

# NOTICE OF DECISION

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
PHONE: 503-588-6173  
FAX: 503-588-6005



*Si necesita ayuda para comprender esta información, por favor llame  
503-588-6173*

## DECISION OF THE PLANNING ADMINISTRATOR

**PARTITION TENTATIVE PLAN CASE NO.: PAR22-07**

**APPLICATION NO.: 22-115403-PLN**

**NOTICE OF DECISION DATE:** November 21, 2022

**SUMMARY:** An application for a tentative partition to create three parcels.

**REQUEST:** An application for a tentative partition to create three parcels, approximately .25 acres, 0.21 acres, and 0.74 acres in size. The subject property is approximately 1.2 acres, zoned RS (Single Family Residential), and located at 2828 Doaks Ferry Rd NW (Marion County Assessor Map and Tax Lot Number 073W08DA / 7000).

**APPLICANT:** Crystal Perry

**LOCATION:** 2828 Doaks Ferry Road NW

**CRITERIA:** Salem Revised Code (SRC) Chapter 205.005(d) – Partition

**FINDINGS:** The findings are in the attached Decision dated November 21, 2022.

**DECISION:** The **Planning Administrator APPROVED** Partition Tentative Plan Case No. PAR22-07 subject to the following conditions of approval:

- Condition 1:** The existing accessory structure (shed) on Parcel 3 shall be demolished prior to final plat approval.
- Condition 2:** A turnaround meeting Salem Fire Prevention Code standards shall be provided in the proposed accessway, or proposed parcels 2 and 3 shall be equipped with an approved automatic fire sprinkler system.
- Condition 3:** The flag lot accessway shall be paved in accordance with the requirements of SRC 800.025(c), Table 800-1. "NO PARKING – FIRE LANE" signs shall be posted on both sides of that segment of the flag lot accessway that is a fire apparatus roadway and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.
- Condition 4:** Removal of pavement not leading to the existing garage shall be removed or access shall be granted to Parcel 1 from the proposed accessway and the existing landscaping located on the inside curve of the driveway between the driveway and the street must be retained to maintain conformance with SRC 806.030(e).

- Condition 5:** Prior to final plat approval, the applicant shall obtain permits for installation of water services to serve Parcels 2 and 3.
- Condition 6:** Prior to final plat approval, the applicant shall provide an engineered design for stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on parcels 2 and 3. Construct stormwater facilities that are proposed in the public right-of-way.
- Condition 7:** Prior to final plat approval, the applicant show all necessary (existing and proposed) access and utility easements must be shown and recorded on the final plat.
- Condition 8:** Provide a 10-foot-wide public utility easement along the entire frontage of Doaks Ferry Road NW.
- Condition 9:** Prior to final plat approval or delayed pursuant to an Improvement Agreements, the applicant shall construct sewer services that are proposed in the public right-of-way.
- Condition 10:** At time of final plat submittal, 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.
- Condition 11:** Easements for shared vehicular access shall be shown on the final plat.
- Condition 12:** Future development of Parcels 2 and 3 shall meet setbacks to the future extension of Ferguson Street as an abutting street.
- Condition 13:** Prior to final plat, the applicant shall provide a 50-foot-wide public access and utility easement extending from the north line to the south line of the subject property. The easement terms shall: (1) allow for conversion to right-of-way upon construction of future Ferguson Street improvements by the applicant or others; and (2) require closure of the accessway driveway on Doaks Ferry Road NW upon construction of Ferguson Street NW and redirection of access for Parcels 2 and 3 to Ferguson Street NW.

The rights granted by the attached decision must be exercised, or an extension granted, by December 7, 2024, or this approval shall be null and void.

Application Deemed Complete:	<u>October 6, 2022</u>
Notice of Decision Mailing Date:	<u>November 21, 2022</u>
Decision Effective Date:	<u>December 7, 2022</u>
State Mandate Date:	<u>February 3, 2023</u>

Case Manager: Liz Olmstead, Planner III, [eolmstead@cityofsalem.net](mailto:eolmstead@cityofsalem.net), 503-540-2363

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR

97301, or by email at [planning@cityofsalem.net](mailto:planning@cityofsalem.net), no later than 5:00 p.m., Tuesday, December 6, 2022. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter 205. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

<http://www.cityofsalem.net/planning>

**BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM  
DECISION**

<b>IN THE MATTER THE APPROVAL OF TENTATIVE PARTITION PLAN CASE NO. PAR22-07; 2828 DOAKS FERRY ROAD NW</b>	) ) ) )	<b>FINDINGS AND ORDER  NOVEMBER 21, 2022</b>
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**REQUEST**

**Summary:** An application for a tentative partition to create three parcels.

**Request:** An application for a tentative partition to create three parcels, approximately 0.25 acres, 0.21 acres, and 0.74 acres in size.

The subject property is 1.2 acres, zoned RS (Single Family Residential), and located at 2828 Doaks Ferry Rd NW (Marion County Assessor Map and Tax Lot Number 073W08DA / 7000). A vicinity map illustrating the location of the property is attached hereto and made a part of this staff report (**Attachment A**).

**PROCEDURAL FINDINGS**

1. On July 27, 2022, an application for a Tentative Partition Plan was filed proposing to create three parcels at the 2828 Doaks Ferry Road NW.
2. On September 30, 2022, additional information was provided, and the application was deemed complete for processing on October 6, 2022. Notice to surrounding property owners and residents was mailed pursuant to Salem Revised Code on October 11, 2022. The state-mandated local decision deadline is February 3, 2022.

**SUBSTANTIVE FINDINGS**

**1. Proposal**

The subject property consists of one tax lot approximately 1 acre in size and contains an existing single-family home. The proposal is to create three parcels.

The three parcels within the tentative partition plan are proposed as follows:

**PROPOSED PARCEL 1**

Parcel Size:	0.25 Acres (11,180 sq. ft);
Parcel Dimensions:	Approximately 75 feet in width and 144 feet in depth.

**PROPOSED PARCEL 2**

Parcel Size:	0.17 Acres (7,671 sq. ft) exclusive of a 1,621 sq. ft. access easement;
Parcel Dimensions:	Approximately 63 feet in width and 117 feet in depth.

**PROPOSED PARCEL 3**

Parcel Size:	0.70 Acres (30,782 sq. ft.) exclusive of a 1,632 sq. ft. access easement;
Parcel Dimensions:	Approximately 78 feet in width and 289 feet in depth

## 2. Applicant's Plans and Statement

Land use applications must include a statement addressing the applicable approval criteria and be supported by proof they conform to all applicable standards and criteria of the Salem Revised Code. The applicant's written statement can be found in the record and plans submitted by the applicant depicting the proposed development can be found in the record, and attached hereto as **Attachment B**.

## 3. Summary of Record

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 22 115403.

