

# NOTICE OF DECISION

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
PHONE: 503-588-6173  
FAX: 503-588-6005



*Si necesita ayuda para comprender esta información, por favor llame  
503-588-6173.*

## ADMINISTRATIVE DECISION FOR CLASS 2 TIME EXTENSION

CASE NO.: PAR14-03EXT1  
AMANDA NO.: 16-108845-LD  
DATE OF DECISION : July 28, 2016  
PROPERTY LOCATION: 780 Idylwood Drive SE  
OWNER: Joshua H. Clark

### REQUEST

A request for a 2-year extension of the approval for PAR14-03, a 2-parcel partition to divide approximately 0.5 acres into 2 parcels, with proposed Parcel 1 consisting of 12,482 square feet (9,494 square feet exclusive of the flag lot accessway) and proposed Parcel 2 consisting of 9,278 square feet.

The subject property is zoned RS (Single Family Residential) and is located at 780 Idylwood Drive SE (Marion County Assessor Map and Tax Lot Number: 083W10AC04200).

### BACKGROUND

On April 14, 2014, the Planning Administrator approved a proposal to divide approximately 0.5 acres into 2 single family residential lots. The tentative partition approval was set to expire on April 30, 2016.

On April 29, 2016, the applicant submitted a request to extend the approval of the tentative partition plan for the subject property (Case No. PAR14-03EXT1) for a period of two years. After additional required information was submitted, the application for the Class 2 Extension was deemed complete on June 22, 2016. Public notice was provided pursuant to Salem Revised Code (SRC) requirements on June 30, 2016.

### FINDINGS

1. Tentative partition plan No. 14-03 was approved on April 14, 2014 (Attachment B). At this time, construction of public improvements and other conditions required for final plat approval have not been completed. The applicant has requested a 2-year extension, which would extend the expiration period for the tentative partition plan approval to April 30, 2018.
2. Under the City's Unified Development Code, extension requests are classified under one of the following two classes:

- **Class 1 Extension.** A Class 1 Extension is an extension that applies when there have been no changes to the standards and criteria used to approve the original application; or
- **Class 2 Extension.** A Class 2 Extension is an extension that applies when there have been changes to the standards and criteria used to approve the original application, but such changes to the standards and criteria would not require modification of the original approval.

Because there have been changes to the standards and criteria used to approve the original application, this new extension request is classified as a Class 2 Extension.

### **3. Neighborhood Association and Citizen Comments**

- A. The subject property is located within the Faye Wright Neighborhood Association. No written comments were received from the neighborhood association on the extension request.
- B. All property owners within 250 feet of the subject property were mailed notification and request for comments on the proposed extension. No public comments were received prior to the comment deadline.

### **4. City Department and Public Agency Comments**

- The Public Works Department reviewed the proposal and indicated that they have no comments.
- The Salem Fire Department reviewed the proposal, indicating no concerns with the extension, and noting that certain Fire Department requirements, such as water supply and fire access, will be implemented at the time of building permit applications.

### **5. Public and Private Service Provider Comments**

Notification and request for comments on the proposed extension was distributed to public and private agencies and service providers for the subject property. No comments were received from public or private service providers prior to the comment deadline.

### **6. Class 2 Time Extension Approval Criteria**

SRC 300.850(b)(4)(B) establishes the following approval criterion which must be met in order for a Class 2 Time Extension to be approved:

*A Class 2 extension shall be granted if there have been no changes to the standards and criteria used to approve the original application that would require modification of the original approval.*

## 7. Analysis of Class 2 Time Extension Approval Criteria

***A Class 2 Extension shall be granted if there have been no changes to the standards and criteria used to approve the original application that would require modification of the original approval.***

**Finding:** Tentative Partition Plan 14-03 was approved in 2014 under the requirements of former SRC Chapter 63 (Subdivisions). Since the approval of the tentative partition plan, the City's zoning and development codes were amended as part of the City's Unified Development Code (UDC) project. The UDC was a multi-year project to update the City's zoning and development codes to make them easier to understand and administer. The intent of the project was to reorganize and streamline, but not to make major policy changes to existing standards and criteria.

