

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005



*Si necesita ayuda para comprender esta información, por favor llame
503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

VALIDATION OF UNITS OF LAND CASE NO.: VUL25-02

APPLICATION NO.: 24-119840-PLN

NOTICE OF DECISION DATE: February 24, 2025

SUMMARY: A validation of unit of land for property unlawfully established.

REQUEST: A validation of unit of land for property unlawfully established without land use approval. The subject properties are 10.46 acres in size, zoned IC (Industrial Commercial) and located at 1500 to 1700 block of Cordon Road SE (Marion County Assessors Map and Tax Lot Number: 082W0500 / 0401 / 0200).

APPLICANT: Brandie Dalton, Multi/Tech Engineering

LOCATION: 1500 to 1700 block of Cordon Road SE, Salem OR 97317

CRITERIA: Salem Revised Code (SRC) Chapters 205.060(d) – Validation of Units of Land

FINDINGS: The findings are in the attached Decision dated February 24, 2025.

DECISION: The **Planning Administrator APPROVED** Validation of Units of Land Case No. VUL25-02 based on the application deemed complete on January 31, 2025.

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

Application Deemed Complete:	<u>January 31, 2025</u>
Notice of Decision Mailing Date:	<u>February 24, 2025</u>
Decision Effective Date:	<u>March 12, 2025</u>
State Mandate Date:	<u>May 31, 2025</u>

Case Manager: Abigail Pedersen, apedersen@cityofsalem.net, 503-540-2309

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, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m. Tuesday, March 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 Chapter(s) 205. 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 Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer 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, Room 305, City Hall, 555 Liberty Street SE, 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
VALIDATION OF UNIT OF LAND)	
CASE NO. VUL25-02)	
1500-1700 BLOCK OF CORDON ROAD SE)	FEBUARY 24, 2025

In the matter of the application for a Validation of a Unit of Land, submitted by Brandie Dalton for Muti Tech Engineering, on behalf of the owner Harrison Industries 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 for property unlawfully established.

Request: A validation of unit of land for property unlawfully established without land use approval. The subject properties are 10.46 acres in size, zoned IC (Industrial Commercial) and located at 1500 to 1700 block of Cordon Road SE (Marion County Assessors Map and Tax Lot Number: 082W0500 / 0401 / 0200).

PROCEDURAL FINDINGS

1. Proposal

The proposal seeks to validate a unit of land that was created through conveyance by deed in 2003 without land use approval. A vicinity map of the subject property is included as **Attachment A**.

A request for a validation of a unit of land must be supported by proof that it conforms to all applicable criteria imposed by the Salem Revised Code. The proposed tentative plat submitted by the applicant showing the size and configuration of the property to be lawfully established is included as **Attachment B**.

The written statement provided by the applicant including such statements of proof and addressing the applicable approval criteria associated with the application is included as **Attachment C**.

2. Background

On September 30, 2024, an application for a Validation of a Unit of Land was filed by Brandie Dalton for Muti Tech Engineering, on behalf of the owner Harrison Industries LLC, in order to lawfully establish a unit of land that was created through the recording of a deed in 2003 without receiving required land use approval.

On January 31, 2025, the application was deemed complete for processing and notice was provided pursuant to Salem Revised Code (SRC) requirements.

The state-mandated 120-day local decision deadline for the application is May 31, 2025.

3. Existing Conditions

Site and Vicinity

The subject property, described as in the provided deed and shown on the proposed plat (**Attachment B**), is a single and discrete unlawful unit of land, created after a portion of the abutting property to the southeast was transferred and consolidated, as described in Reel 1922, Page 167, Marion County Deed Records. The property is zoned IC (Industrial Commercial) and currently has no assigned address but is located in the 1500 to 1700 block of Cordon Road SE (Marion County Assessor's Map and Tax Lot Number 082W0500 / 0401 / 0200).

The subject property abuts ROW adjacent to Cordon Road SE. Whitaker Drive SE dead end into the property to the West. The property is currently a vacant lot.

Salem Area Comprehensive Plan (SACP) Designation

Urban Growth Policies: The subject property is located inside the Salem Urban Growth Boundary and inside the corporate city limits.

Comprehensive Plan Map: The subject property is designated IC "Industrial Commercial" on the Salem Area Comprehensive Plan map.

