TO: Fred Wilson, Keizer Hearings Officer
FROM: Shane Witham, Senior Planner
SUBJECT: Subdivision Case No. 2018-07
DATE: March 14, 2018

I. GENERAL INFORMATION

A. APPLICANT/PROPERTY OWNER: Celtic Homes LLC

B. AGENT: Brandie Dalton, Multi-Tech Engineering

C. PROPERTY LOCATION: The property is located behind 7720 O’Neil Rd NE and is accessed off the southern end of Florgon St NE. The property is identified on Marion County Tax Assessor Maps as Township 7 South; Range 3 West; Section 23DD; Tax Lot 00201. (Exhibit 1)

D. EXISTING PARCEL SIZE: The property is approximately 0.51 acres in area.

E. EXISTING DEVELOPMENT AND PUBLIC FACILITIES: The property is vacant. Public facilities are available in Florgon St NE 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 Residential Single Family (RS) upon approval and recordation of the plat.

G. ADJACENT ZONING AND LAND USES: Properties surrounding the subject parcel are developed with detached single family dwellings. Properties to the north, south and east are zoned Residential Single Family (RS), while the property directly west is zoned UT.

H. PROPOSAL: The subject property is proposed to be subdivided into a 4 lot subdivision with access from a new public street turnaround which is being provided to terminate
Florgon St NE. The applicant’s written statement and preliminary plans (Exhibit 2) are attached.

I. NOTICE: Public notice was mailed, published and posted consistent with notice requirements in KDC § 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. The Keizer Police Department submitted they have no comments.

CITIZEN COMMENTS:
A letter requesting comments was sent to the surrounding property owners within 250 feet of the subject property. Chuck Ludwig submitted a letter (Exhibit 5) regarding the proposed subdivision expressing concerns regarding street widths, parking, traffic, and devaluation of the neighborhood.

STAFF’S RESPONSE TO CITIZEN COMMENTS:
Staff appreciates the public participation of concerned citizens and has attempted to address the concerns expressed, as appropriate, through the findings and related conditions recommended for this proposal.

The developer will be required to construct a public turnaround, which will not allow parking within the turnaround area. Since no on-street parking will be provided, each lot within this proposal will be required to provide three (3) parking spaces on site which should help to address the concern over parking. The proposed subdivision will create 4 lots to be developed with single family dwelling units, resulting in an Average Daily Trip (ADT) generation of 40 trips. The threshold for requiring a Traffic Impact Analysis (TIA) is an increase in site volume of 250 ADT and therefore, no TIA is being required with this application. The existing street system is designed to carry the projected traffic adequately, and staff does not have the ability to prevent properties from being developed consistent with their comprehensive plan designations on the basis that it is undesirable for any traffic to be created. Mr. Ludwig also expressed concerns over the placement of manufactured homes. The applicant submitted a “development” plan which shows the proposed lots are planned to be developed with “stick-built” homes, not manufactured dwellings. However, it should be noted that state law and the Keizer Development Code prohibit the City from regulating the type of home constructed, whether “stick-built” or “manufactured”.

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There are, however, specific design standards which regulate any future building permits for the newly created lots.

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 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 intent of this provision is to require that the layout of new streets in subdivisions and streets along the subdivision take into consideration their relationship to other streets and other factors such as topography so as to develop a safe and efficient street system. The proposed subdivision features a new public “hammerhead” turnaround which will terminate the existing street (Florgon). Currently, Florgon is stubbed to the subject property, and was previously planned to provide access to this property at the time of its development. The location, width, and grade of the existing streets and proposed hammerhead turnaround are designed to promote public convenience and safety for
residential development. There are no topographical considerations, since the area is relatively flat.

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. Details on right of way dedication and street improvement requirements will be further addressed later in this report. Prior to submitting construction plans for the proposed subdivision a pre-design meeting with the developer’s engineer and the Department of Public Works will be required, which will ensure the new and proposed streets are adequate and appropriate to serve the proposed development and surrounding area. 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 any 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 terminate Florgon with a hammerhead type turnaround. Taking these factors into consideration, staff finds that no continuation of the proposed public street is warranted, so this provision is not applicable.

c. 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. No new street is proposed with this application, but rather the termination of an existing local street. Therefore this provision is not applicable.
d. **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 does not continue to adjacent properties, as was previously addressed, therefore the street cannot be platted without a turnaround. Discussed later in this staff recommendation are sidewalk and turnaround requirements for this subdivision. Therefore, staff finds this request satisfies this criterion.

e. **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. No new intersections are proposed. Therefore, this criterion is not applicable.

f. **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 proposal will result in the installation of a turnaround to terminate the existing street (Florgon) and will not necessitate additional right of way dedication of any adjacent streets. The turnaround area will have to be dedicated and constructed to the standards of the Public Works Department as outlined in the conditions of this report. With this placed as a condition of approval this section is satisfied.

g. **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, so therefore this section is not applicable.

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

FINDINGS: A “cul-de-sac” is defined in the City of Keizer Design Standards as “a dead end street having a circular turnaround area at its terminus.” Florgon Street is proposed to be terminated with an alternate design hammerhead style turnaround, as opposed to a cul-de-sac bulb. While technically, no new cul-de-sac streets are proposed with this application, the function of the newly proposed turnaround will be similar to that of a cul-de-sac and therefore, staff has determined the provisions pertaining to cul-de-sac lengths and lot frontage will be applied to this application. With the proposed turnaround area, Florgon will be approximately 185 feet in length, which is significantly less than the maximum length allowed of 800 feet. Therefore, staff finds this proposal satisfies this criterion.

i. **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 will extend an existing street which was previously approved. All houses will be required to be numbered to conform to the City’s street numbering procedures and will be regulated at the time of building permit final inspection approval. With this placed as a condition of approval, staff finds this proposal will comply with this criterion.

j. **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.

k. **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 propose subdivision will be accessed from an existing local street, and will provide a new turnaround to terminate that street. No frontage streets are proposed. Therefore this criterion is not applicable.

1. **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.

2. **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. No additional street length or frontage is proposed with this subdivision, other than the turnaround area that is to be provided. The right of way design for the turnaround will not provide a landscape strip, and therefore, street landscaping is not required. Staff finds this criterion is not applicable to this request.

