

**TO: PLANNING COMMISSION**

**FROM: LISA ANDERSON-OGILVIE, AICP  
DEPUTY COMMUNITY DEVELOPMENT DIRECTOR AND  
PLANNING ADMINISTRATOR**

**SUBJECT: ANNEXATION / MINOR COMPREHENSIVE PLAN MAP AMENDMENT /  
ZONE CHANGE CASE NO. ANXC-756 CPC-ZC23-03 (AMANDA  
APPLICATION NO. 23-101811-PLN)**

**REQUEST**

An Annexation of territory approximately 0.78 acres in size located at 572 Hile Lane NE (Marion County Assessor Map and Tax Lot No. 072W29BC03500) with a Minor Comprehensive Plan Map Amendment to Multi-Family Residential and Zone Change to RM-II (Multiple Family Residential), and withdrawal from the Marion County Fire District #1 and East Salem Sewer and Drainage District.

**APPLICANT:** Center Street Holdings, LLC (Hans Thygeson)

**OWNER:** Center Street Holdings, LLC (Hans Thygeson)

**REPRESENTATIVE:** Bob Sanders, Creations Northwest, LLC

**RECOMMENDATION**

Staff recommends that the Planning Commission adopt the facts and findings of the staff report and make the following recommendation to the City Council:

- A. That the Minor Comprehensive Plan Map Amendment from “Developing Residential” to “Multiple Family Residential” be GRANTED; and
- B. That the zone change from Marion County UD (Urban Development) to City of Salem RM-II (Multiple Family Residential) be GRANTED and applied upon annexation of the property.

**PROPOSAL**

The application under review by the Planning Commission is a consolidated application for an Annexation together with a Minor Comprehensive Plan Amendment and Zone Change for an approximate 0.78-acre property located at 572 Hile Lane NE (**Attachment A**).

The proposal includes a request to annex the property into the City of Salem and that upon annexation the Salem Area Comprehensive Plan Map designation of the property be changed from “Developing Residential” to “Multiple Family Residential” (**Attachment B**) and the zoning of the property be changed to RM-II (Multiple Family Residential) (**Attachment C**) in order to allow for development of the second phase of the adjacent Cascade Vista

Apartments located at 4692 to 4728 Center Street NE. The second phase of the apartments would include an additional 18-unit apartment building, a portion of which spans the abutting parcel, together with associated off-street parking and landscaping.

The subject property is configured as a flag lot without direct frontage onto any street. Vehicular access to the site is currently provided by an existing 16-foot-wide ingress and egress easement located within Hile Lane NE. Hile Lane NE is a private roadway located within a 25-foot-wide access and utility easement that connects to Auburn Road NE.

Upon annexation of the property and its incorporation into the adjacent apartment complex, vehicle, bicycle, and pedestrian access would become integrated into the overall multiple family development and would be from Center Street NE.

### **SUMMARY OF RECORD**

The following items are submitted to the record and are available: 1) All materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; 2) Any materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public; and 3) All documents referenced in this report.

All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You can use the search function without registering and enter the permit number listed here: 23 101811.

### **APPLICANT'S MATERIALS**

Land use applications are required to include a statement addressing the applicable standards and approval criteria of the Salem Revised Code and must be supported by proof they conform to such standards and approval criteria. The plans submitted by the applicant depicting the proposed development, and in support of the proposal, are attached to this report as follows:

- Existing Conditions Plans: **Attachment D**
- Conceptual Phase 2 Site Plan: **Attachment E**

The written statement provided by the applicant addressing the applicable approval criteria associated with the proposal is included as **Attachment F**.

### **FACTS AND FINDINGS**

#### **1. Procedural Findings**

On January 11, 2023, an application for an Annexation with a Minor Comprehensive Plan Map Amendment and Zone Change was submitted by Bob Sanders, of Creations Northwest, LLC, on behalf of the applicant and property owner, Center Street Holdings, LLC.

Pursuant to SRC 260.010(e)(2), an annexation with a minor comprehensive plan map amendment and zone change is processed as a Type IV land use application procedure under SRC Chapter 300. For annexations that involve a minor comprehensive plan map amendment and zone change, the Type IV land use procedures included under SRC 300.720 require that an initial public hearing be held with the Planning Commission for the purpose of reviewing and making a recommendation to the City Council concerning whether the requested minor comprehensive plan map amendment and zone change included with the annexation should be approved, approved with conditions, or denied. Pursuant to SRC 300.270(e), the Planning Commission's review and recommendation is limited to the requested comprehensive plan map amendment and zone change. After the initial public hearing with the Planning Commission, a subsequent final public hearing is required to be held with the City Council who will review both the annexation request and the Planning Commission's recommendation concerning the comprehensive plan map amendment and zone change and issue a final decision.

After additional requested information was provided by the applicant, the application was deemed complete for processing on June 13, 2023. On June 28, 2023, notice of the public hearing on the proposal was subsequently sent, pursuant to SRC requirements. Notice of the proposal was also posted on the subject property by the applicant's representative pursuant to SRC requirements on July 5, 2023.

The public hearing on proposal is scheduled for July 18, 2023.

DLCD Notice: State law (ORS 197.610) and SRC 300.720(b)(1) require the City to provide the Oregon Department of Land Conservation and Development (DLCD) a minimum 35-day notice when an applicant or the City proposes an amendment to an acknowledged Comprehensive Plan or land use regulation or to adopt a new land use regulation. Required notice of the proposed Minor Comprehensive Plan Map Amendment and Zone Change was provided to DLCD on June 13, 2023.

State-Mandated 120-Day Local Decision Deadline: Pursuant to Oregon Revised Statutes (ORS) 227.128, neither the requested annexation nor the requested minor comprehensive plan map amendment and zone change are subject to 120-day State-mandated local decision deadline.

## 2. Existing Conditions

The subject property included with this proposal is approximately 0.78 acres in size and located at 572 Hile Lane NE. The site is currently vacant and being used for the staging and storage of equipment and materials being utilized for the construction of the adjacent Cascade Vista Apartments, which are also owned by the applicant.

As shown on the applicant's existing conditions plans (**Attachment D**), the subject property is contiguous to the City limits along its northern, eastern, and western boundaries. The subject property is adjacent to single family dwellings to the east and to the south, and multiple family development to the north and west.

Trees:

As shown on the applicant's existing conditions plans, there are no existing trees located on the property.

Wetlands and Waterways:

According to the Salem-Keizer Local Wetland Inventory (LWI), a portion of the East Fork of the Little Pudding River runs near the eastern boundary of the property in the northeastern corner of the site, and a wetland channel is identified as being associated with the creek. There are also hydric (wetland-type) soils present throughout a majority of the site.

Due to the presence of the creek and mapped hydric soils, the applicant hired an environmental consulting firm to evaluate the site and prepare a wetland delineation report (**Attachment G**). Based on the review conducted, the report concludes there are no wetlands or non-wetland waters present within the study area and the ditch associated with the East Fork of the Little Pudding River is located off-site within the adjacent properties to the east.

Site Topography:

The topography of the site surrounding area is flat; however, City records show there may be a small area of category 3 landslide hazard area mapped on the subject property at the southeastern corner of the site within a future setback area. SRC 810.020 requires a geological assessment or report when regulated activity is proposed in a mapped landslide hazard area. If at the time of future development the applicant's proposal does not disturb any portion of a mapped landslide hazard area, a geological assessment would not be required.

**3. Salem Area Comprehensive Plan (SACP)**

Comprehensive Plan Map: The subject property is designated "Developing Residential" on the Salem Area Comprehensive Plan (SACP) map.

The Comprehensive Plan designations of surrounding properties include:

<b>Comprehensive Plan Designation of Surrounding Properties</b>	
North	Multiple Family Residential
South	Developing Residential
East	Single Family Residential
West	Multiple Family Residential

Relationship to Urban Service Area: The subject property lies inside the City's Urban Service Area. The Urban Service Area is that territory where all required public facilities (*streets, water, sewer, storm water, and parks*) necessary to serve development are in place or fully committed to be extended.

Pursuant to the urban growth management requirements contained under SRC Chapter 200 (Urban Growth Management), properties located outside the Urban Service Area are required to obtain an Urban Growth Preliminary Declaration if development will proceed prior to the necessary public facilities being extended to the property and the Urban Service Area being expanded to incorporate the property. Because the property is located inside the Urban Service Area an Urban Growth Preliminary Declaration is not required for future development of the property.

Neighborhood Plan: The subject property is contiguous to the boundaries of the East Lancaster Neighborhood Association along its northern, eastern, and western property lines. The East Lancaster Neighborhood Association Neighborhood Plan was adopted by the City Council in 1984 and identifies the neighborhood boundaries in effect at that time. The southern boundary of the adopted land use plan map was Center Street NE, which is north of the subject property. Therefore, the proposed Minor Comprehensive Plan Map Amendment does not require a corresponding amendment to the neighborhood plan map.

#### 4. Zoning

The subject property is zoned UD (Urban Development) in Marion County. Zoning of surrounding properties includes the following:

Zoning of Surrounding Properties	
North	City of Salem RM-II (Multiple Family Residential)
South	Marion County UD (Urban Development)
East	City of Salem RS (Single Family Residential)
West	City of Salem RM-II (Multiple Family Residential)

#### 5. Neighborhood Association and Public Comments

The subject property is located contiguous to the boundaries of the East Lancaster Neighborhood Association (ELNA).

Applicant Open House / Neighborhood meeting: SRC 300.320 requires the applicant for a proposed annexation with a comprehensive plan map amendment and zone change to either arrange and attend an open house or present their proposal at a regularly scheduled meeting of the neighborhood association. The applicant presented their proposal at a regularly scheduled meeting of the ELNA neighborhood association; therefore, satisfying this requirement.

Neighborhood Association Comments: Notice of the application was provided to the East Lancaster Neighborhood Association pursuant to SRC 300.720(b)(2)(A)(i)(gg), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. As of the date of completion of this staff report no comments from the neighborhood association have been received.

Public Comments: In addition to providing notice to the neighborhood association, notice was also provided, pursuant to SRC 300.720(b)(2)(A)(i)(bb), (cc), (hh), & (ii), to property

owners and tenants within 250 feet of the subject property. As of the date of completion of this staff report no public comments have been received.

Homeowners' Association: Pursuant to SRC 300.720(b)(2)(A)(i)(ff), notice is required to be provided to any active and duly incorporated Homeowners' Association (HOA) applicable to the property. As identified on the application form submitted by the applicant, the subject property is not located within a Homeowners' Association.

## 6. City Department Comments

Building and Safety Division - Reviewed the proposal and indicated no comments.

Fire Department - Reviewed the proposal and indicated that fire department access and water supply shall be provided per the Oregon Fire Code (OFC).

Public Works Department - Reviewed the proposal and provided comments pertaining to City infrastructure required to serve the property. Comments from the Public Works Department are included as **Attachment H**.

## 7. Public Agency Comments

Salem-Keizer School District - Reviewed the proposal and provided comments that are included as **Attachment I**. The School District indicates, in summary, that the property is served by Auburn Elementary School, Houck Middle School, and North Salem High School. The School District identifies sufficient existing school capacity at Auburn Elementary School, Houck Middle School, and North Salem High School to accommodate the projected increase in student enrollment resulting from the future development of the property.

The School District indicates the subject property is located within the walk zone of Auburn Elementary School and that students will be eligible for school provided transportation to Houck Middle School and North Salem High School.

## **DECISION CRITERIA FINDINGS**

### 8. Analysis of Minor Comprehensive Plan Map Amendment Approval Criteria

Salem Revised Code (SRC) 260.010(g)(2)(B)(i) establishes the approval criteria for a Minor Comprehensive Plan Map Amendment with an annexation. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings of fact evaluating the proposal's conformance with the criteria. Lack of compliance with the following criteria is grounds for a recommendation of denial of the Minor Comprehensive Plan Map Amendment.

***SRC 260.010(g)(2)(B)(i): The proposed minor comprehensive plan map amendment complies with the minor comprehensive plan map amendment approval criteria of SRC 64.025(e)(2), when the annexation includes a minor comprehensive plan map amendment.***

The minor comprehensive plan map amendment approval criteria of SRC 64.025(e)(2) are as follows:

***SRC 64.025(e)(2)(A): The Minor Plan Map Amendment is justified based on the existence of one of the following:***

- (i) Alteration in Circumstances. Social, economic, or demographic patterns of the nearby vicinity have so altered that the current designations are no longer appropriate.***
- (ii) Equally or Better Suited Designation. A demonstration that the proposed designation is equally or better suited for the property than the existing designation.***
- (iii) Conflict Between Comprehensive Plan Map Designation and Zone Designation. A Minor Plan Map Amendment may be granted where there is conflict between the Comprehensive Plan Map designation and the zoning of the property, and the zoning designation is a more appropriate designation for the property than the Comprehensive Plan Map designation. In determining whether the zoning designation is the more appropriate designation, the following factors shall be considered:***
  - (aa) Whether there was a mistake in the application of a land use designation to the property;***
  - (bb) Whether the physical characteristics of the property are better suited to the uses in the zone as opposed to the uses permitted by the Comprehensive Plan Map designation;***
  - (cc) Whether the property has been developed for uses that are incompatible with the Comprehensive Plan Map designation; and***
  - (dd) Whether the Comprehensive Plan Map designation is compatible with the surrounding Comprehensive Plan Map designations.***

**Finding:** The written statement provided by the applicant addressing the approval criteria for the minor comprehensive plan map amendment to change the comprehensive plan map designation of the property from “Developing Residential” to “Multiple Family Residential” is included as **Attachment F**. The applicant indicates, in summary, that the City’s 2015 Housing Needs Analysis determined residential land needs for a 20-year period. During this 20-year period, Salem’s population is projected to increase at a 1.25% average annual growth rate and will reach 269,274 residents by the year 2035. Based on the analysis of current and future housing trends, the Housing Needs Analysis determined that an additional 8,174 multi-family units are needed in Salem by the year 2035. The report concluded that there is a 2,897-acre deficit of Multi-Family Residential designated land when addressing multi-family housing needs. Therefore, the applicant’s proposed Comprehensive Plan Map Amendment is justified based on current and projected demographic patterns. Based on the City’s analysis of the buildable land supply, it was determined that there is a 9,131-acre surplus of land for the 20-year planning horizon. Since the demographic patterns and housing needs have significantly altered over the last 15-20 years, the existing Developing Residential designation for the property is no longer appropriate. The proposed Multi-Family Residential designation not only helps address

the significant multi-family land deficiency, but the proposed designation is also compatible with the area's existing land use pattern (consisting of multi-family residential properties and rental housing).

Staff concurs with the findings included in the applicant's written statement in that the City's 2015 to 2035 Housing Needs Analysis (HNA) identified a projected deficit in both multi-family designated land and multi-family housing units within Salem's portion of the Urban Growth Boundary (UGB) within the 20-year planning horizon and that the proposed minor comprehensive plan amendment to change the subject property's comprehensive plan map designation from "Developing Residential" to "Multiple Family Residential" will help increase the City's inventory of multiple family designated land and ultimately the number of actual constructed multiple family dwelling units with the future development of the property.

On August 24, 2022, a series of amendments to the City's Comprehensive Plan, Comprehensive Plan Map, and zoning map associated with a multi-year project to update the City's Comprehensive Plan, known as the Our Salem project, went into effect. These changes included revising, updating, and establishing new Comprehensive Plan goals and policies and redesignating the comprehensive plan map and zoning designations of various properties throughout the City to comply with Statewide Planning Goals, meet the City's projected land supply needs, and provide an updated vision for the growth and development of the City.

Included with these changes were a variety of new Comprehensive Plan goals and policies, and redesignations of land, that align with and advance the recommendations of the now adopted HNA to increase opportunities for development of multi-family and affordable housing within the City through such measures as lowering barriers to multi-family development, redesignating and rezoning land for multifamily housing, and increasing redevelopment activity and mixed-use development. As a result, the changes adopted as part of the Our Salem Project act to overall increase the amount of land available for housing and meet the projected housing needs of the adopted HNA.

However, because some of the land redesignated to meet the City's projected deficit of multi-family is apportioned to land designated and zoned for mixed-use, which allows but does not require multi-family development, the proposed minor comprehensive plan map amendment to change the property's designation to "Multiple Family Residential" will further increase the City's multi-family land supply and support the City's further compliance with the adopted HNA and compliance with Statewide Planning Goal 10: Housing by increasing the amount of land inventory within Salem's portion of the UGB that generally requires, and is planned by the applicant to be developed for, multi-family housing.

By providing for additional multiple family designated land, the proposed minor comprehensive plan map amendment responds to the changing social and demographic patterns within the City and the surrounding area that underly the multi-family housing needs identified in the adopted HNA. The proposed redesignation to "Multiple Family Residential" also provides for an equally or better suited comprehensive plan designation for the property than the existing "Developing Residential" designation because it allows



for the logical expansion of the abutting multiple family designated land to the north and west of the property; it provides for a more regular and uniform southern boundary for the multiple family designated land on the Comprehensive Plan Map; it provides for the more efficient utilization of the land within the UGB based on its size and proximity to other multiple family designed residential land by allowing it to be developed for multi-family housing and incorporated into the existing multiple family development to the north and west instead of remaining designated as “Developing Residential” and being underutilized as a separate, stand-alone lower density residential development with access constraints due to the property’s only vehicle access being provided by a private flag lot accessway; and it provides for the logical expansion of the existing multiple family development that surrounds the property on two sides. This approval criterion is met.

***SRC 64.025(e)(2)(B): The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed plan map designation;***

**Finding:** The written statement provided by the applicant indicates that the Transportation Planning Rule Analysis submitted with the application indicates that the existing transportation system is capable of serving uses allowed by the proposed RM-II zone. Public water can be looped through the annexation territory by connecting to the existing 12-in. main line in Center Street NE connecting into the Phase 1 development. Sanitary sewer can be provided to the subject property from the existing 12-in. line within Center Street connecting into the Phase 1 development. Stormwater can be managed by detaining runoff from impervious surfaces and releasing it at the pre-development rate into the East Fork of the Little Pudding River in conjunction with the Phase 1 development stormwater system. Therefore, the subject property is capable of being served with public facilities and services necessary to support uses allowed by the proposed Multi-Family map designation.

