

**TO:** Hearings Officer

**FROM:** Lisa Anderson-Ogilvie, AICP, Deputy Community Development Director and Planning Administrator

**STAFF:** Aaron Panko, Planner III

**HEARING DATE:** January 27, 2021

**APPLICATION:** Quasi-Judicial Zone Change Case No. 20-02

**LOCATION:** 5730 Culver Drive SE – see Attachment A

**SIZE:** Approximately 29.5 acres

**REQUEST:** A Zone Change from IBC (Industrial Business Campus) to IG (General Industrial) for Lots 1, 2, 3 and 5 of Phase 2, and Lots 6 and 8 of Phase 3 for the Salem Business Campus Subdivision (SUB-ADJ09-02MOD2), for property approximately 29.5 acres in size, and located at 5730 Culver Drive SE - 97317

**APPLICANT/OWNER:** City of Salem

**REPRESENTATIVE:** Tory Banford, City of Salem, Urban Development Department

**APPROVAL CRITERIA:** Quasi-Judicial Zone Change: Salem Revised Code, Ch. 265

**RECOMMENDATION:** **APPROVE** Zone Change from IBC (Industrial Business Campus) to IG (General Industrial), subject to the following condition of approval:

**Condition 1:** Future use and development on the subject property shall be required to adhere to the development standards identified in Exhibit A. Deviations from the development standards contained in Exhibit A may be allowed through the Adjustment or Variance process.

## **BACKGROUND**

On December 7, 2020 a zone change application was filed for the subject property by Tory Banford, City of Salem Urban Development Department, on behalf of the applicant and property owner, the City of Salem. The application was deemed complete for processing on December 31, 2020.

The public hearing before the City of Salem Hearings Officer is scheduled for January 27, 2021, at 5:30 p.m. Notice of public hearing was sent by mail to surrounding property owners and tenants, pursuant to Salem Revised Code (SRC) requirements, on January 7, 2021.

Public hearing notice was also posted on the property on January 15, 2021, pursuant to SRC requirements.

The state-mandated 120-deadline to issue a final local decision for this case is April 30, 2021.

## **PROPOSAL**

The subject property is currently zoned IBC (Industrial Business Campus). The applicant has submitted a zone change application requesting to change the existing IBC zoning designation to IG (General Industrial) for proposed lots 1, 2, 3, 5 and 6 from Phase 2 and lots 6 and 8 from Phase 3 of the Salem Business Campus subdivision (**Attachment B**). The combined size of the property subject to this zone change request is approximately 29.5 acres. The remaining property within the Salem Business Campus will retain its current IBC zoning designation.

## **SUMMARY OF RECORD**

The following items are submitted to the record and are available upon request: All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; any materials and comments from public agencies, City Departments, Neighborhood Associations, and the public; and all documents referenced in this report.

## **APPLICANT'S STATEMENT**

A request for a zone change must be supported by proof that it conforms to all applicable criteria imposed by the Salem Revised Code. The applicant submitted a written statement, which is included in its entirety as **Attachment C** in this staff report. Staff utilized the information from the applicant's statements to evaluate the applicant's proposal and to compose the facts and findings within the staff report.

## **FACTS AND FINDINGS**

### **1. Salem Area Comprehensive Plan (SACP) Designation**

The Salem Area Comprehensive Plan (SACP) map designates the subject property as "Industrial." This designation indicates the location of industrial uses. Location of industrial land requires consideration of potentially heavier demands on public facilities significant impacts on the environment, and vehicular traffic. The intent is to provide a variety of industrial sites for all types of industrial uses throughout the Salem urban area.

Because the proposed IG (General Industrial) zoning is consistent with the "Industrial" Comprehensive Plan designation, a concurrent Comprehensive Plan Map Amendment is not required for this zone change request.

The Comprehensive Plan designations of surrounding properties include:

Northeast: Across Culver Drive SE – City of Salem Urban Growth Boundary  
Northwest: City of Salem Urban Growth Boundary

Southeast: City of Salem Urban Growth Boundary  
Southwest: Across Gaffin Road SE – “Industrial”

The property is located outside of the Urban Service Area. An Urban Growth Area Preliminary Declaration was previously approved for the subject property (UGA08-03) which outlines the public facilities required to serve the subject property.

## **2. Zoning of Surrounding Properties**

The subject property is currently zoned IBC (Industrial Business Campus).

