

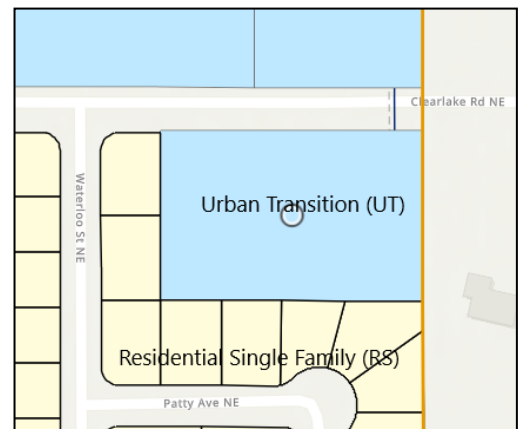


**KEIZER PLANNING DEPARTMENT
STAFF RECOMMENDATION
Subdivision Case 2024-13**

TO: Theodore R. Naemura, Keizer Hearings Officer
FROM: Shane Witham, Planning Director
SUBJECT: Subdivision Case No. 2024-13
DATE: December 10, 2024
HEARING: December 17, 2024

I. GENERAL INFORMATION

- A. **APPLICANT/PROPERTY OWNER:** 1620 Clear Lake LLC
- B. **AGENT:** Steve Kay
- C. **PROPERTY LOCATION:** The property is located at 1620 Clear Lake Road NE and is identified on Marion County Tax Assessor Maps as Township 6 South; Range 3 West; Section 23DA Tax Lot 00100. (Exhibit 1)
- D. **EXISTING PARCEL SIZE:** The property is approximately 1.42 acres in area.
- E. **EXISTING DEVELOPMENT AND PUBLIC FACILITIES:** The property contains a single-family home and several outbuildings. Public facilities are available and are proposed to be extended to serve the development.
- F. **PLAN DESIGNATION AND ZONING:** The property is designated Low Density Residential on the Comprehensive Plan Map and is zoned Urban Transition (UT). Section 2.118.10 of the UT zone provides for the automatic rezoning of land to Single Family Residential (RS) upon approval and recordation of the plat.
- G. **ADJACENT ZONING AND LAND USES:** Properties to the north, across Clear Lake Road, are also zoned UT and are developed with detached single-family dwellings. The properties to the west and south are zoned RS and also developed with single family dwellings. The Property to the east is located outside of Keizer City limits.
- H. **PROPOSAL:** The subject property is proposed to be subdivided into 5 lots. Additionally a tract will be provided to house a stormwater facility. The development will be served by a newly created public street resulting in a cul-de-sac. Lots 1 and 2 will have access from a newly



created access easement. The existing dwelling on Lot 5 will reorient driveway to the new public street. The applicant's written statement, preliminary plans, and preliminary stormwater analysis (Exhibit 2) are attached.

- I. **NOTICE:** Public notice was mailed, published and posted consistent with notice requirements in KDC (Keizer Development Code) Section 3.204.

II. COMMENTS

AGENCY COMMENTS:

- A. The Keizer Public Works Department submitted comments which contain development requirements regarding sanitary sewer, water system, street and drainage improvements and other general development requirements (Exhibit 3).
- B. The Marion County Surveyor's Office submitted comments outlining the requirements for surveying and platting the proposed subdivision in compliance with State requirements (Exhibit 4).
- C. Marion County Fire District #1 submitted comments (Exhibit 5) with a list of fire code requirements for the project.
- D. The Salem Keizer School District submitted comments regarding the proposed development and impact on nearby schools. (Exhibit 6)
- E. The City of Salem Public Works Department submitted comments regarding sanitary sewer system standards along with as-builts for the existing sanitary sewer main in Clear Lake Road. (Exhibit 7)
- F. The Keizer Police Department and the City of Salem Planning Department submitted they have reviewed the proposal and have no comments.

CITIZEN COMMENTS:

A letter requesting comments was sent to the surrounding property owners within 250' of the subject property. Comments were received from the following individuals:

Melanie Evans of 1629 Patty Av NE submitted concerns regarding increased traffic, noise and lights. (Exhibit 8)

Eugene Zuniga along with Benjamin and Teresa Zuniga of 1950 Clear Lake Rd NE and 1740 Clear Lake Rd NE respectfully submitted concerns about parking and a request for a sight-obscuring fence along the shared property line. (Exhibit 9)

STAFF'S RESPONSE TO CITIZEN COMMENTS:

Staff appreciates the public participation of concerned citizens and has attempted to address the concerns expressed, where appropriate, through the findings and related conditions recommended for this proposal. Staff offers the following response to comments received for clarification:

Traffic/transportation concerns: Concerns were raised about additional traffic from the subdivision and the impacts the development will have on the surrounding area. The applicant proposes to construct a new public street to serve the subdivision and is creating 4 additional lots and will be required to provide frontage improvements along Clear Lake Rd. The Public Works Department and City Engineer have provided comments regarding the need for adequate transportation infrastructure and conditions have been placed appropriately. The proposed development does not meet the identified threshold of 250 average daily trips for requiring the applicant to perform a formal Transportation Impact Analysis. Instead, requirements for adequate street improvements are outlined in the Keizer Development Code (KDC) and have been addressed in this report.

Parking Concerns and Sight-obscuring fencing: Comments expressed concern that this proposal will create problems for providing adequate parking, which may spill out into the adjacent neighborhood. The KDC requires that a minimum of 2 parking spaces be provided for single family dwellings, and that for duplex, triplex, quadplex, and cottages, 1 parking space be provided per dwelling unit. The parking spaces requirements will be regulated at the time of building permit review to assure compliance with the provisions of the KDC.

Staff is recommending that a sight obscuring fence be provided around the perimeter of the subdivision, in order to help mitigate the impact of additional development on the site. One recommended method to accomplish this is to place sight obscuring slats in the existing chain link fence. Staff discussed this issue with the developer, and the developer indicated they understood and appreciated the neighborhood concerns and felt that providing slats in the existing chain link fence was a reasonable requirement.

III. FINDINGS

The review criteria for a subdivision are listed in Section 3.108.06 of the Keizer Development Code (KDC). The criteria and findings for the subdivision request are listed below:

A. SECTION 3.108.06.A – THE PROPOSAL SHALL COMPLY WITH THE APPLICABLE DEVELOPMENT STANDARDS IN SECTION 2.405 AND SECTION 2.3 AS APPROPRIATE, INCLUDING PROVISIONS FOR STREETS AND UTILITIES.

Section 2.405 KDC contains development standards for manufactured home parks and is therefore not applicable in this situation. Section 2.3 contains the standards which guide all development approvals within the City of Keizer. Listed below are the applicable development standards contained in Section 2.3 that are pertinent to this subdivision review.

1. SECTION 2.301.03 - APPLICATION OF PUBLIC FACILITY STANDARDS

FINDINGS: In order to promote and maintain healthy, safe environments and to minimize development impacts upon surrounding properties and neighborhoods the public facilities improvement requirements specified in the table found in Section 2.301.03 are found to be the minimum necessary. The applicant will be required to provide the following public facilities: Fire Hydrant (where required by the Fire District), Street Improvements, Water Hook-up, Sewer Hook-up, Storm Drain and Street Lights. The Public Works Department has submitted comments which have

been incorporated into the recommended conditions of approval that outline specific requirements for the installation of public facilities. With these items placed as conditions of approval this request can meet this criterion.

2. **SECTION 2.302.03 - STREET STANDARDS – GENERAL PROVISIONS**

- a. ***Section 2.302.03.A - General Requirement. The location, width, and grade of streets shall be considered in their relation to existing and planned streets, topographical conditions, public convenience and safety, and the proposed use of the land to be served by the streets.***

FINDINGS: The subject property is proposed to be subdivided into 5-lots and one tract to be used for a storm water facility. The applicant proposes to construct a new public street to serve the development. In addition, a shared access is proposed within the subdivision to provide access to lots 1 and 2.

The City has adopted minimum street standards that are found to be necessary to promote and maintain a healthy environment and to minimize impacts from the development upon surrounding properties and the area. These standards can be found in Section 2.302 and the Public Works Department comments include specific conditions of approval in conformance with these standards to ensure public convenience and safety which are adopted into the recommended conditions of approval for this subdivision. The applicant's plans show that the right-of-way width for the proposed new street within the subdivision will be 44' in width which is acceptable. The applicant's plans also show that dedication will be provided along Clear Lake Road to provide for 34' of right-of-way from centerline, which is also acceptable. Details on right-of-way dedication and design will be reviewed and approved through the public construction permit review and approval process by the Public Works Department. Prior to submitting construction plans for the proposed subdivision a pre-design meeting with the developer's engineer and the Department of Public Works.

With the above-mentioned conditions, staff finds this proposal can satisfy this criterion.

- b. ***Section 2.302.03.B - Continuation of Street. Development proposals shall provide for the continuation of, and connection to, existing 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 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. Exemptions from these street extensions can be found in Section 2302.03.B.1 – 5.***

FINDINGS: The intent of this provision is for new developments to incorporate the continuation of a street as a means to avoid creating new subdivisions which do not provide for street connectivity. In this particular case, the property is surrounded by developed single family homes and no additional

development potential exists. The proposal is to provide a new public cul-de-sac street. Taking these factors into consideration, staff finds that no continuation of the proposed public street is warranted, so this provision is not applicable.

Section 2.302.03.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.

FINDINGS: The purpose of this provision is to require that new streets in subdivisions meet the city's alignment and spacing standards so as to ensure safe vehicle travel. The new street that is proposed has been reviewed by the Public Works Department and City Engineer for consistency with these standards. Public Works Department comments include specific conditions of approval in conformance with these standards to ensure public convenience and safety which are adopted into the recommended conditions of approval for this subdivision. Staff finds this proposal complies with this criterion.

- c. Section 2.302.03.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 Section 902.2.2.4 "Dead Ends" of the Uniform Fire Code, 1994 edition.***

FINDINGS: The proposed new street is proposed as a cul-de-sac and does not provide for future extension to surrounding properties. Extension of the proposed street is not found to be necessary, since the surrounding area is fully developed. It should be noted that frontage improvement will be provided along Clear Lake Road, which will provide pedestrian connectivity to the surrounding neighborhood. Staff finds this criterion is not applicable to this request.

- d. Section 2.302.03.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.***

FINDINGS: The purpose of this provision is to require that new public street intersections are constructed consistent with city standards. The proposed development of the new street serving the subdivision will be, as far as practical, at right angles to Clear Lake Road. The Public Works department submitted comments pertaining to the street improvement requirements for this proposal. Staff finds this request satisfies this criterion.

- e. ***Section 2.302.03.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.***

FINDINGS: The intent of this provision is to require that developers of new residential subdivisions be responsible for making needed improvements to the existing street systems that are either within, or adjacent to, a proposed subdivision. In this case, the property has frontage along Clear Lake Road, which is designated as a collector street in the City's Transportation System Plan. The applicant will be required to dedicate right-of-way along Clear Lake Road to accommodate 34' measured from the centerline. The subdivision will be required to provide a 44-foot wide right-of-way width for the newly proposed street system within the subdivision. The Public Works Department submitted comments which are recommended as conditions of approval for this application, which indicate the applicant's proposal is acceptable. With the Public Works Department comments placed as conditions of approval, staff finds this section is satisfied.

- f. ***Section 2.302.03.G - Half-streets may be approved where essential to the reasonable development of an area and when the City finds it to be practical to require the dedication of the other half when the adjoining property is developed. When a ¾ width street can reasonably be developed, as determined the Department of Public Works, a half street will be constructed with an additional 10 feet of pavement on the opposite side of the street from full improvement.***

FINDINGS: No half street will be constructed; therefore, this section is not applicable.

- g. ***Section 2.302.03.H - Cul-de-sacs. The maximum length shall be 800 feet.***

FINDINGS: The proposed new street is a cul-de-sac which will be approximately 200' in length. Therefore, staff finds the proposal complies with this criterion. Furthermore, the review and approval of the final design of the proposed street will be regulated through the Public Construction Permit review and approval process which will assure this criterion is met.

