



Marion County
OREGON

SUBDIVISION APPLICATION

Do not double-side or spiral bind any documents being submitted

RECEIVED

JUN 23 2026

**Marion County
Planning**

Fee: Please check the appropriate box:

- ☒ Subdivision - \$2670+\$25/lot
☐ Subdivision in an SGO Zone - \$2970+\$25/lot
☐ Amend Conditions - \$800

- ☐ Replat - \$2710
☐ Phases - \$750

PROPERTY OWNER(S): Villalobos Real Estate, LLC	ADDRESS, CITY, STATE, AND ZIP: 2628 Happy Valley Way SE, Salem, OR 97317
PROPERTY OWNER(S) (if more than one):	ADDRESS, CITY, STATE, AND ZIP
APPLICANT REPRESENTATIVE: AKS - Marelle Vorster	ADDRESS, CITY, STATE, ZIP 3700 River Road N, Suite 1, Keizer, OR 97303
DAYTIME PHONE (if staff has questions about this application): 503-400-6028	E-MAIL (if any): marelle.vorster@aks-eng.com
ADDRESS OF SUBJECT PROPERTY: 4336 Glenwood Drive SE, Salem, OR 97317	TOTAL PROPERTY ACREAGE: ± 0.46 acres ACREAGE TO BE SUBDIVIDED: ± 0.46 acres
THIS APPLICATION IS MADE FOR APPROVAL OF A PROPOSED (check one): ☒ SUBDIVISION ☐ PLANNED UNIT DEVELOPMENT	
WILL A RAILROAD HIGHWAY CROSSING PROVIDE THE ONLY ACCESS TO THE SUBJECT PROPERTY? () YES (X) NO IF YES, WHICH RAILROAD:	

FOR OFFICE USE ONLY			
Township <u>7S</u>	Range <u>2W</u>	Section <u>31AC</u>	<u>Application elements submitted:</u>
Tax lot number(s) <u>5000</u>			☐ Title transfer instrument
Zone: <u>RS</u>			☒ Subdivision Layout
Zone map number: <u>147</u>			☒ Applicant statement
☒ TPA/header			☐ GeoHazard Peer Review (if applicable) <u>N/A</u>
Case Number: <u>SUB/ADJ 26-001</u>			☒ Filing fee
☒ Urban ☐ Rural			☐ SGO Zone (if applicable) <u>N/A</u>
Application accepted by: <u>ACS</u>		Set up by: <u>GB</u>	☒ Road name information
Date: <u>06/25/2026</u>			☒ Pre-App Submitted
Date determined complete:			



Marion County
OREGON

ADJUSTMENT APPLICATION

RECEIVED

JUN 23 2026

**Marion County
Planning**

Do not double-side or spiral bind any documents being submitted.

Fee: \$600 *\$300 for concurrent submission*

PROPERTY OWNER(S): <i>Villalobos Real Estate, LLC</i>	ADDRESS, CITY, STATE, AND ZIP: <i>2628 Happy Valley Way SE, Salem, OR 97317</i>
PROPERTY OWNER(S) (if more than one):	ADDRESS, CITY, STATE, AND ZIP
APPLICANT REPRESENTATIVE: <i>AKS-Marelle Vorster</i>	ADDRESS, CITY, STATE, ZIP: <i>3700 River Rd N, Suite 1 Keizer, OR 97303</i>
DAYTIME PHONE (if staff has questions about this application): <i>503-400-6028</i>	E-MAIL (if any): <i>marleie.vorster@aks-eng.com</i>
ADDRESS OF SUBJECT PROPERTY: <i>4336 Glenwood Dr SE, Salem OR 97317</i>	SIZE OF SUBJECT PROPERTY: <i>10.46 acres</i>
THE PROPERTY OWNERS OF THE SUBJECT PROPERTY REQUEST TO (summarize here; provide detailed information on the attached "Applicant Statement" page): <i>An adjustment for to the required 25 Foot easement width down to 22 feet.</i>	
WILL A RAILROAD HIGHWAY CROSSING PROVIDE THE ONLY ACCESS TO THE SUBJECT PROPERTY? () YES () NO IF YES, WHICH RAILROAD:	

FOR OFFICE USE ONLY:			
Township <i>7S</i>	Range <i>2W</i>	Section <i>31AC</i>	Application elements submitted:
Tax lot number(s) <i>5000</i>			☒ Title transfer instrument
Zone: <i>RS</i>			☒ Site plan
Zone map number: <i>147</i>			☒ Applicant statement
			☐ GeoHazard Peer Review (if applicable)
Case Number: <i>SUB/ADJ 26-001</i>			☒ Filing fee
☐ Urban ☒ Rural			Application accepted by: <i>ACS</i> Set up by: <i>GB</i>
Date determined complete:			Date: <i>06/25/2026</i>

PLEASE LIST BELOW PROPOSED STREET NAMES, IN THE ORDER OF PREFERENCE FOR THE NUMBER OF NEW STREETS IN THE PROPOSED SUBDIVISION (see the attached information sheet):

(1) PEARL LN

(2) JULISSA LN

(3) APRIL WY

(4) CAMILA LN

(5)

(6)

NUMBER OF LOTS TO BE CREATED: 4

RANGE OF LOT SIZES:

Smallest 4,100 sf Largest 7,724 sf Average 5,008 sf

IF THE PROPERTY IS SERVED BY A COUNTY ROAD, INDICATE THE NAME (if the property borders more than one county road or city street please list: Glenwood Drive SE

IS THIS ROAD PAVED? yes IF NOT, PLEASE DESCRIBE THE TYPE AND LEVEL OF IMPROVEMENT ON THE ACCESS ROAD TO THE PROPERTY:

SEWAGE DISPOSAL TO BE PROVIDED BY:

☐ Septic tank

☒ Public sewer system

WATER SUPPLY TO BE PROVIDED BY:

☐ Individual well

☒ Community water system

IF SEWAGE DISPOSAL AND WATER SUPPLY IS PROVIDED THROUGH A COMMUNITY SERVICE, PLEASE LIST THE NAME OF THE SERVICING AGENCY OR DISTRICT AND ENCLOSE A LETTER FROM THE AGENCY OR DISTRICT VERIFYING THAT SERVICE WILL BE PROVIDED:

