

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
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*Si necesita ayuda para comprender esta información, por favor llame
503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

TENTATIVE PARTITION PLAN CASE NO.: PAR25-06

APPLICATION NO.: 24-122051-PLN

NOTICE OF DECISION DATE: May 23, 2025

REQUEST: A Tentative Partition Plan to divide a 34.13-acre property into three parcels, two five acres in size and one approximately 22.72 acres in size, along with public right-of-way dedication. The subject property is 34.13 acres in size, zoned RA (Residential Agriculture), and located at 2592 Kuebler Road S (Marion County Assessor's Map and Tax Lot Number: 083W17B / 100).

APPLICANT: Brandie Dalton, Multi/Tech Engineering

LOCATION: 2592 Kuebler Rd S, Salem OR 97302

CRITERIA: Salem Revised Code (SRC) Chapter 205.005(d) – Tentative Partition Plan

FINDINGS: The findings are in the attached Decision dated May 23, 2025.

DECISION: The **Planning Administrator APPROVED** Partition Tentative Plan Case No. PAR25-06 subject to the following conditions of approval:

- Condition 1:** Prior to Final Plat approval, required right-of-way dedications and required easements shall be free and clear of encumbrances and liens, unless a Class 2 Adjustment to SRC 200.050(d) is approved.
- Condition 2:** Prior to Final Plat approval, provide an engineered stormwater design pursuant to SRC 71 and the Public Works Design Standards to accommodate new impervious surfaces in rights-of-way and future impervious surfaces on all proposed lots.
- Condition 3:** Prior to final plat approval or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct stormwater facilities pursuant to SRC 71 and the Public Works Design Standards to accommodate new impervious surfaces in rights-of-way and future impervious surfaces on all proposed parcels.
- Condition 4:** On the Final Plat, dedicate an Open Channel Drainage Easement along Croisan Creek on the subject property. In accordance with PWDS, the easement width shall be equal to the 100-year floodway, 15 feet from the channel centerline, or ten feet from the recognized bank, whichever is greater.
- Condition 5:** On the Final Plat, convey land for dedication to equal a half-width right-of-way of 36-feet from centerline on the development side of

Kuebler Road S, including sufficient right-of-way to accommodate public infrastructure at the property corners.

- Condition 6:** On the Final Plat, convey land for dedication to equal a half-width right-of-way of 30-feet from centerline on the development side of Channel Street S, including sufficient right-of-way to accommodate public infrastructure at the property corners.
- Condition 7:** On the Final Plat, convey land for dedication to equal a half-width right-of-way of 30-feet from centerline on the development side of Ballyntyne Road S, including sufficient right-of-way to accommodate public infrastructure at the property corners.
- Condition 8:** On the Final Plat, dedicate right-of-way for the southern portion of Croisan Creek Road S from Ballyntyne Road S to the northern boundary of Parcel 1, including sufficient right-of-way to accommodate public infrastructure at the property corners.
- Condition 9:** Prior to Final Plat approval, provide a conceptual engineered design of the horizontal and vertical alignment of future Croisan Creek Road S through the subject property from the Ballyntyne Road S to Kuebler Road S. The centerline of future Croisan Creek Road S within the subject property shall be shown on the plat in sufficient detail to illustrate minimum building setbacks can be met.
- Condition 10:** On the Final Plat, provide a ten-foot-wide Public Utility Easement along the frontage of Kuebler Boulevard S, Channel Street S, Ballyntyne Road S, and Croisan Creek Road S.
- Condition 11:** The applicant shall obtain a Revocable License for the proposed private driveway serving the proposed parcels within the undeveloped right-of-way of Croisan Creek Road S. The Revocable License shall specify that the driveway will be privately maintained by the property owners which it serves.
- Condition 12:** Pursuant to SRC 804.035(c)(4), no new driveway approaches are permitted onto Kuebler Boulevard S for any single-family, two-family, three-family, or four-family uses constructed as part of the partition.
- Condition 13:** Prior to submittal of building permits for any parcel within the partition, the developer shall provide a final report from a geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical considerations for each individual building parcel.
- Condition 14:** Prior to Final Plat approval, obtain a favorable site evaluation for the installation of an on-site sewage disposal system for each parcel.
- Condition 15:** City water and sewer services are not currently available to serve the proposed development; therefore, to ensure compliance with SRC 205.005(e), the following Conditions shall apply:
- (1) The parcels shall only be used for residential purposes;

- (2) All buildings and structures shall meet required setbacks from future street rights-of-way; and
- (3) Prior to Final Plat approval, a non-remonstrance agreement shall be signed and recorded against the property agreeing to connect to the City's sewer and water systems when they become available, and waiving the right to object to any future City sewer and water project benefiting the property.

The rights granted by the attached decision must be exercised, or an extension granted, by June 10, 2027, or this approval shall be null and void.

Application Deemed Complete:	<u>March 24, 2025</u>
Notice of Decision Mailing Date:	<u>May 23, 2025</u>
Decision Effective Date:	<u>June 10, 2025</u>
State Mandate Date:	<u>August 21, 2025</u>

Case Manager: Quincy Miller, Planner I, qmillier@cityofsalem.net, 503-584-4676

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m., Monday, June 9, 2025. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter 205. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

<http://www.cityofsalem.net/planning>

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF THE)	FINDINGS AND ORDER
APPROVAL OF TENTATIVE PARTITION)	
CASE NO. PAR25-06)	
2592 KUEBLER RD S)	MAY 23, 2025

In the matter of the application for a Tentative Partition application, submitted by Brandie Dalton of Multi/Tech Engineering on behalf of the property owner, Comfort Homes LLC, the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

Summary: A partition to divide a 34.13-acre property into three parcels.

Request: A Tentative Partition Plan to divide a 34.13-acre property into three parcels, two five acres in size and one approximately 22.72 acres in size, along with public right-of-way dedication. The subject property is 34.13 acres in size, zoned RA (Residential Agriculture), and located at 2592 Kuebler Road S (Marion County Assessor's Map and Tax Lot Number: 083W17B / 100).

A vicinity map indicating the subject property and surrounding area is included herein as **Attachment A**.

PROCEDURAL FINDINGS

1. Background

1. On October 28, 2024, an application for a Tentative Partition Plan was filed proposing to divide a 34.13-acre property located at 2592 Kuebler Road S into three parcels. The proposed Partition Plan is included as **Attachment B**.
2. After additional information was provided, the application was deemed complete March 24, 2025.
3. On May 21, 2025, the applicant requested a 30-day extension to the 120-day state-mandated decision date to August 21, 2025.

SUBSTANTIVE FINDINGS

2. Proposal

The partition is proposed to divide the 34.13-acre property into three parcels, along with dedication for public right-of-way to extend Croisan Creek Road. Parcels 1 and 2 will be five acres in size, Parcel 3 will be 22.72 acres in size, and 1.51 acres will be dedicated for public right-of-way for Croisan Creek Road. All parcels are vacant, with Croisan Creek Road not connecting to Kuebler Road until further development of Parcel 3. The three parcels within the Tentative Partition Plan are proposed as follows:

PROPOSED PARCEL 1

Parcel Size: Five acres (217,800 square feet)
Parcel Dimensions: Approximately 562 feet in width and 344 feet in depth

PROPOSED PARCEL 2

Parcel Size: Five acres (217,800 square feet)
Parcel Dimensions: Approximately 385 feet in width and 447 feet in depth

PROPOSED PARCEL 3

Parcel Size: 22.72 acres (989,548 square feet)
Parcel Dimensions: Approximately 1,274 feet in width and 857 feet in depth

3. Summary of Record

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 24 122051.

4. City Department Comments

Development Services Division – Reviewed the proposal and provided written findings which have been incorporated into this staff report.

Building and Safety Division – Reviewed the proposal and indicated no concerns.

Fire Department – Reviewed the proposal and indicated no concerns.

5. Public Agency and Private Service Provider Comments

Salem-Keizer Public Schools – Reviewed the proposal and provided a memo, which is included as **Attachment C**.

6. Neighborhood Association Comments and Public Comments

The subject property is located within the boundaries of the Sunnyslope Neighborhood Association.

Applicant Neighborhood Association Contact: Salem Revised Code (SRC) Chapter 300 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this proposed consolidated land use application request require neighborhood association contact. On June 12, 2025, the applicant contacted the Sunnyslope Neighborhood Association to provide details about the proposal.