Zoning and Surrounding Land Use

The subject property is zoned IC (Industrial Commercial). The zoning of surrounding properties is as follows:

North: RS (Single Family Residential) and within Marion County Comprehensive Plan Designation SF (Single Family Residential)
South: Within Marion County Comprehensive Plan Designation Industrial
East: IC (Industrial Commercial) across Cordon Road SE
West: IC (Industrial Commercial) and RM-II (Multiple Family Residential II)

SUBSTANTIVE FINDINGS

4. 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) any 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: 24 119840.

5. Neighborhood Association and Public Comments

The subject property is located within the boundaries of the South Mill Creek Association (SEMCA).

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 land use application request do not require neighborhood association contact.

Neighborhood Association Comment: Notice of the application was provided to South Mill Creek Association pursuant to SRC 300.520(b)(1)(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 staff report, no comments were received from the Neighborhood Association.

Public Comment: Notice was also provided, pursuant to SRC 300.520(b)(1)(B) (i), (ii), (iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property. As of the date of completion of this staff report, one comment was received from the public providing support.

Staff Response:

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

6. City Department Comments

Development Services Division and City Surveyor Staff – Reviewed the proposal and provided these comments and recommendations for plat approval. At the time of Final Plat submittal, the application shall provide the required field survey and deed as per the statute and code requirements outlined in the Oregon Revised Statutes (ORS) and the Salem Revised Code (SRC). If said documents are not in compliance with the requirements outlined in the ORS and the SRC, and as per SRC 205.055, the approval of the validation of units of land plat by the City Surveyor may be delayed or held indefinitely based on the non-compliant violation.

Building and Safety Division – Reviewed the proposal and has indicated no concerns with the proposal.

Salem Fire Department – Reviewed the proposal and indicated no concerns.

7. Public Agency & Private Service Provider Comments

Private agencies and private service providers for the subject property were mailed notification of the proposal. No comments were received.

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 SRC 205.060(d) provides that an application for a Replat 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 205.060(d)(1): The unit of land is not a lawfully established unit of land.

Finding: The subject property, in its current configuration, was created in 2003 by conveyance of deed when a strip of the property to the southwest was consolidated with the property to the northeast, as described in Reel 1922, Page 167, Marion County deed records. The City of Salem would have required land use approval to adjust the property line at this time, thus causing an unlawful property line adjustment. 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 unit of land was created prior to January 1, 2007, by deed (Reel 1922, Page 167); therefore, 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 IC (Industrial Commercial) at the time of the conveyance, therefore the IC standards from 2003 were applicable. The applicant provided City of Salem zoning code Chapter 146 –IC Industrial Commercial, which was in effect when the unit of land was created by deed. In 2003, there was no minimum lot size, width or depth in the IC zone and uses other than single family dwellings required at least 16 feet of frontage. The property has more than 16 feet of frontage on Cordon Road SE; 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, and this criterion is met.

SRC 205.005(d)(4): The plat complies with SRC 205.035 and ORS 92.

¹ Notwithstanding criterion SRC205.060 (d)(3), the Review Authority may approve an application to validate a unit of land that was unlawfully created prior to January 1, 2007, if approval was issued for a permit to allow the construction of placement of a dwelling or other building on the unit of land after the sale. No approval has been issued for such construction on the subject land area.

Finding: The applicant submitted a copy of a proposed plat (**Attachment B**). The Development Services Division and City Surveyor reviewed the proposal and submitted comments describing the procedure and submittal requirements for recording of a final plat.

9. Conclusion

Based upon review of SRC 205.060, the findings contained under Section 8 above, and the comments described, the validation of unit of land 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

The tentative plat for the Validation of Unit of Land Case No. VUL25-02, for a property 10.46 acres in size, zoned IC (Industrial Commercial) and located at 1500 to 1700 block of Cordon Road SE (Marion County Assessors Map and Tax Lot Number: 082W0500 / 0401 / 0200) is hereby **APPROVED** subject to the applicable standards of the Salem Revised Code and the findings contained herein.

