

**RIVERBEND APARTMENTS – WRITTEN STATEMENT  
SITE PLAN REVIEW – CLASS 3, ADJUSTMENT – CLASS 2, TREE VARIANCE,  
LOT LINE ADJUSTMENT**

**Exhibit E**

May 9, 2022

**Project Description:**

The proposed project would construct a new multi-family residential along Wallace Rd NW between Brush College Rd NW and River Bend Rd NW in West Salem. The subject properties are currently zoned MU-II and RD and consist of approximately 8.08 acres. The Comprehensive Plan designation for the subject properties is Mixed-Use (MU) and Multi-Family Residential (MF).

Existing structures on site include single-family homes that will be removed to establish the proposed multi-family development.

The proposed development will consist of a total of 201 multi-family dwelling units. A total of 226 parking spaces will be provided. Each dwelling unit contains two bedrooms, bathrooms, living space, kitchen, and a private patio (ground floor units) or decks.

**Property Ownership/Configuration:**

All 5 separate parcels are now owned by 3030 Riverbend LLC. One of the subject properties is under separate ownership but is under contract to purchase by 3030 Riverbend LLC. A lot line adjustment is sought to consolidate the parcels into a single unit of land

**Adjustment Requests:**

The proposed development is seeking five (2) adjustments to the following standards:

Adjustment #1: Increase the maximum setback adjacent to Wallace Rd for Building 1 from 10 feet to 12 feet.

Adjustment #2: Reduce building frontage to less than 50% on Wallace Rd.

**Applicable Review and Decision Criteria:**

*Chapter 534 – Mixed Use-II*

*Sec. 534.010 – Uses*

*Sec. 534.015. - Development standards.*

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

*(a) Lot standards. Lots within the MU-II zone shall conform to the standards set forth in Table 534-2.*

TABLE 534-2  
LOT STANDARDS

Lot Area – All Uses - None

Lot Width – All Uses-- None

Lot Depth – All Uses -- None

Street Frontage – All Uses – 16 ft.

(b) Dwelling unit density. Development within the MU-II zone that is exclusively residential shall have a minimum density of 12 dwelling units per acre.

**Applicant Response:** The gross site acreage of the five parcels proposed for development is 8.08 acres. The required minimum density based on a net developable area of 7.49 acres x 12 dwelling units/acre = 90 dwelling units. The proposed development would construct 201 dwelling units (201 du/7.49 acre = 26.8 du/acre) which exceeds the minimum number of 12 dwelling units/acre.

(c) Setbacks. Setbacks within the MU-II zone shall conform to the standards set forth in Tables 534-3 and 534-4.

**Applicant Response:** The proposed development complies with most setbacks. An adjustment is sought along Wallace Rd. where conformance is hindered by an existing permanent easement.

CHAPTER 534. - MIXED USE-II

Sec. 534.001. - Purpose.

The purpose of the Mixed Use-II (MU-II) zone is to identify allowed uses, establish development standards that promote pedestrian-oriented development in vibrant mixed-use districts, and encourage a mix of compatible uses in multi-story buildings.

Sec. 534.010. - Uses.

- (a) The permitted (P), special (S), conditional (C), and prohibited (N) uses in the MU-II zone are set forth in Table 534-1.

TABLE 534-1  
USES

Table 534-1: Uses		
	Status	
<b>Household Living</b>		
Single family	P	<p>The following single family activities:</p> <ul style="list-style-type: none"> <li>• Townhouse.</li> <li>• Residential home, as defined under ORS 197.660.</li> </ul>

	N	All other single family.
Two family	N	
Three family	P	
Four family	P	
Multiple family	P	
<b>Group Living</b>		
Room and board	P	Room and board serving 5 or fewer persons.
	C	Room and board serving 6 to 75 persons.
	N	All other room and board
Residential care	P	The following residential care activities: <ul style="list-style-type: none"> <li>• Residential facility, as defined under ORS 197.660.</li> <li>• Assisted living.</li> </ul>
	N	All other residential care.
Nursing care	N	
<b>Lodging</b>		
Short-term commercial lodging	P	
Long-term commercial lodging	N	
Non-profit shelters	P	Non-profit shelters serving 5 or fewer persons.
	C	Non-profit shelters serving 6 to 75 persons.
	N	All other non-profit shelters.
<b>Retail Sales and Services</b>		
Eating and drinking establishments	P	
Retail sales	P	

Personal services	P	
Postal services and retail financial services	P	
<b>Business and Professional Services</b>		
Office	P	
Audio/visual media production	P	
Laboratory research and testing	P	
<b>Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service</b>		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	N	Standalone surface parking lots
	P	All other commercial parking
Park-and-ride facilities	N	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
<b>Recreation, Entertainment, and Cultural Services and Facilities</b>		
Commercial entertainment—Indoor	N	Firing ranges
	P	All other commercial entertainment—Indoor.
Commercial entertainment—Outdoor	N	
Major event entertainment	N	

Recreational and cultural community services	P	
Parks and open space	P	
Non-profit membership assembly	P	
Religious assembly	P	
<b>Health Services</b>		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	P	
<b>Educational Services</b>		
Day care	P	
Basic education	P	
Post-secondary and adult education	P	
<b>Civic Services</b>		
Government services	P	
Social services	P	
Governmental maintenance services and construction	N	
<b>Public Safety</b>		
Emergency services	P	
Detention facilities	N	
Military installations	N	
<b>Funeral and Related Services</b>		

Cemeteries	N	
Funeral and cremation services	N	
<b>Construction Contracting, Repair, Maintenance, and Industrial Services</b>		
General repair services	P	
Building and ground services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
<b>Wholesale Sales, Storage, and Distribution</b>		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
<b>Manufacturing</b>		
General manufacturing	P	General manufacturing, provided the manufacturing does not exceed 5,000 square feet of total floor area per development site and retail sales of the products manufactured is provided on-site.
	N	All other general manufacturing.
Heavy manufacturing	N	
Printing	N	
<b>Transportation Facilities</b>		
Aviation facilities	N	
Passenger ground transportation facilities	P	Transit stop shelters
	N	All other passenger ground transportation facilities

Marine facilities	N	
<b>Utilities</b>		
Basic utilities	N	Reservoirs; water storage facilities; electric substation.
	P	All other basic utilities.
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	N	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and natural resource extraction	N	
Petroleum and natural gas	N	
Surface mining	N	
<b>Farming, Forestry, and Animal Services</b>		
Agriculture	N	
Forestry	N	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	P	
<b>Other Uses</b>		

Home occupations	S	Home occupations, subject to SRC 700.020.
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.007.

- (b) *Prohibited uses.* Notwithstanding Table 534-1, any permitted, special, or conditional use within the MU-I zone shall be a prohibited use if developed with a drive-through.
- (c) *Continued uses.* Existing uses within the MU-II zone established prior to September 12, 2018, but which would otherwise be made non-conforming by this chapter, are hereby deemed continued uses.
- (1) Buildings or structures housing a continued use may be structurally altered, enlarged, or rebuilt following damage or destruction, provided:
    - (A) Such alteration, enlargement, or rebuilding of a conforming development complies with the standards in this chapter; or
    - (B) Such alteration, enlargement, or rebuilding of a continued development complies with the standards set forth in SRC 534.015(g).
  - (2) A continued use shall terminate if the building or structure ceases to be occupied for that continued use for any reason for a continuous period of one year.
  - (3) Conversion of the building or structure to a conforming use shall thereafter prevent conversion back to the former continued use or any other continued use.

**Applicant Response: The proposed development includes new multi-family dwelling units. Multi-family dwelling units are listed as a permitted use under Table 534-1: Uses. No continued or prohibited uses are proposed.**

#### Sec. 534.015. - Development standards.

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

- (a) *Lot standards.* Lots within the MU-II zone shall conform to the standards set forth in Table 534-2.

**TABLE 534-2  
LOT STANDARDS**

Table 534-2: Lot Standards		
Requirement	Standard	Limitations & Qualifications
<b>Lot Area</b>		
All Uses	None	



<b>Lot Width</b>		
All Uses	None	
<b>Lot Depth</b>		
All Uses	None	
<b>Street Frontage</b>		
All Uses	16 ft.	

**Applicant Response:** The proposed development site consists of 5 separate parcels totaling approximately 8.08 acres.

**Taxlot 1301 (no site address)** has approximately 112' of street frontage along Wallace Rd NW (State Highway 221).

**Taxlot 1300 (2539 Wallace Rd NW)** has approximately 189' feet of street frontage along Wallace Rd NW.

**Taxlot 1101 (2519 Wallace Rd NW)** has approximately 136' feet of street frontage along Wallace Rd NW.

**Taxlot 1000 (2499 Wallace Rd NW)** has approximately 195 feet of street frontage along Wallace Rd NW.

**Taxlot 900 (2501 Wallace Rd NW)** is currently landlocked and does not have frontage on Wallace Rd NW.

A lot consolidation is proposed as part of this application to consolidate the five separate parcels into one (1) unit of land. Additional street frontage will be developed with the extension of La Jolla Drive.

An adjustment is requested to reduce the minimum street frontage required from 16 feet to 0 feet for building 1 along Wallace Rd.

- (b) *Dwelling unit density.* Development within the MU-II zone that is exclusively residential shall have a minimum density of 12 dwelling units per acre.

**Applicant Response:** The proposed development consists of 5 separate parcels totaling approximately 8.08 acres. A total of 189 dwelling units are proposed. Therefore 189 dwelling units / 8.08 acres = approximately 23.4 dwelling units per acre. The proposed development exceeds the minimum dwelling unit density. The above criterion is satisfied.

- (c) *Setbacks.* Setbacks within the MU-II zone shall conform to the standards set forth in Tables 534-3 and 534-4.

**TABLE 534-3  
SETBACKS**

Table 534-3: Setbacks		
Requirement	Standard	Limitations & Qualifications
<b>Abutting Street</b>		
<b>Buildings</b>		
All uses	0 ft.	(1) Maximum setback of up to 10 feet is permitted if the setback area is used for pedestrian amenities.
		(2) A minimum setback of five feet to a maximum setback of 10 feet is permitted for ground-floor residential uses if horizontal separation is provided pursuant to 534.015(h).
<b>Accessory Structures</b>		
All uses	Min. 5 ft.	
<b>Vehicle Use Areas</b>		
All uses	Per SRC chapter 806	The use of a berm under 806.035(c)(2)(B) is prohibited.
<b>Interior Side</b>		
<b>Buildings</b>		
All uses	Zone-to-zone setback (Table 534-4)	
<b>Accessory Structures</b>		
All uses	Zone-to-zone setback (Table 534-4)	

<b>Vehicle Use Areas</b>		
All uses	Zone-to-zone setback (Table 534-4)	
<b>Interior Rear</b>		
<b>Buildings</b>		
All uses	Zone-to-zone setback (Table 534-4)	
<b>Accessory Structures</b>		
All uses	Zone-to-zone setback (Table 534-4)	
<b>Vehicle Use Areas</b>		
All uses	Zone-to-zone setback (Table 534-4)	

**Applicant Response:** The proposed buildings conform to the minimum and maximum setbacks above except for Building 1 along Wallace Rd. Due to an ODOT slope/utility easement and need for a large storm water quality facility, there is a constraint on the number of multi-family units that can be placed near the front property line along Wallace Rd. An adjustment is being sought to increase the maximum setback from 10 feet to 12 feet for Building 1 along Wallace Rd NW.

