



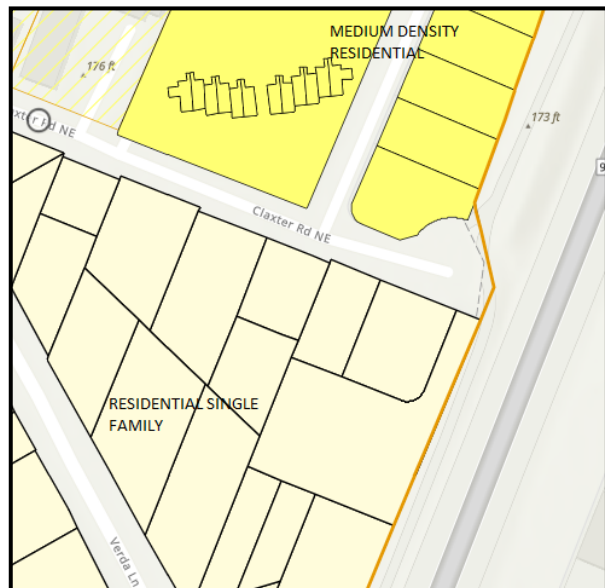
**KEIZER PLANNING DEPARTMENT
NOTICE OF DECISION
Partition Case 2023-09**

I. REQUEST

The following report reviews a land use application to divide an existing parcel totaling approximately 28,319 square feet into three lots comprised of approximately 5,566 net square feet (Lot 1), 5,559 net square feet (Lot 2) and approximate 5,482 net square feet (Lot 3). The parcels will be served by a private access easement and a duplex is planned to be built on each lot. The subject property is zoned Single Family Residential (RS). (Exhibit 1)

II. BACKGROUND

- A. APPLICANT/
PROPERTY OWNER:** Patricia Dean
- B. AGENT:** William Barlow
- C. PROPERTY LOCATION:** The subject property is located in the 1800 block of Claxter Road, identified on the Marion County Tax Assessor's as Township 7 South, Range 3 West, Section 01CC, Tax Lot 00706. (Exhibit 1)
- D. PARCEL SIZE:** The subject property contains approximately 28,319 square feet in area.
- E. EXISTING DEVELOPMENT AND PUBLIC FACILITIES:** The subject property is currently undeveloped and can be 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 property is bordered by the city limits of Keizer and the City of Salem's Dr. Martin Luther King Jr Parkway to the east. Other surrounding properties are zoned RS and developed with single family dwellings.



III. COMMENTS

- A. The Keizer Public Works Department submitted comments (Exhibit 2) regarding requirements for public facilities and improvements necessary to serve the subject property.
- B. The Marion County Surveyor's office submitted comments (Exhibit 3) regarding the process for platting the partition.
- C. The Keizer Fire District submitted comments (Exhibit 4) regarding the access easement and fire flow.
- D. The City of Salem Public Works Department submitted comments (Exhibit 5) stating the process for the sewer connection and noted a portion of the proposed improvements appear to be within Salem City Limits and the Dr. Martin Luther King Jr. Parkway Right-of-way.
- E. Oregon Department of Transportation submitted comments (Exhibit 6) pertaining to storm drainage and the need for the driveway and drainage swales to be located on private property.
- F. The Salem-Keizer Public Schools submitted comments (Exhibit 7) noting the school capacities, current enrollments and expected impact of development.
- G. The City of Keizer Police Department submitted that they have reviewed the proposal and have no comments.
- H. A letter requesting comments was sent to the surrounding property owners within 250 feet of the subject property.

Comments were returned to the City by Declan and Tara Kavanagh owners of 1858 Claxter Road NE (Exhibit 8). The comments received apply to a request of a 6-8' fence built along the access easement.

STAFF RESPONSE: Section 2.302.08 of the Keizer Development Code addresses the requirements for Private Access Easements, including the requirement to provide screening to any adjacent property and will be discussed later in this report.

IV. FINDINGS AND CONCLUSIONS

The following are findings that address the Partition request to divide the property into three lots in accordance with the Keizer Development Code. The approval, or denial, of a partition application is based on compliance with the decision criteria found in Section 3.107 of the Keizer Development Code. The criteria and staff's findings for the applicable sections of the Keizer Development Code 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. Exceptions apply for Lots or parcels that are accessed via an access easement and flag lots.

FINDINGS: The intent of this provision is to ensure that all lots have a minimum frontage along a street so that access to serve the lots will meet city standards and the lots can be developed in a manner that will ensure all building setback requirements are met. The minimum lot frontage requirement on a public street in the RS zone is 40 feet for single-family detached homes, duplexes, triplexes, quadplexes or cottage clusters. Exceptions apply for parcels gaining access from an access flag or access easement.

Currently the existing parcel is platted as a flag lot with 30' frontage along Claxter Road NE. Future Lot 3 will be developed as a flag lot with a 30' access and utility easement from Claxter Road. Future Lot 1 and Lot 2 will gain their access from the access and utility easement. Private Access Easements are required to be developed in accordance with the provisions of Section 2.302.08 which will be addressed later in this report. Because all lots will gain access from an access easement, Staff finds this proposal complies with 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 RS zone requires lots for single-family detached homes, duplexes, triplexes, quadplexes or cottage clusters to have a minimum width of 40 feet and a minimum depth of 70 feet. The applicant's site plan and written statement indicate all lots exceed the minimum width and depth requirements of the RS zone.