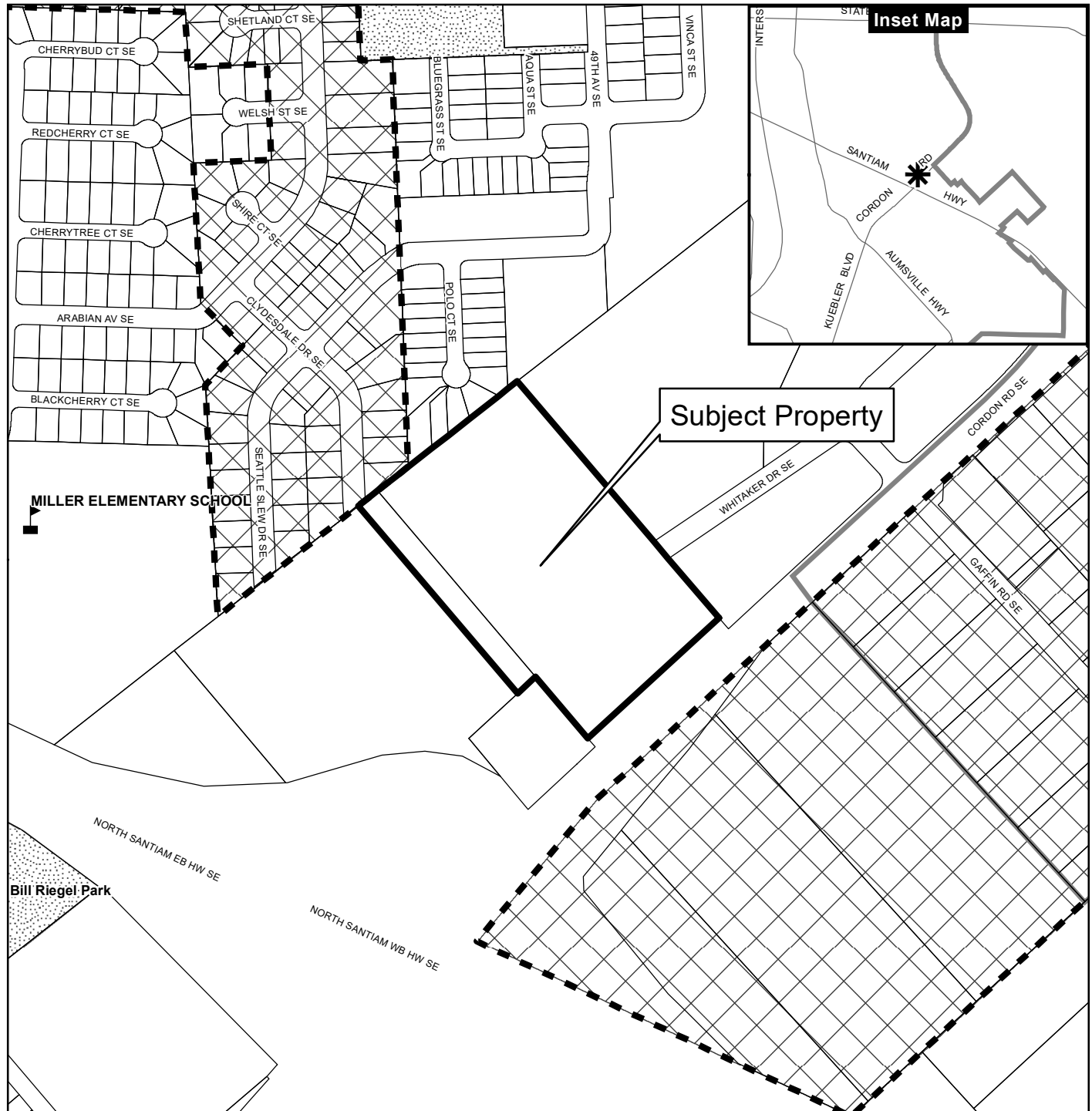


Abigail Pedersen, Planner I, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Attachments: A. Vicinity Map
 B. Applicant's Proposed Plat
 C. Applicant's Written Statement

Vicinity Map

1500 to 1700 Block of Cordon Road SE



Legend

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

- Parks

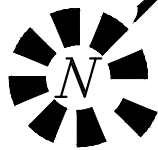
CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

0 100 200 400 Feet



PARTITION PLAT No. 2025-
FOR THE PURPOSE OF LAND VALIDATION
IN THE NW 1/4 SEC. 5, T. 8 S., R. 2 W., & SW 1/4 SEC. 32, T. 7 S., R. 2 W., W.M.
CITY OF SALEM, MARION COUNTY, OREGON



1" = 100'
DATE
#7314

GPS NORTH HELD FOR BASIS OF BEARINGS.

