

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-SPR24-07; 1243-1245 PEACE STREET SE

REQUEST

A consolidated Conditional Use Permit and Class 3 Site Plan Review application for a room and board facility to allow the existing facility to serve up to 16 people on property approximately 0.36 acres in size, zoned CO (Commercial Office), and located at 1243-1245 Peace Street SE (Marion County Assessor Map and Tax Lot Number: 073W35CC03400).

APPLICANT / OWNER: Women at the Well Grace House (Anne Naccarato, Brent Baker, Sarah McBride)

REPRESENTATIVE: Britany Randall, BRAND Land Use

PROPOSAL

The application under review by the Hearings Officer is a consolidated application for a Conditional Use Permit and Class 3 Site Plan Review for property approximately 0.36 acres in size and located at 1243-1245 Peace Street SE (**Attachment A**).

The application seeks approval of a Conditional Use Permit for a room and board facility to allow the existing facility on the property to serve up to 16 people; together with a Class 3 Site Plan Review for the associated building permit required to change the occupancy of the building to correspond to the proposed increase in the number of residents served.

SUMMARY OF RECORD

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

All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You can use the search function without registering and enter the permit number listed here: 24 108919.

APPLICANT'S MATERIALS

Land use applications are required to include a statement addressing the applicable standards and approval criteria of the Salem Revised Code and must be supported by proof they conform

to such standards and approval criteria. The plans submitted by the applicant depicting the proposed development, and in support of the proposal, are included as **Attachment B**.

FACTS AND FINDINGS

1. Procedural Findings

On April 22, 2024, an application for a Conditional Use Permit and Class 3 Site Plan Review was submitted by Britany Randall, of BRAND Land Use, on behalf of the applicant and property owner, Women at the Well Grace House.

Because multiple land use applications are required in connection with the proposed development, they have been consolidated and are being processed together as one pursuant to SRC 300.120(c). When multiple applications are consolidated, the review process for the application follows the highest numbered procedure type required for the land use applications involved, and the Review Authority is the highest applicable Review Authority under the highest numbered procedure type. Based on these requirements, the consolidated Conditional Use Permit and Class 3 Site Plan Review is required to be reviewed by the Hearings Officer and processed as a Type III procedure.

After additional requested information was provided by the applicant, the application was deemed complete for processing on July 23, 2024; and notice of the public hearing was subsequently sent, pursuant to SRC requirements, on July 25, 2024, and posted on the property by the applicant on July 31, 2024. The 120-day state mandated local decision deadline for the application is November 20, 2024.

The public hearing on proposal is scheduled for August 14, 2024.

2. Existing Conditions

Site and Vicinity

The property included with this proposal is approximately 0.36 acres in size and located at 1243-1245 Peace Street SE.

The subject property abuts Peace Street SE on the south and is located approximately 161 feet east of 12th Street SE, a major arterial street. Vehicular, bicycle, and pedestrian access to the property is provided by the existing public street network which serves the subject property and the surrounding area.

Salem Area Comprehensive Plan (SACP)

The subject property is located inside the Salem Urban Growth Boundary and the corporate city limits. The property is designated "Commercial" on the Salem Area Comprehensive Plan (SACP) Map. The comprehensive plan map designations of surrounding properties are as follows:

Comprehensive Plan Map Designations of Surrounding Properties	
North	Commercial
South	Across Pease Street SE, Multiple Family Residential and Commercial
East	Commercial
West	Commercial

Relationship to Urban Service Area

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

Because the subject property is located inside the Urban Service Area, an Urban Growth Preliminary Declaration is not required for the proposed development.

Zoning Map Designation

The subject property is zoned CO (Commercial Office). The zoning of surrounding properties is as follows:

Zoning of Surrounding Properties	
North	CO (Commercial Office)
South	Across Pease Street SE, RM-II (Multiple Family Residential) and CR (Retail Commercial)
East	CO (Commercial Office)
West	CR (Retail Commercial)

City Infrastructure

- *Streets:* The existing conditions of streets abutting the subject property are described in the following table:

Existing Streets			
Street Name		Right-of-way Width	Improvement Width
Peace Street SE <i>(Local)</i>	Standard	60 ft.	30 ft.
	Existing Condition	60 ft.	22 ft.

As identified in the table above, Peace Street SE does not currently meet the improvement width standards for a local street; however, the street does have adequate right-of-way width.

- *City Utilities and Parks:* The existing conditions of city utilities and parks available to serve the subject property are described in the following table:

Utilities & Parks	
Type	Existing Conditions
Water	<i>Water Service Level: G-0</i>
	A 6-inch water main is located in Peace Street NE.
Sanitary Sewer	An 8-inch sanitary sewer main is located in Peace Street NE.
Storm Drainage	A 10-inch storm main is located in Peace Street NE approximately 60-feet east of the subject property.
Parks	The proposed development is served by Clark Creek Park approximately .45 miles west of the subject property.

3. Neighborhood Association and Public Comments

The subject property is located within the boundaries of the Morningside Neighborhood Association.

Applicant Neighborhood Association Contact:

SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this proposed consolidated land use application request require neighborhood association contact. On April 18, 2024, the applicant contacted the Morningside Neighborhood Association to provide details about the proposal; thereby satisfying the requirements of SRC 300.310.

Neighborhood Association Comments:

Notice of the application was provided to the Morningside Neighborhood Association pursuant to SRC 300.620(b)(2)(B)(vii), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. As of the date of completion of the staff report, no comments were received from the neighborhood association.

Homeowners' Association:

Pursuant to SRC 300.620(b)(2)(B)(vi), notice is required to be provided to any active and duly incorporated Homeowners' Association (HOA) involving property subject to a Type III

land use application. According to application materials submitted by the applicant, the subject property is not located within a Homeowners' Association (HOA); therefore, HOA notice is not applicable.