IN ORDER TO ASSURE AN ADEQUATE EVALUATION OF YOUR PROPOSAL, PLEASE ANSWER THE FOLLOWING QUESTIONS (attach additional sheet if needed)

PLEASE DESCRIBE THE CURRENT USE OF THE PROPERTY. IF THE PROPERTY CONTAINS MORE THAN ONE USE, ESTIMATE THE NUMBER OF ACRES DEVOTED TO EACH USE:

Single-family residence

DESCRIBE THE CURRENT USE OF THE LANDS SURROUNDING THE SUBJECT PROPERTY (include land across roads):

Single-family residential dwellings

DESCRIBE THE INTENDED USE OF THE PROPERTY:

Subdivision to create 4 total lots each for 1 single-family dwelling

PLEASE DISCUSS THE PROPOSED DENSITY AND TYPE OF DEVELOPMENT IN REGARDS TO THE INTENT OF THE COMPREHENSIVE PLAN AND ZONING DESIGNATIONS APPLICABLE TO THE SUBJECT PROPERTY:

The subject property is in the RS zone. Each lot complies with the applicable lot size, dimensions and setback requirements applicable to the RS zone within the City of Salem UGB.

DESCRIBE HOW THE PROPOSED DESIGN MAKES THE BEST USE OF THE PROPERTY, CONSIDERING LOT SIZE, ROAD PLACEMENT, OPEN SPACE, ETC.:

The planned subdivision provides needed housing within the City of Salem UGB. Access is provided via access easement which complies with the applicable design standards.

THE APPLICANT(S) SHALL CERTIFY THAT:

- A. If the application is granted the applicant(s) will exercise the rights granted in accordance with the terms and subject to all the conditions and limitations of the approval.
- B. I/We hereby declare under penalties of false swearing (ORS 162.075 and 162.085) that all the above information and statements and the statements in the plot plan, attachments and exhibits transmitted herewith are true; and the applicants so acknowledge that any permit issued on the basis of this application may be revoked if it is found that any such statements are false.
- C. I/We hereby grant permission for and consent to Marion County, its officers, agents, and employees coming upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application.
- D. The applicants have read the entire contents of the application, including the policies and criteria, and understand the requirements for approving or denying the application.

PRINTED NAME AND SIGNATURE of each owner of the subject property.

Francisco Villalobos

Print Name



Signature

Print Name

Signature

Print Name

Signature

Print Name

Signature

DATED this 10th day of June, 2026



Submittal Transmittal

AKS Engineering & Forestry LLC | 3700 River Road N, Suite 1 Keizer, OR 97303

FROM: Marelle Vorster

AKS Engineering & Forestry LLC
3700 River Road N, Suite 1
Keizer, OR 97303
marelie.vorster@aks-eng.com
503-400-6028

TO: Marion County Planning
Marion County Planning Division
5155 Silverton Rd NE
Salem, OR 97305
planning@co.marion.or.us

PROJECT: 4336 Glenwood Dr - Salem
13833

DATE SENT: 6/23/2026

SUBJECT: Land Use Application Subdivision

ID: 00029

PURPOSE: For Review

VIA: Delivered by AKS
Engineering

REMARKS: Good morning,

Enclosed is the Land Use Application package for the 4336 Glenwood Drive SE Subdivision. Attached is also check #1010 for the application fee. Please reach out if you have any questions.

Regards,

Lucila Clark



AKS ENGINEERING & FORESTRY, LLC

3700 River Road N, Suite 1 | Keizer, OR 97303

P: 503-400-6028 Ext. 435 | www.aks-eng.com | clarkl@aks-eng.com

Arizona | Nevada | Oregon | Washington

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply e-mail and immediately delete the message and any attachments without copying or disclosing the contents. AKS Engineering and Forestry shall not be liable for any changes made to the electronic data transferred. Distribution of electronic data to others is prohibited without the express written consent of AKS Engineering and Forestry.

CONTENTS

QTY:	DATED	DESCRIPTION:	ACTION:
1	6/11/2026	13833 20260611 LUA Check to MarCo.pdf	

QTY:	DATED	DESCRIPTION:	ACTION:
1	6/22/2026	13833 20260622 4336 Glenwood Dr Subdivision Narrative Pkg.pdf	

PLANNING DIVISION

**SUBDIVISION/PLANNED UNIT DEVELOPMENT
PRE-APPLICATION CONFERENCE REQUEST**

Fee: \$360

Please complete the following information:

APPLICANT:

NAME Villalobos Real Estate, LLC

MAILING ADDRESS
2628 Happy Valley Way SE
Salem, OR 97317

PHONE 503-932-1341

FAX _____

E-MAIL villalobosco77@gmail.com

APPLICANT REPRESENTATIVE (Primary Contact):

NAME Marelle Vorster, AKS

MAILING ADDRESS
3700 River Road N, Suite 1
Keizer, OR 97303

PHONE 503-400-6028

FAX _____

E-MAIL marelie.vorster@aks-eng.com

SITE ADDRESS 4336 Glenwood Drive SE, Salem, OR 97317

SITE SIZE ±0.46 acres

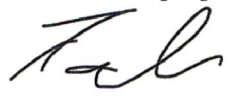
EXISTING USE, STRUCTURES, AND WATER BODIES One existing single-family dwelling

BRIEF DESCRIPTION OF PROPOSED DEVELOPMENT ON THE SITE

4-lot subdivision for development of 3 addition single-family dwellings

Submit, **size 8½" x 11" or 11"x 17"**, at least one copy of the following item:

√ Preliminary site plan drawing showing elevations, existing structures, and proposed property division, drawn to scale, demonstrating the nature of the proposed development in enough detail to allow County staff and other agencies to review and comment.

