

BRAND

Addendum to United Way Cottages Narrative - West

21-106227-ZO

4400 Block Market Street NE Salem, Oregon

Section 1: Background and Request

A land use application was submitted to the City of Salem on March 17, 2022. A completeness review was conducted, and a determination was made that the applications also require Class 2 Driveway Approach Permits. This written statement addresses the applicable criteria for the required driveway permits and applicable vision clearance requirements. This addendum is supplemental to the complete narrative previously submitted for this application.

Section 2: Applicable Zoning Codes

Salem Revised Code Chapter 804– Driveway Approaches

Section 804.010 – Applicability

Section 804.015 – Driveway Approach Permit Required

Section 804.025 – Class 2 Driveway Approach Permit

Section 804.030 – Access onto Local and Collector Streets

Section 804.035 – Access onto Major and Minor Arterials

Section 804.045 – Shared Access

Section 804.050 – Driveway Approach Development Standards

Section 804.055 – Driveway Approach Relocation, Reconstruction, and Maintenance

Section 804.060 – Driveway Approach Closure

Salem Revised Code Chapter 805 – Vision Clearance

Section 805.005 – Vision Clearance Areas

Section 805.010 – Obstruction to Vision Prohibited

Section 805.015 – Alternative Standards

Section 3: Findings Applicable to Class 2 Driveway Approach Permit

Salem Revised Code Chapter 804 – Driveway Approaches

Section 804.010 – Applicability

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

Applicant's Findings: *The applicant is seeking to construct a new driveway approach for the subject property leading to Market Street NE which is designated as a future Minor Arterial street within the City of Salem Transportation System Plan. The new driveway triggers a Class 2 Driveway Approach Permit.*

Section 804.015 – Driveway Approach Permit Required

- a) Except as otherwise provided in this chapter, a driveway approach permit shall be obtained prior to constructing, relocating, reconstructing, enlarging, or altering any driveway approach.

Applicant's Findings: *The applicant understands the driveway leading to Market Street NE triggers the applicability of the Class 2 Driveway Approach Permit criteria.*

- b) Exceptions. A driveway approach permit is not required for:
 - (1) The construction, relocation, reconstruction, enlargement, or alteration of any driveway approach that requires a state highway access permit; or
 - (2) The construction, relocation, reconstruction, enlargement or alteration of any driveway approach that is part of the construction of a publicly or privately engineered public improvement project.

Applicant's Findings: *The proposal does not meet any of the exceptions listed above and a Class 2 Driveway Approach Permit is required.*

Section 804.025 – Class 2 Driveway Approach Permit

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

Applicant's Findings: Subsection (1) listed above, a driveway approach onto a parkway, major arterial, or minor arterial street providing access to a use other than single-family, two-family, three-family, or four-family uses triggers the applicability of the Class 2 Driveway Approach Permit in this case. The new driveway will serve the parking area associated with a new cottage cluster development.

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

Applicant's Findings: The applicant understand the Class 2 Driveway approach permit will be reviewed using Type II procedures set forth under SRC Chapter 300.

- 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.

Applicant's Findings: The applicant has provided all of the required materials listed above. The Review Authority has all of the information necessary to issue a decision in this case. This criterion is met.

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

Applicant's Findings: The driveway approach meets the standards of this chapter and the Public Works Design Standards for a driveway approach leading to Market Street NE, which is classified as a future Minor Arterial street in the Salem Transportation System Plan. Additional construction details will be provided at the time of building permit application, as necessary.

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

Applicant's Findings: The subject site only has frontage along Market Street NE. The City of Salem Traffic Engineer identified the proposed driveway location may cause operation and safety issues with access to the school across Market Street NE. The applicant is taking the suggestion of the Traffic Engineer and is restricting vehicle maneuvering to right in, right out only. Traffic will be controlled by the construction of a raised median. With the mitigation, this criterion is met.

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

Applicant's Findings: Market Street NE is identified as a future Minor Arterial street in the Salem Transportation System Plan. This criterion is not applicable. However, the applicant is seeking approval of just one driveway approach to serve the development site.

(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;

Applicant's Findings: It is not feasible to share the driveway with an adjacent property due to the configuration of existing development on the adjacent property. The driveway approach does, however, lead to the lowest classification street abutting the property. This criterion is met.

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

Applicant's Findings: The vision clearance requirement for the driveways serving this development are as follows: ten-foot legs along the driveway and 50-foot legs along the intersecting street or alley. The applicant understands these vision clearance triangles must be kept free of any obstruction exceeding 30-inches above curb level. This has been carefully considered when taking into account planting materials within these areas. This criterion is met.