**TABLE 534-4  
ZONE-TO-ZONE SETBACKS**

**Table 534-4: Zone-to-Zone Setbacks**

Abutting Zone	Type of Improvement	Setback	Landscaping & Screening
EFU	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. <sup>(1)</sup>	Type A
Residential zone	Buildings and accessory structures	Min. 10 ft. plus 1.5 feet for each 1 foot of building height above 15 feet <sup>(2)</sup>	Type C
	Vehicle Use Areas	Min. 5 ft.	Type C
Mixed-use zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. <sup>(1)</sup>	Type A
Commercial zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. <sup>(1)</sup>	Type A
Public zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. <sup>(1)</sup>	Type A
Industrial and employment zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. <sup>(1)</sup>	Type A
<b>Limitations &amp; Qualifications</b>			
(1) Zone-to-zone setbacks are not required abutting an alley.			
(2) The additional 1.5-feet for each 1-foot of building height above 15 feet does not apply abutting a creek.			

**Applicant Response: Four of the subject parcels that are part of the proposed development are zoned MU-II. The proposed development property is adjacent to properties zoned AF-10 (Polk County) to the east, RM2 and CR to the north, RS to the west, and RS and CO to the south. The zone-to-zone setback adjacent to residential zones is dependent upon the proposed building heights.**

All proposed multi-family buildings, excepting Building 1, are 31 feet, 6 inches in height. Building 1 is 33 feet, 4 inches in height.

Except for Building 1, minimum setbacks along residential zones would be 34.75 feet.  $31.5 \text{ feet} - 15 \text{ feet} = 16.5 \text{ feet} \times 1.5 \text{ feet} = 24.75 \text{ feet} + 10 \text{ feet minimum setback} = 34.75 \text{ feet}$ . The proposed setback along residentially zoned properties is a minimum of 34.75 feet along the east and south sides.

- (d) *Lot coverage; height; building frontage.* Buildings and accessory structures within the MU-II zone shall conform to the lot coverage, height, and building frontage standards set forth in Table 534-5.

**TABLE 534-5  
LOT COVERAGE; HEIGHT; BUILDING FRONTAGE**

Table 533-5: Lot Coverage; Height; Building Frontage		
Requirement	Standard	Limitations & Qualifications
<b>Lot Coverage</b>		
<b>Buildings and Accessory Structures</b>		
All uses	No Max.	
<b>Rear Yard Coverage</b>		
<b>Buildings</b>		
All uses	NA	
<b>Accessory Structures</b>		
All uses	No Max.	
<b>Height</b>		
<b>Buildings and Accessory Structures</b>		
All uses	Max. 45 ft.	Applicable to buildings on a lot or lots that are contiguous to a National Register Residential Historic District. For the purposes of this standard, contiguous shall include a lot or lots that are separated from a National Register Residential Historic District by an alley.
	Max. 55 ft.	Applicable to buildings on all other lots.

Building Frontage			
Buildings and Accessory Structures			
All uses	Min. 50%	(1)	For corner lots, this standard must be met on the frontage of the street with the highest street classification. For the intersecting street, the building frontage standard is a minimum of 40%.
		(2)	For corner lots where both streets have the same classification, the applicant may choose on which street to meet the minimum 50% building frontage standard and on which street to meet the minimum 40% building frontage standard.

**Applicant Response: The MU-II does not have a maximum lot coverage standard.**

**The proposed 3-story multi-family buildings, except Building 1, are approximately 31 feet, 6 inches in height.**

**Building 1 is approximately 33 feet, 4 inches in height.**

**The proposed office/recreational building is 2-stories and approximately 27 feet, 4 inches in height.**

**The proposed pool building is a single story and is approximately 14 feet in height.**

**All proposed building are less than the maximum height of 45 feet.**

**The proposed development site includes approximately 632 feet of building frontage along Wallace Rd. Building 1 is approximately 134 feet long. Therefore, 134 feet building / 632 feet roadway frontage = 21.2% building frontage.**

**An adjustment is requested to reduce the building frontage from 50% to 21.2% due the need for an access point on the northern portion of the site and driveway connection on the southern portion of the site and drainage facility.**

- (e) *Parking.* Required off-street parking shall not be located on a new standalone surface parking lot in the MU-I zone or MU-II zone.

**Applicant Response: The proposed parking is on the same site and is accessory to the proposed multi-family development and is not a standalone parking lot.**

- (f) *Landscaping.*
  - (1) *Setback areas.* Required setbacks, except setback areas abutting a street that provide pedestrian amenities or horizontal separation pursuant to [SRC] 534.015(h), shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

**Applicant Response: Setback areas will be landscaped in accordance with SRC Chapter 807. See below for detailed responses for site landscaping.**

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

**Applicant Response: Vehicle use areas will be landscaped in accordance with SRC Chapters 806 and 807. See below for detailed responses for vehicle use area landscaping.**

- (g) *Continued development.* Buildings and structures existing within the MU-II zone on September 12, 2018, that would be made non-conforming development by this chapter are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.
  - (1) *Single family uses.*
    - (A) *Buildings.* Continued development housing a continued single family use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards of the Single Family Residential (RS) zone set forth in SRC chapter 511 and to all other applicable provisions of the UDC, except for lot size and dimension standards in SRC chapter 511.
    - (B) *Accessory structures.* Existing accessory structures on the same property as a continued single family use may be structurally altered or enlarged, or rebuilt following damage or destruction, and new accessory structures to a continued use may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards of the Single Family Residential (RS) zone set forth in SRC chapter 511, except the lot size and dimensions standards, and to all other applicable provisions of the UDC.
    - (C) *Option to rebuild in same location.* Notwithstanding SRC 543.015(h)(1)(A) and (B), any continued development housing a continued single family use or associated accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or in compliance with the setbacks of the Single Family Residential (RS) zone set forth in SRC 511.010(b).
  - (2) *All other uses.* Continued development, housing a use other than a continued single family use, may be structurally altered, enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to the following standards:
    - (A) *Minor alterations.* Exterior alterations to buildings that alter less than 20 percent of an existing building facade area facing a primary street are exempt from all of the development standards in this chapter. Such alterations shall not increase the building facade's nonconformity to the pedestrian-oriented design standards in Table 534-6.
    - (B) *Minor additions.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by less than 20 percent are exempt from all of the development standards in this chapter except for interior setbacks, parking, landscaping, and maximum height standards. Such additions shall not increase the building facade's nonconformity to the pedestrian-oriented design standards in Table 534-6.
    - (C) *Major alterations.* Exterior alterations to buildings that alter between 20 percent and 60 percent of an existing building facade area facing a primary street shall decrease that building facade's nonconformity to all pedestrian-oriented design standards in Table 534-6 that are applicable to that alteration. Such alterations are exempt from all other development standards in this chapter.
    - (D) *Major additions.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by between 20 percent and 60 percent shall:
      - (i) Comply with a minimum of three of the pedestrian-oriented design standards in Table 534-6; or

- (ii) Comply with a minimum of one of the pedestrian-oriented design standards in Table 534-6 and add perimeter landscaping in vehicle use areas if such landscaping is not already required under SRC 534.015(f).

For the purposes of [SRC] 534.015(h)(2)(C)(i) and (ii), the pedestrian-oriented design standards in Table 534-6 shall apply to the addition. Major additions must meet all other development standards in this chapter except for building frontage and maximum setback abutting a street.

- (E) *Substantial alterations.* Exterior alterations to buildings that alter more than 60 percent of an existing building facade area facing a primary street shall meet all applicable pedestrian-oriented design standards in Table 534-6. Such alterations are exempt from all other development standards in this chapter.
- (F) *Substantial additions or redevelopment.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by more than 60 percent shall meet all applicable development standards in this chapter. Continued development that is rebuilt following damage or destruction shall meet all development standards in this chapter.

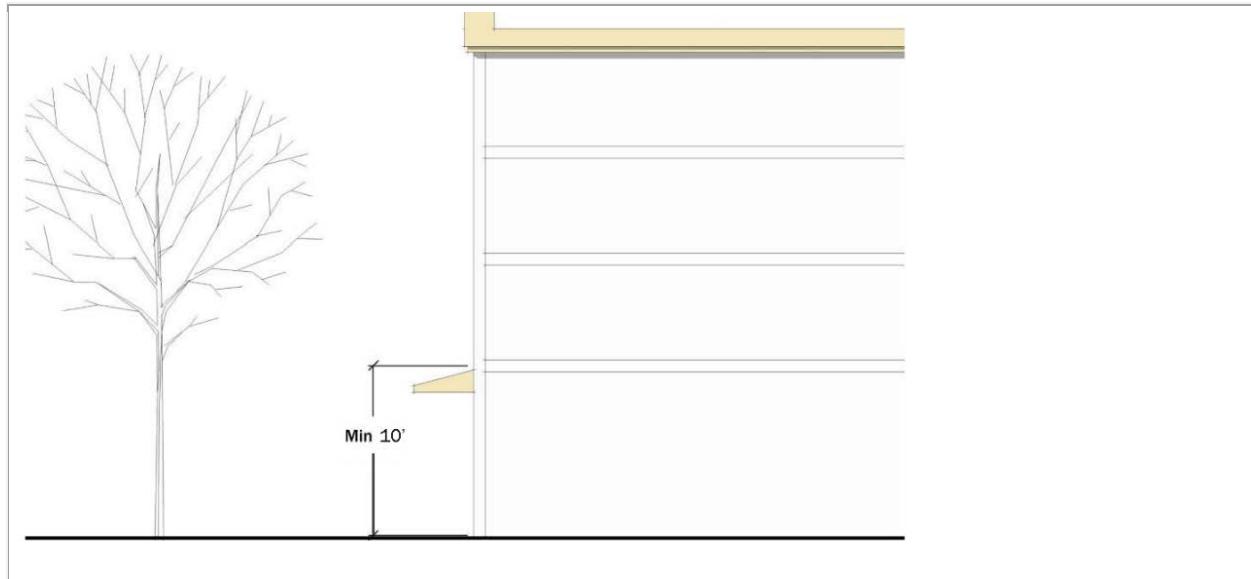
**Applicant Response: The existing buildings and uses on site are single-family dwellings. The single-family dwellings will be removed as part of this development. No continued uses will exist on site.**

- (h) *Pedestrian-oriented design.* Development within the MU-II zone, excluding development requiring historic design review, shall conform to the pedestrian-oriented design standards set forth in Table 534-6. Any development requiring historic design review shall only be subject to design review according to the historic design review standards or the historic design review guidelines set forth in SRC chapter 230.

