</b>		
<b>Buildings and Accessory Structures</b>		
All Uses	Max 50%	
<b>Rear Yard Coverage</b>		
<b>Buildings</b>		
All Uses	N/A	
<b>Height</b>		
<b>Buildings</b>		
Single Family and Two Family	Max 35 ft.	
Multiple Family, Residential Care, Nursing Care, and Short-term Commercial Lodging	Max 50 ft.	

**Response:** As shown on the Preliminary Site Plan in Exhibit A, the buildings and structures are planned to cover less than 50 percent of the lot. As shown in the building elevations in Exhibit A, the buildings are planned to be less than 50 feet in height. The standards in Table 514-6 met.

- (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.

Table 514-7 Maximum Coverage For All Accessory Structures	
Main Building Gross Area	Maximum Total Square Footage for All Accessory Structures
1,200 square feet or less	600 sq. ft.
Greater than 1,200 square feet	1,000 sq. ft. or 50% of main building gross area, whichever is less.

---

**Response:** Accessory structures are not planned for this project. This standard is met.

(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.

**Response:** Landscaping conforming to the applicable standards is shown on the Preliminary Landscape Plan in Exhibit A. This standard is met.

(2) Vehicle use areas. Vehicle use areas shall be landscaped as provided under SRC chapters 806 and 807.

**Response:** Parking areas greater than 6,700 square feet are not planned. Landscaping conforming to the applicable standards in SRC 806 and 807 is shown on the Preliminary Landscape Plan in Exhibit A. This standard is met.

(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.

**Response:** This project does not involve outdoor storage. This standard is met.

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 guidelines or the multiple family design review standards set forth in SRC chapter 702.

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

**Response:** A Class 1 Design Review for the planned 6-plex building is included in this application and findings addressing the multiple family design review standards are provided in the narrative that follows.

#### Chapter 702 – Multiple Family Design Review Standards

702.005. Multiple family design review.

(a) Except as provided under subsection (b) of this section, and unless otherwise provided in the UDC, design review under SRC chapter 225 is required for all multiple family development.

(b) Exceptions. Multiple family design review is not required for:

(A) Multiple family development within a mixed-use building.

(B) Multiple family development within:

(i) The Central Business District (CB) Zone.

(ii) The South Waterfront Mixed-Use (SWMU) Zone.

(iii) The Neighborhood Center Mixed-Use (NCMU) Zone.

(iv) The Broadway/High Street Retail Overlay Zone

(v) The Broadway/High Street Housing Overlay Zone.

- 
- (vi) The General Retail/Office Overlay Zone.
  - (vii) The Front Street Overlay Zone.
  - (viii) The Riverfront High Density Residential Overlay Zone.
  - (ix) The Riverfront Overlay Zone.
  - (x) The Salem Downtown Historic District.
  - (xi) The Public and Private Health Services (PH) Zone.
  - (xii) The Mixed Use-I (MU-1) Zone
  - (xiii) The Mixed Use-II (MU-II) Zone
  - (xiv) The West Salem Central Business District Zone

**Response:** None of the exceptions listed in (i) through (xiv) above apply. Multiple family design review is required and included in this application.

**702.010. Multiple family design review design review standards.**

Multiple family development shall comply with all of the applicable design review standards as follows:

- (a) Multiple family development with five to 12 dwelling units shall comply with the design review standards set forth in SRC [702.015](#) or the design review standards set forth in SRC [702.020](#).
- (b) Multiple family development with 13 or more dwelling units shall comply with the design review standards set forth in SRC [702.020](#).
- (c) The design review standards set forth in this chapter are in addition to, and not in lieu of, all other applicable development standards in the UDC. Where the design review standards conflict with the development standards in the UDC, the design review standards shall be the applicable development standard.

**Response:** The project involves multiple family development consisting of a total of seven dwelling units. Findings are included below that demonstrate that the planned development complies with all the applicable design standards for multiple family development with 5 to 12 dwelling units and therefore meets the approval criteria for a Class 1 Design Review.

**702.015. Design review standards for multiple family development with five to twelve units.**

- (a) Open space standards.
  - (1) To encourage the preservation of natural open space qualities that may exist on a site and to provide opportunities for active and passive recreation, all newly constructed multiple family developments shall provide a minimum 20 percent of the gross site area as designated and permanently reserved open space. For the purposes of this subsection, the term "newly constructed multiple family developments" shall not include multiple family developments created through only construction or improvements to the interior of an existing building(s). Indoor or covered recreation space may count toward this open space requirement.
    - (A) To ensure usable open space, at least one common open space area shall be provided within the development that is at least 500 square feet in size and has a minimum dimension of 20 feet for all sides.

**Response:** This project includes seven units. Therefore, a common open space area of at least 500 square feet is provided, as shown on the Preliminary Site Plan in Exhibit A. This standard

does not prohibit this area from being located in a required setback, nor does it prohibit the landscaping within this area shown on the Preliminary Plan. This standard is met.

- (B) To allow for a mix of different types of open space areas and flexibility in site design, private open space, meeting the size and dimension standards set forth in Table 702-1, may count toward the open space requirement. All private open space must meet the size and dimension standards set forth in Table 702-1.

Table 702-1 Private Open Space Size and Dimensions		
Location of Dwelling Units	Minimum Open Space Area Size	Minimum Dimension
Not more than 5 feet above finished grade	96 sq. ft.	6 ft.
More than 5 feet above finished grade	48 sq.ft.	6 ft.