SIGNATURE  DATE 06/10/2026

STAFF USE ONLY – DO NO WRITE BELOW

Date Received _____ Accepted By _____ Fee Paid ☐
Conference Date/Time _____ Planner Assigned _____
Internal Routing: ☐ Planner ☐ Engineering ☐ Traffic ☐ Building ☐ Fire Dist. _____
☐ Other

Water Studies for Subdivisions

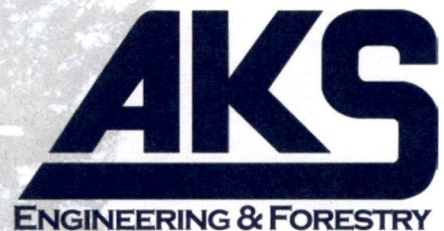
4336 Glenwood Drive SE Subdivision

Date: June 2026

Submitted to: Marion County Planning Division
5155 Silverton Road NE
Salem, OR 97305

Applicant: Villalobos Real Estate LLC
2628 Happy Valley Way SE
Salem, OR 97317
Contact: Francisco Villalobos
(503) 932-1341 | villalobosco77@gmail.com

AKS Job Number: 13833



3700 River Road N, Suite 1
Keizer, OR 97303
(503) 400-6028

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Exhibits

Exhibit A: Preliminary Plans

Exhibit B: Application Form

Exhibit C: Ownership Information

Exhibit D: Preliminary Architectural Plans

Exhibit E: Stormwater Report

Exhibit F: Utility Correspondence

4336 Glenwood Drive SE Subdivision

Submitted to: Marion County Planning Division
5155 Silverton Road NE
Salem, OR 97305

Applicant: Villalobos Real Estate LLC
2628 Happy Valley Way SE
Salem, OR 97317
Contact: Francisco Villalobos
(503) 932-1341 | villalobosco77@gmail.com

Property Owners: Villalobos Real Estate LLC
2628 Happy Valley Way SE
Salem, OR 97317

Applicant's Consultant: AKS Engineering & Forestry, LLC
3700 River Road N, Suite 1
Keizer, OR 97303

Contact(s): Marelle Vorster
Email: Marelle.vorster@aks-eng.com
Phone: (503) 400-6028

Site Location: 4336 Glenwood Drive SE
Salem, OR 97317

Marion County Assessor's Map: 07 2W 31AC Tax Lot 5000

Site Size: ±0.46 acres

Land Use Districts: Single Family Residential (RS)



I. Executive Summary

On behalf of Applicant, AKS Engineering & Forestry, LLC, is seeking approval of a four-lot subdivision of Tax Lot 5000 of Marion County Assessor's Map 07 2W 31AC (subject property) which is under Marion County (County) jurisdiction but is within the City of Salem Urban Growth Boundary (UGB). The subject property is currently improved with one single family dwelling. The planned subdivision will maintain the existing single-family residence on its own lot and will create 3 additional residential lots. Access for the dwellings will be provided by a single 25-foot-wide access easement which connects to Glenwood Drive SE. A pre-application conference to discuss the planned subdivision was held with Marion County staff on February 25, 2026.

This application includes the County application forms, written materials, and preliminary plans necessary for County staff to review and determine compliance with the applicable approval criteria. The evidence is substantial and supports the County's approval of the application.

II. Site Description/Setting

The subject property comprises ±20,031 square feet or ±0.46 acres in the County's Single Family Residential (RS) zoning district. Surrounding properties are also in the RS zoning district and used for residential purposes.

III. Applicable Review Criteria

This application involves the development of land for housing. Oregon Revised Statutes (ORS) 197A.400(1) states that a local government may apply only clear and objective standards, conditions, and procedures regulating the provision of housing, and that such standards, conditions, and procedures cannot have the effect, either in themselves or cumulatively, of discouraging housing through unreasonable cost or delay. In addition, this application involves a "limited land use decision" as that term is defined in ORS 197.015(12). The significance of this statutory provision is also discussed below.

Oregon Courts and the Land Use Board of Appeals (LUBA) have generally held that an approval standard is not clear and objective if it imposes on an applicant "subjective, value-laden analyses that are designed to balance or mitigate impacts of the development" (*Rogue Valley Association of Realtors v. City of Ashland*, 35 OR LUBA 139, 158 [1998] *aff'd*, 158 OR App 1 [1999]). ORS 197.831 places the burden on local governments to demonstrate that the standards and conditions placed on housing applications can be imposed only in a clear and objective manner. While this application addresses all standards and conditions, the Applicant reserves the right to object to the enforcement of standards or conditions that are not clear and objective and does not waive its right to assert that the housing statutes apply to this application. [The exceptions in ORS 197A.400(2) do not apply to this application].

ORS 197.195(1) describes how certain standards can be applied as part of a limited land use application. The applicable land use regulations for this application are found in the Marion County Code. Pursuant to ORS 197.195(1) comprehensive plan provisions (as well as goals, policies, etc. from within the adopted elements of the comprehensive plan) may not be used as a basis for a decision or an appeal of a decision unless they are specifically incorporated into the land use regulations. While this application may respond to comprehensive plan and/or related documents, such a response does not imply or concede that said provisions are applicable approval criteria. Similarly, the applicant does not waive its right to object to the

attempted implementation of these provisions unless they are specifically listed in the applicable land use regulations, as is required by ORS 197.195(1).

Pursuant to ORS 197.522, if this application is found to be inconsistent with the applicable land use regulations, the applicant may offer an amendment or propose conditions of approval to make the application consistent with applicable regulations. In fact, the local government is obligated to consider and impose any conditions of approval proposed by the applicant if such conditions would allow the local government to approve an application that would not otherwise meet applicable approval criteria.

MARION COUNTY CODE

Title 16 URBAN ZONING

Chapter 16.02 SINGLE-FAMILY RESIDENTIAL – RS ZONE

16.02.000 Purpose.

The purpose of the RS (single-family residential) zone is to allow development of attached or detached residences on individual lots provided with urban services at low urban densities. Other uses provided in MCC 16.02.010 and 16.02.020 are also appropriate. These areas are designated as single-family residential or equivalent designation in the applicable urban area comprehensive plan.

16.02.010 Uses.

The following uses, when developed under the applicable development standards in this title, are permitted in the RS zone:

- A. Detached single-family dwelling* on a lot.

(...)

Response: The goal of this application is to subdivide the existing lot into four lots, for the development of three additional single-family detached dwellings which is a use permitted in the RS zone.

(...)

16.02.030 Prohibited uses.

Within an RS zone no building, structure, vehicle or land shall be used, erected, structurally altered, or enlarged for any use not permitted under MCC 16.02.010 and 16.02.020

Response: The planned subdivision and development of additional single-family dwellings, each on a separate lot, is a use permitted in the RS zone. No prohibited uses are planned as a part of this application.

