

SALEM GATEWAY HOUSING GATEWAY BATTLE CREEK



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PLACE
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List of Exhibits

- A. Project Drawings (Scott | Edwards Architecture, PLACE, Westech Engineering)
 - Site Plan - G1.10
 - Landscape Plans - L1.00 through L1.03
 - Building Plans:
 - Building A - A0.01 through A7.01
 - Building B - A0.01 through A7.01
 - Building C - A0.01 through A7.01
 - Building D - A0.01 through A7.01
 - Building E - A0.01 through A7.01
 - Civil Plans (Grading, Utilities) - EC-1 through U-3
- B. Transportation Analysis Memo (DKS Associates)
- C. Drainage Report/Stormwater Plan (Westech Engineering)

- D. Geotechnical Report (Central Geotechnical Services)**
- E. Neighborhood Meeting Documents**
- F. Land Sales Contract/Legal Description**
- G. Service Provider Letters**

General Information

Applicant:	CDP Oregon LLC 126 NE Alberta Street, Suite 202 Portland, OR 97211 (Contact: Thomas Eldridge, 360-635-8073)
Representative:	Winterbrook Planning 610 SW Alder St., Suite 810 Portland, Oregon 97205 (Contact: Ben Schonberger, 503-827-4422)
Owner:	CDP Oregon LLC
Site Address:	5205 Battle Creek Road SE Salem, OR 97306
State ID No.:	083W14 lot 300 and lot 118
Neighborhood:	South Gateway
Zoning:	Multiple-Family Residential (RM-II)
Case Type:	Site Plan Review (Class 3), Design Review (Class 1), Adjustment (Class 2) Driveway Approach Permit (Class 2)
Procedure:	Type II
Proposal:	Construct a new multi-family residential complex. 184 housing units, with community building and senior living building. Associated open space, parking, landscaping, New streets and sidewalk improvements.

SECTION 1: PROJECT NARRATIVE

Existing Conditions

The proposed development site is currently a vacant, two-lot parcel on the west side of Battle Creek Road SE. The site is on the southeast side of Salem, in the South Gateway neighborhood.

The property is a combination of open field and wooded areas. Two street stubs lead into the property, Salal Street SE to the south, and Teal Drive SE on the west side. There is no formal vehicular access to the undeveloped site.

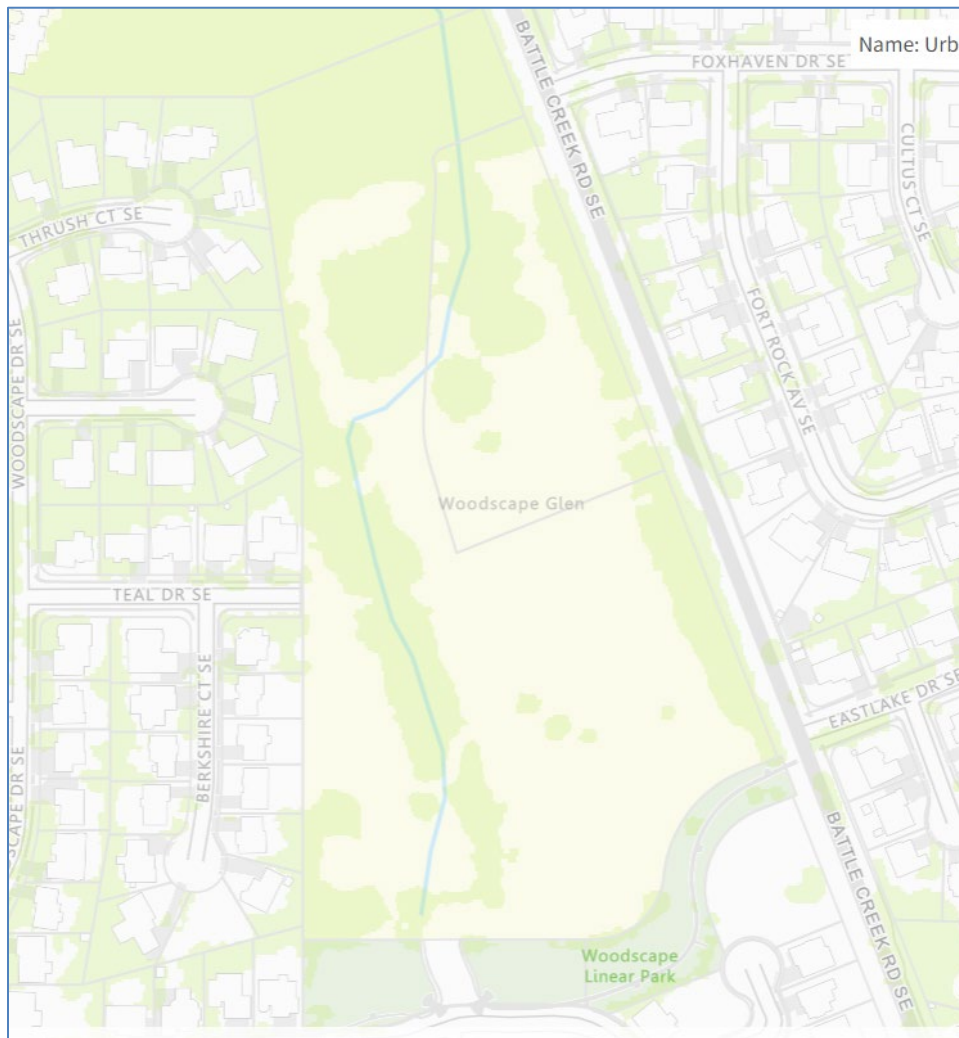


Figure 1. Map of site (Source: Salem GIS)

Land uses surrounding the site are predominantly residential. Across Battle Creek Road to the east, and abutting the site to the west, lots are built out with detached, single-dwelling houses. North of the site is a vacant, wooded property, zoned for multiple family residential development. Abutting the site to the south is Woodscape Linear Park, a city-owned park facility. This linear park provides a pedestrian connection between Battle Creek Road and Wes Bennett Park and Pringle Elementary School, both located 0.2 miles southwest of the site. South of this linear park are more developed, single-dwelling residential neighborhoods.

Salem zoning on the site is “Multiple Family Residential-II” (RM-II). In this zone multiple family residential uses are allowed by-right, and residential densities are between 12 and 28 units per acre. An existing underground sewer line winds through the site in an easement, from Battle Creek Road to the street stub of Salal Street at the south.

The current site consists of 14.88 acres on two tax lots (083W14 lot 300 and lot 118). A subdivision application to Salem, submitted separately by the applicant, will reconfigure the site to accommodate proposed and future development. One of the newly-created lots is the 7.7 acre piece that is the subject of this proposal. The subdivision application, which also establishes public streets through the site, is in process and is separate from this site plan and design review request.

Project Summary



Figure 2. Proposed site plan

Proposed development includes 10 buildings that contain 184 housing units. The buildings are arranged around a common open space in the center of the 7.7-acre site. An existing city street bounds the site to the east (Battle Creek). New streets will be constructed with the development to the west (Salal) and north (Foxhaven). Woodscape Linear Park abuts the property to the south. Vehicular parking rings around the central building cluster on three sides – north, east, and south.



Figure 3. Common Open Space

Buildings on the site are divided into four design types: two types of walk-up buildings (one with a minor variation), a larger senior building, and a resident services-oriented community center.

Table 1. Building Types and Sizes

Building Type	Buildings Proposed	Stories	Dwellings per Building	Square Footage per building
Senior Building	1	4	46	43,347
Walk Up Building A	3	3	12	13,593
Walk Up Building B	4	3	24	22,738
Walk Up Building C	1	3	18	20,201
Community Building	1	1	0	4,730
<i>Total</i>	<i>10</i>		<i>164</i>	<i>190,864</i>

Images of these building types are shown below and in the included drawing set.



Figure 4. Walk Up Building A



Figure 5. Walk Up Building B



Figure 6. Senior Building



Figure 7. Community Center

The Walk-Up Buildings are three-story, entirely residential apartment buildings in three formats. Walk-Up Buildings Type A and Type C are the same design, except that the one Type C building is wider, with six more apartments. Walk-Up Building Type B is a different architectural style, with more units in each building. All walk-up buildings are designed to be family-friendly housing — a mix of two- and three-bedroom family units

in the Type A and C buildings, and mostly two-bedroom units in the Type B building. Apartments on the ground floor in all three building types have at-grade outdoor patios accessible directly from those units. Shared entryways to the walk-up buildings are on both sides the buildings, facing the common open space at the center of the site and outward to Salal Street or the parking lot.

The Senior Building is a 46-unit, four-story apartment building for older adults. Residency in the building is reserved for people over 62 years of age. A key design feature is the open-air courtyard passing through the center of the building, with a glassed-in corridor on the second story and two levels of apartments above. This building has an elevator, fitness area, community space, and lobby. Main entries to this building face the interior courtyard, Salal Street to the west, and the parking area to the east. Apartments in this building are one- and two-bedroom units.

The Community Center will provide resident services including flexible meeting space, art space, technology spaces, and a kitchen. Operational and support activities will also occur in this building, including resident service offices, a common laundry area, copying and storage room, a conference room, and janitorial space.

Site buildings orient around a central common open space that provides recreational and visual amenities for residents. It provides a variety of outdoor spaces that residents of the surrounding buildings can enjoy. This common open space contains a variety of differently programmed areas: a courtyard adjacent to the Senior Building, a picnic area, a nature play area, a central terrace, and an open green. A community garden space is planned adjacent to the Community Center building.

Buildings on the west side of the site have clearly identified, articulated façades and entrances facing Salal Street. Off-street parking wraps around the north, east, and south sides of the central cluster of buildings. The buildings on the east side likewise have articulated, identifiable façades with main entrances that face the parking lot, as well as entries facing the common open space in the center.

All units will be income-restricted, serving residents earning between 30 and 60 percent area median income (AMI). A resident services plan will be led by EngAGE, a culturally-responsive nonprofit organization with over 20 years of experience serving affordable, multi-generational communities. The resident services program will be tailored to make occupancy successful for the lowest income citizens, and include programs focused on art, wellness, lifelong learning, and community engagement. The project will be a Community for All Ages—an intentional community where people of all ages live, work, and play together purposefully, reaping the rewards that accrue from intergenerational interdependence. Two other nonprofits service providers will provide

support services – Hacienda Community Development Corporation and Marion Polk Food Share.

Future development is anticipated on properties west of Salal Street through the larger property. The current application is limited to the 7.7 acres bounded by Battle Creek Road, Foxhaven Road, Salal Street, and Woodscape Linear Park. A separate subdivision application has been submitted to the City of Salem to create four lots, of which this is Lot 1, and to dedicate public right of way. Some of the street network will be built out as part of this phase of development.

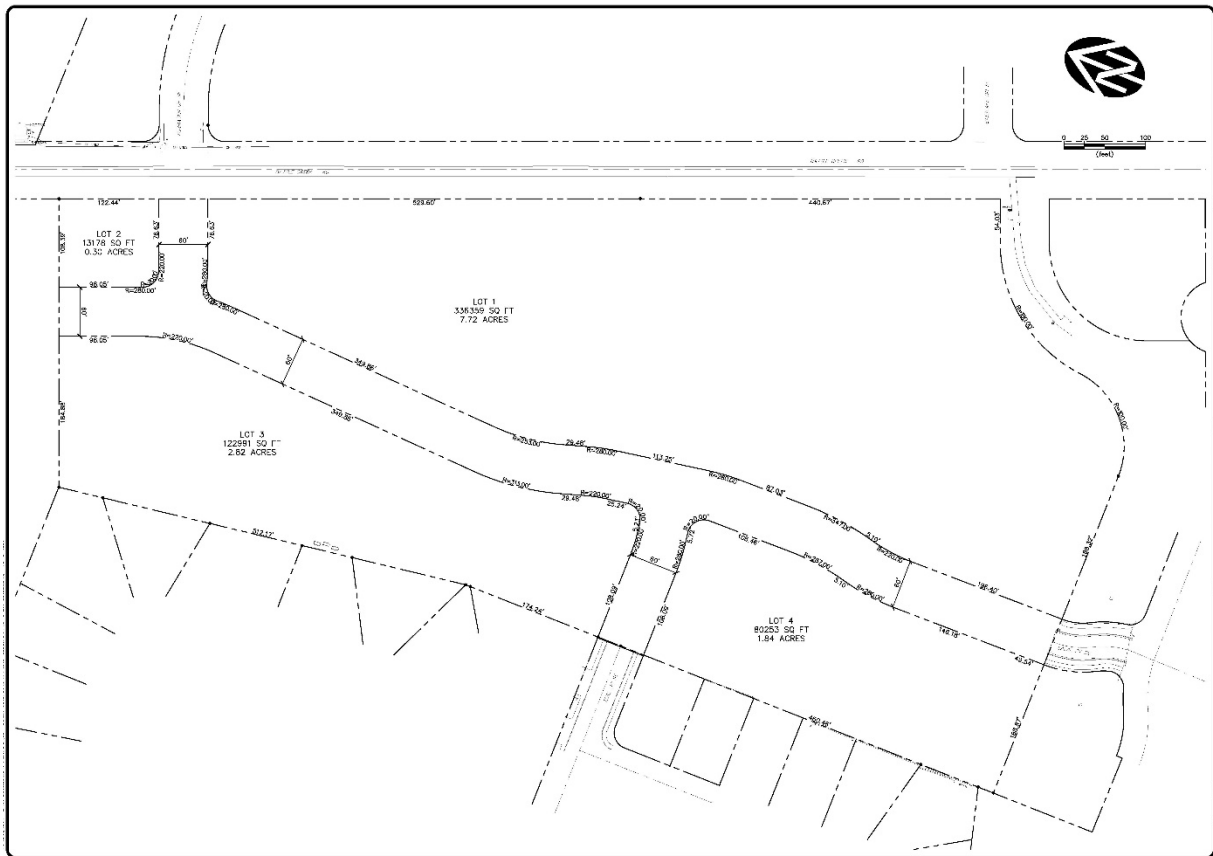


Figure 8. Subdivision lot pattern

Infrastructure and Utilities

The proposed development includes new public infrastructure and upgrades to existing public infrastructure. As shown on the plans, new local streets will be dedicated to the City and partially constructed on the property to provide access to this and future phases of development on the site. These three streets – Salal Street, Foxhaven Drive, and Teal Drive – align with other existing streets located on abutting property, and with

Adjustments

The proposed application requests three adjustments, all from the multiple family design standards.