Both Lot 1 and Lot 2 are rectangular shaped parcels with an average width of over 60 feet and average net depth of over 91 feet. Lot 3 is a flag shaped lot with an average net width of approximately 60 feet and average net depth of approximately 92 feet. As a condition of partition approval, each lot must meet the minimum required width and depth of the RS zone. All dimensions must be shown on the preliminary and final plat. With these conditions, staff finds this request can satisfy 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 minimum lot size for development in the RS zone is 4,000 square feet. In no case can the proposed lots be less than the minimum required by the RS zone without variance approval. Lot 1 is proposed to have a net area of approximately 5,566 square feet in area, Lot 2 is proposed to have a net area of approximately 5,559 square feet and Lot 3 is proposed to have a net area of approximately 5,482 square feet. All lots exceed the minimum 4,000 square feet required. Both gross and net areas are required to be listed on the final plat. Staff finds this request satisfies 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 intent of this provision is to prevent the creation of parcels unusually deep and narrow which can be difficult to serve and develop, and to promote an orderly and efficient development pattern and use of property. The submitted site plan shows the proposed parcels comply with this standard. Lot 1 and Lot 2 are proposed to be approximately 61 feet wide and over 91 feet deep in net area. Lot 3 is proposed to be approximately 59 feet wide and approximately 92 feet deep in net area. None of the three lots will have a length three times its width and therefore meets the minimum lot width and depth ratio requirements as outlined in the KDC. This proposal complies with this criterion.

3. ***Section 2.310.03.D. Access. All lots and parcels shall provide a minimum frontage, on an existing or proposed public street, equal to the minimum lot width required by the underlying zone. The following exceptions shall apply - lots accessed via an access easement, lots in townhouse or Planned Unit Developments, cul-de-sac lots and flag lots***

FINDINGS: The applicant's site plan indicates all lots will be accessed via a private access easement, therefore this criterion does not apply.

4. ***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 existing parcel is a flag lot and with this development, Lot 3 will remain a flag lot. The flag will also be an access and utility easement that serves all three lots, therefore, the standards governing access easements will apply. This proposal complies with this criterion.

5. ***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 intent of this provision is to allow the division of property that will result in uniform shaped lots thereby avoiding difficult to develop lots. The subject property is currently shaped as a flag lot that will result in dividing the lot into 3 rectangular shaped lots in net area served by a private access easement. This development proposal will allow the property to be developed consistent with the provisions of the KDC. Therefore, staff finds this request satisfies this criterion.

6. ***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 Keizer Development Code.***

FINDINGS: Both the City of Keizer and City of Salem Public Works Department's submitted comments pertaining to utility easements and facilities which both have been included as conditions for the partition approval. Each lot is allowed one water and one sewer service with this application; however, it should be noted that the applicant has indicated their plan to exercise their option for a middle housing land division in the future. At that time, individual water and sewer services will be required for each unit. An overall plan is required to be submitted to the City of Keizer Public Works Department indicating how water service will be provided to the proposed new lots and show the location of the required 10-foot wide water line easement. The Keizer Fire District has determined that a new hydrant is required to serve the proposed development. The hydrant will be required to be on an 8-inch main. The Fire District will determine the location for the hydrant. The applicant's plan shows all new services connected to a public water main constructed within the proposed access and utility easement.

The connections to sewer will require construction permits issued by the City of Salem and in accordance with the Salem Revised Code, the Public Works Design Standards, and Standard Construction Specifications. Sewer line easements are required to be 20-feet wide. Staff finds 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 is proposing a varying width access easement to serve the newly created Lots with a turnaround located on Lot 3. The portion running north/south is proposed to be 30 feet and the portion running east/west is proposed to be 44 feet. The standards governing access easements will be further addressed in this report. As a condition of partition approval, and based on the Fire District comments, the proposed access easement will be required to be paved a minimum of 24 feet. In areas of a fire hydrant, the requirement is 26 feet. Staff finds this request can comply with this criterion.

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

FINDINGS: The City has a legitimate governmental interest in assuring the development does not cause a public problem of inadequate, unsafe and inefficient public transportation facilities. This is done by ensuring that adequate street improvements are provided in order to provide safe traffic and pedestrian and bicyclist access without which dangerous or hazardous

traffic conditions are created. If a street frontage along a public street is less than or equal to 100 feet, and not along a collector or arterial street, street improvements are not required.

The subject property has 30 feet frontage along Claxter Road, a local street, therefore no street frontage improvements are required along Claxter Road. Staff finds this 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 stated above, no street improvements or dedications are required therefore this criterion does not apply.

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 (Stormwater Management); 2.307 (Utility Lines and Facilities); and 2.309 (Site and Landscaping Design).

1. *Section 2.301 General Provisions.*

FINDINGS: The intent of this provision is to ensure that new development is served by adequate public facilities and avoid having the situation where the public facilities are inadequate. The Keizer Development Code requires that appropriate public facilities be provided and the Public Works Department submitted comments (Exhibit 2) which specifically outline the requirements for the provision of public facilities to the proposed development of the three lots. The installation of appropriate public facilities will be ensured through the Public Works construction permit and building permit approval processes and will be placed as a condition of partition approval; therefore, staff finds this proposal satisfies this criterion.

2. *Section 2.302 Street Standards.*

FINDINGS: The subject property is served by an existing public street, Claxter Road NE. No improvements are required at this time as stated previously in this report. The applicant proposes to access the newly created lots by a private access easement. Staff finds this request can satisfy this criterion.