Neighborhood Association Comment: Notice of the application was provided to the neighborhood association, pursuant to SRC 300.620(b)(2)(B)(iii), which requires public notice to be sent to “any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property.” At the time of completion of this report, no comments were received from the Sunnyslope Neighborhood Association.

While not within or adjacent to the subject property, the SouthWest Association of Neighbors (SWAN) Neighborhood Association provided comments concerning impacts to wetlands, riparian areas, flooding, and traffic, which are addressed below with the public comments.

Homeowners Association: The subject property is not located within a Homeowners Association.

Public Comment: Pursuant to SRC 300.520(b), property owners and residents within 250 feet of the subject property were mailed notification of the proposed partition. During the 14-day comment period, 15 comments were received. Twelve comments expressed concerns about traffic, roadway safety, and roadway improvements; eight comments expressed concerns about impact to the environment such as trees, stormwater, and the Riparian Corridor; nine comments expressed concerns regarding public notification procedures, and; seven comments expressed concerns about disruptions to the neighborhood character.

Traffic and Roadway Impacts

Staff Response: The proposed partition would create three vacant parcels for future development subject to the allowable uses in the RA (Residential Agriculture) zone. As described in the findings for this decision, the subject property abuts Kuebler Road S, Croisan Creek Road S, and Ballyntyne Road S. Primary access for each of the three proposed parcels is from Ballyntyne Road S. Ballyntyne Road S turns into Croisan Creek Road S before connecting to Kuebler Road S. Both Ballyntyne and Croisan Creek Road are underimproved Local Streets approximately 20 feet in width. Direct driveway access to Kuebler Road S will not be permitted with new homes constructed with this partition application.

Although the proposed partition does not trigger a Traffic Impact Analysis pursuant to SRC 803.015, and does not trigger any off-site traffic mitigation, as a condition of approval, the applicant is required to dedicate additional right-of-way for each of the abutting streets for future boundary street improvements. While additional improvements such as street widening, construction of sidewalks, or planting of street trees cannot be imposed with this partition application as they are not proportional to the potential traffic impacts for a three-parcel partition, street improvements could be required at the time of future development for proposals such as a subdivision.

Furthermore, the proposed partition does not significantly increase traffic with any of the allowed uses in the RA zone. The Salem Transportation System Plan provides guidance for how to address the impacts of growth citywide. Cumulative impacts of growth that affect overall traffic patterns are addressed through collection of System Development Charges (SDCs). Any proposed residential units will pay Transportation SDCs that are collected and used to pay for street improvements that add capacity to mitigate impacts of growth.

Environmental Impact—Trees

Staff Response: In accordance with the City's Tree Preservation Ordinance per SRC 808.035(a), the applicant has submitted a Tree Conservation Plan in conjunction with the Tentative Partition Plan (PAR25-06). Per SRC 808.035(d), a Tree Conservation Plan requires that no Heritage Trees be designated for removal, and that no Significant Trees (Oregon White Oaks with a diameter at breast height (dbh) of at least 20 inches, or most other trees with a dbh of at least 30 inches), trees within Riparian Corridors, or native vegetation be removed unless there are no reasonable design alternatives that would enable their preservation.

Of the 283 trees on the subject property, 82 have been identified as Significant Trees, 35 of which are Oregon White Oaks. The proposed Tree Conservation Plan designates 260 trees (92%) for preservation and 23 trees (8%) for removal. Of the 23 trees proposed for removal, five are Significant Oregon White Oaks, which the applicant has identified for removal based on their location within proposed right-of-way required for street improvements. The 92 percent retention of identified trees is well in excess of the 25 percent required under SRC Chapter 808. Future residential development on the proposed parcels would be required to meet the tree planting requirements per SRC 808.050.

The proposed Tree Conservation plan is being reviewed by staff and, if approved, will be binding on the parcels until final occupancy. Any future changes to the approved Tree Conservation Plan will require approval of a separate Tree Conservation Plan Adjustment.

Environmental Impact—Stormwater

Applicable development standards and conditions of approval require that the applicant design stormwater facilities in compliance with the Public Works Stormwater Management Design Standards prior to Final Plat approval, addressing the feasibility for onsite drainage disposal and any necessary offsite facilities. The Stormwater Management Design Standards require the applicant's engineer to submit infiltration test results, an Engineering Method Report, and a preliminary site plan showing the building envelope and tentative location of stormwater facilities. If the proposed parcel dimensions are not adequate to provide onsite stormwater facilities, then in compliance with the Public Works Design Standards, a restricted building envelope or alternate engineering analysis will be required. In addition to required onsite stormwater facilities, the applicant is required to identify an approved overflow disposal point to accommodate large volumes of stormwater during high volume rain events.

The proposed development is subject to the requirements of SRC Chapter 75 (*Erosion Prevention and Sedimentation Control*) and SRC Chapter 82 (*Clearing and Grading*). Permits are required for grading work that exceeds minimum thresholds, and all grading work shall meet prescribed codes and standards. The subject property is designated on the Federal Emergency Management Agency (FEMA) floodplain maps as a Zone "AE" floodplain and floodway. While the application materials do not indicate the footprint for new buildings, any future development occurring within the floodplain requires a Floodplain Development Permit and is subject to the requirements of SRC Chapter 601, including elevation of new structures to a minimum of one foot above the base flood elevation.

Public Notification

Staff Response: A Tentative Partition Plan is subject to the approval criteria of SRC 205.005(d) and is processed as a Type II Land Use Application per SRC Chapter 300. A Type II procedure is used when the standards and criteria require limited discretion or legal judgment in their application. Public notice and opportunity to comment prior to issuance of a decision was provided per Oregon state law and SRC 300.520(b). Per SRC 300.520(b)(1)(B)(vii), public notice was mailed to all current addresses within 250 feet of the subject property. Neither posted notice (physical signage) on the property nor a public hearing is required for Tentative Partition application.

Neighborhood Character

Staff Response: The proposed parcels are within the RA (Residential Agriculture) zone and designated as DR (Developing Residential) on the Salem Comprehensive Plan Map. The permitted uses per Table 510-1 in SRC 510.005 for the RA zone are broadly low-density residential and agricultural uses, with most industrial, commercial, and high-density uses prohibited. The parcels proposed are consistent with the minimum lot standards of Table 510-2 within SRC 510.010(b) for all uses, and their size and layout are consistent with the expected development pattern of properties located in the RA zone and designated as Developing Residential in the Comprehensive Plan. There is no approval criterion or development standard which requires parcels to resemble adjacent existing developments.

DECISION CRITERIA FINDINGS

7. Analysis of Tentative Partition Plan Approval Criteria

The Salem Revised Code (SRC), which includes the Unified Development Code (UDC), implements the Salem Area Comprehensive Plan land use goals, and governs development of property within the city limits. The partition process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans. A second review occurs for the created parcels at the time of site plan review/building permit review to assure compliance with the UDC. Compliance with conditions of approval to satisfy the UDC is checked prior to city staff signing the Final Partition Plat.

SRC Chapter 205.005(d) sets forth the criteria that must be met before approval can be granted to a Tentative Partition Plan. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings of fact evaluating the proposal for conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the tentative plan or for the issuance of conditions of approval to satisfy the criteria.

SRC 205.005(d)(1): The tentative partition plan complies with the standards of this Chapter and with all applicable provisions of the UDC.

CITY PLATTING STANDARDS

SRC Chapter 205 – Land Division and Reconfiguration

The intent of SRC Chapter 205 is to provide for orderly land development through the application of appropriate standards and regulations. The partition process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans. A second review occurs for the created parcels at the time of site plan review/building permit review to assure compliance with the UDC. Compliance with conditions of approval to satisfy the UDC is checked prior to city staff signing the Final Partition Plat.

Finding: The applicant shall provide the required field survey and partition plat per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and as per SRC Chapter 205, the approval of the partition plat by the City Surveyor may be delayed or denied based on the non-compliant violation. It is recommended the applicant request a pre-plat review meeting between the City Surveyor and the applicant's project surveyor to ensure compliance with ORS 672.005(2)(g)&(h), 672.007(2)(b), 672.045(2), 672.060(4), *Oregon Administrative Rules* 850-020-0015(4)&(10), 820-020-0020(2), and 820-020-0045(5).

ZONING AND DEVELOPMENT STANDARDS

▪ Existing Conditions

The subject property has approximately 1,274 feet of frontage on Kuebler Road S, approximately 1,287 feet of frontage on Channel Street (old Croisan Creek Road S), and approximately 920 feet of frontage on Ballyntyne Road. The property is approximately 1,243 feet in width, 1,280 feet in depth, and is currently vacant.

