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

**CRATER AVENUE
PARTITION**

Location: 4910 Crater Avenue N
Keizer, OR 97303
Tax Lot 10500 of
Tax Map 073W03AB
Marion County, Oregon

Prepared by: Steve Kay, AICP
Mason McGonagall, Ph.D. Arch

Prepared for: KTS Properties LLC
2547 Aerial Way SE
Salem, OR 97302

December 2, 2024

APPLICANT'S STATEMENT

PROJECT NAME: Crater Avenue Partition

REQUEST: Preliminary Plat Approval for a 2-Lot Partition

ASSESSOR'S DESCRIPTION: Tax Lot 10500 of Tax Map 073W03AB
Marion County, Oregon

APPLICANT'S REPRESENTATIVE: Steve Kay, AICP
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Silverton, OR 97381
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APPLICANT/PROPERTY OWNER: KTS Properties LLC
2547 Aerial Way SE
Salem, OR 97302

SITE AREA: 14,757 sq. ft. (0.34 acres)

SITE ADDRESS: 4910 Crater Avenue N
Keizer, Oregon 97303

I. APPLICABLE REGULATIONS

A. KEIZER COMPREHENSIVE PLAN

B. KEIZER DEVELOPMENT CODE

- Chapter 2.102: Single Family Residential (RS)**
- Chapter 2.201: General Standards**
- Chapter 2.301: General Provisions**
- Chapter 2.302: Street Standards**
- Chapter 2.303: Off-Street Parking and Loading**
- Chapter 2.306: Stormwater Management**
- Chapter 2.307: Utility Lines and Facilities**
- Chapter 2.309: Site and Landscape Design**
- Chapter 2.310: Development Standards for Land Divisions**
- Chapter 3.101: Summary of Application Types**
 - Section 3.101.01: Type I Action - Summary**
- Chapter 3.107: Partitions**

II. **BACKGROUND:**

The applicant and property owner, KTS Properties LLC, is requesting approval of a Partition application for the subject property. The site is addressed as 4910 Crater Avenue N and is defined by the Marion County Assessor's Office as Tax Lot 10500 of Tax Map 073W03AB. The property contains a total of 14,757 sq. ft. and is zoned RS (Single Family Residential).

The west boundary of the subject property fronts Crater Avenue N, which is classified as a Local Street and is under City of Keizer jurisdiction. The attached Existing Conditions Plan indicates that the site is generally flat and is currently developed with a single-family home and an accessory structure (see Exhibit 3). No floodplains or wetlands are identified within or near the subject property. The Existing Conditions Plan identifies the location of several trees on the property (see Exhibit 3). To the north, east, and south of the site are RS zoned parcels that are developed with single-family dwellings. Additional RS zoned properties that are developed with single-family dwellings are located on the west side of Crater Avenue.

To facilitate the development of the site with residential uses in the RS zone, the applicant is proposing to remove the existing structures and divide the property into 2 parcels. The submitted Preliminary Plat indicates that Parcel 1 will contain 4,857 sq. ft. exclusive of an access easement, and Parcel 2 will contain 7,067 sq. ft. (see Exhibit 3). Although specific development plans for Parcels 1 and 2 have not been determined at this time, the attached Preliminary Site Plan demonstrates that the necessary setbacks, lot widths, depths, and coverage standards can be met.

The submitted Preliminary Site Plan and Preliminary Utility Plan demonstrate that public facilities are available to serve the proposed development. The applicant is proposing to dedicate 10.50-ft. of additional right-of-way and install frontage improvements along Crater Avenue N to meet Local Street standards (see Exhibit 3). Parcel 1 directly fronts Crater Avenue, while Parcel 2 will utilize a 20-ft. wide access and utility easement that connects to the roadway. Public water and sanitary sewer services will be extended from the existing main lines within Crater Avenue N. The Preliminary Stormwater Plan and Preliminary Stormwater Report demonstrate that the proposed facilities will manage drainage in accordance with City standards (see Exhibits 3 and 5).

This Applicant's Statement addresses applicable provisions of the Keizer Development Code. A copy of the signed Application Form, Property Deed, Preliminary Development Plans, and Preliminary Stormwater Report have been attached to this application. The applicant's narrative and exhibits demonstrate that the submitted Partition application meets the City's criteria for approval.

III. FINDINGS

A. CITY OF KEIZER COMPREHENSIVE PLAN

COMMENT:

Except where required by the City of Keizer Development Code, this application is not required to address Comprehensive Plan goals and policies related to the development of land, since the Keizer Comprehensive Plan is implemented by the Code.

B. CITY OF KEIZER DEVELOPMENT CODE

Chapter 2.102: Single Family Residential (RS)

Section 2.102.01: Purpose

The purpose of the RS (Single Family Residential) zone is to allow development of single family and middle housing type homes on individual lots provided with urban services at low urban densities. This zone also allows duplexes, triplexes, quadplexes, townhouses, and cottage cluster housing. Other uses compatible with residential development are also appropriate. These areas are designated as Low Density Residential in the Comprehensive Plan.

COMMENT:

Per the attached Preliminary Plat, the applicant is proposing to divide the subject site into 2 parcels. The property is currently zoned RS and contains 14,757 square feet. The applicant intends to remove the existing accessory structure and dwelling with the proposed land division. However, specific development plans for Parcels 1 and 2 are not currently determined. As required, future residential development of the vacant lots will conform to the development standards of the RS zone.

Section 2.102.02: Permitted Uses

The following uses, when developed under the applicable development standards in this Ordinance, are permitted in the RS zone:

COMMENT:

Although specific development plans for Parcels 1 and 2 have not been determined, the vacant lots will be developed with uses permitted in the RS zone.

Section 2.102.03: Special Permitted Uses

The following uses, when developed under the applicable development standards in this Ordinance and special development requirements, are permitted in the RS zone:

- A. Partitions, subject to the provisions in Section 2.310.**

COMMENT:

As permitted by this section, the applicant is proposing to partition the subject property into 2 parcels. This Applicant's Statement and the attached Preliminary Development Plans demonstrate how the proposed land division meets applicable Development Code standards.

Section 2.102.05: Dimensional Standards

The following dimensional standards shall be the minimum requirements for all development in the RS Zone except for modifications permitted under Section 2.202, General Exceptions or as required in Section 2.4.

COMMENT:

As shown on the attached Preliminary Plat and Preliminary Site Plan, the applicant is proposing a 2-lot partition of the subject site. Although specific housing types have not been determined for Parcels 1 and 2, the plans illustrate that minimum lot area, width, depth, and setbacks are provided to accommodate a variety of residential uses. When building permits are requested for the vacant lots, the City will ensure that all applicable standards in this section are met.

Section 2.102.06: Development Standards

All development in the RS Zone shall comply with the applicable provisions of this Ordinance. The following includes referenced items as well as additional development requirements:

- A. Off Street Parking: Parking shall be as specified in Section 2.303.**

COMMENT:

Section 2.303 standards require the provision of 2 off-street parking spaces per single-family dwelling unit. Duplex, triplex, quadplex, townhouse, and cottage cluster units regarding 1 off-street parking spaces per dwelling. Although specific development plans have not been determined for Parcels 1 and 2, the Preliminary Site Plan demonstrates that the parcel sizes and lot arrangement provide adequate space to meet the off-street parking standards (see Exhibit 3). When building permits are requested, City staff will confirm that the off-street parking standards are met.

- B. Land divisions shall comply with provisions of Section 2.310.**

COMMENT:

As required, the applicant has addressed the land division criteria of Section 2.310 in the narrative provided below.

- C. Yards and Lots: Yards and lots shall conform to the standards of Section 2.312.**

COMMENT:

The attached Preliminary Plat and Preliminary Site Plan indicates that the minimum lot size and yard setbacks are provided for Parcels 1 and 2 to comply with Section 2.312 standards (see Exhibit 3).