Public Comments:

In addition to providing notice to the neighborhood association, notice was also provided, pursuant to SRC 300.620(b)(2)(B)(ii), (iii), (viii), & (ix), to property owners and tenants within 250 feet of the subject property. As of the date of completion of this staff report, no public comments were received.

4. City Department Comments

- A. The City of Salem Building and Safety Division reviewed the proposal and identified no comments specific to the proposed Conditional Use Permit and Class 3 Site Plan Review. They indicated comments will be provided for the associated building permit as part of their review of the proposed change of occupancy for conformance with the Building Code.
- B. The City of Salem Fire Department reviewed the proposal and indicated, in summary, that the applicant will be required to identify at the time of building permit plan review if or how the proposed facility will be licensed by the State in order to determine any specific requirements that may need to be met based on the license.
- C. The City of Salem Development Services Division reviewed the proposal and provided comments pertaining to City infrastructure required to serve the property. Comments from the Development Services Division are included as **Attachment C**.

5. Public Agency Comments

As of the date of completion of this staff report, no comments from public agencies were received.

DECISION CRITERIA FINDINGS

6. Analysis of Conditional Use Permit Approval Criteria

SRC Chapter 240.005(a)(1) provides that no building, structure, or land shall be used or developed for any use which is designated as a conditional use in the UDC unless a conditional use permit has been granted pursuant to this Chapter.

Salem Revised Code (SRC) 240.005(d) sets forth the following criteria that must be met before approval can be granted to an application for a Conditional Use Permit. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings of fact evaluating the proposal's conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the Conditional Use Permit or for the issuance of conditions of approval to satisfy the criteria.

SRC 240.005(d)(1): The proposed use is allowed as a conditional use in the zone.

Finding: The requested conditional use permit is for a room and board facility to allow the existing facility (Grace House) to serve up to 16 people. The written statement provided by the applicant indicates that the current and proposed classification of the use on the property is group living room and board, and that in accordance with the requirements of the CO (Commercial Office) zone included under SRC 521.005 – Table 521-1, group living room and board uses serving more than five persons requires a Conditional Use Permit.

Staff concurs with the findings included in the applicant’s written statement. The existing facility provides transitional housing primarily to single women without dependents. As indicated in the applicant’s written statement, the facility currently serves up to five people but the applicant is seeking conditional use permit approval to increase the capacity of the existing facility to serve up to 16 women.

Pursuant to SRC 400.035, Group Living uses consist of the residential occupancy of a structure on a wholly or primarily long-term basis typically 30 days or more by a group of people not meeting the characteristics of Household Living either because the structure does not provide self-contained dwelling units or because the structure is occupied by a group of people who do not meet the definition of family, or both. Group living facilities generally include common facilities that are shared by residents, including, but not limited to, facilities for dining, social and recreational activities, and laundry.

Room and Board is a specific type of Group Living use. Pursuant to SRC 400.035(a), Room and Board is characterized by, “...group living facilities where no personal care, training, and/or treatment requiring a license from the State is provided.”

Because the existing facility provides shared living accommodations to individuals in a group setting where no personal care, training, and/or treatment requiring a license from the State is provided, the facility is classified as a Room and Board use under SRC 400.035(a).

The subject property is zoned CO (Commercial Office). Allowed uses within the CO zone are established under SRC 521.005 – Table 521-1. Within the CO zone room and board facilities serving five or fewer persons are allowed as a Permitted Use and room and board facilities serving six to 75 persons are allowed as a Conditional Use. Because the proposal requests to increase the number of persons served by the existing facility to up to 16, the proposed use is allowed as a Conditional Use in the zone. This approval criterion is met.

SRC 240.005(d)(2): The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions.

Finding: The written statement provided by the applicant indicates, in summary, that the proposed increase in the number of residents served by the facility will not have adverse impacts on the immediate neighborhood due to a number of existing factors. The applicant explains that the existing use has successfully operated within the neighborhood for over a decade without any documented impacts or issues. Most of the individuals being served by Grace House do not own a vehicle, minimizing the likelihood of vehicular congestion. Thick,

mature landscaping exists on the site along the perimeter near property lines; therefore, screening the use from adjacent developments. No exterior alterations are proposed or needed in order to increase the capacity of services at this location.

The applicant indicates that the proposed expansion will benefit the immediate neighborhood and the greater community by helping women in need become contributing members of society after enduring hardships. The nonprofit helps to facilitate women transitioning from homelessness, incarceration, or other hardships and create a sense of community among the residents of the facility. The women who utilize Grace House participate in gardening and group activities, and everyone is managed individually based on their specific needs. The applicant explains that the proposed increase in women being served will likely not create any adverse impacts on the surrounding neighborhood.

Staff concurs with the findings included in the applicant's written statement. The facility currently exists and has operated at the subject property in a manner that has not resulted in apparent issues or adverse impacts. As indicated by the applicant, the property is surrounded by mature vegetation which acts to visually obscure the property and buffer the use from adjacent properties. Potential impacts resulting from increased parking and vehicular traffic are minimized due to many of the women served by the facility not owning vehicles. The proposed increase in the number of individuals served from five up to 16 is a relatively small increase in comparison to the maximum number of 75 persons otherwise allowed within the CO zone with conditional use permit approval. The proposed increase in the number of individuals served can also be accommodated within the existing building without requiring any expansions or additions; thereby, further lessening the potential for adverse impacts and allowing the applicant to more efficiently utilize their existing space and expand their reach to serve a greater number of women in need.