Staff concurs with the findings included in the applicant’s written statement. The subject property lies within the City’s Urban Service Area where all required public facilities (*streets, water, sewer, storm water, and parks*) necessary to serve development are in place or fully committed to be extended. In addition, the City’s Public Works Department reviewed the proposal and indicates that water, sewer, and storm drainage infrastructure are available within surrounding streets/areas and appear to be adequate to serve future development of the property in conformance with the City’s adopted public facility plans. Site-specific infrastructure requirements associated with the future development of the property will be addressed at the time of Site Plan Review under SRC Chapter 220. This approval criterion is met.

***SRC 64.025(e)(2)(C): The proposed plan map designation provides for the logical urbanization of land;***

**Finding:** The written statement provided by the applicant indicates that the property is an enclave area located within the Salem-Keizer UGB and that’s contiguous to the City limits along the north, east, and west boundaries of the site. The subject property is also adjacent to existing public transportation and utilities services within Center Street NE. The area is currently transitioning to urban uses and densities as surrounding parcels

annex into the City limits. The City's Housing Needs Analysis indicates that there is a 9,131 acre surplus of Single-Family and Developing Residential designated land when addressing single family housing needs for the 20-year planning horizon. However, there is a 2,897 acre deficit of Multi-Family Residential designated land when addressing multi-family housing needs through the year 2035. The proposed Multi-Family Residential map designation therefore will provide for the logical urbanization of land.

Staff concurs with the findings included in the applicant's written statement. The subject property is contiguous to the City limits on three sides and abuts existing multiple family development to the north and west. The proposed expansion of the existing Cascade View Apartments to include the subject property represents a logical urbanization of the land that will help the City to further meet the projected housing needs of the adopted Housing Needs Analysis. Future multiple family development of the property will also be required to conform to the City's multiple family design review standards included under SRC Chapter 702, which ensure that multiple family development occurs in a manner that minimizes any potential impacts, and promotes compatibility, between the multiple family development and abutting single family zoned and used land. This approval criterion is met.

***SRC 64.025(e)(2)(D): The proposed land use designation is consistent with the Salem Area Comprehensive Plan and applicable Statewide planning goals and administrative rules adopted by the Department of Land Conservation and Development; and***

**Finding:** Analysis of the proposed comprehensive plan map amendment and zone change for conformance with the applicable Goals and Policies of the Salem Area Comprehensive Plan is as follows:

The written statement provide by the applicant identifies the following Salem Area Comprehensive Plan goals and policies as being applicable to the proposal:

- **Housing Goal H1 – Housing Choice:** *Promote a variety of housing options to meet the needs, abilities, and preferences of all current and future residents.*
- **Housing Policy H1.1 – Housing Types:** *A variety of housing types shall be allowed and encouraged throughout the Salem Urban Area, including single-family homes, accessory dwelling units, manufactured homes, townhouses, middle housing, and multifamily housing.*
- **Housing Policy H1.5 – Housing Diversity:** *New residential developments should be encouraged to incorporate a diversity of housing types and sizes to attract residents of varying income levels, lifestyles, and housing preferences.*

The applicant indicates that the subject property is proposed to be zoned RM-II upon its annexation into the City limits and that the proposed RM-II zone provides a density standard of 15 to 31 dwelling units per acre to encourage a variety of housing types.

Staff concurs with the findings included in the applicant's written statement. The multiple family comprehensive plan designation and RM-II zoning proposed to be applied to the property upon annexation allow for a variety of housing types including middle housing (e.g. townhouses, duplexes, triplexes, fourplexes, and cottage clusters) and multi-family housing with dwelling unit densities of 15 to 31 dwelling units per acre. As identified in the applicant's written statement, the existing Cascade Vista Apartments are proposed to be expanded in a second phase to include the subject property. The proposed second phase will include an additional 18-unit apartment building, associated off-street parking, and landscaping. The first phase of the development included a total of 120 dwelling units on approximately five acres. As a result of the proposed second phase of the development, the total number of dwelling units will increase to 138 on approximately 5.78 acres. The resulting dwelling unit density of 23.9 dwelling units per acre falls within the allowed dwelling unit density range of the RM-II zone and will provide additional multiple family dwelling units to meet the housing needs of the City's population. The proposal is consistent with these applicable comprehensive plan goals and policies.

- **Housing Goal H2 – Housing Affordability:** *Provide opportunities for housing that are affordable to current and future residents of all income levels.*
- **Housing Policy H2.4 – Housing/Transportation Costs:** *Housing opportunities that decrease commuting and lower the combined housing/transportation cost burden for people who live in Salem should be encouraged.*

The applicant indicates that the subject property is located less than one mile from the intersection of Center Street NE and Lancaster Drive, where there are abundant services and employment opportunities. In addition to the automobile connection, bus route transit services to Lancaster Drive are available from a bus stop at Center Street NE and Royalty Drive NE adjacent to the Subject Property. Therefore, the proposed Multi-Family Residential designation provides housing opportunities that decrease commuting and lower the combined housing/transportation cost burden for people who live in Salem.

Staff concurs with the findings included in the applicant's written statement. Transit service is available to serve the site on Center Street NE via Route 5 (Center Street), which provides a 15-minute weekday service level. As the applicant indicates, the property is also located within relatively close proximity to various services which are available on Lancaster Drive NE. The property's proximity to transit and nearby various services on Lancaster Drive NE provides housing opportunities that potentially decrease commuting and lower housing and transportation costs for the residents. The proposal is consistent with these applicable comprehensive plan goals and policies.

- **Housing Goal H3 – Land Supply:** *Provide a supply of residential land that accommodates the amounts and types of housing needed to meet the population forecast for the Salem Urban Area.*
- **Housing Policy H3.1 – Access & Dispersal:** *Multifamily housing should be located near employment centers, parks, shopping, and schools throughout the Salem Urban*

*Area to increase pedestrian access to those destinations and services, foster complete neighborhoods, and promote dispersal of such housing across Salem's neighborhoods.*

The applicant indicates that the subject property is located less than one mile from the intersection of Center Street NE and Lancaster Drive, where there are abundant services and employment opportunities. A variety of restaurants and a Roth's grocery store are located on the east side of the intersection. The Willamette Town Center Mall and a movie theatre center are located on the west side of Lancaster Drive. In addition to the automobile connection, bus route transit services to Lancaster Drive are available from a bus stop at Center Street NE and Royalty Drive NE adjacent to the subject property.

Staff concurs with the findings included in the applicant's written statement. The proposed comprehensive plan map amendment changing the property's comprehensive plan map designation to "Multiple Family Residential" and zone change changing the zoning of the property to RM-II (Multiple Family Residential) provides for additional land within the City that will be developed for multi-family housing in further support to the City's adopted Housing Needs Analysis. Convenient transit service is available to the site on Center Street NE and the property is located in close proximity various services and employment opportunities on Lancaster Drive NE. The proposal is consistent with these applicable comprehensive plan goals and policies.

- **Housing Goal H4 – Complete Neighborhood:** *Encourage housing that provides convenient access to jobs, services, and amenities that meets residents' daily needs.*
- **Housing Policy H4.2 – Connectivity:** *Development patterns in residential neighborhoods shall promote and facilitate multimodal connections that provide access to services and amenities and reduce the need for, and length of, automobile trips.*

The applicant indicates that the subject property is located less than one mile from the intersection of Center Street NE and Lancaster Drive, where there are abundant services and employment opportunities. A variety of restaurants and a Roth's grocery store are located on the east side of the intersection. The Willamette Town Center Mall and a movie theatre center are located on the west side of Lancaster Drive. In addition to the automobile connection, bus route transit services to Lancaster Drive are available from a bus stop at Center Street NE and Royalty Drive NE adjacent to the Subject Property. Therefore, nearby amenities and transit services reduce the need for, and length of, automobile trips.

Staff concurs with the findings included in the applicant's written statement. The proposed comprehensive plan map amendment and zone change to multiple family results in a development pattern where higher-density housing will be provide in convenient proximity to 15-minute transit service; thereby reducing the need for automobile trips. The property is also located within convenient access to various services and employment opportunities along Lancaster Drive NE to the west. The proposal is consistent with these applicable comprehensive plan goals and policies.

- **Housing Policy H5.3 – Health and Active Living:** *Multifamily housing and mixed-use projects should be encouraged to incorporate amenities supportive of healthy, active living, such as useable open space, community space, recreation areas, and community gardens.*

The applicant indicates that the first phase of the apartment development will provide a clubhouse with an exercise room equipped with workout equipment and that tenants in the second phase of the development will have access to the Phase 1 amenities.

Staff concurs with the findings included in the applicant's written statement. The City's development code includes design review standards that apply to multiple family development. Included within these standards are requirements to provide common open space and recreational opportunities to serve the residents of the development. As indicated by the applicant, because the subject property is proposed to be incorporated into the existing Cascade Vista Apartments, residents of the proposed second phase of the development will have access to the open space and recreational facilities included in the first phase, and the proposed second phase will be reviewed for conformance with the applicable open space and recreational requirements of SRC Chapter 702. The proposal is therefore consistent with this applicable comprehensive plan policy.

- **Land Use and Urbanization Goal L1 – Urbanization and Growth Management:** *Manage growth in the Salem Urban Area through cooperative efforts between the City of Salem, Marion and Polk counties, and other jurisdictions to provide area residents with a high quality of life, contain urban development, promote the City's efficient delivery of services, and preserve adjacent agricultural lands.*
- **Land Use and Urbanization Policy L1.13 – Facility Responsibility:** *Where development creates a demand for new or expanded facilities and services, new development should bear a share of the costs of new or expanded facilities and services.*

The applicant indicates that the subject property is adjacent to existing public transportation and utilities services within Center Street NE. Public water can be looped through the annexation territory by connecting to the existing 12-in. main line in Center Street NE connecting into the Phase 1 system. Sanitary sewer can be provided to the Subject Property from the existing 12-in. line within Center Street connecting into the Phase 1 system. Stormwater can be managed by detaining runoff from impervious surfaces and releasing it at the pre-development rate into the East Fork of the Little Pudding River in conjunction with the Phase 1 stormwater system. The proposed multi-family use can be adequately served by existing public transportation and utility services.

Staff concurs with the findings included in the applicant's written statement. As indicated in the comments provided from the Public Works Department, street, water, sewer, and storm drainage infrastructure are available and appear to be adequate to serve the development. Site-specific infrastructure requirements will be addressed at the time of future development of the property and the costs for installation of required

facilities are required to be paid by the applicant. The proposal is consistent with these applicable comprehensive plan goals and policies.

- **Land Use and Urbanization Goal L3 – Urban Development:** *Ensure that future development within the Salem Urban Area is designed to respond to and enhance the surrounding environment, while accommodating growth.*

The applicant indicates that the proposed Multi-Family Residential designation not only helps address the significant multi-family land deficiency, but the proposed designation is also compatible with the area's existing land use pattern (consisting of multi-family residential properties and rental housing).

The proposal is consistent with this applicable comprehensive plan policy. The proposed multiple family comprehensive plan designation and RM-II zoning provide for additional land within the City to help meet the City's projected housing needs identified in the adopted Housing Needs Analysis, and the future development of the property will be required to comply with the applicable standards of the City's development code which includes standards to ensure development occurs in a manner that minimizes potential impacts and enhances the surrounding environment.

- **Land Use and Urbanization Policy L3.6 – Sustainable Development:** *New developments should be encouraged to make maximum use of available land areas with minimal environmental disturbance and be located and designed to minimize such public costs as extension of sewer and water services, schools, parks, and transportation facilities.*

The applicant indicates that the subject property does not contain any identified natural resources, wildlife habitats, or wetland areas and, as required, future development of the site will minimize erosion, adverse alteration, or other adverse effects to the drainageway.

Staff concurs with the findings included in the applicant's written statement. There are no existing trees or wetland areas located on the site, and the subject property is located in an area which can be served by existing city infrastructure, parks, and schools. The proposal is consistent with this applicable comprehensive plan policy.

Analysis of the proposed comprehensive plan map amendment and zone change for conformance with the applicable Statewide Planning Goals is as follows:

- **Statewide Planning Goal 1 – Citizen Involvement:** *To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

The applicant indicates that the requested land use actions are to annex the subject property into the City, change the Comprehensive Plan Map designation of the subject property to Multi-Family Residential, and designate the site as RM-II on the Zoning Map. As required, citizens will have the opportunity to comment on the proposed map amendments at public hearings before the Planning Commission and City Council.

The applicant presented the proposed Phase 2 development at the January 6, 2022, East Lancaster Neighborhood Association meeting.

Staff concurs with the findings included in the applicant's written statement. In addition to attending a required neighborhood meeting, notice of the proposal was also provided to the East Lancaster Neighborhood Association, surrounding property owners and tenants within the notification area, and posted on the property prior to the hearing. The Planning Commission will hold a public hearing to consider the requested minor comprehensive plan map amendment and zone change and a second subsequent public hearing will be held before the City Council to review the requested annexation and the Planning Commission's recommendation concerning the comprehensive plan and zoning designations proposed for the property. The required neighborhood meeting, public notice, and public hearing process ensure all interested parties are afforded the opportunity to review the application, comment on the proposal, and participate in the decision. These procedures meet the requirements of this Goal for citizen involvement in the land use planning process.

- **Statewide Planning Goal 2 – Land Use Planning:** *To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

The applicant indicates, that as required, the above narrative addresses how the proposed land use changes meet applicable goals and policies of the Salem Area Comprehensive Plan. The applicant's proposal does not require that an exception be granted to any of the Statewide Planning Goals.

Staff concurs with the findings include in the applicant's written statement. The City's comprehensive plan and implementing land use land use review procedures and development code are acknowledged to be in compliance with the Statewide Planning Goals and provide the policy framework for the basis of all land use decisions in the City. The proposal conforms to this statewide planning goal.

- **Statewide Planning Goal 3 – Agriculture Lands; Goal 4 – Forest Lands**

The applicant indicates that the subject property is located within the City's Urban Growth Boundary and the site is not designated as "agricultural lands," and does not include designated forest lands.

Staff concurs with the findings included in the applicant's written statement. The subject property is not identified as agricultural land or forest land. These statewide planning goals are therefore not applicable to the proposal.

- **Statewide Planning Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources:** *To protect natural resources and conserve scenic and historic areas and open spaces.*

The applicant indicates that the subject property does not contain any identified natural and cultural resources, wildlife habitats, or wetland areas and that, as required, future

development of the site will minimize erosion, adverse alteration, or other adverse effects to the drainageway.

The subject property is not designated as an open space or scenic area and there are no protected natural resources present on the site. The property is, however, located within the City's Historic and Cultural Resources Protection Zone concerning the potential for archaeological resources. In order to comply with Goal 5 any future development of the subject property is required to comply with the applicable provisions of SRC Chapter 230 (Historic Preservation). The proposal conforms to this statewide planning goal.

- **Statewide Planning Goal 6 – Air, Water, and Land Resources Quality:** *To maintain and improve the quality of the air, water and land resources of the state.*

The written statement provided by the applicant indicates that if the proposed Multi-Family Residential designation is approved, specific site development plans will be submitted for land use review. Under the City's development review process, future development will be conditioned to demonstrate compliance with local, state, and federal air, water, and land use resource standards.

Staff concurs with the findings included in the applicant's written statement. The proposal will not have an impact on air, water, or land resources quality. The proposal conforms to this statewide planning goal.

- **Statewide Planning Goal 7 – Areas Subject to Natural Hazards:** *To protect people and property from natural hazards.*

The applicant indicates that City maps do not identify any steeply sloping areas or floodplains on the site and the subject property is not subject to other natural disasters and hazards. Therefore, the proposed Comprehensive Plan Map and Zoning Map amendments are consistent with Goal 7.

Staff concurs with the findings included in the applicant's written statement. The topography of the subject property is flat and there are no areas of mapped landslide hazard susceptibility or flooding located on the subject property. The proposal conforms to this statewide planning goal.

- **Statewide Planning Goal 8 – Recreational Needs:** *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

The applicant indicates that the City's Comprehensive Park System Master Plan does not identify the subject property as a potential park site. When a specific development proposal is submitted for the site, the City's land use review process will ensure that adequate open space and landscaping are provided for the multi-family residential community.



Staff concurs with the findings included in the applicant's written statement. The subject property is not located within an identified open space, natural area, or park or recreation area, and no destination resort is planned for this property. The proposal conforms to this statewide planning goal.

- **Statewide Planning Goal 9 – Economic Development:** *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

The applicant indicates that the proposal is to change the Comprehensive Plan Map designation for the subject property from Developing Residential to Multi-Family Residential. In addition, the applicant is proposing to change the entire site's zoning from Urban Development to RM-II. Since the proposal does not involve designated commercial or industrial lands, the proposed Comprehensive Plan Map and Zoning Map amendments are consistent with Goal 9.

Staff concurs with the findings included in the applicant's written statement. The proposed comprehensive plan map amendment and corresponding zone change do not involve commercially or industrially designated land. This statewide planning goal is therefore not applicable to the proposal.

- **Statewide Planning Goal 10 – Housing:** *To provide for the housing needs of citizens of the state.*

The applicant indicates that in order to help address the City's 2,897-acre deficit of Multi-Family Residential designated land for the 2035 planning horizon, the proposal includes the annexation of the property and its redesignation as Multi-Family Residential on the City's Comprehensive Plan Map. While the current land designation allows single-family detached lots, the proposed designation will allow a greater variety of housing types including smaller single-family detached lots, townhomes, condominiums, and apartment units. Therefore, the proposed Comprehensive Plan and Zoning Map amendments comply with Goal 10.

Staff concurs with the findings included in the applicant's written statement. As a result of the changes to the City's Comprehensive Plan, Comprehensive Plan Map, and zoning map that were adopted as part of the Our Salem project, the City has increased the amount of land available for housing to meet projected housing needs identified in the adopted Housing Needs Analysis (HNA). The proposed minor comprehensive plan map amendment to change the property's comprehensive plan map designation to "Multiple Family Residential" and zone change to change the zoning of the property to RM-II (Multiple Family Residential) will further increase the City's multi-family land supply and support the City's further compliance with the adopted HNA and compliance with Statewide Planning Goal 10 by increasing the amount of land inventory within Salem's portion of the UGB that generally requires, and is planned by the applicant to be developed for, multi-family housing. The proposal therefore conforms this this statewide planning goal.

- **Statewide Planning Goal 11 – Public Facilities and Services:** *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

The applicant indicates that public utilities are in the vicinity of the subject property and can be extended to serve the proposed Multi-Family Residential designation. With annexation, the site will also have access to City fire and Police services. Therefore, the proposed map amendments comply with Goal 11.

