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503-588-6173

DECISION OF THE PLANNING ADMINISTRATOR

**TENTATIVE PARTITION PLAN / VALIDATION OF UNITS OF LAND / CLASS 2
ADJUSTMENT CASE NO.: PAR-VUL-ADJ25-11**

APPLICATION NO.: 25-108160-PLN

NOTICE OF DECISION DATE: July 25, 2025

REQUEST: A consolidated application to validate one unit of land unlawfully created by deed and a tentative partition to create two parcels with two Class 2 Adjustments to reduce the five-foot vehicle use area setback along the new property lines within an existing parking lot (SRC 554.010(b)). The subject properties of the proposed validation are a total of 4.3-acres in size, zoned IG (General Industrial) and located at 4720 Ridge Drive NE (Marion County Assessor's Map and Tax Lot Numbers 073W01B00/3800).

APPLICANT: M3 Capital LLC (Brian Spencer, Steven Schimmel, Irwin Schimmel)

LOCATION: 4720 Ridge Dr NE, Salem OR 97301

CRITERIA: Salem Revised Code (SRC) Chapters 205.005 (d) – Partition Tentative Plan; 205.060 (d) – Validation of Units of Land; 250.005(d)(2) – Class 2 Adjustment

FINDINGS: The findings are in the attached Decision dated July 25, 2025.

DECISION: The **Planning Administrator APPROVED** Partition Tentative Plan, Validation of Units of Land and Class 2 Adjustment Case No. PAR-VUL-ADJ25-11 subject to the following conditions of approval:

- Condition 1:** Prior to final plat of the partition, the Validation of a Unit of Land shall be recorded.
- Condition 2:** Prior to final plat approval of the partition, all necessary (existing and proposed) access and utility easements must be shown and recorded on the final plat.
- Condition 3:** Prior to final plat approval of the partition, dedicate easements for existing public water and sewer mains on the site to current standards in Public Works Design Standards Section 1.8 (Easements).
- Condition 4:** With the final plat of the partition, the applicant shall record a Shared Stormwater System Agreement for the private stormwater facility, which is in compliance with SRC 802.040.
- Condition 5:** Prior to final plat of the partition, the applicant shall submit a landscaping permit and install a minimum 258 plant units meeting

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planning@cityofsalem.net

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SRC 807.015 in proximity to the vehicle use area.

Condition 6: Prior to final plat of the partition, the applicant shall provide a parking and access agreement that allows access and circulation meeting Salem Revised Code (SRC) 806.035 and 806.040 for both parcels.

Condition 7: The adjusted setbacks shall only apply to the specific development proposal shown in the attached partition plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.

The rights granted by the attached decision must be exercised, or an extension granted, by August 12, 2027, or this approval shall be null and void.

Application Deemed Complete:	<u>June 6, 2025</u>
Notice of Decision Mailing Date:	<u>July 25, 2025</u>
Decision Effective Date:	<u>August 12, 2025</u>
State Mandate Date:	<u>October 4, 2025</u>

Case Manager: Jacob Brown, jrbrown@cityofsalem.net, (503) 540-2347

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., Monday, August 11, 2025. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapters 205 and 250. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, 440 Church St SE, Salem, during regular business hours.

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

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF THE)	FINDINGS AND ORDER
APPROVAL OF)	
PARTITION TENTATIVE PLAN)	
VALIDATION OF UNIT OF LAND)	
CLASS 2 ADJUSTMENT)	
CASE NO. PAR-VUL-ADJ25-11)	
4720 RIDGE DRIVE NE)	JULY 25, 2025

In the matter of the application for a Tentative Partition and Validation of Unit of Land application submitted by AAI Engineering, on behalf of the property owners, M3 Capital LLC, the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

Summary: A validation of unit of land, then a tentative partition to divide the land area to create two parcels.

Request: A consolidated application to validate one unit of land unlawfully created by deed and a tentative partition to create two parcels with two Class 2 Adjustments to reduce the five-foot vehicle use area setback along the new property lines within an existing parking lot (SRC 554.010(b)). The subject properties of the proposed validation are a total of 4.3-acres in size, zoned IG (General Industrial) and located at 4720 Ridge Drive NE (Marion County Assessor’s Map and Tax Lot Numbers 073W01B00/3800).

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

PROCEDURAL FINDINGS

1. Background

On April 15, 2025, a land use application for a tentative partition plan and class 2 adjustment was filed proposing to divide the property totaling 4.3-acres in size into two new parcels 1.28-acres and 3.03-acres in size for property located at 4720 Ridge Drive NE. After review, it was determined a validation of unit of land was also required, and an additional application for the validation was submitted and consolidated with the tentative partition application.

After additional information was received, the application was deemed complete on June 6, 2025. The state-mandated local decision deadline for the application is October 3, 2025.

The applicant’s proposed validation plat is included as **Attachment B** and the tentative partition plan is included as **Attachment C**.

SUBSTANTIVE FINDINGS

2. Proposal

The proposal includes a validation of one unit of land totaling 4.3-acres in size and a tentative partition plan to then divide the property into two parcels; Parcel 1 will be 1.28-acres; Parcel 2 will be 3.03 acres. Both Parcels will be an interior lot containing existing buildings with frontage on Ridge Drive NE. The two parcels within the tentative partition plan are proposed as follows:

PROPOSED PARCEL 1

Parcel Size: 1.28 acres (55,980 sq ft)
Parcel Dimensions: Approximately 337.36' feet in width and 183 feet in depth

PROPOSED PARCEL 2

Parcel Size: 3.11 acres (132,575 sq ft)
Parcel Dimensions: Irregular shaped parcel with approximately 321 feet in width and 369 feet in depth

Each resulting parcel will take access from an existing approach from Ridge Drive NE.