**Response:** The project provides common open space on ±30% of the site. The project does not rely on private open space meeting these dimensional requirements to meet the open space requirements. Therefore, these dimensional requirements do not apply to the decks and patios shown on the plans. Nevertheless, the project includes decks on the upper units that are 72 square feet (12 feet x 6 feet) in area and ground level patios that are 96 square feet (16 feet x 6 feet) in area. These standards do not apply.

- (C) To encourage active recreational opportunities for residents, the square footage of an improved open space area may be counted twice toward the total amount of required open space, provided each such area meets the standards set forth in this subsection. Example: a 500-square-foot improved open space area may count as 1,000 square feet toward the open space requirement.
- (i) Be a minimum 500 square feet in size with a minimum dimension of 20 feet for all sides; and
- (ii) Include at least one of the following types of features:
- Covered pavilion.
  - Ornamental or food garden.
  - Developed and equipped children's play area, with a minimum 30-inch tall fence to separate the children's play area from any parking lot, drive aisle, or street.
  - Sports area or court (e.g., tennis, handball, volleyball, basketball, soccer).
  - Swimming pool or wading pool.

**Response:** This project includes seven units. Therefore, a common open space area of at least 500 square feet is provided, as shown on the Preliminary Site Plan in Exhibit A. The applicable open space standards are met, and the project does not need to use this option to meet applicable standards. This standard is met.

- (D) To encourage proximity to and use of public parks, the total amount of required open space may be reduced by 50 percent for developments that are located within one-quarter mile of a publicly-owned urban, community, or neighborhood park as measured along

---

a route utilizing public or private streets that are existing or will be constructed with the development.

**Response:** A common open space area of at least 500 square feet is provided, as shown on the Preliminary Site Plan in Exhibit A. The applicable open space standards are met, and the project does not need to use this option to meet applicable standards. This standard is met.

(b) Landscaping standards.

(1) Where a development site abuts property that is zoned Residential Agricultural (RA) or Single Family Residential (RS), a combination of landscaping and screening shall be provided to buffer between the multiple family development and the abutting RA or RS zoned property. The landscaping and screening shall include the following:

(A) A minimum of one tree, not less than 1.5 inches in caliper, for every 30 linear feet of abutting property width; and

(B) A minimum six-foot tall, decorative, sight-obscuring fence or wall. The fence or wall shall be constructed of materials commonly used in the construction of fences and walls, such as wood, stone, rock, brick, or other durable materials. Chainlink fencing with slats shall not be allowed to satisfy this standard.

**Response:** The development site does not abut property that is zoned Residential Agricultural (RA) or Single Family Residential (RS). The provisions under this section do not apply.

(2) Multiple family developments shall comply with the landscaping standards applicable in the underlying zone in which such developments are located.

**Response:** This project is located in the RM-II zoning district. As shown in the Preliminary Landscape Plan in Exhibit A, the side and vehicle use area setbacks are planned with landscaping that exceeds the Type C landscaping and screening standard required in the RM-II zoning district. This standard is met.

(c) Site safety and security.

(1) Windows shall be provided in all habitable rooms, other than bathrooms, on each wall that faces common open space, parking areas, and pedestrian paths to encourage visual surveillance of such areas and minimize the appearance of building bulk.

(2) Lighting shall be provided that illuminates all exterior dwelling unit entrances, parking areas, and pedestrian paths within the development.

**Response:** As shown in the floor plans and elevations in Exhibit A, windows are provided in all habitable rooms, other than bathrooms, on each wall that faces common open space, parking areas, and pedestrian paths. Lighting is planned to be provided with wall mounted fixtures to illuminate exterior dwelling entrances, parking areas, and pedestrian paths as indicated on the plans. These standards are met.

(d) Parking and site design.

(1) To minimize the visual impact of on-site parking and to enhance the pedestrian experience, off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street.



---

**Response:** As shown on the Preliminary Site Plan in Exhibit A, the on-site parking areas are planned to be located to the side of the building when viewing the building from the street. The plan shows the off-street surface parking areas and vehicle maneuvering areas are not located between a building or structure and a street. This standard is met.

- (2) To ensure safe pedestrian access to and throughout a development site, pedestrian pathways shall be provided that connect to and between buildings, common open space, and parking areas, and that connect the development to the public sidewalks.

**Response:** Pedestrian pathways are planned to be provided that connect to and between buildings, common open space, the parking area, and the public sidewalks, as shown on the Preliminary Site Plan in Exhibit A. This standard is met.

(e) Façade and building design.

- (1) Where a development site abuts property zoned Residential Agricultural (RA) or Single Family Residential (RS), buildings shall be setback from the abutting RA or RS zoned property as set forth in Table 702-2 to provide appropriate transitions between new buildings and structures on-site and existing buildings and structures on abutting sites.

(A) A 5-foot reduction is permitted to each required setback in Table 702-2 provided that the height of the required fence in [Sec. 702.015\(b\)\(1\)\(B\)](#) is increased to eight feet tall.

**Response:** This project does not abut property zoned Residential Agricultural (RA) or Single Family Residential (RS). This standard does not apply.

- (2) On sites with 75 feet or more of buildable width, a minimum of 40 percent of the buildable width shall be occupied by building placed at the setback line to enhance visual interest and activity along the street. Accessory structures shall not apply towards meeting the required percentage.

**Response:** The total site width is ±89 feet. The adjusted building setback along the north interior property line reduces the buildable width by 6 feet. The building setback along the south interior property line reduces the buildable width by 10 feet. Table 806-4 requires a minimum driveway width of 22 feet for this project, thereby reducing the buildable width by another 22 feet. The net buildable width of the site along 40<sup>th</sup> Place SE is 51 feet (89 feet – 6 feet – 10 feet – 22 feet = 51 feet). The site has less than 75 feet of buildable width. Therefore, this standard does not apply.

