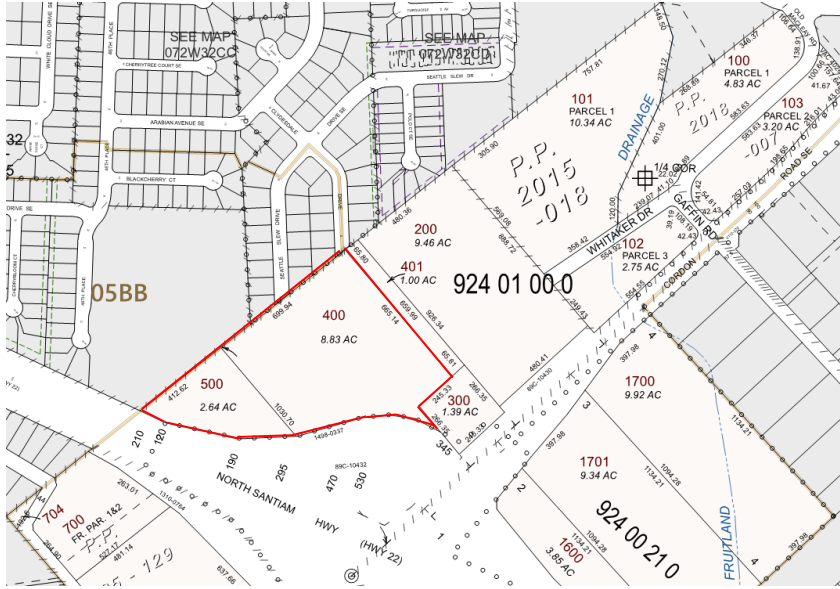


**September 13, 2024**



**Background:**

ON April 6, 2023, CPC-ZC-CU-UGA-SPR-ADJ-DAP-DR23-01 was approved to allow a 396-unit multi-family residential development. The subject property is about 23.3 acres in size and identified as 082W05Tax Lots 200, 300, 400, 401, and 500.

Condition No. 3 of the approval requires the following:

**Condition 3:** Prior to building permit approval, the existing individual properties which make up the subject property shall either be reconfigured or consolidated in a manner to conform to the applicable standards of the Salem Revised Code.

Per conversations with staff, it was determined that Tax Lots 200, 400, 401, and 500 were not legal created lots.

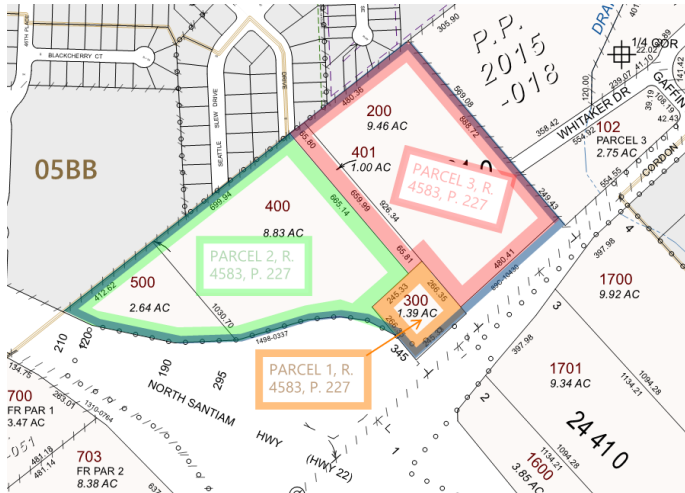
**Criteria SRC 205.060(d)**

1. *The unit of land is not a lawfully established unit of land;*

**Findings:** The subject properties are identified as (082W05/Tax Lots 400 and 500). It has been determined by staff that the subject properties were not a unit of land that was awfully established. Therefore, in order to lawfully establish the subject properties as a legal unit of land, the applicant is requesting a Validation of Unit of Land review and approval.

2. ***The unit of land was created through sale by deed or land sales contract executed and recorded before January 1, 2007;***

**Findings:** In 1945, the subject properties as shown above were created as portions of the division of the J.B. Ashby Estate as outlined in MCSR 10020 and MCSR 6545a. Reel 4583, Page 227, a deed recorded in Marion County, describes Tax Lots 400 and 500 (Parcel 2 below).



**\*1945 and 1977:** Tax Lot 400 was created as a portion of Parcel 2 (Reel 4583, Page 227) in 1945 by MCSR 10020. MCSR 26300 separates a 1.50-acre parcel from the subject property in 1977. However, the surveys did not meet the requirements of Marion County's established process and therefore, was not recognized as being legally established.

**\*1945:** Tax Lot 500 was created as a portion of Parcel 2 (Reel 4583, Page 227) in 1945 by MCSR 10020.

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; and***

**Findings:** The subject properties were originally created in 1945 via MCSR 10020 and MCSR 6545. Tax Lot 400 was created in 1945 AND 1977 through surveys (#10020 and #26300) that was determined not to have gone through Marion County's process to be established. The subject properties were zoned IC in 1975 and are currently zoned IC. These units of land currently are in compliance with the applicable IC criteria and were in compliance with the IC zone in 1975. Therefore, concluding that the site was in compliance with the Code requirements was it was established.

IC Zone Requirements-Current

Lot Area:

Required: None      Existing: 8.83 acres (Tax Lot 400)  
2.64 acre (Tax Lot 500)

Lot Width:

Required: None      Existing: 699.94 feet (Tax Lot 400)  
412.62 feet (Tax Lot 500)

Required: None      Existing: 471.95 feet (Tax Lot 400)  
471.95 feet (Tax Lot 500)

Required: 16 feet      Existing: 60 feet (Tax Lot 400 frontage on Seattle Slew Drive)  
115 feet (Tax Lot 500 frontage on North Santiam Hwy)

- Findings:** The plat has been prepared by a certified Survey and is in compliance with the requirements of SRC 205.035 and ORS 92. See the attached plat. City services are available adjacent to the site. The subject property can be adequately served by City infrastructure.