Staff concurs with the findings included in the applicant’s written statement. As indicated in the comments provided by the Public Works Department (**Attachment H**), water, sewer, and storm infrastructure are currently available within the surrounding streets/areas and appear to be adequate to serve the subject property. The proposal conforms to this statewide planning goal.

- **Statewide Planning Goal 12 – Transportation:** *To provide and encourage a safe, convenient and economic transportation system.*

The written statement provided by the applicant explains that the Transportation Planning Rule Analysis conducted for the proposal indicates that the existing transportation system is capable of serving uses allowed by the proposed RM-II zone. The applicant explains that the proposed conceptual site plan submitted for the development indicates consolidated access is proposed to be provided for the proposed multi-family development through the first phase of the development to Center Street NE, a Major Arterial Street. The Transportation Planning Rule Analysis concludes that the trip demand for the proposed use is less than the expected day-to-day fluctuation in approaching traffic volumes, and therefore potential impacts to the performance of the roadway are negligible. In addition, the report indicates that approval of the map amendments will not affect the functional classification of Center Street NE. Therefore, with approval of the submitted application, the existing transportation system will continue to provide safe, convenient, and economic transportation facilities for neighborhood residents.

Staff concurs with the findings included in the applicant’s written statement. Goal 12 is implemented by the Transportation Planning Rule (TPR). In summary, the TPR requires local governments to adopt Transportation System Plans (TSPs) and requires local governments to consider transportation impacts resulting from land use decisions and development. The key provision of the TPR related to local land use decisions is Oregon Administrative Rule (OAR) 660-012-0060. This provision is triggered by amendments to comprehensive plans and land use regulations that “significantly affect” a surrounding transportation facility (road, intersection, etc.). Where there is a “significant effect” on a facility, the local government must ensure that any new allowed land uses are consistent with the capacity of the facility. In the context of a site-specific comprehensive plan map amendment and zone change, such as this proposal, a “significant effect” is defined under Oregon Administrative Rule (OAR) 660-012-0060(1) as either an amendment that “allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility,” or an amendment that would “reduce the

performance standards of an existing or planned facility below the minimum acceptable level identified in the TSP.”

The applicant for a comprehensive plan map amendment is required to submit a Transportation Planning Rule (TPR) analysis identifying whether the request will have a “significant effect” on the surrounding transportation system, as defined above, or to propose mitigation measures to address impact.

The applicant submitted a TPR analysis (**Attachment J**) to address the requirements of OAR 660-012-0060. The TPR analysis demonstrates that the proposed comprehensive plan map amendment and zone change will not have a significant impact on the transportation system as defined by OAR 660-012-0060. As indicated in the comments provided from the Public Works Department, the City’s Assistant City Traffic Engineer has reviewed the TPR analysis and concurs with its findings. The proposal conforms to this statewide planning goal.

- **Statewide Planning Goal 13 – Energy Conservation:** *To conserve energy.*

Any future additional development of the property will be required to be built to comply with current energy standards. The proposal conforms to this statewide planning goal.

- **Statewide Planning Goal 14 – Urbanization:** *To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

The subject property is located within the Urban Growth Boundary (UGB), and public facilities required to serve future development are located nearby. Existing transportation and utility infrastructure is available in the vicinity. The request allows for the efficient use and development of property without requiring extension of new public services. The proposed comprehensive plan map amendment and zone change will allow the efficient use of urbanized land within the UGB in compliance with Goal 14. The proposal conforms to this statewide planning goal.

- **Statewide Planning Goal 15 – Willamette Greenway; Goal 16 – Estuarine Resources; Goal 17 – Coastal Shorelands; Goal 18 – Beaches and Dunes; and Goal 19 – Ocean Resources**

The subject property is not located within the Willamette River Greenway or an estuarine or coastal area. These statewide planning goals are therefore not applicable to the proposal.

***SRC 64.025(e)(2)(E): The amendment is in the public interest and would be of general benefit.***

**Finding:** The written statement provided by the applicant indicates that the proposed map amendment will help meet Salem’s identified housing needs. In 2015, the City adopted a Housing Needs Analysis which determined that an additional 15,181 single-family detached and attached units, and 8,174 multi-family units, are needed in Salem by the

year 2035. Based on the City's analysis of the buildable land supply, it was determined that there is a 9,131-acre surplus of Single-Family and Developing Residential designated land, however there is a 2,897-acre deficit of Multi-Family Residential designated land for the 20-year planning horizon. The applicant's proposal to re-designate the subject property from Developing Residential to Multi-Family Residential provides a public benefit since it will help reduce the current deficit of multi-family land. When developed with an allowed use under the proposed RM-II zone, the subject property will address diverse housing needs within the community by providing additional multi-family housing options.

Staff concurs with the findings included in the applicant's written statement. The proposed comprehensive plan map amendment to change the property's designation to "Multiple Family Residential" will help the City to further meet its multi-family housing needs identified in the adopted Housing Needs Analysis by providing additional land designated, and planned to be developed, for multi-family housing. Future development of the property will be required to conform to the applicable standards of the City's development code, including the multiple family design review standards of SRC Chapter 702, which ensure that development occurs in a manner that minimizes any potential impacts, and promotes compatibility, between the development and uses on adjacent land. This approval criterion is met.

## 9. Analysis of Quasi-Judicial Zone Change Approval Criteria

SRC Revised Code (SRC) 260.010(g)(2)(B)(ii) establishes the approval criteria for a zone change within an annexation. The following subsections are organized with approval criteria shown in **bold italic**, followed by findings of fact evaluating the proposal's conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the Zone Change or for the issuance of conditions of approval to satisfy the criteria.

***SRC 260.010(g)(2)(B)(ii): The proposed quasi-judicial zone change complies with the quasi-judicial zone change approval criteria of SRC 265.005(e), when the annexation includes a quasi-judicial zone change.***

The quasi-judicial zone change approval criteria of SRC 265.005(e) are as follows:

***SRC 265.005(e)(1)(A): The zone change is justified based on one or more of the following:***

- (i) A mistake in the application of a land use designation to the property***
- (ii) A demonstration that there has been a change in the economic, demographic, or physical character of the vicinity such that the zone would be compatible with the vicinity's development pattern.***
- (iii) A demonstration that the proposed zone change is equally or better suited for the property than the existing zone. A proposed zone is equally or better suited than an existing zone if the physical characteristics of the property are appropriate for the proposed zone and the uses allowed by the proposed zone are logical with the surrounding land uses.***

**Finding:** The written statement provided by the applicant indicates that the City's 2015 Housing Needs Analysis determined residential land needs for a 20-year period. During this 20-year period, Salem's population is projected to increase at a 1.25% average annual growth rate and will reach 269,274 residents by the year 2035. Based on the analysis of current and future housing trends, the Housing Needs Analysis determined that an additional 8,174 multi-family units are needed in Salem by the year 2035. The report concluded that there is a 2,897 acre deficit of Multi-Family Residential designated land when addressing multi-family housing needs. Therefore, the applicant's proposed Comprehensive Plan Map Amendment and Quasi-Judicial Zone Change are justified based on current and projected demographic patterns. Based on the City's analysis of the buildable land supply, it was determined that there is a 9,131 acre surplus of land for the 20-year planning horizon. Since the demographic patterns and housing needs have significantly altered over the last 15-20 years, the existing Developing Residential designation for the combined Tax Lot 3400 and 3500 is no longer appropriate. The proposed Multi-Family Residential designation and RM-II zoning not only helps address the significant multi-family land deficiency, but the proposed designation is also compatible with the area's existing land use pattern (consisting of multi-family residential properties and rental housing). Therefore, the proposed RM-II zone is equally or better suited for the property than the existing Urban Development zone.

Staff concurs with the findings included in the applicant's written statement in that the City's 2015 to 2035 Housing Needs Analysis (HNA) identified a projected deficit in both multi-family designated land and multi-family housing units within Salem's portion of the Urban Growth Boundary (UGB) within the 20-year planning horizon and that the proposed minor comprehensive plan amendment to change the subject property's comprehensive plan map designation from "Developing Residential" to "Multiple Family Residential" will help increase the City's inventory of multiple family designated land and ultimately the number of actual constructed multiple family dwelling units with the future development of the property.

On August 24, 2022, a series of amendments to the City's Comprehensive Plan, Comprehensive Plan Map, and zoning map associated with a multi-year project to update the City's Comprehensive Plan, known as the Our Salem project, went into effect. These changes included revising, updating, and establishing new Comprehensive Plan goals and policies and redesignating the comprehensive plan map and zoning designations of various properties throughout the City to comply with Statewide Planning Goals, meet the City's projected land supply needs, and provide an updated vision for the growth and development of the City.

Included with these changes were a variety of new Comprehensive Plan goals and policies, and redesignations of land, that align with and advance the recommendations of the now adopted HNA to increase opportunities for development of multi-family and affordable housing within the City through such measures as lowering barriers to multi-family development, redesignating and rezoning land for multifamily housing, and increasing redevelopment activity and mixed-use development. As a result, the changes adopted as part of the Our Salem Project act to overall increase the amount of land available for housing and meet the projected housing needs of the adopted HNA.

However, because some of the land redesignated to meet the City's projected deficit of multi-family is apportioned to land designated and zoned for mixed-use, which allows but does not require multi-family development, the proposed minor comprehensive plan map amendment to change the property's comprehensive plan map designation to "Multiple Family Residential" and zone change to change the zoning of the property to RM-II will further increase the City's multi-family land supply and support the City's further compliance with the adopted HNA and compliance with Statewide Planning Goal 10 – Housing by increasing the amount of land inventory within Salem's portion of the UGB that generally requires, and is planned by the applicant to be developed for, multi-family housing.

By providing for additional multiple family zoned land, the proposed zone change responds to the changing social and demographic patterns within the City and the surrounding area that underly the multi-family housing needs identified in the adopted HNA. The proposed zone change to RM-II also provides for an equally or better suited zone for the property than the RA (Residential Agriculture) zone that would otherwise be applied to the property upon annexation if a comprehensive plan map amendment and zone change weren't requested. This is because the proposed RM-II zone allows for the logical expansion of the RM-II zone district boundary which applies to land to the north and west of the property; it provides for a more regular and uniform southern boundary for the RM-II zone district on the City's zoning map; it provides for the more efficient utilization of the land within the UGB based on its size and proximity to RM-II zoned land by allowing it to be developed for multi-family housing and incorporated into the existing multiple family development to the north and west, instead of being zoned RA and underutilized as a separate, stand-alone lower density residential development with access constraints due to the property's only vehicle access being provided by a private flag lot accessway; and it provides for the logical expansion of the existing multiple family development that surrounds the property on two sides. This approval criterion is met.

***SRC 265.005(e)(1)(B): If the zone change is City-initiated, and the change is for other than City-owned property, the zone change is in the public interest and would be of general benefit.***

**Finding:** The proposal is not a City-initiated zone change. This criterion is therefore not applicable.

***SRC 265.005(e)(1)(C): The zone change conforms with the applicable provisions of the Salem Area Comprehensive Plan.***

**Finding:** Findings addressing minor comprehensive plan map criterion SRC 64.025(e)(2)(D), included above in this report, address the applicable provisions of the Salem Area Comprehensive Plan for this consolidated application. As provided in those findings, the proposed zone change complies with the applicable provisions of the Salem Area Comprehensive Plan. This approval criterion is therefore met.

***SRC 265.005(e)(1)(D): The zone change complies with applicable Statewide Planning Goals and applicable administrative rules adopted by the Department of Land Conservation and Development.***

**Finding:** Findings addressing minor comprehensive plan map amendment criterion SRC 64.025(e)(2)(D), included above in this report, address the conformance of the proposal with the applicable provisions of the Statewide Planning Goals for this consolidated application. As provided in those findings, the proposed zone change complies with applicable statewide planning goals. This approval criterion is met.

***SRC 265.005(e)(1)(E): If the zone change requires a comprehensive plan change from an industrial use designation to a non-industrial use designation, or from a commercial or employment designation to any other use designation, a demonstration that the proposed rezone is consistent with its most recent economic opportunities analysis and the parts of the Comprehensive Plan which address the provision of land for economic development and employment growth; or be accompanied by an amendment to the Comprehensive Plan to address the proposed rezone; or include both the demonstration and an amendment to the Comprehensive Plan.***

**Finding:** The written statement provided by the applicant indicates that the proposal does not change the subject property's zoning from an industrial designation to a non-industrial designation, or from a commercial designation to a non-commercial designation. This criterion does not apply.

Staff concurs with the findings included in the applicant's written statement. The proposed zone change does not involve a change to commercially or industrially designated land. This approval criterion is therefore not applicable to the proposal.

***SRC 265.005(e)(1)(F): The zone change does not significantly affect a transportation facility, or, if the zone change would significantly affect a transportation facility, the significant effects can be adequately addressed through the measures associated with, or conditions imposed on, the zone change.***

**Finding:** The written statement provided by the applicant indicates that the Transportation Planning Rule Analysis conducted for the proposal indicates that the subject property is capable of being served with public transportation facilities under the proposed RM-II zoning. As illustrated on the existing conditions plan and the proposed conceptual site plan for the development, vehicular access for the future multi-family use will be consolidated with the Phase 1 access on Center Street NE, across from the Wildflower Street NE intersection. The only access to Hile Lane will be through a gated emergency vehicle access and pedestrian access. Per the City's TSP, Center Street NE is a major arterial roadway, which is intended to accommodate between 15,000 and 50,000 vehicles per day. When maximizing the potential dwelling unit density for the subject property under the proposed map designation, the average daily traffic on Center Street would be increased up to 114 additional daily trips, or 57 incremental daily trips. The Transportation Planning Rule Analysis concludes that the trip demand is less than the expected day-to-day fluctuation in approaching traffic volumes; therefore, the potential for an impact to the performance of the roadway is negligible. In addition, the report concludes that approval of the zone change will not affect the functional classification of Center Street NE. The proposed multi-family use can be adequately served by existing public transportation and

utility services. Therefore, the proposed zone change does not significantly affect a transportation facility.

Staff concurs with the findings included in the applicant's written statement. The applicant submitted a TPR analysis (**Attachment J**) to address the requirements of OAR 660-012-0060. The TPR analysis demonstrates that the proposed comprehensive plan map amendment and zone change will not have a significant impact on the transportation system as defined by OAR 660-012-0060. As indicated in the comments provided from the Public Works Department, the City's Assistant City Traffic Engineer has reviewed the TPR analysis and concurs with its findings. The proposed zone change will not significantly affect a transportation facility and this approval criterion is met.

***SRC 265.005(e)(1)(G): The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed in the proposed zone.***

**Finding:** The written statement provided by the applicant indicates the existing transportation system is capable of serving uses allowed by the proposed RM-II zone. Public water can be looped through the annexation territory by connecting to the existing 12-in. main line in Center Street NE connecting into the Phase 1 system. Sanitary sewer can be provided to the Subject Property from the existing 12-in. line within Center Street connecting into the Phase 1 system. Stormwater can be managed by detaining runoff from impervious surfaces and releasing it at the pre-development rate into the East Fork of the Little Pudding River in conjunction with the Phase 1 stormwater system. Therefore, the subject property is capable of being served with public facilities and services necessary to support uses allowed by the proposed RM-II zone.

Staff concurs with the findings include in the applicant's written statement. The subject property lies within the City's Urban Service Area where all required public facilities (*streets, water, sewer, storm water, and parks*) necessary to serve development are in place or fully committed to be extended. In addition, the City's Public Works Department reviewed the proposal and indicates that water, sewer, and storm drainage infrastructure are available within surrounding streets/areas and appear to be adequate to serve future development of the property in conformance with the City's adopted public facility plans. Site-specific infrastructure requirements associated with the future development of the property will be addressed at the time of Site Plan Review under SRC Chapter 220. This approval criterion is met.

## **RECOMMENDATION**

Based upon the Facts and Findings contained in this staff report, staff recommends that the Planning Commission make the following recommendation to the City Council for the subject property located at 572 Hile Lane NE (Marion County Assessor Map and Tax Lot No. 072W29BC03500):

- A. That the Minor Comprehensive Plan Map Amendment from "Developing Residential" to "Multiple Family Residential" be GRANTED; and



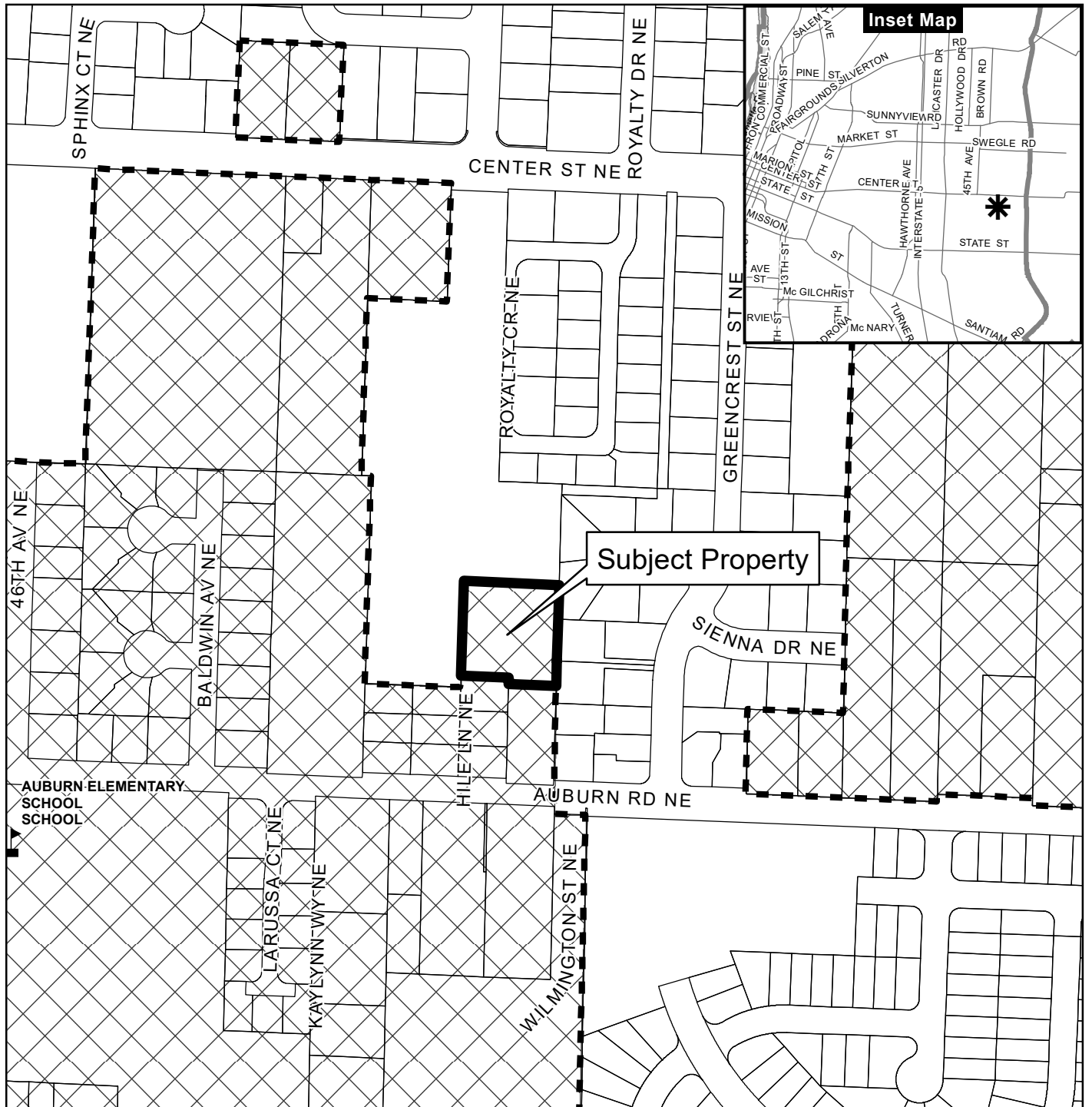
- B. That the Zone Change from Marion County UD (Urban Development) to City of Salem RM-II (Multiple Family Residential) be GRANTED and applied upon annexation of the property.

