



City of Keizer

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930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, OR 97307-1000

DATE: June 23, 2025
TO: Applicant/Property Owner
SUBJECT: Partition Case 2025-07

You recently applied to make a change in the land use status of your property. State law requires the City of Keizer to provide a written determination of the City's decision.

The attached Notice of Decision explains the request, the review undertaken by the City Planning Department, and the decision made on the request. While the City must meet certain legal requirements in the notification, every attempt has been made to ensure that the information is easy to read and understand.

The Notice of Decision is divided into the following sections:

- I. **REQUEST:** This is a brief introduction of your request and the application process.
- II. **BACKGROUND:** Facts relevant to the case, such as the location and zoning of the property and adjacent land uses are in this section.
- III. **COMMENTS:** Agency and neighboring property owners are requested to submit comments and are listed in this section.
- IV. **FINDINGS AND CONCLUSIONS:** All land use applications are judged on whether they meet specific criteria of the Keizer Zoning Ordinance. This section identifies those criteria and discusses how the application does, or does not, meet them.
- V. **DECISION/APPEAL:** After reviewing the criteria and whether the request complies with the criteria, the final decision is presented in this section. If you disagree with the final decision, or any part of the decision, you have the right to appeal, or, request that the City staff reconsider your request.
- VI. **CONDITIONS AND REQUIREMENTS:** Approvals usually require the fulfillment of additional requirements called "conditions". Some are specific to the request, such as providing fencing, and some are purely technical, such as requiring the applicant to obtain a building permit. This section lists those conditions.

We hope this brief introduction was helpful in understanding the Staff Decision. If you have ANY questions, concerns or comments regarding the decision, your rights, or the format of the report, please call the Keizer Planning Department at (503) 856-3441.



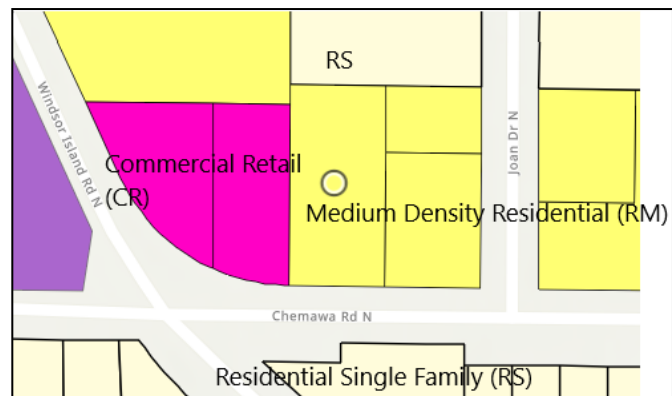
**KEIZER PLANNING DEPARTMENT
NOTICE OF DECISION
Partition Case 2025-07**

I. REQUEST

This report reviews a land use application proposing to divide an existing parcel of approximately 20,800 square feet into three separate parcels. Parcel 1 will have a net area of approximately 5,974 square feet, Parcel 2 approximately 4,634 square feet, and Parcel 3 approximately 6,356 square feet. Access to the development will be provided via a private access easement. The property is zoned Medium Density Residential (RM) and is designated as Medium High Density Residential (MHDR) on the Comprehensive Plan Map (Exhibit 1).

II. BACKGROUND

- A. APPLICANT/PROPERTY OWNER:** North Falls Landholding LLC
- B. AGENT:** Gerald Horner – Willamette Engineering
- C. PROPERTY LOCATION:** The subject property is located at 931 Chemawa Rd N. The Marion County Tax Assessor's office identifies the property as Township 7 South, Range 3 West, Section 03AB, Tax Lot 05300. (Exhibit 2)
- D. PARCEL SIZE:** The subject property contains approximately 20,800 square feet in area.
- E. EXISTING DEVELOPMENT AND PUBLIC FACILITIES:** The subject property is developed with a single family dwelling.
- F. ZONING:** The subject property is zoned RM (Medium Density Residential) and designated Medium High Density Residential (MHDR) in the Comprehensive Plan.
- G. ADJACENT ZONING AND LAND USES:** The property to the north is zoned Single Family Residential (RS) and contains a single-family home. To the west, the property is zoned Commercial Retail (CR) and is developed with a storage building. The property to the east is zoned Residential Medium Density (RM) and is also developed with a single-family dwelling.



II. COMMENTS

- A. The Keizer Public Works Department submitted comments (Exhibit 3) regarding requirements for public facilities and improvements necessary to serve the subject property.
- B. The Marion County Surveyor's office submitted comments (Exhibit 4) regarding the process for platting the partition.
- C. The City of Salem Public Works Department submitted comments (Exhibit 5) stating the process for sewer connection permits.
- D. A letter requesting comments was sent to the surrounding property owners within 250 feet of the subject property.

One response was received from Darrell and Debra Collingham residing at 921 Chemawa Rd N opposing the development (Exhibit 6)

STAFF RESPONSE: This report provides findings and conclusions that systematically address the applicable review criteria set forth in the Keizer Development Code (KDC). Conditions of approval have been included to ensure the proposal complies with all relevant provisions of the KDC.

Several concerns raised by Mr. and Mrs. Collingham are addressed through the findings and conditions outlined in this report. However, many of the issues raised fall outside the scope of the applicable review criteria and, as such, cannot be considered as part of this decision.

While subdivision applications require a public hearing and are decided by a Hearings Officer, partition applications are reviewed at the staff level. A public hearing for a partition is only held if an appeal of the staff decision is submitted.

Staff recognizes the concerns expressed regarding the proposed partition; however, the applicant has submitted a preliminary plan that exceeds the minimum development standards of the RM (Medium Density Residential) zone.

Number of Units / Housing Types: In June 2022, the City amended the KDC —per House Bill 2001—to allow “middle housing” in the RM zone. The revised code now permits duplexes, triplexes, quadplexes, and cottage clusters, based on minimum lot size. Importantly, there's no specific density limit in the RM zone for these housing types, provided the lot size criteria are met.

Fencing:

While the City cannot require fencing along the easterly property line of the subject site, it is important to note that the existing fence is located entirely on the Collingham property and is owned by them. As part of the final plat process, a property survey will be required to confirm all property boundaries.