3. **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. The developer will be required to obtain driveway permit approval for the individual lots within the subdivision. Staff finds this proposal complies with this criterion.

4. **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 45 feet in width shall be required to plant one streetscape tree. Lots measuring more than 45 feet in width shall be required to plant two streetscape trees.**

3. **Streetscape trees shall be selected from a list of approved trees.**

**FINDINGS:** No additional street frontage is proposed for this subdivision other than the lot area along the hammerhead turnaround. As such, all of the lots have less than 45 feet of frontage. Therefore, it is recommended that one streetscape tree be provided for each of the lots within the subdivision, which will be required to be planted prior to final building permit approval. 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 right of way and improvement requirements for this subdivision proposal. As a condition of subdivision approval, the requirements outlined in the Public Works requirements must be adhered to. Florgon Street is proposed to be terminated with a 25 foot by 60 foot hammerhead type turnaround in lieu of a bulb cul-de-sac. This proposed turnaround has been reviewed by the City Engineer and is acceptable to the City. No parking will be allowed in the turnaround area and appropriate no parking signs and delineations will be required to designate the turnaround area as a fire lane.

It should be noted the City has significant concern over the proposed lot layout and minimal lot frontage along the hammerhead turnaround. While the layout meets with the minimum standards and dimensions of the Keizer Development Code, staff is concerned over the ability for the proposal to actually be constructed in compliance with all standards. This in part is due to the fact that each of the parcels will be required to provide 3 on-site parking spaces, necessitating a larger driveway area. City Standards dictate minimum and maximum allowed driveway widths as well as drop curb dimensions. The total frontage shown on the proposed lot layout and turn around configuration does not appear to provide enough lot frontage to meet standard City of Keizer drop curb requirements. The applicant will be required to show how the driveway drops for the proposed lots can meet Public Works Design and Construction standards and provide full curb height at each property line. This may result in the applicant having to modify the proposed future homes, or even possibly reduce the total number of parcels to comply with this standard. In addition to providing a plan for the public improvements and drop curb designs, the applicant will also be required to provide a plan for the necessary parking areas to be provided prior to final plat approval.

With these requirements places 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 subdivisions design and construct new streets that are needed to serve the lots within the subdivision to meet all City standards for street construction. The proposed lots will be served by a newly created public turnaround. 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 easement which might be unusable for vehicular traffic. No private access easements are proposed and therefore this criterion is not applicable.

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 Keizer Development Code 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 both the needs of the residences within the new dwellings as well as serving the needs of visitors to the new residences. Required parking spaces must be installed at the time homes are constructed on each of the lots within the subdivision. The applicant’s site plan and written statement address parking requirements and their intention to comply with the provisions of Section 2.303. The applicant is proposing to provide 3 on-site parking spaces for each of the parcels, which is the minimum required by code, due to the fact the turnaround area will be designated no parking/fire. As a condition of subdivision approval, 3 parking spaces must be provided on each of the lots. This requirement will be regulated through the building permit review and approval process.

Staff is concerned as to whether or not the proposed layout of the hammerhead turnaround can actually accommodate the construction of driveway drop curbs along with the required on-site parking, and still comply with the design standards required by Public Works. This concern stems
from the fact that drop curbs must achieve curb height at property lines, and due to the minimal
frontage (approx. 25 feet) for each of the lots, it is doubtful the applicant can build a driveway to
accommodate 3 cars side by side and still meet all setback requirements. This may necessitate a
modification to the development plan which was previously submitted by the applicant. The
submitted plan shows the location of new homes and 3 parking spaces located in front of each of the
homes. To accommodate 3 side by side parking spaces, 27 feet is the minimum width required.
Since there is only 25 feet of lot frontage on lots 1, 2, and 4, clearly there is not enough width at the
property line to accommodate the necessary width for parking. That being said, there are a number
of options the applicant may choose to implement to resolve this issue. While staff does not feel
this concern merits a recommendation of “denial” for this subdivision request, it is a significant
concern that will have to be addressed prior to the platting of the subdivision. The applicant may
wish to modify how parking is being provided stack parking end to end, modify the proposed home
plans to take up less area, or even reduce the total number or parcels in order to comply with the
provisions of the code. Prior to submitting a check plat for review, the applicant must submit a
detailed plan showing how the drop curbs and driveway areas can comply with City requirements.

With these requirements placed as a condition of approval, staff finds the proposal meets 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. The Public Works
Department submitted comments containing requirements that will assure the proposed
development can comply with City storm drainage requirements.

The developers engineer shall submit an overall storm drainage plan that will provide service to
this development consistent with the City's Master Storm Drain Plan for this area of Keizer.
Storm water quality and detention improvements will be required in conformance with the City
of Keizer Public Works Department Design Standards. The developer's engineer shall conduct
on-site percolation tests, (the location and frequency of tests are to be determined by the City of
Keizer Public Works Department) to determine the suitability of the soils for the proposed
disposal system. The percolation test and soil analysis shall be performed by a qualified
geotechnical engineer. Storm Water calculations shall be submitted in conjunction with the
project design drawings, indicating how the development complies with the Public Works
Design Standards for the basin. All storm water runoff from the property shall be kept on site.
No public storm drain system exists for the development to connect to. The owner will be
required to provide evidence that any private storm drain systems meeting the definition of a
UIC have been reviewed and permitted by the Oregon Department of Environmental Quality. A final grading and drainage plan shall be developed for the subject property. Details shall include adequate conveyance of storm water 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 Department of Public Works prior to the issuance of any Public Construction permits for street or storm drainage for the subject property. Grading and drainage plans shall be in conformance with the City of Keizer Public Works Design Standards. Additional information regarding street grades, site grading, inverts, etc., will be required for review prior to any plan approval. Erosion control permits shall be obtained from the City of Keizer prior to the disturbance of any soil on the subject property. Additionally, if required by the Oregon Department of Environmental Quality, a 1200-C permit will be required from the Oregon Department of Environmental Quality and furnished to the City of Keizer by the developer prior to issuance of an erosion control permit.

