

NARRATIVE

April 12, 2022

City of Salem
Community Development – Planning Division
555 Liberty Street SE, Suite 305
Salem, OR 97301

PROJECT NAME

COZY RESIDENTIAL

SITE ADDRESS

1035 COMMERCIAL STREET SE
& 160 BUSH STREET

SECTION 1 - REQUEST

The Applicant, Customer Care Inc., with their consulting architect, CBTWO Architects LLC, are requesting approval of a consolidated land use application that includes a Class 3 site plan review SRC220.005(b)(3) with Class 2 adjustments SRC 250.005(a)(1)(B) for: how building frontage is met on corner lots SRC 533.015(d); building setbacks for structures located within the Saginaw Street Overlay District SRC625.015(a); and for fences over 30-inches which are located within 10-feet of street property lines and exceed an opacity of 25% 800.050.(a)(1)(B)(i).

SECTION 2 - PROJECT DESCRIPTION

The development site is made up of 2 tax lots (073W27CA09300/1035 Commercial Street and 073W27CA10400/160 Bush Street) totaling 0.58 acres with a Mixed Use-I (MU-I) zoning designation and the Saginaw Street Overlay District applying to the Bush Street parcel. A public alley running north and south bifurcates the development site which is bordered by: Bush Street on the north; Commercial Street to the east; an existing commercial retail development zoned MU-I to the south of 1035 Commercial Street, and single family residential uses zoned RM-I to the south and west of 160 Bush Street parcel.

The development proposal is for a new 4 story mixed-use structure that includes 41 residential units, 4 live/work units, with common amenities spaces on the ground floor of the larger Commercial Street parcel; and a single-story, 600 square foot leasing/management office on the Bush Street parcel. Site improvements include 39 off-street parking spaces accessed from the public alley, pedestrian oriented design features, including enhanced landscaping, seating areas, and a 6-foot wood slat fence along the Commercial Street frontage. Replacement of public sidewalks adjacent to the site, removal of existing driveways on Bush Street, and street trees are anticipated within the public right-of-way (ROW). This type of development is permitted out-right in the MU-I zone.

SECTION 3 - SITE PLAN REVIEW

A Class 3 site plan review procedure as prescribed under Chapter 220 of the Salem Revised Code applies. Applicable standards found in SRC chapters: 533, 601, 625, 800, 802, 803, 804 805, 806, 807, 808, 809, 810, and 900 are provided in *gray Italics* with detailed project information confirming compliance follows standard in navy type with a **Bold** header for clearer distinction between the two:

CHAPTER 533. – MIXED USE-I

Sec. 533.010.-Uses

Multiple family permitted in MU-I zoning districts.

PROJECT INFORMATION: The proposed development is a mixed residential and commercial development which is permitted outright.

SEC. 533.015.- Development standards.

(a) Lot standards. Lots within the MU-I zone shall conform to the standards set forth in Table 533-2.

Lot Standards from Table 533-2

Requirement	Standard	PROJECT INFORMATION
<i>Lot Area</i>		
<i>All uses</i>	<i>None</i>	0.58 acres or 25,200 square feet for both lots.
<i>Lot Width</i>		
<i>All uses</i>	<i>None</i>	120-feet along Commercial Street and 210-feet along Bush Street, with 150-feet for the 1035 Commercial Street parcel and 60 for the Bush Street parcel.
<i>Lot Depth</i>		
<i>All uses</i>	<i>None</i>	Given that the buildings are oriented towards Bush Street which has greater street frontage (210-feet) and allows for more density the proposed development is oriented towards Bush Street, which has an overall development site depth of 120-feet. If each parcel is measured separately, then 150-feet for the Commercial Street parcel and 120 for the Bush Street parcel.
<i>Street Frontage</i>		
<i>All Uses</i>	<i>16 ft.</i>	Both parcels have street frontage: There is 120-feet of frontage on Commercial Street and 210-feet of frontage on Bush Street.

*(b) **Dwelling Unit density.** Development within the MU-I zone that is exclusively residential shall have a minimum density of 15 dwelling units per acre.*

PROJECT INFORMATION: The development proposal is for a mixed-use development that is primarily residential and includes 41 residential units, plus 4 live/work units on the ground floor of the primary building, and a 600 square foot ancillary leasing/management office building. The development site is less than an acre and includes 45 residential units.

*(c) **Setbacks.** Setbacks within the MU-I zone shall conform to the standards set forth in Tables 533-3 and 533-4.*

Setbacks from Table 533-3

Requirement	Standard	Limitations & Qualifications	PROJECT INFORMATION
Abutting Street			
Buildings			
All uses	0 ft.	<p>(1) Maximum setback of up to 10 feet is permitted in the setback area is used for pedestrian amenities.</p> <p>a) The maximum setback does not apply to a new building if another building exists between a minimum of 50 percent of the street-facing façade of the new building and the street.</p> <p>b) For double frontage lots, the maximum setback shall only apply to the street with the highest street classification. For double frontage lots where both streets have the same classification, the applicant may choose on which street the maximum setback shall apply.</p> <p>(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 (SRC) 533.015(h).</p>	<p>Commercial Street includes a special setback or ROW dedication that includes a 25-foot radius at the corner, to accommodate future street widening. As a result, the mixed-use building is setback from the property's existing Commercial Street property line by 11-feet, 11-inches and from the special setback or ROW dedication by 7-feet, 9-inches. It is setback from the Bush Street property line by 3-feet, 7-inches to accommodate front steps to unit entries and grade change between the public sidewalk and site.</p> <p>The leasing/management office building is setback from Bush Street by 5-feet which meets the standard of this Chapter but does not meet the street setback for new buildings in the Saginaw Street Overlay District triggering one of the adjustment requests.</p>
Accessory Structures			
All uses	Min. 10 ft.		Proposed accessory structures are limited to a trash enclosure which is sited away from the street off of the alley.
Vehicle Use Areas			
All uses	Per SRC 806		<p>Parking on the eastern portion of the site is provided next to the building adjacent to the mixed-use building and adjacent to Commercial Street. Proposed parking and vehicle use areas are setback from the Commercial Street property line by 11-feet or by 8-feet from the Special Setback/ROW dedication line. Setback includes, 2-foot elevation change between the public sidewalk and the street, landscaping, pedestrian amenities and a 6-foot tall wood slat fence.</p> <p>Additional parking is provided on the Bush Street parcel where it will be setback from the street by 5-feet as allowed by SRC 625.015, and include landscape screening, bike parking and accessible connection from the public sidewalk to the management/leasing office.</p>

Requirement	Standard	Limitations & Qualifications	PROJECT INFORMATION
Interior Side			
Buildings			
All uses	Zone-to-zone setback (Table 533-4)	Min. 10 ft. plus 1.5 feet for each 1 foot of building height above 15 feet ⁽²⁾ with a Type C landscape.	Table 533-4 notes that buildings in MU-I have no minimum side yard setback. The proposed mixed-use is more than 40-feet from the MU-I zone to the south. The management/leasing office on the western property is setback from the neighboring property that is zoned RM-II by approximately 10-feet.
Accessory Structures			
All uses	Zone-to-zone setback (Table 533-4)		There are no minimum setbacks for accessory structures in the MU-1 zone. The only accessory structure proposed is the trash enclosure that is adjacent to the alley on the Commercial Street parcel.
Vehicle Use Areas			
All uses	Zone-to-zone setback (Table 533-4)		Side yard setbacks for parking are min. 5 ft.. The proposed parking adjacent to neighboring commercial uses and MU-1 zoned property is setback 5-feet as required. Parking adjacent to RM-11 zone ranges from 7-feet up to 25-feet.
Interior Rear			
Buildings			
All uses	Zone-to-zone setback (533-4)		The mixed-use building is setback from the neighboring property to the south which is zoned MU-1 by approximately 70-feet. The management/leasing office is setback from RM-II zone to the south by approximately 80-feet.
Accessory Structures			
All uses	Zone-to-zone setback (533-4)		As noted previously, the only accessory structure is the trash enclosure which is located behind the mixed-use building adjacent to the alley and approximately 50 feet from the neighboring property to the south.
Vehicle Use Areas			
All uses	Zone-to-zone setback (533-4)		Zone-to-zone setbacks for parking are 5-feet regardless of zone. Parking areas are setback from the southern or rear property lines by 5-feet or more.

(d) Lot coverage; height; building frontage. Buildings and accessory structures within the MU-I zone shall conform to the lot coverage, height, and building frontage standards set forth in Table 533-5.

Lot Coverage; Height; Building Frontage from Table 533-5

Requirement	Standard	Limitations & Qualifications	PROJECT INFORMATION
Lot Coverage			
Buildings and Accessory Structures			
<i>All uses</i>	<i>No. Max.</i>		Building coverage for this project is 6,386 square feet, which is 25.3% of the site.
Rear Yard Coverage			
Buildings			
<i>All uses</i>	<i>NA</i>		<i>N/A</i>
Accessory Structures			
<i>All uses</i>	<i>No Max.</i>		The trash enclosure does not include a roof therefore is not subject to this standard.
Height			
Buildings			
<i>All uses</i>	<i>Max. 45 ft.</i>	<i>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.</i>	The development site is not located in or adjacent to a National Register Residential Historic District.
	<i>Max. 65 ft.</i>	<i>Applicable to buildings on all other lots.</i>	The mixed-use building will be 59-feet, 6-inches. The management/leasing office building is 13-feet, 1-inch.
	<i>Min. 20 ft.</i>	<i>New buildings on all other lots.</i>	The mixed-use building exceeds the minimum by more than 25-feet. The management/leasing office building is constrained by the alley on the east and the neighboring RM-II zone to the west which has minimum zone-to-zone setbacks and height restrictions; as a result the building is 13-feet, 1-inch.
Accessory Structures			
<i>All Uses</i>	<i>Max. 45 ft.</i>	<i>Applicable to accessory structures on a lot or lots that are contiguous shall include a lot or lots that are separated from a National Register Residential Historic District by an alley.</i>	The trash enclosure is 6-feet, 6-inches tall.
	<i>Max. 65 ft.</i>	<i>Applicable to accessory structures on all other lots.</i>	

Building Frontage				
Buildings				
All uses	Min. 75%	(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%.	The current development site has 120 linear feet of frontage on Commercial Street and 210 linear feet of frontage on Bush Street. Commercial Street includes a Special Setback/ROW dedication which will reduce street frontage on both streets (, no vehicular access, and has less street frontage. Based on the site configuration, Special Setback/ROW dedication, and site location, the greater street frontage is on Bush Street (210-feet/197-feet) and the one-way south bound traffic flow on Commercial the building is oriented towards the corner and fronts onto Bush Street. Building frontage on Bush street is 145-feet, 3-inches or 79%, and 44-feet, 4-inch or 40% on Commercial Street. An adjustment to the standard to allow an alternate approach is detailed in Section 4 of this narrative.
		(2)	For corner lots where both streets have the same classification, the applicant may choose on which street in meet the minimum 75% building frontage standard and on which street to meet the minimum 40% building frontage standard.	
		(3)	For double frontage lots, this standard must only be met on the street with the highest classification. Where both streets have the same classification, the applicant may choose on which street the building frontage standard shall apply.	
Accessory Structures				
All uses	Not applicable	Accessory structures shall be located behind or beside buildings.		The trash enclosure has been sited next to the mixed-use building adjacent to the alley.