3. *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 assure private access easements are constructed in a manner consistent with city standards thereby avoiding the creation of a substandard access that might be unusable for vehicular traffic and emergency personnel. In addition, the City requests comments

from the Keizer Fire District where the Fire Code may differ from the City's Development Code. The Fire District has submitted comments pertaining to the access easement (Exhibit 4) that are incorporated into this decision. Staff finds the proposed plan can satisfy this criterion.

Width: The Fire District has submitted comments pertaining to the access and utility easement area that require an unobstructed paved surface width of not less than 24 feet. In areas of a hydrant the requirement increases to 26 feet. It also should be noted, the City of Salem and the Oregon Department of Transportation submitted comments that the stormwater management system is required to be built within the 30 feet access and utility easement area. The improvement of the access and utility easement shall be completed prior to approval of the final plat. In lieu of this, the applicant may obtain a performance bond, improvement agreement or other instrument acceptable to the City as outlined in Section 3.202.02.E.3 and 3.202.05.B of the Keizer Development Code. The applicant shows on his plan a 30-foot wide easement, therefore can comply with these standards.

Maintenance: Provisions for the maintenance of the access easement, 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 acceptable to the City and shall be recorded with the Marion County Clerk. The agreement shall include language stipulating that the agreement cannot be extinguished without written approval from the City of Keizer. The City of Keizer Planning Department will review and approve the Agreement before recording. The applicant is required to record the Maintenance Agreement immediately after the recording of the Plat. Before issuance of a building permit for the new dwellings, submission of proof of recording to the City is required. This will be a condition of partition approval.

Turn-around: The KDC requires a turn-around for access easements serving two or more dwelling units. In addition, the Fire District requires a turn-around for access easement in excess of 150'. The access easement is proposed to serve all three lots and is over 150' in length, therefore a turn-around is required. The applicant has submitted a site plan (Exhibit 1) that shows an acceptable turn-around located on Lot 3.

Parking: The Fire District has submitted comments that "no parking" signs are required on both sides of the access easement and in the turn-around area when the paved area is less than 26 feet or on one side if the access easement is between 26-32 feet for emergency vehicles access to the new lots. The applicant's plan shows a paved width of 30 feet. "No Parking" signs are required to be approved by the City. Installation of No Parking signs are required to be installed when the access easement is constructed.

Trees Along Access Easements: In certain cases, streetscape trees are required along access easements. When required, trees shall comply with the provisions of Section 2.309 of the KDC. Lots measuring along the access

easement less than 60 feet shall plant one streetscape tree and lots measuring more than 60 feet along the access easement shall be required to plant two streetscape trees. Streetscape trees are selected from a list of approved trees and planted within 10 feet of the access improvements within the boundaries of each lot. Each lot measure more than 60 feet along the access easement and will be required to plant two streetscape trees along the access easement. Planting of streetscape trees is a condition of Certificate of Occupancy for each new dwelling.

Screening: Unless waived in writing by the adjacent property owners, a 6' high sight-obscuring fence, wall, or hedge is required along the exterior side of an access easement to provide screening to any adjacent properties. This requirement is placed as a condition of partition plat approval.

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

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

FINDINGS: The applicant's proposed site plan indicates one parking space is planned for each dwelling unit as required in KDC Section 2.303.06. Oregon Administrative Rule 660.012-0440 prohibits cities from enforcing parking requirements for developments on lots within one-half mile of a transit corridors but when provided, parking spaces are required to be a minimum 9' x 18'. With the subject property located within a transit corridor, staff finds this criterion satisfied.

5. *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.

6. *Section 2.306 Provide for the management and control of stormwater runoff from all new development.*

FINDINGS: The intent of this provision is to ensure adequate storm drainage is provided, and avoid having runoff from properties becoming a nuisance or hindrance to other properties. The Public Works Department has submitted comments (Exhibit 2) regarding the requirements for storm drainage facilities. Specifically, all impervious surfaces on the site are to be designed to keep all storm water runoff on-site. No storm water runoff, from the new development, shall be directed to Claxter Road NE.

Prior to final plat approval, plans consistent with Section 2.306 of the KDC, for on-site drainage including storm water quality, detention, and outlet, shall be submitted to the Public Works Department for review and final approval. Before any soil disturbance on the subject property, an Erosion Control Permit must be obtained from the City of Keizer. As a condition of approval, a final grading and drainage plan will be required for the proposed development and

all lot corners shall have finished grade elevations indicated on the plan prior to the recording of the partition plat. With this placed as a condition of approval, staff finds this request can satisfy this criterion.

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

FINDINGS: The intent of this provision is to provide adequate services and facilities appropriate for residential development to ensure the location, design, installation and maintenance of all utility lines and facilities are carried out with minimum feasible disturbances of soil and site. All utilities are required to be located underground within a utility easement. The requirements of KDC Section 2.307 are development requirements and compliance will be ensured during the Public Works review of the construction and engineering drawings during the Construction Permit process. Staff finds that this request complies with this criterion.

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

FINDING: The City recognizes that factors such as disease, safety concerns, and site development requirements may require removal of mature/significant trees. Significant trees defined in Section 2.309.04.C of the KDC as having a height of more than 50’ and/or having a trunk diameter more than 12” at breast height. In particular, this provision aims to replace significant trees at a ratio of 2:1.