Based on the nature of the proposed use and how the existing facility is currently developed, the reasonably likely adverse impacts of the proposed use on the immediate neighborhood are minimized and addressed by the existing conditions of the site without the need for conditions of approval. This approval criterion is met.

SRC 240.005(d)(3): The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.

Finding: The written statement provided by the applicant indicates, in summary, that the subject site has been utilized in its current capacity for room and board since 2013, as a home where women needing assistance transitioning from incarceration or homelessness can learn and grow to be contributing successful members of a community. The properties to the west of the subject parcel are developed with commercial uses that run along 12th Street, which is a major arterial street. Located on the east side of 12th Street (*directly west of subject site*) at its intersection with Peace Street is a U.S. Market convenience store, a 76 Gas Station, and a Mexican restaurant. Moving north towards Fairview Ave SE there is a drive through coffee shop (Java Crew) and a beauty salon. To the east of the subject site on Peace Street SE there are the Pineview Terrace Apartments and Lazsal Construction offices which are both commercial uses. There are also single-family dwellings scattered throughout the immediate vicinity. Grace House looks and operates like a residential facility with low traffic to and from the site and it will continue to function as a residential use. Due

to the significant commercial influence in the immediate area and the existing dwellings adjacent to the site, the proposal will be minimally impactful to surrounding properties. The proposal will not change the appearance of the exterior of the structure or the property.

Staff concurs with the findings included in the applicant's written statement. The subject property is zoned CO (Commercial Office) and abuts other CO zoned properties to the north and east; as well as CR (Retail Commercial) zoned property to the west. To the south of the subject property across Peace Street is RM-II (Multiple Family Residential) zoned property and other property that is zoned CR.

Both the CO zone, which applies to the subject property, and the CR zone, which applies to abutting property to the west, are commercial zones which implement the City's Commercial Comprehensive Plan Map designation. As identified in the Comprehensive Policies Plan of the Salem Area Comprehensive Plan (SACP), the Commercial comprehensive plan designation is intended to provide for a variety of office, retail, services, recreation, and entertainment uses. As provided under SRC 521.001, the CO zone implements the Commercial comprehensive plan designation by generally allowing office and professional service uses, along with a mix of housing and limited retail and personal services.

As indicated in the written statement provided by the applicant, the subject property is not located within a primarily residential area but instead an area characterized by a variety of non-residential and residential uses in close proximity to two busy arterial streets (12th Street SE to the west and Pringle Road SE to the east). Due to the variety of uses in the surrounding area including commercial uses to the west, single family uses to the south, and multiple family residential uses to the east, the proposed room and board facility with an increased capacity to serve up to 16 residents falls below the maximum 75 persons otherwise allowed within the CO zone with a conditional use permit and will be reasonably compatible with, and have minimal impact on, the livability or appropriate development of surrounding property. This approval criterion is met.

7. Analysis of Class 3 Site Plan Review Approval Criteria

Salem Revised Code (SRC) 220.005(f)(3) sets forth the following criteria that must be met before approval can be granted to an application for Class 3 Site Plan Review. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 220.005(f)(3)(A): The application meets all applicable standards of the UDC.

Finding: The proposal includes a Conditional Use Permit for a room and board facility to increase the number of residents allowed to be served by the existing facility to 16. The subject property is designated "Commercial" on the Salem Area Comprehensive Plan (SACP) Map and zoned CO (Commercial Office). The proposed development conforms to SRC Chapter 521 and all other applicable development standards of the Salem Revised Code as follows:

SRC Chapter 521 (CO Zone)

SRC 521.005(a) – Allowed Uses:

The existing facility provides transitional housing primarily to single women without dependents. As indicated in the applicant's written statement, the facility currently serves up to five people but the applicant is seeking conditional use permit approval to increase the capacity of the existing facility to serve up to 16 women.

Pursuant to SRC 400.035, Group Living uses consist of the residential occupancy of a structure on a wholly or primarily long-term basis typically 30 days or more by a group of people not meeting the characteristics of Household Living either because the structure does not provide self-contained dwelling units or because the structure is occupied by a group of people who do not meet the definition of family, or both. Group living facilities generally include common facilities that are shared by residents, including, but not limited to, facilities for dining, social and recreational activities, and laundry.

Room and Board is a specific type of Group Living use. Pursuant to SRC 400.035(a), Room and Board is characterized by, "...group living facilities where no personal care, training, and/or treatment requiring a license from the State is provided."

Because the existing facility provides shared living accommodations to individuals in a group setting where no personal care, training, and/or treatment requiring a license from the State is provided, the facility is classified as a Room and Board use under SRC 400.035(a).

The subject property is zoned CO (Commercial Office). Allowed uses within the CO zone are established under SRC 521.005 – Table 521-1. Within the CO zone room and board facilities serving five or fewer persons are allowed as a Permitted Use and room and board facilities serving six to 75 persons are allowed as a Conditional Use. Because the proposal requests to increase the number of persons served by the existing facility to up to 16, the proposed use is allowed as a Conditional Use in the zone and the applicant has therefore applied for a conditional use permit. Staff's analysis of the requested conditional use permit for conformance with the applicable conditional use permit approval criteria is included under Section 6 of this report.

SRC 521.010(a) – Lot Standards:

Minimum lot size and dimension requirements within the CO zone are established under SRC 521.010(a) – Table 521-2. Within the CO zone, Room and Board uses are required to have a minimum lot size of 6,000 square feet and a minimum street frontage of 16 feet. No minimum lot width or depth requirements are applicable to Room and Board uses within the CO zone.

The subject property is approximately 0.36 acres (*15,682 square feet*) in size and has approximately 129 feet of frontage on Peace Street SE. The subject property therefore exceeds the minimum lot size and street frontage requirements of the CO zone.

