

TO: HEARINGS OFFICER

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

SUBJECT: CONDITIONAL USE / CLASS 3 SITE PLAN REVIEW CASE NO. CU-
SPR21-01
1977 CLAXTER ROAD NE
AMANDA NOS. 20-116228-ZO & 20-116229-RP

REQUEST

Summary: A proposal to construct above-ground storage tanks and associated improvements for an existing petroleum products wholesaler.

Request: A conditional use permit and Class 3 site plan review to construct 10 above-ground storage tanks with a concrete containment basin, a loading facility, and expansion of ~~an off-street parking~~ **a vehicle use area** for an existing heavy wholesaling use. The subject property is approximately 4.93 acres in size, zoned IP (Industrial Park), and located at 1977 Claxter Road NE (Marion County Assessor map and tax lot number(s): 073W01C / 3200).

A vicinity map illustrating the location of the property is attached hereto and made a part of this staff report (**Attachment A**).

APPLICANT/OWNER: Marc Nelson Oil Products, Inc.

AGENT: Jeff Tross, Tross Consulting, Inc.

RECOMMENDATION

Based upon the Facts and Findings contained in this staff report, Staff recommends the Hearings Officer **APPROVE** the request for a conditional use and site plan review application to construct above-ground storage tanks and associated site improvements for an existing petroleum products wholesaler for property located at 1977 Claxter Road NE, subject to the following conditions of approval:

CONDITIONAL USE:

Condition 1: The proposed development shall be in substantial conformance with the approved site plan included as **Attachment B**, as modified by the conditions of approval.

SITE PLAN REVIEW:

Condition 2: A minimum of 15 percent, or 32,213 square feet, of the development site shall be landscaped to the Type A standard.

Condition 3: Design and construct stormwater facilities in compliance with Salem Revised Code Chapter 71 and Public Works Design Standards.

APPLICATION PROCESSING

On October 14, 2020, a consolidated application for a conditional use permit and Class 3 site plan review were accepted for processing. The consolidated application was deemed complete for processing on January 19, 2021.

The public hearing before the City of Salem Hearings Officer is scheduled for February 10, 2021, at 5:30 p.m. Notice of public hearing was sent by mail to surrounding property owners and tenants pursuant to Salem Revised Code (SRC) requirements on January 21, 2021. Notice of the public hearing was also posted on the property pursuant to SRC requirements.

PROPOSAL

The applicant has submitted a Conditional Use permit and Class 3 Site Plan Review application to construct above-ground storage tanks and associated improvements for an existing petroleum products wholesaler, classified as a *heavy wholesaling* use, for property located at 1977 Claxter Road NE.

SUMMARY OF RECORD

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

APPLICANT'S STATEMENT

The applicant's proposed site plan is included as **Attachment B**, and the applicant's statement addressing the applicable approval criteria for the consolidated application is included as **Attachment C**.

FACTS AND FINDINGS

1. Salem Area Comprehensive Plan (SACP) Designation

The Salem Area Comprehensive Plan (SACP) map designation for the subject property is "Industrial." The subject property is within the urban growth boundary and outside the urban service area. The Public Works Department determined that an Urban Growth Preliminary Declaration is not required to determine public facilities required to fully serve the development in conformance with the City's adopted master plans and Area Facility Plans.

2. Zoning and Surrounding Land Uses

The subject property is zoned IP (Industrial Park). Within the IP zone, and pursuant to SRC 240.005(a)(2), expansion of a *heavy wholesaling use* requires a conditional use permit.

The zoning of surrounding properties is as follows:

North: IP (Industrial Park)

South: IP (Industrial Park)

East: Across railroad right-of-way and Ridge Drive NE – IG (General Industrial)

West: Across Salem Parkway – land within the city of Keizer

3. Site Analysis

The subject property is approximately 4.93 acres in size. It has approximately 632 feet of frontage on Salem Parkway, and abuts approximately 752 feet of frontage of right-of-way which includes a railroad and Ridge Drive NE. The property is served by an existing flag lot accessway.

4. Neighborhood and Citizen Comments

The subject property is located within the Northgate Neighborhood Association. Notice was provided to the neighborhood association and to surrounding addresses, property owners, and tenants within 250 feet of the subject property. At the time of the writing of this staff report, no neighborhood association or public comments had been received.

5. City Department and Public Agency Comments

The Public Works Department reviewed the proposal and provided a memo which is included as **Attachment D**.

The Building and Safety Division reviewed the proposal and indicated no concerns.

The Fire Department reviewed the proposal and provided the following comment: *OFC 5704.2.9.2.1 may require a foam fire protection system. The Fire Department will need information from a designer/fire protection engineer indicating the water and foam supply required to fight a fire in this situation. The Fire Department will then be able to evaluate our supplies to determine if this section will be applicable.*

6. Analysis of Conditional Use Criteria

SRC Chapter 240.005(a)(2) provides that:

No use for which a conditional use permit has been granted shall be expanded, relocated, or changed to another conditional use, and no building or structure devoted to such use shall be structurally altered or enlarged, unless a new conditional use permit, or a modification of an existing conditional use permit, has been granted pursuant to this chapter for such expansion, relocation, change, structural alteration, or enlargement; provided, however, a new conditional use permit, or modification of an existing conditional use permit, shall not be required for interior construction or tenant improvements that involve no change of use, or for alterations required to address a building code violation or to comply with the Americans with Disabilities Act.

SRC Chapter 240.005(d) establishes the following approval criteria for a conditional use permit:

Criterion 1:

The proposed use is allowed as a conditional use in the zone.

Finding: SRC Chapter 553, Table 553-1 provides that petroleum and petroleum products wholesalers, classified as a *heavy wholesaling* use, are allowed in the IP (Industrial Park) zone with a conditional use permit.

Criterion 2:

The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions.

Finding: The applicant states the proposed development is compatible with the surrounding land uses. The subject property is within a major industrial area in the northern portion of the city—surrounded by right-of-way and areas designated “Industrial” on the comprehensive plan.

The development standards of the zoning code, including setbacks, building height, and landscaping, are intended to address the difference in compatibility that arises between different uses. The northern portion of the subject property, which would contain the proposed expansion of the *heavy wholesaling* use, has previously consisted of undeveloped land which has not conformed to the minimum setback or landscaping standards of the IP zone. The proposed site plan shows landscaped setbacks in this area which will meet the minimum standards of the IP zone, ensuring adequate landscaping and screening will be provided between the proposed development and the immediate neighborhood.

As shown on the proposed site plan, a large physical separation will be provided between the proposed storage tanks and all adjacent properties and streets, with approximately 92 feet between the storage tanks and the nearest property line. The applicant notes that wide rights-of-way adjacent to the property provide additional spacing between the proposed development and areas to the east and west—the right-of-way for Salem Parkway is approximately 300 feet wide adjacent to the subject

property, and the right-of-way for Ridge Drive NE, which includes a railroad, is approximately 80 feet wide adjacent to the subject property. Additionally, the applicant notes that an approximately 20-foot-tall berm separates the subject property from Salem Parkway—a high-traffic corridor with a multi-use path which carries the preponderance of vehicle traffic which passes by the subject property. The presence of this berm, along with the factors summarized above, ensures the proposed development will not have a significant visual impact on the immediate neighborhood.