16.02.100 Development standards.

The standards and regulations in this chapter and the additional standards and regulations referenced in Chapter 16.24 MCC and Chapters 16.26 through 16.34 MCC apply to all lots, structures and uses unless indicated otherwise. No structure or use shall be approved until all requirements in this chapter have been satisfied.

The provisions of this chapter are complementary and supplementary to other provisions of this title. In the event of a conflict between a provision of this chapter and a more restrictive provision of this title applicable to a particular lot, structure or use, the more restrictive provision shall apply.

Response: Other applicable standards and regulations in MCC Title 16 are addressed in this narrative below.

16.02.110

Height.

Within an RS zone:

- A. Structures shall not exceed 35 feet in height except as provided for in subsections (B) and (C) of this section.
- B. Structures for public and semi-public* uses: 70 feet, provided required setbacks shall be increased one foot for every foot the structure height exceeds 35 feet.
- C. Structures exempt from height requirements identified in MCC 16.27.160 and structures with specific height requirements identified in Chapter 16.28 MCC are not subject to subsections (A) and (B) of this section; however, required setbacks for structures identified in MCC 16.27.160 shall be increased one foot for every foot the structure exceeds 35 feet.

Response: As shown in the Preliminary Architectural Plans in Exhibit D, the planned single-family homes will not exceed 35 feet in height. Final architectural plans can be provided to establish compliance with this standard at the time of building permit review. This standard is met.

16.02.120

Lot area and dimensions.

Within an RS zone:

- 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.)

Response: The subject property is within the Salem/Keizer area urban growth boundary, so 4,000 square feet is the applicable minimum lot area. As shown on the Preliminary Plans in Exhibit A, and in Table 1 below, each of the planned lots exceeds the minimum lot area required: Lot 1 comprises ±4,194 square feet, Lot 2 comprises ±4,050 square feet, Lot 3 comprises ±4,051 square feet, and Lot 4 comprises ±7,736 square feet. This standard 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.

Response: As shown on the Preliminary Plans in Exhibit A, and in Table 1 below, each lot has a minimum width of 40 feet, and minimum depth of 70 feet as required within the Salem/Keizer urban growth boundary. This standard is met.

Table 1 Lot Dimensional Characteristics

Lot #	Area	Lot Width	Lot Depth
Lot 1	±4,194 square feet	±40.00 feet	±100.01
Lot 2	±4,050 square feet	±40.50 feet	±100.02
Lot 3	±4,051 square feet	±40.50 feet	±100.03
Lot 4	±7,736 square feet	±79.27 feet	±100.12 feet

16.02.130 Front yards and yards abutting streets.

Within an RS zone:

- A. Within the Salem/Keizer urban growth boundary, along the full extent of each front lot line, or lot line abutting a street right-of-way line, there shall be a required yard 12 feet in depth; provided, however, garages or carports having a vehicle entrance facing a street or roadway right-of-way line shall be set back at least 20 feet from the street right-of-way line. For other urban growth boundaries, the required yard shall be 20 feet.

Response: As shown on the Preliminary Plans in Exhibit A, the planned improvements include a 20-foot setback between the access easement and the planned garages on Lots 1, 2, and 3. The existing paved driveway for Lot 4 will be maintained and consolidated with the paved area of the access easement. The garage of the existing dwelling on Lot 4 is setback ±35 feet from Glenwood Drive SE. This standard is met.

(...)

16.02.140 Interior side yards.

Within an RS zone the following side yards shall be provided:

- A. A minimum of five feet; provided, inside the Salem/Keizer urban growth boundary, side yards of zero feet on one side and at least 10 feet on the other side are permitted for zero side yard dwellings (see MCC 16.26.080) when the lot abutting the zero setback is in the same ownership at the time the dwelling is constructed and the zero setback will not encroach on any easements.

Response: As shown on the Preliminary Plans in Exhibit A, minimum 5-foot side yards are provided on both sides of the planned dwellings for each of the planned lots. This standard is met.

- B. Setbacks for accessory structures shall be as provided in Chapter 16.28 MCC.

Response: No accessory structures are planned as a part of this application. This standard is not applicable.

- C. Yards for planned developments and mobile home parks shall be as provided in Chapter 16.26 MCC.

Response: This application does not include a planned development or a mobile home park. This standard is not applicable.

16.02.150 Interior rear yards.

Within an RS zone the following rear yards shall be provided:

- A. Within the Salem/Keizer urban growth boundary 14 feet for any single-family dwelling and for a primary building that does not exceed 15 feet in height. A primary building greater than 15 feet in height shall maintain a 20-foot rear yard.
- B. Within other urban growth boundaries, 20 feet for a single-family dwelling and for any portion of a building other than a single-family dwelling.

Response: The subject-property is within the Salem/Keizer urban growth boundary and the planned lots will be used for single-family dwellings, so a 14-foot rear yard is required. As shown on the Preliminary Plans in Exhibit A, a minimum 14-foot rear yard is provided for each planned lot. This standard is met.

- C. Setbacks for accessory structures shall be as provided in Chapter 16.28 MCC.

Response: No accessory structures are planned as a part of this application. This standard is not applicable. This standard is not applicable.

- D. Yards for planned developments and for mobile home parks shall be as provided in Chapter 16.26 MCC.

Response: This application does not include a planned development or mobile home park. The standards in MCC 16.26 are not applicable.

16.02.200 Landscaping.

Within an RS zone:

- A. All portions of required yards lying between a street or roadway and the dwelling, or between the street or roadway and any sight-obscuring fence, wall or hedge located within the required yard, shall be landscaped.
- B. All required landscaped areas shall be landscaped as provided in Chapter 16.29 MCC.

Response: Compliance with the applicable landscaping requirements is addressed in this narrative below. As shown in the Preliminary Plans in Exhibit A, the provided yard areas include the required landscaping. This standard is met.

Chapter 16.29 LANDSCAPING

16.29.000 Landscaping requirements.

The provisions of this chapter apply to all landscaping required under this title.

16.29.010 Existing development.

Where the construction of, or addition to, a structure or parking area increases the total area of the lot covered by structures, paving, or both by more than 50 percent, the entire lot shall meet the landscaping requirements of this title; otherwise, only landscaping associated with the expansion shall be provided.