- D. Design Standards - Unless specifically modified by provisions in this Section, buildings located within the RS zone shall comply with the following standards:**
 - 1. Single family detached dwellings, duplexes, triplexes, quadplexes, cottage cluster developments, and townhouses shall comply with the design standards in Section 2.314.**
 - 2. Residential structures with five or more attached dwelling units and non-residential structures shall comply with the provisions in Section 2.315 - Development Standards.**

COMMENT:

The applicant is requesting approval of a 2-lot partition of the site. The proposed development also includes frontage improvements along Crater Avenue N. Since specific development plans have not been determined for Parcels 1 and 2, City staff will confirm that the future residential development on the vacant lots meets the above design standards when building permits are requested.

- E. Signs: Signs shall conform to the requirements of Section 2.308.**

COMMENT:

The applicant is not proposing to install signs within this Partition application, therefore Section 2.308 standards do not apply.

- F. Accessory Structures: Accessory structures shall conform to requirements in Section 2.313.**

COMMENT:

The applicant is not proposing to develop accessory structures with this land use application. Therefore, Section 2.313 standards do not apply.

- G. Landscaping: A minimum of 30% of the property shall be landscaped, including all required yards. Landscaped areas shall**

be landscaped as provided in Section 2.309.

COMMENT:

As required, detailed planting plans will be submitted for Parcels 1 and 2 to demonstrate compliance with the landscaping standards when building permits are requested.

- H. Lot Coverage: The maximum coverage allowed for buildings, accessory structures and paved parking shall be 70%. Maximum lot coverage does not apply to cottage clusters.**

COMMENT:

Compliance with this standard will be verified when building permits are requested for Parcels 1 and 2.

- I. Density: When RS zoned property is subdivided the minimum density shall be 4 units per acre; the maximum density shall be 8 units per acre for single family detached or 25 units per acre for townhouses. The maximum density does not apply to duplexes, triplexes, quadplexes, or cottage clusters.**

COMMENT:

RS zone standards require a minimum of 1 single-family detached dwelling unit to be developed on the 0.34 acre site (0.34 acres x 4 units/acre = 1.36, or 1 unit). The maximum density for townhomes for the site is 9 dwelling units (0.34 acres x 25 units/acre = 8.5 or 9 units). The submitted Preliminary Site Plan indicates that the applicant is proposing to partition the site into 2 parcels. Although specific development plans have not been determined for Parcels 1 and 2, the submitted Preliminary Plat demonstrate that the proposed lot areas and dimensions can accommodate a variety of dwelling types, and the minimum density standard can be met for the site.

Chapter 2.201: General Standards

Section 2.201.03: Lots of Record

- A. Legal Lot. A parcel is a legal lot of record for purposes of this Ordinance when the lot conforms to all zoning requirements, subdivision requirements, and Comprehensive Plan provisions in effect on the date when a recorded deed or contract creating the separate lot or parcel was signed by the parties to the deed or contract.**

- C. Development of a Lot of Record. The use or development of any legal lot of record shall be subject to the regulations applied to the property when such development or use begins, irrespective of the lot width, street frontage, depth or area, but subject to all other regulations.**

COMMENT:

The subject property is a legal lot of record since it conforms to all zoning requirements, subdivision requirements, and Comprehensive Plan provisions in effect on the date when the deed was recorded. This Applicant's Statement and the attached Preliminary Development Plans demonstrate that the proposed land division conforms to applicable Development Code requirements.

Section 2.201.04: Access to a Public Street

- A. Access Required. All uses shall be located on property having access to a public street. Access to a public street is defined as a minimum of 20 feet of frontage on one of the following:**
 - 1. Public Street. A public street with a right-of-way not less than 20 feet wide that is unobstructed, has been graveled or paved, and is open for public use to the property.**

COMMENT:

The submitted Preliminary Plat illustrates that Parcel 1 has at least 20-ft. of frontage on Crater Avenue N. The plan also indicates that Parcel 2 is provided a 20-ft. wide private access easement, meeting the above standards (see Exhibit 3). At the time of building permits, City staff will verify that the width of the driveways serving Parcels 1 and 2 meets the minimum standards of Section 2.302.08.

Section 2.201.08: Division or Alteration of Lots

In addition to any partitioning or subdivision requirements in the Ordinance, no lot held under separate ownership shall be divided or altered so that it does not meet the requirements in this Ordinance. If a lot does not meet such requirements at the time this Ordinance is adopted, it shall not be divided or altered in such a manner that the lot is less in conformity with these regulations in any respect.

COMMENT:

The submitted Preliminary Plat demonstrates that the proposed land division conforms with all requirements of this Ordinance.

Chapter 2.301: General Provisions

Section 2.301.02: Application of Standards

- A. Application. The standards governing development as set forth in Section 2.3, the applicable zone district, and/or within Section 2.4 as applicable shall apply to partitions; subdivisions; planned unit developments; commercial and industrial development; public and non-commercial development; single family dwellings, duplexes and multi-family structures.**

COMMENT:

The applicant is proposing a 2-lot partition of the subject site. Therefore, Sections 2.3 and 2.4 apply to the application.

Section 2.301.03: Public Facility Improvement Requirements

Standards for the provision and utilization of public facilities or services available within the City of Keizer shall apply to all land developments in accordance with the following table. No development permit, including building permit, shall be approved or issued unless the following improvements are provided prior to occupancy or operation, or unless future provision is assured in accordance with Subsection 2.310.05.D or 2.310.06.P as applicable.

COMMENT:

The attached Preliminary Utility Plan indicates that public utilities are readily available and can be extended to serve the proposed lots. The plan indicates that public sanitary sewer and water main lines will extend from the existing main lines within Crater Avenue N. The Preliminary Stormwater Plan and Preliminary Stormwater Report demonstrate that the proposed facilities will manage drainage in accordance with City standards (see Exhibits 3 and 4). All required, utility services will be installed prior to occupancy of the proposed residential development.

Section 2.301.04: Traffic Impact Analysis

Purpose. The purpose of this section of the code is 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 adverse impacts to and protect transportation facilities. This section establishes the standards for when a proposal must be reviewed for potential traffic impacts; when a Traffic Impact Analysis 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.

COMMENT:

If Parcels 1 and 2 are developed with single-family detached dwellings, the new homes would generate 20 average daily trips and 2 PM peak hour trips. Based on a review of the proposed partition at a Pre-Application Conference with City staff, it was determined that a Traffic Impact Analysis is not required for this land use application.

Chapter 2.302: Street Standards

Section 2.302.02: Scope

- A. **Land Divisions.** The creation, dedication or construction of all new public or private streets in all subdivisions, partitions or other developments in the City.
- B. **Street Expansion.** The extension or widening of existing public or private streets or rights-of-way, easements, or street improvements including those which may be proposed by an individual or the City, or which may be required by the City in association with other development approvals.
- C. **Utility Improvements.** The construction or modification of any utilities or sidewalks in public rights-of-way, existing private street, or private access easements.
- D. **Street Trees.** The planting of any street trees or other landscape materials in public rights-of-way.

COMMENT:

The applicant is requesting approval of a 2-lot partition of the site. The development also includes the installation of frontage improvements along Crater Avenue N to meet Local Street standards. Therefore, Section 2.302 standards apply to the proposed development.

Section 2.302.03: General Provisions

The following provisions shall apply to the dedication, construction, improvement or other development of all public streets in the City of Keizer:

- A. **General Requirement.** The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets.

COMMENT:

To comply with the City’s Transportation System Plan, the applicant is proposing to dedicate an additional 10.50-ft. of right-of-way and install frontage improvements along Crater Avenue N to meet Local Street standards. The attached Preliminary Site Plan and Preliminary Grading Plan demonstrate that the proposed street improvements meet the above standards (see Exhibit 3).

