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**CITY OF SILVERTON  
APPLICATION FOR  
LAND USE REVIEW**

**SCHEMME LANE  
PLANNED DEVELOPMENT**

Location: 1459 Pine Street NE  
Tax Lot 3200 of  
Tax Map 61W34BB,  
Marion County

Prepared by: Steve Kay, AICP

Prepared for: North Willamette Valley  
Habitat for Humanity  
PO Box 852  
Mount Angel, OR 97362

February 3, 2021

## **APPLICANT'S STATEMENT**

**PROJECT NAME:** Schemmel Lane Planned Development

**REQUEST:** Approval of a Zoning Map Amendment to Designate the Subject Property R-5 with Concurrent Planned Development to Create 6 Single-Family Detached Lots, Design Review and Land Division for 12 Single-Family Attached Lots, and Development of Parking Facilities and Recreational Amenities within Tract 'A'.

**PROPERTY LOCATION:** Tax Lot 3200  
Tax Map 61W34BB  
Marion County

**APPLICANT'S REPRESENTATIVE:** Steve Kay, AICP  
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**APPLICANT/PROPERTY OWNER:** North Willamette Valley  
Habitat for Humanity  
PO Box 852  
Mount Angel, OR 97362

**PROPERTY SIZE:** 1.89 acres +/-

**LOCATION:** 1459 Pine Street NE

**I. APPLICABLE REGULATIONS**

**A. Silverton Development Code**

**Article 2: Land Use (Zoning) Districts**

- Chapter 2.2: Residential Districts**
- Chapter 2.5: Floodplain Overlay District**
- Chapter 2.6: Hillside Protection Overlay District**
- Chapter 2.7: Wetlands and Riparian Overlay District**
- Chapter 2.8: Public Overlay District**

**Article 3: Community Design Standards**

- Chapter 3.0: Design Standards Administration**
- Chapter 3.1: Access and Circulation**
- Chapter 3.2: Landscaping, Street Trees, Fences and Walls**
- Chapter 3.3: Parking and Loading**
- Chapter 3.4: Public Facilities**

**Article 4: Administration of Land Use and Development**

- Chapter 4.1: Type of Review Procedures**
- Chapter 4.2: Land Use Review and Design Review**
- Chapter 4.3: Land Divisions and Property Line Adjustments**
- Chapter 4.5: Planned Development**
- Chapter 4.7: Zoning Map and Development Code Text Amendments**

**B. Silverton Comprehensive Plan**

- Urbanization Element**
- Agricultural Lands Element**
- Open Space, Natural and Cultural Resources Element**
- Air, Water, and Land Resources Quality Element**
- Natural Hazards Element**
- Housing Element**
- Economy Element**
- Transportation Element**
- Energy Element**
- Public Facilities and Services Element**
- Citizen Involvement Element**

**C. Statewide Planning Goals**

- Goal 1: Citizen Involvement**
- Goal 2: Land Use Planning**
- Goal 3: Agricultural Lands**
- Goal 4: Forest Lands**
- Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources**
- Goal 6: Air, Water and Land Resource Quality**
- Goal 7: Areas Subject to Natural Disasters or Hazards**
- Goal 8: Recreational Needs**
- Goal 9: Economic Development**
- Goal 10: Housing**
- Goal 11: Public Facilities**
- Goal 12: Transportation**
- Goal 13: Energy Conservation**
- Goal 14: Urbanization**

## **II. BACKGROUND:**

The applicant and property owner, North Willamette Valley Habitat for Humanity, is requesting land use approval of a Zoning Map Amendment application to change the subject property's existing R-1 (Single-Family Residential) designation to R-5 (Low-Density Residential). In addition, the applicant is requesting approval of a Planned Development application that includes a land division for 6 single-family detached lots, land division and design review for 12 single-family attached lots, Tract 'A' parking and common open space improvements, and development of public street improvements. Through the planned development process, the applicant is requesting several modifications to Chapter 2.2 Residential District standards, including minimum lot size, minimum lot width, minimum lot depth, and minimum lot frontage standards.

The subject site consists of Tax Lot 3200 of Tax Map 61W34BB and is addressed as 1459 Pine Street NE. Per the attached Existing Conditions Plan, the property contains a total of 1.89 acres. Directly west and to the northwest across Pine Street NE are UT-5 zoned properties that are located outside the city limits and within the Silverton Urban Growth Bouny. To the north across Pine Street NE is the entrance to the Silverton High School campus. To the east of the site along Schemmel Lane NE are a number of R-1 zoned properties that are developed with single-family dwellings. To the south of the subject property is the City of Silverton Wastewater Treatment Plant.

The attached Existing Conditions Plan demonstrates that the site generally slopes down from the south to north boundary of the property (see Exhibit 3). A number of existing trees and other improvements have been noted on the plan. A concrete slab for a single-family dwelling that is currently under construction is located at the south end on the property.

The submitted Preliminary Site Plan and Building Plans and Elevations illustrate that a variety of affordable housing types are proposed for the site, consistent with identified housing needs for the community. The Silverton 2020 Housing Needs Analysis and Housing Strategies Plan, which were adopted as a supporting document to the City's Comprehensive Plan, indicates that additional single-family homes on smaller lots are required to address affordable housing needs of the community. The proposed zone change and planned development will help address these needs with the development of 18 single-family homes that are targeted for lower income families. Habitat for Humanity has been working with partner families for nearly 40 years in the Willamette Valley, constructing dozens of homes during this time period. The proposed project design will allow Habitat for Humanity's partner families to attain home ownership in a development that builds a sense of community through the provision of common open space within the development (see Exhibits 3 and 4).

As indicated by the attached Existing Conditions Plan and Preliminary Utility Plan, public facilities are in the vicinity of the subject site and can be extended to accommodate the proposed development. The attached plans indicate that public sanitary sewer service will be provided by connecting to an existing main line within Schemmel Lane NE (see Exhibit 3). Public water service is proposed by extending a main line from Pine Street NE and looping it to the Schemmel Lane main line. Stormwater will be managed by collecting stormwater from impervious surfaces, treating and detaining it on-site, and releasing it at the pre-development rate into the Schemmel Lane public storm system (see Exhibits 3 and 5).

The submitted Existing Conditions Plan indicates that the site has frontage on Pine Street NE, an Arterial Street, and Schemmel Lane NE, a Local Street. The submitted Preliminary Site Plan demonstrates that frontage improvements are proposed along both roadways. In addition, the applicant is proposing to extend Street A from Schemmel Lane to the west boundary of the property. The applicant is proposing to close existing vehicle access from Pine Street and only provide secondary fire access from that roadway to the site. Access to Lots 1-11 is proposed through Tract 'A', which in turn connects to Schemmel Lane. Proposed Lots 12-14 have individual driveway connections to Street A. The applicant's Preliminary Site Plan indicates that access to Lots 15-18 will be provided directly from Schemmel Lane.

This Applicant's Statement addresses applicable provisions of the Silverton Development Code, City Comprehensive Plan, and Statewide Planning Goals. Copies of the signed Application Form, Property Deed, Concept and Detailed Preliminary Development Plans, and Preliminary Stormwater Report have been attached to this narrative. The exhibits and narrative demonstrate that the submitted land use applications meet the criteria for approval.

### III. FINDINGS

#### A. SILVERTON DEVELOPMENT CODE

##### ARTICLE 2: LAND USE (ZONING) DISTRICTS

###### Chapter 2.2: Residential Districts

###### **Section 2.2.110: Residential districts – Allowed land uses.**

**Table 2.2.110.A identifies the land uses that are allowed in the residential districts. The specific land use categories are described, and examples of uses are provided in Chapter 1.6 SDC. Land uses may not be modified through a planned development, except as provided in Chapter 4.5 SDC. Table 2.2.110.B specifies the land uses allowed in the acreage residential district.**

#### **COMMENT:**

To address the community's affordable housing goals, the Silverton City Council adopted a new Housing Needs Analysis and Housing Strategies Plan at their November 2, 2020 meeting. Currently, approximately 80% of Silverton's existing housing stock is single-family detached housing, mostly located on large lots. This trend has been influenced by the predominance of R-1 zoning within the city limits and existing Development Code standards which encourage this type of development. Single-family homes on large lots have steadily increased in price in Silverton. With the current average selling price of \$395,000, these homes are unattainable for lower income populations within the community. Approximately 30% of Silverton households are paying more than 30% of their gross income on housing costs, which leaves them cost-burdened when addressing other cost of living expenses. The recently adopted City documents indicate a need to diversify housing types to address the needs of all incomes. Identified City strategies include increasing dwelling unit density through up-zoning properties, reducing single-family lot sizes, reducing lot dimension standards, and removing other barriers to the development of a wider range of housing.

The attached Existing Conditions Plan indicates that the subject site is currently vacant and zoned R-1. Habitat for Humanity's 2020 State of the Nation's Housing Report finds that low-density zoning restrictions, excessive parking requirements, and high development fees contribute to the continued undersupply of affordable homes. The proposed R-5 designation will increase unit density, lower infrastructure per cost per unit, and allow more affordable housing options to be constructed on the site. The applicant, North Willamette Valley Habitat for Humanity, has a long track record of partnering with families in need and helping them reach the goal of home ownership. The attached Preliminary Site Plan indicates that the proposed zoning and requested Code modifications will permit the development of 6 single-family detached lots and 12 single-family attached lots on the site. The submitted layout and Building Plans and Elevations demonstrate that the variety of home types will be constructed to offer multiple paths to affordable home ownership. The proposed planned development also includes the construction of Tract 'A' improvements, which includes permitted accessory uses in the R-5 district including sheds, a parking area, and common open space improvements.

###### **Section 2.2.120: Residential Districts – Development Standards.**

**The development standards in Table 2.2.120.A apply to all uses, structures, buildings, and development, and major remodels, in the residential districts. Table 2.2.120.B specifies development standards for the acreage residential district. The standards may be modified with approval of a planned development.**

**COMMENT:**

Through the planned development process, the applicant is proposing to modify several standards listed under Table 2.2.120.A. As demonstrated by the attached Preliminary Plat, the applicant is proposing to create 18 single-family dwelling units on the site by reducing the R-5 minimum lot size from 5,000 sq. ft. to as much as 1,170 sq. ft., reducing the minimum lot width standard from 50-ft to as much as 30-ft., and reducing the minimum lot depth from 60-ft. to as much as 39-ft. (see Exhibit 3). The submitted plans demonstrate that larger lots within the development front adjacent public rights-of-way, while the smallest lots are located interior to the development. As required, this narrative addresses modifications to the residential development standards under Chapter 4.5, Planned Developments.

**Section 2.2.130: Residential districts – Setback yards – Exceptions, reverse frontage lots and flag lots.**

- A. Residential Yard Setbacks – Purpose. Residential setback yards provide space for private yards and building separation for fire protection/security, building maintenance, sunlight and air circulation. The setback yard standards contained in Table 2.2.120 are also intended to promote human-scale design and traffic calming by diminishing the visual presence of garages along the street and encouraging the use of pedestrian amenities, such as extra-wide sidewalks and street furnishings in multiple-family developments and in residential-commercial projects. The standards also encourage the orientation of buildings to provide street visibility for public safety and neighborhood security.**

**COMMENT:**

The submitted Preliminary Site Plan indicate that the applicant is proposing to reduce the minimum interior yard setback from 7-ft. to as much as 4-ft. for 2-story detached single-family structures. In addition, Lots 1-14 are proposed with 0-ft. front yard setbacks since they are oriented towards common open space areas within Tract 'A' (see Exhibit 3). The submitted plans demonstrate that all street setbacks and perimeter setbacks are consistent with R-5 standards. As permitted under Section 2.2.120, these modifications to setback standards are being requested through the planned development process.

**Section 2.2.150: Residential Districts – Housing Density.**

- A. Residential Density Standard. To ensure efficient use of buildable lands and to provide for a range of needed housing**



**in conformance with the comprehensive plan, all new developments in the residential districts shall conform to the minimum and maximum densities prescribed in Table 2.2.120, except as provided in subsections (A)(1) through (3) of this section:**

**COMMENT:**

Under the proposed R-5 zoning, a maximum of 19 units may be developed on the 1.89 acres site (1.89 acres x 10 units/acre = 18.90, or 19 units). The minimum density for the site is 9 units (1.89 acres x 5 units/acre = 9.45, or 9 units). Through the Planned Development process, the applicant is proposing to develop a total of 18 units on the site. As such, the proposed development meets the minimum and maximum density standards of Table 2.2.120.

**B. Residential Density Calculation.**

- 1. Minimum and maximum housing densities are calculated by multiplying the total parcel or lot area by the applicable density range. Properties must be developed within the minimum and maximum range. Some properties may not be capable of accommodating development at maximum densities. Properties that cannot meet maximum density standards may consider transferring density and modifying allowable lot sizes and/or housing types through a planned development process. Typical constraints include street right-of-way requirements, parcel configuration, or the presence of natural features or physical constraints.**
- 2. Areas reserved for flag lot access (flag poles) are not counted for the purpose of calculating minimum lot area.**
- 3. Housing density calculations resulting in fractions of dwelling units shall be rounded to the nearest whole number.**

**COMMENT:**

With the proposed planned development, the submitted application meets the minimum and maximum density range for the R-5 District. The attached Concept Plan indicates that there are no flag poles associated with the proposed single-family lots. As demonstrated above, the applicant has calculated the allowed residential density using the required methodology.

**Section 2.2.160: Residential districts – Lot Coverage and Impervious Surfaces.**

- A. Lot Coverage. The maximum allowable lot coverage shall be as provided in Table 2.2.120. Lot coverage by buildings is**

calculated as the percentage of a lot or parcel covered by buildings and structures exceeding 30 inches above grade, including enclosed and unenclosed structures (as defined by the foundation plane).

- B. **Impervious Surfaces.** Impervious surface shall not exceed 50 percent of the required setback yards. Impervious surfaces are calculated as the percentage of a lot or parcel covered by building foundations, patios, decking, asphalt, concrete, gravel, and similar surfaces, except where such surfaces allow stormwater infiltration and are approved by the city for such purpose. Impervious area does not include planted areas, porous nonplant ground covers (e.g., mulch) and landscaped areas under eaves.

**COMMENT:**

The applicant is requesting a land division for 6 proposed single-family detached homes on Lots 11-15 and 18. In addition, a land division and design review are requested for the zero-lot line homes on Lots 1-10 and Lots 16-17. Through the planned development process, the applicant is requesting a modification to increase the maximum lot coverage standard from 50% to as much as 66% for the proposed development. Since proposed front yard setbacks are being modified through the planned development process, the applicant is also requesting a modification to increase the maximum 50% impervious surfaces standard up to 66%. The submitted Preliminary Site Plan demonstrates that 15,054 sq. ft., or 18.29% of the total site area, has been dedicated as of usable common open space area for the planned development. Therefore, the proposed lot coverage and impervious surface modifications will be mitigated by the provision of a large vegetated open space area within the development.

**Section 2.2.170: Residential Districts – Building Height, Measurement and Exceptions.**

**COMMENT:**

The submitted Building Elevations demonstrate that the applicant is not proposing an exception to the building height standards (see Exhibit 4). The City will verify that the above standards are met when detailed plans are submitted during building permit review.

**Section 2.2.180: Residential Districts – Building Orientation.**

- C. **Building Orientation Standards.** All primary structures shall conform to the following:

- 1. **Except as provided below, all primary structures shall have at least one primary entrance (i.e., dwelling entrance, lobby entrance, or breezeway/courtyard entrance serving a cluster of dwellings) facing an adjacent street, or if on a side elevation, not more than 30 feet from a street sidewalk. See Figure 2.2.180.C(1)**

**COMMENT:**

The attached preliminary plans demonstrate that the long and narrow site is challenged with limited opportunities to orient buildings toward adjacent public streets (see Exhibit 3). The Preliminary Site Plan demonstrates that Lot 1 and Lots 15-18 have primary entrances fronting adjacent rights-of-way or will have primary entrances located within 30-ft. of street sidewalk. Since Lots 2-14 are interior to the site, or are oriented towards common open space areas, primary entrances for these homes are accessible from walkways within the development. As a result, the applicant is requesting a modification to the primary entrance standards for Lots 2-14 through the planned development process.

- 2. Except as allowed for single-family detached dwellings, or as provided below, off-street parking, driveways, and other vehicle areas shall not be placed between buildings and the street(s) to which they are oriented, as per subsection (C)(1) of this section and Figure 2.2.180.C(1). Off-street parking and driveways may be placed between buildings and streets where the approval body finds that one of the following exemptions in subsections (C)(2)(a) through (e) of this section applies and allowing the exemption will not adversely affect pedestrian access, safety or convenience:**
  - b. Attached single-family housing developments (townhomes) with street-facing garages may have not more than one driveway access located between the street and the primary building entrance for every two dwelling units, provided the access meets the following criteria, as generally shown in Figure 2.2.180.C(2):**

**COMMENT:**

The attached Preliminary Site Plan, and Preliminary Building Floor Plans and Elevations, demonstrate that proposed off-street parking areas and driveways for all of the single-family attached single-family lots have been sited in conformance with the above standards (see Exhibits 3 and 4).

**Section 2.2.190: Residential Districts – Architectural Design Standards.**

- C. Standards. All projects that are subject to this section shall meet all of the standards in subsections (C)(1) through (5) of this section, except as modified through SDC 4.2.510, Design performance option. The graphics provided with each standard are intended to show examples of how the standards can be met and should not be interpreted as requiring a specific architectural feature or style. Other building styles and designs can be used to meet the standards when the approval body finds they are consistent**

with the text. An architectural feature, as shown below, may be used to comply with more than one standard.

1. **Building Length.** The continuous horizontal distance, as measured from end-wall to end-wall, of individual buildings shall not exceed 88 feet in the R-1, R-5, and RM-10 districts and 120 feet in the RM-20 district.

**COMMENT:**

The attached Preliminary Site Plan, and Building Plans and Elevations, demonstrate that the proposed residential structures meet the building length standard. The City will verify that this design element is met when detailed plans for the structures are submitted for building permit review.

2. **Articulation.** All buildings shall incorporate design features such as varying roof lines, offsets, balconies, projections (e.g., overhangs, porches, or similar features), recessed or covered entrances, window reveals, change in materials or textures (e.g., stone or faux stone, brick, wood or concrete-wood (shakes versus lap or board and batten siding, etc.)), or similar elements to break up large expanses of uninterrupted building surfaces or blank walls. Along the horizontal and vertical face of a structure, and on all building stories, such elements shall occur at least once every 20 feet, and each floor shall contain at least two elements, as generally shown in the figures in this section.
  - a. Recess (e.g., deck, patio, courtyard, entrance or similar feature) with a minimum depth of four feet;
  - b. Extension (e.g., floor area, deck, patio, entrance, overhang, or similar feature) projecting a minimum of two feet and running horizontally for a minimum length of four feet;
  - c. Offsets or breaks in roof elevation of two feet or greater in height; and/or
  - d. Change in materials, where one material is the predominant material on all elevations (e.g., where wood lap siding is the predominant material, brick, stone or faux stone could be selected for wainscoting or column accents; and wood or wood-appearance shingles could be used as accents on gable ends, etc.).

**COMMENT:**

The submitted Preliminary Building Floor Plans and Elevations demonstrate that the proposed structures are well articulated and incorporate all of the above design elements (see Exhibit 4). The City will verify that these design elements are met when detailed plans for the structures are submitted for building permit review.

- 3. Eyes on the Street. All building elevations visible from a street right-of-way shall provide prominent defined entrances, and a combination of windows, doors, porches, balconies, and terraces. A minimum of 40 percent of front (i.e., street-facing) elevations, and a minimum of 30 percent of side and rear building elevations, as a percentage of surface area and horizontal plane (lineal feet), shall meet this standard. Windows used to meet this standard shall be proportionately sized and evenly distributed, as generally shown in the figures above. The standard applies to each full and partial building story.**
  
- 4. Repealed by Ord. 14-01.**

**COMMENT:**

The attached Preliminary Building Floor Plans and Elevations demonstrate that street-facing elevations of the proposed structures provide windows, porches, and balconies to meet the above standards (see Exhibit 4). In addition, windows and porches for the proposed dwellings also provide surveillance over common open space areas within the development. The City will verify that the eyes on the street standard is met when detailed plans are submitted for building permit review.

- 5. Detailing and Design Variety. All buildings shall provide detailed design on all street-facing walls (i.e., those oriented 45 degrees or less from street lot line). Detailed design shall be provided by using at least five of the architectural features in subsections (C)(5)(a) through (u) of this section as is appropriate for the proposed building type and style. The applicant may select the desired elements. It is not within the approval body's authority to prescribe specific elements except when the project is being reviewed as part of a planned development or conditional use request, or it is subject to the design performance option under subsection (C)(5)(v) of this section, only in these cases may the approval body require specific design elements or features, consistent with the purpose in subsection (A) of this section.**
  - a. Dormers;**

- b. Gables (roof pitch minimum of 4:12);**
- c. Recessed entries;**
- d. Covered porch entries or portico;**
- e. Cupolas or towers;**
- f. Pillars or posts;**
- g. Eaves (minimum six-inch projection);**
- h. Off-sets in building face or roof (minimum 16 inches);**
- i. Window trim (minimum two inches wide);**
- j. Bay windows;**
- k. Balconies;**
- l. Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation, and similar features);**
- m. Decorative cornice or pediment (e.g., for flat roofs);**
- n. Decorative shingles and molding on gable end;**
- o. Gable end truss;**
- p. Recessed garage;**
- q. Decorative accent (brick, stone, rock, etc.) on front facade;**
- r. Projected entries;**
- s. Window detail (mullions or other);**
- t. Pitched roof, minimum 4:12;**
- u. Shutters;**
- v. An alternative feature providing visual relief, similar to subsections (C)(5)(a) through (u) of this section, as approved through the design performance option under SDC 4.2.510.**

**COMMENT:**

The submitted Preliminary Building Floor Plans and Elevations demonstrate that at least 5 of the above design elements are provided on street-facing elevations for each of the proposed structures (see Exhibit 4). When detailed plans are submitted during building permit review, the City will verify that the proposed structures meet the detail and design variety standards.

**Section 2.2.200: Residential Districts – Special Use Standards.**

**This section provides standards for specific land uses and building types, as identified in Table 2.2.110.A, that control the scale and compatibility of those uses within the residential districts. The standards in this section supplement (are in addition to and do not replace) the standards in SDC 2.2.100 through 2.2.190, and applicable building codes. This section applies to the following uses and building types, as specified in subsections (A) through (K) of this section:**

- B. Attached Single-Family (Townhouses) and Two or More Duplexes Attached. Attached housing with three or more dwellings, and attached duplex housing (two or more consecutively attached duplexes), shall conform to the standards in subsections (B)(1) through (2) of this section, which are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas.**
  - 1. Alley Access Required for Subdivisions Containing Townhomes or Duplexes. Subdivisions, or blocks within subdivisions, containing more than six consecutively attached single-family dwellings, or four or more attached duplexes (eight-plus dwelling units), shall provide vehicle access to all such lots and units from an alley or parking court, as described in SDC 3.1.200. Alley(s) and parking court(s) shall be created at the time of subdivision approval, and may be contained in private tracts or, if approved by the city, in public right-of-way, in accordance with SDC 3.4.100, Transportation standards, and Chapter 4.3 SDC, Land Divisions and Property Line Adjustments.**

**COMMENT:**

The submitted Preliminary Site Plan does not indicate that the applicant is proposing 6 or more consecutively attached single-family dwellings with this planned development. Therefore, the above standards do not apply.

2. **Common Areas.** Any common areas (e.g., landscaping, private tracts, common driveways, private alleys, building exteriors, and/or similar common areas) shall be owned and maintained by a homeowners' association or other legal entity. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.

**COMMENT:**

The submitted Preliminary Site Plan indicates that Tract 'A' contains a shared parking area, landscaped areas, and recreational amenities. As required, the proposed common open space areas will be owned and maintained by a homeowner's association. A copy of the covenants, restrictions and conditions will be recorded and provided to the City prior to building permit approval.

- J. **Multiple-Family Housing.** Where multifamily housing is allowed, it shall conform to all of the following standards, which are intended to promote livability for residents and compatibility with adjacent uses. Figure 2.2.200.H provides a conceptual illustration of the requirements listed below.