The standards and criteria applicable to partitions were included in the standards and criteria updated as part of the UDC. However, because the UDC was not intended to make policy changes, none of those revisions require modification of the original tentative partition plan approval. Minimum lot size and dimensions, street standards, and other requirements applicable to the partition remain the same. Because there have been no changes to the standards and criteria used to approve the original application that would require modification of the original approval, this criterion is met.

## DECISION

Based on the requirements of SRC 300.850(b)(4)(B), the proposed Class 2 Extension complies with the requirements for an affirmative decision.

The Class 2 Extension to extend the approval for a two-parcel tentative partition plan (Partition Case No. PAR14-03), on property approximately 0.5 acres in size, zoned RS (Single Family Residential) and located at 780 Idylwood Drive SE (Marion County Assessor Map and Tax Lot Number: 083W10AC04200) is hereby **APPROVED**. **The extension shall be valid through April 30, 2018.**



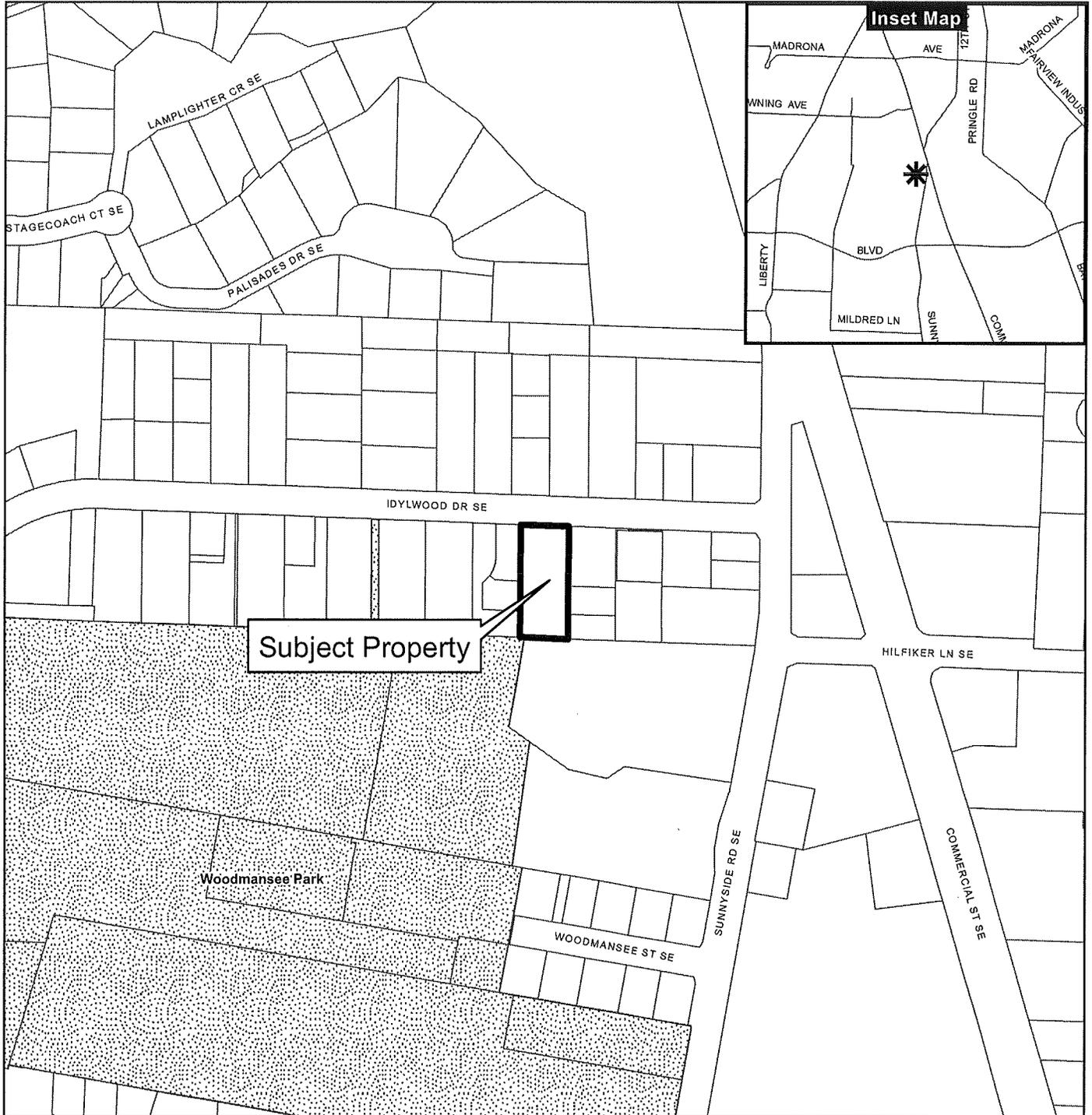
Christopher Green, AICP, Planner II  
Planning Administrator Designee