3. Summary of Record

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 25-108160.

4. Existing Conditions

Site and Vicinity

The subject property consists of one unit of land and is generally square in shape with frontage on Ridge Drive NE. The property is approximately 4.3-acres in size with 358 feet in width and 436 feet in depth. The subject property contains two existing structures measuring 20,046 and 30,812 square feet in size. Ridge Drive NE is classified as a Local Street according to the Salem Transportation System Plan (TSP).

Salem Area Comprehensive Plan (SACP) Designation

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

Zoning Map Designation

The subject property is zoned IG (General Industrial). The surrounding properties are zoned as follows:

Zoning of Surrounding Properties	
North	IG (Industrial General)
East	Across Interstate 5, IG (Industrial General)
South	IG (Industrial General)
West	Across Ridge Drive NE, IG (Industrial General)

Relationship to Urban Service Area

The subject property is inside the City’s Urban Service Area. The Urban Service Area is that territory within the 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.

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

Streets			
Street Name		Right-of-way Width	Improvement Width
Ridge Drive NE (Local)	Standard:	60-feet	30-feet
	Existing Condition:	45-feet	22-feet

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

Utilities	
Type	Existing Conditions
Water	Water Service Level: G-0
	Public 8-inch and 10-inch water mains are located in on the subject property in an easement.
Sanitary Sewer	An public 18-inch sanitary sewer main is located on the subject property in an easement.
Storm Drainage	No public storm mains are located in the vicinity of the subject property. The subject property is served by open ditches in Ridge Drive NE and the Interstate 5 right-of-way.

5. Neighborhood Association Comments and Public Comments

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

Applicant Neighborhood Association Contact: SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this proposed consolidated land use application request require neighborhood association contact. On November 1, 2024, the applicant's representative contacted the neighborhood association to provide details about the proposal in accordance with the requirements of the SRC.

Neighborhood Association Comment: Notice of the application was provided to the Neighborhood Association pursuant to SRC 300.620(b)(2)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. As of the date of completion of this decision, no comments have been received from the neighborhood association.

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

Public Comment: Notice was also provided, pursuant to SRC 300.520(b)(1)(B)(iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property. As of the date of completion of this decision, no comments have been received from the public.

6. City Department Comments

Development Services Division: Reviewed the proposal and provided a memo with findings that have been incorporated herein by reference. The memo in full can be found in the record, accessible online as indicated above.

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

Fire Department: Reviewed the proposal and indicated *items including fire department access and water supply will be required at the time of development.*

7. Public Agency Comments

As of the date of completion of this decision, no comments were received from public agencies.

DECISION CRITERIA FINDINGS

8. Analysis of Validation of a Unit of Land Approval Criteria

Pursuant to SRC 205.060(a), a validation of a unit of land provides a process whereby a unit of land unlawfully created may be lawfully established.¹ The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings of fact evaluating the proposal for conformance with the criteria. Lack of compliance with the following criteria is grounds for denial for the validation or for the issuance of conditions of approval to satisfy the criteria.

SRC 205.060(d)(1): The unit of land is not a lawfully established unit of land.

Finding: The current configuration of the subject property as described in Reel 4044, Page 363, recorded in 2019, was created in 1992 when two single discrete units of land were consolidated as described in Reel 917, Page 287 Marion County deed records. The City of Salem would have required a land division to consolidate the property at this time, thus causing an unlawful consolidation. Because the subject property was not created through proper land use procedures, the unit of land was not lawfully established; therefore, this criterion is met.

SRC 205.060(d)(2): The unit of land was created through sale or deed or land sales contract executed and recorded before January 1, 2007.

Finding: According to the written statement and staff research, the units of land were created prior to January 1, 2007, by deed (Reel 917, Page 287) recorded in 1992 were consolidated without land use approval. The units of land were then conveyed to the current owners in Reel 4044, Page 363 in 2016. As the applicant has provided evidence that the units of land were created by recorded deed prior to 2007, this criterion is met.

SRC 205.060(d)(3): The unit of land could have complied with applicable criteria for the creation of the unit of land in effect when the unit of land was sold.

Finding: The property was zoned IG (General Industrial) at the time of the conveyance; therefore, the IG standards from 1992 were applicable. City of Salem zoning code Chapter 158 – IG Industrial General was in effect when the unit of land was created by deed. Under SRC 158.080, there were no minimum lot area or dimensions requirements within the IG except for street frontage requirements under SRC 130.260 which requires at least 16 feet of frontage. The subject property is a combined 4.3-acres with a frontage exceeding 16 feet along Ridge Drive NE; therefore, the subject property would have complied with the applicable criteria for the creation of the unit of land in effect when the property was created; therefore, this criterion is met.

SRC 205.060(d)(4): The plat complies with SRC 205.035 and ORS 92.

Finding: The applicant submitted a copy of a proposed validation plats (**Attachment B**), which will be recorded prior to the proposed partition plat. The Public Works Department reviewed the proposal and submitted comments describing the required procedure and submittal requirements for recording of a final plat.

9. Analysis of Tentative Partition Plan Approval Criteria

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

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

Condition 1: Prior to final plat of the proposed Partition, the Validation of a Unit of Land shall be recorded.

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

SRC 205.005(d)(1): The tentative partition plan complies with the standards of this Chapter and with all applicable provisions of the UDC, including, but not limited to the following:

(A) Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage, and designation of front and rear lot lines.