**COMMENT:**

The applicant is not proposing to develop multi-family housing. Therefore, these standards do not apply.

**Chapter 2.5: Floodplain Overlay District**

**COMMENT**

The subject site is not located within the Floodplain Overlay District, therefore these standards do not apply.

**Chapter 2.6: Hillside Protection Overlay District**

**COMMENT**

The subject site is not located within the Hillside Protection Overlay District, therefore these standards do not apply.

**Chapter 2.7: Wetlands and Riparian Overlay District**



**COMMENT:**

There are no wetlands or riparian areas associated with the subject site. Therefore, the standards of this chapter do not apply.

**Chapter 2.8: Public Overlay District**

**COMMENT**

The subject site is not located within the Public Overlay District, therefore these standards do not apply.

**ARTICLE 3: COMMUNITY DESIGN STANDARDS**

**Chapter 3.0: Design Standards Administration**

**Section 3.0.200: Design Standards – Applicability.**

This article is applied differently based on whether a project is classified as a major project or a minor project. In addition to the following criteria, each chapter of this article contains “applicability” directions.

- A. Major Project. Major projects are those that require design review (Chapter 4.2 SDC), land division (Chapter 4.3 SDC), conditional use review (Chapter 4.4 SDC), or planned development (Chapter 4.5 SDC) approval. Such projects must conform to the applicable sections of all of the following chapters:**
- 1. Land use district standards (Article 2).**
  - 2. Access and Circulation (Chapter 3.1 SDC).**
  - 3. Landscaping, Street Trees, Fences and Walls (Chapter 3.2 SDC).**
  - 4. Parking and Loading (Chapter 3.3 SDC).**
  - 5. Public Facilities (Chapter 3.4 SDC).**
  - 6. Historic Landmarks (Chapter 3.5 SDC).**

**COMMENT:**

Since the applicant is requesting approval of a planned development, this application is considered a major project. As required, this narrative has addressed all applicable sections and chapters of the Development Code listed above.

**Chapter 3.1: Access and Circulation**

**Section 3.1.200: Vehicle Access and Circulation**

- C. Access Permit Required. Access to a public street (e.g., a new curb cut or driveway approach) requires an access permit. An access permit may be in the form of a letter from the roadway authority to the applicant, or it may be attached to a land use decision notice as a condition of approval. In either case, approval of an access permit shall follow the procedures and requirements of the applicable roadway authority, as determined through the review procedures in Article 4.**

**COMMENT:**

The attached Existing Conditions Plan indicates that the subject site has frontage on Pine Street NE, which is classified as an Arterial Street and is under Marion County jurisdiction (see Exhibit 3). As required, an access permit will be obtained from the County for the proposed gated secondary fire accessway. The subject site also fronts Schemmel Lane NE, which is classified as a Local Street and is under City of Silverton jurisdiction. In addition, the applicant is proposing to install improvements meeting Local Street standards and dedicate Street A to the City. As required, approval for the proposed access to Schemmel Lane and Street A will be requested from the City of Silverton.

- D. Traffic Impact Study Requirements. The public works director may require a traffic study prepared by a registered traffic engineer to determine access, circulation, and other transportation requirements in conformance with SDC 4.1.900, Traffic impact studies.**

**COMMENT:**

At a December 3, 2020 pre-application conference with the City of Silverton, staff indicated that a traffic impact study would not be required for the proposed 18 dwelling unit project.

- E. Conditions of Approval. The public works director or other road authority may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system.**

**COMMENT:**

The attached Existing Conditions Plan indicates that an existing gravel driveway connects from the site to Pine Street NE. At the pre-application conference, Marion County staff indicated that the proposed gated secondary fire access to Pine Street will be permitted, however residential access from this Arterial Street would be prohibited. The submitted Preliminary Site Plan demonstrates that proposed access to all of the lots will be provided from Schemmel Lane NE or from Street A (see Exhibit 3).

**F. Corner and Intersection Separation – Backing onto Public Streets. New and modified accesses shall conform to the following standards:**

- 1. Except as provided under subsection (F)(4) of this section, the distance between street intersections or other street accesses shall meet the minimum spacing requirements as provided in the transportation system plan.**

**COMMENT:**

The attached Preliminary Development Plans illustrate that the proposed street access spacing along Schemmel Lane, between the Street A/Schemmel Lane intersection and the Schemmel Lane/Pine Street intersection is approximately 475-feet. The distance along Pine Street, between the Schemmel Lane/Pine Street intersection and the west boundary of the site, is approximately 280-feet. Therefore, the minimum 500-ft. spacing of roadways along an Arterial Street, and the 250-500-ft. Local Street spacing standards is met.

- 2. New property access shall be subject to the design requirements of the transportation system plan and public works design standards. The public works director may limit or require the closure and/or combination of driveway approaches, and/or impose turning restrictions (i.e., right in/out, right in only, or right out only), consistent with public works design standards or those of other roadway authorities, as applicable.**

**COMMENT:**

The submitted Preliminary Development Plans demonstrate that proposed Street A, as well as the frontage improvements along Pine Street NE and Schemmel Lane NE, have been designed to meet Transportation System Plan and Public Works standards.

- 3. Vehicular access to and from off-street parking areas shall not permit backing onto a public street, except as allowed through design review or a planned development approval. (Single-family dwellings and duplex dwellings are exempt.)**

**COMMENT:**

The attached Preliminary Site Plans demonstrates that the proposed single-family dwellings on Lots 12-18 will require vehicle backing onto public streets. Vehicles from the remainder of the single-family dwellings will back up within Tract 'A' before entering Schemmel Lane NE in a forward manner (see Exhibit 3). Since the planned development consists of only single-family dwellings, proposed vehicular access is consistent with the above standards.

- 4. The roadway authority may reduce the required separation distance of access points where the standard would otherwise result in a taking of private property, or conformance to the standard is not feasible due to existing lot dimensions, development, other physical features, or conflicting code requirements (e.g., driveway grade requirements, or building or fire code requirements). Where the roadway authority finds that reducing the separation distance is warranted, the total number of access points to the site shall be limited to the minimum necessary to provide reasonable access and shared/joint access may be required.**

**COMMENT:**

The applicant is not requesting a reduction in the required access spacing standards, therefore the above standards do not apply.

- G. Site Circulation. New developments shall be required to provide a circulation system that accommodates expected traffic generated from development. Pedestrian connections, including connections through large sites, connections between sites (as applicable), and to adjacent sidewalks, must be provided and shall conform to SDC 3.1.300.**

**COMMENT:**

As required, the proposed development includes pedestrian connections through the site and to adjacent sidewalks along Pine Street NE and Schemmel Lane NE (see Exhibit 3).

- H. Joint and Cross-Access – Requirements. The number of driveway and private street intersections with public streets shall be minimized by the use of shared driveway approaches for adjoining commercial, industrial and multifamily developments, and for other uses where they abut a collector or arterial street. When necessary for traffic safety and access management purposes, or to access flag lots, the city may require joint access and/or shared driveways in the following situations:**

1. For shared parking areas.
2. For adjacent developments, where access onto an arterial or collector street is limited and access spacing standards cannot otherwise be met.

**COMMENT:**

As demonstrated by the attached Preliminary Site Plan, the applicant is proposing to minimize the number of driveways connections to Street A and Schemmel Lane by providing shared access through Tract 'A' for Lots 1-11. The proposed shared driveway provides a turnaround meeting fire apparatus and waste collection vehicle standards (see Exhibit 3). Vehicle access to Pine Street NE, an Arterial Street, is not proposed.

- I. **Joint and Cross-Access – Reduction in Required Parking Allowed.** When a shared driveway is provided or required as a condition of approval, the land uses adjacent to the shared driveway may have their minimum parking standards reduced in accordance with the shared parking provisions of SDC 3.3.300(D).

**COMMENT:**

The applicant is not requesting a reduction to the City's parking requirements. Therefore, these standards do not apply.

- J. **Joint and Cross-Access – Easement and Use and Maintenance Agreement.** Pursuant to this section, and concurrent with final plat recordation, property owners sharing an access drive must provide a joint agreement, consistent with subsections (J)(1) through (3) of this section. For projects not involving a land division, the city may not issue certificate(s) of occupancy until the property owners have completed subsections (J)(1) through (3) of this section.
  1. Record an easement with the deed allowing cross-access to and from other properties served by the joint-use driveways and cross-access or service drive;
  2. Record an agreement with the deed that remaining access rights along the roadway for the subject property shall be dedicated to the city and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;
  3. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.

**COMMENT:**

The attached Preliminary Plat, Preliminary Site Plan, and Utility Plans indicate that shared access and utility services will be provided through Tract 'A' to Lots 1-11 (see Exhibit 3). Tract 'A' will be jointly owned and maintained by the owners of all the lots within the planned development. As required, homeowner association documents will be recorded with the property deeds in accordance with the above standards.

**K. Access Connections and Driveway Design. All openings onto a public right-of-way (access connections) and driveways shall conform to all of the following design standards:**

- 1. Driveway Approaches. Driveway approaches, including private alleys, shall be designed and located to provide exiting vehicles with an unobstructed view of other vehicles and pedestrians, and to prevent vehicles from backing into the flow of traffic on the public street or causing conflicts with on-site circulation. Construction of driveway accesses along acceleration or deceleration lanes or tapers should be avoided due to the potential for vehicular conflicts. Driveways should be located to allow for safe maneuvering in and around loading areas. See also SDC 3.3.500, Loading areas.**
- 2. Access Connections. Access connections shall be the minimum width practicable based on projected traffic volumes and functional requirements. For specific design and construction standards, refer to the public works design standards.**

**COMMENT:**

The attached Preliminary Site Plan provides locations and widths of the proposed access connections (see Exhibit 3). The plan demonstrates that the proposed access connections are the minimum width practicable and will allow unobstructed views of other vehicles, bicyclists, and pedestrians.

- 3. Driveways. Driveways shall meet the following standards, subject to review and approval by the public works director:**
  - a. Single-Family Dwelling Driveways.**
    - i. Maximum width of 12 feet per off-street parking space, up to a maximum of 32 feet for three or more off-street parking spaces.**
    - ii. Recreational vehicle pads must be located**

within the side yard or rear yard to qualify for additional driveway width as an off-street parking space.

- iii. No more than two driveways allowed per lot, with each driveway conforming to the requirements in subsection (K)(1) of this section.
- iv. Combined driveways with abutting properties shall not exceed 40 feet in width.
- v. Separate driveways must be spaced at least six feet apart.

**COMMENT:**

The attached Preliminary Site Plan illustrates that the shared driveway serving Lots 1-11 is 20-ft. wide. The plan also demonstrates that individual driveways serving the dwelling units are 12-ft. wide x 20-ft. deep. The proposed parking area adjacent to the shared driveway contains 9-ft. wide by 20-ft. deep parking spaces (see Exhibit 3).

**b. Multiple-Family and Attached Dwelling Driveways.**

- i. Each family unit having separate vehicle access and fronting a different street shall be treated as a single-family dwelling, except that no more than one driveway per unit is allowed.

**COMMENT:**

The attached Preliminary Development Plans illustrate that only one driveway is serving each of the proposed single-family attached dwellings (see Exhibit 3).

- d. Driveway grades should be less than 12 percent. Those grades exceeding 12 percent shall be subject to review and approval by the building official. Grades of 12 percent may not exceed 300 feet in length. The applicant shall provide an engineered plan for any driveway exceeding a grade of 12 percent for review and approval by the building official. Before approval, the building official must determine the driveway does not pose a safety concern.

**COMMENT:**

The attached Grading Plan demonstrates that the proposed driveways will not exceed the maximum 12% grade standard (see Exhibit 3).

- e. **Driveway cross-slopes shall not exceed two percent, and shall be designed to properly accommodate stormwater runoff.**

**COMMENT:**

As required, cross-slope for the proposed driveways will not exceed 2 percent. This standard will be verified by the City when building permits are issued for the development.

- f. **Driveways 150 feet in length or more shall be provided with a vehicle turnaround meeting the approval of the Silverton fire district.**

**COMMENT:**

The attached Preliminary Site Plan demonstrates that the shared driveway serving Lots 1-11 exceeds the 150-ft. length, therefore a turnaround meeting Fire Code standards is proposed (see Exhibit 3). In addition, the applicant is proposing to install a secondary gated fire access to Pine Street NE at the north terminus of the shared driveway.

- g. **All driveways must be located the maximum distance which is practical from a street intersection. In no instance shall the distance from an intersection be closer than the following as measured from the near driveway edge, and the through curb line, as shown by the following illustration:**

**COMMENT:**

As demonstrated by the attached Preliminary Site Plan individual driveways are located at least 10-ft. from the Schemmel Lane/Street A intersection. As permitted, the shared driveway serving Lots 1-11 is aligned with the 3-way Schemmel Lane/Street A intersection.

- 4. **Driveway Construction. Driveway aprons connecting a driveway to a public street shall be constructed of concrete and installed consistent with the city's public works design standards. The public works director may require appropriate grade transitions between driveways and abutting sidewalks or walkways to address accessibility requirements. See Figure 3.1.200.K.**



**COMMENT:**

As required, all driveway aprons within the proposed development will be constructed of concrete and will meet Public Works design standards.

- L. Fire Apparatus Access Ways. When required under the Uniform Fire Code, city-approved fire apparatus access ways shall be provided in accordance with city standards.**

**COMMENT:**

The attached Preliminary Site Plan indicates that the applicant is proposing to develop a secondary emergency vehicle accessway from Pine Street to the shared driveway serving Lots 1-11. To meet Fire Code and City standards, the proposed accessway will be gated and will maintain 20-ft. of clearance.

- M. Vertical Clearances. Driveways, private streets, aisles, turnaround areas and ramps shall have a minimum vertical clearance of 13 feet, six inches for their entire length and width.**

**COMMENT:**

As required, all utilities within the development will be placed underground and required vertical clearance will be maintained for all driveway, aisles, ramps, and turnaround areas.

- N. Vision Clearance. No visual obstruction (e.g., sign, structure, solid fence, or shrub vegetation) between two feet and eight feet in height shall be placed in "vision clearance areas" on streets, driveways, alleys, or mid-block lanes where no traffic control stop sign or signal is provided, as shown in Figure 3.1.200.N. The sides of the minimum vision clearance triangle are the curb line or, where no curb exists, the edge of pavement. Vision clearance requirements may be modified by the public works director upon finding that more or less sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). This standard does not apply to light standards, utility poles, tree trunks and similar objects.**

**COMMENT:**

The 15-ft. minimum vision clearance area for driveways, and 30-ft. minimum vision clearance at street intersections, will be verified by the City when detailed construction plans are submitted for building permit review. The applicant is not proposing a modification to the above standards.

- O. Construction. The following construction standards apply to all driveways:**
  - 1. Surface Options. Driveways, parking areas, aisles, and**

turnarounds must be paved with asphalt or concrete. Other paving materials may be used, subject to approval by the public works director. For example, porous paving materials such as porous concrete, pavers set in sand, or concrete blocks that allow grass to grow through may be permitted to reduce surface water runoff and protect water quality.

2. **Surface Water Management.** All driveways, parking areas, aisles, and turnarounds shall allow on-site collection of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with the standards contained in the public works design standards. (Single-family dwellings and duplex dwellings exempt.)
3. **Driveway Aprons.** When driveway approaches or “aprons” are required to connect driveways to the public right-of-way, they shall be paved with concrete surfacing and conform to the city’s engineering design criteria and standard specifications.

**COMMENT:**

At this time, the applicant is requesting land use approval of a Planned Development application. When building permits are requested for the development, detailed plans will be submitted to demonstrate compliance with the driveway surface, water management, and driveway apron standards.

**Section 3.1.300: Pedestrian Access and Circulation.**

- A. **Site Layout and Design.** To ensure safe, direct, and convenient pedestrian circulation, all developments, except single-family detached housing and duplex dwellings, shall provide a continuous pedestrian system. The pedestrian system shall be designed based on the criteria in subsections (A)(1) through (3) of this section:
  1. **Continuous Walkway System.** The pedestrian walkway system shall extend throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent trails, public parks, and open space areas to the greatest extent practicable. The developer may also be required to connect or stub walkway(s) to adjacent streets and to private property with a previously reserved public access easement for this purpose in accordance with the provisions of SDC 3.1.200, Vehicular access and circulation, and SDC 3.4.100, Transportation standards.

**COMMENT:**

The submitted Preliminary Site Plan identifies the location of a continuous 5-ft. wide walkway system within and between adjacent streets, common open space areas, and single-family lots (see Exhibit 3).

2. **Safe, Direct, and Convenient. Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets, based on the following criteria:**
  - a. **Reasonably Direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.**
  - b. **Safe and Convenient. Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.**
  - c. **“Primary entrance” for commercial, industrial, mixed use, public, and institutional buildings is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.**
  - d. **“Primary entrance” for residential buildings is the front door (i.e., facing a street, plaza or courtyard). For multifamily buildings where individual dwelling units do not have their own exterior entrance, the walkway may connect to a lobby, courtyard, or breezeway that serves as a common entrance to multiple dwellings.**

**COMMENT:**

The attached Preliminary Development Plans illustrate that the proposed walkway system provides direct routes to likely destinations both within and adjacent to the development (see Exhibit 3). The plans demonstrate that the routes are ADA compliant, free from hazards, and lead to the primary entrance of all proposed buildings.

3. **Connections within Developments. Connections within developments shall be provided as required in subsections (A)(3)(a) through (c) of this section:**
  - a. **Walkways must connect all building entrances to one another to the extent practicable, as**

generally shown in Figure 3.1.300.A;

- b. Walkways must connect all on-site parking areas, storage areas, recreational facilities and common areas, and connect off-site adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be cause for not making certain walkway connections; and

**COMMENT:**

The submitted Preliminary Development Plans demonstrate that the proposed walkways connect each residential building entrance with other building entrances, parking areas, and common open space areas (see Exhibit 3).

- c. Large parking areas shall be broken up so that no contiguous parking area exceeds one acre or 150 parking spaces, whichever is less. Parking areas may be broken up with plazas, landscape areas with pedestrian access ways (20 feet minimum total width), public streets or shopping streets (driveways with street-like features). For the purpose of this section, a “shopping street” means a raised sidewalk of at least four feet in width, six-inch curb, accessible curb ramps, street trees in planter strips or tree wells, and pedestrian-oriented lighting.

**COMMENT:**

The attached Preliminary Site Plan indicates that a 16-space parking area is proposed to be developed for Lots 5-11 within Tract ‘A’. Since this parking lot is less than 150 spaces, the above standards do not apply.

- B. **Walkway Design and Construction.** Walkways, including those provided with pedestrian access ways, shall conform to all of the standards in subsections (B)(1) through (4) of this section, as generally illustrated in Figure 3.1.300.B:

- 1. **Vehicle/Walkway Separation.** Except for crosswalks (subsection (B)(2) of this section), where a walkway abuts a driveway or street it shall be raised six inches and curbed along the edge of the driveway/street. Alternatively, the decision-making body may approve a walkway abutting a driveway at the same grade as the driveway if the walkway has visually contrasting materials (e.g., pavers or stamped/scored concrete) and is protected from all vehicle maneuvering areas.

An example of such protection is a row of decorative metal or concrete bollards designed to withstand a vehicle's impact, with adequate minimum spacing between them to protect pedestrians.

**COMMENT:**

The submitted Preliminary Site Plan demonstrates that all walkways which abut driveways, parking areas, or streets will be separated by a 6" raised curb (see Exhibit 3).

2. **Crosswalks.** Where a walkway crosses a parking area, driveway, or street ("crosswalk"), it shall be clearly marked with painted or thermo-plastic striping or similar types of nonpermanent applications. Contrasting paving materials (e.g., stamped or scored concrete or pavers inlaid between asphalt) are permitted. The public works director may require the crosswalk be designed as a raised, speed table-type crossing area.
3. **Walkway Width and Surface.** Walkway and access way surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the public works director, at least five feet wide. Multi-use paths (i.e., for bicycles and pedestrians) shall be concrete or asphalt and subject to the city of Silverton public works design standards.

**COMMENT:**

The attached Preliminary Development Plans demonstrate that the proposed 5-ft. wide walkways will be constructed with a concrete surface (see Exhibit 3).

4. **Accessible Routes.** Walkways shall conform to applicable Americans with Disabilities Act (ADA) guidelines. The ends of all raised walkways, where the walkway intersects a driveway or street, shall provide ramps that are ADA accessible, and walkways shall provide unobstructed, direct routes to primary building entrances.

**COMMENT:**

The submitted Preliminary Site Plan and Grading Plans indicate that ADA ramps and proper grades will be provided to comply with the above standards (see Exhibit 3). As required, the ADA routes will be unobstructed and will provide direct paths to primary building entrances.

**Chapter 3.2: Landscaping, Street Trees, Fences and Walls**

**Section 3.2.200: Landscape Conservation.**

- B. Significant Vegetation. “Significant vegetation” means street trees and plants within designated sensitive land areas such as floodplains, hillside protection areas, and wetlands, and trees not within such area that have a caliper of six inches or larger at four feet above grade; except that protection shall not be required for nonnative, invasive plants (blackberries, poison oak, poison ivy, etc.) and any plants designated by the city as prohibited.**

**COMMENT:**

The attached Existing Conditions Plan indicates that there are 6-in. or larger trees on the subject site (see Exhibit 3). As such, these features are considered to be “significant vegetation”.

- C. Mapping and Protection Required. Significant vegetation shall be mapped as required by Chapter 4.2 SDC, Land Use Review and Design Review. Significant trees shall be mapped individually and identified by species and diameter or caliper at four feet above grade. A “protection” area shall be defined around the edge of all branches (drip-line) of each tree. Drip-lines may overlap between trees. The city also may require an inventory, survey, or assessment prepared by an arborist or other qualified professional to determine tree health, construction boundaries, building setbacks, and/or recommended protection or mitigation requirements.**

**COMMENT:**

The attached Existing Conditions Plan demonstrates that all 6-in. or larger caliper trees have been mapped on the site.

- D. Protection Standards. Trees on public lands shall not be removed, cut, felled, trimmed or otherwise damaged or destroyed, except as approved by the city. The city may approve removal or trimming when a tree poses an immediate hazard to public safety as determined by the public works director. Other significant vegetation (including vegetation on private property) identified as meeting the criteria in subsection (B) of this section shall be retained to the extent practicable to protect environmental values and to minimize the risk of erosion, landslide, and stormwater runoff. Where protection is impracticable because it would prevent reasonable development of public streets, utilities, or land uses permitted by the applicable land use district, the city may allow removal of significant vegetation from the**

**building envelope as defined by required yard setbacks. Where yard areas must be disturbed to install streets or utilities, the applicant may be required to restore such areas after construction with landscaping or other means to prevent erosion and to protect the public health, safety, and welfare. With the owner's consent, the city may accept a land dedication or become a party to a conservation easement on private property for conservation purposes.**

**COMMENT:**

The attached Preliminary Site Plan indicates that significant vegetation will be retained where possible within the proposed common open space area in Tract 'A' (see Exhibit 3).

- E. Mitigation Required. Where removal of or impact to significant vegetation is proposed, or it is reasonable to expect it will be unavoidable during development, the city shall require mitigation through development review. Mitigation shall be proportionate to the loss of significant vegetation. Where complete mitigation on site is not practical due to limitations of the site, the city may accept an in-lieu fee for mitigation which will occur off site.**

**COMMENT:**

As required, when detailed plans are submitted for building permit review, the applicant will provide mitigation for tree removal in accordance with City standards.

- F. Construction. All significant vegetation on a site that is not otherwise designated and approved by the city for removal shall be protected prior to, during, and after construction in accordance with a limit-of-clearing and grading plan approved by the planning official. The city may require chain-link or other protective fencing around significant vegetation and limit grading activities and operation of vehicles and heavy equipment in and around significant vegetation areas to prevent damage to the resource and to prevent erosion, pollution, or landslide hazards.**

**COMMENT:**

As required, the applicant will provide City approved protection measures for all retained trees during construction activities.