Response: The addition of the planned single-family homes will increase the total area of the lot covered by structures by more than 50%, so landscaping requirements apply to the whole property.

16.29.020 Existing vegetation.

Existing vegetation which is retained as part of the development may be included as part of the landscaping requirement unless prohibited under MCC 16.29.030.

Response: Existing vegetation in the front yard between the existing dwelling on Lot 4 and Glenwood Drive will be maintained. No prohibited landscaping as defined in MCC 16.29.030 is included with the existing landscaping.

16.29.030 Prohibited landscaping.

No area required to be landscaped under any provision of this title shall include any artificial trees, plants, or turf, impervious surfacing or any carpeting designed as a visual substitute for lawn or other ground cover. Neither areas devoted to the cultivation of farm crops nor any area used for pasture shall be considered as landscaped for purposes of fulfilling any landscaping requirement under this title.

Response: No prohibited landscaping is planned as a part of this application.

(...)

16.29.070 Landscaped yards.

Required yards and planting areas near buildings shall be landscaped as provided herein:

- A. In residential zones all portions of required yards lying between a street or roadway and the dwelling or between the street or roadway and any sight-obscuring fence or hedge located within the required yard shall be landscaped.

Response: The applicable landscaping requirements are understood. The front yard areas will include grass to meet the landscaping requirements. This requirement will be met.

(...)

- C. A landscaped area at least three feet wide shall be provided between any parking or loading spaces or driveway thereto, and a street or a lot in a residential zone unless a sight-obscuring fence or wall is provided along the lot line.

Response: As shown on the Preliminary Plans in Exhibit A, a 3-foot mulch or river rock landscaped area will be provided between the paved portion of the access easement and the eastern property line of the subject property. This requirement is met.

(...)

Chapter 16.30 OFF-STREET PARKING AND LOADING

(...)

16.30.150 Driveway development standards.

All driveways providing access to parking spaces and loading areas required under this title, including those for a single-family dwelling on a lot, shall conform to the following development standards:

- A. Grade. The maximum difference between the curblineline and finished floor level of the garage or carport for driveways serving individual lots shall not exceed 15 percent, provided the director of public works may permit a difference in elevation not exceeding a 20 percent slope; provided, that there is no slope

exceeding 25 percent between any two points in the driveway, and that adequate vertical curves or ramps are used in the driveway to assure usability by a standard size automobile.

Response: As shown on the Existing Conditions and Preliminary Grading Plans provided in Exhibit A, the subject property does not include steep slopes and the planned driveways do not exceed a grade of 15%. This standard is met.

B. Surfacing. The surface of driveways shall be pavement; provided, that driveways to a single-family dwelling shall be paved if the street is curbed.

Response: As shown on the Preliminary Plans in Exhibit A, the planned driveways will be constructed with AC pavement. This standard is met.

C. Drainage. All driveways shall be adequately drained and the provisions for drainage shall be approved by the director of public works.

Response: As shown on the Preliminary Grading Plan in Exhibit A, the planned driveways will be graded to ensure that adequate stormwater drainage is provided. This standard is met.

D. Street Access. The entries and exits of driveways on a public street shall conform to the provisions of the driveway permit required by the Marion County department of public works as well as the specific provisions of this title.

Response: Compliance with this title is demonstrated by this narrative and the Preliminary Plans provided in Attachment A. This standard is met.

E. Turnarounds. If a driveway serving more than two parking or loading spaces serving a use other than a single-family dwelling has only one point of access to a public street, or does not loop to a single street access, a turnaround area approved by the director of public works shall be provided.

Response: The planned improvements do not include access for any use other than single family dwellings. This standard does not apply.

F. Width of Driveways. Driveway width shall be as specified by the director of public works through the driveway permit process.

Response: This requirement is understood. As shown on the Preliminary Plans in Exhibit A, the planned driveways are designed to comply with the applicable driveway permitting standards.

G. "No Parking" Signs. Where a driveway is an integral part of a parking, loading or vehicle storage area and not simply a means of access to such area, one "no parking" sign for every 60 feet of length of the driveway shall be erected, but in no event shall less than two signs be erected.

Response: This standard is not applicable to the driveways providing access to the garages of single-family dwellings.

(...)

16.30.170 Minimum parking space requirements.

Use (SIC)	Minimum No. of Automobile Spaces	Minimum No. of Bicycle Parking Spaces
1. Buildings containing no more than three dwelling units	Two spaces per dwelling or mobile home unit	N/A

Response: As shown in the Preliminary Plans in Exhibit A, the planned single-family dwellings will include 20-foot wide driveways providing access to a 2-car garage. Thus, each planned single-family dwelling will have a minimum of 2 parking spaces. This standard is met.

16.30.200 Minimum driveway widths.

Driveways providing access to parking spaces shall conform to the design standards herein.

A. Standards for Driveways Providing Access to Parking Spaces for Dwellings.

Number of Parking Spaces Accessed	Minimum Width
One parking space	10 feet
Two parking spaces	16 feet

Response: As shown in the Preliminary Plans in Exhibit A, the planned driveways have a width of 20 feet and are thus permitted to serve two parking spaces per single-family dwelling. This standard is met.

(...)

Chapter 16.33 SUBDIVISION AND PARTITION REQUIREMENTS

Article I. General Regulations

16.33.040 Considerations for approval or denial.

When considering a subdivision or partitioning plan, the commission, director, hearings officer or board, when it exercises its authority pursuant to Chapter 16.37 MCC, shall consider whether or not it is in accordance with the adopted ordinances, comprehensive plans, and land development policies of Marion County. In reviewing an application, the commission, director, hearings officer or board may prescribe conditions or make changes or modifications to the subdivision or partitioning plan to bring them into compliance with any applicable ordinances or regulations.

Response: Compliance with applicable provisions of the MCC is demonstrated in this narrative. Applicant does not anticipate that the application of conditions of approval will be necessary to permit the planned improvements, but the authority of the commission, director, and hearings officer or board to impose conditions is understood.

(...)

16.33.080 Prohibition of sale or transfers of lots prior to recording of plat.

A. No person shall negotiate to sell any lot in any subdivision until a tentative plan of the subdivision has been approved.