With these requirements placed as conditions of approval, this application complies 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 Keizer Development Code 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 Community Development 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 feet in height or 12 inches in diameter. The applicant submitted a tree removal plan that shows 8 trees will be removed from the site. Of the 8 trees removed, there are 3 apple trees and one willow, which staff does not feel meets the intent of being considered a significant tree. The other four (4) trees that are to be removed are 1 maple, 1 alder, and 2 fir trees which are considered significant trees based upon their size. Therefore, 8 replacement trees are required to be provided to replace the 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 the applicant must provide 2 replacement trees on each of the proposed parcels a
minimum 2” caliper, to be planted prior to final building permit approval. In lieu of this, the applicant may choose to submit a tree replacement plan for review and approval by the Community Development Department prior to final plat approval, designating alternate locations for placement, or proposing off-site mitigation.

It should be noted that replacement trees are in addition to the required streetscape trees, which were addressed previously in this report. The net result of both streetscape and replacement trees is that a total of 3 trees per lot will need to be provided as a condition of subdivision approval.

Staff finds with the above mentioned conditions, this request will comply with this criterion.

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 Residential Single Family (RS) upon recordation of the plat, consistent with Section 2.118.10 and so will be bound by the requirements within the RS zone, not the UT zone provisions. Within the RS zone, the minimum lot size for detached single-family dwellings is 5,000 square feet. The applicant’s site plan indicates that the lots within the proposed subdivision will be 5,004 sqft (Lot 1), 5,128 sqft (Lot 2), 5,000 sqft (Lot 3), and 5,129 sqft (Lot 4) which meet or exceed the city’s minimum lot size of 5,000 square feet required within the RS zone in Section 2.102.05.

All of the proposed lots conform to the minimum lot size requirement of the RS zone district. The area for all lot sizes shall be shown on the preliminary and final plat and lot sizes must comply with the standards of the RS zone. 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. Cul-de-sac lots shall have a minimum frontage of 25 feet.
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 proposed lots will all have frontage on the proposed hammerhead turnaround, which is being provided as an alternative to a cul-de-sac bulb. Therefore, the standards for lot frontage on a cul-de-sac should be applied, which is a minimum frontage of 25 feet. All proposed lots have a minimum of 25 feet of frontage along the proposed hammerhead, and thus comply with this provision. As a condition of subdivision approval, the minimum lot frontage of 25 feet must be provided. Therefore, staff finds this proposal satisfies this criterion.

d. Section 2.310.03.E - Flag Lots. Flag lots shall only be permitted if it is the only reasonable method by which the rear portion of a lot being unusually deep or having an unusual configuration may be accessed and when in compliance with Section 2.302.03.B. If a flag-lot is permitted, the following standards shall be met:

1. The access strip shall not be less than 20 feet wide. The access strip shall be improved with a minimum 12 foot wide paved driveway and paved encroachment which meet applicable City standards.

2. The access strip shall not be included in the calculation of lot area for purposes of determining compliance with any minimum lot size provision of this Ordinance.

FINDINGS: No flag lots are proposed so this section is not applicable.

e. 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.

f. 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 4 pie shaped lots, due to the fact they are accessed from the hammerhead turnaround. The proposed lot lines run, as far as practicable, at right angles to the street right-of-way. The rear lot lines are all not less than one-half the dimension of the front lot lines. All the lots meet the city’s minimum lot standards and so should be able to be developed with a single family dwelling on each lot. The application complies with this criterion.
g. **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 avoid the situation where they may be needed but since no easements were provided as part of the platting of the subdivision it creates problems after the platting of the subdivision. 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 within the proposed subdivision; therefore, this provision is not applicable.

   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. 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 proposed subdivision will provide a hammerhead turnaround to terminate an existing street (Florgon) to provide access to each of the individual lots within the subdivision. No other improvements are proposed or needed. Public Works submitted comments that include requirements for providing these improvements, which have been made conditions of subdivision approval. With these requirements placed as a condition 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: There will be no private streets that will be constructed as part of the proposed subdivision, so this section is not applicable.

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 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. The subdivision proposal includes a new hammerhead turnaround to be constructed. The required improvements will be required to be consistent with the Public Works Design Standards and Section 2.302 as applicable. With this condition of approval, the proposal will comply with this criterion.

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 at the street intersection 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 at the street intersection 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. As a condition of subdivision approval, the developers engineer shall submit an overall storm drainage plan that will provide service to this development consistent with the City's Master Storm Drain Plan for this area of Keizer. With these requirements placed as conditions of approval, this application complies 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 applicants have indicated that each of the proposed lots will be connected to a new sanitary sewer line proposed to be constructed within the new hammerhead turnaround area. The Public Works Department submitted comments addressing this criterion which have been recommended as conditions of subdivision approval. 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. City of Salem approval for local sewer permits will need to be issued prior to construction. Prior to submitting plans to the City of Salem for approval, the applicant’s engineer shall submit plans to the City of Keizer for review and determination of compliance with the City’s Master Sewer Plan for the area. Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property. Appropriate easements for any public sewer mains located within the subject property if located outside platted right of ways will need to be recorded in a form which meets the City of Salem Design Standards and shown on the subdivision plat. Any sanitary sewer easements shall be in favor of the City of Keizer. It will be the responsibility of the applicant’s engineer to locate any existing wells (including on adjacent property) in the vicinity of the proposed new sanitary sewer lines for the subject property. The applicant, prior to platting the proposed subdivision, shall eliminate any conflicts between existing wells and proposed sanitary sewers. This is a development requirement and shall be placed as a condition of approval of this subdivision application. 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 construct a 4” water main in Florgon extending into the hammerhead turnaround area, and provide individual services to lots 1-4 from the 4” water main. The Public Works Department submitted comments addressing this criterion which have been recommended as conditions of subdivision approval. The comments received indicate that a master water system plan showing proposed routes of public water mains, fire hydrants and individual services shall be prepared prior to submission of construction plans for the development. Appropriate easements for all public water mains, fire hydrants, and private services will be required if construction is to be outside of public right of ways. Any system development charges for water system improvements will be those in place at the time of individual service connections. Final development plans shall be reviewed by the Marion County Fire District No. 1 with regard to access and adequate location of fire hydrants prior to any issuance of Public Construction permits by the City of Keizer. All required fire hydrants shall be served by an 8 inch water main. Any existing wells on the subject property are to be abandoned in accordance with the Oregon State Water Resources Department requirements. The developer shall provide evidence to the Public Works department that any abandonment of existing wells has been completed in accordance with such requirements. Location of all water meters to be approved by the Public Works Department. With these requirements placed as conditions of approval, this request will meet this criterion.