- G. Tree Felling. Review approval is required for the felling of five or more significant trees on a lot or property inside the city limits within a calendar year. Felling trees at the direction of the city or by the city necessary to remove or alleviate an immediate danger to life or property; removal of**

any tree that is defined as a nuisance under the Silverton Municipal Code; to restore utility service or to reopen or maintain a public street or easement is exempt from review.

**COMMENT:**

The applicant is not proposing to remove any trees on the site prior to building permit approval.

**H. Exemptions. The protection standards in subsections (D) and (E) of this section do not apply to:**

- 1. Dead or Diseased Vegetation. Dead or diseased vegetation meeting the criteria for “significant vegetation” may be removed after approval of a Type I land use review.**
- 2. Hazardous Vegetation and Other Emergencies. Significant vegetation may be removed without land use approval when the vegetation poses an immediate threat to life or safety or protection of property (e.g., windstorm damage, fallen-over house, road or power line, blocked drainage way, or similar circumstance)**

**COMMENT:**

The applicant has not identified any dead, diseased, or hazardous trees on the subject site, therefore these standards do not apply.

**Section 3.2.300: Landscaping.**

- A. Applicability. This section shall apply to all new developments requiring land use review and design review.**
- B. Landscaping Plan Required. A landscape plan is required. All landscape plans shall conform to the requirements in SDC 4.2.500(B)(5).**

**COMMENT:**

Proposed landscape design elements for the planned development have been identified on the submitted Preliminary Site Plan (see Exhibit 3). The applicant is requesting to defer the submittal of a detailed landscape plan until building permits are requested for the development.

- E. Landscape Design Standards. All yards, parking lots, and required street tree planter strips shall be landscaped to provide, as applicable, erosion control, visual interest, buffering, privacy, open space and pathway identification, shading, and wind buffering, based on the following criteria and standards:**



1. **Yard Setback Landscaping Design. Landscaping in yards shall:**
  - a. **Provide visual screening and privacy within side and rear yards; while leaving front yards and building entrances mostly visible for security purposes.**
  - b. **Use shrubs and trees as wind breaks and to screen parking areas.**
  - c. **Retain natural vegetation.**
  - d. **Define pedestrian pathways and open space areas with landscape materials.**
  - e. **Provide focal points within a development, for example, by preserving large or unique trees or groves, hedges, and flowering plants.**
  - f. **Use trees to provide summer shading within common open space areas and within front yards when street trees cannot be provided.**
  - g. **Use a combination of plants for year-long color and interest.**
  - h. **Use landscaping to screen outdoor storage and mechanical equipment areas, and to enhance graded areas such as berms, swales, and detention/retention ponds.**

**COMMENT:**

The applicant is requesting to defer submittal of a detailed landscape plan until building permits are requested for the improvements. As such, the City will ensure that the detailed landscape plan meets the above standards prior to the issuance of building permits.

2. **Yard Setback Landscaping Requirements. Landscaping requirements listed by type of use:**
  - a. **Residential, Single-Family. All front yards (exclusive of access ways and other permitted intrusions) are required to be landscaped with one tree at least six feet in height (two-inch minimum caliper) and two five-gallon shrubs or accent plants per 1,000 square feet of required yard area with the remaining area to**

**be treated with an attractive ground cover (e.g., lawn, bark, rock, ivy, evergreen shrubs) within six months of issuance of an occupancy permit.**

**COMMENT:**

The attached Preliminary Site Plan demonstrates that either adjacent common open space areas, or the front yards of the proposed lots contain an adequate area to meet the landscape requirements of this section. The City will verify that these standards are met when a detailed landscape plan is submitted during building permit review.

- 3. Parking Areas. A minimum 10 percent of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of “evenly distributed” shade trees with shrubs and/or ground cover plants that conform to the criteria in subsections (E)(1)(a) through (h) of this section. “Evenly distributed” means that the trees and other plants are distributed around the parking lot perimeter and between parking bays to provide a partial canopy. At a minimum, one tree per 10 parking spaces on average shall be planted to create a partial tree canopy over and around the parking area. Parking areas shall include landscape islands with trees to break up the parking area into rows of not more than 10 contiguous (side-by-side) parking spaces. All parking area landscapes shall have dimensions of not less than 24 square feet of area, or not less than four feet in width by six feet in length, to ensure adequate soil, water, and space for healthy plant growth. Such areas shall have irrigation or temporary irrigation to ensure plant survival and success.**

**COMMENT:**

The attached Preliminary Site Plan identifies the location of a parking area for Lots 5-11 (see Exhibit 3). The parking area includes 16 standard and 1 ADA stall for the 7 dwelling units. The plan demonstrates that landscaped areas will be provided along the west boundary of the parking area and a 4-ft. wide landscaped island is located within the middle of the parking area. Therefore, the proposed perimeter landscaping area conforms to the above standards.

- 4. Screening and Buffering Required. Screening and buffering are required under the following conditions:**

- a. **Parking/Maneuvering Area Adjacent to Streets and Drives.** Where a parking or maneuvering area is adjacent and parallel to a street or driveway, an evergreen hedge, decorative wall (masonry or similar quality material) with openings, arcade, trellis, or similar partially opaque structure six feet in height shall be established between street and driveway. The required screening shall have breaks to allow visibility (natural surveillance) into the site and to allow pedestrian access to any adjoining walkways. Hedges used to comply with this standard shall be a minimum of 36 inches in height at maturity, and shall be of such species, number, and spacing as to provide year-round screening within one year after planting. Vegetative ground cover is required on all surfaces between the wall/hedge and the street/driveway line.

**COMMENT:**

The attached Preliminary Site Plan demonstrates that the proposed parking area is located interior to the site, and due to the location of the proposed sheds, the parking area will be screened from public streets and off-site driveways (see Exhibit 3).

- b. **Parking/Maneuvering Area Adjacent to Building.** Where a parking or maneuvering area or driveway is adjacent to a building, the area shall be separated from the building by a curb and a raised walkway, plaza, or landscaped buffer not less than five feet in width and six feet in height. Raised curbs, bollards, wheel stops, or other design features shall be used to protect pedestrians, landscaping, and buildings from being damaged by vehicles. Where parking areas are located adjacent to residential ground-floor living space, a four-foot-wide landscape buffer with a curbed edge may fulfill this requirement.

**COMMENT:**

The attached Preliminary Site Plan demonstrates that the proposed parking area is separated from adjacent dwellings by the proposed wheel stops and a 5-ft. wide landscaped area (see Exhibit 3).

- c. **Screening of Mechanical Equipment, Outdoor Storage, Service and Delivery Areas, and Other**

**Screening When Required.** All mechanical equipment, outdoor storage and manufacturing, and service and delivery areas shall be screened from view from all public streets and adjacent residential districts. When these or other areas are required to be screened, such screening shall be provided by:

- i. A decorative wall (i.e., masonry or similar quality material);
- ii. An evergreen hedge;
- iii. An opaque or sight-obscuring fence complying with SDC 3.2.500; or
- iv. A similar feature accepted by the approval authority providing an adequate screen.

**Walls, fences, and hedges shall comply with the vision clearance requirements and provide for pedestrian circulation, in accordance with Chapter 3.1 SDC, Access and Circulation. (See SDC 3.2.500 for standards specific to fences and walls.)**

**COMMENT:**

As required, all outdoor mechanical equipment for the proposed buildings will be screened in accordance with the above standards.

- d. **Existing Significant Vegetation.** Where significant vegetation exists it shall be preserved as a “buffer” around the development/subdivision within the setback areas at a minimum. The reviewing body may require preservation of other tree groves and clusters of significant vegetation through design review or the planned development process when an applicant has requested an adjustment to code standards, as provided under Chapters 4.2 and 4.5 SDC.

**COMMENT:**

The attached Preliminary Site Plan indicate that the applicant is proposing to retain existing trees where possible within the Tract ‘A’ common open space area (see Exhibit 3).

- e. **Between Different Land Uses.** Perimeter screening and buffering requirements of Table 3.2.300(E)(2), Table 3.2.300(E)(3) and Figure 3.2.300(E)(4) are in addition to standard setbacks of the applicable zoning district and the yard setback landscaping requirements of subsection (E)(2) of this section. Perimeter screening and buffering shall be located as near to the property line as possible. In a case of two overlapping screening and buffering types, the higher type shall prevail. To determine the type of perimeter screening and buffering required, the following procedures shall be used:
- i. Identify the subject property's zoning district. Identify the adjacent property(ies) zoning district(s) and determine if the property(ies) is developed or vacant.
  - ii. Determine the perimeter screening and buffering type by referring to Table 3.2.300(E)(2).
  - iii. Determine the perimeter screening and buffering type standards by referring to Table 3.2.300(E)(3). For the landscaping requirements, all plant units shall be rounded up and existing vegetation may be used to satisfy planting requirements.
  - iv. Determine the perimeter screening and buffering structures by referring to Figure 3.2.300(E)(4).
  - v. Screening and buffering requirements for developments adjacent to the city limits or urban growth boundary shall be determined by the community development director or designee.
  - vi. When the subject property develops prior to an adjacent vacant property, the vacant perimeter screening and buffering type shall be used. When the adjacent vacant property develops, all remaining screening and buffering requirements of Table 3.2.300(E)(2) shall

be installed between the two developed uses.

- vii. The perimeter screening and buffering standards of this section are not required when properties are separated by a public street.
- viii. When different land uses are developed with a planned development, screening and buffering standards between those uses shall be similar to Table 3.2.300(E)(2), as determined by the community development director or designee.

**COMMENT:**

The applicant is proposing to rezone the site to an R-5 designation. Properties to the east and west of the subject parcel are zoned R-1 or AR, and parcels to the south are zoned P. Under the planned development process, the applicant is proposing to modify the perimeter screening and buffering standards of Section 3.2.300(E)(4)(e). To adequately screen the proposed development from adjacent properties, the applicant is proposing to install a 6-ft. wood sight-obscuring fence along the east, south and west boundaries of the site. The plan demonstrates that a 12-ft. setback is provided to buffer the home on Lot 18 from the City Wastewater Treatment Plant to the south of the site. The plan also illustrates that a minimum of 34-ft. buffer will be provided between the proposed homes and parcels to the east of the site. The applicant's Preliminary Site Plan indicates that a minimum 23-ft. buffer will be provided between Lots 1-11 and the west boundary of the site, while standard R-5 perimeter setbacks will be maintained for Lots 14-18 (see Exhibit 3). As required, landscaping will be installed within the proposed yard areas.

**Section 3.2.400: Street Trees.**

**Street trees shall be planted in all new subdivisions and any project classified as a major project, except where specifically exempt under this code or where the reviewing body approves an adjustment to the street design standards under SDC 3.4.100, Transportation standards. Planting of street trees shall generally follow construction of curbs and sidewalks; however, the city may defer tree planting until final inspection of completed dwellings to avoid damage to trees during construction. The planting and maintenance of street trees shall conform to the following standards and guidelines and any applicable road authority requirements:**

- A. Growth Characteristics. Trees shall be selected based on climate zone, growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance.**

**Drought-resistant trees should be chosen where they suit the specific soil type.**

- B. Caliper Size.** The minimum diameter or caliper size at planting, as measured four feet above grade, is two inches.
- C. Spacing and Location.** The intent of this section is to provide a procession of trees for shade, buffering, pedestrian comfort and aesthetics on all city streets. Street trees shall be spaced so that there is at least one tree planted for every 35 feet of street frontage, except where existing utilities, vision clearance requirements or similar factors preclude such spacing. Actual spacing of trees may vary based on the growth habits of selected trees. See the city of Silverton street trees list.
- D. Soil Preparation, Planting and Care.** The developer shall be responsible for planting street trees, including soil preparation, ground cover material, staking, and temporary irrigation for one year after planting. The developer shall also be responsible for tree care (pruning, watering, fertilization, and replacement as necessary) during the first two years after planting, after which the adjacent property owners shall maintain the trees.
- E. Assurances.** The city shall require the developer to provide a performance and maintenance bond or cash deposit in an amount determined by an estimate provided by the developer or by the community development director, to ensure the planting of the tree(s) and care during the first year after planting.
- F. Street Tree List.** A list of approved street trees is available at Silverton City Hall.

**COMMENT:**

Since the applicant is requesting approval of a Planned Development application, the proposal is considered a major project. The size and location of the proposed street trees have been noted on the attached plans. As required, the tree species will be selected from City's street tree list. To ensure that required street trees avoid damage during the construction of the proposed development, the applicant is requesting that tree planting be deferred until final inspection is completed for the single-family dwelling units.

**Section 3.2.500: Fences and Walls.**

**Construction of fences and walls shall conform to all of the following requirements:**

- A. **General Requirements.** All fences, walls, or hedges shall comply with the height limitations of the respective zoning district (Article 2, Tables 2.2.120.A and 2.3.120) and the standards of this section. The city may require installation of walls and/or fences as a condition of development approval, in accordance with land division approval (e.g., flag lots), approval of a conditional use, or design review approval. A building permit is required for fences greater than six feet in height (see also SDC 3.2.300 for landscape screening wall requirements). All fences shall be located outside any vision clearance area.

**COMMENT:**

The attached Preliminary Site Plan and Detailed Plans note the location of proposed fences within the development (see Exhibit 3). All of the proposed fences conform to the height limitations of the R-1 District. Since no proposed fences are greater than 6-ft. in height, a building permit will not be required.

**Chapter 3.3: Parking and Loading**

**Section 3.3.300: Automobile Parking Standards.**

- A. **Vehicle Parking – Minimum Standards by Use.** The number of required off-street vehicle parking spaces is determined in accordance with the standards in Table 3.3.300.A or, alternatively, through a separate parking demand analysis as described in subsection (A)(2) of this section.
  - 1. Where a use is not specifically listed in this table, parking requirements are determined by finding that a use is similar to one of those listed in terms of parking needs, or by estimating parking needs individually using the demand analysis option described below.
  - 2. An applicant may propose parking in amounts less than listed in Table 3.3.300.A by submitting a parking demand analysis to the community development director for review and approval. The parking demand analyses must be based on the proposed use and provide an estimate of parking demand based on the number of employees and customers/visitors who are likely to travel to the subject site by automobile, transit, bicycle and foot. The analysis is reviewed through a Type II land use review, or a Type III review if the request is part of an application that is already subject to Type III review. The reviewing body may approve, approve with conditions or deny the proposal.



3. **Parking that counts toward the minimum requirement is parking in garages, carports, parking lots, bays along driveways, shared parking, and designated on-street parking when approved through land use review or design review, as applicable, and subject to subsection (C) of this section. In recognition that downtown is the most compact and walkable area of Silverton, off-street parking requirements are waived in the downtown commercial (DC) district.**

**COMMENT:**

Table 3.3.300.A indicates that 2 off-street parking spaces are required for each single-family attached or detached dwelling when on-street parking is available. If no on-street parking is available, then 1 additional space is required. The submitted Preliminary Site Plan demonstrates that adjacent street parking will not be available for Lots 1-11. Lots 1-4 and 11 will contain 3-bedroom dwellings, therefore 3 parking spaces per unit is warranted. Lots 5-10 are 1-bedroom dwellings, and since they are the same size as a 1-bedroom multi-family unit, 1 parking space per unit plus a visitor space for each 4 units is appropriate. Based on these conditions, Lots 1-11 require a total of 23 off-street parking spaces ((5 three-bed unit x 3 spaces/unit = 15 spaces) + (6 one-bed unit x 1 space/unit = 6 spaces) + (1 visitor space/4 one-bed units = 1.5 spaces)). The submitted Preliminary Site Plan and Building Plans illustrates that a 24 standard parking spaces and 1 ADA space is provided in the proposed garages, driveways, and parking area for Lots 1-11 (see Exhibits 3 and 4).

The submitted Preliminary Site Plan demonstrates that adjacent street parking will be available for Lots 12-18. Since each of these lots will contain 3-bedroom units, a total of 14 off-street parking spaces are required (7 three-bed units x 2 spaces/unit = 14 spaces). The attached Preliminary Site Plan and Building Plans demonstrate that a total of 14 off-street parking spaces are provided within the proposed garages and driveways for Lots 12-18 (see Exhibits 2 and 4).

**B. Vehicle Parking – Minimum Accessible Parking.**

1. **Accessible parking shall be provided for all uses in accordance with the standards in Table 3.3.300.B; parking spaces used to meet the standards in Table 3.3.300.B shall be counted toward meeting off-street parking requirements in Table 3.3.300.A;**
2. **Such parking shall be located in close proximity to building entrances and shall be designed to permit occupants of vehicles to reach the entrance on an unobstructed path or walkway;**
3. **Accessible spaces shall be grouped in pairs where possible;**
4. **Where covered parking is provided, covered accessible spaces shall be provided in the same ratio as covered**

**nonaccessible spaces;**

- 5. Required accessible parking spaces shall be identified with signs and pavement markings identifying them as reserved for persons with disabilities; signs shall be posted directly in front of the parking space at a height of no less than 42 inches and no more than 72 inches above pavement level. Van spaces shall be specifically identified as such.**

**COMMENT:**

The attached Preliminary Site Plan indicates that 1 ADA van stall and an access aisle are provided in the 16-stall parking area adjacent to Lots 5-11. As required, the proposed ADA space is located as close to the building entrances as possible. In conformance with this section, the ADA space will be identified in accordance with the above standards.

**C. On-Street Parking. On-street parking shall conform to the following standards:**

- 1. Dimensions. The following constitutes one on-street parking space:**
  - a. Parallel parking, each 22 feet of uninterrupted curb;**
  - b. Diagonal (45- to 60-degree) parking, each with 12 feet of curb;**
  - c. Ninety-degree (perpendicular) parking, each with nine feet of curb.**
- 2. Location. When approved through land use review or design review, as applicable, on-street parking may be counted toward the minimum standards in Table 3.3.300.A when it is on the block face abutting the subject site. An on-street parking space must not obstruct a required clear vision area and it must not violate any law or street standard.**
- 3. Public Use Required for Credit. On-street parking spaces counted toward meeting the parking requirements of a specific use may not be used exclusively by that use, but shall be available for general public use at all times. Signs or other actions that limit general public use of on-street spaces are prohibited.**

**COMMENT:**

When providing 22-ft. for each parallel parking space and accounting for driveway aprons, Street A will provide 4 parking spaces along the south side of the roadway, and Schemmel Lane will provide 3 space along the west side of the street.

- D. Shared Parking.** Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature; weekday uses versus weekend uses); and provided, that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use. The city may approve owner requests for shared parking through land use review or design review, as applicable.

**COMMENT:**

As discussed above, the applicant is proposing to develop a shared parking area for Lots 1-11. Use and maintenance of the shared parking area will be managed by homeowner's association documents that will be recorded for the planned development.

- E. Off-Site Parking.** Except for single-family dwellings, the vehicle parking spaces required by this chapter may be located on another parcel of land, provided the parcel is within 500 feet of the use it serves and the city has approved the off-site parking through land use review or design review, as applicable. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument.

**COMMENT:**

The applicant is not proposing to establish off-site parking. Therefore, the above standards do not apply.

- F. General Parking Standards.**
  - 1. Location.** Parking is allowed only on streets, within garages, carports, and other structures, or on driveways or parking lots that have been designed and developed in conformance with this code. Article 2, Land Use (Zoning) Districts, prescribes parking location for some land uses (e.g., the requirement that parking

for some multiple-family and commercial developments be located to the side or rear of buildings), and Chapter 3.1 SDC, Access and Circulation, provides design standards for driveways. Street parking spaces shall not include space in a vehicle travel lane (including emergency or fire access lanes), public right-of-way, pedestrian access way, landscape, or other undesignated area.

2. **Mixed Uses.** If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are less (i.e., the uses operate on different days or at different times of the day). The city may reduce the total parking required accordingly through land use review or design review, as applicable.
3. **Availability of Facilities.** Owners of off-street parking facilities may post a sign indicating that such off-street parking, or portions thereof, is available only for residents, customers, and/or employees.
4. **Lighting.** Parking areas shall have lighting to provide not less than two footcandles of illumination over walkways leading to and from parking area. Similar lighting should be provided over parking areas but complete illumination of parking spaces at two footcandles is not required. Light standards shall be directed downward only and shielded to prevent lighting spillover into any adjacent residential district or use and to prevent light pollution in the night sky.
5. **Screening of Parking Areas.** Parking spaces shall be located or screened so that headlights do not shine onto adjacent residential uses, per subsection (E) of this section.

**COMMENT:**

The submitted Preliminary Site Plan indicates that wall-mounted lights will be installed on the proposed sheds to illuminate the shared driveway and parking area. The plan also indicates that a 6-ft. high wood sight-obscuring fence will be installed along the east boundary of the site, preventing headlights from shining onto adjacent residential uses (see Exhibit 3). Detailed plans will be provided when building permits are requested to demonstrate compliance with the above standards.

- G. **Parking Stall Design and Minimum Dimensions.** All off-street parking spaces shall be improved to conform to city

standards for surfacing, stormwater management, and striping. Standard parking spaces shall conform to the following standards and the dimensions in Figures 3.3.300.F(1) and (2), and Table 3.3.300.F:

1. Motor vehicle parking spaces shall measure nine feet wide by 18 feet long or by 16 feet long, with not more than a two-foot overhang when allowed;
2. All parallel motor vehicle parking spaces shall measure eight feet wide by 22 feet;
3. Parking area layout shall conform to the dimensions in Figures 3.3.300.F(1) and (2), and Table 3.3.300.F in this section;
4. Not more than 20 percent of the total parking spaces in a parking lot may be designated for compact cars and shall measure eight feet wide by 16 feet long. Such spaces must be signed and/or the space painted with "Compact Car Only";
5. Parking areas shall conform to Americans with Disabilities Act (ADA) standards for parking spaces (dimensions, van-accessible parking spaces, etc.). Parking structure vertical clearance and van-accessible parking spaces should refer to federal ADA guidelines; and
6. Bicycle parking shall be on a two-foot by six-foot minimum concrete pad per bike, or within a garage or patio of residential use.

**COMMENT:**

The attached Preliminary Site Plan and Building Plans demonstrate that all proposed garage, driveway, parking area, and on-street vehicle parking stalls meet the dimensional standards of this section. The submitted plans also demonstrate that facilities serving Lots 1-11 have been configured to meet parking area layout standards. As required, the parking area includes an ADA compliant stalls and accessible routes to building entrances.

**Section 3.3.400: Bicycle Parking Requirements.**

Except for single-family dwellings and duplex dwellings, all uses that are subject to land use review or site design review, as applicable, shall provide bicycle parking, in conformance with the standards in Table 3.3.400, and subsections (A) through (I) of this section.

**COMMENT:**

Since the applicant is proposing to develop single-family dwelling units, bicycle parking is not required.

**Section 3.3.500: Loading Areas.**

**C. Number of Loading Spaces.**

**COMMENT:**

The applicant is not proposing to develop a multi-family or non-residential use on the site, therefore loading spaces are not required.

**Chapter 3.4: Public Facilities**

**Section 3.4.100: Transportation standards.**

**A. Development Standards. The following standards shall be met for all new uses and developments:**

- 1. All new lots created, consolidated, or modified through a land division, partition, lot line adjustment, lot consolidation, or street vacation must have frontage or approved access to a public street, except as specifically allowed through a planned development approval under Chapter 4.5 SDC or as provided for flag lots under Chapter 4.3 SDC, Land Divisions and Property Line Adjustments.**

**COMMENT:**

The applicant has submitted a Planned Development application, therefore per the above standards, Lots 1-11 may be approved without frontage on a public street. The attached Preliminary Plat and Preliminary Site Plan demonstrate that Lots 1-11 will have access through a shared driveway within Tract 'A', which in turn connects to Schemmel Lane NE (see Exhibit 3). The proposed shared driveway provides access to parking areas for the proposed dwellings and includes a turnaround which meets Fire Code standards. The submitted plans indicate that Lots 12-18 have direct frontage on either Schemmel Lane or proposed Street A.

- 2. Streets within or abutting a development shall be fully improved in accordance with the transportation system plan and the design standards. Three-quarter-street improvements may be accepted only when requiring a full-width street improvement cannot be justified based on the proportionate impact of the development on the transportation system, as approved by the public works director. Where a less than full street is allowed, the minimum total paved**

**width shall not be less than 28 feet to provide for two travel lanes and bicycle lanes, unless otherwise approved by the public works director.**

**COMMENT:**

Based on the impact of the proposed development, the attached Preliminary Site Plan indicates that proportional three-quarter street improvements will be installed along the site's Schemmel Lane NE and Pine Street NE frontages. Full width street improvements are proposed with the development of Street A, consistent with the above standards.