(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.*

PROJECT INFORMATION: Off street parking is provided next to the buildings and is accessed via the public alley allowing the development to close existing driveways on Bush Street as desired by Public Works.

(f) *Landscaping.*

(1) *Setback areas. Setbacks, except setback areas abutting a street that provide pedestrian amenities or horizontal separation pursuant to (SRC)533.051(h), shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.*

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

PROJECT INFORMATION: All setbacks will be landscaped. Vehicle use areas adjacent to Commercial Street will include seating, a low retaining wall, 6-foot wood slat fence, and enhanced landscaping for a higher level of screening to support a pedestrian oriented design.

(g) *Continued development. Buildings and structures existing within the MU-I 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.*

PROJECT INFORMATION: The development site, consisting of 2 parcels separated by a public alley are vacant, therefore there is no existing or continued development.

(h) *Pedestrian-oriented design. Development within the MU-I zone, excluding development requiring historic design review, shall conform to the pedestrian-oriented design*

standards set forth in Table 533-6. 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 533-6. 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.

From Table 533-6

Requirement	Standard	Limitations & Qualifications		PROJECT INFORMATION
Ground Floor Height				
This standard applies to building ground floors on primary streets	Min. 14 ft.	For the purposes of this standard, ground floor height is measured from the floor to the ceiling of the first floor.		The mixed-use building has a floor to ceiling height of 14-feet.
Separation of Ground Floor Residential Uses				
This standard applies when a dwelling unit is located on the ground floor.	Vertical or horizontal separation shall be provided	For the purposes of this standard, separation is required between the public right-of-way and the residential entryway and any habitable room.		This development provides a vertical and horizontal separation between the public sidewalk and the residential unit.
	Vertical Distance Min. 1.5 ft. Max. 3 ft.	Vertical separation shall take the form of several steps or a ramp to a porch, stoop, or terrace.		The building entries are separated by steps with a landing/porch that is approximately 3-feet above the public sidewalk.
	Horizontal Distance Min. 5 ft. Max. 10 ft.	Horizontal separation shall take the form of a landscaped area such as private open space or hardscaped area such as a plaza.		The unit entries adjacent to the street are limited to Bush Street which provides both vertical and horizontal separation to the ROW.
This standard applies to building facades facing primary streets.	Required	(1)	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 façade and the portion of the side façade 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.	Building façade articulation is provided on all sides of the buildings, including those that are not located on street frontages.
		(2)	Buildings shall incorporate vertical and horizontal articulation and shall divide vertical mass into a base, middle, and top.	Buildings do incorporate vertical and horizontal separation. The ground floor's exterior finish material is primarily masonry with storefront glazing systems along street fronting facades. Upper floors use fiber cement lap siding with an 18-inch deep eave overhang at the roof line. Additional vertical articulation is provided through stepping recesses, gradient paint color change, and a fin detail in a dark neutral accent color which breaks up building mass.

Requirement	Standard	Limitations & Qualifications		PROJECT INFORMATION	
			(a)	Base: Ground floor facades shall be distinguished from middle facades by at least one of the following standards:	
			1. Change in materials.	A change in finish materials is provided.	
			2. Change in color.	A change in color is provided.	
			3. Molding or other horizontally-articulated transition piece.	Trim and canopies will be a dark neutral color providing a visible line between the ground floor and upper floors.	
			(b)	Middle: Middle facades shall provide visual interest by incorporating at a minimum of every 50 feet at least one of the following standards:	
			1. Recesses of a minimum depth of two feet.	Building mass is broken up through the use of vertical block elements that are recessed at angles with projecting fin element details.	
			2. Extensions of a minimum depth of two feet.	Recesses have a minimum depth of 2-feet.	
			3. Vertically-oriented windows.	Windows are broken up vertically.	
			4. Pilasters that project away from the building.	The design includes fin elements that act as frames for upper floor blocks, which supports the contemporary design.	
			(c)	Top: Building tops shall be defined by at least one of the following standards:	
			1. Cornice that is a minimum eight inches tall and a minimum of three inches beyond the face of the façade.	Building roof overhang is tied into fin detail and has an 18-inch depth and includes a 12-inch tall 'fascia'.	
			2. Change in material from the upper floors, with that material being a minimum of eight inches tall.		
			3. Offsets or breaks in roof elevation that are a minimum of three feet in height.	Building roof line is articulated through the use of a sawtooth style design that provides a 7-foot height differential.	
			4. A roof overhang that is a minimum of eight inches beyond the face of the façade.	As previously noted, roof overhangs have an 18-inch depth.	
		(3)	The repainting of a façade of an existing building is exempt from this standard.		N/A

Requirement	Standard	Limitations & Qualifications		PROJECT INFORMATION
Ground Floor Windows				
The standard applies to building ground floors on primary streets.	Min. 65%	(1)	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.	Ground floor glazing is provided at 76% and will be transparent as required.
Building Entrances				
This standard applies to building ground floors on primary streets.	Required	(1)	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.	Building entrances for live-work units, residential units and management/leasing office are all located on Bush Street.
		(2)	For residential uses on the ground floor, a primary building entrance for each building façade 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.	Ground floor residential units are provided from Bush Street which acts as the primary façade due to site configuration, with 210-feet of frontage and access to parking along Bush Street. Common use amenity spaces, which includes a gym, within the mixed-use multi-storied building have been located on the east side of the ground floor where they are oriented to the corner and Commercial streets as they house non-residential uses which is consistent with neighboring commercial developments.
Weather Protection				
This standard applies to building ground floors adjacent to a street.	Min. 75%	(1)	For the purposes of this standard, weather protection in the form of awnings or canopies shall be provided along the ground floor building façade for the minimum length required.	Canopies are provided along street facing facades for more than 75% of the length of building facades as required.

Requirement	Standard	Limitations & Qualifications		PROJECT INFORMATION
		(2)	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.	Canopies will meet the minimum clearance requirements.
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	Off-street parking areas have been located next to or behind buildings and are accessed from the public alley
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.	Any ground level mechanical or service equipment will be screened as required, currently none is proposed.
		(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.	Rooftop mechanical equipment will be screened from view at ground level through the use of a mechanical well.

Sec. 533.020.-Design review

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

PROJECT INFORMATION: As noted, this development site is not subject to design review based on the MU-I zoning designation that applies to both properties.

SRC 601 Floodplain Overlay Zone

PROJECT INFORMATION: The development site is not located within a floodplain overlay zone.

SRC 800 General Development Standards

800.035.-Setbacks

(a) Setbacks to be unobstructed. Except as otherwise provided under subsection 9b) of this section, required setbacks shall be unobstructed.

(b) Permitted projections into required setbacks. Permitted projects into required setbacks are set forth in Table 800-2.

PROJECT INFORMATION: The building setbacks, which are provided due to Special Setback/ROW dedication requirements on Commercial Street will be unobstructed as required.

CHAPTER 802 PUBLIC IMPROVEMENTS

Sec. 802.010.- Design standards and specifications.

The Director shall prepare and adopt by administrative rule design standards and specifications consistent with sound engineering principles for the construction, reconstruction, or repair of public improvements within areas under the City's jurisdiction. The design standards and specifications shall be kept on file in the office of the Director. All public improvements shall conform to the adopted design standards and specifications, and with any other adopted plans and policies adopted by the City.

PROJECT INFORMATION: Improvements in the public ROW will occur along the street frontages and is limited to repairs related to utility connections, replacement of non-conforming sidewalks, removal of un-used driveways on Bush Street and paving improvements within the alley. This work will be designed to meet applicable standards as required.

Sec. 802.015.- Development to be served by city utilities.

Except as provided under SRC 802.035 and 802.040, all development shall be served by city utilities designed and constructed according to all applicable provisions of the Salem Revised Code and the Public Works Design Standards.

PROJECT INFORMATION: The development site is served by city utilities. A 10-inch water main is located in Commercial Street and a 6-inch water main is located in Bush Street. An 8-inch sewer main is located in the alley abutting the subject properties. There is also an 8-inch storm main located in Commercial Street at the intersection with Bush Street.

Sec. 802.020.- Easements.

Subject to any constitutional limitations, the conveyance or dedication of easements for city utilities may be required as conditions of development approval. Easements may be required that are necessary for the development of adjacent properties. Easements shall, where possible, be centered on, or abut property lines, and shall be not less than ten feet in width. No building, structure, tree, or other obstruction other than landscaping shall be located within an easement required by this section.

PROJECT INFORMATION: The applicant is aware that easements for city utilities will be required.

Sec. 802.025.- Utilities to be placed underground.

- (a) Except as otherwise provided in this section, all utility service shall be provided by underground facilities.*
- (b) In industrial and employment and commercial zones, electrical service may be provided by overhead wires where underground utility service is unavailable.*
- (c) Stormwater management shall be provided by above ground and below ground facilities.*

PROJECT INFORMATION: Power will be provided to the proposed development via existing overhead wires. Stormwater facilities are proposed on the Bush Street parcel behind the proposed commercial office/storage building adjacent to parking.

CHAPTER 803.- STREETS AND RIGHT-OF-WAY IMPROVEMENTS

Sec. 803.010.- Streets, generally.

Except as otherwise provided in this chapter, all streets shall be improved to include the following: adequate right-of-way, paving, curbing, bike lanes (where required), sidewalks, street lighting, stormwater facilities; utility easements, turnarounds, construction strips, landscape strips, parking lanes, adequate right-of-way geometry, paving width, grade structural sections and monumentation, that conforms to the Public Works Design Standards.