IV. FINDINGS AND CONCLUSIONS

The following are findings that address the Partition request to divide the property into three parcels in accordance with the Keizer Code Appendix A – Keizer Development Code (KDC). The approval, or denial, of a partition application is based on compliance with the decision criteria found in Section 3.107 of the KCD. The criteria and staff's findings for the applicable sections of the Keizer Code Appendix A are listed below:

A. **SECTION 3.107.07.A - EACH PARCEL SHALL MEET THE ACCESS REQUIREMENTS OF SECTION 2.310.03.D.**

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

FINDINGS: The purpose of this requirement is to ensure that each lot has adequate frontage along a street to provide access that meets city standards and allows for proper development in compliance with building setback regulations. In the RM zone, the minimum required frontage on a public street is 40 feet for single-family detached dwellings, duplexes, triplexes, quadplexes, or cottage clusters. Parcel 1 will have approximately 100 feet of frontage along Chemawa Road N. Parcels 2 and 3 will gain access via a private access easement. Since access easements are exempt from the public street frontage requirement, the access easement will be addressed later in the report. Staff finds that the proposal meets this criterion.

B. **SECTION 3.107.07.B - EACH PARCEL SHALL SATISFY THE DIMENSIONAL STANDARDS OF THE APPLICABLE ZONING DISTRICT, UNLESS A VARIANCE FROM THESE STANDARDS IS REQUESTED AND APPROVED.**

FINDINGS: The RM zone requires that lots intended for single-family detached homes, duplexes, triplexes, quadplexes, or cottage clusters have a minimum width of 40 feet and a minimum depth of 70 feet. According to the applicant's site plan and written narrative, all proposed parcels will be rectangular in shape and exceed the minimum width and depth standards of the RM zone. Parcel 1 is proposed to be approximately 100 feet wide and 78.59 feet deep; Parcel 2 approximately 66.32 feet wide and 100 feet deep; and Parcel 3 approximately 64.12 feet wide and 99 feet deep.

As a condition of partition approval, each lot must comply with the minimum width and depth requirements of the RM zone, and all dimensions must be clearly shown on both the preliminary and final plat. With these conditions in place, staff finds that the proposal can meet this criterion.

C. **SECTION 3.107.07.C - EACH PARCEL SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 2.310.**

1. ***Section 2.310.03.A. Minimum lot area shall conform to the requirements of the zoning district in which the parcel is located.***

FINDINGS: The RM zone requires a minimum lot size of 4,000 square feet for development. Proposed parcels cannot be smaller than this minimum unless a variance is approved. Parcel 1 has a net area of approximately 5,974 square feet, Parcel 2 approximately 4,634 square feet, and Parcel 3 approximately 6,356 square feet. All proposed parcels exceed the minimum lot size requirement. Staff finds that this request meets the criterion.

2. ***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 of this provision is to avoid creating parcels that are excessively deep and narrow, which can be challenging to serve and develop, and to encourage orderly and efficient land use and development patterns. The submitted site plan demonstrates that the proposed parcels meet this standard. All lots are rectangular in shape, and none exceed a length that is three times their width, thereby satisfying the minimum lot width-to-depth ratio requirements outlined in the KDC. Staff finds that this proposal complies with the criterion.

3. ***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 maybe accessed.***

FINDINGS: The applicant's site plan indicates all parcels will be accessed via an access easement and will not be developed as a flag lot, therefore this criterion does not apply.

4. ***Section 2.310.03.G. The side lines of lots, as far as practicable, shall run at right angles to the right-of-way line of the adjacent street. The rear lot line shall be no less than ½ the dimension of the front lot line.***

FINDINGS: The purpose of this provision is to ensure that property divisions result in uniformly shaped lots, avoiding irregular or difficult-to-develop configurations. The subject property is currently rectangular in shape, and the proposed division will create three rectangular lots. The lot lines are proposed to run at right angles, with uniform rear lot lines, and each side lot line is at least half the length of the corresponding front lot line. This configuration supports development consistent with the standards of the KDC. Therefore, staff finds that this request meets this criterion.

5. ***Section 2.310.03.H. Utility easements shall be provided on lot area where necessary to accommodate public facilities. Such easements shall have a minimum total width as specified in Section 2.302.04 of the KDC.***

FINDINGS: The Public Works Department submitted comments pertaining to utility easements and facilities which have been included as conditions for the partition approval. This is a development requirement and shall be placed as a condition of approval of this partition application. Therefore, this request can comply with this criterion.

6. ***Section 2.310.05.A. Private Access. Private driveways serving flag lots, or private streets and access easements, shall be surfaced per the requirements of this Code.***

FINDINGS: The applicant's site plan shows that all parcels will be accessed via an access easement and are not configured as flag lots; therefore, this criterion does not apply. Surfacing requirements for the easement will be addressed later in this report.

7. ***Section 2.310.05.C. Street Frontage Improvements.***

FINDINGS: The City has a legitimate governmental interest in ensuring that new development does not result in inadequate, unsafe, or inefficient public transportation facilities or contribute to hazardous traffic conditions. This is accomplished by requiring appropriate street improvements at the time of development. Chemawa Road N is classified as a minor arterial in the City's Transportation System Plan and is already fully improved; therefore, no additional street frontage improvements are needed or required. Based on this, staff finds that the request may comply with this criterion.

- D. **SECTION 3.107.07.D - IMPROVEMENTS OR DEDICATIONS THAT ARE REQUIRED AS A CONDITION OF DEVELOPMENT APPROVAL, IF NOT VOLUNTARILY ACCEPTED BY THE APPLICANT, SHALL BE ROUGHLY PROPORTIONAL TO THE IMPACT OF THE DEVELOPMENT.**

FINDINGS: As no right-of-way improvements or dedications are required as part of this application, staff finds that this criterion is satisfied.