Urban Growth Policies: The subject property is located inside the Salem Urban Growth Boundary and inside the corporate city limits.

Comprehensive Plan Map: The subject property is designated Developing Residential (DR) on the Salem Area Comprehensive Plan (SACP) Map. The surrounding properties are designated as follows:

Comprehensive Plan Map Designations of Surrounding Properties	
North	Across Kuebler Road S – DR (Developing Residential) and POS (Parks & Open Space)
East	Across Croisan Creek Road S – DR (Developing Residential)
South	Across Ballyntyne Road S within Marion County – DR (Developing Residential)
West	Property within Marion County designated DR (Developing Residential)

The subject property is zoned RA (Residential Agriculture) and is currently vacant. The surrounding properties are zoned as follows:

Zoning of Surrounding Properties	
North	Across Kuebler Road S – RA (Residential Agriculture)

East	Across Croisan Creek Road S – (RA) Residential Agriculture
South	Across Ballyntyne Road S – Property within Marion County zoned Urban Transition
West	Property within Marion County zoned Urban Transition and Acreage Residential

SRC Chapter 510 – RA (Residential Agriculture) Zone

The Tentative Partition Plan proposes to divide 34.13-acre property into three parcels. The subject property is currently zoned RA (Residential Agriculture). The minimum lot area and dimension requirements of the RA zone are established under SRC 510.010(b) as follows:

▪ Lot Standards

Lot size and dimension standards within the RA zone are established in SRC 510.010(b), Table 510-2. A summary of the applicable standards within the RA zone are provided in the following table:

RA Zone Lot Standards		
Lot Area	Min. 1,500 sq. ft.	Applicable to townhouses
	Min. 4,000 sq. ft.	Applicable to single-family and two-family uses
	Min. 5,000 sq. ft.	Applicable to three-family uses
	Min. 7,000 sq. ft.	Applicable to four-family and multiple family uses
	Min. 6,000 sq. ft.	Applicable to all other uses
Lot Width	Min. 20 ft.	Applicable to townhouses
	Min. 40 ft.	Applicable to all other residential uses
	Min. 60 ft.	Applicable to all other uses
Lot Depth	Min. 70 ft.	Applicable to single-family and two-family uses
	Min. 80 ft.	Applicable to all other uses
	Min. 120 ft.	Applicable to double frontage lots
	No Max.	Applicable to townhouses
	Max. 300% of average lot width	Applicable to all other uses
Street Frontage	Min. 20 ft.	Applicable to townhouses
	Min. 40 ft.	Applicable to all other residential uses
	Min. 60 ft.	Applicable to all other uses

Finding: Proposed Parcel 1 will be approximately five acres (217,800 square feet) in size, approximately 562 feet wide, and approximately 344 feet deep. Proposed Parcel 1 will have approximately 562 feet of frontage on the proposed right-of-way for Croisan Creek Road,

approximately 344 feet of frontage on Ballyntyne Road, and approximately 564 feet of frontage on Channel Street (old Croisan Creek Road S). No development is proposed for this parcel as part of the Partition, though proposed Parcel 1 meets all lot standards for all uses in the RA zone.

Proposed Parcel 2 will be approximately five acres (217,800 square feet) in size, approximately 385 feet wide, and approximately 447 feet deep. Proposed Parcel 2 will have approximately 385 feet of frontage on the proposed right-of-way for Croisan Creek Road and approximately 447 feet of frontage on Ballyntyne Road. No development is proposed for this parcel as part of the Partition, though proposed Parcel 2 meets all lot standards for all uses in the RA zone.

Proposed Parcel 3 will be approximately 22.72 acres (989,548 square feet) in size, approximately 1,274 feet wide, and approximately 857 feet deep. Proposed Parcel 3 will have approximately 1,274 feet of frontage on Kuebler Road S and approximately 660 feet of frontage on Channel Street (old Croisan Creek Road S). No development is proposed for this parcel as part of the partition, though proposed Parcel 3 meets all lot standards for all uses in the RA zone.

- ***Setbacks***

Setbacks for buildings within the RA zone are established in 510.010(d), Table 510-3.

Finding: Proposed Parcels 1 and 2 have no existing or proposed structures located on them. Proposed Parcel 3 is shown to have several small structures outlined on the Tentative Partition Plat, though they are well within the applicable setback standards for the RA zone. All future development is required to meet the setback standards of the RA zone unless changed through a future land use action.

- ***Lot Coverage***

Maximum lot coverage requirements within the RA zone are established under SRC 510.010(e), Table 510-4.

Finding: Proposed Parcels 1 and 2 have no existing or proposed structures located on them. Proposed Parcel 3 is shown to have several small structures outlined on the Tentative Partition Plat, though they are well within the applicable lot coverage standards for the RA zone. All future development is required to meet the lot coverage standards of the RA zone unless changed through a future land use action.

SRC Chapter 800 – General Development Standards

- ***Designation of Lot Lines***

SRC 800.020 establishes standards for the designation of front, side, and rear lot lines for interior lots, corner lots, double frontage lots, flag lots, and all other lots.

For both corner lots and double frontage lots, the front lot line shall be the property line abutting a street designated by the building permit applicant; provided, however, that lot dimension standards are met.

Finding: Proposed Parcel 1 is both a corner lot and double frontage lot, with street frontage on Croisan Creek Road, Ballyntyne Road, and Channel Street (old Croisan Creek Road S). Proposed Parcel 2 is a corner lot with frontage on Croisan Creek Road and Ballyntyne Road. Proposed Parcel 3 is a corner lot with frontage on Kuebler Road S and Channel Street (old Croisan Creek Road S). As all proposed parcels meet the dimension standards regardless of the proposed use, the front lot line shall be the property line abutting a street designated by the building permit applicant.

CITY INFRASTRUCTURE STANDARDS

SRC Chapter 200 – Urban Growth Management

▪ *Urban Growth Preliminary Declaration*

SRC Chapter 200 (Urban Growth Management) requires issuance of an Urban Growth Preliminary Declaration prior to development of property located outside the City's Urban Service Area.

Finding: The subject property is located outside of the Urban Service Area. The proposal of partitioning does not meet the definition of "development" per SRC 200.005; therefore, an Urban Growth Preliminary Declaration is not required. Future development on the subject property may require an Urban Growth Preliminary Declaration.

▪ *Acquisition of Property, Easements, and Right-of-Way*

Per SRC 200.050(d), right-of-way dedicated to the City is required to be free of all encumbrances and liens prior to Final Plat.

Finding: As described in the analysis of SRC Chapter 803 below, right-of-way dedication is required along Kuebler Road S, Channel Street S (old Croisan Creek Road S), Ballyntyne Road S, and Croisan Creek Road S. There are existing overhead powerlines and power poles along Kuebler Road S, though based on the information provided, it is unclear whether these power facilities are located within an existing easement on the subject property. As a Condition of Approval, the applicant shall ensure required right-of-way is unencumbered and obtain quitclaims from private utility owners where there are conflicts, unless a Class 2 Adjustment to this standard is granted per SRC 200.050(d).

Condition 1: Prior to Final Plat approval, required right-of-way dedications and required easements shall be free and clear of encumbrances and liens, unless a Class 2 Adjustment to SRC 200.050(d) is approved.

SRC Chapter 71 – Stormwater

The proposed development is subject to SRC Chapter 71 and the revised Public Works Design Standards (PWDS) as adopted in Administrative Rule 109, Division 004.

Finding: Pursuant to SRC 71.080, land divisions are required to provide stormwater flow control facilities and treatment facilities that are sized to serve the entire land division under fully developed conditions. To demonstrate the proposed parcels can meet the requirement of SRC Chapter 71 and the Public Works Design Standards (PWDS), the applicant shall submit a tentative stormwater design prior to Final Plat approval. For a tentative stormwater design, the applicant shall submit infiltration test results—the Simplified Method Form or Engineering Method Report as applicable—and a preliminary site plan showing the building envelope and tentative location of stormwater facilities. The stormwater systems shall be tentatively designed to accommodate the future impervious surfaces on all proposed parcels within the partition.

- Condition 2:** Prior to Final Plat approval, provide an engineered stormwater design pursuant to SRC 71 and the Public Works Design Standards to accommodate new impervious surfaces in rights-of-way and future impervious surfaces on all proposed lots.
- Condition 3:** Prior to final plat approval or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct stormwater facilities pursuant to SRC 71 and the Public Works Design Standards to accommodate new impervious surfaces in rights-of-way and future impervious surfaces on all proposed parcels.

