

Attention Property Owner: A land use proposal has been submitted for property near where you live or near property you own elsewhere. State law requires that the county notify property owners within a certain distance from this property. The proposal and address of the property is described in the "Application" section below. The decision in this case does not directly affect the zoning or use of your property. If you object to the decision, refer to the "Appeal" section. If you have questions, contact the staff person listed at the end of this report.

**NOTICE OF DECISION
PARTITION CASE NO. 24-013**

APPLICATION: Application of Jordan Taylor to partition a 0.33-acre lot into two parcels containing 5,600 square feet, and 8,700 square feet each, in a RS (Single-Family Residential) zone located at 4593 Jade St NE, Salem (T7S; R2W; Section 6DD; Tax lot 2300).

DECISION: The Planning Director for Marion County has **APPROVED** the above-described Partition application subject to certain conditions.

EXPIRATION DATE: This approval is valid only when the final partitioning plat is recorded by **November 29th, 2026** (two years). The effective period may be extended for an additional year subject to approval of an extension (form available from the Planning Division). **Additional extensions may not be granted if the regulations under which this decision was granted have changed since the original approval.**

WARNING: A decision approving the proposed division is for land use purposes only. Due to septic, well, and drain field replacement areas, these parcels may not be able to support a dwelling. To be sure the subject property can accommodate the proposed use the applicant should contact the Building Inspection Division, (503) 588-5147.

This decision does not include approval of a building permit.

CONDITIONS: The following conditions must be met **before a building permit can be obtained or the approved use established:**

1. The Marion County Surveyor's Office has provided the following conditions:
 - Parcels ten acres and less must be surveyed and monumented.
 - Per ORS 92.050, plat must be submitted for review.
 - Checking fee and recording fees required.
 - A 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
2. Public Works Land Development Engineering and Permits Division (LDEP) has requested that the following conditions be included:

Condition A – On the partition plat dedicate a 20-foot property corner radius in accordance with MCC 16.33.220 – Radius at Street Intersections & 1990 PWDS Chapter IV(C) Roadway Design Standards, Curbed Local to Local road.
3. City of Salem Public Development Services Division requires that any sewer and water connections to the existing service districts will require an annexation agreement with the City of Salem, pursuant to Salem Council Policy X-4A/B, if one has not already been done so.
4. The resulting parcels shall significantly conform to the site plan submitted with the proposal. Minor variations are permitted upon review and approval by the Planning Director.
5. **The new parcel shall be addressed as 4555 Jade Street Northeast, Salem OR, 97305.** This is subject to change based on the location of the dwelling and driveway access.

ADDITIONAL CONDITIONS: Once the approved use is established the following conditions must be continually satisfied:

6. After the final Partition plat has been recorded no alteration of property lines shall be permitted without first obtaining approval from the Planning Director.

OTHER PERMITS, FEES, AND RESTRICTIONS: This approval does not remove or affect covenants or restrictions imposed on the subject property by deed or other instrument. The proposed use may require permits and/or fees from other local, State or Federal agencies. This decision does not take the place of, or relieve the responsibility for, obtaining other permits or satisfying restrictions or conditions. The applicant is advised of the following:

7. Prior to recording the plat, all taxes due must be paid to the Marion County Tax Department (contact the Marion County Tax Department at 503-588-5215 for verification of payments).
8. The applicants should contact Marion County Land Development and Engineering (503-584-7714) for additional Engineering Requirements and Advisories, listed in Finding #5 below, that may be required.

APPEAL PROCEDURE: The Marion County Zone Code provides that certain applications be considered first by the County Planning Director. If there is any doubt that the application conforms with adopted land use policies and regulations the Director must condition or deny the application. Anyone who disagrees with the decision may request that the application be considered by a Marion County hearings officer after a public hearing. The applicant may also request reconsideration (one time only and a fee of \$250) on the basis of new information subject to signing an extension of the 120-day time limit for review of zoning applications.

A public hearing is held on appeals subject to the appellant paying a \$250.00 fee. Requests for reconsideration, or consideration by a hearings officer, must be in writing (form available from the Planning Division) and received, together with the appeal fee, in the Marion County Planning Division, 5155 Silverton Rd. NE, Salem by 5:00 p.m. on **November 29th, 2024**. If you have questions about this decision, contact the Planning Division at (503) 588-5038 or at the office. This decision is effective **December 2nd, 2024**, unless further consideration is requested.

FINDINGS AND CONCLUSIONS: Findings and conclusions on which the decision was based are noted below.

1. The property is designated Single Family in the Salem Area Comprehensive Plan. The major purpose of this designation and the corresponding Single-Family zone is to provide areas for development of attached or detached residences on individual lots provided with urban services.
2. The property is located in the northeastern portion of Salem urban growth boundary. The subject property is located at the intersection of Jade St NE and 46th Ave NE. The property contains a single-family home and at least one accessory structure and was created as part of the Parkdale Addition No. 3 plat and has remained in its current configuration as indicated on a 1963 survey (S21-039) and is a legal parcel for land use purposes.
3. Surrounding uses are consistent with residential dwellings and a local elementary school.
4. The applicant proposes to divide a 0.33-acre lot into two parcels containing a 5,600 square foot parcel, and an 8,700 square foot.
5. Various agencies were contacted and given the opportunity to comment on the proposal.

