

Community Planning and Development Planning Division

555 Liberty Street SE / Room 305 • Salem OR 97301-3503 • Phone 503-588-6213 www.cityofsalem.net/planning

February 13, 2024

Jon Hugg Jon.huff@pzr.com

Re: Land Use Verification Letter, 24-103480-ZO, Located at 3210-3280 Lansing Avenue NE

Mr. Huff:

The following is information regarding the property addressed as 3210-3280 Lansing Avenue NE (also identified by Marion County Tax Assessor's map and tax lot number 073W13AB / 07800) and a response to your request received *February 7, 2024.*

<u>Comprehensive Plan Designation</u>: The subject property is designated "Mixed Use" on the Salem Area Comprehensive Plan map and is zoned MU-III (Mixed Use-III). The use and development standards of the MU-III zone are found in Salem Revised Code (SR) Chapter 535.

<u>Overlay Zone:</u> The subject property is not located in an Overlay Zone.

Land Use: The property is currently used as a multiple-family use (i.e. apartment complex). SRC 522.005(a) provides that the multiple-family use is conditional use within the CR zone. 96 multiple-family residential dwelling units were approved as a part of the land use decision, case no. DR-CU-SPR-DAP17-05 (subsequently modified by the City Council), which included a Class 3 Design Review, Conditional Use Permit, Class 3 Site Plan Review and a Class 2 Driveway Approach Permit. Multiple family development is subject to the design review according to the multiple family design review standards set forth in SRC Chapter 702.

The Our Salem project was a multi-year effort to update the Salem Area Comprehensive Plan, which guides growth in development in the Salem area. The project involved extensive community engagement and resulted in updates to the Salem Comprehensive Plan Map and Salem Zoning Map. The subject property was redesignated and rezoned to Mixed Use in the Our Salem project. The updated designation and zoning became effective in August 2022.

Adjacent properties zoning designation:

- North: Across Silverton Road NE MU-III (Mixed Use-III)
- East: MU-III (Mixed Use-III)
- South: RS (Single Family Residential)

West: MU-III (Mixed Use-III) & RS (Single Family Residential)

<u>Variances, Special Permits, Conditional Use Permit, etc</u>: A Conditional Use Permit was approved as a part of the land use process to permit the 96-unit multi-family residential use; see case no. DR-CU-SPR-DAP17-05 (conditions have been attached).

<u>Code Violations</u>: There are no known outstanding code violations on record for this property.

Nonconforming development (Salem Revised Code Chapter 270): The use is considered conforming.

Nonconforming development is any development which met the applicable City of county development standards imposed at the time the development was constructed, but which no longer complies with development standards due to the adoption of, or amendment to, the City's land use regulations, or annexation of the property into the City.

Any conforming multiple family development, including associated accessory buildings or structures, may be repaired, altered, or replaced provided such repair, alteration, or replacement complies with applicable development standards and all other applicable laws, ordinances, and regulations, pursuant to 270.020. Improvements, additions or other changes to the site's design may trigger the design review standards for the multiple family development of thirteen or more units (see SRC 702.020).

<u>Conclusion</u>: This information is based on our review of zoning regulations and land use case history. No site visit was conducted as part of this confirmation. The above information is current, but zoning regulations change over time; these changes may affect the use and/or development of the property.

You may access the Salem Revised Code on the internet at https://www.cityofsalem.net/Pages/salem-revised-code.aspx

To request copies of land use case files, site plans, building permits, certificates of occupancy, or development standards in effect at the time of development, please submit a public records request through the City's Legal Department at: <u>https://www.cityofsalem.net/public-records</u>

Please contact me at 503-540-2343 if you have additional questions.

Sincerely,

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Olivia Dias, Current Planning Manager

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