## 4. Existing Conditions

### Site and Vicinity

The subject property consists of one tax lot, approximately 1.2 acres in size. The site is of an irregular shape, approximately 430 feet from west to east, and approximately 135 feet from north to south. The property slopes west to east, from approximately 258 feet in elevation at the western end of the property, to approximately 224 feet at the eastern end of the property. There is an existing single-family home on the west portion of the property.

### Salem Area Comprehensive Plan (SACP) Designation

*Urban Growth Policies:* The subject property is located inside of the Salem Urban Growth Boundary and inside the corporate city limits.

*Comprehensive Plan Map:* The subject property is designated "Single Family Residential" on the Salem Area Comprehensive Plan (SACP) Map. The surrounding properties are also designated as Single Family Residential.

### Zoning and Surrounding Land Use

The subject property is zoned RS (Single Family Residential) and is contains an existing single family home on proposed Parcel 1 and an accessory structure on proposed Parcel 3. The surrounding properties are also zoned RS (Single Family Residential). The surrounding properties area also zoned RS and are also developed with single-family homes.

### Relationship to Urban Service Area

The subject property is inside of the City's Urban Service Area.

## Infrastructure

- Water:** The subject property is located in the W-1 water service level.  
An 18-inch public water main is located in Doaks Ferry Road NW.
- Sewer:** An 8-inch sewer main is located in Doaks Ferry Road NW.
- Storm Drainage:** An 18-inch storm main is located in Doaks Ferry Road NW.
- Streets:** 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.  
Existing Conditions—This street has an approximate 43-foot improvement within a 76-foot-wide right-of-way abutting the subject property.

## **5. City Department Comments**

Public Works Department - Reviewed the proposal and provided a memo which is included as **Attachment C**.

Building and Safety Division - Reviewed the proposal and indicated no site concerns.

Fire Department - Reviewed the proposal and indicated that a turnaround meeting Salem Fire Prevention Code standards shall be provided in the proposed accessway, or proposed parcels 2 and 3 shall be equipped with an approved automatic fire sprinkler system.

## **6. Public Agency Comments**

Salem Electric – Reviewed the proposal and indicated with Salem Electric will provide Electric Service according to the rates and policies at the time of construction.

## **7. Neighborhood Association Comments**

The subject property is located within the boundaries of the Faye Wright Neighborhood Association.

Applicant Neighborhood Association Contact: SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this proposed consolidated land use application request require neighborhood association contact. The applicant submitted documentation of Neighborhood Association Contact provided on March 1, 2022, to the Faye Wright Neighborhood Association chairs.

Neighborhood Association Comment: Notice of the application was provided to the West Salem Neighborhood Association pursuant to SRC 300.620(b)(2)(B)(v), which requires notice

to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. The neighborhood association submitted written comments in opposition to the proposal. The following testimony was provided:

Concerns regarding the future extension of Ferguson Street NW were raised and that a finding be included in the decision that ensures the street extension not be precluded. A suggestion was also made to encourage the development of cottage cluster housing.

**Staff Response:**

*Ferguson Street NW Extension:* The applicant has shown the future street extension of Ferguson Street NW on the tentative plat. As part of the Decision, a condition of approval to be completed prior to final plat approval has been included to provide a 50-foot-wide public access and utility easement extending from the north line to the south line of the subject property. The easement terms shall: (1) allow for conversion to right-of-way upon construction of future Ferguson Street improvements by the applicant or others; and (2) require closure of the accessway driveway on Doaks Ferry Road NW upon construction of Ferguson Street NW and redirection of access for Parcels 2 and 3 to Ferguson Street NW.

*Future Development:* The project site is zoned RS (Single Family Residential). Development within the RS zone is subject to the uses allowed in Section 511.005(a) of the Salem Revised Code, which includes Cottage cluster as well as other types of development subject to the limitations and qualifications of the zone.

Public Comment: Notice was also provided, pursuant to SRC 300.620(b)(2)(B)(iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property. One comment was submitted stating no objections to the proposal, and, and three comments were submitted regarding concerns about the proposal. The following testimony was provided:

Concerns regarding development of the property, drainage and flooding concerns, the future extension of Ferguson Street NW, wildlife habitat and views, traffic congestion and an unsafe intersection at the entrance to the subject property.

**Staff Response:**

*Stormwater Management:* Development is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004, which requires the development to meet current standards for Stormwater Management. A condition of approval has been included in the decision that the applicant submit an engineered stormwater management design to demonstrate current standards are met.

*Parcel Topography and Utilities:* The subject property slopes away from Doaks Ferry Road NW. A condition of approval has been included in the decision that requires the applicant to serve the development with public sewer. Specifically, the applicant is required to obtain any necessary off-site easements needed to make natural grade to sewer or provide individual sewer pumps as per the Oregon Plumbing Code.

*Traffic:* The proposed partition would create two additional parcels for development. Additional trips generated by the development are expected to have a minimal impact on the existing

street system. The development is utilizing an existing driveway onto Doaks Ferry Road NW, which is a fully developed street.

*Views:* Views of adjacent property owners are not regulated or protected under the City of Salem zoning Code. Future development will be reviewed for conformance with zoning requirements, including lot size and layout, maximum height, and minimum setback requirements.

*Tree Removal:* The applicant has submitted a Tree Conservation Plan (TCP22-08), pursuant to the City's Tree Preservation Ordinance (SRC Chapter 808). The application proposes to preserve seven of the 17 trees on the subject property. The applicant proposes to retain 42% of the trees on the development site, which is more than 30 percent retention requirement per SRC Chapter 808. The applicant has proposed to retain all trees along the northern property line of proposed Parcel 2.

*Development:* Property may be divided and developed in accordance with the standards of the Salem Revised Code. The proposed tentative partition plat has been reviewed for conformance with the applicable standards of the code and meets the standards and criteria. Future development will be subject to the standards of the RS (Single Family Residential) zone.

Homeowners Association: The subject property is not located within a Homeowners Association.

## **DECISION CRITERIA FINDINGS**

### **8. Analysis of Tentative Partition Plan Approval Criteria**

The Salem Revised Code (SRC), which includes the Unified Development Code (UDC), implements the Salem Area Comprehensive Plan land use goals, and governs development of property within the city limits. The partition process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans. A second review occurs for the created parcels at the time of site plan review/building permit review to assure compliance with the UDC. Compliance with conditions of approval to satisfy the UDC is checked prior to city staff signing the final partition plat.

SRC Chapter 205.005(d) sets forth the criteria that must be met before approval can be granted to a tentative partition plan. The following subsections are organized with approval criteria shown in bold, followed by findings of fact upon which the Planning Administrator's decision is based. The requirements of SRC 205.005(d) are addressed within the specific findings which evaluate the proposal's conformance with the applicable criteria. Lack of compliance with the following criteria is grounds for denial of tentative plan or for the issuance of conditions of approval to more fully satisfy the criteria.

