

**TO:** Aaron Panko, Planner III  
Community Development Department

**FROM:** Laurel Christian, Development Services Planner II  
Public Works Department

**DATE:** February 28, 2023

**SUBJECT:** **PUBLIC WORKS RECOMMENDATIONS**  
**CU-SPR23-01 (22-124807)**  
**1290 12<sup>TH</sup> STREET SE**  
**MARIJUANA PRODUCTION**



## **PROPOSAL**

A Conditional Use Permit and Class 3 Site Plan Review request for a change of use within an existing building from a motor vehicle repair and retail sales use to a marijuana production facility, for property approximately 0.25 acres in size, zoned IC (Industrial Commercial), and located at 1290 12th Street SE - 97302 (Marion County Assessor Map and Tax Lot number: 073W35BB / 09900).

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. Obtain a Floodplain Development Permit for development within the regulatory floodplain and floodway pursuant to SRC Chapter 601.
2. The proposed development is subject to a special setback equal to 34 feet from centerline on the development side of 12<sup>th</sup> Street SE.
3. Install wheel stops on the subject property to restrict vehicles from parking within the 12<sup>th</sup> Street right-of-way.

## **FACTS**

### **Streets**

1. 12<sup>th</sup> Street SE
  - a. Standard—This street is designated as a major arterial street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 68-foot-wide right-of-way according to Appendix G.

- b. Existing Conditions—This street has an approximate 44-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

2. Wilbur Street SE

- a. Standard—This street is designated as a local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 35-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

**Storm Drainage**

1. Existing Conditions

- a. A 12-inch storm main is located in Wilbur Street SE.

**Water**

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. A 24-inch water main is located in 12<sup>th</sup> Street SE. Mains of this size generally convey flows of 8,500 to 19,700 gallons per minute.

**Sanitary Sewer**

1. Existing Conditions

- a. An 8-inch sewer main is located in 12<sup>th</sup> Street SE.

**CRITERIA AND FINDINGS—SITE PLAN REVIEW**

Analysis of the development based on relevant criteria in SRC 220.005(f)(3) is as follows:

**Criteria: SRC 220.005(f)(3)(A) The application meets all applicable standards of the UDC (*Unified Development Code*)**

**Findings**—With completion of the conditions above, the subject property meets all applicable standards of the following chapters of the UDC: 601 – Floodplain; 802 – Public Improvements; 803 – Streets and Right-of-Way Improvements; 804 – Driveway

Approaches; 805 – Vision Clearance; 809 – Wetlands; and 810 – Landslides.

The subject property is designated on the Federal Emergency Management Agency (FEMA) floodplain maps as a Zone “AE” floodplain. Development within the floodplain requires a floodplain development permit and is subject to the requirements of SRC Chapter 601. No new structures are proposed in the floodplain. The existing building is located within the regulatory floodplain. If the proposed development meets the definition of a substantial improvement, as defined in SRC 601.005(ff), the building must be brought into compliance with the current floodplain overlay zone regulations in SRC Chapter 601. At time of building permit application, the applicant shall describe the methods of building construction in sufficient detail to determine if the project meets the definition of substantial improvement.

**Condition:** Obtain a Floodplain Development Permit for development within the regulatory floodplain and floodway pursuant to SRC Chapter 601.

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

According to the City’s adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property.

**Criteria: SRC 220.005(f)(3)(B) The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately**

**Findings—**Wilbur Street SE meets the minimum improvement width and right-of-way width required for its classification according to the Salem TSP.

12<sup>th</sup> Street SE does not meet the minimum improvement width or right-of-way-width required for its classification according to Appendix G of the Salem TSP.

The existing street system is adequate to serve the proposed development and the development is not proposing a building addition subject to SRC 803.040(a); therefore, no right-of-way dedication or street improvements are required.

**Condition:** The proposed development is subject to a special setback equal to 34 feet from centerline on the development side of 12<sup>th</sup> Street SE.

**Criteria: SRC 220.005(f)(3)(C) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians**

**Findings—**The property has an existing access on 12<sup>th</sup> Street SE and Wilbur Street SE. The existing driveway accesses provide for safe turning movements into and out of the property.

There are existing parking spaces that extend into the public right-of-way of 12<sup>th</sup> Street SE, as shown on the applicants site plan. There are no barriers or wheel stops that would restrict vehicles from traversing onto the sidewalk, causing a potentially dangerous situation for pedestrians. Staff recommends these parking spaces be removed, or wheel stops be installed on the private property that will prohibit vehicles from entering the pedestrian space.

**Condition:** Install wheel stops on the subject property to restrict vehicles from parking within the 12<sup>th</sup> Street right-of-way.

**Criteria: SRC 220.005(f)(3)(D) The proposed development will be adequately served with City water, sewer, storm drainage, and other utilities appropriate to the nature of the development**

**Findings—**The subject property is located inside the Urban Service Area and adequate facilities are available. No Urban Growth Area permit is required. The Public Works Department has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development.

The applicant shall be required to design and construct a storm drainage system at the time of development. The application shall provide an evaluation of the connection to the approved point of discharge for new areas of impervious surface per SRC 71.075.

The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director.

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