- B. **Continuation of Streets.** Development proposals, including subdivisions and partitions, shall provide for the continuation of, and connection to, streets where necessary to promote appropriate traffic circulation in the vicinity of the development. Where necessary to give access or permit a satisfactory future division of adjoining land, streets and utilities shall be extended

to property boundaries to allow the future extension of streets and infrastructure. A temporary turnaround shall be constructed for stub streets in excess of 150 feet in length.

COMMENT:

Due to the width of the subject property, and proximity of adjacent development to the north and south of the site, the applicant is not proposing to develop a full or half street through the site. In addition, since the proposed driveway serving Parcel 2 is less than 150-ft. in length, a turnaround meeting Fire Code standards is not required.

- C. Alignment. All streets other than minor streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuation of the existing centerlines. The staggering of street alignments resulting in "T" intersections shall, wherever practical, leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and otherwise shall not be less than 100 feet.**

COMMENT:

The applicant is not proposing to develop a street with this Partition application, therefore the above standards do not apply.

- D. Future extension of streets. When it appears possible to continue a street, bicycle path and/or pedestrian accessway into a future subdivision, adjacent acreage or area attractors such as schools and shopping centers, streets, bicycle paths and/or pedestrian accessway facilities shall be platted and built to a boundary of the subdivision. The street may be platted without a turnaround unless the Public Works Department finds a turnaround is necessary for reasons of traffic safety. Any street extension exceeding 150 feet in length shall be provided with an approved turnaround as set forth in the Uniform Fire Code.**

COMMENT:

Due to the width of the site and the surrounding development pattern, the applicant is not anticipating a requirement to extend a street through the property (see Exhibit 3). Therefore, the above standards do not apply.

- E. Intersection angles. Streets shall be laid out to intersect at angles as near to right angles as practical, except where topography requires lesser angles. Intersections of less than 60 degrees shall require special intersection designs. Streets shall have at least 50 feet of tangent adjacent to intersections unless topography requires lesser distances. Intersections that are not at right angles shall have minimum corner radii of 15 feet. Major arterial intersections shall have curb radii of not less than 35**

feet. Other street intersections shall have curb radii of not less than 20 feet.

COMMENT:

As discussed above, the applicant is not proposing to develop a street with this 2-lot partition.

- F. Existing Streets. Whenever existing public streets adjacent to or within a tract are of a width less than the street design standards, additional right-of-way shall be provided at the time of subdivision, partitioning, or development.**

COMMENT:

The Preliminary Plat and Preliminary Site Plan includes 10.50-ft. of right-of-way dedication and installation of street improvements along Crater Avenue N to bring the street into compliance with Local Street standards (see Exhibit 3).

- I. Street Names. Street names and numbers shall conform to the established standards and procedures in the City.**

COMMENT:

The applicant is not proposing to establish a new street, therefore the above standards do not apply.

- J. Grades and Curves. Grades shall not exceed 7 percent on arterials, 10 percent on collector streets or 15 percent on any other street. Street grades of 15 percent shall not exceed 200 feet in length. To provide for adequate drainage, all streets shall have a minimum slope of 0.5 percent. On arterials there shall be a tangent of not less than 100 feet between reversed curves.**

COMMENT:

The attached Preliminary Site Plan and Preliminary Grading Plan illustrate that the proposed street frontage improvements meet the above grade, slope, and curb standards..

- K. Frontage Streets. If a development abuts or contains an existing or proposed arterial or collector street, the City may allow frontage streets, or may require reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or such other treatment as may be necessary for adequate protection of residential properties, to afford separation of through and local traffic, and to preserve the capacity and safety of the collector or arterial street.**

COMMENT:

The subject site does not abut an Arterial or Collector Street, therefore the above standards do not apply.

- M. Street Landscaping.** Where required as part of the right-of-way design, planting strips shall conform with the following standards:
- 1. Street trees shall be planted at a ratio of no less than one tree per 30 feet of property frontage. Street trees shall conform with the list of acceptable trees included in the City's Street Tree Ordinance. Installation of street trees shall be included in any improvement agreement covering the installation of public facilities and services on a property.**
 - 2. Planting strips shall be planted and maintained in predominantly living groundcover materials with hard surfaces consisting of bricks, pavers, rocks, decorative concrete work, etc., only being included as part of an overall landscape design where living plant material is predominant. In no case shall asphalt be used within the planting strip.**

COMMENT:

As required, street trees and the planting strips will be installed along the street frontage in accordance with the above standards.

- N. Access Control Standards.** The following access control standards apply to public, industrial, commercial and residential developments including land divisions. Access shall be managed to maintain an adequate level of service and to maintain the functional classification of roadways as required by the City of Keizer Transportation System Plan. Major roadways, including arterials and collectors, serve as the primary system for moving people and goods within and through the city. Access management is a primary concern on these roads. Local streets and alleys provide access to individual properties. If vehicular access and circulation are not properly designed, these roadways will be unable to accommodate the needs of development and serve their transportation function. The regulations in this section further the orderly layout and use of land, protect community character, and conserve natural resources by promoting well-designed road and access systems and discouraging the unplanned subdivision of land.
- 1. Traffic Impact Analysis Requirements.** The City or other

agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements.

COMMENT:

As mentioned above, if Parcels 1 and 2 are developed with single-family detached dwellings, the new homes would generate 20 average daily trips and 2 PM peak hour trips. Due to the low amount of traffic generated by the partition, City staff previously determined that a Traffic Impact Analysis is not required for this land use application.

- 7. Number of Access Points. For single-family (detached and attached), two-family, and three-family housing types, one street access point is permitted per lot, when alley access cannot otherwise be provided; except that two access points may be permitted for two-family and three-family housing on corner lots (i.e., no more than one access per street), subject to the access spacing standards in Subsection 6, above. The number of street access points for multiple family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required, in conformance with Subsection 8 below, in order to maintain the required access spacing, and minimize the number of access points.**

COMMENT:

The applicant has not determined development plans for Parcels 1 and 2, however the attached Preliminary Site Plan illustrates that only one driveway is proposed for each lot (see Exhibit 3). City staff will verify that the required number of access points are met when building permits are requested for the lots.

- N. Access Control Standards. The following access control standards apply to public, industrial, commercial and residential developments including land divisions. Access shall be managed to maintain an adequate level of service and to maintain the functional classification of roadways as required by the City of Keizer Transportation System Plan. Major roadways, including arterials and collectors, serve as the primary system for moving people and goods within and through the city. Access management is a primary concern on these roads. Local streets and alleys provide access to individual properties. If vehicular access and circulation are not properly designed, these roadways will be unable to accommodate the needs of development and serve their transportation function. The regulations in this section further the orderly layout and use of land, protect community character, and conserve natural**

resources by promoting well-designed road and access systems and discouraging the unplanned subdivision of land.

1. **Traffic Impact Analysis Requirements.** The City or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements.

COMMENT:

The applicant is proposing a 2-lot partition. Based on City standards, additional trip generation that results in impacts to transportation function is not anticipated. Therefore, a Traffic Impact Analysis is not included among the submitted exhibits.

7. **Number of Access Points.** For single-family (detached and attached), two-family, and three-family housing types, one street access point is permitted per lot, when alley access cannot otherwise be provided; except that two access points may be permitted for two-family and three-family housing on corner lots (i.e., no more than one access per street), subject to the access spacing standards in Subsection 6, above. The number of street access points for multiple family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required, in conformance with Subsection 8 below, in order to maintain the required access spacing, and minimize the number of access points.

COMMENT:

The applicant has not determined development plans for Parcels 1 and 2. Therefore, City staff will verify that the required number of access points are met when building permits are requested for the lots.

8. **Shared Driveways.** The number of driveway and private street intersections with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The City shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:
 - a. Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway or street

temporarily ends at the property line, but may be extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).

COMMENT:

The subject site does not frontage a Collector or Arterial Street, therefore the above standards do not apply.