Finding: The proposed partition would divide the 4.3-acre property into two parcels with Proposed Parcel 1 being 1.28 acres and Proposed Parcel 2 being 3.03 acres in size. The subject property is zoned IG (General Industrial). The proposed tentative partition plan, as conditioned, complies with the applicable standards of the IG zone and all other applicable provisions of the UDC, as required by this approval criterion, as follows:

SRC Chapter 554 – IG (General Industrial) Zone

▪ **Lot Standards:**

Lot size and dimension standards within the IG zone are established in SRC 554.010(a), Table 551-2. A summary of the standards applicable to existing development on the subject property.

Requirement	Minimum Standard
Lot Area (All uses)	None
Lot Width (All uses)	None
Lot Depth (All uses)	None

Street Frontage (All uses other than Single Family Residential)	Min. 16 feet
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Finding: As shown on the tentative partition plan (**Attachment B**), proposed parcels measure 1.28 and 3.03 acres in size with varying lot dimensions. As indicated by the applicant, each parcel will be served existing driveway approaches with Parcel 2 exclusively served by the driveway approach along the northwest portion of the site with each parcel having a minimum 16-foot frontage along the private street. The proposed parcels meet the applicable lot area, width, depth, and street frontage standards.

The proposed parcels within the partition are of sufficient size and dimension to permit future development of uses allowed within the zone.

- **Setbacks:**
 Setbacks for all uses within the IG zone are established in 554.010(b), Table 554-3.

Requirement		Standard
Abutting Street	Buildings	5 feet
	Vehicle Use Areas	Per SRC 806
Interior Front, Side, and Rear	Buildings	Zone-to-zone, Table 554-4
	Vehicle Use Areas	Zone-to-zone, Table 554-4

Finding: The subject property is developed with two existing structures and a shared off-street parking area. The proposed partition will result in each structure to be located on one parcel with the off-street parking area to be divided across the partitioned parcels. Per Table 554-4, there are no building setbacks abutting another IG zoned property and vehicle use areas require a minimum five-foot setback. The proposed partition will divide the property through the vehicle use area, requiring a five-foot setback on either side. The applicant has requested a Class 2 Adjustment to eliminate this setback standard, addressed in Section 10 of this report. With approval of the requested Adjustment, the proposed parcels will meet all applicable setbacks of the IG zone.

- **Lot Coverage:**

Maximum lot coverage requirements within the IG zone are established under SRC 554.010(c), Table 554-5. There is no maximum lot coverage and the maximum height for all buildings and accessory structures is 70 feet.

Finding: The existing development is not proposed to be modified under this proposal as such the maximum height standard is not applicable.

(B) City Infrastructure Standards.

The Development Services division reviewed the proposal for compliance with the City's public facility plans as they pertain to provision of water, sewer, and storm drainage facilities. While SRC Chapter 205 does not require submission of utility construction plans prior to tentative partition plan approval, it is the responsibility of the applicant to design and construct adequate City water, sewer, and storm drainage facilities to serve the proposed development prior to final plat approval without impeding service to the surrounding area.

SRC Chapter 200 - Urban Growth Management

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

Finding: The subject property is located outside of the Urban Service Area. The proposal of partitioning does not meet the definition of "development" in SRC Chapter 200; therefore, no UGA permit is required. Future development on the subject property may require an UGA.

SRC Chapter 71 – Stormwater

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

Finding: Pursuant to SRC 71.080, land divisions are required to provide stormwater flow control facilities and treatment facilities that are sized to serve the entire land division under fully developed. The subject property is fully developed and served by an existing stormwater management system. If at such time the property is redeveloped, a stormwater management system would be required to meet the standards in effect at time of redevelopment.

SRC Chapter 802 – Public Improvements

▪ Development to be served by City utilities:

SRC 802.015 requires development to be served by City utilities designed and constructed according to all applicable provisions of the Salem Revised Code and Public Works Design Standards (PWDS).

Finding: Public water, sanitary sewer, and stormwater infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary utility plan. Each existing lot has an existing public water and sanitary sewer service. A shared stormwater system exists on the subject property and will remain, as described below. The proposed partition is served by public utilities, as required by SRC 802.015.

▪ Easements:

SRC 802.020 requires the conveyance or dedication of easements for City utilities as a condition of development approval.

Finding: Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat. The applicant provided a preliminary utility plan which shows private utility services crossing the new internal boundary. The tentative plan shows new easements will be created to serve each lot with public utilities. Additionally, the tentative plan shows an access easement to provide access to the newly created parcel. The following condition applies:

Condition 2: Prior to final plat approval, all necessary (existing and proposed) access and utility easements must be shown and recorded on the final plat.

There are existing public water and sanitary sewer mains on the subject property. As a condition of approval, the applicant shall dedicate easements for existing public infrastructure on the site to current standards established in the Public Works Design Standards Section 1.8 (Easements).

Condition 3: Prior to final plat approval, dedicate easements for existing public water and sewer mains on the site to current standards in Public Works Design Standards Section 1.8 (Easements).

▪ ***Private stormwater, wastewater, and water systems:***

SRC 802.040 allows private stormwater systems under certain circumstances.

Finding: As shown on the applicant's preliminary utility plan, a common private stormwater system exists on the subject property and will serve both parcels within the partition. According to SRC 802.040(c) if the private system serves multiple properties under separate ownership, an agreement between the property owners is required to ensure continued maintenance of the system. The applicant shall be required to provide a Private Shared Stormwater Agreement that meets the standards of SRC 802.040. The following condition applies:

Condition 4: With the final plat, the applicant shall record a Shared Stormwater System Agreement for the private stormwater facility, which is in compliance with SRC 802.040.

As conditioned, the proposal meets the requirements of SRC Chapter 802.