- h. Section 2.302.03.I - Street names and numbers shall conform to the established standards and procedures in the City.***

FINDINGS: The purpose of this provision is to ensure that streets are named in accordance with City procedures to avoid duplicate or confusing street names. This proposal includes a new street, as well as a new private access easement that will serve lots 1 and 2. The new public street will be required to be named and numbered to conform to the City's street addressing procedures. A street naming application shall be submitted to the City prior to submittal of the preliminary plat. The final approved street name for the public street must be shown on the preliminary and final plat. With this placed as a condition of approval, staff finds this proposal will comply with this criterion.

- i. Section 2.302.03.J - 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.***

FINDINGS: The purpose of this provision is to ensure that new streets are constructed consistent with the city's established street grade standards and avoid having new streets that may be too steep and potentially endanger public safety. The area is relatively flat and there are no concerns regarding grades of the proposed street improvements. A preliminary grading and drainage plan was submitted as a part of this application. A final grading and drainage plan will be required as a condition of approval to ensure that adequate drainage is provided, as well as construction permits, which will regulate the design of the proposed improvements. With these requirements placed as conditions of approval, this proposal will satisfy this criterion.

- j. Section 2.302.03.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.***

FINDINGS: The purpose of this provision is to minimize impacts that a new development may have on arterial and collector streets. The proposed subdivision will be accessed from a proposed local street and an access easement. No lots will access Clear Lake Road. Therefore, a notation on the plat or requirements in a proposed homeowner's association agreement or CCR's must indicate no vehicular access is allowed to Clear Lake Rd. Therefore, this request can satisfy this criterion.

- k. Section 2.302.03.L - Alleys shall be provided in commercial and industrial zones unless other permanent provisions for access to off-street parking and loading facilities are provided. The corners of alley intersections shall have radii of not less than 10 feet.**

FINDINGS: The property is located in a residential zone and no alleys are proposed. Therefore, this provision is not applicable.

- l. Section 2.302.03.M. - Street Landscaping. Where required as part of the right-of-way design, planting strips shall conform to 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.**

FINDINGS: The purpose of this provision is to outline the standards relating to providing street landscaping. The frontage along Clear Lake Road will provide a separated sidewalk and street frontage improvements. Street landscaping is required along Clear Lake Road to satisfy this requirement and will be regulated through the public construction permit review and approval process. Staff finds this criterion can be met.

- m. Section 2.302.03.N.5 - Access Control Standards. Double Frontage Lots. When a lot has frontage onto two or more streets, access shall be provided first from the street with the lowest classification.**

FINDINGS: The proposed subdivision will be accessed from a local street and a proposed private access easement. The developer will be required to obtain driveway permit approval for the individual lots within the subdivision. In addition, as was addressed earlier, no vehicular access to Clear Lake Road will be allowed. Staff finds this proposal complies with this criterion.

- n. Section 2.302.03.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 more than 60 feet in width shall be required to plant two streetscape trees.***
3. ***Streetscape trees shall be selected from a list of approved trees.***

FINDINGS: Streetscape trees will be required for the subdivision. The applicant has not provided a tree planting plan as a part of their application materials but has indicated their intent to comply with this provision. As a condition of subdivision approval, staff recommends that a tree planting plan be submitted to the Planning Department for review and approval prior to final plat approval showing the location of trees proposed to satisfy this requirement and that this requirement be included in any CCR's or homeowner's association agreements governing the subdivision. Streetscape trees will be required to be planted prior to final building permit approval for each of the proposed lots. With this requirement placed as a condition of subdivision approval, staff finds this proposal can comply with this criterion.

3. **SECTION 2.302.04 - GENERAL RIGHT-OF-WAY AND IMPROVEMENT WIDTHS**

The standards outlined in this section shall be the minimum requirements for all streets, except where a variance is requested as permitted under Subsection 2.302.05.

FINDINGS: The Public Works Department has submitted comments which have been incorporated into the recommended conditions and requirements of this report, which outline the necessary requirements for this subdivision proposal. As a condition of subdivision approval, the requirements outlined in the Public Works requirements must be adhered to. Right-of-way will be required to be dedicated for the newly proposed streets as shown on the applicant's plans. A 44-foot right-of-way is shown, which is acceptable. In addition, right-of-way dedication and improvements are required along the frontage of the property for Clear Lake Road. The design of the proposed new street within and adjacent to the subdivision will be reviewed and approved through the public improvement permit review and approval process with the Public Works Department. With these requirements placed as conditions of subdivision approval, staff finds this proposal can comply with this criterion.

4. **SECTION 2.302.06 - CONSTRUCTION SPECIFICATIONS**

Construction specifications for all public streets shall comply with the standards of the most recently adopted public works street standards of the City of Keizer.

FINDINGS: The intent of this provision is to ensure that new residential subdivision design and construction of new streets that are needed to serve the lots, meet all City standards for street construction. The subdivision will feature a new public street within the subdivision that will be improved to public works specifications. In addition, the applicant will be required to provide improvements along the frontage of Clear Lake Road. Public improvement permits will be required and construction drawings must be submitted to the Public Works Department for their review and approval, consistent with all applicable adopted construction specifications and

standards adopted by the city. With this placed as a condition of approval, staff finds this provision will be met.

5. **SECTION 2.302.08 - PRIVATE ACCESS EASEMENTS.**

A private access easement created as the result of an approved partitioning or subdivision shall conform to standards governing the following: A. Width; B. Maintenance; C. Turn-around; D. Parking; E. Trees Along Access Easements; F. Screening;

FINDINGS: The intent of this provision is to assure private access easements are constructed in a manner consistent with city standards thereby avoiding the creation of a substandard access that might be unusable for vehicular traffic.

A. Width: A 22-foot wide access easement is proposed to serve lots 1 and 2. For single family homes and duplex dwellings, a minimum 20-foot wide access easement with a paved width of 16' is required. For triplexes, quadplexes, and cottage clusters the easement width must at a minimum comply with the KDC standards for aisle widths found in Section 2.303. The improvement of the access easement shall be completed prior to approval of the final plat. In lieu of this, the applicant may obtain a performance bond, improvement agreement or other instrument acceptable to the City as outlined in Section 3.202.02.E.3 and 3.202.05.B of the KDC. The applicant has indicated in their written statement and site plan that a 22' wide access easement is proposed, and can comply with these standards.

B. Maintenance: Provisions for the maintenance of the access easement, address display signage and "no parking" signs shall be provided in the form of a maintenance agreement, homeowners association, or other instrument acceptable to the City and shall be recorded with the Marion County Clerk. The agreement shall include language stipulating that the agreement cannot be extinguished without written approval from the City of Keizer. Prior to final plat approval, the City of Keizer Planning Department will review and approve the Agreement for recording. The agreement is to be recorded against the individual parcels in the subdivision immediately following the recording of the subdivision plat. Prior to issuance of any building permits for the new homes, submission of documentation of recording to the City is required.

C. Turn-around: The KDC requires a turn-around for access easements serving as the sole access for two or more lots. Lots 1 and 2 both have access to the newly proposed street and therefore this criterion is not applicable. Therefore a turn-around is not required for the shared access.

D. Parking: No parking is allowed within the required access easement width or turn-around area. This allows emergency vehicles to be able to access the new lots. "No Parking" signs shall be provided and must be approved by the City. This requirement is recommended as a condition of approval. No parking signs shall be provided at the time of construction of the access easement improvements.

E. Trees Along Access Easements: In certain cases, streetscape trees are required along access easements. If required, trees shall comply with the provisions of Section

2.309 of the KDC. Lots measuring along the access easement less than 60' shall plant one streetscape tree and lots measuring more than 60' along the access easement shall be required to plant two streetscape trees. Streetscape trees are selected from a list of approved trees and planted within 10' of the access improvements within the boundaries of each lot. Lots 1 and 2 are approximately measure more than 60' along the access easement and will be required to plant 2 streetscape trees along the access easement. The applicant will be required to submit a tree planting plan for the Planning Department's review and approval prior to final plat approval. Streetscape trees shall be shown on the tree planting plan. Planting of required streetscape trees is recommended to be placed as a condition of Certificate of Occupancy for each new dwelling.

F. Screening: Unless waived in writing by the adjacent property owners, a 6' high sight-obscuring fence, wall, or hedge is required along the exterior side of an access easement to provide screening to any adjacent properties. In this case, the access easement is between lots 1 and 2 but is shown to terminate at the western boundary of the subdivision. Therefore, a sight-obscuring fence will be required to be installed along the western boundary of lots 1 and 2. This will prevent lights from vehicles shining into the adjacent properties. It should be noted that staff is recommending that a sight-obscuring fence be installed for the perimeter of the subdivision, which is addressed later in this report. One acceptable method that has been identified to accomplish this is to place slats in the existing chain link fence located on the boundary of the subdivision.

Based upon the submitted site plan, the proposed private access easement can comply with Section 2.302.08, and with the above-mentioned conditions, staff finds this request satisfies this criterion.

6. SECTION 2.303 - OFF-STREET PARKING AND LOADING

Parking shall be provided to ensure adequate areas for the parking, maneuvering, loading, and unloading of vehicles and bicycles for all land uses in the City of Keizer.

FINDINGS: The minimum off-street parking requirements listed within Section 2.303.06 of the KDC have been determined to be the minimum necessary to provide adequate parking capacity for specified uses. This has been determined by the City to be the minimum needed to meet the needs of the residences within the new dwellings. Required parking spaces must be installed at the time dwellings are constructed on each lot within the subdivision. The applicant's written statement indicates the ability and intention to provide appropriate parking as required by the provisions of Section 2.303. The applicant has indicated the single-family home on lot 5 will be retained and that 2 parking spaces will be provided. These spaces will be required to be provided at the time the new street is constructed and the existing access to Clear Lake Road is removed. Parking space requirements for lots 1-4 will be regulated through the building permit review and approval process. With these requirements placed as a condition of approval, staff finds the proposal can meet this criterion.

7. **SECTION 2.306 - STORM DRAINAGE**

No construction of any facilities in a development included in Subsection 2.306.02 shall be permitted until a storm drainage and erosion control plan for the project is prepared by a professional engineer, and approved by the City. These provisions shall also apply to any cut or fill on a property, which may impact the velocity, volume, or quality of surface water on adjacent property, or may impact any permanent natural body of water.

FINDINGS: The intent of this provision is to minimize, and avoid, storm drainage and erosion runoff problems that may be associated with development by requiring that a storm drainage and erosion control plan be submitted for review and approval prior to any development occurring on the site. The applicant submitted a preliminary grading and drainage plan and stormwater analysis as part of their application materials, and has indicated they intend to comply with the City’s requirements regulating stormwater management. The Public Works Department submitted comments containing requirements that will assure the proposed development complies with City storm drainage requirements. These requirements are recommended as conditions of approval to assure the development meets this criterion. In addition, the proposed stormwater facility which is to be located in the proposed “tract” will be required to be “dedicated” to the City in a form acceptable to the City prior to acceptance of the public improvements. The Public Works Department has indicated that the applicant’s proposal does not adequately address the requirements of the Keizer Design Standard and that the proposed facility will need to be modified in order to comply.

Staff is recommending several conditions pertaining to storm drainage requirements, and with these proposed conditions of approval, this application can comply with this provision.

8. **SECTION 2.307 - UTILITY LINES AND FACILITIES**

FINDINGS: To provide adequate services and facilities appropriate for residential development, the applicant shall meet the standards set forth in Section 2.307 of the KDC relating to water, sanitary sewer, private utilities, street lights and easements. This is a development requirement and compliance will be ensured during review of the construction and engineering drawings. These requirements are addressed more in depth elsewhere in this report. Staff finds with appropriate conditions; this proposal will comply with this criterion.