The zoning of surrounding properties is described as follows:

Northeast: Across Culver Drive SE – Marion County SA (Special Agriculture) zoning  
Northwest: Marion County SA (Special Agriculture) zoning  
Southeast: Marion County SA (Special Agriculture) zoning  
Southwest: Across Gaffin Road SE – IG (General Industrial)

## **3. Neighborhood and Citizen Comments**

The subject property is located within the boundaries of the Southeast Mill Creek Association (SEMCA). Notification of the request was provided on December 31, 2020 to the neighborhood association, surrounding property owners and tenants of record within 250 feet of the property. The property is not within a Homeowner’s Association.

At the time of writing this staff report, no comments have been received from SEMCA. Two comments were received from adjacent property owners with questions and concerns regarding the through street, Gaia Street SE planned between Gaffin Road SE and Culver Drive SE, and regarding traffic and noise generated by the Amazon package delivery center.

**Staff Response:** Gaia Street SE has been previously approved as part of the Salem Business Campus Phased Subdivision to extend between Gaffin Road SE and Culver Drive SE; this zone change request does not modify or alter the requirements for Gaia Street SE. The Amazon package delivery center was also previously approved for the Salem Business Campus; the proposed zone change does not include the Amazon property.

## **4. City Department and Public Agency Comments**

The Public Works Department has reviewed the proposal and provided a memo included as **Attachment D**.

The Building and Safety Division reviewed the proposal and indicated no concerns with the zone change request.

The Fire Department reviewed the proposal and indicated no concerns with the zone change request.

## 5. Public Agency and Private Service Provider Comments

At the time of writing this staff report, no comments were received from any public agencies or private service providers.

## 6. Criteria for Granting a Quasi-Judicial Zone Change

The following analysis addresses the proposed zone change for a portion of the subject property currently zoned IBC (Industrial Business Campus) and proposed to be changed to IG (General Industrial).

SRC Chapter 265.005 provides the criteria for approval for Quasi-Judicial Zone Changes. In order to approve a quasi-judicial Zone Map amendment request, the review authority shall make findings based on evidence provided by the applicant demonstrating that all the following criteria and factors are satisfied. The extent of the consideration given to the various factors set forth below will depend on the degree of impact of the proposed change, and the greater the impact of a proposal on the area, the greater is the burden on the applicant to demonstrate that, in weighing all the factors, the zone change is appropriate.

The applicable criteria and factors are stated below in **bold** print. Following each criterion is a response and/or finding relative to the amendment requested.

**SRC 265.005(e)(1)(A). The zone change is justified based on one or more of the following:**

**(i) A mistake in the application of a land use designation to the property;**

**Finding:** The applicant does not identify a mistake in the application of a land use designation to the property.

**(ii) A demonstration that there has been a change in the economic, demographic, or physical character of the vicinity such that the proposed zone would be compatible with the vicinity's development pattern; or**

**Applicant Response:** The proposal is to change the zone from Industrial Business Campus to General Industrial. Both designations are for industrial uses. The proposed change is compatible with the vicinity's development pattern. This standard is met. The market demand has been from smaller, flex users, across a variety of industries, including manufacturing. Allowing manufacturing uses in the IBC zone has been challenging from the beginning. We have had to turn away projects because of the limitations of the IBC zone. We're not seeing interest from office uses or other commercial uses allowed in the IBC. We believe this trend will continue following COVID-19, particularly with the shortage of shovel ready land for general industrial and manufacturing uses in Portland and along the I-5 corridor. The demand for IG uses is due to market forces, not necessarily the economic or physical character of the area. We're seeing similar market demand from general industrial and manufacturing uses at the Mill Creek Corporate Center.

**Finding:** The applicant states that the proposed zone change is justified in part due to change in the economic, demographic, or physical character of the vicinity. Development of the Salem Business Campus, formerly known as the Salem Renewable Energy and Technology Park, began in 2008-2009 with approval of a phased subdivision for approximately 79 acres of industrial land, construction of the 130,000 square foot solar manufacturing facility operated by Sanyo Solar, owned by Panasonic Corp., and construction of a Portland General Electric substation on Culver Road SE.

In March 2018, Sanyo Solar stopped production and closed its plant in Salem. The building has been repurposed by Amazon to operate a package delivery station, including an expansion of the vehicle use area and additional off-street parking, loading areas, and storage for delivery vehicles. Although the City has been approached over the years by several different businesses interested in the subject property, no other development has occurred for the remaining approximately 48.6 acres at the Salem Business Campus.

The applicant identifies economic demand along the I-5 corridor, as well as at the Mill Creek Corporate Center, for shovel ready industrial land, primarily for manufacturing uses. The proposed zone change would allow for a greater variety of general manufacturing uses and heavy manufacturing permitted for the subject property in response to economic forces of the region.