SRC 521.010(b) – Setbacks:

Setbacks within the CO zone are established under SRC 521.010(b) – Table 521-3 and Table 521-4. A summary of setbacks applicable to Room and Board uses within the CO zone is provided as follows:

CO Zone Setbacks Applicable to Room and Board Uses		
Abutting Street		
Buildings, Accessory Structures, & Parking and Vehicle Use Areas	Min. 12 ft.	
Interior Side & Interior Rear ⁽¹⁾		
Buildings and Accessory Structures	None	Applicable zone-to-zone setback abutting a Commercial Zone
Parking and Vehicle Use Areas	Min 5 ft. with Type A Landscaping ⁽¹⁾	
Notes		
(1) <u>Type A Landscaping</u> : Pursuant to SRC 807.015(a), Table 807-1, Type A Landscaping requires a minimum planting density of 1 plant unit per 20 square feet of landscaped area.		

As indicated in the applicant’s written statement, the proposal does not include any additions to the building or alterations to the site. As illustrated by the site plan (**Attachment B**), the existing building and site improvements conform to the setback requirements of the CO zone.

SRC 521.010(c) – Lot Coverage; Height:

Within the CO zone, pursuant to SRC 521.010(c) – Table 521-5, the maximum lot coverage requirement for buildings and accessory structures is 60 percent; and the maximum height requirement applicable to buildings and accessory structures for the proposed use is 70 feet.

The proposal does not include any new buildings or accessory structures or additions to the existing building or any of the existing accessory structures. As illustrated on the site plan, the existing building and accessory structures on the site do not exceed the maximum allowed 60 percent lot coverage standard of the CO zone. Similarly, all of the existing structures on the property are one-story in height and do not exceed the maximum 70-foot building and accessory height of the CO zone.

SRC 521.010(d) – Landscaping:

Within the CO zone, pursuant to SRC 521.010(d), landscaping is required as follows:

Setbacks. Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.

Vehicle use areas. Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.

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 vehicular use areas, may count toward meeting this requirement.

As indicated in the applicant's written statement, the proposal does not include any additions to the building or alterations to the site. As such, the landscaping requirements of SRC 521.010(d) are not applicable to the proposal.

SRC 521.010(e) – Outdoor Storage:

Within the CO zone, pursuant to SRC 521.010(e), outdoor storage of materials and equipment is prohibited, except in conjunction with residential uses where the storage is screened from adjacent streets and properties by a sight-obscuring fence, wall, or hedge.

As shown on the site plan, the proposed use does not include any areas for the outdoor storage of materials and equipment. This CO zone standard is therefore not applicable to the proposal.

SRC Chapter 800 (General Development Standards)

SRC 800.055 – Solid Waste Service Areas

SRC 800.055 establishes standards that apply to:

- (1) All new solid waste, recycling, and compostable service areas, where use of a solid waste, recycling, and compostable receptacle of 1 cubic yard or larger is proposed; and
- (2) Any change to an existing solid waste service area for receptacles of one cubic yard or larger that requires a building permit.

As shown on the site plan, the existing facility is not served by a solid waste receptacle of 1 cubic yard or larger and no changes to garbage service have been identified by the applicant as being proposed. As such, the solid waste service area standards of SRC 800.055 are not applicable to the proposal.

SRC 800.065 – Pedestrian Access

SRC 800.065 establishes standards for pedestrian access to buildings and through development sites. Under this section, pedestrian connections are required:

- Between building entrances and streets;

- Between buildings on the same development site;
- Through off-street surface parking areas greater than 25,000 square feet in size or including four or more consecutive parallel drive aisles;
- Through parking structures/parking garages where an individual floor of the parking structure or garage exceeds 25,000 square feet in size;
- To existing or planned paths and trails; and
- To abutting properties when shared vehicular access is provided between them.

Pursuant to SRC 800.065, the above pedestrian connections are required for development, other than development of single-family, two-family, three-family, and four-family uses, and multiple family uses subject to SRC chapter 702; and apply to the construction of, or addition to, a building or accessory structure or the construction of, or alteration or addition to, an off-street parking or vehicle use area.

Because the proposal does not include any building additions or alterations to the site, the pedestrian access standards of SRC 800.065 are not applicable to the proposal. However, the existing facility does include a pedestrian connection from the western portion of the building to Peace Street.

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

SRC Chapter 806 establishes requirements for off-street parking, loading, and driveways. Included in the chapter are standards for maximum off-street vehicle parking; minimum bicycle parking; minimum loading; and parking, bicycle parking, loading, and driveway development standards.

Off-Street Parking.

Maximum Off-Street Vehicle Parking. Maximum off-street vehicle parking requirements are established under SRC 806.015(a)(1) – Table 806-1. The maximum off-street parking requirement for Room and Board uses is as follows:

Maximum Off-Street Parking	
Room and Board Facilities	1 space per guest room or suite

The proposed facility will have five guest rooms resulting in a maximum off-street parking requirement of five spaces. The facility does not exceed the maximum off-street parking requirements of SRC Chapter 806.

Bicycle Parking.

Minimum Bicycle Parking. Minimum bicycle parking requirements are established under SRC 806.055(a) – Table 806-9. The minimum bicycle parking requirement for Room and Board uses is as follows:

Minimum Bicycle Parking	
	Bike Parking Ratio
Room and Board Facilities	The greater of 4 spaces or 1 space per 50 rooms

Based on the above identified minimum bicycle parking requirement, a minimum of four bicycle parking spaces are required for the five guest rooms included in the facility. As shown on the site plan, there are currently no bike parking spaces provided within the development. Pursuant to SRC 806.045(c), when bicycle parking is required to be added to an existing bicycle parking area that has a nonconforming number of spaces, the number of spaces required for any intensification, expansion, or enlargement of the use or activity shall be provided in addition to the number of spaces required to remedy the existing deficiency.