- E. **SECTION 3.107.07.E - EACH PARCEL SHALL COMPLY WITH THE APPLICABLE REQUIREMENTS WITHIN SECTIONS 2.301 (General Provisions); 2.302 (Street Standards); 2.303 (Off-Street Parking and Loading); 2.305 (Transit Facilities); 2.306 (Storm Drainage); 2.307 (Utility Lines and Facilities); and 2.309 (Site and Landscaping Design).**

1. ***Section 2.301 General Provisions.***

FINDINGS: The purpose of this provision is to ensure that new development is adequately served by public facilities and to prevent situations where such facilities are insufficient to meet demand. The KDC requires the provision of appropriate public infrastructure, and the Public Works Department has submitted comments (Exhibit 3) outlining the specific requirements for serving the proposed development of the three parcels. Compliance with these requirements will be ensured during the building permit review and approval process and will be included as a condition of partition approval. Therefore, staff finds that this proposal meets this criterion.

2. ***Section 2.302 Street Standards.***

FINDINGS: Street standards are intended to ensure safe, efficient, and convenient vehicular movement; provide adequate access to all proposed developments; and allow sufficient space within public rights-of-way for

sidewalks, sanitary and storm sewers, water lines, natural gas, power lines, and other utilities typically located in such areas.

The applicant proposes to serve all parcels via a newly created access easement within the existing driveway approach, extending from Chemawa Road N. While no public street improvements are proposed or required with this application, the applicant will be required to dedicate a 10-foot public utility easement along the Chemawa Road N frontage. Additionally, the shared driveway and access easement must be constructed to align entirely within the existing driveway approach onto Chemawa Road N.

With these requirements included as conditions of approval, staff finds that the proposal may comply with this criterion. Standards related to the access easement will be addressed in a subsequent section of this report. Staff concludes that this request can satisfy the applicable standard.

3. *Section 2.302.03.0 Trees Along Public Streets.*

FINDINGS: Streetscape trees are required for all lots with frontage on public streets. Parcel 1, as proposed in this partition, fronts Chemawa Road N and contains existing trees that satisfy this requirement. Staff finds that the proposal satisfies this criterion.

4. *Section 2.302.08. Private Access Easements. A. Width; B. Maintenance; C. Turn-around; D. Parking; E. Trees Along Access Easements; F. Screening:*

FINDINGS: The intent of this provision is to ensure that private access easements are constructed to City standards, preventing the creation of substandard routes that may be inadequate for vehicles or emergency access. For developments involving single-family homes or duplexes, access easements must not exceed 300 feet in length, must be at least 20 feet wide, and must include a turnaround when serving two or more parcels. Easements serving a triplex, quadplex, cottage cluster, or multi-family development must be at least 22 feet wide and are subject to review and approval by both the Fire District and the City. All easements must meet the requirements of the Fire Code, Section 2.303 of the KDC, and applicable City vehicle access and Public Works Street Standards. The proposal includes a 20'-wide access easement located adjacent to Parcel 2 and Parcel 3, which limits development on these parcels to single-family or duplex units only.

Width: The applicant's statement notes that the existing single-family home will remain on Parcel 1, while duplexes are proposed for Parcel 2 and Parcel 3. The submitted site plan shows an access easement less than 300 feet in length, with a width of 23.27 feet adjacent to Parcel 1 that narrows to 20 feet alongside Parcels 2 and 3 allowing for single family or duplex development on Parcel 2 and Parcel 3. The RM zone also requires a minimum 5-foot setback from the edge of an access easement to any structure. Based on this information, the proposal can comply with the applicable standards for single-family and duplex development.

As a condition of partition approval, the access easement's location and dimensions must be clearly shown on the partition plat to ensure all applicable standards are met. The access easement must be fully improved prior to final plat approval. Alternatively, the applicant may provide a performance bond, improvement agreement, or other form of security acceptable to the City, in accordance with Sections 3.202.02.E.3 and 3.202.05.B of the KDC.

Maintenance: Provisions for maintaining the access easement, including any fencing or hedges along it, as well as requirements for address display signage and "No Parking" signs, must be established through a maintenance agreement, homeowners association, or another instrument acceptable to the City. This agreement must be recorded with the Marion County Clerk and include a clause stating that it cannot be terminated without written approval from the City of Keizer. The agreement must be reviewed and approved by the Keizer Planning Department prior to recording.

The applicant is required to record the Maintenance Agreement immediately following the recording of the final plat and must provide a copy to the City. Proof of recording must be submitted to the City before any building permits are issued for the new dwellings. This requirement will be a condition of partition approval.

Turn-around: The KDC requires a turn-around for access easements that serve two or more dwelling units. As the access easement in the proposed development will serve more than two parcels, a turn-around is required. The applicant has submitted a site plan (Exhibit 1) that includes a turn-around design acceptable to the City. The final plat must depict the turn-around, which will be subject to final review by the City Engineer to ensure all applicable requirements are satisfied.

Parking: No parking is allowed within the required access easement width or turn-around areas allowing emergency vehicles to be able to access the new parcels. Installation of "No Parking" signage is required to be installed when the access easement is constructed.

Trees Along Access Easements: In certain situations, streetscape trees are required along access easements. When applicable, tree plantings must comply with the standards outlined in Section 2.309 of the KDC. For lots with less than 60 feet of frontage along the access easement, one streetscape tree is required; for lots with 60 feet or more, two trees must be planted. Streetscape trees must be selected from the City's approved list and planted within 10 feet of the access improvements, within the boundaries of each lot. Since each parcel in this proposal has more than 60 feet of frontage along the access easement, two streetscape trees will be required per lot. Planting these trees is a condition of plat approval.

Screening: Unless a written waiver is provided by the adjacent property owners, a 6-foot-tall sight-obscuring fence, wall, or hedge is required along

the outer edge of the access easement to screen it from adjoining properties. This requirement will be included as a condition of partition plat approval.

Based on the submitted site plan, the proposed private access easement appears capable of complying with Section 2.302.08. With the previously noted condition regarding the turn-around, staff finds that this request meets the applicable criterion.