The applicant has submitted a *Tree Plan* that specifies removal of one significant tree for development. No other trees have been determined to be removed in the last 2 years. Development of the property in conformance with the *Tree Plan* will be a condition of Certificate of Occupancy of any new dwellings. Staff finds with the above-mentioned conditions; this request 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 2 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 24, 2023.**

Unless appealed, this decision becomes final on July 25, 2023.

Partition approval is only valid if the final plat is recorded prior to July 25, 2025.

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 Keizer Development Code 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 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):

- 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 25, 2025. The plat shall include all engineering elements as required by the Department of Public Works.
- 4. Provisions for the maintenance of the access easement, 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.
- 5. The access easement, turn around area, 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 Keizer Development Code.
- 6. Unless waived in writing by the adjacent property owners, a 6’ sight-obscuring fence, wall, or hedge is required along the west and north side of the access easement to provide screening to adjacent properties. If waived, documentation must be submitted to the City of Keizer Planning Department.
- 7. The following applicable requirements/conditions of the Public Works Department must be met as outlined below:

GENERAL CONDITIONS

The application is for creating 3 lots where 1 currently exists. The subject property is approximately 28,319 sq. ft. in area. Proposed Lot 1 will be approximately 5,566 sq. ft., proposed Lot 2 will be approximately 5,559 sq. ft. and proposed Lot 3 will be approximately 5,482 sq. ft. The existing lot is undeveloped and the applicant is proposing to use a private access ease for the proposed 3 lots. The applicant indicates that 3 duplexes will be constructed on the proposed lots. The Applicant’s Statement indicates that they plan to divide the lots per the Middle Housing Land Division Rule after the partition is recorded. This will require that individual water and sewer services will be required for each proposed unit.

SANITARY SEWERS:

It is the developer's responsibility to connect the proposed development to the appropriate master plan sewer lines designed to serve the area.

- a.) City of Salem approval for local sewer permits will need to be issued prior to construction. Street opening permits will be required for any construction within a public street.
- b.) Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property. Each parcel will be required to have its own sanitary sewer service and will be required to connect to an approved public sanitary sewer line. Plans for connection to the sanitary sewer system shall be submitted to the City of Keizer and the City of Salem for proposed lots 1, 2 and 3 and shall be permitted by the City of Salem prior to approval of the proposed partition plat.
- c.) Appropriate easements will be required for any public sewer mains located within the subject property if located outside platted right of ways. Easements will be required for all private sewer lines that cross private properties.
- d.) The property is within the original Keizer Sewer District and is therefore not subject to an acreage fee for sanitary sewer.

WATER SYSTEM:

- a.) All new services shall be connected to a water main. The Keizer Fire District has determined that a new hydrant is required to serve the proposed development. The hydrant will be required to be on a 8 inch main. The Fire District will determine the location for the hydrant. An overall plan indicating how water service will be provided to the proposed new parcels shall be submitted to the Public Works Department for approval. The application indicates a public water main will be constructed within the proposed access easement. The Public Works Department will require that a 10-foot-wide easement to the City of Keizer will be dedicated when the actual location of the new main is known.
- b.) Each parcel shall have its own water service. Location of water meters shall be submitted for approval by the Public Works Department.

STREET AND DRAINAGE IMPROVEMENTS:

- a.) No development of the subject property will be allowed until the required access easement has been platted and improved per the conditions of the proposed partition. The proposed access easement is indicated to be 44 feet wide with an adjoining 10-foot wide PUE. A plan providing adequate turning movements for the proposed fire truck turnaround shall be submitted for review and approval by the Public Works Department and the Keizer Fire District prior to approval of the partitioning plat.

- b.) The Keizer Development Code requires standards for private access easements. It will be the responsibility of the applicant to provide for adequate maintenance agreements for any existing or proposed access easements.
- c.) All impervious surfaces on the site, including the proposed access easement area shall be designed to keep all storm water runoff on-site. No storm water runoff from the new development shall be directed to Claxter Road. The plans for storm water quality and detention shall be submitted to the City of Keizer Public Works Department for review and approval prior to approval of the partition plat.

OTHER

- a.) Construction permits are required by the Public Works Department prior to any public facility construction.
- b.) A Pre-design meeting with the City of Keizer Public Works Department will be required prior to the Developer's Engineer submitting plans to either the City of Keizer or the City of Salem for review.
- c.) Street opening permits are required for any work within the City Right of Way that is not covered by a Construction Permit.
- d.) A Pre-construction conference shall be required prior to commencement of any construction under permits issued by the city.
- e.) The Partition Plat shall include a signature line for the City Engineer.
- f.) Any existing wells on the subject property shall be abandoned in accordance with the Oregon State Water Resources Department requirements.
- g.) A street lighting district will be required to provide a street light at the terminus of Claxter Road.

Prior To Obtaining Building Permit(s):

- 8. All required public utility services shall be completed to the satisfaction of the Department of Public Works.

Prior to Obtaining Building Permit Final:

- 9. 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. Address display sign are required at Claxter Road NE identifying addresses on access easement.
- 10. Two streetscape trees must be planted on each lot along the access easement. The trees must be a minimum 2" caliper when planted.
- 11. The property owner must submit documentation to the City of Keizer Planning

Department that the Maintenance Agreement has been recorded with Marion County
Recorders Office.