**TABLE 534-6  
PEDESTRIAN-ORIENTED DESIGN**

Table 534-6: Pedestrian-Oriented Design		
Requirement	Standard	Limitations & Qualifications
<b>Ground Floor Height</b>		
This standard applies to building ground floors on primary streets.	Min. 10 ft.	For the purposes of this standard, ground floor height is measured from the floor to the ceiling of the first floor.
FIGURE 534-1 GROUND FLOOR HEIGHT		





#### **Separation of Ground Floor Residential Uses**

<u>This standard applies when a dwelling unit is located on the ground floor.</u>	<u>Vertical or horizontal separation shall be provided</u>	<u>For the purposes of this standard, separation is required between the public right-of-way and the residential entryway and any habitable room.</u>
	<u>Vertical Distance</u> <u>Min. 1.5 ft.</u> <u>Max. 3 ft.</u>	<u>Vertical separation shall take the form of several steps or a ramp to a porch, stoop, or terrace.</u>
	<u>Horizontal Distance</u> <u>Min. 5 ft.</u> <u>Max. 10 ft.</u>	<u>Horizontal separation shall take the form of a landscaped area such as private open space or hardscaped area such as a plaza.</u>

**FIGURE 534-2**  
**HORIZONTAL SEPARATION**



#### **Building Facade Articulation**

<u>This standard applies to building facades facing primary streets.</u>	<u>Required</u>	(1)	<u>For buildings on corner lots, where the primary street intersects with a secondary street, these standards shall apply to the full length of the front facade and the portion of the side facade that extends a minimum of 50 feet from the corner where the primary street meets the secondary street, or to the edge of the building or the lot, whichever is shorter.</u>
		(2)	<u>Buildings shall incorporate vertical and horizontal articulation and shall divide vertical mass into a base, middle, and top.</u>
		a)	<u>Base: Ground floor facades shall be distinguished from middle facades by at least one of the following standards:</u>
			<u>1. Change in materials.</u>
			<u>2. Change in color.</u>
			<u>3. Molding or other horizontally-articulated transition piece.</u>

		b)	<p><u>Middle: Middle facades shall provide visual interest by incorporating at a minimum of every 50 feet at least one of the following standards:</u></p>
			<p><u>1. Recesses of a minimum depth of two feet.</u></p>
			<p><u>2. Extensions of a minimum depth of two feet.</u></p>
			<p><u>3. Vertically-oriented windows.</u></p>
			<p><u>4. Pilasters that project away from the building.</u></p>
		c)	<p><u>Top: Building tops shall be defined by at least one of the following standards:</u></p>
			<p><u>1. Cornice that is a minimum of eight inches tall and a minimum of three inches beyond the face of the facade.</u></p>
			<p><u>2. Change in material from the upper floors, with that material being a minimum of eight inches tall.</u></p>
			<p><u>3. Offsets or breaks in roof elevation that are a minimum of three feet in height.</u></p>
			<p><u>4. A roof overhang that is a minimum of eight inches beyond the face of the facade.</u></p>
		(3)	<p><u>The repainting of a facade of an existing building is exempt from this standard.</u></p>
<p><b>FIGURE 534-3</b> <b>ARTICULATION</b></p>			



#### **Ground Floor Windows**

<p><u>This standard applies to building ground floors on primary streets.</u></p>	<p><u>Residential uses</u> <u>Min. 30%</u></p>	<p>(1) <u>For the purposes of this standard, ground floor building facades shall include the minimum percentage of transparent windows. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.</u></p>
	<p><u>Non-residential uses</u> <u>Min. 65%</u></p>	<p>(2) <u>For buildings on corner sites, where the primary street intersects with a secondary street, this standards shall apply to the full length of the front facade and the portion of the side facade that extends a minimum of 50 feet from the corner where the primary street meets the secondary street, or to the edge of the building or the lot, whichever is shorter.</u></p>

**FIGURE 534-4**  
**GROUND FLOOR WINDOWS**



#### **Building Entrances**

<p><u>This standard applies to building ground floors on primary streets.</u></p>	<p><u>Required</u></p>	<p>(1) <u>For non-residential uses on the ground floor, a primary building entrance for each tenant space facing a primary street shall be located on the primary street. If a building has frontage on a primary street and any other street, a single primary building entrance for a non-residential tenant space at the corner of the building where the streets intersect may be provided at that corner.</u></p>
		<p>(2) <u>For residential uses on the ground floor, a primary building entrance for each building facade facing a primary street shall be located on the primary street. If a building has frontage on a primary street and any other street, a single primary building entrance for a residential use on the ground floor may be provided at the corner of the building where the streets intersect.</u></p>
		<p>(3) <u>Building entrances shall include weather protection.</u></p>

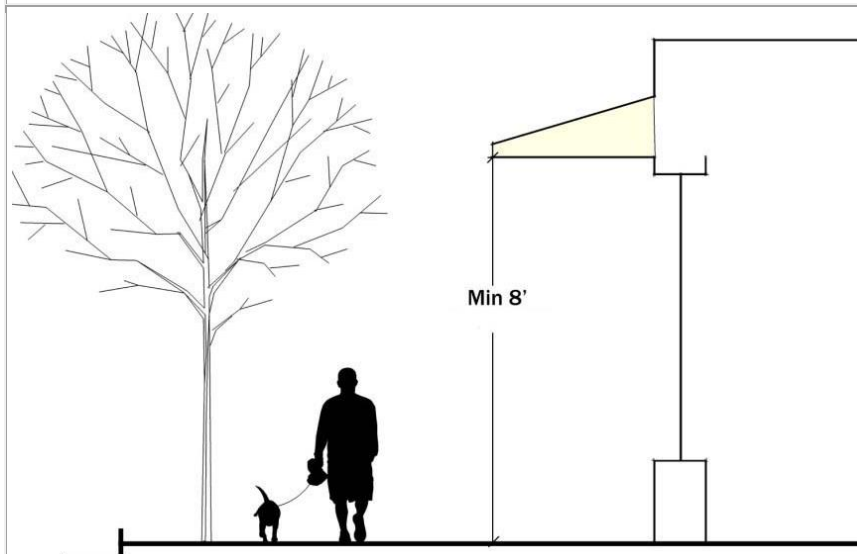
**FIGURE 534-5**  
**ENTRANCE AT BUILDING CORNER**



### **Weather Protection**

<u>This standard applies to building ground floors adjacent to a street.</u>	<u>Residential uses</u> <u>Min. 50%</u>	(1) <u>For the purposes of this standard, weather protection in the form of awnings or canopies shall be provided along the ground floor building facade for the minimum length required.</u>
	<u>Non-residential uses</u> <u>Min. 75%</u>	(2) <u>Awnings or canopies shall have a minimum clearance height above the sidewalk or ground surface of 8 feet and may encroach into the street right-of-way as provided in SRC 76.160.</u>

**FIGURE 534-6**  
**WEATHER PROTECTION**



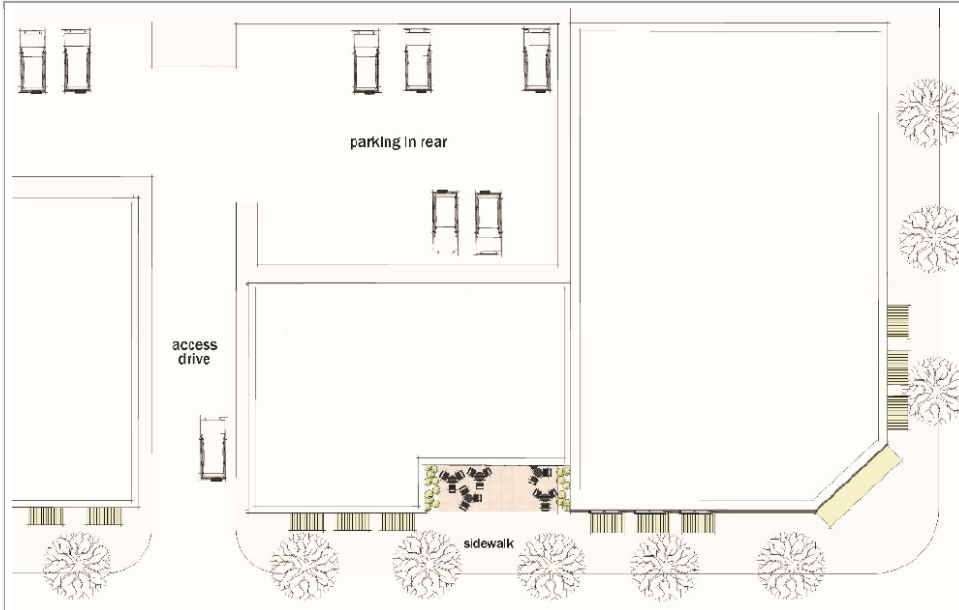
### Parking Location

This standard applies to off-street parking areas and vehicle maneuvering areas.

Required

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

**FIGURE 534-7**  
**OFF-STREET PARKING**



### Mechanical and Service Equipment

This standard applies to mechanical and service equipment.

Required

(1) Ground level mechanical and service equipment shall be screened with landscaping or a site-obscuring fence or wall. Ground level mechanical and service equipment shall be located behind or beside buildings.