PROJECT INFORMATION: The applicant is aware that ROW along Commercial Street does not meet current standards as a result the development is designed to accommodate the Special Setback/ROW dedication as required; no street paving or curb improvements will be required. The Special Setback/ROW dedication requirements along Commercial Street include a 25-foot

radius at the corner sidewalk replacement is designed in the same location to match existing conditions across Bush Street to the north and align with the public sidewalk adjacent to the site to the south.

Sec. 803.015.- Traffic impact analysis.

- (a) *Purpose.* The purpose of a traffic impact analysis is to ensure that development generating a significant amount of traffic provides the facilities necessary to accommodate the traffic impacts of the proposed development.
- (b) *Applicability.* An applicant shall provide a traffic impact analysis if one of the following conditions exists:
 - (1) The development will generate 200 or more daily vehicle trips onto a local street or alley, or 1,000 daily vehicle trips onto a collector, minor arterial, major arterial, or parkway. Trips shall be calculated using the adopted Institute of Transportation Engineer's Trip Generation Manual. In developments involving a land division, the trips shall be calculated based on the proposed development that will occur on all lots that will be created by the land division.
 - (2) The increased traffic resulting from the development will contribute to documented traffic problems, based on current accident rates, traffic volumes or speeds, and identified locations where pedestrian and/or bicyclist safety is concern.
 - (3) The City has performed or reviewed traffic engineering analyses that indicate approval of the development will result in levels of service of the street system that do not meet adopted level of service standards.
- (c) *Improvements may be required.* On-site and off-site public or private improvements necessary to address the impacts identified in the traffic impact analysis may be required as conditions of development approval. Improvements include, but are not limited to, street and intersection improvements, sidewalks, bike lanes, traffic control signs and signals, parking regulation, access controls, driveway approach location and design, and street lighting.
- (d) *Exception.* An exception to the requirement for a traffic impact analysis may be granted for development that generates more than the trips specified in subsection 9(b)(1) of this section if the Director determines the traffic impact analysis is not necessary to satisfy the purposes set forth in subsection (a) of this section.

PROJECT INFORMATION: A Trip Generation Estimate form has been completed and is submitted as part of the application package. The Applicant is aware that the Director may require a traffic impact analysis in some form if the Trip Generation Estimate determines additional information is needed.

Sec. 803.020.- Public and private streets.

- (a) *Public streets.* Except as provided in subsection (b) of this section, all streets shall be public streets.
- (b) *Private streets.*

PROJECT INFORMATION: There are no private streets proposed with this project; therefore, this standard does not apply.

Sec. 803.025.- Right-of-way and pavement widths.

- (a) *Except as otherwise provided in this chapter, right-of-way width for streets and alleys shall conform to the standards set forth in Table 803-1.*

From Table 803-1. Right-of-Way Width

<i>Right-of-Way</i>	<i>Width</i>	PROJECT INFORMATION
<i>Major arterial</i>	<i>Min. 96 ft.</i>	Commercial Street standard is a 40-foot wide improvement within a 66-foot wide ROW. Existing conditions shows a 40-foot improvement within a 60-foot wide ROW. A Special Setback/ROW dedication of 3-feet adjacent to

<i>Right-of-Way</i>	<i>Width</i>	PROJECT INFORMATION
		the Commercial Street property is required. No additional street improvements are required at this time.
<i>Local street</i>	<i>Min. 60 ft.</i>	Existing Bush Street improvements include a 30-foot wide improvement within a 66-foot-wide ROW abutting the site as a result no street improvement is required.
<i>Alley</i>	<i>Min. 10 ft.</i>	The alley is 12-feet wide. Additional paving between the 2 parcels to allow better maneuvering is included in the site improvement design and will meet City requirements.
	<i>Max. 20 ft.</i>	

(b) Except as otherwise provided in this chapter, streets shall have an improved curb-to-curb pavement width as set forth in Table 803-2.

From Table 803-1. Pavement Width

<i>Right-of-Way</i>	<i>Width</i>	PROJECT INFORMATION
<i>Major arterial</i>	<i>Min. 68 ft.</i>	As noted above, no additional street improvements are required at this time.
<i>Local Street</i>	<i>Min. 30 ft.</i>	No additional improvements on Bush Street are required as existing pavement width meets current 40-foot improvement standard.
<i>Alley</i>	<i>10 to 20 ft.</i>	The alley is 12-feet wide, which is within the dimensional width requirements.

(c) Additional right-of-way, easements, and improvements may be required to accommodate the design and construction of street improvement projects due to steep slopes, soils, water features, wetlands, transit bus bays and other physical constraints.

PROJECT INFORMATION: Standard noted, ROW dedication and easements will be provided where required.

(d) Additional right-of-way and roadway improvements at the intersections of parkways, major arterial, minor arterial, and collector streets, and at intersections and access points for high traffic generators, including, but not limited to, shopping centers, schools, major recreational sites, and office complexes, may be required. The design of all intersections shall conform to the Public Works Design Standards.

PROJECT INFORMATION: Public Works has not requested any additional public improvements at the intersections in the area.

(e) When an area within a subdivision is set aside for commercial or industrial uses, or where probable future conditions warrant, dedication and improvement of streets to greater widths than those provided in subsection (a) of this section may be required.

PROJECT INFORMATION: This proposal does not include a subdivision.

Sec. 803.030.- Street spacing.

PROJECT INFORMATION: The development site is located on existing streets; therefore, this section does not apply.

Sec. 803.035.-Street standards.

All public and private streets shall be improved as follows:

(a) *Connectivity...*

PROJECT INFORMATION: As noted previously, the development is located on existing streets.

(b) *Improvements. All street improvements, including sub-base, base, pavement, curbs, sidewalks, and surface drainage shall conform to all provisions of the Salem Revised Code and the Public Works Design Standards.*

PROJECT INFORMATION: As previously noted any public improvements, which are limited, will meet Public Works Design Standards as required.

- (c) Alignment and grade. All streets shall be designed with a vertical alignment that conforms to the Public Works Design Standards. No grade of parkway, major arterial, or minor arterial shall exceed six percent. No grade of a collector street shall exceed eight percent. No grade of a local street shall exceed 12 percent.

PROJECT INFORMATION: Standard is understood.

- (d) Dead-end streets.

PROJECT INFORMATION: There are no dead-end streets that apply.

- (e) Reserve blocks.

PROJECT INFORMATION: This standard does not apply.

- (f) Cul-de-sacs.

PROJECT INFORMATION: The site is not located on a cul-de-sac street.

- (g) Intersections; property line radius.

- (1) Intersections shall conform to the Public Works Design Standards; provided, however, additional right-of-way and roadway improvements at or adjacent to the intersections of parkways, major arterials, minor arterials, and collector streets may be required for intersections and access points for high traffic generators, including, but not limited to, shopping centers, schools, major recreational sites, and office complexes.

- (2) The property line radius at intersections shall be not less than the curblin radius as set forth in the Public Works Standards.

PROJECT INFORMATION: The development site is located at the southwest corner of Commercial Street and Bush Street. The development site will meet the property line 25-foot radius at this intersection as determined by Public Works.

- (h) Cut and fill slopes. Fill slopes shall begin no closer than two feet from the rear edge of the sidewalk, or if there is no sidewalk, from to the rear edge of the curb. Cut and fill slopes shall not exceed two horizontal to one vertical, provided that slopes not exceeding one to one may be approved upon certification by a qualified engineer or geologist that slope will remain stable under foreseeable conditions.

PROJECT INFORMATION: The standard is understood. The project's consulting civil engineer, Westech Engineering, will design the site improvements to meet applicable standards as required. Please refer to Westech's plans included with the application materials for details related to design and compliance with applicable standards.

- (i) Slope easements. Slope easements shall be provided on both sides of the right-of-way where required by Public Works Design Standards.

PROJECT INFORMATION: This standard does not apply.

- (j) Street alignment. Consistent with good engineering practice, street alignment shall, so far as possible, avoid natural and constructed obstacles, including, but not limited to, mature trees.

PROJECT INFORMATION: There are no new streets included in this proposal therefore this standard is not applicable.

- (k) *Street trees. Development adjacent to public streets shall provide street trees that meet the standards and specifications set forth in SRC chapter 86.*

PROJECT INFORMATION: Street trees will be provided within or adjacent to the public ROW as required.

(l) *Sidewalks.*

- (1) *Sidewalk construction required. Sidewalks conforming to this chapter, the Public Works Design Standards, the Americans with Disabilities Act, the Salem Transportation System Plan, and SRC chapter 8 shall be constructed as part of street improvement projects.*

(2) *Sidewalk location; width.*

- (A) *Sidewalks shall be located parallel to and one foot from the adjacent right-of-way; provided, however, on streets having a right-of-way of 50 feet or less, sidewalks shall be located parallel to and abutting the curb.*
- (B) *If topography or other conditions make the construction of a sidewalk impossible or undesirable in a location required by this subsection, a different location may be allowed.*
- (C) *Except as otherwise provided in this subsection, all sidewalks shall be minimum of five feet width.*
- (D) *Sidewalks connecting with the direct access to the primary entrance of a school shall be a minimum of eight feet in width along the right-of-way for a distance of 600 feet from the point of connection.*
- (E) *Sidewalks shall have an unobstructed four-foot wide clearance around street lights, signs, mailboxes, and other streetscape facilities.*

PROJECT INFORMATION: The development site is bordered by public sidewalks. Currently sidewalk repair or replacement is anticipated. Sidewalks will align with existing sidewalk locations due to match existing conditions in the area.

- (m) *Bicycle facility standards. Streets identified in the Salem Transportation System Plan Bicycle System Map as requiring a bicycle facility must conform to the designation of the Salem Transportation System Plan and the Public Works Design Standards.*

PROJECT INFORMATION: Public Works has not identified that this proposed development will be required to provide bicycle facility improvements.

- (n) *Utility easements. Public utility easements may be required for all streets. Unless otherwise specified by the Director, public utility easements shall be a minimum of ten feet in width on each side of the right-of-way.*

PROJECT INFORMATION: There are existing PUE's within the public ROW that abut the development site.

