

CHAPTER 803
STREETS AND RIGHT-OF-WAY IMPROVEMENTS

- 803.001. Purpose
- 803.005. Definitions
- 803.010. Streets, Generally
- 803.015. Traffic Impact Analysis
- 803.020. Public and Private Streets
- 803.025. Right-of-Way and Pavement Widths
- 803.030. Street Spacing
- 803.035. Street Standards
- 803.040. Boundary Streets
- 803.045. Monuments
- 803.050. Public Accessways
- 803.055. Traffic Control, Parking Regulation, and Street Signs and Pavement Markings
- 803.060. Conveyance by Dedication
- 803.065. Alternative Street Standards
- 803.070. Deferral of Construction of Certain Improvements

803.001. Purpose. The purpose of this Chapter is to establish standards for streets and other improvements within public right-of-way in the City. (Ord No. 31-13)

803.005. Definitions. Unless the context otherwise specifically requires, as used in this Chapter, the following mean:

- (a) Block: The properties abutting one side of a street:
 - (1) Between two cross streets;
 - (2) Between the city limits and the nearest cross street;
 - (3) When there is only one cross street:
 - (A) Between a cross street and the dead end of a street;
 - (B) Between a cross street and a line projected from the centerline of an intersecting street, such as a "T" intersection;
 - (4) When there are no cross streets, then the block shall be between the points 600 feet from the mid-point of the front property line for the property under consideration and along the street.
- (b) Boundary street: An existing street that abuts a unit of land.
- (c) Complex: A group of structures or other development that is functionally or conceptually integrated, regardless of the ownership of the development or underlying land.
- (d) Half-street improvement: A 50 percent portion of the ultimate width of a street.
- (e) Public accessway: A walkway that provides pedestrian and bicycle passage either between two or more streets or from a street to a building or other destination, such as a park or transit stop.
- (f) Reasonably direct: Either a route that does not deviate unnecessarily from a straight line, or a route that does not require a significant amount of out-of-direction travel by likely users.
- (g) Reserve block: A strip of land across the end of a street or alley at the boundary of a subdivision or partition, and dividing it from adjacent property, that is reserved to extend or widen the street in the future or to prohibit access to the street or alley from adjacent property. Reserve blocks are usually one foot in width and either deeded or dedicated to the City.
- (h) Safe and convenient bicycle and pedestrian routes: Facilities and improvements which:
 - (1) Are reasonably free from hazards, particularly types or levels of automobile traffic which would interfere with or discourage pedestrian or bicycle travel for short trips;
 - (2) Provide a reasonably direct route of travel between destinations such as between a

transit stop and a store; and

(3) Meet travel needs of bicyclists and pedestrians considering destination and length of trip; and considering that the optimum trip length of pedestrians is generally one-fourth to one-half mile.

(i) Three quarter street improvement: A half-street improvement on the side abutting the development, plus a minimum 12-foot wide travel lane with shoulders and drainage ditches where needed on the opposite side.

(j) Underimproved street: Any public street, road, or right-of-way which lacks any of the following:

(1) Paving;

(2) Curbing;

(3) Bike lanes (where required);

(4) Sidewalks;

(5) Street lighting;

(6) Stormwater facilities; or

(7) Adequate right-of-way geometry or paving width, grade, or structural sections required under the Public Works Design Standards.

(k) Walkway: A right-of-way or easement designated for the use of non-motorized vehicles and pedestrians. (Ord No. 31-13)

803.010. Streets, Generally. Except as otherwise provided in this Chapter, all streets shall be improved to include the following: adequate right-of-way, paving, curbing, bike lanes (where required), sidewalks, street lighting, stormwater facilities; utility easements, turnarounds, construction strips, landscape strips, parking lanes, adequate right-of-way geometry, paving width, grade, structural sections and monumentation, that conforms to the Public Works Design Standards. (Ord No. 31-13)

803.015. Traffic Impact Analysis.

(a) **Purpose.** The purpose of a traffic impact analysis is to ensure that development generating a significant amount of traffic provides the facilities necessary to accommodate the traffic impacts of the proposed development.

(b) **Applicability.** An applicant shall provide a traffic impact analysis if one of the following conditions exists:

(1) The development will generate 200 or more daily vehicle trips onto a local street or alley, or 1,000 daily vehicle trips onto a collector, minor arterial, major arterial, or parkway. Trips shall be calculated using the adopted Institute of Transportation Engineer's Trip Generation Manual. In developments involving a land division, the trips shall be calculated based on the proposed development that will occur on all lots that will be created by the land division.