5. *Section 2.303 Off-Street Parking and Loading:*

FINDINGS: Section 2.303.06 of the KDC establishes parking requirements based on housing type. Detached single-family dwellings require two on-site parking spaces per unit, while duplexes, triplexes, quadplexes, and cottage clusters require one space per dwelling unit. The applicant's written statement and site plan indicate that Parcel 1 will include two parking spaces for the single-family dwelling. Each duplex on Parcel 2 and Parcel 3 is proposed to provide two spaces per unit, exceeding the minimum requirement. All parking spaces must meet the minimum dimension of 9'x18'. Parking compliance will be confirmed at the time of building permit review. With this condition, staff finds the proposal can comply with this criterion.

6. *Section 2.305 Transit Facilities:*

FINDINGS: No transit facilities are proposed with this development, and are not necessary. Therefore, this criterion is not applicable to this proposal.

7. *Section 2.306 Adequate storm drainage shall be available to serve the existing and newly created parcels.*

FINDINGS: The intent of this provision is to ensure effective management of stormwater runoff from new development and redevelopment, in order to minimize erosion and sedimentation, protect water quality from pollutants, and reduce the potential for downstream flooding. The Public Works Department has provided comments (Exhibit 3) outlining the stormwater management requirements for the site. Specifically, the applicant will be required to construct stormwater collection, conveyance, treatment, and retention systems to handle runoff from new impervious surfaces, including all proposed roof drains.

The applicant's engineer must submit a final, comprehensive storm drainage plan and supporting design calculations that meet City standards, subject to review and approval prior to the issuance of construction permits. Additionally, a Private Stormwater Maintenance Agreement must be executed for all private stormwater facilities. An Erosion Control Permit must also be obtained from the City of Keizer before any soil disturbance occurs. A final grading and drainage plan will be required as a condition of approval. This plan must show adequate stormwater conveyance across the site from all contributing areas and include both existing and proposed lot corner elevations.

With these requirements set as conditions of approval, staff finds that the request can meet this criterion.

8. *Section 2.307 – Utility Lines and Facilities: Adequate public facilities shall be available to serve the existing and newly created parcels.*

FINDINGS: The purpose of this provision is to ensure that new development is connected to public utilities, reducing reliance on private systems and minimizing the risk of groundwater contamination. Public water and sewer services are available to support the proposed development. The Public Works Department has provided written requirements as conditions of this partition approval, detailing the necessary public improvements for sanitary sewer, water, streets, and drainage to accommodate the project. With these conditions in place, staff concludes that the proposal meets this criterion.

9. *Section 2.309 Site and landscaping design.*

FINDING: The City acknowledges that circumstances such as disease, safety concerns, or site development needs may necessitate the removal of mature or significant trees. As defined in Section 2.309.04.C of the KDC, significant trees are those exceeding 50 feet in height and/or having a trunk diameter greater than 12 inches at breast height.

The applicant has submitted a tree plan indicating that 13 trees are proposed for removal to accommodate site development. Per KDC requirements, removed trees must be replaced at a 2:1 ratio, resulting in a requirement to plant 26 replacement trees. Replacement trees must meet minimum standards: deciduous trees must be at least 2 inches in caliper, and evergreen trees must be a minimum of 8 feet in height and fully branched.

In lieu of planting all replacement trees on site, the applicant may opt to contribute to the City's tree mitigation fund to support off-site plantings. As a condition of approval, the applicant must submit a final tree removal and replacement plan to the Planning Department for review and approval prior to final plat approval. This plan must indicate the proposed locations for replacement trees or specify the intent to pursue off-site mitigation. The planting of required trees will be a condition of Certificate of Occupancy for any new dwellings.

With these conditions in place, staff finds that the proposal will comply with this criterion.

F. SECTION 3.107.07.F - ADEQUATE PUBLIC FACILITIES SHALL BE AVAILABLE TO SERVE THE EXISTING AND NEWLY CREATED PARCELS:

FINDINGS: The applicant has indicated that public water and sewer are available or can be extended to serve the subject property. As a condition of partition approval, the requirements of the Public Works Department regarding public facilities must be adhered to as outlined in Exhibit 3 of this report. This request satisfies this criterion.

V. DECISION

Notice is hereby given that the Zoning Administrator for the City of Keizer has **APPROVED THE PARTITION WITH CONDITIONS AND REQUIREMENTS** noted below.

Any interested person, including the applicant, who disagrees with this decision, may request an appeal be considered by the Keizer Hearings Officer at a public hearing. The appeal is subject to the appellant paying a \$250.00 fee. This fee may be refunded if the appeal is successful. An appeal request must be submitted in writing on a form provided by the City of Keizer. The appeal request must be received in the Keizer Planning Department, 930 Chemawa Road NE, Keizer by **5:00 p.m. on July 7, 2025.**

Unless appealed, this decision becomes final on July 8, 2025.

Partition approval is only valid if the final plat is recorded prior to July 8, 2027.

VI. CONDITIONS AND REQUIREMENTS

The following conditions 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:

1. The KDC requires the developer to connect to public utility services. The Development Code also requires all utility services to be placed below ground. These requirements apply to this request. Further, the developer is responsible for all utility connection costs. The City's System Development Charges for park development, water system improvements and transportation improvements shall be the fee in place at the time of building permit application. These Development charges, as well as those involving the extension of sewer, water, and storm drainage, will apply to this request.

Prior to Preliminary Plat Approval:

2. A detailed preliminary plat shall be submitted to the Marion County Surveyor's Office for review. The Marion County Surveyor's Office will then submit the preliminary plat to Keizer for review. The Preliminary Plat must be submitted for review prior to submittal of a final plat.
 - a. Parcels ten acres and less must be surveyed.
 - b. Per ORS 92.050, plat must be submitted for review.
 - c. Checking fee, second Mylar fee, and recording fee is required.
 - d. 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:

- e. The preliminary plat shall substantially conform to the proposed partition request.
- f. Lots shall comply with all area and dimension requirements for lots within the Medium Density Residential (RM) zone.
- g. Include all engineering elements as required by the Department of Public Works requirements.
- h. Include a signature line for the City Engineer.