-
- B. No person shall dispose of, transfer, sell, or agree, offer or negotiate to sell any lot in any subdivision by reference to or exhibition or other use of a plat of such subdivision that has been so recorded.

Response: The restrictions on the sale or transfer of lots prior to recording the subdivision plat is understood.

Article II. Roads, Streets and Easements

16.33.160 Engineering standards and requirements.

Engineering standards and requirements, including but not limited to streets, drainage, access, easements, and thoroughfare improvements, shall be those currently approved by the Marion County department of public works.

Response: The applicable engineering standards are understood and incorporated in the Preliminary Plans in Exhibit A.

16.33.180 Deeding of right-of-way.

No person shall dedicate for public use, or deed to Marion County, a parcel of land which is used or proposed to be used as access without first obtaining the approval of the board or its designee and delivering the deed to the board for its endorsement. No dedication is effective unless the property is accepted by the board or its designee and recorded with the Marion County clerk's office.

Response: No dedication of right-of-way is planned as a part of this application. Glenwood Drive SE has adequate right of way width with an existing half street right-of-way of 30 feet, so no dedication along the street frontage of Lot 4 is required. Access to planned Lots 1, 2, and 3 will be provided via a privately owned shared access easement. This provision is not applicable.

16.33.190 Connectivity.

Applicants submitting preliminary development plans shall provide for local streets oriented to or connecting with existing or planned streets, existing or planned schools, parks, shopping areas, transit stops, and employment centers located within one-half mile of the development. Applicants shall also provide for extension of local streets to adjoining major undeveloped properties and eventual connection with the existing street system. Connections to existing or planned streets and undeveloped properties along the border of the parcel shall be provided at no greater than 600-foot intervals, unless the planning director, or designee, determines that one or more of the following conditions exist:

(...)

Response: The planned access easement is oriented to connect to Glenwood Drive SE. No public street is planned as a part of this application. This requirement is not applicable.

16.33.200 Dead-end streets.

When it appears necessary to continue streets to an adjacent acreage, the streets shall be platted to the boundary or property line of the proposed subdivision without a turnaround. In all other cases, dead-end streets shall have a turnaround with a configuration approved by the Marion County department of public works.

Response: The planned access easement is not a public street, so no extension to the property line is required. Adequate turnaround area is provided by the planned driveways for Lots 1, 2, and 3. This requirement is met to the extent that it applies.

16.33.220 Radius at street intersections.

The property line radius at street intersections shall be to Marion County department of public works' standards.

Response: The planned improvements include an intersection of the planned access easement and Glenwood Drive SE. As shown on the Preliminary Plans in Exhibit A, sufficient turning radius that aligns with public works standards is provided at the planned intersection. This requirement is met.

16.33.240 Street grades.

No street grade shall be in excess of 12 percent unless the commission or hearings officer finds that, because of topographic conditions, a steeper grade is necessary. The commission or hearings officer shall require a written statement from the director of public works indicating approval of any street grade that exceeds 12 percent.

Response: As shown in the Exiting Conditions and Grading Plans, the planned access easement does not include steep slopes or areas with a grade that exceeds 12%. This requirement is met.

(...)

16.33.300 Utility easements.

Utility easements meeting the approval to the standards of the affected utilities shall be provided to all newly created lots.

Response: As shown in the Preliminary Utility Plan, utilities to the planned lots will be provided within the access easement area. Applicant can provide utility easements as required.

(...)

16.33.340 Private streets.

In the event the subdivider or developer elects to provide private streets or thoroughfares, they shall be maintained by the homeowners' association and a maintenance agreement shall be submitted to Marion County for review and approval prior to recording the final plat.

Response: The planned access easement will be held and maintained privately. A shared maintenance agreement can be provided prior to recording the final plat. This requirement will be met.

Article III. Blocks and Lots

16.33.360 Subdivision.

Block lengths and widths shall be determined after considering the following factors:

(...)

Response: The planned subdivision does not include the creation of blocks. These requirements are not applicable.

(...)

16.33.400

Lot size.

All lots approved under this chapter shall have sufficient area to be consistent with the intent of the Comprehensive Plan and to provide adequate area for the intended structures and uses, all setbacks, access and spacing required for water supply and waste water disposal. Lots to be served by public or privately owned sewage collection and disposal system must meet the requirements and have approval of the Oregon State Department of Environmental Quality before being recorded or sold. State regulations, soil types, drainage, terrain, and location may be included as part of the criteria used by the state or county in determining appropriate lot sizes for lots using subsurface disposal of sewage. Lot size and dimensions shall be as prescribed in the corresponding zone.

Response: As demonstrated in this narrative above, the planned lots comply with the applicable lot size, dimension, and setback standards. As shown in the Preliminary Utility Plan, the planned improvements will connect to the existing 8-inch sanitary sewer line in Glenwood Drive SE. These requirements are met.

16.33.420

Curved front lot lines.

When front lot lines are on a curve or arc, the front line distance shall be indicated on the final plat by bearing and chord distance.

Response: No curved lot lines are planned as a part of this application. This standard is not applicable.

16.33.440

Lot line.

Side lot lines shall be as close to right angles to the front street line as practicable. Unless otherwise approved, rear lot lines shall be not less than one-half the width of the front lot lines.

Response: As shown on the Preliminary Plans in Exhibit A, the planned lots are designed to include angles as close to right angles as possible, and the planned rear lot lines are nearly equal to the width of the planned front lot lines. These requirements are met.

Article IV. Sewage, Water and Utilities

16.33.460

Sewage disposal.

All lots or parcels shall be served by an authorized sewage disposal system. Subsurface sewage disposal for individual parcels shall meet the requirements of the Department of Environmental Quality (DEQ) and the Marion County building inspection division. Those subsurface sewage systems that are used by a community, sanitary district, industry, or incorporated area must be authorized by the Department of Environmental Quality (DEQ) via the Marion County building inspection division. Installation and maintenance shall be in accordance with the Department of Environmental Quality's regulations and requirements. The commission, director, or hearings officer may require connection to an existing sewage collection and treatment system regardless of lot suitability for subsurface disposal if the commission, director or hearings officer deems it necessary and provided the connection is available.

Response: As discussed above, the planned lots will connect to the existing 8-inch sanitary sewer main in Glenwood Drive SE. This requirement is met.