12. Planting of trees according to the submitted *Tree Plan* must be complete. Trees must
be a minimum 2" caliper 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: July 14, 2023

Shane Witham, Planning Director

EXHIBIT 2

PARTITION CASE NO. 2023-09
APPLICANT – PATRICIA DEAN
ADDRESS – 1800 BLOCK OF CLAXTER ROAD

PUBLIC WORKS DEPARTMENT CONDITIONS AND REQUIREMENTS

GENERAL CONDITIONS

The application is for creating 3 lots where 1 currently exists. The subject property is approximately 28,319 sq. ft. in area. Proposed Lot 1 will be approximately 5,566 sq. ft., proposed Lot 2 will be approximately 5,559 sq. ft. and proposed Lot 3 will be approximately 5,482 sq. ft. The existing lot is undeveloped and the applicant is proposing to use a private access easement for the proposed 3 lots. The applicant indicates that 3 duplexes will be constructed on the proposed lots. The Applicant's Statement indicates that they plan to divide the lots per the Middle Housing Land Division Rule after the partition is recorded. This will require that individual water and sewer services will be required for each proposed unit.

SANITARY SEWERS:

It is the developer's responsibility to connect the proposed development to the appropriate master plan sewer lines designed to serve the area.

- a.) City of Salem approval for local sewer permits will need to be issued prior to construction. Street opening permits will be required for any construction within a public street.
- b.) Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property. Each parcel will be required to have its own sanitary sewer service and will be required to connect to an approved public sanitary sewer line. Plans for connection to the sanitary sewer system shall be submitted to the City of Keizer and the City of Salem for proposed lots 1, 2 and 3 and shall be permitted by the City of Salem prior to approval of the proposed partition plat.
- c.) Appropriate easements will be required for any public sewer mains located within the subject property if located outside platted right of ways. Easements will be required for all private sewer lines that cross private properties.
- d.) The property is within the original Keizer Sewer District and is therefore not subject to an acreage fee for sanitary sewer.

WATER SYSTEM:

- a.) All new services shall be connected to a water main. The Keizer Fire District has determined that a new hydrant is required to serve the proposed development. The hydrant will be required to be on a 8 inch main. The Fire District will determine the location for the hydrant. An overall plan indicating how water service will be provided to the proposed new parcels shall be submitted to the Public Works Department for approval. The application indicates a public water main will be constructed within the proposed access easement. The Public Works Department will require that a 10-foot-wide easement to the City of Keizer will be dedicated when the actual location of the new main is known.

- b.) Each parcel shall have its own water service. Location of water meters shall be submitted for approval by the Public Works Department.

STREET AND DRAINAGE IMPROVEMENTS:

- a.) No development of the subject property will be allowed until the required access easement has been platted and improved per the conditions of the proposed partition. The proposed access easement is indicated to be 44 feet wide with an adjoining 10 foot wide PUE. A plan providing adequate turning movements for the proposed fire truck turnaround shall be submitted for review and approval by the Public Works Department and the Keizer Fire District prior to approval of the partitioning plat.
- b.) The Keizer Development Code requires standards for private access easements. It will be the responsibility of the applicant to provide for adequate maintenance agreements for any existing or proposed access easements.
- c.) All impervious surfaces on the site, including the proposed access easement area shall be designed to keep all storm water runoff on-site. No storm water runoff from the new development shall be directed to Claxter Road. The plans for storm water quality and detention shall be submitted to the City of Keizer Public Works Department for review and approval prior to approval of the partition plat.

OTHER

- a.) Construction permits are required by the Public Works Department prior to any public facility construction.
- b.) A Pre-design meeting with the City of Keizer Public Works Department will be required prior to the Developer's Engineer submitting plans to either the City of Keizer or the City of Salem for review.
- c.) Street opening permits are required for any work within the City Right of Way that is not covered by a Construction Permit.
- d.) A Pre-construction conference shall be required prior to commencement of any construction under permits issued by the city.
- e.) The Partition Plat shall include a signature line for the City Engineer.
- f.) Any existing wells on the subject property shall be abandoned in accordance with the Oregon State Water Resources Department requirements.
- g.) A street lighting district will be required to provide a street light at the terminus of Claxter Road.

Comments on Planning Action: Keizer Partition 2023-09

Date 7/12/2023 Person Commenting Kent Inman

Subdivision:

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

Partition:

- 1. Per ORS 92.055 – Parcels over 10 acres can be 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 4



Date: July 13, 2023

Comments for: Partition Case 2023-09

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

1. Single 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. 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. Proposed turnaround does not meet standards.
3. Grade: Fire apparatus access roadway grades shall not exceed 10 percent. 2022 Oregon Fire Code D 103.2
4. Fire apparatus access road width and vertical clearance: Fire apparatus access roads shall have an unobstructed driving surface width of not less than 24 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. (2022 OFC 503.2.1 & D103.1). In areas of hydrant shall be 26 feet, the proposed 30 foot access is sufficient.
5. 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)
6. 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
7. 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.



EXHIBIT 5 REQUEST FOR COMMENTS

June 22, 2023

CASE: Partition 2023-09

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 area attached.

Comments must be submitted in writing and received in our office by 5:00 pm on July 6, 2023.

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

Send comments or questions to:

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

REQUEST: The applicant is requesting to partition an approximate 28,319 square foot parcel of property located in the 1800 block of Claxter Road NE into three lots. Lot 1 will contain a net square footage of approximate 5,566 square feet, Lot 2 will contain a net square footage of approximate 5,559 square feet net and Lot 3 will contain a net square footage of approximate 5,482 square feet. The lot is currently undeveloped and is planned for duplex development. The new lots will be served by a private access easement. The property is located at 1800 blk Claxter (073W01CC00706).