SRC Chapter 802 – Public Improvements

▪ ***Existing Conditions***

The existing conditions of public utilities available to serve the subject property are described in the following table:

Utilities	
Type	Existing Conditions
Water	Water Service Level: S-2 and S-3
	There are no public water mains available to serve the subject property.
Sanitary Sewer	There are no public sanitary sewer mains available to serve the subject property.
Storm Drainage	There are no public stormwater mains available to serve the subject property.

The Development Services Division reviewed the proposal for compliance with the City’s public facility plans as they pertain to provision of water, sewer, and storm drainage facilities. While SRC Chapter 205 does not require submission of utility construction plans prior to Tentative Partition Plan approval, it is the responsibility of the applicant to design and construct adequate City water, sewer, and storm drainage facilities to serve the proposed development prior to Final Plat approval without impeding service to the surrounding area.

▪ ***Development to be Served by City Utilities***

Per SRC 802.015, developments are required to be served by City utilities designed and

constructed according to all applicable provisions of the Salem Revised Code and Public Works Design Standards (PWDS).

Finding: Public water and sanitary sewer infrastructure is not currently available to serve the subject property. The nearest available public water and sewer service is located in Ponderosa Drive S, approximately 720 feet east of the subject property. As the property is located more than 300 feet from available sewer and water service, pursuant to SRC 802.035 and SRC 205.005(d)(5), the Tentative Partition Plan can be served by well and septic systems, subject to mandatory conditions of approval. Additional findings addressing SRC 205.005(d)(5) are included below.

▪ **Watercourses**

Per SRC 802.030, public improvement and maintenance easements for watercourses are required to be dedicated.

Finding: A portion of Croisan Creek runs along the southern, eastern, and northern property boundaries. Pursuant to SRC 802.030(b) and PWDS 1.8(d), Open Channel Drainage Easements are required to be dedicated along the creek to allow for access and maintenance. According to PWDS 1.8(d) and SRC 802.030(b), open channel easement widths shall be equal to the 100-year floodway, 15 feet from the channel centerline, or ten feet from the recognized bank, whichever is greater.

Condition 4: On the Final Plat, dedicate an Open Channel Drainage Easement along Croisan Creek on the subject property. In accordance with PWDS, the easement width shall be equal to the 100-year floodway, 15 feet from the channel centerline, or ten feet from the recognized bank, whichever is greater.

As Conditioned above, the proposal meets the requirements of SRC Chapter 802.

SRC Chapter 803 – Streets and Right-of-Way Improvements

▪ **Existing Conditions**

The existing conditions of streets abutting the subject property are described in the following table:

Streets			
Street Name		Right-of-Way Width	Improvement Width
Kuebler Road S (Minor Arterial)	Standard:	72-feet	46-feet
	Existing Condition:	Variable	Variable
Channel Street S (old Croisan Creek Road S) (Local)	Standard:	60-feet	30-feet
	Existing Condition:	50-feet	20-feet
Ballyntyne Road S (Local)	Standard:	60-feet	30-feet
	Existing Condition:	40-feet	20-feet

▪ ***Boundary Street Improvements***

Pursuant to SRC 803.025, except as otherwise provided in this chapter, right-of-way width and pavement width for streets and alleys shall conform to the standards set forth in Table 803-1 (Right-of-Way Width) and Table 803-2 (Pavement Width). In addition, SRC 803.040 requires dedication of right-of-way for, and construction or improvement of, boundary streets up to one-half of the right-of-way and improvement width specified in SRC 803.025 as a Condition of Approval for partition applications.

Finding: The subject property has frontage on Kuebler Road S, Channel Street S (old Croisan Creek Road S), and Ballyntyne Road S. Findings and conditions of approval for each street frontage are provided in the following analysis:

Kuebler Road S – Kuebler Road S abuts the subject property to the north and is classified as a Minor Arterial Street according to the Salem Transportation System Plan (TSP). The ultimate right-of-way width for a Minor Arterial Street is 72 feet according to SRC 803.025, Table 803-1 (Right-of-Way Width). Kuebler Road S has a variable width of 40-72 feet, which does not meet the minimum right-of-way width standard established in SRC 803.025. Therefore, as a condition of approval per SRC 803.040(a)(2), where inadequate, the applicant shall dedicate 36 feet of right-of-way from the centerline of Kuebler Road S to provide for future boundary street improvements and mitigate potential traffic impacts proportional to the development proposed. Additional improvements along Kuebler Road S are not required with this partition application but could be required at the time of future development.

Condition 5: On the Final Plat, convey land for dedication to equal a half-width right-of-way of 36 feet from centerline on the development side of Kuebler Road S, including sufficient right-of-way to accommodate public infrastructure at the property corners.

Channel Street S – Channel Street S (old Croisan Creek Road S) abuts the subject property to the east and is classified as a Local Street in the Salem TSP. The ultimate right-of-way width for a Local Street is 60 feet according to SRC 803.025, Table 803-1. Channel Street S has an approximate width of 50 feet, which does not meet the minimum right-of-way width standard established in SRC 803.025. Therefore, as a condition of approval per SRC 803.040(a)(2), the applicant shall dedicate 30 feet from the centerline of Channel Street S to provide for future boundary street improvements and mitigate potential traffic impacts proportional to the development proposed. Additional improvements along Channel Street S are not required with this partition application but could be required at the time of future development.

Condition 6: On the Final Plat, convey land for dedication to equal a half-width right-of-way of 30 feet from centerline on the development side of Channel Street S, including sufficient right-of-way to accommodate public infrastructure at the property corners.

Ballyntyne Road S – Ballyntyne Road S abuts the subject property to the south and is classified as a Local Street according to the Salem TSP. The ultimate right-of-way width for a Local Street is 60 feet according to SRC 803.025, Table 803-1. Ballyntyne Road S has an approximate width of 50 feet, which does not meet the minimum right-of-way width standard

established in SRC 803.025. As a condition of approval per SRC 803.040(a)(2), the applicant shall dedicate 30 feet from the centerline of Ballyntyne Road S to provide for future boundary street improvements and mitigate potential traffic impacts proportional to the development proposed. Additional improvements along Ballyntyne Road S are not required with this partition application but could be required at the time of future development.

Condition 7: On the Final Plat, convey land for dedication to equal a half-width right-of-way of 30 feet from centerline on the development side of Ballyntyne Road S, including sufficient right-of-way to accommodate public infrastructure at the property corners.

▪ ***Street Standards – New Internal Streets***

All new Public and Private Streets shall be improved pursuant to the standards outlined in SRC 803.030 and SRC 803.035.

Finding: The Salem Transportation System Plan (TSP) identifies a future Collector Street alignment for the extension of Croisan Creek Road S through the subject property. The applicant submitted a conceptual future development plan as part of the application to demonstrate how the property could be further divided in the future. The applicant's Tentative Partition Plan shows right-of-way to be dedicated for the southern portion of the new Collector Street alignment for Croisan Creek Road S, from Ballyntyne Road S to the northern boundary of proposed Parcel 1.

Remaining right-of-way connecting Croisan Creek Road S to Kuebler Road S shall be preliminarily engineered prior to Final Plat approval but will be dedicated and constructed with future phases of development. To demonstrate the alignment could reasonably be constructed through the property in the future, and to ensure building placement is appropriate for the proposed street, the applicant shall be required to provide a conceptual engineered design for the horizontal and vertical alignment of the future Croisan Creek Road. This will ensure future development conforms to the Salem TSP and provides for an eventual connection through the property without obstructions or buildings.

Condition 8: On the Final Plat, dedicate right-of-way for the southern portion of Croisan Creek Road S from Ballyntyne Road S to the northern boundary of Parcel 1, including sufficient right-of-way to accommodate public infrastructure at the property corners.

Condition 9: Prior to Final Plat approval, provide a conceptual engineered design of the horizontal and vertical alignment of future Croisan Creek Road S through the subject property from the Ballyntyne Road S to Kuebler Road S. The centerline of future Croisan Creek Road S within the subject property shall be shown on the plat in sufficient detail to illustrate minimum building setbacks can be met.

▪ ***Public Utility Easements***

Per SRC 803.035(n), dedication of a ten-foot Public Utility Easement (PUE) is required along all street rights-of-way.

Finding: As a condition of approval, the applicant shall dedicate a ten-foot-wide PUE along the frontage of Kuebler Boulevard S, Channel Street S, Ballyntyne Road S, and Croisan Creek Road S.

