

NOTICE OF DECISION

PLANNING DIVISION
planning@cityofsalem.net

Si necesita ayuda para comprender esta información, por favor llame

503-588-6173

DECISION OF THE HEARINGS OFFICER

ZONE CHANGE CASE NO. ZC25-01

APPLICATION NO.: 25-118052-PLN

NOTICE OF DECISION DATE: December 22, 2025

REQUEST: Proposed Zone Change from RM-I (Multiple Family Residential) to RM-II (Multiple Family Residential) for property totaling approximately 4.59 acres in size and located at 5042, 5052, and 5092 Hayesville Drive NE (Marion County Assessor Map and Tax Lot Nos.: 072W05D003200, 072W05D003100, and 072W05D002900).

APPLICANT: Hayesville Properties, LLC (Andrew Fields, James Fields, Caleb Fields)

LOCATION: 5042, 5052, and 5092 Hayesville Dr. NE, Salem OR 97305

CRITERIA: Salem Revised Code (SRC) Chapter 265.005(e) – Zone Change

FINDINGS: The findings are in the attached Decision dated December 15, 2025.

DECISION: The Hearings Officer **APPROVED** Zone Change Case No. ZC25-01.

The rights granted by the attached decision do not expire.

Application Deemed Complete:	<u>November 17, 2025</u>
Public Hearing Date:	<u>December 10, 2025</u>
Notice of Decision Mailing Date:	<u>December 22, 2025</u>
Decision Effective Date:	<u>January 13, 2026</u>
State Mandate Date:	<u>March 17, 2026</u>

Case Manager: Bryce Bishop, bbishop@cityofsalem.net, 503-540-2399

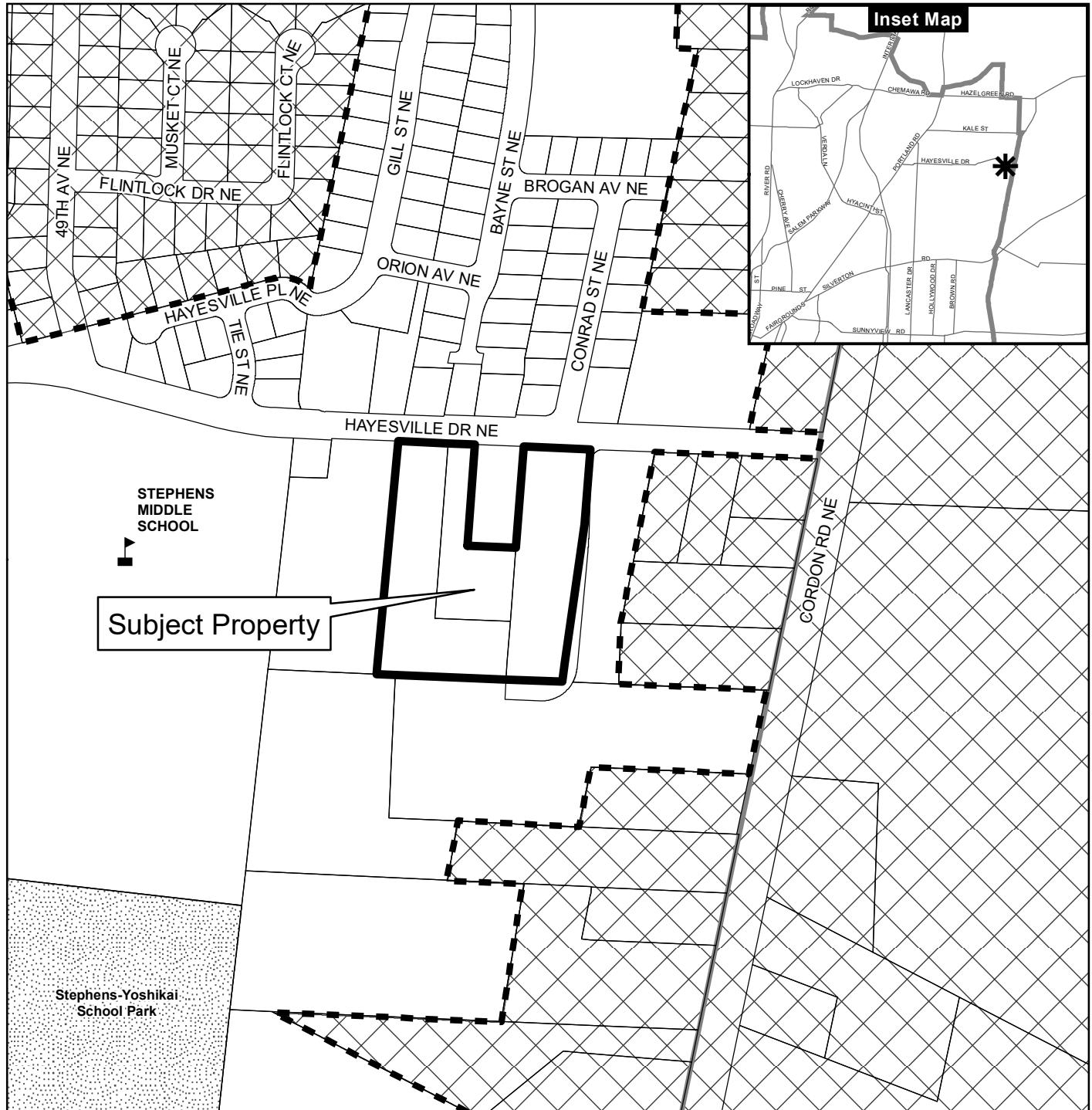
This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, in person at 440 Church St SE, Salem OR 97312, by mail P.O. Box 14300 Salem, OR 97309, or by email at planning@cityofsalem.net, no later than 5:00 p.m. Tuesday, January 6, 2026. Any person who presented evidence or testimony at the hearing may appeal the decision. 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 265. 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 City Council will review the appeal at a public hearing. After the hearing, the City Council 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, 440 Church St SE, Salem, during regular business hours.