- (o) *Street lights. All subdivisions and partitions, and all development on units of land for which site plan review is required, shall include underground electric service, light standards, wiring, and lamps for street lights that conform to the Public Works Design Standards. The developer shall install such facilities. Upon the City's acceptance of improvements, the street lighting system shall become the property of the City.*

PROJECT INFORMATION: There are no new streets and existing streets include street lights, therefore no new street lights are anticipated with this development.

- (p) *Landscape strips. Landscape strips for signs, street lights, and shade trees shall be provided that conform to the Public Works Design Standards.*

PROJECT INFORMATION: The existing street ROW includes landscape strips.

- (q) *Landscaping.* Property owners shall cover at least 75 percent of the unimproved surface area within the right-of-way abutting the property with perennial living plant material which conforms to all other requirements of the UDC, and which is kept free of noxious vegetation.

PROJECT INFORMATION: Landscape strips within the public ROW will be planted with approved plant material at the time the development site is landscaped. The landscape strip will be maintained as required.

- (r) *Transit facilities.* Transit stops conforming to the applicable standards of the Salem Area Mass Transit District shall be constructed and right-of-way dedication, when necessary to accommodate the transit stop, shall be provided when a transit stop is identified as being needed by the Transit District in connection with a proposed development. Where a transit stop is required, on-street parking shall be restricted in the area of the stop as defined by the Transit District in order to ensure unobstructed access by transit.

PROJECT INFORMATION: There are no transit facilities located adjacent to the development site.

- (s) *Urban growth area street improvements.* Where a subdivision or partition is located in the Urban Growth Area or the Urban Service Area, and the construction of street improvements by the City has not yet occurred, the street improvements and dedications shall meet the requirements of SRC chapter 200.

PROJECT INFORMATION: This development proposal is not part of a subdivision or partition and is located adjacent to existing streets.

Sec. 803.040.- Boundary streets.

- (a) *General.* Except as otherwise provided in this section, dedication of right-of-way for, and construction or improvement of, boundary streets of up to one-half of the right-of-way and improvement width specified in SRC 803.025 shall be required as a condition of approval for the following:

- (1) *Subdivisions;*
- (2) *Partitions;*
- (3) *Planned unit developments;*
- (4) *Manufactured dwelling parks; and*
- (5) *The construction or enlargement of any building or structure located on property abutting a boundary street and the requires a building permit under SRC chapter 56.*

PROJECT INFORMATION: As noted previously, the development site is located on existing streets and the proposal will include a Special Setback/ROW dedication along Commercial Street and its corner with Bush Street, to allow for adequate ROW widths in the future where they currently are non-conforming.

- (b) *Three-quarter street improvement.* If construction of a half-street improvement is insufficient to provide for a minimum of one 12-foot-wide travel lane in each direction or proper street grade, dedication of right-of-way for, and construction or improvement of, a three-quarter street improvement may be required.

PROJECT INFORMATION: City of Salem Public Works has indicated that required street improvements are limited to a Special Setback/ROW dedication on Commercial Street and replacement of any non-conforming sidewalks located along street fronting property lines.

- (c) *Additional right-of-way and improvements.* Dedication and improvement of streets to greater widths than those provided in SRC 803.025 may be required when:

- (1) *An area within a subdivision is set aside for commercial or industrial uses, or where probable future conditions warrant.*

(2) *Topographical requirements necessitate either cuts or fills for the proper grading of the streets, additional right-of-way width or slope easements may be required to allow for all cut and fill slopes.*

(3) *Additional area is required for stormwater facilities located within the right-of-way.*

PROJECT INFORMATION: As noted previously, the development will provide required Special Setbacks/ROW dedication as indicated by Public Works. Current design is based on pre-application report provided by Glenn Davis, City of Salem Public Works, dated December 22, 2020 and recent Public Works correspondence.

(d) *Exception. Notwithstanding subsections (a) and (b) of this section, the dedication of right-of-way for, and construction or improvement of, boundary streets is not required in the following circumstances:*

PROJECT INFORMATION: This development site is not eligible for exceptions noted in SRC 803.040(d) (1) through (6).

(e) *Improvement.*

(1) *All boundary street improvements shall conform to this chapter and the Public Works Design Standards.*

PROJECT INFORMATION: All public improvements will meet Public Works Design Standards as required.

(2) *The maximum amount of street widening shall not exceed 17 feet on the development side, plus curb, gutters, sidewalks, bike lanes, stormwater facilities, street lights, and signing where appropriate. The minimum requirement for the opposite side of the centerline is a 12-foot-wide paved travel lane. The boundary street improvement shall be provided along the full length of the boundary.*

PROJECT INFORMATION: Standard is understood, as previously noted a Special Setback/ROW dedication along Commercial Street is being provided to allow for future street widening.

(3) *If development is proposed for only a portion of a development site or complex, the boundary street improvement shall be provided as follows:*

PROJECT INFORMATION: The development site will be developed fully therefore this standard is not applicable.

Sec. 803.045.- Monuments.

Proper monuments that conform to the Public Works Design Standards shall be constructed with street improvements.

PROJECT INFORMATION: Should monuments be requested, they will be constructed as required.

Sec. 803.050.- Public accessways.

(a) *When necessary for public convenience or safety, public accessways may be required to connect to cul-de-sac streets, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths creating access to schools, parks, shopping centers, mass transportation stops, or other community services, or where it appears necessary to continue the public walkway into a future subdivision or abutting property or streets.*

(b) *Public accessways shall conform to the Public Works Design Standards, and have width and location as reasonably required to facilitate public use and, where possible, accommodate utility easements and facilities. Public accessways shall be dedicated on the plat.*

PROJECT INFORMATION: The development site is not located on a cul-de-sac street, no public accessway is necessitated by the subject development.

Sec. 803.055.- Traffic control, parking regulation, and street signs and pavement markings.

The developer shall install all required traffic control, parking regulation, street signs, and pavement markings for all paved blocks of streets within a subdivision or partition prior to final acceptance of the public streets by the City, or prior to the issuance of any building permit for construction within the subdivision or partition for private streets. All traffic control, parking regulation, and street signs and pavement markings shall conform to the Public Works Design Standards, and shall be installed at the developer's expense.

PROJECT INFORMATION: As previously noted, this development proposal is not a subdivision or partition, nor is it part of a new subdivision. Any required traffic control, parking regulation, street signs and pavement markings will be provided where needed.

Sec. 803.060.- Conveyance by dedication.

All streets within subdivisions or partitions, other than private streets allowed under SRC 803.020, shall be dedicated to the City on the plat.

PROJECT INFORMATION: This standard is not applicable.

Sec. 803.065.- Alternative street standards.

PROJECT INFORMATION: We are not aware of the need for alternative street standards, therefore this section does not appear to apply to this development proposal.

Sec. 803.070.- Deferral of construction of certain improvements.

PROJECT INFORMATION: The developer is not seeking to defer improvements which are limited.

CHAPTER 805.- VISION CLEARANCE

Sec. 805.005.- Vision clearance areas.

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

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

(1) Uncontrolled intersections. At uncontrolled intersections, the

(2) Controlled intersections. At controlled intersections, the vision clearance area shall have a ten-foot leg along the controlled street and a 50-foot leg along the uncontrolled street

(3) One-way streets. Notwithstanding.....

PROJECT INFORMATION: The development site located at the southwest corner of Commercial Street and Bush Street which is a controlled intersection. There is no vision clearance area required at this corner based on the one-way southbound flow of traffic on Commercial Street.

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

(1) Driveways.

(2) Flag lot accessways.

(3) Alleys. Alleys shall have a vision clearance area on each side of the alley. The vision clearance area shall have ten-foot legs along the alley and ten-foot legs along the intersecting street (see Figure 805.8).

PROJECT INFORMATION: The alley that divides the development site does require adequate vision clearance. Based on the current layout the 10-foot by 10-foot vision clearance area is met.

Sec. 805.010.-Obstructions to vision prohibited.

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

(a) The following obstructions may be placed in a vision clearance area, unless the cumulative impact of the placement results in an obstruction to vision:

- (1) A column or post, so long as the column or post does not create a visual obstruction greater than 12 inches side-to-side.*
- (2) Utility poles and posts, poles, or supporting members of street signs, street lights, and traffic control signs or devices installed by, or at the direction of, the Public Works Department or any other public agency having jurisdiction over the installation.*
- (3) On-street parking.*

PROJECT INFORMATION: Vision clearance areas will be maintained and kept free of non-allowed obstructions.

(b) Trees. Trees may be planted within a vision clearance area provided they are a species listed on the parks approved street tree list, and they comply with the following:

- (1) The planting area is sufficient to support the tree when mature.*
- (2) The tree will not interfere with overhead utilities.*
- (3) The tree is a species that can be trimmed/pruned to provide necessary visibility.*

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

PROJECT INFORMATION: Proposed street trees will meet the applicable standards and will be selected from the approved street tree lists.

Sec. 805.015.- Alternative standards.

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

PROJECT INFORMATION: Alternative standards for vision clearance areas are not necessary for this development proposal.

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

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

(d) Applicability to mixed uses in the MU-I, MU-II, MU-III, and MU-R zones. Off-street parking shall not be required for any uses in MU-I, MU-II, MU-III, and MU-R zones, provided the property is located within one quarter-mile of the Core Network and is developed with multiple family. The one quarter-mile distance shall be measured along a route utilizing public or private streets that are existing or will be constructed with the development.

PROJECT INFORMATION: The subject property is located in the MU-I zone and the Core Network. The development proposal is for a mixed-use building that includes 45 residential units (4

live/work units and 41 conventional residential units) and a management/leasing office building. The proposed site layout includes 37 off-street parking spaces.

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:

(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.

PROJECT INFORMATION: All off-street parking is provided on the development site.

806.015.- Amount off-street parking.

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

From Table 806-1. Minimum Off-Street Parking

Use	Minimum Number of Spaces Required ⁽¹⁾	Limitations & Qualifications	PROJECT INFORMATION
Multiple family ⁽²⁾	None	Applicable to cottage clusters.	The proposed project includes 37 off-street parking spaces to provide vehicle parking for the 45 residential units, 4 of which are live work units located on the ground floor and a single story 600 square foot management/leasing office building.
	None	Applicable to multiple family located within the CSDP area or one quarter-mile or the Core Network. ⁽³⁾	
	1 per 4 dwelling units	Applicable to the following multiple family activities: <ul style="list-style-type: none"> Low income elderly housing. Housing for people with intellectual and developmental disabilities, as defined under OAR 411-320. 	
	1 per dwelling unit	Applicable to all other multiple family.	
Office	1 per 350 sq. ft.		
⁽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. ⁽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. ⁽³⁾ The distance shall be measured along a route utilizing public or private streets that are existing or will be constructed with the development.			