- From a standard that requires all off-street parking areas to be behind or beside buildings, SRC 702.020(d)(2). This is not met on the Battle Creek Road side of the site.
- From a standard which requires buildings to occupy 40 percent of street frontage buildable width, SRC 702.020(e)(4). This is not met along Battle Creek Road.
- From a standard which limits the length of building faces, SRC 702.020(e)(9). The upper stories of the “back” façades of building Type A and Type C do not meet this standard.

The stated purpose of adjustments is to “allow reasonable development of property where special conditions or unusual circumstances exist,” as stated in the code. One of the special conditions of this site is its status as a double frontage lot, which creates twice the amount of street frontage subject to the standard. Another special condition is that the site abuts a street that, functionally, is not appropriate for a pedestrian-oriented residential street edge of the kind these two standards promote. Finally, despite building façade lengths, all building faces are well defined by roof gables and other features, which minimize the appearance of building bulk.

Overall, as noted in greater detail in the adjustment findings, the proposed design equally or better meets the purpose of the standards by

- designing an attractive and welcoming street edge, consistent with neighborhood character;
- minimizing the visual impact of the parking lot through changes in elevation, landscape treatments, and a winding multi-use path;
- creating varied and visually-identifiable building façades on their street-facing sides.

Land Use History

According to Salem city staff, the following land use cases are associated with the site.

- ZC78-10: A zone change from RA (Residential Agriculture) to RM (Multi-Family Residential)
- UGA 99-2: To determine the major facilities required by the Urban Growth Management Program to develop the subject property.
- PAR13-08: A three-parcel partition, with conditions of approval related to street extensions.
- PAR20-01: A two-parcel partition.

Public Process

A public meeting with the South Gateway Neighborhood Association was held on December 9, 2021. Approximately 25 people participated in the video meeting, including board members from the neighborhood association. Representatives from Community Development Partners and Scott Edwards Architects presented the project and described the site layout, process, and timeline for development. Comments from association members were generally positive.

SECTION 2: LAND USE REVIEW FINDINGS

This section provides the findings to support approval of the new development. Quotes from City code and plans are included in *italics*, the applicant response is shown in plain text. Text omitted from the application findings, for brevity's sake, is indicated by ellipses: [...].

Site Plan Review – Chapter 220

Site plan review – 220.005

(a) *Applicability.*

(1) *Except as provided in subsection (a)(2) of this section, site plan review approval is required:*

(A) *Prior to issuance of a building permit, for any development that requires one; and*

(B) *Prior to commencement of work, for any of the following when a building permit is not otherwise required:*

(i) *Development of a new off-street parking and vehicle use areas;*

(ii) *Expansion of existing off-street parking and vehicle use areas, when additional paved surface is added;*

(iii) *Alteration of existing off-street parking and vehicle use areas, when the existing paved surface is replaced with a new paved surface;*

(iv) *Paving of an unpaved area; and*

(v) *Restriping off-street parking and vehicular use areas, when the layout will be reconfigured.*

(2) *Exemptions.[...]*

Response: The proposal requires a building permit and therefore qualifies under the applicability section. It is not exempt from site plan review under section (2). This section applies. The findings respond to the standards.

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

(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: [...]*

(F) *Requires a variance, adjustment, or conditional use permit.*

(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 requires a discretionary land use decision, specifically, design review and adjustments, which is a qualifying condition under (b)(3)(F). Therefore, this is a Class 3 site plan review and processed under a Type II procedure.

(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 808;*
 - (ix) The location of all street trees, if applicable, or proposed location of street trees required to be planted at time of development pursuant to SRC chapter 86; and*
 - (x) Identification of vehicle, pedestrian, and bicycle parking and circulation areas, including handicapped parking stalls, disembarking areas, accessible routes of travel, and proposed ramps.*
- (B) An existing conditions plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:*
- (i) The total site area, dimensions, and orientation relative to north;*
 - (ii) The location of existing structures and other improvements on the site, including accessory structures, fences, walls, and driveways, noting their distance from property lines; and*
 - (iii) The location of the 100-year floodplain, if applicable.*
- (C) A grading plan depicting proposed site conditions following completion of the proposed development, when grading of the subject property will be necessary to accommodate the proposed development.*

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

(E) For development in the Mixed Use-I (MU-I) and Mixed Use-II (MU-II) zones, [...]

(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;

- (B) *The zoning district, comprehensive plan designation, and land uses for all properties abutting the site;*
- (C) *Driveway locations, public and private streets, bike paths, transit stops, sidewalks, and other bike and pedestrian pathways, curbs, and easements;*
- (D) *The elevation of the site at two-foot contour intervals, with specific identification of slopes in excess of 15 percent;*
- (E) *The location of drainage patterns and drainage courses, if applicable;*
- (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;*
- (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;*
- (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*
- (I) *A Transportation Impact Analysis, if required by SRC chapter 803.*

Response: The items above have been provided on project drawings and exhibits as shown in the included documents. A detailed set of drawings for the site and all proposed buildings is included with this application as Exhibit A. Site plan information is shown on Sheet G1.10 and L1.00. Architectural drawings are on Sheets A0.01 through A7.01 for each building. Landscape plans are on Sheets L1.00 through L1.03. A drainage report is included as Exhibit C. A geotechnical report is included as Exhibit D. Transportation analysis is included in a memo from DKS Associates as Exhibit B.

(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: All the applicable standards of the UDC are met. Findings for all the sections of the code that address these standards are included in this document.

- (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: The main vehicular entry points into the site are via new public street extensions of Salal Street, Foxhaven Street, and Teal Drive. From the public system, two private driveway access points access Salal Street northwest and southwest of the main building cluster to provide access to the parking areas. Pedestrian access to the surrounding public system of sidewalks is provided at multiple points between

buildings and open space areas. A transportation analysis memo from DKS Associates, a transportation expert, is included with these application materials as Exhibit B. Their analysis confirms that circulation of traffic through the development is safe, orderly, and efficient. No negative impacts to the transportation system are anticipated from the proposed development, therefore no mitigation is required.

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

Response: The proposed development has two driveway entry points, east and west of the main building cluster provide access to the parking areas. Pedestrian access to the surrounding public system of sidewalks is provided at multiple locations. These walkways connect buildings and open space areas on the site to the surrounding transportation network. A memo from DKS Associates, the applicant's transportation expert, is included with these application materials as Exhibit B. Their analysis includes a statement that parking areas and driveways facilitate safe and efficient movement of vehicles, bicycles, and pedestrians.

(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: A utility plan is included with the project drawings (Sheets U-1 through U-3) that shows proposed connections to public utilities. According to project civil engineers, the water, sewer, and stormwater facilities are adequate to serve the site and consistent with city regulations. Public sanitary sewer exists within the right of way for Teal Drive and Salal Street. The sewer line is available for connection to the proposed development. Water service will be extended in the right of way for Teal Drive and Salal Street as shown on the utility plan, looping to connect to the existing water main in Battle Creek Road. After looping the system, adequate flow and pressure exist to serve the development. Stormwater will be extended to the existing drainage system on the northern adjacent property via a public easement, after being managed in the storm garden facility shown on the site plan.

Design Review – Chapter 225

Purpose – 225.001

The purpose of this chapter is to create a process to review development applications that are subject to design review guidelines and design review standards.

Design Review – 225.005

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

(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: The proposed development is subject to design review, based on RM-II zone requirements, SRC 514.015. The proposed development follows design review standards and is therefore a Class 1 review. Adjustments to the design review standards may be requested by applicants and approved by the City, as expressly allowed by SRC 250.005(a)(2)(J), regardless of section (b)(4).

(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: The Class 1 design review is processed as a Type I procedure. However, the entire application will be reviewed through a Type II procedure because this is a consolidated land use application which includes a Class 3 Site Plan Review and Class 2 Adjustments.

(d) Submittal requirements.

(1) Submittal requirements for pre-application conference.[...]

(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: The included materials have all the elements listed above. A detailed set of drawings for the site and all proposed buildings is included with this application as Exhibit A. Site plan information is shown on Sheet G1.10 and L1.00. Architectural drawings are on Sheets A0.01 through A7.01 for each building. Landscape plans are on Sheets L1.00 through L1.03. The application is intended to meet the standards.

(e) Criteria.

(1) A Class 1 design review 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.

(f) Conditions of approval. Notwithstanding SRC 300.820, the Review Authority may not attach conditions to a Class 1 design review approval.

Response: The proposed development is subject to a Class 1 design review and all the applicable design review standards of SRC Chapter 702, Multiple Family Design Standards, are addressed below in the findings for that section.

Adjustments – Chapter 250

Purpose – 250.001

The purpose of this chapter is to provide a process to allow deviations from the development standards of the UDC for developments that, while not meeting the standards of the UDC, will continue to meet the intended purpose of those standards. Adjustments provide for an alternative way to meet the purposes of the Code and provide for flexibility to allow reasonable development of property where special conditions or unusual circumstances exist.

Response: The requested adjustments will allow reasonable development of this property because special conditions or unusual circumstances exist. With respect to this property, the development site has two frontages – Salal Street on one side and Battle Creek Road on the other – that make it difficult to create a site design with 40 percent building frontage along that many linear feet of streets. Flexibility in this circumstance is justified.

Adjustments – 250.005

(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: The proposed application requests three adjustments, all from the multiple family design standards listed in SRC 702.020.

The first adjustment is from SRC 702.020(d)(2), which requires all off-street parking areas to be behind or beside buildings. Five site buildings have elevations that face Battle Creek Road, but they are not located behind the off-street parking areas, as required.

The second adjustment is from SRC 702.020(e)(4), which requires buildings to occupy 40 percent of the street frontage's buildable width. The site has two qualifying street frontages. The Battle Creek Road frontage does not meet the standard.

The third adjustment is from SRC 702.020(e)(9), which requires building faces of more than 80 feet to have one of several listed design elements to increase articulation. The upper two stories of the “back” façades of Walk Up Building Type A and C do not have one of these features. The back façade on the Type A buildings is 87’ 1” and on the Type C building is 131’ 11” which are both longer than the 80 foot limit.

In all three adjustment situations, the difference between the standard and the proposed design is greater than 20 percent, which therefore requires Class 2 adjustments.

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

Response: Subsection (J) above explicitly permits Multiple Family Design Review Standards in SRC Chapter 702 to go through the adjustment process. The requested adjustments are therefore not prohibited.

(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.*
- (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 proposed adjustment request is part of a consolidated application that includes site and building drawings that have all the listed elements above, and were previously addressed under the finding for site plan review submittal requirements, SRC 225.005(d).

(d) *Criteria.*

(1) *An application for a Class 1 adjustment shall be granted if all of the following criteria are 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: The purpose statement for the section that includes the standards is in SRC 702.001:

“The purpose of this chapter is to establish design review standards for multiple family development.”

This purpose does not illuminate the reasons for the parking lot location requirement, buildable width minimum, or building face length limitation. However, the “underlying” purposes of these standards may be found within the language of each individual standard.

1. Parking lot location -- SRC 702.020(d)(2)

The standard indicates that the purpose underlying the regulation is “to minimize the visual impact of on-site parking and to enhance the pedestrian experience.” The proposed development equally meets this purpose by providing generous buffering and landscaping that exceeds minimum standards in the zone between the public sidewalk and the edge of the parking area, and developing an overall design of the street edge that minimizes the visual impact of the parking.

One way the design minimizes the visual impact of the parking is an outcome of its natural topography. To accommodate the change in grade, the site plan (Sheet G1.10) shows two long, low retaining walls at the east edge of the parking area. These low walls obscure the large segments of the parking area and minimize the visual impact of vehicle parking. A planting zone between the east side of these retaining walls and the edge of the sidewalk will enhance the pedestrian experience and create a pleasant environment for users walking along the new Battle Creek Road sidewalk. In this way

the conditions of the site and its relation to the street will still allow a positive pedestrian experience. A section drawing through the Battle Creek frontage that shows this is on Sheet L1.00.

Also, though a new sidewalk would be required anyway, the one along Battle Creek Road has been designed with several meanders along this site frontage to preserve some existing trees and replace what is now an unpaved shoulder, creating a superior pedestrian experience. Keeping existing mature trees along this corridor increases variability in planting materials and helps diffuse traffic noise. Overall, the sidewalk, new landscaping, and natural topography minimizes the impacts that are ordinarily associated with placing parking near the street edge.