The applicant states the proposed storage tanks will meet State Fire Marshal / Uniform Fire Code standards and requirements—including the use of a concrete containment structure that will serve as secondary containment for all tanks. The structural and containment requirements serve to minimize the potential for leakage and for leakage to reach the subsurface.

Staff finds the proposed development will have a minimal impact on the immediate neighborhood.

Criterion 3:

The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.

Finding: The proposed storage tanks would occupy an area approximately 34.5 feet wide by 73.5 feet long, or approximately 2,517 square feet in area, and would be placed near the center of the 4.93-acre property. Due to the physical characteristics of the vicinity, along with the required landscaped setbacks which will be provided on the large development site, the proposed site improvements will not have a significant impact on the livability of surrounding property. The proposal also includes paved maneuvering and loading areas adjacent to the storage tanks, as well as placement of storage containers in the northwest corner of the site. These containers will be separated from adjacent properties and right-of-way by landscaped setbacks.

The applicant's written statement notes that surrounding properties are part of a long-established industrial area, with developments and uses which are compatible with the existing *heavy wholesaling* use. The applicant's representative states there is no evidence of conflict between the existing use and the surrounding developments.

As proposed, the use will be reasonably compatible with the surrounding uses and will have minimal impact on the livability or development of surrounding property. To ensure the proposal is in substantial conformance with the use and development presented in the application materials, Staff recommends the following condition of approval:

Condition 1: The proposed development shall be in substantial conformance with the approved site plan included as **Attachment B**, as modified by the conditions of approval.

7. Analysis of Class 3 Site Plan Review Approval Criteria

SRC 220.005(f)(3) establishes the following approval criteria for a Class 3 site plan review:

Criterion 1:

The application meets all applicable standards of the UDC.

Finding: The proposed development complies with all applicable development standards of the Unified Development Code (UDC), as identified below.

Use and Development Standards – IP (Industrial Park) Zone:

SRC 553.005 – Uses:

Permitted, special, conditional, and prohibited uses in the IP zone are established in SRC Chapter 553, Table 553-1.

Finding: Pursuant to SRC Table 553-1, petroleum and petroleum products wholesalers, classified as a *heavy wholesaling* use, are allowed with a conditional use permit.

SRC 553.010(a) – Lot Standards:

There are no minimum lot area, lot width, or lot depth requirements in the IP zone. All uses, except for *single family*, are required to have a minimum of 16 feet of street frontage.

Finding: The existing lot complies with the minimum lot standards of the IP zone, and no changes to the lot size or dimensions are proposed.

SRC 553.010(b) – Setbacks:

Setbacks within the IP zone shall be provided as set forth in Tables 553-3 and 553-4.

Abutting Street

West: Adjacent to the west is right-of-way for Salem Parkway. Buildings, accessory structures and vehicle use areas require a minimum setback of 20 feet.

Finding: The proposed site plan shows a 20-foot landscaped setback between the proposed site improvements and the west property line. Except where existing nonconforming setbacks are in place in the southern portion of the site, the proposal meets the standard.

Abutting Railroad

East: Adjacent to the east is railroad right-of-way. Pursuant to SRC 800.035(d), the dimensions and configuration of the lot is such that the western property line shall be considered an interior side property line, requiring a minimum setback of 5 feet for buildings, accessory structures, and vehicle use areas.

Finding: The proposed site plan shows a 5-foot landscaped setback along the east property line. The proposal meets the standard.

Interior Side / Rear

North: Adjacent to the north is property zoned IP. Buildings, accessory structures, and vehicle use areas require a minimum zone-to-zone setback of 10 feet.

Finding: The proposed site plan shows a 10-foot landscaped setback along the north property line. The proposal meets the standard.

South: Adjacent to the south is property zoned IP. Buildings, accessory structures, and vehicle use areas require a minimum zone-to-zone setback of 10 feet.

Finding: The subject property includes existing developed setbacks to the south property line, some of which do not meet current standards and are considered nonconforming. The proposed development does not require the existing setbacks to the south to be brought into conformance with current standards.

SRC 553.010(c) – Lot Coverage, Height:

There is no maximum lot coverage standard in the IP zone. The maximum height allowance for all buildings and accessory structures is 45 feet.

Finding: The maximum height proposed for the storage tanks will be approximately 31 feet. The proposal meets the standard.

SRC 553.010(d) – Landscaping:

- (1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- (2) *Vehicle Use Areas.* Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.
- (3) *Development Site.* A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC Chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicle use areas, may count towards meeting this requirement.

Finding: Except where existing nonconforming setbacks are in place, the proposed site plan shows all perimeter setbacks and vehicle use areas landscaped as required under the IP zone and SRC chapters 806 and 807.

The subject property is approximately 4.93 acres or 214,751 square feet in size. A minimum of 32,213 square feet of the development site shall be landscaped to the Type A standard ($214,751 \times 0.15 = 32,212.7$). The proposed site plan shows approximately 29,407 square feet of the development site as landscaping.

To ensure the proposal meets the minimum landscaping requirements of the IP zone, Staff recommends the following condition of approval:

Condition 2: A minimum of 15 percent, or approximately 32,213 square feet, of the development site shall be landscaped to the Type A standard.

SRC 553.010(e) – Outdoor Storage:

Within the IP zone, outdoor storage shall conform to the standards set forth in this section.

Finding: The applicant has not indicated any outdoor storage at the subject property. Any future outdoor storage shall conform to the standards set forth in this section.

General Development Standards (SRC 800)

Solid Waste Service Areas

SRC 800.055(a) – Applicability.

Solid waste service area design standards shall apply to all new solid waste, recycling, and compostable services areas, where use of a solid waste, recycling, and compostable receptacle of 1 cubic yard or larger is proposed, or any change to an existing solid waste service area for receptacles of one cubic yard or larger that requires a building permit.

Finding: The proposed development does not include a new solid waste, recycling, or compost receptacle of 1 cubic yard or larger, or any change to an existing solid waste service area for receptacles of one cubic yard or larger which requires a building permit. The standards of SRC 800.055 do not apply to the proposal.

Pedestrian Access

SRC 800.065 – Pedestrian Access.

Except where pedestrian access standards are provided elsewhere under the UDC, all developments, other than *single family, two family, three family, four family, and multiple family* developments, shall include an on-site pedestrian circulation system developed in conformance with the standards in this section.

Finding: The proposed development does not include development of a new off-street parking area, an alteration or expansion of an existing off-street parking area, nor the development of a new building. The standards of SRC 800.065 do not apply to the proposal.

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

SRC 806.005 – Off-Street Parking; When Required.

