



KEIZER PLANNING DEPARTMENT NOTICE OF DECISION Partition Case 2025-16

I. REQUEST

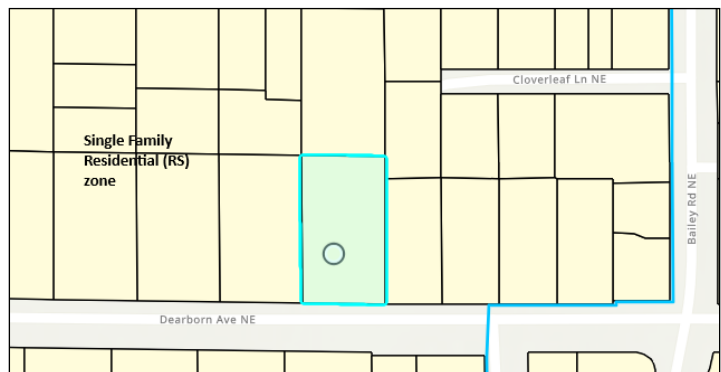
This application requests approval to partition an existing parcel totaling approximately 18,764 square feet into two lots.

- Parcel 1: Approximately 6,967 square feet (net area). Contains an existing house and detached garage, both to remain.
- Parcel 2: Approximately 8,413 square feet (net area).

Both parcels will obtain vehicular access from Dearborn Avenue NE via a private access easement. (Exhibit 1)

II. BACKGROUND

- A. APPLICANT/ AGENT:** LFIT Architecture - Matt Johnson
- B. PROPERTY OWNER:** Bella Pietra Marble & Granite LLC
- C. PROPERTY LOCATION:** The subject property is located at 797 Dearborn Av NE, Keizer Oregon. The Marion County Tax Assessor's office identifies the property as Township 7 South, Range 3 West, Section 02BD, Tax Lot 04800. (Exhibit 2)
- D. PARCEL SIZE:** The subject property contains approximately 18,764 square feet in area.
- E. EXISTING DEVELOPMENT AND PUBLIC FACILITIES:** The subject property is developed with a single family dwelling served by both public water and public sewer.
- F. ZONING:** The subject property is zoned RS (Single Family Residential) and designated Low Density Residential (LDR) in the Comprehensive Plan.
- G. ADJACENT ZONING AND LAND USES:** The surrounding properties are zoned Single Family Residential (RS) and contain single-family homes.



II. COMMENTS

- A. The Keizer Public Works Department has submitted comments identifying required permits, public utility provisions, and infrastructure improvements necessary for the proposed development. (Exhibit 3)
- B. The Marion County Surveyor's office submitted comments (Exhibit 4) regarding the process for platting the partition.
- C. The Keizer Fire District submitted comments (Exhibit 5) regarding fire code requirements.
- D. The City of Salem Public Works Department submitted comments (Exhibit 6) stating the process for sewer connection permits.
- E. The Salem-Keizer Public Schools submitted comments noting the school capacities, current enrollments and expected impact of development. (Exhibit 7)
- F. The City of Keizer Police Department and the City of Salem Planning Department submitted that they have reviewed the proposal and have no comments.
- G. A letter requesting comments was sent to the surrounding property owners within 250 feet of the subject property.

Seven responses were received. Two property owners indicated they had reviewed the proposal and had no comments.

- 1. Claire Juran residing at 4831 Bailey Road NE submitted an opinion that one single family home is appropriate for the property. (Exhibit 8)
- 2. Brittany January and Cody Hannon residing at 777 Dearborn Av NE submitted comments opposing the development. They expressed concerns that the proposed partition may not comply with several Keizer Development Code standards, potentially creating adverse impacts on surrounding properties. (Exhibit 9)
- 3. Michael and Jessie Ewers residing at 778 James St NE oppose the development citing privacy, traffic, and neighborhood character concerns, and requested a public hearing. (Exhibit 10)
- 4. Dan Sayre residing at 816 Dearborn Av NE submitted a comment in favor of the development not being apartments. (Exhibit 11)
- 5. Lorinda and Mario Cervantes at 774 James St NE submitted comments opposing the development siting alterations to the character of the neighborhood, reduce privacy for adjacent properties and possible reducing property values. (Exhibit 12)

STAFF REPONSE: The comments provided by surrounding property owners have been reviewed and are included in the record (Exhibits 8–12). The City acknowledges the concerns raised regarding privacy, traffic, neighborhood

character, potential code compliance, and impacts to property values. All land use applications are required to demonstrate compliance with the applicable provisions of the Keizer Development Code (KDC), and staff's evaluation, as set forth in this report, is based on those standards and criteria. Issues such as access, dimensional requirements, utilities, and stormwater management have been reviewed against the KDC and addressed through the findings and conditions of approval where applicable.

This application is limited to the creation of lots. While the applicant has indicated an intent to construct a single-family dwelling with an accessory dwelling unit (ADU), future development may also include other housing types allowed in the RS zone under state law, subject to review at the time of building permit. Accessory structures are not part of this approval and will be subject to KDC standards if proposed in the future. Property values are not an approval criterion under the KDC.

While public comments are an important part of the review process, staff's decision must rely on compliance with adopted standards. The request for a public hearing is noted; however, this application is processed as a Type II procedure, which provides written notice and opportunity to comment but does not include a public hearing.

IV. FINDINGS AND CONCLUSIONS

The following are findings that address the Partition request to divide the property into two 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. The following exceptions shall apply: Lots or parcels may be accessed via an access easement developed in accordance with the provisions of Section 2.302.08...

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 RS zone, the minimum required frontage on a public street is 40' for single-family detached dwellings, duplexes, triplexes, quadplexes, or cottage clusters. Parcel 1 will have approximately 103' of frontage along Dearborn Av NE. Both Parcel 1 and Parcel 2 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 subject property is located in the RS zone, which requires new lots to have a minimum average width of 40' and a minimum average depth of 70' to accommodate single-family detached dwellings, duplexes, triplexes, quadplexes, and cottage clusters. Based on the applicant's proposed plan and written statement, both parcels exceed these minimum dimensional standards.

The RS zone also establishes setback requirements. For a one-story dwelling, the minimum rear-yard setback is 14'. The existing one-story home on Parcel 1 must demonstrate compliance with this requirement following the creation of Parcel 2. As a condition of approval, a site plan prepared by a licensed engineer or surveyor shall be submitted to the City of Keizer Planning Department confirming that the existing dwelling on Parcel 1 meets the required rear-yard setback. In addition, each lot must demonstrate compliance with minimum width and depth requirements, with gross and net dimensions shown on both the preliminary and final plat. With these conditions in place, staff finds the proposal meets 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 RS zone requires a minimum lot size of 4,000 square feet. Proposed parcels cannot be smaller than this minimum unless a variance is approved. Parcel 1 has a net area of approximately 6,967 square feet, and Parcel 2 approximately 8,413 square feet. Both parcels exceed the minimum lot size requirement for the RS zone.