**SRC 205.005(d)(1): The tentative partition plan complies with the standards of this Chapter and with all applicable provisions of the UDC, 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.**

The subject property is zoned RS (Single Family Residential).

The use allowed in the zone are required to comply with SRC 511.005(a). Proposed Parcel 3 would be an undeveloped parcel at the time of tentative partition and contains an existing accessory structure (shed). As the proposed Parcel 3 will not contain a primary use permitted in the zone, the accessory structure (shed), must be demolished prior to final plat approval.

**Condition 1:** The existing accessory structure (shed) on Parcel 3 shall be demolished prior to final plat approval.

The development standards applicable to development are included under SRC 511.010(b).

As shown on the tentative partition plan (**Attachment B**), the proposed parcels are as follows:

TABLE 511-2. LOT STANDARDS				
Requirement	Standard	Parcel 1	Parcel 2 (Infill Lot)	Parcel 3 (Infill Lot)
Lot Area				
Single Family	4,000 sq. ft.	11,180 sq. ft. (0.25 Acres)	7,671 sq. ft. (0.17 Acres) exclusive of a 1621 sq. ft. access easement	30,782 sq. ft. (0.70 Acres) exclusive of a 1632 sq. ft. access easement
Two Family	4,000 sq. ft.			
Three Family	5,000 sq. ft.			
Four Family	7,000 sq. ft.			
Infill Lot <sup>1</sup>	5,500 sq. ft.			
Lot Width				
Single family & all other uses	Min. 40 ft.	75 ft.	63 ft.	78 ft.
Lot Depth				
Single family & two family	Min. 70 ft.	144 ft.	117 ft.	289 ft.
All other uses	Min 80 ft.			
Street Frontage				
Single family – four family, & all other uses	Min. 40 ft.	79 ft.	Flag Lot	Flag Lot

<sup>1</sup> Infill lot: A residential flag lot created by the partition of land after February 8, 2006.

**Finding:** The proposed lots conform with the standards of the zone, as detailed above. The approval criterion is met.

<b>TABLE 511-3. SETBACKS</b>			
<b>Requirement</b>	<b>Standard</b>	<b>Limitations &amp; Qualifications</b>	<b>Parcel 1</b>
<b>Abutting Street</b>			
All other uses	Min 12 ft.		

	Min 20 ft.	Applicable along collector or arterial streets	49 ft.
<b>Interior Front</b>			
All other uses	Min 12 ft.		10 ft. & 9 ft.
<b>Interior Side</b>			
Single family	Min. 3 ft.	Applicable to existing buildings, other than zero side yard dwellings and townhouses.	10 ft. & 9 ft.
Infill lot <sup>1</sup>	Min. 10 ft.	Applicable to buildings not more than 35 ft. in height where the interior side setback abuts lots zoned RA and RS.	
<b>Interior Rear</b>			
All other uses	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height.	
	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height.	29 ft.

**Finding:** There is an existing two-story single-family dwelling on proposed Parcel 1. The existing structure conforms with the setback requirements of the zone. Future development on proposed Parcels 2 and 3 will be reviewed for conformance with setback requirements at the time of application for building permits. The proposed lots have a building envelope that shows the setbacks can be met. The approval criterion is met.

<b>TABLE 511-4. LOT COVERAGE; HEIGHT</b>		
<b>Requirement</b>	<b>Standard</b>	<b>Parcel 1</b>
<b>Lot Coverage</b>		
Single family	Max. 60%	~27%
<b>Height</b>		
Single family	Max 35 ft.	~25 ft.

**Finding:** There is an existing two-story single-family dwelling on proposed Parcel 1. The existing structure conforms with the lot coverage and height requirements of the zone. Future development on Parcels 2 and 3 will be reviewed for conformance with lot coverage and height requirements at time of application for building permits. The approval criterion is met.

**SRC Chapter 800 (General Development Standards):**

SRC Chapter 800.025 – Flag lots: Flag lots are allowed subject to the standards set forth in this section.

- (a) *Lot area.* The lot area of a flag lot shall conform to the lot area standards of the UDC. Lot area shall be calculated exclusive of the flag lot accessway.

**Finding:** The minimum lot size for a flag lot is 5,500 square feet. The applicant's site plan indicates that proposed Parcel 2 is 7,671 square feet, exclusive of the accessway and Proposed Parcel 3 is 30,782 square feet, exclusive of the accessway, which is in excess of the minimum lot standards for a flag lot, exclusive of the flag lot accessway. This criterion is met.

- (b) *Lot dimensions.* The lot dimensions of a flag lot shall conform to the lot dimension standards of the UDC. Lot dimensions shall be calculated exclusive of the flag lot accessway.

**Finding:** The minimum lot width for single family and all other uses in the RS zone is 40 feet. Proposed Parcel 2 is 63 feet wide, and proposed Parcel 3 is 78 feet wide, both in excess of the 40-foot minimum lot width requirement, exclusive of the flag lot accessway. The minimum lot depth for single family and two family is a minimum of 70 feet, and 80 feet for all other uses. Proposed Parcel 2 is 117 feet deep, and proposed Parcel 3 is 289 feet deep, exclusive of the flag lot accessway, both in excess of the minimum lot depth requirements. Proposed Parcels 2 and 3 conform to the lot dimensions standards of the UDC, therefore, this criterion is met.

- (c) *Flag lot accessways.* Flag lot accessways shall be developed and maintained in conformance with the standards set forth in Table 800-1 and this subsection.

<b>TABLE 800-1. FLAG LOT ACCESSWAY STANDARDS</b>			
<b>Number of Lots Served by Accessway</b>	<b>Maximum Length</b>	<b>Total Width</b>	<b>Paved Width</b>
<b>1—2 lots</b> (residential zoned property)	150 ft. <sup>(1)</sup>	Min. 20 ft.	Min. 15 ft.
<b><u>Limitations and Qualifications</u></b> <sup>(1)</sup> Maximum flag lot accessway length shall not apply where geographic features make it impractical, and when approved by the Planning administrator following review and recommendation by the Fire Marshal.			

- (1) *Maximum number of lots served by flag lot accessway.* A maximum of four lots may be served by a flag lot accessway.
- (2) *Flag lot accessway grade.* Flag lot accessway grade shall conform to the Salem Fire Prevention Code.
- (3) *Fire Department access and flag lot accessway turnarounds.*
  - (A) Unobstructed fire apparatus access shall be provided to within 150 feet of any facility, building, or portion of a building, unless the building is equipped with an approved automatic fire sprinkler system or where geographic features make it impractical and an alternative means of fire protection is provided and approved by the Fire Marshal.
  - (B) Flag lot accessways greater than 150 feet in length shall include a turnaround, meeting Salem Fire Prevention Code standards, unless the buildings served by the flag lot accessway are equipped with approved automatic fire sprinkler systems or where geographic features make it impractical and an alternative means of fire protection is provided and approved by the Fire Marshal.