16.33.480 Water supply.

All lots or parcels shall be served by an authorized public or private water supply system.

- A. Public or Private Systems. Public or private systems shall meet the requirements of the Oregon State Health Division with reference to chemical and bacteriological quality. In addition, such systems must meet the quantity, storage, and distribution system requirements of the State Health Division and the operator of the water system.

Response: As shown on the Preliminary Plans in Exhibit A, the planned lots will connect to the existing water system in Glenwood Drive SE. This requirement is met.

16.33.500 Sewer and water lines and connections.

All proposed subdivisions within established or proposed urbanizing areas of municipalities, service districts and other incorporated communities, where, upon concurrence from the municipality, district, or incorporated community that public sewer and water services are imminent, shall be developed with water and sewer lines that meet the specifications of the director of the Marion County department of public works.

Response: This requirement is understood. The planned water and sewer lines will comply with the applicable county public works standards.

16.33.520 Underground utilities.

All permanent utility service to lots in a subdivision within an established urban growth boundary shall be provided from underground facilities and no overhead utility service to a subdivision shall be permitted. The subdivider shall be responsible for complying with the requirements of this section and shall:

- A. Obtain a permit from the director of public works for the placement of all underground utilities.
- B. Make all necessary arrangements with utility companies and other persons or corporations affected by the installation of such underground lines and facilities in accordance with the rules and regulations of the public utility commissioner of the state of Oregon.

Response: These requirements are understood. As shown on the Preliminary Plans in Exhibit A, the planned utility connections will be installed underground.

16.33.540 Underground utilities easements.

Underground easements for utilities and overhead utility facilities shall be provided by the subdivider and set forth on the final plat. Each easement shall be a minimum of 10 feet in width except on the perimeter of the subdivision where the minimum width shall be five feet and, when possible, such easement shall be centered on or bordering a lot line. The subdivider shall provide five-foot utility easements on both sides of all road or street rights-of-way of 60 feet or less.

Response: This requirement is understood. The required utility easements will be provided on the final plat.

16.33.560

Street lighting.

Proposed subdivisions located within established street lighting district boundaries shall submit street lighting plans from the appropriate power company to the director of public works for approval. All provisions for wiring for underground installation shall be completed before the final street improvement is made.

Response: The planned subdivision does not include public streets subject to lighting requirements. This standard is not applicable.

(...)

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:

Response: The planned lots will be served by an access easement meeting the applicable standards in this section.

A. Have a minimum easement width of 25 feet;

Response: As shown on the Preliminary Plans in Exhibit A, the planned improvements include an easement width of 25 feet as required. The existing dwelling on Lot 4 slightly encroaches on the easement area, so an adjustment per MCC 16.41 is required. Findings for the adjustment are provided in this narrative below. This standard is met as adjusted.

B. Have a maximum grade of 12 percent;

Response: As shown in the Existing Conditions and Grading Plans, the subject property does not have steep slope areas. Thus, the planned access easement does not include any area where the grade exceeds 12%. This standard is met.

C. Be improved with a paved surface with a minimum width of 20 feet;

Response: As shown on the Preliminary Plans in Exhibit A, the planned access easement will have a minimum paved width of 20 feet. This standard is met.

D. Provide adequate sight distance at intersections with public roadways;

Response: As shown on the Preliminary Plans in Exhibit A, an unobstructed clear vision area is provided at the intersection of the planned access easement and Glenwood Drive SE. This standard is met.

E. Be provided with a road name sign at the public roadway as an identification for emergency vehicles in accordance with Chapter 11.55 MCC, Naming and Addressing Roads/Property.

Response: This requirement is understood. A road name can be provided to identify the access easement.

(...)

Article VI. Subdivisions

16.33.800 Subdivision pre-application conference.

Prior to the actual filing of a subdivision application, the subdivider shall contact staff and schedule a pre-application conference. Materials, maps, etc., required for the pre-application conference shall be submitted at least seven days prior to the date of the conference. The meeting will enable the staff to review the proposal and determine if the subdivision is consistent with the intent of this title and the Comprehensive Plan and whether public services are required and available.

Response: A pre-application conference to discuss the planned improvements was held with Marion County staff on February 25, 2026. This requirement is met.

16.33.820 Application.

When an area or tract of land is to be subdivided an application shall be filed with the planning division. The applicant shall specify on the application whether the request is for conceptual or detailed approval or both. Conceptual approval indicates that the subdivision or PUD, in the general manner and density proposed, is deemed consistent with the Comprehensive Plan but conceptual approval shall not be binding on the planning commission or hearings officer with regard to specific design or engineering. In granting conceptual approval the commission or hearings officer shall identify any elements of the proposal that need further evaluation or refinement.

Response: Applicant is seeking detailed approval for the planned subdivision.

16.33.840 Required application information.

The following application information is required:

- A. The application form and any supplementary information filled out completely in ink.

Response: A completed application form is included as Exhibit B. This requirement is met.

- B. Copy of the officially recorded title transfer instrument (deed, warranty deed, or contract) that shows the legal description for the parent parcel. Title reports are not acceptable.

Response: The deed for the subject property is included as Exhibit C. This requirement is met.

- C. Twenty-seven copies of a scale drawing of the proposed subdivision with the following details shown:

1. Structures, streets, driveway access points (existing and proposed), and easements (existing and proposed).
2. Topography and drainage ditches on the subject and adjoining parcels.
3. A layout of the proposed subdivision with proposed lot lines to scale, north arrow, and name and address of applicant.

Response: The required number of copies of the Preliminary Plans will be submitted with the application materials. This requirement will be met.

D. If the property is within the geologically hazardous overlay zone, any study required by Chapter 16.24 MCC shall accompany the application. If the chapter requires peer review of the study, this must also be submitted with the partition application.

Response: The subject property is not within the geologically hazardous overlay zone. This requirement is not applicable.

E. Filing fee.

Response: The required filing fee will be paid upon submission. This requirement will be met.

16.33.860 Information from affected agencies.

Upon receipt, a copy of the application shall be distributed to the Marion County building inspection division, department of public works, county assessor, county surveyor, and other affected agencies with a request for comments or suggestions regarding those features that come within the scope of their activities.