- (3) To orient buildings to the street, any ground-level unit, cluster of units, or interior lobbies, or portions thereof, located within 25 feet of the property line abutting a street shall have a building entrance facing the street, with direct pedestrian access to the adjacent sidewalk.

**Response:** The ground unit closest to 40<sup>th</sup> Place SE includes an entrance facing 40<sup>th</sup> Place SE with a direct pedestrian access to the adjacent sidewalk, as shown on the Preliminary Site Plan in Exhibit A. This standard is met.

- (4) A porch or architecturally defined entry area shall be provided for each ground level dwelling unit. Shared porches or entry areas shall be provided to not more than four dwelling units. Individual and common entryways shall be articulated with a differentiated roof, awning, stoop, forecourt, arcade or portico.



---

**Response:** The project includes two ground level dwelling units. Each of these ground level dwelling units has two architecturally defined entry areas. The entry areas for the ground level dwelling units on the north side of the building are architecturally defined with covered forecourt areas that will function as patios and/or porches for residents and define the entry areas for visitors. Additional architectural definition can be provided for these entries as necessary to meet this standard.

The other two entryways to the two ground level dwelling units are defined with a common entryway that is articulated with a differentiated common portico, as shown on the Building Elevations in Exhibit A. The proposal exceeds the requirements under this standard for the ground floor level dwelling units.

The standard is ambiguous as to whether it is intended to apply to the upper-level dwelling units, in addition to the ground floor units stated in the standard. Nevertheless, staff can find the common entryway shown on the plans, that is articulated with a differentiated portico (shown on the south elevation in the plans), is permissible at the south common entry area because the two ground level dwelling units include individual entry areas on the north side of the building that are architecturally defined. The two ground level dwelling units do not rely on the common architecturally defined entry area to meet the minimum requirements. Therefore, staff can find that the differentiated portico provides the required architectural definition for the four upper-level units and provides additional architectural definition for the ground level dwelling units above what the minimum standard requires. The standard is met.

- (5) Roof-mounted mechanical equipment, other than vents or ventilators, shall be screened from ground level view. Screening shall be as high as the top of the mechanical equipment, and shall be integrated with exterior building design.

**Response:** This project does not involve roof-mounted mechanical equipment other than vents or ventilators. This standard does not apply.

- (6) To reinforce the residential character of the neighborhood, flat roofs, and the roof ridges of sloping roofs, shall not exceed a horizontal length of 75 feet without providing differences in elevation of at least four feet in height. In lieu of providing differences in elevation, a cross gable or dormer that is a minimum of four feet in length may be provided.

**Response:** This project does not involve flat roofs that exceed a horizontal length of 75 feet. This standard does not apply.

#### Chapter 800 – General Development Standards

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.

**Response:** Fences or walls over 8 feet high are not planned. A sight obscuring fence is planned along the southern property boundary to meet the Type C landscaping standard, as indicated on the Preliminary Plans in Exhibit A. This standard is met.

(\*\*\*)

- (2) Hedges. There is no maximum height limitation for hedges; provided, however, where a hedge is located within ten feet of a property line abutting a street, any portion of the hedge more than 30 inches in height shall be less than 25 percent opaque when viewed at any angle at a point 25 feet away from the hedge.

**Response:** Hedges are not planned for this project within any vision clearance area. This standard is met.

- (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.

**Response:** This project does not involve gates as part of the planned fences. This standard does not apply.

- (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.

**Response:** This project does not include retaining walls. This standard does not apply.

- (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.

**Response:** The location of the planned fence is shown on the Preliminary Site Plan in Exhibit A. Fences are not planned within the required vision clearance areas. 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 chain link 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.

**Response:** The planned fence is not anticipated to be constructed with the above-listed materials. None of the prohibited materials are planned to be used in the construction of planned fence. This standard can be met.

- (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.

**Response:** Walls are not planned for the project. This standard does not apply.

- (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:

**Response:** Hazardous materials, as listed above, are not included for fences and no walls are planned. This standard is met.

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.
- (b) ***Solid waste receptacle placement standards.*** All solid waste receptacles shall be placed at grade on a concrete pad that is a minimum of four inches thick, or on an asphalt pad that is a minimum of six inches thick. The pad shall have a slope of no more than a three percent and shall be designed to discharge stormwater runoff consistent with the overall stormwater management plan for the site approved by the Director.

**Response:** The solid waste receptacles shown on the Preliminary Site Plan in Exhibit A, are planned to be placed at grade on an asphalt pad that will be a minimum of six inches thick. This standard is met.

- (1) **Pad area.** In determining the total concrete pad area for any solid waste service area:
- (A) The pad area shall extend a minimum of one foot beyond the sides and rear of the receptacle; and

---

**Response:** The pad area is planned to extend a minimum of one foot beyond the sides and rear of the receptacle, as shown on the Preliminary Site Plan in Exhibit A. This standard is met.

(B) The pad area shall extend a minimum three feet beyond the front of the receptacle.

**Response:** The pad area shown on the Preliminary Site Plan in Exhibit A is planned to extend a minimum of three feet beyond the front of the receptacle. This standard is met.

(C) In situations where receptacles face each other, a minimum four feet of pad area shall be required between the fronts of the facing receptacles.