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

Vicinity Map

5042, 5052, & 5092 Hayesville Drive NE



Legend

Taxlots	Outside Salem City Limits	Parks
Urban Growth Boundary	Historic District	Schools
City Limits		
0 100 200 400 Feet		

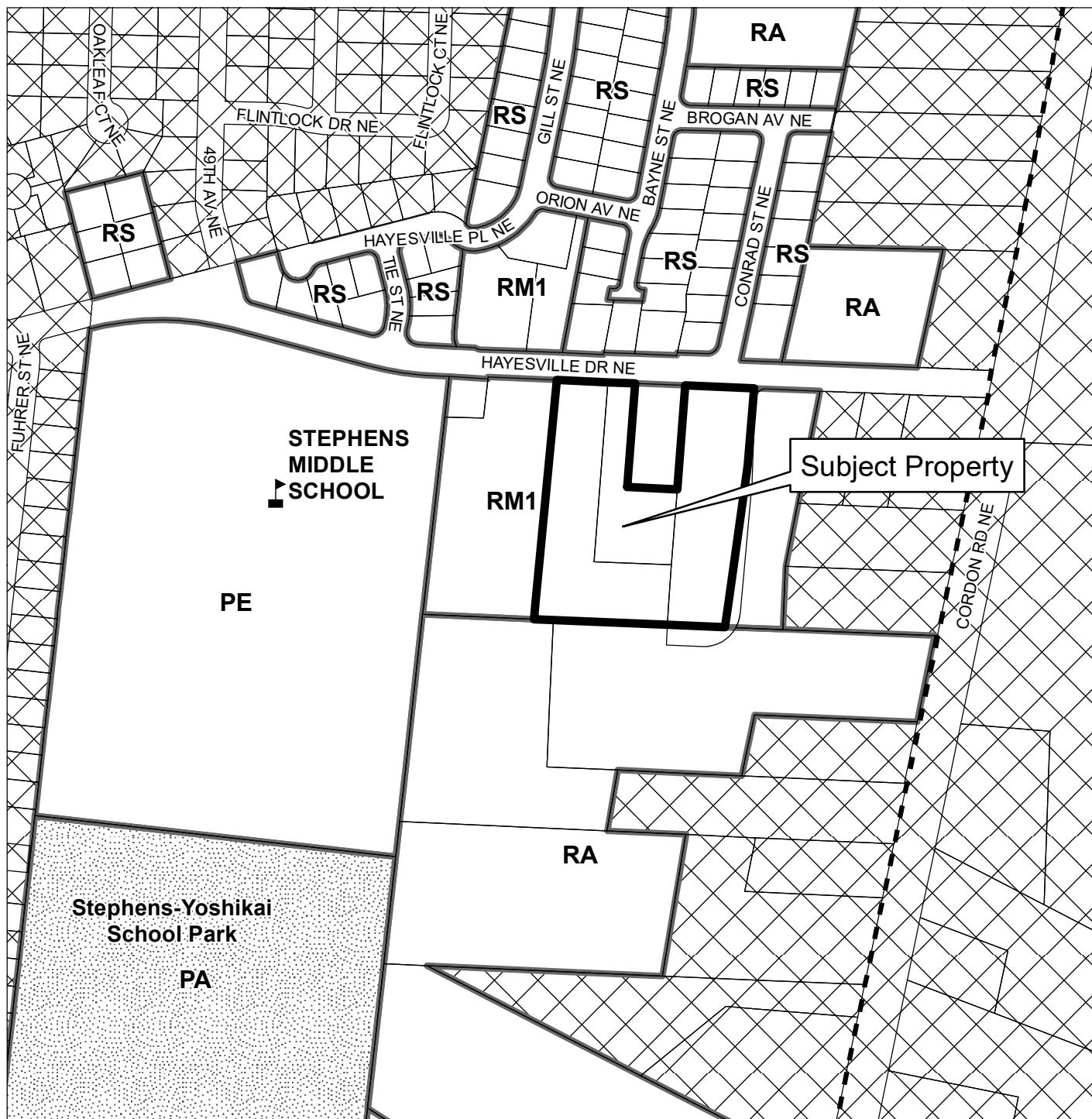
CITY OF Salem
AT YOUR SERVICE

Community Planning and Development

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Zoning Map

(Proposed Zone Change from RM-I (Multiple Family Residential) to RM-II (Multiple Family Residential))



Legend

- SF** Comprehensive Plan
- Urban Growth Boundary**
- Outside Salem City Limits**

- Taxlots**
- Parks**
- Schools**

0 50 100 200 Feet



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**CITY OF SALEM
BEFORE THE HEARINGS OFFICER**

AN APPLICATION FOR A ZONE CHANGE }
FROM RM-I (MULTIPLE FAMILY) } ZC25-01
RESIDENTIAL TO RM-II (MULTIPLE }
FAMILY RESIDENTIAL) LOCATED AT }
5042, 5052 AND 5092 HAYESVILLE DRIVE } FINDINGS OF FACT, CONCLUSIONS,
NE (MARION COUNTY ASSESSOR'S MAP } AND DECISION
AND TAX LOT NUMBER 072W05D / 3200, }
3100 AND 2900)

DATE AND PLACE OF HEARING:

On December 10, 2025, at 5:30 p.m., a properly noticed hearing was held before the City of Salem Hearings Officer at the Community Room, Salem Police Department, 333 Division Street NE, Salem, Oregon.

APPEARANCES:

<u>Staff:</u>	Bryce Bishop, Planner III