**Finding:** The proposed accessway is 20 feet in width with 15 feet of paving and serves two lots. The proposed accessway to serve proposed Parcel 2 is greater than 150 feet in length. Due to the current configuration of the neighboring property, the location of the existing dwelling on the subject property and the need to serve two parcels behind proposed Parcel 1, there is no other option than to exceed the 150-foot maximum length. The City of Salem Fire Marshal reviewed the proposal and will the property line require a turnaround meeting Salem Fire Prevention Code standards or equipped with an approved automatic fire sprinkler system. In order to ensure proposed Parcel 2 conforms to the requirements of SRC 800.025(c)(3), the following condition shall apply:

**Condition 2:** A turnaround meeting Salem Fire Prevention Code standards shall be provided in the proposed accessway, or proposed parcels 2 and 3 shall be equipped with an approved automatic fire sprinkler system.

(d) *Parking prohibited on flag lot accessways.* Parking shall be prohibited on flag lot accessways. No parking signs shall be posted and maintained on both sides of the accessway. The signs shall read "NO PARKING"; provided, however, where parking is prohibited because of a fire lane, the signs shall read "NO PARKING - FIRE LANE" and shall be installed in accordance with Salem Fire Prevention Code standards.

**Finding:** In order to ensure the proposed flag lot accessway serving Parcels 2 and 3 conforms to the requirements of SRC 800.025, the following condition shall apply:

**Condition 3:** The flag lot accessway shall be paved in accordance with the requirements of SRC 800.025(c), Table 800-1. "NO PARKING – FIRE LANE" signs shall be posted on both sides of that segment of the flag lot accessway that is a fire apparatus roadway and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.

(e) *Maximum percentage of flag lots within a subdivision.* Within a subdivision, up to 15 percent of the lots may be flag lots.

**Finding:** This proposal is not a subdivision; therefore, this standard does not apply.

### **SRC Chapter 806 (Off-Street Parking, Loading, and Driveways)**

**SRC 806.015(a) (Minimum Required Off-Street Parking):** SRC 806.015(a) requires all Single Family and Two-Family dwellings, outside of the Central Salem Development Program (CSDP) Area, to provide a minimum of two off-street parking spaces. The subject properties are located outside of the CSDP, and the proposed partition would create three total parcels for residential development. There is an existing two-story single-family dwelling on Parcel 1. The existing structure contains a garage and a circular driveway, allowed per SRC 806.030(e). The existing circular driveway abuts Doaks Ferry Road NW, which is an Arterial Street. The driveway is 12 feet in width and the inside curve of the driveway contains existing landscaping. The partition plan indicates that the northern driveway will be utilized for the accessway serving Parcel 2 and 3. If the circular driveway is removed by elimination of the northern access for Parcel 1, the pavement in front of the existing dwelling shall be removed and parking is not allowed. If Parcel 1 is granted access to the accessway, the landscaping must

be maintained to retain conformance with the circular driveway regulations. Off-street parking requirements for proposed Parcels 2 and 3 will be reviewed at the time of building permit. The proposal meets the requirements of SRC Chapter 806.

**Condition 4:** Removal of pavement not leading to the existing garage shall be removed or access shall be granted to Parcel 1 from the proposed accessway and the existing landscaping located on the inside curve of the driveway between the driveway and the street must be retained to maintain conformance with SRC 806.030(e).

#### **(B) City Infrastructure Standards.**

The Public Works Department reviewed the proposal for compliance with the City's public facility plans as pertains to the provision of water, sewer, and storm drainage facilities. While SRC Chapter 205 does not require submission of utility construction plans prior to tentative partition plan approval, it is the responsibility of the applicant to design and construct adequate City water, sewer, and storm drainage facilities to serve the proposed development prior to final plat approval without impeding service to the surrounding area.

SRC Chapter 200 (Urban Growth Management): The Urban Growth Management Program requires that an Urban Growth Area (UGA) Development Permit must be obtained prior to development of property outside the Salem Urban Service Area. The subject property is located inside the Urban Service Area; therefore, a UGA permit is not required, and the proposal conforms to the requirements of SRC Chapter 200.

SRC Chapter 802 (Public Improvements): Comments from the Public Works Department indicate that water, sewer, and stormwater infrastructure is available along the perimeter of the site and appears to be adequate to serve the proposed partition.

*SRC 802.015 (Development to be Served by City Utilities).* 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, Parcels 2 and 3 are at a lower elevation than Doaks Ferry Road NW, where public stormwater and sewer infrastructure are available to serve the development. The applicant proposed to obtain an off-site easement for sewer that would allow the development to make grade to Doaks Ferry Road NW slightly south of the subject property. If an off-site easement cannot be obtained, the applicant would be required to install individual sewage pump systems for each new dwelling as per the Oregon Plumbing Code.

As specified in the conditions of approval, private water, sewer, and storm services shall be constructed to serve each lot as a condition of plat approval. Construction of facilities in the right-of-way is required prior to final plat except as authorized in an improvement agreement per SRC 205.035(c)(7)(B).

The proposed development is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed parcels can meet the PWDS, the applicant shall submit an engineered tentative stormwater design prior to final plat approval. The Geo-Assessment submitted for the proposed partition

recommends an engineered on-lot stormwater design for the subject development due to the infiltration rates and type of soil on-site. For a tentative stormwater design, the applicant shall submit infiltration test results and Engineering Method Report as applicable, and a preliminary site plan showing the building envelope and tentative location of stormwater facilities.

All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 205.035(c)(7)(B) prior to final plat approval. The tentative plat shows proposed access and utility easements to serve Parcels 2 and 3 through Parcel 1 and on off-site on property to the south. The applicant shall secure any necessary off-site easements. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

In order to ensure the proposed parcels conform to the requirements of SRC 802, the following conditions shall apply:

- Condition 5:** Prior to final plat approval, the applicant shall obtain permits for installation of water services to serve Parcels 2 and 3.
- Condition 6:** Prior to final plat approval, the applicant shall provide an engineered design for stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on parcels 2 and 3. Construct stormwater facilities that are proposed in the public right-of-way.
- Condition 7:** Prior to final plat approval, the applicant show all necessary (existing and proposed) access and utility easements must be shown and recorded on the final plat.
- Condition 8:** Provide a 10-foot-wide public utility easement along the entire frontage of Doaks Ferry Road NW.
- Condition 9:** Prior to final plat approval or delayed pursuant to an Improvement Agreements, the applicant shall construct sewer services that are proposed in the public right-of-way.

#### Final Plat:

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).

In order to ensure the proposed parcels conform to the final plat requirements, the following condition shall apply:

**Condition 10:** At time of final plat submittal, 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.

SRC Chapter 803 (Streets and Right-of-Way Improvements):

*SRC 803.015 (Traffic Impact Analysis):* The proposed three parcel partition is to divide an already developed parcel. All traffic impacts were analyzed accordingly with any future development. Therefore, a Traffic Impact Analysis is not required as part of the proposed partition submittal.