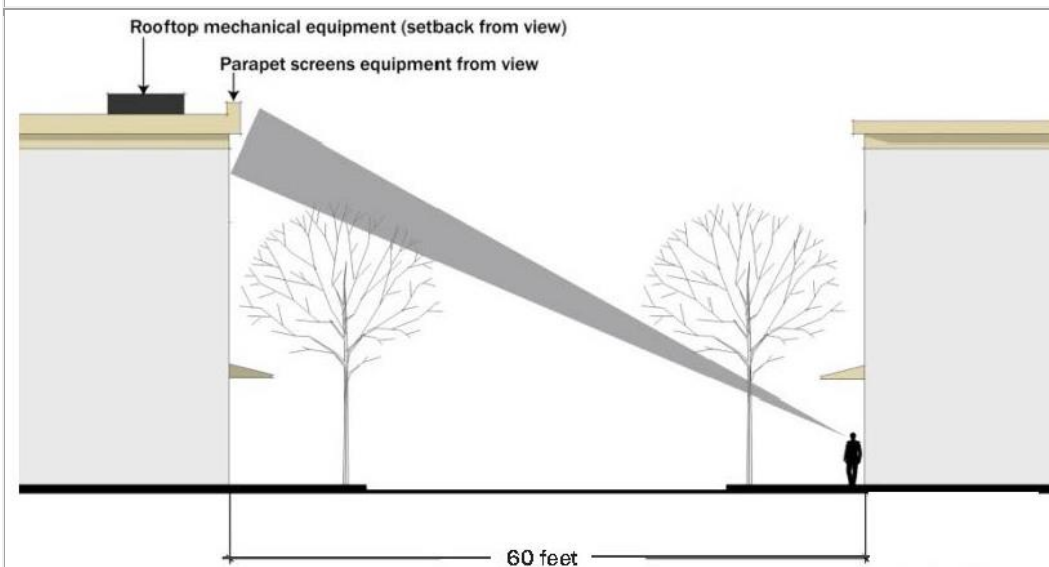
(2) Rooftop mechanical equipment, with the exception of solar panels and wind generators, shall be set back or screened so as to not be visible to a person standing at ground level 60 feet from the building.

**FIGURE 534-8**  
**GROUND-LEVEL MECHANICAL EQUIPMENT**





**FIGURE 534-9**  
**ROOFTOP MECHANICAL EQUIPMENT**



**Applicant Response:** The design of proposed Building 1 along Wallace Road and Buildings 8 and 9, along the proposed La Jolla Dr extension, will incorporate the pedestrian-oriented standards above. A horizontal separation of 12 feet will be included between the Wallace Rd. right-of-way and dwelling unit entrance. Vertical separation ranges between 1.5 feet and 3 feet. The proposed elevations for Building 1 show a first-floor height of 10 feet.

Building façade articulation is achieved with a change of materials between the base and middle/top floor from board and bat on the base to lap siding on the middle and top. The middle is distinguished by deck extensions of upper levels that are at least two feet or more in depth. The building top is distinguished by incorporating breaks in roof elevation that are a minimum of three feet in height.



Ground floor windows are included that amount to 32% or more of the wall area. See Sheet A6.1 for details and calculation. Window specifications will have a minimum visible transmittance (VT) of 37%.

The ground floor includes a primary building entrance facing the primary street, Wallace Rd. Weather protection in the form of the 2<sup>nd</sup> story deck above the ground floor entrance.

Weather protection is provided along a minimum of 50% of the Building 1 façade.

Off-street parking and maneuvering areas are located behind structures located along the street, Wallace Road. No parking is proposed between buildings and the adjacent street.

Rooftop mechanical equipment will be screened from view where necessary. No large rooftop units are anticipated.

Sec. 534.020. - Design review.

Design review under SRC chapter 225 is not required for development within the MU-II zone. Multifamily development within the MU-II zone is not subject to design review according to the multiple family design review standards set forth in SRC chapter 702.

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

### Sec. 806.001. - Purpose.

The purpose of this chapter is to establish standards for off-street parking and vehicle use areas, bicycle parking, loading areas, and driveways.

(Prior Code, § 806.001; Ord. No. 31-13)

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

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

(Prior Code, § 806.005; Ord. No. 31-13; Ord. No. 5-17, § 36(806.005), 6-12-2017; Ord. No. 10-17, § 27, 7-10-2017)

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

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

- (a) *Residential zones.* Within residential zones, required off-street parking may be located within 200 feet of the development site containing the use or activity it serves.
- (b) *Nonresidential zones.* Within commercial, mixed-use, public, and industrial and employment zones, other than the CB, WSCB, and SWMU zones, required off-street parking may be located within 500 feet of the development site containing the use or activity it serves.
- (c) *Central business district zone.* Within the Central Business (CB) Zone:
  - (1) Off-street parking for customers may be located within 800 feet of the development site containing the use or activity it serves; and

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

**Applicant Response: Proposed off-street parking will be located on the development site it serves. No off-site parking is proposed.**

Sec. 806.015. - Amount off-street parking.

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

TABLE 806-1. MINIMUM OFF-STREET PARKING		
Use	Minimum Number of Spaces Required <sup>(1)</sup>	Limitations & Qualifications
<b>Household Living</b>		
Single family	2	Applicable to all single family, unless noted below.
	1	Applicable to single family located within the CSDP area.
Two family	2 per dwelling unit	Applicable to all two family, unless noted below.
	1 per dwelling unit	Applicable to two family located within the CSDP area.
	3	Applicable to two family shared dwellings.

Three family	None	Applicable to three family located within the CSDP area or one quarter-mile of the Core Network. <sup>(3)</sup>
	1 per dwelling unit	Applicable to all other three family.
Four family	None	Applicable to four family located within the CSDP area or one quarter-mile of the Core Network. <sup>(3)</sup>
	1 per dwelling unit	Applicable to all other four family.
Multiple family <sup>(2)</sup>	None	Applicable to multiple family located within the CSDP area or one quarter-mile of the Core Network. <sup>(3)</sup>
	1 per dwelling unit	Applicable to all other multiple family consisting of 5 to 12 dwelling units.
	1 per studio unit or dwelling unit with 1 bedroom	Applicable to all other multiple family consisting of 13 or more dwelling units.
	1.5 per dwelling unit with 2 or more bedrooms	
	1 per dwelling unit	Applicable to all other multiple family consisting of 13 or more dwelling units located within the MU-I zone or MU-II zone.
	1 per 4 dwelling units	Applicable to low income elderly housing.
<b>Group Living</b>		
Room and board facilities	None	
Residential care	1 per 350 sq. ft.	
Nursing care	1 per 3 beds	
<b>Lodging</b>		
Short-term commercial lodging	1 per guest room or suite	
Long-term commercial lodging		
Nonprofit shelters	1 per guest room or suite	Applicable to nonprofit Shelters serving victims of domestic violence

	1 per 350 sq. ft.	Applicable to all other nonprofit shelters
Retail Sales and Service		
Eating and drinking establishments	1 per 250 sq. ft.	
Retail sales	1 per 900 sq. ft.	Applicable to the following retail sales activities: <ul style="list-style-type: none"><li>■ Building materials, hardware, nurseries, and lawn and garden supply stores.</li><li>■ Auto supply stores.</li><li>■ Furniture and home furnishing stores.</li><li>■ Household appliance and radio, television, music, and consumer electronics stores.</li></ul>
	1 per 400 sq. ft.	Applicable to all other retail sales located within the MU-I zone or MU-II zone.
	1 per 250 sq. ft.	Applicable to all other retail sales located within all zones except the MU-I zone or MU-II zone.
Personal services	1 per 1,000 sq. ft.	Applicable to laundry, dry cleaning, and garment services.
	1 per 350 sq. ft.	Applicable to all other personal services.
Postal services and retail financial services	1 per 500 sq. ft.	
Shopping center	1 per 250 sq. ft.	
Business and Professional Services		
Office	1 per 350 sq. ft.	
Audio/visual media production		
Laboratory research and testing		
Office complex		
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		

Motor vehicle and manufactured dwelling and trailer sales	1 per 900 sq. ft.	
Motor vehicle services		
Taxicabs and car services		
Heavy vehicle and trailer sales		
Heavy vehicle and trailer service and storage		
Commercial parking	N/A	
Park-and-ride facilities		
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	1 per 5 seats or 10 feet of bench length	Applicable to theaters.
	3 per court, plus additional 1 per 5 seats or 10 feet of bench length	Applicable to tennis, racquetball, and handball courts.
	1 per 300 sq. ft.	Applicable to all commercial entertainment—indoor.
Commercial entertainment—outdoor	3 per court, plus additional 1 per 5 seats or 10 feet of bench length	Applicable to tennis, racquetball, and handball courts.
	4 per tee	Applicable to golf courses.
	1 per 2,000 sq. ft. of gross site area	Applicable to all other commercial entertainment—outdoor.
Major event entertainment	The greater of the following: 1 per 5 seats or 10 feet of bench length; or 1 per 25 sq. ft. of floor area of assembly space.	
	4 per tee	Applicable to golf courses.

Recreational and cultural community services	1 per 350 sq. ft.	Applicable to all other indoor Recreational and cultural community services.	
	1 per 2,000 sq. ft. of gross site area	Applicable to all other outdoor Recreational and cultural community services.	
Parks and open space	None		
Nonprofit membership assembly	1 per 350 sq. ft.		
Religious assembly	1 per 5 seats or 10 feet of bench length within the principle worship area; or 1 per 80 sq. ft. within the principal worship area, when no fixed seating or benches are provided.		
Health Services			
Medical centers/hospitals	1.5 per bed		
Outpatient medical services and laboratories	1 per 350 sq. ft.		
Education Services			
Day care	1	Day Care serving 1 to 12 persons	Parking requirement applies in addition to spaces required for any dwelling.
	2	Day Care serving 13 to 18 persons	
	3	Day Care serving 19 to 26 persons	
	4	Day Care serving 27 or more persons	
Basic education	2 per classroom	Applicable to elementary schools.	
	1 per 6 students	Applicable to secondary schools.  The number of students shall be calculated based on the total number of students the school is designed to accommodate.	

Post-secondary and adult education	1 per 350 sq. ft.	Applicable to vocational and trade schools.
	1 per 4 students	Applicable to all other post-secondary and adult education.  The number of students shall be calculated based on the total number of students the school is designed to accommodate.
<b>Civic Services</b>		
Governmental services	1 per 500 sq. ft.	
Social services	1 per 350 sq. ft.	
Governmental maintenance services and construction	The greater of the following: 0.75 per employee; or  1 per 5,000 sq. ft. (Less than 50,000 sq. ft.)  1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.)  1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
<b>Public Safety</b>		
Emergency services	1 per employee, plus 1 additional space per ambulance	Applicable to ambulance stations.
	1 per 500 sq. ft.	Applicable to all other emergency services.
Detention facilities	1 per 2,000 sq. ft.	
Military installations	1 per 500 sq. ft.	
<b>Funeral and Related Services</b>		
Cemeteries	1 per 350 sq. ft.	
Funeral and cremation services	1 per 5 seats or 10 feet of bench length in the chapel	
<b>Construction Contracting, Repair, Maintenance, and Industrial Services</b>		



Building and grounds services and construction contracting	The greater of the following: 0.75 per employee; or	
Industrial services	1 per 5,000 sq. ft. (Less than 50,000 sq. ft.)  1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.)  1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
General repair services	1 per 350 sq. ft.	
Cleaning plants	1 per 1,000 sq. ft.	
Wholesale Sales, Storage, and Distribution		
General wholesaling	1 per 1,500 sq. ft.	
Heavy wholesaling		
Warehousing and distribution	The greater of the following: 0.75 per employee; or	
Self-service storage	1 per 5,000 sq. ft. (Less than 50,000 sq. ft.)  1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.)  1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Manufacturing		
General manufacturing	The greater of the following: 0.75 per employee; or	
Heavy manufacturing	1 per 5,000, sq. ft. (Less than 50,000 sq. ft.)	
Printing	1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.)  1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	

Transportation Facilities		
Aviation facilities	The greater of the following: 0.75 per employee; or	
Passenger ground transportation facilities;	1 per 5,000 sq. ft. (Less than 50,000 sq. ft.)  1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.)  1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Marine facilities	1 per boat berth or docking space.	Applicable to marinas.
	The greater of the following: 0.75 per employee; or  1 per 5,000 sq. ft. (Less than 50,000 sq. ft.)  1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.)  1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	Applicable to all other marine facilities.
Utilities		
Basic utilities	The greater of the following: 0.75 per employee; or	
Drinking water treatment facilities	1 per 5,000 sq. ft. (Less than 50,000 sq. ft.)	
Power generation facilities	1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.)	
Data center facilities	1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Waste related facilities		
Wireless communication facilities	None	
Fuel dealers	1 per 200 sq. ft.	