(2) The increased traffic resulting from the development will contribute to documented traffic problems, based on current accident rates, traffic volumes or speeds, and identified locations where pedestrian and/or bicyclist safety is a concern.

(3) The City has performed or reviewed traffic engineering analyses that indicate approval of the development will result in levels of service of the street system that do not meet adopted level of service standards.

(c) On-site and off-site public or private improvements necessary to address the impacts identified in the traffic impact analysis may be required as conditions of development approval. Improvements include, but are not limited to, street and intersection improvements, sidewalks, bike lanes, traffic control signs and signals, parking regulation, access controls, driveway approach location and design, and street lighting.

(d) **Exception.** An exception to the requirement for a traffic impact analysis may be granted for development that generates more than the trips specified in subsection (b)(1) of this section if the

Director determines the traffic impact analysis is not necessary to satisfy the purposes set forth in subsection (a) of this section. (Ord No. 31-13)

803.020. Public and Private Streets.

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

(b) **Private Streets.**

(1) Internal streets in subdivisions, partitions, and planned unit developments may be either public or privately owned; provided that the internal streets may be required to be public, given the connectivity, size, configuration, location, and number of lots or dwelling units, and the nature and location of public and common facilities and proposed uses.

(2) Private streets shall conform to this Chapter and the Public Works Design Standards, unless otherwise required by state law.

(3) Any subdivision, partition, or planned unit development that includes private streets shall have recorded covenants, conditions, and restrictions which provide that all common property owners shall be members of a property owners' association. The covenants, conditions, and restrictions shall, at a minimum, require that the association be responsible for the perpetual maintenance and operation of all private streets and related facilities in the development, including but not limited to: parking areas, private streets, privately owned pedestrian/bikeways, and landscape strips. Such association shall have the power to levy and assess against privately owned property in the development all necessary costs for maintenance and operation of the private streets and related facilities. (Ord No. 31-13)

803.025. Right-of-Way and Pavement Widths.

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

**TABLE 803-1
RIGHT-OF-WAY WIDTH**

| Table 803-1: Right-of-Way Width | | |
|--|--------------------|--|
| Right-of-Way | Width | Limitations & Qualifications |
| Parkway | Min. 120 ft. | Applicable for up to four motor vehicle travel lanes. |
| | Min. 144 ft. | Applicable for greater than four motor vehicle travel lanes. |
| Major Arterial | Min. 96 ft. | |
| Minor Arterial | Min. 72 ft. | |
| Collector | Min. 60 ft. | |
| Local Street | Min. 60 ft. | |
| Cul-de-sac | Min. 50 ft. | Applicable to the stem of the cul-de-sac. |
| | Min. 45 ft. radius | Applicable to the turnaround of the cul-de-sac. |
| Alley | Min. 10 ft. | |
| | Max. 20 ft. | |

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

**TABLE 803-2
PAVEMENT WIDTH**

| Table 803-2: Pavement Width | | |
|------------------------------------|-------------------|---|
| Street Type | Width | Limitations & Qualifications |
| Parkway | Min. 80 ft. | |
| Major Arterial | Min. 68 ft. | |
| Minor Arterial | Min. 46 ft. | |
| Collector | Min. 34 ft. | Applicable to Type A collector. |
| | Min. 40 ft. | Applicable to Type B collector. |
| | Min. 34 ft. | Applicable to Type C collector. |
| Local Street | Min. 30 ft. | |
| Cul-de-sac | Min. 30 ft. | Applicable to the stem of the cul-de-sac. |
| | Min 38 ft. radius | Applicable to the turnaround of the cul-de-sac. |

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

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

(e) When an area within a subdivision is set aside for commercial or industrial uses, or where probable future conditions warrant, dedication and improvement of streets to greater widths than those provided in subsection (a) of this section may be required. (Ord No. 31-13)

803.030. Street Spacing.

(a) Streets shall have a maximum spacing of 600 feet from right-of-way line to right-of way line along one axis, and not less than 120 feet and not more than 400 feet from right-of-way line to right-of-way line along the other axis.

(b) Street spacing may be increased where one or more of the following exist:

(1) Physical conditions preclude streets meeting the spacing requirements. Physical conditions include, but are not limited to, topography or the existence of natural resource areas such as wetlands, ponds, streams, channels, rivers, lakes, or a resource protected by state or federal law.