9. **SECTION 2.309 - SITE AND LANDSCAPING DESIGN**

a. *Section 2.309.04(B)(7f) – The City may require significant trees that are removed (including trees that are removed within the year prior to the application) be replaced at the rate of up to two new trees for each significant tree removed or less if a tree specimen which will result in an increased size is planted....in lieu of an on-site tree replacement plan, an off-site tree mitigation plan may be submitted to the Planning Director for approval.*

FINDING: The intent of this provision is to require planting of new trees to replace trees that are cut down as part of the development of a subdivision. In particular, this provision aims to replace trees that are identified as being “significant trees” which are trees that are equal to or greater than 50’ in height or 12” in diameter. The applicant submitted a tree removal plan which shows that of the trees being removed on the site, only 6 of the trees are considered significant trees. The trees are proposed to be removed from the site to allow for building sites and grading activities. Replacement trees are required to be planted to replace the significant trees that are removed from the property in order to be consistent with the city’s 2:1 replacement ratio.

As a condition of approval, staff recommends the applicant must provide a total of 12 replacement trees within the subdivision. It is further recommended that as a condition of subdivision approval, the applicant submit a “final” tree planting plan for review and approval by the Planning Department prior to final plat approval. It should be noted that streetscape trees are also required with this application, which was addressed elsewhere in this report. Staff recommends that the final tree planting plan indicate both streetscape trees as well as the required replacement trees. Staff finds with the above-mentioned conditions; this request will comply with this criterion.

b. Section 2.309.05 – Screening and Buffering. Screening and Buffering shall be used to mitigate visual impacts, dust, noise, and to provide for compatibility between dissimilar adjoining uses...

FINDING: The intent of this provision is to require screening and buffering between dissimilar uses. Section 2.309 of the KDC further clarifies when screening and buffering is required, and in this case, it is not an outright requirement of the development code. It should be noted the applicant criteria in their written statement and correctly pointed out that the screening and buffering provisions in KDC 2.309 are not required since the property is to be developed with residential uses and is surrounded by residential uses. The applicant’s written statement indicates that it is unknown at this time what type of housing the proposed lots will be developed with. Based on the proposed lot sizes, it is likely that “middle housing” types will be developed on the lots, which will result in a denser development pattern than the surrounding single-family detached dwelling neighborhood. Therefore, while the requirement to provide screening and buffering is not technically applicable to this request, staff feels it is appropriate to provide some sort of visual mitigation.

In addition, written comments were received requesting a site-obscuring fence to be installed to provide visual mitigation to surrounding properties. Staff has discussed this concern with the applicant and the applicant understands the concerns expressed by neighbors and the position of staff. Staff is recommending that some sort of sight-obscuring fence wall or hedge be provided along the perimeter of the subdivision boundary, to be installed at the time of development of each of the lots. The applicant has indicated they are not opposed to providing slats in the existing chain link fence along the perimeter of the subdivision, which staff feels is an acceptable solution.

Therefore, staff finds that while this criteria to provide some sort of sight-obscuring fence is not technically applicable, it is appropriate and should be required.

10. SECTION 2.310 - DEVELOPMENT STANDARDS FOR LAND DIVISIONS

- a. *Section 2.310.03.A - Minimum lot area. Minimum lot area shall conform to the requirements of the zoning district in which the parcels are located.***

FINDINGS: The subject property currently is zoned Urban Transition (UT) but will automatically be rezoned to Single Family Residential (RS) upon recordation of the plat, consistent with Section 2.118.10 and so will be bound by the requirements and provisions within the RS zone, not the UT zone. Within the RS zone, the minimum lot size for a detached single-family dwelling or duplex is 4,000 square feet, a triplex is 5,000 square feet, and a quadplex or cottage cluster is 7,000 square feet in area. The applicant's site plan indicates the lots within the proposed subdivision range in area from 4,798 to 18,775 square feet. Therefore, all lots meet or exceed the city's minimum lot size requirements in the RS zone. The applicant's written statement indicates that it is not yet determined what type of uses will be developed on lots 1-4 but they indicate they intend to comply with the requirements of the RS zone. Lot 5 will retain the existing single-family home and the proposed lot size exceeds the minimum required. As a condition of subdivision approval, the area (both gross and net area) for all lot sizes shall be shown on the preliminary and final plat. This is recommended as a condition of subdivision approval to assure this requirement is met. Therefore, staff finds this proposal can comply with this criterion.

- b. *Section 2.310.03.C - Lot width and depth. The depth of a lot or parcel shall not be more than 3 times the width of the parcel.***

FINDINGS: The purpose for establishing lot width-to-depth ratios is to provide for the orderly, safe, efficient and livable development of land. The lot width-to-depth ratio also prevents lots from being created that would be practically unbuildable. The proposed lots are regularly shaped and comply with the lot depth to width ratio requirements. All lots within the proposed subdivision are shown to meet this criterion.

- c. *Section 2.310.03.D - Access. All lots and parcels shall provide a minimum frontage, on an existing or proposed public street, equal to the minimum lot width required by the underlying zone. Residential lots or parcels may be accessed via a private street or access easement developed in accordance with the provisions of Section 2.302.08.***

FINDINGS: The intent of this provision is to ensure that all lots have a minimum frontage along a street so that access to serve the lot will meet city standards and the lot can be developed in a manner that will ensure that all building setback requirements are met. The minimum lot width required in the RS zone is 40' and all of the lots within the subdivision exceed 40' of frontage

along the newly proposed street. Therefore, staff finds the proposal complies with this criterion.

- d. Section 2.310.03.F - Through Lots. Through lots shall be avoided except where essential to provide separation of residential development from major street, 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.**

FINDINGS: No through lots will be created with this proposal. Therefore, this criterion is not applicable to this request.

- e. Section 2.310.03.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.**

FINDINGS: The intent of this provision is to avoid the creation of odd-shaped lots which may meet minimum lot size, but owing to its shape may result in a lot that is too difficult to build on without a variance to requirements within the code. The intent is to avoid these types of lots in favor of the creation of lots that can be readily developed. The subject property will result in the creation of 3 rectangular shaped lots (lots 1-3) that clearly meet this requirement, along with 2 lots (lots 4 and 5) that are somewhat irregular in shape, but are still able to be developed with allowed uses. Lot 4 has access on the cul-de-sac bulb, but is laid out to the extent practical that the property lines allow for the development of the lot with allowed uses. Lot 5 contains the existing home and though it is somewhat odd in shape, it clearly allows for the lot to be developed with an allowed use. Staff finds that due to the location of the existing home on lot 5 and the cul-de-sac configuration, the proposed lot lines run, as far as practicable, at right angles to the street right-of-way and access easement. In addition, the rear lot lines are all not less than one-half the dimension of the front lot lines. Therefore, staff finds the application complies with this criterion.

- f. Section 2.310.03.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.**

FINDINGS: The intent of this provision is to ensure that utility easements are provided and to avoid a situation where needed easements are not provided as part of the platting of the subdivision, resulting in future problems. The Public Works Department submitted comments requiring adequate utility easements be provided. The PUE, along with all other necessary easements required by the Public Works Department, must be shown on the final plat. This is a development requirement and shall be placed as a condition of approval of

this subdivision application. With this placed as a condition of approval the application can comply with this criterion.

11. SECTION 2.310.04 - ADDITIONAL DESIGN STANDARDS FOR SUBDIVISIONS

a. *Section 2.310.04.A - Standards for Blocks:*

- 1. *General: The length, width, and shape of blocks shall be designed with regard to providing adequate building sites for the use contemplated; consideration of needs for convenient access, circulation, control, and safety of street traffic; and recognition of limitations and opportunities of topography.***
- 2. *Sizes: Blocks should not exceed 600 feet in length between street lines, except blocks adjacent to arterial streets, or unless the previous adjacent development pattern or topographical conditions justify a variation. The recommended minimum distance between intersections on arterial streets is 1,800 feet.***

FINDINGS: The proposed subdivision will not result in the creation of any blocks. Therefore, this criterion does not apply to this proposal.

b. *Section 2.310.04.B - Traffic Circulation. The proposed subdivision shall be laid out to provide safe and convenient vehicle, bicycle and pedestrian access to nearby residential areas, transit stops, neighborhood activity centers such as schools and parks, commercial areas, and industrial areas; and to provide safe and convenient traffic circulation. At a minimum, "nearby" is interpreted to mean uses within ¼ mile which can be reasonably expected to be used by pedestrians, and uses within 1 mile of the subdivision boundary which can reasonably be expected to be accessed by bicyclists.*

FINDINGS: The intent of this provision is to allow for safe vehicle, pedestrian, and bicycle access from the lots within the subdivision to nearby attractors. The subdivision will be connected to the existing street system abutting this development via a newly proposed public street and a private access easement that will connect to existing public street system. Staff finds the proposed and required improvements are adequate to satisfy this criterion.

12. SECTION 2.310.06 - IMPROVEMENT REQUIREMENTS - SUBDIVISIONS

a. *Section 2.310.06.A - Frontage Improvements. Street improvements to full City Standards shall be required for all public streets on which a proposed subdivision fronts in accordance with Section 2.303 of this Code. Such improvements shall be designed to match with existing improved surfaces for a reasonable distance beyond the frontage of the property. Additional frontage improvements shall include: sidewalks, curbing, storm sewer, sanitary sewer, water lines, other public utilities as necessary, and such other improvements as the City shall determine to be reasonably necessary to serve the development or the immediate neighborhood.*

FINDINGS: The intent of this provision is to ensure that lots within the proposed subdivision include street improvements in accordance with city standards so as to avoid having substandard streets which could become a safety hazard. The Public Works department submitted comments that include requirements for improvements. These requirements were also addressed previously in this report. The exact design and construction of improvements will be regulated through the public improvement permit review and approval process, and will be required to comply with the City of Keizer Design Standards. With these requirements placed as conditions of approval, this proposal will comply with this criterion.

- b. *Section 2.310.06.B - Walkways for Private Streets. Sidewalks shall be required in accordance with applicable provisions in Sections 2.302 and 2.316 only if sidewalks currently exist along the connecting street.***

FINDINGS: This section is not applicable as there will be no private streets that will be constructed as part of the proposed subdivision.

- c. *Section 2.310.06.C - Project Streets. All public or private streets within the subdivision shall be constructed as required by the provisions of Section 2.302.***

FINDINGS: The newly proposed public streets will be required to be constructed according to the provisions of Section 2.302 of the KDC and the applicable Public Works Design Standards. This will be assured through the public improvement permit review and approval process. Therefore, this criterion can be met.

- d. *Section 2.310.06.D - Monuments. Upon completion of street improvements, centerline monuments shall be established and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street center lines.***

FINDINGS: The applicant will be responsible for placing appropriate monuments and with this as a condition, this application will comply with this criterion.

- e. *Section 2.310.06.E - Bench Marks. Elevation bench marks shall be set at intervals established by the City Engineer. The bench marks shall consist of a brass cap set in a curb or other immovable structure.***

FINDINGS: The applicant will be responsible for placing appropriate bench marks and with this as a condition, this application will comply with this criterion.

- f. *Section 2.310.06.F - Surface Drainage and Storm Sewer System. Drainage facilities shall be provided within the subdivision and to connect the subdivision drainage to drainage-ways or to storm sewers outside the subdivision. Design of drainage within the subdivision shall take into account the capacity and grade necessary to maintain unrestricted flow***

from areas draining through the subdivision and to allow extension of the system to serve such areas. Drainage shall be designed to avoid impacts on adjacent property.

FINDINGS: The intent of this section is to require that new developments make use of a drainage system that is in accordance with city requirements and which will handle the storm drainage from the site and avoid any adverse impacts onto adjacent properties. The applicant submitted a preliminary site grading and drainage plan, along with a preliminary drainage analysis. The Public Works Department submitted extensive comments which are recommended as conditions of approval addressing storm drainage requirements, which will ensure this proposal complies with this criterion. With these requirements placed as conditions of approval, this application can comply with this provision.