SRC 803 – Street and Right-of-way Improvements

▪ ***Boundary Street Improvements***

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

Finding: Ridge Drive NE abuts the subject property and is classified as a local street according to the Salem Transportation System Plan (TSP). Ridge Drive NE does not meet the current right-of-way width and improvement width standards for a local street. The ultimate right-of-way width for a local street is 60-feet according to SRC 803.025 Table 803-1 (Right-of-way Width) and the ultimate improvement width for a local is 30 feet according to SRC 803.025 Table 803-2 (Pavement Width). The subject property contains two existing separate buildings, the proposed partition will divide the property so that each building is on its own parcel, no other development is occurring at this time. If at such time further development occurs on the resulting parcels, boundary street improvements may be required as a condition of approval if the criteria of SRC 803.040 are met.

SRC Chapter 804 – Driveway Approaches

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

Finding: The development site is served by existing driveway approaches onto Ridge Drive NE. The existing driveway approach serving the site meets applicable sections of SRC Chapter 804 and does not warrant modification.

(C) Any special development standards, including, but not limited to, floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.

SRC Chapter 601 – Floodplain

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

Finding: The 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

SRC Chapter 808 – Preservation of Trees and Vegetation

SRC Chapter 808 (Preservation of Trees and Vegetation) requires tree conservation plan in conjunction with development proposals involving the creation of lots or parcels to be used for single to four family uses or cottage clusters. The preservation ordinance defines “tree” as, “any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more in diameter-at-breast-height (dbh) and possesses an upright arrangement of branches and leaves.”

Under the City’s tree preservation ordinance, tree conservation plans are required to preserve all heritage trees, significant trees, and native vegetation within riparian corridors, and a minimum of 30 percent of all the trees on the property. If less than 30 percent of the existing trees on the property are proposed for preservation, the applicant must demonstrate that there

are no reasonable design alternatives that would enable preservation of such trees and that for each tree removed in excess of 70 percent, the mitigation measures required under SRC 808.035(e) are satisfied.

Finding: The proposed partition is not for the creation of lots or parcels to be used for residential uses; therefore, this section is not applicable.

SRC Chapter 809 – Wetlands

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

Finding: According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any mapped wetland areas or hydric soils.

SRC Chapter 810 - Landslide Hazards

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

Finding: According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 2-point landslide hazard areas on the subject property. The proposal of partitioning is a 2-point activity. Therefore, the proposed development is classified as a low landslide risk and no additional information is required. Future development on the subject property which disturbs the landslide hazard areas may require further evaluation according to SRC Chapter 810.

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

Finding: The proposal includes a two-parcel partition. All properties adjacent to the proposed development have access to Ridge Drive NE and are developed. To the west is the Interstate 5 Freeway right-of-way; a street connection is not required to this right-of-way to provide access to the area. As shown on the applicant's tentative plan, one parcel included in the partition will be provided an access easement to Ridge Drive NE for access to existing and future uses of the property. The tentative partition plan does not impeded future access to adjacent lands.

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

Finding: The Development Services division reviewed the proposal and determined that water, sewer, and storm infrastructure are available and is to serve the parcels within the proposed partition, subject to the conditions of approval established in this decision. This approval criterion is met.

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

Finding: As described in the findings above, the subject property is located adjacent to Ridge Drive NE, which is classified as a local street under the City's Transportation System Plan (TSP). Ridge Drive NE does not currently meet standards for a local street; however, improvements to Ridge Drive NE are not warranted with this partition application. Improvements to Ridge Drive NE may be required at time of redevelopment of the property, if the criteria of SRC 803.040 are met. This criterion is met.

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

(A)The property is zoned residential;

(B)The property has received a favorable site evaluation from the county sanitarian for the installation of an on-site sewage disposal system; and

(C)The proposed parcels are at least five acres in size and, except for flag lots, have no dimension that is less than 100 feet.

Finding: The site is served by available public water and sewer; therefore, this criterion is not applicable

10. Analysis of Class 2 Adjustment Approval Criteria

Salem Revised Code (SRC) 250.005(d)(2) provides that an application for a Class 2 Adjustment shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 250.005(d)(2)(A): The purpose underlying the specific development standard proposed for adjustment is:

(i) Clearly inapplicable to the proposed development; or

(ii) Equally or better met by the proposed development.

Finding:

Reduce the five-foot vehicle use area setback along the new property lines within an existing parking lot (SRC 554.010(b))

The applicant is requesting four Class 2 Adjustments to eliminate the vehicle use area setback and landscaping on either side of a newly partitioned parcels, as required by SRC 554.010(c). The proposed partition will divide a property with an existing shared vehicle use area between

the two parcels. Per SRC 554.010(b), Table 554-3 and Table 554-4, vehicle use areas within the IG zone require a minimum five-foot setback abutting other IG zoned property.

The intent of the setback is to provide separation between vehicle use areas and break up the mass of new paved surfaces with landscaping. Because the property was developed with a shared vehicle use area, the new property lines create a required setback on either side, which would require redesign and eliminate much of the already developed parking area. As such, the applicant has requested a Class 2 Adjustment to eliminate this setback on either side of the new property line of the vehicle use area. Although not along the proposed property lines, the applicant proposes to provide an equivalent amount of plant units that would have been required. The proposed partition creates a property line through the vehicle use area measuring 515 feet in length, which would require a minimum five-foot landscaped area with Type A landscaping on either side. The total area required to be landscape would be 5,150 square feet and SRC 807.015 (a) Table 807-1 Type A landscaping requires a minimum one plant unit per 20-square-foot of area. Therefore, a minimum 258 plant units are required to be installed. The resulting landscaping will result in an equivalent breaking of the massing of vehicle use area and overall paved surfaces of the site. The following is conditioned to ensure the required landscaping is provided prior to the recording of the partition plat:

Condition 5: Prior to final plat of the partition, the applicant shall submit a landscaping permit and install a minimum 258 plant units in proximity to the vehicle use area.