Attachments:








- A. Vicinity Map
- B. Comprehensive Plan Map
- C. Zoning Map
- D. Existing Conditions Plans
- E. Conceptual Phase 2 Site Plan
- F. Applicant's Written Statement
- G. Wetland Delineation Report
- H. City of Salem Public Works Department Comments
- I. Salem-Keizer School District Comments
- J. Transportation Planning Rule Analysis

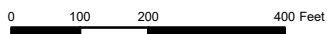
Prepared by Bryce Bishop, Planner III

# Vicinity Map 572 Hile Lane NE



**Legend**

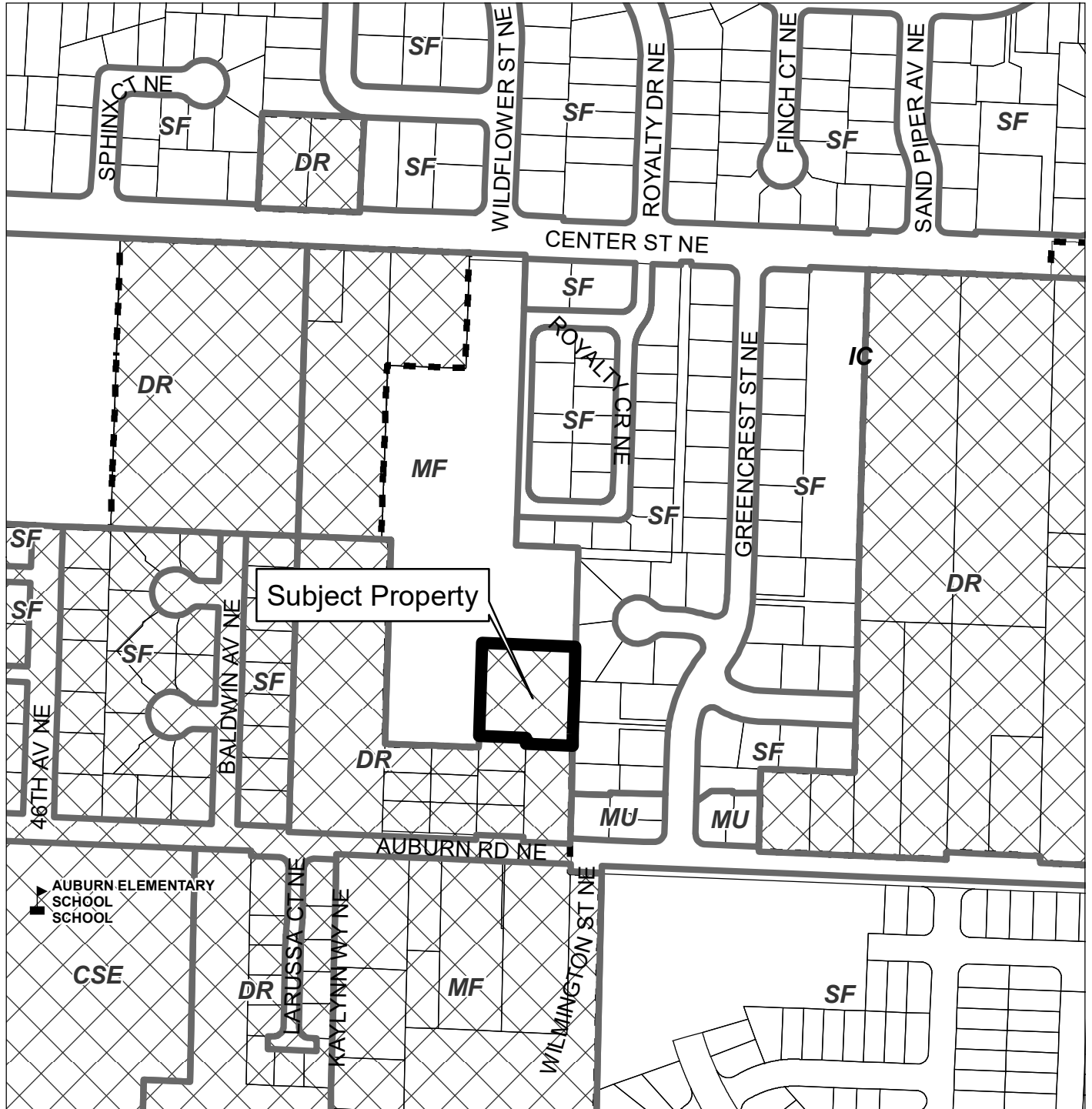
-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks



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# Comprehensive Plan Map

(Proposed Comprehensive Plan Map Amendment to Multi-Family Residential)



**Legend**

- SF Comprehensive Plan
- Urban Growth Boundary
- Outside Salem City Limits
- Taxlots
- Parks
- Schools

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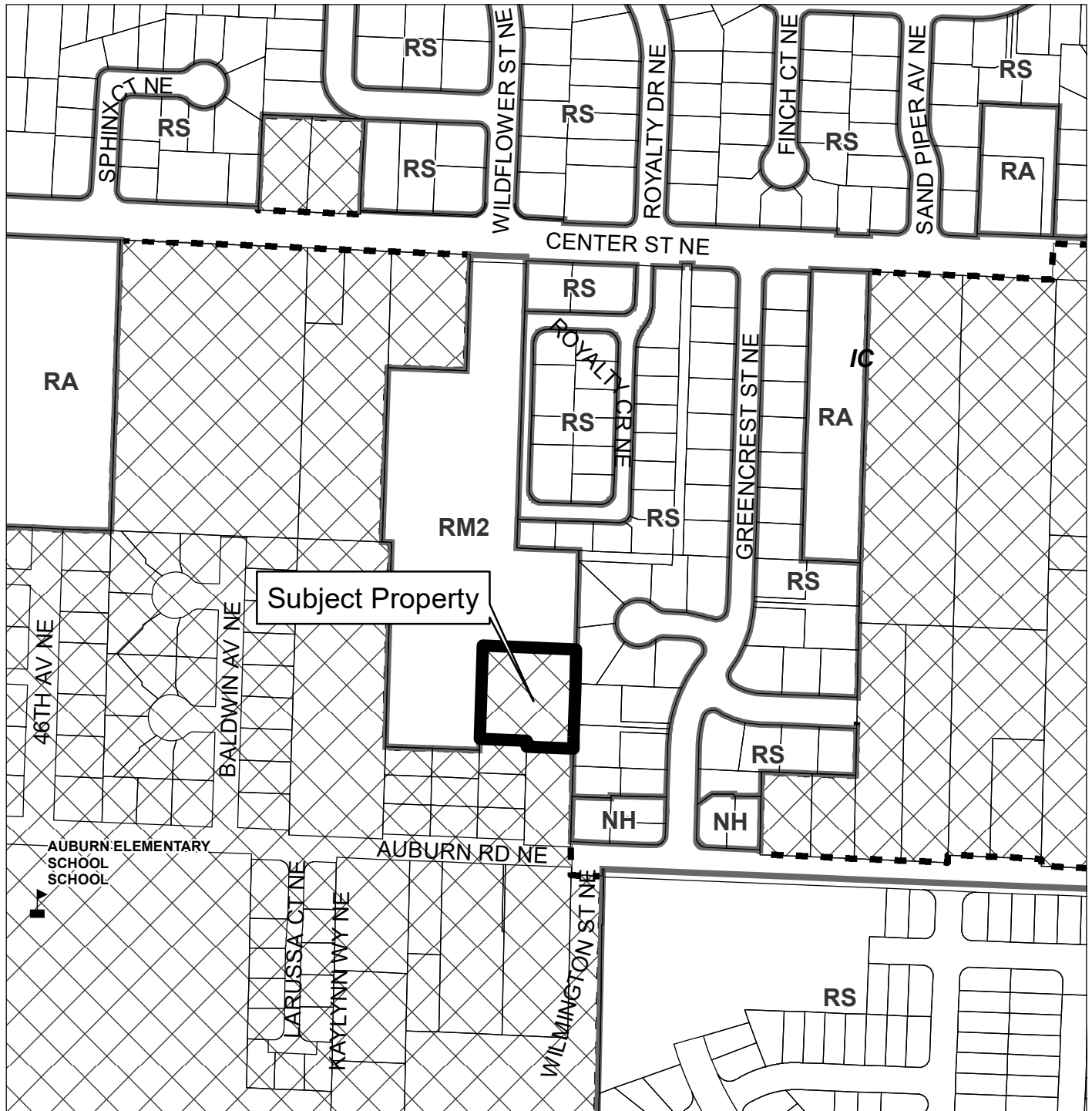
0 50 100 200 Feet



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

# Zoning Map

(Proposed Zone Change to RM-II (Multiple Family Residential))



**Legend**

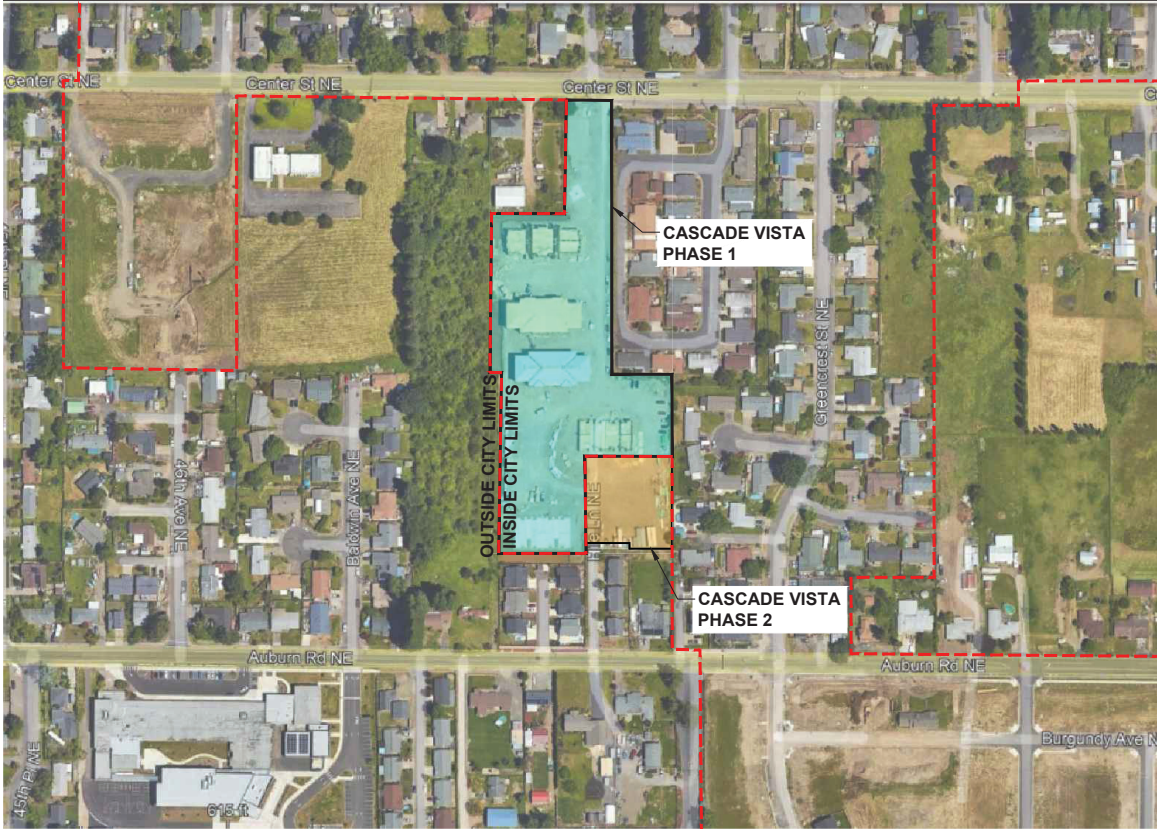
- RS Base Zoning
- Urban Growth Boundary
- Outside Salem City Limits
- Taxlots
- Parks
- Schools

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0 50 100 200 Feet



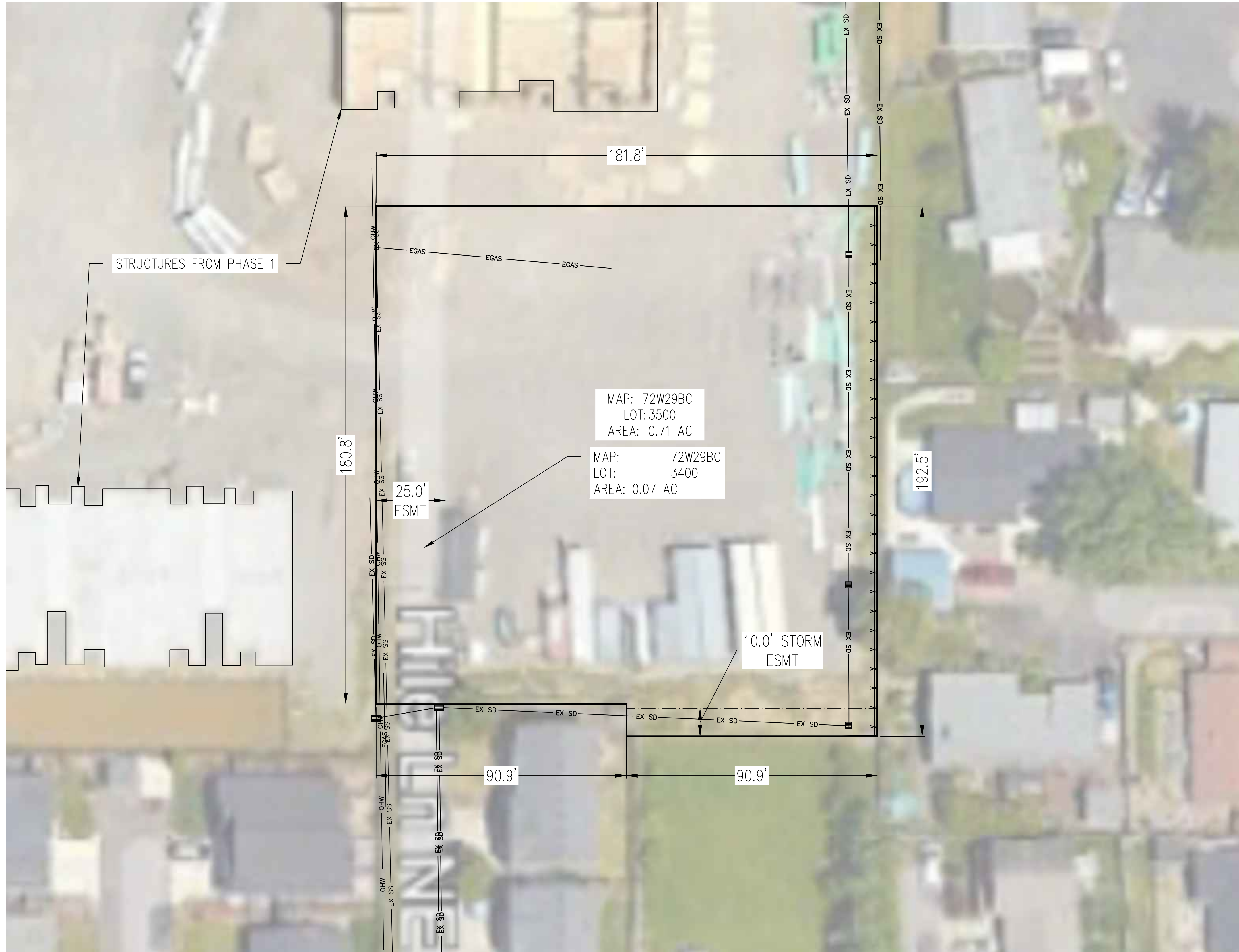
CITY OF *Salem*  
AT YOUR SERVICE  
Community Development Dept.