- 3. Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this section, and public streets shall be dedicated to the applicable road authority.**

**COMMENT:**

The attached Preliminary Development Plans demonstrate that street improvements will be installed for existing and proposed streets in accordance with City standards (see Exhibit 3). As required, additional right-of-way for Schemmel Lane and right-of-way for Street A will be dedicated to the City of Silverton with the proposed development.

- 4. When development occurs with frontage on a substandard right-of-way and right-of-way dedication is not required as part of the development, the setback for the new development shall be calculated based on the anticipated future right-of-way.**

**COMMENT:**

The applicant is proposing to dedicate additional right-of-way where needed to meet City standards. Therefore, this section does not apply to the proposed development.

- 5. All new streets and drives shall be paved in accordance with design standards.**

**COMMENT:**

The attached Preliminary Development Plans demonstrate that the proposed street improvements and driveways will be paved in accordance with City standards.

- B. Guarantee. The city may accept a future improvement guarantee in lieu of street improvements if the following conditions exist:**

**COMMENT:**

The applicant is not proposing to defer required street improvements. Therefore, the above standards do not apply.

- C. Creation of Rights-of-Way for Streets and Related Purposes. Streets shall be created through the approval and recording of a final subdivision or partition plat; except the city may approve the creation of a street by acceptance of a deed; provided, that the street is deemed in the public interest by the city council for the purpose of implementing the transportation system plan, and the deeded right-of-way conforms to the standards of this code.**

**COMMENT:**

The attached Preliminary Plat indicates that needed right-of-way for existing and proposed street will be dedicated with the planned development.

- D. Creation of Access Easements. The city may approve an access easement when the easement is necessary to provide for access and circulation in conformance with Chapter 3.1 SDC, Access and Circulation. Access easements shall be created and maintained in accordance with applicable provisions of the Uniform Fire Code.**

**COMMENT:**

The attached Preliminary Plat and Preliminary Site demonstrate that access easements are not required for the proposed planned development (see Exhibit 3). Lots 1-11 will have access through Tract 'A', which will be jointly owned and maintained by the homeowner's association. Access for Lots 12-18 will be provided directly from the adjacent rights-of-way.

- E. Street Location, Width, and Grade. The location, width and grade of all streets shall conform to Figures 3.4.100(E)(1) through (3), the transportation system plan, and approved street plans or subdivision plats. Street location and design shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets as follows:**
  - 1. Street grades shall be approved by the public works director in accordance with the design standards; and**
  - 2. Where the location of a street is not shown in an existing street plan, the location of streets in a development shall either:**



- a. **Provide for the continuation and connection of existing streets in the surrounding areas, conforming to the street standards of this section; or**
- b. **Conform to a street plan adopted by the city if it is impractical to connect with existing street patterns because of particular topographical or other existing conditions of the land. Such a plan shall be based on the type of land use to be served, the volume of traffic, the capacity of adjoining streets, and the need for public convenience and safety.**

**COMMENT:**

The attached Preliminary Development Plans indicate that proposed street locations, width, and grades meet City standards (see Exhibit 3). The submitted Future Streets Plan demonstrates how Street A can be extended to serve future development to the west of the site. To the east of the site are fully developed single-family lots.

- F. **Minimum Rights-of-Way and Street Sections. Street rights-of-way and improvements must conform to the standards and specifications of the transportation system plan and design standards. Where a range of right-of-way or roadway width is indicated, the width shall be the narrower in the range unless unique and specific conditions exist as determined by the reviewing body based upon the following factors:**
  - 1. **Street classification in the transportation system plan;**
  - 2. **Anticipated traffic generation;**
  - 3. **On-street parking needs;**
  - 4. **Sidewalk and bikeway requirements based on anticipated level of use;**
  - 5. **Requirements for placement of utilities;**
  - 6. **Street lighting;**
  - 7. **Minimize drainage, slope, and sensitive lands impacts;**
  - 8. **Street tree location, as provided for in Chapter 3.2 SDC;**
  - 9. **Protection of significant vegetation, as provided for in**

**Chapter 3.2 SDC;**

- 10. Safety and comfort for motorists, bicyclists, and pedestrians;**
- 11. Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided;**
- 12. Access needs for emergency vehicles; and**
- 13. Transition between different street widths (i.e., existing streets and new streets).**

**COMMENT:**

The subject site fronts Pine Street NE, which is classified as an Arterial Street. Since the existing right-of-way width is 60-ft., and parcels to the east and west of the site all maintain the same right-of-way width and are mainly fully developed, the applicant is proposing to install 2-lane Downtown District street improvements within the existing right-of-way width. In addition, based on existing conditions along Schemmel Lane, the applicant is proposing to dedicate 6-ft. of additional right-of-way along the west frontage, and 5-ft. of right-of-way along the north street frontage. The Preliminary Site Plan demonstrates that these dedications will allow the provision of on-street parking and the installation of sidewalks. To meet Local Street standards, the applicant is also proposing to dedicate 50-ft. of right-of-way for the development of Street A.

- G. Subdivision Street Connectivity. All subdivisions shall conform to all the following access and circulation design standards, as applicable:**
  - 1. Connectivity to Abutting Lands. The street system of proposed subdivisions shall be designed to connect with existing, proposed, and planned streets outside of the subdivision as provided in this section. Wherever a proposed development abuts unplatted land or a future development phase of the same development, street stubs shall be provided to allow access to future abutting subdivisions and to logically extend the street system into the surrounding area. All street stubs shall be provided with a temporary turnaround unless specifically exempted by the fire marshal, and the restoration and extension of the street shall be the responsibility of any future developer of the abutting land.**

**COMMENT:**

The attached Existing Conditions Plan demonstrates that there are no stubbed streets which abut the subject site, and access is proposed from Schemmel Lane NE. The attached Future Streets Plan demonstrates that the applicant is providing a proposed street connection to undeveloped properties to the west of the site (see Exhibit 3).

2. **When Abutting an Arterial Street. Property access to abutting arterials shall be minimized.**

**Where such access is necessary, shared driveways may be required in conformance with SDC 3.1.200. If vehicle access off a secondary street is possible, then the road authority may prohibit access to the arterial.**

**COMMENT:**

The subject site abuts Pine Street NE, an Arterial Street. As required, all access to the site will occur from Schemmel Lane NE and Street A, which are classified as Local Streets.

3. **Continuation of Streets. Planned streets shall connect with surrounding streets to permit the convenient movement of traffic between residential neighborhoods and to facilitate emergency access and evacuation. Connections shall be designed to meet or exceed the standards in subsection (G)(4) of this section and to avoid or minimize through traffic on local streets. Appropriate design and traffic control and traffic calming measures, as provided in subsection (H) of this section, are the preferred means of discouraging through traffic.**

**COMMENT:**

As discussed above, and as illustrated by the attached Future Streets Plan, the proposed transportation system improvements will facilitate connections with all surrounding streets (see Exhibit 3).

4. **Street Connectivity and Formation of Blocks. In order to promote efficient vehicular and pedestrian circulation throughout the city, subdivisions and site developments of more than two acres shall be served by a connecting network of public streets and/or pedestrian access ways, in accordance with the following standards (minimum and maximum distances between two streets or a street and its nearest access way):**
  - a. **Residential districts: minimum of 100-foot block length and maximum 600-foot length with a**

**desired block length of 500 feet;**

**COMMENT:**

The attached Preliminary Development Plans illustrate that the existing block length along Schemmel Lane, between the Street A/Schemmel Lane intersection and the Schemmel Lane/Pine Street intersection is approximately 475-feet. The distance along Pine Street, between the Schemmel Lane/Pine Street intersection and the west boundary of the site, is approximately 280-feet. Therefore, the above maximum block length standards have been met.

- 5. Pedestrian Access Way Standards. Where it is impractical to make a street connection in conformance with the standards in subsection (G)(4) of this section, a pedestrian access way must be provided at or near the middle of a block in lieu of the street connection, as generally shown in Figure 3.4.100.G. The city may also require developers to provide an access way where a cul-de-sac or other street is planned and the access way would connect the streets or provide a connection to other developments. Such accessories shall conform to all of the following standards:**

**COMMENT:**

The distance along Pine Street, between the Schemmel Lane/Pine Street intersection and the west boundary of the site, is approximately 280-feet. Therefore, a north-south pedestrian accessway through the site is not required. However, the submitted Preliminary Site Plan indicates that a private walkway will connect Street A to Pine Street through Tract 'A'.

**H. Traffic Signals and Traffic Calming Features.**

**COMMENT:**

The applicant is not proposing, or is required to install, traffic signals or traffic calming features with the planned development. Therefore, these standards do not apply.

**I. Future Street Plan and Extension of Streets.**

- 1. A future street plan shall be filed by the applicant in conjunction with an application for a subdivision in order to facilitate orderly development. The plan must show the pattern of existing and proposed future streets from the boundaries of the proposed land division and include other divisible parcels within 600 feet surrounding and adjacent to the subject site. The street plan is not binding; rather, it is intended to show potential future street extensions with future development.**

**COMMENT:**

A Future Streets Plan meeting the standards of this section has been submitted with this application (see Exhibit 3).

2. **Streets shall be extended to the boundary lines of the parcel or tract to be developed when the city determines that the extension is necessary to give street access to, or permit a satisfactory future division of, adjoining land. The point where the streets temporarily end shall conform to subsections (1)(2)(a) through (d) of this section:**
  - a. **These extended streets or street stubs to adjoining properties are not considered to be cul-de-sacs since they are intended to continue as through streets when the adjoining property is developed.**
  - b. **A temporary barricade approved by the public works director shall be constructed at the end of the street by the subdivider and shall not be removed until authorized by the city or other applicable agency with jurisdiction over the street. The cost of the barricade shall be included in the street construction cost.**
  - c. **Temporary street ends must provide turnarounds constructed to Uniform Fire Code standards for streets over 150 feet in length. See also SDC 3.1.200.**
  - d. **A one-foot-wide reserve strip shall be required to be dedicated to the city at the terminus of the stub street.**

**COMMENT:**

The attached Future Streets Plan illustrates that the proposed Street A extension will facilitate needed street connections to adjacent properties (see Exhibit 3). As required, a temporary barricade will be installed at the end of the proposed stubbed street. Since Street A does not exceed 150-ft. in length, a temporary turnaround is not required.

- J. **Street Alignment and Design. The alignment, design and construction of all streets, including vehicle and bicycling travel lanes, bus pullouts and waiting areas, sidewalks, planter strips, tree wells, street furnishings, driveway approaches (dimensions, spacing, access limitations),**

intersections, grades, horizontal and vertical curves, cul-de-sacs, and other improvements, shall conform to the city of Silverton design standards.

**COMMENT:**

The attached Road Plan and Profiles demonstrate that the proposed street improvements meet Public Works design standards (see Exhibit 3).

- K. Streets Adjacent to Railroad Right-of-Way. When a transportation improvement is proposed within 300 feet of a public railroad crossing, or a modification is proposed to an existing public crossing, the Oregon Department of Transportation and the rail service provider shall be notified and given an opportunity to comment. Private crossing improvements are subject to review and licensing by the rail service provider.**

**COMMENT:**

The subject site is not located in the vicinity of a railroad right-of-way, therefore these standards do not apply.

- L. Development Adjoining Arterial Streets. Where a development adjoins or is crossed by an existing or proposed arterial street, residential access shall be separated from through traffic and designed to minimize traffic conflicts. (See also the access requirements under SDC 3.1.200.) The reviewing body may require one or more of the following improvements to ensure the continued operational safety of the transportation system and land use compatibility:**
  - 1. A parallel access street (frontage road) along the arterial street with a landscape median separating the two streets.**
  - 2. Deep lots (120 feet or greater) abutting the arterial street to provide at least 10 feet of landscape buffering along the arterial, provided vehicle access is from a secondary street. Where a secondary street is not available and direct access to the arterial is necessary, such lots shall combine and share driveways.**
  - 3. Screen planting within a nonaccess reservation (e.g., public easement or tract) of not less than 10 feet in width at the rear or side property line along the arterial.**

4. **Other treatment approved by the city that is consistent with the intent of this section.**

**COMMENT:**

The proposed development abuts Pine Street NE, a designated Arterial Street. As required, access is provided from secondary streets, Schemmel Lane and Street A. The submitted Preliminary Site Plan indicates that 15-ft. of landscaped area can be provided between Lot 1 and the Pine Street right-of-way to meet the above standards (see Exhibit 3).

- T. **Alley Standards. Use of alleys may be considered as part of residential neighborhood design. A narrower minor local street (28-foot paved surface) will be allowed with alley access because the alley will reduce some of the parking and access functions usually found on the frontage street. To the maximum extent possible, all private utilities must be located in the alley and curb cuts will not be permitted along the frontage street. The standard six-foot planter strip and five-foot setback sidewalks are required along the frontage street. Alleys shall be consistent with the city's public works design standards, paved with a dustless surface (i.e., concrete or asphaltic concrete), and shall follow the general development standards governing streets. As an incentive, lots with alley access may be up to 1,000 square feet smaller than the standard minimum lot size of the zone.**

**COMMENT:**

The applicant is not proposing to develop an alley on the subject site, therefore these standards do not apply.

**Section 3.4.200: Public Use (Park) Areas.**

**A. Dedication of Public Use (Park) Areas.**

1. **The availability of parkland and open space is a critical element in maintaining and improving the quality of life in Silverton. All new development that results in the creation of new residential dwelling units (subdivisions, partitions, planned unit developments, multifamily developments, manufactured home parks, etc.) is required to provide through payment and/or dedication public use areas (such as parks, playgrounds, community centers, trails, etc.) based on the city's most current parks and recreation master plan.**
2. **Where a proposed park, playground, or other public use area shown in a plan adopted by the city is located**

in whole or in part in a subdivision, planned unit development and/or other development proposal, the city may require the dedication and/or reservation and/or improvement thereof for public use (parks, playgrounds, trails, etc.) purposes; provided, that the impact of the development on the city park system is roughly proportionate to the dedication/reservation/improvement being required. However, the city is under no obligation to accept such areas or improvements offered for dedication or sale.

3. The amount of land and park improvements, when required, shall be proportionate to the impact the development will have in generating park need based on the number of proposed dwelling units. All required improvements shall conform to the level of service standards identified in the city of Silverton's most current parks master plan and as refined and adopted by the parks and recreation system development charges (SDC) methodology. The 2008 park and recreation master plan estimated a 2030 population of 14,400 and need for 115.25 acres of new parklands (based on eight acres of neighborhood park and community parkland per 1,000 population), 20 acres of new natural areas, 13,467 lineal feet of trails, and other improvements (community center, swimming pool, etc.), to serve the new need. (Note: This amount of needed land does not address the existing deficiencies since improvement fee SDCs may only be used for growth needs.) The required parkland dedication is in addition to any street tree planter strips, stormwater facilities, or other open space improvements that may be donated or otherwise required.
4. Any required parkland dedication and/or improvements in excess of the proportionate share impact of the development shall be eligible for reimbursement. The city may accept a cash payment (also known as a system development charge) in lieu of parkland dedication and/or improvement where it finds that due to location, size, or other considerations the proposed land and/or improvements would not provide suitable park facilities.
5. The Silverton city council may permit a noncity (public or private) entity to own and manage the park area required in subsection (A)(3) of this section; provided, that the city and park provider shall first enter into a



legal agreement assuring that city residents will have public access to the park. The agreement, at a minimum, shall also describe the types of park uses and facilities that are to be provided, park operating hours, and ongoing maintenance responsibilities. All property taxes are the responsibility of the property owner.

6. Land that has been required to meet park needs shall be dedicated to the city or if it is to be owned by a public or private entity then the city council shall approve of the alternative ownership and legal documents acceptable to the city attorney shall be provided that assure public access, park operating hours, and ongoing maintenance responsibilities.

**COMMENT:**

The attached Concept Plan indicates that the applicant is proposing to develop 18 dwelling units on the subject site. When multiplying the number of proposed units by 2.6 persons per household, the estimated population of the planned development is 47 residents. If 8 acres of park land are required to be dedicated per 1,000 population, then 0.14 acres are required to be dedicated for 47 residents. The applicant is proposing to pay a fee in lieu of the required parkland dedication.

7. **Dedication Procedures.** Prior to approval of the final plat, the developer shall dedicate land as previously determined by the city in conjunction with approval of the tentative plan. Dedication of land in conjunction with multifamily development (when there is no final plat) shall be required prior to the issuance of permits and commencement of construction.

**COMMENT:**

As permitted, the applicant will pay a fee in lieu of the required parkland dedication, therefore these standards do not apply.

8. **Cash in Lieu of Dedication.** At the city's discretion, the city may accept cash payment in lieu of land dedication. The amount of the cash payment shall be set by the city council by resolution and shall be based on the parks and recreation system development charges (SDC) methodology update report. The fee shall be paid prior to the signing of the final plat, or with multifamily development (when there is no final plat) payment shall be required prior to the issuance of permits and prior to the commencement of construction.

**COMMENT:**

As required, the applicant will pay Park SDCs in lieu of the required parkland dedication.

- B. System Development Charge Credit. Dedication of land or facilities to the city for parks, voluntary or otherwise, may be eligible for credit toward any required system development charge for parks.**

**COMMENT:**

The applicant is not dedicating parkland, therefore these standards do not apply.

**3.4.300: Sanitary sewers, water, street lights and fire protection.**

- A. Sanitary Sewer, Storm Drainage and Water System Improvements. Sanitary sewer system and water system improvements shall be installed with new development in accordance with the city's sanitary sewer master plan, water system master plan, and public works design standards. When streets are required to be stubbed to the edge of the subdivision, sewer and water system improvements shall also be stubbed with the streets, except where the public works director finds that future extension is not practical due to topography or other constraints. Where public sanitary sewer or water service is not available within 300 feet of a property, private wells and septic systems may provide service for the development of a single-family dwelling or use serving the public on parcels containing at least two acres; provided, that a petition for improvement/waiver of remonstrance is signed for their share of the costs for and future connection to public water and sewer services. These provisions are supplementary to the provisions in Chapters 13.12 and 13.36 SMC. Any private well or septic system allowed by this section must be approved by Marion County and the State Water Resources Department.**

**COMMENT:**

The attached Existing Conditions Plan demonstrates that existing public sanitary sewer and water system utilities within Schemmel Lane and Pine Street have the capacity to accommodate the proposed development. The applicant's Preliminary Utility Plans indicate that public sanitary sewer service will be provided by connecting to an existing main line within Schemmel Lane NE (see Exhibit 3). Public water service is proposed by extending a main line from Pine Street NE and looping it to connect with the Schemmel Lane main line. Stormwater will be managed by collecting stormwater from impervious surfaces, treating and detaining it on-site, and releasing it at the pre-development rate into the public storm system within Schemmel Lane (see Exhibits 3 and 5). The submitted plans and Preliminary Stormwater Report demonstrate that the proposed utilities have been designed in accordance with City master plans and Public Works design standards. As required, the applicant is also proposing to stub these public facilities to the terminus of Street A so that they can be extended when adjacent properties to the west are developed.

- B. Plan Approval. Development permits for sewer and water system improvements shall not be issued until the public works director has approved all sanitary sewer and water plans in conformance with city standards.**

**COMMENT:**

As required, no construction of proposed utility improvements will occur until development permits are issued.

- C. Over-Sizing Facilities. The city may require as a condition of development approval that sewer and water systems serving new development be sized to accommodate future development within the area as projected by the applicable water and sewer master plans and public works design standards. Oversizing of facilities may be eligible for credit toward system development charges.**

**COMMENT:**

If oversizing of public facilities is required as a Condition of Approval, the applicant will request SDC credits for eligible facilities.

- D. Street Lights. Street lights shall be provided in all developments within the city and shall be provided in accordance with the city's design standards. The reviewing body may add street lights at other locations and authorize specific exceptions to the above priorities when necessary in order to enhance the public safety and welfare.**

**COMMENT:**

As required, the applicant will install street lights within the proposed development in accordance with City standards.

- E. Fire Protection. Developers shall provide third party verification of existing and proposed water service mains and hydrant flow supporting the development site. Hydrant flow analyses and plans for hydrants and water service mains shall be subject to review and approval by the fire marshal as part of the development review process.**

**COMMENT:**

If requested, the applicant will provide third party verification of water mains and hydrant flows during the development review process.

- F. Inadequate Facilities. Development may only occur where existing or proposed public facilities are adequate to serve the site as required per subsection (A) of this section. If services do not meet**

these standards, service upgrades may be required or the development permits may be restricted by the city. Deficiencies in the existing water or sewer system that cannot be rectified by the development and that if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water or sewerage treatment systems will not be approved.

**COMMENT:**

The attached Existing Conditions Plan demonstrates that the existing public storm, sanitary sewer, and water facilities within Pine Street and Schemmel Lane have the capacity to serve the proposed development (see Exhibit 3).

**Section 3.4.400: Storm Drainage and Erosion Control.**

- A. General Provisions.** The city shall issue a development permit only where adequate provisions for stormwater runoff and erosion control have been made in conformance with the city of Silverton storm drainage master plan and public works design standards.

**COMMENT:**

The attached Preliminary Utility Plans and Preliminary Stormwater Report demonstrate that the proposed storm drainage conforms to Public Works design standards (see Exhibits 3 and 5). As required, erosion control measures will be installed prior to the initiation of construction activities.

- B. Accommodation of Upstream Drainage.** Culverts and other drainage facilities shall be large enough to accommodate existing stormwater. Such facilities shall be subject to review and approval by the public works director.
- C. Effect on Downstream Drainage.** Where it is anticipated by the public works director that the additional runoff resulting from the development will overload an existing drainage facility, the city shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development. Stormwater detention and/or retention facilities, including water quality treatment, may be required in conformance with city standards.
- D. Over-Sizing.** The city may require as a condition of development approval that storm drainage systems serving new development be sized to accommodate future development within the area as projected by the applicable storm drainage master plan. Over-sizing of facilities may be

eligible for credit towards SDCs.

**COMMENT:**

The attached Preliminary Stormwater Report includes calculations from the project engineer. The calculations evaluate existing stormwater facilities and determine the effect of the proposed development on upstream and downstream drainage in accordance with the above standards. Based on this analysis, the proposed storm system is adequately sized to accommodate proposed and future development in the area (see Exhibit 5).

- E. Existing Watercourse. Where a proposed development is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially to the lines of such watercourse and such further width as will be adequate for conveyance and maintenance to protect the public health and safety.**

**COMMENT:**

There are no watercourses associated with the subject site, therefore the above standards do not apply.

- F. Erosion Control. Specific erosion control measures shall be designed, installed and monitored in conformance with the city's design standards. City-approved erosion control measures must be in place prior to, during and after construction activities for projects that disturb one or more acres of land over a period of time. A National Pollution Discharge Elimination System (NPDES) permit must be obtained from the Department of Environmental Quality prior to the issuance of a development permit or land use permit.**

**COMMENT:**

As required, erosion control measures will be installed, and appropriate permits will be obtained prior to the commencement of construction activities.

- G. Detention. All required stormwater detention must provide for the 25-year storm event. Detention shall be located in underground facilities, or, if aboveground detention is utilized, it shall be with the review and approval of the public works director.**

**COMMENT:**

The attached Preliminary Utility Plans and Preliminary Stormwater Report indicate that collected stormwater will be detained on-site for the 25-year storm event. Following detention, the drainage will be released into the public storm system in Schemmel Lane NE at the pre-development rate (see

Exhibits 3 and 5).

**Section 3.4.500: Sidewalks.**

- A. Requirement.** Sidewalks shall be constructed on all public streets in the city by the owners of property next adjacent thereto. As such, sidewalks shall be constructed in accordance with the specifications hereinafter provided. All development for which land use applications are required must include sidewalks adjacent to public streets. This requirement also applies to new single-family houses and duplexes if they are located on arterial or collector streets or on curbed local streets if there is an existing sidewalk within 500 feet on the same side of the street.