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227

REFERENCE DOCUMENTS:

- #1 MCSR 24936
- #2 MCSR 26300
- #3 MCSR 30038
- #4 MCSR 33593
- #5 PP 2015-18
- #6 MACLEAY ESTATES NO. 3, V. 33, P. 16, BOTP.
- #7 WILLBURG ESTATES, V. 42, P. 66, BOTP.
- #8 R. 4583, P. 227, MCDR. - VESTING DEED
- #9 R. 160, P. 1915, MCDR.
- #10 R. 779, P. 069, MCDR.
- #11 R. 869, P. 240, MCDR.
- #12 R. 891, P. 024, MCDR.
- #13 R. 1684, P. 479, MCDR.
- #14 R. 2551, P. 351, MCDR.
- #15 CITY OF SALEM NOTICE OF DECISION, APPLICATION NO.: 22-104460-ZO, & CLASS 1 DESIGN REVIEW CASE NO.: CPC-ZC-CU-UGA-SPR-ADJ-DR23-01
- #16 CHERRYWOOD ESTATES - PHASE 2, V. 43, P. 46, BOTP.
- #17 R. 3679, P. 497, MCDR.

LEGEND:

- MCSR = MARION COUNTY SURVEY RECORD
- MCDR = MARION COUNTY DEED RECORDS
- BOTP = BOOK OF TOWN PLATS
- W/YPC = WITH YELLOW PLASTIC CAP
- W/RPC = WITH RED PLASTIC CAP
- W/AC = WITH ALUMINUM CAP
- IP = IRON PIPE
- IR = IRON ROD
- P. = PAGE
- V. = VOLUME
- R. = REEL
- PP = PARTITION PLAT
- NO. = NUMBER
- LT. = LEFT
- () = RECORD DATA PER SURVEY NOTED
- [] = MEASURED AND RECORD DATA PER SURVEY NOTED
- { } = CALCULATED DATA PER SURVEY NOTED
- < > = MEASURED AND CALCULATED DATA PER SURVEY NOTED
- = FOUND MONUMENT AS NOTED - SEE MONUMENT TABLE
- = SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "MULTI/TECH ENG."
- ✕ = CALCULATED POINT
- ▲ = CALCULATED POINT BY TRANSLATED COORDINATES PER MCSR 33593.

MONUMENT TABLE:

- A = 5/8" IRON ROD W/YPC SCRIBED "MULTI/TECH ENG.", PER #5.
- B = 1/2" IRON PIPE, DOWN 0.2', PER #3.
- C1 = 5/8" IRON ROD W/YPC SCRIBED "OSHD", DOWN 0.3', PER #4.
- C2 = 5/8" IRON ROD W/YPC SCRIBED "OSHD", LOCATED 0.70' S45°35'15"W FROM CORNER, PER #4.
- D1 = 5/8" IRON ROD W/YPC SCRIBED "MULTI/TECH ENG.", PER #5.
- D2 = 5/8" IRON ROD W/YPC SCRIBED "MULTI/TECH ENG.", LOCATED 0.10' N76°07'36"E FROM CORNER, PER #5.
- D3 = 5/8" IRON ROD W/YPC SCRIBED "MULTI/TECH ENG.", LOCATED 0.21' N44°03'34"E FROM CORNER, PER #5.
- E = 1/2" IRON ROD, LOCATED 0.21' N36°51'33"E FROM CORNER, PER #5.
- F = 1/2" IRON PIPE, PER #1.
- G = 1/2" IRON PIPE, PER #1.
- H = 1/2" IRON PIPE, PER #2.
- J = 5/8" IRON ROD W/YPC SCRIBED "BARKER PLS 636, PER #16.
- K = 1/2" IRON PIPE, DOWN 0.4', LOCATED 0.53' N11°59'19"W FROM CORNER, PER #6.
- M1 = 1/2" IRON PIPE, LOCATED 0.30' S46°40'56"E FROM CORNER, CALLED 0.42' S41°E FROM CORNER IN #3, PER #1.
- M2 = 1/2" IRON PIPE, LOCATED 0.49' N00°34'42"E FROM CORNER, PER #6.
- N = IRON ROD W/RPC SCRIBED "MULTI/TECH ENG.", LOCATED 0.23' N08°04'32"W, FROM CORNER, PER #6.
- P# = 5/8" IRON ROD WITH UNREADABLE PLASTIC CAP, PER #7.
- Q1 = 5/8" IRON ROD W/RPC SCRIBED "MULTI/TECH ENG.", LOCATED 0.23' N08°04'32"W, FROM CORNER, PER #7.
- Q2 = 5/8" IRON ROD W/RPC SCRIBED "MULTI/TECH ENG.", LOCATED 0.36' S05°29'18"E, FROM CORNER, PER #7.
- R = 5/8" IRON ROD, LOCATED 0.36' S05°29'18"E FROM CORNER, PER #7.