- g. Section 2.310.06.G - Sanitary Sewers. Sanitary sewer shall be installed to serve the subdivision and to connect the subdivision to existing mains both on and off the property being subdivided.***

FINDINGS: The intent of this provision is to require that all of the lots in a new subdivision connect to a sanitary sewer system thereby eliminating the need for the installation of any on-site private septic systems which require additional land and increase the potential for ground water contamination. The applicant submitted a preliminary utility plan indicating that a new public sanitary sewer will be provided within the new public street to serve the development. The City of Salem submitted comments pertaining to sanitary sewer approval and construction. It should be noted that the City of Salem indicates that a minimum 8" public sewer size will be required. The Public Works Department also submitted comments addressing this criterion which have been recommended as conditions of subdivision approval. This requires that the sanitary sewer system be constructed in conformance with City of Salem and City of Keizer requirements. The subject property is located outside of the original Keizer Sewer District. Therefore, a sanitary sewer trunk line acreage fee will be required. The current rate is \$7,460.00 per acre, unless evidence is provided to the Public Works Department that demonstrates the fee has already been paid for the property. With the above-mentioned conditions of approval, staff finds this proposal will comply with this criterion.

- h. Section 2.310.06.H - Water System. Water lines with valves and Fire District approved fire hydrants serving the subdivision and connecting the subdivision to the City mains shall be installed and operating prior to start of combustible construction. The design shall take into account provisions for extension beyond the subdivision to adequately grid the City system and to serve the area within which the development is located when the area is ultimately developed. However, the developer will be responsible for water main sizes necessary to meet minimum fire flow requirements per Uniform Fire Code. The City will not expect the developer to pay for the extra pipe material cost of mains exceeding 8 inches in size.***

FINDINGS: The intent of this provision is to ensure that in addition to a safe potable water supply that adequate water flow and fire hydrants are provided to ensure fire protection service is provided for each new lot in the proposed subdivision. The applicant's written statement and utility plan indicate the developer intends to provide a new public water main to serve the development with individual service connections for each of the lots within the subdivision. The Public Works Department submitted comments addressing this criterion which have been recommended as conditions of subdivision approval. The comments received indicate in part, that all new services must be connected to a water main, that fire hydrants will be required as determined by the Marion County Fire District, that an overall plan for water service must approved by the Public Works Department. In addition, any existing wells on the subject property are to be abandoned in accordance with the Oregon State Water Resources Department requirements. It should be noted the applicant shows that a hydrant is proposed to be located at the end of the new public water main. The Public Works Department has indicated in their recommended conditions that all required hydrants will need to be served by an 8" or larger water main, whereas the applicant's utility plan shows only a 6" water main. Staff has recommended conditions of approval, and with the requirements from Public Works placed as conditions of approval, this request can comply with this criterion.

- i. *Section 2.310.06.I - Sidewalks. Sidewalks shall be installed along both sides of each public street and in any pedestrian ways within the subdivision. The City may defer sidewalk construction until the dwellings or structures fronting the sidewalk are constructed. Any required off-site sidewalks (e.g., pedestrian walkways) or sidewalks fronting public property shall not be deferred.***

FINDINGS: The intent of this provision to require that sidewalks be constructed in new developments, such as subdivisions, in an effort to enhance the mobility of pedestrians who both will reside in the proposed subdivision, as well as those who may use this facility but will not reside in the new subdivision. The proposal includes a new public street within the subdivision which will provide sidewalks. Staff finds this proposal will comply with this criterion.

- j. *Section 2.310.06.J - Street Lights. The installation of street lights is required at locations determined to be appropriate by the City and shall be of a type required by City standards.***

FINDINGS: The intent of this section is to require that new developments provide street lights to provide for an adequate level of night-time illumination. The Public Works Department submitted comments indicating the developer shall create a street lighting district for the new subdivision which will include adequate lighting for the subdivision, as well as adequate lighting for the widened portion of Clear Lake Road. Therefore, with this placed as a condition of approval, this proposal will comply with this criterion.

- k. Section 2.310.06.K - Street Signs. The installation of street name signs and traffic control signs is required at locations determined to be appropriate by the city and shall be of a type required by City standards. Each street sign shall display the one hundred block range. Street signs shall be installed prior to obtaining building permits.**

FINDINGS: The intent of this provision is to require that the installation of street name signs and traffic control signs be placed at locations determined to be appropriate by the City and shall be of a type required by City standards so as to avoid signs that are in wrong locations or a design that are not consistent with city standards. A street sign will be required to identify the proposed public street. With a condition that the location, placement, and type of sign are in accordance with city requirements be placed as a condition of approval, staff finds this proposal will comply with this section.

- l. Section 2.310.06.L - Public Works Requirements. All facility improvements shall conform to the requirements and specifications of the Keizer Department of Public Works.**

FINDINGS: The intent of this provision is to ensure that all facility improvements shall conform to the requirements and specifications of the Keizer Department of Public Works. The application can meet this criterion. This is addressed as a condition of subdivision approval.

- m. Section 2.310.06.M - Curb Cuts. Curb cuts and driveway installations, excluding common drives, are not required of the subdivider, but if installed, shall be according to the City standards.**

FINDINGS: This is a development requirement, and will be regulated through the Public Construction Permit approval process or through a driveway permit approval process as regulated by the Public Works Department. With this placed as a condition of approval, the application will comply with this criterion.

- n. Section 2.310.06.N - Street Trees. Street tree planting is mandatory where a planting strip is part of the street design. Plantings shall conform to Section 2.302.03(M).**

FINDINGS: A planter strip will be required as a part of the improvements along Clear Lake Road. Therefore, street trees will be required. This will be placed as a condition of approval and regulated through the public construction permit process. In addition, street trees shall be shown on the tree planting plan for the subdivision which was previously addressed and required. Staff finds this request, as conditioned, can comply with this criterion.

- o. Section 2.310.06.O - Grading & Fills. All grading which results in fills in excess of 3 feet located within the identified building envelope on a subdivision lot or parcel must be engineered.*

FINDINGS: The property is relatively flat. The submitted materials do not show that fill will be brought into the site; however, this requirement is a State Building Code requirement and is intended as advisory at this point of the subdivision review.

- p. Section 2.310.06.P - Financial Requirements. All improvements required under this Section shall be completed to City standards or assured through a performance bond or other instrument acceptable to the City Attorney, prior to the approval of the Final Plat of the subdivision.*

FINDINGS: This requirement will be placed as a condition of approval.

13. SECTION 2.310.07 - IMPROVEMENT PROCEDURES

FINDINGS: Section 2.310.07 outlines the standards and process for the installation of improvements. The Public Works Department submitted comments which assure these requirements will be met. These requirements include specifications for plan review, notification, inspection, underground facilities, and final engineering plans. With the recommended conditions of approval, this request satisfies this criterion.

B. SECTION 3.108.06.B - EACH LOT SHALL SATISFY DIMENSIONAL STANDARDS AND DENSITY STANDARDS OF THE APPLICABLE ZONING DISTRICT, UNLESS A VARIANCE FROM THESE STANDARDS IS APPROVED.

FINDINGS: The intent of this provision to ensure that new residential subdivisions meet the established dimensional and density provisions of the city to assure the development is consistent with this standard. The applicant proposes a 5-lot subdivision along with a tract for stormwater facilities. The Public Works Department has indicated that the stormwater facility will need to be dedicated to the City by some acceptable method. The subject property will be automatically rezoned to RS upon recordation of the plat, and therefore the standards of the RS zone apply.

KDC Section 2.102.05.A requires that each lot to be developed with residential uses contain a minimum width of 40' and a minimum average depth of 70'. Staff is recommending as a condition, that all dimensions and areas (both net and gross areas) will be required to be shown on the check plat and final plat to assure the lot dimension standards are adhered to.

KDC Section 2.102.05.B regulates required setbacks for residential development. The subject property is currently developed with an existing home and outbuildings. The applicant intends to remove all of the existing outbuildings, but the single-family dwelling will be retained on lot 5. Staff recommends as a condition of approval that all outbuildings must be removed prior to recording the final plat. In addition, a site plan prepared by a licensed surveyor or engineer must be provided showing the existing home meets all setback requirements of the RS zone. This will assure that not violations to setback requirements exist.

Section 2.102.06.I specifies a minimum density of 4 units per acre for property that is subdivided, but no maximum density provisions apply to “middle housing” development types. The proposed subdivision is 1.42 acres in area and is proposed to be subdivided into 5 lots which will be developed with allowed housing types in the RS zone. Lot 5 is developed with a single-family dwelling that will be retained. All of the other proposed lots can be developed with a single-family home or duplex. In addition, lot 1, 2, and 4 are large enough to be developed with a triplex, quadplex, or cottage cluster development. Therefore, this proposal can comply with the minimum density requirements of this section of the code.

With the above recommended conditions of approval, staff finds this request can comply with this criterion.

C. SECTION 3.108.06.C - ADEQUATE PUBLIC FACILITIES SHALL BE AVAILABLE TO SERVE THE EXISTING AND NEWLY CREATED PARCELS.

FINDINGS: As previously discussed, public sewer and water are available and can serve the newly created lots within the proposed subdivision and the applicant will be responsible for complying with the applicable conditions governing the construction and installation of these facility connections. With the requirement that the applicant, be responsible for providing adequate public facilities as addressed in this report, staff finds this application will comply with this criterion.

D. SECTION 3.108.06.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.

FINDINGS: The City has a legitimate governmental interest in assuring the development does not cause a public problem of inadequate, unsafe and inefficient public transportation facilities. This is done by ensuring that adequate streets that logically continue the City's street system are provided in order to avoid traffic generation that exceeds the street system's carrying capacity, which then causes dangerous or hazardous traffic conditions. The City of Keizer has traditionally required developers to dedicate property for and construct standard street, sidewalk, sanitary sewer, storm drain and water supply improvements in subdivisions to meet the basic needs created by the development. The absence, in this instance, of the required street improvements would be cause for denial of the application on the basis that adequate street facilities are not available to serve the site. These traditional street improvements have been imposed to avoid excessive congestion, negative safety impacts and provide basic services to preserve the health of the community and the residents of the proposed development. Such street improvements and dedications are now, and have traditionally been, part of the cost considered in the developer's reasonable investment-backed expectations for constructing the subdivision.

The applicant proposes a 5-lot subdivision. The development features a new public street serving the subdivision, as well as improvements to Clear Lake Road to provide for adequate access and safety. The proposed development will generate additional vehicle trips per day that will contribute to the cumulative traffic impact of the existing streets in the area. The only dedications required with this application are for the new public street within the subdivision and along the frontage of Clear Lake Road. Staff finds the required dedication and improvements are roughly proportional to the impact of the subdivision request.

IV. RECOMMENDATION AND CONDITIONS

The available evidence indicates the subdivision proposal complies with the decision criteria. Staff recommends approval of the subdivision subject to the following conditions, which shall be completed, including review and approval by the appropriate department, prior to the time lines outlined below. Compliance with the Conditions of Approval shall be the sole responsibility of the applicants and/or property owner.

General Requirements:

1. The KDC requires the developer to connect to public utility services. The Development Code also requires all utility services to be placed below ground. These requirements apply to this request. Further, the developer is responsible for all utility connection costs. The City's System Development Charges for park development, water system improvements and transportation improvements shall be the fee in place at the time of building permit application. These Development charges, as well as those involving the extension of sewer, water, and/or storm drainage, will apply to this request.
2. No vehicular access to Clear Lake Road will be allowed for the development, except from the newly proposed public street. Appropriate notations on the plat, deed restrictions, homeowner's association, or other instrument acceptable to the City must ensure that future property owners know this restriction exists.
3. **PUBLIC WORKS DEPARTMENT REQUIREMENTS.** The Public Works Department has reviewed the development application and minor variance request. The information provided demonstrates the development can reasonably conform with adopted Design Standards with the following conditions and development requirements.