Because the existing facility currently has no bicycle parking spaces, the following condition of approval is recommended to bring the facility into conformance with the minimum bicycle requirements of SRC 806.055:

Condition 1: Prior to building permit approval, the site plan shall be revised to provide a minimum of four bicycle parking spaces located and developed in conformance with the bicycle parking development standards included under SRC 806.060.

The proposal, as recommended to be conditioned, conforms to the bicycle parking requirements of SRC Chapter 806.

Off-Street Loading Areas.

Minimum off-street loading requirements are established under SRC 806.075 – Table 806-11. The minimum loading requirement for Room and Board uses is as follows:

Minimum Loading	
Room and Board Facilities	<i>None (applicable to buildings less than 5,000 sq. ft.)</i>

Based on the above identified minimum off-street loading requirement, no off-street loading is required for the proposed facility because it is less than 5,000 square feet in size.

SRC Chapter 601 (Floodplain Overlay Zone)

Development within floodplains is regulated to preserve and maintain the capability of the floodplain to convey flood water discharges and to minimize danger to life and property.

The Floodplain Administrator 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 Chapter 808 (Preservation of Trees & Vegetation)

The City's tree preservation ordinance (SRC Chapter 808) protects:

- 1) Heritage Trees;
- 2) Significant Trees (including Oregon White Oaks with diameter-at-breast-height (*dbh*) of 20 inches or greater and any other tree with a *dbh* of 30 inches or greater, with the exception of tree of heaven, empress tree, black cottonwood, and black locust);
- 3) Trees and native vegetation in riparian corridors; and
- 4) Trees on lots or parcels 20,000 square feet or greater.

The tree preservation ordinance defines "tree" as, "any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more *dbh*, and possesses an upright arrangement of branches and leaves."

As shown on the site plan (**Attachment B**), there are existing trees located on the subject property. However, based on the size and species of the trees identified on the site plan, none of the trees are classified as significant trees under SRC 808.

Because the proposal includes no building additions or alterations to the site, none of the existing trees on the property will be impacted and the proposal therefore conforms to the tree preservation requirements of SRC Chapter 808.

SRC Chapter 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.

SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

According to the Salem-Keizer Local Wetland Inventory (LWI) there are no mapped wetlands or waterways located on the subject property.

SRC Chapter 810 (Landslide Hazards)

The City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility.

According to the City's adopted landslide hazard susceptibility maps, the subject property does not contain any areas of mapped landslide hazard susceptibility points. Pursuant to the City's landslide hazard ordinance, a geologic assessment is therefore not required in conjunction with the proposed development.

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 subject property has frontage on Peace Street SE, which is designated as a local street under the City's Transportation System Plan (TSP). Comments from the Development Services Division (**Attachment C**) indicate that Peace Street SE does not currently meet the improvement width standards for a local street; however, the street does have adequate right-of-way width. The ultimate improvement width for a local street is 30 feet according to SRC 803.025 Table 803-2 (*Pavement Width*) and the existing condition is approximately 22-feet in width. However, because the proposal does not involve a new building or building addition subject to boundary street improvements established in SRC 803.040(a), no right-of-way dedication or street improvements are required as a condition of development.

Vehicular access to the room and board facility is provided by an existing driveway off Peace Street and the network of existing public streets that surround the property. The street system adjacent to the facility provides for the safe, orderly, and efficient circulation of traffic to and from the development. This approval criterion is met.

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 subject property is currently served by one driveway off Peace Street SE. The existing driveway access provides for safe turning movements into and out of the property and modifications are not warranted per SRC Chapter 804 (Driveway Approaches). The existing parking area and driveway on the site provides for the safe and efficient movement of vehicles, bicycles, and pedestrians. This approval criterion is met.

SRC 220.005(f)(3)(D): 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 Development Services Division reviewed the proposal and determined that water, sewer, and storm infrastructure are available and appear to be adequate to serve the proposed facility. This approval criterion is met.

RECOMMENDATION

Based upon the Facts and Findings contained in the staff report, staff recommends that the Hearings Officer adopt the facts and findings of the report and take the following actions for the subject property located at 1243-1245 Peace Street SE (Marion County Assessor Map and Tax Lot Number: 073W35CC03400):

A. **APPROVE** the Conditional Use Permit.

B. **APPROVE** the Class 3 Site Plan Review subject to the following condition of approval:

Condition 1: Prior to building permit approval, the site plan shall be revised to provide a minimum of four bicycle parking spaces located and developed in conformance with the bicycle parking development standards included under SRC 806.060.

Attachments:

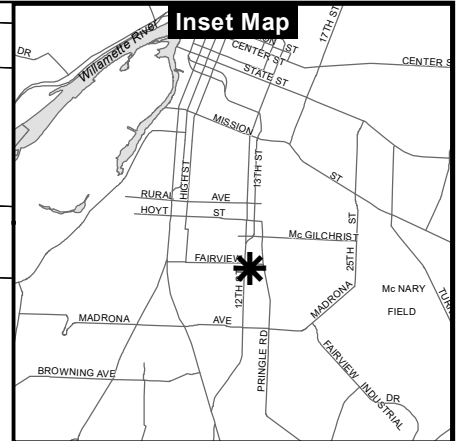
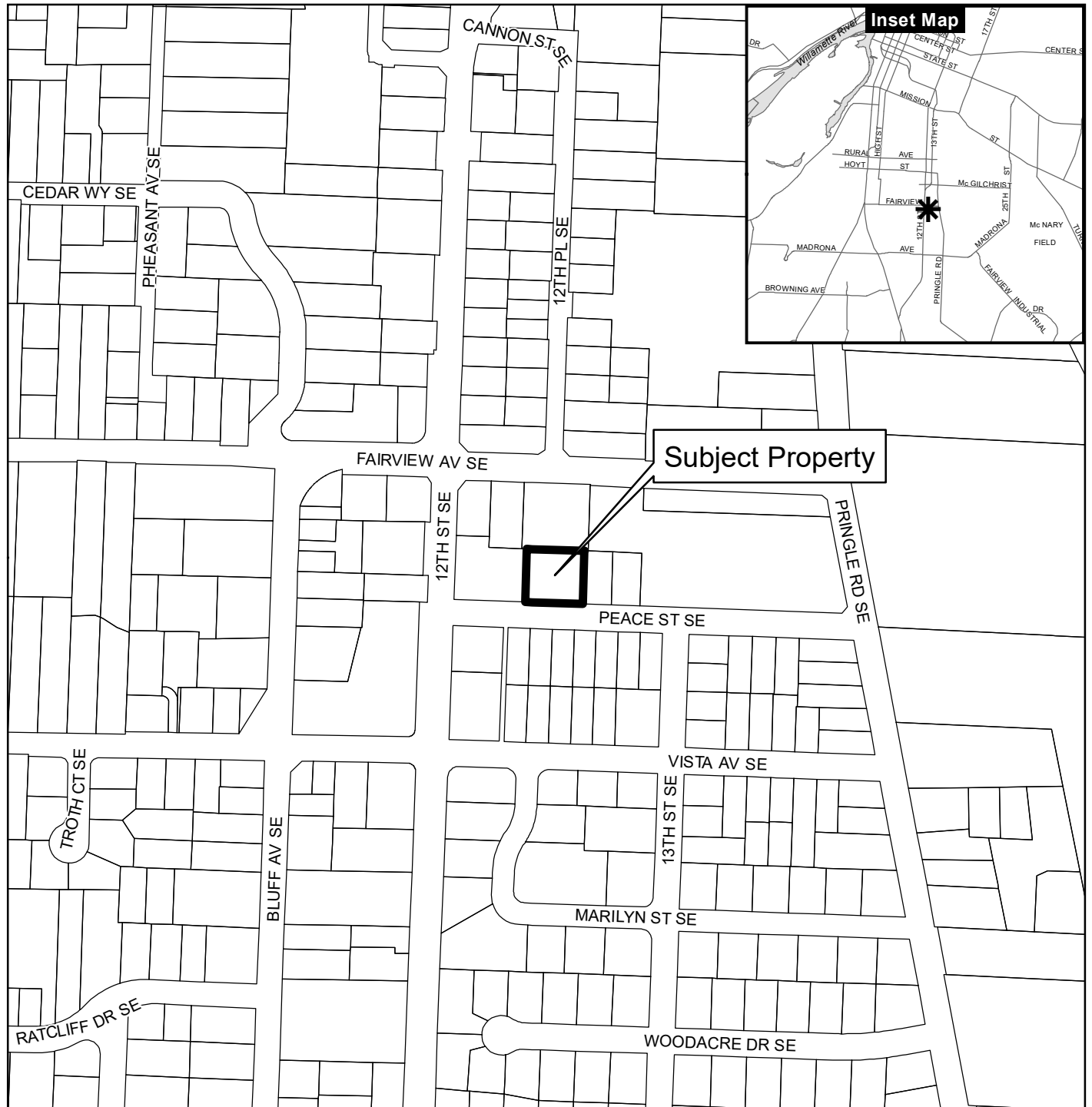
- A. Vicinity Map
- B. Site Plan
- C. City of Salem Development Services Division Comments

Prepared by Bryce Bishop, Planner III








G:\CD\PLANNING\CASE APPLICATION Files 2011-On\CONDITIONAL USE + SCU\2024\Planner Docs\CU-SPR24-07.bjb.docx