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

Applicant's Findings: The subject site only has frontage along Market Street NE. The City of Salem Traffic Engineer identified the proposed driveway location may cause operation and safety issues with access to the school across Market Street NE. The applicant is taking the suggestion of the Traffic Engineer and is restricting vehicle maneuvering to right in, right out only. Traffic will be controlled by the construction of a raised median. With the mitigation, this criterion is met.

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

Applicant's Findings: *The proposed driveway is located will not result in significant adverse impacts to the vicinity. With restricted movements to only right in, right out impacts are minimized. This criterion is met.*

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

Applicant's Findings: *The proposed driveway approach takes access to the lowest classification street abutting the development site, Market Street NE. The subject site only has frontage along Market Street NE. The City of Salem Traffic Engineer identified the proposed driveway location may cause operation and safety issues with access to the school across Market Street NE. The applicant is taking the suggestion of the Traffic Engineer and is restricting vehicle maneuvering to right in, right out only. Traffic will be controlled by the construction of a raised median. With the mitigation, this criterion is met. The proposed driveway approach permit placement minimizes impact tot the functionality of adjacent streets and intersections. This criterion is met.*

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

Applicant's Findings: *The proposed driveway approach is proposed in the location shown on the attached site plan in an effort to reduce adverse impacts to the residential property abutting the site to the west. This criterion is met.*

Section 804.035 – Access onto Major and Minor Arterials

- a) Number of driveway approaches.

- (1) Except as otherwise provided in this chapter, a complex is entitled to one driveway approach onto a major or minor arterial. Additional driveway approaches for a complex may be allowed where:
- A. A complex has more than 370 feet of frontage abutting a major or minor arterial;
 - B. There is a shared access agreement between two or more complexes; or
 - C. It is impracticable to serve the complex with only one driveway approach.

Applicant's Findings: *The applicant is seeking approval of only one driveway approach leading to Market Street NE. This criterion is met.*

- (2) Development that is not a complex, and is other than a single family, two family, three family, or four family use, is entitled to one driveway approach onto a major or minor arterial where:
- A. The driveway approach provides shared access;
 - B. The development does not abut a local or collector street; or

- C. The development cannot be feasibly served by access onto a local or collector street.

Applicant's Findings: The applicant is seeking approval of only one driveway approach leading to Market Street NE. The proposal meets subject B, above in that the development does not abut a local or collector street. This criterion is met.

- (3) A single family, two family, three family, or four family use is entitled to one driveway approach onto a major or minor arterial where:
 - A. The driveway approach provides access to an existing single family, two family, three family, or four family use; or
 - B. The driveway approach provides access to a proposed single family, two family, three family, or four family use on a lot created prior to March 16, 2022.

Applicant's Findings: The development is a cottage cluster and does not fall under the use category of single family, two family, three family, or four family. This criterion is not applicable.

- b) Traffic volume threshold. No driveway approach onto a major or minor arterial shall be allowed unless the development generates 30 or more vehicle trips per day or the driveway approach provides access to a city park or a single family, two family, three family, or four family use.

Applicant's Findings: The driveway approach will serve a new cottage cluster. Market Street NE is designated as a future Minor Arterial in accordance with the City of Salem Transportation System Plan. This criterion is not applicable.

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

Applicant's Findings: This driveway approach permit is consolidated with two Class 2 Adjustments to permit a parking area in association with a new cottage cluster development. With the approval of the Class 2 Adjustments, this criterion will be met.

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

Applicant's Findings: The subject property only has access to Market Street NE and does not abut additional rights-of-way. This criterion is not applicable.

- (3) No access shall be provided onto a major or minor arterial from a proposed new single family, two family, three family, or four family use on an existing lot abutting an alley.

Applicant's Findings: The proposed development does not fall within these use categories. This criterion is not applicable.

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

Applicant's Findings: The proposed development does not fall within these use categories. This criterion is not applicable.

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

Applicant's Findings: The proposed driveway approach will only have forward in, forward out vehicle movements, as shown on the site plan included with this application submittal. This criterion is met.

- d) Spacing. Except for driveway approaches providing access to a single family, two family, three family, or four family use, driveway approaches onto a major or minor arterial shall be no less than 370 feet from the nearest driveway or street intersection, measured from centerline to centerline.

Applicant's Findings: The proposed driveway approach meets the spacing requirements of this section. This criterion is met.

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

Applicant's Findings: The vision clearance requirement for the driveways serving this development are as follows: ten-foot legs along the driveway and 50-foot legs along the intersecting street or alley. The applicant understands these vision clearance triangles must be kept free of any obstruction exceeding 30-inches above curb level. This has been carefully considered when taking into account planting materials within these areas. This criterion is met.