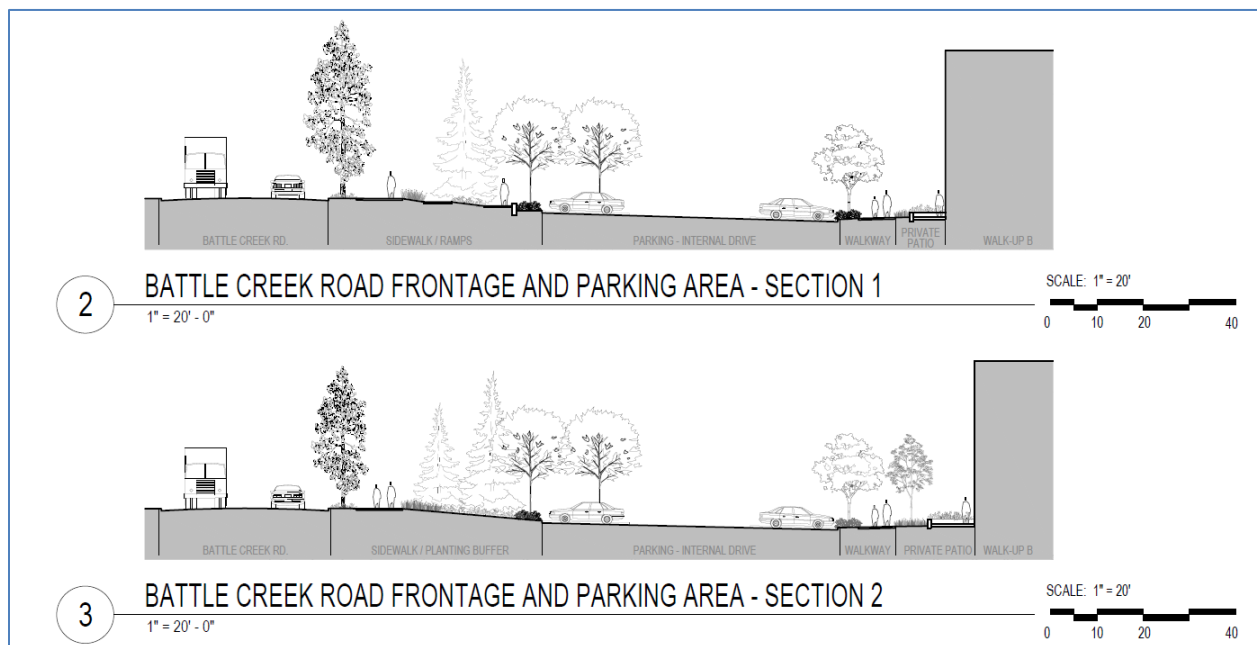


Figure 10. Battle Creek Road Frontage and Parking Areas (Sheet L1.00)

2. Buildable width -- SRC 702.020(e)(4)

The standard indicates that the purpose underlying this regulation is “to enhance visual interest and activity along the street.”

The same elements of design described previously that enhance the Battle Creek Road edge of the site also satisfy the purpose of this standard. Generous buffering and landscaping exceeds minimum standards at the edge of the public multi-use path and within the parking lot. The visual interest of the street edge will be reinforced by the multi-use path’s meandering design, preservation of mature trees, and variability in

topography. Specifically, the parking area is consistently at a slightly lower elevation than the multi-use path, which minimizes the visual impact of the parking to pedestrians and bicyclists that use this corridor. The treatment of the street edge at this location is generally consistent with other developed sections along the Battle Creek Road corridor, as is discussed in more detail with relation to criterion B below.

In this way the conditions of the site and its relation to the street still create visual interest and activity, and a positive pedestrian experience. Though a dedicated pedestrian facility would be required in any case, a new multi-use path along Battle Creek Road has a full 10-foot width and several meanders along its frontage, primarily to preserve some existing trees and to provide visual interest for users. The path replaces an existing, unpaved shoulder, creating a far superior experience for users. Keeping existing mature trees along this corridor increases variability of sizes and ages in planting materials and makes the area more aesthetically pleasing. Overall, the multi-use path, new landscaping, and integrating natural topography into the design creates a street edge that enhances visual interest equally as well as meeting the standard.

3. Building face length -- SRC 702.020(e)(9)

The standard indicates that the purpose underlying the regulation is “to minimize the appearance of building bulk.” The proposed development equally meets this purpose by dividing the back façade of the building into easily identifiable sections, each shorter than 80 feet. Those sections are clearly visually-defined by separate gabled roofs. Each roof gable aligns with the three housing units on the floors below it.



Figure 11. Back elevation of Building Type A

In addition to the roofs, a continuous, contrasting, vertical, recessed band of different material will align with the end of each gable to further visually separate building sections and minimize the appearance of the structure's overall bulk. The two distinct sections of the Type A building will be divided by a single vertical recess, and the three distinct sections of the Type C building will have two of these recesses. Because of the roof gables and the vertical element, the back façades of these buildings will be reduced into "vertical faces" that appear shorter than the 80 foot threshold in the standard. The design therefore equally meets the intent of the standard to minimize the appearance of building bulk.

Another consideration is that three of the five building façades that require this adjustment are located on the Salal Street setback line. The 40 percent of buildable width standard of SRC 702.020(e)(4), which is discussed above, maximizes the length of front façades placed at the setback line. Conversely, the building face length standard encourages offsets and setbacks that potentially pull the façade away from the setback line. Choosing between two potentially conflicting standards, the applicant has set buildings closer to Salal Street to encourage a sense of street enclosure. This results in the need for an adjustment to a standard that would potentially pull buildings away from the street.

Finally, the amount of the request is small for four of the five locations where it is requested. For the Walk Up Type A buildings, the length of the vertical faces on the upper stories of the back of the building is 87' 1". If this façade were 2.1 feet shorter, the standard would not apply. The back façade of the Walk Up Type C building is somewhat longer. Because the ground level of all five applicable façades have "covered entrances" that meet width and depth requirements listed in the standard (See Sheets A2.11 and A3.10), only the upper two stories of these façades require an adjustment.

In short, the design of the Walk Up Type A and C buildings reduces the perception of building size, even on the façades where the adjustment is required. Specifically, the roof configuration, covered entrances on the ground floor, and a dividing vertical element between building sections indicate a segmented structure and give the impression that the building is smaller than it is. These design choices equally meet the purpose underlying the standard, to minimize the appearance of building bulk.

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

Response: The proposed adjustments are within a residential zone, the RM-II. The proposed development will not detract from the livability of appearance of the residential area for the following reasons.

1. Parking lot location

In the context of this design standard, the “residential area” affected by allowing the adjustment is limited to the row of properties immediately across Battle Creek Road from the site. The parking lot will not be visible from any other residential property farther away from the site.

Allowing parking in front of, rather than behind, buildings on the east side of the development does not detract from livability or appearance, because the proposed development includes new pedestrian amenities, landscaping, and visual interest along this stretch of Battle Creek Road. Compared with existing conditions, which is just a gravel shoulder on an existing high-volume, high-speed arterial road, the proposed development is a vast improvement to the area’s livability and appearance.

Existing conditions directly across Battle Creek Road from the site are important for context, and because they define the “appearance of the area,” per this criterion. Also, properties across the road are those most directly affected by the proposed adjustment. Revealingly, these properties uniformly turn their backs on Battle Creek Road. These lots are oriented to the east, facing the local residential streets on the other side and away from the minor arterial, because Battle Creek Road’s fast, high-volume vehicle traffic creates visual and noise impacts. Every one of the adjacent residential lots has a sight-obscuring fence, dense vegetation, or both.

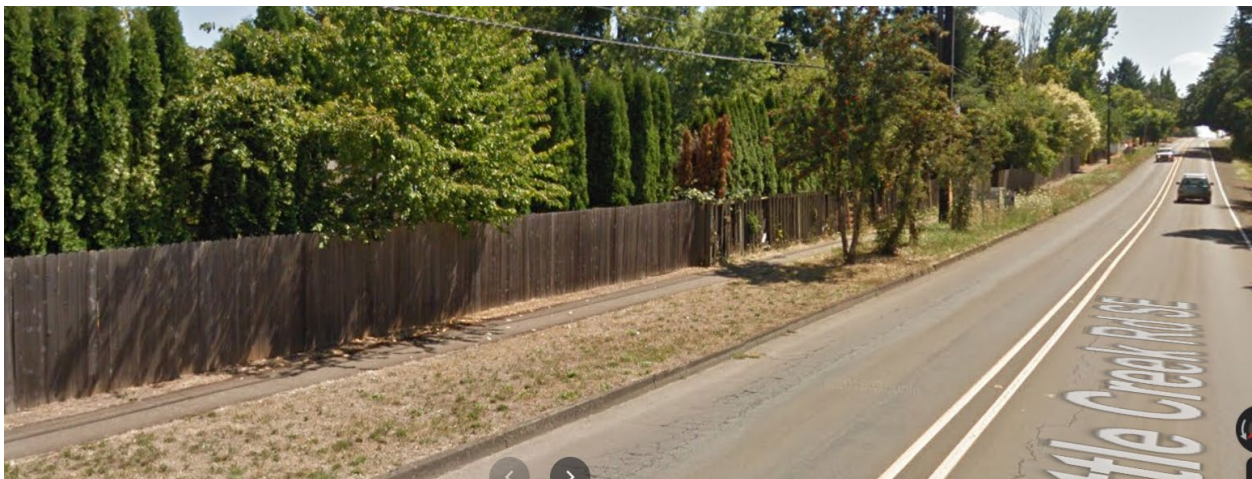


Figure 12. East side of Battle Creek Road SE

In contrast to an unbroken wall of fencing and hedges that block views and access on the east side of the street, the west side of the road will have a new multi-use path, new and preserved vegetation of varying sizes and species, a pedestrian connection into the private property, and views toward an occupied housing development. This

development has high-quality buildings with architecturally-detailed facades that include main entries oriented toward the parking area and the street beyond. The pedestrian experience on Battle Creek Road will be vastly improved over existing conditions (paved shoulder only), and the overall condition will be more livable and attractive.

2. Buildable width

Allowing building length at the setback line to be less than 40 percent along the Battle Creek Road frontage still allows the development to contribute to the livability and appearance of the residential area because the final condition is an attractive pedestrian environment with a new multi-use path and other amenities.

The proposed development contributes to the aesthetic condition of the area at the Battle Creek Road setback line with new pedestrian amenities, plantings, and architectural interest. Compared with existing conditions, which is just a gravel shoulder on an existing high-volume, high-speed arterial road, the proposed development is a vast improvement to the area's livability and appearance.

As with parking lot location, the "residential area" that will be affected by allowing the adjustment is limited. In the context of this design standard, the residential area can be defined as the row of properties immediately across Battle Creek Road from the site. For residential property farther away from the site than this, the development site is not visible, and it would not be apparent to them whether new buildings occupy more or less of the street frontage setback.

Along Battle Creek Road, different zoning the east side of the road does not require that owners of these properties observe the same minimum buildable width requirement. Nevertheless, the current condition of these properties is oriented away from the street to avoid its visual and noise impacts. This condition sets a baseline for the "appearance of the residential area" from which the proposed new development must not detract. The face these property owners present to the street is a sight-obscuring fence, dense vegetation, or both. If it were applicable, none of the existing residential development would meet the 40 percent standard. In contrast, the proposed condition on the west side of the road offers more visual interest and amenities than existing conditions or surrounding properties, and therefore contributes to the livability and appearance of the area.

In general, the pedestrian experience along all the abutting streets in the new development will be vastly improved and at a very high quality, and even with less than 40 percent buildings on the Battle Creek Road setback line. The overall condition still enhances the livability and appearance of the residential area.

3. Building face length

The “residential area” affected by the proposed adjustment to building face length is limited to the immediately facing properties that would have any view of the façades in question. Those properties without direct line of sight of the five façades that where the standard applies and is not met would not be affected by a change to this design standard. Of the qualifying building faces, three of the five face Salal Street, one faces Woodscape Linear Park, and one faces the parking area between Battle Creek Road and the cluster of buildings at the center of the site. As a practical matter, the difference between this proposal and a fully-compliant building face given the distant view from across Battle Creek Road or a heavily-screened by vegetation view from the linear park is negligible.

Nevertheless, as discussed in the response to the previous criterion, the mitigation for building length on the upper stories of these buildings consists of the roof line and a vertical dividing element. Both these design elements are more visible and more relevant to neighboring properties than if the building were six feet shorter, in the case of the Type A Buildings, or if one of the listed design elements were added. The properties across Salal Street from the three applicable building faces will have a clearer view of the adjusted façades, but will also not suffer a reduction in livability or appearance because of the roofs and dividing elements. Those properties will also be part of a larger, multi-family development integrated with this first phase. Carefully designed, high-quality buildings that incorporate elements to minimize the appearance of building bulk maintain livability and improve the appearance of the area.

As described, building design elements are incorporated into the longer façades that minimize the overall appearance of building bulk, therefore maintaining the residential appearance of the area. Among these elements are individual gabled roofs, which reflect the pitched roofs that are a common feature of houses in the surrounding area. Also used to break up the façade are a continuous, contrasting, vertical, recessed band of different material aligned with the end of each gable. These two design elements functionally divide the back façades of these buildings into shorter “vertical faces” that minimize building size and maintain the livability and appearance of the residential area.

(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: Three adjustments are requested, to SRC 702.020(d)(2), SRC 702.020(e)(4), and SRC 702.020(e)(9). The first two are related to the placement of buildings and

parking areas on the east side of the site, and the last is related to the length of building faces.

The “overall purpose of the zone” is listed in SRC 514.001:

“The purpose of the Multiple Family Residential-II (RM-II) Zone is to implement the multiple family residential designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The RM-II zone generally allows multiple family residential uses, along with a mix of other uses that are compatible with and/or provide services to the residential area.”

The project, with the proposed adjustments, has no direct impact on the purpose of the zone as listed in this statement. Specifically, it does not change implementation of the comprehensive plan designation, identification of allowed uses, or establishment of development standards. The proposed use of the site is multiple family residential, which is an allowed use and not affected by the adjustments. The spirit of the design and development standards, to increase visual interest and enhance the pedestrian experience, has been met by significant upgrades to the condition of the site along the edge of the Battle Creek Road frontage and the overall context of existing conditions. This was explained in the response to adjustment criterion (2)(A)(ii). Larger buildings are consistent with multi-family residential uses, and the larger buildings have been broken up into smaller segments using design elements like roof lines and vertical changes in material and color. In general, the proposed multiple family project will be a high-quality housing development in a multiple family zone that was explicitly designated to create opportunities like this. For that reason, it is consistent with the overall purpose of the zone.