In the case of arterial or collector streets, sidewalks shall be built during their construction and considered during their reconstruction. This provision shall also apply to local streets that serve commercial and multifamily development. Sidewalks are required on both sides of all streets except in hillside developments and mini-subdivisions. If an interim street standard is being constructed which does not include bike lanes or sidewalks, interim bikeways or walkways for pedestrians shall be provided through construction of paved roadway shoulders at least eight feet in width on arterials and six feet on other streets.

- B. Specifications for Construction.** Specifications for the construction of the various kinds of walks provided for have been made by the city engineer and filed in the office of the city recorder, which specifications are hereby especially referred to and by reference are made a part hereof; provided, however, that changes may be made in such specifications by the city council at any time, and when so made and approved and filed in the office of the city recorder, such changed or amended specifications shall become a part hereof the same as though such specifications were now on file in the office of the city recorder.

**COMMENT:**

The attached Preliminary Site Plan indicate that sidewalks will be installed along all streets adjacent and within the development. As required, the sidewalks will be designed and constructed in accordance with City standards.

- C. Mid-Block Requirements.** In the case of blocks greater than 500 feet in length, the review body shall require mid-block pedestrian walks and/or bikeways on a right-of-way at least 20 feet in width with a minimum eight-foot-wide paved

**surface. All walkways or bikeways between streets shall be subject to the requirements of the public works director.**

**COMMENT:**

The attached Preliminary Development Plans illustrate that the existing block length along Schemmel Lane, between the Street A/Schemmel Lane intersection and the Schemmel Lane/Pine Street intersection is approximately 475-feet. The distance along Pine Street, between the Schemmel Lane/Pine Street intersection and the west boundary of the site, is approximately 280-feet. Therefore, the maximum above block length standards have been met.

**D. Design, Width, and Location. All sidewalks must be constructed, replaced or repaired in accordance with the Silverton transportation system plan and the Standard Construction Specifications. The required width and location of sidewalks is as follows:**

- 1. The required width for a sidewalk on an arterial or collector street is six feet. This width may be reduced to five feet if the sidewalk is separated from the curb by a landscaped planter strip at least five feet wide. In those instances where there is inadequate right-of-way for additional width and no additional right-of-way can be obtained as a condition of development approval, the sidewalk width may be reduced to five feet. In all cases, any right-of-way remaining outside the sidewalk is to be landscaped and maintained by the adjoining property owner.**

**COMMENT:**

The attached Preliminary Site Plan indicates that the applicant is proposing to install a curbtight 6-ft. sidewalk along Pine Street NE, an Arterial Street (see Exhibit 3). Therefore, the proposed sidewalk meets the above standards.

- 2. Sidewalks along residential and other local streets must be a minimum of five feet in width. Street trees shall be selected from the list of approved street trees established by the city. Other tree species may be approved if they have similar qualities as those on the list. The planter strip shall be of permeable materials.**

**COMMENT:**

The submitted Preliminary Site Plan and Detailed Plans indicate that the proposed Local Street improvements include the construction of 5-ft. wide sidewalks. In addition, the plans indicate that the proposed street trees will be selected from the City's approved tree list (see Exhibit 3).

- 4. Regardless of other provisions contained in this**

section, any sidewalk project that is less than 200 feet in length and connects on either end to an existing sidewalk may be designed to match the existing pattern with the approval of the city public works director.

**COMMENT:**

The attached Preliminary Development Plans demonstrate that the proposed sidewalks are not located within the vicinity of other off-street sidewalks (see Exhibit 3). Therefore, the applicant is not proposing a sidewalk design that matches an existing sidewalk pattern.

5. **Where obstructions exist or are proposed (including but not limited to mail boxes, utility poles, trees, planters, fire hydrants, signs, benches, bus stops, etc.), provisions must be made to maintain a minimum of four feet of unobstructed sidewalk width on local streets, five feet on collector and arterial streets, and five feet in the downtown commercial district.**

**COMMENT:**

The attached Preliminary Site Plan and Detailed Plans demonstrate that the proposed sidewalks will not be obstructed (see Exhibit 3).

6. **Maintenance of sidewalks and planter strips shall be the continuing obligation of the adjacent property owner. Planter strips shall be landscaped and maintained in like manner to the front yard setback requirements of Article 3, Community Design Standards.**

**COMMENT:**

As required, the proposed landscaped planter strips will be maintained by future owners of the proposed lots.

7. **Sidewalks shall be designed to parallel streets in line and grade and shall avoid unnecessary meandering from the curb line and elevation changes except as necessary to avoid significant trees or traverse topographic barriers. All sidewalks shall be constructed to the official city specifications grade and at such lateral grade or slope as has been or may be specified in the general specification therefor by the city engineer. Grades shall be furnished without charge to property owners, when applied for, for the purpose of constructing sidewalks.**



**COMMENT:**

The attached Preliminary Site Plan and Grading Plan demonstrate that the proposed sidewalks are parallel to each street and will be graded to City specifications (see Exhibit 3).

- 8. Pedestrian/bike access ways not adjacent to a public street shall be a minimum of 20 feet wide and dedicated to the public. The access way improvement shall be a minimum eight-foot-wide paved surface and shall be provided with pedestrian-scaled lighting along the access way. Lighting shall not shine into adjacent residences. Trees shall be provided within the dedicated access way in accordance with the requirements of Chapter 3.2 SDC.**

**COMMENT:**

This application does not include a pedestrian/bike accessway, therefore this section does not apply.

- E. Conformance to Street Grades. All sidewalks constructed adjacent to a street must be placed upon the street grade as established at the time of sidewalk construction. If a space is left between the property line and the sidewalk and/or between the sidewalk and the curb, the space shall be filled and surfaced with earth or other approved material level with the sidewalk. Grade shall be furnished without charge to property owners, when applied for, for the purpose of constructing sidewalks.**

**COMMENT:**

As required, all installed sidewalks and planter strips will conform to corresponding street grades.

- F. Timing of Sidewalk Construction. Sidewalk construction may be deferred until the proposed improvement on the property is completed. No occupancy permit shall be issued by the building official for a development until the provisions of this title are satisfied. The public works director shall require a future improvement assurance (as described in SDC 3.4.700) when, in his opinion, the construction of the sidewalk is impractical for one or more of the following reasons:**

**COMMENT:**

As required, the applicant will install the sidewalks prior to the issuance of occupancy permits for the proposed development.

- 4. Whenever the construction of a sidewalk has been**

deferred, the property owner shall, unless otherwise allowed by the public works director or his/her designee:

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

**COMMENT:**

The applicant is requesting deferment of the sidewalk installation until construction activities are completed on the adjacent lots. As required, the sidewalks will be installed prior to the issuance of an occupancy permit for the proposed development.

**Section 3.4.600: Utilities.**

**A. Underground Utilities.**

2. **New Development.** The following additional standards apply to all new development, in order to facilitate underground placement of utilities:
  - a. The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that all aboveground equipment does not obstruct required vision clearance areas;
  - b. The city reserves the right to approve the location of all surface-mounted facilities;
  - c. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and
  - d. Stubs for service connections shall be sufficient in length to avoid disturbing the street improvements when service connections are made.

**COMMENT:**

Prior to installation of utility services, the developer will coordinate the City and other utility service providers. As required, all utilities will be placed underground in accordance with City standards.

**Section 3.4.700: Construction plan approval and assurances.**

- A. Plan Approval and Permit.** No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements, shall be undertaken except after the plans have been approved by the city, permit fee paid, and permit issued. The permit fee is required to defray the cost and expenses incurred by the city for construction and other services in connection with the improvement. The permit fee shall be set by the city council.
- B. Performance Guarantee.** The city may require the developer or subdivider to provide assurance, bonding or other performance guarantees to ensure completion of required public improvements. See Chapter 4.2 SDC, Land Use Review and Design Review, and Chapter 4.3 SDC, Land Divisions and Property Line Adjustments.

**COMMENT:**

As required, the applicant will pay appropriate fees and obtain necessary permits before public improvements are installed. If required, the developer will provide a performance guarantee for the public improvements.

- C. Petition for Improvement/Waiver of Remonstrance.** Existing single-family residential lots of record and lots created by a land partition may be developed, provided the lots are subject to a petition for improvement/waiver of remonstrance for a future assessment district for the lacking public facilities as determined and approved by the public works director in consultation with the Silverton fire district.

**COMMENT:**

The applicant is not requesting a deferment for the construction of required public facilities, therefore a waiver of remonstrance is not required for the project.

**Section 3.4.900: Easements.**

- A. Provision.** The developer is responsible for making arrangements with the city, the applicable district, and each utility franchise for the provision and dedication of utility easements necessary to provide full services to the

**development. Public main line utility easements shall conform to city specification. See the design standards.**

**COMMENT:**

The attached Preliminary Plat indicates that the applicant is proposing to dedicate a 10-ft. public utility easement along all of the site's street frontages (see Exhibit 3). The attached Preliminary Utility Plans indicate that public water, sanitary sewer, and storm main lines will be placed within a 20-ft. wide public utility easement in Tract 'A'.

**ARTICLE 4: ADMINISTRATION OF LAND USE AND DEVELOPMENT**

**Chapter 4.1: Type of Review Procedures**

**Section 4.1.100: Purpose and applicability of review procedures.**

- B. Applicability of Review Procedures. All land use and development permit applications and approvals, except building permits, shall be decided by using the procedures contained in this chapter. The procedure "type" assigned to each application governs the decision-making process for that permit or approval. There are four types of permit/approval procedures: Types I, II, III, and IV. These procedures are described in subsections (B)(1) through (4) of this section. Table 4.1.100 lists all of the city's land use and development approvals and their required review procedure(s).**
- 3. Type III Procedure (Quasi-Judicial). Type III decisions are made by the planning commission after a public hearing, with appeals made to the city council. Type III decisions generally use discretionary review criteria;**

**COMMENT:**

Table 4.1.100 indicates that the submitted Zoning Map Change and a Planned Development application follow the City's Type III decision process. As required, this request for land use review is being processed under a Type III procedure.

**Section 4.1.800: Neighborhood Contact.**

**Applicants are encouraged to meet with adjacent property owners and neighborhood representatives prior to submitting their application to the city in order to solicit input and exchange information about the proposed development. An applicant is encouraged to hold a neighborhood meeting with a city-recognized neighborhood or community organization and adjacent property owners before submitting the application to the city.**

**COMMENT:**

Prior to the submittal of this application, the applicant discussed the development proposal with some of the neighbors that are adjacent to the site.

**Section 4.1.900: Traffic Impact Studies.**

The purpose of this section is to assist in determining which road authorities participate in land use decisions, and to implement Section 660-012-0045(2)(e) of the State Transportation Planning Rule that requires the city to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. This chapter establishes the standards for when a proposal must be reviewed for potential traffic impacts; when a traffic impact study must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be in a traffic impact study; and who is qualified to prepare the study.

- A. **When a Traffic Impact Study Is Required.** The city or other road authority with jurisdiction may require a traffic impact study (TIS) as part of an application for development, a change in use, or a change in access. A TIS shall be required when a land use application involves one or more of the following actions:
  - 2. Any proposed development or land use action resulting in an increase of 20 single-family dwellings or 200 average daily trips, whichever is less, per the Institute of Transportation Engineers (ITE) Trip Generation Manual;

**COMMENT:**

Since the proposed planned development is limited to 18 single-family dwelling units, a traffic impact analysis is not required to be submitted with this application (see Exhibit 6).

**Chapter 4.2: Land Use Review and Design Review**

**Section 4.2.200: Applicability.**

- B. **Design Review.** Design review ensures compliance with the land use and development standards in Article 2 and the design standards and public improvement requirements in Article 3. All of the following actions are subject to design review:

1. **Development for a new multifamily, attached single-family, commercial, industrial or institutional use, including land divisions, site preparation and construction of buildings, parking, landscaping, signage, and other site improvements for the same;**

**COMMENT:**

The attached Preliminary Site Plan indicates that the applicant is proposing to develop single-family attached dwellings on Lots 1-10 and 16-17 (see Exhibit 3). As required, the applicant is including a Design Review request for the proposed attached dwellings and common open space improvements within Tract 'A'.

**Section 4.2.500: Design Review – Application Submission Requirements.**

**All of the following information is required for design review application submittal:**

- A. **General Submission Requirements. An application for design review shall contain all of the information required for a Type III review under SDC 4.1.400, and provide:**
  1. **Traffic Estimate. The application shall describe the proposed access to and from the site and estimate potential vehicle traffic increases resulting from the project. The community development director may require a traffic impact study, in accordance with SDC 4.1.900; and**

**COMMENT:**

With this Planned Development application, the applicant is requesting design review approval for the proposed attached single-family units. It is estimated that the 12 units will generate 13 PM peak hour trips and 146 daily trips. At the pre-application conference, the Community Development Director confirmed that a traffic impact study is not required for this application.

2. **In situations where this code requires the dedication of property to the city, the city shall either, (1) include in the written decision evidence that shows that the required property dedication is directly related to and roughly proportional to the projected impacts of the development on public facilities and services, or (2) not require the dedication as a condition of approval; this does not preclude the city from accepting voluntary dedications.**

**COMMENT:**

As required, the City's Staff Report for this application will provide findings which show that the required property dedication is roughly proportional to the projected impact of the development on public facilities and services.

**B. Design Review Information.** In addition to the general submission requirements and number of required copies for a Type III review (SDC 4.1.400), an applicant for design review shall provide the following information, as deemed applicable by the community development director. The community development director may deem applicable any information that he or she needs to review the request and prepare a complete staff report and recommendation to the review body.

**1. Site Analysis Map.** At a minimum the site analysis map shall contain the following:

- a. The applicant's entire property and the surrounding property to a distance sufficient to determine the location of the development in the city, and the relationship between the proposed development site and adjacent property and development. The property boundaries, dimensions and gross area shall be identified;
- b. Topographic contour lines at two-foot intervals or less for slopes of less than 10 percent, and five-foot intervals for steeper slopes;
- c. Identification of slopes greater than 12 percent, consistent with the method of measurement and contour intervals required by the city engineer;
- d. The location and width of all public and private streets, drives, sidewalks, pathways, rights-of-way, and easements on the site and adjoining the site;
- e. Potential natural hazard areas, including any flood areas subject to Chapter 2.5 SDC, areas subject to high water table, and areas mapped by the city, county, or state as having a potential for geologic hazards.
- f. Resource areas, including marsh and wetland areas, streams, and wildlife habitat identified by

the city or any natural resource regulatory agencies as requiring protection.

- g. Site features, including existing structures, pavement, large rock outcroppings, areas having unique views, and drainage ways, canals and ditches.
- h. Locally or federally designated historic and cultural resources on the site and adjacent parcels or lots;
- i. The location, size and species of trees and other vegetation having a caliper (diameter) of six inches or greater at four feet above grade;
- j. North arrow, scale, names and addresses of all persons listed as owners of the subject property on the most recently recorded deed;
- k. Name and address of project designer, engineer, surveyor, and/or planner, if applicable.

**COMMENT:**

As deemed applicable by the Community Development Director, the applicant has submitted an Existing Conditions Plan and Future Streets Plan in accordance with the above standards (see Exhibit 3).

- 2. **Proposed Site Plan. The site plan shall contain the following information:**
  - a. The proposed development site, including boundaries, dimensions, and gross area;
  - b. Features identified on the existing site analysis maps that are proposed to remain on the site;
  - c. Features identified on the existing site map, if any, which are proposed to be removed or modified by the development;
  - d. The location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements;
  - e. The location and dimensions of all existing and proposed structures, utilities, pavement and other improvements on the site. Setback dimensions for all existing and proposed



**buildings shall be provided on the site plan;**

- f. The location and dimensions of entrances and exits to the site for vehicular, pedestrian, and bicycle access;**
- g. The location and dimensions of all parking and vehicle circulation areas (show striping for parking stalls and wheel stops);**
- h. Pedestrian and bicycle circulation areas, including sidewalks, internal pathways, pathway connections to adjacent properties, and any bicycle lanes or trails;**
- i. Loading and service areas for waste disposal, loading and delivery;**
- j. Outdoor recreation spaces, common areas, plazas, outdoor seating, street furniture, and similar improvements;**
- k. Location, type, and height of outdoor lighting;**
- l. Location of existing and proposed mailboxes;**
- m. Name and address of project designer, if applicable;**
- n. Locations of bus stops and other public or private transportation facilities;**
- o. Sign concept plan (e.g., locations, general size, style and materials of signs). (Signs are subject to review and approval under Chapter 15.16 SMC.)**

**COMMENT:**

As deemed applicable by the Community Development Director, the applicant has provided the above information on the attached Preliminary Plat, Preliminary Site Plan, and Preliminary Grading Plan (see Exhibit 3).

- 3. Architectural Drawings. Architectural drawings showing one or all of the following shall be required for new buildings and major remodels:**
  - a. Building elevations with building height and widths dimensioned, and materials labeled;**

- b. **Building Materials, Colors and Type.** A materials sample board may be required;
- c. **The name of the architect or designer.**

**COMMENT:**

As deemed applicable by the Community Development Director, the applicant has submitted the attached Building Plans and Elevations to demonstrate compliance with this section (see Exhibit 4).

- 4. **Preliminary Grading Plan.** A preliminary grading plan prepared by a registered engineer shall be required for development sites one-half acre or larger. The preliminary grading plan shall show the location and extent to which grading will take place, indicating general changes to contour lines, slope ratios, slope stabilization proposals, and location and height of retaining walls, if proposed. Surface water detention and treatment plans may also be required, in accordance with SDC 3.4.400.

**COMMENT:**

A Preliminary Grading Plan and Preliminary Utility Plan have been submitted to demonstrate compliance with this section (see Exhibit 3).

- 5. **Landscape Plan.** A landscape plan may be required and at the direction of the community development director shall show the following:
  - a. **The location and height of existing and proposed fences, buffering or screening materials;**
  - b. **The location of existing and proposed terraces, retaining walls, decks, patios, shelters, and play areas;**
  - c. **The location, size, and species of the existing and proposed plant materials (at time of planting);**
  - d. **Existing and proposed building and pavement outlines;**
  - e. **Specifications for soil at time of planting, irrigation if plantings are not drought-tolerant (may be automatic-underground or other approved method of irrigation) and anticipated planting schedule;**

- f. **Other information as deemed appropriate by the community development director. An arborist's report may be required for sites with mature trees that are protected under Chapter 3.2 SDC, Landscaping, Street Trees, Fences and Walls;**

**COMMENT:**

A detailed Landscape Plan was not required by the Community Development Director for this application. However, the attached Preliminary Site Plan does show the type and location of proposed paved areas, fences, landscaped areas, and recreational amenities (see Exhibit 3).

- 6. **Deed Restrictions. Copies of all existing and proposed restrictions or covenants, including those for access control;**

**COMMENT:**

Proposed deeds restrictions were not required by the Community Development Director, however existing recorded easements on the site have been submitted with the attached Property Deed and Easements (see Exhibit 2). The applicant has also identified the location of proposed utility easements on the attached Preliminary Plat (see Exhibit 3).

- 7. **Narrative. Letter or narrative report documenting compliance with the applicable review criteria contained in SDC 4.2.600, Review criteria – Design review;**

**COMMENT:**

This Applicant's Statement provides a narrative which documents how this application complies with all applicable review criteria (see Exhibit 3).

- 8. **Traffic impact study, when required, shall be prepared in accordance with the road authority's requirements. See SDC 4.1.900 for relevant standards.**

**COMMENT:**

As mentioned above, a traffic impact study is not required for this application (see Exhibit 6).

- 9. **Other information determined by the community development director. The city may require studies or exhibits prepared by qualified professionals to address specific site features or project impacts (e.g., traffic, noise, environmental features, natural hazards, etc.), in conformance with this code.**

**COMMENT:**

All of the information required by the Community Development Director has been noted above.

**Section 4.2.600: Review criteria – Design Review.**

**The city shall consider the following review criteria and may approve, approve with conditions, or deny a design review based on the following; the applicant shall bear the burden of proof.**

- A. Complete. The application is complete, as determined in accordance with Chapter 4.1 SDC, Types of Review Procedures, and SDC 4.2.500;**

**COMMENT:**

As required, this application has been submitted to the City of Silverton for completeness review.

- B. Zoning District. The application complies with all of the applicable provisions of the underlying zoning district (Article 2), including: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other special standards as may be required for certain land uses;**

**COMMENT:**

This application has been submitted under the Planned Development process, allowing for the modification of R-5 development standards. The applicant has identified proposed modifications to these standards within this narrative and in the attached Preliminary Development Plans (see Exhibit 3).

- C. Conformance. The applicant shall be required to upgrade any existing development that does not comply with the applicable zoning district standards, in conformance with Chapter 5.2 SDC, Nonconforming Uses and Development;**

**COMMENT:**

The subject site is currently vacant, therefore these standards do not apply.

- D. Design Standards. The application complies with all of the design standards in Article 3:**
  - 1. Article 2, design standards and special use standards of the applicable district;**
  - 2. Chapter 3.1 SDC, Access and Circulation;**
  - 3. Chapter 3.2 SDC, Landscaping, Street Trees, Fences and**

**Walls;**

- 4. Chapter 3.3 SDC, Parking and Loading;**
- 5. Chapter 3.4 SDC, Public Facilities;**

**COMMENT:**

This Applicant's Statement has addressed all applicable sections of the chapters identified above.

- E. Conditions of Approval. Existing conditions of approval required as part of a prior land division (Chapter 4.3 SDC), conditional use (Chapter 4.4 SDC), planned development (Chapter 4.5 SDC) or other approval shall be met.**

**COMMENT:**

There are no existing land division, conditional use, or planned development land use decisions for the subject site.

**Section 4.2.700: Bonding and Assurances.**

- A. Performance Bonds for Public Improvements. On all projects where public improvements are required, the city shall require the developer to provide bonding or other performance guarantees acceptable to the public works director to ensure completion of required public improvements. The bond or other assurance (e.g., letter of irrevocable credit) shall be equal to 110 percent of the total construction cost estimate for all public infrastructure to be provided, as approved by the public works director, or designee. In addition, the construction cost estimate must either be an engineer's estimate, in writing, or a copy of the contractor's price agreement having sufficient detail for the public works director, or designee, to verify reasonable unit pricing.**
- B. Release of Performance Bonds. The bond or other assurance shall be released when the public works director, or designee, finds the public improvements are complete and conform to the site development approval, including all conditions of approval. Upon acceptance of the completed public improvements, a one-year warranty bond, deposit or other assurances approved by the public works director, or designee, shall be required and shall cover a minimum of 20 percent of the public improvements construction cost for the project.**
- C. Completion of Landscape Installation. Landscaping shall be**

installed prior to issuance of occupancy permits, unless security equal to the cost of the landscaping as determined by the community development director or a qualified landscape architect is filed with the community development director assuring such installation within six months after occupancy. If the installation of the landscaping is not completed within the six-month period, the security may be used by the city to complete the installation.

- D. **Termination of Performance Guarantee.** The developer shall not cause termination of nor allow expiration of the guarantee without having first secured written authorization from the city.

**COMMENT:**

As required, the applicant will fulfill all requirements for bonding and assurances for public improvements and landscaping installation in accordance with the above standards.

**Chapter 4.3: Land Divisions and Property Line Adjustments**

**Section 4.3.110: General requirements.**

- A. **Subdivision and Partition Approval Through Two-Step Process.** Applications for subdivision or partition approval shall be processed by means of a preliminary plat evaluation and a final plat evaluation, according to the following two steps:
  - 1. The preliminary plat must be approved before the final plat can be submitted for approval consideration; and
  - 2. The final plat must include all conditions of approval of the preliminary plat and construction plans must be approved before the final plat may be considered for approval.

**COMMENT:**

With this Planned Development application, the applicant is requesting land division approval for the project. As required, the attached Preliminary Plat will be approved prior to consideration of the Final Plat (see Exhibit 3). In addition, the applicant will fulfill all conditions of approval and submit construction plans to the City prior to submittal of the Final Plat.

- B. **Compliance with ORS Chapter 92.** All subdivision and partition proposals shall conform to state regulations in ORS Chapter 92, Subdivisions and Partitions.

**COMMENT:**

This Applicant's Statement demonstrates how the proposed land division conforms to the Silverton Development Code. As required, the City Code implements State regulations in ORS Chapter 92, Subdivision and Partitions.