(2) Buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels, physically preclude streets meeting the spacing requirements, considering the potential for redevelopment.

(3) An existing public street or streets terminating at the boundary of the development site exceed the spacing requirements, or are situated such that the extension of the street or streets into the development site would create a block length exceeding the spacing requirements. In such cases, the block length shall be as close to the spacing requirements as practicable.

(4) Strict application of the spacing requirements would result in a street network that is no more beneficial to vehicular, pedestrian, or bicycle traffic than the proposed street network, and the proposed street network will accommodate necessary emergency access. (Ord No. 31-13)

803.035. Street Standards. All public and private streets shall be improved as follows:

(a) Connectivity. Local streets shall be oriented or connected to existing or planned streets, existing or planned schools, parks, shopping areas, transit stops, and employment centers located within one half mile of the development. Local streets shall be extended to adjoining undeveloped properties for eventual connection with the existing street system. Connections to existing or planned streets and adjoining undeveloped properties for eventual connection with the existing street system shall be provided at no greater than 600-foot intervals unless one or more of the following conditions exist:

(1) Physical conditions or the topography, including, but not limited to, freeways, railroads, steep slopes, wetlands, or other bodies of water, make a street or public accessway connection impracticable.

(2) Existing development on adjacent property precludes a current or future connection, considering the potential and likelihood for redevelopment of the adjacent property; or

(3) The streets or public accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, that by their terms would preclude a current or future connection.

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

(c) Alignment and Grade. All streets shall be designed with a vertical alignment that conforms to the Public Works Design Standards. No grade of parkway, major arterial, or minor arterial shall exceed 6 percent. No grade of a collector street shall exceed 8 percent. No grade of a local street shall exceed 12 percent.

(d) Dead-End Streets. When it appears necessary to provide connectivity into or through an abutting undeveloped area, a dead-end street shall be provided to the boundary of the undeveloped area. The street may be constructed and right-of-way may be dedicated without a turnaround unless the Planning Administrator finds that a turnaround is necessary.

(e) Reserve blocks. Reserve blocks controlling access to a street or alley may be required to be dedicated to address one or more of the following:

(1) To prevent access to abutting land at the end of a street in order to assure the proper extension of the street pattern and the orderly development of land lying beyond the street.

(2) To prevent access to the side of a street on the side where additional width is required to meet the right-of-way standards provided in SRC 803.025.

(3) To prevent access to land abutting a street of the development, but not within the development itself.

(4) To prevent access to land unsuitable for development.

(5) To prevent access prior to payment of street improvement assessments or connection charges.

(6) To prevent access to an arterial or collector street.

(f) Cul-de-sacs.

(1) Cul-de-sacs shall not exceed 800 feet in length.

(2) No portion of a cul-de-sac shall be more than 400 feet from an intersecting street or cul-de-sac unless physical constraints make it impractical.

(3) Cul-de-sacs shall have a turnaround with a property line radius of not less than that specified in SRC 803.025(a) from the center of the turnaround to the property lines.

(g) Intersections; Property Line Radius.