- b. **Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.**

COMMENT:

As required, an access easement benefiting Parcel 2 will be recorded to comply with the above standard (see Exhibit 3).

- 10. **Pedestrian/Bicycle Accessways. Accessways shall be located to minimize out-of-direction travel by pedestrians and may be designed to accommodate bicycles.**

COMMENT:

Since adjacent properties to the north, south, and east are developed, the applicant is not proposing to develop a pedestrian/bicycle accessway with the land division.

- 11. **Street lights. Street lights shall be required for public streets serving more than four dwelling units. Street lights shall be located within a right of way or in utility easements. Street lights are not required along private access easements. Street lights shall be designed to direct the light down toward the street and sidewalk and as much as practicable away from adjoining homes.**

COMMENT:

If required, street lights will be installed along the Crater Avenue frontage to meet the above standards.

O. Trees Along Public Streets

Streetscape trees are required along public streets, shall comply with the provisions of Section 2.309, and must be located according to the following provisions:

1. Streetscape trees shall be planted within the boundaries of each lot within 10 feet of street improvements.
2. Lots measuring less than 60 feet in width shall be required to plant one streetscape tree. Lots measuring 60 feet or more in width shall be required to plant two streetscape trees.
3. Streetscape trees shall be selected from a list of approved trees.

COMMENT:

As required, street trees along Crater Avenue N will be selected from the City's approved list and will be installed to meet the above spacing standards.

Section 2.302.04: General Right-of-Way and Improvement Widths

The following standards are general criteria for public streets in the City of Keizer. These standards shall be the minimum requirements for all streets, except where modifications are permitted under Subsection 2.302.05.

The street design standards show five different options for local streets. These standards allow the City flexibility in the design of the street network.

Functional Classification: Local I

Number of Lanes: 2

Parking: Yes (only required on one side of the street)

Bike Lanes: No

Roadway Width: 28-ft.

Sidewalks: Yes, 5-ft. (only required on one side of the street)

Right-of-Way Width: 35-ft.

Maximum Dwelling Units Served: 9

COMMENT:

The Preliminary Site Plan and Plat illustrate that the proposed frontage improvements along Crater Avenue comply with the above standards (see Exhibit 3).

Section 2.302.06: Construction Specifications

Construction specifications for all public and private streets shall comply with the standards of the most recently adopted public works/street standards of the City of Keizer. Construction permits are required by the Public Works Department.

COMMENT:

As required, construction specifications for the proposed public street improvements will comply with Public Works standards.

Section 2.302.08: Private Access Easements

A private access easement created as the result of an approved partitioning or subdivision shall conform to the following:

A. Width. Private access easements shall only be allowed where the applicable standards of Section 2.310.03.D., are satisfied. The easement shall comply with the following additional standards:

- 1. Minimum easement width: 20 feet with no parking within the minimum required width.**
- 2. Minimum paved width: 12 feet for 1 dwelling unit; 16 feet for two or more dwelling units.**
- 3. Maximum length: 300 feet for single access to a public street. If there are two or more access points to a public street, the proposed easement may be more than 300 feet if it is the only way to allow for effective development in unique circumstances where it is not practical to serve the development with a public street. Access easements exceeding 300 feet in length must be reviewed by the local Fire District for compliance with the Fire Code, and must receive City approval. The following criteria for City approval will be used:**
 - a. A public street is impractical, and an easement is the only feasible method to provide access.**
 - b. Adequate parking and safe maneuverability is provided.**
 - c. Does not preclude the ability for future redevelopment, and must allow a density no less than 75% of the maximum density of the underlying zone.**
- 4. Single Family/Duplex Development: No more than 4 parcels or lots shall have their sole access via an access easement unless through access (two or more public street access points) are provided. If the access easement connects to a collector or arterial street the Public Works Director may require all parcels or lots to be served by the**

access easement. In such case, no more than 6 parcels or lots shall have their sole access via an access easement. If the access easement provides through access, no more than 8 parcels or lots may be served by the access easement. All through access easements providing access to more than 4 parcels or lots must provide public bicycle and pedestrian access for connectivity. The instrument recording the access easement must indicate public bicycle and pedestrian access is allowed.

5. **Triplex, Quadplex, Cottage Cluster and Multi-Family/Commercial Development:** Access easements may be allowed if it is the only feasible method to provide access to a parcel without public street frontage, or if it is impractical to serve the development with a public street. Access easements are subject to Fire District review and City approval. The design of the easement must be reviewed by the local Fire District for compliance with the Fire Code and must meet the requirements outlined in Section 2.303 for parking lot aisle widths, and all other city standards governing vehicle access contained in the KDC and adopted Public Works Street Standards.

COMMENT:

Although the types of housing on Parcels 1 and 2 have not been determined, due to the width and configuration of the site, an access easement is proposed for Parcel 2. The proposed 20-ft. width of the easement complies with the above standards. Since the easement is less than 150-ft. in length, a turnaround is not proposed.

- B. **Maintenance.** Provision for the maintenance of the private access easement and storm drainage facilities within the easement area, along with any required turnaround area, No Parking signage, and screening, shall be provided in the form of a recorded maintenance agreement, Covenants, Conditions, and Restrictions (CCRs), or other recorded instrument acceptable to the City. Such instrument shall include at a minimum, that the instrument may not be extinguished or modified without written consent of the City and that the provisions set forth above may be enforced by the City.

COMMENT:

As required, a maintenance agreement for the private access easement serving Parcel 2 will be recorded in accordance with the above standards.

- C. **Turn-around.** A turn-around shall be required for any access easement which is the sole access and which serves two or more parcels or lots. Turn-arounds shall be either a circular turn-

around with a minimum paved radius of 38 feet, or a "tee" or "hammerhead" turn-around with a minimum paved dimension across the "tee" of 60 feet. Alternate turnaround designs may be approved subject to Public Works Department approval.

COMMENT:

As discussed above, since the driveway serving Parcel 2 is less than 150-ft. in length, a fire turnaround is not required.

D. Parking

1. **No parking allowed. All private access easements serving as the sole access for two or more parcel or lots shall display No Parking signs approved by the City.**
2. **Parking shall be provided as outlines in Section 2.303.**

COMMENT:

As required, No Parking signs will be posted along the private access easement in accordance with City standards. Although specific housing types for Parcels 1 and 2 are not determined, the Preliminary Site Plan demonstrates that there is adequate area on the lots to accommodate required off-street parking.

E. Trees Along Access Easements

Streetscape trees are required along access easements, shall comply with the provisions of Section 2.309, and must be located according to the following provisions:

1. **Streetscape trees shall be planted within the boundaries of each lot within 10 feet of access improvements.**
2. **Parcels or Lots measuring less than 60 feet along the access easement shall be required to plant one streetscape tree. Parcels or Lots measuring 60 feet or more along the access easement shall be required to plant two streetscape trees.**
3. **Streetscape trees shall be selected from a list of approved trees.**

F. Screening

A 6 foot high sight obscuring fence, wall, or hedge shall be placed along the exterior side of an access easement to provide screening to any adjacent properties.

COMMENT:

Specific development plans for the site have not been determined, however the required streetscape trees and screening along the access easement serving Parcel 2 will be installed in accordance with the above standards.

Chapter 2.303: Off-Street Parking and Loading

Section 2.303.02: Scope

The provisions of this Section shall apply to the following types of development:

- A. New Building. Any new building or structure erected after the effective date of this Ordinance.**
- B. Expansion. The construction or provision of additional floor area, seating capacity, or other expansion of an existing building or structure.**
- C. Change in Use. A change in the use of a building or structure which would require additional parking spaces or off-street loading areas under the provisions of this Section.**

COMMENT:

New residential uses will be developed on Parcels 1 and 2. Therefore, off-street parking and loading standards apply to the Partition application.