Marion County Surveyor's Office commented:

1. Parcels ten acres and less must be surveyed and monumented.
2. Per ORS 92.050, plat must be submitted for review.
3. Checking fee and recording fees required.

4. A 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.

Public Works Land Development and Engineering Permits (LDEP) requested that the following be included in the land use decision.

ENGINEERING CONDITION

Condition A – On the partition plat dedicate a 20-foot property corner radius in accordance with MCC 16.33.220 – Radius at Street Intersections & 1990 PWDS Chapter IV(C) Roadway Design Standards, Curbed Local to Local road..

ENGINEERING REQUIREMENT

- B. At the time of application for building permits on the developable parcel an Access Permit will be required to install an ADA compliant driveway approach onto Jade Avenue. In conjunction, sidewalk panels within the approach will need to be removed and replaced with 6-inch-thick panels [MCC 11.10 - Approach Roads].
- C. Transportation System Development & Parks charges will be assessed upon application for building permits for a new dwelling [MC Ordinances #97-39R and 98-40R].
- D. Utility extension work in the public right-of-way requires permits from PW Engineering [MCC 11.15 - Improvements of Public Rights-of-Way].

City of Salem commented:

The subject property is located in the East Salem Sewer Service District and the Jan Ree Water Service District. Sanitary sewer mains are available in 46th Avenue NE to serve the proposed partition. Water is available in 46th Avenue NE and Jade Avenue NE. Any new connections to these districts will require an annexation agreement to be filed with the City of Salem where one has not already been done so, pursuant to Salem City Council Policy X-4A/B. City of Salem permits are required for connections to these mains for development on the resultant lots.

Marion County Septic commented that they had no comments.

Marion County Building Department commented:

No Building Inspection concerns. Permit(s) are required to be obtained prior to structures development and/or utilities installation on private property.

Marion County Tax Assessor provided comments related to the subject property's property taxes.

Marion County Number 1 Fire Department commented:

This project must meet the following code requirements per Marion County Fire District No. 1:

1. **Fire Safety During Construction:** Approved fire department access road, required water supply, fire hydrants, and safety precautions shall be installed and serviceable prior to and during the time of construction. 2022 Oregon Fire Code Chapter 33.
2. **Premise identification:** Buildings shall have address numbers or approved identification placed in a position that is plainly legible and visible from the access road fronting the property. Numbers shall contrast with their background and shall be a minimum of 4 inches height with a minimum stroke width of ½ inch (2022 OFC 505.1).

All other contacted agencies either failed to comment or stated no objection to the proposal.

6. In order to partition land in an RS (Single Family Residential) zone, the standards and criteria in Chapter 16.02.120 of the Marion County Code (MCC) apply:
- A. *Lot Area. The minimum lot area for a single-family dwelling in a subdivision approved after the effective date of the ordinance codified in this title, is 4,000 square feet when located within the Salem/Keizer area urban growth boundary. In all other cases lots shall be a minimum of 6,000 square feet. (See Chapter 16.27 MCC for density limitations.)*

The proposed lots are 5,600 square feet and 8,700 square feet each. The criterion is met.

- B. *Lot Dimensions. Except as provided in MCC 16.26.800 for planned developments, the width of a lot shall be at least 60 feet; provided, that within the Salem/Keizer urban growth boundary the width of a lot shall be at least 40 feet, and the depth of a lot shall be at least 70 feet.*

The proposed lot widths are 51 feet by 110 feet and 99 feet by 103 feet. The criterion is met.

7. MCC 16.33.680 ACCESS STANDARDS. *All lots must have a minimum 20 feet of frontage on a public right-of-way or, when an access easement is proposed to serve one or more lots in any partitioning, the location and improvement of the roadway access shall conform to the following standards which are necessary for adequate access for emergency vehicles. Evidence that the access has been improved to these standards and a driveway permit has been obtained shall be provided prior to the issuance of building permits on the parcels served by the access easement. The easement shall meet the following standards:*

- A. *Have a minimum easement width of 25 feet;*
B. *Have a maximum grade of 12 percent;*
C. *Be improved with a paved surface with a minimum width of 20 feet;*
D. *Provide adequate sight-distance at intersections with public roadways;*
E. *Be provided with a road name sign at the public roadway as identification for emergency vehicles in accordance with Chapter 11.55 MCC, Naming and Addressing Roads/Property.*

The applicant is not proposing the addition of an easement for access to either of the parcels. Both parcels will be serviced by Marion County public road Jade St NE and both parcels are proposed to have more than 20 feet of street frontage. The Criterion are met.