APPLICANT: Patricia Dean
ZONE: Residential Single Family (RS)

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: The proposed connection to sewer will require construction permits in accordance with the Salem Revised Code, the Public Works Design Standards, and Standard Construction Specifications. Permits will not be issued by the City of Salem Permit Application Center until all construction plans have been approved by the Public Works Department. Construction drawings can be submitted by email to: developmentservices@cityofsalem.net. A portion of the proposed improvements appears to be within Salem City Limits and the Dr. Martin Luther King Jr. Parkway Right-of-way, which is under ODOT Jurisdiction. Please see attached redline comments.

Name: Laurel Christian, Planner II

Agency: City of Salem Public Works Department

Phone: 503-588-6211 ext. 7445

Email: Lchristian@cityofsalem.net

Address: 555 Liberty Street SE, Salem OR 97301

Date: July 5, 2023

KEY NOTES

- 1 STREET BARRIAGE, SEE ST-15/C4.0
- 2 WATER QUALITY/INFILTRATION SWALE, SEE A/C9.0
- 3 FIRE APPARATUS ACCESS, SEE ST-14/C10.3
- 4 FIRE APPARATUS ALTERNATE TURNAROUND
- 3A FIRE APPARATUS ACCESS, SEE 1/C7.2 ASPHALT PAVEMENT
- 4 (N) SANITARY SEWER MANHOLE, SEE NO.101/C10.2 4" STANDARD MANHOLE, MH-3 STA.3+26.82 OFF:3.77R
- 5 (N) SANITARY SEWER MANHOLE, SEE NO.101/C10.2 4" STANDARD MANHOLE, MH-2 STA.1+24.71 OFF:3.51L
- 6 WATERMETER, SEE W-12A/C10.0
- 7 DRIVEWAY TRANSITION, SEE ST-20/C10.1
- 8 NO PARKING SIGN, SEE 1/C10.0
- 9 FIRE HYDRANT ASSEMBLY, SEE W-24/C10.0 ON LINE
- 10 CURB NOTCH PAVEMENT SPLASH PAD, SEE NO. 612/C10.4
- 11 STANDARD BLOWOFF WITH PLUGGED END, SEE W-23/C10.0
- 12 FIRE HYDRANT ASSEMBLY OFF LINE, SEE W-24/C10.0
- 13 (E) C&K 6" CI GO WATER LINE
- 14 (E) C&S 8" CI GO WATER LINE
- 15 (E) C&S 42" COP GO WATER LINE
- 16 (E) C&K 8" WATER LINE MAIN
- 17 (E) 8" MAN - C&K TO HOT TAP TO (N) 8" DI PIPE INSTALL NEW 8" FLGSMI GATE VALVE
- 18 MALBOX CLUSTER
- 19 (E) STREET TREES
- 20 CHINESE ELM (ULMUS PARVIFLORA)
- 21 28' TO 30' STREET TRANSITION
- 22 (5) NEW SITE TREES
- NOTE: MIN. 2-INCH DIAMETER AT 6-INCHES ABOVE GROUND WHEN PLANTED.
- (3) EA. KWANZAN CHERRY (PRUNUS SERRULATA, KWANZAN)
- (2) EA. FLOWERING PEAR & VAR. (PRUNUS CALLERIANA & VAR.)
- 23 (N) SANITARY SEWER MANHOLE, SEE NO.101/C10.2 4" STANDARD MANHOLE, MH-3 STA.1+24.71 OFF:3.51L
- 24 CITY OF KEizer
- 8" x 28" TIE INSTALL 8" FLGSMI GATE VALVE WITH METALUG RESTRAINT AT MI SEE SDD W-21/C10.0
- 25 8" x 90" D.I. ELBOW & EBAA TRU-DUAL 15SPFOOTD
- 26 8" x 45" D.I. ELBOW VERTICAL
- 27 8" w/8" METALUG RESTRAINT or EBAA TRU-DUAL 15SPFOOTD
- 8" DI DUCTILE IRON PIPE W/8" FULL LENGTH W/POLY WRAP TAPE POLY WRAP ENDS TO PIPE
- 28 8" PVC ASTM 3034/SOR 35
- 29 PAPER SPLASH PAD SEE NO. 612/C10.4
- (N) SANITARY SEWER MANHOLE, SEE NO.101/C10.2 4" STANDARD MANHOLE, MH-3

PRELIMINARY NOT FOR CONSTRUCTION

- LEGEND
- (E) GRADE SPOT ELEVATION
 - 174.5' (E) MINOR CONTOUR
 - 174.0' (E) MAJOR CONTOUR
 - SD NEW STORMDRAIN
 - SS NEW SANITARY SEWER
 - W NEW WATER
 - ESS EXISTING SANITARY SEWER
 - EW EXISTING WATER
 - ESD EXISTING STORM DRAIN

PLANNING NOTES

PARTITION PLAT No. 99-82

ZONING: RS - RESIDENTIAL SINGLE FAMILY

MINIMUM LOT DIMENSIONS

LOT SIZE: 4000 SQ. FT.

AVE. WIDTH: 40 FT

AVE. DEPTH: 70 FT

MAX. HEIGHT: 35 FT

MINIMUM YARD SETBACKS

FRONT: 10 FT

REAR-2-STORY: 20 FT

GARAGE ENTRANCE: 20 FT

STORM WATER DESIGN INFORMATION

PER BRANCH ENGINEERING, RON BRERG, C.E. INFILTRATION RATES ARE 133 INCHES/HOUR WITH A FACTOR OF SAFETY OF 2.0 USED. SEE STORMWATER MANAGEMENT REPORT.