16.33.880 Conformance with regulations.

Unless an adjustment is granted as provided herein, the subdivision shall conform to applicable regulations contained in MCC 16.33.180 through 16.33.660 and planned developments shall, in addition, conform to the regulations in MCC 16.26.800.

Response: Compliance with the requirements in MCC 16.33.180 through 16.33.660 are demonstrated in this narrative above. The required adjustment to access easement standards is included below. These requirements are met to the extent that they apply.

16.33.900 Public hearing.

Upon receipt of responses from other departments and agencies, the commission, hearings officer or board shall hold a public hearing on the conceptual and/or detailed application. The hearing notice shall include a description of any proposed adjustments. The purpose of the public hearing shall be to elicit responses from interested persons concerning the appropriateness and feasibility of the proposed subdivision plan.

16.33.920 Notification of decision.

Notice of decision including any adjustments granted, and information on the appeal process shall be sent to the applicant, those within the notification area, and any interested person, who, in writing, requests notification.

16.33.940 Appeal.

The decision of the commission or hearings officer may be appealed to the board no later than 12 days after the decision is rendered. The board may sustain the decision or decide the appeal with or without a further public hearing. If a public hearing is held, it shall conform with Chapter 16.45 MCC. If the board exercises its authority pursuant to Chapter 16.45 MCC, its decision is final and appealable only to the Oregon Land Use Board of Appeals.

Response: The above procedural requirements are understood.

16.33.960 Approval of final plat.

Within two years of approval of a conceptual or detailed subdivision design, the subdivider shall submit a final plat to the Marion County surveyor. The final plat must be in conformance with any conditions imposed at the time of approval and shall comply with survey standards.

Response: The deadline to provide a final plat is understood.

(...)

Article VII. Adjustments, Violations and Appeals

16.33.1060 Adjustments from regulations.

- A. Authorization. The director, commission, hearings officer or board may authorize an adjustment of any requirements set forth in MCC 16.33.040 through 16.33.780. The director may authorize such adjustments for lot line adjustments, partitions, PUDs, or subdivisions with the written concurrence of the affected county department. Adjustments pertaining to other regulations contained in this chapter or MCC 16.26.800 shall be authorized as provided in this title.

Response: As adjustment to the minimum access easement width requirement in MCC 16.33.680(A) is required because the existing dwelling on Lot 4 encroaches into the easement area.

- B. Basic Consideration of an Adjustment. Adjustments to MCC 16.33.040 through 16.33.780 may be granted only upon a sufficient showing as determined by the director, commission, hearings officer or board that the criteria listed in MCC 16.41.030 or 16.41.040 have been met.
- C. Application for Adjustment. Any person wishing to obtain an adjustment from these regulations shall submit to the division a written statement giving complete details of conditions and reasons why a specific adjustment should be granted.

Response: Findings responsive to MCC 16.41 for the needed adjustment are included in this narrative below. The decisionmaker can find that the adjustment is necessary and aligned with the applicable criteria.

Chapter 16.41 ADJUSTMENTS

(...)

16.41.020 Authorization and procedures.

- A. An adjustment shall only be allowed to the development standards in the applicable zone or the requirements in Chapter 16.24 MCC and Chapters 16.26 through 16.34 MCC.

Response: The required adjustment is to the minimum easement width required in MCC 16.33.680(A) which is a standard that is allowed to be adjusted. This requirement is met.

- B. An adjustment may be approved if the procedures in Chapters 16.36 and 16.37 MCC are followed and it is found that the criteria in MCC 16.41.030 are met.

Response: The applicable criteria are addressed below. The decisionmaker can find that this requirement is met.

-
- C. No adjustment authorizing a use not otherwise permitted for the subject property shall be granted.

Response: The requested adjustment does not seek approval for an unpermitted use.

16.41.030 Adjustment criteria.

The development standards in the applicable zone and the development requirements in Chapter 16.24 MCC and Chapters 16.26 through 16.34 MCC protect the public health, safety and welfare by establishing standard setbacks, maximum building heights and other development standards that apply to various uses. For lands or uses with unique characteristics, the intent and purpose of the development standards may be maintained while allowing for minimal adjustments to quantifiable requirements. The following criteria shall be used to review and decide applications for adjustments:

- A. The proposed development will not have a significant adverse impact upon adjacent existing or planned uses and development; and
- B. The adjustment will not have a significant adverse effect upon the health or safety of persons working or residing in the vicinity; and

Response: No impacts to surrounding properties or to the health, safety, and welfare of people in the vicinity are expected to result from the adjustment. The adjustment to the minimum access easement width of 25 feet in MCC 16.33.680(A) is required because the existing dwelling on Lot 4 encroaches slightly into the 25-foot easement area. As shown on the Preliminary Plans in Exhibit A, the existing dwelling footprint has a few inches of overlap with the easement area, and the roofline of the existing dwelling has ± 3 feet of overlap with the easement area. These minor encroachments require an adjustment, but no impact to the functionality of the easement is anticipated. The paved surface of the access easement meets the minimum width of 20 feet required in MCC 16.33.680(B) with only slight overlap from the roofline of the existing dwelling. The adjustment is contained entirely within the property line of the subject property, so no external impacts are anticipated. These criteria are met.

- C. The adjustment is the minimum necessary to achieve the purpose of the adjustment and is the minimum necessary to permit development of the property for the proposed use; and

Response: As discussed above, the building footprint and roofline encroachments into the easement area comprise ± 3 feet which are located mostly outside of the paved portion of the access easement. The adjustment required is as limited as possible to ensure that adequate access is provided to the planned lots. This criterion is met.

- D. The intent and purpose of the specific provision to be adjusted is clearly inapplicable under the circumstances; or the proposed development maintains the intent and purpose of the provision to be adjusted.

Response: The purpose of the access easement standards is to ensure that the planned lots have an adequate means of access that allows the safe movement of vehicles and pedestrians. The access easement as planned still allows vehicles and pedestrians to travel safely between the planned lots and Glenwood Drive SE. The minor building encroachment does

not change the functionality of the access easement and still maintains a safe method of access to the subject property. The width requirements also ensure that maintenance of the paved portion of the easement is feasible. This criterion is met.

IV. Conclusion

The required findings have been made and this written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the Marion County Code. The evidence in the record is substantial and supports approval of the application. Therefore, the Applicant respectfully requests that the County approve this subdivision application.