<u>Neighborhood Association:</u>	Northgate Neighborhood Association
<u>Proponents:</u>	Brittany Randall, Brand Land Use
<u>Opponents:</u>	Northgate Neighborhood Association; Emily Brush

SUMMARY OF THE APPLICATION AND HEARING

BACKGROUND

The City of Salem held a duly authorized and noticed public hearing on December 10, 2025, regarding the Applicant's request. During the hearing, Bryce Bishop requested that the staff report be entered into the record and the Hearings Officer granted the request. The application for a zone change was accepted for processing on August 28, 2025, and was deemed complete on November 17, 2025. The 120-day State mandated deadline is March 17, 2026.

The Hearing Notice was provided on November 20, 2025, to surrounding property owners and tenants pursuant to Salem Revised Code (SRC) and stated that the date for the hearing was December 10, 2025. The property was posted on November 26, 2025 consistent with the requirements of SRC 300.620(b)(3) for a Type III application.

FINDINGS OF FACT AND CONCLUSIONS

1. Salem Area Comprehensive Plan (SACP) designation

Finding 1: The Salem Area Comprehensive Plan (SACP) map designation for the subject property is “Multiple Family Residential.” The subject property is within the Urban Growth Boundary but outside of the Urban Service Area. It has a site address of 5042, 5052, and 5092 Hayesville Drive NE, Salem, Oregon.