Off-street parking shall be provided and maintained for each proposed new use or activity; any change of use or activity, when such change of use or activity results in a parking ratio requiring a greater number of spaces than the previous use or activity; or for any intensification, expansion, or enlargement of a use or activity.

SRC 806.010 – Proximity of Off-Street Parking to Use or Activity Served.

Required off-street parking shall be located on the same development site as the use or activity it serves, or within the additional locations set forth under this section.

SRC 806.015 – Amount of Off-Street Parking.

- a) *Minimum Required Off-Street Parking.* The minimum off-street parking requirement for a *heavy wholesaling* use is 1 per 1,500 square feet.
- b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.
- c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces, and falling within the public services and industrial use classifications, and the business and professional services use category, shall designate a minimum of five percent of their total off-street parking spaces for carpool or vanpool parking.
- d) *Maximum Off-Street Parking.* Except as otherwise provided in this section, and otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-2A. For uses requiring 20 spaces or less, the maximum number of off-street parking spaces allowed is 2.5 times the minimum number of spaces required. For uses requiring more than 20 spaces, the maximum number of off-street parking spaces allowed is 1.75 times minimum number of spaces required.

Finding: The proposal does not include a change to the square footage of the floor area of the existing *heavy wholesaling* use, but does include an intensification or expansion of the existing use; therefore, the off-street parking requirements of this section apply.

The existing building is approximately 16,150 square feet in size, which requires a minimum of 11 off-street parking spaces ($16,150 / 1,500 = 10.8$). The proposed site plan includes 28 off-street parking spaces, which meets the minimum standard.

Of the 28 off-street parking spaces shown on the proposed site plan, none are proposed as compact spaces (0 percent). This meets the compact parking space allotment allowed under SRC 806.015(b).

The proposed development does not require 60 or more off-street parking spaces, and does not fall within the public services and industrial use classifications or the business and professional services use category. No carpool or vanpool spaces are required.

Based on a minimum off-street parking requirement of 11 spaces, the maximum number of off-street parking spaces allowed is 28 spaces ($11 \times 2.5 = 27.5$). The proposed development includes a total of 28 spaces, which meets the maximum standard.

SRC 806.035 - Off-Street Parking and Vehicle Use Area Development Standards.

- a) *General Applicability.* The off-street parking and vehicle use area development standards set forth in this section apply to the development of new off-street parking and vehicle use areas, expansion or alteration of existing off-street parking and

vehicle use areas where existing paved surface is replaced with a new paved surface, or the paving of an unpaved area.

Finding: The proposed development includes expansion of an existing vehicle use area and paving of an unpaved area. The vehicle use area development standards of this section are applicable.

- b) *Location.* Off-street parking and vehicle use areas shall not be located within required setbacks.
- c) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for off-street parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures.

Finding: The proposed vehicle use area complies with all applicable location and perimeter setback requirements.

- d) *Interior Landscaping.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5.

Finding: The proposal includes expansion of an existing vehicle use area, while no changes are proposed to the existing off-street parking area. No additional interior landscaping is required for the proposal.

- e) *Off-Street Parking Area Dimensions.* Off-street parking areas shall conform to the minimum dimensions set forth in Table 806-6.

Finding: The proposal includes expansion of an existing vehicle use area, while no changes are proposed to the existing off-street parking area. The proposed vehicle use area meets the minimum dimensional requirements of SRC Chapter 806.

- f) *Additional Off-Street Parking Development Standards (SRC 806.035(f)-(m)).*

Finding: The proposed vehicle use area is developed consistent with the additional development standards for grade, surfacing, drainage, and striping. Lighting within the vehicle use area shall comply with the standards of SRC Chapter 806. Off-street parking area screening per SRC 806.035(m) is not required for the existing off-street parking area.

Bicycle Parking

SRC 806.045 – General Applicability.

Bicycle parking shall be provided and maintained for each proposed new use or activity, any change of use or activity, when such change of use or activity results in a bicycle parking ratio requiring a greater number of spaces than the previous use or activity, or any intensification, expansion, or enlargement of a use or activity.

Finding: The proposal includes an intensification or expansion of an existing use. The standards of this section apply to the proposed development.

SRC 806.050 – Proximity of Bicycle Parking to use or Activity Served.

Bicycle parking shall be located on the same development site as the use or activity it serves.

SRC 806.055 – Amount of Bicycle Parking.

Bicycle parking shall be provided in amounts not less than those set forth in Table 806-8. *Heavy wholesaling* uses require a minimum of 1 space per 15,000 square feet, where square footage equals the gross floor area.

Finding: The existing building is approximately 16,150 square feet, which requires a minimum 1 bicycle parking space ($16,150 / 15,000 = 1.1$). The proposed site plan shows 4 bicycle parking spaces, which meets the minimum standard.

SRC 806.060 – Bicycle Parking Development Standards.

Unless otherwise provided under the UDC, bicycle parking shall be provided in racks or lockers developed and maintained as set forth in this section. The standards set forth in this section shall not apply to City approved bike share stations which utilize bike docking stations.

SRC 806.060(a) – Bicycle Parking Location.

Bicycle parking areas are required to be located within a convenient distance of, and clearly visible from, the primary entrance of a building, but in no event shall the bicycle parking area be located more than 50 feet from the primary building entrance.

Finding: As shown on the proposed site plan, the bicycle parking spaces are located within 50 feet of the primary building entrance near the southwest corner of the building. The proposal meets the standard.

SRC 806.060(b) – Bicycle Parking Access.

Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and any barriers, such as curbs or stairs, which would require users to lift their bikes in order to access the bicycle parking area.

Finding: The proposed bicycle parking spaces have direct access to the public right-of-way via the flag lot accessway which serves the property, as well as to the primary building entrance which is free of obstructions and any barriers, such as curbs or stairs, which would require users to lift their bikes in order to access the bicycle parking area. The proposal meets the standard.

SRC 806.060(c) – Bicycle Parking Dimensions.

Except as provided in subsection (f) of this section, bicycle parking areas shall meet the following dimension requirements:

(1) *Bicycle parking spaces.* Bicycle parking spaces shall be a minimum of six feet in

length and two feet in width with the bicycle rack centered along the long edge of the bicycle parking space. Bicycle parking space width may be reduced, however, to a minimum of three feet between racks where the racks are located side-by-side.

- (2) *Access aisles.* Bicycle parking spaces shall be served by a minimum four-foot-wide access aisle. Access aisles serving bicycle parking spaces may be located within the public right-of-way.

SRC 806.060(d) – Bicycle Parking Surfacing.

Where bicycle parking is located outside a building, the bicycle parking area shall consist of a hard surface material, such as concrete, asphalt pavement, pavers, or similar material, meeting the Public Works Design Standards.

Finding: The proposed site plan shows bicycle parking spaces and an access aisle which meet the dimension and surfacing standards set forth in these subsections.

Off-Street Loading Areas

SRC 806.065 – General Applicability.