General:

- a) Construction permits will be required for any construction within a public street, right-of-way, or City easement, for any public infrastructure on private property, and for erosion control and stormwater management on private property. (KDC 2.302.06)
- b) Street opening permits are required for any work within the City right-of-way or easements that is not covered by a construction permit. (KDC 2.302.06)

- c) Erosion control permits shall be obtained from the City prior to the disturbance of any soil on the subject property. (KDC 2.306.05)
- d) A pre-design meeting with the City Public Works Department will be required prior to the submittal of public improvement plans to either the City of Keizer or the City of Salem for review.
- e) An improvement agreement in a form acceptable to the City shall be required prior to issuance of permits for construction of the public improvements. (KDC 3.202.05.B)
- f) A pre-construction conference shall be required prior to commencement of any construction under permits issued by the City.
- g) The Applicant shall coordinate the location of individual or cluster box unit (CBU) mailboxes with the U.S. Postal Service.
- h) Electricity, gas, and communications services to serve the subdivision shall be installed underground and pursuant to the requirements of the company serving the development. (KDC 2.307.02.C)

Streets:

- a) Dedicate right-of-way along the development side of Clear Lake Road NE to half of the standard 68-foot-wide collector street right-of-way, 34' measured from the right-of-way centerline. (KDC 2.302.03.F; 2.302.04)
- b) Dedicate a minimum 44-foot-wide right-of-way for the extension of "Street A" within the subject property. The right-of-way dedication shall accommodate 25-foot-radius curb returns at the intersection with Clear Lake Road NE, and the radius of the cul-de-sac dedication shall be 45' minimum. (KDC 2.302.04; Keizer Design Standards 3.04, 3.06.d)
- c) Dedicate a 10-foot public utility easement (PUE) along the frontage of all street rights-of-way. (KDC 2.302.04)
- d) Construct street improvements along the development side of Clear Lake Road NE to collector street standards – 18' from roadway centerline to the face of curb. (Keizer Design Standards 3.04)
- e) Construct internal streets to Local III Street Design Standards, minimum 30' between curbs. (KDC 2.302.4 Table 4.1).
- f) Close the existing driveways onto Clear Lake Road NE. (KDC 2.302.03.N)
- g) Vehicular access to proposed lots 1 through 5 shall be provided from the proposed "Street A." (KDC 2.302.03.N)
- h) Create a street lighting district for the subdivision, to include installation of adequate lighting for the widened portion of Clear Lake Road NE as well as the internal street lighting. (KDC 2.310.04.D)

Sanitary Sewer System:

- a) The existing sanitary sewer main in Clear Lake Road NE shall be extended to the east property line of the development. (KDC 2.310.06.G)
- b) The proposed sanitary sewer main within "Street A" shall be constructed in conformance with City of Salem and City of Keizer requirements. (KDC 2.307.02)
- c) The existing sewer service to the existing building on the property shall be reconstructed to connect to the proposed sanitary sewer main in "Street A."
- d) The subject property is located outside of the original Keizer Sewer District. The Applicant is required to pay a Sewer Acreage Fee of \$7,460.00 per acre unless they can provide evidence that the Fee has already been paid for this property.
- e) City of Salem approval for local sanitary sewer permits will need to be issued prior to construction. The Applicant will need to provide evidence that the Salem sewer permit has been issued prior to the City of Keizer approving and issuing the construction permit. Prior to submitting plans to the City of Salem, the Applicant's engineer shall submit sanitary sewer plans to the City of Keizer Public Works Department for review and determination of compliance with the City's overall requirements. (KDC 2.307.02)
- f) Any septic tanks and drainfields located on the subject property and within the City of Keizer shall be abandoned according to the requirements of the appropriate agency and evidence of compliance submitted to the City prior to issuance of any building permits on the subject property.

Water System:

- a) The proposed extension of the water main along Clear Lake Road NE shall be constructed on the south side of the street and extended to the east property line of the development in conformance with City requirements. (KDC 2.310.06.H, Keizer Design Standards 500.3.E)
- b) The public water main within "Street A" shall be constructed in conformance with City requirements. (Keizer Design Standards 500.3.E)
- c) Final development plans shall be reviewed by Marion County Fire District No. 1 regarding access and adequate location of fire hydrants prior to any issuance of Public Construction permits by the City of Keizer. All required fire hydrants, including the fire hydrant at the end of "Street A", shall be served by an 8-inch or larger water main. (KDC 2.310.06.H)
- d) Any existing wells on the subject property shall be abandoned in accordance with the Oregon State Water Resources Department requirements. The Applicant shall provide evidence to the Public Works Department that any abandonment of existing wells has been completed in accordance with such requirements.

- e) The location of all water meters shall be approved by the Public Works Department. Each of the 5 proposed lots will require an individual water service.

Storm Drainage System:

- a) The existing 27-inch storm drain in Clear Lake Road NE may be used as the Overflow Route for the proposed storm drainage system serving the development. (Keizer Design Standards 400.2.C)
- b) Stormwater collection, conveyance, treatment, and retention facilities shall be designed to accommodate new impervious surfaces in the rights-of-way and future impervious surfaces on all proposed lots, in accordance with Keizer Design Standards Chapter 400.
- c) A tract of land, sufficient in size to encompass the Stormwater Quality Facility treating runoff from "Street A," shall be dedicated to the City of Keizer, in a form acceptable to the City, prior to acceptance of the public improvements.
- d) Public Works has reviewed the preliminary storm drainage plans provided with this application. The information provided does not demonstrate reasonable conformance with the requirements of Chapter 400 of the Keizer Design Standards. The City Engineer anticipates that the proposed facility footprint may increase in size and/or shift in location when the final design of the site is completed. The Applicant's engineer shall submit a final overall storm drainage plan and design calculations, demonstrating conformance to the Standards, for review and approval prior to the start of development.
- e) As part of the building permit review for construction on individual lots within the subdivision, the owner shall complete and submit a City-approved *Private Stormwater Maintenance Agreement* to the Director for all proposed private stormwater facilities. This *Agreement* shall be signed, sworn, and recorded prior to final occupancy. (Keizer Design Standards 400.2.W.2)
- f) A grading and drainage plan shall be developed for the subject property in conformance with the Keizer Design Standards. The plan shall include details of adequate stormwater conveyance from all contributing areas across the subject property and shall include existing elevations and proposed lot corner elevations. The plan shall be submitted to and approved by the Public Works Department prior to the issuance of any erosion control or construction permits for the development.

Prior to Preliminary Plat Approval:

- 4. A detailed preliminary subdivision plat shall be submitted to the Marion County Surveyor's office for review. Marion County Surveyor's office will then submit the plat to Keizer for review and approval. The Preliminary Plat must be submitted for review prior to submittal of a final plat. The platting process must comply with State statutes and the requirement of the Marion County Surveyor's Office.

- a. Subdivision name must be approved per Oregon Revised Statue 92.090.
- b. Must be surveyed and platted per Oregon Revised Statue 92.050.
- c. Subdivision plat must be submitted for review.
- d. Checking fee and recording fees required.
- e. Per Oregon Revised Statue 92.065 remaining monumentation bond may be required if some of the plat monuments have not been set and/or the installation of street and utility improvements has not been completed, or other conditions or circumstances cause the delay (or resetting) of monumentation.
- f. A current or updated title report must be submitted at the time of review. Title reports shall be no more than 15 days old at the time of approval of the plat by the Surveyor's Office, which may require additional updated reports.

The detailed preliminary plat shall include the following provisions:

- g. The preliminary plat shall substantially conform to the proposed subdivision request.
 - h. Include all engineering elements as required by the Department of Public Works.
 - i. For all public water mains, fire hydrants and any public sewer mains located within the subject property (if located outside platted right-of-way's) easements will be required and will need to be recorded. These easements shall meet the City of Keizer or City of Salem (where applicable) Design Standards and shall be shown on the subdivision plat.
 - j. 10-foot-wide public utility easements (PUE) shall be shown along all dedicated right-of-ways.
 - k. All lots must conform to the lot dimension standards within the RS zone. The final plat must include gross and net area calculations (excluding access easement).
 - l. Access easement shall be shown on the plat and shall comply with City standards.
 - m. Include all dedication as required by Public Works.
 - n. Include a signature line for the Planning Director, City Engineer and the City Manager.
5. With the Preliminary plat, if proposed, a copy of any proposed CC&R's, Owners Agreements, Articles and By-Laws shall be submitted to the Planning Department for review by the City Attorney as outlined in Section 3.108.07 of the KDC. The following information should be included within the instrument(s):
- a. Information regarding streetscape and replacement trees requirements for each lot.
 - b. Information regarding the maintenance of the access easement, and no parking signs along the access easement.
 - c. Information indicating that no vehicular access to Clear Lake Road outside of the new public street is allowed for any lots within the subdivision lots
 - d. Information regarding the requirement to provide a sight-obscuring fence along the perimeter of the subdivision boundary.

6. A street naming application shall be submitted to the City for naming the proposed public street.

Prior to Final Plat approval:

7. Upon approval of the detailed preliminary plat and engineering plans, a final plat for the subdivision, which conforms to the preliminary plat approval, must be submitted for review to Marion County Surveyor's Office.
8. Upon approval of the preliminary agreement, a final copy of any CC&R's, Homeowner Agreements, or other instrument shall be submitted to the Planning Department which conforms to the agreements submitted during preliminary plat approval.
9. A maintenance agreement, homeowners association, or other instrument acceptable to the City and shall be reviewed by the City before the plat is recorded and such instrument must be recorded with Marion County immediately following the recording of the Plat. The agreement shall provide provisions for the maintenance of the access easement, and "no parking" signs.
10. The existing outbuildings must be removed prior to recording the final plat.
11. A final Tree Planting Plan must be submitted to the Planning Department for review and approval showing the number of trees to be planted on each lot within the subdivision. In addition to the 12 replacement trees required due to removal of significant trees, the plan shall also identify streetscape trees that are to be planted.
12. The construction and paving of the access easement and installation of required no parking signage shall be completed prior to approval of the final plat. In lieu of this, the applicant may obtain a performance bond, improvement agreement or other instrument acceptable to the City as outlined in Section 2.310.06.P of the KDC. Improvement agreements may be obtained from the Planning Department.
13. 2 parking spaces shall be provided on lot 5 at the time of construction of the new public street and the existing access to Clear Lake Road must be eliminated.
14. The final plat for the subdivision shall be recorded within 2 years from the date of final decision on this application. A one-year extension may be approved by the Planning Director. Requests for extensions must be received in writing at least thirty days prior to the one-year time period.