Condition 10: On the Final Plat, provide a ten-foot-wide Public Utility Easement along the frontage of Kuebler Boulevard S, Channel Street S, Ballyntyne Road S, and Croisan Creek Road S.

SRC Chapter 804 – Driveway Approaches

SRC Chapter 804 establishes development standards for driveway approaches to provide access from the public right-of-way to private property and to provide safe and efficient vehicular access to development sites.

Finding: As shown on the applicant's plans and described in the conditions of approval, right-of-way will be dedicated for a future street alignment through the subject property. A driveway within the undeveloped right-of-way is also proposed to be constructed to serve the proposed parcels. A private driveway can be placed in this right-of-way to provide primary access for each of the proposed parcels with a Revocable License.

Condition 11: The applicant shall obtain a Revocable License for the proposed private driveway serving the proposed parcels within the undeveloped right-of-way of Croisan Creek Road S. The Revocable License shall specify that the driveway will be privately maintained by the property owners which it serves.

The subject property has frontage on Kuebler Boulevard S, which is classified as a Minor Arterial Street according to the Salem Transportation System Plan (TSP). According to SRC 804.035(c)(4), no access shall be provided onto a Major or Minor Arterial from a single-family, two-family, three-family, or four-family use constructed as part of a partition. As such, all lots created as part of this land division shall not be permitted to directly access Kuebler Boulevard S for the construction of residential dwellings.

Condition 12: Pursuant to SRC 804.035(c)(4), no new driveway approaches are permitted onto Kuebler Boulevard S for any single-family, two-family, three-family, or four-family uses constructed as part of the partition.

ENVIRONMENTAL FACTORS

SRC Chapter 601 – Floodplain

Development in the floodplain shall be regulated to preserve and maintain the capability to the floodplain to convey the flow water discharges and to minimize danger to life and property.

Finding: The subject property is designated on the Federal Emergency Management Agency (FEMA) floodplain maps as a Zone "AE" floodplain and floodway. Development within the floodplain requires a Floodplain Development Permit at the time of Building Permit and is subject to the requirements of SRC Chapter 601, including elevation of new structures to a minimum of one foot above the base flood elevation. Compliance with the construction

standards in SRC Chapter 601 will be determined at the time of building permit review for each structure within the partition.

SRC Chapter 808 – Preservation of Trees and Vegetation

SRC Chapter 808 requires Tree Conservation Plans in conjunction with development proposals involving the creation of lots or parcels to be used for cottage clusters, single-family, two-family, three-family, and four-family uses. The Tree Preservation Ordinance defines a tree as, "any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is ten inches or more diameter at breast height (dbh) and possesses an upright arrangement of branches and leaves."

Tree Conservation Plans are required to help preserve Heritage Trees, Significant Trees, trees and native vegetation within Riparian Corridors, and a minimum of 30 percent of all the trees on the property. If less than 30 percent of the existing trees on the property are proposed for preservation, the applicant must demonstrate that there are no reasonable design alternatives that would enable the preservation of such trees. For each tree removed in excess of 70 percent, at least one of the mitigation measures required under SRC 808.035(e) must be satisfied. Similarly, if Significant Trees and/or trees within a Riparian Corridor are proposed for removal, the applicant must show that there are no reasonable design alternatives to enable preservation of those trees.

Finding: As the Tentative Partition Plan involves the partitioning of residentially zoned land, and there are trees located on the property, pursuant to SRC 808.035, a Tree Conservation Plan has also been submitted by the applicant. The proposed Tree Conservation Plan identifies a total of 283 trees on the property, 82 of which are Significant Trees. Of the total 283 trees, the proposed Tree Conservation Plan identifies 23 trees (8.1%) for removal, five of which are Significant Trees. As 260 trees (91.9%) have been designated for preservation, the proposed Tree Conservation Plan exceeds the minimum preservation requirements of SRC Chapter 808. The proposed Tree Conservation plan is being reviewed by staff and, if approved, will be binding on the parcels until final occupancy. Any future changes to the approved Tree Conservation Plan will require approval of a separate Tree Conservation Plan Adjustment.

SRC Chapter 809 – Wetlands

Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetland laws are also administered by the DSL and Army Corps, where potential impacts to jurisdictional wetlands are addressed through the application and enforcement of appropriate mitigation measures. SRC Chapter 809 establishes requirements for notification to DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

Finding: The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and/or hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s), including any work in the public right-of-way. Wetland notice to the Oregon Department of State Lands will be required for future development of the property pursuant to SRC 809.025. A Wetland Delineation may be required

at time of development.

SRC Chapter 810 – Landslide Hazards

The City's Landslide Hazard Ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility.

Finding: According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped five-point landslide hazard areas on the subject property. The proposed activity of a partition adds two activity points to the proposal, which results in a total of seven points. Therefore, the proposed development is classified as a Moderate Landslide Risk and requires a Geological Assessment. The applicant has provided a Geological Assessment dated May 5, 2025, prepared by Carlson Geotechnical, a division of Carlson Testing, Inc. This assessment demonstrates the subject property could be developed without increasing the potential for slope hazards on the site or adjacent properties.

Condition 13: Prior to submittal of building permits for any parcel within the partition, the developer shall provide a final report from a geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical considerations for each individual building parcel.

SRC 205.005(d)(2): The tentative partition plan does not impede future access to adjacent land.

Finding: The subject property is approximately 34 acres in size and abuts streets to the north, south, and east. The western property line for the subject property is largely coincidental with the Urban Growth Boundary. Access through the subject property will be expanded with the extension of Croisan Creek Road S, providing access for future development opportunities. A non-binding future development plan provided by the applicant demonstrates that the proposed parcels can be further divided in a way that does not impede future access to remaining portions of the subject property or developable adjacent land. This approval criterion is met.

SRC 205.005(d)(3): Development within the tentative partition plan can be served by City infrastructure.

Finding: Public water and sanitary sewer infrastructure is not currently available to serve the subject property. Pursuant to SRC 802.035 and SRC 205.005(d)(5), the tentative partition plan can be served by well and septic systems as the property is located more than 300 feet from available sewer and water service, subject to mandatory conditions of approval described in the findings for SRC 205.005(d)(5) below. As the partition will be served by well and septic, this criterion is not applicable.

SRC 205.005(d)(4): The street system in and adjacent to the tentative partition plan conforms to the Salem Transportation System Plan.

Finding: As described in the findings above, the subject property is located adjacent to Kuebler Road S, Channel Street S (old Croisan Creek Road S), and Ballyntyne Road S.

Conditions of approval established with the partition decision will require dedication of additional right-of-way for each of these streets. The Salem Transportation System Plan (TSP) identifies a future Collector Street alignment through the subject property for Croisan Creek Road S, in which right-of-way will be dedicated for a portion of this new street with this phase of development. Additional street improvements and right-of-way dedication may be required as a condition of future development. This criterion is met.

SRC 205.005(d)(5): When the tentative partition plan is for property located more than 300 feet from an available sewer main, and the property will not connect to City water and sewer:

- (A) The property is zoned residential;***
- (B) The property has received a favorable site evaluation from the county sanitarian for the installation of an on-site sewage disposal system; and***
- (C) The proposed parcels are at least five acres in size and, except for flag lots, have no dimension that is less than 100 feet.***

Finding: The subject property is zoned RA (Residential Agriculture) and is approximately 34.13 acres in size. Each resulting parcel will exceed five acres in size, with no portion of the resulting parcels having a dimension less than 100 feet.

The application indicates that the site will be served by well and septic. No information has been provided that demonstrates the property has received a favorable site evaluation from the county sanitarian for the installation of an on-site sewage disposal system as required by SRC 205.005(d)(5); therefore, this will be imposed as a condition of approval.

Condition 14: Prior to Final Plat approval, obtain a favorable site evaluation for the installation of an on-site sewage disposal system for each parcel.

Furthermore, pursuant to SRC 205.005(e), the development is subject to additional conditions of approval for partitions unserved by City sewer. Therefore, the following Conditions shall be imposed per SRC 205.005(e):

Condition 15: City water and sewer services are not currently available to serve the proposed development; therefore, to ensure compliance with SRC 205.005(e), the following Conditions shall apply:

- (1) The parcels shall only be used for residential purposes;
- (2) All buildings and structures shall meet required setbacks from future street rights-of-way; and
- (3) Prior to Final Plat approval, a non-remonstrance agreement shall be signed and recorded against the property agreeing to connect to the City's sewer and water systems when they become available, and waiving the right to object to any future City sewer and water project benefiting the property.