NOTE: SUBJECT PROPERTY IS WITHIN THE CURRENT UGB LIMITS

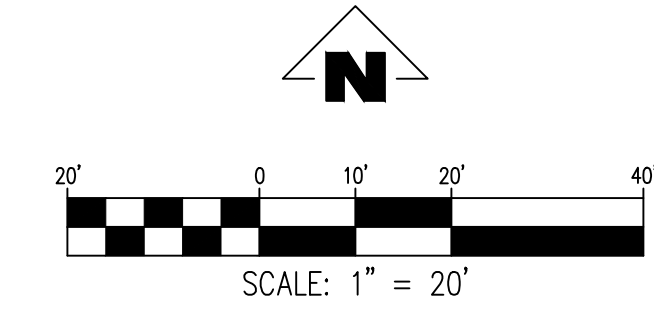
 <p>EMERIO          10000 W. CENTRAL EXPRESSWAY, SUITE 100          DENVER, COLORADO 80231          TEL: 303.733.8800          WWW.EMERIO.COM</p>		<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION				<p>CASCADE VISTA PHASE 2          368 CENTER ST NE          SALES ORDER 073101          TAX LOTS 072W129BE3300 &amp; 3200          TAX LOTS 072W129BC3600 &amp; 3801</p>
NO.	DATE	DESCRIPTION							
<p>EXHIBIT C          SITE AERIAL</p>		<p>SHEET          1          OF          2</p>							

FILE: \\0525-007\Concept\0505 - P1\05\05\Phase 1\Concept\Map\_P1\_21\_10.dwg, Layout: Aerial EPLAN, Plot Date: 12/29/2012 12:48 PM, by: Cameron Johnson



MAP: 72W29BC  
 LOT: 3500  
 AREA: 0.71 AC

MAP: 72W29BC  
 LOT: 3400  
 AREA: 0.07 AC



**SITE DATA**

TOTAL SITE AREA: 0.78 ACRES

CASCADE VISTA PHASE 2  
 4696 CENTER ST NE  
 SALEM, OR 97301  
 TAXLOTS 072W29BB3100 & 3200  
 TAXLOTS 072W29BC3600 & 3801

**EXISTING  
 CONDITIONS PLAN  
 CASCADE VISTA  
 APARTMENTS  
 PHASE 2**

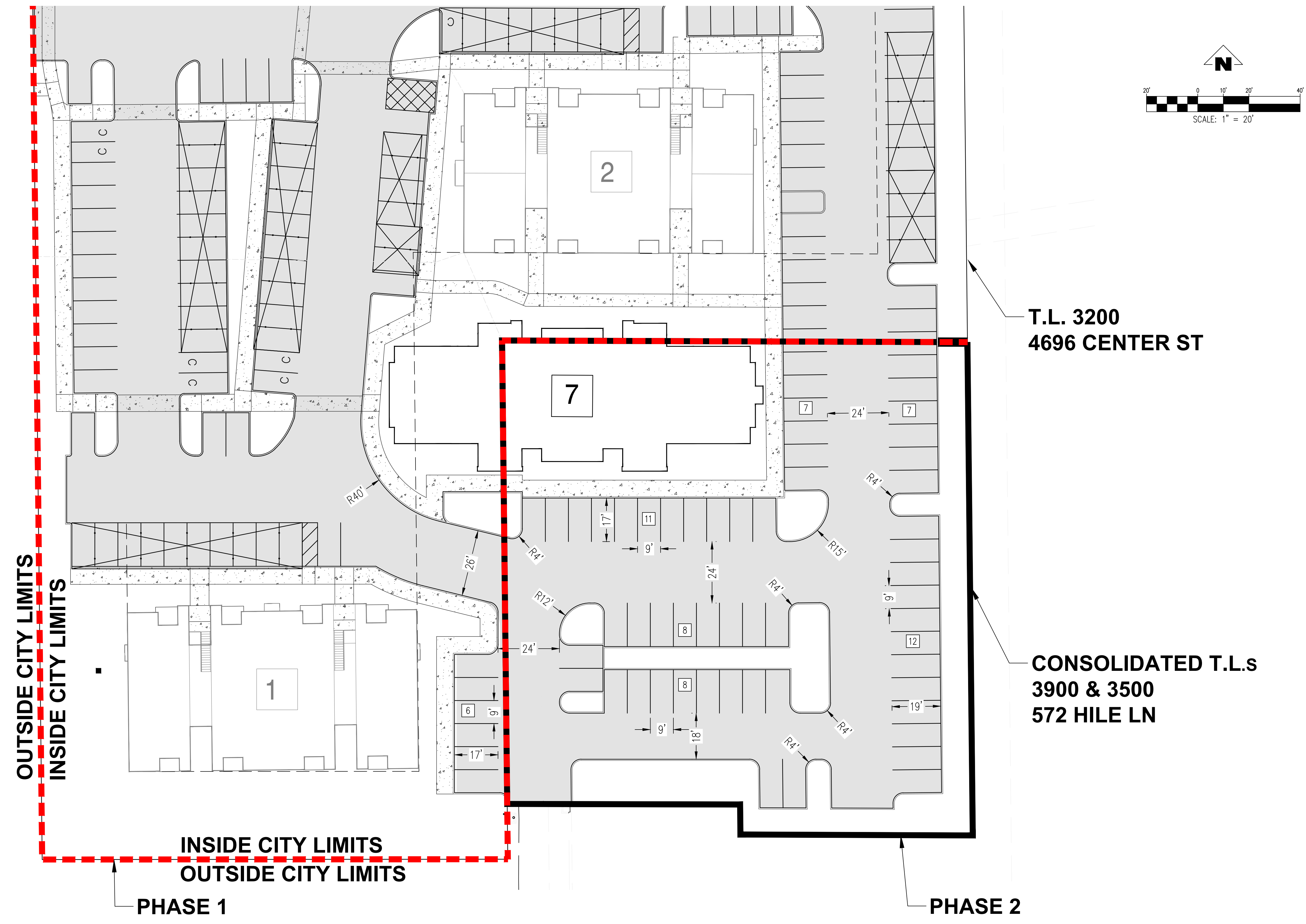
REVISIONS	
NO.	DESCRIPTION

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 www.emeriodesign.com

SHEET  
**1**  
 OF  
**1**

# Attachment E



CASCADE VISTA PI  
 4696 CENTER ST  
 SALEM, OR 973  
 TAXLOTS 072W29BB31  
 TAXLOTS 072W29BC31

**EXHIBIT D**  
**CONCEPT SITE PLAN**  
**CASCADE VISTA**  
**APARTMENTS**  
**PHASE 2**

NO.	DATE	DESCRIPTION

**EMERIO**  
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FILE: P:\0525-003 Cascade Vista - Ph2\wg\res\Phase 2\Cascade Vista Ph2\_Zh1 Layout Concept Site Plan, Plot Date: 12/18/2022 12:23 PM, by: Cameron Johnson

BEFORE THE CITY OF SALEM  
COMMUNITY DEVELOPMENT DEPARTMENT

In the matter of an application for annexation with a comprehensive plan map amendment and zone change at 572 Hile Lane NE

APPLICANT’S NARRATIVE  
DEMONSTRATING COMPLIANCE WITH  
THE APPROVAL CRITERIA

**I. INTRODUCTION AND SUMMARY**

**A. Background**

Center Street Holdings, LLC (the “Applicant”) owns two parcels of land located at 572 Hile Lane NE<sup>1</sup> and designated on the Marion County Assessor Map 072W29BC as Tax Lots 03400 and 03500, which have recently been consolidated into one parcel by Marion County Property Line Adjustment Case No. 22-033 and adjustment deeds recorded on November 7, 2022, under Marion County Reel 4670 Page 85 as Instrument 2022 00044720, (the “Subject Property”). The combined parcel is approximately 0.78 acres, and is currently designated as Developing Residential in the Salem Area Comprehensive Plan and Urban Development on the Marion County zoning map. The Applicant proposes to annex the Subject Property into the City of Salem (the “City”) with a concurrent plan map amendment to Multi-Family Residential and a zone change to Multi-Family Residential II (“RM-II”). After annexation, the parcel will be consolidated into the adjacent Cascade Vista Apartment complex<sup>2</sup> currently under construction. The proposal includes an 18-unit apartment building, a portion spanning the adjacent parcel, with associated parking and landscaping to the complex.

**B. All Pre-Application Requirements Have Been Satisfied.**

The Applicant attended a pre-application conference with City planning staff on January 31, 2022. The pre-application report is attached hereto as **Exhibit A**.

**II. ANNEXATION WITH A MINOR COMPREHENSIVE PLAN MAP AMENDMENT AND QUASI-JUDICIAL ZONE CHANGE**

The applicable criteria relevant to an Annexation with a minor Comprehensive Plan Map Amendment and Quasi-Judicial Zone Change are listed below in *italics*, followed by a response explaining how each is met.

**A. Annexations.**

*SRC 260.010 – Annexations.*

<sup>1</sup> The Subject Property is located within the City’s Urban Service Boundary but located outside the City limits.

<sup>2</sup> The adjacent Cascade Vista Apartment complex was annexed into the City by the Applicant in 2019 under City file ANXC-736.



*(g) Approval Criteria.*

*(2) Annexations with a minor comprehensive plan map amendment or quasi-judicial zone change. An annexation petition for an annexation with a minor comprehensive plan map amendment or quasi-judicial zone change shall be granted if all of the following criteria are met:*

*(A) Annexation approval criteria.*

*(i) The annexation will result in a boundary in which services can be provided in an orderly, efficient, and timely manner;*

**RESPONSE:** The Subject Property is contiguous to the City limits. The boundary resulting from the proposed annexation will provide a more compact and efficient urban form for providing urban services, because the services will be integrated into the existing City infrastructure, and potential jurisdictional conflicts will not exist between the City and County. Therefore, the annexation will result in a boundary in which services can be provided in an orderly, efficient, and timely manner.

*(ii) The land uses and development densities that will be allowed can be served through the orderly, efficient, and timely extension of key urban facilities and services;*

**RESPONSE:** The Subject Property is adjacent to existing public transportation and utilities services within Center Street NE. Public water can be looped through the annexation territory by connecting to the existing 12-in. main line in Center Street NE connecting into the Phase 1 development. Sanitary sewer can be provided to the Subject Property from the existing 12-in. line within Center Street connecting into the Phase 1 development. Stormwater can be managed by detaining runoff from impervious surfaces and releasing it at the pre-development rate into the East Fork of the Little Pudding River in conjunction with the Phase 1 stormwater system. The attached Transportation Planning Rule Analysis (**Exhibit B**) concludes that the trip demand is less than the expected day-to-day fluctuation in approaching traffic volumes, therefore the potential for an impact to the performance of the roadway is negligible. In addition, the report concludes that approval of map amendments and zone changes will not affect the functional classification of Center Street NE. The proposed multi-family use can be adequately served by existing public transportation and utility services. Therefore, the proposed use and density can be served through the orderly, efficient and timely extension of urban facilities and services.

*(iii) The withdrawal of the territory from any applicable special districts complies with applicable state statutes governing the withdrawal of the territory from those districts; and*

**RESPONSE:** When withdrawal from a special service district is not automatic, the City Council shall decide on withdrawal from special service districts. Any withdrawal from a special district by the City will comply with applicable state statutes.

*(iv) The public interest is furthered by the annexation of the territory; and*

**RESPONSE:** The proposed annexation and map designations will serve the public interest by helping to address Salem’s deficient multi-family land use supply, discussed in detail below. With future development of the site, additional multi-family units will be provided for the community.

*(B) Minor comprehensive plan map amendment and quasi-judicial zone change approval criteria.*

*(i) The proposed minor comprehensive plan map amendment compiles with the minor comprehensive plan map amendment approval criteria of SRC 64.025(e)(2), when the annexation includes a minor comprehensive plan map amendment; and*

**RESPONSE:** The minor comprehensive plan map amendment approval criteria are addressed below.

*(ii) The proposed quasi-judicial zone change complies with the quasi-judicial zone change approval criteria of SRC 265.005(e), when the annexation includes a quasi-judicial zone change.*

**RESPONSE:** The quasi-judicial zone change approval criteria are addressed below.

**B. Plan Map Amendments.**

*SRC 64.025 – Plan map amendments.*

*(e) Criteria.*

*(2) Minor plan map amendment. The greater the impact of the proposed minor plan map amendment, the greater the burden on an applicant to demonstrate that the criteria are satisfied. A minor plan map amendment may be made if it complies with the following:*

*(A) The minor plan map amendment is justified based on the existence of one of the following:*

*(i) Alteration in circumstances. Social, economic, or demographic patterns of the nearby vicinity have so altered that the current designations are no longer appropriate.*

*(ii) Equally or better suited designation. A demonstration that the proposed designation is equally or better suited for the property than the existing designation.*

*(iii) Conflict between comprehensive plan map designation and zone designation. A minor plan map amendment may be granted where there is a conflict between the comprehensive plan map designation and the zoning of the property, and the zoning designation is a more appropriate designation for the property than the comprehensive plan map designation. In determining whether the zoning designation is the more appropriate designation, the following factors shall be considered:*

*(aa) Whether there was a mistake in the application of a land use designation to the property;*

*(bb) Whether the physical characteristics of the property are better suited to the uses in zone as opposed to the uses permitted by the comprehensive plan map designation;*

*(cc) Whether the property has been developed for uses that are incompatible with the comprehensive plan map designation; and*

*(dd) Whether the comprehensive plan map designation is compatible with the surrounding comprehensive plan map designations;*

**RESPONSE:** The City's 2015 Housing Needs Analysis determined residential land needs for a 20-year period. During this 20-year period, Salem's population is projected to increase at a 1.25% average annual growth rate and will reach 269,274 residents by the year 2035. Based on the analysis of current and future housing trends, the Housing Needs Analysis determined that an additional 8,174 multi-family units are needed in Salem by the year 2035. The report concluded that there is a 2,897-acre deficit of Multi-Family Residential designated land when addressing multi-family housing needs. Therefore, the Applicant's proposed Comprehensive Plan Map Amendment is justified based on current and projected demographic patterns. Based on the City's analysis of the buildable land supply, it was determined that there is a 9,131-acre surplus of land for the 20-year planning horizon. Since the demographic patterns and housing needs have significantly altered over the last 15-20 years, the existing Developing Residential designation for combined Tax Lot 3400 and 3500 is no longer appropriate. The proposed Multi-Family Residential designation not only helps address the significant multi-family land deficiency, but the proposed designation is also compatible with the area's existing land use pattern (consisting of multi-family residential properties and rental housing).

*(B) The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed plan map designation;*

**RESPONSE:** The attached Transportation Planning Rule Analysis (**Exhibit B**) indicates that the existing transportation system is capable of serving uses allowed by the proposed RM-II zone. Public water can be looped through the annexation territory by connecting to the existing 12-in. main line in Center Street NE connecting into the Phase 1 development. Sanitary sewer can be provided to the Subject Property from the existing 12-in. line within Center Street connecting into the Phase 1 development. Stormwater can be managed by detaining runoff from impervious surfaces and releasing it at the pre-development rate into the East Fork of the Little Pudding River in conjunction with the Phase 1 development stormwater system. Therefore, the Subject Property is capable of being served with public facilities and services necessary to support uses allowed by the proposed Multi-Family map designation.

*(C) The proposed plan map designation provides for the logical urbanization of land;*

**RESPONSE:** The attached Aerial Photograph/Land Use Plan (**Exhibit C**) demonstrates that the Subject Property is an enclave area that is located within the Salem-Keizer UGB and contiguous to the City limits along the north, east, and west boundaries of the site. The Subject Property is also adjacent to existing public transportation and utilities services within Center Street NE. The area is currently transitioning to urban uses and densities as surrounding parcels annex into the City limits. As discussed above, the City’s Housing Needs Analysis indicates that there is a 9,131 acre surplus of Single-Family and Developing Residential designated land when addressing single-family housing needs for the 20-year planning horizon. However, there is a 2,897 acre deficit of Multi-Family Residential designated land when addressing multi-family housing needs through the year 2035. Therefore, the proposed Multi-Family Residential map designation will provide for the logical urbanization of land.

*(D) The proposed land use designation is consistent with the Salem Area Comprehensive Plan and applicable statewide planning goals and administrative rules adopted by the Department of Land Conservation and Development; and*

**RESPONSE:** The Applicant addresses how the proposed land use designation is consistent with applicable goals and policies of the Salem Area Comprehensive Plan and Statewide Planning Goals below.

*(E) The amendment is in the public interest and would be of general benefit.*

**RESPONSE:** The attached Proposed Conceptual Plan (**Exhibit D**) illustrates how the proposed map amendment will help meet Salem’s identified housing needs. In 2015, the City adopted a Housing Needs Analysis which determined that an additional 15,181 single-family detached and attached units, and 8,174 multi-family units, are needed in Salem by the year 2035. Based on the City’s analysis of the buildable land supply, it was determined that there is a 9,131 acre surplus of Single-Family and Developing Residential designated land, however there is a 2,897 acre deficit of Multi-Family Residential designated land for the 20-year planning horizon. The applicant’s proposal to re-designate the Subject Property from Developing Residential to Multi-Family Residential provides a public benefit since it will help reduce the current deficit of multi-family land. When developed with an allowed use under the proposed RM-II zone, the Subject Property will address diverse housing needs within the community by providing additional multi-family housing options.

**C. Quasi-Judicial Zone Changes.**

*SRC 265.005 – Quasi-judicial zone changes.*

*(e) Criteria.*

*(1) A quasi-judicial zone change shall be granted if all of the following criteria are met:*

*(A) The zone change is justified based on the existence of one or more of the following:*

*(i) A mistake in the application of a land use designation to the property;*

*(ii) A demonstration that there has been a change in the economic, demographic, or physical character of the vicinity such that the proposed zone would be compatible with the vicinity's development pattern; or*

*(iii) A demonstration that the proposed zone is equally or better suited for the property than the existing zone. A proposed zone is equally or better suited for the property than an existing zone if the physical characteristics of the property are appropriate for the proposed zone and the uses allowed by the proposed zone are logical with the surrounding land uses.*

**RESPONSE:** As discussed above, the City's 2015 Housing Needs Analysis determined residential land needs for a 20-year period. During this 20-year period, Salem's population is projected to increase at a 1.25% average annual growth rate and will reach 269,274 residents by the year 2035. Based on the analysis of current and future housing trends, the Housing Needs Analysis determined that an additional 8,174 multi-family units are needed in Salem by the year 2035. The report concluded that there is a 2,897 acre deficit of Multi-Family Residential designated land when addressing multi-family housing needs. Therefore, the applicant's proposed Comprehensive Plan Map Amendment and Quasi-Judicial Zone Change are justified based on current and projected demographic patterns. Based on the City's analysis of the buildable land supply, it was determined that there is a 9,131 acre surplus of land for the 20-year planning horizon. Since the demographic patterns and housing needs have significantly altered over the last 15-20 years, the existing Developing Residential designation for the combined Tax Lot 3400 and 3500 is no longer appropriate. The proposed Multi-Family Residential designation and RM-II zoning not only helps address the significant multi-family land deficiency, but the proposed designation is also compatible with the area's existing land use pattern (consisting of multi-family residential properties and rental housing). Therefore, the proposed RM-II zone is equally or better suited for the property than the existing Urban Development zone.