As the existing parking area and access will be located between parcels, the following is conditioned to ensure the parking area will be able to continue to operate as one area following the partition and continue to meet circulation requirements under Salem Revised Code (SRC) 806.035 and 806.040:

Condition 6: Prior to final plat of the partition, the applicant shall provide a parking and access agreement that allows access and circulation meeting Salem Revised Code (SRC) 806.035 and 806.040 for both parcels.

Given the existing development of the vehicle use area, which shall include landscaping equivalent to the minimum required, the proposal equally meets the intent of the provision and is in compliance with the approval criterion.

SRC 250.005(d)(2)(B): If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.

Finding: The subject property is located within an IG (General Industrial) zone; therefore, the criterion is not applicable.

SRC 250.005(d)(2)(C): If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

Finding: Two separate Class 2 Adjustments have been requested with this development. Each of the adjustments has been evaluated separately for conformance with the Adjustment approval criteria. The cumulative impact of the adjustments results in an overall project which is consistent with the intent and purpose of the zoning code. Any future development, beyond what is shown in the proposed plans, shall conform to all applicable development standards of the UDC, unless adjusted through a future land use action.

Condition 7: The adjusted setbacks shall only apply to the specific development proposal shown in the attached partition plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.

11. Conclusion

Based upon review of SRC chapters 205.005, 205.060, and 250.005 and the applicable standards of the Salem Revised Code, the findings contained herein, and the comments described, the application complies with the requirements for an affirmative decision. Approval will not adversely affect the safe and healthful development and access to any adjoining lands.

IT IS HEREBY ORDERED

That the application for a Tentative Partition, Validation of Unit of Land, and Class 2 Adjustment Case No. PAR-VUL-ADJ25-11, to validate a 4.3 acre property and then divide it to create two parcels, zoned G (General Industrial) and located at 4720 Ridge Drive NE (Marion County Assessor's Map and Tax Lot Numbers 073W01B00/3800) is hereby **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the conditions of approval listed below, which must be completed prior to final plat approval, unless otherwise indicated:

- Condition 1:** Prior to final plat of the partition, the Validation of a Unit of Land shall be recorded.
- Condition 2:** Prior to final plat approval of the partition, all necessary (existing and proposed) access and utility easements must be shown and recorded on the final plat.
- Condition 3:** Prior to final plat approval of the partition, dedicate easements for existing public water and sewer mains on the site to current standards in Public Works Design Standards Section 1.8 (Easements).
- Condition 4:** With the final plat of the partition, the applicant shall record a Shared Stormwater System Agreement for the private stormwater facility, which is in compliance with SRC 802.040.
- Condition 5:** Prior to final plat of the partition, the applicant shall submit a landscaping permit and install a minimum 258 plant units meeting SRC 807.015 in proximity to the vehicle use area.

- Condition 6:** Prior to final plat of the partition, the applicant shall provide a parking and access agreement that allows access and circulation meeting Salem Revised Code (SRC) 806.035 and 806.040 for both parcels.
- Condition 7:** The adjusted setbacks shall only apply to the specific development proposal shown in the attached partition plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.