Although the applicant has indicated an intent to construct a single-family dwelling with an accessory dwelling unit (ADU) on Parcel 2, this partition application is for lot creation only. The actual type of housing permitted will depend on lot size and access easement width, and will be reviewed at the time of building permit. Applicable minimum lot size standards include:

- Single-family and duplex development = 4,000 square feet
- Triplex = 5,000 square feet
- Quadplex or cottage cluster development = 7,000 square feet

Staff finds the proposal meets this 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 depth of a lot or parcel shall not be more than three times its width. This provision is intended to prevent creation of excessively deep and narrow parcels, which can be difficult to serve and develop, and to promote

orderly and efficient land use. The submitted site plan shows that all proposed parcels are rectangular in shape and none exceed the maximum width-to-depth ratio. Staff finds the proposal complies with this 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 two 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: Utility easements must be provided where necessary to accommodate public facilities, with a minimum total width as specified in Section 2.302.04 of the KDC. The Public Works Department has required the applicant to dedicate a 10' public utility easement along the Dearborn Avenue NE frontage. This requirement will be included as a condition of approval for this partition. Staff finds the proposal 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 both 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. Dearborn Ave NE is classified as a collector 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 two 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 both parcels by establishing a new access easement within the existing driveway approach extending from Dearborn Avenue NE. No public street improvements are proposed with this application; however, the applicant must demonstrate that the existing curb, sidewalks, and driveway approach comply with Collector street standards in the Keizer Design Standards (KDS). If any deficiencies are identified, improvements must be constructed to meet current standards. Modification of the driveway approach shall be approved by the City of Keizer Public Works Department. In addition, a 10' public utility easement along the Dearborn Avenue NE frontage shall be dedicated and shown on the final plat.

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 Dearborn Ave NE 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 purpose of this provision is to ensure private access easements are constructed to City standards, avoiding substandard routes that may be inadequate for vehicles or emergency access. Access easements must not exceed 300' in length and must include a turnaround when serving two or more parcels. For single-family homes or duplexes, access easements must be a minimum of 20' wide. Easements serving a triplex, quadplex, cottage cluster, or multi-family development must be at least 22' wide and are subject to review and approval by both the Fire District and the City. All easements must comply with the Fire Code, Section 2.303 of the KDC, and applicable City vehicle access and Public Works Street Standards.

The applicant proposes a 22' wide access easement. Although the applicant has indicated an intent to construct a single-family dwelling with an accessory dwelling unit (ADU), this application is for lot creation approval only. No development plans are being approved with this partition application. Based on lot size, Parcel 2 may also be eligible for other middle-housing types, such as a duplex, triplex, quadplex, or cottage cluster, subject to review at the time of building permit. Compliance with lot size and access width requirements will be verified at that stage.

Width: The applicant's statement indicates the existing single-family dwelling will remain on Parcel 1, and a single-family dwelling with an ADU is proposed for Parcel 2. The submitted site plan shows an access easement less than 300' in length, with a width of 22'. The RS zone also requires a minimum 5' 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, duplex, triplex, or quadplex development. As a condition of approval, the location and dimensions of the access easement must be clearly shown on the partition plat. The easement must be fully improved prior to final plat approval, or secured through a performance bond, improvement agreement, or other form of security acceptable to the City, consistent with Sections 3.202.02.E.3 and 3.202.05.B of the KDC.

Maintenance: Provisions for maintenance of the access easement, including any fencing or hedges, address display signage, and “No Parking” signage, must be established through a maintenance agreement, homeowners association, or another instrument acceptable to the City. The agreement must be reviewed and approved by the Keizer Planning Department, recorded with the Marion County Clerk, and include a clause that it cannot be terminated without written approval of the City of Keizer. The agreement must be recorded immediately following the final plat, with proof of recording provided to the City prior to issuance of any building permits.

Turnaround: Since the access easement will serve two parcels, a turnaround is required. The applicant has submitted a site plan (Exhibit 1) that includes a turnaround design acceptable to the City. The final plat must depict the turnaround, which will be subject to final review by the City Engineer to ensure compliance with applicable standards.

Parking: Parking is not permitted within the required access easement width or turnaround areas, in order to maintain emergency access. Installation of “No Parking” signage is required when the access easement is constructed.

Trees Along Access Easements: Each lot with 60' or more of frontage along an access easement must provide two streetscape trees, selected from the City's approved list and planted within 10' of the access improvements, within the boundaries of each lot. Since both parcels in this proposal exceed 60' of frontage, two trees per lot will be required. Parcel 1 is required to plant trees before final plat approval and Parcel 2 is required to plant trees as a condition of Certificate of Occupancy for any new dwelling. A tree plan will be required prior to the recording of the final plat.

Screening: Unless a written waiver is provided by adjacent property owners, a 6' tall sight-obscuring fence, wall, or hedge must be installed along the outer edge of the access easement to provide screening. This requirement will be included as a condition of partition plat approval.

Based on the submitted site plan, and subject to the identified conditions regarding access width, turnaround, maintenance, parking, trees, and screening, staff finds the proposal can comply with Section 2.302.08 of the KDC.

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

FINDINGS: Oregon Administrative Rule (OAR) 660-012-0440 eliminates off-street parking requirements; however, the applicant's site plan indicates parking will be provided. When parking spaces are included, they must meet the minimum dimension of 9' x 18' and will be reviewed at the time of building permit approval. Staff notes that no condition of approval can require the provision of parking. With this clarification, 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 Section 2.306 is to ensure effective management of stormwater runoff from new development and redevelopment in order to minimize erosion and sedimentation, protect water quality, and reduce the potential for downstream flooding. The Keizer Public Works Department has reviewed the preliminary stormwater plans and report for this application and provided comments (Exhibit 3) addressing stormwater collection, treatment, and the final approval process. As a condition of approval, the applicant will be required to construct stormwater collection, conveyance, treatment, and retention systems to accommodate runoff from all new impervious surfaces, including roof drains, in accordance with KDS Chapter 400. The applicant's engineer must prepare and submit a final comprehensive storm drainage plan and supporting design calculations demonstrating compliance with City standards, subject to review and approval prior to issuance of building permits. A Private Stormwater Maintenance Agreement must also be executed for all private stormwater facilities, and an Erosion Control Permit must be obtained from the City of Keizer before any soil disturbance occurs. In addition, a final grading and drainage plan will be required showing adequate stormwater conveyance across the site, including both existing and proposed lot corner elevations, subject to City approval. With these requirements imposed as conditions of approval, staff finds that adequate storm drainage can be provided to serve the proposed partition.

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, thereby reducing reliance on private systems and minimizing the risk of groundwater contamination. Public water and sewer services are available to serve the proposed development. The Public Works Department has submitted written requirements as conditions of approval, detailing the necessary improvements for sanitary sewer, water, streets, and drainage to accommodate the project. In addition, all new development requiring electricity, gas, and communications services must install them in accordance with the requirements of the serving district or company, and all such facilities must be placed underground unless otherwise prohibited by the provider. With these conditions in place, staff finds that the proposal complies with this criterion.

9. ***Section 2.309 Site and landscaping design.***

FINDING: The City recognizes that factors such as disease, safety concerns, and site development requirements may necessitate the removal of mature or significant trees. Under Section 2.309.04.C of the KDC, significant trees are defined as those exceeding 50' in height or having a trunk diameter greater than 12" at breast height. The applicant has not submitted a tree removal or replacement plan with the application materials. As a condition of partition approval, a tree plan must be submitted to the Planning Department prior to final plat approval, identifying the location of any trees proposed for removal as well as the location of required replacement plantings. If significant trees are removed, replacement trees must be planted consistent with the City's required 2:1 replacement ratio. The City encourages preservation of existing trees whenever feasible. With these conditions in place, staff finds the proposal can 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 September 19, 2025.**

Unless appealed, this decision becomes final on September 20, 2025.

Partition approval is only valid if the final plat is recorded prior to September 20, 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 site plan, prepared by a licensed engineer or surveyor must be submitted to the City of Keizer Planning Department demonstrating the existing dwelling on Parcel 1 meets the minimum rear setback requirement of the RS zone.
3. 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 Single Family Residential (RS) zone.
- g. Both gross and net area calculations must be shown on the preliminary and final plat.
- h. Include all engineering elements as required by the Department of Public Works requirements.
- i. Include a signature line for the City Engineer.