RM-II Multiple Family Residential – Chapter 514

Purpose – 514.001

The purpose of the Multiple Family Residential-II (RM-II) Zone is to implement the multiple family residential designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The RM-II zone generally allows multiple family residential uses, along with a mix of other uses that are compatible with and/or provide services to the residential area.

Uses – 514.005

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

Response: Table 514-1 lists Multiple Family as a permitted use. The residential use of the buildings on the site meet the definition of “multiple family” in SRC 400.030(e), “five or more dwelling units on an individual lot by five or more families”. Likewise, the proposed building development fits the listed example under the multiple family category, “court apartments.” The 46-unit senior living building is in this same multiple family category since it provides independent living units for seniors.

The community building on the site is an accessory use to the primary multiple family residential use of the site. This community building use is “clearly incidental, subordinate to, dependent upon, and conducted in support of” the multiple family use of the property, per SRC 400.015(b). The community building exists to serve residents and provide an indoor meeting place. The purpose of the building is to offer services to residents of the development; it would not exist independent of the primary use. The community building has 4,730 square feet of space, a small fraction of the hundreds of thousands of square feet in the development devoted to residential living space. Consequently, as an accessory use, the community center is “considered part of the use and [is] subject to the same regulations as the use,” per SRC 400.015(b).

Development standards – 514.010

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.

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

Response: Lot size, width, depth, and street frontage lengths for the development site will be established by the subdivision. The subdivision application has been submitted by the owner in a separate document. All the relevant standards were met for proposed Lot 1, where development addressed in this application is proposed.

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

Response: According to Table 514-3 the minimum dwelling unit density is 12 dwelling units per acre and the maximum is 28 du/acre. There are 184 units proposed on the site, which is 7.7 acres. Thus, the proposed project results in a dwelling unit density of 23.8 du/acre. This is more than 12 and less than 28, within the allowable range, and therefore the standard is met.

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

Response: The site is bounded on three sides by public streets. For these frontages, the street setback for buildings applies. The south side of the property is an interior side lot line that abuts Woodscape Linear Park. Setbacks required and proposed are as follows.

Table 2. Setbacks

Category	Standard	Proposed
Street setbacks, minimum, buildings	"Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft., but need not exceed 20 ft. in depth."	20 ft. along Salal (all buildings are taller than 20 feet)
Street setback, minimum, vehicle use areas	12 feet	20 ft. on Salal (closest point) 37 ft. on Battle Creek (closest point)
Interior Side setback, buildings	10 feet for residential zones (Table 514-5)	23 ft between the Type A building on south side of site and property boundary

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

Response: The lot coverage maximum for multiple family uses listed in Table 514-6 is 60 percent. The proposed site has a lot coverage of 18 percent. That figure, following the measurements section of the code, is 336,359 s.f. gross site area/60,863 s.f. building footprints.

The height limit for multiple family buildings in the same table is 50 feet. As shown on A3.01, the tallest building on the site, the Senior Building, is 45 feet. Both these standards are 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.

Response: The site has no accessory structures to single family or two family uses, therefore this standard does not apply.

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

(1) Setbacks. Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.

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

Response: As shown on the included landscape plan (Sheet L1.00), the required setbacks for buildings and vehicle areas are landscaped, following the standards in Chapter 807. For building setbacks, no specific landscaping type is listed, so “the required landscaping shall meet the Type A standard” (SRC 807.015[a]). The 20-foot setbacks for each building are planted with a minimum of 1 plant unit per 20 square feet of landscaped area, as shown on the landscape plan.

Vehicle use areas are landscaped as according to the specifications in SRC 702.020(b), the multiple family design standards. Parking lot landscaping standards of that section substitute for the more general standards in Chapter 806, according to SRC 702.020(b)(8).

(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: No outdoor storage is proposed.

Design review – 514.015

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

(a) Multiple family development shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.

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

Response: The proposed development is multiple family development and therefore subject to section (a) above and the standards of chapter 702.

Other provisions – 514.020

In addition to the standards set forth in this chapter, development within the RM-II zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

- (g) Vision Clearance: SRC chapter 805.*
- (h) Off-Street Parking, Loading and Driveways: SRC chapter 806.*
- (i) Landscaping and Screening: SRC chapter 807.*
- (j) Preservation of Trees and Vegetation: SRC chapter 808.*
- (k) Wetlands: SRC chapter 809*
- (l) Landslide Hazards: SRC chapter 810.*
- (m) Sign Code: SRC chapter 900.*

Response: Findings for all the relevant and applicable standards in the sections above are part of this application and addressed below.

Multiple Family Design Review Standards – Chapter 702

Purpose – 702.001

The purpose of this chapter is to establish design review standards for multiple family development.

Multiple family design review – 702.005

- (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: [...]*

Response: Design review is required for this project because it is multiple family development. None of the listed exceptions apply.

Multiple family design review standards – 702.010

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 [...].*
- (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 proposed development has 184 units in nine buildings. A tenth building, the Community Building, provides services for the residential units. The development overall has more than 13 dwelling units. Therefore, SRC 702.020 contains the applicable standards. These findings also address the other development standards in the code.

Design review standards for multiple family development with 13 or more units – 702.020

(a) Open space standards.

(1) To encourage the preservation of natural open 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 30 percent of the gross site area in 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.

Response: The areas designated and reserved for open space are shown on the landscape plan (Sheet G1.10). Altogether, these areas account for 198,773 square feet, or 59 percent of the gross site area.

SRC 702.020(a)(F) allows a reduction of the above requirement by 50 percent “for developments that are located within one-quarter mile of a public urban, community, or neighborhood park as measured along a route utilizing public or private streets.” This development abuts Woodscape Linear Park to the south, which is a public park, owned by the City of Salem, accessible by new public sidewalks on Battle Creek Road and Salal Street. Therefore, the 30 percent open space requirement is reduced to 15 percent. Because the amount of open space exceeds the 15% minimum, the standard is met.

(A) To ensure usable open space that is of sufficient size, at least one common open space area shall be provided that meets the size and dimension standards set forth in Table 702-3.

(B) To ensure the provided open space is usable, a maximum of 15 percent of the common open space shall be located on land with slopes greater than 25 percent.

Response: Table 702-3 requires that for developments with more than 20 units, one common open space be at least “1,000 square feet, plus an additional 250 square feet for every 20 units, or portion thereof, over 20 units.” Based on the development having 184 units, this requires a common open space of 3,050 square feet. That common open space must also have a minimum horizontal dimension of 25 feet.

The proposed central open space area provides a variety of outdoor spaces where residents of the surrounding buildings can recreate, including a courtyard next to the Senior Building, a picnic area, a nature play area, a central terrace, and an open green.

The open green alone is 4,572 square feet in size, which exceeds the 3,050 square foot minimum. It also has a minimum dimension of 34 feet as indicated on the drawing, greater than the 25 foot minimum requirement. None of this area is on land with slopes

greater than 25 percent. Therefore, the minimum standard for common open space is met.

(C) 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 702-4, may count toward the open space requirement. All private open space must meet the size and dimension standards set forth in Table 702-4.

Response: As shown, 39 of the ground floor apartments in the Walk Up Building types have outdoor patios that can be classified as private open space. A “patio” is one of the listed examples in the definition of “private open space” (Sec. 111.001). As shown on the plans, these patios are at least 6 feet wide and 96 square feet in area. Collectively, these patios constitute 5,453 square feet of space on the site. Patio locations and sizes are shown on Sheets L1.01 through L1.03. This square footage is included in the calculation of open space. The amount of open space on the site, 59 percent of gross site area, vastly exceeds the minimum 15 percent requirement in Sec. 702.020(a)(1).

(D) To ensure a mix of private and common open space in larger developments, private open space, meeting the size and dimension standards set forth in Table 702-4, shall be provided for a minimum of 20 percent of the dwelling units in all newly constructed multiple family developments with 20 or more dwelling units. Private open space shall be located contiguous to the dwelling unit, with direct access to the private open space provided through a doorway.

Response: Twenty percent of the proposed 184 dwelling units is 37 units that must have private open space. As proposed, 39 ground floor residential units have patios, *i.e.*, private open space with direct access and contiguous to the dwelling unit. These patios are shown on the site plan and in renderings for each building type. A “patio” is a specifically listed example in the definition of “private open space” (Sec. 111.001). The plans show the area of each patio, which are at least 6 feet wide and 96 square feet in area (Sheets L1.01 through L1.03).

(E) To encourage active recreational opportunities for residents, the sq. 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 750-square-foot improved open space area may count as 1,500 square feet toward the open space requirement.

(i) Be a minimum 750 square feet in size with a minimum dimension of 25 feet for all sides; and

(ii) Include at least one of the following types of features:

a. Covered pavilion.

b. Ornamental or food garden.

c. 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.

d. Sports area or court (e.g., tennis, handball, volleyball, basketball, soccer).

e. Swimming pool or wading pool.

Response: The common open space includes a children's play area that meets the definition under subsection (c) above. Because it does not abut vehicle area, a fence is not required. Likewise, a community garden near the Senior Building will grow ornamentals and food, per subsection (b). As such, both these areas qualify under the definition and may count twice toward the required amount of open space. The play area is 2,182 square feet. The community garden is 1,257 square feet.

However, the minimum open space requirement is already met without this provision – 59 percent of gross site area where only 15 percent is required. Doubling these areas would add one more percentage point to a standard that is already satisfied.

(F) To encourage proximity to and use of public parks, the total amount of required open space may be reduced by 50% for developments that are located within 1/4 mile of a public 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: The development abuts Woodscape Linear Park to the south, which is owned by the City of Salem and accessible by new sidewalks on Battle Creek Road and Salal Street.



Figure 13. Woodscape Linear Park location (Source: Salem GIS)

Therefore, as noted above the minimum requirement for site open space is reduced by half, from 30 percent to 15 percent of gross site area. 59 percent of gross site area is open

space. Calculations were described above in the response to subsection (a)(1)(A). Open space areas are shown graphically on Sheet G1.10.

(b) Landscaping standards.

(1) To encourage the preservation of trees and maintain or increase tree canopy, a minimum of one tree shall be planted or preserved for every 2,000 square feet of gross site area.

Response: The development area of the site in this phase is 7.7 acres. This requires planting or preservation of 168 trees. As shown on the landscape plan, 380 new trees are planted on the site. In addition, 11 existing trees are being preserved. Planting or preserving 391 trees as shown exceeds the minimum requirement by more than double. Details are shown on the landscaping plan and the tree table. (Sheet L1.00 and Sheets EC-9 through EC-14)

(2) 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. Chain link fencing with slats shall be not allowed to satisfy this standard.

Response: The development area of the site does not abut RA or RS zoned property. The development abuts streets on three sides and a park with RM-II zoning to the south. This standard does not apply. When future development occurs on the west side of Salal Street, it will be subject to design review and must comply with this standard.

(3) To define and accentuate primary entryways, a minimum of two plant units, shall be provided adjacent to the primary entryway of each dwelling unit, or combination of dwelling units.

Response: As shown on the landscape plan, there are trees, shrubs, and lawn arranged around each residential building on site, including at the primary entryways to each building.

(4) To soften the visual impact of buildings and create residential character, new trees shall be planted, or existing trees shall be preserved, at a minimum density of ten plant units per 60 linear feet of exterior building wall. Such trees shall be located not more than 25 feet from the edge of the building footprint.

Response: The area around each of the buildings is planted with a variety of trees, shrubs, and grass, as shown on the landscape plan (Sheet L1.00). Any tree needed to meet the standard are located within 25 feet of the face of the building.

As an example, the landscape plan detail below for one of the Walk Up Type B buildings shows the typical density of tree planting around the edge of the building. Trees are provided at more than twice the density required by the standard – 19 where only 7 are required.

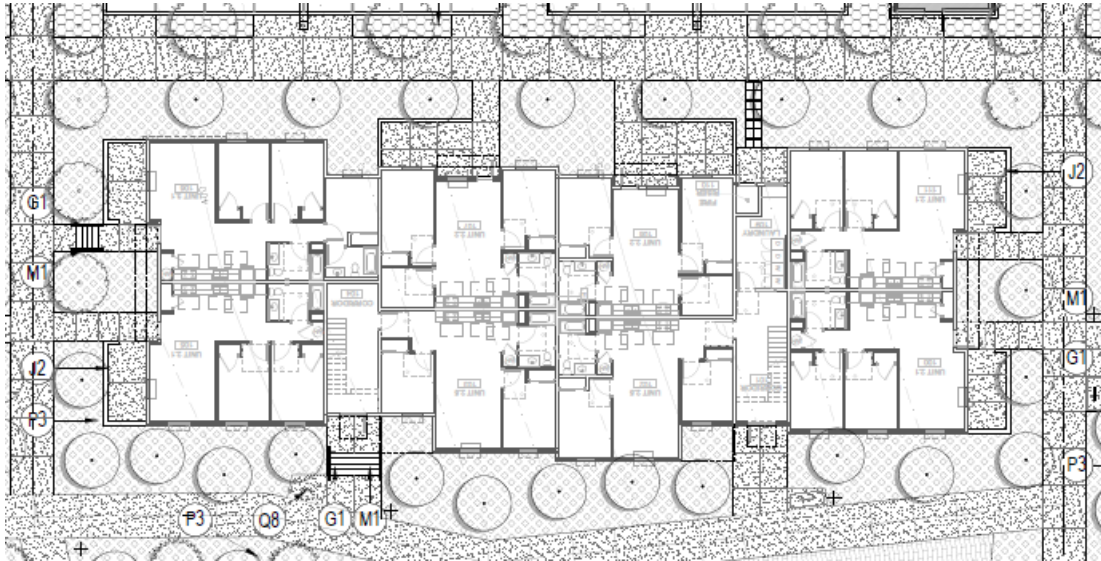


Figure 14. Type B Building Landscape Plan Detail (Sheet L1.02)

Quantitatively, the linear feet of exterior building walls, number of trees required, and number provided are listed in the table below.