Section 804.050 – Driveway Approach Development Standards

Driveway approaches shall conform to the following development standards:

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

Applicant's Findings: The driveway approach meets the standards of this chapter and the Public Works Design Standards for a driveway approach leading to Market Street NE, which is classified as a future Minor Arterial street in the Salem Transportation System Plan. Additional construction details will be provided at the time of building permit application, as necessary. This criterion is met.

b) Width.

- (1) Driveway approach width for single family, two family, three family, and four family use. Driveway approaches serving single family, two family, three family, and four family uses shall conform to the minimum and maximum widths set forth in Table 804-1.
- (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.
- (3) Measurement. For purposes of this subsection, driveway approach width shall be determined by measurement of the paved surface of the driveway at the property line.

Applicant's Findings: *The minimum and maximum driveway widths set forth in Table 804-2 are applicable to this request. For a two-way driveway approach the minimum width is 22-feet and the maximum is 40-feet. As measured at the property line, in accordance with this section, the proposed width of the new driveway approach is 26-feet. This criterion is met.*

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

Applicant's Findings: *The applicant anticipates signage may be required to identify the restricted turning movements of right in, right out, only. If signs are required, the applicant will maintain them in accordance to this section. If applicable, this criterion will be met.*

Chapter 805 – Vision Clearance

Section 805.005 – Vision Clearance Areas

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

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

Applicant's Findings: *The proposal does not include a new intersection or street. This criterion is not applicable.*

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

- (1) Driveways.

- A. Driveways serving single family and two family uses. Driveways serving single family and two-family uses shall have a vision clearance area on each side of the driveway. The vision clearance area shall have ten-foot legs along each side of the driveway, and ten-foot legs along the intersecting street or alley (see Figure 805-4).
- B. Driveways serving uses other than single family and two family. Driveways serving uses other than single family and two family shall have a vision clearance area on each side of the driveway. The vision clearance area shall have ten-foot legs along the driveway and 50-foot legs along the intersecting street or alley (see Figure 805-5).

Applicant's Findings: *Subsection A, above is not applicable to the proposal. The vision clearance requirement for the driveways serving this development are as follows: ten-foot legs along the driveway and 50-foot legs along the intersecting street or alley. The applicant understands these vision clearance triangles must be kept free of any obstruction exceeding 30-inches above curb level. This has been carefully considered when taking into account planting materials within these areas. As applicable, this criterion is met.*

- (2) Flag lot accessways.

- A. Flag lot accessways serving single family and two family uses. Flag lot accessways serving single family and two-family uses shall have a vision clearance area on each side of the flag lot accessway. The vision clearance area shall have ten-foot legs along each side of the flag lot accessway, and ten-foot legs along the intersecting street (see Figure 805-6).
- B. Flag lot accessways serving uses other than single family and two family. Flag lot accessways serving uses other than single family and two family shall have a vision clearance area on each side of the flag lot accessway. The vision clearance area shall have ten-foot legs along the flag lot accessway and 50-foot legs along the intersecting street (see Figure 805-7).

Applicant's Findings: *The development is not served by a flag lot accessway; this criterion is not applicable.*

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

Applicant's Findings: The development is not served by an alley; this criterion is not applicable.

- (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.

Applicant's Findings: The vision clearance areas have been measured as set forth in this section. The criterion is met.

Section 805.010 – Obstructions to Vision Prohibited

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

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

Applicant's Findings: The applicant understands the provisions for obstructions placed in vision clearance triangles. This criterion will be met.

- 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.

Applicant's Findings: The applicant understands the provisions for obstructions placed in vision clearance triangles. This criterion will be met.

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

Applicant's Findings: The applicant understands the provisions for obstructions placed in vision clearance triangles. This criterion will be met.

Section 805.015 – Alternative Standards

Alternative vision clearance standards that satisfy the purpose of this chapter, and that are consistent with recognized traffic engineering standards, may be approved where a vision clearance area conforming to the standards of this chapter cannot be provided because of the physical characteristics of the property or street, including, but not limited to, grade embankments, walls, buildings, structures, or irregular lot shape, or where the property has historic neighborhood characteristics, including, but not limited to, established plantings or mature trees, or buildings or structures constructed before 1950. Alternative vision clearance standards shall be approved through a Class 2 Adjustment under SRC chapter 250.

Applicant's Findings: *The applicant is not seeking alternatives to any vision clearance standards set forth in this section or any other applicable section of the UDC. This criterion is not applicable.*