SRC 205.040—Partitions Which can be Further Divided.

For partitions of residentially zoned property, when the area of a proposed partition is such that it can be further divided resulting in four or more lots or parcels, the development standards

applicable to subdivisions set forth in SRC Chapter 803 shall apply. Any improvements resulting from the application of such standards to the proposed partition shall be constructed, or the applicant shall enter into a deferral agreement which shall be attached to all property within the partition.

Finding: As identified in the conditions of approval, right-of-way dedication along Kuebler Road S, Croisan Creek Road S, Channel Street S (old Croisan Creek Road S), and Ballyntyne Road S is required to mitigate the proportional impacts of the development. In addition, the applicant is required to reserve area through the subject property for the mapped future Transportation System Plan Collector Street alignment for Croisan Creek Road S. The alignment runs north to south through the property, providing an eventual connection between Ballyntyne Road S and Kuebler Boulevard S. As Conditioned, the application meets the requirements of SRC Chapter 803 for a partition application.

The applicant submitted a Shadow Plat as part of the application to demonstrate how the property could be further divided. The Shadow Plat does not appear to take into account the existing topography of the site, wherein the streets as shown may not meet the minimum standards of SRC Chapter 803 for grade. Additionally, the Shadow Plat does not provide the maximum 600-foot block spacing required, nor does it provide adequate street connectivity to adjacent vacant parcels. The shadow plat could not be approved without accompanying Alternative Street Standard approvals and/or Design Exceptions.

If at such time the property redevelops, through Site Plan Review or further land division, staff will review the proposed development layout to ensure minimum street design standards are met, unless a Design Exception or Alternative Street Standard is approved. Nothing in this decision precludes future development from complying with current standards.

8. Conclusion

Based upon review of SRC Chapters 205 and 250 and the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the application complies with the requirements for an affirmative decision.

IT IS HEREBY ORDERED

Final approval of Tentative Partition Plan, Case No. PAR25-06, is hereby **APPROVED** subject to SRC Chapter 205 and 250, and the applicable standards of the Salem Revised Code, the findings contained herein, and the conditions of approval listed below, which must be completed prior to final plat approval, unless otherwise indicated:

- Condition 1:** Prior to Final Plat approval, required right-of-way dedications and required easements shall be free and clear of encumbrances and liens, unless a Class 2 Adjustment to SRC 200.050(d) is approved.
- Condition 2:** Prior to Final Plat approval, provide an engineered stormwater design pursuant to SRC 71 and the Public Works Design Standards to accommodate new impervious surfaces in rights-of-way and future impervious surfaces on all proposed lots.

- Condition 3:** Prior to final plat approval or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B), construct stormwater facilities pursuant to SRC 71 and the Public Works Design Standards to accommodate new impervious surfaces in rights-of-way and future impervious surfaces on all proposed parcels.
- Condition 4:** On the Final Plat, dedicate an Open Channel Drainage Easement along Croisan Creek on the subject property. In accordance with PWDS, the easement width shall be equal to the 100-year floodway, 15 feet from the channel centerline, or ten feet from the recognized bank, whichever is greater.
- Condition 5:** On the Final Plat, convey land for dedication to equal a half-width right-of-way of 36-feet from centerline on the development side of Kuebler Road S, including sufficient right-of-way to accommodate public infrastructure at the property corners.
- Condition 6:** On the Final Plat, convey land for dedication to equal a half-width right-of-way of 30-feet from centerline on the development side of Channel Street S, including sufficient right-of-way to accommodate public infrastructure at the property corners.
- Condition 7:** On the Final Plat, convey land for dedication to equal a half-width right-of-way of 30-feet from centerline on the development side of Ballyntyne Road S, including sufficient right-of-way to accommodate public infrastructure at the property corners.
- Condition 8:** On the Final Plat, dedicate right-of-way for the southern portion of Croisan Creek Road S from Ballyntyne Road S to the northern boundary of Parcel 1, including sufficient right-of-way to accommodate public infrastructure at the property corners.
- Condition 9:** Prior to Final Plat approval, provide a conceptual engineered design of the horizontal and vertical alignment of future Croisan Creek Road S through the subject property from the Ballyntyne Road S to Kuebler Road S. The centerline of future Croisan Creek Road S within the subject property shall be shown on the plat in sufficient detail to illustrate minimum building setbacks can be met.
- Condition 10:** On the Final Plat, provide a ten-foot-wide Public Utility Easement along the frontage of Kuebler Boulevard S, Channel Street S, Ballyntyne Road S, and Croisan Creek Road S.
- Condition 11:** The applicant shall obtain a Revocable License for the proposed private driveway serving the proposed parcels within the undeveloped right-of-way of Croisan Creek Road S. The Revocable License shall specify that the driveway will be privately maintained by the property owners which it serves.

- Condition 12:** Pursuant to SRC 804.035(c)(4), no new driveway approaches are permitted onto Kuebler Boulevard S for any single-family, two-family, three-family, or four-family uses constructed as part of the partition.
- Condition 13:** Prior to submittal of building permits for any parcel within the partition, the developer shall provide a final report from a geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical considerations for each individual building parcel.
- Condition 14:** Prior to Final Plat approval, obtain a favorable site evaluation for the installation of an on-site sewage disposal system for each parcel.
- Condition 15:** City water and sewer services are not currently available to serve the proposed development; therefore, to ensure compliance with SRC 205.005(e), the following Conditions shall apply:
- (1) The parcels shall only be used for residential purposes;
 - (2) All buildings and structures shall meet required setbacks from future street rights-of-way; and
 - (3) Prior to Final Plat approval, a non-remonstrance agreement shall be signed and recorded against the property agreeing to connect to the City's sewer and water systems when they become available, and waiving the right to object to any future City sewer and water project benefiting the property.

Quincy Miller, AICP, Planner I

Aaron Panko, Infrastructure Planner III

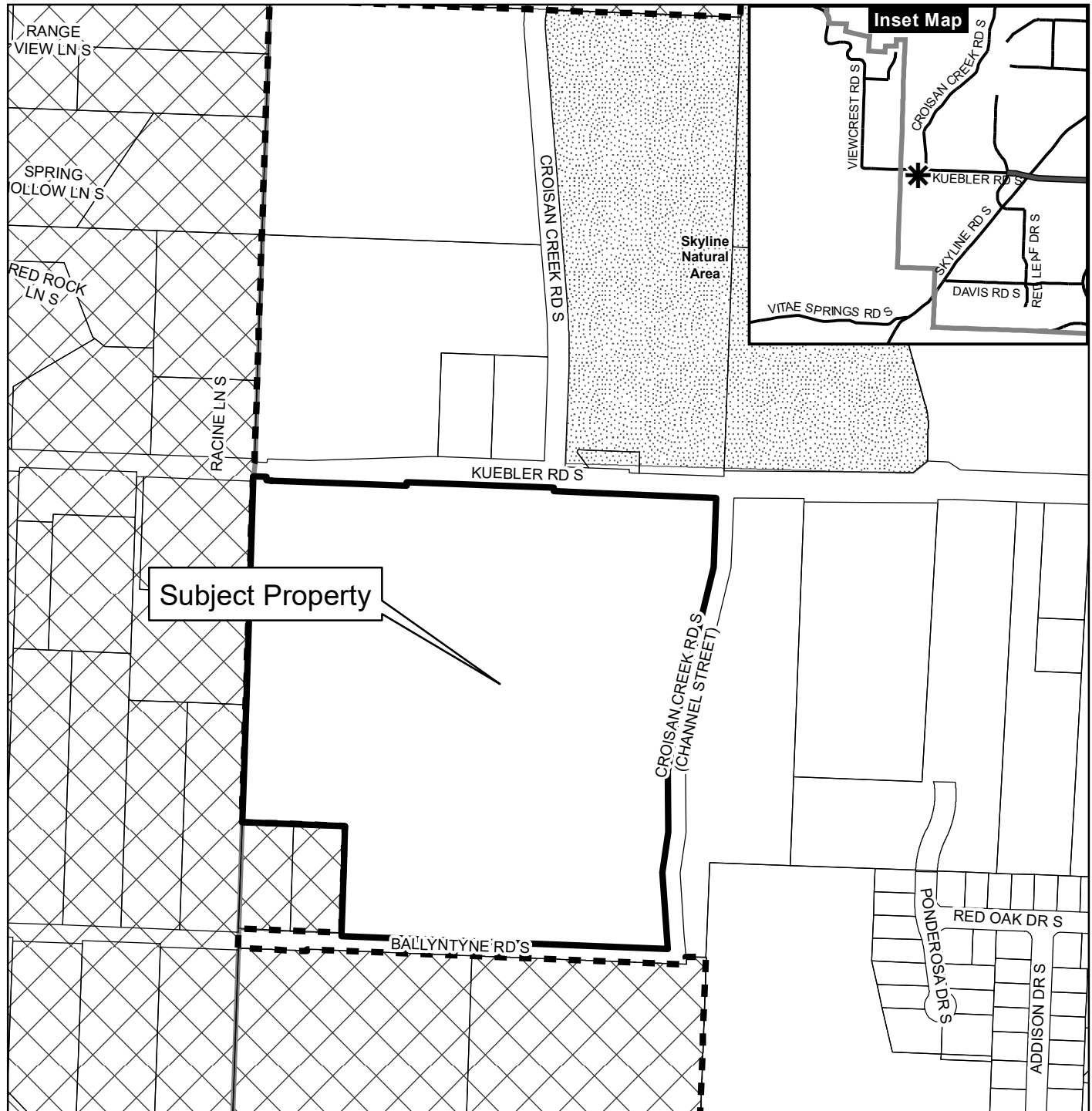
On behalf of Lisa Anderson-Ogilvie, AICP
Planning Administrator