Table 3. Building Trees

Building Type	Perimeter of Exterior Walls	Tree Plant Units Required	Tree Plant Units Proposed, Typical
Community Building	264 feet	44	60
Senior Building	468 feet	78	180
Walkup Building Type A	282 feet	47	160
Walkup Building Type B	415 feet	69	190
Walkup Building Type C	387 feet	65	200

(5) Shrubs shall be distributed around the perimeter of buildings at a minimum density of one plant unit per 15 linear feet of exterior building wall.

Response: The area around each of the buildings is planted with a variety of trees, shrubs, and grass, as shown on the landscape plans (Sheet L1.01 to L1.03). Shrubs and groundcovers will be placed around the perimeter of buildings, in addition to trees, to provide plant cover, separate the ground level patios, and enhance the relationship between built and open spaces.

The plant material will be distributed at industry-standard spacing and density, ranging from 12 inches on center for smaller shrubs and groundcovers, up to 48 inches on center for larger accent and foundation shrubs. Given the extent of the landscaped areas and expected coverage, the plant unit requirement will be met.

Quantitatively, the table below shows the required plant units per building type, and the minimum expected plant units proposed. This amount of plantings will likely be exceeded when the final landscape plan is complete.

Table 4. Building Shrubs

Building Type	Perimeter of Exterior Walls	Shrub Plant Units Required	Shrub Plant Units Proposed, Typical
Community Building	264 feet	18	59
Senior Building	468 feet	31	136
Walkup Building Type A	282 feet	19	70
Walkup Building Type B	415 feet	28	97
Walkup Building Type C	387 feet	26	107

(6) To ensure the privacy of dwelling units, ground level private open space shall be physically and visually separated from common open space with perimeter landscaping or perimeter fencing.

Response: As shown on the landscaping plan (Sheets L1.01, L1.02, and L1.03), each of the ground level patios will be physically and visually separated from the public open space with perimeter landscaping. The landscaping barrier will include hedges, different groundcovers, and accent shrubs to separate the private patio space from the more public open space areas. Planting will provide separation, while maintaining safety and lines of sight.

(7) To provide protection from winter wind and summer sun and to ensure trees are distributed throughout a site and along parking areas, a minimum of one canopy tree shall be planted along every 50 feet of the perimeter of parking areas. Trunks of the trees shall be located within ten feet of the edge of the parking area (see Figure 702-3).

- (A) A minimum of one canopy tree shall be planted within each planter bay.
- (B) A landscaped planter bay a minimum of nine feet in width shall be provided at a minimum spacing of one for every 12 spaces. (see Figure 702-3).
- (8) Multiple family developments with 13 or more units are exempt from the landscaping requirements in SRC chapter 806.

Response: The landscaping plan (Sheet L1.00) includes parking lot landscaping that meets the standards of this section. As shown, canopy trees are planted every 40 feet along the perimeter, and closer than 10 feet from the edge of the pavement. Each planter bay is nine feet wide, includes a canopy tree, and occurs at a minimum spacing of every eight spaces, which is more generous than the minimum standard identified above.

(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 to enhance visibility and resident safety.
- (3) Fences, walls, and plant materials shall not be installed between street-facing dwelling units and public or private streets in locations that obstruct the visibility of dwelling unit entrances from the street. For purposes of this standard, the term "obstructed visibility" means the entry is not in view from the street along one-half or more of the dwelling unit's frontage.
- (4) Landscaping and fencing adjacent to common open space, parking areas, and dwelling unit entryways shall be limited to a maximum height of three feet to encourage visual surveillance of such areas.

Response: As shown on the floor plans for each residential building (Sheets A2.11, A2.12, and A2.13), windows face toward the common open space in the center of the development. Some dwelling units face outward, to Salal Street, the parking area on the east side, or Woodscape Linear Park. These windows allow for natural light and visual surveillance of common areas. The location of site lighting is included on the landscape drawings (See Sheets L1.01, L1.02, and L1.03). Landscaping between Salal Street and the buildings does not obstruct the visibility of the dwelling unit entrances, as shown on the landscaping plan (Sheet L1.00). Likewise, landscaping is limited in height on the east side, around common open space, parking areas, and entryways, to encourage visual surveillance of these areas.

(d) Parking and site design.

- (1) To minimize large expanses of continuous pavement, parking areas greater than 6,700 square feet in area shall be physically and visually separated with landscaped planter bays that are a minimum of nine feet in width. Individual parking areas may be connected by an aisle or driveway (see Figure 702-3).

Response: As shown on the Landscape Plan (Sheet L1.00) the parking area on the east side has been segmented into sections that are separated by planter bays. These bays are a minimum of 9 feet in width.

(2) 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: In relation to the “front” property line, and the local street frontage, Salal Street, parking areas are located behind buildings. However, the property is a double frontage site with a second frontage on Battle Creek Road. Placing the main parking area outside the central cluster of buildings means it is between Battle Creek Road and site buildings. This is not “behind or beside” the buildings, in relation to that street, and therefore an adjustment is needed to this standard. An adjustment request from this standard is part of these findings. Criteria for Section 250, Adjustments, are addressed in the findings for that chapter.

(3) Where a development site abuts, and is located uphill from, property zoned Residential Agriculture (RA) or Single Family Residential (RS), and the slope of the development site within 40 feet of the abutting RA or RS zoned property is 15 percent or greater, parking areas shall be set back not less than 20 feet from the property line of the abutting RA or RS zoned property to ensure parking areas are designed to consider site topography and minimize visual impacts on abutting residential properties.

Response: The parking area for the site encircles buildings at the center of the site. It does not abut RA or RS zoning, therefore this standard does not apply.

(4) 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: As shown on the site plan (Sheet G1.10), pedestrian pathways connect all on-site buildings to a pedestrian circulation system. This system connects buildings to the common open space at the center of the development, and outward to adjacent public sidewalks on Salal and Battle Creek. Likewise, the system connects to the parking area east of the building cluster.

(e) Façade and building design.

(1) To preclude long monotonous exterior walls, buildings shall have no dimension greater than 150 feet.

Response: As shown on the dimensioned site plan and individual first floor building plans (Sheet A2.11), none of the buildings have an exterior wall that exceeds 150 feet. Exterior wall length is summarized in the table below.

Table 5. Building Exterior Wall Length

Building Type	Façade	Exterior Wall Dimensions
Community Building	North and South	94' 5"
	East and West	57' 6"
Senior Building	North	89' 9" and 60' 6"
	South	50' 4", 39' 5", and 66' 1"
	East	96' 1"
	West	66' 1"
Walkup Building Type A	Front and Back	87' 1"
	Sides	55' 10"
Walkup Building Type B	Front and Back	150' 0"
	Sides	52' 2"
Walkup Building Type C	Front and Back	131' 11"
	Sides	55' 10"

(2) 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 702-5 to provide appropriate transitions between new buildings and structures on site and existing buildings and structures on abutting sites. [...]

(3) To enhance compatibility between new buildings on site and abutting residential sites, balconies located on building facades that face RA or RS zoned properties, unless separated by a street, shall have fully sight-obscuring railings.

Response: The site is bounded by streets to the east, west, and north (Battle Creek, Salal, and Foxhaven), and public open space to the south. Therefore, it does not abut property zoned RA or RS, and the section above is not applicable. Future phases of development that occur west of Salal Street abut RS zoned property and will meet this standard.

(4) 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 code defines “buildable width” as “the distance along the street right-of-way, exclusive of side setbacks, wetlands, and riparian corridors, that is sufficiently deep to accommodate a lot depth of 70 feet and meet setback requirements. Where a development fronts on a street which is curved, the buildable width shall be measured radial to the curve.” (SRC 111.001)

Two street frontages—Salal Street to the west and Battle Creek Road to the east—have more than 75 feet of buildable width. Foxhaven Drive is a short entry road to the site from Battle Creek Road and has less than 75 feet of buildable width. The “setback line” for both frontages is located 20 feet from the street, per Table 514-4.

The table below summarizes buildable widths for Salal and Battle Creek, the proposed building length along the setback line of these frontages, and that length expressed as a percentage of the buildable width.

Table 6. Buildable Widths

Street	Buildable Width	Proposed Building Length at Setback Line	Percent of Buildings Along Setback Line
Salal Street	1111 feet	493 feet	44%
Battle Creek Road	941	0	0%

Ten buildings are proposed on the triple frontage site. Six of the buildings proposed have frontage on Salal Street. Five buildings have façades on Battle Creek Road. As shown on the site plan (Sheet G1.10), all buildings on Salal are placed along the street setback line, creating a defined street edge. The Battle Creek Road buildings are set behind the parking area.

An adjustment is required for this standard with respect to the Battle Creek Road frontage. Findings for this adjustment are provided in Section 250. Placing the buildings around a central, car-free, common open space is critical to creating enclosure for that space. Consequently, the structures on the east side of the site are not pushed out to the Battle Creek Road setback.

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

Response: Main building entrances for all the proposed buildings that are within 25 feet of a property line abutting Salal Street are proposed to face the street, with direct access to the sidewalk. As shown on the plans (Sheets L1.00), all the buildings along Salal

Street have building entrances that face the street. The buildings on the east side of the common open space, and the Walk Up Type A building at the south side of the development, are not within 25 feet of a property line abutting a street.

(6) 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 Community Building has no dwelling units and is not subject to this standard.

The Senior Building has ground-level dwelling units with common entryways. As shown on the first-floor plan (Sheet A2.11), the west building mass has four ground level units accessible from the center of the building, which is located outside under the pass-through opening. The building mass above this entrance may be considered a “differentiated roof” per the list in the standard. The eastern building mass has four ground level units accessible via a common lobby that has its entry on the east façade. This entrance has a metal canopy and recessed area to give it architectural definition.

Walk Up Building Type A has four ground-level dwelling units, each with separate entries to the outside. As shown on Sheet A2.11, all of the entries on the main floor of the Type A building are recessed from the exterior wall plane, and the entries have a covered entrance with a roof.

Walk Up Building Type B has a first-floor plan (Sheet A2.11) that contains eight dwelling units, each of which is accessible from its own entry. Two of the entries are shared with upper floor units. All entries on the main floor of the Type B building are recessed from the exterior wall plane, and have a covered entrance with a roof.

Walk Up Building Type C has six ground-level dwelling units, each with separate entries. As shown on Sheet A2.11, all main floor entries of the Type C building are recessed from the exterior wall plane, and the entries have a covered entrance with a roof.

(7) 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: The only building with roof-mounted mechanical equipment is the Senior Building. As shown on Sheet A2.15, this mechanical equipment is located inside the

center of the east building section, behind a parapet, and none of it is visible from a “ground level view.” Consequently, it does not require a screen per this standard.

(8) To reinforce the residential character of the neighborhood, flat roofs, and the roof ridges of sloping roofs, shall not exceed a horizontal length of 100 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. (See Figure 702-4)

Response: As shown on drawings and building elevations (Sheets A2.14 and A3.02), none of the roof segments on any of the four building types exceed 100 feet.

Table 7. Longest Roof Segment

Building	Longest Roof Segment, Horizontal Length
Senior Building	96 ft., 1 inch
Community Building	75 ft., 11 inches
Walk Up Type A	55 ft., 10 inches
Walk Up Type B	41 ft., 6 inches
Walk Up Type C	55 ft., 10 inches

(9) To minimize the appearance of building bulk, each floor of each building's vertical face that is 80 feet in length or longer shall incorporate one or more of the design elements below (see examples in Figure 702-5). Design elements shall vary from other wall surfaces by a minimum of four feet and such changes in plane shall have a minimum width of six feet.

(A) Offsets (recesses and extensions).

(B) Covered deck.

(C) Covered balcony.

(D) Cantilevered balcony, provided at least half of its depth is recessed.

(E) Covered entrance.

Response: This standard is applicable to only a limited number of “vertical faces” of each building, as described in the standard, because most of them are shorter than 80 feet in length. The following table is drawn from measurements shown on Sheets A2.11 for each building type.

Table 8. Vertical Face Length of Exterior Walls

Building Type	Façade	"Vertical Face" Widths
Community Center	North	58' 1" and 18' 5"
	South	37' 7" and 34' 1"
	East and West	61' 0"
Senior Building	North	50' 4", 39' 5", and 60' 6"
	South	50' 4", 39' 5", and 66' 1"
	East	35' 7" and 60' 4"
	West	66' 1"
Walkup Building Type A	Front	42' 3" and 43' 6"
	Back	87' 1"
	Sides	55' 10"
Walkup Building Type B	Front and Back	42' 4", 64' 11", and 42' 4"
	Sides	52' 2"
Walkup Building Type C	Front	42' 3", 33' 10", and 33' 10"
	Back	131' 11"
	Sides	55' 10"

Community Center: The south and north façades have two offset, separate vertical faces, both shorter than 80 feet. These are identified in the table above and shown on the plans. The east and west sides of the building are 61 feet wide.

Senior Building: The east side façade is broken up into two vertical faces, a northern section, 35' 7" in width, and a southern section, 60' 4" in width. As shown in the first floor plan (Sheet A2.11), the northern section is visually distinct from the apartments-only southern section through incorporation of a five-foot wide vertical band above the lobby entrance, inset four feet into this building face, and composed of a different material and color. This north section of the façade also includes an alcove to the main lobby with an eight-foot deep covered entrance. Covered entrances are one of the qualifying elements per subsection (E).

As shown on Sheets A2.11, the north and south façades are likewise broken up into three distinct vertical faces, a west section of apartments, a center section with two stories of apartments above a glassed-in corridor and open-air ground floor, and an east section of apartments. Each of these building sections present with separate exterior walls and vertical faces; all are shorter than 80 feet.

Walk Up Type A: As shown on Sheet A2.11, the front façade is offset to reduce the appearance of building bulk; the longest of these two vertical faces is 43' 6".