The Urban Service Area is that territory within City where all required public facilities (streets, water, sewer, storm water, and parks) necessary to serve development are already in place or fully committed to be extended. Pursuant to the urban growth management requirements contained under SRC Chapter 200 (Urban Growth Management), properties located outside the Urban Service Area are required to obtain an Urban Growth Preliminary Declaration prior to development in order to determine the required public facilities necessary to fully serve the proposed development.

On April 9, 2020, an approval was issued for Urban Growth Preliminary Declaration Case No. UGA19-02 identifying the required public facilities necessary to fully serve the subject property; thereby satisfying the requirements of SRC 200.020. The phased subdivision approval was subsequently conditioned to require the construction of these required public facilities, therefore ensuring that any future development of the properties will be adequately served in conformance with SRC 200.

2. Zoning and Surrounding Land Uses

Finding 2: The subject property is zoned RM-I (Multiple-Family Residential). The zoning and uses of the surrounding properties include:

North: RM-1 (Multiple Family Residential); across Hayesville Drive NE (RS (Single Family Residential) and RM-I (Multiple Family Residential), and RA (Residential Agriculture)

South: RA (Residential Agriculture).

West: RM-I (Multiple Family Residential)

East: RM-I (Multiple Family Residential)

2. Site Analysis

Finding 3: The subject property is approximately 4.59 acres in size, and is located at 5042, 5052, and 5092 Hayesville Drive NE, Salem, Oregon. The property has frontage on and takes access from Hayesville Drive NE; a designated collector street under the City’s Transportation System Plan (TSP).

Finding 4: On April 25, 2024, a phased subdivision (*Case No. SUB-ADJ24-02*) was

approved for both of the properties included with this zone change request and four additional properties located to the east, west, and south of the subject property (Tax Lot Nos. 2800, 3300, 2000, and 1700, Marion County Assessor's Map 072W05D). The approved phased subdivision tentative plan includes two phases. The first phase will consist of 92 lots accommodating a mix of single-family dwellings and attached townhomes; and the second phase will consist of a total of five lots accommodating two existing single-family dwellings located at 5092 Hayesville Drive NE and 5122 Hayesville Drive NE and future residential development.

The three properties included with this zone change request are located within Phase 2 of the subdivision. The phased subdivision will result in the existing home located on the property at 5092 Hayesville Drive NE being divided off on a separate smaller lot retaining frontage on Hayesville Drive NE; and the remainder of this property, along with the properties located at 5042 and 5052 Hayesville Drive NE, will be consolidated into one large lot (Lot 96) approximately 3.34 acres in size that will accommodate multiple family development. Phase 2 of the subdivision will also result in the creation of two new streets (Street C and Conrad Street – as identified on the tentative subdivision plan) that will provide future vehicle access along the southern and eastern boundaries of the subject property and to the five lots within the second phase. The site is currently developed with a single-family dwelling and associated accessory structures.

Finding 5: The topography of the site is flat with various existing trees located throughout the property. According to the Salem-Keizer Local Wetland Inventory (LWI), there are no mapped wetlands or waterways present on the site. According to the City's landslide hazard susceptibility maps, there are no areas of mapped landslide hazard susceptibility located on the subject property. The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

Finding 6: Hayesville Drive NE is a collector street that has a right-of-way that varies between 60 and 70 feet with a 30-foot improvement width. The standard improvement width for a collector street is 34 feet.

Finding 7: The subject property is served by a 12-inch water main located in Hayesville Drive NE. It has a water service level of G-0. An 8-inch sewer main is located in Hayesville Drive NE, approximately 700-feet west of the subject property. An 8-inch storm main is located in Hayesville Drive NE. Stephens Yoshikai School Park serves the subject property.

3. Neighborhood and Citizen Comments

Finding 8: The subject property is located within the Northgate Neighborhood Association. Pursuant to SRC Chapter 300, the applicant is required to contact the Neighborhood Association prior to submittal of this consolidated application. On June 26, 2025, the applicant contacted the neighborhood association, meeting the

requirements of SRC 300.310(b)(1) and (c). Pursuant to SRC 300.620(b)(2)(B)(iii), (vi), & (vii), notice was provided to surrounding addresses, property owners, and tenants within 250 feet of the subject property. Comments were received from the Neighborhood Association and from a citizen.