Attachments:

- A. Vicinity Map
- B. Applicant's Tentative Partition Plan
- C. Salem-Keizer School District Memo

Vicinity Map

2592 Kuebler Road S



Legend

- | | |
|-----------------------|---------------------------|
| Taxlots | Outside Salem City Limits |
| Urban Growth Boundary | Historic District |
| City Limits | Schools |

Parks

CITY OF Salem
AT YOUR SERVICE
Community Planning and Development

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0 100 200 400 Feet



Owner/Developer:

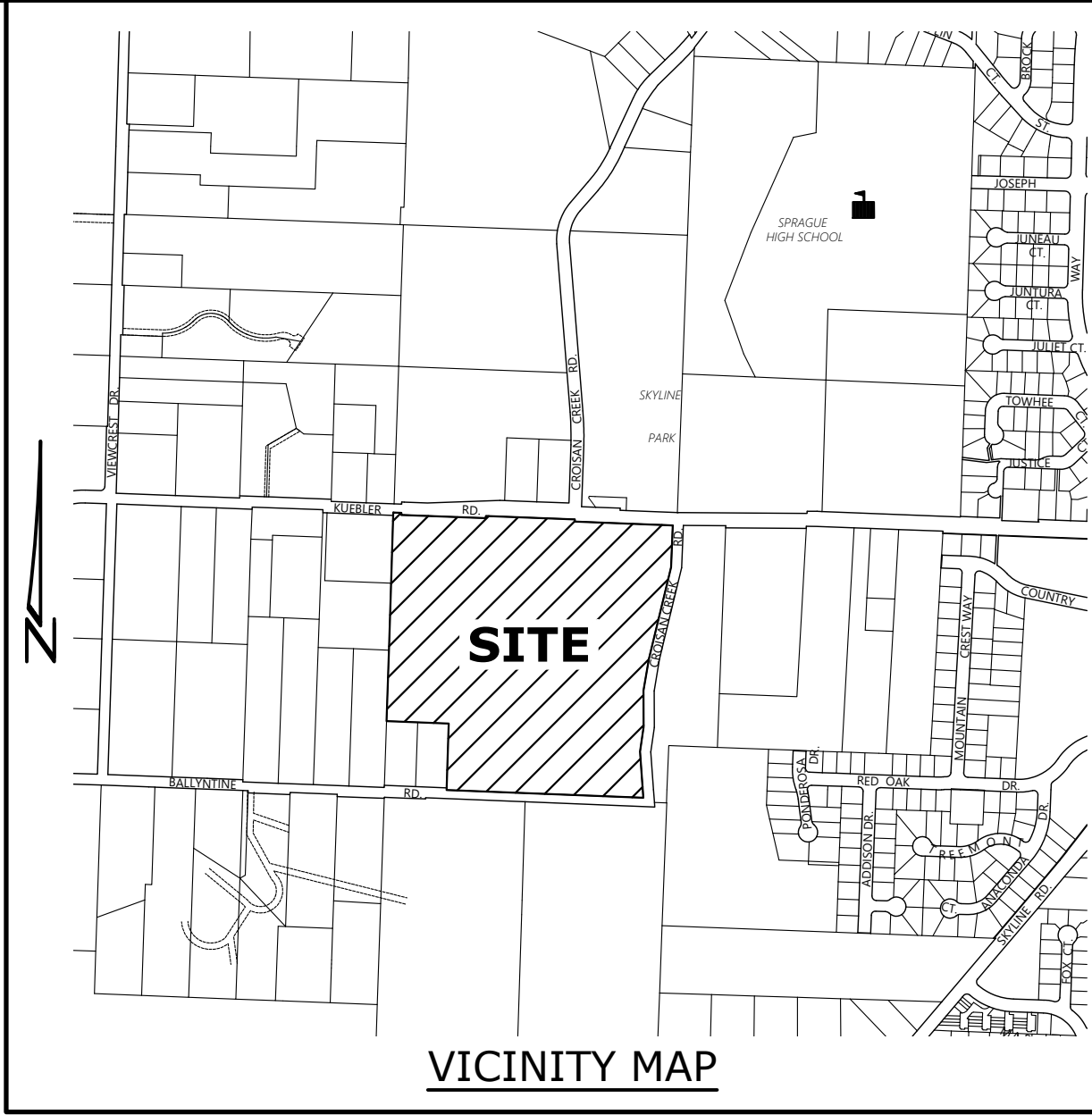
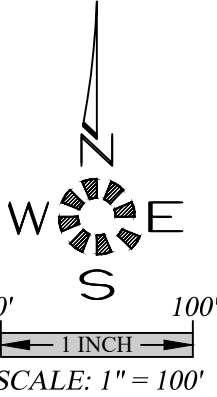
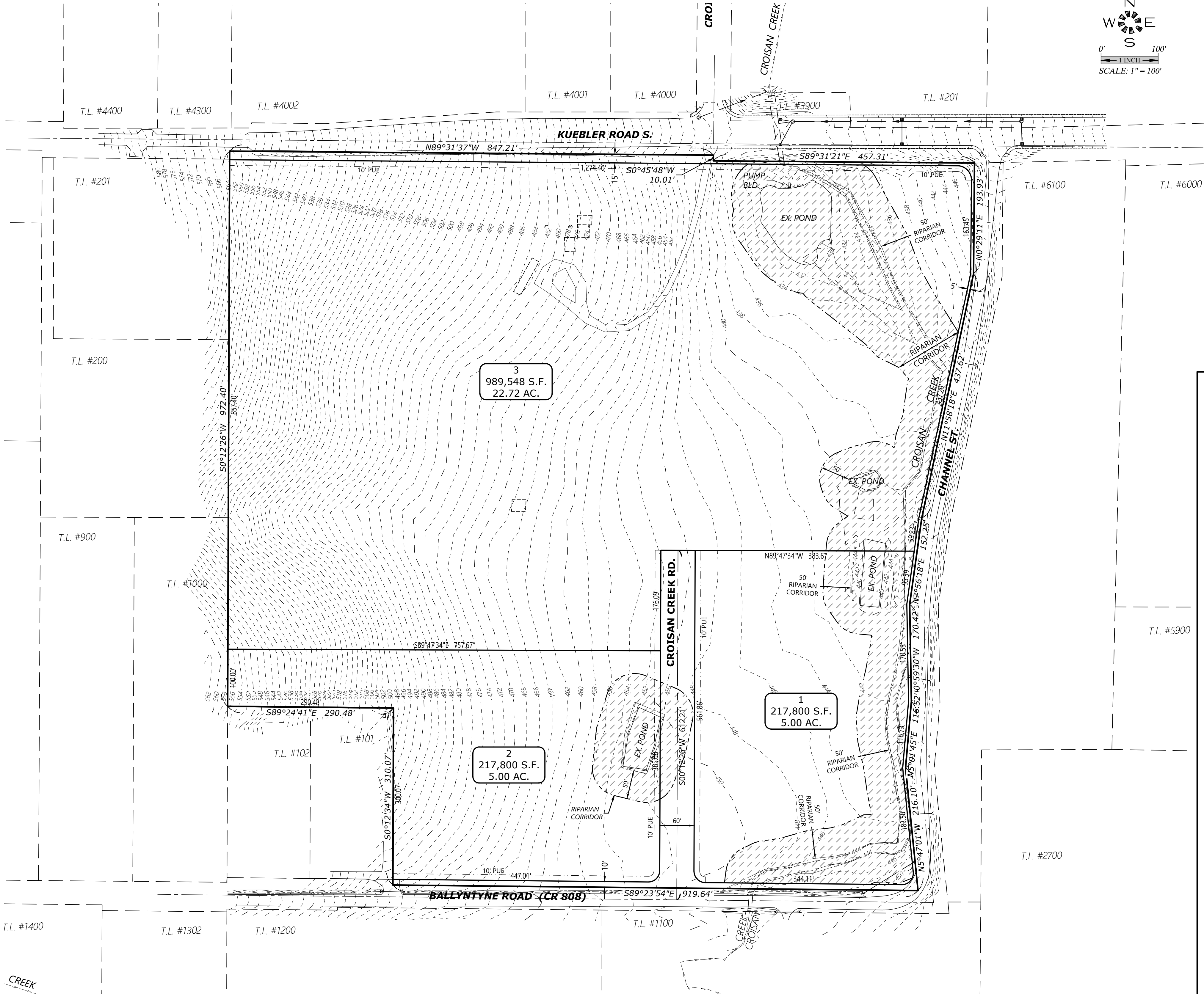
COMFORT HOMES, L.L.C.