Prior to Final Plat approval (Mylar):

- 3. The applicant shall submit a final partitioning plat prepared by a registered professional surveyor which conforms to the approved preliminary plat. Following plat approval, the final plat and title transfer instruments accomplishing the property adjustments shall be recorded with the Marion County Clerk by July 8, 2027. The plat shall include all engineering elements as required by the Department of Public Works.
- 4. The access easement, address display signage and “no parking” signs must be built or installed prior to approval of the final plat. In lieu of this, the applicant may obtain a performance bond, improvement agreement or other instrument acceptable to the City as outlined in Section 3.202.02.E.3 and 3.202.05.B of the KDC. Contact the Planning Department for Improvement Agreements.
- 5. Provisions for the maintenance of the access easement, turn-around , fencing/hedge along the access easement, address display signage and “no parking” signs shall be provided in the form of a maintenance agreement, homeowners association, or other instrument and provided to the City of Keizer Planning Department for review and approval.
- 6. Unless waived in writing by the adjacent property owners, a 6’ sight-obscuring fence, wall, or hedge is required along the east side of the access easement to provide screening to the adjacent properties. If waived, documentation must be submitted to the City of Keizer Planning Department.
- 7. A Tree Replacement plan shall be provided to the Planning Department indicating the placement of the 26 required replacement trees.
- 8. The following applicable requirements/conditions of the Public Works Department must be met as outlined below:

GENERAL:

- a.) The partition plat map and exhibits shall show the location of all existing easements on the properties, as well as provide easements for all existing utilities crossing the proposed Parcels.

- b.) It is recommended that the applicant or applicant's engineer request a pre-design meeting with City staff prior to submitting construction drawings for review, to aid in the plan review and permitting process.
- c.) Street opening permits are required for any work within the City right-of-way or easements that is not covered by a construction permit. (KDC 2.302.06)
- d.) Erosion control permits shall be obtained from the City prior to the disturbance of any soil on the subject property. (KDC 2.306.05)
- e.) A pre-construction conference shall be required prior to commencement of any construction under permits issued by the City.
- f.) The Applicant shall coordinate the location of individual or cluster box unit (CBU) mailboxes with the United States Postal Service.
- g.) New electricity, gas, and communications services to serve the development shall be installed underground and pursuant to the requirements of the company serving the development. (KDC 2.307.02.C)

STREET SYSTEM:

- a.) Applicant shall dedicate a 10-foot public utility easement (PUE) along the Property frontage of Chemawa Road N. (KDC 2.302.04)
- b.) Applicant shall construct the proposed onsite shared driveway and access easement so they align fully within the existing driveway approach onto Chemawa Road N. (KDC 2.302.03.N)

SANITARY SEWER SYSTEM:

- a.) City of Salem approval for local sewer permits will need to be issued prior to construction.
- b.) It will be the responsibility of the Applicant's engineer to locate any existing sewer services that serve the subject property and provide evidence that it is available for reuse. Any septic tank and drainfield located on the Property shall be abandoned according to the requirements of the appropriate agency and evidence of compliance submitted to the City prior to issuance of any building permits on the subject property. (KDC 2.301.03)

WATER SYSTEM:

- a.) Final development plans shall be reviewed by the Keizer Fire District regarding access and adequate location of fire hydrants prior to any issuance of Public Construction permits by the City of Keizer.

- b.) The existing well 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 abandonment of the well has been completed in accordance with such requirements.
- c.) Location of all water services and meters shall be determined by the Public Works Department. (Keizer Design Standards 500.3.0)

STORM DRAINAGE SYSTEM:

- a.) Applicant shall construct stormwater collection, conveyance, treatment, and retention facilities to accommodate new impervious surfaces on the Property, in accordance with Keizer Design Standards Chapter 400. (KDC 2.306.03)
- b.) Stormwater runoff from all proposed building roof drains shall be conveyed to the proposed Stormwater Facilities.
- c.) Public Works has reviewed the preliminary stormwater plans and report provided with this application for reasonable conformance with the Keizer Design Standards. The following items will need to be addressed in the final design in addition to the Chapter 400 requirements:
 - (i) The 100-year overflow connection from the proposed development to the City stormwater system shall be designed in accordance with Chapter 400.
 - (ii) The stormwater plans and report shall address management of the stormwater from the existing house roof drains on Parcel 1.

The Applicant's engineer shall submit a final overall storm drainage plan and design calculations, demonstrating conformance to the Standards, for review and approval prior to issuance of construction permits for the development. (KDC 2.306.03)

- d.) The applicant shall complete and submit to the City an executed Private Stormwater Maintenance Agreement for all private stormwater facilities prior to 1) recording of the plat, 2) putting the stormwater facilities into operation, or 3) the release of any building occupancy certificates, whichever comes first. (KDC 2.306.03.F. Keizer Design Standards 400.2.W.2)
- e.) A grading and drainage plan shall be developed for the subject property in conformance with the Keizer Design Standards. The plan shall include details of adequate stormwater conveyance from all contributing areas across the subject property and shall include existing elevations and proposed lot corner elevations. The plan shall be submitted to and approved by the Public Works Department prior to the issuance of any erosion control or construction permits for the development. (KDC 2.306.03)

Prior To Obtaining Building Permit(s):

9. All required public utility services shall be completed to the satisfaction of the Department of Public Works.
10. The property owner must submit documentation to the City of Keizer Planning Department that the Maintenance Agreement for the access easement has been recorded with Marion County Recorder's Office.

Prior to Obtaining Building Permit Final:

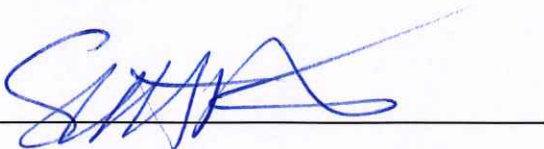
11. The residential address requirements found in the Oregon Uniform Fire Code shall be completed as approved by the Keizer Fire District and City of Keizer Planning Department.
12. Trees must be planted, as shown on the Tree Replacement plan before a Certificate of Occupancy of any new dwelling is approved. Trees must be minimum of 2" caliper for deciduous trees and 8' feet in height and fully branched for evergreen trees when planted.