i. **Section 2.310.06.1 - 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 are required by 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 existing sidewalk system on Florgon terminates at the boundary of the subdivision and no sidewalks are proposed to be located around the outside of the hammerhead turn around. A plan for adequately terminating the existing sidewalk system to move pedestrians safely into the turn-around area will be reviewed and approved by the Public Works Department at the time of public construction plan review and approval. Staff finds it is unnecessary to provide sidewalks around the turnaround due to the fact that it will be designated as a no-parking, fire lane area, there will be minimal traffic, and due to the fact the driveway locations and drops will take up the majority of the turnaround area. 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. There is an existing street light that appears to be adequate to provide for a safe, livable development. However, this will be reviewed as a part of the public improvement process and shall comply with the City regulations and requirements. Therefore, 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. No street sign will be required for this development, but appropriate “no parking/fire lane” signs will be required for the hammerhead turnaround. With this placed as a condition that the location, placement, and type of sign are in accordance with city requirements, 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: As was addressed earlier, there is concern as to whether or not the proposed layout has adequate frontage to allow for curb cuts to be separated adequately, while still allowing for the drop curbs to be built according to Public Works standards. Full curb height must be obtained at the property lines of each of the proposed lots, which will necessitate the regulation of curb cut locations accordingly. 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 not be required as a part of the improvements. Therefore, this criterion is not applicable.
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.

14. **SECTION 2.316 – INFILL DEVELOPMENT STANDARDS**

a. Section 2.316.03-Infill Development Parcel Criteria. An infill development is any residential development less than two (2) acres in size, and which directly abuts an existing residential neighborhood.

**FINDINGS:** The purpose of this section is to allow residential infill development to achieve the planned densities specified in the Comprehensive Plan and to conserve livability and neighborhood quality while promoting neighborhood compatibility. Infill developments shall be designed to be sensitive to the established patterns of existing neighborhood development.

The subject property proposed to be subdivided is less than 2 acres in area and is adjacent to existing residential development. Therefore infill development standards of Section 2.316 will be required to be met for the newly proposed homes. The applicant submitted an infill development plan showing the building footprints, proposed setbacks, area, elevations of the proposed homes, as well as 3 parking spaces located on each lot. This plan has not been reviewed for full compliance, but it does show the homes proposed will be two-story homes similar to the other homes on Florgon Street. As such, they are not intended to exceed the height of the surrounding homes, which is acceptable. The applicant indicated the building heights will be no greater than 24 feet in height. Additional setbacks may be required for new dwellings that exceed five (5) feet above the height of the existing abutting dwellings. This regulation will be reviewed for compliance at the time of building permit approval.
Staff is concerned the development plan submitted may not be able to actually be constructed in compliance with City standards governing curb height, driveway widths, and required on-site parking. As is addressed elsewhere in this report, the applicant will be required to show how the driveway drops for the proposed lots can meet Public Works standards and provide full curb height at each property line, and still accommodate required on-site parking requirements. Therefore, prior to submittal of a preliminary plat, a detailed development plan must be submitted for review and approval, addressing those issues. This plan must be reviewed and approved by both the Public Works Director and Community Development Director prior to preliminary plat approval.

With the above mentioned conditions of approval, staff finds this proposal complies with the provisions of Section 2.316, and therefore, staff finds 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 that the development is done consistent with this standard. The applicant proposes a 4 lot subdivision to be developed with single-family homes. The subject property will be automatically rezoned to RS upon recordation of the plat, and therefore the standards of the RS zone apply.

Section 2.102.05.A of the Keizer Development Code requires that each lot to be developed with a residential use contain a minimum average width of 40 feet and a depth of 70 feet. It has been determined that all of the proposed lots meet this provision. All lots derive their access from a hammerhead turnaround, which results in the creation of pie shaped lots, as opposed to square or rectangular lots, which make this standard a difficult one to regulate equitable. It should be noted that lots 2 and 3 show a minimum dimension of 69.14 feet for the lot depth along the shared side property line. However, the other side property line of lot 2 is approximately 102 feet in depth and the other side property line of lot 3 is approximately 97 feet in depth. Therefore, it has been determined the average depth of lot 2 and 3 exceed 70 feet in depth due to the nature of these lots being located on a hammerhead turnaround, and the facts the side lot line are unequal.

Section 2.102.06.I specifies a minimum density of 4 units per acre and a maximum density of 8 units per acre for property that is subdivided. The proposed subdivision is 0.51 acres in area and is proposed to be subdivided into 4 lots, which complies with the maximum 8 dwelling units per acre standard. This proposal complies with the minimum lot dimension and density requirements of this section of the code.

As a condition of approval, all dimensions and areas will be required to be shown on the check plat and final plat to assure the lot dimension standards are adhered to. With this condition, staff finds this request complies 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 four (4) lot subdivision for residential development. The development features access from a newly proposed hammerhead turnaround which will terminate an existing street (Florgon). The proposed development will generate additional vehicle trips per day that will contribute to the cumulative traffic impact of the existing streets. The only improvements required with this application are for the hammerhead turnaround that will be approximately 25 feet by 60 feet which is necessary to allow for emergency access and maneuverability.

Staff finds the required dedication and improvements are roughly proportional to the impact of the subdivision request.
VI. RECOMMENDATION AND CONDITIONS FOR SUBDIVISION

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. Florgon Street is proposed to be terminated with a 25 foot by 60 foot hammerhead type turnaround in lieu of a bulb cul-de-sac, which has been determined to be acceptable to the City. No parking will be allowed in the turnaround area and appropriate no parking signs and delineations will be required to designate the turnaround area as a fire lane.

2. A detailed development plan must be provided demonstrating how the drop curbs, driveway approaches, and 3 required on-site parking spaces can be provided in compliance with City standards. The applicant will be required to show how the driveway drops for the proposed lots can meet Public Works standards and provide full curb height at each property line, and still accommodate required on-site parking requirements. This plan must be reviewed and approved by both the Public Works Director and Community Development Director. It appears this will require a re-design of the proposed homes, on site-parking configurations, or possibly even a reduction in the total number of parcels allowed.