The back side of this building type has a vertical face of 87' 1", which is 2.1 feet longer than the maximum allowed by this standard. The main floor satisfies the standard because it has one of the qualifying design elements, a covered entrance that is at least four feet deep and six feet wide. Nevertheless, an adjustment is needed on the upper stories of the four buildings on the site that are this type. The findings for that request are addressed in the section on adjustments.

Walk Up Type B: As shown on Sheet A2.11, both the front and rear façades, while 150 feet in overall length, have offsets deeper than four feet that reduce the appearance of building bulk. The longest vertical face on either of these façades, its center section, is 64' 11".

Walk Up Type C: As shown on Sheet A2.11, the open space-facing side of the building has an offset to reduce the appearance of building bulk. The longest of these three vertical faces is 42' 3".

The street side of this building has a vertical face of 131' 11", longer than the maximum allowed by this standard. The main floor satisfies the standard because it has one of the qualifying design elements, two covered entrances that are at least four feet wide and six feet deep. Consequently, this building of needs an adjustment for the upper two stories of the back façade. Findings for that request are addressed in the section on adjustments.

(10) To visually break up the building's vertical mass, the first floor of each building, except for single-story buildings, shall be distinguished from its upper floors by at least one of the following (see examples in Figure 702-6):

(A) Change in materials.

(B) Change in color.

(C) Molding or other horizontally-distinguishing transition piece.

Response: The Community Center is a single-story building and is not subject to this standard.

The main floor of the Senior Building, as shown on Sheets A3.01 and A3.02, is distinguished from upper floors by a material change. The main floor has a mosaic tile fiber cement siding, while the upper floors use cast stripe fiber cement siding. The two siding types will be separated by a horizontal band. These features are visible on exterior elevation drawings.

As shown on Sheets A3.01 and A3.02, and the renderings on Sheet A3.10, Walk Up Type A and Walk Up Type C are the same architectural style. The main and upper floors of these buildings are defined by a horizontal band on each of the four façades. Additionally, there is a material change between the main and upper floors: vertical wood siding on the ground-level exterior and straight shingle siding on upper stories. These features are visible on exterior elevation drawings.

For Walk Up Type B the main floor is distinguished from upper floors by a horizontal band on each of the four façades. This is shown graphically on Sheets A3.01 and A3.02, and the renderings on Sheet A3.10.

General Development Standards – Chapter 800

Applicability – 800.005

The standards set forth in this chapter apply to all development in every zone unless otherwise exempted by the UDC. In the event of a conflict between the standards set forth in this chapter and any other provision of the UDC, the more restrictive provision shall apply.

Lot standards, generally – 800.015

(a) Buildings to be on a lot. Every building or structure shall be entirely located on a lot. Where two or more lots are under single ownership to accommodate a single development, the entire combined area shall be considered as a single lot for purposes of the UDC. Buildings that are attached at a common property line, but which otherwise meet all requirements of SRC chapter 56 as separate buildings shall be considered as separate buildings for purposes of this subsection.

(b) Side lot lines. As far as is practicable, side lot lines shall run at right angles to the street upon which the lot faces, except that on curved streets they shall be radial to the curve.

Response: All proposed buildings are on a lot. The lot is bounded by Salal, Battle Creek, Foxhaven, and the south property line. A subdivision that establishes four lots and dedicates internal streets has been submitted to the city and will be reviewed separately and at the same time as this site plan and design review.

Designation of lot lines – 800.020

(a) Front lot line. The front lot line shall be designated as set forth in this subsection (see Figure 800-1).

(1) Interior lot. For an interior lot, the front lot line shall be the property line abutting the street.

(2) Corner lot. For a corner lot, the front lot line shall be the property line abutting a street designated by the building permit applicant; provided, however, that lot dimension standards are met.

(3) Double frontage lot. For a double frontage lot, the front lot line shall be the property line abutting a street designated by the building permit applicant; provided, however, that lot dimension requirements are met.[...]

Response: The Phase 1 development area is a double frontage lot. This lot fronts Salal Street to the west and Battle Creek Road to the east. The applicant designates Salal the “front” lot line.

(b) Rear lot line. The rear lot line shall be designated as set forth in this subsection (see Figure 800-2).

(1) Generally. For all lots, except those identified in subsection (b)(2) of this section, the rear lot line shall be the property line that is opposite and most parallel to, and located the greatest distance from, the front lot line.[...]

Response: Battle Creek Road is the “rear” lot line per the definition above. This is consistent with neighborhood character as all the houses on the east side of Battle Creek Road face east and have the Battle Creek Road frontage as their rear lot line as well.

Setbacks – 800.035

(a) Setbacks to be unobstructed. Except as otherwise provided under subsection (b) of this section, required setbacks shall be unobstructed.

(b) Permitted projections into required setbacks. Permitted projections into required setbacks are set forth in Table 800-2.

Response: Setback lines are shown on the site plan. No projections are proposed into required setbacks.

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

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

Response: Neither of these conditions are present on the development site. Therefore, this standard does not apply.

Special setbacks – 800.040

(a) Generally. To afford better light, air, and vision on public streets and to permit the eventual widening of streets without creating nonconforming structures, special setbacks are hereby established. No structures or paving, other than those identified under subsection (d) of this section, shall be placed within a special setback.

(b) Setback distance required; how measured. The special setback shall equal one-half of the right-of-way width specified in the Salem Transportation System Plan for the street's applicable classification. Special setbacks shall be measured at right angles to the centerline of the street, or,

where there is no street, from the centerline of the right-of-way. Where the centerline is not designated, the Director shall designate the location of the centerline.[...]

Response: No special setbacks apply to this lot.

Height – 800.045

(a) Generally. Unless otherwise provided under the UDC, standards relating to height shall apply to all buildings and structures. Height shall be measured as set forth in SRC chapter 112.

(b) Height exceptions. Except as otherwise provided in this subsection, the following height exceptions are permitted under the UDC:[...]

(c) Height of structures within 165 feet of capitol mall district. [...]

Response: The height limit for multiple family buildings is 50 feet, according to applicable Section 514.010, the RM-II zone development standards. The tallest building on the site is the four-story Senior Building, which is 45 feet high. Therefore, the standard is met. No exceptions are necessary or requested. The site is not within 165 feet of the capitol mall district.

Fences, walls, hedges, gates, and retaining walls – 800.050

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.[...]

Response: Fences, walls, hedges, gates, and retaining walls are addressed in the RM-II development standards or the multiple family design standards. These regulations are addressed in the findings for those sections.

Solid waste service areas – 800.055

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.

Response: The proposed development requires the use of waste receptacles. These are shown on the included site plan (Sheets L1.01 through L1.03) and in detail drawings (Sheet L7.00).

(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.

(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

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

(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.

(2) Minimum separation.

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

(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.

(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 8 feet from the front opening of, the enclosure preventing the backward movement of the receptacle (see Figure 800-7).

Response: The location and details of the four solid waste service areas and their separation and clearance is shown on the plans (Sheets L1.01 through L1.03 and Sheet L7.00). The proposed areas and receptacle meet all the standards listed above.

(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: No permanent drop box or compactors are proposed.

(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 waste receptacle areas as shown on the plans (Sheets L7.00) are within an enclosure. An additional screen is therefore not required.

(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.

(2) Measures to prevent damage to enclosure.

(A) Enclosures constructed of wood or chainlink 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.

(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 (e)(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.

(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.

(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 proposed enclosures for the four waste receptacle areas on the site meet all the standards outlined above. A service provider letter from an operations supervisor at Republic Services has been obtained confirming their ability to serve the site with the proposed design.

(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.*

(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.*

(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.*

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

(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.*

(2) Vehicle operation areas shall be designed so that waste collection service vehicles are not required to back onto a public street or leave the premises.

(3) Vehicle operation areas shall be paved with asphalt, concrete, or other hard surfacing approved by the Director, and shall be adequately designed, graded, and drained to the approval of the Director.

(4) Signs. "No Parking" signs shall be placed in a prominent location on the enclosure, or painted on the pavement in front of the enclosure or receptacle, to ensure unobstructed and safe access for the servicing of receptacles.

Response: The proposed area around the for the four waste receptacle areas on the site meet all the standards outlined above. These areas are within the parking lots that are adjacent to the buildings on the site. A service provider letter from an operations supervisor at Republic Services has been obtained confirming their ability to serve the site with the proposed design.

(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: No requests to vary or adjust the standards of this section are proposed.

Exterior lighting – 800.060

(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: The location of exterior lighting is shown on the included plans (Sheets L1.01, L1.02, and L1.03). None of the lighting proposed shines on to adjacent properties or casts glare onto the public right of way. Proposed fixtures are fully shielded (see details on Sheets L1.01, L1.02, and L1.03) so that they do not have direct view from adjacent property.

Pedestrian access – 800.065

Except where pedestrian access standards are provided elsewhere under the UDC, all developments, other than single family, two family, three family, four family, and multiple family developments, shall include an on-site pedestrian circulation system developed in conformance with the standards in this section.[...]

Response: The proposed project is a multiple family development. Therefore, the standards of this section do not apply. Moreover, the development includes a pedestrian circulation system as required by the multiple family design standards section in chapter 702.

Public Improvements – Chapter 802

Development to be served by city utilities – 802.015

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

Response: The site will be served by water, sanitary sewer, and stormwater facilities as shown on the Utility Plan (Sheet U-1). These utilities are being constructed according to city standards.

Easements – 802.020

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

Response: If easements are required by the city, they will be provided by the applicant subject to the limitations referenced above.

Utilities to be placed underground – 802.025

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

Response: All utilities that serve the site will be provided in underground facilities, as shown on the Utility Plan (Sheet U-1). Stormwater management will occur in pipes and in an above-ground storm garden at the north part of the lot near the Foxhaven Drive/Battle Creek Road intersection.

Streets and Right of Way Improvements – Chapter 803

Traffic impact analysis – 803.015

(a) Purpose. The purpose of a traffic impact analysis is to ensure that development generating a significant amount of traffic provides the facilities necessary to accommodate the traffic impacts of the proposed development.

(b) Applicability. An applicant shall provide a traffic impact analysis if one of the following conditions exists:

(1) The development will generate 200 or more daily vehicle trips onto a local street or alley, or 1,000 daily vehicle trips onto a collector, minor arterial, major arterial, or parkway. Trips shall be calculated using the adopted Institute of Transportation Engineer's Trip Generation Manual. In developments involving a land division, the trips shall be calculated based on the proposed development that will occur on all lots that will be created by the land division.[...]

Response: DKS Associates did a preliminary analysis for this application that used the ITE Trip Generation Manual to determine the number of daily vehicle trips generated by the proposed housing development (see Exhibit B). Their conclusion was that the development results in 706 weekday trips that will flow to Battle Creek Road, a minor arterial. This is less than the 1,000 trip threshold identified above. Consequently, a traffic impact analysis is not required.

Public and private streets – 803.020

(a) Public streets. Except as provided in subsection (b) of this section, all streets shall be public streets.

(b) Private streets. [...]

Response: The streets proposed in this development will be public streets.

Right of way and pavement widths – 803.025

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

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

Response: As provided in Table 803-1 and Table 803-2, the local streets constructed in this proposed development—Salal, Foxhaven, and Teal—will have 60 feet of right of way, and 30 feet of pavement width. Street locations and dedications are part of the subdivision application for the larger site, which is separate from this submittal.

Street spacing – 803.030

Response: Street spacing is largely pre-determined by street stubs into the site and intersections across from the development site. The location of streets are set based on the subdivision application which is separate from this submittal.

Street standards – 803.035

All public and private streets shall be improved as follows:[...]

Response: Street improvements will follow city standards as outlined in this section. The location of the streets is according to the subdivision application which is separate from this submittal.

Boundary streets – 803.040

(a) General. Except as otherwise provided in this section, dedication of right-of-way for, and construction or improvement of, boundary streets of up to one-half of the right-of-way and improvement width specified in SRC [803.025](#) shall be required as a condition of approval for the following:

- (1) Subdivisions;*
- (2) Partitions;*
- (3) Planned unit developments;*
- (4) Manufactured dwelling parks; and*
- (5) The construction or enlargement of any building or structure located on property abutting a boundary street and that requires a building permit under SRC chapter 56. [...]*

Response: The proposed development qualifies under subsection (5), so the applicant anticipates a condition requiring improvements to Battle Creek Road, a boundary street.

Monuments – 803.045

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

Response: As required, the applicant will provide monuments consistent with city standards.

Public accessways – 803.050

(a) When necessary for public convenience or safety, public accessways may be required to connect to cul-de-sac streets, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths creating access to schools, parks, shopping centers, mass transportation stops, or other community services, or where it appears necessary to continue the public walkway into a future subdivision or abutting property or streets.

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

Response: The applicant does not anticipate any public accessways to be required with the proposed housing development.

Traffic control, parking regulation, and street signs and pavement markings – 803.055

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

Response: The required signals and signs will be installed as part of the development of streets with this phase of development.

Conveyance by dedication – 803.060

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

Response: The streets shown on the site plan will be dedicated to the city as part of the subdivision process. That application is separate from this request.

Alternative street standards – 803.065

Deferral of construction of certain improvements – 803.070

Response: No alternative street standards are requested. No deferral of construction is requested. Streets will be built out as part of Phase 1 improvements.

Driveway Approaches – Chapter 804

Class 2 driveway approach permit – 804.025

(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; [...]*

(b) Procedure type. A Class 2 driveway approach permit is processed as a Type II procedure under SRC chapter 300.

Response: The two driveway approaches to the development site are from the Salal Street extension, which is designated a collector street. The proposed development is multiple family. A Class 2 driveway permit is therefore required.

(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: The proposed site plan (Sheet G1.10) includes all the relevant information listed in the section above.