Section 2.303.03: General Provisions Off-Street Parking and Loading

- A. Owner Responsibility. The provision and maintenance of off-street parking and loading space is a continuing obligation of the property owner. No building permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street parking and loading space. The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this Ordinance.**
- E. Use of Parking Spaces. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons or employees only, and shall not be used for storage of vehicles or materials including solid waste collection containers. Garages for single family and duplex dwelling units shall not be counted in determining required parking spaces.**

- F. **Drainage.** All new parking areas and expansion of existing parking areas shall provide a storm drainage system to dispose of runoff generated by the impervious surface. Provisions shall be made for the appropriate on-site collection, storage, conveyance, and treatment of drainage water. All development shall be designed and constructed to prevent sheet flow of such water onto sidewalks, public rights of way, and abutting properties. The drainage system shall be approved by Keizer Public Works Department prior to construction and shall be constructed in accordance with the city's storm water management regulations.

COMMENT:

The Preliminary Site Plan demonstrates that off-street parking within Parcels 1 and 2 can meet City standards. At the time of development review, and prior to building permit issuance, off-street parking and drainage conditions will be further reviewed by the City to ensure the above standards are met.

Section 2.303.04: Location and Use Provisions

Off-street parking and loading areas shall be provided on the same lot with the main building or structure or use except that:

- A. **Residential Zone.** In any residential zone, automobile parking areas may be located on another lot if the lot is within 200 feet of the lot containing the main building, structure or use and a parking agreement is recorded. A copy of such recorded agreement shall be provided to the city. Tandem parking (stacking no more than two cars end to end in a private drive way) shall be an acceptable method of meeting parking requirements.

COMMENT:

As required, off-street parking spaces will be located on the same lot as the uses they serve. A parking agreement is not proposed or required for the residential use.

- D. **Accessory Parking Use, Residential.** Parking of vehicles in a structure or outdoors is a permitted accessory use in conjunction with a dwelling in any zone provided:
 - 1. **All of the vehicles are owned by the owner or lessee of the lot.**
 - 2. **Vehicles parked outdoors in a residential zone may be parked in a driveway, as regulated herein, and must be located within the front yard meeting the requirements for required parking in this Section.**

3. Vehicles parked on a lot in a residential zone shall be for the personal use of the occupants of the dwelling. One vehicle used in conjunction with a home occupation or other employment may be parked on the lot provided it complies with the provisions in Section 2.407.G.
4. A parking plan must be approved for all development not served by a public street or for development served by any public street that does not include parking on both sides of the street. The parking plan shall illustrate how minimum parking requirements will be met for all newly created lots.

COMMENT:

When detailed plans for Parcels 1 and 2 are submitted for building permits, City staff will verify that the minimum number of off-street parking spaces are provided for the proposed lots.

Section 2.303.06: Off-Street Automobile Parking Requirements

Off-street parking shall be provided in the amount not less than listed below.

A. Parking Requirements

Single Family	2 per dwelling unit
Duplex, Triplex, Quadplex, Townhouse, and Cottage Cluster	1 per dwelling unit
Single family dwellings with access via an access easement	3 per dwelling unit

COMMENT:

The attached Preliminary Site Plan illustrates that at least 2 off-street parking spaces can be provided for the future dwellings on each of the proposed lots (see Exhibit 3). City staff will verify that the above off-street parking standards are met when detailed plans are submitted for building permit review.

Section 2.303.08: Bicycle Parking

- A. **Bicycle Parking Required.** Bicycle Parking shall be required in all public and semi-public, commercial, multi-family, and industrial development as well as park-and-ride lots. Bicycle parking shall be based on the amount of automobile parking required. In addition to a required one bicycle parking space, bicycle parking spaces shall be calculated at five percent of the amount of the

automobile parking spaces which are required and all fractions are rounded up the next whole number.

COMMENT:

As required, if one of the uses listed above is proposed for Parcels 1 and 2, the City will verify that bicycle parking is provided when detailed plans are submitted for building permits.

Section 2.303.11: Parking and Loading Area Development Requirements

All Parking and loading areas shall be developed and maintained as follows:

- A. Surfacing.** All driveways, parking and loading areas shall have a durable, hard, dust free surface such as asphalt, concrete, or pavers (segmented bricks).
- B. Parking Spaces**
 - 1. Dimensions.** Head-in parking spaces shall be a minimum 9 feet wide and 18 feet in length. Parallel parking spaces shall be a minimum 9 feet wide and 22 feet in length.
 - 2. Compact Spaces.** Compact parking spaces, at a reduced width of 8.5 feet and 16 feet in length, shall be permitted on sites with more than five (5) parking spaces. No more than 30% of the required parking shall be compact spaces and each space must be identified as a "Compact Space."
- C. Aisle Dimensions.**

The following minimum aisle dimensions shall apply:

- 1. Without adjacent parking (drive aisle):**
 - a. Single family residence: 12 feet**
 - b. One-way: 12 feet**
 - c. Two-way: 22 feet**

COMMENT:

City staff will verify that the above standards are met when building permits are requested for Parcels 1 and 2.

- D. Screening.** When any parking or loading area abuts a residential zone, the parking or loading area shall be screened or buffered as is required in Section 2.309.05.

COMMENT:

The applicant is not proposing to develop a parking lot that abuts a residential area, therefore screening and buffering standards do not apply.

- E. Lighting. All lighting shall be directed entirely onto the loading or parking area and away from any residential use. The lighting shall not cast a glare or reflection onto the public rights-of-way, and shall provide appropriate shielding so the light source is not visible from any public right of way or adjacent residential property.**

COMMENT:

As required, all exterior lighting will conform with the above standards. When detailed plans are submitted for building permit review, City staff will verify that these standards are met.

Chapter 2.306: Stormwater Management

Section 2.306.02: Scope

The provisions of this Chapter shall apply to all new and redevelopment projects within the incorporated boundary of the City of Keizer, including, but not limited to all land partitions and subdivisions, planned unit developments, multi-family developments, single-family developments, commercial developments, industrial development, and manufactured home parks. Redevelopment includes reconstruction and/or expansion of structures and/or impervious surfaces. The requirements of this Chapter apply regardless of whether a permit is required.

COMMENT:

The applicant has submitted a Partition application, therefore this section applies.

Section 2.306.03: General Stormwater Management Requirements

Any new development or redevelopment listed in Subsection 2.306.02 shall conform to the requirements listed herein, as follows:

- A. The requirements will be applied to projects proposed within the City's jurisdiction at land use, design review, and/or the building permit stages of the project.**
- B. The stormwater management system plan shall be submitted to and approved by the Public Works Director before construction of any new or redevelopment project, regardless of the size of**

project.

- C. A design by an Oregon-registered professional engineer is required for stormwater facilities on any projects that create or replace 5,000 square feet or more of impervious surface.
- D. Sites creating or replacing less than 5,000 square feet of impervious surface are generally not required to provide an engineered design unless required by the City due to site-specific conditions.
- E. Plans for the construction of stormwater conveyance, flow control, retention, and treatment facilities for the project shall be designed in accordance with City standards and specifications. The plans shall include all information as necessary for the City to review the adequacy of the storm drainage system design. The criteria and all other requirements for the design of both public and private stormwater flow control, retention, treatment, and conveyance facilities are set forth in the City's Design Standards.
- I. For projects requiring an improvement agreement for issuance of a Public Works Construction Permit, the developer shall certify in writing that the site is built according to the submitted site drainage and grading plan prior to release of the improvement agreement. The developer shall provide certified elevations to the City.
- J. For partitions and other developments not requiring a Public Works Construction Permit, any site grading and drainage requirements shall be completed and approved prior to issuance of any building permits.
- L. Prior to the City supporting final plat approval for land divisions, or building occupancy for site development, the storm drainage system shall be inspected by the City. All costs for City inspection shall be borne by the developer.

COMMENT:

The attached Preliminary Stormwater Plan and Preliminary Stormwater Report indicate that the proposed stormwater conveyance, flow control, retention, and treatment facilities are designed in accordance with City standards and specifications (see Exhibits 3 and 4).