*SRC 803.030 (Street Spacing):* The proposed partition is not creating new streets.

*SRC 803.035 (Street Standards):* The proposed partition is not creating new streets.

1. Doaks Ferry 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 an approximate 43-foot improvement within a 76-foot-wide right-of-way abutting the subject property.

Doaks Ferry Road NW is a complete street constructed with sidewalks, a center-turn lane, bike lanes, and two travel lanes. Doaks Ferry Road NW meets the right-of-way width requirements for a minor arterial street according to the Salem TSP. Therefore, no additional improvements are required. The subject property currently has two driveway approaches onto Doaks Ferry Road NW; no additional approaches are proposed for the development.

SRC Chapter 804 (Driveway Approaches)

The subject property is served by two existing driveway approaches on Doaks Ferry Road NW. The driveway along the northern property line will serve proposed Parcels 2 and 3, while the southern driveway will serve Parcel 1. The applicant shall show access easements on the final plat for shared access to the proposed parcels. In order to ensure the proposed parcels conform to the requirements SRC 804, the following condition shall apply:

**Condition 11:** Easements for shared vehicular access shall be shown on the final plat.

**(C) Any special development standards, including, but not limited to, floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.**

SRC Chapter 808 (Preservation of Trees and Vegetation): The City's tree preservation ordinance (SRC Chapter 808) protects Heritage Trees, Significant Trees (*including Oregon White Oaks with diameter-at-breast-height of 24 inches or greater*), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet. In addition, a tree conservation plan is required in conjunction with any development proposal involving the creation of lots or parcels to be used for the construction of single family or duplex dwelling units, if the development proposal will result in the removal of trees.

As this proposal results in the removal of trees, a Tree Conservation Plan is required. The applicant has submitted a Tree Conservation Plan which indicates several trees smaller than 10" DBH and are not considered trees pursuant to SRC 808. The plan indicates a total of 17 trees greater than 10" DBH on site. The applicable proposes to preserve a minimum of 42% of the trees currently on the property. There are a total of 17 trees on the property, seven of which will be retained and remain on private property. The tree conservation plan indicates preservation of two trees within the extension of Ferguson Street. These trees are considered removed under SRC 808, due to the easement being granted and future street improvements. Future removal of those trees within the easement granted to the City of Salem will be reviewed under SRC 86. None of the trees are considered significant and no riparian trees are identified on the subject property. The approval criteria for the Tree Conservation Plan are evaluated separately, and a separate decision for these findings will be issued.

SRC Chapter 809 (Wetlands): Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetlands laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any wetland areas.

SRC Chapter 810 (Landslide Hazards): City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility.

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 2-to-3-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 to 5 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment. A Geological Assessment, prepared by Northwest Geological Services and dated September 27, 2022, was submitted to the City of Salem. This assessment demonstrates the subject property could be developed without increasing the potential for slope hazard on the site or adjacent properties.



**SRC 205.005(d)(2): The tentative partition plan does not impede the future use or development of the property or adjacent land.**

**Finding:** The proposed partition would divide one property into three parcels, with proposed Parcels 2 and 3 to be potentially further divided in the future. Proposed Parcel 3 is approximately 23,000 square feet, exclusive of the flag lot accessway and the future Ferguson Street extension. A Future division will be served by the extension of Ferguson Street, where utilities could be provided within the right-of-way. Development of Parcel 2 and 3 will be reviewed in relation to the future street and will have to maintain setbacks to property lines and the easement granted to the City to ensure development could occur in the future. Based on the configuration and location of the future street extension, proposed Parcel 3 could potentially be subdivided into four additional parcels. The proposed partition would not impede the future use or development of any portion of the property, allowing for reasonable development of the parcels in accordance with the UDC. As conditioned, the proposal meets this criterion.

**Condition 12:** Future development of Parcels 2 and 3 shall meet setbacks to the future extension of Ferguson Street as an abutting street.

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

**Finding:** Public Works Department staff reviewed the proposal and determined that 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, parcels 2 and 3 are at a lower elevation than Doaks Ferry Road NW, where public stormwater and sewer infrastructure are available to serve the development. The applicant proposed to obtain an off-site easement for sewer that would allow the development to make grade to Doaks Ferry Road NW slightly south of the subject property. If an off-site easement cannot be obtained, the applicant would be required to install individual sewage pump systems for each new dwelling as per the Oregon Plumbing Code.

As specified in the conditions of approval, private water, sewer, and storm services shall be constructed to serve each lot as a condition of plat approval. Construction of facilities in the right-of-way is required prior to final plat except as authorized in an improvement agreement per SRC 205.035(c)(7)(B).

The proposed development is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed parcels can meet the PWDS, the applicant shall submit an engineered tentative stormwater design prior to final plat approval. The Geo-Assessment submitted for the proposed partition recommends an engineered on-lot stormwater design for the subject development. For a tentative stormwater design, the applicant shall submit infiltration test results and Engineering Method Report as applicable, and a preliminary site plan showing the building envelope and tentative location of stormwater facilities.

All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 205.035(c)(7)(B) prior to final plat approval. The tentative

plat shows proposed access and utility easements to serve parcels 2 and 3 through parcel 1 and on off-site on property to the south. The applicant shall secure any necessary off-site easements. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

**SRC 205.005(d)(4): The street system in and adjacent to the tentative partition plan conforms to the Salem Transportation System Plan.**

**SRC 205.005(d)(5): 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:** Doaks Ferry Road NW is a complete street constructed with sidewalks, a center-turn lane, bike lanes, and two travel lanes. Doaks Ferry Road NW meets the right-of-way width requirements for a minor arterial street according to the Salem TSP. Therefore, no additional improvements are required. The subject property currently has two driveway approaches onto Doaks Ferry Road NW; no additional approaches are proposed for the development.

Ferguson Street NW is a proposed local street extending from the north and through the subject property. Pursuant to SRC 803.025(a) TABLE 803-1, the cul-de-sac street may have a minimum 50-foot right-of-way. The applicant shall provide a 50-foot-wide public access and utility easement extending from the north line to the south line of the subject property. The easement terms shall: (a) allow for conversion to right-of-way upon construction of future Ferguson Street NW street improvements by the applicant or others; and (b) require closure of the accessway driveway on Doaks Ferry Road NW upon construction of Ferguson Street NW, and redirection of access for Parcels 2 and 3 to Ferguson Street NW.

**Condition 13:** Prior to final plat, the applicant shall provide a 50-foot-wide public access and utility easement extending from the north line to the south line of the subject property. The easement terms shall: (1) allow for conversion to right-of-way upon construction of future Ferguson Street improvements by the applicant or others; and (2) require closure of the accessway driveway on Doaks Ferry Road NW upon construction of Ferguson Street NW and redirection of access for Parcels 2 and 3 to Ferguson Street NW.