(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;*
- (2) No site conditions prevent placing the driveway approach in the required location;*
- (3) The number of driveway approaches onto an arterial are minimized;*
- (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;*
- (5) The proposed driveway approach meets vision clearance standards;*
- (6) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;*
- (7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;*
- (8) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and*
- (9) The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.*

Response: The proposed site plan (Sheet G1.10) shows two driveway approaches on the Salal Street extension that will be constructed as part of this development. The two approaches are located at opposite ends of the development, 850 feet apart. No site conditions prevent the driveway approaches. No driveway approaches onto the abutting arterial, Battle Creek Road, are proposed. The proposed driveway approaches take access from the lowest classification street abutting the property, Salal Street, which is a local street, and not Battle Creek Road, which is a minor arterial. Per a preliminary analysis from DKS Associates (see Exhibit B) the proposed driveway approaches both meet vision clearance standards, do not create traffic hazards, and does not result in significant adverse impacts to the vicinity, and does not create negative impacts to the functionality of adjacent streets and intersections. Finally, the proposed driveway approaches do not significantly affect the functionality of Salal Street or other adjacent streets nor do they have adverse impacts to residentially zoned property in the area.

Driveway approach development standards – 804.050

Driveway approaches shall conform to the following development standards:

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

(b) Width.[...]

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

Response: As shown on Sheet L1.01 through L1.03, the proposed driveway approaches are 26 feet wide, which is between the minimum 12 feet and maximum 40 feet required for a two-way driveway approach.

Vision Clearance – Chapter 805

Purpose – 805.001

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

Vision clearance areas – 805.005

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

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

(1) Uncontrolled intersections. At uncontrolled intersections, the vision clearance area shall have 30-foot legs along each street (see Figure 805-1).

(2) Controlled intersections. At controlled intersections, the vision clearance area shall have a ten-foot leg along the controlled street and a 50-foot leg along the uncontrolled street (see Figure 805-2).

(3) One-way streets. Notwithstanding subsections (a)(1) and (2) of this section, at an uncontrolled or controlled intersection of a one-way street, no vision clearance area is required on the corners of the intersection located downstream from the flow of traffic (see Figure 805-3).

Response: The vision clearance areas are 10 feet along the controlled street and 50 feet along the uncontrolled street. Required vision clearance areas at Foxhaven Street and Battle Creek Road are marked on the landscape plan (Sheet L1.00).

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

(1) Driveways.

(A) Driveways serving single family and two family uses. [...]

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

Response: The proposed driveways from are from an on-site parking area to two separate connections on Salal Street. Each driveway entry will have vision clearance areas as indicated above – 10 feet along the driveway and 50 feet along Salal. These clearance areas are indicated on the site plan (Sheet L1.00).

(2) Flag lot accessways.[...]

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

(4) Measurement. The legs of a vision clearance area shall be measured along the right-of-way line and along the intersecting driveway, flag lot accessway, or alley.

Response: The proposed driveways are not on to flag lots or alleys. The measurement of the vision clearance areas is as described above and is shown on the site plan (Sheet L1.00).

Obstructions to vision prohibited – 805.010

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

(a) The following obstructions may be placed in a vision clearance area, unless the cumulative impact of the placement results in an obstruction to vision:

(1) A column or post, so long as the column or post does not create a visual obstruction greater than 12 inches side-to-side.

(2) Utility poles and posts, poles, or supporting members of street signs, street lights, and traffic control signs or devices installed by, or at the direction of, the Public Works Department or any other public agency having jurisdiction over the installation.

(3) On-street parking.

(b) Trees. Trees may be planted within a vision clearance area provided they are a species listed on the parks approved street tree list, and they comply with the following:

(1) The planting area is sufficient to support the tree when mature.

(2) The tree will not interfere with overhead utilities.

(3) The tree is a species that can be trimmed/pruned to provide necessary visibility.

(c) Nothing in this chapter shall be deemed to waive or alter any requirements relating to setbacks or landscaping in the UDC. In the event of a conflict between the standards of this chapter and another chapter of the UDC, the standards in this chapter shall control.

Response: Vision clearance areas indicated on the plans at street intersections and the driveway entrances to Salal Street. As shown on the landscape plan (Sheet L1.00), these areas are free from obstruction, except for the allowances indicated above.

Alternative standards – 805.015

Alternative vision clearance standards that satisfy the purpose of this chapter, and that are consistent with recognized traffic engineering standards, may be approved where [...].

Response: No alternative vision clearance standards are necessary or requested. The proposed design meets the standard limitations of the vision clearance regulations.

Off-Street Parking, Loading and Driveways – Chapter 806

Off-street parking; when required – 806.005

(a) General applicability. Off-street parking shall be provided and maintained as required under this chapter for:

(1) Each proposed new use or activity.[...]

Response: Parking is proposed for the new residential use of the site.

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

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: The proposed parking for the site is located on the same lot as the use. It therefore meets the standard of being within 200 feet.

Amount off-street parking – 806.015

(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.[...]

Response: Table 806-1 requires “1 per studio unit or dwelling unit” and “1.5 per dwelling unit with 2 or more bedrooms.” It also requires “1 per 4 dwelling units” for “low income elderly housing.” Finally, footnote 2 of Table 806-1 allows “The minimum number of spaces per dwelling unit may be reduced by 25 percent for dwelling units that are affordable to households with incomes equal to or less than 80 percent of the median family income for the county in which the development is built or for the state, whichever income is greater.”

All household units within this development will be income-restricted to 60 percent or less of AMI. Therefore, all of them qualify for the reduction. A table showing housing units in the proposed development, categorized by size and type and with their parking requirements, is shown below:

Table 9. Parking requirements

Unit type (multiple family)	Unit quantity	Spaces Required
1 bedroom	0	0
2 or more bedrooms	138	207
1 bedroom (senior)	40	10
2 bedrooms (senior)	6	2
Subtotal		219
25% reduction		-55
Total required		164

As shown on the site plan (Sheet G1.10), the development provides 167 vehicle parking stalls. The minimum standard is therefore met.

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

(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: No compact spaces are provided. Carpool and vanpool parking is not required because the site is not within the public services, industrial, or professional services use categories.

(d) Maximum off-street parking.

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

Response: Table 806-2A sets the maximum number of spaces. For lots with more than 20 spaces, the maximum is 1.75 times the required minimum. The minimum number of spaces required, before optional reductions are taken, is 219 spaces. Therefore, the maximum number allowed is 383 spaces. Because 167 spaces are provided, the maximum is not exceeded and this standard is met.

(2) Maximum off-street parking where no minimum off-street parking is required. Where an activity does not require a minimum number of off-street parking spaces based on the requirements of Table 806-1,[...]

Response: Minimum parking is required for the development. This provision does not apply.

(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 transit improvements are proposed to be constructed with this development. The parking requirements are met through numerical standards and not an alternative plan.

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

(1) For multiple family developments, the minimum number of required off-street parking spaces may be reduced through one or more of the following options, provided that the total number of off-street parking spaces reduced shall not exceed 25 percent:

(A) Transit access. The minimum number of required off-street parking spaces may be reduced by:

(i) 10 percent where developments are located within one-quarter mile of a transit stop as measured along a route utilizing public or private streets that are existing or will be constructed with the development; or

(ii) 20 percent where developments are located within one-quarter mile of a transit stop that has 15-minute transit service as measured along a route utilizing public or private streets that are existing or will be constructed with the development.

Response: The nearest transit stop is for the Route 6 bus, north of the site at the corner of Battle Creek Road and Boone Road. Measured along Battle Creek Road, which is a public street, the stop is 670 feet from the site which is less than one-quarter mile (1,320 feet). Consequently, the development could qualify for a 10 percent parking reduction under subsection (f)(A)(i). However, because the minimum requirement has already been reduced by 25 percent because of the allowance for affordable housing, no further reductions are allowed per this provision.

(B) Covered bicycle parking. The minimum number of required off-street parking spaces may be reduced by one space for every four covered bicycle parking spaces provided in addition to the minimum number of bicycle parking spaces required as set forth in SRC 806.055. [...]

(C) Shared car or van. The minimum number of required off-street parking spaces may be reduced by four spaces for every shared car or shuttle van that is provided on site and available for use by all residents.

Response: No covered bike parking is proposed. No shared car or shuttle van is proposed. No reductions associated with these amenities is requested.

Method of providing off-street parking – 806.020

(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; [...]

Response: Parking on site will be owned and managed by the property owner.

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

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

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

(1) The development of new off-street parking and vehicle use areas;[...]

Response: The proposed development is multiple family and proposes new parking and vehicle areas. This section is applicable.

(b) Location.

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

(2) Carpool and vanpool parking. [...]

(3) Underground parking. [...]

(c) Perimeter setbacks and landscaping.

Response: As shown on the site plan (Sheet G1.10), the parking area is located to the east of the residential buildings on the Battle Creek Road side of the site. The required 20 foot street setback is unoccupied by the parking area.

(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: Per SRC 702.020(b)(8), this development is exempt from the landscaping requirements of this section: “Multiple family developments with 13 or more units are exempt from the landscaping requirements in SRC chapter 806.” The proposed

landscaping is instead compliant with the landscaping standards contained in the multiple family design standards chapter.

(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: The off-street parking area is set back more than 5 feet from all adjacent property lines. This development is exempt from the landscaping requirements of this section, per SRC 702.020(b)(8).

(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 5-foot-wide landscape strip, planted to the Type A standard set forth in SRC chapter 807).[...]

Response: This development is exempt from the landscaping requirements of this section, per SRC 702.020(b)(8).

(5) Perimeter setbacks and landscaping for parking garages. [...]

Response: No parking garages are proposed.

(d) Interior landscaping.[...]

Response: This development is exempt from the landscaping requirements of this section, per SRC 702.020(b)(8).

(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: 145 of the off-street parking spaces on the site, as shown on the site plan, are 90-degree spaces. As such the requirements in Table 806-6 indicate standard stalls be 9 feet by 19 feet. Those stalls satisfy these minimum dimensions. (Six of these 90-degree spaces are designated ADA spaces, larger than city minimum requirements and indicated on the site plan, and will meet federal standards for size and location.) The 22 remaining spaces are parallel parking stalls. As such, the requirements in Table 806-6

indicate standard stalls be 8 feet by 22 feet. Those stalls satisfy these minimum dimensions. (Sheet L1.01, L1.02, and L1.03)

(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.

(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 701.

(3) Gravel off-street parking areas, approved through a conditional use permit.

(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.

(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.

(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 701.

(4) Gravel off-street parking areas, approved through a conditional use permit.

Response: The proposed grading plan shows that parking areas are all on grades of less than 10 percent. These parking areas are paved with a hard-surface material and graded and drained per Public Works standards. Parking areas are likewise striped in conformance with dimensional standards, and each space provided with a bumper guard to protect encroachment into adjacent sidewalks or landscaped areas. Details about the parking lot design are found on the Grading and Drainage Plans (C-1 through C-3) and the Landscape Plans (L1.01 through L1.03).

(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: Pavement markings directing circulation in the parking areas is shown on the Landscape Plans (Sheets L1.01 through L1.03) and will conform to the MUTCD. No compact parking or carpool spaces are proposed.

(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: Parking lot lighting is shown on the landscape plans, Sheets L1.01, L1.02, and L1.03. The lights proposed do not shine into adjacent property or cast glare into the street.

(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: None of the off-street parking areas are abutting any residentially zoned property (per SRC 111.001, “touching along a boundary”). Public right of way abuts the property to the west, east, and north. No parking areas directly abut the park property to the south, which is residentially zoned.

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

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

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

Response: The two driveway access points on Salal Street from the off-street parking area are wide enough for ingress and egress. These driveways conform to SRC chapter 804 as described in the findings for that section.

(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 two proposed driveways are within the street setback on Salal Street only insofar as they are providing direct access to the street as indicated in section (b)(1) above.

(c) Setbacks and landscaping.[...]

Response: This development is exempt from the landscaping requirements of this section, per SRC 702.020(b)(8).

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

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

(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 two driveway access points to parking areas on the site are each 26 feet wide, which is consistent with Table 806-7. Driveways and parking areas are fully paved and graded according to the Grading and Drainage Plan (Sheet C-3).

Bicycle parking; when required - 806.045

(a) General applicability. Bicycle parking shall be provided as required under this chapter for:

(1) Each proposed new use or activity[...]

Response: Bike parking is required on the site per this section.

Proximity of bicycle parking to use or activity served – 806.050

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

Response: Bike parking is located on the development site, adjacent to residential buildings, which is the same site as the use it serves.

Amount of bicycle parking – 806.055

Unless otherwise provided under the UDC, bicycle parking shall be provided in amounts not less than those set forth in Table 806-8.

Response: Table 806-8 requires “the greater of 4 spaces or 0.1 spaces per dwelling unit” for bike parking in multiple family development. This proposal includes 184 dwelling units. Therefore, 18 bike parking spaces are required. 40 spaces are provided, as shown on Sheet L1.00. Two staple racks, which make up four spaces total, are proposed with each building at the site, including the Community Center building, which does not have any dwelling units but may have demand for bike parking. Rack locations are depicted on the site drawing and labeled with the symbol “Q8”. With 40 spaces on the development site, the minimum quantity standard is met.

Bicycle parking development standards – 806.060

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: Proposed bike parking is located as shown on the site plan (Sheet L1.00) at these locations: the north entrance of the Community Building, the east main entry of the Senior Building, and main entrances facing the common open space for the six residential buildings facing the core area, and main entrances facing the south plaza open space for the two residential buildings at the south end of the site. Each of these racks are within 50 feet of the primary building entrance.

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

Response: Proposed bike parking is located as shown on the Landscape Plans (Sheets L1.01 through L1.03) near building entries for each building on site as described above. These bike parking locations are all adjacent to the pedestrian circulation area for the development, which connects to building entrances and the public right of way.