Section 2.306.04: Preliminary Plan Required

A preliminary description of the proposed stormwater management system is required to be submitted with the land use application for all developments listed in Section 2.306.02. The preliminary description shall include, at a minimum, the following information:

- A. A cover sheet, listing the project name and owner, contact information including phone numbers and email address and the project site address. For projects requiring an Oregon-registered professional engineer, the name of the Engineer of Record and the Engineer’s seal and certification shall also be provided.**

- B. A site map of the project site and areas directly adjacent to the site, including:**
 - 1. Existing topographic contours, at 1-foot intervals or smaller;**
 - 2. Existing structures and other features on the site, with indications of proposed demolition, removal, or reconfiguration;**
 - 3. Description of the existing site conditions, sensitive areas, and waterways affecting or affected by the project;**
 - 4. Description and size of the watershed containing the site, including identification of existing stormwater runoff onto and across the property;**
 - 5. Existing, pre-developed stormwater flow patterns on the site and crossing the site boundaries;**
 - 6. Description of the existing downstream point of disposal for the project, indicating the type and size of the conveyance.**

- C. An overview of the project and stormwater management system, including:**
 - 1. Brief description of the project size, project scope, and proposed improvements;**
 - 2. Proposed project configuration, including proposed flow patterns on the site and crossing the site boundaries;**
 - 3. Location of proposed stormwater facilities, noting estimated type and size;**
 - 4. Proposed point(s) of disposal for stormwater.**

- D. A conceptual storm design report for the project, including:**
 - 1. Preliminary estimate of new and replaced impervious area;**

2. Preliminary soil infiltration rate estimates, based on preliminary tests and/or soil data determinations;
3. Preliminary storm runoff calculations, noting the methodology used in calculation;
4. Preliminary evaluation conveyance capacity of the downstream point of disposal.

COMMENT:

The submitted Cover Sheet, Existing Conditions Plan, Preliminary Stormwater Plan, and Preliminary Stormwater Report provide all of the applicable information listed above (see Exhibits 3 and 4).

Section 2.306.05: Erosion Prevention and Sediment Control

All activities within the City limits that disturb more than 2,000 square feet of area are subject to the requirements of the current City Erosion Control Ordinance. Any such activity that disturbs less than 5 acres, either singly or cumulatively as part of a common plan of development or sale, shall be required to submit an Erosion and Sediment Control Plan (ESCP) and obtain an erosion control permit from the City. Projects that disturb 5 acres or more shall be required to obtain both a City erosion control permit and an NPDES 1200-C General Construction permit from the Department of Environmental Quality.

COMMENT:

Prior to ground disturbing activities, the required Erosion Prevention and Sediment Control Plan will be submitted to the City for the required review and permit.

Chapter 2.307: Utilities Lines and Facilities

Section 2.307.02: Standards

- A. **Impact.** The location, design, installation and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbances of soil and site.
- B. **Water.** All development that has a need for water service shall install water facilities and grant necessary easements pursuant to the requirements of the City.

COMMENT:

The attached Preliminary Utility Plan illustrates that public water service will be extended from Crater Avenue N to serve the proposed lots (see Exhibit 3).

- C. **Private Utilities.** All development that has a need for electricity, gas and communications services shall install them pursuant to the requirements of the district or company serving the development. Except where otherwise prohibited by the utility district or company, all such facilities shall be underground.

COMMENT:

The attached Preliminary Plat indicates that a 10-ft. wide utility easement is provided along the road frontage to serve Parcels 1 and 2 with underground private utilities (see Exhibit 3).

- D. **Sanitary Sewers.** All development that has a need for public/private sanitary sewers shall install the facilities pursuant to the requirements of the city. Installation of such facilities shall be coordinated with the extension of necessary water services and storm drainage facilities.

COMMENT:

The applicant has submitted a Preliminary Utility Plan to illustrate how Parcels 1 and 2 will be provided public sanitary sewer service (see Exhibit 3).

- E. **Street Lights.** When required, installation of street lights shall be pursuant to the requirements of the city and the company serving the development.

COMMENT:

If required, street lights will be installed with the Crater Avenue improvements to meet City and PGE standards.

- F. **Easements.** Easements shall be provided along property lines as deemed necessary by the City, special districts, and utility companies. Easements for special purpose uses shall be of a width deemed appropriate by the responsible agency. Such easements shall be designated on the final plat of all subdivisions, and on the final plat of all partitions.

COMMENT:

As required, the attached Preliminary Plat indicates that a 10-ft. public utility easement will be provided along the Crater Avenue frontage (see Exhibit 3).

Chapter 2.309: Site and Landscape Design

Section 2.309.02: Scope

- A. **Landscaping Required.** All new construction, as well as expansion or redevelopment of structures including interior remodeling over \$100,000 in value, or any parking lot reconfiguration for commercial, multi-family, or industrial uses shall be subject to the requirements of this Section.
- B. **Landscape Plan Review.** Landscaping plans shall be submitted for review subject to procedures of this Section and subject to Type 1-A review procedures set forth in section 3.2.

COMMENT:

As required, when detailed plans are submitted for building permit review, they will include a landscape plan meeting Chapter 2.309 standards.

- C. **Tree Plan.** A tree plan in accordance with section 2.309.04.B.7 is required with all Type II and III applications and the following Type I applications: Conditional Use and Partitioning.

COMMENT:

The applicant has submitted a Tree Preservation Plan with this Partition application (see Exhibit 3). Required replacement tree planting will be verified by City staff when detailed landscape plans are submitted for building permit review.

Section 2.309.03: Minimum Area Requirements

Landscaped areas may include landscaping around buildings; open spaces and outdoor recreation areas; islands and perimeter planting areas in parking and loading areas; and areas devoted to buffering and screening as required in this Section and elsewhere in this Ordinance. The minimum areas devoted to landscaping are established within the applicable zone district the property is located.

COMMENT:

The RS zone requires a minimum of 30% of each lot to be landscaped. As required, detailed planting plans will be submitted for Parcels 1 and 2 to demonstrate compliance with the landscaping standards when building permits are requested.

Section 2.309.04: General Provisions

- A. **Landscaped areas may include landscaping around buildings; open spaces and outdoor recreation areas; islands and perimeter planting areas in parking and loading areas; and areas devoted to buffering and screening as required in this Section and elsewhere in this Ordinance. The minimum areas devoted to landscaping are established within the applicable zone district the property is located.**

COMMENT:

The applicant has not determined specific buildings plans for Parcels 1 and 2. As required, when building permits are requested, detailed landscape plans will be submitted to demonstrate compliance with the minimum 30% landscape standard.

B. Submittal Requirements. A submitted landscaping plan shall include the following:

- 1. Type, variety, scale and number of plants used;**
- 2. Placement and spacing of plants;**
- 3. Size and location of landscaped areas;**
- 4. Contouring, shaping and preparation of landscaped areas;**
- 5. Use and placement of non-plant elements within the landscaping used as accents. Such elements may only be used minimally and shall total no more than 25 percent of the total landscape area.**
- 6. Method of irrigation.**
- 7. Location, and identification of any trees, both existing and planned consistent with Section 2.309.04.C.**
 - a. On the Landscaping Plan, the existing significant trees identified by their common names, along with the size of such significant trees. Existing significant trees shall include any trees which were removed within the two-year period prior to the date the application was first submitted shall be shown on the landscape plan.**
 - b. Which significant trees are proposed to be removed, or have been removed within the past two years.**
 - c. Which significant trees are to be left standing and what steps will be taken to protect and preserve those trees according to current best management practices.**
 - d. Location, size and type of replacement trees proposed to be added, if any.**

COMMENT:

As required, the applicant will include the above information on the landscape plans when building permits are requested.