Off-street loading areas shall be provided and maintained for each proposed new use or activity; any change of use or activity, when such change of use or activity results in a greater number of required off-street loading spaces than the previous use or activity; or any intensification, expansion, or enlargement of a use or activity.

SRC 806.070 - Proximity of Off-Street Loading Areas to Use or Activity Served.

Off-street loading areas shall be located on the same development site as the use or activity it serves.

SRC 806.075 – Amount of Off-Street Loading.

Pursuant to SRC Table 806-9, uses within the wholesale sales, storage, and distribution use category with a gross floor area of between 5,000 and 100,000 square feet require a minimum of 1 off-street loading space. The required loading space shall have a minimum width of 12 feet, minimum length of 30 feet, and minimum height of 14 feet.

Finding: The proposed site plan shows an existing off-street loading space west of the building which meets the minimum dimensions required under this section. The proposal meets the standard.

Landscaping

All required setbacks shall be landscaped with a minimum of 1 plant unit per 20 square feet of landscaped area. A minimum of 40 percent of the required number of plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Plant materials and minimum plant unit values are defined in SRC Chapter 807, Table 807-2.

All building permit applications for development subject to landscaping requirements shall include landscape and irrigation plans meeting the requirements of SRC Chapter 807.

Finding: The proposed development requires a minimum of 32,213 square feet of landscaped area, requiring a minimum of 1,611 plant units ($32,213 / 20 = 1,610.7$). Of the required plant units, a minimum of 644 plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees ($1,611 \times 0.4 = 644.4$).

Landscape and irrigation plans will be reviewed for conformance with the requirements of SRC 807 at the time of building permit application review.

Natural Resources

SRC Chapter 601 (Floodplain): Public Works staff has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

SRC 808 - Preservation of Trees and Vegetation: The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove a significant tree (Oregon White Oak greater than 24 inches in diameter at breast height) (SRC 808.015) or a tree or native vegetation in a riparian corridor (SRC 808.020), unless the removal is excepted under SRC 808.030(a)(2), undertaken pursuant to a permit issued under SRC 808.030(d), undertaken pursuant to a tree conservation plan approved under SRC 808.035, or permitted by a variance granted under SRC 808.045.

The applicant's development plans indicate no trees or native vegetation protected under SRC Chapter 808 will be removed as a result of the proposal. The proposal is consistent with the tree and vegetation preservation requirements of SRC Chapter 808.

SRC 809 - Wetlands: Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetland laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures.

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

SRC 810 - Landslide Hazards: A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area. According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810, the subject property does not contain any mapped landslide hazard areas.

Criterion 2:

The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately.

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

Criterion 3:

Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians.

Finding: The applicant's proposed site plan includes on-site vehicle, bicycle, and pedestrian infrastructure which will allow for safe and efficient movement throughout the site's parking areas and driveways. This criterion is met.

Criterion 4:

The proposed development will be adequately served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development.

Finding: The Public Works Department has reviewed the applicant's preliminary plan for this site. The water and sewer infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development. The applicant does not show any new connections to public infrastructure.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4)(a) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. At the time of building permit, the applicant shall design and construct stormwater facilities in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS). To ensure the proposal will be adequately served by stormwater facilities, Staff recommends the following condition of approval:

Condition 3: Design and construct stormwater facilities in compliance with Salem Revised Code Chapter 71 and Public Works Design Standards.

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

RECOMMENDATION

Based upon the Facts and Findings contained in this staff report, Staff recommends the Hearings Officer APPROVE the request for a conditional use and site plan review application to construct above-ground storage tanks and associated site improvements for an existing petroleum products wholesaler for property located at 1977 Claxter Road NE, subject to the following conditions of approval:

CONDITIONAL USE:

Condition 1: The proposed development shall be in substantial conformance with the approved site plan included as **Attachment B**, as modified by the conditions of approval.

SITE PLAN REVIEW:

Condition 2: A minimum of 15 percent, or 32,213 square feet, of the development site shall be landscaped to the Type A standard.

Condition 3: Design and construct stormwater facilities in compliance with Salem Revised Code Chapter 71 and Public Works Design Standards.