GENERAL NOTES:

- GPS NORTH HELD FOR ROTATION. MEASUREMENTS GATHERED WITH TRIMBLE R10 MODEL 2 GNSS SYSTEM WITH A HORIZONTAL RESOLUTION OF ±0.02' +1 PPM. GPS COORDINATES BASED ON OREGON COORDINATE REFERENCE SYSTEM (O CRS) SALEM ZONE NAD83(2011), OREGON 3601 NORTH.
- ALL MONUMENTS FOUND WITHIN 0.20' OF THE SURFACE OF THE GROUND UNLESS OTHERWISE NOTED.
- ALL MONUMENTS SET FLUSH WITH THE SURFACE OF THE GROUND UNLESS OTHERWISE NOTED.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2025

SHEET INDEX:

- SHEET 1 - OVERALL LAYOUT, LEGEND, MONUMENT TABLE, REFERENCE DOCUMENTS, & GENERAL NOTES.
- SHEET 2 - DETAIL 2A, MEASURED LINE TABLE, RECORD LINE TABLE, NARRATIVE, & SURVEYOR'S CERTIFICATE.
- SHEET 3 - CITY AND COUNTY APPROVALS, DEDICATION, RECORDING INFORMATION, AND PLAT NOTES.

*PARTITION PLAT No. 2025-*_____

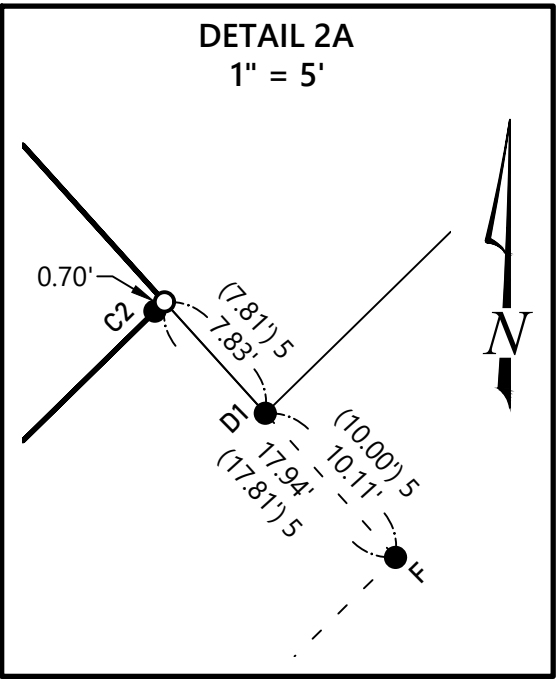
FOR THE PURPOSE OF LAND VALIDATION
IN THE NW 1/4 SEC. 5, T. 8 S., R. 2 W., & SW 1/4 SEC. 32, T. 7 S., R. 2 W., W.M.
CITY OF SALEM, MARION COUNTY, OREGON

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227

SURVEYOR'S CERTIFICATE:

I, ROBERT D. HAMMAN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND SHOWN HEREON, DESCRIBED IN INSTRUMENT NUMBER 2022-2538, AS PARCEL 3, RECORDED IN MARION COUNTY DEED RECORDS. THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, BEING A 5/8" IRON ROD, LOCATED AT THE MOST WESTERLY CORNER OF PARCEL 1, PARTITION PLAT 2015-18, MARION COUNTY BOOK OF PARTITION PLATS; THENCE ALONG THE SOUTHWESTERLY BOUNDARY OF SAID PLAT, SOUTH 42°06'10" EAST 870.99 FEET TO A 5/8" IRON ROD AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF CORDON ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE, SOUTH 45°35'15" WEST 480.39 FEET TO A 5/8" IRON ROD; THENCE LEAVING SAID RIGHT-OF-WAY, ALONG THE NORTHEASTERLY LINE OF THE PROPERTY DESCRIBED AS PARCEL 1 IN INSTRUMENT NUMBER 2022-2538, RECORDED IN MARION COUNTY DEED RECORDS, NORTH 42°08'30" WEST 248.34 FEET TO A 5/8" IRON ROD; THENCE ALONG THE NORTHWESTERLY LINE OF SAID DEED, SOUTH 45°34'50" WEST 65.81 FEET, TO A 5/8" IRON ROD; THENCE ALONG THE NORTHEASTERLY LINE OF THE PROPERTY DESCRIBED AS PARCEL 2 IN THE AFOREMENTIONED DEED, NORTH 42°05'32" WEST 665.23 FEET TO A 1/2" IRON PIPE ON THE SOUTHEASTERLY LINE OF MACLEAY ESTATES NO. 3, RECORDED AS VOLUME 33, PAGE 16, IN MARION COUNTY BOOK OF TOWN PLATS; THENCE ALONG SAID SOUTHEASTERLY LINE AND ITS EXTENSION, NORTH 50°03'17" EAST 546.21 FEET TO THE POINT OF BEGINNING AND CONTAINING 10.81 ACRES, MORE OR LESS.



ROBERT D. HAMMAN, 64202LS

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2025

NARRATIVE:

THE PURPOSE OF THIS PARTITION IS TO VALIDATE A UNIT OF LAND PER CONDITION 3 OF CITY OF SALEM NOTICE OF DECISION, APPLICATION NO.: 22-104460-ZO, AND CLASS 1 DESIGN REVIEW CASE NO.: CPC-ZC-CU-UGA-SPR-ADJ-DR23-01.

GPS NORTH WAS HELD FOR THE BASIS OF BEARINGS.

I HELD MONUMENTS "A", "D1", AND "F" FOR THE SOUTHWESTERLY BOUNDARY OF PARTITION PLAT 2015-18, BOPP.

I HELD MONUMENTS "C1" AND "C2" FOR THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CORDON ROAD. I EXTENDED THIS LINE NORTHEAST TO THE SOUTHWESTERLY BOUNDARY OF PARCEL 3, PARTITION PLAT 2015-18, BOPP, TO LOCATE THE MOST EASTERLY CORNER OF THE SUBJECT PROPERTY. THE NORTHEASTERLY LINE OF THE SUBJECT PROPERTY IS BETWEEN THE MOST EASTERLY CORNER AND MONUMENT "A".

I HELD MONUMENTS "A", "P1", "P2", AND "B" FOR THE NORTH LINE OF THE SUBJECT PROPERTY; THE SOUTHWESTERLY EXTENSION OF WHICH, FIT MONUMENT "J".

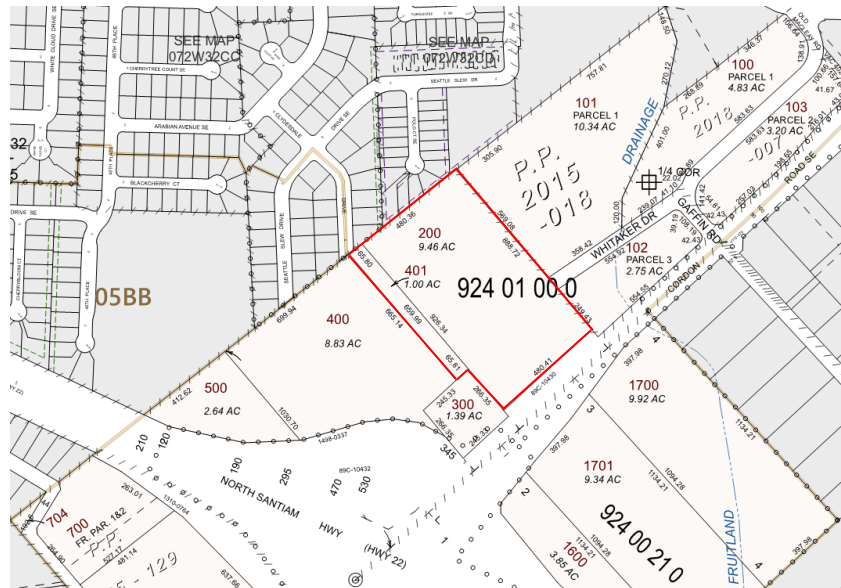
I HELD MONUMENTS "H", "C1", AND "G" FOR CORNERS OF THE PROPERTY DESCRIBED AS PARCEL 1 IN INSTRUMENT NUMBER 2022-2538 OF MARION COUNTY DEED RECORDS. I USED COORDINATES FROM MARION COUNTY SURVEY NUMBER 33593 TO CALCULATE THE LOCATION OF THE MOST SOUTHERLY CORNER OF SAID PARCEL 1. USING THESE MONUMENTS AND THE CALCULATED POINT, I PROJECTED LINES AT RECORD DISTANCES, TO LOCATE THE MOST NORTHERLY CORNER OF SAID PARCEL 1.