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

- (2) The property line radius at intersections shall be not less than the curb line radius as set forth in the Public Works Standards.
- (h) Cut and Fill Slopes.** Fill slopes shall begin no closer than two feet from the rear edge of the sidewalk, or if there is no sidewalk, from to the rear edge of the curb. Cut and fill slopes shall not exceed two horizontal to one vertical, provided that slopes not exceeding one to one may be approved upon certification by a qualified engineer or geologist that the slope will remain stable under foreseeable conditions.
- (i) Slope Easements.** Slope easements shall be provided on both sides of the right-of-way where required by Public Works Design Standards.
- (j) Street Alignment.** Consistent with good engineering practice, street alignment shall, so far as possible, avoid natural and constructed obstacles, including but not limited to mature trees.
- (k) Street Trees.** Development adjacent to public streets shall provide street trees that meet the standards and specifications set forth in SRC Chapter 86.
- (l) Sidewalks.**
- (1) Sidewalk Construction Required.** Sidewalks conforming to this Chapter, the Public Works Design Standards, the Americans with Disabilities Act, the Salem Transportation System Plan, and SRC Chapter 78 shall be constructed as a part of street improvement projects.
- (2) Sidewalk Location; Width.**
- (A)** Sidewalks shall be located parallel to and 1-foot from the adjacent right-of-way; provided, however, on streets having a right-of-way of 50 feet or less, sidewalks shall be located parallel to and abutting the curb.
- (B)** If topography or other conditions make the construction of a sidewalk impossible or undesirable in location required by this subsection, a different location may be allowed.
- (C)** Except as otherwise provided in this paragraph, all sidewalks shall be a minimum of 5 feet in width.
- (D)** Sidewalks connecting with the direct access to the primary entrance of a school shall be a minimum of 8 feet in width along the right-of-way for a distance of 600 feet from the point of connection.
- (E)** Sidewalks shall have an unobstructed 4-foot wide clearance around street lights, signs, mailboxes, and other streetscape facilities.
- (m) Bicycle Facility Standards.** Streets identified in the Salem Transportation System Plan Bicycle System Map as requiring a bicycle facility must conform to the designation of the Salem Transportation System Plan and the Public Works Design Standards.
- (n) Utility Easements.** Public utility easements may be required for all streets. Unless otherwise specified by the Public Works Director, public utility easements shall be a minimum of 10 feet in width on each side of the right-of-way.
- (o) Street Lights.** All subdivisions and partitions, and all development on units of land for which site plan review is required, shall include underground electric service, light standards, wiring, and lamps for street lights that conform to the Public Works Design Standards. The developer shall install such facilities. Upon the City's acceptance of improvements, the street lighting system shall become the property of the City.
- (p) Landscape Strips.** Landscape strips for signs, street lights, and shade trees shall be provided that conform to the Public Works Design Standards.
- (q) Landscaping.** Property owners shall cover at least 75 percent of the unimproved surface area within the right-of-way abutting the property with perennial living plant material which conforms to all other requirements of the UDC, and which is kept free of noxious vegetation.
- (r) Urban Growth Area Street Improvements.** Where a subdivision or partition is located in the Urban Growth Area or the Urban Service Area, and the construction of street improvements by the City has not yet occurred, the street improvements and dedications shall meet the

requirements of SRC Chapter 66. (Ord No. 31-13)

803.040. Boundary Streets.

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

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

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

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

- (1) An area within a subdivision is set aside for commercial or industrial uses, or where probable future conditions warrant.
- (2) Topographical requirements necessitate either cuts or fills for the proper grading of the streets, additional right-of-way width or slope easements may be required to allow for all cut and fill slopes.
- (3) Additional area is required for stormwater facilities located within the right-of-way.

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

- (1) Improvement of the boundary street abutting the property is a funded project in the Five Year Capital Improvement Program;
- (2) The erection or construction of a new building or structure in a complex, if the new building or structure is less than 2000 sq. ft. This exception shall be based on the extent of development existing on December 31, 1995;
- (3) The enlargement of any building or structure, if the enlargement results in less than a 50 percent increase in gross building area. This exception shall be based on the extent of development existing on December 31, 1995;
- (4) The erection, construction, or enlargement of any building or structure to be used entirely for Agriculture, the Keeping of Livestock and Other Animals, or Animal Services, as defined in SRC Chapter 400, and which involve no retail sales; or
- (5) The erection, construction, or enlargement of any building or structure that will generate less than 20 new vehicle trips per day according to the Institute of Transportation Engineers' Trip Generation Manual.

(e) **Improvement.**

- (1) All boundary street improvements shall conform to this Chapter and the Public Works Design Standards.
- (2) The maximum amount of street widening shall not exceed 17 feet on the development side, plus curb, gutters, sidewalks, bike lanes, stormwater facilities, street lights, and signing where appropriate. The minimum requirement for the opposite side of the centerline is a 12-foot-wide paved travel lane. The boundary street improvement shall be provided along the full length of the boundary.
- (3) If development is proposed for only a portion of a development site or complex, the boundary street improvement shall be provided as follows:

(A) Where the area of development exceeds 25 percent of the total development site or complex area, the street improvements shall be the greater of either the actual street frontage of the phase being developed, or the percentage of street frontage equal to the percentage of area being developed.

(B) Where the area of development is equal to or less than 25 percent of the total development site or complex area, the street improvement shall be provided in accordance with the following formula:

(i) $\text{Frontage of Required Street Improvement} = \frac{\text{Proposed Area of Development}}{\text{Area of Undeveloped Site}} \times \text{Total Street Frontage of Entire Development Site or Complex}$.