- C. Significant Trees.** As used herein, “significant trees” are trees having a height of more than fifty (50) feet and/or having a trunk whose diameter is more than twelve (12) inches diameter at breast height (DBH) (5 feet above ground level).
- a.** The City recognizes that factors such as disease, safety concerns, and site development requirements may require .309 May 1998 - Keizer Development Code (Revised 8/24) 366 SITE AND LANDSCAPING DESIGN 2 removal of significant trees. Depending on these factors, the removal of significant trees may be appropriate and approved as part of the landscaping plan. Development of the property shall be in conformance with an approved landscaping site plan that is a condition of a land use approval or a building permit. Significant trees removed (including trees removed within the two years prior to the application) must be replaced at the rate of two new trees for each significant tree removed or less if a large tree specimen size is planted. Replacement trees shall be a type that will be at least twelve (12) inches (DBH) when fully mature. At the time of planting, replacement trees shall be planted in accordance with the standards of section 2.309.06. In lieu of an on-site tree replacement plan, an off-site tree mitigation plan consistent with requirements within this section shall be submitted to the Community Development Director for approval. Such off-site location shall be within the public right of way, on public property, or on private property if qualifying as a streetscape tree, and must be approved by the City. If no suitable off-site location is identified for the immediate installation of replacement trees, a contribution to the City’s landscape mitigation fund in the amount equal to the cost of a replacement tree (including installation) as determined by the City may be made for the City to install replacement trees at a later date, as determined appropriate. Such funds shall be used only for replacement tree planting.
- b.** The above provisions include and apply to all significant trees located on the subject property or on any adjacent public right-of way. These requirements shall be applied to both public and private development.

COMMENT:

The attached Tree Removal Plan indicates that 2 significant trees will be removed with the proposed development to accommodate grading, access, street improvements, utilities, and dwelling units (see Exhibit 3). As required, when building permits are requested for Parcels 1 and 2, the submitted landscape plans will include a minimum of 4 replacement trees.

- D. Existing Vegetation. The landscape design shall also incorporate as much of the existing desirable vegetation on the site as is possible.**

COMMENT:

As required, the future landscape plan will include as much of the existing desirable vegetation as possible.

Section 2.309.05: Screening and Buffering

- A. Screening and Buffering. Screening and Buffering shall be used to mitigate visual impacts, dust, or noise, and to provide for compatibility between dissimilar adjoining uses. Screening and buffering shall be used to eliminate or reduce the impacts of the following uses:**

COMMENT:

The applicant is not proposing a commercial, industrial, service areas, outdoor storage areas, a parking lot, or multifamily development. Therefore, screening and buffering for these uses does not apply. As required, screening and buffering for electrical and mechanical equipment will be included on landscape plans when building permits are requested for Parcels 1 and 2.

Chapter 2.310: Development Standards for Land Divisions

Section 2.310.03: Standards for Lots or Parcels, Property Line Adjustment Required

- A. Minimum lot area. Minimum lot area shall conform to the requirements of the zoning district in which the parcel is located.**

COMMENT:

Parcels 1 and 2 range in size from 4,857 to 7,067 sq. ft., therefore a variety of residential uses can be developed in accordance with RS standards. When detailed plans are developed for the vacant parcels, City staff will verify that they meet the required minimum lot area for the proposed use.

- C. Lot width and depth. The depth of a lot or parcel shall not be more than 3 times the width of the parcel.**

COMMENT:

Parcels 1 and 2 are oriented towards Crater Avenue N. The attached Preliminary Plat demonstrates that the depth of the proposed lots does not exceed 3 times the width of the lots (see Exhibit 3).

D. Access. All lots and parcels created after the effective date of this Ordinance shall provide a minimum frontage, on an existing or proposed public street, equal to the minimum lot width required by the underlying zone. The following exceptions shall apply:

- 1. Lots or parcels may be accessed via an access easement developed in accordance with the provisions of Section 2.302.08.**

COMMENT:

The minimum lot frontage is equal to the minimum average lot width in the RS zone. The attached Preliminary Plat indicates that Parcels 1 and 2 have a 67-ft. width, exceeding the minimum 40-ft. standard (see Exhibit 3). The applicant has addressed the proposed access easement for Parcel 2 under Section 2.302.08 in the narrative provided above.

E. Flag Lots. Flag lots shall only be permitted if it is the only reasonable method by which the rear portion of a lot being unusually deep or having an unusual configuration may be accessed and when in compliance with Section 2.302.03.B. If a flag-lot is permitted, the following standards shall be met:

COMMENT:

Since an access easement is proposed for Parcel 2, the applicant is not proposing to develop a flag lot. Therefore, these standards do not apply.

F. Through Lots. Through lots shall be avoided except where essential to provide separation of residential development from major streets, adjacent non-residential activities, or to overcome specific development constraints due to topography or lot orientation. Through lots shall be no less than 100 feet in depth. Lots having their access off a private access easement or adjacent to a private access easement shall not be construed as qualifying as through lots. Screening or buffering, pursuant to the provision of Section 2.307, may be required by the City during the review of the land division request.

COMMENT:

The applicant is not proposing through lots with this Partition application. Therefore, the above standards do not apply.

G. Lot Lines. The side lines of lots, as far as practicable, shall run at

right angles to the right-of-way line of the street upon which the lots face. The rear lot line shall be no less than 1/2 the dimension of the front lot line.

COMMENT:

The Preliminary Plat demonstrates that the side lot lines of Parcels 1 and 2 run at right angles to Crater Avenue N (see Exhibit 3).

- H. Utility Easements. Utility easements shall be provided on lot areas where necessary to accommodate public utilities. Such easements shall have a minimum total width as specified in Section 2.302.04 of this Code.**

COMMENT:

The attached Preliminary Utility Plan indicates that public water and sanitary sewer utilities are located within Crater Avenue N. Therefore, only a 10-ft. wide public utility easement for franchise utilities is proposed along the street frontage (see Exhibit 3).

Section 2.310.05: Improvement Requirements – Partitions

During the review of partition proposals, the City shall require, as a condition of approval, the following improvements:

- A. Private Access. Private driveways serving flag lots, or private streets and access easements, shall be surfaced per the requirements of this Code.**

COMMENT:

As required, the Preliminary Site Plan demonstrates that the paved access for Parcels 1 and 2 complies with City standards.

- B. Walkways for Private Streets. Sidewalks shall be required in accordance with applicable provisions in Sections 2.302 only if sidewalks currently exist along the connecting street.**

COMMENT:

The attached Preliminary Site Plan demonstrates that the proposed sidewalk along Crater Avenue complies with City street standards (see Exhibit 3). The proposed pedestrian walkways and driveways provide connectivity from the proposed sidewalk to future dwelling units on the parcels.

- C. Street Frontage Improvements. The following improvements shall be required:**
 - 1. If the street frontage of the subject property is less than or equal to 100 feet, and not along a collector or arterial street**

the applicant shall sign a non-remonstrance agreement with the City of Keizer. This agreement shall stipulate that the applicant or future property owner will agree to participate in right-of-way improvements. The agreement may include provisions for the following: street paving, curbing, sidewalks, water lines, storm sewer facilities and sanitary sewer facilities.

COMMENT:

The applicant is proposing to install right-of-way improvements on Crater Avenue N that conform to current Local I street standards. A signed non-remonstrance agreement is not included with the partition application.

- D. **Completion Requirements.** All required improvements shall be completed prior to the issuance of any building permits for the subject property. Alternatively, improvements required under this Section shall be completed or assured through a performance bond or other instrument acceptable to the City prior to the approval of the final plat of the partition. At the discretion of the Public Works Director, certain improvements may be further postponed through a non-remonstrance agreement, or other performance agreement.

COMMENT:

The applicant will ensure that improvements are completed with a performance bond or other instrument, as required by the City.