In summary, the Northgate Neighborhood Association commented that it already had enough apartments and they have heard complaints from the community indicating that schools are being overwhelmed with students and that there are not enough teachers. It was also alleged that hospitals and clinics were inundated with more patients and that it is anticipated that an increase in population will result in an increase in criminal mischief and crime.

In summary, the citizen comment received expressed concerns pertaining to the proposed zoning and the capacity of existing infrastructure to support the increased density; traffic impacts; parking impacts; emergency response times; and impacts to the existing single-family home to the north.

The subject property is not located within a Homeowner's Association.

4. City Department and Public Agency Comments

Finding 9: The Salem-Keizer School District reviewed the proposal and commented that the property is served by Yoshikai Elementary School, Stephens Middle School, and McKay High School. The School District identified sufficient existing school capacity at Yoshikai Elementary School, Stephens Middle School, and McKay High School to accommodate the projected increase in student enrollment resulting from the future development of the property.

The Development Services Division reviewed the proposal and indicated that the property is capable of being served by public utilities to support allowed uses in the proposed zone.

5. Analysis of Zone Change Criteria

SRC Chapter 265.005(e)(1)(a) establishes the following approval criteria for a zone change:

SRC 265.005(e)(1)(A): The zone change is justified based on one or more of the following:

- (i) A mistake in the application of a land use designation to the property.***
- (ii) A demonstration that there has been a change in the economic, demographic, or physical character of the vicinity such that the zone would be compatible with the vicinity's development pattern.***
- (iii) A demonstration that the proposed zone change is equally or better suited for***

the property than the existing zone. A proposed zone is equally or better suited than an existing zone if the physical characteristics of the property are appropriate for the proposed zone and the uses allowed by the proposed zone are logical with the surrounding land uses.

Finding 10: It is the position of the applicant that the proposed zone change is equally or better suited for the property than the existing zone. The following factors support this allegation:

1. The properties subject to the zone change are topographically flat and free of natural constraints. They have direct access to Hayesville Drive NE, a collector street.
2. An urban level of infrastructure is adjacent and has adequate capacity to serve the subject properties.
3. The surrounding land uses, which include townhouses, single-family dwellings with supporting educational facilities in the vicinity, are similar in nature for what may be constructed under the proposed rezoning.
4. The proposed rezoning would further increase the City's multi-family land supply, consistent with its adopted Housing Needs Analysis and compliance with Statewide Planning Goal 10.
5. The subject properties lie within an existing, approved phased subdivision.
6. Based upon testimony from the School District, the capacity of schools in the school district applicable to the properties is adequate.

Conclusion: In summary, the proposed rezoning is appropriate because an urban level of services are available to the property and would allow residential uses of a nature and density compatible with existing residential densities. Also, the potential for the increase in housing density is consistent with the City's adopted housing needs. The Hearings Officer concludes that the proposal meets this criterion.

SRC 265.005(e)(1)(B): If the zone change is City-initiated, and the change is for other than City-owned property, the zone change is in the public interest and would be of general benefit.

Finding 11: This criterion is inapplicable as the change is applicant-initiated.

SRC 265.005(e)(1)(C): The zone change conforms with the applicable provisions of the Salem Area Comprehensive Plan.

Finding 12: The subject properties are designated "Multi-Family Residential" on the Comprehensive Plan Map. While both RM1 and RM2 are implementing zones for this designation, the RM2 zone allows for higher residential densities and a wider range of housing types, making it more consistent with the City's policies encouraging efficient urban development and housing diversity.

The 4.59-acre property is of sufficient size to accommodate the development of multiple family uses and the designation of higher density residential land in this area

is consistent with the intent of the Mult-Family Residential land use designation of the Comprehensive Plan, which provides:

“The Multi-Family Residential designation is intended to promote medium and high-density housing distributed across the Salem area. This designation is generally located near mixed-use and employment areas, low-density residential areas, major transportation corridors, transit routes, parks, and schools.”

The zone change supports Policy H-1, which calls for the provision of housing to meet the needs of Salem's residents, and Policy H-2, which encourages higher-density residential development in areas served with public services and transit. The site is located along Hayesville Drive NE, a collector street with full urban services, including water, sewer, stormwater, and transit access. The proposed RM-II zoning also aligns with Policy H-5, which encourages infill development to reduce sprawl and make better use of existing land within the Urban Growth Boundary, and Policy H-8, which supports residential development near employment centers, public services, and shopping areas.