**SRC 205.005(d)(6): The tentative partition plan takes into account the topography and vegetation of the site so the need for variances is minimized to the greatest extent practicable.**

**Finding:** The proposed partition has been reviewed to ensure that adequate measures have been planned to alleviate natural or fabricated hazards and limitations to development, including topography and vegetation of the site. The layout allows for reasonable development of all parcels within the partition without variances from the UDC. The proposal meets this criterion.

**SRC 205.005(d)(7): The layout, size, and dimensions of the parcels within the tentative partition plan take into account the topography and vegetation of the site, such that the least disruption of site, topography, and vegetation will occur from the reasonable development of the parcels.**

**Finding:** The proposed layout, size, and dimensions of the proposed parcels have been evaluated and are consistent with the UDC. The applicant has submitted a Tree Conservation Plan (TCP22-08) to address removal of trees on the site. The proposal meets this criterion.

**SRC 200.005(d)(8): When the tentative partition plan is for property located more than 300 feet from an available sewer main, and the property will not connect to City water and sewer:**

- (A) The property is zoned residential;**
- (B) The property has received a favorable site evaluation from the county sanitarian for the installation of an on-site sewage disposal system; and**
- (C) The proposed parcels are at least 5 acres in size and, except for flag lots, have no dimension that is less than 100 feet.**

**Finding:** The site is served by available sewer and water. Therefore, this criterion does not apply.

## **9. Conclusion**

Based upon review of SRC 205.005 and 250.055, the findings contained under Sections 7 and 8 above, and the comments described, the property line adjustments and tentative partition plan complies with the requirements for an affirmative decision. Approval will not adversely affect the safe and healthful development and access to any adjoining lands.

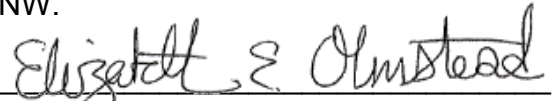
### **IT IS HEREBY ORDERED**

That Tentative Partition Plan Case No. PAR22-07, An application for a tentative partition to divide 1.2 acres into three parcels as outlined above for property zoned RS (Single Family Residential) and located at 2828 Doaks Ferry Rd NW (Marion County Assessor Map and Tax Lot Number 073W08DA / 7000). is hereby **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the conditions of approval listed below, which must be completed prior to final plat approval, unless otherwise indicated:

- Condition 1:** The existing accessory structure (shed) on Parcel 3 shall be demolished prior to final plat approval.
- Condition 2:** A turnaround meeting Salem Fire Prevention Code standards shall be provided in the proposed accessway, or proposed parcels 2 and 3 shall be equipped with an approved automatic fire sprinkler system.
- Condition 3:** The flag lot accessway shall be paved in accordance with the requirements of SRC 800.025(c), Table 800-1. "NO PARKING – FIRE LANE" signs shall be posted on both sides of that segment of the flag lot accessway that is a fire apparatus roadway and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.
- Condition 4:** Removal of pavement not leading to the existing garage shall be removed or access shall be granted to Parcel 1 from the proposed accessway and the existing landscaping located on the inside curve of the driveway between the

driveway and the street must be retained to maintain conformance with SRC 806.030(e).

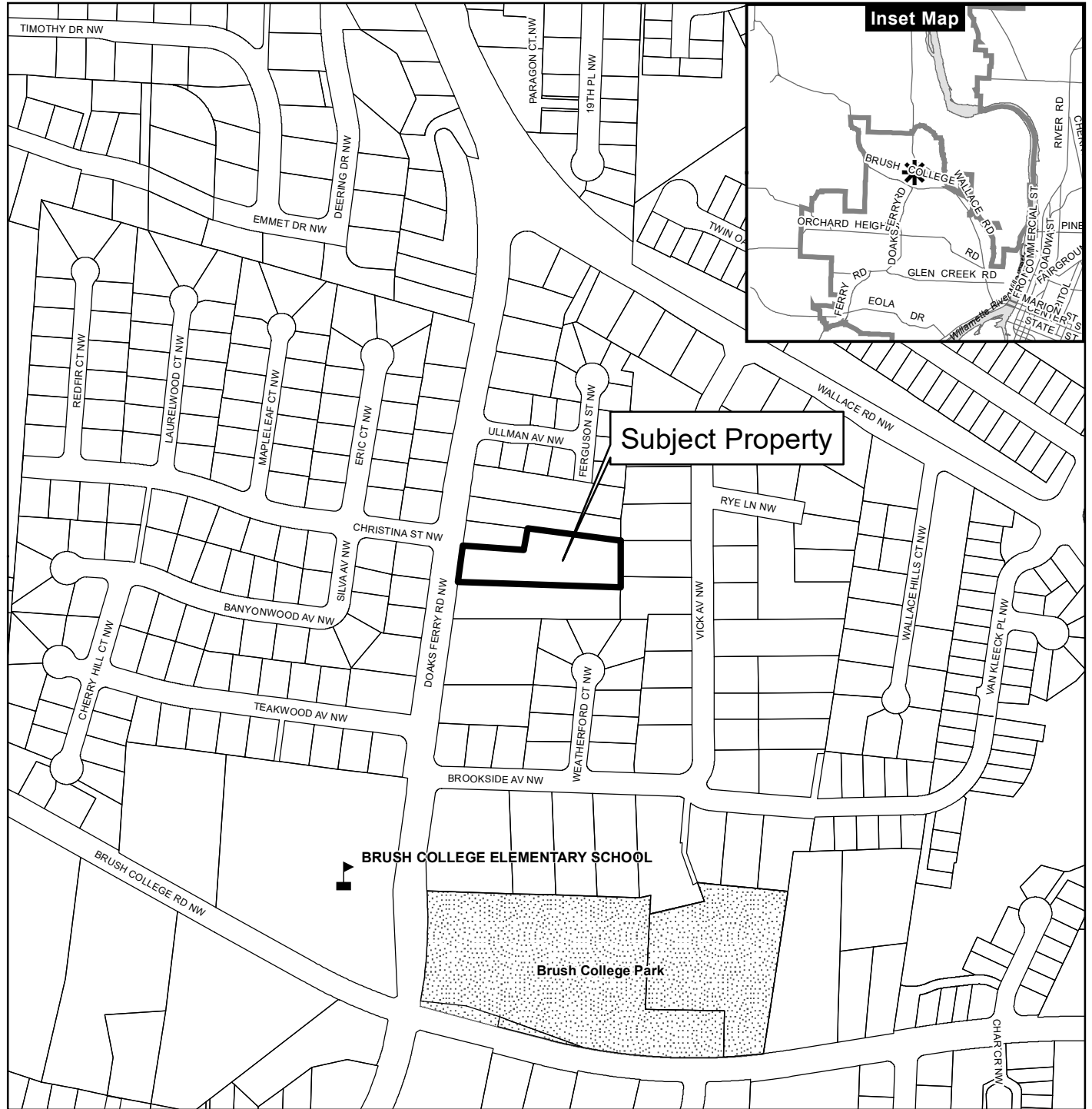
- Condition 5:** Prior to final plat approval, the applicant shall obtain permits for installation of water services to serve Parcels 2 and 3.
- Condition 6:** Prior to final plat approval, the applicant shall provide an engineered design for stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on parcels 2 and 3. Construct stormwater facilities that are proposed in the public right-of-way.
- Condition 7:** Prior to final plat approval, the applicant show all necessary (existing and proposed) access and utility easements must be shown and recorded on the final plat.
- Condition 8:** Provide a 10-foot-wide public utility easement along the entire frontage of Doaks Ferry Road NW.
- Condition 9:** Prior to final plat approval or delayed pursuant to an Improvement Agreements, the applicant shall construct sewer services that are proposed in the public right-of-way.
- Condition 10:** At time of final plat submittal, 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.
- Condition 11:** Easements for shared vehicular access shall be shown on the final plat.
- Condition 12:** Future development of Parcels 2 and 3 shall meet setbacks to the future extension of Ferguson Street as an abutting street.
- Condition 13:** Prior to final plat, the applicant shall provide a 50-foot-wide public access and utility easement extending from the north line to the south line of the subject property. The easement terms shall: (1) allow for conversion to right-of-way upon construction of future Ferguson Street improvements by the applicant or others; and (2) require closure of the accessway driveway on Doaks Ferry Road NW upon construction of Ferguson Street NW and redirection of access for Parcels 2 and 3 to Ferguson Street NW.