Prior to Final Plat approval (Mylar):

4. 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 September 20, 2027. The plat shall include all engineering elements as required by the Department of Public Works.
5. 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.
6. The access easement, address display signage, required "No Parking" signs, and a 6' sight-obscuring fence, wall, or hedge (unless waived by the adjacent property owner) must be constructed or installed prior to approval of the final plat. In lieu of completing these improvements, the applicant may provide a performance bond, improvement agreement, or other security acceptable to the City in accordance with Sections 3.202.02.E.3 and 3.202.05.B of the KDC. Applicants should contact the Planning Department for information regarding Improvement Agreements.
7. 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.
8. A tree plan shall be provided to the Planning Department identifying the location of any trees proposed for removal as well as the location of required replacement plantings.
9. Streetscape trees and any required replacement trees as approved on the tree plan, must be planted on Parcel 1 before final plat approval. Trees must be minimum of 2" caliper for deciduous trees and 8' feet in height and fully branched for evergreen trees when planted.
10. The following conditions of approval shall be completed prior to City approval of the Final Plat. The Applicant may request that the Director authorize deferral of these required improvements to instead be completed prior to the City's support of certificates of occupancy for any buildings on the Subject Property:

General:

- a) 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.

- b) Construction permits will be required for any construction within a public street, right-of-way, or City easement, for any public infrastructure on private property, and for erosion control and stormwater management on private property.
- 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.
- d) Erosion control permits shall be obtained from the City prior to the disturbance of any soil on the Subject Property.
- 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.
- f) The Applicant shall coordinate the location of individual or cluster box unit (CBU) mailboxes with the U.S. Postal Service.
- g) New electricity, gas, and communications services to serve the Parcels shall be installed underground and pursuant to the requirements of the company serving the development.
- h) Final development plans shall be reviewed by the Keizer Fire District regarding access and adequate location of fire hydrants or other fire protection.
- i) A pre-construction conference shall be required prior to commencement of any construction under permits issued by the City.
- j) A 10-foot public utility easement (PUE) along the frontage of the Dearborn Avenue NE street right-of-way shall be shown on the final plat.

Street System:

- a) Demonstrate that the existing curbs, sidewalks, and driveway approach along the development side of the Subject Property frontage meet Collector street standards in the KDS. If any existing infrastructure is not consistent with the KDS, construct improvements to Collector street standards.
- b) The proposed modification of the existing driveway approach onto Dearborn Avenue NE will need to be approved by the City prior to construction.

Sanitary Sewer System:

- a) The Applicant shall, under City-approved permits, construct a sanitary sewer service to each partition Lot that is not yet served.

- b) City of Salem approval for local sewer permits will need to be issued prior to the start of construction.(Salem-Keizer IGA for Wastewater Treatment)
- c) Any septic tank and/or drainfield located on the Subject 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.

Storm Drainage System:

- a) Construct stormwater collection, conveyance, treatment, and retention facilities to accommodate new impervious surfaces on the Development, in accordance with KDS Chapter 400.
- b) The proposed shared stormwater improvements shall be completed and approved by the City prior to the City's support of the issuance of building permits on the Subject Property.
- c) Public Works has reviewed the preliminary stormwater plans and report provided with this application for reasonable conformance with the KDS. The following items will need to be addressed in the final design in addition to the Chapter 400 requirements:
 - i. The Applicant's engineer shall submit a final overall storm drainage plan and design calculations, demonstrating conformance to the Standards. The final storm drainage report shall demonstrate that the proposed Development will not reduce or otherwise negatively impact the storage and infiltration capacity of the existing City stormwater system on or near the Subject Property. Stormwater runoff from all proposed Development shall be conveyed to the proposed stormwater facilities.
 - ii. The proposed stormwater facility shall retain and treat the entire WQE to the MEF. The facility shall also retain stormwater runoff for the 2-year, 5-year, 10-year, 25-year, 50-year, and 100-year design storm events, not allowing any increase in runoff for all storm events listed.
 - iii. The Applicant shall complete and submit to the City an executed Private Stormwater Maintenance Agreement for all private stormwater facilities prior to: 1) putting the stormwater facilities into operation, or 2) City support of a certificate of occupancy for any structures on the Subject Property, whichever comes first.

Water System:

- a) The Applicant shall, under City-approved permits, construct a domestic water service to each partition Lot that is not yet served.
- b) The location of all water meters and backflow prevention devices are required to be approved by the Public Works Department prior to construction. (Keizer Design Standards 500.3.H)

- c) All fire hydrants constructed on the City water system shall be installed in accordance with City requirements (Keizer Design Standards 500.3.I)

Prior To Obtaining Building Permit(s):

11. All required public utility services shall be completed to the satisfaction of the Department of Public Works.
12. 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:

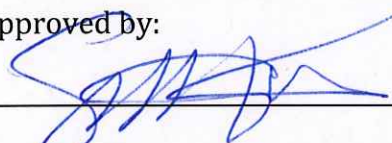
13. The residential address requirements found in the Oregon Uniform Fire Code shall be completed as approved by the Keizer Fire District and City of Keizer Planning Department.
14. Streetscape trees and any required replacement trees must be planted on Parcel 2 as shown on the tree plan before a Certificate 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:



Shane Witham, Planning Director

DATE:

3/8/25

SITE DEVELOPMENT CODE REVIEW:

TAX LOT: 073W02BD04800

EXISTING SITE AREA: 18,800 sf = 0.43 ac

ZONING: Residential Single Family



PRELIMINARY
NOT FOR
CONSTRUCTION

Keizer, OR 97303

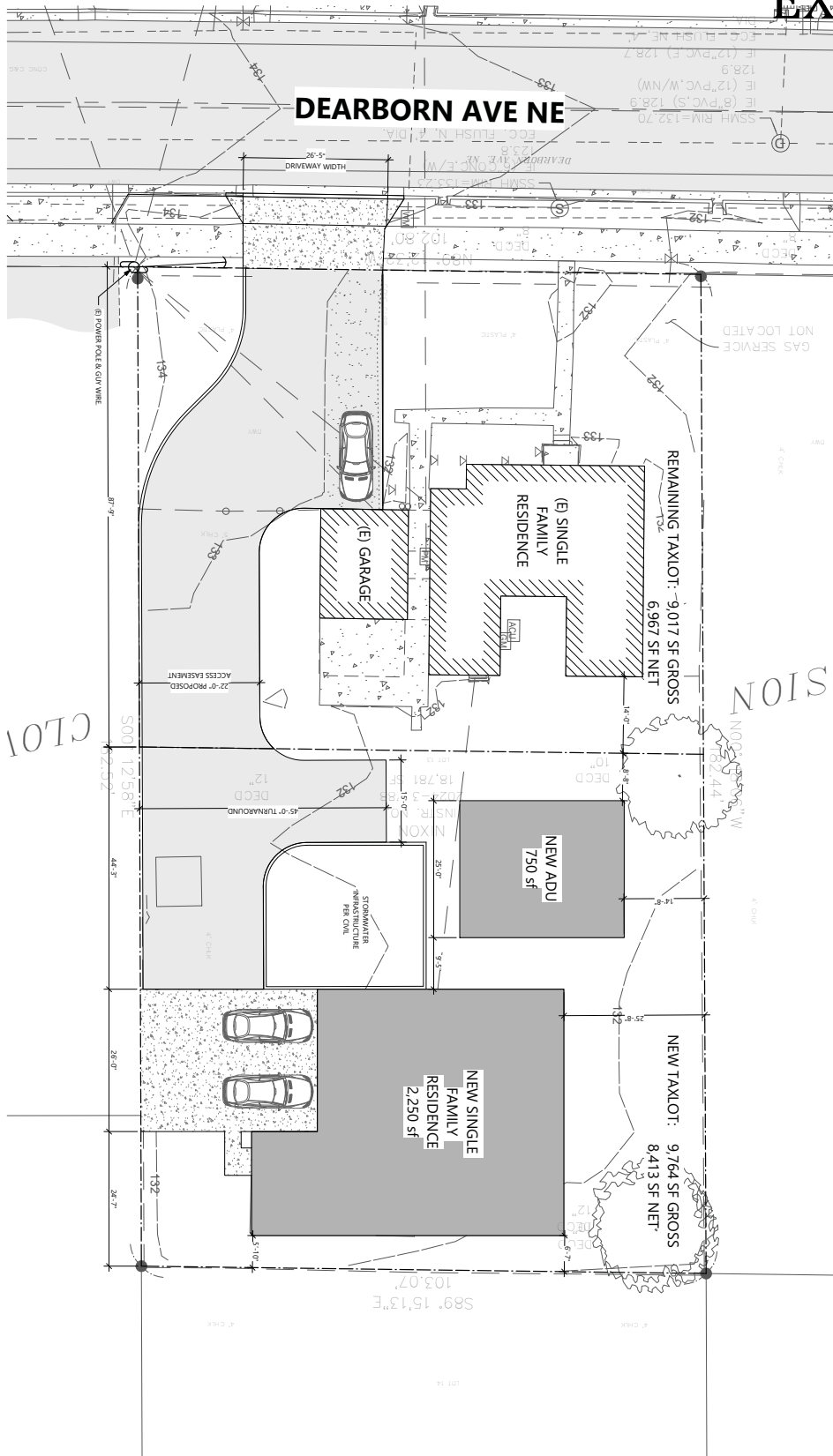
REVISIONS:

SHEET:

A1.01

SITE PLAN

PROJECT #	2024-065
DATE:	8/13/2025



1 SITE PLAN
SCALE: 1" = 10'-0"

SCALE: 1" = 10'-0"

Copyright © 2024-25 LIFT Architecture



MARION COUNTY, OREGON
SE1/4 NW1/4 SEC2 T7S R3W W.M.
SCALE 1" = 100'

LEGEND

- LINE TYPES**
- Taxlot Boundary
 - Road Right-of-Way
 - Railroad Right-of-Way
 - Private Road ROW
 - Subdivision/Plat Boundary
 - Waterline - "L" Hook Boundary
 - Waterline - Non Boundary
- CORNER TYPES**
- 1/4 Section Cor.
 - 1/16th Section Cor.
 - Section Corner
- NUMBERS**
- Tax Code Number
 - 00 00 0
- NOTES**
- Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW
 - All acres listed are Net Acres excluding any portions of the taxlot within public ROWs

CANCELLED NUMBERS

1800
2101
2701
6800
7400
8400
9000
9102
9102
12000
13200

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
WWW.CO.marion.oreg.us

PLOT DATE: 10/16/2020

KEIZER

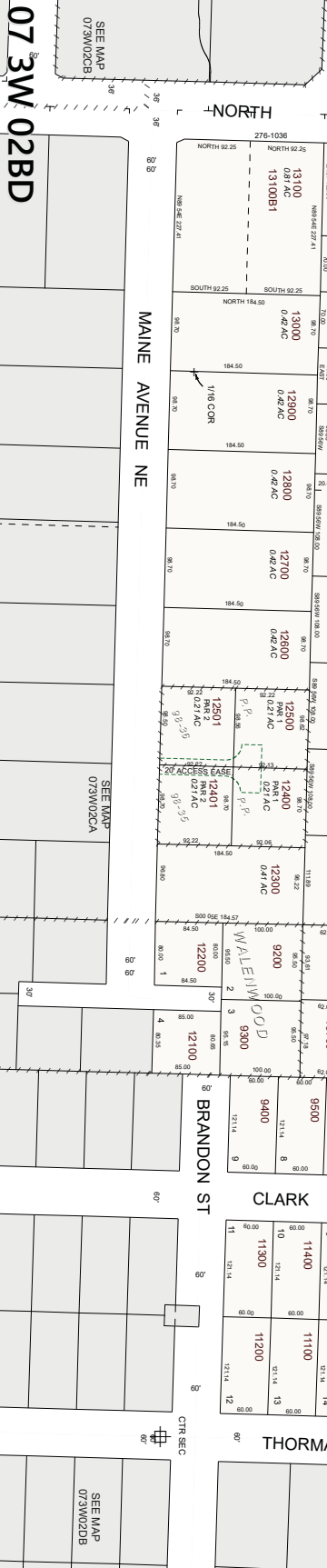
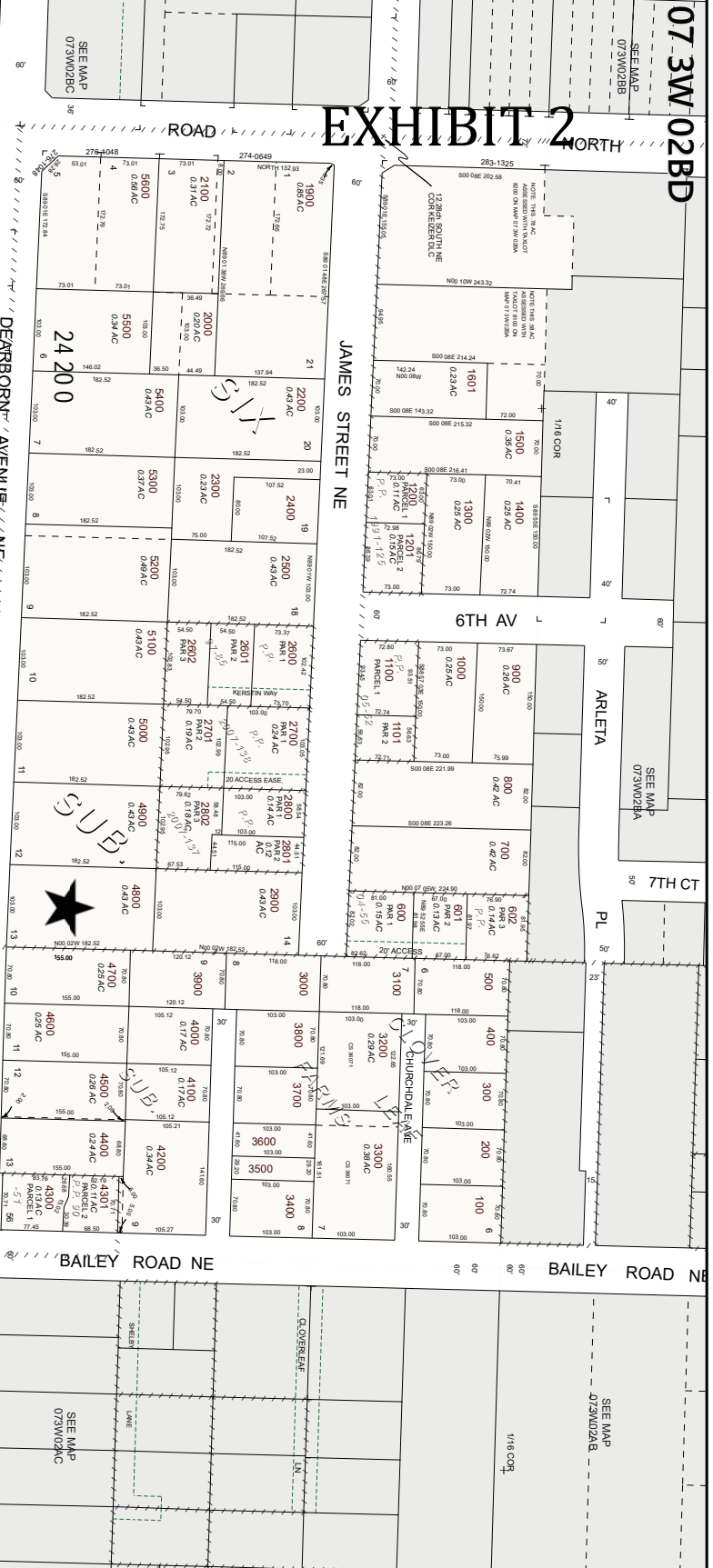


EXHIBIT 2



PARTITION CASE NO. 2025-16**PROPERTY ADDRESS: 797 DEARBORN AVENUE NE**

The Applicant is requesting approval to partition an existing parcel totaling approximately 18,764 square feet, located at 797 Dearborn Avenue NE into two lots, as follows:

- Proposed Parcel 1: Approximately 6,967 square feet (net area). Contains an existing house and detached garage, both to remain.
- Proposed Parcel 2: Approximately 8,413 square feet (net area). Planned for construction of a single-family dwelling with an accessory dwelling unit (ADU).