The proposed zone change is also consistent with the Comprehensive Plan's Growth Management policies, particularly Policy G-3, which promotes compact and efficient urban development patterns to reduce infrastructure costs and vehicle miles traveled. The site's location within an approved subdivision (SUB-ADJ24-02) and its proximity to existing development, services, and transportation infrastructure further support this conclusion.

While the proposed RM-II zoned land is not near mixed-used use and employment areas, it is near Cordon Road NE, a Parkway, and abuts Hayesville Drive NE, a Collector street; transit service is available to the site via Cherriots Route 12 – Hayesville Drive, with a transit stop located approximately 0.22 miles from the property on Fuhrer Street NE; and the site is near Stephens Middle School, Yoshikai Elementary School, and Stephens-Yoshikai School Park to the west and southwest.

The proposed RM-II zoning is also consistent with the following Salem Area Comprehensive Plan housing goals and policies:

- **Housing Goal H1 – Housing Choice:** *Promote a variety of housing options to meet the needs, abilities, and preferences of all current and future residents.*
- **Housing Policy H1.1 – Housing Types:** *A variety of housing types shall be allowed and encouraged throughout the Salem Urban Area, including single-family homes, accessory dwelling units, manufactured homes, townhouses, middle housing, and multifamily housing.*
- **Housing Policy H1.5 – Housing Diversity:** *New residential developments should be encouraged to incorporate a diversity of housing types and sizes to attract residents of varying income levels, lifestyles, and housing preferences.*

- **Housing Goal H2 – Housing Affordability:** *Provide opportunities for housing that are affordable to current and future residents of all income levels.*
- **Housing Goal H3 – Land Supply:** *Provide a supply of residential land that accommodates the amounts and types of housing needed to meet the population forecast for the Salem Urban Area.*

The RM-II zoning proposed for the property will allow for higher density residential housing to be developed in this area which will provide for additional housing diversity and more options for housing choice and affordability to help meet the projected housing needs of the City's diverse population consistent with these applicable comprehensive plan goals and policies.

- **Housing Policy H5.3 – Health and Active Living:** *Multifamily housing and mixed-use projects should be encouraged to incorporate amenities supportive of healthy, active living, such as useable open space, community space, recreation areas, and community gardens.*

The City's development code includes design review standards that apply to multiple family development. Included within these standards are requirements to provide common open space and recreational opportunities to serve the residents of the development. Future development of the property will be reviewed for conformance with the applicable open space and recreational requirements of SRC Chapter 702. The proposal is therefore consistent with this applicable comprehensive plan policy.

The proposed RM-II zoning is also consistent with the following Salem Area Comprehensive Plan land goals and policies:

- **Land Use and Urbanization Policy L1.13 – Facility Responsibility:** *Where development creates a demand for new or expanded facilities and services, new development should bear a share of the costs of new or expanded facilities and services.*

Review of the proposal by the Development Services Division indicates that street, water, sewer, and storm drainage infrastructure are available and appear to be adequate to serve the property. Site-specific infrastructure requirements will be addressed at the time of future development and the costs for installation of required facilities are required to be paid by the applicant. The proposal is consistent with these applicable comprehensive plan goals and policies.

- **Land Use and Urbanization Goal L3 – Urban Development:** *Ensure that future development within the Salem Urban Area is designed to respond to and enhance the surrounding environment, while accommodating growth.*

The proposed RM-II zoning provides for higher density multiple family residential zoned land to help meet the City's projected housing needs identified in the adopted

Housing Needs Analysis and the future development of the property will be required to comply with the applicable standards of the City's development code which includes standards to ensure development occurs in a manner that minimizes potential impacts and enhances the surrounding environment. The proposal is consistent with this applicable comprehensive plan policies.

SRC 265.005(e)(1)(D): The zone change complies with applicable Statewide Planning Goals and applicable administrative rules adopted by the Department of Land Conservation and Development.

Finding 13: The following analysis addresses the consistency of the proposed zone change with applicable Statewide Planning Goals:

Goal 1 – Citizen Involvement: The proposed zone change is consistent with Statewide Planning Goal 1 (Citizen Involvement), as the application will be processed through a Type III procedure, which includes mailed notice to surrounding property owners, notice to the recognized neighborhood association, and a public hearing before the Hearings Officer. This process ensures that citizens have the opportunity to participate in land use decision-making.

