



## Staff Report

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**File #:** 18-225

**Version:** 1

**Date:** 6/25/2018

**Item #:** 3.3b.

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**TO:** Mayor and City Council

**THROUGH:** Steve Powers, City Manager

**FROM:** Kristin Retherford, Director, Urban Development Department

**SUBJECT:**

Third Amendment to the Salem Business Campus covenants, conditions and restrictions.

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): SEMCA

**ISSUE:**

Shall the City Council approve the third amendment to the Salem Business Campus covenants, conditions and restrictions to include the definition of Traded Sector use and require approval for uses other than Traded Sector?

**RECOMMENDATION:**

Approve the third amendment to the Salem Business Campus covenants, conditions and restrictions to include the definition of Traded Sector use and require approval for uses other than Traded Sector.

**SUMMARY AND BACKGROUND:**

In 2017 City Council approved an amendment to the Salem Business Campus (Campus), formerly the Salem Renewable Energy and Technology Center, covenants, conditions and restrictions (CC&Rs) to remove the requirement that land uses be limited to renewable energy and technology product manufacturing. This change broadens the market of prospective buyers for the site and resulted in the land uses being determined by the underlying Industrial Business Campus (IBC) zoning designation. The IBC zone allows office uses, regardless of whether they are associated with a traded sector company. The proposed third amendment establishes traded sector uses as the priority for the property, regardless of the zoning.

Traded sector is a commonly used term that refers to businesses that manufacture products or

provide services for sale, for profit, to the local community. These products and services are also available for sale outside the Salem area which results in an increase to the economic vitality of the community.

## **FACTS AND FINDINGS:**

The third amendment to the CC&Rs (Attachment 1) include the following:

- Change Section 1 Definitions to include "Traded Sector" and its definition as Section 1.17 and reorder the definitions that follow accordingly.
- Change Section 1.17 "Traded Sector" to mean a business that produces goods or services to sale, for profit, and distributes such goods and services throughout the local community and exports outside the local community.
- Change Section 2 Permitted Uses and Architectural Control to include Traded Sector and to include Approval of Other Uses.
- Add Traded Sector to Section 2.2 Permitted Uses to state that any use other than Traded Sector shall require the prior approval of the Association in accordance with the procedure set forth in the Declaration.
- Add Approval of Other Uses to Section 2.3 to state that an Owner requesting approval of a use other than Traded Sector shall provide such information concerning the use as may reasonably be required by the Association. In exercising its right of approval, the Association shall approve such if it determines that the use will not interfere with the primary purpose of the Campus as a location for Traded Sector uses.

Tory Banford  
Project Manager

### **Attachments:**

1. Third Amendment to the CC&Rs