**Response:** As shown on the Preliminary Site Plan in Exhibit A, the receptacles are not planned to face each other. This standard does not apply.

(2) Minimum separation.

(A) A minimum separation of 1.5 feet shall be provided between the receptacle and the side wall of the enclosure.

**Response:** The waste area includes a minimum separation of 1.5 feet provided between the receptacle and the side wall of the enclosure, as shown on the Preliminary Site Plan in Exhibit A. This standard is met.

(B) A minimum separation of five feet shall be provided between the receptacle and any combustible walls, combustible roof eave lines, or building or structure openings.

**Response:** The receptacle provides a minimum separation of five feet shall between the receptacle and any combustible walls, combustible roof eave lines, or building or structure openings as shown on the Preliminary Site Plan in Exhibit A. This standard is met.

(3) Vertical clearance.

(A) Receptacles two cubic yards or less. Receptacles two cubic yards or less in size shall be provided with a minimum of eight feet of unobstructed overhead or vertical clearance for servicing.

(B) Receptacles greater than two cubic yards. Receptacles greater than two cubic yards in size shall be provided with a minimum of 14 feet of unobstructed overhead or vertical clearance for servicing; provided, however, overhead or vertical clearance may be reduced to eight feet:

(i) For enclosures covered by partial roofs, where the partial roof over the enclosure does not cover more than the rear eight feet of the enclosure, as measured from the inside of the rear wall of the enclosure (see Figure 800-6); or

(ii) Where a physical barrier is installed within, and a maximum of eight feet from the front opening of, the enclosure preventing the backward movement of the receptacle (see Figure 800-7).

**Response:** The receptacle is not planned to be covered and therefore will provide unobstructed overhead clearance. This standard is met.

(c) Permanent drop box and compactor placement standards.

- 
- (1) All permanent drop boxes shall be placed on a concrete pad that is a minimum of six inches thick. The pad shall have a slope of no more than one percent and shall be designed to discharge stormwater runoff consistent with the overall stormwater management plan for the site approved by the Director.
  - (2) All permanent compactors shall be placed on a concrete pad that is structurally engineered or in compliance with the manufacturer specifications. The pad shall have a slope of no more than three percent and shall be designed to discharge stormwater runoff consistent with the overall stormwater management plan for the site approved by the Director.
  - (3) Pad area. The pad area shall be a minimum of 12 feet in width. The pad area shall extend a minimum of five feet beyond the rear of the permanent drop box or compactor.
  - (4) Minimum separation. A minimum separation of five feet shall be provided between the permanent drop box or compactor and any combustible walls, combustible roof eave lines, or building or structure openings.

**Response:** The project will not be serviced by a permanent drop box or compactor. These standards do not apply.

(d) Solid waste service area screening standards.

- (1) Solid waste, recycling, and compostable service areas shall be screened from all streets abutting the property and from all abutting residentially zoned property by a minimum six-foot-tall sight-obscuring fence or wall; provided, however, where receptacles, drop boxes, and compactors are located within an enclosure, screening is not required. For the purpose of this standard, abutting property shall also include any residentially zoned property located across an alley from the property.
- (2) Existing screening at the property line shall satisfy screening requirements if it includes a six-foot-tall sight-obscuring fence or wall.

**Response:** The solid waste service area will be enclosed, as indicated on the Preliminary Site Plan in Exhibit A. In addition to the enclosure, the project also provides screening at the property line with a six-foot-tall sight-obscuring fence. These standards are met.

(e) Solid waste service area enclosure standards. When enclosures are used for required screening or aesthetics, such enclosures shall conform to the standards set forth in this subsection. The overall dimensions of an enclosure are dependent upon the number and size of receptacles the enclosure is designed to accommodate.

- (1) Front opening of enclosure. The front opening of the enclosure shall be unobstructed and shall be a minimum of 12 feet in width.

**Response:** The solid waste service enclosure includes an opening with a minimum of 12 feet in width as shown on the Preliminary Site Plan in Exhibit A. These standards are met.

(2) Measures to prevent damage to enclosure.

- (A) Enclosures constructed of wood or chain link fencing material shall contain a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure to prevent damage from receptacle impacts.

**Response:** The final design of the enclosure can include a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the

---

enclosure to prevent damage from receptacle impacts as necessary. This requirement can be reviewed as part of a future site development permit. This standard can be met.

- (B) Enclosures constructed of concrete, brick, masonry block, or similar types of material shall contain a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure, or a fixed bumper rail to prevent damage from receptacle impacts.
- (C) The requirements under subsections (c)(2)(A) and (B) of this section shall not apply if the enclosure is designed to be separated:
  - (i) A minimum distance of two feet from the sides of the container or receptacles; and
  - (ii) A minimum of three feet from the rear of the container or receptacles.

**Response:** The enclosure is planned to be constructed of chain link fence. However, the final design of the enclosure can include a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure to prevent damage from receptacle impacts, as necessary. Additional separation under this standard is not anticipated to be necessary. This requirement can be reviewed as part of a future site development permit. This standard can be met.

- (3) Enclosure gates. Any gate across the front opening of an enclosure shall swing freely without obstructions. For any enclosure opening with an unobstructed width of less than 15 feet, the gates shall open a minimum of 120 degrees. For any enclosure opening with an unobstructed width of 15 feet or greater, the gates shall open a minimum of 90 degrees. All gates shall have restrainers in the open and closed positions.

**Response:** As shown on the Preliminary Site Plan in Exhibit A, the area in front of the enclosure is free of obstructions and will allow the gate to open a minimum of 120 degrees. The final design of the enclosure will include restrainers in the open and closed positions. This standard is met.