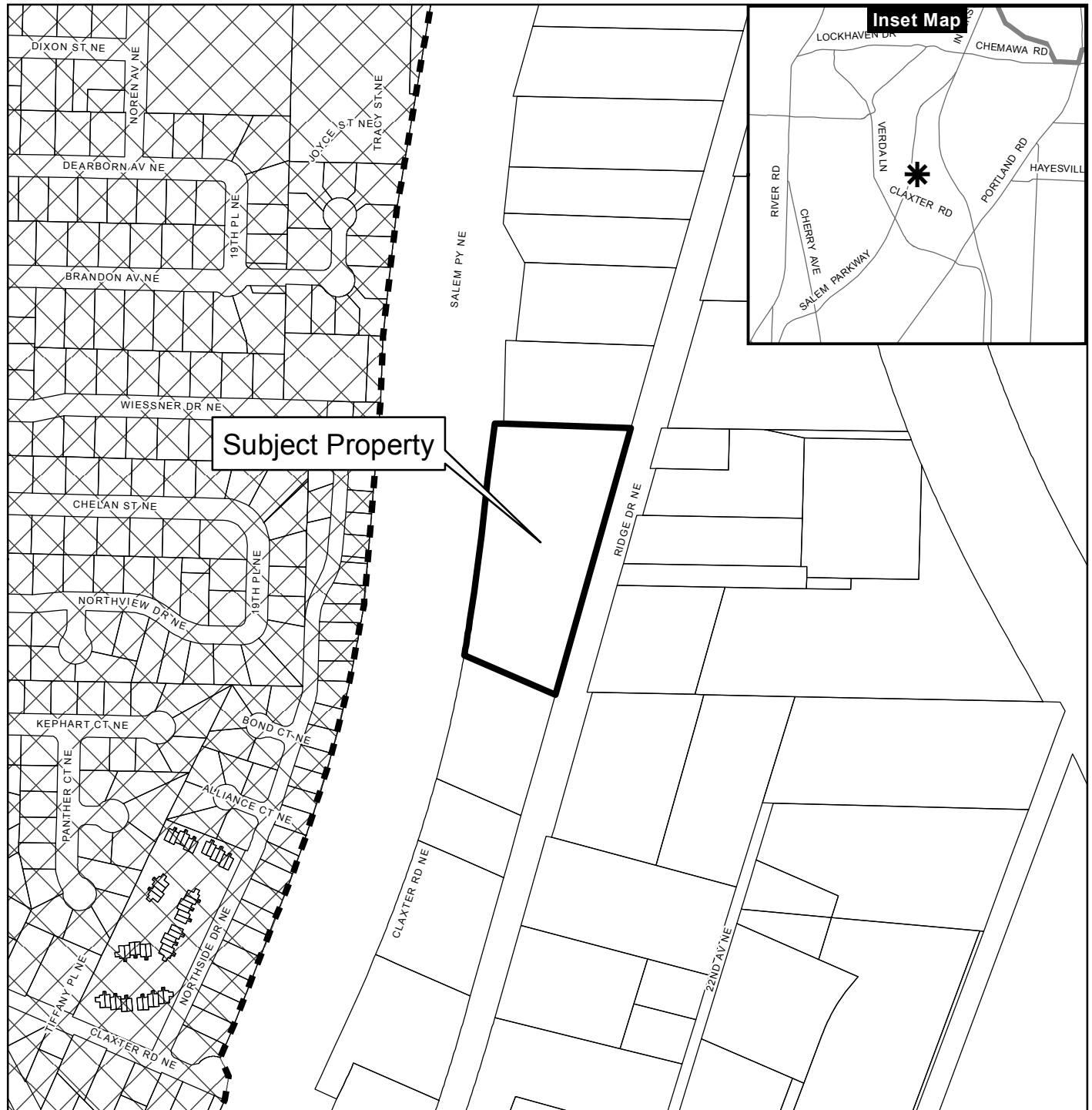
Prepared by Brandon Pike, Planner I

Application Deemed Complete Date: January 19, 2021
State Mandated Decision Date: May 19, 2021

Attachments:

- A. Vicinity Map
- B. Proposed Site Plan
- C. Applicant's Written Statement Addressing Approval Criteria
- D. Memo from the Public Works Department

Vicinity Map 1977 Claxter Road NE

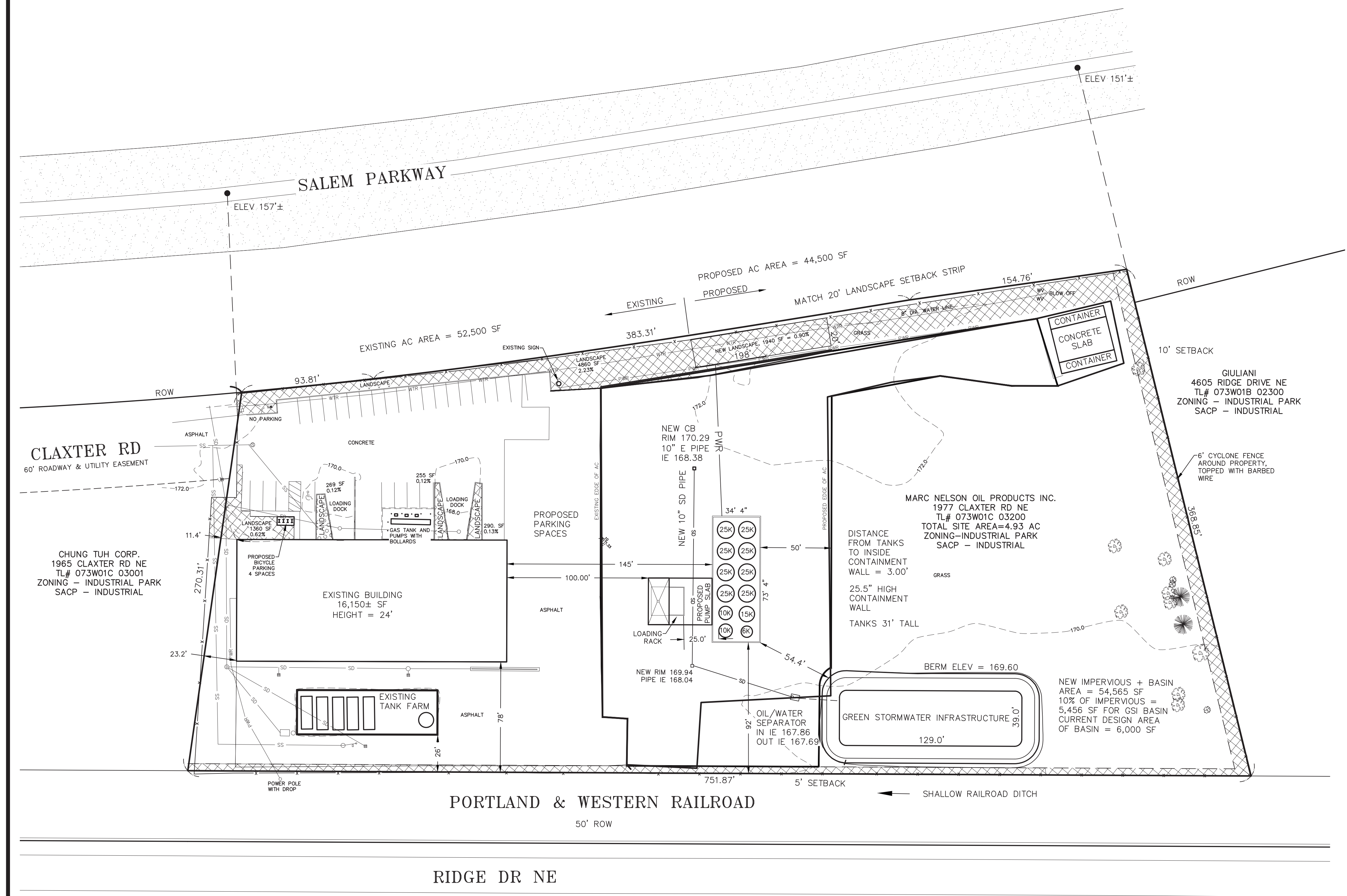


Legend

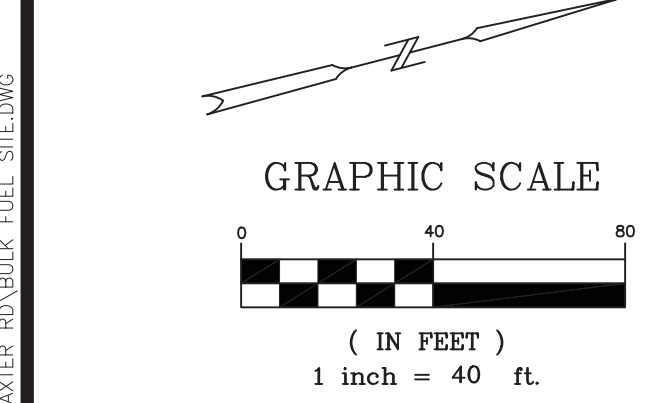
- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools
- Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

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REMOVE TWO VEHICLE PARKING SPACES FOR FOUR BICYCLE SPACES AND ADD TWO NEW VEHICLE PARKING SPACES



Green Stormwater Infrastructure (GSI) facility and the proposed development will be complying with recently updated SRC Chapter 71 and PWDS for Green Stormwater Infrastructure.