Mining and Natural Resource Extraction		
Petroleum and natural gas production	The greater of the following: 0.75 per employee; or	
Surface mining	1 per 5,000 sq. ft. (Less than 50,000 sq. ft.)  1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.)  1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Farming, Forestry, and Animal Services		
Agriculture	5	Applicable when retail sales are involved.
Forestry		
Agriculture and forestry services	The greater of the following: 0.75 per employee; or  1 per 5,000 sq. ft. (Less than 50,000 sq. ft.)  1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.)  1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Keeping of livestock and other animals	1 per 400 sq. ft.	
Animal services	1 per 400 sq. ft.	
Other Uses		
Accessory short-term rentals	None	
Temporary uses	Per SRC chapter 701	
Home occupations	1 per nonresident employee	Parking requirement applies in addition to spaces required for the dwelling unit.

Accessory dwelling units	None	
<p>(1) Unless otherwise provided, when required off-street parking is expressed in terms of a number of spaces per a square footage, the square footage shall equal the gross floor area.</p> <p>(2) 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.</p> <p>(3) The distance shall be measured along a route utilizing public or private streets that are existing or will be constructed with the development.</p>		

**Applicant Response: The proposed development consists of 201 2-bedroom dwelling units. The minimum number of parking spaces for each dwelling unit in the MU-II is 1.0 space/unit. Additionally, office uses require 1 space per 350 sq. ft. Therefore, 201 2-bedroom dwelling units x 1.0 spaces = 201 vehicle parking spaces and 5,200 sq ft. office / 350 sq. ft = 15 spaces. A total of 216 parking spaces would be required. The proposed vehicle parking area consists of 226 parking stalls. The proposed development exceeds the minimum number of vehicle parking spaces.**

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

**Applicant Response: The proposed vehicle parking consists of a total of 226 vehicle parking spaces. 64 vehicle parking spaces are proposed to be compact size which is approximately 27.5% of the total proposed 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.

**Applicant Response: The proposed development is multi-family residential. The above criterion is not applicable to this development.**

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

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

TABLE 806-2A. MAXIMUM OFF-STREET PARKING	
Minimum Number of Off-Street Parking Spaces Required <i>(From Table 806-1)</i>	Maximum Number of Off-Street Parking Spaces Allowed
20 spaces or less	2.5 times minimum number of spaces required.

More than 20 spaces	1.75 times minimum number of spaces required.
---------------------	---

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

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

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

**Applicant Response: The minimum number of parking spaces for the proposed development is 1.75 x 216 spaces = 378 spaces. The proposed number of parking spaces is 226. The proposed number of parking spaces is below the maximum number of parking spaces of 378.**

- (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.

**Applicant Response: No vehicle parking reductions are requested as part of the proposed development.**

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

**Applicant Response: No vehicle parking reductions are requested as part of the proposed development.**

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

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

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

**Applicant Response: All parking will be owned. No lease or joint-parking agreements are proposed with this development.**

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

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

(a) *Location within yards.*

- (1) *Front yard abutting street.* Within a front yard abutting a street, off-street parking and vehicle storage shall be allowed only:
  - (A) Within a garage or carport; or
  - (B) On a driveway leading to:
    - (i) A garage or carport;
    - (ii) A garage that has been legally converted to another use subsequent to its construction as a garage;
    - (iii) A screened off-street parking area; or
    - (iv) A screened vehicle storage area.
- (2) *Side and rear yards abutting street.* Within side and rear yards abutting a street, off-street parking and vehicle storage shall be allowed only:
  - (A) Within a garage or carport;
  - (B) Within an off-street parking area or vehicle storage area that is screened as set forth in SRC 806.025(f); or
  - (C) On a driveway leading to:
    - (i) A garage or carport;
    - (ii) A garage that has been legally converted to another use subsequent to its construction as a garage;
    - (iii) A screened off-street parking area; or
    - (iv) A screened vehicle storage area.
- (3) *Interior front, side, and rear yards.* Within interior front, side, and rear yards, off-street parking and vehicle storage shall be allowed only:

- (A) Within a garage or carport;
- (B) Within an off-street parking area or vehicle storage area that is screened as set forth in SRC 806.025(f); or
- (C) On a driveway leading to:
  - (i) A garage or carport;
  - (ii) A garage that has been legally converted to another use subsequent to its construction as a garage;
  - (iii) A screened off-street parking area; or
  - (iv) A screened vehicle storage area.
- (b) *Garage or carport vehicle entrance setback abutting street or flag lot accessway.* The vehicle entrance of a garage or carport facing a street or flag lot accessway shall be setback a minimum of 20 feet.

**Applicant Response: The proposed development does not include single-family homes or garages. The criteria above are not applicable to the proposed development.**

- (c) *Dimensions.* Off-street parking spaces shall conform to the minimum dimensions set forth in Table 806-3.

TABLE 806-3. MINIMUM OFF-STREET PARKING SPACE DIMENSIONS		
Type of Space	Width	Depth
Compact	8 ft.	15 ft.
Standard	9 ft.	19 ft.

**Applicant Response: The proposed development will include parking spaces at either the compact or standard dimensions per Table 806-3 above.**

- (d) *Maneuvering.* Where access to off-street parking is taken from an alley, a minimum maneuvering depth of 24 feet shall be provided between the back of the parking space and the opposite side of the alley.

**Applicant Response: The proposed development will include parking spaces at either the compact or standard dimensions per Table 806-3 above.**

- (e) *Surfacing.* Any area that is used for off-street parking shall be paved with a hard surface material meeting the Public Works Design Standards. Vehicle storage areas are not required to be paved.

**Applicant Response: The proposed development will include loading spaces to meet Public Works Design Standards.**

- (f) *Screening.* Off-street parking areas and vehicle storage areas shall be screened as follows:
  - (1) Off-street parking areas located within a garage or carport or on a driveway are not required to be screened. All other off-street parking areas shall be screened from all public areas, public streets, and abutting residential uses by a minimum six-foot-tall sight-obscuring fence, wall, or hedge.



- (2) Vehicle storage areas within an enclosed structure or on a driveway are not required to be screened. All other vehicle storage areas shall be screened from all public areas, public streets, and abutting residential uses by a minimum six-foot-tall sight-obscuring fence, wall, or hedge.

**Applicant Response: Off-street parking areas will be screened from public view by a hedge.**

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

TABLE 806-5. INTERIOR OFF-STREET PARKING AREA LANDSCAPING	
Total Interior Area of Off-Street Parking Area	Percentage Required to be Landscaped
Less than 50,000 sq. ft.	Min. 5%
50,000 sq. ft. and greater	Min. 8%

**Applicant Response: The parking area is approximately 81,314 square feet. Therefore, a minimum interior landscape area of 8% is required. The proposed interior parking landscape area is 12.5% (10,188 sq. ft.).**

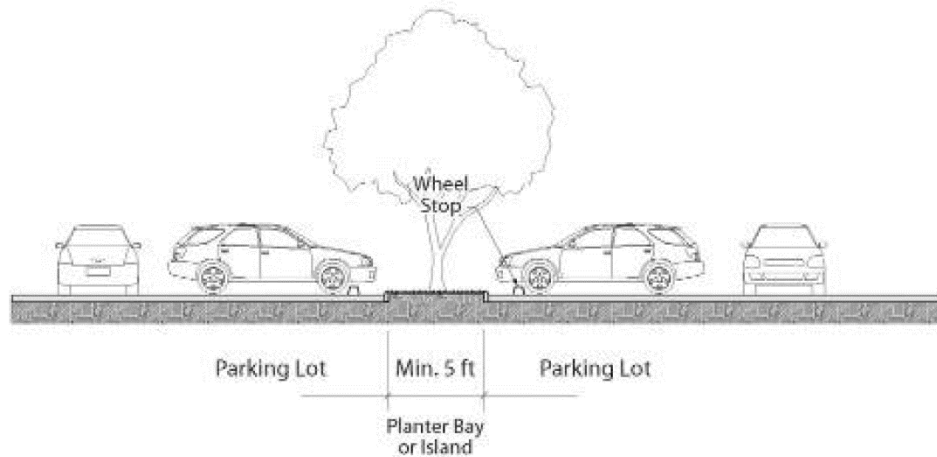
- (3) *Trees.* A minimum of one deciduous shade tree shall be planted for every 12 parking spaces within an off-street parking area. Trees may be clustered within landscape islands or planter bays, and shall be distributed throughout the off-street parking area to create a canopy effect and to break up expanses of paving and long rows of parking spaces.

**Applicant Response: The proposed development includes 226 auto parking spaces. Therefore, 226 auto parking spaces / 12 parking spaces = 19 trees. The site will include 32 trees within planter islands in the proposed parking area.**

- (4) *Landscape islands and planter bays.* Landscape islands and planter bays shall have a minimum planting area of 25 square feet, and shall have a minimum width of five feet (see Figure 806-7).

**Applicant Response: Landscape islands and planter bays have been designed to meet the minimum planting area dimensions above.**

FIGURE 806-7. INTERIOR LANDSCAPING



(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.