(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 bike parking spaces, as detailed on the site plan, are a minimum of six feet long and two feet wide, except for those places where two racks are side-by-side. In those locations, they are a minimum of three feet apart. Bike parking is adjacent to the internal pedestrian circulation system, which is inclusive of a minimum four-foot access aisle.

(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 proposed bicycle parking is located on a hard surface, as shown on site plans (Sheets L1.01 through L1.03).

(e) Bicycle racks. Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall meet the following standards.

(1) Racks must support the bicycle frame in a stable position, in two or more places a minimum of six inches horizontally apart, without damage to wheels, frame, or components.

(2) Racks must allow the bicycle frame and at least one wheel to be locked to the rack with a high security, U-shaped shackle lock;

(3) Racks shall be of a material that resists cutting, rusting, and bending or deformation; and

(4) Racks shall be securely anchored.

(5) Examples of types of bicycle racks that do, and do not, meet these standards are shown in Figure 806-10.

Response: The proposed bike racks are consistent with illustrations in Figure 806-10 the “meets standards”. The plan drawings indicate a “Columbia Cascade Timberform Cycloops model no. 2170-3-06” which is a simple, staple-type rack.

(f) Bicycle lockers. Where bicycle parking is provided in lockers, the lockers shall meet the following standards:[...]

Response: No bike lockers are proposed.

Off-street loading areas; when required – 806.065

(a) General applicability. Off-street loading shall be provided and maintained as required under this chapter for:

(1) Each proposed new use or activity.[...]

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

Response: Off-street loading is required, per this section.

Proximity of off-street loading areas to use or activity served – 806.070

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

Response: The loading spaces required by this section are located on the same development site as the multiple family housing development.

Amount of off-street loading – 806.075

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

Response: Table 806-9 requires 2 loading spaces for the development. Each space needs to be at least 12 feet wide and 19 feet long, with 12 feet of vertical clearance.

Two loading spaces are shown on the plans (Sheet L1.00), one in “Parking North” close to the north entrance of the Community Building and the other in “Parking East,” adjacent to the community garden and North Plaza. The loading space in Parking North is in conjunction with the Community Building, a “recreational or service building” per Table 806-9. Both locations are consistent with the placement on the site and dimensions indicated in this section.

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

Response: The proposed use of the site is multi-family residential. Vehicles loading and unloading at this site will be ordinary residential delivery vans and trucks, and the use does not require delivery vehicles that exceed 8,000 pounds. Consequently, off-street parking may be used in place of an off-street loading space. The designated loading

space nearest the Community Building is within 25 feet of that building. The second loading space is within 25 feet of a different key use, the community garden plot between the Senior Building and the Community Building. Both spaces are shown on Sheet L1.01.

Off-street loading development standards – 806.080

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

(a) Location. Off-street loading areas shall not be located within required setbacks.

Response: As shown on the site plan (Sheet G1.10), the loading areas are in the north and east parking areas and not within required setbacks.

(b) Perimeter setbacks and landscaping.

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

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

Response: As shown on Sheet G1.10, the two required loading areas are within off-street parking areas and are set back more than five feet from the property line. This development is exempt from the landscaping requirements of this section, per SRC 702.020(b)(8).

(c) Dimensions. Loading areas shall conform to the min. dimensions set forth in Table 806-9.

Response: As shown on the plan (Sheet L1.00), loading areas are in conformance with the minimum 12 feet by 19 feet dimension required by Table 806-9.

(d) Maneuvering. Off-street loading areas shall be of sufficient size, and all curves and corners of sufficient radius, to accommodate the safe operation of a delivery vehicle.

(e) Surfacing. All loading areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, paving is not required for:

(1) Temporary and seasonal gravel loading areas.

(2) Gravel loading areas, approved through a conditional use permit.

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

(g) Lighting. Lighting for off-street loading areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.

Response: Loading areas are designed, as shown on plans (Sheet L1.00), to be big enough at 12 by 19 feet to accommodate ordinary delivery vehicles. As part of the parking area, they are surfaced, graded, drained, and lighted to the same standards as the rest of the parking areas, which is also consistent with this section.

Landscaping and Screening – Chapter 807

Landscaping and screening – 807.015

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.

Response: The proposed landscaping is shown on the landscape plan (Sheet L1.00) included with site drawings.

(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.

Response: As detailed in the landscape plan (Sheet L1.00), plant materials are provided throughout the site in context to their location in relation to site buildings and intended purpose. 40 percent of the required plant units are trees, as listed above. Full details and an accounting of the planting materials are shown on the landscape plan sheets.

(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.

Response: The landscape plan (Sheet L1.00) indicates trees on site that will be preserved. Existing white oaks preserved along Salal and Battle Creek are incorporated into calculations for required landscaping.

(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: A tree removal and preservation schedule is part of the tree plan (Sheets EC-9 through EC-14). 50 trees are proposed for removal on the 7.7 acre site. Of the 50 trees removed, 21 are within required setbacks. Consequently, 42 new trees must be planted to replace those trees removed from the setbacks. Overall, 380 trees are being planted on the site, which far exceeds the minimum requirement.

(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: A tree removal and preservation schedule is part of the tree plan (Sheets EC-9 through EC-14). There are 61 existing trees on the 7.7 acre site. Many of the trees are being removed because of one of the reasons listed above and are thus excluded from the total for the purposes of this calculation. Some examples of this are trees:

- within a required vision clearance area (trees 1 and 2),
- in a required stormwater facility (trees 183-186), and
- along Battle Creek Road removed for the multi-use path (trees 191, 193, 196, 198-204, 209, 212, 213, 216, 228, 229, 233, 234, and 236).

Together, the trees listed in the list above represent 25 existing trees. This lowers the number of existing trees in this calculation to 36 trees. 25 removed and 11 preserved is 70 percent of existing proposed for removal, which is below the threshold listed that would require a 2 to 1 replacement. Consequently, this replanting requirement 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.

(2) Opacity. Screening shall be sight-obscuring. Fences, walls, and landscaping shall be at least 75 percent opaque when viewed from any angle at a point 25 feet away from the fence, wall, or landscaping. Landscaping shall be of an evergreen species that will attain required opacity within three years after planting.

(3) Maintenance. Fences and walls shall be maintained in safe condition, and shall be maintained as opaque. Landscaping shall be replaced within six months after dying or becoming diseased to the point that required opacity can no longer be maintained.

Response: Screening is not required on any of the street side frontages of the development site, Salal, Foxhaven, or Battle Creek. At the south side of the site, screening is required between the two new buildings there and the south property boundary abutting Woodscape Linear Park, per Table 514-4 (as an interior side lot line and zone to zone setback) and Table 514-5 (Type C screening). A 6 foot site obscuring fence or hedge will be located at this frontage.

(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.

(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: No berms are required with this development. Street trees will be provided along the three frontages that have public streets, as required by city standards.

Landscaping plan – 807.020

(a) All building permit applications for development subject to the landscaping requirements of this chapter shall include a landscaping plan.

(b) Landscaping plans shall be of a size and form established by the Planning Administrator, and shall include the following:

(1) Scale and north arrow.

(2) Lot dimensions and footprint of structure(s).

(3) A legend indicating the linear footage of perimeter setbacks abutting a street or right-of-way; the linear footage of perimeter setbacks not abutting a street or right-of-way; total building square footage; total square footage of the interior area of the off-street parking area, calculated per SRC 806.035(d)(2); and total number of parking spaces.

- (4) *The location and size of plant materials, identified by common and botanical names, and their expected coverage within five years.*
- (5) *The type and location of landscaping features other than plant materials, including, but not limited to, wetlands, creeks, ponds, sculpture, and benches.*
- (6) *Fence or wall materials, when screening is required under the UDC.*
- (7) *Abutting land uses.*
- (8) *The type, size, and location of:*
 - (A) *Existing trees, as defined under SRC chapter 808, existing trees less than ten inches dbh, and vegetation that will be retained to satisfy landscaping requirements of this chapter.*
 - (B) *Existing trees, as defined under SRC chapter 808, proposed for removal.*
- (9) *Notwithstanding subsection (b)(8) of this section, where the development site is heavily wooded, only those trees that will be affected by the proposed development need to be sited accurately. The remaining trees may be shown on the plan in the general area of their distribution.*
- (10) *An irrigation plan identifying the materials, size, and location of all components of the irrigation system.*
- (11) *A two-year plant establishment schedule for:*
 - (A) *Landscaped areas where a permanent underground or drip irrigation system is not required because of the use of drought resistant vegetation; or*
 - (B) *New vegetation located within stormwater facilities.*

Response: The landscaping plan (Sheet L1.00 through L1.03) includes all the elements listed above. Additional details as required will be provided as part of the building permit process.

Preservation of Trees and Vegetation – Chapter 808

Significant trees – 808.015

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

Response: Several significant white oaks are preserved at the west side of the site, along Salal Street, as shown in the landscape plan (Sheet L1.00). Tree removal at the site is addressed in a separate subdivision application that is not part of this review.

Trees and native vegetation in riparian corridors – 808.020

No person shall remove a tree in a riparian corridor or native vegetation in a riparian corridor, unless the removal is undertaken pursuant to a tree and vegetation removal permit issued under SRC 808.030 undertaken pursuant to a tree conservation plan approved under SRC 808.035, or

undertaken pursuant to a tree variance granted under SRC 808.045. Roots, trunks, and branches of trees removed in riparian corridors shall remain within the riparian corridor, unless determined to be a potential hazard or impediment to stream flow by the Director.

Response: There are no inventoried riparian corridors on the site, and consequently no riparian trees or native vegetation.

Trees on lots or parcels 20,000 square feet or greater – 808.025

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

Response: As confirmed with Salem city planning staff in a December 10 meeting, this section is the mechanism for city review of removal and replacement proposals “prior to site plan review or building permit approval” and for the removal of trees from large-lot sites. As part of site plan review, the applicant shows both trees to be protected and those proposed for removal on a tree removal and preservation plan (Sheets EC-9 through EC-14). This satisfies Salem requirements for tree removal.

Tree and vegetation removal permits – 808.030

(a) Applicability.

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

Response: SRC 808.015 and 808.020 are for the protection of significant trees and trees in riparian corridors. Although significant trees are being removed as part of the subdivision application for this lot, this application does not specifically request removal for either of these types of trees. The proposal includes trees removed on a lot greater than 20,000 square feet, the subject of SRC 808.025, but it also complies with the standards of that section as outlined above.

(2) Exceptions. A tree and vegetation removal permit is not required for the removal of trees or native vegetation protected under SRC 808.015, SRC 808.020, or SRC 808.025 when the removal is:

(A) Necessary for maintenance of a vision clearance area, as required in SRC chapter 805;

- (B) Required by the City or a public utility for the installation, maintenance, or repair of roads or utilities, including water lines, sewer lines, gas lines, electric lines, and telecommunications lines. This exception does not apply to new development or construction in a riparian corridor;
- (C) Necessary for continued maintenance of existing landscaping. For the purposes of this exception, the term "existing landscaping" means an area within a riparian corridor which was adorned or improved through the planting of flowers and trees, contouring the land, or other similar activity prior to June 21, 2000;
- (D) Necessary for the installation, maintenance, or repair of public irrigation systems, stormwater detention areas, pumping stations, erosion control and soil stabilization features, and pollution reduction facilities. Maintenance includes the cleaning of existing drainage facilities and trash removal;
- (E) Removal of invasive non-native or nuisance vegetation in riparian corridors;
- (F) Necessary for public trail or public park development and maintenance;
- (G) Necessary to conduct flood mitigation;
- (H) Necessary to effect emergency actions [...];
- (I) A commercial timber harvest conducted in accordance with [...];
- (J) Associated with mining [...];
- (K) Removal of Oregon white oaks (*Quercus garryana*) on undeveloped lots or parcels of record as of August 9, 2005, that are less than 20,000 square feet. [...];
- (L) Removal of Oregon white oaks (*Quercus garryana*) where the removal is necessary in connection with construction of a commercial or industrial facility;
- (M) Necessary as part of a restoration activity within a riparian corridor [...];
- (N) Removal of trees on a lot or parcel 20,000 square feet or greater, or on contiguous lots or parcels under the same ownership that total 20,000 square feet or greater, and the removal does not result in:
- (i) Removal of more than five trees or 15 percent of the trees, whichever is greater, within a single calendar year;
 - (ii) Removal of more than 50 percent of the trees within any five consecutive calendar years; and
 - (iii) Removal of heritage trees, significant trees, and trees in riparian corridors;
- (O) Undertaken pursuant to a tree conservation plan, required in conjunction with any development proposal for the creation of lots or parcels to be used for single family or two family uses or activities, approved under SRC 808.035.;
- (P) Undertaken pursuant to a tree conservation plan adjustment granted under SRC 808.040; or
- (Q) Undertaken pursuant to a tree variance granted under SRC 808.045.
- (b) Procedure type. A tree and vegetation removal permit is processed as a Type I procedure under SRC chapter 300.

Response: A tree removal permit is not specifically required with this application, aside from the site plan review requirements included as part of chapter 220.

(c) Submittal requirements. In addition to the submittal requirements for a Type I application under SRC chapter 300, an application for a tree and vegetation removal permit shall include the following: [...]

(d) Approval criteria. An application for a tree and vegetation removal permit shall be granted if one or more of the following criteria are met: [...]

(e) Conditions of approval. [...]

(1) Conditions may be imposed on the approval of a tree and vegetation removal permit to ensure compliance with the approval criteria.

(2) In addition to the conditions imposed under subsection (e)(1) of this section, tree and vegetation removal permits for the removal of trees or native vegetation in connection with a restoration activity within a riparian corridor shall include the following condition:

(A) Trees and native vegetation removed shall be replaced in compliance with the tree and native vegetation replacement standards set forth in SRC 808.055.

Response: A tree removal permit is not specifically required with this application, aside from the site plan review requirements included as part of chapter 220.