	MNOP		
	PROPOSED SITE PLAN		
	1977 CLAXTER ROAD, SALEM		
	MARION COUNTY, OREGON		
Scale: 1" = 40'	Horiz. 1" = 40'	Date: JULY, 2020	11/25/2020 12/17/2020 Revised: 1/14/2021
Design: CFB	Boatwright Engineering, Inc.		Job No. 5/20
Drawn: SDW	2613 12th Street SE, SALEM, OREGON 97302		Sheet
Chkd: CFB	TEL: (503) 363-9225 • FAX: (503) 363-1051		3 of 6



THE PROPOSAL

Marc Nelson Oil Products (MNOP), a wholesale distributor of fuels, petroleum products, and other chemicals, proposes to install an additional bulk fuels storage facility on its property at 1977 Claxter Road NE. The storage facility would consist of ten above-ground storage tanks of varying capacities, within a concrete containment basin, and an associated "loading rack" for transferring the stored bulk products to tanker trucks for delivery to customers. These new storage tanks would replace underground storage tanks at an off-site location which are approximately 45 years old. Those tanks are at the end of their service life and do not meet current standards for construction or leak prevention.

The property is zoned IP, SRC Chapter 533. The storage and distribution of petroleum, petroleum products, and chemicals is classified as "Heavy wholesaling" in SRC 400.095(b), and is included as a Conditional Use in Table 553-1, "Heavy Wholesaling> Petroleum and petroleum products wholesalers, and Chemicals and allied products wholesalers". As a result, MNOP requests approval of a Conditional Use Permit to add the proposed bulk fuels storage facility to its existing facilities.

In addition, the company also requests a concurrent approval for a Class 3 Site Plan Review, per SRC 220.005(b)(3)(F).

A Pre-Application Conference to discuss this proposal was held on June 20, 2019; PRE-AP19-69.

Background

Marc Nelson Oil Products (MNOP) is a wholesale distributor of bulk and packaged petroleum and chemical products including gasoline and diesel fuels, home heating oil, lubricating oils and greases, antifreeze, and industrial solvents and cleaners. The business dates from 1935. In 2002 the City granted Conditional Use Permit CU02-5 for the business to move to the present Claxter Road site from its previous location at 1555 Silverton Road NE., where it had been since 1978. The move was necessitated

by the City acquiring its property as right of way for the Pine Street- Portland Road intersection realignment and improvement project.

The Claxter Road location is identified as Tax Lot 3200 on Marion County Assessor's map T7S R3W Section 01C. The property totals approximately 4.93 acres. It is designated *Industrial* on the Salem Area Comprehensive Plan (SACP) map, and it is zoned IP, which is consistent with the SACP designation.

Claxter Road runs east-west at the north end of Salem Industrial Dr. The western end of the public street ends at the Salem Parkway right of way. The Claxter Road name also refers to a 60' wide paved access easement that extends north from the western end of the public street. The MNOP property is at the north end of the access easement. This access drive serves a corridor of industrial activities that are situated between the east side of the Claxter Road easement and the Portland & Western Railroad, which occupies a 50' right of way along the east side of those properties. Ridge Dr. NE borders the east side of the railroad. All of these industrial properties are designated *Industrial* on the SACP map and zoned IP.

The Company's primary activities include bulk storage of fuels, lubricants, and solvents for distribution to retailers and consumers, and warehousing and distribution of pre-packaged petroleum products. Bulk products such as fuels are transferred from storage tanks into tanker trucks for delivery to the point of sale which include a variety of commercial enterprises, agricultural activities, and private homes in the case of home heating oil. Others products such as lubricating oils, kerosene and solvents are repackaged into containers such as 55-gal. drums and 5-gal. buckets for wholesale distribution. Products received in drums, buckets, and as case lots of consumer packages, such as motor oils, antifreeze, lubricants, etc., are stored in the warehouse for distribution to commercial and agricultural enterprises. A limited quantity of specialized product, such as auto racing gas, is available for customers to pick up in their own containers for transport. However, the business does not provide retail vehicle fueling.

The warehousing and distribution part of the business is included as a permitted use in the IP zone, as listed in SRC 553.005, Table 553-1. The storage and distribution of petroleum, petroleum products, and chemicals is classified as "Heavy wholesaling" in SRC 400.095(b), and is included as a Conditional Use in Table 553-1, "Heavy Wholesaling > Petroleum and petroleum products wholesalers, and Chemicals and allied products wholesalers".

Site Development

Site plans showing the location of the existing and proposed facilities on the property have been prepared by Boatwright Engineering, of Salem, and are included as a part of this application.

Existing Development

Existing development is situated in the southern third of the property, within an improved area of 52,500 s.f. There is one building on the property, a two-level warehouse/office building of approximately 16,000 s.f. The building contains the warehouse and the business offices. This building will remain and no changes to it are planned. Six above ground storage tanks are located to the east of the building.

A paved driveway and parking and loading area is located on the west side of the building. Parking requirements are found in SRC 806.015, Table 806-1. Heavy wholesaling requires 1 space per 1,500 square feet. Warehousing and distribution requires the greater of .75 space per employee, or 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.). The site plan shows a total of 26 parking spaces in the paved parking area, with two loading docks on the west side of the building.

Landscaping is located adjacent to the building in the parking/loading area, and along the western boundary of the improved area, adjacent to the Salem Parkway right of way. The landscape area extends northward into the currently undeveloped area. As shown on Sheets 1 and 3 of the site plans, the existing landscape areas total 7,034 s.f., which is approx. 13% of the 52,500 s.f. currently developed area.

The access to the site is the existing, paved access easement that functions as a northern extension of Claxter Road. The easement ends at the south line of the property. The internal access and circulation is private. The entire property is surrounded by a chain-link perimeter fence, and the access into the property is gated.

Proposed Development

Proposed development consists of the new bulk storage facility, and a retention basin for stormwater runoff. The storage facility will be located to the north of the existing improved area, in the middle of the property which at present is open space and largely unused. The development area extends from the edge of the existing developed area approx. 160' to the north, and between the east and west property lines.

The storage tanks will be grouped within a concrete spill containment structure measuring approximately 34' 4" x 73' 4", or approx. 2,500 s.f. The site plan shows six 25,000 gal. tanks, two 10,000 gal. tanks, one 15,000 gal. tank, and one 6,000 gal. tank. The installation will include safety and containment facilities as required by current fire and safety codes. The loading rack will be on the south side of the tank cluster. The area around the storage facility and loading rack will be improved with pavement. The overall area to be improved totals 44,500 s.f.

The storage tanks will be approximately 145' north of the building, 75' north of the edge of the existing pavement, 50' south of the northern edge of the development area, and 300' from the north property line. The loading rack will be 100' from the building. The northern area of the property between the storage tanks and the north property line is mostly vacant area. There is a concrete container slab in the northwest corner.

The stormwater retention basin is designed to handle a 100-year storm. As shown on the site plan it will be situated just north of the new development improved area, and near the east line of the property. This on-site drainage control facility is necessary as there is no public storm water drainage utility available at this location.

Additional landscaping will be provided along the western property boundary in the area of new development, as shown on Sheet 3. The additional landscape area will be 20' wide and total 1,940 s.f., which will result in a total of 8,974 s.f. of landscape area within the 97,000 s.f. developed area of the property, or 9.25%.