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

Parking Angle A <sup>(3)</sup>	Type of Space	Stall Width B <sup>(3)</sup>	Stall to Curb C <sup>(3)</sup>	Aisle Width <sup>(1),(2)</sup> D <sup>(3)</sup>	Curb Length E <sup>(3)</sup>	Front of Stall to Front of Stall F1 <sup>(3)</sup>	Overlap Front of Stall to Front of Stall F2 <sup>(3)</sup>
0° (Parallel)	Compact	8'0"	8.0	12.0	22.0	28.0	-
	Standard	8'0"	8.0	12.0	22.0	28.0	-
20°	Compact	8'0"	12.6	11.0	23.4	36.2	28.7
	Standard	8'6" (4)	14.5	11.0	24.9	40.0	32.0
		9'6"	15.5	11.0	27.8	42.0	33.1
		10'0"	15.9	11.0	19.2	42.8	33.4
30°	Compact	8'0"	14.4	11.0	16.0	39.8	32.9
	Standard	8'6" (4)	16.9	11.0	17.0	44.8	37.4
		9'0"	17.3	11.0	18.0	45.6	37.8
		9'6"	17.8	11.0	19.0	46.6	38.4

		10'0"	18.2	11.0	20.0	47.4	38.7
40°	Compact	8'0"	15.8	12.0	12.4	43.6	37.5
	Standard	8'6" (4)	18.7	12.0	13.2	49.4	42.9
		9'0"	19.1	12.0	14.0	50.2	43.3
		9'6"	19.5	12.0	14.8	51.0	43.7
		10'0"	19.9	12.0	15.6	51.8	44.1
45°	Compact	8'0"	16.3	13.5	11.3	46.1	40.5
	Standard	8'6" (4)	19.4	13.5	12.0	52.3	46.3
		9'0"	19.8	13.0	12.7	52.6	46.2
		9'6"	20.1	13.0	13.4	53.2	46.5
		10'0"	20.5	13.0	14.1	54.0	46.9
50°	Compact	8'0"	16.6	15.5	10.4	48.7	43.6
	Standard	8'6" (4)	20.0	15.5	11.1	55.5	50.0
		9'0"	20.4	15.0	11.7	55.8	50.0
		9'6"	20.7	15.0	12.4	56.4	50.3
		10'0"	21.0	15.0	13.1	57.0	50.6
60°	Compact	8'0"	17.0	18.5	9.2	52.5	48.5
	Standard	8'6" (4)	20.7	18.5	9.8	59.9	55.6
		9'0"	21.0	18.0	10.4	60.0	55.7
		9'6"	21.2	18.0	11.0	60.4	55.6
		10'0"	21.5	18.0	11.5	61.0	56.0
70°	Compact	8'0"	16.8	19.5	8.5	53.1	50.4

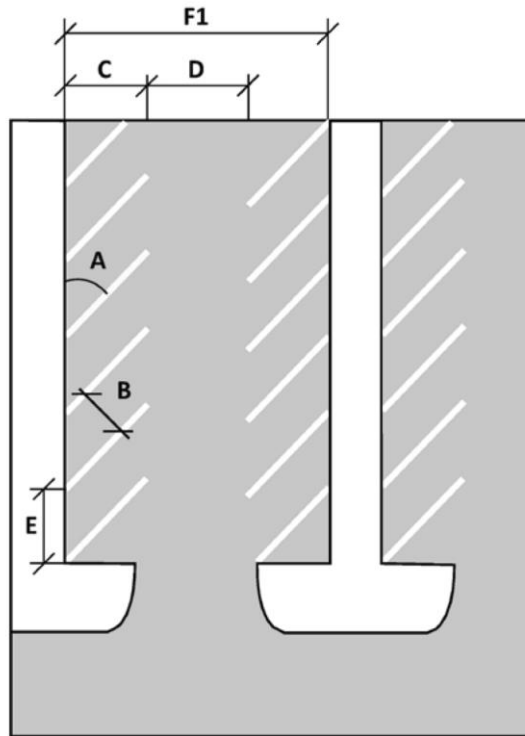
	Standard	8'6" (4)	20.8	19.5	9.0	61.1	58.2
		9'0"	21.0	19.0	9.6	61.0	57.9
		9'6"	21.2	18.5	10.1	60.9	57.7
		10'0"	21.2	18.0	10.6	60.4	57.0
80°	Compact	8'0"	16.2	22.0	8.1	56.4	55.0
	Standard	9'0"	20.3	24.0	9.1	64.3	62.7
		9'6"	20.4	24.0	9.6	64.4	62.7
		10'0"	20.5	24.0	10.2	65.0	63.3
90°	Compact	8'0"	15.0	22.0	8.0	54.0	-
		8'6" (5)	15.0	22.0	8.0	54.0	-
	Standard	9'0"	19.0	24.0	9.0	62.0	-
		9'6"	19.0	24.0	9.5	62.0	-
		10'0"	19.0	24.0	10.0	62.0	-

**Limitations and Qualifications**

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

**Applicant Response: The proposed vehicle parking spaces will conform the dimensional standards above.**

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



- (f) *Grade.* Off-street parking and vehicle use areas shall not exceed a maximum grade of ten percent. Ramps shall not exceed a maximum grade of 15 percent.
- (g) *Surfacing.* Off-street parking and vehicle use areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, up to two feet of the front of a parking space may be landscaped with ground cover plants (see Figure 806-9). Such two-foot landscaped area counts towards meeting interior off-street parking area landscaping requirements, but shall not count towards meeting perimeter setbacks and landscaping requirements. Paving is not required for:
  - (1) Vehicle storage areas within the IG zone.
  - (2) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.
  - (3) Gravel off-street parking areas, approved through a conditional use permit.

**Applicant Response: The proposed vehicle parking spaces will conform the dimensional standards above.**

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

TABLE 806-7. MINIMUM DRIVEWAY WIDTH		
Type of Driveway	Width	Inside Radius of Curves & Corners
One-way driveway	12 ft.	25 ft., measured at curb or pavement edge

Two-way driveway	22 ft.	25 ft., measured at curb or pavement edge
------------------	--------	---

- (e) *Surfacing.* All driveways, 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.

**Applicant Response: Drive aisles have been designed to meet the dimensional standards above.**

Sec. 806.045. - Bicycle parking; when required.

- (a) *General applicability.* Bicycle parking shall be provided as required under this chapter for:
  - (1) Each proposed new use or activity.
  - (2) Any change of use or activity, when such change of use or activity results in a bicycle parking ratio requiring a greater number of spaces than the previous use or activity.
  - (3) Any intensification, expansion, or enlargement of a use or activity.
- (b) *Applicability to nonconforming bicycle parking area.* When bicycle parking is required to be added to an existing bicycle parking area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

**Applicant Response: New bicycle parking areas will be developed in accordance with the standards of this chapter and are described in further detail below.**

Sec. 806.050. - Proximity of bicycle parking to use or activity served.

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

**Applicant Response: All bicycle parking is located within the proposed development site.**

Sec. 806.055. - Amount of bicycle parking.

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

TABLE 806-8. MINIMUM BICYCLE PARKING		
Use	Minimum Number of Spaces Required <sup>(1)</sup>	Limitations & Qualifications
Household Living		

Single family	None	
Two family		
Three family		
Four family		
Multiple family	The greater of 4 spaces or 0.1 spaces per dwelling unit.	
<b>Group Living</b>		
Room and board facilities	The greater of 4 spaces or 1 space per 50 rooms.	
Residential care	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Nursing care	1 per 30 beds	
<b>Lodging</b>		
Short-term commercial lodging	The greater of 4 spaces or 1 space per 50 rooms.	
Long-term commercial lodging		
Nonprofit shelters	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
<b>Retail Sales and Service</b>		

Eating and drinking establishments	The greater of 4 spaces or 1 space per 1,000 sq. ft.	
Retail sales	The greater of the following: 4 spaces; or 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Personal services	1 per 10,000 sq. ft.	Applicable to laundry, dry cleaning, and garment services.
	The greater of 4 spaces or 1 space per 3,500 sq. ft.	Applicable to all other personal services.
Postal services and retail financial services	The greater of 4 spaces or 1 space per 3,000 sq. ft.	
Shopping center	The greater of the following: 4 spaces; or 1 per 10,000 sq. ft. for first 50,000 sq. ft.; Plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
<b>Business and Professional Services</b>		
Office	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.;plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Laboratory research and testing		
Office complex		
Audio/visual media production	The greater of the following: 4 spaces; or 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq.	Applicable to broadcasting studios.



	ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
	The greater of 4 spaces or 1 per 3,500 sq. ft.	Applicable to all other audio/visual media production.
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales	1 per 9,000 sq. ft.	
Motor vehicle services		
Taxicabs and car services		
Heavy vehicle and trailer sales		
Heavy vehicle and trailer service and storage		
Commercial parking	1 per 30 vehicle parking spaces	
Park-and-ride facilities		
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	The greater of 4 spaces or 1 space per 50 seats or 100 feet of bench length	Applicable to theaters.
	The greater of 4 spaces or 1 space per court.	Applicable to tennis, racquetball, and handball courts.
	The greater of 4 spaces or 1 space per 500 sq. ft.	Applicable to all other commercial entertainment—indoor.
Commercial entertainment— outdoor	The greater of 4 spaces or 1 space per court	Applicable to tennis, racquetball, and handball courts.
	4	Applicable to golf courses.
	None	Applicable to drive-in movie theaters.

	The greater of 4 spaces or 1 space per 30 vehicle parking spaces	Applicable to all other commercial entertainment—outdoor.
Major event entertainment	The greater of 4 spaces or 1 space per 50 seats or 100 ft. of bench length	
Recreational and cultural community services	4	Applicable to golf courses.
	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	Applicable to all other indoor recreational and cultural community services.
	The greater of 4 spaces or 1 space per 30 vehicle parking spaces.	Applicable to all other outdoor recreational and cultural community services.
Parks and open space	The greater of 4 spaces or 1 space per 30 vehicle parking spaces.	
Nonprofit membership assembly	1 per 30 vehicle parking spaces.	
Religious assembly		
Health Services		
Medical centers/hospitals	The greater of 4 spaces or 1 per 30 beds	
Outpatient medical services and laboratories	The greater of 4 spaces or 1 per 3,500 sq. ft.	
Education Services		
Day care	4	
Basic education	2 per classroom	
Post-secondary and adult education	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus	Applicable to vocational and trade schools.