(C) As used in this paragraph, "area of development" means that area required for structures, setbacks, off-street parking, landscaping, and any special setbacks. (Ord No. 31-13)

803.045. Monuments. Proper monuments that conform to the Public Works Design Standards shall be constructed with street improvements. (Ord No. 31-13)

803.050. Public Accessways.

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

(b) Public accessways shall conform to the Public Works Design Standards, and have width and location as reasonably required to facilitate public use and, where possible, accommodate utility easements and facilities. Public accessways shall be dedicated on the plat. (Ord No. 31-13)

803.055. Traffic Control, Parking Regulation, and Street Signs and Pavement Markings.

The developer shall install all required traffic control, parking regulation, street signs, and pavement markings for all paved blocks of streets within a subdivision or partition prior to final acceptance of the public streets by the City, or prior to the issuance of any building permit for construction within the subdivision or partition for private streets. All traffic control, parking regulation, and street signs and pavement markings shall conform to the Public Works Design Standards, and shall be installed at the developer's expense. (Ord No. 31-13)

803.060. Conveyance by Dedication. All streets within subdivisions or partitions, other than private streets allowed under SRC 803.020, shall be dedicated to the City on the plat. (Ord No. 31-13)

803.065. Alternative Street Standards.

(a) The Director may authorize the use of one or more alternative street standards:

(1) Where existing development or physical constraints make compliance with the standards set forth in this Chapter impracticable;

(2) Where the development site is served by fully developed streets that met the standards in effect at the time the streets were originally constructed; or

(3) Where topography or other conditions make the construction that conforms to the standards impossible or undesirable.

(b) Authorization of an alternative street standard may require additional or alternative right-of-way width, easements, and improvements to accommodate the design and construction using the alternative standard. (Ord No. 31-13)

803.070. Deferral of Construction of Certain Improvements.

(a) Applicant Initiated Deferral. An applicant may apply to defer the construction of the following improvements, upon filing an application and paying the application fee:

(1) Boundary Streets.

(A) Construction of boundary streets may be deferred if:

- (i)** The development site abuts a boundary street section, and the existing vertical or horizontal alignment for the street section neither meets nor can be constructed within the limits of the development site frontage in a manner that conforms to the Public Works Design Standards for future final street grades and alignment;
- (ii)** The development site abuts a local street, the development site has less than 150 feet of frontage, and the use will generate 20 or less new vehicle trips per day;
- (iii)** The development site abuts a local street and there is no improved street section or street improvement deferral for the boundary street within 150 feet of the property corners of the development site; or
- (iv)** Unusual or special conditions exist that, in the opinion of the Public Works Director, would warrant a deferral of all or a part of the improvement.

(2) Sidewalks.

(A) Construction of sidewalks may be deferred if:

- (i)** For property within all zones other than industrial and employment zones:
 - (aa)** The sidewalk is not on a collector street or arterial street; and
 - (bb)** Less than one-half of the required sidewalks on the side of the block where the sidewalk is to be constructed have already been constructed.
- (ii)** For property within industrial and employment zones:
 - (aa)** The sidewalk would not be part of a pedestrian route to a school, shopping center, park, church, or other pedestrian traffic generator, or identified in a local Safe Routes to School Plan as a facility in need of improvement; and
 - (bb)** The deferral would not pose a threat to public safety and welfare, based upon review of pedestrian/vehicular traffic on the street, the width and condition of the street, and on-street parking.

(B) Unless otherwise provided in the deferral agreement, when sidewalk construction has been deferred, the property owner shall:

- (i)** Grade and slope the area to the future sidewalk grade;
- (ii)** Avoid planting trees in the sidewalk area, or building fences, retaining walls, steps, or other impediments to the future sidewalk; and
- (iii)** Note on the plans for the development that a deferment has been granted but that sidewalk construction may be ordered by the City at any time.

(b) City Required Deferral. The Director may require deferral of the construction of part or all of one or more of the improvements identified in subsection (a) of this section at any time. Deferral pursuant to this subsection shall be at no cost to the applicant.

(c) Deferral Agreement. When a deferral is allowed or required pursuant to this section, the applicant shall enter into a deferral agreement. The deferral agreement shall be in a form approved by the City Attorney, shall be filed in the deed records of the appropriate county, and shall provide that the required improvements will be constructed at such time as the Director determines or at such other time as may be specified by resolution of the City Council.

(d) Notation on Plat. The deferral of any improvements shall be noted on the final plat. (Ord No. 31-13)