- (4) Prohibited enclosures. Receptacles shall not be stored in buildings or entirely enclosed structures unless the receptacles are:
  - (A) Stored in areas protected by an automatic sprinkler system approved by the City Fire Marshal; or
  - (B) Stored in a building or structure of a fire resistive Type I or Type IIA construction that is located not less than ten feet from other buildings and used exclusively for solid waste receptacle storage.

**Response:** The receptacles will not be placed in an entirely enclosed structure. This standard does not apply.

- (f) Solid waste service area vehicle access.
  - (1) Vehicle operation area.
    - (A) A vehicle operation area shall be provided for solid waste collection service vehicles that is free of obstructions and no less than 45 feet in length and 15 feet in width; provided, however, where the front opening of an enclosure is wider than 15 feet, the width of the vehicle operation area shall be increased to equal the width of the front



---

opening of the enclosure. Vehicle operation areas shall be made available perpendicular to the front of every receptacle, or, in the case of multiple receptacles within an enclosure, perpendicular to every enclosure opening.

**Response:** As shown on the Preliminary Site Plan in Exhibit A, a vehicle operation area is be provided for solid waste collection service vehicles that is free of obstructions with 45 feet of length and 15 feet of width and oriented perpendicular to the receptacles consistent with Figure 800-8. This standard is met.

- (B) For solid waste service areas having receptacles of two cubic yards or less, the vehicle operation area may be located:
  - (i) Perpendicular to the permanent location of the receptacle or the enclosure opening (see Figure 800-8);
  - (ii) Parallel to the permanent location of the receptacle or the enclosure opening (see Figure 800-9); or
  - (iii) In a location where the receptacle can be safely maneuvered manually not more than 45 feet into a position at one end of the vehicle operation area for receptacle servicing.

**Response:** As shown on the Preliminary Site Plan in Exhibit A, the receptacles are planned to be more than two cubic yards. This standard is met does not apply. Nevertheless, the vehicle operation area is planned to be perpendicular to the permanent location of the receptacle or the enclosure opening consistent with Figure 800-8. This standard is met.

- (C) The vehicle operation area may be coincident with a parking lot drive aisle, driveway, or alley provided that such area is kept free of parked vehicles and other obstructions at all times except for the normal ingress and egress of vehicles.

**Response:** The vehicle operation area shown on the Preliminary Site Plan in Exhibit A does not coincide with the parking spaces and will be kept free of parked vehicles and other obstructions at all times except for the normal ingress and egress of vehicles. This standard is met.

- (D) Vertical clearance. Vehicle operation areas shall have a minimum vertical clearance of 14 feet.

**Response:** The space above the vehicle operation area is unobstructed and therefore will provide unobstructed vertical clearance. This standard is met.

- (E) In the event that access to the vehicle operation area is not a direct approach into position for operation of the service vehicle, a turnaround, in conformance with the minimum dimension and turning radius requirements shown in Figure 800-10, shall be required to allow safe and convenient access for collection service.

**Response:** The vehicle operation area provides access to the vehicle operation area with a direct approach into position for operation of the service vehicle perpendicular to the trash receptacles as shown on Preliminary Site Plan in Exhibit A. The Applicant contacted Republic Services, the solid waste collection franchisee, and had them review the configuration of the vehicle access area shown on the revised plans. The franchisee confirmed that the configuration of the vehicle operation area is acceptable and provides

---

their ingress/egress needs. Furthermore, they concurred that the configuration shown in the plans does provide a direct approach into position for operation of the service vehicle. SRC 800.055(f)(1)(E) applies “in the event that access to the vehicle operation area is not a direct approach into position for operation of the service vehicle.” Because the proposal provides access to the vehicle operation area with a direct approach into position for operation of the service vehicle, this standard does not apply, and a turnaround is not required. This standard does not apply.

- (g) Notice to solid waste collection franchisee. Upon receipt of an application to vary or adjust the standards set forth in this section, notification and opportunity to comment shall be provided to the applicable solid waste collection franchisee. Notice required under this subsection shall be in addition to the notification required for a variance or adjustment under SRC [chapter 300](#).

**Response:** The Applicant contacted Republic Services, the solid waste collection franchisee, and confirmed that the configuration provides direct access to the collection receptacles as required under this section. An adjustment to the solid waste service enclosure standards is not required. This standard does not apply.

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.

**Response:** As indicated on the Preliminary Site Plan in Exhibit A, wall mounted lights are planned on the front of the building with shielding that will prevent light from shining onto adjacent properties or cast glare onto the public right-of-way. This standard is met.

(\*\*\*)

803.015. Traffic impact analysis.

(\*\*\*)

- (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.

**Response:** A completed Trip Generation Estimate (TGE) Form is included in Exhibit B of this application. The seven new multiple family homes included in this application will generate less than 200 trips per day on 40<sup>th</sup> Place SE (a local street). Trip generation will not exceed this standard's condition and a traffic impact analysis is therefore not required.



---

## Chapter 804 – Driveway Approaches

### Sec. 804.025. - Class 2 driveway approach permit.

- (a) **Required.** A Class 2 driveway approach permit is required for:
  - (1) A driveway approach onto a parkway, major arterial, or minor arterial;
  - (2) A driveway approach onto a local or collector street providing access to a use other than single family, two family, three family, or four family;
  - (3) A driveway approach providing access to a corner lot that abuts only local or collector streets, where the driveway approach will provide access onto the street with the higher street classification; or
  - (4) Maintenance, repair, or replacement of an existing permitted driveway approach, which is part of, or needed for, redevelopment of commercial or industrially zoned property.
- (b) **Procedure type.** A Class 2 driveway approach permit is processed as a Type II procedure under SRC chapter 300.