Both proposed Parcels will access Dearborn Avenue NE via a private access easement and shared driveway. The Subject Property is zoned Single Family Residential (RS), has a Comprehensive Plan designation of Low Density Residential (LDR), and is located at 797 Dearborn Avenue NE (073W02BD Tax Lot 04800).

The following comments are based on our review of the proposed Development as it relates to City infrastructure and in general conformance with applicable Public Works portions of the Keizer Development Code (KDC), City of Keizer utility Master Plans and Transportation System Plan (TSP), Keizer Design Standards (KDS), and Keizer Construction Specifications (KCS).

EXISTING CONDITIONS:

- a) The Subject Property has existing access and frontage along Dearborn Avenue NE, a Collector street in the TSP. This street is constructed as an approximately 33-foot-wide improvement in a 60-foot-wide right-of-way.
- b) The Subject Property is located inside of the original Keizer Sewer District.
- c) An 8-inch concrete City sanitary sewer main is located along the north side of Dearborn Avenue NE. Per City records, the existing single-family home is connected to this main.
- d) A 12-inch PVC City storm main is located in Dearborn Avenue NE.
- e) The Subject Property is not located within a stormwater critical basin as defined in Keizer Design Standards Chapter 100. Per the Applicant's engineer, the average infiltration rate for the site averaged 0.70 inches per hour (for a design rate of 0.35 inches per hour).
- f) A 16-inch ductile iron City water main is located along the south side of Dearborn Avenue NE. Per City records, the existing single-family home is connected to this main. An existing City fire hydrant, also connected to this main, is located on the south side of the street.
- g) Per the Oregon Rapid Wetland Assessment Protocol (ORWAP), the Subject Property does not include any mapped wetlands or hydric soils.
- h) Per Flood Insurance Rate Map Numbers 41047C0194G the Subject Property is located outside of any mapped Special Flood Hazard Area (SFHA).

- i) Per the Statewide Landslide Information Layer for Oregon (SLIDO) maps (maintained by the Oregon Department of Geology and Mineral Industries), the Subject Property is outside of any mapped landslide susceptibility areas.

RECOMMENDED CONDITIONS OF APPROVAL

The following conditions of approval shall be completed prior to City approval of the Final Plat. The Applicant may request that the Director authorize deferral of these required improvements to instead be completed prior to the City's support of certificates of occupancy for any buildings on the Subject Property (KDC 2.310.05.D):

General:

- c) 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.
- d) Construction permits will be required for any construction within a public street, right-of-way, or City easement, for any public infrastructure on private property, and for erosion control and stormwater management on private property. (KDC 2.302.06)
- e) 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)
- f) Erosion control permits shall be obtained from the City prior to the disturbance of any soil on the Subject Property. (KDC 2.306.05)
- g) 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.
- h) The Applicant shall coordinate the location of individual or cluster box unit (CBU) mailboxes with the U.S. Postal Service.
- i) New electricity, gas, and communications services to serve the Parcels shall be installed underground and pursuant to the requirements of the company serving the development. (KDC 2.307.02.C)
- j) Final development plans shall be reviewed by the Keizer Fire District regarding access and adequate location of fire hydrants or other fire protection. (KDC 2.301.03)
- k) A pre-construction conference shall be required prior to commencement of any construction under permits issued by the City.

Street System:

- l) Demonstrate that the existing curbs, sidewalks, and driveway approach along the development side of the Subject Property frontage meet Collector street standards in the KDS. If any existing infrastructure is not consistent with the KDS, construct improvements to Collector street standards. (KDC 2.301.03, 2.310.05)
- m) The proposed modification of the existing driveway approach onto Dearborn Avenue NE will need to be approved by the City prior to construction. (KDC 2.306 and 2.310.05.A)

Sanitary Sewer System:

- n) The Applicant shall, under City-approved permits, construct a sanitary sewer service to each partition Lot that is not yet served. (KDC 2.310.05)
- o) City of Salem approval for local sewer permits will need to be issued prior to the start of construction.(Salem-Keizer IGA for Wastewater Treatment)
- p) Any septic tank and/or drainfield located on the Subject 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)

Storm Drainage System:

- q) Construct stormwater collection, conveyance, treatment, and retention facilities to accommodate new impervious surfaces on the Development, in accordance with KDS Chapter 400.
- r) The proposed shared stormwater improvements shall be completed and approved by the City prior to the City's support of the issuance of building permits on the Subject Property. (KDC2.306.03.I)
- s) Public Works has reviewed the preliminary stormwater plans and report provided with this application for reasonable conformance with the KDS. The following items will need to be addressed in the final design in addition to the Chapter 400 requirements:
 - (i) The Applicant's engineer shall submit a final overall storm drainage plan and design calculations, demonstrating conformance to the Standards. The final storm drainage report shall demonstrate that the proposed Development will not reduce or otherwise negatively impact the storage and infiltration capacity of the existing City stormwater system on or near the Subject Property. Stormwater runoff from all proposed Development shall be conveyed to the proposed stormwater facilities.
 - (ii) The proposed stormwater facility shall retain and treat the entire WQE to the MEF. The facility shall also retain stormwater runoff for the 2-year, 5-year, 10-year, 25-year, 50-year, and 100-year design storm events, not allowing any increase in runoff for all storm events listed.

- (iii) The Applicant shall complete and submit to the City an executed Private Stormwater Maintenance Agreement for all private stormwater facilities prior to: 1) putting the stormwater facilities into operation, or 2) City support of a certificate of occupancy for any structures on the Subject Property, whichever comes first. (KDC 2.306.03.F; KDS 400.2.W.2)

Water System:

- t) The Applicant shall, under City-approved permits, construct a domestic water service to each partition Lot that is not yet served. (KDC 2.310.05)
- u) The location of all water meters and backflow prevention devices are required to be approved by the Public Works Department prior to construction. (Keizer Design Standards 500.3.H)
- v) All fire hydrants constructed on the City water system shall be installed in accordance with City requirements (Keizer Design Standards 500.3.I)

The following condition of approval shall be shown on the Final Plat:

- w) The Applicant shall Dedicate a 10-foot public utility easement (PUE) along the frontage of the Dearborn Avenue NE street right-of-way. (KDC 2.302.04)

Comments on Planning Action: Keizer Partition 2025-16

Date 9 / 03 / 2025 Person Commenting Kent Inman

EXHIBIT 4

Subdivision:

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

Partition:

- ☐ 1. Per ORS 92.055 – Parcels over 10 acres can be 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:

EXHIBIT 5

2 PAGES



Date: September 3, 2025

Comments for: 797 Dearborn (Partition 2025-16)

This project must meet the following code requirements per Keizer Fire District:

1. **One-and Two family dwellings-Required fire flow:** The minimum available fire flow for one and two-family dwellings served by a municipal water supply shall be 1000 gpm. If the structure(s) is (are) 3,600 square feet or larger, the required fire flow shall be determined according to 2022 Oregon Fire Code Appendix B.
2. **Fire Safety During Construction:** Approved fire department access road, required water supply, fire hydrants, and safety precautions shall be installed and serviceable prior to and during the time of construction. 2022 Oregon Fire Code Chapter 33.
3. **Fire apparatus road distance from buildings and turnarounds:** Access roads shall be within 150' of all portions of the exterior wall of the building as measured by and approve route around the exterior of the building. An approved turnaround is required if the remaining distance to an approve intersection roadway, as measured along the fire apparatus access road, is greater than 150'. 2022 Oregon Fire Code 503.1.1
4. **Dead end roads:** Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround. We can provide you with approved turn around per our Marion County Fire Code Applications Guide & 2022 Oregon Fire Code 503.2.5.
5. **Multiple Access Roads:** Developments of one- and two-family dwellings where the number of dwelling units exceeds 30, multiple-family residential projects having more than 100 dwelling units and where vehicle congestion, adverse terrain conditions or other factors that could limit access, as determined by the fire code official, shall be provided with not less than two approved means of access. Exceptions may be allowed for approved automatic sprinkler system. The approval of fire sprinklers as an alternate shall be accomplished in accordance with the provisions of ORS 455.610(5). (OFC D106 & D107).
6. **Turnouts:** When a fire apparatus access road exceeds 400 feet in length, turnouts 10 feet wide and 30 feet long shall be provided in addition to the required road width and shall be placed no more than 400 feet apart, unless otherwise approved by the code official. 2022 Oregon Fire Code Ch. 5.
7. **Grade:** Fire apparatus access roadway grades shall not exceed 10 percent. 2022 Oregon Fire Code D 103.2 **Road grade should not be an issue**

8. **Fire apparatus access road width and vertical clearance:** Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet; 26 feet adjacent to fire hydrants (2022 OFC D103.1) and an unobstructed vertical clearance of not less than 13 feet 6 inches. (2022 OFC 503.2.1 & D103.1)
9. **Surface and load capacities:** Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,000 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Oregon Fire Code may be requested. (2022 OFC D102.1)
10. **Turning radius:** The inside turning radius and outside turning radius shall be not less than 28 feet and 48 feet respectively, measured from the same center point. 2022 Oregon Fire Code 503.2.4 & Appendix
11. **No parking signs:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, “No Parking” signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Roads 26 feet wide or less shall be posted on both sides as a fire lane. Roads more than 26 feet wide to 32 feet wide shall be posted on one side as a fire lane. Signs shall read “NO PARKING – FIRE LANE” and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. You may contact the Fire Marshal if you would like code requirement for painted curbs. 2022 Oregon Fire Code 503.3 and D103.6
12. **Premise identification:** Buildings shall have address numbers or approved identification placed in a position that is plainly legible and visible from the access road fronting the property. Numbers shall contrast with their background and shall be a minimum of 4 inches height with a minimum stroke width of ½ inch. 2022 Oregon Fire Code 505
13. **Gates:** Gates securing fire apparatus roads shall comply with all of the following: 2022 Oregon Fire Code D103.5
 - Minimum unobstructed width shall be 16 feet.
 - Gates shall be set back a minimum of 30 feet from the intersecting roadway.
 - Gates shall be of the swinging type or sliding type.
 - Manual operation shall be capable by one person.
 - Electric gates shall be equipped with a means for operation fire department personnel.
 - Locking devices shall be approved

If you have any questions please contact me,

Anne-Marie Storms

Anne-Marie Storms, Deputy Fire Marshal
Keizer Fire District
503.390-9111 Office

EXHIBIT 6

From: [Laurel Christian](#)
To: [Horner, Dina](#)
Subject: RE: Request for Comments Partition 2025-16
Date: Monday, August 18, 2025 9:19:52 AM
Attachments: [image005.emz](#)
[image007.png](#)

Good morning, Dina,

The City of Salem has the following comments on this partition:

Public Sanitary Sewer mains are located in Dearborn Avenue NE and available to serve the development. Any connections to the existing sanitary sewer main in Dearborn Avenue NE will require construction permits issued by the City of Salem in accordance with the City of Salem Revised Code, the City of Salem Public Works Design Standards, and the City of Salem Construction Specifications. Permits will not be issued by the City of Salem for connection until all construction plans have been reviewed and approved by the Development Services Division. Construction drawings can be submitted by email to developmentservices@cityofsalem.net.

Thank you,

Laurel Christian

Infrastructure Planner III

City of Salem | Community Planning and Development | Development Services

Find us at the Development Services Division Offices: [440 Church St SE](#), 5th Floor

Mailing Address: P.O. Box 14300, Salem, OR 97309

lchristian@cityofsalem.net | Office: 503-584-4632

[Facebook](#) | [YouTube](#) | [Linkedin](#) | www.cityofsalem.net



REQUEST FOR COMMENTS

EXHIBIT 7

4 PAGES

DATE: August 14, 2025
CASE: Partition 2025-16

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 August 28, 2025. If we do not receive a response by the end of the comment period, we will assume you have no concerns.

APPLICANT: LFIT Architecture

REQUEST: The applicant is This application requests approval to partition an existing parcel totaling approximately 18,764 square feet, located at 797 Dearborn Avenue NE, Keizer, into two lots.

- Parcel 1: Approximately 6,967 square feet (net area). Contains an existing house and detached garage, both to remain.
- Parcel 2: Approximately 8,413 square feet (net area). Planned for construction of a single-family dwelling with an accessory dwelling unit (ADU).

Both parcels will obtain vehicular access from Dearborn Avenue NE via a private access easement. The subject property is designated Low Density Residential (LDR) in the Keizer Comprehensive Plan and is zoned Residential Single Family (RS) under the Keizer Development Code.

Send comments or questions to:

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

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.
- X Our comments are in the attached letter.
- _____ Our Agency's comments are: _____

Name: David Fridenmaker Agency: Salem-Keizer Public Schools
Phone: 503-315-0232 Email: fridenmaker_david@salkeiz.k12.or.us
Address: 2450 Lancaster Dr. NE, PO Box 12024, Salem OR 97309
Date: August 26, 2025



Business & Support Services
2450 Lancaster Drive NE • PO Box 12024 • Salem, Oregon 97309
503-399-3036 • FAX: 503-399-3407

Andrea Castañeda, Superintendent

August 26, 2025

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

RE: Land Use Activity Case No. Partition 2025-16, 797 Dearborn Av NE

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

IDENTIFICATION OF SCHOOLS SERVING THE SUBJECT PROPERTY

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

School Name	School Type	Grades Served
Keizer	Elementary	K thru 5
Claggett Creek	Middle	6 thru 8
McNary	High	9 thru 12

Table 1

SCHOOL CAPACITY & CURRENT ENROLLMENT

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

School Name	School Type	School Enrollment	School Design Capacity	Enroll./Capacity Ratio
Keizer	Elementary	564	711	79%
Claggett Creek	Middle	774	969	80%
McNary	High	1,955	2,200	89%

Table 2

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

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

School Type	Qty. of New Residences	Housing Type	Average Qty. of Students per Residence	Total New Students
Elementary	3	SF	0.168	1
Middle			0.098	0
High			0.144	0

Table 3

POTENTIAL EFFECT OF THIS DEVELOPMENT ON SCHOOL ENROLLMENT

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

School Name	School Type	School Enrollment	New Students During Past 2 yrs	New Student from this Case	Total New Students	School Design Cap.	Enroll./Cap. Ratio
Keizer	Elem.	564	10	1	11	711	81%
Claggett Creek	Mid.	774	12	0	12	969	81%
McNary	High	1,955	35	0	35	2,200	91%