The proposed Partition complies with Section 3.107 of the Keizer Land Development Code. Based on the above findings, staff concludes the proposal complies with the applicable decision criteria and approves the proposal subject to conditions outlined in Section VI. Conditions and Requirements of this report.

If you have any question about this application or the decision please call (503) 856-3441 or visit the Planning Department at 930 Chemawa Rd NE, Keizer, Oregon.

REPORT PREPARED BY: Dina Horner, Assistant Planner

Approved by:

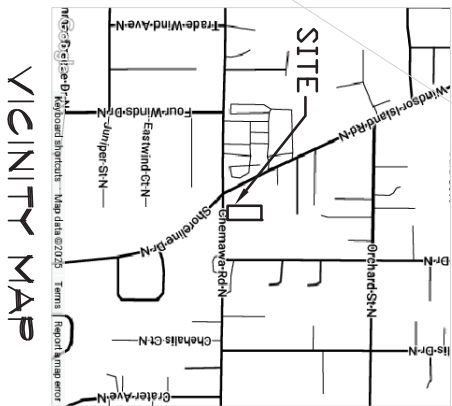
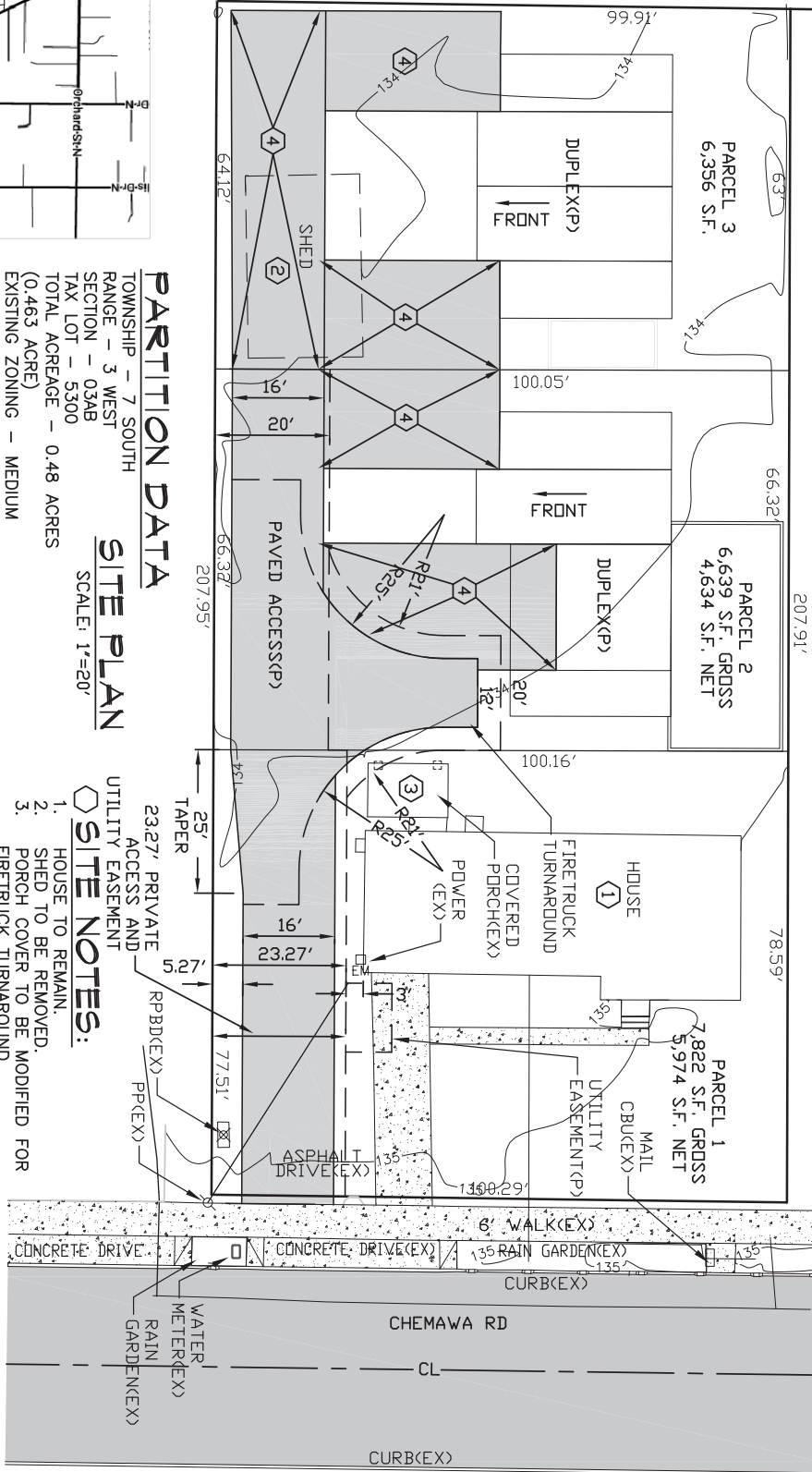


DATE: June 23, 2025

Shane Witham, Planning Director



EXHIBIT 1



PARTITION DATA
TOWNSHIP - 7 SOUTH
RANGE - 3 WEST
SECTION - 03AB
TAX LOT - 5300
TOTAL ACRES - 0.48 ACRES
(0.463 ACRE)
EXISTING ZONING - MEDIUM DENSITY RESIDENTIAL

SITE PLAN
SCALE: 1"=20'

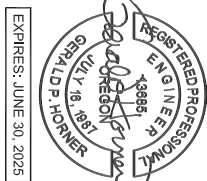
DEVELOPER/OWNER:
NICK PRINCE
NORTH FALLS LANDHOLDING, LLC
182 SILVER FALLS DRIVE SE
SILVERTON, OR 97381

PARCEL DATA:
PARCELS - 3
AVERAGE SQ. FT. - 6,939 SQ. FT.
LOTS/ACRE - 6.25

LEGEND:
EX - EXISTING
G - GAS
PP - POLYMER POLE
(P) - PROPOSED
S - SQUARE
F - FEET
TYP - TYPICAL
RPBD - REVERSE PRESSURE BACKFLOW DEVICE

SITE NOTES:
1. HOUSE TO REMAIN.
2. SHED TO BE REMOVED.
3. PORCH COVER TO BE MODIFIED FOR FIRETRUCK TURNAROUND.
4. PROPOSED PRIVATE PARKING.