*(B) If the zone change is City-initiated, and the change is for other than City-owned property, the zone change is in the public interest and would be of general benefit.*

**RESPONSE:** The zone change is not City-initiated. This criterion does not apply.

*(C) The zone change complies with the applicable provisions of the Salem Area Comprehensive Plan.*

**RESPONSE:** Compliance with applicable provisions of the Salem Area Comprehensive Plan are addressed below.

*(D) The zone change complies with applicable statewide planning goals and applicable administrative rules adopted by the Department of Land Conservation and Development.*

**RESPONSE:** Compliance with applicable statewide planning goals and applicable administrative rules are addressed below.

*(E) If the zone change requires a comprehensive plan change from an industrial designation to a non-industrial designation, or a comprehensive plan change from a commercial or employment designation to any other designation, a demonstration that the proposed zone change is consistent with the most recent economic opportunities analysis and the parts of the comprehensive plan which address the provision of land for economic development and employment growth; or be accompanied by an amendment to the comprehensive plan to address the proposed zone change; or include both the demonstration and an amendment to the comprehensive plan.*

**RESPONSE:** The Applicant is not proposing a change to the Subject Property's zoning from an industrial designation to a non-industrial designation, or from a commercial designation to a non-commercial designation. This criterion does not apply.

*(F) The zone change does not significantly affect a transportation facility, or, if the zone change would significantly affect a transportation facility, the significant effects can be adequately addressed through the measures associated with, or conditions imposed on, the zone change.*

**RESPONSE:** The attached Transportation Planning Rule Analysis (**Exhibit B**) describes how the Subject Property is capable of being served with public transportation facilities under the proposed RM-II zoning. As illustrated by the attached Existing Conditions Plan and Proposed Conceptual Plan (**Exhibits C and D**), vehicular access for the future multi-family use will be consolidated with the Phase 1 access on Center Street NE, across from the Wildflower Street NE intersection. The only access to Hile Lane will be through a gated emergency vehicle access and pedestrian access. Per the City's TSP, Center Street NE is a major arterial roadway, which is intended to accommodate between 15,000 and 50,000 vehicles per day. When maximizing the potential dwelling unit density for the Subject Property under the proposed map designation, the average daily traffic on Center Street would be increased up to 114 additional daily trips, or 57 incremental daily trips. The Transportation Planning Rule Analysis concludes that the trip demand is less than the expected day-to-day fluctuation in approaching traffic volumes, therefore the potential for an impact to the performance of the roadway is negligible. In addition, the report concludes that approval of zone changes will not affect the functional classification of Center Street NE. The proposed multi-family use can be adequately served by existing public transportation and utility services. Therefore, the proposed zone change does not significantly affect a transportation facility.

*(G) The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed zone.*

**RESPONSE:** The attached Transportation Planning Rule Analysis (**Exhibit B**) indicates that the existing transportation system is capable of serving uses allowed by the proposed RM-II zone. Public water can be looped through the annexation territory by connecting to the existing 12-in. main line in Center Street NE connecting into the Phase 1 system. Sanitary sewer can be provided to the Subject Property from the existing 12-in. line within Center Street connecting into the Phase 1 system. Stormwater can be managed by detaining runoff from impervious surfaces and releasing it at the pre-development rate into the East Fork of the Little Pudding River in conjunction with the Phase 1 stormwater system. Therefore, the Subject Property is capable of being served with public facilities and services necessary to support uses allowed by the proposed RM-II zone.

(2) *The greater the impact of the proposed zone change on the area, the greater the burden on the applicant to demonstrate that the criteria are satisfied.*

**RESPONSE:** The attached Aerial Photograph/Land Use Plan (**Exhibit C**) indicates that the properties to the east are owner-occupied single-family houses and the properties to the north and south of the Subject Property consist of mobile homes and detached rental housing units, which are similar to the proposed apartments identified on the attached Proposed Conceptual Plan (**Exhibit D**). Due to the presence of many non-owner occupied housing in the area, and the location of existing Multi-Family Residential designated properties along Center Street NE, the proposed RM-II zoning is compatible with the existing land use pattern in the area.

#### **D. Salem Area Comprehensive Policies Plan.**

##### *Chapter IV – Salem Goals and Policies*

##### *Section 7 – Housing Goals and Policies*

*H 1 Housing Choice Goal: Promote a variety of housing options to meet the needs, abilities, and preferences of all current and future residents.*

*H 1.1 Housing types: A variety of housing types shall be allowed and encouraged throughout the Salem Urban Area, including single-family homes, accessory dwelling units, manufactured homes, townhouses, middle housing, and multifamily housing.*

**RESPONSE:** The Applicant is proposing to designate the Subject Property RM-II when annexed into the City limits. The proposed zone provides a density standard of 15-31 dwelling units per acre to encourage a variety of housing types.

*H 1.5 Housing diversity: New residential developments should be encouraged to incorporate a diversity of housing types and sizes to attract residents of varying income levels, lifestyles, and housing preferences.*

**RESPONSE:** The Applicant is proposing to designate the Subject Property RM-II when annexed into the City limits. The proposed zone provides a density standard of 15-31 dwelling units per acre to encourage a variety of housing types.

*H 2 Housing Affordability Goal: Provide opportunities for housing that are affordable to current and future residents of all income levels.*

*H 2.4 Housing/transportation costs: Housing opportunities that decrease commuting and lower the combined housing/transportation cost burden for people who live in Salem should be encouraged.*

**RESPONSE:** As indicated below, the Subject Property is located less than 1 mile from the intersection of Center Street NE and Lancaster Drive, where there are abundant services and employment opportunities. In addition to the automobile connection, bus route transit services to Lancaster Drive are available from a bus stop at Center Street NE and Royalty Drive NE adjacent

to the Subject Property. Therefore, the proposed Multi-Family Residential designation provides housing opportunities that decrease commuting and lower the combined housing/transportation cost burden for people who live in Salem.

*H 3 Land Supply Goal: Provide a supply of residential land that accommodates the amounts and types of housing needed to meet the population forecast for the Salem Urban Area.*

*H 3.1 Access and dispersal: Multifamily housing should be located near employment centers, parks, shopping, and schools throughout the Salem Urban Area to increase pedestrian access to those destinations and services, foster complete neighborhoods, and promote dispersal of such housing across Salem's neighborhoods.*

**RESPONSE:** The Subject Property is located less than 1 mile from the intersection of Center Street NE and Lancaster Drive, where there are abundant services and employment opportunities. A variety of restaurants and a Roth's grocery store are located on the east side of the intersection. The Willamette Town Center Mall, DMV office, and a movie theatre center are located on the west side of Lancaster Drive. In addition to the automobile connection, bus route transit services to Lancaster Drive are available from a bus stop at Center Street NE and Royalty Drive NE adjacent to the Subject Property.

*H 4 Complete Neighborhood Goal: Encourage housing that provides convenient access to jobs, services, and amenities that meets residents' daily needs.*

*H 4.2 Connectivity: Development patterns in residential neighborhoods shall promote and facilitate multimodal connections that provide access to services and amenities and reduce the need for, and length of, automobile trips.*

**RESPONSE:** Again, the Subject Property is located less than 1 mile from the intersection of Center Street NE and Lancaster Drive, where there are abundant services and employment opportunities. A variety of restaurants and a Roth's grocery store are located on the east side of the intersection. The Willamette Town Center Mall, DMV office, and a movie theatre center are located on the west side of Lancaster Drive. In addition to the automobile connection, bus route transit services to Lancaster Drive are available from a bus stop at Center Street NE and Royalty Drive NE adjacent to the Subject Property. Therefore, nearby amenities and transit services reduce the need for, and length of, automobile trips.

*H 5 Livability and Sustainability Goal: Enhance Salem's neighborhoods to ensure that they are safe, welcoming, stable, sustainable, and attractive places to live.*

*H 5.2 Green building: Housing developments should be encouraged to incorporate green building features, materials, and techniques like solar panels, non-polluting materials, daylighting, low-flow plumbing fixtures, and green roofs to reduce energy needs, improve resident health, and reduce resource consumption and greenhouse gas emissions.*



**RESPONSE:** The Applicant is proposing to change the Comprehensive Plan Map designation for the Subject Property from Developing Residential to Multi-Family Residential. In addition, the applicant is proposing to change the entire site's zoning from Urban Development to RM-II. As this section is aspirational, the Applicant meets this goal.

*H 5.3 Healthy and active living: Multifamily housing and mixed-use projects should be encouraged to incorporate amenities supportive of healthy, active living, such as useable open space, community space, recreation areas, and community gardens.*

**RESPONSE:** The Applicant is proposing to change the Comprehensive Plan Map designation for the Subject Property from Developing Residential to Multi-Family Residential. In addition, the applicant is proposing to change the entire site's zoning from Urban Development to RM-II. The Phase 1 development will provide a clubhouse with an exercise room equipped with workout equipment. Tenants in the Phase 2 development will have access to the Phase 1 amenities.

*Section 9 – Land Use and Urbanization Goals and Policies*

*L 1 Urbanization and Growth Management Goal: Manage growth in the Salem Urban Area through cooperative efforts between the City of Salem, Marion and Polk counties, and other jurisdictions to provide area residents with a high quality of life, contain urban development, promote the City's efficient delivery of services, and preserve adjacent agricultural lands.*

*L 1.13 Facility responsibility: Where development creates a demand for new or expanded facilities and services, new development should bear a share of the costs of new or expanded facilities and services.*

**RESPONSE:** The Subject Property is adjacent to existing public transportation and utilities services within Center Street NE. Public water can be looped through the annexation territory by connecting to the existing 12-in. main line in Center Street NE connecting into the Phase 1 system. Sanitary sewer can be provided to the Subject Property from the existing 12-in. line within Center Street connecting into the Phase 1 system. Stormwater can be managed by detaining runoff from impervious surfaces and releasing it at the pre-development rate into the East Fork of the Little Pudding River in conjunction with the Phase 1 stormwater system. The proposed multi-family use can be adequately served by existing public transportation and utility services.

*L 3 Urban Development Goal: Ensure that future development within the Salem Urban Area is designed to respond to and enhance the surrounding environment, while accommodating growth.*

**RESPONSE:** The proposed Multi-Family Residential designation not only helps address the significant multi-family land deficiency, but the proposed designation is also compatible with the area's existing land use pattern (consisting of multi-family residential properties and rental housing).

*L 3.6 Sustainable development: New developments should be encouraged to make maximum use of available land areas with minimal environmental disturbance and be located and designed to minimize such public costs as extension of sewer and water services, schools, parks, and transportation facilities.*

**RESPONSE:** As explained below, the proposed Multi-Family Residential designation will have positive consequences for the environment. Additionally, the Subject Property does not contain any identified natural resources, wildlife habitats, or wetland areas. At this time, the Applicant is requesting approval of concurrent Annexation, Comprehensive Plan Map Amendment, and Quasi-Judicial Zone Change applications. As required, future development of the site will minimize erosion, adverse alteration, or other adverse effects to the drainageway.

## **E. Statewide Planning Goals**

### Goal 1: Citizen Involvement

*Summary: Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.*

**RESPONSE:** The requested land use actions are to annex the Subject Property into the City, change the Comprehensive Plan Map designation of the Subject Property to Multi-Family Residential, and designate the site as RM-II on the Zoning Map. As required, citizens will have the opportunity to comment on the proposed map amendments at public hearings before the Planning Commission and City Council. The applicant presented the proposed Phase 2 development at the January 6, 2022 East Lancaster Neighborhood Association meeting.

### Goal 2: Land Use Planning

*Summary: Goal 2 outlines the basic procedures of Oregon's statewide planning program. It says that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information"; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation.*

**RESPONSE:** As required, the above narrative addresses how the proposed land use changes meet applicable goals and policies of the Salem Area Comprehensive Plan. The applicant's proposal does not require that an exception be granted to any of the Statewide Planning Goals.

### Goal 3: Agricultural Lands

*Summary: Goal 3 defines "agricultural lands." It then requires counties to inventory such lands and to "preserve and maintain" them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, Division 33.*

**RESPONSE:** The Subject Property is currently located within the City's Urban Growth Boundary. Since the site is not classified as "agricultural lands," the proposed Multi-Family Residential designation is consistent with Goal 3.

*Goal 4: Forest Lands*

*Summary: This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will "conserve forest lands for forest uses."*

**RESPONSE:** Since the Subject Property does not include designated forest lands, Goal 4 is not applicable.

*Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources*

*Summary: Goal 5 covers more than a dozen natural and cultural resources such as wildlife habitats and wetlands. It establishes a process for each resource to be inventoried and evaluated. If a resource or site is found to be significant, a local government has three policy choices: preserve the resource, allow proposed uses that conflict with it, or strike some sort of a balance between the resource and the uses that would conflict with it.*

**RESPONSE:** The Subject Property does not contain any identified natural and cultural resources, wildlife habitats, or wetland areas. At this time, the Applicant is requesting approval of concurrent Annexation, Comprehensive Plan Map Amendment, and Quasi-Judicial Zone Change applications. As required, future development of the site will minimize erosion, adverse alteration, or other adverse effects to the drainageway.

*Goal 6: Air, Water and Land Resources Quality*

*Summary: This goal requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.*

**RESPONSE:** If the proposed Multi-Family Residential designation is approved, specific site development plans will be submitted for land use review. Under the City's Design Review process, future development will be conditioned to demonstrate compliance with local, state, and federal air, water, and land use resource standards.

*Goal 7: Areas Subject to Natural Disasters and Hazards*

*Summary: Goal 7 deals with development in places subject to natural hazards such as floods or landslides. It requires that jurisdictions apply "appropriate safeguards" (floodplain zoning, for example) when planning for development there.*

**RESPONSE:** City maps indicate that the Subject Property does not contain any steeply sloping areas or floodplains, and the Subject Property is not subject to other natural disasters and hazards. Therefore, the proposed Comprehensive Plan Map and Zoning Map amendments are consistent with Goal 7.

#### Goal 8: Recreation Needs

*Summary: This goal calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expedited siting of destination resorts.*

**RESPONSE:** The City's Comprehensive Park System Master Plan does not identify the Subject Property as a potential park site. When a specific development proposal is submitted for the site, the City's land use review process will ensure that adequate open space and landscaping are provided for the multi-family residential community.

#### Goal 9: Economy of the State

*Summary: Goal 9 calls for diversification and improvement of the economy. It asks communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs*

**RESPONSE:** The Applicant is proposing to change the Comprehensive Plan Map designation for the Subject Property from Developing Residential to Multi-Family Residential. In addition, the applicant is proposing to change the entire site's zoning from Urban Development to RM-II. Since the proposal does not involve designated commercial or industrial lands, the proposed Comprehensive Plan Map and Zoning Map amendments are consistent with Goal 9.

#### Goal 10: Housing

*Summary: This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.*

**RESPONSE:** To help address the City's 2,897 acre deficit of Multi-Family Residential designated land for the 2035 planning horizon, the Applicant is proposing to annex the Subject Property and designate it as Multi-Family Residential in the City's Comprehensive Plan Map. In addition, to allow for more diversity of housing types, the Applicant is proposing to designate the entire site RM-II on the City's Zoning map. While the current land designation allows single-family detached lots, the proposed designation will allow a greater variety of housing types including smaller

single-family detached lots, townhomes, condominiums, and apartment units. Therefore, the proposed Comprehensive Plan and Zoning Map amendments comply with Goal 10.

Goal 11: Public Facilities and Services

*Summary: Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should to be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.*

**RESPONSE:** Public utilities are in the vicinity of the Subject Property and can be extended to serve the proposed Multi-Family Residential designation. With annexation, the site will also have access to City fire and Police services. Therefore, the proposed map amendments comply with Goal 11.

Goal 12: Transportation

*Summary: The goal aims to provide "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged."*

**RESPONSE:** The attached Transportation Planning Rule Analysis (**Exhibit B**) indicates that the existing transportation system is capable of serving uses allowed by the proposed RM-II zone. The attached Proposed Conceptual Plan (**Exhibit D**) indicates that the Applicant is intending to provide consolidated access through the Phase 1 development to Center Street NE, a Major Arterial Street, for the proposed Multi-Family use. The Transportation Planning Rule Analysis concludes that the trip demand for the proposed use is less than the expected day-to-day fluctuation in approaching traffic volumes, and therefore potential impacts to the performance of the roadway are negligible. In addition, the report indicates that approval of the map amendments will not affect the functional classification of Center Street NE. Therefore, with approval of the submitted application, the existing transportation system will continue to provide safe, convenient, and economic transportation facilities for neighborhood residents.

Goal 13: Energy

*Summary: Goal 13 declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."*

**RESPONSE:** The proposed map amendments do not significantly affect Goal 13. A discussion of energy conservation is provided under Goal 14 below.

Goal 14: Urbanization

*Summary: This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an*

*"urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.*

OAR 660-015-0000(14)

*Land Need – Establishment and change of urban growth boundaries shall be based on the following:*

*(1) Demonstrated need to accommodate long range urban population, consistent with a 20-year population forecast coordinated with affected local governments, or for cities applying the simplified process under ORS chapter 197A, a 14-year forecast; and*

**RESPONSE:** As discussed in detail above, the City determined residential land needs for a 20-year planning horizon in its 2015 Housing Needs Analysis. During this planning period, Salem's population is projected to increase at a 1.25% average annual growth rate and will reach 269,274 residents by the year 2035. The analysis determined that an additional 8,174 multi-family units are needed in Salem by the year 2035 and that there is a 2,897 acre deficit of Multi-Family Residential designated land when addressing multi-family housing needs. As such, the Applicant's proposed Comprehensive Plan Amendment to re-designate the Subject Property to Multi-Family Residential is justified based on current and projected demographic patterns.

*(2) Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space, or any combination of the need categories in this subsection (2).*

**RESPONSE:** Based on the 2015 analysis of current and future housing trends, it was discovered that multi-family housing needs are significantly increasing in the community. Between the years 2000 and 2010, while the number of owner-occupied housing units increased by 10%, the number of rental units increased by 17%. This trend has become even more pronounced over the last several years as more of the Millennial generation has become independent adults. With higher interest rates and increased construction costs, the cost of home ownership has risen to the point where it is out of reach for many younger adults. During this same time period, more of the Baby Boomer generation have become empty nesters and are choosing to downsize their homes, or eliminate ownership responsibilities altogether and move into apartment units. Instead of building only single-family homes on traditionally large lots, many developers are now providing additional options for the residential communities including single-family homes on smaller lots, townhomes, senior housing options, and apartments. The proposed RM-II zoning allows the opportunity to address current multi-family housing needs in Salem.