- C. Future Redivision Plan. When subdividing or partitioning tracts into large lots (i.e., greater than two times or 200 percent the minimum lot size allowed by the land use district), the city shall require that the lots be of such size, shape, and orientation as to facilitate future re-division in accordance with the requirements of the land use district and this code. A re-division plan shall be submitted for large lots identifying:**
- 1. Potential future lot division(s), consistent with the densities and lot sizes in Article 2;**
  - 2. Potential street right-of-way alignments to serve future development of the property and connect to adjacent properties, including existing or planned rights-of-way;**
  - 3. A disclaimer that the plan is a conceptual plan intended to show potential future development. It shall not be binding on the city or property owners, except as may be required through conditions of land division approval. For example, dedication and improvement of rights-of-way within the future plan area may be required to provide needed secondary access and circulation.**

**COMMENT:**

The attached Preliminary Plat and Preliminary Site Plan demonstrate that the subject property will be fully developed with approval of the Planned Development application. Therefore, a future redivision plan is not required. The applicant has also attached a Future Streets Plan, which conceptually shows how potential street and land division could occur on adjacent properties (see Exhibit 3).

- D. Lot Size Averaging. Lot size may be averaged to allow lots less than the minimum lot size, as provided in SDC 4.3.115, or when approved through a planned development under Chapter 4.5 SDC.**

**COMMENT:**

As stated previously, the applicant is requesting modifications to minimum lot sizes through the planned development process. Proposed lot sizes have been identified on the attached Preliminary Plat (see Exhibit 3).

- E. Temporary Sales Office. A temporary sales office in conjunction with a subdivision may be approved as set forth in SDC 4.9.100, Temporary uses.**

**COMMENT:**

If a temporary sales office is required for the development, it will be requested through a separate permitting process.

- F. Minimize Flood Damage. All subdivisions and partitions shall be designed based on the need to minimize the risk of flood damage. See also Chapter 2.5 SDC, Floodplain Overlay District.**
- G. Determination of Base Flood Elevation. See Chapter 2.5 SDC, Floodplain Overlay District.**

**COMMENT:**

The subject site is not located within the Floodplain Overlay District, therefore these standards do not apply.

- H. Need for Adequate Utilities. All lots created through land division shall have adequate public utilities and facilities such as sewer, gas, electrical, and water systems. These systems shall be located and constructed to prevent or minimize flood damage, and to avoid impairment of the system and contamination from them during flooding.**

**COMMENT:**

The attached Preliminary Utility Plan demonstrates that the proposed lots have adequate access to public utilities and facilities (see Exhibit 3).

- I. Need for Adequate Drainage. All subdivision and partition proposals shall have adequate surface water drainage facilities that reduce exposure to flood damage and improve water quality. Water quality or quantity control improvements may be required.**



**COMMENT:**

The attached Preliminary Utility Plan and Preliminary Stormwater Report demonstrate that surface water drainage within the development will be managed to provide required water quality and control (see Exhibit 3).

**J. Floodplain, Park, and Open Space Dedication.**

**COMMENT:**

The subject site does not contain a regulatory floodplain, therefore the above standards do not apply.

**Section 4.3.112: Pre-Planning for Large Sites.**

- B. Applicability. This section applies to parcels, and development sites with more than one parcel in residential district(s) that are 20 acres or larger.**

**COMMENT:**

The subject site contains 1.89 acres, therefore the requirements of this section do not apply.

**Section 4.3.115: Flexible Lot Size – Lots Without Street Frontage – Flag Lots – MiniSubdivisions.**

- A. Flexible Lot Size. To allow creativity and flexibility in subdivision design and to address physical constraints, such as areas subject to the hillside protection overlay, jurisdictional wetlands, floodplain, unusual parcel configuration, or similar constraint, the review body may grant a 10 percent adjustment to the lot area and/or lot dimension (width/depth) standards in SDC 2.2.130 without the need for a variance under Chapter 5.1 SDC; provided, that the overall density of the subdivision does not exceed the allowable density of the district based on the developable area exclusive of right-of-way areas and the review body finds that granting the modification allows for a greater variety of housing types or it improves development compatibility with natural features or adjacent land uses. The review body may require that standard size lots be placed at the perimeter of the development where the abutting lots are standard size or larger; except that this provision shall not apply where the abutting lots are larger than 15,000 square feet.**

**COMMENT:**

The applicant is proposing to modify the minimum lot size standard through the planned development process, therefore flexible lot size standards do not apply to this application.

- B. Individual Lots without Street Frontage.** Individual lots may be developed without frontage onto a public street when lot access is provided by an access easement approved by the city. Such access easements may be approved through the partitioning process when the review body finds that no other practicable alternative exists for accessing the lot and no new public street is required to meet the block length and street connectivity standards in Chapter 3.1 SDC. Access easements may be allowed as an alternative to requiring through streets where block lengths do not necessitate a through street. Such driveways and easements shall meet the driveway standards in Chapter 3.1 SDC. See also subsection (C) of this section, Flag Lots.

**COMMENT:**

The attached Preliminary Plat and Preliminary Site Plan indicate that proposed Lots 1-11 do not have frontage on a public street. As permitted, the applicant is proposing access to these lots through Tract 'A', which will be jointly owned and maintained by a homeowner's association. Since the site is long and narrow, the block distance between the Schemmel Lane/Pine Street intersection and the west boundary of the site is only 280-feet. In addition, since Pine Street NE is an Arterial Street, a north-south street though the site is neither practicable nor necessary. As required, this narrative has addressed how the proposed shared driveway for Lots 1-11 meets the standards of Chapter 3.1.

- C. Flag Lots.** Flag lots are discouraged and allowed only when absolutely necessary to provide adequate access to buildable sites in infill situations where the dedication and improvement of a public street cannot be provided or the lots take access from an access-restricted roadway. Flag lots are generally not allowed in new subdivisions. A single flag lot may be allowed in a subdivision, provided the variance process is undertaken and all review criteria are met. The review body may approve a flag lot in conjunction with a partition approval only where all lots in the partition meet all of the following criteria. Where the following criteria conflict with requirements of the applicable land use district, the following criteria shall apply:

**COMMENT:**

The applicant is not proposing a flag lot, therefore the above standards do not apply.

**Section 4.3.130: Preliminary Plat Submission Requirements.**

- A. General Submission Requirements.** For all partitions (three or fewer parcels) the application shall contain all of the information required for a Type II procedure under SDC 4.1.300. For subdivisions, the Type III procedures under SDC

**4.1.400 shall be followed. Preliminary plats shall also provide the information in subsections (A)(1) and (2) of this section:**

- 1. Traffic Estimate. The application shall describe the proposed access to and from the site and estimate potential vehicle traffic increases resulting from the project. The community development director may require a traffic impact study, in accordance with SDC 4.1.900; and**
- 2. In situations where this code requires the dedication of property to the city, the city shall either (a) include in the written decision evidence that shows that the required property dedication is directly related to and roughly proportional to the projected impacts of the development on public facilities and services, or (b) delete the dedication as a condition of approval.**

**COMMENT:**

As mentioned above, a traffic impact study is not required for the proposed development. The proposed single-family development will consist of 18-lots which are estimated to generate 20 PM peak hour trips and 219 daily trips. As required, a City Staff Report will be prepared to provide findings which show that the required right-of-way dedications are roughly proportional to the projected impacts of the development.

**B. Preliminary Plat Information. In addition to the general information and number of required copies described in subsection (A) of this section, the preliminary plat application shall consist of drawings and supplementary written material (i.e., on forms and/or in a written narrative) adequate to provide the following information:**

- 1. General Information.**
  - a. Name of subdivision (not required for partitions). This name must not duplicate the name of another subdivision in the county (please check with county surveyor);**
  - b. Date, north arrow, and scale of drawing;**
  - c. Location of the development sufficient to define its location in the city, boundaries, and a legal description of the site;**
  - d. A title block including the names, addresses and telephone numbers of the owners of the subject**

property and, as applicable, the designer, engineer and surveyor if any, and the date of the survey if submitted; and

- e. Identification of the drawing as a “preliminary plat.”

**COMMENT:**

As demonstrated by the attached plans, the submitted Preliminary Plat meets all applicable standards of this section (see Exhibit 3).

**2. Site Analysis.**

- a. **Streets:** location, name, present width of all streets, alleys and rights-of-way on and abutting the site;
- b. **Easements:** width, location and purpose of all existing easements of record on and abutting the site;
- c. **Utilities:** location and identity of all utilities on and abutting the site. If water mains and sewers are not on or abutting the site, indicate the direction and distance to the nearest one and show how utilities will be brought to standards;
- d. **Ground elevations** shown by contour lines at five-foot vertical intervals for ground slopes exceeding 10 percent and at two-foot intervals, or less, for ground slopes of less than 10 percent or as required by the city engineer. Such ground elevations shall be related to some established benchmark or other datum approved by the county surveyor. Where the site is within a hillside protection overlay, contours shall be shown at intervals and using grade measurement methods as specified by the city engineer;
- e. **The location and elevation of the closest benchmark(s) within or adjacent to the site (i.e., for surveying purposes);**
- f. **Potential natural hazard areas, including any floodplains, areas subject to high water table, landslide areas, and areas having a high erosion potential;**

- g. Wetland areas, streams, wildlife habitat, and other areas identified by the city or natural resource regulatory agencies as requiring protection. (See also relevant portions of the comprehensive plan);**
- h. Site features, including existing structures, pavement, large rock outcroppings, areas having unique views, and drainage ways, canals and ditches;**
- i. Designated historic and cultural resources on the site and adjacent parcels or lots;**
- j. The location, size and species of trees having a caliper (diameter) of six inches or greater at four feet above grade in conformance with Chapter 3.2 SDC;**
- k. North arrow and scale;**
- l. Name and address of project designer, if applicable; and**
- m. Other information, as deemed appropriate by the community development director. The city may require studies or exhibits prepared by qualified professionals to address specific site features and code requirements.**

**COMMENT:**

The applicant has submitted an Existing Conditions Plan which provides all of the required information in this section (see Exhibit 3).

**3. Proposed Improvements.**

- a. Public streets, tracts, driveways, open space and parkland; location, names, right-of-way dimensions, and approximate radius of street curves; and approximate finished street center line grades. All areas and tracts that are being held for private use and all reservations and restrictions relating to such private tracts shall be identified;**
- b. Easements: location, width and purpose of all proposed easements;**

- c. **Lots and private tracts (e.g., private open space, common area, or street): approximate dimensions, area calculation (i.e., in square feet), and identification numbers for all proposed lots and tracts;**
- d. **Proposed uses of the property, including all areas proposed to be dedicated to the public or reserved as open space for the purpose of surface water management, recreation, or other use; potential location of future buildings;**
- e. **Proposed improvements, as required by Article 3, Community Design Standards, and timing of improvements (e.g., in the case of streets, sidewalks, street trees, utilities, etc.);**
- f. **The proposed source of domestic water;**
- g. **The proposed method of sewage disposal;**
- h. **Proposed method of surface water drainage and treatment if required;**
- i. **The approximate location and identity of other utilities, including the locations of street lighting fixtures;**
- j. **Changes to navigable streams, or other watercourses. Status of public access to these areas shall be shown on the preliminary plat, as applicable;**
- k. **Identification of the base flood elevation in accordance with Chapter 2.5 SDC;**
- l. **Evidence of contact with the road authority for any development requiring access to its facility(ies); and**
- m. **Evidence of written notice to the applicable natural resource regulatory agency(ies) for any development within or adjacent to jurisdictional wetlands, and other areas requiring protection or conservation.**

**COMMENT:**

The applicant's submitted Preliminary Plat, Preliminary Site Plan, Preliminary Grading Plan, Preliminary Utility Plan, and Preliminary Stormwater Report provide all of the applicable information required by this section (see Exhibits 3 and 5).

**Section 4.3.140: Review Criteria – Preliminary Plat.**

- A. General Review Criteria. The city shall consider the following review criteria and may approve, approve with conditions, or deny a preliminary plat based on the following; the applicant shall bear the burden of proof.**
- 1. The proposed preliminary plat complies with the applicable development code sections and all other applicable ordinances and regulations. At a minimum, the provisions of this article, and the applicable chapters and sections of Article 2, Land Use (Zoning) Districts, and Article 3, Community Design Standards shall apply. Where a variance is necessary to receive preliminary plat approval, the application shall also comply with the relevant sections of Article 5;**

**COMMENT:**

This Applicant's Statement addresses how the submitted Preliminary Plat complies with all applicable regulations.

- 2. The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of subdivisions already approved for adjoining property or to provide for logical extension to future properties as to width, general direction and in all other respects. All proposed public improvements and dedications are identified on the preliminary plat;**

**COMMENT:**

The attached Preliminary Development Plans demonstrate that the proposed street improvements, utilities, and surface water management facilities conform to City standards. As required, the proposed public facilities provide for logical extension to adjacent properties. The attached Preliminary Plat, Preliminary Site Plan, Preliminary Utility Plan identify the proposed public improvements and where public dedications will be provided with the planned development (see Exhibit 3).

- 3. If any part of the site is located within an overlay zone, or previously approved planned development, it shall conform to the applicable regulations and/or**

conditions;

**COMMENT:**

The subject site is not located within an overlay zone, therefore the above standards do not apply.

4. **Evidence that any required state and federal permits have been obtained, or shall be obtained before approval of the final plat;**

**COMMENT:**

As required, the applicant will obtain any required state and federal permits before approval of the final plat.

5. **Evidence that improvements or conditions required by the city, road authority, county, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met; and**

**COMMENT:**

At this time, no conditions of approval from a previous land use decision applies to the subject site. However, the submitted Preliminary Development Plans demonstrate that the proposed project is feasible, and any required conditions can be met (see Exhibit 3).

6. **If applicable, all proposed private common areas and improvements (e.g., homeowner association property) are identified on the preliminary plat, and appropriate covenants, conditions and restrictions (CC&Rs) are provided.**

**COMMENT:**

The applicant is proposing to establish a private common open space area within Tract 'A'. As required, proposed CC&Rs for the project will be provided to the City for review prior to final plat approval.

- B. **Layout and Design of Streets, Blocks and Lots. All proposed blocks (i.e., one or more lots bound by public streets), lots and parcels conform to the specific requirements below:**
  1. **All lots shall comply with the lot area, setback, and dimensional requirements of the applicable land use district (Article 2), and the standards of SDC 3.4.100(G), Subdivision Street Connectivity.**
  2. **Setbacks shall be as required by the applicable land use district (Article 2).**



**COMMENT:**

As discussed under Section 2.2, the applicant is proposing several modifications to R-5 development standards through the planned development process. The applicant has addressed how the modifications meet the Planned Development approval criteria under Section 4.5.130.

- 3. Each lot shall conform to the standards of Chapter 3.1 SDC, Access and Circulation.**

**COMMENT:**

This Applicant's Statement has addressed how the proposed lots meet the required access and circulation standards under Chapter 3.1.

- 4. Landscaping or other screening may be required to maintain privacy for abutting uses. See Article 2, Land Use (Zoning) Districts, and Chapter 3.2 SDC, Landscaping, Street Trees, Fences and Walls.**

**COMMENT:**

The attached Preliminary Site Plan identifies proposed landscaping and screening between abutting land uses (see Exhibit 3). In addition, the applicant has provided a written description of the proposed landscaping and screening measures under Section 3.2.300(E)(4)(e).

- 5. In conformance with the International Fire Code, a 12-foot-wide paved fire apparatus access drive within a 20-foot fire apparatus lane shall be provided to serve all portions of a building that are located more than 150 feet from a public right-of-way or other approved access drive. See also Chapter 3.1 SDC, Access and Circulation.**

**COMMENT:**

The attached Preliminary Site Plan and Detailed Plans demonstrate that fire apparatus access and turnarounds meeting Fire Code standards will be provided to all buildings within the proposed development (see Exhibit 3).

- 6. Where a common drive is to be provided to serve more than one lot, a reciprocal easement that will ensure access and maintenance rights shall be recorded with the approved subdivision or partition plat.**

**COMMENT:**

The attached Preliminary Site Plan identifies the location of a common drive to provide access to Lots 1-11. The proposed shared driveway is located within Tract 'A, which will be owned and maintained by the planned development's homeowners' association (see Exhibit 3).

- 7. All applicable engineering design standards for streets, utilities, surface water management, and easements shall be met.**

**COMMENT:**

The attached Preliminary Development Plans demonstrate that all applicable engineering standards have been met (see Exhibit 3).

- C. Open Space and Park Dedication. Requirements for open space and/or park dedication, as provided in SDC 3.4.200, Public use areas, and SDC 4.3.110(J), Floodplain, Park, and Open Space Dedication, are met.**

**COMMENT:**

As discussed under Section 3.4.200(A), 0.14 acres of park land is required to be dedicated for the proposed development. The applicant is proposing to pay a fee in lieu of the required parkland dedication. In conformance with Section 4.5.150(D), the applicant is also proposing to provide 15,054 sq. ft. (18.27% of site) of usable common open space area with Tract 'A'.

- D. Conditions of Approval. The city may attach such conditions as are necessary to carry out provisions of this code, and other applicable ordinances and regulations, and may require reserve strips be granted to the city for the purpose of controlling access to adjoining undeveloped properties. See Chapter 3.4 SDC, Public Facilities.**

**COMMENT:**

As required, the applicant will fulfill all conditions of approval associated with the submitted application.

**Chapter 4.5: Planned Developments**

**Section 4.5.120: Planned development – Review and Approvals Process.**

- A. Review Steps. There are three required steps to planned development approval, which may be reviewed individually or combined into one package for concurrent review:**
  - 1. The approval of a planned development concept plan;**

2. The approval of a detailed development plan; and
3. The approval of a preliminary subdivision plat(s) and/or design review application(s).

**COMMENT:**

The applicant is requesting concurrent approval of a Concept Plan and a Detailed Development Plan/Preliminary Site Plan for the project (see Exhibit 3). Concurrent with these reviews, the applicant is also requesting approval of a land division to create Lots 1-18, and design review to permit the development of attached single-family units.

**B. Approval Process.**

1. The planned development (PD) concept plan shall be reviewed together using the Type III procedure in SDC 4.1.400, the submission requirements in SDC 4.5.170, and the review criteria in SDC 4.5.150.
2. The detailed development plan shall be reviewed using the Type III procedure in SDC 4.1.400, to ensure substantial compliance with the approved concept plan.
3. Preliminary subdivision plats and design review applications for approved planned developments shall be reviewed using a Type II procedure, as governed by SDC 4.1.300.
4. Subsections (B)(1) through (3) of this section may be combined in any manner, so long as the decision-making sequence follows that in subsection (A) of this section. Notification and hearings may be combined.

**COMMENT:**

As required, the proposed planned development Concept Plan and Detailed Development/Preliminary Site Plan will be reviewed under the Type III procedure. The applicant is also requesting concurrent land division and design review for the development.

**Section 4.5.130: Planned development – Modification of District Standards (Article 2) and Design Standards (Article 3).**

The planning commission may approve modifications or adjustments to the standards in Article 2 and/or Article 3 through the planned development approval without the need for variances upon finding that all of the following criteria are met:

**A. Comprehensive Plan. The modification or adjustment**

**equally or better meets the intent of the comprehensive plan and development code section(s) to be modified, as compared to a project that strictly conforms to code standards.**

**COMMENT:**

This Applicant's Statement identifies proposed modifications to Article 2 and 3 standards as permitted through the planned development process. These proposed modifications will allow the applicant to address identified issues in the recently adopted Housing Needs Analysis and Housing Strategies Plan, which serve supporting document to the City's Comprehensive Plan. The Housing Strategies Plan makes specific recommendations including increasing dwelling unit density through up-zoning properties, reducing single-family lot sizes, reducing lot dimension standards, and removing other barriers to the development of a wider range of housing. The proposed R-5 designation will increase unit density, lower infrastructure per cost per unit, and allow more affordable housing options to be constructed on the site. The proposed planned development will permit the construction of a variety of housing types and allow homes to be clustered to reduce development costs. The submitted plans demonstrate that the proposed modifications better meet the intent of the 2020 Housing Needs Analysis and Housing Strategies Plan, as compared to a project which strictly conforms to City Development Code standards.

Through the planned development process, the applicant is proposing to modify several Development Code standards listed under Section 2.2.120. As demonstrated by the attached plans, the applicant is proposing to create 18 single-family detached and attached lots, and also provide common open space areas within the development, by reducing the minimum lot size from 5,000 sq. ft. to as much as 1,170 sq. ft., reducing the minimum lot width from 50-ft. to as much as 30-ft., reducing the minimum lot depth from 60-ft. to as much as 39-feet. The attached Preliminary Site Plan and Building Plans and Elevations demonstrates that the proposed project elements are consistent with the adopted Housing Needs Analysis and Housing Strategies Plan, which recommend the diversification of housing types and City support of projects that provide affordable housing options.

The proposed planned development includes modifications to the setback standards of Section 2.2.130. In addition to standard zero-lot lines between attached single-family dwelling units, the applicant is proposing to reduce the 15-ft. minimum front yard setback to 0-ft. for Lots 1-11. In addition, the applicant is proposing to reduce the minimum interior yard setback for detached units from 7-ft. for 2-story structures to as much as 4-feet. The proposed modifications to yard setbacks are consistent with the Housing Strategies Plan, which recommends reducing setback standards since they are a barrier to housing affordability.

With this Planned Development application, the applicant is requesting a modification from the standards of Sections 2.2.160(A) and (B). The submitted Preliminary Site Plan demonstrates that the applicant is requesting an increase in the maximum lot coverage area from 50% to 66% for Lots 1-11. In addition, the proposed development includes a request to increase the maximum impervious surface area in setback yards from 50% to 66% for Lots 1-11. Through the Planned Development process, the applicant is proposing to develop landscaped common open space areas adjacent to the proposed zero-lot line homes on Lots 1-11. This approach efficiently clusters the homes to promote affordability and provides access to larger open space areas within the development. As such, the reduced yard areas are consistent with the City's Housing Strategies Plan recommendations.

Since the site is challenged with a long and narrow configuration, the proposed development has limited opportunities to orient buildings toward adjacent public streets (see Exhibit 3). To help mitigate for this issue, the applicant is proposing to orient Lots 2-14 towards common open space areas in the interior of the site. The applicant is requesting a modification to the primary entrance standards of Section 2.2.180(C)(1) to permit the proposed building orientation and increase the distance between primary building entrances and adjacent streets. The proposed building orientation equally meets the intent of the Code since the dwellings will be oriented to provide surveillance of communal open space areas. The submitted Building Plans and Elevations demonstrates that all of the dwellings which front Pine Street, Schemmel Lane, and Street A have windows oriented toward the streets so that surveillance can also be maintained over adjacent public areas.

With this Planned Development application, the applicant is also proposing to modify the perimeter screening and buffering standards of Section 3.2.300(E)(4)(e). Properties to the east and west of the subject parcel are zoned R-1 or AR, and parcels to the south are zoned P. To adequately screen the proposed development from adjacent properties, the applicant is proposing to install a 6-ft. wood sight-obscuring fence along the east, south and west boundaries of the site. The plan demonstrates that a 12-ft. setback is provided to buffer the home on Lot 18 from the City Wastewater Treatment Plant to the south of the site. The plan also illustrates that a minimum of 34-ft. buffer will be provided between the proposed homes and parcels to the east of the site. The applicant's Preliminary Site Plan indicates that a minimum 23-ft. buffer will be provided between Lots 1-11 and the west boundary of the site, while standard R-5 perimeter setbacks will be maintained for Lots 14-18 (see Exhibit 3). As required, landscaping will be installed within the proposed yard areas. With the proposed fencing, landscaped areas, and setbacks, the alternate screening and buffering measures equally meet the intent of Section 3.2.300(E)(4)(e) standards.