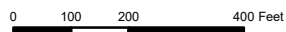
Vicinity Map

1243-1245 Peace Street SE



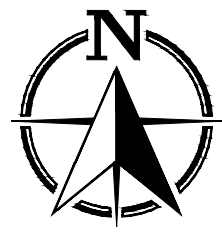
Legend

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



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Attachment B



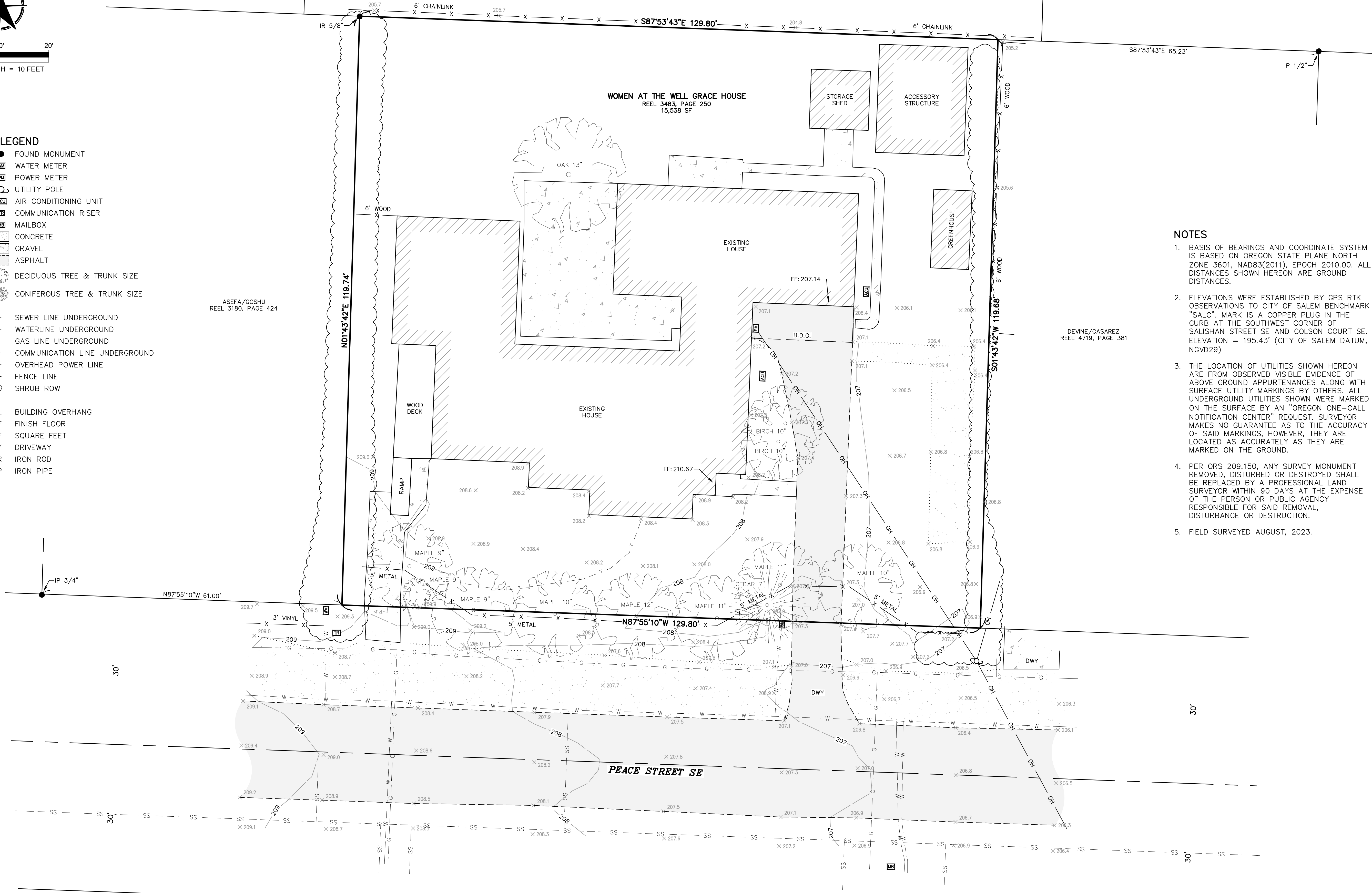
0' 10' 20'
SCALE: 1 INCH = 10 FEET

SOLAR GOLD II, LLC
REEL 3680, PAGE 357

- LEGEND**
- FOUND MONUMENT
 - WM WATER METER
 - PM POWER METER
 - UP UTILITY POLE
 - ACU AIR CONDITIONING UNIT
 - CR COMMUNICATION RISER
 - MB MAILBOX
 - CONCRETE
 - GRAVEL
 - ASPHALT
 - # DECIDUOUS TREE & TRUNK SIZE
 - # CONIFEROUS TREE & TRUNK SIZE
 - SS SEWER LINE UNDERGROUND
 - W WATERLINE UNDERGROUND
 - G GAS LINE UNDERGROUND
 - T COMMUNICATION LINE UNDERGROUND
 - OH OVERHEAD POWER LINE
 - X FENCE LINE
 - SHRUB ROW
 - B.D.O. BUILDING OVERHANG
 - FF FINISH FLOOR
 - SF SQUARE FEET
 - DWY DRIVEWAY
 - IR IRON ROD
 - IP IRON PIPE

ASEFA/GOSHU
REEL 3180, PAGE 424

DEVINE/CASAREZ
REEL 4719, PAGE 581



- NOTES**
1. BASIS OF BEARINGS AND COORDINATE SYSTEM IS BASED ON OREGON STATE PLANE NORTH ZONE 3601, NAD83(2011), EPOCH 2010.00. ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES.
 2. ELEVATIONS WERE ESTABLISHED BY GPS RTK OBSERVATIONS TO CITY OF SALEM BENCHMARK "SALC". MARK IS A COPPER PLUG IN THE CURB AT THE SOUTHWEST CORNER OF SALISHAN STREET SE AND COLSON COURT SE. ELEVATION = 195.43' (CITY OF SALEM DATUM, NGVD29)
 3. THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED VISIBLE EVIDENCE OF ABOVE GROUND APPURTENANCES ALONG WITH SURFACE UTILITY MARKINGS BY OTHERS. ALL UNDERGROUND UTILITIES SHOWN WERE MARKED ON THE SURFACE BY AN "OREGON ONE—CALL NOTIFICATION CENTER" REQUEST. SURVEYOR MAKES NO GUARANTEE AS TO THE ACCURACY OF SAID MARKINGS, HOWEVER, THEY ARE LOCATED AS ACCURATELY AS THEY ARE MARKED ON THE GROUND.
 4. PER ORS 209.150, ANY SURVEY MONUMENT REMOVED, DISTURBED OR DESTROYED SHALL BE REPLACED BY A PROFESSIONAL LAND SURVEYOR WITHIN 90 DAYS AT THE EXPENSE OF THE PERSON OR PUBLIC AGENCY RESPONSIBLE FOR SAID REMOVAL, DISTURBANCE OR DESTRUCTION.
 5. FIELD SURVEYED AUGUST, 2023.