Table 4

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

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

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

School Name	School Type	Walk Zone or Eligible for School Transportation
Keizer	Elementary	Eligible for School Transportation
Claggett Creek	Middle	Walk Zone
McNary	High	Walk Zone

Table 5

ESTIMATE OF NEW SCHOOL CONSTRUCTION NEEDED TO SERVE DEVELOPMENT

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

School Type	Number of Students	Estimate of Facility Cost Per Student*	Total Cost of Facilities for Proposed Development*
Elementary	1	\$105,625	\$105,625
Middle	0	\$137,443	\$0
High	0	\$169,260	\$0
TOTAL			\$105,625

Table 6

*Estimates based on average of Indicative Construction Costs from “RLB Construction Cost Report North America Q1 2025”

Sincerely,

David Fridenmaker
Business and Support Services

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



City of Keizer EXHIBIT 8

Phone: (503) 856-3442 • Fax: (503) 390-8288
930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, OR 97307-1000

REQUEST FOR COMMENTS

TO: Neighboring Property Owner of 797 Dearborn Ave NE
CASE: Partition 2025-16

The Planning Division invites you to submit any comments you wish to have considered during 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 no later than 5:00 p.m. on August 28, 2025.

Submit comments or questions to:

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

RECEIVED
CITY OF KEIZER

AUG 26 2025

PLANNING DEPARTMENT

REQUEST: The applicant is requesting approval to partition an existing parcel of approximately 18,764 square feet, located at 797 Dearborn Avenue NE, Keizer, into two lots:

- Parcel 1: Approximately 6,967 sq. ft. (net area). Contains an existing house and detached garage, both to remain.
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Both parcels will obtain vehicular access from Dearborn Avenue NE via a private access easement. The subject property is designated Low Density Residential (LDR) in the Keizer Comprehensive Plan and is zoned Residential Single Family (RS) under the Keizer Development Code.

APPLICANT:

LIFT
LFIT Architecture

PROPERTY OWNER:

Bella Pietra Marble & Granite LLC

PLEASE CHECK THE APPROPRIATE ITEM(S):

- ☐ I/We have reviewed the proposal and have no comments.
☐ My/Our comments are included in the attached letter.

☒ My/Our comments are:

Name: Claire Juran

Phone: 503-580-0684

Email: Claire-juran3@yahoo.com

Address: 4831 Bailey Rd NE Keizer, OR

Date: 8/26/25

I think one single family residence is more than enough on that piece of property. Also adding an ADU to that property seems to be a bit much. Thank you for asking for neighboring residents' comments!



City of Keizer ⁴PAGES

Phone: (503) 856-3442 • Fax: (503) 390-8288
930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, OR 97307-1000

REQUEST FOR COMMENTS

TO: Neighboring Property Owner of 797 Dearborn Ave NE
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Submit comments or questions to:

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

REQUEST: The applicant is requesting approval to partition an existing parcel of approximately 18,764 square feet, located at 797 Dearborn Avenue NE, Keizer, into two lots:

- Parcel 1: Approximately 6,967 sq. ft. (net area). Contains an existing house and detached garage, both to remain.
- Parcel 2: Approximately 8,413 sq. ft. (net area). Planned for construction of a single-family dwelling with an accessory dwelling unit (ADU).

Both parcels will obtain vehicular access from Dearborn Avenue NE via a private access easement. The subject property is designated Low Density Residential (LDR) in the Keizer Comprehensive Plan and is zoned Residential Single Family (RS) under the Keizer Development Code.

APPLICANT: LFIT Architecture
PROPERTY OWNER: Bella Pietra Marble & Granite LLC

PLEASE CHECK THE APPROPRIATE ITEM(S):

- ☐ I/We have reviewed the proposal and have no comments.
☒ My/Our comments are included in the attached letter.
☐ My/Our comments are: _____

Name: Brittany January + Coady Hannan

Phone: (503) 877-4451 or (503) 270-6988

Email: brittany.e.january@gmail or mmchannan@gmail.com

Address: 777 Dearborn Ave

Date: 8/28/25

Dear Dina Horner:

We received your Request for Comment concerning the proposed partition of neighboring property 797 Dearborn Ave. The Request details splitting the property into two plots, one with a single family residence, the present building, and a second with a new single family residence and ADU. After further analyzing the online application materials, we have detailed our partitioning concerns below, based the Request's required criteria copied herein:

- A. Each Parcel shall meet the access requirements of Section 2.310.03D.
- B. Each Parcel shall satisfy the dimensional standards of the applicable zoning district, unless a variance from these standards is requested and is approved.
- C. Each parcel shall comply with the requirements of Section 2.310.
- 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 impact.
- E. Each parcel shall comply with the applicable requirements within Section 2.301; 2.302; 2.303; 2.305; 2.306; 2.307; and 2.309.
- F. Adequate public facilities shall be available to serve the existing and newly created parcels.

Under the Keizer Code of Ordinances, Appendix A Section 2.301, states that, "no development permanent... shall be approved or issued unless the following improvements are provided prior to occupancy or operation." The Ordinances continue, dictating that single family residence requires water hook ups, sewer hookups, and storm drain access. Within the Preliminary Site Layout (hereinafter "Layout") and other application materials, no utilities for either parcel, and certainly not for the ADU, are listed along with electricity. Furthermore, a possible ten foot by ten foot public utility easement possibly being taken against our property, (per Section 2.302.04, Table 4.1) is particularly concerning because of a similar instance that occurred with our neighbors at 776 Dearborn Ave. Last year, these neighbors wanted to add an ADU to their property. In order to do so, the electrical company advised that they needed to update their utility hookups. Particularly, the neighbors had to ask us to give up 100 sq feet of our property for free to allow for the updated hookups since the power pole sat between the edge of our property and another resident's driveway entrance. If the subdivision of 797 Dearborn is allowed, two new dwellings could force our hand, causing a potential standstill to their development for lack of utilities, or an infringement on our property rights.

Under Section 2.301.01(B and D), this proposed plan needs to "ensure... natural features of the landscape... as much as possible... and minimize development impacts upon surrounding

properties and neighborhoods.” As detailed above, the utility impacts are very real. However, this property also has vegetation and a wooded area which has a tree taller than 50 feet. Based on the application’s proposed housing placements and measurements, the ADU would necessitate removing all of these natural features without somehow impacting the surrounding property. Our property has two 100 foot plus trees within a few meters of 797’s 50 foot plus tree. Removing 797’s natural features to develop the property would damage the root system of our trees, actively impacting our property and safety.

Under Sections 2.302.03.O and 310.03.E and F, “trees... required along access easements, shall comply with the provisions of section [2.309](#), and must be... planted within the boundaries of each lot within ten feet of access improvements...Parcels or lots measuring less than 60 feet along the access easement shall be required to plant one streetscape tree. Parcels or lots measuring 60 feet or more along the access easement shall be required to plant two streetscape trees... A six-foot-high sight-obscuring fence, wall, or hedge shall be placed along the exterior side of an access easement to provide screening to any adjacent properties.” Within the application materials, the proposed southern parcel’s length is just over 87 feet, while the northern’s is just over 75 feet, but the planting of a boundary or streetscaping requirements are not detailed.

Under Sections 2.302.08.A and 2.310.03.D(1), a minimum easement width of 20 feet is required along with no parking spots within the minimum required width. While the application materials do note a 22 foot easement width, this is not at the proper location for that measurement. Given the Layout’s design, the proper minimum width measuring location is further south, by the easement’s entrance. This space, based on the measurements listed, appears to fail the 20 foot minimum, once the utility space and asserted parking spaces in the southern parcel are accounted for.