**Response:** A Class 2 Driveway Approach Permit is included in this consolidated land use application so that it can be reviewed as a Type II procedure. This requirement is met.

- (c) **Submittal requirements.** In lieu of the application submittal requirements under SRC chapter 300, an application for a Class 2 driveway approach permit shall include the following:
  - (1) A completed application form.
  - (2) A site plan, of a size and form and in the number of copies meeting the standards established by the Director, containing the following information:
    - (A) The location and dimensions of the proposed driveway approach;
    - (B) The relationship to nearest street intersection and adjacent driveway approaches;
    - (C) Topographic conditions;
    - (D) The location of all utilities;
    - (E) The location of any existing or proposed buildings, structures, or vehicular use areas;
    - (F) The location of any trees and vegetation adjacent to the location of the proposed driveway approach that are required to be protected pursuant to SRC chapter 808; and
    - (G) The location of any street trees adjacent to the location of the proposed driveway approach.
  - (3) Identification of the uses or activities served, or proposed to be served, by the driveway approach.
  - (4) Any other information, as determined by the Director, which may be required to adequately review and analyze the proposed driveway approach for conformance with the applicable criteria.

**Response:** This application includes the applicable forms, plans, written narrative, and supporting exhibits. These standards are met.

- (d) **Criteria.** A Class 2 driveway approach permit shall be granted if:
  - (1) The proposed driveway approach meets the standards of this chapter and the Public Works Design Standards;

---

**Response:** The planned driveway approach, shown in the Preliminary Plans in Exhibit A, is intended to meet the applicable Public Works Design Standards. This standard is met.

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

**Response:** The driveway approach, shown in the Preliminary Plans in Exhibit A, is planned in the location shown, in part, because no site conditions prevent placing the driveway approach in the location shown. This standard is met.

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

**Response:** The driveway, shown in the Preliminary Plans in Exhibit A, is planned onto 40<sup>th</sup> Place SE (a local street). Therefore, the project minimizes the number of driveway approaches onto an arterial. This standard is met.

(4) The proposed driveway approach, where possible:

(A) Is shared with an adjacent property; or

(B) Takes access from the lowest classification of street abutting the property;

**Response:** The driveway, shown in the Preliminary Plans in Exhibit A, is planned onto 40<sup>th</sup> Place SE (a local street). Therefore, the project takes access from the lowest classification (local) of street abutting the property. This standard is met.

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

**Response:** The proposed driveway approach provides a vision clearance area with 10-foot legs along the driveway and 50-foot legs along the intersecting street (40<sup>th</sup> Place SE). This application includes a Type II adjustment to locate the vision clearance area along the travel lane of the intersecting street as described in SRC 805.005(b)(1)(B). With the included adjustment. This standard is met.

(6) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;

**Response:** The proposed driveway approach is planned to be constructed according to all applicable City standards to prevent traffic hazards and provide for safe turning movements and access. This standard is met.

(7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;

**Response:** The proposed driveway approach will have no adverse impacts to the vicinity. The approach will result in one driveway serving the lot on the lowest classification of street serving the property in accordance with applicable standards. This standard is met.

(8) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and

**Response:** The approach will result in one driveway serving the lot on the lowest classification of street serving the property in accordance with applicable standards. The approach will be located more than 160 feet from the nearest intersection with Carson Drive SE to the

---

south. Therefore, the proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections. This standard is met.

- (9) The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

**Response:** The proposed driveway approach will provide legal access to a residential property consistent with the access provided for other residentially zoned properties in the district. This standard is met.

#### Chapter 806 – Off-Street Parking, Loading and Driveways

##### 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.

**Response:** Off-street parking is provided for the multiple family uses included in this application as required under this chapter. These standards are met.

- (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.

**Response:** The planned project is not in the Downtown Parking District.

(\*\*\*)

##### 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.

**Response:** As shown on the Preliminary Plans in Exhibit A, required off-street parking is located on the same site as the use it serves. This standard is met.

(\*\*\*)

##### 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.

Table 806-1: Minimum Off-Street Parking		
Use	Minimum Number of Spaces Required <sup>1</sup>	Limitations & Qualifications
Multiple-family	None	Applicable to multiple family located within the CSDP area or one-quarter mile of the Core Network.
	1 per dwelling unit	Applicable to all other multiple family consisting of 5 to 12 dwelling units.
	1 per studio unit or dwelling unit with 1 bedroom	Applicable to all other multiple family consisting of 13 or more dwelling units.
	1.5 per dwelling unit with 2 more bedrooms	
	1 per dwelling unit	Applicable to all other multiple family consisting of 13 or more dwelling units located within the MU-I zone or MU-II zone.
	1 per 4 dwelling units	Applicable to low-income elderly housing

**Response:** The project involves seven dwelling units, thereby requiring a minimum of 7 spaces (1 per dwelling unit). As shown on the Preliminary Site Plan in Exhibit A, 8 spaces are planned on site. This standard is met.

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

**Response:** Two compact parking spaces are planned accounting for 28.5% of the minimum required parking spaces. This standard is met.

- (c) **Carpool and vanpool parking.** New developments with 60 or more required off-street parking spaces, and falling within the public services and industrial use classifications, and the business and professional services use category, shall designate a minimum of five percent of their total off-street parking spaces for carpool or vanpool parking.