Jacob Brown, Planner II

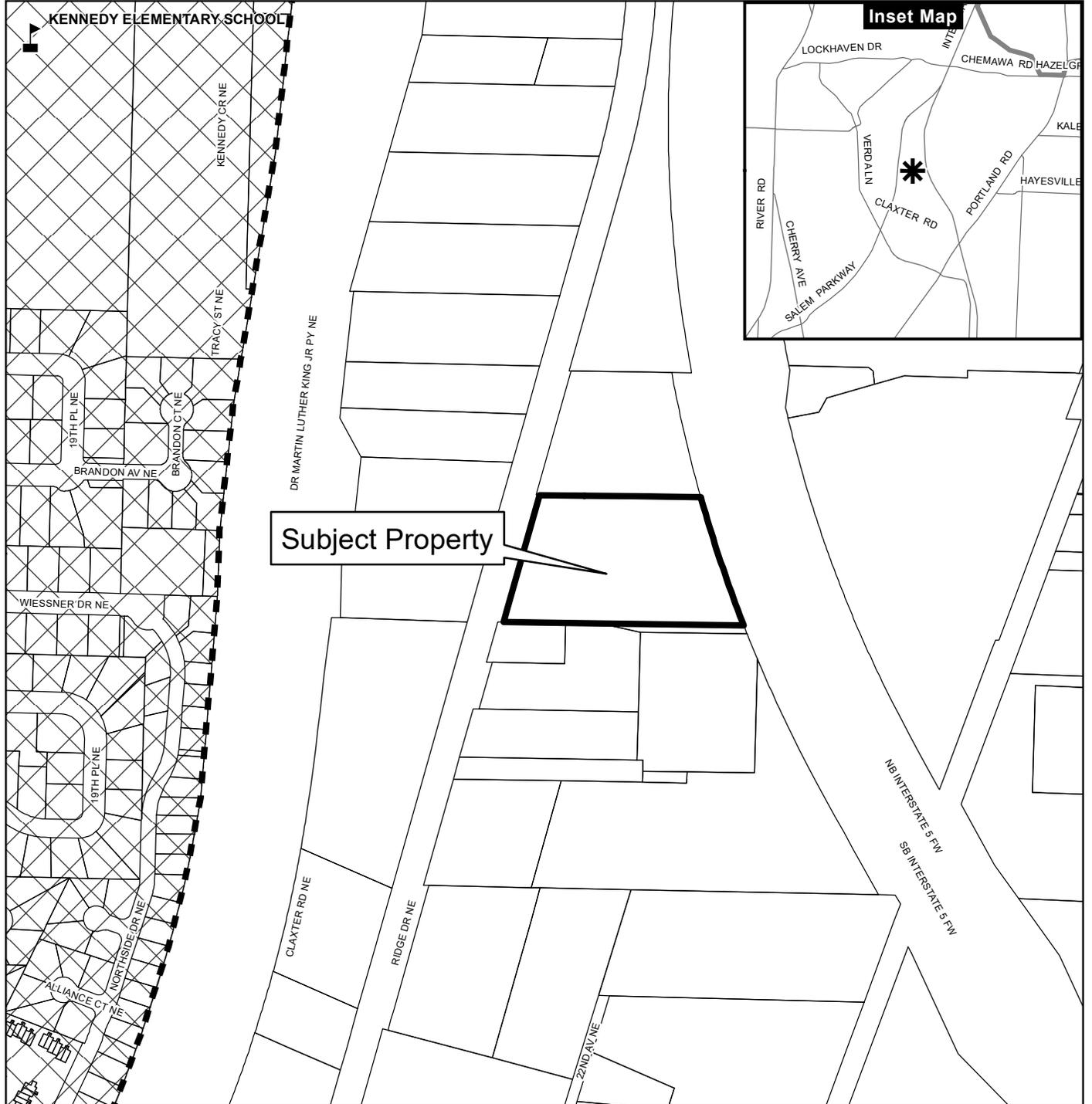


Laurel Christian, Infrastructure Planner III

On behalf of Lisa Anderson-Ogilvie, AICP
Planning Administrator

- Attachments: A. Vicinity Map
B. Applicant's Proposed Validation Plat
C. Applicant's Tentative Partition Plan

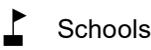
Vicinity Map 4720 Ridge Drive NE



Subject Property

Inset Map

Legend

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



0 100 200 400 Feet



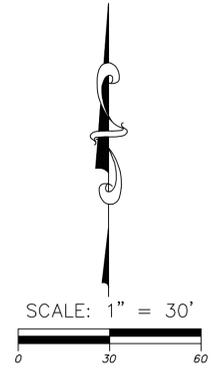
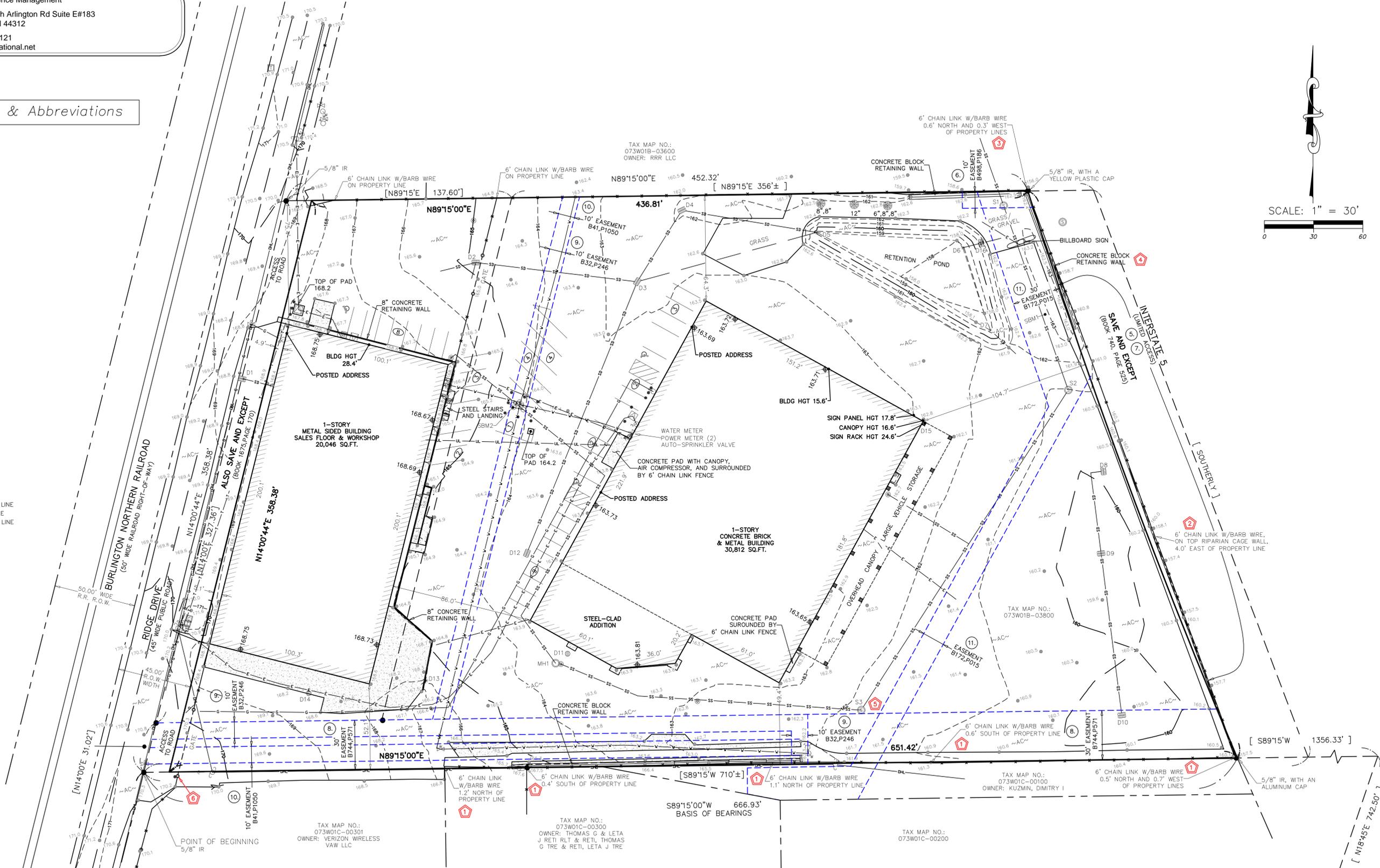
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Commercial Real Estate
Due Diligence Management
3465 South Arlington Rd Suite E#183
Akron, OH 44312
866.290.8121
www.amnational.net

