

TO: Aaron Panko, Planner III
Community Development Department

FROM: Glenn J. Davis, PE, CFM, Chief Development Engineer
Public Works Department

DATE: August 31, 2022

SUBJECT: **PUBLIC WORKS RECOMMENDATIONS**
PUD71-5MOD1-PAR-PLA22-03 (22-109523; 22-109524; 22-113374)
1320 ORCHARD HEIGHTS ROAD NW
CONSERVATION PARCEL FOR GLENN CREEK

PROPOSAL

A request to modify an approved Planned Unit Development Final Plan, a Property Line Adjustment to remove an existing lot line, and a Tentative Partition to divide the subject property into two parcels for the purpose of creating a new conservation parcel to be dedicated to the City of Salem, for property approximately 7.73 acres in size, zoned RA (Residential Agriculture), and located at 1320 Orchard Heights Road NW - 97304 (Polk County Assessors Map and Tax Lot numbers: 073W16CD / 01600 and 01800).

RECOMMENDED CONDITIONS OF APPROVAL

1. Prior to PLA/Plat submittal, the original centerline alignment and all subsequent alignments of Orchard Heights Road NW shall be resolved. An exhibit that clearly depicts and describes the existing bounds of the right-of-way (ROW) as well as all documentation used in said resolution shall be provided to the Public Works Department for review.

FACTS

Streets

1. Orchard Heights Road NW.
 - a. Standard—This street is designated as a minor arterial street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.
 - b. Existing Conditions—This street has varied 40-foot improvement within a varied 60-to-85-foot-wide right-of-way abutting the subject property.

- c. Special Setback—The frontage of the subject property has a special setback equal to 36 feet from centerline of Orchard Heights Road NW.

Storm Drainage

1. Existing Conditions

- a. A 15-inch storm main is located in Orchard Heights Road NW.

Water

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. There are 8-inch and 24-inch public water mains located in Orchard Heights Road NW.

Sanitary Sewer

1. Existing Sewer

- a. An 18-inch sewer main is located in Orchard Heights Road NW and extends onto the subject property within an easement.

PARTITION CRITERIA AND FINDINGS

SRC 205.005(d) indicates the criteria that must be found to exist before an affirmative decision may be made. The applicable criteria and the corresponding findings are as follows:

SRC 205.005(d)(1)—The tentative partition plan complies with the standards of this Chapter and with all applicable provisions of the Unified Development Code, including, but not limited to the following:

- (A) Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage, and designation of front and rear lot lines;**
- (B) City infrastructure standards; and**
- (C) Any special development standards, including, but not limited to floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.**

Findings—The applicant shall provide the required field survey and partition plat per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and

SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and as per SRC Chapter 205, the approval of the partition plat by the City Surveyor may be delayed or denied based on the non-compliant violation. It is recommended the applicant request a pre-plat review meeting between the City Surveyor and the applicant's project surveyor to ensure compliance with ORS 672.005(2)(g)&(h), 672.007(2)(b), 672.045(2), 672.060(4), *Oregon Administrative Rules* 850-020-0015(4)&(10), 820-020-0020(2), and 820-020-0045(5).

The subject property is designated on the Federal Emergency Management Agency (FEMA) floodplain maps as a Zone "AE" floodplain and floodway. Development within the floodplain requires a floodplain development permit and is subject to the requirements of SRC Chapter 601, including elevation of new structures to a minimum of one foot above the base flood elevation. The application does not propose new structures within the floodplain.

The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and/or hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s). Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 2-point landslide hazard areas on the subject property. The proposed activity of a partition adds 2 activity points to the proposal, which results in a total of 4 points. Therefore, the proposed development is classified as a low landslide risk and no additional information is required.

SRC 205.005(d)(3)—Development within the tentative partition plan can be adequately served by City infrastructure.

Findings—Water and sewer infrastructure are available along the perimeter of the site and appear to be adequate to serve the property as shown on the applicant's preliminary partition plan. The proposed partition creates one parcel that contains an existing development and a second parcel as a conservation parcel over the Glenn Creek floodway boundary. The existing development is served by public utilities. Pursuant to SRC 205.045(a), the conservation parcel *shall be primarily undeveloped and in a natural state* and is, therefore, exempt from requirements to stub utilities to the parcel upon creation.

SRC 205.005(d)(4) and SRC 205.005(d)(5)—The street system in and adjacent to the tentative partition plan conforms to the *Salem Transportation System Plan*. The street system in and adjacent to the tentative partition plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the partition.

Finding—Orchard Heights Road NW abuts the subject property and does not meet the current standard for a minor arterial street. The proposal is to partition the subject property to create a conservation parcel; no new development is occurring and therefore, the development is exempt from boundary street improvements. The proposed development is subject to a special setback equal to 36 feet from centerline on the development side of Orchard Heights Road NW.

The right-of-way width and location of Orchard Heights Road NW is ambiguous according to City Records. Based on the information provided, Survey was unable to verify the accuracy of the ROW retracement shown on the tentative survey. It is the surveyors of record responsibility to accurately retrace the ROW adjacent the subject property and provide the City all necessary documentation to verify the resolution prior to final plat approval.

Condition: Prior to PLA/Plat submittal, the original centerline alignment and all subsequent alignments of Orchard Heights Road NW shall be resolved. An exhibit that clearly depicts and describes the existing bounds of the ROW as well as all documentation used in said resolution shall be provided to the Public Works Department for review.

PLANNED UNIT DEVELOPMENT MODIFICATION CRITERIA AND FINDINGS

SRC 210.035(b)(4)(A)—The proposed modification does not substantially alter the original approval.

Findings—The proposed modification creates a conservation parcel over the floodway boundary of Glenn Creek. The proposed modification does not substantially alter the original approval.

SRC 210.035(b)(4)(B)—The proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties.

Findings—No additional development on the conservation parcel is proposed. Pursuant to SRC 205.045(a), the conservation parcel shall be *primarily undeveloped and in a natural state*; therefore, the proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties.

Prepared by: Laurel Christian, Development Services Planner II
cc: File