  
Liz Olmstead, Planner III, on behalf of  
Lisa Anderson-Ogilvie, AICP  
Planning Administrator








- Attachments: A. Vicinity Map  
B. Tentative Partition Plan  
C. Public Works Department Memorandum

# Vicinity Map

## 2828 Doaks Ferry Rd NW



### Legend

-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks

0 100 200 400 Feet



**CITY OF Salem**  
 AT YOUR SERVICE  
 Community Development Dept.

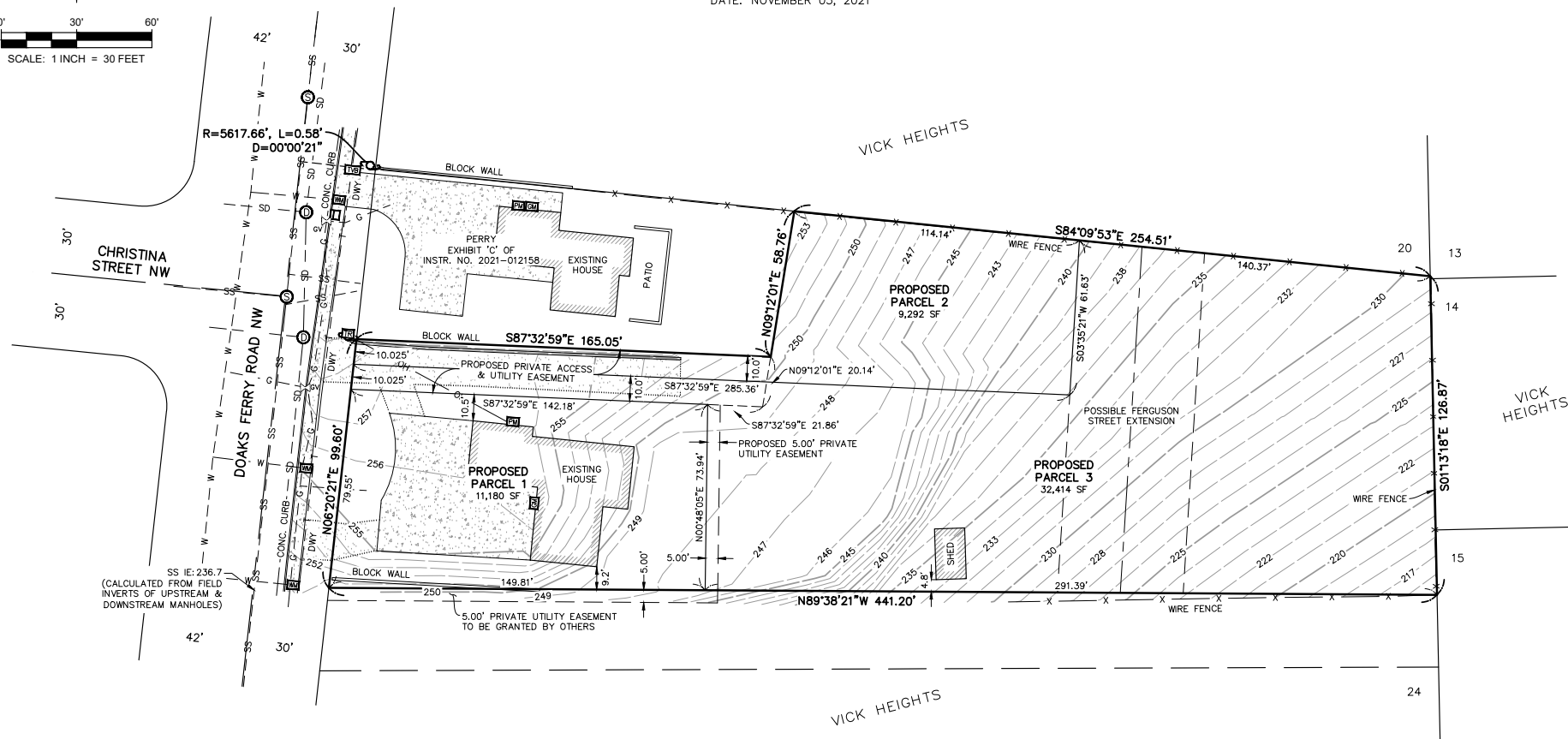
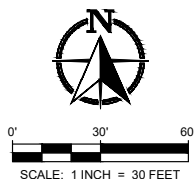
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## EXISTING &amp; PROPOSED CONDITIONS

IN THE SE 1/4 OF SECTION 8, T.7S., R.3W., W.M.