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

PROJECT INFORMATION: Of the 37 off-street parking spaces, 27 are compact which is 75% of the total provided.

(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 the total off-street parking spaces for carpool or vanpool parking.

PROJECT INFORMATION: The development proposal does not require 60 or more off-street parking spaces.

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

PROJECT INFORMATION: There is no minimum requirement for the residential units due to the sites underlying zoning designation, and its proximity to the Core Network. Conventional multi-family not constructed within mixed-use zones that are in or within a quarter-mile of the Core Network requires 1 space per dwelling unit, which would necessitate a minimum of 45 spaces just for the residential uses. Parking for this project is provided based on the anticipated needs of the development which includes both some commercial uses and 45 multi-family units.

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.*
 - (3) *Lease Agreement.*
 - (4) *Lease or rental agreement in parking structure.*
 - (5) *Joint parking agreement.*

PROJECT INFORMATION: The off-street parking will be ownership in fee.

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.

PROJECT INFORMATION: The project is for mixed-use, including multi-family therefore this section does not apply.

Sec. 806.030.- Driveway development standards for single family, two family, three family, and four family uses or activities shall be developed and maintained as provide in this section

PROJECT INFORMATION: As noted previously, this project is mixed-use, this section does not apply.

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.

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

- (a) *General applicability. The off-street parking and vehicle use are development standards set forth in this section shall apply to:*
- (1) *The development of new off-street parking and vehicle use areas;*
 - (2) *The expansion of existing off-street parking and vehicle use areas, where additional paved surface is added;*
 - (3) *The alteration of existing off-street parking and vehicle use areas, where additional paved surface is added;*
 - (4) *The paving of an unpaved area.*

PROJECT INFORMATION: This section is applicable as the proposal includes new off-street parking and vehicle use areas.

(b) *Location.*

- (1) *Generally. Off-street parking and vehicle use areas shall not be located within required setbacks.*
- (2) *Carpool and vanpool parking. Carpool and vanpool parking shall be located so it is the closest employee parking to the building entrance normally used by employees;*

provided, however, it shall not be located closer than any parking designated for disabled parking.

- (3) *Underground parking.* Off-street parking may be located underground in all zones, except the RA and RS zones. Such underground parking may be located beneath required setbacks; provided, however, no portion of the structure enclosing the underground parking shall project into the required setback, and all required setbacks located above the underground parking structure shall be landscaped as otherwise required under the UDC.

PROJECT INFORMATION: Off-street parking is provided within the development site and is not located within required setbacks.

(c) *Perimeter setbacks and landscaping.*

(1) *Perimeter setbacks and landscaping, generally.*

(A) *Perimeter setbacks.* Perimeter setbacks, as set forth in this subsection, shall be required for off-street parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures. Perimeter setbacks are not required for:

(i) *Off-street parking and vehicle use areas abutting an alley.*

(ii) *Vehicle storage areas within the IG zone.*

(iii) *Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701, abutting nonresidential zones, uses or activities other than household living, or local streets.*

(iv) *Gravel off-street parking areas, approved through a conditional use permit, abutting nonresidential zones, uses or activities other than household living, or local streets.*

(v) *Underground parking.*

(B) *Perimeter landscaping.* Required perimeter setbacks for off-street parking and vehicle use areas shall be landscaped as set forth in this subsection.

- (2) *Perimeter setbacks and landscaping abutting streets.* Unless a greater setback is required elsewhere within the UDC, off-street parking and vehicle use areas abutting a street shall be setback and landscaped according to one of the methods set forth in this subsection. Street trees located along an arterial street may be counted towards meeting the minimum required number of plant units.

(D) *Method D.* The off-street parking and vehicle area shall be setback a minimum six feet conjunction with a minimum three-foot-tall brick, stone, or finished concrete wall (see Figure 806-4). The wall shall be located adjacent to, but entirely outside, the required setback. The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807. Any portion of the wall that encroaches into a vision clearance area set forth in SRC chapter 805 shall have a height no greater than the maximum allowed under SRC 805.010.

- (3) *Perimeter Setbacks and landscaping abutting interior front, side, and rear property lines.* Unless a greater setback is required elsewhere within the UDC, off-street parking and vehicle use areas abutting an interior front, side, or rear property line shall be setback a minimum of five feet (see Figure 806-5). The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.
- (4) *Setback adjacent to buildings and structures.* Except for drive-through lanes, where an off-street parking or vehicular use area is located adjacent to a building or structure, the off-street parking or vehicular use area shall be setback from the exterior wall of the building or structure by a minimum five-foot-wide landscape strip, planted to the Type A standard set forth in SRC chapter 807, or a minimum five-foot-wide paved pedestrian walkway (see Figure 806-6). A landscape strip or paved pedestrian

walkway is not required drive-through lanes located adjacent or a building or structure.

(5) *Perimeter setbacks and landscaping for parking garages.*

PROJECT INFORMATION: Provided setbacks will be landscaped as required. Vehicle use areas adjacent to the Commercial Street property line will include a three-foot-tall wall or low retaining wall with a 6-foot wood slat fence. Perimeter setbacks between property lines not abutting streets are a minimum of 5-feet wide, these will be landscaped with a Type A landscape as required. The parking areas are separated from the proposed building by a 5-foot wide pedestrian walkway and landscape beds. Please see the preliminary Landscape Plan, sheet SP-3, for proposed landscaping of all setbacks.

(d) *Interior landscaping.*

(1) *Interior landscaping, generally. Interior landscaping, as set forth in this subsection, shall be required for off-street parking areas 5,000 square feet or greater in size; provided, however, interior landscaping is not required for:*

(2) *Minimum percentage of interior landscaping required. Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5. For purposes of this subsection, the total interior area of an off-street parking area is the sum of all areas within the perimeter of the off-street parking area, including parking spaces, aisles, planting islands, corner areas, and curbed areas, but not including interior driveways. Perimeter landscaped setbacks and required landscape strips separating off-street parking areas from buildings and structures shall not count towards satisfying minimum interior landscaping requirements.*

From Table 806-5. Interior Off-Street Parking Area Landscaping

<i>Total Interior Area of Off-Street Parking Area</i>	<i>Percentage Required to be Landscaped</i>
<i>Less than 50,000 sq. ft.</i>	<i>Min. 5%</i>
<i>50,000 sq. ft. and greater</i>	<i>Min. 8%</i>

PROJECT INFORMATION: The entire development site, which includes two separate parcels is only 25,264 square feet, with parking and maneuvering areas at approximately 9,686 square feet requiring a minimum of 5% interior landscaping. The project provides 580 square feet which is 6% interior landscaping.

(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.*

PROJECT INFORMATION: With 37 parking spaces proposed, 3 deciduous shade trees are required within the parking area landscape; the preliminary Landscape Plan, indicates that there are 20 deciduous shade trees proposed in the parking areas exceeding the minimum standard.

(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).*

PROJECT INFORMATION: Planter bays are a minimum of 85 square feet with a minimum width of 5 feet as required.

(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.

From Table 806-3. Minimum Off-Street Parking Dimensions

Parking Angle	Type of Space	Stall Width	Stall to Curb	Aisle Width
90°	Compact	8'0"	15.0	22.0
90°	Compact	8'6"	15.0	22.0
90°	Standard	9'0"	19.0	24.0
90°	Standard	9'6"	19.0	24.0
90°	Standard	10'0"	19.0	24.0

PROJECT INFORMATION: Standard parking spaces are designed to be 9-feet wide and 17-feet, 6-inches deep with an 18-inch overhang to accommodate the 19-foot depth requirement. Compact spaces are 8.6-feet wide and 17-feet deep. The drive aisle is 24-feet wide.

(f) *Off-street parking area access and maneuvering. In order to ensure safe and convenient vehicular access and maneuvering, off-street parking areas shall:*

(1) *Be designed so that vehicles enter and exit the street in a forward motion with no backing or maneuvering within the street; and*

(2) *Where a drive aisle terminates at a dead-end, include a turnaround area as shown in Figure 806-9. The turnaround shall conform to the minimum dimensions set forth in Table 806-7.*

PROJECT INFORMATION: The off-street parking area located on the east side of the alley does terminate at a dead-end. The design of the parking lot provides a turnaround for maneuvering.

(g) *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.*

PROJECT INFORMATION: Off-street parking and vehicle use areas will not exceed maximum grade requirement of 10% and ramps will not exceed a maximum grade of 15%. Please refer to the preliminary Grading and Drainage Plan, Sheet C2.0, included in the submittal materials for detailed grading plan.

(h) *Surfacing. Off-street parking and vehicle use areas shall be paved with 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 806-10). 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.*

PROJECT INFORMATION: Off-street parking and vehicle use areas will be paved as required. The preliminary Surfacing Plan, Sheet C4.0, provides details related to surfacing. Parking spaces are dimensioned as to accommodate required setbacks and perimeter landscape requirements.

(i) *Drainage. Off-street parking and vehicle use areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.*

PROJECT INFORMATION: Off-street parking and vehicle use areas are designed to meet the grading and drainage requirements found in the Public Works Design Standards. Please refer to the preliminary Grading and Drainage Plan as well as Civil Notes and Details for design details.

(j) *Bumper guards or wheel barriers. Off-street parking and vehicle use areas shall include bumper guards or wheel barriers so that no portion of a vehicle will overhang or project into required setbacks and landscaped areas, pedestrian accessways, streets or alleys, or abutting property; provided, however, bumper guards or wheel barriers are not required for:*

(1) *Vehicle storage areas.*

(2) *Vehicle sales display areas.*

(k) *Off-street parking area striping. Off-street parking areas shall be striped in conformance with the off-street parking area dimension standards set forth in Table 806-6; provided, however, off-street parking area striping shall not be required for:*

(1) *Vehicle storage areas.*

(2) *Vehicle sales display areas.*

(3) *Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.*

(4) *Gravel off-street parking areas, approved through a conditional use permit.*

PROJECT INFORMATION: Bumper guards or wheel stops will be provided where necessary to keep vehicles from encroaching into walkways, required setbacks and landscape perimeters.