The MNOP property is separated from the Salem Parkway travel surface by a wide right of way, and by elevation. On the east side of the Parkway the right of way is on an embankment that increases in elevation along the MNOP frontage, and the property is substantially above the road surface. As shown on the site plan (Sheet 5 Grading Plan) the storage tanks will be at 171' elevation. The Parkway road surface varies from south to north along the property from 157' to 151' elevation. The east side right of way is approx. 100' wide, and the storage tanks will be set back approx. 140' from property line, or 240' from the road. Because of the elevation difference and the separation, together with the existing and new landscaping along the property line, the storage tanks will be barely visible visibility from the road. To the east, the tank facility will be approx. 90' from the property line adjoining the railroad. The railroad is within a 50' wide right of way, for a total of 140' from Ridge Dr. The railroad is above the elevation of Ridge Dr. There is no access from the property to Ridge Dr.

Surrounding Land Use and Zoning

The MNOP property is within the major industrial area in the northern part of the city, generally bounded by Salem Parkway on the west and Hyacinth Ave. on the south, and which includes the area along Salem Industrial Drive, Ridge Drive, Indian School Road, and Blossom Drive, in addition to Claxter Road. Zoning of this area is IP west of Ridge Dr. and the railroad, and IG to the east. The MNOP property is bordered by the IP zone to the north and south, with IG zoning to the east across the railroad and Ridge Dr.

A variety of industrial activities are located within this area, including manufacturing, warehousing and storage, distribution, and auto wrecking, among others. The activities along the Claxter Road access easement, between the railroad and the

Parkway, include Chung Tuh Corp. food processing, Lile Moving and Storage, Braka Industries metal fabrication, and First Op Industries precision metal machining, welding, fabrication, etc. These are south of the MNOP property. The property to the north, accessed from Ridge Dr., is used for fabrication of ornamental concrete statuary, and also includes a residence. These lands are zoned IP.

The industrial activities to the east across the railroad and Ridge Drive include Automation Technology, REsys Company, MTS Wireless components, Mountain Man Fruit and Nut (a snack foods distributor), Brim Tractor, and G&R Auto Wreckers, among others. This area is zoned IG.

Considering the extensive pattern of industrial zoning and activities in the surrounding area, the addition of the proposed storage tanks within the existing MNOP property will have no effect on the existing land use or transportation patterns.

CONDITIONAL USE CRITERIA, SRC 240.005

The criteria for a Conditional Use Permit are provided in SRC 240.005(d), and are addressed as follows:

(d) *Criteria.* An application for conditional use permit shall be granted if all of the following criteria are met:

(1) The proposed use is allowed as a conditional use in the zone;

The warehousing and distribution part of the business is included as a permitted use in the IP zone, as shown in SRC 553.005, Table 553-1. The storage and distribution of petroleum, petroleum products, and chemicals is classified as "Heavy wholesaling" in SRC 400.095(b), and is included as a Conditional Use in Table 553-1. Because the use is allowed as a conditional use in the IP zone, this criterion is met.

(2) The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions; and

The immediate neighborhood consists of industrial uses to the north, south and east,

and the Salem parkway to the west. The reasonably likely potential for adverse impacts on the immediate neighborhood from the proposed bulk fuels storage facility is small. The storage facility will be in the middle of the property with substantial setbacks from all property lines. The wide right of way within the Salem Parkway on the west, and the railroad right of way and Ridge Drive on the east, provide additional spacing from other uses in those directions. The facility will use the existing access to the site and no new access is proposed. The storage and distribution of fuels, lubricants, and chemicals including the loading of tanker trucks for delivery of these products to customers has been part of the activity on the property since the company located there in 2002. The operation will benefit from the installation of new storage tanks that meet current structural and safety standards for that type of use, and the provision of a spill containment structure that meets current requirements and standards. These improvements to the operation will serve to minimize the potential for adverse impacts on the immediate neighborhood.

The storage and containment of petroleum products on the site is subject to State Fire Marshall/Uniform Fire Code standards and requirements. These requirements include the safety standards for storage tanks established by Underwriters Laboratories known as UL142 for single-walled storage tanks, and the use of a concrete containment structure that will serve as secondary containment for all tanks. The structural and containment requirements serve to minimize the potential for leakage and for leakage to reach the subsurface.

The greatest potential for an accidental spill or leakage occurs during the transfer of product from a storage tank to a truck or a shipping container. However, this activity is attended by an operator and a spill or leakage would be noticed, and immediate action would be taken to stop the flow of product. In this type of event only a small quantity of product would be involved, which would remain within the containment basin for removal by pumps and/or absorbent materials. The company maintains materials and equipment on-site for immediate action in the event of an accidental spill or leakage.

The use of the existing industrial access, compliance with the State Fire Marshall, Fire Code and UL standards for product storage and handling, location of the storage tanks above ground where leaks will be readily apparent, the use of a containment basin and impervious surface below the storage tanks, and maintenance of spill clean up material and equipment on the site, serve to minimize any reasonably likely adverse impacts of the proposed use and development to the immediate neighborhood. Compliance with the applicable building codes for storage tanks and spill containment, as administered by the City of Salem Building and Safety Division and Fire Department, can be included as conditions of approval. For these reasons, this criterion is satisfied.

(3) The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.

The proposed use is part of an industrial activity in the IP zone. The property is within a long-established industrial area and all surrounding property is designated for industrial use, which establishes its appropriate development. The surrounding properties are zoned IP to the north and south, and IG to the east. The Salem Parkway is to the west. The total Parkway right of way at this point is 290' in width. The Parkway provides a substantial separation and buffer between the subject property and the land uses to the west, and there is no functional relationship between the subject property and land uses west of the Parkway. There is no access from the property frontage to the Salem Parkway.

The proposed use will be part of the existing use of the property. There is no evidence of conflict between the existing use and the use of any surrounding property. Access to the property is through the industrial area to the south. There are no residential areas bordering the site and the site has no access to any local residential street. No new driveways will be created or needed, and the street pattern in the area will not change from the present. All necessary public facilities and services are provided to the site, or in the case of storm drainage facilities can be provided on-site.

Because the site is designated and zoned for industrial use and it is within an overall industrial area, and there are no bordering or surrounding residential uses, the proposed use will be compatible with and have minimal impact on the livability or appropriate development of surrounding property.

The proposed use is in keeping with the existing use of the property, its location, and the uses included in the IP zone. By adherence to the applicable standards and requirements of the State Fire Marshall and Uniform Building Code, the use will minimize reasonably likely adverse impacts on the immediate neighborhood. No conflicts with land uses on surrounding properties are identified or apparent, and the use will have minimal impact on the appropriate development of surrounding property. For the facts and reasons presented, the proposal satisfies the criteria for a Conditional Use Permit.