3. The following requirements are regulated and must be met to the satisfaction of the Public Works Department regarding sanitary sewers, water systems, street and drainage improvements, and other requirements:

   **SANITARY SEWERS:**
   The subject property is located outside the original Keizer Sewer District. Therefore, a sanitary sewer trunk line acreage fee will be required unless the owner can provide evidence that the property has previously been assessed for sewer service to the property by the Keizer Sanitary Sewer District. The current rate is $7,460.00 per acre.

   a) City of Salem approval for local sewer permits will need to be issued prior to construction. Prior to submitting plans to the City of Salem for approval, the Applicant’s engineer shall submit plans to the City of Keizer Public Works Department for review and determination of compliance with the City’s Master Sewer Plan for the area.

   b) Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property. Appropriate easements for any public sewer mains located within the subject property, if located outside platted right of ways, will need to be recorded in a form which meets the City of Salem Design Standards and shown on the subdivision plat. Any sanitary sewer easements shall be in favor of the City of
Keizer.

c) It will be the responsibility of the Applicant’s engineer to locate any existing wells (including on adjacent property) in the vicinity of the proposed new sanitary sewer lines for the subject property. The Applicant, prior to platting of the proposed subdivision, shall eliminate any conflicts between existing wells and proposed sanitary sewers.

WATER SYSTEM:
a.) A master water system plan showing proposed routes of public water mains, fire hydrants and individual services shall be prepared prior to submission of construction plans for the development. Appropriate easements to the City of Keizer will be required for all public water mains, fire hydrants and private services will be required if construction is to be outside of public right of ways. Any system development charges for water system improvements will be those in place at the time of individual service connections.

b.) Final development plans shall be reviewed by the Marion County Fire District No. 1 with regard to access and adequate location of fire hydrants prior to any issuance of Public Construction permits by the City of Keizer. All required fire hydrants shall be served by an 8 inch water main.

c.) 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.

d.) Location of all meters to be approved by the Public Works Department.

STREET AND DRAINAGE IMPROVEMENTS:
a.) The Applicant’s engineer shall submit an overall storm drainage plan that will provide service to this development consistent with the City's Master Storm Drain Plan for this area of Keizer.

b.) Storm water quality and detention improvements will be required in conformance with the City of Keizer Public Works Department Design Standards. The developer's engineer shall conduct on-site percolation tests, (the location and frequency of tests are to be coordinated with the City of Keizer Public Works Department) to determine the suitability of the soils for the proposed disposal system. The percolation test and soil analysis shall be performed by a qualified geotechnical engineer. Storm Water calculations shall be submitted in conjunction with the project design drawings and shall indicate how the development complies with the City of Keizer Public Works Design Standards for the basin. All storm water runoff from the property shall be kept on site. No public storm drain system exists for the development to connect to. The owner will be required to provide evidence that any private storm drain systems meeting the definition of UIC have been reviewed and permitted by the Oregon
Department of Environmental Quality.

c.) A grading and drainage plan shall be developed for the subject property. Details shall include adequate conveyance of storm water 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 Public Construction permits for street or storm drainage for the subject property. Grading and drainage plans shall be in conformance with the City of Keizer Public Works Design Standards. Additional information regarding street grades, site grading, inverts, etc., will be required for review prior to any plan approval.

d.) The proposed four lot development shows all proposed lots to have access to the alternate turn around. City standards dictate minimum and maximum allowed driveway widths as well as drop curb dimensions. The total frontage shown on the proposed lot layout and turn around configuration does not appear to provide enough lot frontage to meet standard City of Keizer drop curb requirements. The applicant will be required to show how the driveway drops for the proposed lots can meet Public Works Design and Construction Standards and provide full curb height at each property line.

OTHER

a.) Construction permits are required by the Public Works Department prior to any public facility construction.

b.) A Pre-design meeting with the City of Keizer Public Works Department will be required prior to the Developer's Engineer submitting plans to either the city of Keizer or the City of Salem for review.

c.) Street opening permits are required for any work within the City Right of Way that is not covered by a Construction Permit.

d.) A Pre-construction conference shall be required prior to commencement of any construction under permits issued by the city.

e.) An improvement agreement shall be executed between the developer and the City of Keizer prior to recording of the subdivision plat.

f.) A master utility plan including all proposed power, telephone, gas and cable TV. lines shall be submitted to the Public Works Department for review prior to the Department issuing construction permits for the proposed project.

g.) Erosion control permits shall be obtained from the City of Keizer prior to the disturbance of any soil on the subject property. Additionally, if required by the Oregon Department of Environmental Quality, a 1200-C permit will be required from the Oregon Department of Environmental Quality and furnished to the City of Keizer.
by the developer prior to issuance of an erosion control permit.

h.) Developer shall coordinate the location of mailboxes with the U.S. Postal Service.

Prior to Preliminary Plat Approval:

6. A revised development plan will be required as outlined in Condition #2 above prior to preliminary plat approval, which must demonstrate compliance with City requirements for driveway widths, curb heights, and required on-site parking.

7. 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.
   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 less 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 ways) 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 area calculations.
   l. Include all dedication as required by Public Works.

8. With the Preliminary plat a copy of the proposed CC&R’s, Owners Agreements, Articles and By-Laws shall be submitted to the Community Development Department for review by the City Attorney as outlined in Section 3.108.07 of the Keizer Development Code. The
following information should be included within the instrument(s):
a. Information regarding streetscape and replacement trees requirements for each lot.
   (1 streetscape tree and 2 replacement trees for a total of 3 per lot)
b. Information regarding the three (3) required on-site parking spaces for each lot.

Prior to Final Plat approval:

9. If the applicant does not wish to provide replacement trees as staff recommends (2 replacement trees per lot), an alternative Tree Replacement Plan may be submitted to the Community Development department for review and approval, showing the approximate location of all trees to be planted. Based upon the number of significant trees proposed to be removed (4), 8 replacement trees are required to be planted, in addition to the required streetscape trees (1 per lot) required.