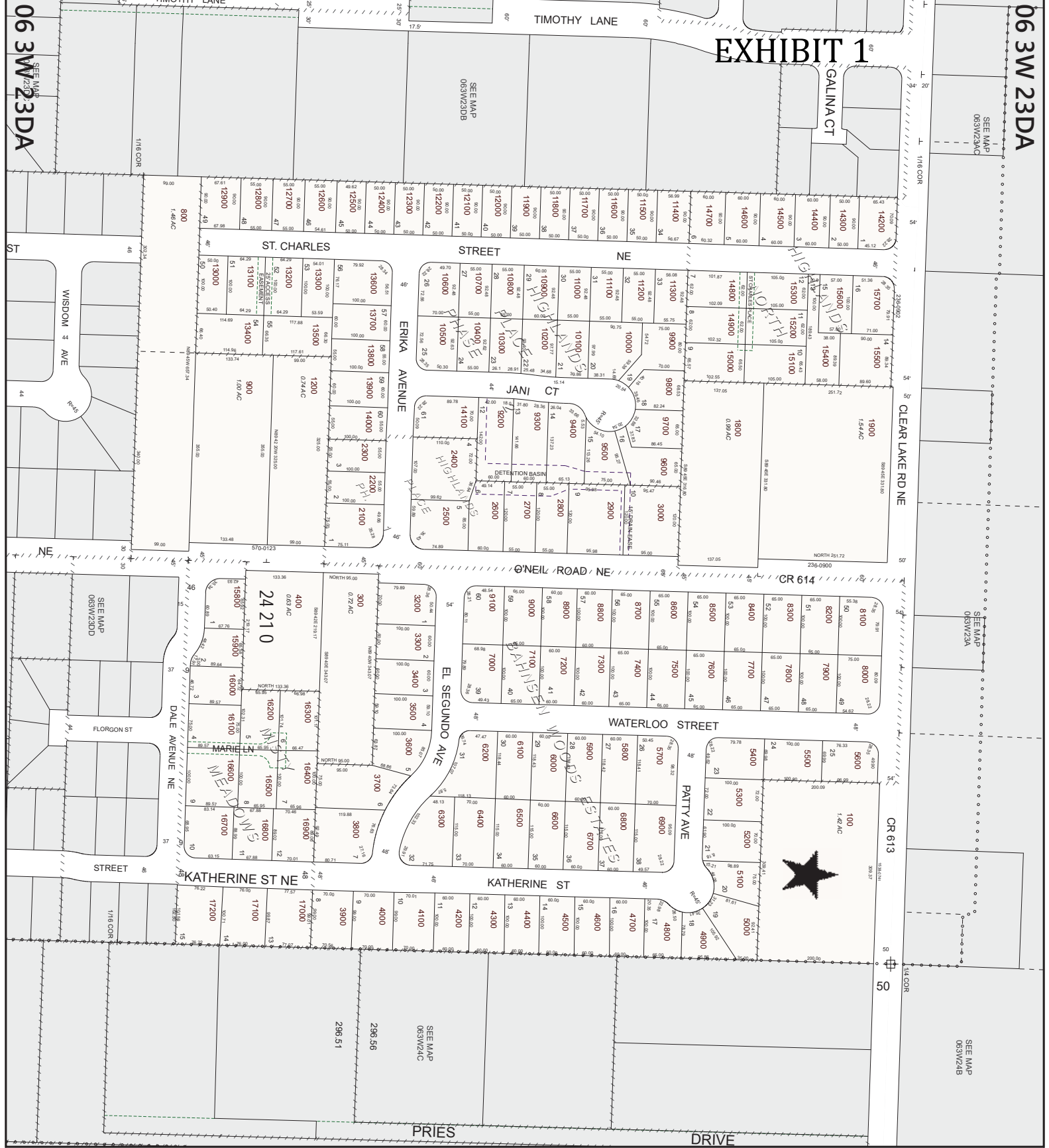
Prior To Obtaining Building Permit(s):

15. No building permits shall be issued until the plat is recorded and all conditions of any construction permits are completed to the satisfaction of the Department of Public Works.
16. The property owner must submit documentation that the recording has taken place with Marion County for the maintenance of the access easement and "no parking" signs before a building permit will be issued.

Prior to Obtaining Building Permit Final for each dwelling within the Subdivision:

17. The residential address requirements found in the Oregon Uniform Fire Code shall be completed as approved by Marion County Fire District #1 and the City of Keizer Planning Department.
18. Replacement and streetscape trees identified in the “final” tree Planting Plan referenced in condition #11 above must be planted on each lot within the subdivision prior to obtaining final building permit approval or Certificate of Occupancy. Trees are to be a minimum 2” caliper when planted.
19. Parking spaces shall be provided for each dwelling unit within the subdivision in accordance with KDC Section 2.303. Parking spaces must be a minimum 9’ wide and 18’ long.
20. A sight-obscuring fence wall or hedge must be provided along the perimeter of the subdivision on each lot. This may be accomplished by providing slats in the existing chain link fence or by some other method, if proposed by the developer. This condition can be waived by adjacent properties, if waived in writing and submitted to the City.
21. Applicant or any contractors building on lots shall comply with all applicable city regulations regarding noise, dust, times of construction, etc.

EXHIBIT 1



MARION COUNTY, OREGON
NE1/4 SE1/4 SEC23 T6S R3W W.M.
SCALE 1" = 100'

LEGEND

- LINE TYPES**
- Taxlot Boundary
 - Road Right-of-Way
 - Railroad Right-of-Way
 - Private Road ROW
 - Subdivision/Private Body
 - Waterline - Taxlot Body
 - Waterline - Non Body
- CORNER TYPES**
- + 1/16th Section Cor.
 - ⊕ D/C Corner
 - ⊕ 1/4 Section Cor.
 - ⊕ 1/8 Section Cor.
 - ⊕ Section Corner
 - ⊕ 2/12
- NUMBERS**
- Tax Code Number
 - 00 00 0
- NOTES**
- Acreage listed are Net Acres, excluding any portions of the taxlot within public ROWs

CANCELLED NUMBERS

101
200
600
700
1300
1400
1500
1600
1700
3101

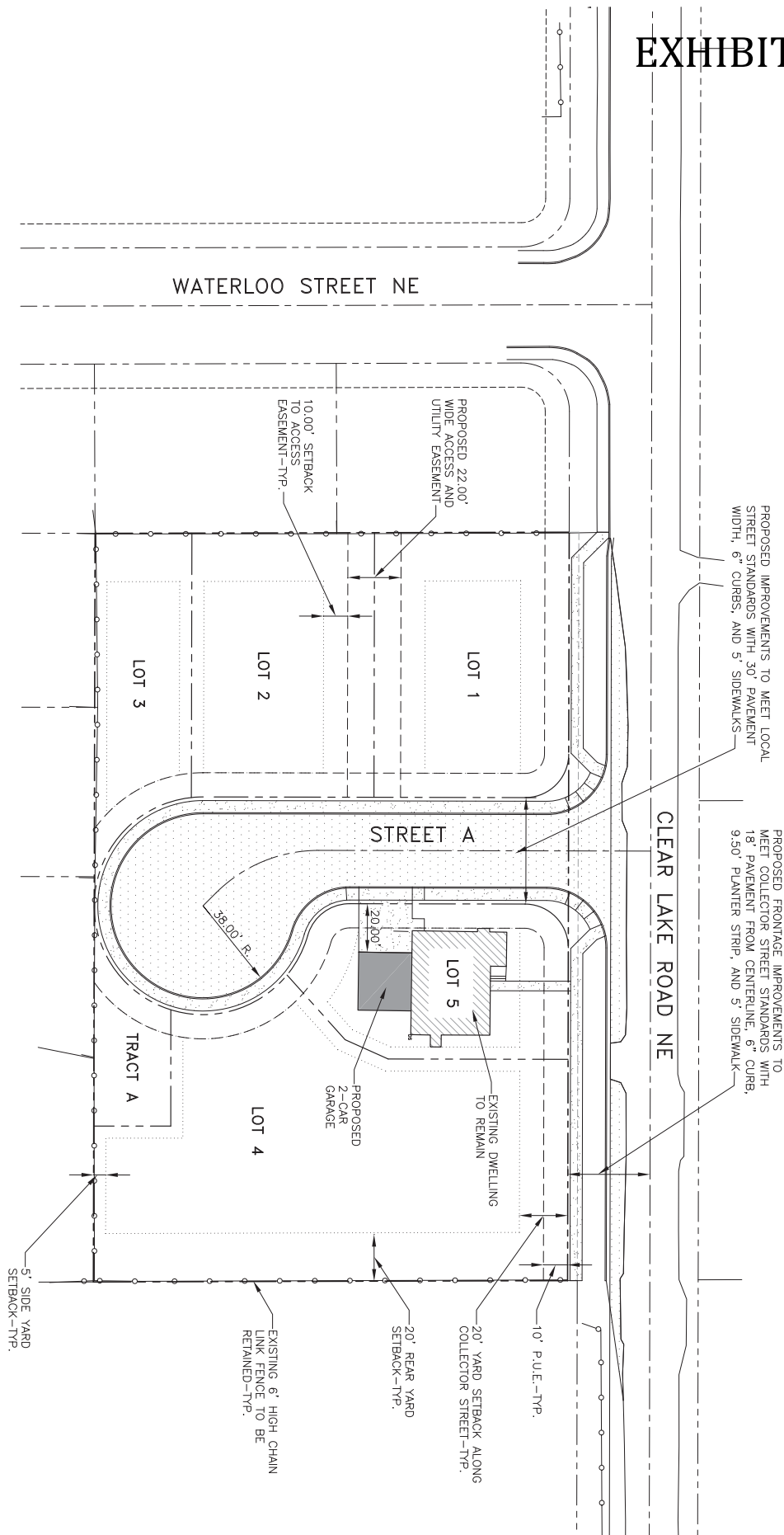
DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.marion.or.us

KEIZER

EXHIBIT 2



	PO Box 1820 Silverton Oregon 97381 Phone: 503-894-1029 www.cascadiaplanning.com
CITY OF KEIZER LAND USE APPLICATION CLEAR LAKE ROAD SUBDIVISION	T.L. 100 OF T.M. 063W23DA MARION COUNTY, OREGON
1620 CLEAR LAKE ROAD NE KEIZER, OR 97303	NOVEMBER 29, 2024 PRELIMINARY SITE PLAN
P-4 SHEET 4 OF 4	TRIMMINS

EXHIBIT 3

(4 PAGES)

SUBDIVISION CASE NO. 2024-13 PROPERTY ADDRESS: 1620 CLEAR LAKE ROAD NE

The Applicant is requesting a 5-lot subdivision. The existing site is 1.42 acres and contains an existing dwelling. The project will include frontage improvements along Clear Lake Road NE. Access to all the lots is proposed from a new cul-de-sac that connects to Clear Lake Road NE. The property is located at 1620 Clear Lake Road NE (063W023DA00100). The comments below are based on the following received application materials:

- The City's Request for Comments cover sheet dated November 15, 2024.
- The City's Land Use Application form signed September 30, 2024.
- The Subdivision Narrative document dated December 3, 2024.
- The Preliminary Plan Set (Sheets 1 - 5) dated December 4, 2024.
- The Preliminary Plat, Sheet P-3, dated November 29, 2024.
- The Preliminary Site Plan, Sheet P-4, dated November 29, 2024.
- The Preliminary Stormwater Management Report dated December 4, 2024.

EXISTING CONDITIONS:

- a) The existing property has access to and frontage along Clear Lake Road NE, which is classified as a collector street in the Keizer Transportation System Plan (TSP).
- b) An 8-inch City sanitary sewer main is located near the centerline of Clear Lake Road NE. This main extends from the west property line to approximately the center of the north line of the subject property. The existing onsite building is connected to this main.
- c) An 8-inch City water main is located between the south sidewalk and south right-of-way line of Clear Lake Road NE. This main extends along Clear Lake Road NE from the intersection of Waterloo Street NE to the northwest corner of the subject property, where it terminates at a City fire hydrant.
- d) A 27-inch City storm drain is located near the south edge of the Clear Lake Road NE paved section.
- e) The subject property is located within a "critical basin" as defined in Keizer Design Standards.
- f) Per the Oregon Rapid Wetland Assessment Protocol (ORWAP) mapping tool, the soils on the subject property are not rated as hydric.

PUBLIC WORKS DEPARTMENT REQUIREMENTS. The Public Works Department has reviewed the development application and minor variance request. The information provided demonstrates the development can reasonably conform with adopted Design Standards with the following conditions and development requirements.