HOLDING MONUMENT "B", I PROJECTED A LINE SOUTHEASTERLY TO A POINT ON THE NORTHWESTERLY LINE OF SAID PARCEL 1, RECORD DISTANCE FROM MONUMENT "H", THEREBY LOCATING THE REMAINDER OF THE SOUTHWESTERLY LINE OF THE SUBJECT PROPERTY.

MEASURED LINE TABLE					
LINE #	DIRECTION	LENGTH			
L1	S50°03'17"W	54.78'			
L2	N50°03'17"E	19.31'			
L3	N50°03'17"E	46.36'			
L3	N50°03'17"E	46.36'	RECORD LINE TABLE PER #7		
L4	N50°03'17"E	101.93'	LINE #	DIRECTION	LENGTH
L5	N50°03'17"E	80.46'	L5	S50°17'42"W	80.34'
L6	N50°03'17"E	55.40'	L6	S50°17'42"W	55.35'
L7	N50°03'17"E	74.98'	L7	S50°17'42"W	75.00'
L8	N50°03'17"E	99.45'	L8	S50°17'42"W	99.58'
L9	N50°03'17"E	31.76'	L9	S50°17'42"W	31.56'
L10	N50°03'17"E	36.55'			

Validation of Unit of Land

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.

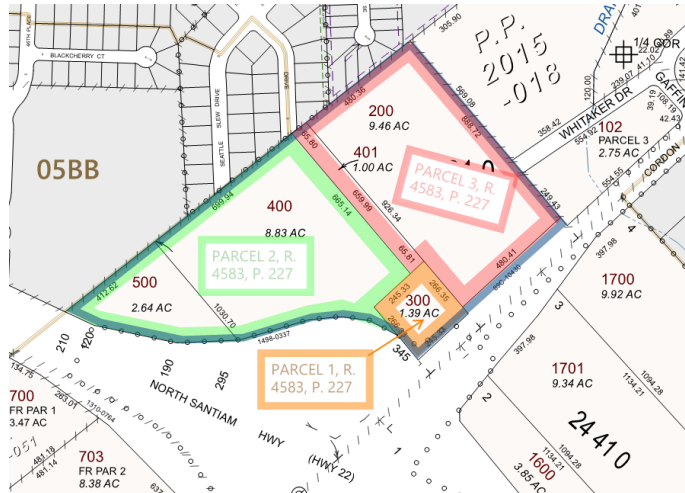
Criteria SRC 205.060(d)

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

Findings: The subject properties are identified as (082W05/Tax Lots 200 and 401). 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 200 and 401 (Parcel 3 below).



***1945 and 1975:** Tax Lot 200 was created as a portion of Parcel 3 (Reel 4583, Page 227) in 1945 by MCSR 10020. The southwesterly line of Tax lot 200 was created in 1975 by MCSR 24936. 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 401 was created as a portion of Parcel 3 (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 property was originally created in 1945 via MCSR 10020 and MCSR 6545. Tax Lot 200 was created in 1945 AND 1975 through surveys (#10020 and #24936) 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. This 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: 9.46 acres (Tax Lot 200)
1.00 acre (Tax Lot 401)

Lot Width:

Required: None Existing: 480.41 feet (Tax Lot 200)
65.30 feet (Tax Lot 401)

Lot Depth:

Required: None Existing: 888.72 feet (Tax Lot 200)
665.99 feet (Tax Lot 401)

Street Frontage:

Required: 16 feet Existing: 480.41 feet (Tax Lot 200 frontage on Cordon Road)
30 feet (Tax Lot 401 frontage on Clydesdale Drive)

4. ***The plat complies with SRC 205.035 and ORS 92. Development with the tentative partition plan can be adequately served by City infrastructure.***

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 serves are available adjacent to the site. The subject property can be adequately served by City infrastructure.