Under Section 2.303.06.A, most dwellings require at least one parking spot, however, there is no parking noted for the proposed northern parcel’s ADU, and it is unclear if the southern parcel actually has two parking spaces.

Under Section 2.306.05, “all activities within the city limits that disturb more than 2,000 square feet of area are subject to the requirements of the current city erosion control ordinance. Any such activity that disturbs less than five acres, either singly or cumulatively as part of a common plan of development or sale, shall be required to submit an erosion and sediment control plan (ESCP) and obtain an erosion control permit from the city.” However, the report submitted was a preliminary grading plan, not a specific ESCP.

Under Section 2.309.02, “all new construction, as well as expansion or redevelopment of structures, including interior remodeling over \$100,000.00 in value, or any parking lot

reconfiguration for commercial, multifamily, or industrial uses shall be subject to the requirements of this section. Landscaping plans shall be submitted for review, subject to procedures of this section and subject to Type 1-A review procedures set forth in [section 3.2](#). A tree plan in accordance with section 2.309.04.B.7 is required with all Type II and III applications and the following Type I application: partitioning.” This most likely would apply to both proposed parcels if divided because the single residence currently on the proposed southern plot would need to be completely gutted to be habitable. A second floor pipe broke during the winter of 2024, and flooded the entire two-story home. With these two parcels potentially requiring three residential rebuilds and the concerns already detailed above, the proposed application deferring these answers until later, could violate Section 2.301.

If you have any further questions or concerns, please contact us via the information listed on the Request’s first page.

Sincerely,

Residents of 777 Dearborn Ave.

From: [Jessie Ewers](#)
To: [Horner, Dina](#)
Subject: Oppose the Proposed Development of The Two-Parcel Access Easement
Date: Wednesday, August 27, 2025 7:53:13 PM

1 PAGE

City of Keizer,

Wednesday, August 27, 2025

I am writing to formally oppose the proposed development of the two-parcel access easements in our neighborhood @ 797 Dearborn Ave. NE. Partition 2025-16

This plan would significantly reduce the privacy of existing homeowners. The introduction of shared access points increases traffic and visibility into private properties, which undermines the quiet, residential character of our area.

Many residents share these concerns and feel that the plan prioritizes development over the well-being of the community. We urge the city to consider alternative solutions that preserve the integrity of our neighborhood.

I respectfully request that the Planning Commission reconsider this proposal and hold a public hearing to allow residents to voice their concerns directly.

Sincerely,

Michael Ewers

Jessie Ewers



City of Keizer EXHIBIT 11

Phone: (503) 856-3442 • Fax: (503) 390-8288
930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, OR 97307-1000

REQUEST FOR COMMENTS

TO: Neighboring Property Owner of 797 Dearborn Ave NE
CASE: Partition 2025-16

The Planning Division invites you to submit any comments you wish to have considered during 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 no later than 5:00 p.m. on August 28, 2025.

Submit comments or questions to:

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

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APPLICANT: LFIT Architecture
PROPERTY OWNER: Bella Pietra Marble & Granite LLC

PLEASE CHECK THE APPROPRIATE ITEM(S):

☐ I/We have reviewed the proposal and have no comments.

☐ My/Our comments are included in the attached letter.

☒ My/Our comments are: I am glad it is not apartments! (Existing dwelling needs to be updated and maintained.)

Name: DAN SAYRE

Phone: 503-991-3307

Email: familyties14@aol.com

Address: 816 Dearborn Ave. NE

Date: August 28, 2025

Lorinda and Mario Cervantes

774 James St Ne

Keizer, Or 97303

LorindaCervantes@gmail.com

503-851-8142

9/7/2025

City of Keizer Planning Department

C/O Dina Horner, Assistant Planner

Email: Hornerd@keizer.org Phone (503) 856-3442

930 Chemawa Rd NE

Keizer, OR 97303

Subject: Formal Opposition to Proposed Lot Partition and ADU Application – Partition 2025-16, 797 Dearborn Ave NE, Keizer, OR 97303

Dear Planning Director and Members of the Board,

I am writing to formally oppose the proposed application to partition the property at **797 Dearborn Ave NE (Partition 2025-16)** into two separate lots, and to develop a single-family dwelling with an accessory dwelling unit (ADU) on one of the new parcels. The proposal includes:

- **Parcel 1:** A 6,967 sq. ft. lot containing a house with a detached garage.
- **Parcel 2:** An 8,413 sq. ft. lot containing a single dwelling with an ADU, with vehicle access via a private easement.

My opposition is based on personal impact and regulatory concerns under the City of Keizer Development Code, Marion County land use regulations, and Oregon state law.

1. Loss of Privacy and Residential Enjoyment

The proposed development would result in a new dwelling and ADU directly behind my property, creating a significant intrusion into my family's privacy. Oregon law recognizes *quiet enjoyment* as a principle of residential use, and the City's zoning and setback rules exist to

protect homeowners from such intrusions. Approving this partition and development would erode the privacy protections relied upon by surrounding homeowners.

2. Setback, Size, and Density Concerns

Partitioning this lot increases density in an area intended for larger single-family lots.

- **Keizer Code (Section 2.403.02):** Detached ADUs are capped at **750 sq. ft.** and must maintain **minimum setbacks of 5 ft** from side and rear property lines (10 ft for two-story structures), with a maximum height of **25 ft** (keizer.org).
- **Accessory Structures (Section 2.313.01):** Detached garages and accessory structures may not exceed **750 sq. ft.** if no garage exists and cannot occupy more than **20% of the rear or side yard** (keizer.org). The proposed 6,967 sq. ft. detached garage on Parcel 1 exceeds typical accessory structure limitations.
- **Oregon State Law (ORS 215.495):** Allows up to **900 sq. ft. ADUs in rural residential zones**, but cities may impose stricter standards; Keizer's regulations take precedence (oregon.public.law).

The proposed partition and associated structures reduce spatial separation, disrupt neighborhood density expectations, and may conflict with established setbacks and ADU size limits.

3. Neighborhood Character and Compatibility

The addition of Parcel 2, with a dwelling and ADU, along with the associated vehicle access and private easement, would alter the character of the neighborhood, reduce privacy for adjacent properties, and set a precedent for increased density inconsistent with existing single-family lots.

4. Impact on Property Values

Increased density, reduced privacy, and oversized accessory structures negatively impact property values. Approving this partition and development risks a long-term economic impact on residents who purchased their homes expecting large lots with privacy and open space.

5. Equity in the Process

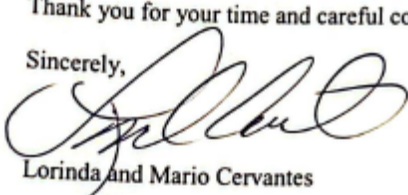
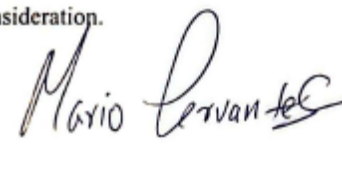
Due to a medical condition, I was unable to submit my opposition by the August 28, 2025, deadline. I respectfully request that my comments be accepted so that my rights as a directly impacted property owner are fully considered.

Conclusion and Request

For the reasons outlined above, including privacy intrusion, noncompliance with setback and size requirements, incompatibility with neighborhood character, and potential impacts on property values, I strongly urge the Planning Department and Zoning Board to **deny the proposed lot partition and associated ADU application for Partition 2025-16 at 797 Dearborn Ave NE.**

Thank you for your time and careful consideration.

Sincerely,

 
Lorinda and Mario Cervantes