Legend of Symbols & Abbreviations

- [...] TITLE REPORT DATA
- BLDG BUILDING
- HGT HEIGHT
- IE INVERT ELEVATION
- SQ.FT. SQUARE FEET
- TP TOP OF PIPE
- SBM SITE BENCHMARK
- FOUND MONUMENT
- MANHOLE
- SEWER MANHOLE
- CATCHBASIN
- AREA DRAIN
- CLEAN-OUT
- FIRE HYDRANT
- WATER METER
- FENCE LINE
- WATER VALVE
- FIRE DEPT. CONNECT
- POWER METER
- UTILITY POLE
- HANDICAP PARKING STALL
- GAS VALVE
- GAS METER
- DECIDUOUS TREE W/SIZE
- POWER CABINET
- POWER TRANSFORMER
- COMMUNICATIONS CABINET
- TELECOMM PEDESTAL
- AIR HANDLING UNIT
- SIGN POST
- SUPPORT COLUMN
- FINISH FLOOR ELEVATION
- GATE POST
- BOLLARD POST
- ELEVATION MARKER
- PROPERTY LINE
- FENCE LINE
- WATER LINE
- OVERHEAD UTILITY LINE
- SANITARY SEWER LINE
- STORM DRAIN LINE
- UNDERGROUND ELECTRICAL LINE
- UNDERGROUND COMMUNICATIONS LINE
- UNDERGROUND NATURAL GAS LINE
- UNDERGROUND COMPRESSED AIR LINE
- WALL
- BUILDING FOOTPRINT
- CONCRETE SURFACE
- ASPHALT SURFACE



DRAIN & SEWER DATA

D1 CATCH BASIN RIM=168.66 4" PVC (E)- 168.46 (TOP) BOTTOM- 167.41 WATER LEVEL- 168.16	D2 CATCH BASIN RIM=164.71 6" PVC (S)- 160.98 6" PVC (SW)- 160.78 8" PVC (E)- 160.78 BOTTOM- 159.96	D3 CATCH BASIN RIM=162.50 8" PVC (W)- 160.07 8" PVC (S)- 160.07 8" PVC (N)- 160.07 BOTTOM- 158.80	D4 CATCH BASIN RIM=161.91 8" PVC (SW)- 10" PVC (E)- 159.25 BOTTOM- 157.31	D5 PIPE OUTLET 10" PVC (W)- 158.74	D6 PIPE INLET 10" PVC (E)- 157.79	D7 PIPE OUTLET 10" PVC (SE)- 158.64	D8 CATCH BASIN RIM=160.12 8" PVC (W)- 157.22 BOTTOM- 156.02	D9 CATCH BASIN RIM=159.40 8" PVC (S)- 157.45 8" PVC (N)- 157.18 BOTTOM- 156.90	D10 CATCH BASIN RIM=159.49 8" PVC (N)- 157.99 BOTTOM- 157.59	D11 AREA DRAIN WITH SIPHON RIM=163.22 SIPHON TOP- 163.02 WATER LEVEL- 162.42 NO VISIBLE PIPES	D12 CATCH BASIN RIM=163.51 8" PVC (N)- 161.13 BOTTOM- 160.96	D13 PIPE OUTLET RIM=165.63 6" PVC (SW)- 165.63	D14 AREA DRAIN RIM=168.05 6" PVC (E)- 167.60	D15 PIPE OUTLET FROM BUILDING 6" PVC (W)- 162.66	D16 FIELD DRAIN WITH SIPHON SIPHON TOP- 161.19 12" PVC (E)- 157.2	S1 SEWER MANHOLE RIM=162.71 8" PVC (SW)- 149.50 15" CONC (NW)- 148.14 18" CONC (SE)- 147.90	S2 SEWER MANHOLE RIM=160.97 18" CONC (N)- 147.74 18" CONC (SW)- 147.64	S3 SEWER MANHOLE LID BOLTED RIM=161.75	MH1 MANHOLE (UNKNOWN TYPE) LID BOLTED WATER LEVEL- 162.42 RIM=163.47
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REGISTERED
PROFESSIONAL
LAND SURVEYOR