**Response:** This application does not require 60 or more off-street parking spaces. This standard does not apply.

- (d) **Maximum off-street parking.** Unless otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-2.

Table 806-2: Maximum Off-Street Parking	
Minimum Number of Off-Street Parking Spaces Required (From Table 806-1)	Maximum Number of Off-Street Parking Spaces Allowed
20 Spaces or Less	2.5 times minimum number of spaces required.
More than 20 Spaces	1.75 times minimum number of spaces required.

**Response:** This project requires a minimum of seven parking spaces and permits a maximum of 18 spaces. Eight spaces are planned. This standard is met.

- (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.

**Response:** No reductions to the required amount of off-street parking are requested. This standard does not apply.

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.

**Response:** Off-street parking is provided through ownership of the property. This standard is met.

(\*\*\*)

---

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

**Response:** This application includes new off-street parking and vehicle use areas. The standards in this section apply.

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

**Response:** This application includes an adjustment to the applicable interior side setback between the vehicle use area and the southern property line. With the included adjustment, this standard is met.

- (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.

**Response:** Carpool or vanpool parking is not required or planned for this project. This standard does not apply.

- (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.

**Response:** Underground parking is not planned. This standard does not apply.

- (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.

**Response:** The perimeter setback for the off-street parking and vehicle use area included in this application is planned with landscaping and screening that exceeds the requirement set forth in this subsection, as shown on the Preliminary Landscape Plan in Exhibit A. These standards are met.

- (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 of 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.

**Response:** The off-street parking and vehicle use areas included in this application do not abut a street. Therefore, the provisions of this section do not apply and have been omitted from this application.

(\*\*\*)

- (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.

**Response:** Greater setbacks are required for the vehicle use areas under Section 514.010 of the UDC. Therefore, this standard does not apply.

- (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.

**Response:** As shown on the Preliminary Site Plan in Exhibit A, the planned parking area is setback from the building by a minimum 5-foot-wide unobstructed walkway. This standard is met.

- (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:



- 
- (A) Any portion of a parking garage with frontage on a street and containing ground floor uses or activities other than parking.
  - (B) Any parking garage within an industrial zone, public zone, or commercial zone, other than a CO zone, that abuts an interior front, side, or rear property line where there is no required building setback.
  - (C) Any parking garage abutting an alley.

**Response:** Parking garages or parking structures are not planned for this project. This standard does 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.

**Response:** Parking areas greater than 5,000 square feet are not included in this application. The interior landscaping 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.

**Response:** As shown on the Preliminary Site Plan in Exhibit A, standard and compact parking spaces are planned that meet the minimum dimensional standards set forth in Table 806-6. This standard is met.

- (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.

**Response:** Finished grades of the off-street parking and vehicle use areas are shown on the Grading and Drainage Plan in Exhibit A. Finished grades for the off-street parking spaces and internal accessways are not shown with grades/slopes exceeding 8 percent. This standard is 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.

**Response:** The off-street parking and vehicle use area shown on the Preliminary Site Plan in Exhibit A is planned with a hard surface material meeting the Public Works Design Standards. This standard is met.

- (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.

**Response:** Drainage is provided as shown on the Grading and Drainage Plan in Exhibit A. This was prepared by a registered professional engineer and is intended to comply with the City's Public Works Design Standards. 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.

**Response:** A 7-foot-wide walkway is provided in front of the building with a curb that allows for 2 feet of overhang at the front portion of the parking space while preserving 5 feet of unobstructed walkway width. Bumper guards are planned at the front of the two compacts spaces as shown on the plans. 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.

**Response:** As shown on the Preliminary Site Plan in Exhibit A, standard and compact parking spaces and are planned to be striped in conformance with the minimum dimensional standards (9 feet wide by 19 feet long with a 2-foot overhang) set forth in Table 806-6. 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.

**Response:** Future marking and signage shown on the plans will conform to the Manual of Uniform Traffic Control Devices, as necessary. This standard can be 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.

**Response:** As indicated on the Preliminary Site Plan in Exhibit A, lighting for off-street parking and vehicle use areas is planned to be provided with wall mounted lighting fixtures that will include shielding to prevent light from shining onto adjacent residentially zoned property. 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.

**Response:** The off-street parking areas are planned to be screened from abutting residentially zoned property by a 6-foot-tall fence around the perimeter of the property, as shown on the Preliminary Site Plan in Exhibit A. This standard is met.

806.040. Driveway development standards for uses or activities other than single family or two family.

Unless otherwise provided under the UDC, driveways for uses or activities other than single family or two 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.

**Response:** A single driveway for ingress and egress is planned to access the parking area, as shown on the Preliminary Site Plan in Exhibit A. This standard is 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.

**Response:** The planned driveway shown in the Preliminary Site Plan in Exhibit A provides direct access to 40<sup>th</sup> Place SE. This standard is 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.

**Response:** As shown in the Preliminary Site Plan in Exhibit A, the planned driveway will provide direct access to the street. Therefore, perimeter setbacks and landscaping are not required at the planned driveway location.

- (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).

**Response:** The planned driveway does not abut a street. This standard 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, 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.

**Response:** The planned driveway abuts an interior property to the south. Greater setbacks are required for this area under Table 514-4 of the UDC. Therefore, this standard does not apply.

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

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 shall be paved with a hard surface material meeting the Public Works Design Standards.
- (f) Drainage. Driveways shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.
- (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.

**Response:** The planned driveway is ±24 feet wide and will accommodate two-way traffic. The driveway as shown will be surfaced with a hard surface material, adequately designed, graded, drained, and signed to meet applicable Public Works Design Standards. These standards are met.