Goal 2 – Land Use Planning: The City's comprehensive plan and implementing land use review procedures and development code are acknowledged to be in compliance with the Statewide Planning Goals and provide the policy framework for the basis of all land use decisions in the City. As identified by the facts and findings included in this report, the proposal is consistent with the applicable approval criteria and the applicant's proposal does not require that an exception be granted to any of the Statewide Planning Goals.

Goals 3 and 4 – Agricultural Lands and Forest Lands: The subject property is located within the City's Urban Growth Boundary and the site is not designated as "agricultural lands," and does not include designated forest lands. These statewide planning goals are therefore not applicable to the proposal.

Goal 5 – Open Spaces, Scenic and Historic Areas and Natural Resources: The subject property is not designated as an open space or scenic area; does not contain designated wildlife habitat; and according to the Salem-Keizer Local Wetland Inventory (LWI) there are no mapped wetland areas or waterways present on the site. In addition, the property does not include designated historic resources and, concerning the potential for archaeological resources, it is not located within the City's Historic and Cultural Resources Protection Zone. This statewide planning goals is therefore not applicable to the proposal.

Goal 6 – Air, Water, and Land Resources Quality: At the time of future development of the property, specific site development plans will be submitted and reviewed for conformance with local, state, and federal air, water, and land use resource standards. Required conformance with these applicable standards ensures the proposal will not

have an impact on air, water, or land resources quality. The proposal conforms to this statewide planning goal.

Goal 7 – Areas Subject to Natural Hazards: According to the City's adopted landslide hazard susceptibility maps, there are no areas of mapped landslide hazard susceptibility present on the site and the Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property. The proposal conforms to this statewide planning goal.

Goal 8 – Recreational Needs: The subject property is not specifically identified under the City's Comprehensive Park System Master Plan as a potential park site; and the subject property is not located within an identified open space, natural area, or recreation area, and no destination resort is planned for the property. However, the subject properties do have reasonable access to the recreational facilities at nearby schools, such as Stephens Middle School and Yoshikai School Park. The proposal conforms to this statewide planning goal.

Goal 9 – Economic Development: This statewide planning goal is not applicable as the proposal does not involve commercial or industrially designated land.

Goal 10 – Housing: The proposal supports Goal 10 (Housing), which requires cities to plan for and accommodate needed housing types. The RM-II zone allows a broader mix of multifamily housing types and greater density than RM-1, which directly contributes to Salem's efforts to meet identified housing needs. By facilitating higher-density development on land already designated for multifamily use, the zone change helps to ensure an adequate supply of buildable residential land and encourages the production of more housing units within the existing urban footprint.

Goal 11 – Public Facilities and Services: The City's Development Services Division reviewed the proposal and indicated that the property is capable of being served by public utilities to support allowed uses in the proposed zone. The property is subject to the conditions of approval established on SUB-ADJ25-02 which ensure the needed improvements identified in UGA Preliminary Declaration (UGA19-02) will be constructed to serve the subject property. Compliance with the required conditions of approval ensures that adequate public facilities and services are provided to serve the property. The proposal therefore complies with this statewide planning goal.

Goal 12 – Transportation: The application also complies with Goal 12 and the Transportation Planning Rule (TPR) OAR 660-0120060. A Transportation Impact Analysis is not being submitted with this zone change request because no specific development proposal is tied to this application and the proposal does not include a change to the City's comprehensive plan map or a land use regulation. An analysis will instead be prepared and submitted as part of the forthcoming Phase 2 subdivision application, when detailed information regarding unit counts, access points, and

circulation patterns will be available. The site is located along Hayesville Drive NE, a designated collector street served by existing transit and infrastructure, and the City has already reviewed this area's transportation system in connection with the previously approved subdivision, confirming that it can accommodate residential buildout with appropriate improvements.

Goal 13 – Energy Conservation: Any future development of the property will be required to be built to comply with current energy standards. The proposal conforms to this statewide planning goal.

Goal 14 – Urbanization: The subject property is located within the City, and public facilities required to serve future development are located nearby. Existing transportation and utility infrastructure is available in the vicinity. The proposed zone change will allow the efficient use of urbanized land within the UGB in compliance with Goal 14. The proposal conforms to this statewide planning goal.