(l) *Marking and signage.*

(1) *Off-street parking and vehicle use area circulation. Where directional signs and pavement markings are included within an off-street parking or vehicle use area to control vehicle movement, such signs and marking shall conform to the Manual of Uniform Traffic Control Devices.*

(2) *Compact parking. Compact parking spaces shall be clearly marked indicating the spaces are reserved for compact parking only.*

(3) *Carpool and vanpool parking. Carpool and vanpool parking spaces shall be posted with signs indicating the spaces are reserved for carpool or vanpool use only before 9:00 a.m. on weekdays.*

PROJECT INFORMATION: Off-street parking and vehicle use areas will be striped and signed as required, including any pavement markings typically required for compact parking and those needed for directional purposes.

(m) *Lighting. Lighting for off-street parking and vehicle use 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.*

PROJECT INFORMATION: Parking area lighting will be downward directed and shielded so as to reduce glare and migration of light onto adjacent residentially zoned properties, which are located adjacent to the western portion of the development site.

(n) *Off-street parking area screening. Off-street parking areas with more than six spaces shall be screened from abutting residentially zoned property, or property used for uses or activities falling under household living, by a minimum six-foot-tall sight-obscuring fence, wall, or hedge; provided, however, screening is not required for vehicle storage areas within the IG zone.*

PROJECT INFORMATION: Properties that are residentially zoned/developed are located adjacent to the parcel located on the west side of the site. There is currently solid wood fencing along shared property lines with these properties. Additional screening, including fencing or a hedge, will be provided if required by this standard.

Sec. 806.040.- Driveway development standards for uses or activities other than single family, two family, three family, or four family.

Unless otherwise provided under the UDC, driveways for uses or activities other than single family, two family, three family, or four family shall be developed and maintained as provided in this section.

- (a) Access. Off-street parking and vehicle use areas shall have either separate driveways for ingress and egress, a single driveway for ingress and egress with an adequate turnaround that is always available, or a loop to the single point of access. The driveway approaches to the driveways shall conform to SRC chapter 804.

PROJECT INFORMATION: The proposed development includes a single driveway or access to the off-street parking area from the alley. This access point is 24-feet wide allowing 2-way traffic flow in and out of this parking area.

- (b) Location. Driveways shall not be located within required setbacks except where:

- (1) The driveway provides direct access to the street, alley or abutting property.
- (2) The driveway is a shared driveway located over the common lot line and providing access to two or more uses.

PROJECT INFORMATION: As noted above, the access to the off-street parking area located adjacent to Commercial Street is provided off of the alley as allowed.

- (c) Setbacks and landscaping.

- (1) Perimeter setbacks and landscaping, generally. Perimeter setbacks and landscaping as set forth in this subsection shall be required for driveways abutting streets and abutting interior front, side, and rear property lines; provided, however, perimeter setbacks and landscaping are not required where:
 - (A) The driveway provides direct access to the street, alley, or abutting property.
 - (B) The driveway is a shared driveway located over the common lot line and providing access to two or more uses.

PROJECT INFORMATION: The driveway off the alley provides direct access to the parking area; otherwise, perimeter landscaping and setbacks are provided as required.

- (d) Dimensions. Driveways shall conform to the minimum width set forth in Table 806-8.
From Table 806-8. Minimum Driveway Width

Type of Driveway	Width	Inside Radius of Curves & Corners
Two-way driveway	22 ft.	25 ft., measured at curb or pavement edge

PROJECT INFORMATION: The proposed alley driveway providing access to parking is 22-feet wide. The existing alley driveway on Bush Street is currently 12-feet wide, this driveway will be removed and replaced, the new driveway width will increase to 22-feet with 25-feet at the curb as allowed. If required, an access agreement/easement will be provided.

- (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.

PROJECT INFORMATION: The proposed alley driveway has been designed to meet Public Works Standards as required. The off-street parking access will be paved with heavy duty asphalt in the same manner as the public alley. Construction details are provided on preliminary plans

submitted as part of the application package, specifically Construction Details, Sheet C6.0 and City Details, Sheet C6.1.

(f) *Drainage. Driveways shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.*

PROJECT INFORMATION: Storm drainage is provided as required. Please refer to the submitted preliminary Grading & Drainage Plan, C2.0 for detailed design.

(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.*

PROJECT INFORMATION: Currently no signage is identified at the project driveway, should “no parking” signs be required along driveway they will be installed accordingly.

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.*

(3) *Any intensification, expansion, or enlargement of a use or activity.*

PROJECT INFORMATION: Bicycle parking is required and will be provided.

(b) *Applicability to change of use of existing building...*

PROJECT INFORMATION: There are no existing uses on this development site.

(c) *Applicability to nonconforming bicycle parking area.*

PROJECT INFORMATION: There is no existing bicycle parking, new bicycle parking will conform to applicable standards.

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

Except as otherwise provided in this chapter, bicycle parking shall be located on the same development site as the use or activity is serves.

PROJECT INFORMATION: Staple type racks along Bush Street and Commercial provide 12 short term bicycle parking spaces within 50 feet of building and unit entries. Long term bicycle parking is provided through a secure shared bicycle storage room located on the ground floor of the building or through approved hooks located in certain residential units. Please see the preliminary Site Plan & First Floor Plan, Sheet SP-1, for bicycle parking locations and the Site Details Plan, Sheet SP-2 for staple type rack dimensions.

Sec. 806.055.- Amount of bicycle parking.

(a) *Minimum required bicycle parking. Unless otherwise provided under the UDC, bicycle parking shall be provided in amounts not less than those set forth in Table 806-9.*

From Table 806-9. Bicycle Parking

<i>Use</i>	<i>Minimum Number of Spaces Required^{(1), (2)}</i>	<i>Maximum Percentage of Long-Term Spaces Allowed⁽³⁾</i>	<i>Limitations & Qualifications</i>	PROJECT INFORMATION
Multiple family	None	N/A	Applicable to cottage clusters.	
	1 space per dwelling unit	100%	Applicable to multiple family located within the CSDP area or one	There are 45 bicycle spaces provided residential units; 37 long term and 8 short term.

Use	Minimum Number of Spaces Required ^{(1), (2)}	Maximum Percentage of Long-Term Spaces Allowed ⁽³⁾	Limitations & Qualifications	PROJECT INFORMATION
			quarter-mile of the Core Network ⁽⁴⁾	
	The greater of 4 spaces or 0.1 spaces per dwelling unit.	100%	Applicable to all other multiple family.	There are 4 staple type racks located along Bush Street and within 50 feet of entries they serve, to accommodate the limited commercial uses.
(1) 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.				
(2) The minimum bicycle parking spaces required in this table shall be developed as short-term spaces except when the applicant chooses to designate an allowed percentage of those spaces as long-term bicycle parking spaces.				
(3) The maximum percentage of long-term bicycle parking spaces is based only on the minimum required number of bicycle parking spaces, not the actual number of bicycle parking spaces provided.				
(4) the distance shall be measured long a route utilizing public or private streets that are existing or will be constructed with the development.				

(b) Long-term bicycle parking. Long-term bicycle parking may be provided to satisfy a percentage of the minimum bicycle parking spaces required under this chapter. Such long-term bicycle parking shall not exceed the amounts set forth in Table 806-8. The maximum percentage of long-term bicycle parking allowed is based solely on the minimum number of bicycle parking spaces required. This standard shall not be construed to prohibit the provision of additional long-term bicycle parking spaces provided the minimum number of required spaces is met. (Example: A restaurant requiring a minimum of four bicycle parking spaces may, but is not required to, designate one of the required spaces as a long-term space. Additional short-term and long-term spaces may be provided as long as the minimum required three short-term spaces are maintained).

PROJECT INFORMATION: The Revised Code allows up to 100% of the bicycle parking for project to be long term, currently the development provides 83% as long-term.

Sec. 806.060.- Bicycle parking development standards.

Unless otherwise provided under the UDC, bicycle parking shall be 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.

(1) Short-term bicycle parking. Short-term bicycle parking shall be located outside a building within a convenient distance of, and 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) Long-term bicycle parking.

(A) Generally. Long-term bicycle parking shall be located:

- (i) Within a building, on the ground floor or on upper floors when the bicycle parking areas are easily accessible by an elevator; or*
- (ii) On-site, outside of a building, in a well-lighted secure location that is sheltered from precipitation and within a convenient distance of the primary entrance.*

(B) Long-term bicycle parking for residential uses. Long-term bicycle parking spaces for residential uses shall be located within:

- (i) A residential dwelling unit;*
- (ii) A lockable garage;*

- (iii) *A restricted access lockable room serving an individual dwelling unit or multiple dwelling units;*
- (iv) *A lockable bicycle enclosure; or*
- (v) *A bicycle locker.*
- (C) *Long-term bicycle parking for non-residential uses. Long-term bicycle parking spaces for non-residential uses shall be located within:*
 - (i) *A restricted access lockable room;*
 - (ii) *A lockable bicycle enclosure; or*
 - (iii) *A bicycle locker.*

PROJECT INFORMATION: Short term bicycle parking is provided through staple type racks that are located adjacent to public streets and within 50-feet of primary building entries where they are clearly visible. Long-term bicycle parking provided either in the secure bicycle storage room where there are vertical racks that allow a single bicycle to be securely locked or in units utilizing a wall mounted hook.

- (b) *Access. All 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.*

PROJECT INFORMATION: Short-term bicycle racks are located adjacent to public sidewalks that can be accessed barrier free.

- (c) *Dimensions. All bicycle parking areas shall meet the following dimension requirements:*
 - (1) *Bicycle parking spaces. Bicycle parking spaces shall conform to the minimum dimensions set forth in Table 806-10.*
 - (2) *Access aisles. Bicycle parking spaces shall conform to the minimum dimensions set forth in Table 806-10. Access aisles serving bicycle parking spaces may be located within the public right-of-way.*

PROJECT INFORMATION: Proposed bicycle parking areas do meet the dimensional requirements of Table 806-10. Outdoor racks are a side-by-side type, each space with a minimum width of 1.5-feet, minimum length is 6-feet, with a 4-foot wide access aisle. The vertical racks are standard type, with a minimum width of 2 feet, a minimum length/height of 6 feet, and a 4-foot wide access aisle.

- (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.*

PROJECT INFORMATION: Outdoor bike bicycle parking areas will be paved with concrete.