FFN SURVEYING
7230 3rd Street SE #145, Turner, OR 973
P: (503) 558-3330 E: info@ffnsurveying.com

TOPOGRAPHIC SURVEY
FOR: 1245 PEACE STREET SE
IN THE SW 1/4 OF SECTION 35, T.7S., R.3W., W.M.
CITY OF SALEM, MARION COUNTY, OREGON

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON 12017
SEPTEMBER 12, 2017
STEVEN L. HOWELL
91559
RENEWS: 6-30-2025

NO.	DATE	DESCRIPTION
0	24AUG23	INITIAL RELEASE

JOB NO. 23-447
SHEET 1/1



MEMO

TO: Bryce Bishop, Planner III
Community Planning and Development Department

FROM: Laurel Christian, Infrastructure Planner III
Community Planning and Development Department

DATE: August 6, 2024

**SUBJECT: Infrastructure Memo
CU-SPR24-07 (24-108919-PLN)
1243 Peace Street SE
Room and Board for up to 16 Persons**

PROPOSAL

A consolidated Conditional Use Permit and Class 3 Site Plan Review application for a room and board facility to allow the existing facility to serve up to 16 people on property approximately 0.36 acres in size, zoned CO (Commercial Office), and located at 1243-1245 Peace Street SE (Marion County Assessor Map and Tax Lot Number: 073W35CC03400).

SUMMARY OF FINDINGS

The proposed development meets applicable criteria related to public infrastructure.

EXISTING CONDITIONS – INFRASTRUCTURE

The existing conditions of public infrastructure available to serve the subject property are described in the following table:

Utilities & Parks	
Type	Existing Conditions
Water	Water Service Level: G-0
	A 6-inch water main is located in Peace Street NE.
Sanitary Sewer	An 8-inch sanitary sewer main is located in Peace Street NE.
Storm Drainage	A 10-inch storm main is located in Peace Street NE approximately 60-feet east of the subject property.
Parks	The proposed development is served by Clark Creek Park approximately .45 miles west of 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).

The existing conditions of streets abutting the subject property are described in the following table:

Streets			
Street Name		Right-of-way Width	Improvement Width
Peace Street SE (Local)	Standard:	60-feet	30-feet
	Existing Condition:	60-feet	22-feet

SITE PLAN REVIEW DECISION CRITERIA

The following Code references indicate the criteria that must be found to exist before an affirmative decision may be made. The applicable criteria and the corresponding findings are as follows:

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

Finding—As proposed and conditioned in the findings within the memo, the development meets all the applicable standards in the UDC as follows:

SRC Chapter 200 - Urban Growth Management:

SRC Chapter 200 (Urban Growth Management) requires issuance of an Urban Growth Preliminary Declaration (UGA) prior to development of property located outside the City's Urban Service Area.

Finding: The subject property is located inside the Urban Service Area and adequate facilities are available. No Urban Growth Area permit is required.

SRC 802 – Public Improvements:

▪ *Development to be served by City utilities:*

SRC 802.015 requires development to be served by City utilities designed and constructed according to all applicable provisions of the Salem Revised Code and Public Works Design Standards (PWDS).

Finding: Public water, sanitary sewer, and stormwater infrastructure is available along the perimeter of the site and appears to be adequate to serve the property. The existing structure is connected to public utilities; no modifications are proposed at this time.

SRC 803 – Street and Right-of-way Improvements

▪ *Boundary Street Improvements*

Pursuant to SRC 803.025, except as otherwise provided in this chapter, right-of-way width and pavement width for streets and alleys shall conform to the standards set forth

in Table 803-1 (Right-of-way Width) and Table 803-2 (Pavement Width). In addition, SRC 803.040 requires dedication of right-of-way for, and construction or improvement of, boundary streets up to one-half of the right-of-way and improvement width specified in SRC 803.025 as a condition of approval for certain development.

Finding: Peace Street SE abuts the subject property and is classified as a local street according to the Salem Transportation System Plan (TSP). Peace Street SE does not meet the current improvement width standards for a local street, however, has adequate right-of-way width. The ultimate improvement width for a local street is 30 feet according to SRC 803.025 Table 803-2 (Pavement Width) and the existing condition is approximately 22-feet in width. The proposal does not involve a new building or building addition subject to boundary street improvements established in SRC 803.040(a); therefore, no right-of-way dedication or street improvements are required as a condition of development. The existing street system is adequate to serve the proposed development.

SRC Chapter 804 – Driveway Approaches:

SRC 804 establishes development standards for driveway approaches providing access from the public right-of-way to private property in order to provide safe and efficient vehicular access to development sites.

Finding: The development site is served by an existing driveway approach onto Peace Street NE. The development does not include exterior modifications or modifications to the driveway approach serving the site.

SRC Chapter 805 – Vision Clearance:

SRC Chapter 805 establishes vision clearance standards in order to ensure visibility for vehicular, bicycle, and pedestrian traffic at the intersections of streets, alleys, flag lot accessways, and driveways.

Finding: The existing structure meets the vision clearance standards established in SRC Chapter 805.

Natural Resources:

SRC 601 – Floodplain: Development in the floodplain shall be regulated to preserve and maintain the capability to the floodplain to convey the flood water discharges and to minimize danger to life and property.

Finding: Floodplain Administrator 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 Chapter 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 wetlands 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. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

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

SRC Chapter 810 - Landslide Hazards: The City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility.

Finding: 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— Access to the proposed development will be provided by the network of existing public streets that surround the property. The street system in and adjacent to the development will provide for the safe, orderly, and efficient circulation of traffic to and from the development. This criterion is met.

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 Peace provides for safe turning movements into and out of the property and modifications are not warranted per SRC Chapter 804 (Driveway Approaches).

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 Development Services division reviewed the proposal and determined that water, sewer, and storm infrastructure are available and appear to be adequate to serve the proposed facility. This approval criterion is met.

Prepared by: Laurel Christian, Infrastructure Planner III
cc: File