10. 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.

11. Upon approval of the preliminary agreement, a final copy of any CC&R’s, Homeowner Agreements, or other instrument shall be submitted to the Community Development Department which conforms to the agreements submitted during preliminary plat approval.

12. The final plat for the subdivision shall be recorded within 1 year from the date of final decision on this application. A one year extension may be approved by the Community Development 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):

13. 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.

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

14. The residential address requirements found in the Oregon Uniform Fire Code shall be completed as approved by Keizer Fire District and Community Development Department.

15. A total of 3 trees must be planted on each lot within the subdivision. 1 Streetscape tree, to be located in the front yard of each lot and 2 additional replacement trees will be required to be planted prior to final building permit approvals. Trees are to be a minimum 2” caliper when planted.
16. Three (3) parking spaces shall be provided for each dwelling unit within the subdivision. Parking spaces must be a minimum 9’ wide and 18’ long.

17. Buildings are to be developed consistent with the Infill Development Standards (Section 2.316) and design standard for single family dwellings (Section 2.314), and building heights will be limited to 24’ in height unless mitigations or additional setback area is provided.

18. Applicant or any contractors building on lots shall comply with all applicable city regulations regarding noise, dust, times of construction, etc.
Proposal:

The applicant is proposing to subdivide Parcel 2 of Partition Case No. 2017-14 into 4 lots. The subject property is zoned Urban Transition and identified as 063W23DD/Tax Lot 201. The subject property is 0.51 acres in size.

Lot 1: 5,004sq.ft
Lot 2: 5,128sq.ft
Lot 3: 5,000sq.ft
Lot 4: 5,129sq.ft

VICINITY:

Surrounding zoning and land uses:

North: Single Family Residential; existing single-family dwellings
South: Single Family Residential; existing single-family dwelling
East: Single Family Residential; existing single-family dwelling
West: Single Family Residential; existing single-family dwellings

SUBDIVISION CRITERIA:

Chapter 3.108.06 Review Criteria Approval of a subdivision, PUD, or manufactured home park 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.

APPLICANT'S REASONS ADDRESSING SUBDIVISION REVIEW CRITERIA:

Development of single family dwellings on the subject property will comply with minimum applicable development standards for lot coverage, landscaping, setbacks, building height, and design review standards under KMC 2.314 and 2.315. There is sufficient lot area available on the proposed lots that a dwelling and a garage can be constructed on each lot to meet minimum zone code standards. Compliance with applicable fire/life/safety code requirements occurs as a building permit is submitted to and reviewed by the City for issuance of a building permit for the subject property.

The applicant is proposing to subdivide Parcel 2 of Partition Case No. 2017-14 into 4 lots. The subject property is zoned Urban Transition and located on Florgon Street NE (063W23DD/Tax Lot 201). The subject property is 0.51 acres in size.

Lot 1: 5,004sq.ft
Lot 2: 5,128sq.ft
Lot 3: 5,000sq.ft
Lot 4: 5,129sq.ft

Therefore, meeting or exceeding the minimum requirements.

KMC 2.301 General Provisions:

The Keizer Comprehensive Plan (KCP) designates the subject property as Low Density Residential. The zoning of the subject property conforms to this designation. The subject property is located within the Urban Growth Boundary. The subdivision code, KMC Chapter 2.3 implements the KCP Residential Goal and
Policies.

The intent of the subdivision code is to provide for orderly development through the application of appropriate rules and regulations. Further compliance with code standards for the subdivision is detailed below. Completion of the requirements as part of final plat approval provides conformance with the requirements of this chapter.

KMC 2.302 Street Standards:

The subject property is located in a developed and developing area where improved streets and sidewalks continue with new development. The local street system serving the development provides the necessary connections and access to the local street and circulation system serving this residential neighborhood.

The proposed subdivision will provide a 60-foot wide public turnaround (access way) with 25 feet of depth onto the improved to local street to the north. All 4 lots will have access onto Florgon Street to the north. See attached site plans.

Access to and from the subject property was discussed with staff at the pre-application conference. The applicant's lot and street layout reflects staff's recommendations and requirements.

Access to, within, and from the development must be consistent with applicable requirements of the Transportation Planning Rule Requirements (TPR) that requires that development provide connectivity between land uses and transportation. Under the Rule, developments are responsible for providing for the safe and efficient circulation of vehicles, bicycles, and pedestrians into, though, and out of a development. The proposal develops the subject property within an established residential area where local and arterial streets and mass transit facilities exist. These facilities connect the transportation system to the surrounding residential neighborhoods.

The Public Works Department will address the level of street improvements that are roughly proportional to assure conformance to the development to subdivision code and applicable transportation system plan requirements.
Completion of conditions of approval prior to the signing of the final plat will satisfy this criterion for the subdivision application.

KMC 2.303 Off-Street Parking and Loading:

On-site parking for the single-family dwellings will be constructed at the time of development. A minimum of three-parking spaces will be provided on the site for each lot. A parking plan and house plans will be provided to staff, which will identify how parking will be met. Bike, van and car-pool parking and off-street loading facilities are not required for single family dwellings.

KMC 2.305 Transit Facilities:

The nearest neighborhood activity centers are Clear Lake Elementary School located to the southwest of the site and Bair Park located to the southwest of the site. Mass Transit Route 9 (River Road N/Parkmeadow) provides service on River Road N (south and east of the site).

KMC 2.306 Storm Drainage:

The City has adopted storm water management plan standards. The tentative site plan shows existing storm drain facilities within the subject property. Development of single family dwellings on the subject property will connect roof drains to the public storm drain line within the subject property or to the abutting street. Storm drain plans are required to be submitted to and approved by the Public Works Department for final plat approval or for individual building permits on the subject property. The site is relatively level and grading will be done according to acceptable building code and construction standards when development occurs.

KMC 2.307 Utilities and Facilities:

Water and sewer services are available to the subject property. KMC 2.307 does not require the submittal of facility construction plans for tentative subdivision plan review and approval. Final approval requires facilities be made available to
serve the site. The location and size of the facilities are illustrated on the tentative plan. There is no evidence that these facilities are not available. Cost for the installation and extension of these facilities is the responsibility of the developer.