- (iii) **A demonstration that the proposed zone change is equally or better suited for the property than the existing zone. A proposed zone is equally or better suited than an existing zone if the physical characteristics of the property are appropriate for the proposed zone and the uses allowed by the proposed zone are logical with the surrounding land uses.**

**Applicant Response:** The current zone of Industrial Business Campus and the proposed General Industrial are very similar zones and are at least equally suited for this site. Market trends and uses in the vicinity show that the General Industrial zone is better suited for the proposed development at this site. This standard is met. The market demand at the Salem Business Campus continues to be from general industrial and manufacturing uses, as well as warehouse and distribution. The uses surrounding the Salem Business Campus include bus parking, trailer storage, agriculture, and auto repair. These uses are more compatible with the IG zone than with IBC zone.

**Finding:** The uses identified by the applicant that surround the Salem Business Campus are on properties that are zoned IG. Both the IBC and IG zones share a similar list of permitted uses, however the IG zone allows more opportunity for uses in the manufacturing and motor vehicle, trailer, and manufactured dwelling sales and services use categories, and less opportunity for uses in the retail sales and service and business and professional services use categories. The IG zone has less restrictive standards for landscaping, setbacks and screening of outdoor storage areas than the current IBC zone.

Staff concurs that the proposed change from IBC (Industrial Business Campus) to IG

(General Industrial), is equally or better suited for the subject property, and is compatible with the zoning for the surrounding area, in compliance with this approval criterion.

**(B) If the zone change is City-initiated, and the change is for other than City-owned property, the zone change is in the public interest and would be of general benefit.**

**Finding:** The proposed zone change has been initiated by the City of Salem as a private landowner for property at the Salem Business Campus. Because the zone change request has been initiated by the City for property owned by the City, this criterion does not apply.

**(C) The zone change complies with the applicable provisions of the Salem Area Comprehensive Plan.**

**Finding:** The applicable Goals and Policies of the Comprehensive Plan are addressed as follows:

Salem Urban Area Goals and Policies, General Development (Pages 23-26, Salem Comprehensive Policies Plan):

*To ensure that future decisions concerning the use of land within the Salem urban area are consistent with State Land Use Goals.*

Economic Growth B.3

*Economic growth which improves and strengthens the economic base of the Salem urban area should be encouraged.*

**Finding:** The applicant indicates that the proposed zone change strengthens the economic base of the City and that the proposed IG zoning designation would allow for uses and development which more closely align with the businesses that have expressed interest in the Salem Business Campus, some of which have been turned away because of the current zoning.

Development Compatibility B.12

*Land use regulations which govern the siting of any development shall encourage development to reduce its impact on adjacent properties by screening, landscaping, setback, height, and mass regulations.*

**Finding:** The setback, landscaping and screening requirements of the zoning code help to buffer incompatible land uses. To maintain a greater degree of development compatibility with the surrounding land uses, staff recommends that the development standards of the current IBC zoning, which requires a greater percentage of landscaping and greater required setbacks than the proposed IG zone, be carried forward and apply to future development of the subject property.

**Condition 1:** Future use and development on the subject property shall be required to adhere to the development standards identified in Exhibit A. Deviations from the development standards contained in Exhibit A may be allowed through the Adjustment or Variance process.

Salem Urban Area Goals and Policies, Economic Development (Page 36-37, Salem Comprehensive Policies Plan):

*Strengthen the economic base of the Salem area to sustain the economic growth necessary to provide adequate employment opportunities and maintain community livability.*

*Grow and attract traded-sector businesses, especially businesses with above average wages.*

Traded-Sector Industries H.4

*The contributions to the economic base by the significant sources of traded-sector employment and their importance to the future growth of employment in Salem should be recognized and maintained.*

**Finding:** In addition to the zoning code use and development standards, the Salem Business Campus is subject to Conditions, Covenants and Restrictions (CC&R's) to which the City of Salem is a party. Future uses permitted for the Salem Business Campus will be required to comply with the CC&R's, which emphasize traded-sector businesses, defined as a business that produces goods or services to sell, for profit, and distributes such goods and services throughout the local community and exports outside the local community. Future uses permitted for the Salem Business Campus will contribute to the economic base and employment growth in Salem, in compliance with the Comprehensive Plan.

**(D) The zone change complies with applicable Statewide Planning Goals and applicable administrative rules adopted by the Department of Land Conservation and Development.**

**Finding:** *The applicable Statewide Planning Goals are addressed as follows:*

**Statewide Planning Goal 1 – Citizen Involvement:** *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

**Staff Response:** Prior to submitting the zone change application to the City of Salem, the applicant contacted the Southeast Mill Creek Association, pursuant to SRC 300, to apprise them of the zone change request. A public hearing notice was mailed to the affected property owners, all property owners and tenants within 250 feet of the subject property, and to the Southeast Mill Creek Association. The property is not located within a Homeowner's Association. This satisfies Citizen Involvement described in Goal 1.