General:

- a) Construction permits will be required for any construction within a public street,

- right-of-way, or City easement, for any public infrastructure on private property, and for erosion control and stormwater management on private property. (KDC 2.302.06)
- b) Street opening permits are required for any work within the City right-of-way or easements that is not covered by a construction permit. (KDC 2.302.06)
 - c) Erosion control permits shall be obtained from the City prior to the disturbance of any soil on the subject property. (KDC 2.306.05)
 - d) A pre-design meeting with the City Public Works Department will be required prior to the submittal of public improvement plans to either the City of Keizer or the City of Salem for review.
 - e) An improvement agreement in a form acceptable to the City shall be required prior to issuance of permits for construction of the public improvements. (KDC 3.202.05.B)
 - f) A pre-construction conference shall be required prior to commencement of any construction under permits issued by the City.
 - g) The Applicant shall coordinate the location of individual or cluster box unit (CBU) mailboxes with the U.S. Postal Service.
 - h) Electricity, gas, and communications services to serve the subdivision shall be installed underground and pursuant to the requirements of the company serving the development. (KDC 2.307.02.C)

Streets:

- a) Dedicate right-of-way along the development side of Clear Lake Road NE to half of the standard 68-foot-wide collector street right-of-way, 34 feet measured from the right-of-way centerline. (KDC 2.302.03.F; 2.302.04)
- b) Dedicate a minimum 44-foot-wide right-of-way for the extension of "Street A" within the subject property. The right-of-way dedication shall accommodate 25-foot-radius curb returns at the intersection with Clear Lake Road NE, and the radius of the cul-de-sac dedication shall be 45 feet minimum. (KDC 2.302.04; Keizer Design Standards 3.04, 3.06.d)
- c) Dedicate a 10-foot public utility easement (PUE) along the frontage of all street rights-of-way. (KDC 2.302.04)
- d) Construct street improvements along the development side of Clear Lake Road NE to collector street standards – 18 feet from roadway centerline to the face of curb. (Keizer Design Standards 3.04)
- e) Construct internal streets to Local III Street Design Standards, minimum 30 feet between curbs. (KDC 2.302.4 Table 4.1).
- f) Close the existing driveways onto Clear Lake Road NE. (KDC 2.302.03.N)
- g) Vehicular access to proposed lots 1 through 5 shall be provided from the proposed "Street A." (KDC 2.302.03.N)
- h) Create a street lighting district for the subdivision, to include installation of adequate lighting for the widened portion of Clear Lake Road NE as well as the

internal street lighting. (KDC 2.310.04.D)

Sanitary Sewer System:

- a) The existing sanitary sewer main in Clear Lake Road NE shall be extended to the east property line of the development. (KDC 2.310.06.G)
- b) The proposed sanitary sewer main within "Street A" shall be constructed in conformance with City of Salem and City of Keizer requirements. (KDC 2.307.02)
- c) The existing sewer service to the existing building on the property shall be reconstructed to connect to the proposed sanitary sewer main in "Street A."
- d) The subject property is located outside of the original Keizer Sewer District. The Applicant is required to pay a Sewer Acreage Fee of \$7,460.00 per acre unless they can provide evidence that the Fee has already been paid for this property.
- e) City of Salem approval for local sanitary sewer permits will need to be issued prior to construction. The Applicant will need to provide evidence that the Salem sewer permit has been issued prior to the City of Keizer approving and issuing the construction permit. Prior to submitting plans to the City of Salem, the Applicant's engineer shall submit sanitary sewer plans to the City of Keizer Public Works Department for review and determination of compliance with the City's overall requirements. (KDC 2.307.02)
- f) Any septic tanks and drainfields located on the subject property and within the City of Keizer shall be abandoned according to the requirements of the appropriate agency and evidence of compliance submitted to the City prior to issuance of any building permits on the subject property.

Water System:

- a) The proposed extension of the water main along Clear Lake Road NE shall be constructed on the south side of the street and extended to the east property line of the development in conformance with City requirements. (KDC 2.310.06.H, Keizer Design Standards 500.3.E)
- b) The public water main within "Street A" shall be constructed in conformance with City requirements. (Keizer Design Standards 500.3.E)
- c) Final development plans shall be reviewed by Marion County Fire District No. 1 regarding access and adequate location of fire hydrants prior to any issuance of Public Construction permits by the City of Keizer. All required fire hydrants, including the fire hydrant at the end of "Street A", shall be served by an 8-inch or larger water main. (KDC 2.310.06.H)
- d) Any existing wells on the subject property shall be abandoned in accordance with the Oregon State Water Resources Department requirements. The Applicant shall provide evidence to the Public Works Department that any abandonment of existing wells has been completed in accordance with such requirements.
- e) The location of all water meters shall be approved by the Public Works Department. Each of the 5 proposed lots will require an individual water service.

Storm Drainage System:

- a) The existing 27-inch storm drain in Clear Lake Road NE may be used as the Overflow Route for the proposed storm drainage system serving the development. (Keizer Design Standards 400.2.C)
- b) Stormwater collection, conveyance, treatment, and retention facilities shall be designed to accommodate new impervious surfaces in the rights-of-way and future impervious surfaces on all proposed lots, in accordance with Keizer Design Standards Chapter 400.
- c) A tract of land, sufficient in size to encompass the Stormwater Quality Facility treating runoff from "Street A," shall be dedicated to the City of Keizer, in a form acceptable to the City, prior to acceptance of the public improvements.
- d) Public Works has reviewed the preliminary storm drainage plans provided with this application. The information provided does not demonstrate reasonable conformance with the requirements of Chapter 400 of the Keizer Design Standards. The City Engineer anticipates that the proposed facility footprint may increase in size and/or shift in location when the final design of the site is completed. The Applicant's engineer shall submit a final overall storm drainage plan and design calculations, demonstrating conformance to the Standards, for review and approval prior to the start of development.
- e) As part of the building permit review for construction on individual lots within the subdivision, the owner shall complete and submit a City-approved *Private Stormwater Maintenance Agreement* to the Director for all proposed private stormwater facilities. This *Agreement* shall be signed, sworn, and recorded prior to final occupancy. (Keizer Design Standards 400.2.W.2)
- f) A grading and drainage plan shall be developed for the subject property in conformance with the Keizer Design Standards. The plan shall include details of adequate stormwater conveyance from all contributing areas across the subject property and shall include existing elevations and proposed lot corner elevations. The plan shall be submitted to and approved by the Public Works Department prior to the issuance of any erosion control or construction permits for the development.

Marion County Surveyor's Office

Comments on Planning Action: Keizer Subdivision 2024-13

Date 4/04/2024 Person Commenting Kent Inman

Subdivision:

- 1. Subdivision name must be approved per ORS 92.090.
- 2. Must be surveyed and platted per ORS 92.050.
- 3. Subdivision plat must be submitted for review.
- 4. Checking fee and recording fees required.
- 5. Per ORS 92.065 - Remaining monumentation bond may be required if some of the plat monuments have not been set and/or the installation of street and utility improvements has not been completed, or other conditions or circumstances cause the delay (or resetting) of monumentation.
- 6. A current or updated title report must be submitted at the time of review. Title reports shall be no more than 15 days old at the time of approval of the plat by the Surveyor's Office, which may require additional updated reports.

Partition:

- 1. Per ORS 92.055 – Parcels over 10 acres can be un-surveyed.
- 2. Parcels ten acres and less must be surveyed.
- 3. Per ORS 92.050, plat must be submitted for review.
- 4. Checking fee and recording fees required.
- 5. A title report must be submitted at the time of review. Title reports shall be no more than 15 days old at the time of approval of the plat by the Surveyor's Office, which may require additional updated reports.

Property Line Adjustment:

- 1. No survey required on the parcel that is over 10 acres.
- 2. Must be surveyed per ORS 92.060 (7) and the survey submitted for review.
- 3. Survey checking fee required at the time of review.

(See Page 2 for additional comments)

Property Line Adjustment (continued):

- ___4. Property line adjustment deeds shall be recorded with the Marion County Clerk's Office. Per ORS 92.190 (4): The deed shall contain the names of the parties, the description of the adjusted line, references to original recorded documents and signatures of all parties with proper acknowledgment.
[See Marion County Zoning Code MCC 16.33.140(E) and MCC 17.172.120(E)]
- ___5. A re-plat (in the form of a partition plat) is required, due to the adjustment of a partition plat parcel line or subdivision lot line.
- The deeds conveying the re-platted parcels shall be recorded after the recording of the re-plat.

Re-plat: (Re-configuration of lots or parcels and public easements within a recorded plat)

- ___1. See MCC 17.172.120(D)]
- ___2. Must be surveyed and platted per ORS 92.050, and the plat submitted for review.
- ___3. Checking fee and recording fees required.
- ___4. A current or updated title report must be submitted at the time of review.
- ___5. The portion of the subdivision or partition plat proposed for replatting contains utility easement(s) that will need to be addressed. Per ORS 92.185 (4), when a utility easement is proposed to be realigned, reduced in width or omitted by a replat, all affected utility companies or public agencies shall be notified, consistent with a governing body's notice to owners of property contiguous to the proposed plat. Any utility company that desires to maintain an easement subject to vacation must notify the governing body in writing within 14 days of the mailing or other service of the notice.

If it is necessary to re-configure the utility easement created by this partition plat (see map), then it will be the responsibility of the applicant to determine the names of all of the utility companies affected by the proposed re-configuration, and give this list of names to the Marion County Surveyor's Office. Letters of notice will be sent by this office to the affected utility companies, who will determine whether or not the easement is to be maintained.

Other comments specific to this Planning Action:

BOARD OF DIRECTORS

Mike Bauer
Julio Quevedo
Jeff Hart
Mike Welter
Cynthia Lara



FOUR CORNERS STATION
MIDDLE GROVE STATION
PRATUM STATION
MACLEAY STATION
BROOKS STATION
CLEAR LAKE STATION
LABISH CENTER STATION
CHEMEKETA STATION

CHIEF OF DISTRICT

Kyle McMann

EXHIBIT 5 (2 PAGES)

Date: November 19th, 2024

Comments for Keizer Subdivision Case 2024-13

This project must meet the following code requirements per Marion County Fire District No. 1:

1. **Fire-flow requirements:** The minimum fire flow and flow duration for one- and two-family dwellings shall be determined according to the 2022 Oregon Fire Code (OFC) Appendix B. Residential homes 0-3600sq. ft. required minimum fire flow 1000 gpm. Homes over 3600 sq. ft. minimum required fire flow 1500 gpm. The required fire flow for a building shall not exceed the available GPM in the water delivery system at 20 psi.

Note: before the application can be deemed complete a stamped engineered fire flow analysis will be required.

2. **Fire apparatus road distance from buildings and turnarounds:** Access roads shall be within 150' of all portions of the exterior wall of the building as measured by and approve route around the exterior of the building. An approved turnaround is required if the remaining distance to an approved intersection roadway, as measured along the fire apparatus access road, is greater than 150'. 2022 Oregon Fire Code 503.1.1
3. **Fire Safety During Construction:** Approved fire department access road, required water supply, fire hydrants, and safety precautions shall be installed and serviceable prior to and during the time of construction. 2022 Oregon Fire Code Chapter 33.
4. **Fire Apparatus Access Road Width and Vertical Clearance:** Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet; 26 feet adjacent to fire hydrants 2022 Oregon Fire Code (OFC) Appendix D 103.1 and an unobstructed vertical clearance of not less than 13 feet 6 inches. 2022 Oregon Fire Code (OFC) Section 503.2.1 and Appendix D103.1
5. **Turning radius:** The inside turning radius and outside turning radius shall be not less than 28 feet and 48 feet respectively, measured from the same center point. (2022 OFC 503.2.4 & Appendix D).

6. **Premise identification:** Buildings shall have address numbers or approved identification placed in a position that is plainly legible and visible from the access road fronting the property. Numbers shall contrast with their background and shall be a minimum of 4 inches height with a minimum stroke width of ½ inch. (2022 OFC 505.1)

7. **No parking signs:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, “No Parking” signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Roads 26 feet wide or less shall be posted on both sides as a fire lane. Roads more than 26 feet wide to 32 feet wide shall be posted on one side as a fire lane. Signs shall read “NO PARKING – FIRE LANE” and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a reflective white background. 2022 OFC D103.6-D103.6.2. You may contact the Fire Marshal if you would like code requirement for painted curbs. 2022 OFC 503.3

Please call if you have any questions.

Emanuel Arrellín-Lara, Deputy Fire Marshal

*Marion County Fire District No. 1
300 Cordon Rd NE
Salem, Oregon 97317
503-588-6533 Office
503-580-8251 Cell
503-588-6537 Fax
emanuela@mcf1.com*

Paula Smith, Fire Marshal

*Marion County Fire District No. 1
300 Cordon Rd NE
Salem, Oregon 97317
503-588-6513 Office
503-522-4006 Cell
503-588-6537 Fax
paulas@mcf1.com*



EXHIBIT 6
(4 PAGES)
REQUEST FOR COMMENTS

DATE: November 15, 2024
CASE: Subdivision 2024-13

The Planning Division is soliciting comments you may wish to have considered in the City’s review of the above land use case. Application materials are attached.