- B. Public Benefit. The modification or adjustment results in an overall net benefit to the public; e.g., clustering of smaller lots results in a greater variety of housing, greater affordability in housing, more open space or more usable open space, greater protection of natural features, avoidance of natural hazards (e.g., geological hazards or drainage ways), superior architecture, and/or improved transportation planning in new development.**

**COMMENT:**

For the reasons stated in this section, the proposed modification results in an overall net benefit to the public. As discussed previously, the City recently updated its Housing Needs Analysis and adopted a Housing Strategies Plan as a supporting document to the Comprehensive Plan. To provide more affordable housing for the community, the Housing Strategies Plan recommends reducing single-family lot sizes, reducing lot dimension standards, and removing other barriers to the development of more diverse housing types. As demonstrates by the attached Building Plans and Elevations, the proposed modifications permit the development several lower cost housing types on smaller lots. The proposed modifications also allow the consolidation of open space and the development of paths and recreational amenities that will foster community connections within the development.

The submitted Preliminary Site Plan and Detailed Plans demonstrate how the proposed modifications allow the development of diverse housing types that are consistent with the City's adopted affordable housing strategies. The proposed planned development will be constructed by the North Willamette Valley Habitat for Humanity, which has been partnering with families to meet their home ownership goals for nearly 40 years. Through donations and volunteer assistance, this organization focuses on the development of safe and affordable housing. The proposed modifications will increase opportunities for affordable home ownership in Silverton, meeting the needs of the Baby Boomer generation which are on a fixed income, desire smaller homes, and would like reduced maintenance responsibilities. Some of the proposed dwellings are also well suited to younger Millennial generation families who would like to buy their first home and would enjoy safe common open space areas for their children to play.

The applicant's Building Plans and Elevations demonstrate that the proposed dwellings are attractive and maintain a coordinated design aesthetic (see Exhibit 4). The attached Preliminary Site Plan illustrates that the more compact housing options permit the development of shared amenities within the development (see Exhibit 3). The plans demonstrate that 18% of the gross land area within the planned development is reserved for social and recreational needs of the residents.

- C. Public improvement standards and engineering design criteria shall not be modified without variance to such standards approved by the city engineer. The city may grant such variances concurrently with the planned development;**

**COMMENT:**

The subject site fronts Pine Street NE, which is classified as an Arterial Street. Since the existing right-of-way width is 60-ft., and parcels to the east and west of the site are mostly developed and the same right-of-way width is maintained along Pine Street, the applicant is proposing to install 2-lane Downtown District improvements within the existing right-of-way width. Based on existing conditions along Schemmel Lane, the applicant is proposing to dedicate 6-ft. of additional right-of-way along the west frontage and 5-ft. of right-of-way along the north frontage. The Preliminary Site Plan demonstrates that these dedications will allow the provision of on-street parking and the installation of sidewalks. To meet Local Street standards, the applicant is proposing to dedicate 50-ft. of right-of-way for the development of Street A. As required, all of these proposed street improvements will be reviewed by the City Engineer for consistency with City standards.

- D. Residential densities shall not exceed those allowed under the comprehensive plan and where steep slopes exist shall follow the procedures found in Chapter 2.6 SDC;**

**COMMENT:**

The applicant is proposing to rezone the site from R-1 to R-5, which is a permitted zone under the existing Single-Family Residential Comprehensive Plan Map designation. With the proposed R-5 zoning, a maximum of 19 units may be developed on the 1.89 acres site ( $1.89 \text{ acres} \times 10 \text{ units/acre} = 18.90$ , or 19 units). The minimum density for the site is 9 units ( $1.89 \text{ acres} \times 5 \text{ units/acre} = 9.45$ , or 9 units). Therefore, the proposed development of 18 single-family lots does not exceed what is allowed under the current Residential Comprehensive Plan Map designation. The submitted Existing Conditions Plan indicates that there are no steep slope areas on the subject property (see Exhibit 3).

- E. **Commercial and mixed-use developments may be approved in a residential district planned development, provided the commercial component of the project, including building area, parking and landscape/commercial common area, does not exceed 20 percent of the subject planned development land area; and**

**COMMENT:**

The applicant is not proposing to establish a commercial or a mixed-use development with this Planned Development application, therefore these standards do not apply.

- F. **Industrial uses shall not be allowed in a residential district planned development.**

**COMMENT:**

The applicant is not proposing to establish an industrial use with this Planned Development application, therefore these standards do not apply.

**Section 4.5.140: Planned Development – Concept Plan Submission.**

**The applicant shall submit five copies of all of the following information, subsections (A) and (B) of this section, for the initial review by city staff. An additional seven copies of the complete application shall be submitted for the planning commission hearing, by a date the community development director specifies.**

- A. **General Submission Requirements. The applicant shall submit an application containing all of the general information required for a Type III procedure, as governed by SDC 4.1.400. In addition, the applicant shall submit all of the following:**
  - 1. **A statement of planning objectives to be achieved by the planned development through the particular approach proposed by the applicant. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant;**

**COMMENT:**

As required, the applicant has provided the requested number of hard copies and an electronic copy of application packet to the City. This Applicant’s Statement provides a detailed description of the project objectives and the rational for this Planned Development proposal.

- 2. **A development schedule indicating the approximate dates when construction of the planned development**

**and its various phases are expected to be initiated and completed;**

**COMMENT:**

If this application is approved by the Planning Commission during the spring of 2021, the applicant intends to undertake site development during the summer of 2021 and complete construction of the dwellings from early 2022 to late 2023.

- 3. A statement of the applicant's intentions with regard to the future selling or leasing of all or portions of the planned development;**

**COMMENT:**

North Willamette Valley Habitat for Humanity intends to sell each single-family dwelling to partner families following its construction. The applicant will also set up a homeowners' association for on-going maintenance of the Tract 'A' improvements.

- 4. Narrative report or letter documenting compliance with the applicable review criteria contained in SDC 4.5.150; and**

**COMMENT:**

This Applicant's Statement has addressed how the proposed planned development complies with the applicable Section 4.5.150 review criteria.

- 5. Special studies prepared by qualified professionals (e.g., engineers or scientists) may be required by the community development director, planning commission or city council to determine potential traffic, geologic, stormwater, environmental, natural resource and other impacts, and required mitigation.**

**COMMENT:**

In compliance with this section, the applicant has submitted a Preliminary Stormwater Report with this application. As mentioned previously, City staff confirmed that a traffic impact analysis is not required for this application since 18 dwelling units are proposed with this planned development.

- B. Additional Information. In addition to the general information described in subsection (A) of this section, the concept plan, data, and narrative shall include the following exhibits and information:**

- 1. Existing conditions map, as defined in SDC 4.2.500, Design review – Application submission requirements;**



2. **Conceptual site plan (e.g., general land use, building envelopes, circulation, open space, utility connections, and other information necessary to convey the concept plan);**
3. **Grading concept (for hillside or sloping properties, or where extensive grading is anticipated), consistent with the hillside protection overlay, as applicable;**
4. **Landscape concept (e.g., shows retention of existing vegetation and general planting areas);**
5. **Architectural concept (e.g., information sufficient to describe architectural styles, building heights, and general materials);**
6. **Sign concept plan (e.g., locations, general size, style and materials of signs); and**
7. **Copy of all existing covenants and restrictions, and general description of proposed restrictions or covenants (e.g., for common areas, access, parking, etc.).**

**COMMENT:**

As required, the applicant has attached an Existing Conditions Plan, Building Elevations, Conceptual Site Plan, and Detailed Site Plan/Preliminary Site Plan to illustrate the proposed development, identify general planting areas, and specify retained vegetation (see Exhibits 3 and 4). The submitted plans also include Preliminary Grading Plans for the proposed improvements. No signage is proposed with this application, therefore a sign concept plan has not been provided. Attached with this applicant is a copy of existing easements which are associated with the property. As discussed within this narrative, the applicant is proposing to establish a homeowner’s association for the maintenance and use of the Tract ‘A’ common open space area.

**Section 4.5.150: Planned Development – Concept Plan Review Criteria.**

**The city shall consider the following review criteria and may approve, approve with conditions, or deny a planned development concept plan based on the following; the applicant shall bear the burden of proof.**

- A. Comprehensive Plan. All relevant provisions of the comprehensive plan are met;**

**COMMENT:**

Since the Silverton Comprehensive Plan is implemented by the Development Code, this Applicant’s Statement has addressed all relevant provisions of the Plan.

- B. Land Division Chapter. All of the requirements for land divisions, including requirements for pre-planning large sites under SDC 4.3.112;**

**COMMENT:**

This Applicant's Statement has demonstrated compliance with the requirements of Chapter 4.3, including Section 4.3.112.

- C. Article 2 and Article 3 Standards. All of the land use, development, and design standards contained in Articles 2 and 3 are met, except as may be modified in SDC 4.5.130.**

**COMMENT:**

This Applicant's Statement has addressed all Article 2 and Article 3 land use, development, and design standards. As required, proposed modifications to these standards have been discussed under Section 4.5.130.

- D. Open Space. Master plans shall contain a minimum of 15 percent usable common open space. Common open space shall be integral to the master plan. Plans shall emphasize public gathering places such as plazas, neighborhood parks, trails, and other publicly accessible spaces that integrate land use and transportation and contribute toward a sense of place. Where public or common private open space is designated, the following standards apply:**

- 1. The open space area shall be shown on and recorded with the final plat; and**
- 2. The open space shall be conveyed in accordance with one of the following methods:**
  - a. By dedication to the city as publicly owned and maintained open space. Open space proposed for dedication must be acceptable to the community development director with regard to the size, shape, location, improvement, environmental condition (i.e., the applicant may be required to provide a level one environmental assessment), and budgetary and maintenance abilities;**
  - b. By leasing or conveying title (including beneficial ownership) to a corporation, home association or other legal entity, with the city retaining the development rights to the property. The terms**

**of such lease or other conveyance must include provisions (e.g., maintenance, property tax payment, etc.) suitable to the city.**

**COMMENT:**

The attached Concept Plan indicates that the applicant is proposing to develop 15,054 sq. ft. of usable private common open space area, which is 18.29% of the site area. A homeowner's association will be established for maintenance and use of the Tract 'A' common open space area.

**Section 4.5.170: Planned Development – Detailed Development Plan Submission Requirements.**

**The contents of the detailed development plan shall follow the requirements specified for a conceptual plan incorporating any conditions of approval for the conceptual plan as well as contain the following:**

- A. Location and floor area of existing and proposed structures and other improvements, including maximum heights, building types, and gross density per acre (for residential developments) and location of fire hydrants, overhead lines in the abutting right-of-way, easements and walkways;**

**COMMENT:**

In addition to approval of the Concept Plan, the applicant is requesting Detailed Development Plan approval for the planned development. The submitted Preliminary Site Plan, Building Plans and Elevations, and Preliminary Utility Plans provide required information regarding the proposed structures, density, fire hydrant locations, and proposed easements and walkways (see Exhibits 3 and 4).

- B. Typical elevations of buildings and structures (which may be submitted on additional sheets) sufficient to indicate the architectural intent and character of the proposed development;**

**COMMENT:**

The applicant has submitted the attached Building Plans and Elevations to describe the architectural intent and character of the proposed development (see Exhibit 4).

- C. Landscape plan drawn to scale showing location of existing trees and vegetation proposed to be removed from or to be retained on the site, location and design of landscape areas, varieties and sizes of trees and plant materials to be planted, other landscape features including walls and fences, and irrigation systems required to maintain plant materials;**

**COMMENT:**

The submitted Preliminary Site Plan shows the location of retained vegetation, screening, buffering, fences, and landscaped areas within the planned development (see Exhibit 3). The applicant is requesting deferral of a detailed landscape and irrigation plan until building permit review is requested for the development. As required, the City will verify that the detailed landscape plan meets the above standards prior to the issuance of building permits.

- D. Detailed utilities plan indicating how sanitary sewer, storm sewer, drainage, and water systems will function;**

**COMMENT:**

The attached Preliminary Utility Plans and Preliminary Stormwater Report indicate how the proposed sanitary sewer, storm and drainage, and water systems will function (see Exhibits 3 and 5).

- E. Circulation plan showing street, driveway, parking area, service area, loading area, pedestrian way, and bikeway improvements and their dimensions;**

**COMMENT:**

The attached Concept Plan, Future Streets Plan, and Preliminary Site Plan provide detailed information regarding the proposed street, driveway, parking areas, and walkway improvements.

- F. Location and dimensions of all areas to be conveyed, dedicated, or reserved as common open spaces, public parks, recreational areas, school sites, and similar public and semipublic areas;**

**COMMENT:**

As required, the attached plans illustrate the location and dimensions of all areas to be dedicated or reserved as common open spaces (see Exhibit 3).

- G. Exterior lighting plan indicating the location, size, height, typical design, material, color, and method and direction of illumination.**

**The detailed development plan may combine land division, development review, design review, and/or other applications for concurrent review and approval. The detailed development plan shall be reviewed using a Type III procedure.**

**COMMENT:**

The attached Preliminary Site Plan indicate that lighting for the shared driveway and parking area will be provided by wall mounted lights on the proposed sheds. The plan also indicates that walkways within the open space areas will be illuminated by pedestal lighting (see Exhibit 3).

**Section 4.5.180: Planned Development – Detailed Development Plan Review Criteria.**

The city shall approve the detailed development plan upon finding that the final plan conforms to the concept plan and required conditions of approval. If the detailed plan request combines other land use and development applications, as provided in this section, those applications shall additionally be subject to the applicable review criteria in Article 4. Minor changes to the approved concept plan may be approved with the detailed plan, when the review body finds that the modification(s) is/are consistent with the criteria in subsections (A) through (H) of this section. Changes exceeding those in subsections (A) through (H) of this section must be reviewed as major modifications under Chapter 4.6 SDC.

- A. Increased residential densities (overall or reallocated between development phases) by no more than 10 percent from the concept plan, provided such increase conforms to the comprehensive plan and underlying district;

**COMMENT:**

The submitted plans demonstrate that the Detailed Development Plan/Preliminary Site Plan maintain the same residential density as the submitted Concept Plan (see Exhibit 3).

- B. Increase in lot coverage or impervious surface (overall or reallocated between development phases) by no more than 10 percent over that which is approved;

**COMMENT:**

The submitted Preliminary Site Plan demonstrate that there is no proposed increase in lot coverage or impervious surfaces from what is proposed in the Concept Plan (see Exhibit 3).

- C. Reduction in open space or landscaping by no more than 10 percent;

**COMMENT:**

The submitted Preliminary Site Plan and Detailed Plans demonstrate that there is no proposed reduction in open space or landscaping from the Concept Plan to the Preliminary Site Plan (see Exhibit 3).

- D. Increase in overall automobile parking spaces by no more than 10 percent;**

**COMMENT:**

The applicant is not proposing an increase in automobile parking spaces with the submitted Preliminary Site Plan (see Exhibit 3).

- E. Land Use. No change in land use shall be permitted without a major modification to the concept plan;**

**COMMENT:**

The submitted Preliminary Site Plan demonstrates that the applicant is not proposing any changes in land use from the Concept Plan.

- F. Proposals to add or increase lot coverage within areas subject to a potential hazard or requiring protection under the comprehensive plan shall require a major modification to the concept plan;**

**COMMENT:**

The attached Preliminary Site Plan does not increase lot coverage within areas subject to a potential hazard or areas requiring protection under the Comprehensive Plan (see Exhibit 3).

- G. Major changes in the location of buildings, proposed streets, parking lot configuration, utility easements, landscaping or other site improvements shall require a major modification pursuant to Chapter 4.6 SDC. "Major" in this subsection means by more than 100 feet, or 10 percent, relative to setbacks; and**

**COMMENT:**

The applicant is not proposing to change the location of buildings or other site improvements with the submitted Preliminary Site Plan.

- H. Other substantial modifications not listed in subsections (A) through (G) of this section shall require approval of a major modification, in conformance with Chapter 4.6 SDC.**

**COMMENT:**

The attached Preliminary Site Plan demonstrates that the applicant is not requesting any additional modifications (see Exhibit 3).

**Section 4.5.190: Planned Development – Land Use Review, Design Review, Final Plat, and Building Permit Approvals.**

- A. Land Use and Design Reviews.** For projects requiring land use or design review, all such approvals must be final and appeal periods expired before the city issues building permits. Chapter 4.2 SDC applies to design review.

**COMMENT:**

As required, the applicant will receive final approval of the design review prior to receiving building permits from the City.

- B. Land Divisions.** For projects requiring a land division, the preliminary land division plats must be final and appeal periods expired before a final plat is approved and building permits issued. Chapter 4.3 SDC applies to land divisions.

**COMMENT:**

As required, the applicant will receive final approval of the proposed land division prior to receiving building permits from the City.

- B. Streamlined Review Option.** Applications for preliminary land division plats, land use reviews, and design review applications that are part of an approved planned development may be reviewed using a Type II procedure, rather than the conventional Type III procedure. This shall be the applicant’s option. The variation from the standard procedures of Chapter 4.2 SDC, Land Use Review and Design Review, and Chapter 4.3 SDC, Land Divisions and Property Line Adjustments, is intended to streamline review of projects that have received planned development approvals, since those projects have previously been subject to public review and hearings.

**COMMENT:**

The applicant is requesting approval of all required land use applications during review the planned development’s Concept Plan and Detailed Development Plan.

**Chapter 4.7: Zoning Map and Development Code Text Amendments**

**Section 4.7.300: Quasi-Judicial Amendments.**

- A. Applicability of Quasi-Judicial Amendments.** “Quasi-judicial amendments” are those that involve the application of adopted policy to a specific development application or code

revision, and not the adoption of new policy (i.e., through legislative decisions). Quasi-judicial zone map amendments shall follow the Type III procedure, as governed by SDC 4.1.400, using standards of approval in subsection (B) of this section. The approval authority for such actions shall be as follows:

1. The planning commission shall review and recommend zoning map changes that do not involve comprehensive plan map amendments;
2. The planning commission shall make a recommendation to the city council on an application for a comprehensive plan map amendment. The city council shall decide such applications; and
3. The planning commission shall make a recommendation to the city council on a zoning change application that also involves a comprehensive plan map amendment application. The city council shall decide both applications.

**COMMENT:**

The applicant is requesting approval of a Zoning Map Amendment application to change the site's designation from R-1 to R-5. Since this request does not involve a Comprehensive Plan amendment, the Planning Commission will review and render a decision for the Type III quasi-judicial amendment application.

**B. Criteria for Quasi-Judicial Amendments.** The city shall consider the following review criteria and may approve, approve with conditions or deny a quasi-judicial amendment based on the following; if the application for an amendment originates from a party other than the city; the applicant shall bear the burden of proof.

1. Approval of the request is consistent with the statewide planning goals;

**COMMENT:**

The applicant has addressed how the proposed Zoning Map Amendment is consistent with statewide planning goals in the narrative provided below.

2. Approval of the request is consistent with the relevant comprehensive plan policies and on balance has been found to be more supportive of the comprehensive plan as a whole than the old designation;



**COMMENT:**

The applicant has addressed how the proposed map amendment is consistent with relevant Comprehensive Plan goals and policies in the narrative provided below.

- 3. The requested designation is consistent with any relevant area plans adopted by the city council;**

**COMMENT:**

There are no area plans associated with the subject site.

- 4. The requested designation is consistent with the comprehensive plan map pattern and any negative impacts upon the area resulting from the change, if any, have been considered and deemed acceptable by the city;**

**COMMENT:**

The subject site and adjacent properties are currently designed Single-Family Residential on the Comprehensive Plan Map. The Comprehensive Plan permits both R-1 and R-5 zoning under the existing Single-Family Residential designation. The submitted Preliminary Site Plan indicates that the applicant is proposing to increase perimeter setbacks and screen the proposed development with sight-obscuring fences where smaller lots are clustered on the site. Therefore, potential negative impacts from the development have been adequately mitigated.

- 5. A public need will be met by the proposed change that is not already met by other available properties, or the amendment corrects a mistake or inconsistency in the comprehensive plan or zoning map regarding the property which is the subject of the application;**

**COMMENT:**

The proposed zone change helps address a public need for additional affordable housing in Silverton. The recently adopted Housing Strategies Plan indicates a need to diversify housing types to address the needs of all incomes. Identified City strategies include increasing dwelling unit density through up-zoning properties, reducing single-family lot sizes, reducing lot dimension standards, and removing other barriers to the development of a wider range of housing. By increasing density on the site, the proposed zone change will allow a greater range of housing types to be efficiently developed on a large parcel, which is not currently afforded by other available properties in the City.

- 6. The property and affected area are presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided in the planning period; and**

**COMMENT:**

The attached Existing Conditions Plan demonstrates that existing public sanitary sewer and water system utilities within Schemmel Lane and Pine Street have the capacity to accommodate the proposed development. The applicant's Preliminary Utility Plans indicate that public sanitary sewer service will be provided by connecting to an existing main line within Schemmel Lane NE (see Exhibit 3). Public water service is proposed by extending a main line from Pine Street NE and loop it to the Schemmel Lane main line. Stormwater will be managed by collecting stormwater from impervious surfaces, treating and detaining it on-site, and releasing it at the pre-development rate into the public storm system within Schemmel Lane (see Exhibits 3 and 5).

The subject site has frontage on Pine Street NE, which is classified as an Arterial Street and is under Marion County jurisdiction (see Exhibit 3). The subject site also fronts Schemmel Lane NE, which is classified as a Local Street and is under City of Silverton jurisdiction. The applicant is proposing to install frontage improvements along both rights-of-way and is also installing improvements for Street A in accordance with City requirements. As such, adequate facilities, services and transportation networks will be provided for the subject property.

- 7. The amendment conforms to other applicable provisions of this code, such as the transportation planning rule requirements incorporated into SDC 4.7.600.**

**COMMENT:**

This Applicant's Statement has addressed how this proposal complies with all applicable provisions of the Code, including the Section 4.7.600 Transportation Planning Rule requirement.

- 8. Any amendment involving a change to the city's urban growth boundary shall conform to applicable state planning rules for such amendments. (Ord. 08-06 § 3, 2008)**

**COMMENT:**

The applicant is not proposing an amendment to the City's urban growth boundary, therefore the above standards do not apply.

**Section 4.7.600: Transportation planning rule compliance.**

- A. Review of Applications for Effect on Transportation Facilities. When a development application includes a proposed comprehensive plan amendment, development code amendment, or zoning change, the proposal shall demonstrate it is consistent with the adopted transportation system plan and the planned function, capacity, and performance standards of the impacted facility or facilities. Proposals shall be reviewed to determine whether they significantly affect a transportation facility pursuant to OAR**

**660-012-0060 (Transportation Planning Rule – TPR) and in accordance with traffic impact study provisions in SDC 4.1.900. Where it is found that a proposed amendment would have a significant effect on a transportation facility in consultation with the applicable roadway authority, the city shall work with the roadway authority and applicant to modify the request or mitigate the impacts in accordance with the TPR and applicable law.**

**COMMENT:**

The existing R-1 zoning permits the development of up to 11 dwelling units on the 1.89 acre site (1.89 acres x 6 maximum units/acre = 11.34, or 11 units). The proposed R-5 zoning will permit up to 19 dwelling units for the site (1.89 acres x 10 maximum units/acre = 18.90, or 19 units). As demonstrated by the attached Preliminary Site Plan, the applicant is proposing to develop 18 units dwelling units on the site, which is only 7 more units than what is allowed under the existing zoning. Since this project contains less than 20 dwelling units, it is exempt from the traffic impact statement requirements of Section 4.1.900. As demonstrated by submitted Preliminary Development Plans, the applicant is mitigating impacts to the transportation system by installing frontage improvements along NE Pine Street and NE Schemmel Lane. Due to the relatively low number of trips that will be generated by the development, the potential impact to roadway performance with the proposed zone change is insignificant. As such, the proposed map amendment will not significantly impact existing transportation facilities nor affect the functional classification of either NE Pine Street or NE Schemmel Lane. Therefore, this Zoning Map Amendment application complies with the State Transportation Planning Rule.

**B. SILVERTON COMPREHENSIVE PLAN**

**URBANIZATION ELEMENT**

**Residential Development**

**Policy 3: Planned Unit Development.**

**Planned unit developments will be encouraged, especially on large tracts of undeveloped land, as alternative to traditional subdivisions. A planned unit development offers the potential to develop land efficiently by allowing the opportunity for flexibility with regards to traditional zoning requirements.**

**COMMENT:**

The overall goal of the Urbanization Element of the Comprehensive Plan is to provide an adequate supply of buildable residential, commercial and industrial land within the City's UGB in accordance with state law. In addition to the proposed zone change, the applicant is requesting approval of a Planned Development application for the property. Consistent with this policy, the applicant is requesting several modifications to Chapter 2.2 standards to provide flexibility to traditional zoning requirements. The attached Preliminary Site Plan and Building Plans demonstrate that these modifications will result in the efficient development of land and a greater diversity of affordable housing types in Silverton.