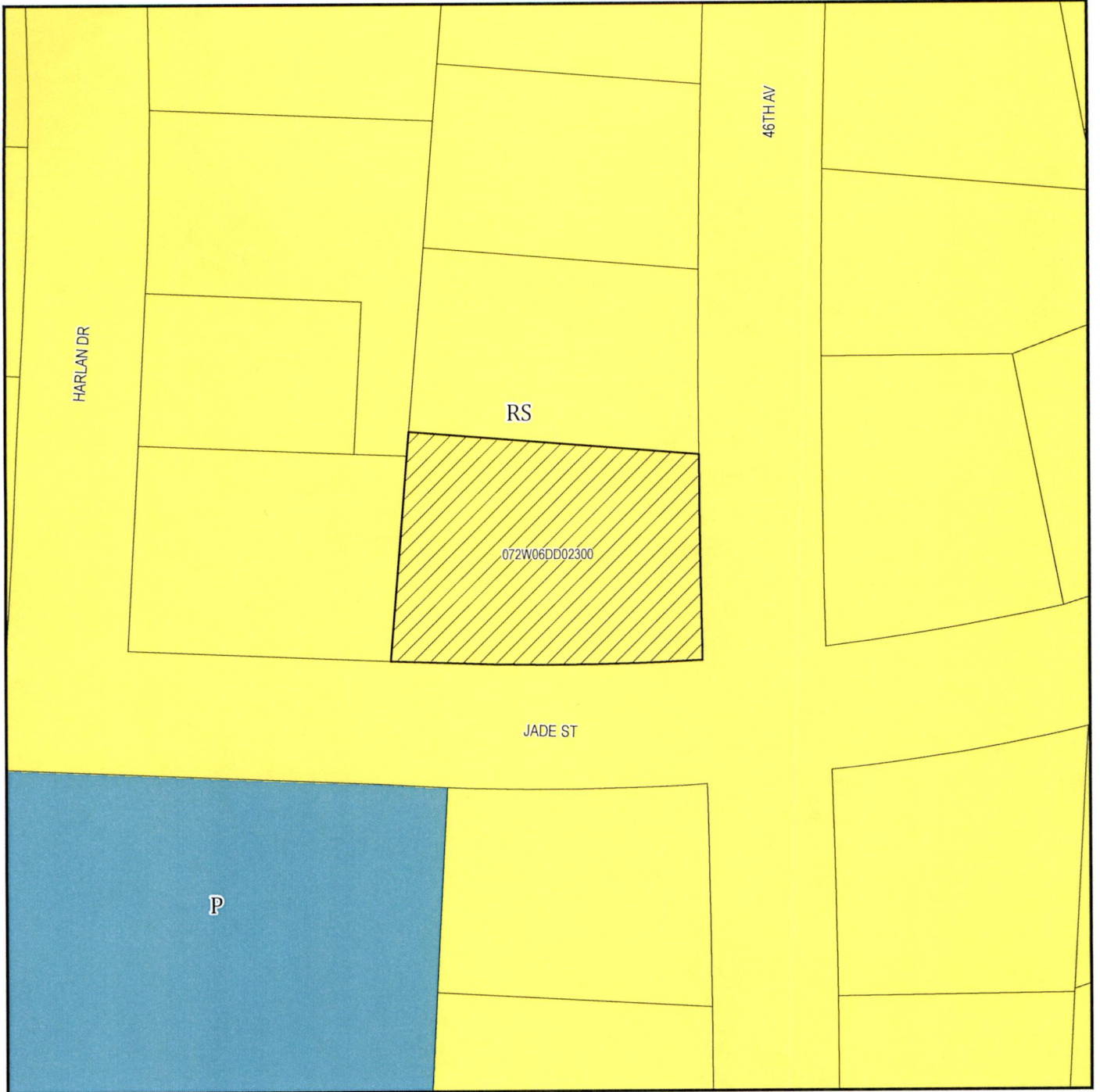
8. Based on the above findings, the request complies with the applicable criteria and is therefore **APPROVED**.

Brandon Reich
Planning Director/Zoning Administrator

Date: November 14, 2024.

If you have any questions regarding this decision contact George Brandt at (503) 566-3981.

Notice to Mortgagee, Lienholder, Vendor or Seller: ORS Chapter 215 requires that if you receive this Notice, it must promptly be forwarded to the purchaser.







ZONING MAP

Input Taxlot(s): 072W06DD02300

Owner Name: TAYLOR, JORDAN KELLY

Situs Address: 4593 JADE ST NE
City/State/Zip: SALEM, OR, 97305
Land Use Zone: RS
School District: SALEM-KEIZER
Fire District: MARION COUNTY NO.1

Legend

-  Input Taxlots
-  Lakes & Rivers
-  Highways
-  Cities



scale: 1 in = 70 ft

DISCLAIMER: This map was produced from Marion County Assessor's geographic database. This database is maintained for assessment purposes only. The data provided hereon may be inaccurate or out of date and any person or entity who relies on this information for any purpose whatsoever does so solely at his or her own risk. In no way does Marion County warrant the accuracy, reliability, scale or timeliness of any data provided on this map.