Comments must be submitted in writing and received in our office by 5:00 pm on December 2, 2024. If we do not receive a response by the end of the comment period, we will assume you have no concerns.

Send comments or questions to:

Dina Horner, Assistant Planner
Email: Hornerd@keizer.org Phone: (503) 856-3442
City of Keizer Planning Division
930 Chemawa Rd NE, Keizer OR 97303

REQUEST: The applicant is requesting a 5-lot subdivision. The existing site is 1.42-acres and contains an existing dwelling. The project will include frontage improvements along Clear Lake Road NE. Access to all of the lots is proposed from a new cul-de-sac that connects to Clear Lake Road.

APPLICANT: 1620 Clear Lake LLC
ZONE: Urban Transition (UT)

PLEASE CHECK THE APPROPRIATE ITEMS:

- Our agency reviewed the proposal and determined we have no comment.
- Our agency would like to receive a copy of the staff decision/report and notice of any public hearings in this case.
- Our comments are in the attached letter.
- Our Agency's comments are: _____

Name: David Fridenmaker
Agency: Salem-Keizer Public Schools
Phone: 503-315-0232
Email: fridenmaker_david@salkeiz.k12.or.us
Address: 2450 Lancaster Dr NE, PO Box 12024, Salem OR 97309
Date: 11/25/24



Andrea Castañeda, Superintendent

November 25, 2024

Dina Horner, Planner
Keizer Community Development Department
P.O. Box 21000
Keizer, OR 97307-1000

RE: Land Use Activity Case No. Subdivision 2024-13, 1620 Clear Lake Rd NE

The City of Keizer issued a Request for Comments for a Land Use Case as referenced above. Please find below comments on the impact of the proposed land use change on the Salem-Keizer School District.

IDENTIFICATION OF SCHOOLS SERVING THE SUBJECT PROPERTY

The School District has established geographical school attendance areas for each school known as school boundaries. Students residing in any residence within that boundary are assigned to the school identified to serve that area. There are three school levels, elementary school serving kindergarten thru fifth grade, middle school serving sixth thru eighth grade, and high school serving ninth thru twelfth grade. . The schools identified to serve the subject property are:

School Name	School Type	Grades Served
Forest Ridge	Elementary	K thru 5
Whiteaker	Middle	6 thru 8
McNary	High	9 thru 12

Table 1

SCHOOL CAPACITY & CURRENT ENROLLMENT

The School District has established school capacities which are the number of students that a particular school is designed to serve. Capacities can change based on class size. School capacities are established by taking into account core infrastructure (gymnasium, cafeteria, library, etc.) counting the number of classrooms and multiplying by the number of students that each classroom will serve. A more detailed explanation of school capacity can be found in the School District's adopted Facility Plan.

School Name	School Type	School Enrollment	School Design Capacity	Enroll./Capacity Ratio
Forest Ridge	Elementary	223	318	70%
Whiteaker	Middle	643	918	70%
McNary	High	1,955	2,200	89%

Table 2

POTENTIAL ADDITIONAL STUDENTS IN BOUNDARY AREA RESULTING FROM APPROVAL OF LAND USE CASE

The School District anticipates the number of students that may reside at the proposed development based on the housing type, single family (SF), duplex/triplex/four-plex (DU), multi-family (MF) and mobile home park (MHP). The School District commissioned a study by the Mid-Willamette Valley Council of Governments in 2021 to determine an estimate of students per residence, for the Salem-Keizer area, in each of the four housing types. Since the results are averages, the actual number of students in any given housing type will vary. The table below represents the resulting estimates for the subject property:

School Type	Qty. of New Residences	Housing Type	Average Qty. of Students per Residence	Total New Students
Elementary	5	SF	0.168	1
Middle			0.098	0
High			0.144	1

Table 3

POTENTIAL EFFECT OF THIS DEVELOPMENT ON SCHOOL ENROLLMENT

To determine the impact of the new residential development on school enrollment, the School District compares the school capacity to the current enrollment plus estimates of potential additional students resulting from land use cases over the previous two calendar years. A ratio of the existing and new students is then compared with the school design capacity and expressed as a percentage to show how much of the school capacity may be used.

School Name	School Type	School Enrollment	New Students During Past 2 yrs	New Student from this Case	Total New Students	School Design Cap.	Enroll./Cap. Ratio
Forest Ridge	Elem.	223	21	1	22	318	77%
Whiteaker	Mid.	643	25	0	25	918	73%
McNary	High	1,955	29	1	30	2,200	90%

Table 4

ESTIMATE OF THE EFFECT ON INFRASTRUCTURE – IDENTIFICATION OF WALK ZONES AND SCHOOL TRANSPORTATION SERVICE

Civic infrastructure needed to provide connectivity between the new residential development and the schools serving the new development will generally require roads, sidewalks and bicycle lanes. When developing within one mile of school(s), adequate pathways to the school should be provided that would have raised sidewalks. If there are a large number of students walking, the sidewalks should be wider to accommodate the number of students that would be traveling the

path at the same time. Bike lanes should be included, crosswalks with flashing lights and signs where appropriate, traffic signals to allow for safe crossings at busy intersections, and any easements that would allow students to travel through neighborhoods. If the development is farther than one mile away from any school, provide bus pullouts and a covered shelter (like those provided by the transit district). Locate in collaboration with the District at a reasonable distance away from an intersection for buses if the distance is greater than ½ mile from the main road. If the distance is less than a ½ mile then raised sidewalks should be provided with stop signs where students would cross intersections within the development as access to the bus stop on the main road. Following is an identification, for the new development location, that the development is either located in a school walk zone or is eligible for school transportation services.

School Name	School Type	Walk Zone or Eligible for School Transportation
Forest Ridge	Elementary	Eligible for School Transportation
Whiteaker	Middle	Eligible for School Transportation
McNary	High	Eligible for School Transportation

Table 5

ESTIMATE OF NEW SCHOOL CONSTRUCTION NEEDED TO SERVE DEVELOPMENT

The School District estimates the cost of constructing new school facilities to serve our community. The costs of new school construction is estimated using the Rider Levett Bucknall (RLB) North America Quarterly Construction Cost Report and building area per student from Cornerstone Management Group, Inc. estimates. The costs to construct school facilities to serve the proposed development are in the following table.

School Type	Number of Students	Estimate of Facility Cost Per Student*	Total Cost of Facilities for Proposed Development*
Elementary	1	\$87,035	\$87,035
Middle	0	\$106,854	\$0
High	1	\$126,672	\$126,672
TOTAL			\$231,707

Table 6

*Estimates based on average of Indicative Construction Costs from “RLB Construction Cost Report North America Q2 2024”

Sincerely,

David Fridenmaker
Business and Support Services

c: Robert Silva, Chief Operations Officer, David Hughes, Director of Operations & Logistics, T.J. Crockett, Director of Transportation



REQUEST FOR COMMENTS

DATE: November 15, 2024
CASE: Subdivision 2024-13

The Planning Division is soliciting comments you may wish to have considered in the City’s review of the above land use case. Application materials are attached.

Comments must be submitted in writing and received in our office by 5:00 pm on December 2, 2024. If we do not receive a response by the end of the comment period, we will assume you have no concerns.

Send comments or questions to:

Dina Horner, Assistant Planner
Email: Hornerd@keizer.org Phone: (503) 856-3442
City of Keizer Planning Division
930 Chemawa Rd NE, Keizer OR 97303

REQUEST: The applicant is requesting a 5-lot subdivision. The existing site is 1.42-acres and contains an existing dwelling. The project will include frontage improvements along Clear Lake Road NE. Access to all of the lots is proposed from a new cul-de-sac that connects to Clear Lake Road.

APPLICANT: 1620 Clear Lake LLC
ZONE: Urban Transition (UT)

PLEASE CHECK THE APPROPRIATE ITEMS:

- Our agency reviewed the proposal and determined we have no comment.
- Our agency would like to receive a copy of the staff decision/report and notice of any public hearings in this case.
- Our comments are in the attached letter.
- Our Agency's comments are: _____

Extensions to existing sanitary sewer mains, located in Clear Lake Road NE, will require construction permits in accordance with the City of Salem Revised Code, the City of Salem Public Works Design Standards, and City of Salem Standard Construction Specifications. Permits will not be issued by the City of Salem until all construction plans have been approved by the Public Works Department. Construction drawings can be submitted to developmentservices@cityofsalem.net. An as-built for the existing sanitary sewer main in Clear Lake Road NE is attached. The applicant's plans show a 6-inch public sewer main in the new local street. The applicant is advised that the City of Salem Public Works Design Standards require a minimum 8-inch pipe for public sewer mains (PWDS. 3.2(c)).

Name: Laurel Christian, Infrastructure Planner III
Agency: City of Salem, Community Planning and Development Department
Phone: 503-584-4632
Email: lchristian@cityofsalem.net
Address: 555 Liberty Street SE, Salem, OR 97301
Date: November 22, 2024

EXHIBIT 8
(1 PAGE)

PLEASE CHECK THE APPROPRIATE ITEMS:

Comments submitted will be made a part of the decision and are not considered confidential.

_____ I/we reviewed the proposal and determined I/we have no comment.

_____ My/our comments are in the attached letter.

X My/our comments are: I am greatly concerned about the increased traffic, noise, and lights, as it pertains to our lovely-as-it-is neighborhood.

Response Date: 11/19/24

Person commenting: Melanie Evans

Phone #/Email: 503-991-2240

Address: 1629 Patty Ave NE, Keizer

cmssc_cpcs@yahoo.com

Comments submitted regarding this Subdivision must address the following criteria:

Approval of a subdivision shall require compliance with the following:

- A. The proposal shall comply with the applicable development standards in Section 2.405 and Section 2.3, as appropriate, including provisions for streets and utilities.
- B. Each lot shall satisfy the dimensional standards and density standard of the applicable zoning district, unless a variance from these standards is approved.
- C. Adequate public facilities shall be available and shall serve the existing and newly created parcels.
- 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.

Copies of the Keizer Development Code are available for viewing at the Planning Department or on the City of Keizer's website.

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NOV 21 2024

PLANNING DEPARTMENT

Additional information can be found at the City's website at:
<https://www.keizer.org/maps/location/SubdivisionCase2024-13>



EXHIBIT 9

(1 PAGE)

From: [gene zuniga](#)
To: [Horner, Dina](#)
Cc: [Dad Benjamin](#); [Teri Zuniga](#)
Subject: 1620 Clear Lake Rd NE
Date: Tuesday, November 26, 2024 1:19:23 PM

Re: 1620 Clear Lake Rd NE; MC Tax Assessors Map No. 063W23DA Tax lot 00100.

This email is in regards to the City of Keizer soliciting comments from neighbors of the above mentioned land use application.

My elderly parents, Benjamin and Teresa Zuniga (at 1950 Clear lake Rd NE), who live adjacent to the property listed in the subject, asked me to inquire about and comment on the new proposed land use and have a few comments.

On 11/25/24, I spoke to the developer who indicated they were planning on putting in affordable housing on the new proposed lots. The plans include several clusters of two story single car cottages along the east lot (lot 4). I was informed the new homes would all be maintained as rental properties by the development group.

A couple concerns come to mind. First, the need of parking will immediately outgrow the ability of the proposed small new street and single parking areas of each cottage will be able to handle, not including visitors. This will have an immediate impact on parking affecting the nearby community, primarily made up of single family dwellings. I don't believe parking is allowed on Clear Lake Rd., and would certainly impact surrounding homes on side streets parallel to Clear Lake Rd. that are closest to these proposed cottages.

Secondly, the developer's plans indicate that the current existing 6' high chain link fence will be retained on the east side of lot 4 (separating my parent's property).

As it is being proposed to have several new clusters of two story cottages built, we recommend, and respectfully request, a sight obscuring fence be required to be put in place instead of a see through chain link fence to maintain the safety, security, and privacy of current longtime Keizer neighbors.

Respectfully,

Eugene Zuniga (1950 Clear lake Rd NE)
For Benjamin & Teresa Zuniga (1740 Clear Lake Rd NE)
503-559-5912