**AGRICULTURAL LANDS ELEMENT**

- Policy 2:** Work with Marion County to ensure orderly growth and redevelopment in the rural residential areas between the city limits and the urban growth boundary. Do not permit subdivisions and partitions that would make redevelopment at urban density economically unfeasible at a later date. Consider proposals for land division only if plans for efficient Redivision of the land at a later date area also presented. Review the redevelopment plans for location of structures before issuing building permits. Encourage Marion County to zone these areas for 5-acre minimum lots. This minimum lot size should be reconsidered after Silverton has developed master sewer and water plans for the area within the urban growth boundary.

**COMMENT:**

The overall goal of the Agricultural Lands Element is to preserve and maintain agricultural lands. This policy requires that the City work with Marion County to zone areas of land between the city limits and the Urban Growth Boundary for 5-acre minimum lots. The subject property is located within the existing city limits of Silverton, therefore the proposed Zoning Map Amendment is consistent with the Agricultural Lands Element.

**OPEN SPACE, NATURAL AND CULTURAL RESOURCES ELEMENT**

- Policy 2:** Preserve needed open space through: public acquisition as funds permit, development and maintenance of parkland and school grounds, setbacks, and limits on development in natural hazard areas.

**COMMENT:**

The attached Existing Conditions Plan demonstrates that there are no floodplains, steeply sloped areas, or natural resources on the subject site. Therefore, the proposed Zoning Map Amendment will meet the objectives of this policy.

**AIR, WATER, AND LAND RESOURCES ELEMENT**

**Policy 1: The City will do what is necessary to improve the water and sewerage treatment systems to meet state and federal standards as finances permit.**

**COMMENT:**

The overall goal of this element is to maintain and improve the quality of air, water and land resources. Development of the property will require connection to the City's sanitary sewer and water systems. Using a methodology that is governed by the master plans, each new dwelling unit will pay water system and sewer system SDCs. Therefore, the proposed Zoning Map Amendment will help further the goal of this element and the objectives of this policy.

**NATURAL HAZARDS ELEMENT**

**Policy 1: The City will prevent development in the areas of natural hazard unless special design features adequately insure the safety and protection of life and property.**

**COMMENT:**

The overall goal of the Natural Hazards Element is to protect life and property from natural disasters and hazards. The attached Existing Conditions Plan demonstrates that there are no floodplains or steeply sloped areas on the subject site. Therefore, the proposed map amendment meets the goal of this element and the objectives of this policy.

**HOUSING ELEMENT**

**Alternatives**

**Policy 4: Encourage planned unit development, mixed use housing, and mixed housing with commercial uses as a means for broadening housing choices and creating sustainable neighborhoods.**

**COMMENT:**

To address housing goals and policies, the Silverton City Council adopted a new Housing Needs Analysis and Housing Strategies Plan in November of 2020. The City's goal to promote housing diversity is currently challenged by the fact that approximately 80% of Silverton's existing housing stock is single-family detached housing, mostly located on large lots. This trend has been influenced by the overwhelming predominance of R-1 zoning within the city limits and Development Code standards which help support this type of development. Single-family homes on large lots have steadily increased in price in Silverton, and with the current average selling price of \$395,000, most of these homes are unattainable for the community's lower income population. Approximately 30% of Silverton households are paying more than 30% of their gross income on housing costs, which leaves them cost-burdened when paying for other cost of living expenses. The recently adopted documents indicate a need to diversify housing types to address the needs of all incomes. Identified City strategies include increasing dwelling unit density through up-zoning properties, reducing single-family lot sizes, reducing lot dimension standards, and removing other barriers to the development of a wider range of housing.

The attached Existing Conditions Plan indicates that the subject site is currently vacant and is zoned R-1. Habitat for Humanity's 2020 State of the Nation's Housing Report finds that low-density zoning restrictions, excessive parking requirements, and high development fees contribute to the undersupply of affordable homes. The proposed R-5 designation will increase unit density, lower infrastructure cost per unit, and allow more affordable housing options to be constructed on the site. The applicant, North Willamette Valley Habitat for Humanity, has a long track record of partnering with families in need and helping them reach the goal of home ownership. The attached Preliminary Site Plan indicates that the proposed zoning and requested Code modifications through the planned development process will permit the development of 6 single-family detached lots and 12 zero-lot line single-family lots on the site. The submitted layout and Building Plans and Elevations demonstrate that the variety of home types will provide multiple paths to affordable home ownership.

**Policy 5: Encourage opportunities which will provide affordable housing to meet the needs of low income. Elderly, handicapped, families, and individuals within the Silverton area.**

**COMMENT:**

The attached Preliminary Site Plan and Building Plans indicate that the applicant is proposing to develop smaller 1-bedroom units and larger 3-bedroom single family dwellings on the site. The proposed planned development will be constructed by North Willamette Valley Habitat for Humanity, which has been partnering with families to meet their home ownership goals for nearly 40 years. The proposed modifications will increase opportunities for affordable home ownership in Silverton, meeting the needs of the Baby Boomer generation which are on a fixed income, desire smaller homes, and would like reduced maintenance responsibilities. Some of the proposed dwellings are also well suited to younger Millennial generation families who would like to buy their first home and would enjoy common open space areas for their children to play.

**Policy 6: Provide opportunities for the development of attached and detached single-family and multi-family dwellings such as duplexes, row houses, and townhouse apartments.**

**COMMENT:**

Under the proposed R-5 zoning, the applicant intends to construct 12 attached single-family dwelling units with the proposed planned development. Therefore, the proposed map amendment will help meet the objectives of this policy.

**Policy 8: Allow for, and encourage the use of flexible lot sizes and building placement, and density transfers to reduce development costs, make efficient use of land, and promote housing variety and affordability.**

**COMMENT:**

The submitted Preliminary Site Plan indicates that the applicant is requesting concurrent planned development approval with the proposed Zoning Map Amendment. The planned development process allows the applicant to use flexible lot sizes and cluster the proposed lots. This allows land to be efficiently used on the site, increasing housing variety and housing affordability.

**ECONOMY ELEMENT**

**Goal: Diversify and improve the economy of Silverton.**

**COMMENT:**

The overall goal of the Economy Element is focused on the diversification and improvement of the local economy. As mentioned previously, the proposed zone change to R-5 will allow North Willamette Valley Habitat for Humanity to develop affordable housing on the site. Since residents of these homes will spend less of their income on housing, they will be able to spend additional money on other cost of living items, which in turns helps support the local economy. As such, the proposed map amendment will meet the goal of this element.

**TRANSPORTATION ELEMENT**

**D. Street System**

**Policy 1: New street improvements shall be consistent with the general location, functional classification, and typical cross-sections (street standards) as set forth in the TSP.**

**COMMENT:**

The overall goal of the Transportation Element is to provide a safe, convenient, aesthetic and economical transportation system. The submitted Existing Conditions Plan indicates that the site has frontage on Pine Street NE, an Arterial Street, and Schemmel Lane NE, a Local Street. The submitted Preliminary Site Plan demonstrates that frontage improvements meeting City standards are proposed along both road frontages. In addition, the applicant is proposing to extend a new street from Schemmel Lane to the west boundary of the property. As such, the proposed Annexation and Comprehensive Plan Amendment meets the goal of this element and the objectives of this policy.

**Policy 2: New development shall provide for street connectivity.**

**COMMENT:**

As demonstrated by the attached Future Streets Plan, development of the subject property will facilitate the development of a needed a new Local Street to serve properties to the west of the site (see Exhibit 3).

**Policy 3: New developments shall provide for necessary street improvements which shall be consistent with the street standards in the TSP and other City ordinances.**

**COMMENT:**

The subject site fronts Pine Street NE, which is classified as an Arterial Street. Since the existing right-of-way width is 60-ft., and parcels to the east and west of the site all maintain the same right-of-way width and are mostly developed, the applicant is proposing to install 2-lane Downtown District improvements within the existing right-of-way width. Also, based on existing conditions along Schemmel Lane, the applicant is proposing to dedicate 6-ft. of additional right-of-way along the west frontage and 5-ft. of right-of-way along the north frontage. The Preliminary Site Plan demonstrates that these dedications will allow the provision of on-street parking and the installation of sidewalks. To meet Local Street standards, the applicant is proposing to dedicate 50-ft. of right-of-way for the development of Street A. As required, all installed improvements will be consistent with City standards.

**F. Pedestrian System**

**Policy 2: All new developments shall provide a sidewalk with curbs and gutters and storm drainage facility along the frontage of any arterial, collector, or residential street. Any requirement for off-street improvements shall be based on a rough proportionality of the impact of the new development.**

**COMMENT:**

As required, the proposed street improvements provide sidewalks and curbs in accordance with City standards.

**G. Bicycle System**

**Policy 2: All new developments shall be required to provide new bike lanes along the frontage of any arterial or collector roads. Any requirements for off-site improvements shall be based on a rough proportionality of the impact of the new development.**

**COMMENT:**

As required, the planned development will include the installation of bike lanes along Pine Street NE, a designated Arterial Street.



## **ENERGY ELEMENT**

**Policy 4: “Strip” commercial and residential “sprawl” will be discouraged to reduce the number and length of automobile trips. “Mixed use” areas that combine residential uses with neighborhood commercial activities will be encouraged as an alternative.**

### **COMMENT:**

The overall goal of the Energy Element is to conserve and reuse energy resources. The attached Preliminary Site Plan demonstrates that the planned development is compact and includes recreational amenities in the project’s common open space area. Therefore, the goal of this element will be met and the project will not encourage residential sprawl.

## **PUBLIC FACILITIES AND SERVICES ELEMENT**

**Policy 12: It shall be the responsibility of subdividers to provide new local streets.**

### **COMMENT:**

The overall goal of the Public Facilities and Services Elements of the Comprehensive Plan is to provide orderly and efficient public facilities and services to meet the needs of Silverton residents. The subject site has frontage on Pine Street NE, which is classified as an Arterial Street and is under Marion County jurisdiction (see Exhibit 3). The subject site also fronts Schemmel Lane NE, which is classified as a Local Street and is under City of Silverton jurisdiction. The applicant is proposing to install frontage improvements along both rights-of-way and will also install improvements for Street A in accordance with City requirements. Therefore, the proposed map amendment will meet the goal of this element and the objectives of this policy.

## **CITIZEN INVOLVEMENT ELEMENT**

**Policy 5: Silverton residents and property owners within the planning area affected by Plan amendments and Urban Growth Boundary changes will be given an opportunity to review and comment on any such changes.**

### **COMMENT:**

The proposed Zoning Map Amendment will follow the City’s Type III review procedure and State land use laws. A public hearing will be held before the Planning Commission to satisfy the goal of the Citizen Involvement Element. The public hearings allow an un-bias decision-making body to consider citizen input, the City’s staff report, and findings from the submitted application when determining whether the proposal meets the City’s clear and objective review criteria.

**Policy 6: Public hearings on Plan and Urban Growth Boundary changes will be held and adequate notice will be given in accordance with these procedures:**

- a. **A public hearing on the proposed change will be held and at least 30 days notice of a hearing will be given to all property owners within 250 feet from the boundary of the property where the changes are proposed.**

**COMMENT:**

As required, the City will notify area property owners and residents in advance of the public hearing, and in accordance with the standards of this policy.

- c. **Minor revisions (those having little significance beyond the immediate area of the change) will be based on special studies or other information which justifies the public need for the change.**

**COMMENT:**

In November of 2020, City Council adopted a new Housing Needs Analysis and Housing Strategies Plan as supporting documents to the Comprehensive Plan. The recently adopted documents indicate a need to diversify housing types to address the needs of all incomes. Identified City strategies include increasing dwelling unit density through up-zoning properties, reducing single-family lot sizes, reducing lot dimension standards, and removing other barriers to the development of a wider range of housing. The proposed R-5 designation will increase unit density, lower infrastructure cost per unit, and allow more affordable housing options to be constructed on the site.

- d. **The following criteria will be used in addition to those criteria found in the policy section of the Urbanization element to establish whether a proposed plan amendment or zone change is justified:**
  - 1. **The change is in conformance with the goals and policies of the Comprehensive Plan.**

**COMMENT:**

As required, this Applicant's Statement has evaluated the Comprehensive Plan and addressed how the proposed map designation conforms to applicable goals and policies.

- 2. **There is a public need for the change and that public need is served by changing the classification of the property under consideration.**

**COMMENT:**

To address affordable housing goals, the Silverton City Council adopted a new Housing Needs Analysis and Housing Strategies Plan at their November 2020 meeting. Currently, approximately 80% of Silverton’s existing housing stock is single-family detached housing, mostly located on large lots. This trend has been influenced by the overwhelming predominance of R-1 zoning within the city limits and Development Code standards which help support this type of development. Single-family homes on large lots have steadily increased in price in Silverton, and with the current average selling price of \$395,000, these homes are unattainable for lower income populations in the community. Approximately 30% of Silverton households are paying more than 30% of their gross income on housing costs, which leaves them cost-burdened when paying for other cost of living expenses. The recently adopted documents indicate a need to diversify housing types to address the needs of all incomes. Identified City strategies include increasing dwelling unit density through up-zoning properties, reducing single-family lot sizes, reducing lot dimension standards, and removing other barriers to the development of a wider range of housing.

The proposed R-5 designation will increase unit density, lower infrastructure cost per unit, and allow more affordable housing options to be constructed on the site. The applicant, North Willamette Valley Habitat for Humanity, has a long track record of partnering with families in need and helping them reach the goal of home ownership. The attached Preliminary Site Plan indicates that the proposed zoning and requested Code modifications through the planned development process will permit the development of 6 single-family detached lots and single-family attached lots on the site. The submitted layout and Building Plans and Elevations demonstrate that a variety of home types are proposed to provide multiple paths to affordable home ownership.

- 3. A public need will be met by a Plan or zone change which is not already met by other available property in the area.**

**COMMENT:**

The proposed zone change helps address a public need for affordable housing in Silverton. The recently adopted Housing Strategies Plan indicates a need to diversify housing types to address the needs of all incomes. Identified City strategies include increasing dwelling unit density through up-zoning properties, reducing single-family lot sizes, reducing lot dimension standards, and removing other barriers to the development of a wider range of housing. By increasing density on the site, the proposed zone change will allow a greater range of housing types to be efficiently developed on a large parcel, which is not afforded by other available properties in the City.

- 4. The potential impact upon the area resulting from the change has been considered.**

**COMMENT:**

The subject site and adjacent properties are currently designed Single-Family Residential on the Comprehensive Plan Map. The Comprehensive Plan permits both R-1 and R-5 zoning under the existing Single-Family Residential designation. The submitted Preliminary Site Plan indicates that the applicant is proposing to increase perimeter setbacks and screen the proposed development with sight-obscuring fences where smaller lots are clustered on the site. Therefore, potential negative impacts from the development have been adequately mitigated.

- e. **If the request for a Plan change affecting the area within the UGB originates from an individual, he or she will bear the burden of proof. The request will be heard first by the Planning Commission which will make a recommendation to the City Council. The City Council and Marion County must both approve the change before it can go into effect.**

**COMMENT:**

This request for a Zoning Map Amendment has been initiated by the applicant. As required, this application will be reviewed by the Planning Commission before the proposed land use changes will go into effect.

**C. STATEWIDE PLANNING GOALS**

**GOAL 1: CITIZEN INVOLVEMENT**

**Summary: Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process."**

**COMMENT:**

The proposed Zoning Map Amendment will follow the City's Type III review procedure and State land use laws. A public hearing will be held before the Planning Commission to satisfy the Citizen Involvement goal. The public hearings allow an un-bias decision-making body to consider citizen input, the City's staff report, and findings from the submitted application when determining whether the proposal meets the City's clear and objective review criteria.

**GOAL 2: LAND USE PLANNING**

**Summary: Goal 2 outlines the basic procedures of Oregon's statewide planning program. It says that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information"; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed.**

**COMMENT:**

The submitted Zoning Map Amendment is required to follow the City's Type III review procedure. A public hearing will be held before the Planning Commission to allow an un-bias decision-making body to evaluate factual information and determine whether the application meets the City's clear and objective land use review criteria.

As stated previously, the proposed map amendment is supported by the recently adopted Housing Needs Analysis and Housing Strategies Plan, both of which are supporting document to the Comprehensive Plan. Goal 2 states that the Comprehensive Plan should be reviewed periodically and amended as needed. The proposed Zoning Map Amendment is consistent with the recommendations of the adopted documents.

**GOAL 3: AGRICULTURAL LANDS**

**Summary:** Goal 3 defines "agricultural lands." It then requires counties to inventory such lands and to "preserve and maintain" them through farm zoning.

**COMMENT:**

As mentioned previously, the subject site is located within the existing city limits of Silverton and is not classified as agricultural lands. As a result, the proposed map amendment is consistent with the Agricultural Lands Planning Goal.

**GOAL 4: FOREST LANDS**

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

**COMMENT:**

The subject site is currently zoned R-1 and is located within the city limits of Silverton. Since the property does not include designated forest lands, the proposed use will not impact this Statewide Planning Goal.

**GOAL 5: OPEN SPACES, SCENIC AND HISTORIC AREAS AND NATURAL RESOURCES**

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

**COMMENT:**

The attached Existing Conditions Plan demonstrates that there are no floodplains, steeply sloped areas, or natural resources on the subject site. Under the proposed R-5 designation, the applicant will provide common open space areas with the submitted Planned Development application. Therefore, the proposed map amendment will further the objectives of this Statewide Planning Goal.

**GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY**

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

**COMMENT:**

Development of the property will require connection to the City's sanitary sewer, water, and stormwater systems. Since the subject property is included in Silverton's Water, Sanitary Sewer, and Stormwater Master Plan service areas, the applicant has submitted utility plans which are consistent with these facility plans (see Exhibit 3). As such, the proposed Zoning Map Amendment complies with this Statewide Planning Goal.

**GOAL 7: AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS**

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

**COMMENT:**

The City of Silverton maintains maps of steeply sloped areas and floodplains within the City's Urban Growth Boundary area. The attached Existing Conditions Plan indicates that there are no floodplains or steeply sloped areas on the subject site. Therefore, future development of the site complies with City's safeguards to prevent new development in areas subject to natural disasters and hazards.

**GOAL 8: RECREATION NEEDS**

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

**COMMENT:**

With the proposed map amendment and planned development, the applicant is proposing to cluster housing and more efficiently provide open space areas on the subject site. The proposed common open space area will include amenities which will help serve the recreational needs of the development. Therefore, the proposed zone change will further the objectives of the Recreation Needs Planning Goal.

**GOAL 9: ECONOMIC DEVELOPMENT**

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

**COMMENT:**

This planning goal is focused on the diversification and improvement of the local economy. As mentioned previously, the proposed zone change to R-5 will allow North Willamette Valley Habitat for Humanity to develop affordable housing on the site. Since residents of these homes will spend less of their income on housing, they will be able to spend additional money on other cost of living items, which in turns helps support the local economy. As such, the proposed map amendment will help meet the goal of this element.

**GOAL 10: HOUSING**

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

**COMMENT:**

The Silverton City Council adopted a new Housing Needs Analysis and Housing Strategies Plan in November of 2020. These studies confirmed that housing diversity in Silverton is challenged by the overwhelming predominance of R-1 zoning within the city limits, and as a result, approximately 80% of the existing housing stock is single-family dwellings located on larger lots. Since the current average selling price of these homes is now \$395,000, home ownership is unattainable for many residents in the community. Approximately 30% of Silverton households are paying more than 30% of their gross income on housing costs, which leaves them cost-burdened when paying for other cost of living expenses. The recently adopted documents indicate a need to diversify housing types to address the needs of all incomes. Identified City strategies include increasing dwelling unit density through up-zoning properties, reducing single-family lot sizes, reducing lot dimension standards, and removing other barriers to the development of a wider range of housing.

The applicant, North Willamette Valley Habitat for Humanity, has a long track record of partnering with families in need and helping them reach the goal of home ownership. The organization’s 2020 State of the Nation’s Housing Report finds that low-density zoning restrictions, excessive parking requirements, and high development fees contribute to the undersupply of affordable homes. The attached Existing Conditions Plan indicates that the subject site is currently vacant and is zoned R-1, which favors the development of large single-family lots. The proposed R-5 designation will increase unit density, lower infrastructure cost per unit, and allow more affordable housing options to be constructed on the site. The attached Preliminary Site Plan indicates that the proposed zoning and requested Code modifications through the planned development process will permit the development of 6 single-family detached lots and 12 single-family attached lots on the site. The submitted layout and Building Plans and Elevations demonstrate that the diversity of home types, which include detached and attached units with 1-3 bedrooms, provide multiple paths to affordable home ownership.

**GOAL 11: PUBLIC FACILITIES AND SERVICES**

**Summary:** Goal 11 calls for efficient planning of public services such as sewers, water, law

**enforcement, and fire protection. The goal's central concept is that public services should to be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.**

**COMMENT:**

The subject site is currently located within the Silverton's Urban Growth Boundary, therefore the property is included in the City's public facilities, services, and transportation networks planning area. The City's Transportation System Plan, Water Master Plan, Sewer Master Plan, and Storm Water Master Plan have evaluated existing public facilities and services and have determined future development needs within this planning area.

As indicated by the attached Existing Conditions Plan and Preliminary Utility Plan, public facilities are in the vicinity of the subject site and can be extended to accommodate the development of the site. The attached plans indicate that public sanitary sewer service will be provided by connecting to an existing main line within Schemmel Lane NE (see Exhibit 3). Public water service is proposed by extending a main line from Pine Street NE. Stormwater will be managed by collecting stormwater from impervious surfaces, treating and detaining it on-site, and releasing it at the pre-development rate into the public storm system within Schemmel Lane (see Exhibits 3 and 5).

**GOAL 12:    TRANSPORTATION**

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

**COMMENT:**

The submitted Preliminary Site Plan and Preliminary Utility Plan demonstrate that safe, convenient, and economic transportation facilities will serve the site under the proposed R-5 designation. The subject site has frontage on Pine Street NE, which is classified as an Arterial Street and is under Marion County jurisdiction (see Exhibit 3). The subject site also fronts Schemmel Lane NE, which is classified as a Local Street and is under City of Silverton jurisdiction. The applicant is proposing to install frontage improvements along both rights-of-way, and is also installing improvements for Street A in accordance with City requirements.

**GOAL 13:    ENERGY**

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



**COMMENT:**

This planning goal promotes the conservation and reuse of energy resources. The attached Preliminary Site Plan demonstrates that the planned development is compact and includes recreational amenities in the project's common open space area. Therefore, the goal of this element will be met and the project does not encourage residential sprawl.

**GOAL 14: URBANIZATION**

**Summary:** This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land."

**COMMENT:**

This planning goal provides for an adequate supply of buildable residential, commercial and industrial land within the City's UGB. The subject site is already located within the City's UGB and city limits. The proposed zone change from R-1 to R-5 will promote efficient use of land within the existing UGB and addresses Silverton's documented need for additional affordable housing.

**IV. SUMMARY AND CONCLUSIONS**

Based on the above findings, the applicant has demonstrated compliance with applicable sections of the Silverton Development Code, Silverton Comprehensive Plan, and Statewide Planning Goals. Therefore, the applicant requests that the submitted application be approved.

**VI. EXHIBITS**

- 1. Application Form**
- 2. Property Deed and Easements**
- 3. Concept and Preliminary Development Plans**
  - P-1: Cover Sheet/Concept Plan**
  - P-2: Existing Conditions Plan**
  - P-3: Aerial Photograph/Future Streets Plan**
  - P-4: Preliminary Plat**
  - P-5: Preliminary Site Plan**
  - C-1: Title Sheet**
  - C-2: Preliminary Grading Plan-1**
  - C-3: Preliminary Grading Plan-2**
  - C-4: Preliminary Grading Plan-3**
  - C-5: Preliminary Grading Plan-4**
  - C-6: Preliminary Utility Plan**
- 4. Preliminary Building Floor Plans and Elevations**
- 5. Preliminary Stormwater Report**