PRED-EVELOPMENT RUNOFF IS VIRTUALLY ZERO. INFILTRATION TRENCH WITH WATER QUALITY SWALE. SEE STORMWATER MANAGEMENT REPORT.

RELOCATE (E) AT (N) MANHOLE

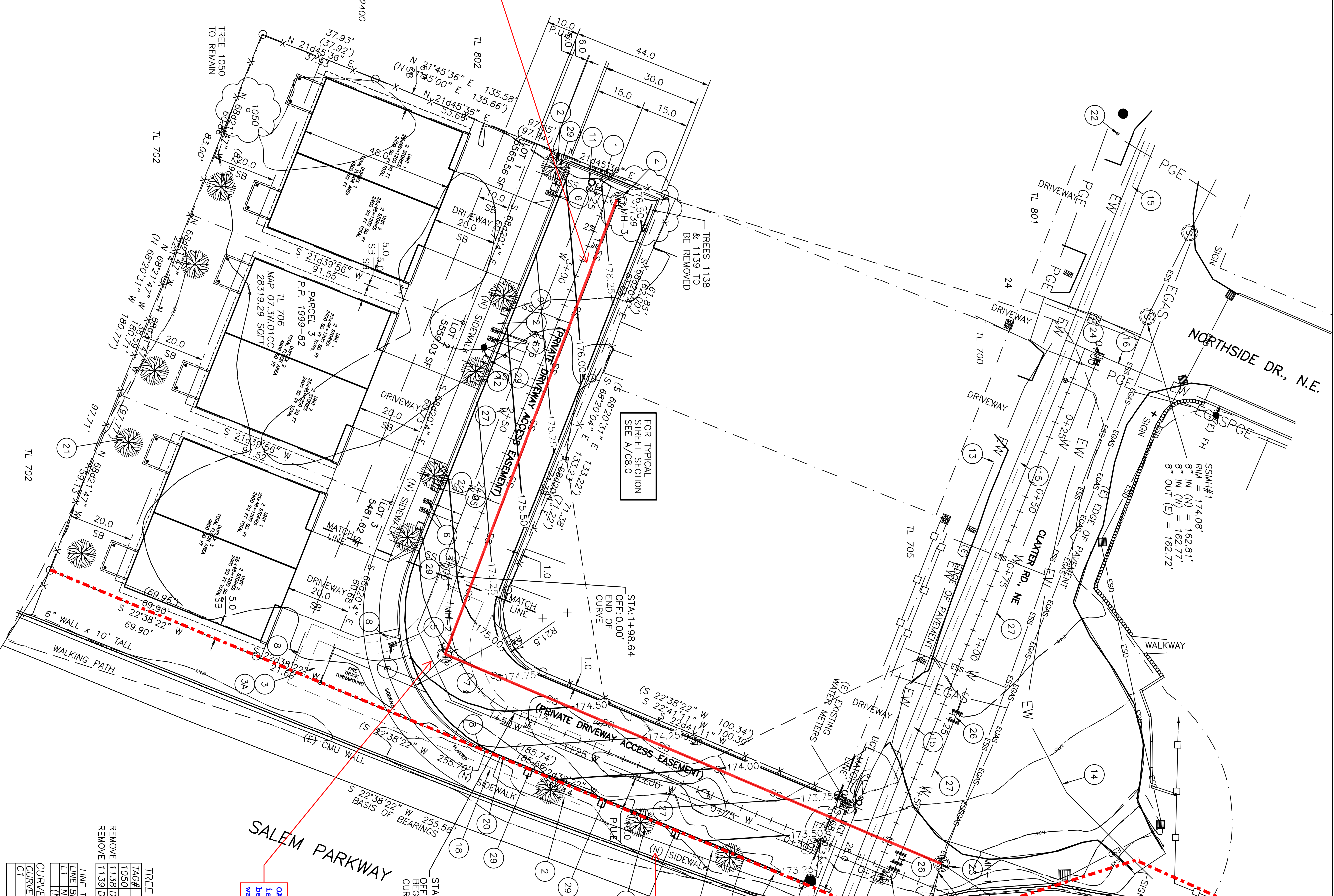
This could be very expensive depending on the main size.

Approx Salem City Limits

Improvements within Salem City Limits and are within the Dr. MLK JR. Parkway - ODDI Jurisdiction.

Public sewer would be acceptable if built in private streets. (30ft assessment required) Sewer main slope should be 0.8% min due to only few lines must tap on main, not at Mt. Terminal Mt require at upper end.

ORA 333 separation is required here between sewer and water.