FOR APPLICATION NOT FOR CONSTRUCTION



DESIGNED BY: GPH	DATE: 05-20-25	CLIENT NO: 2025-42	DRAWING NO: 0	REV: 0
CHEMAWA 3 PARCEL PARTITION				
931 CHEMAWA ROAD N KEIZER, OR 97303				
TENTATIVE 3 PARCEL SITE PLAN				
ENGINEER: WILLAMETTE ENGINEERING INC. P.O. BOX 9032 SALEM, OREGON 97305 PH: 503-304-0905 JER.WILLENGR@UONO.COM				

PARTITION CASE NO. 2025-07

PROPERTY ADDRESS: 931 CHEMAWA ROAD N

The applicant is requesting to partition an approximately 20,800 square feet into three parcels. Parcel 1 will contain a net square footage of approximately 5,974 square feet, Parcel 2 will contain a net square footage of approximately 4,634 square feet, and Parcel 3 will contain approximately 6,356 square feet. The development will be served by a private access easement. The current lot currently has a single-family home that will remain on Parcel 1. Both Parcel 2 and Parcel 3 are planned for duplexes to be built. The Property is located at 931 Chemawa Road N (073W03AB Tax Lot 05300).

EXISTING CONDITIONS:

- a) The existing property has access and frontage along Chemawa Road N, a minor arterial in the Keizer Transportation System Plan (TSP).
- b) The subject property is located within the original Keizer Sewer District.
- c) An 8-inch concrete City sanitary sewer main is located along the near side of Chemawa Road NE, terminating at a manhole near the southwest corner of the Property. The existing home on the Property is connected to this main.
- d) A 12-inch PVC City collector sanitary sewer main is located along Chemawa Road N, flowing west toward Windsor Island Road N. This main is not available for individual lateral connections.
- e) An 8-inch ductile iron City water main is located along the south side of Chemawa Road N. The existing home on the Property is connected to this main.
- f) Per the applicant's site plan, a groundwater well is located on the Property.
- g) City vegetated storm facilities are located within the near-side planter strip along Chemawa Road N.
- h) Per the Oregon Rapid Wetland Assessment Protocol (ORWAP), the Property does not include any mapped wetlands or hydric soils.
- i) Per Flood Insurance Rate Map Numbers 41047C0331G the Property is located outside of any mapped Special Flood Hazard Areas (SFHA).

PUBLIC WORKS DEPARTMENT REQUIREMENTS. The Public Works Department has reviewed the development application, preliminary construction plans, preliminary stormwater report, and supporting information, and recommends the following conditions of approval and development requirements:

GENERAL:

- a) The partition plat map and exhibits shall show the location of all existing easements on the properties, as well as provide easements for all existing utilities crossing the proposed Parcels.
- b) It is recommended that the applicant or applicant's engineer request a pre-design

meeting with City staff prior to submitting construction drawings for review, to aid in the plan review and permitting process.

- c) Street opening permits are required for any work within the City right-of-way or easements that is not covered by a construction permit. (KDC 2.302.06)
- d) Erosion control permits shall be obtained from the City prior to the disturbance of any soil on the subject property. (KDC 2.306.05)
- e) A pre-construction conference shall be required prior to commencement of any construction under permits issued by the City.
- f) The Applicant shall coordinate the location of individual or cluster box unit (CBU) mailboxes with the United States Postal Service.
- g) New electricity, gas, and communications services to serve the development shall be installed underground and pursuant to the requirements of the company serving the development. (KDC 2.307.02.C)

STREET SYSTEM:

- a) Applicant shall dedicate a 10-foot public utility easement (PUE) along the Property frontage of Chemawa Road N. (KDC 2.302.04)
- b) Applicant shall construct the proposed onsite shared driveway and access easement so they align fully within the existing driveway approach onto Chemawa Road N. (KDC 2.302.03.N)

SANITARY SEWER SYSTEM:

- a) City of Salem approval for local sewer permits will need to be issued prior to construction.
- b) It will be the responsibility of the Applicant's engineer to locate any existing sewer services that serve the subject property and provide evidence that it is available for reuse. Any septic tank and drainfield located on the Property shall be abandoned according to the requirements of the appropriate agency and evidence of compliance submitted to the City prior to issuance of any building permits on the subject property. (KDC 2.301.03)

WATER SYSTEM:

- a) Final development plans shall be reviewed by the Keizer Fire District regarding access and adequate location of fire hydrants prior to any issuance of Public Construction permits by the City of Keizer.
- b) The existing well 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 abandonment of the well has been completed in accordance with such requirements.
- c) Location of all water services and meters shall be determined by the Public Works Department. (Keizer Design Standards 500.3.0)

STORM DRAINAGE SYSTEM:

- a) Applicant shall construct stormwater collection, conveyance, treatment, and retention facilities to accommodate new impervious surfaces on the Property, in accordance with Keizer Design Standards Chapter 400. (KDC 2.306.03)

- b) Stormwater runoff from all proposed building roof drains shall be conveyed to the proposed Stormwater Facilities.
- c) Public Works has reviewed the preliminary stormwater plans and report provided with this application for reasonable conformance with the Keizer Design Standards. The following items will need to be addressed in the final design in addition to the Chapter 400 requirements:
 - (i) The 100-year overflow connection from the proposed development to the City stormwater system shall be designed in accordance with Chapter 400.
 - (ii) The stormwater plans and report shall address management of the stormwater from the existing house roof drains on Parcel 1.