*Boundary Location - The location of the urban growth boundary and changes to the boundary shall be determined by evaluating alternative boundary locations consistent with ORS 197A.320 or, for the Metropolitan Service District, ORS 197.298, and with consideration of the following factors:*

*(1) Efficient accommodation of identified land needs;*

**RESPONSE:** The proposed Multi-Family Residential designation will allow the site to be developed at a higher density than the current Developing Residential designation. As a result, the proposed map amendment provides more efficient utilization of land and will reduce the per-unit cost of public facilities and services.

*(2) Orderly and economic provision of public facilities and services;*

**RESPONSE:** The subject site is currently located within Salem's Urban Growth Boundary. As demonstrated above, public transportation and utilities are available to the site from Center Street NE. When the parcels are annexed, the Subject Property will also have access to City fire and police services.

*(3) Comparative environmental, energy, economic and social consequences; and*

**RESPONSE:** The proposed Multi-Family residential designation will have positive consequences for the environment. With approval of the map amendments, the site can be developed at a higher density than under the existing Developing Residential designation. By developing the site with more efficient housing types, there will be less pressure to expand the Urban Growth Boundary, and it will reduce impacts to agricultural and environmental resources which surround the urban area. The proposed land designation will also have positive social and economic consequences. By locating multi-family housing on a transit corridor, and within a short distance of commercial uses and employment centers to the west of the Subject Property, residents can conveniently reach these amenities. In addition, with the development of more compact housing in close proximity to Auburn Elementary School and Auburn Park to the south, increased energy savings and social benefits will be attained as compared to the existing Developing Residential designation.

*(4) Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.*

**RESPONSE:** The Subject Property is not located near the fringe of the Urban Growth Boundary or near agricultural or forest activities. Therefore, this subsection of Goal 14 does not apply to this application.

*Goal 15: Willamette Greenway*

*Summary: Goal 15 sets forth procedures for administering the 300 miles of greenway that protects the Willamette River.*

**RESPONSE:** Goal 15 is not applicable.

*Goal 16: Estuarine Resources*

*Summary: This goal requires local governments to classify Oregon's 22 major estuaries in four categories: natural, conservation, shallow-draft development, and deep-draft development. It then describes types of land uses and activities that are permissible in those "management units."*

**RESPONSE:** Goal 16 is not applicable.

Goal 17: Coastal Shorelands

*Summary: The goal defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and resources there are to be managed: major marshes, for example, are to be protected. Sites best suited for unique coastal land uses (port facilities, for example) are reserved for "water-dependent" or "water related" uses.*

**RESPONSE:** Goal 17 is not applicable.

Goal 18: Beaches and Dunes

*Summary: Goal 18 sets planning standards for development on various types of dunes. It prohibits residential development on beaches and active foredunes, but allows some other types of development if they meet key criteria. The goal also deals with dune grading, groundwater drawdown in dunal aquifers, and the breaching of foredunes.*

**RESPONSE:** Goal 18 is not applicable.

Goal 19: Ocean Resources

*Summary: Goal 19 aims "to conserve the long-term values, benefits, and natural resources of the near shore ocean and the continental shelf." It deals with matters such as dumping of dredge spoils and discharging of waste products into the open sea. Goal 19's main requirements are for state agencies rather than cities and counties.*

**RESPONSE:** Goal 19 is not applicable.

### **III. CONCLUSION.**

For the reasons stated above, the Planning Director should find that all applicable criteria are met and approve the Application.



**Wetland Delineation  
for Cascade Vista Apartments at  
4696 Center St NE and 572 Hile Lane,  
Salem, Oregon**

(Township 7 South, Range 2 West, Section 29BC, Tax Lots 3400 and 3500  
(recently consolidated into TL 3500))

**Prepared for**  
**Center Street Holdings, LLC**  
**Hans Thygeson, Manager**  
735 E Clarendon St., Suite 201  
Gladstone, OR 97027

**Prepared by**  
Amy Hawkins, PWS; Carlee Michelson, PWS;  
John van Staveren, SPWS  
**Pacific Habitat Services, Inc.**  
9450 SW Commerce Circle, Suite 180  
Wilsonville, Oregon 97070  
(503) 570-0800  
(503) 570-0855 FAX

PHS Project Number: 7743

**May 24, 2023**



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## **I. INTRODUCTION**

Pacific Habitat Services, Inc. (PHS) conducted a wetland delineation for a property located at 572 Hile Lane NE, in Salem, Oregon (Township 7 South, Range 2 West, Sections 3400 and 3500- (recently consolidated into TL 3500)). This report presents the results of PHS's delineation of the study area. Figures, including a map depicting the location of wetlands within the study area, are in Appendix A. Data sheets documenting on-site conditions are provided in Appendix B. Ground-level photos of the study area are included in Appendix C.

## **II. RESULTS AND DISCUSSION**

### **A. Landscape Setting and Land Use**

The study area is within the Hydrologic Unit Code (HUC) 170900090108; Upper Little Pudding River. The 0.8-acre study area is located in a semi-rural residential area in the eastern portion of Salem, south of Center Street NE and north of Auburn Street NE, where large lots of several acres or more are gradually being converted to residential subdivisions. The site topography is flat with little topographic changes. Surrounding land use includes single family and multi-family residential housing, commercial, and open space. The site was formerly a single-family residence, with a house and several outbuildings, but was demolished in 2021 for a new development.

The site consists of gravel that has been placed on the site for staging/equipment storage for current construction activities. Dominant vegetation (outside of the gravel areas) includes Kentucky bluegrass (*Poa pratensis*, FAC) and tall false ryegrass (*Schedonorus arundinaceus*, FAC).

A ditch (mapped as R3 on the Salem/Kaiser LWI) is located offsite to the east.

The Natural Resources Conservation Services (NRCS) mapped soils within the study area includes Dayton silt loam (hydric) and Woodburn silt loam, 0-3% slopes (non-hydric).

### **B. Site Alterations**

Historical aerial photos of the study area from 1955 (the earliest available) through April 2021 show existing development consisting of single-family residential structures. From April 2021 to the present, the houses were demolished to facilitate construction of multi-family housing units currently under development. Both tax lots have been covered with a rock base of gravel for equipment storage and staging areas. A series of historic aerials can be seen in Figures 5A-5D.

### **C. Precipitation Data and Analysis**

For climate analysis, PHS used the Direct Antecedent Rainfall Analysis Method (DAREM) for the field date. DAREM categorizes rainfall of prior periods as, 1) drier than normal (sum is 6-9), 2) normal (sum is 10-14), 3) wetter than normal (sum is 15-18). The weighted average, as shown in Table 1, is then applied for the wetland hydrology assessment. The Natural Resources Conservation Services (NRCS) Salem Airport (McNary Field) WETS table was used for the analysis. Recorded precipitation for the water year, beginning on October 1, 2022, and through April 30, 2023, was 31.90 inches, which is approximately 93 percent of normal (34.48 inches).

The weighted average precipitation for the three months preceding the May fieldwork was wetter than normal. Approximately 1.21 inches of precipitation was recorded in the two weeks preceding the day of the May 3 fieldwork, with a trace of precipitation falling on that day.

**Table 1: Comparison of recorded monthly precipitation at the McNary Field Weather Station to the WETS Tables, prior to May 2023 wetland delineation field work.**

Prior Month Name	WETS <sup>1</sup> Rainfall Percentile (inches)		Measured Rainfall <sup>2</sup> (inches)	Condition*: Dry, Wet, Normal	Condition Value (1=dry, 2=normal, or 3=wet)	Month weight	Multiply Previous two columns
	30th	70th					
February	2.62	5.51	2.84	Normal	2	1	2
March	3.04	5.16	5.17	Wet	3	2	6
April	2.25	3.68	5.19	Wet	3	3	9
<b>Sum</b>							<b>(wetter) 17</b>

<sup>1</sup> WETS Table for McNary Field Weather Station; Source: (<http://agacis.rcc-acis.org/?fips=41071>)

<sup>2</sup> Observed precipitation is the precipitation recorded at the McNary Field Weather Station. Source: (<https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/technical/fotg/>)

\*1) drier than normal (sum is 6-9), 2) normal (sum is 10-14), 3) wetter than normal (sum is 15-18)

## D. Methods

PHS delineated the limits of the wetlands in the study area based on the presence of wetland hydrology, hydric soils, and hydrophytic vegetation, in accordance with the routine onsite determination method, as described in the *Corps of Engineers Wetland Delineation Manual, Wetlands Research Program Technical Report Y 87 1* (“The 1987 Manual”) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region*. The delineation took place on May 3, 2023.

Hydric soils are mapped across the southern portion of tax lot 3400 and across tax lot 3500 (recently consolidated into TL 3500). As this area has been covered with a gravel pad, PHS obtained historic aerials (Appendix 1; Figures 5A-5D) to determine if wetland signatures are present. Historic aerials from 1955, 2008, 2021 and 2022 were examined; however, the aerials do not show wetland signatures within the site. A single-family residence was constructed prior to 1955. The driveway was expanded, and an outbuilding was constructed southeast of the garage between 1967 and 1970.

As stated above, the site has been graded and graveled for the construction of multi-family units, as well as construction staging and equipment storage. Digging to examine the soil was only possible along the outer edges of the gravel area on the east and south side of the pad. PHS excavated soils throughout the L-shaped grass area surrounding the gravel pad and recorded two sample points in low-lying representative areas as shown on Figure 6. Both sample points were taken within the mapped boundary of hydric (Dayton) soils. Although only non-native facultative pasture grasses are present (and vegetation has been historically disturbed), soils do not meet hydric soil criteria nor do the sample points meet primary or secondary hydrologic indicators. To ensure no high-water table was present and to ensure no overlying soils were present over native soils, sample point 1 was excavated to 23-inches. The off-site ditch shown in the LWI within the adjacent properties was also

evaluated and has likely de-watered the area for many years. The ditch contained flowing water several feet below the banks of the ditch.

## **E. Description of all Wetlands and Other Waters**

As noted above, hydric soil criteria and hydrologic criteria were not present on site; as such, PHS' determination is that wetlands are not present within the study area.

## **F. Deviation from Local or National Wetland Inventories**

The Salem/Keizer Local Wetlands Inventory (LWI) does not depict any wetlands on the site. A ditch (identified as R3) is mapped off-site along the eastern edge of the tax lot. This is consistent with PHS' findings.

## **G. Mapping Method**

No wetland boundaries were flagged or mapped within the site. Sample points 1 and 2 were added to the wetland map using field notes and an aerial photograph to place points on the map. Estimated accuracy of the sample points is +/- 3 ft. The parcels, edge of gravel, and storm features were placed via GIS or obtained from City RLIS shapefiles and have an estimated accuracy of +/- 3 ft.

## **H. Additional Information**

See methods section for a description of recent gravel pad placement over NRCS mapped hydric soils.

## **I. Results and Conclusions**

PHS conducted a site visit and reviewed historic aerials for wetland signatures. Wetlands or non-wetland waters are not present within the study area.

## **J. Required Disclaimer**

This report documents the investigation, best professional judgment and conclusions of the investigators. It is correct and complete to the best of our knowledge. It should be considered a Preliminary Jurisdictional Determination of wetlands and other waters and used at your own risk unless it has been reviewed and approved in writing by the Oregon Department of State Lands in accordance with OAR 141-090-0005 through 141-090-0055.


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# MEMO

**TO:** Bryce Bishop, Planner III  
Community Development Department

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

**DATE:** July 10, 2023

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS  
ANXC-756 CPC-ZC23-03 (23-101811)  
572 HILE LANE NE  
ANNEXATION AND CPC/ZC**

## **PROPOSAL**

An Annexation of territory approximately 0.78 acres in size located at 572 Hile Lane NE (Marion County Assessor Map and Tax Lot No. 072W29BC03500) with a Minor Comprehensive Plan Map Amendment to Multi-Family Residential and Zone Change to RM-II (Multiple Family Residential), and withdrawal from the Marion County Fire District #1 and East Salem Sewer and Drainage District.

## **SUMMARY OF FINDINGS**

The proposal meets applicable criteria related to Public Works infrastructure. Site-specific infrastructure requirements will be addressed in the Site Plan Review process in SRC Chapter 220 at time of future development.

## **PUBLIC WORKS INFRASTRUCTURE**

No public improvements are required for annexation or Comprehensive Plan Change/Zone Change. At time of development, improvements may be required depending on the scope of the project. The following information explains the condition of existing public infrastructure in the vicinity of the subject property and potential development requirements.

## **FACTS**

Public Infrastructure Plan—The *Water System Master Plan*, *Wastewater Management Master Plan*, and *Stormwater Master Plan* provide the outline for facilities adequate to serve the proposed zone.

Transportation Planning Rule—The applicant submitted a Transportation Planning Rule (TPR) Analysis in consideration of the requirements of the TPR (OAR 660-012-0060). The TPR analysis is required to demonstrate that the proposed CPC/ZC will not have a significant effect on the transportation system as defined by OAR 660-012-0060.

Urban Growth Area Development Permit—The subject property is located inside the Urban Service Area and adequate facilities are available. No UGA permit is required.

## Streets

1. Hile Lane NE
  - a. Standard—This street is designated as a private street.
  - b. Existing Conditions—This street has an approximate 20-foot improvement within a 25-foot-wide easement abutting the subject property.
2. Auburn Road NE
  - a. Standard—This street is designated as a collector street in the Salem TSP and is under jurisdiction of Marion County. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
  - b. Existing Conditions—This street has an approximate 30-foot improvement within a 60-foot-wide right-of-way abutting Hile Lane NE.

## Storm Drainage

1. Existing Conditions
  - a. A 24-inch storm main is located in along the eastern line of the subject property in an easement.

## Water

1. Existing Conditions
  - a. The subject property is located in the G-0 water service level.
  - b. The subject property is served by the East Salem Water District.



## Sanitary Sewer

### 1. Existing Conditions

- a. An 8-inch sewer main is located in Hile Lane NE and extends onto the subject property in an easement.

## Natural Resources

1. Wetlands—The Salem-Keizer Local Wetland Inventory (LWI) shows that there are hydric soils mapped on the property.
2. Floodplain—According to the Federal Emergency Management Agency (FEMA) floodplain maps, there are no floodplain areas mapped on the property.
3. Landslide Hazards—City records show there may be category 3 landslide hazard areas mapped on the subject property, at the southeastern corner of the property within a future setback area. SRC 810.020 requires a geological assessment or report when regulated activity is proposed in a mapped landslide hazard area. If at time of development, the applicant's proposal does not disturb any portion of a mapped landslide hazard area; a geological assessment would not be required.

## CPC/ZC CRITERIA AND FINDINGS

**Criteria: SRC 265.005(e)(1)(F) The zone change does not significantly affect a transportation facility, or, if the zone change would significantly affect a transportation facility, the significant effects can be adequately addressed through the measures associated with, or conditions imposed on, the zone change.**

**Finding:** The applicant has submitted a TPR analysis that is required to address the Transportation Planning Rule (OAR 660-012-0060). The TPR analysis demonstrates that the proposed CPC/ZC will not have a significant impact on the transportation system as defined by OAR 660-012-0060. The Assistant City Traffic Engineer concurs with the TPR analysis findings.

**Criteria: SRC 265.005(e)(1)(G) The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed zone.**

**Finding:** The water, sewer, and storm infrastructure are available within surrounding streets/areas and appear to be adequate to serve the future development. Site-specific infrastructure requirements will be addressed in the Site Plan Review process in SRC Chapter 220.

Prepared by: Laurel Christian, Planner II



Business & Support Services  
2450 Lancaster Drive NE • PO Box 12024 • Salem, Oregon 97309  
503-399-3036 • FAX: 503-399-3407

Andrea Castañeda, Superintendent

July 3, 2023

Bryce Bishop, Planner  
Planning Division, City of Salem  
555 Liberty Street SE, Room 305  
Salem OR 97301

RE: Land Use Activity Case No. ANXC-756 CPC-ZC23-03, 572 Hile Ln NE

The City of Salem issued a Request for Comments for a Land Use Case as referenced above. Please find below comments on the impact of the proposed land use change on the Salem-Keizer School District.

### **IDENTIFICATION OF SCHOOLS SERVING THE SUBJECT PROPERTY**

The School District has established geographical school attendance areas for each school known as school boundaries. Students residing in any residence within that boundary are assigned to the school identified to serve that area. There are three school levels, elementary school serving kindergarten thru fifth grade, middle school serving sixth thru eighth grade, and high school serving ninth thru twelfth grade. . The schools identified to serve the subject property are:

School Name	School Type	Grades Served
Auburn	Elementary	K thru 5
Houck	Middle	6 thru 8
North Salem	High	9 thru 12

Table 1

### **SCHOOL CAPACITY & CURRENT ENROLLMENT**

The School District has established school capacities which are the number of students that a particular school is designed to serve. Capacities can change based on class size. School capacities are established by taking into account core infrastructure (gymnasium, cafeteria, library, etc.) counting the number of classrooms and multiplying by the number of students that each classroom will serve. A more detailed explanation of school capacity can be found in the School District's adopted Facility Plan.

School Name	School Type	School Enrollment	School Design Capacity	Enroll./Capacity Ratio
Auburn	Elementary	533	678	79%
Houck	Middle	905	1,224	74%
North Salem	High	2,161	2,248	96%

Table 2

### POTENTIAL ADDITIONAL STUDENTS IN BOUNDARY AREA RESULTING FROM APPROVAL OF LAND USE CASE

The School District anticipates the number of students that may reside at the proposed development based on the housing type, single family (SF), duplex/triplex/four-plex (DU), multi-family (MF) and mobile home park (MHP). The School District commissioned a study by the Mid-Willamette Valley Council of Governments in 2021 to determine an estimate of students per residence, for the Salem-Keizer area, in each of the four housing types. Since the results are averages, the actual number of students in any given housing type will vary. The table below represents the resulting estimates for the subject property:

School Type	Qty. of New Residences	Housing Type	Average Qty. of Students per Residence	Total New Students
Elementary	18*	MF	0.164	3
Middle			0.085	2
High			0.096	2

Table 3

### POTENTIAL EFFECT OF THIS DEVELOPMENT ON SCHOOL ENROLLMENT

To determine the impact of the new residential development on school enrollment, the School District compares the school capacity to the current enrollment plus estimates of potential additional students resulting from land use cases over the previous two calendar years. A ratio of the existing and new students is then compared with the school design capacity and expressed as a percentage to show how much of the school capacity may be used.