SITE PLAN REVIEW CRITERIA

The criteria for a Class 3 Site Plan Review are in SRC 220.005(f)(3):

(A) The application meets all applicable standards of the UDC;

IP zone development standards, SRC 553.010:

(a) Lot Standards

There are no standards pertaining to lot area, width, and depth. The street frontage standard is 16'. The property has 60' of frontage on the access easement.

(b) Setbacks

The setback abutting a street is 16'. The existing building is 40' from the access easement. The proposed storage tank installation does not abut a street.

The zone-to-zone setback for buildings and accessory structures is 10'. No new buildings are proposed. The storage tanks will be 92' from the east line of the property, which adjoins the railroad, and 135' from the west line of the property which adjoins the Salem Parkway right of way.

(c) Lot coverage, height

There is no maximum lot coverage. The height limit for buildings and accessory structures is 45'. The maximum height of a storage tank will be 31' (Site plan Sheet 6). The height of the loading rack will be 17'.

(d) Landscaping

A 10' landscaped setback is required with Type A landscaping, per SRC 807. As shown on Site Plan Sheet 3 a new 20' wide landscaped setback will be added along the west line of the new development area, to continue the existing landscaped setback along this boundary. The additional landscaped setback will contain 1,940 s.f. Plant materials will be installed consistent with SRC 807.015 Table 807-1.

SRC 806 Parking and Loading

Parking requirements are found in SRC 806.015, Table 806-1. Heavy wholesaling requires 1 space per 1,500 square feet. Warehousing and distribution requires the greater of .75 space per employee, or 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.). The site plan shows a total of 26 parking spaces in the paved parking area, with two loading docks on the west side of the building. The number of existing parking and loading spaces satisfies the requirement. The proposed additional use does not require additional parking spaces.

SRC 807 Landscaping and Screening

Landscaping will be provided with the plant units required in the landscaped setback area along the west property line adjoining the Salem Parkway right of way, as shown on the site plan.

As proposed, the proposed use satisfies the applicable development standards of the Code.

(B) The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately;

Access to the property is provided by the Claxter Road easement, which refers to a 60' wide paved access easement that extends north of the public street of the same name. This access easement has been in place for many years and serves four other industrial properties to the south of the MNOP property. The easement ends at the MNOP property. There are no intersecting streets, and there is no other access to the property. Use of the easement is limited to the five properties it serves. The access provides for safe, orderly and efficient circulation of traffic to the properties it serves, and there are no identified negative impacts that require mitigation.

(C) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and

The parking area and driveway are located in the existing developed part of the property, between the building and the west line. The driveway provides for unobstructed movement of vehicles into and out of the property, and circulation within it. It will provide direct access to the storage and loading facility to the north. No changes to the existing driveway and parking area are needed. The area around the storage and loading facility will be paved, which will allow access and circulation as needed.

Parking spaces are located adjacent to the building and its entryway, and along the west side of the driveway corridor. The proximity of the parking spaces to the building allows for safe and efficient pedestrian access. The business does not include retail sales and there is no direct customer contact on the premises. Due to the nature of the proposed use there will be little or no pedestrian access to the proposed storage and loading facility, which will be operated only by trained and authorized employees. Similarly, the operation is not conducive to bicycle traffic, however, bicycle parking will be provided adjacent to the building.

The existing driveway and parking area will also serve the proposed use, and will continue to facilitate the safe and efficient movement of vehicles, bicycles and pedestrians.

(D) The proposed development will be adequately served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development. The property is currently served by City water and sewer services. The proposed storage and loading facility does not require additions to these services. City stormwater facilities are not available to the property. A stormwater retention basin is planned for a location along the east side of the property, as shown on the site plans. With the provision of the stormwater retention basin the proposed use will be serviced with all utilities appropriate to the nature of the development.


Summary

The proposed use is included as a Conditional Use in the IP zone. The use is a part of the existing business, and the type of use or its classification will not change. Bulk product storage is typical for this type of business, which is a supplier and distributor of petroleum products to the surrounding region. The site plan shows how the proposed storage facility will be incorporated with the existing use of the property. This is a large property and the storage tank facility will be located in an area that is currently undeveloped, with wide separations from the adjoining properties in all directions. All of the adjoining properties are zoned IP. The detailed site plans show that the proposed facility will conform to the applicable standards and regulations. For these reasons and as shown on the materials included with the application, the proposal satisfies the criteria for a Conditional Use Permit and for Class 3 Site Plan Review.



MEMO

TO: Brandon Pike, Planner I
Community Development Department

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

DATE: February 3, 2021

SUBJECT: **PUBLIC WORKS RECOMMENDATIONS**
CU-SPR 20-01 (20-116228-ZO and 20-116229-RP)
1977 CLAXTER ROAD NE
TANK FARM SITE IMPROVEMENTS

PROPOSAL

A conditional use permit and Class 3 site plan review to construct 10 above-ground storage tanks with a concrete containment basin, a loading facility, and expansion of an off-street parking area for an existing heavy wholesaling use. The subject property is approximately 4.93 acres in size, zoned IP (Industrial Park), and located at 1977 Claxter Road NE (Marion County Assessor map and tax lot number(s): 073W01C / 3200).

RECOMMENDED CONDITIONS OF APPROVAL

1. Design and construct stormwater facilities in compliance with SRC Chapter 71 and PWDS.

FACTS

Streets

1. Claxter Road NE
 - a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
 - b. Existing Conditions—This street has an approximate 30-foot improvement within a 60-foot-wide Roadway and Utility Easement abutting the subject property.

Code authority references are abbreviated in this document as follows: *Salem Revised Code* (SRC); *Public Works Design Standards* (PWDS); *Salem Transportation System Plan* (Salem TSP); and *Stormwater Management Plan* (SMP).

Storm Drainage

1. Existing Conditions

- a. A private ditch is located in the railroad right-of-way east of the subject property.

Water

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. An 8-inch water main is located within an easement along the western boundary of the subject property. Mains of this size generally convey flows of 500 to 1,100 gallons per minute.

Sanitary Sewer

1. Existing Conditions

- a. An 8-inch sewer main is located in Claxter Road NE at the southern boundary of the subject property.

CRITERIA AND FINDINGS

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

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

Finding—With completion of the conditions above, the subject property meets all applicable standards of the following chapters of the UDC: 601 – Floodplain; 802 – Public Improvements; 803 – Streets and Right-of-Way Improvements; 804 – Driveway Approaches; 805 – Vision Clearance; 809 – Wetlands; and 810 - Landslides.

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

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

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

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

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

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

Finding—The driveway access onto Claxter Road NE provides for safe turning movements into and out of the property.

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

Finding—The Public Works Department has reviewed the applicant's preliminary plan for this site. The water and sewer infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development. The applicant does not show any new connections to public infrastructure.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4)(a) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. At the time of building permit, the applicant shall design and construct stormwater facilities in compliance with SRC Chapter 71 and PWDS.

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

Prepared by: Jennifer Scott, Program Manager
cc: File