	1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
	The greater of 4 spaces or 1 per 10,000 sq. ft.	Applicable to all other post-secondary and adult education.
<b>Civic Services</b>		
Governmental services	1 per 5,000 sq. ft.	
Social services	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Governmental maintenance services and construction	4	
<b>Public Safety</b>		
Emergency services	None	Applicable to ambulance stations.
	1 per 5,000 sq. ft.	Applicable to all other emergency services.
Detention facilities	1 per 50 beds	
Military installations	1 per 5,000 sq. ft.	
<b>Funeral and Related Services</b>		
Cemeteries	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus	

	1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Funeral and cremation services	1 per 50 seats or 100 feet of bench length in the chapel	
<b>Construction Contracting, Repair, Maintenance, and Industrial Services</b>		
Building and grounds services and construction contracting	4	
General repair services	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Cleaning plants	1 per 10,000 sq. ft.	
Industrial services	The greater of the following: 4 spaces; or 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
<b>Wholesale Sales, Storage, and Distribution</b>		
General wholesaling	1 per 15,000 sq. ft.	
Heavy wholesaling		
Warehousing and distribution	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus	

	1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Self-service storage	None	
<b>Manufacturing</b>		
General manufacturing	The greater of the following: 4 spaces; or:	
Heavy manufacturing	1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus	
Printing	1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
<b>Transportation Facilities</b>		
Aviation facilities	The greater of the following: 4 spaces; or:	
Passenger ground transportation facilities	1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Marine facilities	2	Applicable to marinas.
	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	Applicable to all other marine facilities.
<b>Utilities</b>		
Basic utilities	The greater of the following: 4 spaces; or:	
Drinking water treatment facilities	1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus	

Power generation facilities	1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Data center facilities		
Waste related facilities		
Fuel dealers		
Wireless communication facilities	None	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	4	
Surface mining		
Farming, Forestry, and Animal Services		
Agriculture	2	Applicable when retail sales are involved.
Forestry		
Agriculture and forestry services	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Keeping of livestock and other animals	2	Applicable when retail sales are involved.
Animal services		
Other Uses		
Accessory short-term rentals	None	
Temporary uses	None	

Home occupations	None	
Accessory dwelling unit	None	
<sup>(1)</sup> Unless otherwise provided, when required bicycle parking is expressed in terms of a number of spaces per a square footage, the square footage shall equal the gross floor area.		

**Applicant Response: Multi-family development requires the greater of 4 bicycle parking stalls or 0.1 stalls per unit. The proposed development includes 201 dwelling units. Therefore, 201 dwelling units x 0.1 spaces = 20.1 bicycle parking spaces. Additionally, a minimum of 4 bicycle parking spaces are required for the office. A total of 24 bicycle parking spaces are required at minimum. The proposed development includes 24 bicycle parking spaces.**

Sec. 806.060. - Bicycle parking development standards.

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

- (a) *Location.* Except as otherwise provided in this section, bicycle parking shall be located outside a building.
  - (1) Bicycle parking located outside a building shall be located within a convenient distance of, and be clearly visible from, the primary building entrance. In no event shall bicycle parking be located more than 50 feet from the primary building entrance, as measured along a direct pedestrian access route.
  - (2) Where bicycle parking cannot be located outside a building, it may be located inside a building within a convenient distance of, and accessible from, the primary building entrance.

**Applicant Response: All bicycle parking is located outside and adjacent to dwelling units along sidewalks.**

- (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.

**Applicant Response: All bicycle parking has direct access to the public right-of-way and is free from obstructions or barriers.**

- (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.

**Applicant Response: Bicycle parking space areas are 14 feet x 9 feet for a pod of 4 bicycle stalls.**

- (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.

**Applicant Response: Bicycle parking areas will be surfaced in concrete.**










- (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.

**Applicant Response: All proposed bicycle racks will be staple/inverted style and will meet the standards above. See detail 3 on Sheet A1.2.**

- (f) *Bicycle lockers.* Where bicycle parking is provided in lockers, the lockers shall meet the following standards:
- (1) Lockers, except for pie-shaped lockers, shall be a minimum of six feet in length, two feet in width, and four feet in height;
  - (2) Pie-shaped lockers shall be a minimum of six feet in length, 30 inches in width at the widest end, and four feet in height;
  - (3) Lockers shall be served by a minimum four-foot-wide access aisle in front of each locker opening. Access aisles may be located within the public right-of-way; and
  - (4) Lockers shall be securely anchored.

**Applicant Response: No bicycle lockers are proposed with this development.**



Bike Racks That <u>MEET</u> Standards		Bike Racks That <u>DO NOT MEET</u> Standards		
Staple/Inverted	Post & Ring	Wave	Spiral	Bollard
				
Loop		Schoolyard	Wheel Well	Coat Hanger
				
<p><u>Note:</u> These bike rack styles support the bike frame in a stable position in two or more places a minimum of six-inches horizontally apart without damage to wheels, frame, or components; allow the frame and at least one wheel to be locked with a U-shaped shackle lock; and support a wide variety of bikes.</p>		<p><u>Note:</u> These bike rack styles do not support the bike frame in a stable position in two or more places a minimum of six-inches horizontally apart; do not allow the frame and at least one wheel to be locked with a U-shaped shackle lock; or include features that limit the types of bikes that can be accommodated and which can promote damage to wheels and frames.</p>		

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

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

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

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

**Applicant Response: The proposed development will include 2 off-street loading areas in conformance with the standards below.**

Sec. 806.075. - Amount of off-street loading.

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

TABLE 806-9. MINIMUM OFF-STREET LOADING; DIMENSIONS			
Use Category/Use		Dimensions	Limitations & Qualifications

	Minimum Number of Spaces Required <sup>(1)</sup>		Width	Length	Height	
<b>Use:</b> <ul style="list-style-type: none"> <li>■ Single family</li> <li>■ Two family</li> <li>■ Three family</li> <li>■ Four family</li> <li>■ Commercial parking</li> <li>■ Park-and-ride facility</li> <li>■ Parks and open space</li> <li>■ Cemeteries</li> <li>■ Basic utilities</li> <li>■ Wireless communication facilities</li> <li>■ Agriculture</li> <li>■ Forestry</li> <li>■ Accessory short-term rentals</li> <li>■ Temporary uses</li> <li>■ Home occupations</li> <li>■ Accessory dwelling units</li> </ul>	None		N/A	N/A	N/A	
<b>Use:</b> <ul style="list-style-type: none"> <li>■ Multiple family</li> </ul>	None	5 to 49 dwelling units	N/A	N/A	N/A	
	1	50 to 99 dwelling units	12 ft.	19 ft.	12 ft.	If a recreational or service building is provided, at least 1 of the required loading spaces shall be located in conjunction with the recreational or service building.
	2	100 to 199 dwelling units	12 ft.	19 ft.	12 ft.	
	3	200 or more dwelling units	12 ft.	19 ft.	12 ft.	
<b>Use Category:</b>	None	Less than 5,000 sq. ft.	N/A	N/A	N/A	

<ul style="list-style-type: none"> <li>■ Business and professional services</li> </ul>	1	5,000 to 60,000 sq. ft.	12 ft.	19 ft.	12 ft.	
	2	60,001 to 250,000 sq. ft.	12 ft.	19 ft.	12 ft.	
	Additional spaces required	Greater than 250,000 sq. ft.	12 ft.	19 ft.	12 ft.	For each additional 100,000 square feet, or any portion thereof, of building area over 250,000 sq. ft., 1 additional loading space is required.
<b>Use:</b> <ul style="list-style-type: none"> <li>■ Outpatient medical services and laboratories</li> <li>■ Governmental services</li> <li>■ Social services</li> <li>■ Keeping of livestock and other animals</li> <li>■ Animal services</li> </ul>						
<b>Use Category:</b> <ul style="list-style-type: none"> <li>■ Group living</li> <li>■ Lodging</li> <li>■ Retail sales and service</li> <li>■ Education services</li> </ul>	None	Less than 5,000 sq. ft.	N/A	N/A	N/A	
<b>Use:</b> <ul style="list-style-type: none"> <li>■ Commercial entertainment indoor</li> <li>■ Commercial entertainment—outdoor</li> <li>■ Major event entertainment</li> <li>■ Recreation and cultural community services</li> <li>■ Nonprofit membership assembly</li> <li>■ Religious assembly</li> <li>■ Medical centers/hospitals</li> <li>■ Emergency services</li> <li>■ Funeral and</li> </ul>	1	5,000 to 60,000 sq. ft.	12 ft.	30 ft.	14 ft.	
	2	60,001 to 250,000 sq. ft.	12 ft.	30 ft.	14 ft.	
	Additional Spaces Required	Greater than 250,000 sq. ft.	12 ft.	30 ft.	14 ft.	For each additional 100,000 square feet, or any portion thereof, of building area over 250,000 sq. ft., 1 additional loading space is required.

cremation services ■ General repair services ■ Agriculture and forestry services						
<b>Use Category:</b>  ■ Wholesale sales, storage, and distribution ■ Manufacturing ■ Transportation facilities ■ Mining and natural resource extraction <b>Use:</b>  ■ Motor vehicle and manufactured dwelling and trailer sales; ■ Motor vehicle services ■ Taxicabs and car services ■ Heavy vehicle and trailer sales ■ Heavy vehicle and trailer service and storage ■ Governmental maintenance services and construction facilities ■ Military installations ■ Building and grounds services and construction contracting ■ Cleaning plants ■ Industrial services ■ Drinking water	None	Less than 5,000 sq. ft.	N/A	N/A	N/A	
	1	5,000 to 100,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	3	100,001 to 240,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	5	240,001 to 320,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	6	320,001 to 400,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	7	400,000 to 490,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	8	490,001 to 580,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	9	580,001 to 670,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	10	670,001 to 760,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	Additional Spaces Required	Buildings greater than 760,000 sq. ft.	12 ft.	40 ft.	14 ft.	For each additional 100,000 square feet, or any portion thereof, of building area over 760,000 sq. ft., 1 additional loading space is required.

treatment ■ Power generation facilities ■ Data center facilities ■ Fuel dealers ■ Waste-related facilities						
<sup>(1)</sup> Unless otherwise provided, when required loading is expressed in terms of a number of spaces per a square footage, the square footage shall equal the gross floor area.						

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

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

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

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

**Applicant Response: Off-street loading areas shown are not located within required setbacks.**

- (b) *Perimeter setbacks and landscaping.*

- (1) *Perimeter setbacks and landscaping abutting streets.* Unless a greater setback is required elsewhere within the UDC, off-street loading areas abutting a street shall be setback and landscaped according to the off-street parking and vehicle use area perimeter setback and landscaping standards set forth under SRC 806.035(c)(2).
- (2) *Perimeter setbacks and landscaping abutting interior front, side, and rear property lines.* Unless a greater setback is required elsewhere within the UDC, off-street loading areas abutting an interior front, side, or rear property line shall be setback a minimum of five feet. The setback shall be landscaped according to the Type A landscaping standard of SRC chapter 807.

**Applicant Response: The areas around the proposed loading areas will be setback at least 5' from any adjacent properties and will include perimeter landscaping.**

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

**Applicant Response: The areas around the proposed loading areas will be setback at least 5' from any adjacent properties and will include perimeter landscaping.**

- (d) *Maneuvering.* Off-street loading areas shall be of sufficient size, and all curves and corners of sufficient radius, to accommodate the safe operation of a delivery vehicle.
- (e) *Surfacing.* All loading areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, paving is not required for:
- (1) Temporary and seasonal gravel loading areas, approved pursuant to SRC chapter 701.
- (2) Gravel loading areas, approved through a conditional use permit.
- (f) *Drainage.* Loading areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.
- (g) *Lighting.* Lighting for off-street loading areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.