The Applicant's engineer shall submit a final overall storm drainage plan and design calculations, demonstrating conformance to the Standards, for review and approval prior to issuance of construction permits for the development. (KDC 2.306.03)

- d) The applicant shall complete and submit to the City an executed Private Stormwater Maintenance Agreement for all private stormwater facilities prior to 1) recording of the plat, 2) putting the stormwater facilities into operation, or 3) the release of any building occupancy certificates, whichever comes first. (KDC 2.306.03.F. Keizer Design Standards 400.2.W.2)
- e) A grading and drainage plan shall be developed for the subject property in conformance with the Keizer Design Standards. The plan shall include details of adequate stormwater conveyance from all contributing areas across the subject property and shall include existing elevations and proposed lot corner elevations. The plan shall be submitted to and approved by the Public Works Department prior to the issuance of any erosion control or construction permits for the development. (KDC 2.306.03)

Marion County Surveyor's OfficeComments on Planning Action: Keizer Partition 2025-07Date 6/13/2025 Person Commenting Kent InmanSubdivision:

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

Partition:

- ☐ 1. Per ORS 92.055 – Parcels over 10 acres can be unsurveyed.
- ☒ 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 more than 15 days old at the time of approval of the plat by the Surveyor's Office, which may require additional updated reports.

Property Line Adjustment:

- ☐ 1. The adjusted line must be surveyed and monumented per ORS 92.060 (7).
- ☐ 2. Survey checking fee required at the time of review.

(See Page 2 for additional comments)

Property Line Adjustment (continued):

- ____ 4. Property line adjustment deeds shall be recorded with the Marion County Clerk's Office. Per ORS 92.190 (4): The deed shall contain the names of the parties, the description of the adjusted line, references to original recorded documents and signatures of all parties with proper acknowledgment.

- ____ 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 for the area being transferred shall be recorded with the Marion County Clerk's Office. 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 deeds conveying the re-platted parcels shall be recorded after the recording of the re-plat.

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

- ____ 1. 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.

Other comments specific to this Planning Action:



REQUEST FOR COMMENTS

EXHIBIT 5

DATE: May 30, 2025
CASE: Partition 2025-07

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

Comments must be submitted in writing and received in our office by 5:00 pm on June 13, 2025.
If we do not receive a response by the end of the comment period, we will assume you have no concerns.

Send comments or questions to:

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

REQUEST: The applicant is requesting to partition an approximate 20,800 square foot lot into three parcels. Parcel 1 will contain a net square footage of approximate 5,974 square feet, Parcel 2 will contain a net square footage of approximate 4,634 square feet and Parcel 3 will contain approximate 6,356 square feet. The development will be served by a private access easement. The existing lot currently has a single family home that will remain on Parcel 1. Both Parcel 2 and Parcel 3 are planned for duplexes to be built.

LOCATION: 931 Chemawa Rd N (073W03AB05300).
APPLICANT: North Falls Landholding LLC
ZONE: Medium Density Residential (RM)

PLEASE CHECK THE APPROPRIATE ITEMS:

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

Any connections to City of Salem sewer mains, located in Chemawa Road N, will require construction permits in accordance with the City of Salem Revised Code, the City of Salem Public Works Design Standards, and the City of Salem Standard Construction Specifications. Permits will not be issued by the City of Salem for connection to this main until all construction plans have been approved by the Development Services Division Construction drawings can be submitted by email to: DevelopmentServices@cityofsalem.net

Name: Laurel Christian, Infrastructure Planner III,

Agency: City of Salem Community Planning and Development Department, Development Services Division

Phone: 503-584-4632 Email: lchristian@cityofsalem.net

Address: PO Box 14300, Salem, OR 97309

Date: June 2, 2025

EXHIBIT 6

2 Pages

June 5, 2025

City of Keizer - Planning Department

Re: Neighboring Property Owner to 931 Chemawa Rd N

Here is our reply / concerns / requests and comments:

We moved to the City of Keizer over 20 years ago to live on a large private piece of property, on a corner lot with only two (2) Single Family dwellings adjacent.

In the past few years the neighbor on the North sold the property to a family. After living there for a year, they turned it into a rental, an AIR B-N-B which now consists of the constant change of people, dogs and cars along with profanity, alcohol use, and the smell of marijuana and sometimes their friends and family included.

In the last two years our neighbor to the West (931 Chemawa Rd N) died and left the house to family members for one contracted year of living beyond her death and then the extended family sold the property to a large California developer to make money off building multiple housing units on the same property that has always housed one (1) family. A year ago this property was re-sold by that company to another developer for a money making adventure who now has the front house rented to a family and intends to put at least four (4) other families on the lot. That's potentially a total of up to 20 people / neighbors on that same property.

Our reply / concerns / comments:

No! We don't want to live next to 10-20 additional people across the fence from our planned, regularly used, Private, Family Relaxation / Recreation Sanctuary. We intentionally picked this lot for Privacy to enjoy Our Family, Our Retirement and Our Peace from everyday life and events outside these walls.

We have planted arborvitaes, in addition to a fence over these past few years to help block outside vision for privacy and protection of our family, children and now grand-children (7 grand-daughters), our dogs from repeatedly being stressed and upset, and ourselves so we can enjoy the time we have left together in our own backyard.

We would also like to bring to your attention and request that the new developers put in a min 6' privacy fence of their own for the length of the Eastern property line. The existing fence is ours and is inside our property line between 9 and 12 inches. We originally did this as a courtesy to the elderly lady who lived in the house and couldn't afford to chop down her tree that is over the property line in one small area on the back portion of that lot. We expect the developer to adhere to the property lines pin to pin!

The new owners have put up two side fences that butt up to our existing fence on their East property line: North and South that currently use our fence as their own. We have already experienced the new tenant playing soccer and kicking the ball against our fence, which irritates us and aggravates our dogs. It's not their fence. The distraction has been pulling our attention for noise and will eventually weaken our fence. It also startles the dogs so that are constantly running in / out to see who is threatening their

property. And of course the repetitive visit to ask if they can get their ball that was kicked over the fence. That does get old. I bought the child a net backstop and am hoping he will use it and soon.

In our experience, renters have nothing invested in the neighborhood and lack the care and respect as a home owner.

No! No to multiple family dwellings on a piece of land that was intended for a single-dwelling family.

No! to more noise / attention / invasion of Privacy.

Shame on Keizer Politicians money grab for taxes and the greedy developer vultures, they can go to Hell!

This is our concerns / request / reply and comments.

Sincerely,

Darrell and Debra Collingham