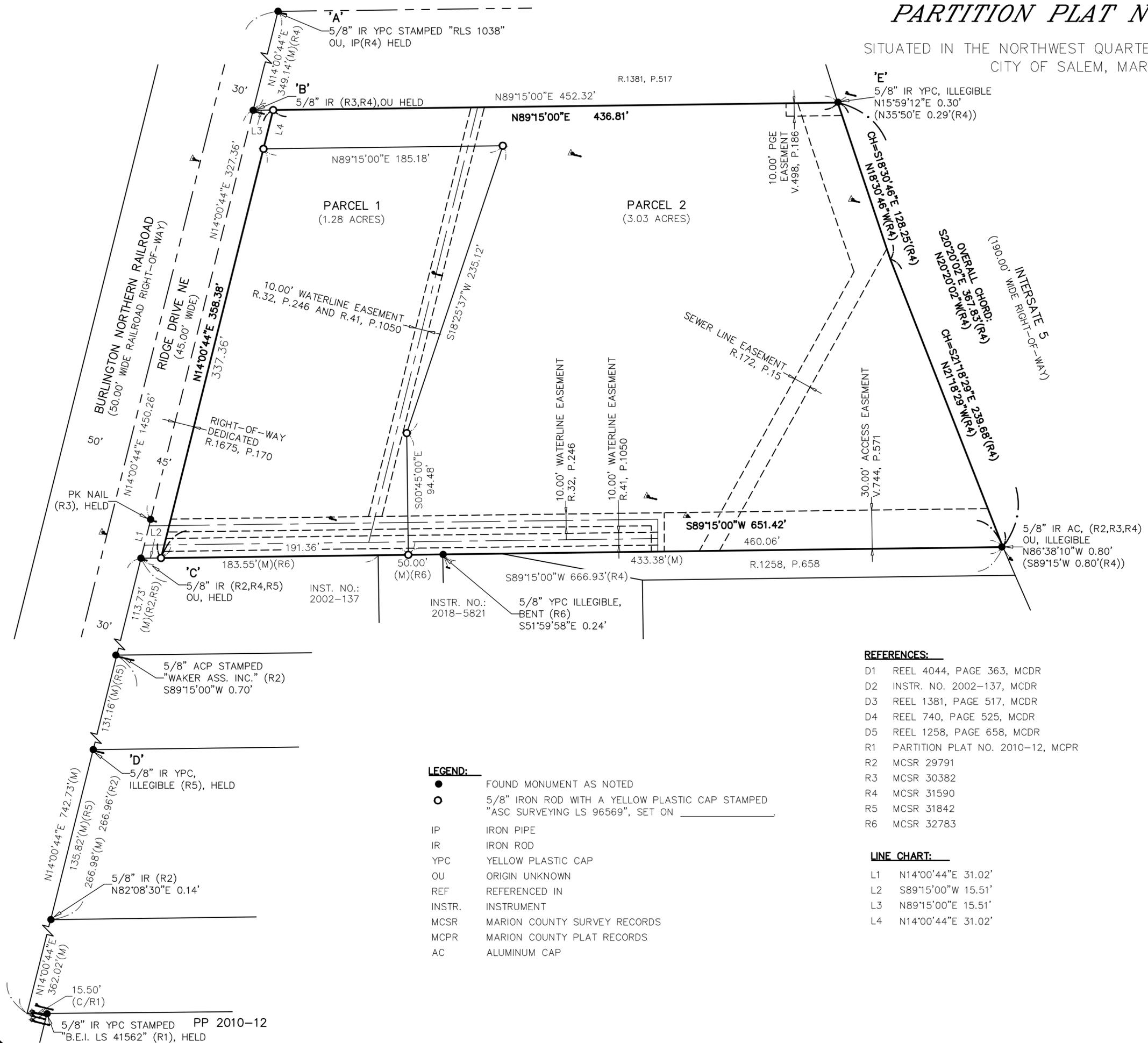
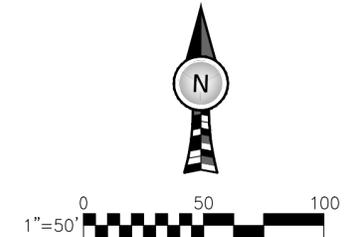
REGON
RICHARD H. KENNEDY
96569
RENEWS: 6/30/25

SOUTHEAST CORNER
JOHN PUGH DONATION
LAND CLAIM NO. 55
[WEST 222.09']

PARTITION PLAT NO. _____

SITUATED IN THE NORTHWEST QUARTER OF SECTION 1, T. 7S., R. 3W., W.M.
CITY OF SALEM, MARION COUNTY, OREGON

AUGUST 27, 2024
SHEET 1 OF 2



REFERENCES:

- D1 REEL 4044, PAGE 363, MCDR
- D2 INSTR. NO. 2002-137, MCDR
- D3 REEL 1381, PAGE 517, MCDR
- D4 REEL 740, PAGE 525, MCDR
- D5 REEL 1258, PAGE 658, MCDR
- R1 PARTITION PLAT NO. 2010-12, MCPR
- R2 MCSR 29791
- R3 MCSR 30382
- R4 MCSR 31590
- R5 MCSR 31842
- R6 MCSR 32783

LINE CHART:

- L1 N14°00'44"E 31.02'
- L2 S89°15'00"W 15.51'
- L3 N89°15'00"E 15.51'
- L4 N14°00'44"E 31.02'

LEGEND:

- FOUND MONUMENT AS NOTED
- 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "ASC SURVEYING LS 96569", SET ON _____
- IP IRON PIPE
- IR IRON ROD
- YPC YELLOW PLASTIC CAP
- OU ORIGIN UNKNOWN
- REF REFERENCED IN
- INSTR. INSTRUMENT
- MCSR MARION COUNTY SURVEY RECORDS
- M CPR MARION COUNTY PLAT RECORDS
- AC ALUMINUM CAP

FOR REVIEW ONLY
REGISTERED PROFESSIONAL LAND SURVEYOR
RICHARD H. KENNEDY
OREGON
JULY 13, 2021
RICHARD H. KENNEDY
96569
RENEWS: 6/30/25



ASC SURVEYING LLC
8427 SW DAKOTA DRIVE
TUALATIN, OR 97062
971-224-5471