Further compliance review with applicable code standards will occur when plans for public facilities and a final plat are submitted for review and approval.

KMC 2.310.03 (A) Minimum Lot Area:

A minimum lot size of 5,000 square feet is required for detached single family dwelling units. The proposal complies with this criterion (Keizer Municipal Code (KMC) Chapter 2.102.05).

The applicant is proposing to subdivide Parcel 2 of Partition Case No. 2017-14 into 4 lots. The subject property is zoned Urban Transition and located at 7720 O’Neil Road (063W23DD/Tax Lot 201). The subject property is 0.51 acres in size.

Lot 1: 5,004sq.ft
Lot 2: 5,128sq.ft
Lot 3: 5,000sq.ft
Lot 4: 5,129sq.ft

KMC 2.310.03 (C) Lot Width and Depth:

The proposed lots meet the minimum lot width and depth requirements. All lots have at least a 25-foot wide lot width. All dimensions are shown on the tentative plan.

KMC 2.310.03 (D) Access:

The subject property is located on the south side of Florgon Street. Florgon Street is an improved local road. Access onto Florgon Street will be via a public turnaround which will be right-of-way. The public right-of-way will be provided to the public street to the north, and will provide emergency vehicle turnaround access as well. The proposed meets Fire Code for emergency vehicles.
The subject property will have access onto the already existing street system within the neighborhood, as shown on the site plan.

KMC 2.310.03 (F) Through-Lots:

There are no through lots proposed within this subdivision.

KMC 2.310.03 (G) Lot Lines:

Lot lines for proposed lots are perpendicular to Florgon Street to the north and the proposed access easement as shown on the site plan.

KMC 2.310.03 (H) Utility Easements:

Public and any private utility easements will be shown on the final plat as required per Public Works Department standards for final plat approval. The tentative plan shows the location of water, sewer and storm drain lines. Easements for the public facilities will be noted on the final plat.

KMC 2.310.04 (A) Block Standards:

The block lengths within the proposed subdivision do not exceed 600 feet in length as shown on the site plan. The length, width, and shape of block take into consideration access, safety, traffic circulation, and the surrounding properties.

KMC 2.310.04 (B) Traffic Circulation and (C) Connectivity:

The major street network in the area has been established and is consistent with the Transportation System Plan which implements the Comprehensive Plan. Public Works Department will address any applicable requirements for right-of-way conveyance that might be required because of this subdivision.

Florgon Street to the north is a ‘local’ street that provides connection to the existing street system that serves the area. The proposed subdivision will also
have access to the public street system.

The subdivision is served with adequate transportation infrastructure and the street system adjacent the property conforms to the Transportation System Plan and provides for safe, orderly, and efficient circulation of traffic into and out of the subject property once the public turnaround is hard-surfaced and physically connected to the public street system. See attached site plan.

The subject property will have access onto the already existing street system within the neighborhood to the north, west, and south, as shown on the site plan. Connectivity has been provided via the internal street. Therefore, this criteria has been met.

KMC 2.310.06 Improvement Requirements-Subdivisions:

The proposed public turnaround will be right-of-way and therefore, will be improved to City standards as shown on the site plans. The proposed right-of-way will be 60 feet in width and 25 feet in depth.

All required public facilities such as sewer and water are available and will be extended to the site. The facility improvements will conform to the requirements and specifications of the Keizer Department of Public Works.

KMC 2.310.07 Improvement Procedures:

Improvement plans will be prepared, submitted to and approved by the City. All utilities will be underground as required by the City for public facilities and private facilities.

Natural Features:

There are 9 trees located on the subject property. At this time, 8 trees are proposed for removal. All trees proposed for removal are located within the proposed access way, proposed building envelopes, and areas that will need to be graded.
The subject property does not contain any identified wetland areas or water bodies. As indicated by staff at the pre-app, the property is not within an identified flood plain.

**INFILL DEVELOPMENT:**

KMC 2.316.03 Infill Development Parcel Criteria States:

> “An infill development parcel is any residential parcel not more than two (2) acres in size that is a lot of record, and which meets any two of the following criteria:

- A. A parcel with less than 250 feet of frontage along a public street;
- B. A parcel with an existing structure;
- C. A parcel that is irregular in shape, such that it cannot be partitioned or subdivided to meet the maximum density of the underlying zone without a variance;
- D. A parcel that is bounded on two or more sides by existing development or natural constraints (i.e. waterways, steep slopes, resource protections areas).”

Applicants’ Reasons Addressing Infill Criteria and Development Standards:

A. The subject property is 0.51 acres in size and has 44 feet of street frontage along Florgon Street to the north.

B. There is an existing shed located on the subject property that will be removed from the site.

C. The subject property is not irregular in shape. The subject property is rectangular in shape and can easily be subdivision and meet code.

D. The subject property abuts existing development on the north, east, and south sides.
KMC 2.316 Development Standards:

KMC 2.316.06 (Infill Street and Access Easement Standards: The subject property is considered Infill Development. The subject property has 44 feet of street frontage along Florgon Street to the north.

KMC 2.316.07 Infill Turnarounds: The proposed public turnaround will be improved to City standards as shown on the site plans. The proposed public turnaround will be right-of-way and will be 60 feet in width and 25 feet in depth. The turnaround meets Fire Code.

KMC 2.316.12 Storm Water Drainage: Strom water drainage will be designed to Public Works standards and reviewed prior to final plat approval.

This concludes the applicants’ summary addressing the requirements of the code for subdivision approval on the subject property as described above. All applicable sections of the code have been addressed to the extent that the subdivision is warranted and should be granted tentative approval.
PUBLIC WORKS DEPARTMENT REQUIREMENTS:

The application is for 4 lots on 0.51 acres.