- (e) *Bicycle racks. Where bicycle parking is provided in racks, the racks may be horizontal or vertical racks mounted to the ground, floor, or wall. Bicycle racks shall meet the following standards:*
 - (1) *Racks must support the bicycle in a stable position.*
 - (A) *For horizontal racks, the rack must support the bicycle frame in a stable position in two or more places a minimum of six inches horizontally apart without damage to the wheels, frame, or components.*
 - (B) *For vertical racks, the rack must support the bicycle in a stable vertical position in two or more places without damage to the 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 806-11.

PROJECT INFORMATION: Staple type horizontal racks will support the bicycle frame in a stable position in 2 places that are separated horizontally by more than six inches. Vertical racks will be wall mounted and allow for the bicycle to be supported in a stable vertical position in 2 places without damage to wheels, frame, or components. Racks will allow for the bicycle frame and at least one wheel to be locked to the rack with a U-shaped shackle lock. Racks will be fabricated of metal that resists cutting, rusting, and bending. Racks will be securely mounted to the pavement or wall. Please see the Site Plan, Sheet SP-1, and Site Details, Sheet SP-2 for bicycle locations and details.

(f) *Bicycle lockers. Where bicycle parking is provided in lockers...*

PROJECT INFORMATION: There are no bicycle lockers proposed for this project.

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

PROJECT INFORMATION: Table 806-11 indicates that multifamily developments of 5-49 units do not require an off-street loading space, nor do business or professional services within buildings less than 5,000 square feet. The development is for 45 residential units and approximately 1,500 square feet of potential work space within the mixed-use building and a 600 square foot management/leasing office building therefore no off-street loading space is required.

CHAPTER 807.- LANDSCAPING AND SCREENING

Sec.015.- Landscaping and screening.

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

PROJECT INFORMATION: There are no landscaping types referenced in SRC 806 for parking areas. The development at minimum will comply with the Type A standards which is a minimum of 1 plant unit per 20 square feet of landscaped area with no screening requirement.

(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 of 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.*

PROJECT INFORMATION: A landscape plan designed by a licensed landscape architect will be submitted as part of the building or site permitting for this development that will meet or exceed the minimum plant unit values for this proposed project. For reference purposes, a conceptual Landscaping Plan has been provided as part of the application materials, Sheet SP-3.

(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.*

PROJECT INFORMATION: The Commercial Street parcel is vacant including any significant plantings or trees. There are 5 trees and some laurel shrubs on the Bush Street parcel. None of the trees are designated as a Heritage or Significant Tree per SRC 808. The three trees on-site that are located adjacent to the alley will be removed to allow for the widening of the public alley and off-street parking none are classified as Heritage or Significant Trees. An existing street tree located in the ROW on Bush Street, will also require removal to accommodate the widening of the alley approach.

(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 the required setbacks or from a development site, replanting shall be required as provided in this subsection. The provisions of this subsection do not apply to lots used for single family uses, two family uses, three family uses, four family uses, or cottage clusters.

(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, or within areas to be cleared for required roads, utilities, sidewalks, trails or stormwater facilities, shall not be counted to the total percentage of trees removed from the development site.

PROJECT INFORMATION: The development will provide new tree plantings meeting the standards as required. Approximately 40 new trees are proposed for the overall development site and 8 new street trees to be planted in or along the ROW where no street trees exist.

(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.

PROJECT INFORMATION: Screening standards are understood and will be provided as required.

(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.

PROJECT INFORMATION: There are no berms proposed with this project.

(g) *Street trees. Development adjacent to public streets shall provide street trees that meet the standards and specifications set forth in SRC chapter 86.*

PROJECT INFORMATION: As noted previously, new street trees are proposed along street frontages where none currently exist. There are 5 proposed on Bush Street and 2 proposed for Commercial Street ROWs. Additional trees are proposed adjacent to the Commercial Street ROW.

807.020.- Landscaping plan and landscaping permit.

(a) *Landscaping plan. A landscaping plan is required for all building permit applications for development subject to the landscaping requirements of this chapter and all landscaping permit applications required under subsection (b) of this section.*

Landscaping plans shall be of a size and form established by the Planning Administrator, and shall include...

PROJECT INFORMATION: A conceptual Landscape Plan is provided for reference only. A final landscape plan will be prepared by a licensed landscape architect that will meet applicable standards. It will be submitted for review and approval at the time of building permit submittal.

(b) *Landscaping permit.*

(1) *Applicability. When development subject to the landscaping requirements in this chapter requires site plan review but a building permit is not otherwise required, a landscaping permit as provide in this subsection.*

PROJECT INFORMATION: Standard noted and understood. As previously noted, a landscape plan prepared by a licensed landscape architect will be submitted at the time of building permit submission.

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.

PROJECT INFORMATION: The plant material will meet these standards at installation as required.

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.

PROJECT INFORMATION: Tree project will be provided prior to construction as required.

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.*

PROJECT INFORMATION: Installation requirements are noted, and the project will comply.

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 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.*

PROJECT INFORMATION: A irrigation plan meeting applicable standards will be prepared and submitted to the City as part of the permit plans.

- (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.*

PROJECT INFORMATION: Standard noted. Irrigation plans will be submitted for review and approval at the time of permits.

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 plan materials shall be replaced in conformance with the approved landscape plan.*

PROJECT INFORMATION: The maintenance standards are understood.

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 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 added 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.*

PROJECT INFORMATION: The applicant understands that the required landscaping will be inspected for compliance prior to certificate of occupancy, that an acceptable form of performance guarantee may be required, and that installation complying with applicable standards must occur within specified time periods or the City has the right to use the performance guarantee to complete the work as required.

Sec. 807.055.-Administrative relief.

Unless otherwise provided under the UDC, when special circumstances or exceptional site characteristics are applicable to a property, the landscaping requirements of this chapter may be modified through a Class 3 site plan review, pursuant to SRC chapter 220, upon finding that one of the following criteria is met:

PROJECT INFORMATION: The applicant is not aware of a need to pursue administrative relief related the applicable standards of this chapter.

CHAPTER 808.- PRESERVATION OF TREES AND VEGETATION

Sec. 808.001.- Purpose.

The purpose of this chapter is to provide for the protection of heritage trees, significant trees, and trees and native vegetation in riparian corridors, as natural resources for the City, and to increase tree canopy over time by requiring tree preservation and planting of trees in all areas of the City.

Sec. 808.010- Heritage trees.

PROJECT INFORMATION: There are no heritage trees on either parcel, this section does not apply.

Sec. 808.015. - Significant trees.

No person shall remove a significant tree, unless the removal is undertaken pursuant to a tree and vegetation removal permit issued under SRC 808.030, undertaken pursuant to a tree conservation plan approved under SRC 808.035, or undertaken pursuant to a tree variance granted under SRC 808.045.

PROJECT INFORMATION: Only one of the subject parcels contains a tree meeting the definition of being significant and the development proposal intends to retain it.

Sec. 808.020. - Trees and native vegetation in riparian corridors.

No person shall remove a tree in a riparian corridor or native vegetation in a riparian corridor, unless the removal is undertaken pursuant to a tree and vegetation removal permit issued under SRC 808.030, undertaken pursuant to a tree conservation plan approved under SRC 808.035, or undertaken pursuant to a tree variance granted under SRC 808.045. Roots, trunks, and branches of trees removed in riparian corridors shall remain within the riparian corridor, unless determined to be a potential hazard or impediment to stream flow by the Director.

PROJECT INFORMATION: The development site does not include a riparian corridor therefore this standard is not applicable.

Sec. 808.025. - Trees on lots or parcels 20,000 square feet or greater.

No person shall, prior to site plan review or building permit approval, remove a tree on a lot or parcel that is 20,000 square feet or greater, or on contiguous lots or parcels under the same ownership that total 20,000 square feet or greater, unless the removal is undertaken pursuant to a tree and vegetation removal permit issued under SRC 808.030, undertaken pursuant to a tree conservation plan approved under SRC 808.035, or undertaken pursuant to a tree variance granted under SRC 808.045. Nothing in this section shall be construed to require the retention of trees, other than heritage trees, significant trees, and trees and vegetation in riparian corridors, beyond the date of site plan review or building permit approval, if the proposed development is other than single family residential, two family residential, three family residential, four family residential, or a cottage cluster.

PROJECT INFORMATION: The development proposal seeks to remove 3 trees planted along the alley which will allow adequate maneuvering area for access to the development site and parking. None of these trees are heritage trees or significant as defined in SRC 808.055.

Sec. 808.030. - Tree and vegetation removal permits.

PROJECT INFORMATION: We believe that this development is exempted from the requirement for a tree removal permit as there are no heritage or significant trees being removed on site. Should the existing street trees located adjacent to the alley driveway and under the overhead power lines require removal to allow for replacement of said driveway a tree removal permit will be obtained prior to construction as part of the permitting process.

Sec. 808.035. - Tree conservation plans.

(a) Applicability. A tree conservation plan is required in conjunction with any development proposal for the creation of lots or parcels to be used for single family uses, two family uses, three family uses, four family uses, or cottage clusters.

PROJECT INFORMATION: This proposal is not creating lots or parcels being used for the above noted uses, therefore is not required for this development.

Sec. 808.040. - Tree conservation plan adjustments.

PROJECT INFORMATION: This section is not applicable.

Sec. 808.045.- Tree variances.

PROJECT INFORMATION: There are no tree variances necessitated for this development proposal.

Sec. 808.050. - Tree planting requirements.

(a) Within development proposals for the creation of lots or parcels to be used for single family uses, two family uses, three family uses, four family uses, or cottage clusters, each lot or parcel shall contain, at a minimum, the number of trees set forth in Table 808-1.

PROJECT INFORMATION: There are no new lots being created, nor does the proposal contain any of the above uses.

(b) If there are insufficient existing trees on a lot or parcel to satisfy the number of trees required under Table 808-1, additional trees sufficient to meet the requirement shall be planted. The additional trees shall be a minimum 1.5-inch caliper.

PROJECT INFORMATION: The development site is made up of 2 parcels, 1 that 17,859.6 square feet, with Table 808-1 requires a minimum of 6 trees; and a smaller parcel that is 7,405 square feet with Table 808-1 requiring a minimum of 4 new trees. The proposal is proposing approximately 40 new trees, a combination of small, medium and large; 25 of those trees will be on the larger parcel and 15 on the smaller parcel.

(c) When a lot includes one or more significant trees that have been designated for preservation under a tree conservation plan, the number of trees required to be replanted on the lot may be reduced by a ratio of two trees for each significant tree preserved on the lot.