**Statewide Planning Goal 2 – Land Use Planning:** *To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

**Staff Response:** The City has complied with the Goal requirements for establishing and maintaining a land use planning process. The Oregon Land Conservation and Development Commission have acknowledged the Salem Area Comprehensive Plan to be in compliance with the Statewide Planning Goals.

**Statewide Planning Goal 3 – Agricultural Lands; Goal 4 – Forest Lands**

**Staff Response:** The subject property is not identified as agricultural or forest land, these Statewide Planning Goals are not applicable to this application.

**Statewide Planning Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources:** *To protect natural resources and conserve scenic and historic areas and open spaces.*

**Staff Response:** While there are no known historic resources or archaeological sites within the project area, the proposed project is within a known high probability archeological area and within Salem's Historic and Cultural Protection zone due to its proximity to Davidson Creek. Prior initiation of work, applicant shall consult with the Oregon SHPO and verify that there will be no adverse effect to archaeological resources as a result of the ground disturbance proposed during the ground disturbing activity associated with the proposed project and demonstrating compliance with Goal 5.

**Statewide Planning Goal 6 – Air, Water, and Land Resources Quality:** *To maintain and improve the quality of the air, water and land resources of the state.*

**Staff Response:** Land located within the Urban Growth Boundary is considered urbanizable and is intended to be developed to meet the needs of the City, and the effects of urban development on air, water and land resources are anticipated. Future development of the property is subject to tree preservation, stormwater and wastewater requirements of the UDC which are intended to minimize the impact of development on the state's natural resources.

**Statewide Planning Goal 7 – Areas Subject to Natural Hazards:** *To protect people and property from natural hazards.*

**Staff Response:** There are two mapped waterways which flow across the subject property, Davidson Creek and an unnamed waterway. The subject property is not within a flood zone. The subject property does not contain mapped landslide hazards. Future development will be subject to the geological and geotechnical requirements of SRC Chapter 810 (Landslide Hazards). This zone change proposal is consistent with Goal 7.

**Statewide Planning Goal 8 – Recreational Needs:** *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary*



*recreational facilities including destination resorts.*

**Staff Response:** The subject property is not within an identified open space, natural or recreational area, and no destination resort is planned for this property, therefore, Goal 8 is not applicable to this proposal.

**Statewide Planning Goal 9 – Economic Development:** *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

**Staff Response:** In 2014, the City conducted a study called the Salem Economic Opportunities Analysis (EOA). The EOA examined Salem's needs for industrial and commercial land through 2035 and concluded that Salem has a projected commercial land shortage of 271 acres and a surplus of approximately 907 acres of industrial land. The EOA provides strategies to meet the projected employment land needs in the Salem area. In 2015, the City Council voted to adopt the EOA; the City now uses the EOA and its findings to inform policy decision, including how to respond to request for rezoning land.

The applicant indicates that the proposed zone change strengthens the economic base of the City and that the proposed IG zoning designation would allow for uses and development which more closely align with the businesses that have expressed interest in the Salem Business Campus, some of which have been turned away because of the current zoning. The proposal will not have an impact on the supply of available industrial land and will not affect the City's ability to meet Goal 9.

**Statewide Planning Goal 10 – Housing:** *To provide for the housing needs of citizens of the state.*

**Staff Response:** In 2014, the City conducted a Housing Needs Analysis (HNA) to develop strategies for the community to meet housing needs through 2035 and to inform policy decision related to residential land. The HNA concluded that Salem has a projected 1,975-acre surplus of land for single-family detached housing, and that there is a deficit of approximately 207 acres of available multi-family zoned land.

The proposed zone change would change the current IBC (Industrial Business Campus) zoned property to IG (General Industrial). Both designations do not allow for residential development. The property does not contain any residential uses and there are no plans for residential housing. This zone change proposal has no impact to the city's housing inventory and complies with this goal.

**Statewide Planning Goal 11 – Public Facilities and Services:** *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

**Staff Response:** The subject property is within the Urban Service area. Water, sewer, and storm infrastructure is currently available within adjacent streets and areas and appears to be adequate to serve the property. Site specific infrastructure requirements will be addressed in the Site Plan Review process in SRC Chapter 220. The zone change request allows for the efficient use and development of property requiring minimal

extension of new public services.