Goal 15 – Willamette River Greenway: This goal is inapplicable as the subject properties are not located within the designated Willamette River Greenway boundary.

Goals 16 – 19 – Coastal Goals: These goals are inapplicable as the subject properties are not located on the Oregon Coast.

The proposed rezoning is consistent with applicable statewide planning goals.

SRC 265.005(e)(1)(E): If the zone change requires a comprehensive plan change from an industrial use designation to a non-industrial use designation, or from a commercial or employment designation to any other use designation, a demonstration that the proposed rezone is consistent with its most recent economic opportunities analysis and the parts of the Comprehensive Plan which address the provision of land for economic development and employment growth; or be accompanied by an amendment to the Comprehensive Plan to address the proposed rezone; or include both the demonstration and an amendment to the Comprehensive Plan.

Finding 14: The proposed rezoning does not require a change to the Salem Area Comprehensive Plan designation. The Comprehensive Plan designation of "Multi-Family Residential" includes both the RM-1 and RM-2 zoning districts. In addition, the proposal does not involve a change from an industrial, commercial, or employment designation to a non-industrial or non-employment designation. Therefore, no demonstration or amendment related to the City's Economic Opportunities Analysis is required and this criterion is not applicable.

SRC 265.005(e)(1)(F): The zone change does not significantly affect a transportation facility, or, if the zone change would significantly affect a transportation facility, the

significant effects can be adequately addressed through the measures associated with, or conditions imposed on, the zone change.

Finding 15: The proposed zone change does not, by itself, authorize specific development and will not, by itself, significantly affect a transportation facility as defined by the Transportation Planning Rule (TPR). The proposed change does not alter the street network, create new access points, or establish a specific number of units at this stage.

A transportation impact analysis (TIA) was not provided with this application because there is no specific development plan tied to the zone change and that a TIA will be submitted with the forthcoming Phase 2 subdivision application, when the type, number, and layout of residential units will be determined. That analysis will evaluate potential transportation impacts in detail and will identify any improvements or mitigation measures that may be required to ensure compliance with the TPR and the City's transportation standards.

This approval criterion is met because the existing Multiple Family Residential Comprehensive Plan map designation of the property is not proposed to be changed, the proposed zone change does not significantly affect an existing or planned transportation facility.

SRC 265.005(e)(1)(G): The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed in the proposed zone.

Finding 16: The subject properties are currently served, or are capable of being served, with public facilities and services necessary to support the uses allowed under the proposed RM-II (Multiple Family Residential 2) zone. The site is located within the Salem city limits and the Urban Growth Boundary and is adjacent to Hayesville Drive NE, classified as a collector street in the Salem TSP.

Water, sewer, and storm drainage facilities are available or planned to be extended to the properties through prior conditions of approval on land use decision SUB-ADJ24-02. As part of that subdivision approval, the applicant was required to construct new public storm and sanitary sewer mains, extend a 12-inch public water main along Hayesville Drive NE, and make frontage improvements including sidewalks, curb ramps, and street widening. These improvements were specifically designed to serve the subdivision as a whole, including the subject properties, and to accommodate the full build-out of multifamily residential development anticipated in Phase 2.

Electric, telecommunications, and solid waste services are available from local service providers, and emergency services can be accessed from the existing and proposed street network. Fire access requirements and utility capacity were reviewed as part of the subdivision application, and no deficiencies were identified that would preclude development under the proposed zoning designation. Additionally, Fire will review

the phase 2 development proposal and will have an opportunity to identify any deficiencies.

Since the infrastructure necessary to support RM-II development is either already available or will be completed in accordance with approved public facility plans, this criterion is satisfied.

DECISION

Based upon the Record, and the Facts and Findings in this decision, the Hearings Officer **APPROVES** the application to rezone Tax Lots 2900, 3100 and 3200, Marion County Assessor's Map 072W05D, which have site addresses, respectively, of 5092, 5052, and 5042, Hayesville Drive NE, Salem, Oregon, from RM-I to RM-II.

DATED: December 15, 2025

A handwritten signature in black ink that reads "Gary Darnielle". The signature is fluid and cursive, with "Gary" on the top line and "Darnielle" on the bottom line.

Gary Darnielle, Hearings Officer