CITY OF SALEM, POLK COUNTY, OREGON

DATE: NOVEMBER 03, 2021



## LEGEND

	STORM DRAIN MANHOLE		SEWER LINE UNDERGROUND
	CURB INLET		STORM LINE UNDERGROUND
	SANITARY SEWER MANHOLE		WATERLINE UNDERGROUND
	WATER METER		GAS LINE UNDERGROUND
	POWER METER		COMMUNICATION LINE UNDERGROUND
	UTILITY POLE		OVERHEAD POWER LINE
	COMMUNICATION RISER		FENCE LINE
	COMMUNICATION BOX		
	GAS VALVE		CONCRETE
	GAS METER		DRIVEWAY
	CONCRETE		DEED INSTRUMENT NUMBER
	GRAVEL		SQUARE FEET

## NOTES

- 1) BASIS OF BEARINGS IS THE OREGON COORDINATE REFERENCE SYSTEM "SALEM ZONE".
- 2) ELEVATIONS SHOWN ARE NAVD88 DATUM DERIVED FROM GPS OBSERVATIONS.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

**DRAFT**

OREGON  
SEPTEMBER 12, 2017  
STEVEN LEE HOWELL  
91569

RENEWS: 6-30-2023

SURVEYED FOR: MATTHEW PERRY



**FORTY FIVE NORTH  
SURVEYING, LLC**

7230 3rd Street SE #145, Turner, OR 97392  
P: (503) 558-3330 E: info@ffnsurveying.com

JOB NO. 21-246

SHEET 1/1



# MEMO

**TO:** Liz Olmstead, Planner III  
Community Development Department

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

**DATE:** October 26, 2022

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS  
PARTITION PLAT NO. PAR22-07 (22-115403)  
2828 DOAKS FERRY ROAD NW  
3-PARCEL PARTITION**

## **PROPOSAL**

An application for a tentative partition to create three parcels, approximately .25 acres, 0.21 acres, and 0.74 acres in size. The subject property is approximately 1.2 acres, zoned RS (Single Family Residential), and located at 2828 Doaks Ferry Road NW (Marion County Assessor Map and Tax Lot Number 073W08DA / 7000).

## **RECOMMENDED CONDITIONS OF PLAT APPROVAL**

1. The following conditions of approval shall be completed prior to final plat approval:
  - a. Obtain permits for installation of water services to serve Parcels 2 and 3.
  - b. Provide an engineered design for stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on parcels 2 and 3. Construct stormwater facilities that are proposed in the public right-of-way.
  - c. All necessary (existing and proposed) access and utility easements must be shown and recorded on the final plat.
  - d. Provide a 10-foot-wide public utility easement along the entire frontage of Doaks Ferry Road NW.
  - e. Provide a 50-foot-wide public access and utility easement extending from the north line to the south line of the subject property. The easement terms shall: (1) allow for conversion to right-of-way upon construction of future Ferguson Street improvements by the applicant or others; and (2) require closure of the accessway driveway on Doaks Ferry Road NW upon construction of Ferguson Street NW and redirection of access for Parcels 2 and 3 to Ferguson Street NW.

2. The following conditions of approval shall be completed prior to final plat approval, or delayed pursuant to an Improvement Agreement:
  - a. Construct sewer services that are proposed in the public right-of-way.

## **FACTS**

### **Streets**

1. Doaks Ferry 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 an approximate 43-foot improvement within a 76-foot-wide right-of-way abutting the subject property.

### **Storm Drainage**

1. Existing Conditions
  - a. An 18-inch storm main is located in Doaks Ferry Road NW.

### **Water**

1. Existing Conditions
  - a. The subject property is located in the W-1 water service level.
  - b. An 18-inch public water main is located in Doaks Ferry Road NW.

### **Sanitary Sewer**

1. Existing Sewer
  - a. An 8-inch sewer main is located in Doaks Ferry Road NW.

## **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).

Public Works staff has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

A 10-foot-wide public utility easement is required along the entire frontage of Doaks Ferry Road NW pursuant to SRC 803.035(n).

According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any wetland areas.

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 2-to-3-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 to 5 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment. A Geological Assessment, prepared by Northwest Geological Services and dated September 27, 2022, was submitted to the City of Salem. This assessment demonstrates the subject property could be developed without increasing the potential for slope hazard on the site or adjacent properties.

**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, parcels 2 and 3 are at a lower elevation than Doaks Ferry Road NW, where public stormwater and sewer infrastructure are available to serve the development. The applicant proposed to obtain an off-site easement for sewer that would allow the development to make grade to Doaks Ferry Road NW slightly south of the subject property. If an off-site easement cannot be obtained, the applicant would be required to install individual sewage pump systems for each new dwelling as per the Oregon Plumbing Code.

As specified in the conditions of approval, private water, sewer, and storm services shall be constructed to serve each lot as a condition of plat approval. Construction of facilities in the right-of-way is required prior to final plat except as authorized in an improvement agreement per SRC 205.035(c)(7)(B).

The proposed development is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed parcels can meet the PWDS, the applicant shall submit an engineered tentative stormwater design prior to final plat approval. The Geo-Assessment submitted for the proposed partition recommends an engineered on-lot stormwater design for the subject development. For a tentative stormwater design, the applicant shall submit infiltration test results and Engineering Method Report as applicable, and a preliminary site plan showing the building envelope and tentative location of stormwater facilities.

All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 205.035(c)(7)(B) prior to final plat approval. The tentative plat shows proposed access and utility easements to serve parcels 2 and 3 through parcel 1 and on off-site on property to the south. The applicant shall secure any necessary off-site easements. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

**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.**

**Findings**—Doaks Ferry Road NW is a complete street constructed with sidewalks, a center-turn lane, bike lanes, and two travel lanes. Doaks Ferry Road NW meets the right-of-way width requirements for a minor arterial street according to the Salem TSP. Therefore, no additional improvements are required. The subject property currently has two driveway approaches onto Doaks Ferry Road NW; no additional approaches are proposed for the development.

Ferguson Street NW is a proposed local street extending from the north and through the subject property. The applicant shall provide a 50-foot-wide public access and utility easement extending from the north line to the south line of the subject property. The easement terms shall: (a) allow for conversion to right-of-way upon construction of future Ferguson Street NW street improvements by the applicant or others; and (b) require closure of the accessway driveway on Doaks Ferry Road NW upon construction of Ferguson Street NW, and redirection of access for Parcels 2 and 3 to Ferguson Street NW.

### **RESPONSE TO COMMENTS**

1. **Stormwater Management:** Comments received expressed concerns for additional runoff generated from the development flowing onto adjacent property.

**Staff Response:** As described above, the development is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004, which requires the development to meet current standards for Stormwater Management. A recommended condition of approval is that the applicant submit an engineered stormwater management design to demonstrate current standards are met.

2. **Lot Topography and Utilities:** Comments received express concerns for the feasibility of serving the subject property with public utilities due to the topography of the site.

**Staff Response:** As described above, the subject property slopes away from Doaks Ferry Road NW. Conditions of approval require the applicant to serve the development with public sewer. Specifically, the applicant is required to obtain any necessary off-site easements needed to make natural grade to sewer or provide individual sewer pumps as per the Oregon Plumbing Code.

3. **Traffic:** Comments received expressed concerns for traffic generated by the proposed development.

**Staff Response:** The proposed partition would create two additional parcels for development. Additional trips generated by the development are expected to have a minimal impact on the existing street system. As described above, the development is utilizing an existing driveway onto Doaks Ferry Road NW, which is a fully developed street.

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