**Applicant Response: The proposed loading spaces will comply with above maneuvering, surfacing, drainage, and lighting standards above.**

CHAPTER 807. - LANDSCAPING AND SCREENING

Sec. 807.010. - Applicability.

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

(Prior Code, § 807.010; Ord. No. 31-13)

Sec. 807.015. - Landscaping and screening.

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

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

TABLE 807-1. LANDSCAPING TYPES		
Landscaping Type	Required Plant Units (PU)	Required Screening
A	Min. 1 PU per 20 sq. ft. of landscaped area	None
B	Min. 1 PU per 20 sq. ft. of landscaped area	Min. 6-foot-tall fence, wall, or hedge
C	Min. 1 PU per 20 sq. ft. of landscaped area	Min. 6-foot-tall fence or wall
D	Min. 1 PU per 16 sq. ft. of landscaped area	Min. 6-foot-tall sight-obscuring landscaping or wall
E	Min. 1 PU per 16 sq. ft. of landscaped area	Min. 6-foot-tall wall

- (b) *Plant materials and corresponding plant unit values.* Plant materials, their corresponding minimum plant unit values, and minimum plant material size at time of planting for landscaping within required landscaped areas are set forth in Table 807-2. A minimum of 40 percent of the required number of plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Plant materials shall provide for a minimum 75 percent coverage of required landscaped areas within five years.

TABLE 807-2. PLANT MATERIALS AND MINIMUM PLANT UNIT VALUES		
Plant Material	Plant Unit (PU) Value	Size at Planting
1 mature tree	15 PU	
1 shade tree	10 PU	1.5 in. to 2 in. caliper
1 evergreen/conifer tree	5 PU	6 ft. to 8 ft. height
1 ornamental tree	2 PU	1 in. to 1.5 in. caliper
1 large deciduous or evergreen shrub (at maturity: over 4 ft. wide; 4 ft. high)	2 PU	Min. 3 gallon or balled and burlapped
1 small to medium shrub (at maturity: maximum 4 ft. wide; 4 ft. high)	1 PU	Min. 1 gallon

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

- (c) *Preservation of existing trees and vegetation.* The preservation of existing trees and vegetation is encouraged. If preserved, existing trees as defined under SRC chapter 808, existing trees less than ten inches dbh, and existing vegetation may be utilized to satisfy required landscaping if they conform to the minimum plant unit requirements specified in this chapter.
- (d) *Tree replanting requirements.* In addition to the landscaping required under this chapter, when existing trees, as defined under SRC chapter 808, are proposed for removal from within required setbacks or from a development site, replanting shall be required as provided in this subsection.
  - (1) *Removal of trees within required setbacks.* When an existing tree or trees, as defined under SRC chapter 808, within a required setback are proposed for removal, two new trees shall be planted for each tree removed. Replanted trees shall be of either a shade or evergreen variety with a minimum 1.5 inch caliper.
  - (2) *Removal of trees from development site.* When more than 75 percent of the existing trees, as defined under SRC chapter 808, on a development site are proposed for removal, two new trees shall be planted for each tree removed in excess of 75 percent. Replanted trees shall be of either a shade or evergreen variety with a minimum 1.5 inch caliper. For purposes of this section, existing trees within vision clearance areas, or within areas to be cleared for required roads, utilities, sidewalks, trails, or stormwater facilities, shall not be counted in the total percentage of trees removed from the development site.
- (e) *Screening standards.* Unless otherwise provided under the UDC, where screening is required in the form of a fence, wall, or landscaping, it shall conform to the following standards:
  - (1) *Height.* Fences and walls shall be a minimum of six feet in height. Landscaping shall be of a species that will attain a height of at least six feet within three years after planting.
  - (2) *Opacity.* Screening shall be sight-obscuring. Fences, walls, and landscaping shall be at least 75 percent opaque when viewed from any angle at a point 25 feet away from the fence, wall, or landscaping. Landscaping shall be of an evergreen species that will attain required opacity within three years after planting.
  - (3) *Maintenance.* Fences and walls shall be maintained in safe condition, and shall be maintained as opaque. Landscaping shall be replaced within six months after dying or becoming diseased to the point that required opacity can no longer be maintained.
- (f) *Berm.* Unless otherwise provided under the UDC, where screening is required in the form a berm, the berm shall be an earthen mound no less than three feet in height above the existing grade, and shall be constructed with a slope no steeper than 3:1 on all sides. The berm shall be planted with plant materials to prevent erosion. The berm shall not alter natural drainage flows from abutting properties.
- (g) *Street trees.* Development adjacent to public streets shall provide street trees that meet the standards and specifications set forth in SRC chapter 86.

(Prior Code, § 807.015; Ord. No. 31-13)

#### Sec. 807.020. - Landscaping plan.

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



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

(Prior Code, § 807.020; Ord. No. 31-13)

#### Sec. 807.025. - Plant material standards.

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

(Prior Code, § 807.025; Ord. No. 31-13)

#### Sec. 807.030. - Tree protection measures during construction.

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

(Prior Code, § 807.030; Ord. No. 31-13)

#### Sec. 807.035. - Installation.

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

(Prior Code, § 807.035; Ord. No. 31-13)

Sec. 807.040. - Irrigation.

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

(Prior Code, § 807.040; Ord. No. 31-13)

Sec. 807.045. - Maintenance.

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

(Prior Code, § 807.045; Ord. No. 31-13)

Sec. 807.050. - Compliance/performance assurance.

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

of the remaining security deposited with the City shall be returned. The final landscape inspection shall be made prior to any security being returned. Any portions of the plan not installed, not properly installed, or not properly maintained shall cause the inspection to be postponed until the project is completed or cause the security to be used by the City to complete the project.

**Applicant Response: Conceptual site landscaping is shown on Sheet A1.1. A detailed landscape plan will be provided with the building permit application.**

**Criteria and Responses for Adjustment Requests:**

**Adjustment #1 - Increase the maximum setback adjacent to Wallace Rd for Building 1 from 10 feet to 12 feet.**

250.005(d)(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.

**Applicant Response: Increasing the maximum setback adjacent to Wallace Rd will allow for more pedestrian area in front of each residential units. The development standard to be adjusted is better met by the proposed development.**

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

**Applicant Response: The proposed development is not located within a residential zone.**

- (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.

**Applicant Response: The cumulative effect of the 2 proposed adjustments will result in a project that is still consistent with the overall purpose of the zone.**

**Adjustment #2 - Reduce building frontage to less than 50% on Wallace Rd.**

250.005(d)(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.

**Applicant Response: Due to the site topography, needed drainage facility, proposed access driveway to Wallace Rd on the north, and connecting driveway to the adjacent southern property, there is limited space along Wallace Rd to place multi-family dwelling units.**

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

**Applicant Response: The proposed development is not located within a residential zone.**

- (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.

Applicant Response: **The cumulative effect of the 2 proposed adjustments will result in a project that is still consistent with the overall purpose of the zone.**

Property Line Adjustment Criteria:

Section 205.055 – Property line adjustments

d)Criteria. A property line adjustment shall be approved if all of the following criteria are met:

(1) The property line adjustment will not create an additional unit of land;

**Applicant Response: The subject properties to be consolidated currently consist of five (5) separate parcels. The proposed property line adjustment would create a single legal parcel.**

(2) The property line adjustment will not create nonconforming units of land or nonconforming development, or increase the degree of nonconformity in existing units of land or existing development;

**Applicant Response: The proposed property line adjustment will result in a parcel consolidation that will meet the MU-II zone minimum standards for lot size and other applicable dimensional standards. The proposal would not create nonconforming units of land or nonconforming development, if developed in conjunction with the proposed multi-family development.**

(3) The property line adjustment involves only units of land that were lawfully established, where the instruments creating the units of land have been properly recorded, or the property line adjustment involves the incorporation of excess right-of-way, acquired for street or other right-of-way purposes and subsequently sold by a public body, into a unit of land that was lawfully established;

**Applicant Response: The proposed property line adjustment includes lawfully established parcels. Documentation for each lawful parcel is provided herein.**

(4) The property line adjustment is not prohibited by any existing City land use approval, or previous condition of approval, affecting one or both of the units of land;

**Applicant Response: To our knowledge, there are no prohibitions of the proposed property line adjustment.**

(5) The property line adjustment does not involve the relocation or elimination of any public easement or right-of-way; and

**Applicant Response: To our knowledge, there are not existing public easements or rights-of-way on the subject property affected by the proposed property line adjustment.**

(6) The property line adjustment does not adversely affect the availability or access to public and private utilities or streets.

**Applicant Response: To our knowledge, no public or private utilities would be prevented access by the proposed property line adjustment.**

#### **Tree Removal Criteria**

(5) Removal of significant tree in connection with the construction of a development other than single family, two family, three family, four family, or cottage cluster. The removal of the significant tree is necessary for the construction of a development other than single family, two family, three family, four family, or cottage cluster and:

(A) Without approval of the tree removal permit the proposed development cannot otherwise meet the applicable development standards of the UDC without a variance or adjustment.

**Applicant Response: The proposed development is bounded on the south by the stub of La Jolla Drive NW. The applicant is proposing to extend the street to the northern boundary. There are 3 existing trees that would be impacted by the proposed street extension as shown on the tree plan provided herein.**

(B) There are no reasonable design alternatives that would enable preservation of the tree. In determining whether there are no reasonable design alternatives, the following factors, which include but are not limited to the following, shall be considered:

(i) Streets. The removal is necessary due to:

(aa) The location and alignment of existing streets extended to the boundary of the subject property;

(bb) The planned alignment of a street identified in the Salem Transportation System Plan (TSP);

(cc) A street required to meet connectivity standards, to serve property where a flag lot accessway is not possible, or where a cul-de-sac would exceed maximum allowed length;

(dd) Any relocation of the proposed street resulting in lots that do not meet lot standards;

(ee) A required boundary street improvement.

**Applicant Response: The proposed extension of La Jolla Drive NW is necessary to meet the street and right-of-way improvement standards of Chapter 803 connectivity standards. There is no possible way to realign the street to avoid impacting the 3 trees proposed for removal.**

If you have any questions, please contact me by phone at (503) 399-1090 or [samt@lenityarchitecture.com](mailto:samt@lenityarchitecture.com)

Sincerely,



Sam Thomas

Senior Land Use Specialist

Lenity Architecture, Inc.