PROJECT INFORMATION: The development proposal does not require a tree preservation plan, although existing trees that are not adjacent to the alley will be preserved.

Sec. 808.055. - Tree and native vegetation replacement standards within riparian corridors.

PROJECT INFORMATION: The site is not located in or containing a riparian corridor therefore this section does not apply.

Sec. 808.060.- Tree canopy preservation fund.

PROJECT INFORMATION: This section does not apply.

CHAPTER 810.- LANDSLIDE HAZARDS

Sec. 810.001.-Purpose.

The purpose of this chapter is to implement the Geologic Hazards Policy of the Scenic and Historic Areas, Natural Resources, and Hazards section of the Salem Area Comprehensive Plan and to promote the public health, safety and welfare by:

- (a) Assessing the risk that proposed uses or activities will adversely affect the stability and slide susceptibility of an area;*
- (b) Establishing standards and requirements for the use and development of land within landslide hazard areas; and*
- (c) Mitigating risk within landslide hazard areas.*

PROJECT INFORMATION: The City records show there is a potential category 2 landslide hazard area located on a portion of the development site. The project geotechnical engineer did not identify this development proposal as being a risk, please refer to the Geotechnical Investigation Report, prepared by Redmond Geotechnical Services, included with the application materials.

CHAPTER 900.- SIGN CODE

PROJECT INFORMATION: Project signage has not been designed at this time. The applicant is aware that all exterior signage, excluding those required for directional and parking related purposes, require permits that include reviews and approval for compliance with this Chapter prior to their installation.

SECTION 4 – ADJUSTMENT REQUESTS

As identified in SECTION 1 – REQUEST, and where applicable in SECTION 3 – SITE PLAN REVIEW, the Applicant is requesting approval of three Type 2 adjustments as part of their consolidated land use review. Adjustments are limited to: 1) How building frontage is met on corner lots per SRC 533.15(d) to allow the proposed buildings to meet the standard in a different manner; (2) Minimum building setbacks to streets within the Saginaw Street Overlay District SRC 625.015(a), allowing the single-story management/leasing office building to be within 5-feet of the street property line; and (3) To SRC 800.050(a)(1)(B)(ii) allowing the proposed 6-foot wood slat fence within 10-feet of Commercial Street, SRC 800.050.(a)(1)(B)(ii) to be more than 25% opaque. The requested adjustments are limited to 3 and each standard is found in a separate chapter of the UDC.

The purpose of an adjustment process is to allow flexibility so that reasonable development of property may occur where conditions or unusual circumstances exist that preclude proposals from meeting all the applicable standards found in the UDC while still meeting the intended purpose of those standards. The development site utilizes vacant infill properties bisected by a public alley. The combined site area is 0.57 acres and currently includes 210 linear feet of frontage on Bush Street and 120 linear feet of street frontage on Commercial Street.

Adjustments are allowed if the applicant is able to meet certain criteria that supports approval of their requested deviations. The following are the applicable criteria provided in *gray italic text* followed by evidence supporting the project's compliance with said criteria in navy text using a **BOLD** header for clearer distinction between the two:

SRC 250.005(d) Criteria.

(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.*

RESPONSE:**BUILDING FRONTAGE SRC 533.015(d)**

We are seeking an adjustment to building frontage standards for corner lots in the MU-1 Zone SRC 533.015(d), which requires development sites located on corners, to site buildings so that 75% of building fronts onto the street with the highest classification, and with 40% building frontage on the other street. Approving the requested adjustment will allow 75% building frontage be met on Bush Street which has a lower street classification but where we have more street frontage, where ground floor residential unit entries are located, and where off-street parking is accessed from. The 40% frontage standard for other streets allowing will be met on Commercial Street.

The goal for development in mixed-use zones is to encourage “pedestrian-oriented development” through diverse projects that provide both commercial and residential uses in “multi-story buildings, and emphasize active commercial uses on ground floors facing major streets.” Mixed-use buildings, as defined in SRC 111.001 “means a building that is two or more stories in height and which contains a combination of residential and non-residential use where at least 75 percent of the ground floor area of the building is occupied by non-residential use and residential use is included on the upper floors.” These types of development provide transition between conventional commercial areas and residential neighborhoods. While mixed-use buildings are encouraged in mixed-use zoning districts they are not required as a result, certain standards, such as those related to building frontage, may not be appropriate in all locations, especially for buildings which have limited or no non-residential uses on the ground floor. This development site is located on the corner of Bush Street and Commercial Street. The street with the highest street classification is Commercial Street which in this location is 3 lanes of one-way southbound traffic flow, has significantly less street frontage, and no vehicular access.

We believe the proposal equally or better meets the standard given that the specific standard is general and does not take into consideration specific conditions for each street which where development could occur or what the actual building type is, consequently the standard may not promote the highest and best use or design for the site. Conditions such as: location, site configuration (this development site is comprised of two parcels that have frontage on Bush Street), access to parking (from alley off of Bush Street), primarily residential uses on the ground floor, elevation differences between the public ROW and the site, high traffic levels, and no on-street parking along Commercial Street. These conditions influence the design approach and how it allows for the highest and best use of the properties; the standard if followed will negatively impact the development by reduce the amount of density and parking that can effectively be provided within the developable site area.

As noted the intent of the standard is to site buildings that have ground floors which are primarily non-residential towards major streets; however, this development is primarily residential including the majority of the ground floor. The mixed-use building is sited to the corner of Bush Street and Commercial Street, its ground floor is 5,786 square feet, of that approximately 1,500 square feet is non-residential amenity space. The amenity spaces are oriented to the corner and Commercial Street where they are consistent with other commercial developments in the area. Additional impacts such as the Special Setback/ROW dedication on Commercial Street will reduce street frontage and grade differences between the existing sidewalk and site effect how buildings, green stormwater facilities and off-street parking facilities are sited. The proposed design utilizes the street with greater frontage, Bush Street to employ sustainable design practices, provide more residential density, needed parking, and larger landscape areas. Pedestrian oriented features are planned for both streets, with added pedestrian amenities such as seating,

enhanced landscaping and screening on Commercial to promote a more active pedestrian environment than what currently exists. The proposed design offers a cohesive project which capitalizes on the site configuration which consists of two properties fronting onto Bush Street, allowing for more residential density, needed on-site parking, and where vehicular access via the alley is also on Bush Street. Commercial Street in this location has no street parking and is transitioning from 3 southbound through lanes down to 2 adding more vehicle congestion which is ill-suited and less desirable for residential entries.

SETBACKS SRC 625.015(a)

An adjustment is requested to SRC 625.015(a) building setbacks to streets for properties located within the Saginaw Street Overlay which asks for new buildings to be setback from the street by a minimum of 30-feet. This request is limited to the small management/leasing office which is proposed at 5 feet and is consistent with the proposed mixed-use building not impacted by the overlay. The Saginaw Street Overlay takes in just 6 properties, 5 of which are developed as follows: 3 are surface parking lots associated with commercial buildings located outside of the overlay, 1 has a residential structure, and 1 has a commercial metal building with surface parking. Conflicts between setback standards in the overlay and the underlying MU-I zone, as well as site constraints make it impracticable to comply with the street setback standard of the overlay. Based on the site size, its width, and underlying mixed-use zoning designation the design team has worked to provide a design that is responsive to the residential properties to the west while matching the standard for the MU-I Zone. The single-story 600 square-foot office building will buffer the residential neighbors to the larger mixed-use building and provides a generous setback to parking spaces located off the alley. This design is consistent with the overall zoning standards and provides a more harmonious transition to residential uses to the west.

FENCING SRC 800.050(a)(1)(B)(i)

An adjustment to SRC 800.050(a)(1)(B)(ii) is needed to allow the proposed 6-foot tall wood slat fence proposed between on-site parking and the Commercial Street property line to be more than 25% opaque. This fence is proposed as to buffer the public sidewalk and support the pedestrian oriented design on Commercial Street. We standard related to transparency is inconsistent with the desire for screening of vehicle parking areas and attractive pedestrian areas, we believe the proposed fence design better meets the overall intent of the Code by screening parking and allowing for an enhanced pedestrian experience.

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

RESPONSE: The development site is not located within a residential zone. The current design keeps the larger, high-density development on the eastern parcel providing greater setback to existing residential uses to the west of the development site. The scale of the single-story 600 square-foot office proposed on the smaller western parcel is more compatible to the residential homes to the west so the transition between development types and zoning districts is better.

(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.

RESPONSE: The proposal does include 3 adjustment requests, which is the minimum needed to allow the development as proposed. The cumulative effect of these adjustments is consistent with the overall purpose of the zone and of the Saginaw Street Overlay. Allowing the primary residential uses to front onto Bush Street is appropriate to residential uses, and provides more residential units, while placing non-residential uses within the building to front onto Commercial

as desired by the Code. The small management/leasing office building's setback to the street is similar to existing homes in the area and will not detract or negatively impact residential properties as the scale of the building is smaller than neighboring structures. It will also be a suitable transition between higher density mixed-uses desired in the MU-I zone and the residential uses found in the neighboring RM-2 zone. The proposed wood slat fence adjacent to Commercial street is provided to enhance screening of parking to the public sidewalk and improves the pedestrian experience should be viewed as a benefit.

The requested adjustments are the minimum needed. We believe the overall design uses the development site in a more efficient and effective manner, while meeting the intent of the development standards found in SRC Chapters 533, 625, and 800, as well as the other applicable development standards found in the UDC. The development proposes a mixed-use project, on a small infill site that provides a transition between commercial areas to the north and east and the single-family residential neighborhood to the west in a cohesive and complementary manner. As noted previously, this design uses sustainable design practices, incorporates pedestrian oriented design, offers more landscaping, and affords adequate off-street parking. Furthermore, this design was presented to the SCAN Neighborhood Association at its March 8, 2023 meeting and received overwhelming support.

SECTION 5 - CONCLUSION

The applicant and their design team are confident that this proposal for a new mixed-use development on existing infill properties located at Bush Street and Commercial Street meets the overarching intent of the Salem Comprehensive Plan and the applicable standards found in the Salem Revised Code. This project is consistent with the Salem Comprehensive Plan, adds needed housing units, including live-work units, on an under-utilized development site. We appreciate your consideration of the requested Class 3 site plan review and 3 Class 2 adjustments.

Thank you,

Gretchen Stone,
CBTWO Architects, LLC