Section 2.310.07: Improvement Procedures

In addition to other requirements, improvements installed by a developer for any land division, either as a requirement of these regulations or at his own option, shall conform to the requirements of this Ordinance and improvement standards and specifications adopted by the City, and shall be installed in accordance with the following procedure:

- A. **Plan Review.** Improvement work shall not commence until plans have been checked for adequacy and approved by the City. Plans shall be prepared in accordance with requirements of the City.
- B. **Notification.** Improvement work shall not commence until the City has been notified in advance; and, if work has been discontinued for any reason, it shall not be resumed until the City has been notified.

COMMENT:

The applicant agrees that no improvements will commence prior to notification and approval of compliance of applicable standards and/or permit issuance by the City.

- C. Inspection. Improvements shall be constructed under the inspection and to the satisfaction of the City Engineer and the Director of Public Works. The City may require changes in typical sections and details in the public interest, if unusual conditions arise during construction to warrant the change.**

COMMENT:

The applicant understands that inspections will be carried out in accordance with City Standards.

- D. Underground Facilities. All underground utilities, sanitary sewers, and storm drains installed in streets by the developer shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities and sanitary sewers shall be placed to a length eliminating the necessity for disturbing the street improvements when service connections are made.**

COMMENT:

The applicant intends to complete all underground utilities installations prior to street surfacing while minimizing disturbance to completed streets when service connections are made.

- E. Final Engineering Plans. Upon completion of the public improvements and prior to final acceptance of the improvements by the City, the developer shall provide certified as-built drawings of all public utility improvements to the City. As-built conditions and information shall be reflected on one set of Mylar base as-built drawings. The as-built drawings shall be submitted to the City Engineer by the Developer's engineer.**

COMMENT:

The applicant agrees to submit final engineering as-built plans upon completion and acceptance of public improvements within the site.

Chapter 3.101: Summary of Application Types

Section 3.101.02: Type I Action—Summary

Type I actions are administrative reviews processed by the City staff according to the procedures found in Section 3.202.01, 02 & 03. The review standards are generally clear and objective and allow little or no discretion. This process is further divided into three parts:

- B. **Type I-B: A ministerial action reviewed by staff based on generally clear and objective standards with some discretion afforded to staff. Conditions may be placed on the decision and notice is sent to the applicant and property owners within the required notice area. Appeal is to the Hearings Officer. The Zoning Administrator may refer any application to the Hearings Officer or the City Council for public hearing and decision. The following actions are processed under the Type I-B procedure:**

4. Partitions

COMMENT:

The submitted Partition application follows the Type IB review process. As such, all required information for a Type IB review has been included with the application package.

Chapter 3.107: Partitions

Section 3.107.02: Applicability

A partition is required for any land division that creates two or three parcels in a calendar year.

COMMENT:

The applicant is proposing a 2-lot partition of the subject site. The subject lot has not been previously partitioned; therefore, this chapter applies.

Section 3.107.03: Application and Fee

An application for a partition shall be filed with the City and accompanied by the appropriate fee. It shall be the applicant's responsibility to submit a complete application that addresses the review criteria of this Section.

COMMENT:

The applicant has submitted a completed application form and the associated fee for the proposed partition.

Section 3.107.04: General Provisions

- A. **Validity. Partition approval is valid in perpetuity, upon recording of the final surveyed plat.**
- B. **Number of Parcels. No parcel within an approved partition may be redivided within the same calendar year in which it was**

recorded, except through the subdivision process.

COMMENT:

The proposed 2-lot partition of Lot 10500 of Tax Map 073W03AB is the only partition proposed for the subject lot and its resulting parcels within one calendar year. Following recording of the final plat, no portion of the subject property will remain capable of replatting. Therefore, the above standards are met, and additional Master Plan requirements do not apply.

Section 3.107.05: Submittal Requirements for Preliminary Review

- A. Application Process. Applications for partitions shall be submitted on forms provided by the City and accompanied by the appropriate fee. It shall be the applicant's responsibility to submit a complete application that addresses the review criteria of this Section.**

- B. Submittal Requirements. Each application shall be accompanied by a preliminary partition plat drawn to scale of not less than one inch equals 50 feet nor more than one inch equals 200 feet, and containing at a minimum, the following:**
 - 1. Appropriate identification stating the drawing is a preliminary plan.**
 - 2. North point, scale and date.**
 - 3. Name and addresses of land owner, applicant, engineer, surveyor, planner, architect or other individuals responsible for the plan.**
 - 4. Assessor Map number and tax lot number of subject property.**
 - 5. The property lines and approximate area of the subject property.**
 - 6. Dimensions and size in square feet or acres of all proposed parcels.**
 - 7. The approximate location of existing streets, easements or rights-of-way adjacent to, or within, the subject property, and, existing improvements on the property and important features such as section, political boundary lines.**
 - 8. Future Street Plan. A future street plan shall be submitted with partition proposals that include (a) public street(s) to connect to adjacent property for future development. The future street plan shall show the pattern of existing and**

future streets from the boundaries of the proposed land division and shall include other parcels within 500 feet of the proposed land division property line. The City may determine future neighborhood street connections. A future street proposal may be modified when subsequent development proposals are submitted.

COMMENT:

Pursuant to partition application requirements, all applicable materials and criteria have been included with the submitted application packet.

Section 3.107.07: Review Criteria

- A. Each parcel shall meet the access requirements of Section 2.310.03.D.**

COMMENT:

As demonstrated on the Preliminary Site Plan, the above access requirements are met (see Exhibit 3).

- B. Each parcel shall satisfy the dimensional standards of applicable zoning district, unless a variance from these standards is requested and is approved..**

COMMENT:

Although housing types are not determined for the site, the Preliminary Plat and Preliminary Site Plan demonstrate that each of the proposed parcels is able to meet minimum dimensional requirements for a variety of housing types in the RS zone.

- C. Each parcel shall comply with the requirements of Section 2.310.**

COMMENT:

As addressed in the above narrative, the applicant has demonstrated that applicable development standards for the proposed land division are met.

- D. Rough Proportionality. Improvements or dedications required as a condition of development approval, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements or dedications are roughly proportional to the impact.**

COMMENT:

The applicant is voluntarily proposing to dedicate 10.50-ft. of additional right-of-way and install improvements along the Crater Avenue frontage. Therefore, rough proportionality findings are not required for the Partition application.

- E. Each parcel shall comply with the applicable requirements within Sections 2.301 (General Provisions) ; 2.302 (Street Standards); 2.303 (Off-Street Parking and Loading); 2.305 (Transit Facilities); 2.306 (Stormwater Management); 2.307 (Utility Lines and Facilities); and 2.309 (Site and Landscaping Design).**

COMMENT:

For the proposed partition, the applicant has addressed conformity with the above standards in the narrative above.

- F. Adequate public facilities shall be available to serve the existing and newly created parcels.**

COMMENT:

As stated above and demonstrated in the Preliminary Utility Plan, public utilities are available within Crater Avenue N (see Exhibit 3).

Section 3.107.08: Process for Final Plat Approval

- A. Survey. Within 2 years of the final decision approving a preliminary plat, a final survey of the approved plat shall be recorded. If the final survey is not submitted within 2 years, the preliminary approval shall lapse. The City staff may extend the approval period for not more than 1 additional year at a time. Requests for extension of approval time must be submitted in writing thirty days prior to the expiration date of the approval period. Extensions may only be granted if no subsequent code amendments have been adopted that affect the partition.**

COMMENT:

With development of the site, the final survey of the approved plat will be recorded in the time allotted, prior to a lapse in the preliminary approval (see Exhibit 3).

IV. SUMMARY AND CONCLUSIONS

Based upon the findings of this report and the submitted exhibits, the applicant has demonstrated compliance with the requirements of relevant sections of the City of Keizer Development Code. Therefore, the applicant requests that this Partition application be approved.

VI. EXHIBITS

- 1. Application Form**
- 2. Property Deed**
- 3. Preliminary Development Plans**
- 4. Preliminary Stormwater Report**