TREE TABLE

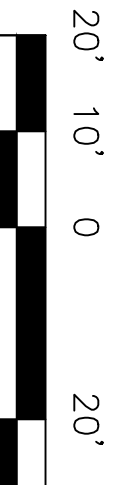
TAG#	TYPE	TRUNK/DIAPHR P&D
1050	TREE	14" x 10"
REMOVE 1138	DECIDUOUS	8" x 12"
REMOVE 1139	DECIDUOUS	8" x 12"

LINE TABLE

LINE BEARING	LENGTH	DISTANCE
L1 N 68°19'21" W	29.96'	
L2 N 68°20'31" W	30.00'	

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	31.07'	20.00'	88°51'17"	N 66°48'34" E	28.00'
C2	31.07'	20.00'	88°51'07"	N 67°08'55" E	28.04'



SCALE: 1" = 20'

A SITE PLAN

SCALE: 1" = 20'

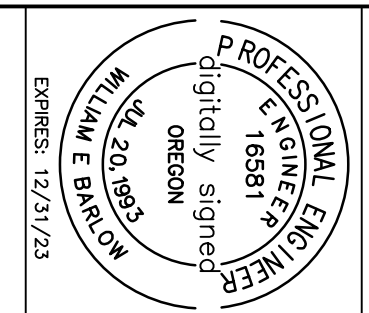
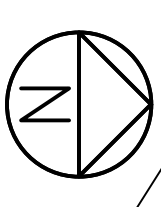


EXHIBIT 6

From: [KNECHT Casey](#)
To: [Horner, Dina](#)
Subject: RE: ODOT Comments for City of Keizer Partition 2023-09 - Dean
Date: Thursday, July 6, 2023 2:25:23 PM
Attachments: [image001.png](#)

Hi Dina,

We received information about the proposed partition on the 1800 block of Claxter Road NE in Keizer. The only impacts to ODOT are the storm drainage from the site since any overflow of the swales will end up at the inlet adjacent to the wall for the Parkway. We reviewed the applicant's stormwater report and the swales appear to have been adequately designed, so we have no concerns with the proposal.

For any future land use notices, you can email them to the ODOT Region 2 Planning and Development inbox at ODOTR2PLANMGR@odot.oregon.gov. It will get forwarded to the correct reviewer (usually me for Marion County).

Anything that falls on ODOT right-of-way will be public. It should be limited to sidewalk and green space. The private driveway and drainage swales will need to be located entirely on private property. You can have the applicant contact me directly to see if any permits are needed once they have a revised site plan.

Thanks!

Casey Knecht, P.E.
Development Review Coordinator
ODOT Region 2



EXHIBIT 7

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

Andrea Castañeda, Superintendent

July 10, 2023

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

RE: Land Use Activity Case No. Partition 2023-09, 1800 Block of Claxter Rd NE

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

IDENTIFICATION OF SCHOOLS SERVING THE SUBJECT PROPERTY

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

School Name	School Type	Grades Served
Kennedy	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
Kennedy	Elementary	352	535	66%
Claggett Creek	Middle	803	969	83%
McNary	High	2,102	2,200	96%

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	6	DU	0.221	1
Middle			0.126	1
High			0.155	1

Table 3

POTENTIAL EFFECT OF THIS DEVELOPMENT ON SCHOOL ENROLLMENT

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

School Name	School Type	School Enrollment	New Students During Past 2 yrs	New Student from this Case	Total New Students	School Design Cap.	Enroll./Cap. Ratio
Kennedy	Elem.	352	19	1	20	535	70%
Claggett Creek	Mid.	803	15	1	16	969	85%
McNary	High	2,102	32	1	33	2,200	97%

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
Kennedy	Elementary	Walk Zone
Claggett Creek	Middle	Walk Zone
McNary	High	Eligible for School Transportation

Table 5

ESTIMATE OF NEW SCHOOL CONSTRUCTION NEEDED TO SERVE DEVELOPMENT

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

School Type	Number of Students	Estimate of Facility Cost Per Student*	Total Cost of Facilities for Proposed Development*
Elementary	1	\$86,190	\$86,190
Middle	1	\$92,235	\$92,235
High	1	\$98,280	\$98,280
TOTAL			\$276,705

Table 6

*Estimates based on average of Indicative Construction Costs from “RLB Construction Cost Report North America Q4 2022”

Sincerely,

David Fridenmaker
Business and Support Services

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



EXHIBIT 8

City of Keizer

Phone: (503) 856-3440 • 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 property in the 1800 block of Claxter Rd NE
DATE: June 22, 2023
CASE: Partition 2023-09

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 **July 6, 2023**.

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

RECEIVED
CITY OF KEIZER
JUL - 3 2023
PLANNING DEPARTMENT

REQUEST: The applicant is requesting to partition an approximate 28,319 square foot parcel of property located in the 1800 block of Claxter Road NE into three lots. Lot 1 will contain a net square footage of approximately 5,566 square feet, Lot 2 will contain a net square footage of approximately 5,559 square feet net and Lot 3 will contain a net square footage of approximately 5,482 square feet. The lot is currently undeveloped and is planned for duplex development. The new lots will be served by a private access easement. The property is located at 1800 blk Claxter (073W01CC00706).

APPLICANT/Owner: Patricia Dean
ZONE: Residential Single Family (RS)

PLEASE CHECK THE APPROPRIATE ITEMS:

- I/We reviewed the proposal and determined I/we have no comment.
- My/Our comments are in the attached letter.
- My/Our comments are (continue elsewhere if necessary): WE WOULD

LIKE TO REQUEST THE ERECTION OF A 6-8 FT FENCE ALONG THE
PROPERTY LINE FOR NOISE MITIGATION CAUSED BY TRAFFIC COMING
AND GOING AS OUR HOME IS NEXT TO THE ACCESS ROAD. (PARCEL 705
ON MAP)

Name: DECLAN + TARA KAVANAGH.
Phone: (605) 290-3711
Email: deckavanagh@gmail.com.
Address: 1858 CLAXTER RD. NE, KEIZER, OR, 97303
Date: 07-02-23