SANITARY SEWERS:

The subject property is located outside the original Keizer Sewer District. Therefore, a sanitary sewer trunk line acreage fee will be required unless the owner can provide evidence that the property has previously been assessed for sewer service to the property by the Keizer Sanitary Sewer District. The current rate is $7,460.00 per acre.

a.) City of Salem approval for local sewer permits will need to be issued prior to construction. Prior to submitting plans to the City of Salem for approval, the Applicant’s engineer shall submit plans to the City of Keizer Public Works Department for review and determination of compliance with the City’s Master Sewer Plan for the area.

b.) Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property. Appropriate easements for any public sewer mains located within the subject property, if located outside platted right of ways, will need to be recorded in a form which meets the City of Salem Design Standards and shown on the subdivision plat. Any sanitary sewer easements shall be in favor of the City of Keizer.

c.) It will be the responsibility of the Applicant’s engineer to locate any existing wells (including on adjacent property) in the vicinity of the proposed new sanitary sewer lines for the subject property. The Applicant, prior to platting of the proposed subdivision, shall eliminate any conflicts between existing wells and proposed sanitary sewers.

WATER SYSTEM:

a.) A master water system plan showing proposed routes of public water mains, fire hydrants and individual services shall be prepared prior to submission of construction plans for the development. Appropriate easements to the City of Keizer will be required for all public water mains, fire hydrants and private services will be required if construction is to be outside of public right of ways. Any system development charges for water system improvements will be those in place at the time of individual service connections.

b.) Final development plans shall be reviewed by the Marion County Fire District with regard to access and adequate location of fire hydrants prior to any issuance of Public Construction permits by the City of Keizer. All required fire hydrants shall be served by an 8 inch water main.
c.) 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.

d.) Location of all meters to be approved by the Public Works Department.

**STREET AND DRAINAGE IMPROVEMENTS:**

a.) The Applicant's engineer shall submit an overall storm drainage plan that will provide service to this development consistent with the City's Master Storm Drain Plan for this area of Keizer.

b.) Storm water quality and detention improvements will be required in conformance with the City of Keizer Public Works Department Design Standards. The developer's engineer shall conduct on-site percolation tests, (the location and frequency of tests are to be coordinated with the City of Keizer Public Works Department) to determine the suitability of the soils for the proposed disposal system. The percolation test and soil analysis shall be performed by a qualified geotechnical engineer. Storm Water calculations shall be submitted in conjunction with the project design drawings and shall indicate how the development complies with the City of Keizer Public Works Design Standards for the basin. All storm water runoff from the property shall be kept on site. No public storm drain system exists for the development to connect to. The owner will be required to provide evidence that any private storm drain systems meeting the definition of UIC have been reviewed and permitted by the Oregon Department of Environmental Quality.

c.) A grading and drainage plan shall be developed for the subject property. Details shall include adequate conveyance of storm water 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 Public Construction permits for street or storm drainage for the subject property. Grading and drainage plans shall be in conformance with the City of Keizer Public Works Design Standards. Additional information regarding street grades, site grading, inverts, etc., will be required for review prior to any plan approval.

d.) The proposed four lot development shows all proposed lots to have access to the alternate turn around. City standards dictate minimum and maximum allowed driveway widths as well as drop curb dimensions. The total frontage shown on the proposed lot layout and turn around configuration does not appear to provide enough lot frontage to meet standard City of Keizer drop curb requirements. The applicant will be required to show how the driveway drops for the proposed lots can meet Public Works Design and Construction Standards and provide full curb height at each property line.
OTHER

a.) Construction permits are required by the Public Works Department prior to any public facility construction.

b.) A Pre-design meeting with the City of Keizer Public Works Department will be required prior to the Developer's Engineer submitting plans to either the City of Keizer or the City of Salem for review.

c.) Street opening permits are required for any work within the City Right of Way that is not covered by a Construction Permit.

d.) A Pre-construction conference shall be required prior to commencement of any construction under permits issued by the City.

e.) An improvement agreement shall be executed between the developer and the City of Keizer prior to recording of the subdivision plat.

f.) A master utility plan including all proposed power, telephone, gas and cable TV. lines shall be submitted to the Public Works Department for review prior to the Department issuing construction permits for the proposed project.

g.) Erosion control permits shall be obtained from the City of Keizer prior to the disturbance of any soil on the subject property. Additionally, if required by the Oregon Department of Environmental Quality, a 1200-C permit will be required from the Oregon Department of Environmental Quality and furnished to the City of Keizer by the developer prior to issuance of an erosion control permit.

h.) Developer shall coordinate the location of mailboxes with the U.S. Postal Service.
Comments on Planning Action: **Keizer Subdivision 2018-07**

Date 2/20/2018  
Person Commenting __ Phil Jones ______________

**Subdivision:**

__X__ 1. Subdivision name must be approved per ORS 92.090.

__X__ 2. Must be surveyed and platted per ORS 92.050.

__X__ 3. Subdivision plat must be submitted for review.

__X__ 4. Checking fee and recording fees required.

__X__ 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.

__X__ 6. A current or updated title report must be submitted at the time of review. 
Title reports shall be no less 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. No survey required on parcels created over ten acres.

___ 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 current or updated title report must be submitted at the time of review. 
Title reports shall be no less 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. The resultant property is greater than ten 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 prior to submitting the property line adjustment survey. Deed recording reference numbers shall be noted on the survey map. 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)]

Marion County Planning requires perimeter descriptions of the resultant properties.

___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. A property line adjustment deed shall be recorded with the Marion County Clerk’s Office, prior to the recording of the re-plat. Deed recording reference numbers shall be noted on the plat. As 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.

The resultant property deeds 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. Must comply with all provisions per ORS 92.185 (6)

___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:

G:\SURVEY\Checking\Planning Action Comments\Plan_Action.docx
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: THIS IS STILL THE SAME PROBLEM AS EARLIER DEVELOPMENT IN THE AREA. THE STREETS ARE TOO NARROW FOR PARKING. TO MUCH EXTRA TRAFFIC ON ONE LANE. LASTLY, MFR. HOMES HAVE REDUCED RESALE VALUE SO THEY TYPICALLY FALL INTO RENTAL PROPERTIES THAT DEVALUES THE AREA. 1) NO ON EXTRA CARS 2) TO NARROW OF STREETS FOR PARKING 3) NO TO DEVALUE OF AREA

Response Date: 02/23/2018  Person commenting: Chuck Ludwig
Phone No. (not required) Address 7745 Oneil

Comments submitted regarding this Subdivision, PUD, or Manufactured Home Park must address the following criteria as state in Section 3.108.06:

Approval of a subdivision, PUD, or manufactured home park 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 Community Development Department or on the City of Keizer's website.