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.

**Response:** The bicycle parking requirements apply to the new multiple family homes included in this application.

(\*\*\*)

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.

**Response:** As shown on the Preliminary Site Plan in Exhibit A, bicycle parking is planned to be located on the same site as the new multiple family homes. This standard is met.

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.

Table 806-8: Minimum Bicycle Parking		
Use	Minimum Number of Spaces Required	Limitations & Qualifications
Multiple family	The greater of 4 spaces or 0.1 spaces per dwelling unit	

**Response:** This application includes seven multiple family homes requiring four bicycle parking spaces which will be provided as shown on the Preliminary Site Plan in Exhibit A. This standard is met.

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.

**Response:** The bicycle parking areas are planned outside of the new building as indicated on the Preliminary Site Plan in Exhibit A. This standard is met.

- (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.

---

**Response:** The parking areas are planned with a direct and accessible route to the public right-of-way from the building entrance. The route is free of obstructions that would require users to lift their bikes to access them. See the Preliminary Site Plan in Exhibit A for more information. This standard is met.

(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.

**Response:** The bicycle parking spaces are planned to be 2 feet wide by 6 feet long, as shown on the Preliminary Site Plan in Exhibit A. This standard is met.

(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.

**Response:** The bicycle parking spaces are planned to be installed on a hard surface meeting Public Works Design Standards, as shown on the Preliminary Site Plan in Exhibit A. This standard is met.

(e) **Bicycle racks.** Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall accommodate the bicyclist's own locking device.

- (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.

**Response:** The bicycle parking shown on the Preliminary Site Plan in Exhibit A is planned to be provided with staple/inverted U style racks. This standard is met.

(\*\*\*)

## Chapter 807 – Landscaping and Screening

### 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.

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
B	Min. 1 PU per 20 sq. ft. of landscaped area	Min. 6-foot-tall fence, wall, or hedge
C	Min. 1 PU per 20 sq. ft. of landscaped area	Min. 6-foot-tall fence or wall
D	Min. 1 PU per 16 sq. ft. of landscaped area	Min. 6-foot-tall sight obscuring landscaping or wall
E	Min. 1 PU per 16 sq. ft. of landscaped area	Min. 6-foot-tall wall

**Response:** The adjusted northern setback area is planned to be planted with trees, shrubs, and groundcover that will provide  $\pm 1.87$  times the minimum required plant units (PU) in the setback area (109.6 PU provided / 58.4 PU required =  $\pm 1.87$ ). The adjusted setback is  $\pm 1,168$  square feet in area requiring 58.4 PU to meet the Type C requirement for 1 PU per 20 square feet of landscape area ( $\pm 1,168$  square feet / 20 = 58.4 PU required). Thirty 3 gallon large shrubs @ 2 PU each provide 60 PU. Four large shade trees @ 10 PU each provide 40 PU. 480 square feet of existing lawn provide 9.6 PU. The fencing requirement for the Type C standard is met with an existing fence along this property boundary.

The adjusted southern setback area is planned to be planted with trees and shrubs that will provide  $\pm 1.64$  times the minimum required plant units (PU) in the setback area (74.43 PU provided / 45.40 PU required =  $\pm 1.64$ ). The adjusted setback area is  $\pm 908$  square feet in area requiring 45.40 PU to meet the Type C requirement for 1 PU per 20 square feet of landscape area ( $\pm 908$  square feet / 20 = 45.40 PU required). Twenty 3 gallon large shrubs @ 2 PU each provide 40 PU. Four large shade trees @ 10 PU each provide 30 PU. 221 square feet of existing lawn provide 4.43 PU. The adjusted setback area will be screened from the abutting property with a 6-foot-high fence and the additional plantings will provide an additional buffer from the neighboring property.

Both setback areas are planned to provide landscaping that exceeds the Type C standard. This standard is met.

- (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 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	1 PU	Min. 1 gallon
Lawn or other ground cover	1 PU per 50 sq. ft.	

**Response:** The Preliminary Landscape Plan in Exhibit A shows the location, quantities, varieties, sizes, and intended coverage of the plants that are planned for the project. This standard is met.

- (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.
- (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.

**Response:** The project does not include tree removal. This standard does not apply.

- (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.

**Response:** The project does not include tree removal. This standard does 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.

**Response:** Six-foot-high fences are planned to provide perimeter screening around the property according to the Type C landscape standard as shown on the Preliminary Site Plan in Exhibit A. This standard is met.

- (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.

**Response:** The fencing used to provide perimeter screening is planned to be sight obscuring. This standard is met.



- 
- (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.

**Response:** The Applicant intends to keep the planned fences maintained as necessary. This standard can be met.

- (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.

**Response:** Berms are not planned to provide screening. This standard does 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.

**Response:** Street trees are planned along 40<sup>th</sup> Place SE as shown on the Preliminary Landscape Plan in Exhibit A. These trees are intended to comply with SRC chapter 86, as applicable. This standard is met.

#### **IV. Conclusion**

The required findings have been made and this written narrative and accompanying documentation demonstrate the application is consistent with the applicable provisions of the Salem Revised Code. The evidence in the record is substantial and the City can rely upon this information to approve the application.

---

## Exhibit A: Preliminary Plans

---

---

## Exhibit B: City of Salem Application Forms

---

---

## Exhibit C: Pre-Application Report

---

---

## **Exhibit D: Neighborhood Contact Information**

---

---

## Exhibit E: Property Ownership

---