School Name	School Type	School Enrollment	New Students During Past 2 yrs	New Student from this Case	Total New Students	School Design Cap.	Enroll./Cap. Ratio
Auburn	Elem.	533	18	3	21	678	82%
Houck	Mid.	905	64	2	66	1,224	79%
North Salem	High	2,161	71	2	73	2,248	99%

Table 4

### ESTIMATE OF THE EFFECT ON INFRASTRUCTURE – IDENTIFICATION OF WALK ZONES AND SCHOOL TRANSPORTATION SERVICE

Civic infrastructure needed to provide connectivity between the new residential development and the schools serving the new development will generally require roads, sidewalks and bicycle lanes. When developing within one mile of school(s), adequate pathways to the school should be provided that would have raised sidewalks. If there are a large number of students walking, the sidewalks should be wider to accommodate the number of students that would be traveling the

path at the same time. Bike lanes should be included, crosswalks with flashing lights and signs where appropriate, traffic signals to allow for safe crossings at busy intersections, and any easements that would allow students to travel through neighborhoods. If the development is farther than one mile away from any school, provide bus pullouts and a covered shelter (like those provided by the transit district). Locate in collaboration with the District at a reasonable distance away from an intersection for buses if the distance is greater than ½ mile from the main road. If the distance is less than a ½ mile then raised sidewalks should be provided with stop signs where students would cross intersections within the development as access to the bus stop on the main road. Following is an identification, for the new development location, that the development is either located in a school walk zone or is eligible for school transportation services.

School Name	School Type	Walk Zone or Eligible for School Transportation
Auburn	Elementary	Walk Zone
Houck	Middle	Eligible for School Transportation
North Salem	High	Eligible for School Transportation

Table 5

**ESTIMATE OF NEW SCHOOL CONSTRUCTION NEEDED TO SERVE DEVELOPMENT**

The School District estimates the cost of constructing new school facilities to serve our community. The costs of new school construction is estimated using the Rider Levett Bucknall (RLB) North America Quarterly Construction Cost Report and building area per student from Cornerstone Management Group, Inc. estimates. The costs to construct school facilities to serve the proposed development are in the following table.

School Type	Number of Students	Estimate of Facility Cost Per Student*	Total Cost of Facilities for Proposed Development*
Elementary	3	\$86,190	\$258,570
Middle	2	\$92,235	\$184,470
High	2	\$98,280	\$196,560
TOTAL			\$639,600

Table 6

\*Estimates based on average of Indicative Construction Costs from “RLB Construction Cost Report North America Q4 2022”

\*Estimated as the average of RMII density (15 min. & 31 max. du/acre) at 23 du/acre x 0.78 acres = 18 du.

Sincerely,

*David Fridenmaker*

David Fridenmaker  
Business and Support Services

c: Robert Silva, Chief Operations Officer, David Hughes, Director of Operations & Logistics, T.J. Crockett, Director of Transportation

# TECHNICAL MEMORANDUM



**DATE:** April 8, 2021

**PROJECT:** Creations Northwest 572 Hile Ln Site

**TO:** Tony Martin, P.E.  
City of Salem  
Assistant City Traffic Engineer

**FROM:** Dan Haga, P.E.  
Branch Engineering

**RE:** Transportation Planning Rule Analysis –  
Zone Change and Comprehensive Plan  
Tax Lot 03400 and 03500 of Assessor's Map 072W29BC



In an effort to analyze the Transportation Planning Rule (TPR) criteria and to document the potential for a “significant affect” identified in the Oregon Administrative Rules for zoning and comprehensive plan amendments contained within OAR 660-012-0060(1), I am supplying this memorandum which summarizes the trip generation potential and the potential for an identifiable impact to the transportation system associated with approval of the subject land use applications. The subject land use applications include: zoning and comprehensive plan map amendments and annexation of the two subject parcels of land into the City of Salem’s zoning jurisdiction. The land use applications will allow the subject properties to be developed consistent with the City of Salem’s RMII (multi-family residential 2) zoning map designation and MF (multi-family) residential comprehensive plan map designation. In analyzing the traffic conditions to determine if approval of the land use applications could result in a significant affect as required for transportation planning rule analysis, a comparison of the potential trip generation from build-out of the reasonable worst case land use and development scenario allowed outright by the City Development Code for the existing zone and plan designations (after annexation) is made to the build-out trip generation potential associated with the reasonable worst case development scenario of the proposed change to the City of Salem multi-family residential 2 (RMII) zone and multi-family (MF) plan designation proposed concurrent with annexation. The current zoning and plan designations would allow the site parcels that are currently identified on the Salem Comprehensive Plan Map as DR (developing residential) land, that is required to meet this TPR analysis criteria for the proposed multi-family use, to be developed with single family residential uses concurrent with the annexation process. If annexation were proposed without the proposed change in zoning and the comprehensive plan map designations, a proposal to develop the land with single family residential uses under the RS (single family residential) zone would not require a TPR analysis, since land designated as DR on the comprehensive plan map is automatically rezoned to the City of Salem RS zone and redesignated to Salem’s SF comprehensive plan map designation. Annexation into

the City's zoning jurisdiction results in automatic rezoning to the equivalent City zone as the land's existing Marion County zone.

### **Background Conditions**

The subject land use applications for the proposed zone change and comprehensive plan amendment are required to address the statewide transportation planning rule criteria described in OAR 660-012-0060(1), because future development on tax lots 3400 and 3500 under the current ownership may include multi-family housing that is not supported outright in the RS zone that would be automatically applied with annexation into the City of Salem's zoning jurisdiction. The proposal to change the use permissions to the proposed RMII zone that will allow multi-family use and development types will require a change of zoning and comprehensive plan map designation to accompany the proposed annexation to allow a change to the use permissions identified by City of Salem Unified Development Code. Under current City of Salem development code criteria described within Title X, Chapter 260, Table 260-1, annexation of land designated as Developing Residential (DR) on the Salem Comprehensive Plan Map and/or as Urban Development (UD) land on the Marion County Zoning Map would automatically be re-zoned to the City of Salem equivalent zoning, which would be RA (Residential Agricultural) or RS (Single Family Residential). The two properties described herein are currently identified on the Salem Comprehensive Plan Map as DR designated land and on the Marion County Zoning Map as UD (Urban Development) land.

The site currently consists of 0.07 acres of land on tax lot 3400, and 0.71 acres of land on tax lot 3500 of assessor's (tax) map 072W29BC. The development plan will add RMII zoned land to the nearby recently approved and annexed land to be developed with Multi-family residential use types. The proposed RMII zoning designation is consistent with the zoning designation of land immediately adjacent to the north and to the west.

Under City of Salem Unified Development Code Criteria, Title X, Chapter 511, after annexation tax lots 3400 and 3500 would be zoned and designated for single family residential uses, and a minimum lot size of 4,000 square feet per lot would be applicable. Assuming 25 percent of the land would need to be utilized for transportation and other City infrastructure necessary to develop the land for single family residential uses, the net land available for single family residential uses in a reasonable worst-case development scenario would be approximately 0.59 acres. At 0.59 acres, tax lots 3400 and 3500 could support approximately 6 total single-family residences. (0.59 net acres x 43,560 square feet/acre ÷ 4,000 SF/single family residence = 6).

### **Proposed Conditions**

As described previously, the proposed changes to the zoning map and comprehensive plan map designations will allow the site to be developed with multi-family use standards. Under a development scenario, City of Salem Unified Development Code, Title X, Chapter 514, Table 514-3 identifies a minimum and maximum density range of 12 to 28 units per acre in the RMII zone. Unlike the single-family development standards, there does not have to be a reduction for land area to accommodate public street and other infrastructure associated with the RMII zone, since the unit types are not each located on individual lots that would be required to have minimum street frontages. With the 0.78 acres of land and the maximum dwelling unit density of 28 units per acre, the subject parcels of land would be allowed to develop up to 21 residential dwelling units with their current existing land areas as a standalone development with the City's RMII land use entitlements. Actual development of the land could exceed 21 multi-family dwelling units on the property, if there is available density on adjacent property that is included in the calculation after annexation, and the property to be annexed is or becomes part of a larger development application where the density is or can be shared with

other parcels. The current proposal includes standalone applications for annexation, rezoning and redesignating the subject parcels of land to allow multi-family use and development standards. The land use entitlements in the context of the land use code and the statewide transportation planning rule criteria are upheld with the current process and the approach presented herein.

**Trip Generation**

To project the potential trip generation for the existing (post annexation) land use entitlements' reasonable worst-case post-development scenario and compare it to the post-development conditions associated with the proposed changes to allow multi-family development and satisfy the required Transportation Planning Rule significant affect analysis criteria, a reference was made to Trip Generation, 10<sup>th</sup> Edition, published by the Institute of Transportation Engineers (ITE). The uses displayed in the table below are based on potential development of the land under land use permissions of the zoning designation after annexation brings the land into the City of Salem, consistent with the highest reasonable trip generators and reasonable land use development pattern as permitted outright and identified in Salem Development Code, Title X, Chapter 511 and Chapter 514.

<b>REASONABLE WORST CASE TRIP GENERATION</b>					
<b>Land Use</b>	<b>Land Use Code</b>	<b>Units</b>	<b>QTY</b>	<b>Average Rate (trips/unit)</b>	<b>Trips</b>
<b>PM Peak Hour</b>					
Single Family Residential (Ex. DR Designation, RS zone & SF Designation w/annexation)	210	Dwellings	6	0.99	6
Multi-Family Housing (Mid-Rise) (Proposed RMII zone and MF designation w/annexation)	221	Dwelling Units	21	0.44	9
<b>Average Daily Traffic (ADT)</b>					
(Ex. DR Designation, RS zone & SF Designation w/annexation)	210	Dwellings	6	9.44	57
Multi-Family Housing (Mid-Rise) (Proposed RMII zone and MF designation w/annexation)	221	Dwelling Units	21	5.44	114

As shown in the table, the site's land use entitlements associated with the annexation process would automatically rezone the parcels of land to the City of Salem's RS single family residential zoning and SF comprehensive plan map designation, whereas the land use permissions upon build-out subject to the transportation planning rule analysis criteria could result in development of six single family dwelling units that could generate six (6) vehicle trips during the PM peak hour of the transportation system, and an average of 57 daily trips (ADT) in a reasonable worst-case post-development scenario. After annexation with the proposed RMII zoning and MF designation, the land could support development of 21 units on the subject parcels outright that could generate up to nine (9) vehicle trips during the PM peak hour of the transportation system and up to 114 daily trips. In terms of trip generation, the difference in zoning and use permissions after annexation in the post-development

scenarios would comparatively include up to three (3) additional PM Peak hour vehicle trips (9-6 pm trips) and up to 57 average daily trips (114-57 ADT) with the proposed RMII zoning and MF use designation compared to the RS zone and SF designation.

### **Transportation System**

Post-development traffic generated by the site with the proposed changes to the development and land use entitlements to include a multi-family use and associated development under the RMII zone and MF designation would likely use a driveway to be located on Center Street NE between Sphinx Ct NE and Wildflower St NE as the primary access to/from the site and as the primary route for the site generated traffic to access the local transportation system with an associated multi-family development scenario. The potential multi-family development on the subject parcels would likely be an incremental increase to the nearby similar approved development in the immediate vicinity, and development as such would likely include shared access and/or parking area(s). Center Street is considered a major arterial roadway in the vicinity and according to the City of Salem's Transportation System Plan (TSP), Table 3-1, Major Arterial Roadways are identified to serve between 15,000 and 50,000 ADT. Per the City of Salem's August 2017 traffic count data available online, the ADT on Center St. NE, east of Lancaster DR NE was 12,215 vehicles per day, and west of Cordon Rd NE was 6,950 ADT. Center Street NE in the vicinity of the site currently consists of varying pavement widths that accommodate one through travel lane and a bike lane in each direction, some intersections are developed with left-turn pockets, and with some curbed sections along the north side and open shoulders and ditches for drainage along the south side. The roadway runs east and west in the vicinity of the site and has a posted speed of 45 mph, dropping to 35 MPH about ¼ mile to the west of the site.

If the site were alternatively developed as the existing and post annexation entitlements would allow outright with single family residential uses after automatic rezoning and redesignation, the likely access scenario would be to the south via Hile LN (private road) to Auburn Rd, which is considered a collector roadway by the City of Salem's TSP. Table 3-1 of the City of Salem's Transportation System Plan identifies collector roadways to serve 1,600 to 10,000 ADT. Per the City of Salem's August 2017 traffic count data available online, the ADT on Auburn Lane NE east of Lancaster DR NE was 3,860 vehicles per day and 1,850 west of Cordon Rd NE.

With the potential for an additional 114 average daily trips associated with the proposed change in zoning and plan designation after annexation to support multi-family residential development on the site added to existing traffic on Center St NE, the build condition (annexation and development and zone and comprehensive plan amendments) ADT would be increased by less than one (1) percent of existing traffic. Similarly, if the access scenario is assumed to include Hile LN to Auburn Rd with both potential development scenarios, and the incremental traffic increase between the two build development scenarios (RMII vs RS) are compared, the Auburn Rd NE ADT increase would be limited to less than a one (1) percent to the west and less than a two (2) percent to the east, assuming an even split of incremental traffic in each direction (57 incremental trips between RMII and SF, distributed evenly east and west).

Day-to-day fluctuations in ADT and peak hour approaching traffic volumes generally vary by up to 10 percent on typical weekdays when traffic count data is collected. As described herein, the potential for an increase in traffic associated with the proposed change in zoning and comprehensive plan designations would be significantly less than the expected typical day-to-day fluctuations in approaching traffic volumes at the site where likely access would occur on either Center St NE or



Auburn Rd NE, which indicates that the potential for a significant affect with the incremental traffic from the proposed changes in land use permissions is negligible and insignificant.

### **Transportation Planning Rule Significant Effect Criteria**

Oregon Administrative Rule (OAR) 660-012-0060 Plan and Land Use Regulation Amendments, states:

**660-012-0060 (1):** *If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
- (b) Change standards implementing a functional classification system; or*
- (c) As measured at the end of the planning period identified in the adopted transportation system plan:
  - (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
  - (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
  - (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.**

**Finding:** As described previously, the effect of adding the additional traffic that could result from the proposed zone change and comprehensive plan amendment that would not otherwise be permitted outright by City of Salem Development Code with annexation into the City is less than typical day-to-day fluctuation in approaching traffic volumes during average daily traffic conditions and during PM peak hour traffic conditions, and would reasonably be expected to continue to be as such for the TSP's identified future year 2035 plan horizon. With a trip demand less than the expected day-to-day fluctuation in approaching traffic volumes, the site's incremental or new contribution to traffic on either Center St NE or Auburn Rd NE would be considered negligible, since the additional development traffic added to any collected approaching traffic count volumes would be less than the collected traffic count volumes on a separate typical day of data collection, therefore; the potential for an impact to the performance (level of service and/or V/C) is considered insignificant and/or negligible. The PM peak hour contribution of traffic, which could result in 9 peak hour trips (or three (3) new/incremental trips with RMII compared to the RS zone) on Center Street NE, with four (4) or five trips split in each direction from the site and further distributed as ingress or egress trips destined to or originating from the site would not be considered a quantifiable impact, since the incremental increase would be less than the tolerable limits of most analysis software programs, such as SYNCHRO™ and, like the ADT comparison, would be significantly less than the expected day-to-day fluctuation in approaching traffic volumes.

Center Street NE is identified as a major arterial roadway, which is intended to accommodate between 15,000 and 50,000 vehicles per day in the adopted Salem TSP (Table 3-1, Feb. 2016). Auburn Rd NE is a collector roadway and is identified to be able to accommodate between 1,600 and 10,000 ADT. The addition of site or incremental site traffic would not result in changing the functional classification of the roadway based on average daily traffic and/or the type of traffic generated by the site in the post-

development conditions), and approval of the land use applications to change the zoning and comprehensive plan designations will not result in a change to the standards implementing future improvements to the roadway. OAR 660-12-0060(1) is found to be satisfied, since the traffic resulting from approval of the land use applications will not affect the functional classification of Center Street NE or other nearby roadways, such as Auburn Rd NE in the vicinity where traffic generated by the site would be reasonably expected to use.

To support the conclusion that the incremental traffic resulting from approval of the proposed land use applications is negligible and insignificant, an additional reference is made to the Oregon Department of Transportation's Development Review Guidelines (May 4, 2017). The ODOT Development Review Guidelines discuss how ODOT reviews certain land use applications involving comprehensive plan amendments and zone changes (as well as many other applications when ODOT is involved). Section 3.2 discusses the Oregon Highway Plan, Policy 1F, where ODOT may approve small increases in traffic (on state owned facilities) resulting from zone changes and/or comprehensive plan amendments on state highways even when identified facilities are failing or are predicted to fail. ODOT identifies a small increase in traffic as:

- Any proposed amendment that does not increase the average daily trips by more than 400.
- Any proposed amendment that increases the average daily trips by more than 400 but less than 1001 for state facilities where:
  - The annual average daily traffic is less than 5,000 for a two-lane highway
  - The annual average daily traffic is less than 15,000 for a three-lane highway
  - The annual average daily traffic is less than 10,000 for a four-lane highway
  - The annual average daily traffic is less than 25,000 for a five-lane highway
- If the increase in traffic between the existing plan and the proposed amendment is more than 1000 average daily trips, then it is not considered a small increase in traffic and the amendment causes further degradation of the facility and would be subject to existing processes for resolution.”

By comparison to the ODOT “*small increase*” applicability criteria, the proposed zone change and comprehensive plan amendment would be considered a small increase in traffic, since the changes would result in up to 114 additional daily trips, or 57 incremental daily trips. Per the ODOT small increase criteria, if Center Street NE were an ODOT facility and was identified to be failing or projected to fail to meet the identified performance standards, the proposal to change the zoning and comprehensive plan designation would be approvable. Center Street NE has not been identified to fail or projected to fail in the future per City of Salem Standards, and Center Street NE is not an ODOT facility.

### **Conclusion**

The TPR analysis herein indicates that the criteria of the applicable Oregon Administrative Rule OAR 660-012-0060(1) are satisfied with approval of the proposed zone change and comprehensive plan amendment, since the potential increase in average daily and peak hour traffic resulting from the approvals is considered to be negligible, and will not result in an identifiable significant affect on existing or planned transportation facilities in the current year or at the end of the year 2035 planning horizon year identified in the current adopted City of Salem Transportation System Plan.

Please do not hesitate to contact me with any questions, or if I can provide any additional assistance.