Attachments:   A. Vicinity Map  
                  B. Decision of the Planning Administrator approving Case No. PAR14-03

Application Deemed Complete: June 22, 2016  
Decision Mailing Date: July 28, 2016  
Decision Effective Date: August 13, 2016  
State Mandated Decision Date: October 20, 2016

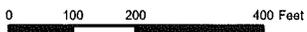
This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division Room 305, 555 Liberty Street SE Salem OR 97301 no later than **Friday, August 12, 2016 by 5:00 p.m.** The notice of appeal must contain the information required by SRC 300.1020. The notice of appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the notice of appeal is untimely and/or lacks the proper fee, the notice of appeal will be rejected. The Salem Hearings Officer will review the appeal at a public hearing. The Hearings Officer may amend, rescind, or affirm the action or refer the matter to staff for additional information.

# Vicinity Map 780 Idylwood Dr. SE



**Legend**

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



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# NOTICE OF DECISION



ATTACHMENT B

*Si necesita ayuda para comprender esta info*  
503-588-6173

## DECISION OF THE PLANNING ADMINISTRATOR

PARTITION CASE NO. PAR14-03

APPLICATION NO. : 13-120309-LD

NOTICE OF DECISION DATE: **APRIL 14, 2014**

**REQUEST:** To divide approximately 0.5 acres into 2 parcels, with proposed Parcel 1 consisting of 12,482 square feet (9,494 square feet exclusive of the flag lot accessway) and proposed Parcel 2 consisting of 9,278 square feet. The property is zoned RS (Single Family Residential) and is located at 780 Idylwood Drive SE (Marion County Assessor's Map and Tax Lot Number: 083W10AC04200).

**APPLICANT:** LEI ENGINEERING AND SURVEYING

**LOCATION:** 780 IDYLWOOD DR SE

**CRITERIA:** Salem Revised Code Chapter 63

### DECISION:

The Planning Administrator **GRANTED** Partition Case No. PAR14-03 subject to the following conditions of approval prior to final plat approval, unless otherwise indicated:

- Condition 1.** Design and construct water and sewer services for proposed Parcel 2 in compliance with Public Works Design Standards, and show all necessary access and utility easements on the plat to the satisfaction of the Public Works Director. Sewer service shall be taken from the 27-inch main in Idylwood Drive SE.
- Condition 2:** Provide a storm drainage design for proposed Parcel 2 and the flag lot accessway in compliance with Public Works Design Standards.
- Condition 3:** Pay water connection fees for proposed Parcel 2 prior to plat approval per SRC Chapter 21.
- Condition 4:** At the time of future development of proposed Parcel 2, pave the flag lot accessway to a minimum width of 15 feet. "NO PARKING - FIRE LANE" signs shall be posted on both sides of that portion of the proposed flag lot accessway that serves as a fire apparatus access roadway, and "NO PARKING" signs shall be posted on both sides of the remainder of the flag lot accessway. The address of the proposed flag lot shall be posted at the entrance to the accessway. The accessway shall be privately maintained.

The rights granted by the attached decision must be exercised by April 30, 2016, or this approval shall be null and void.

A copy of the decision is attached.

Application Deemed Complete: March 5, 2014

Notice of Decision Mailing Date: April 14, 2014

Decision Effective Date: April 30, 2014

State Mandate Date: July 3, 2014

Case Manager: Bryce Bishop, Planner II, [bbishop@cityofsalem.net](mailto:bbishop@cityofsalem.net) BB

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, **no later than 5:00 p.m., April 29, 2014**. 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 of SRC Chapter 63. The appeal must be filed in duplicate with the City of Salem Planning Division. 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 at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

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