P.O. BOX 5607
CITY, OREGON 97304

KUEBLER PARTITION

SEC. 17, T. 8 S., R. 3 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON
3 PARCELS - 34.23 ACRES

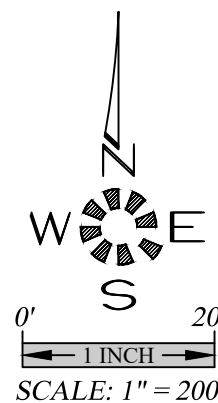
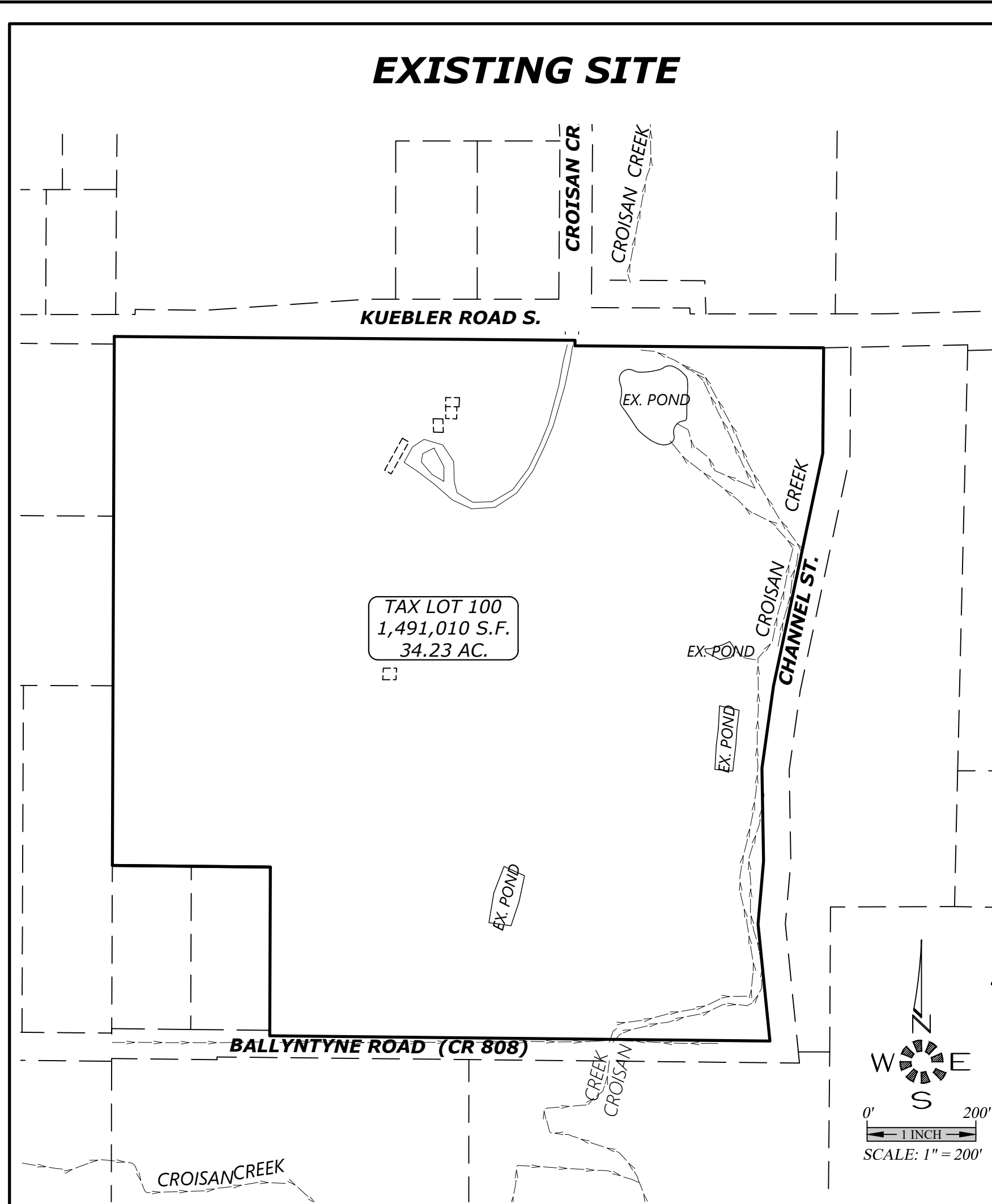
PROPOSED PARTITIONING



VICINITY MAP

T.B.M. 444.79
RIM ELEVATION OF EXISTING STORM DRAIN MANHOLE AT THE INTERSECTION OF KUEBLER BLVD. AND CROISAN CREEK DR. BASED ON BENCH MARK DESIGNATED 3070 BEING A BRASS DISK LOCATED AT THE INTERSECTION OF JUSTICE WAY & CROISAN SCENIC WAY ON THE SOUTH SIDE OF JUSTICE WAY IN THE CENTER ISLAND. 1.20' SOUTH OF NORTH TIP OF ISLAND. ELEV.: 530.660 (NAVD 29)

SHEET INDEX	
P1	PARTITIONING PLAN
P2	SHADOW PLAN
P3	TREE PLAN
P4	GRADING PLAN
P5	FLOODPLAIN MAP



PARTITIONING PLAN

KUEBLER PARTITION

NO CHANGES, MODIFICATIONS OR REVISIONS TO BE MADE WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER. DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

Design:	M.D.G.
Drawn:	D.G.G.
Checked:	M.D.G.
Issue Date:	1/22/25
Scale:	AS SHOWN
As-Built:	----



EXPIRES:	06-30-2025
JOB #	7651



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

Andrea Castañeda, Superintendent

April 3, 2025

Quincy Miller, Planner
 Planning Division, City of Salem
 555 Liberty Street SE, Room 305
 Salem OR 97301

RE: Land Use Activity Case No. PAR25-06, 2592 Kuebler Rd S

The City of Salem 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
Schirle	Elementary	K thru 5
Crossler	Middle	6 thru 8
Sprague	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
Schirle	Elementary	306	542	56%
Crossler	Middle	784	944	83%
Sprague	High	1,685	2,248	75%

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	170 *	SF	0.168	29
Middle			0.098	17
High			0.144	24

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
Schirle	Elem.	306	1	29	30	542	62%
Crossler	Mid.	784	54	17	71	944	91%
Sprague	High	1,685	43	24	67	2,248	78%

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
Schirle	Elementary	Eligible for School Transportation
Crossler	Middle	Eligible for School Transportation
Sprague	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	29	\$92,105	\$2,671,045
Middle	17	\$113,211	\$1,924,587
High	24	\$134,316	\$3,223,584
TOTAL			\$7,819,216

Table 6

*Estimates based on average of Indicative Construction Costs from “RLB Construction Cost Report North America Q4 2024”

*Assume 5 dwelling units per acre.

**Please require continuous sidewalks between residences at the subject property and Sprague High School. When sidewalks are provided, students residing at those residences would be within the walk zone for Sprague High School.

Sincerely,

David Fridenmaker
Business and Support Services

c: T.J. Crockett, Acting Chief Operations Officer, David Hughes, Director of Operations & Logistics, Mitch Hamilton, Acting Director of Transportation