**Statewide Planning Goal 12 – Transportation:** *To provide and encourage a safe, convenient and economic transportation system.*

Goal 12 is implemented by the Transportation Planning Rule (TPR). In summary, the TPR requires local governments to adopt Transportation System Plans (TSPs) and requires local governments to consider transportation impacts resulting from land use decisions and development. The key provision of the TPR related to local land use decisions is Oregon Administrative Rule (OAR) 660-012-0060. This provision is triggered by amendments to comprehensive plans and land use regulations that “significantly affect” a surrounding transportation facility (road, intersection, etc.).

The proposed zone change is from Industrial Business Campus to General Industrial. Both zones are implemented by the Industrial designation in the Comprehensive Plan. The zone change is consistent with the existing Comprehensive Plan map designation and does not change the Comprehensive Plan map. Also, the proposed zone change is consistent with the Salem TSP and all land within the Urban Growth Boundary is accounted for and planned for in the Salem TSP. Pursuant to OAR 660-012-0060(9), the local government finds that the proposed amendment to the zoning map does not significantly affect an existing or planned transportation facility.

**Statewide Planning Goal 13 – Energy Conservation:** *To conserve energy.*

**Staff Response:** The zone change request is for vacant undeveloped property, however City services are located nearby and require minimal extension to serve the property. Future development of the property will be required to comply with current development and building standards for energy efficiency, consistent with Goal 13.

**Statewide Planning Goal 14 – Urbanization:** *To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

**Staff Response:** The subject property is located outside of the Urban Service Area. An Urban Growth Area Preliminary Declaration was previously approved for the subject property, which outlines the required public facilities to serve future development of the property. The Public Works Department indicates that existing urban services, including water, sewer, and storm infrastructure are available within surrounding streets and areas and are adequate to serve future development of the subject property. The proposal provides for efficient use of urbanized land within the Urban Growth Boundary, consistent with Goal 14.

**Statewide Planning Goal 15 – Willamette River Greenway; Goal 16 – Estuarine Resources; Goal 17 – Coastal Shorelands; Goal 18 – Beaches and Dunes; and Goal 19 Ocean Resources**

**Staff Response:** The subject property is not located within the Willamette River Greenway or in an estuary or coastal area, these Statewide Planning Goals are not

applicable to this application.

- (E) *If the zone change requires a comprehensive plan change from an industrial use designation to a non-industrial use designation, or from a commercial or employment designation to any other use designation, a demonstration that the proposed zone change is consistent with the most recent economic opportunities analysis and the parts of the Comprehensive Plan which address the provision of land for economic development and employment growth; or be accompanied by an amendment to the Comprehensive Plan to address the proposed zone change; or include both the demonstration and an amendment to the Comprehensive Plan.***

**Finding:** The proposed IG (General Industrial) zone is implemented by the current Industrial designation; therefore, a change to the comprehensive plan map designation for the property is not required for the proposed zone change, this criterion is not applicable.

- (F) The zone change does not significantly affect a transportation facility, or, if the zone change would significantly affect a transportation facility, the significant effects can be adequately addressed through the measures associated with, or conditions imposed on, the zone change.**

**Finding:** The proposed zone change is from Industrial Business Campus to General Industrial. Both zones are classified as Industrial in the Comprehensive Plan. The zone change is consistent with the existing Comprehensive Plan map designation and does not change the Comprehensive Plan map. Also, the proposed zone change is consistent with the Salem TSP and all land within the Urban Growth Boundary is accounted for and planned for in the Salem TSP. Pursuant to OAR 660-012-0060(9), the local government finds that the proposed amendment to the zoning map does not significantly affect an existing or planned transportation facility.

- (G) The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed zone.**

**Finding:** The water, sewer, and storm infrastructure are available within surrounding streets and areas and appear adequate to serve future development. Site-specific infrastructure requirements will be addressed in the Site Plan Review process pursuant to SRC Chapter 220.

## **CONCLUSION**

Based on the facts and findings presented herein, staff concludes that the proposed Quasi-Judicial Zone Change satisfies the applicable criteria contained under SRC 265.005(e).

## **RECOMMENDATION**

Based upon the Facts and Findings contained in this staff report, staff recommends that the Hearings Officer APPROVE the request for a quasi-judicial zone change from IBC (Industrial Business Campus) to IG (General Industrial), for the property approximately 29.5 acres in

size, and located at 5730 Culver Drive SE – 97317, subject to the following condition of approval:

**Condition 1:** Future use and development on the subject property shall be required to adhere to the development standards identified in Exhibit A. Deviations from the development standards contained in Exhibit A may be allowed through the Adjustment or Variance process.

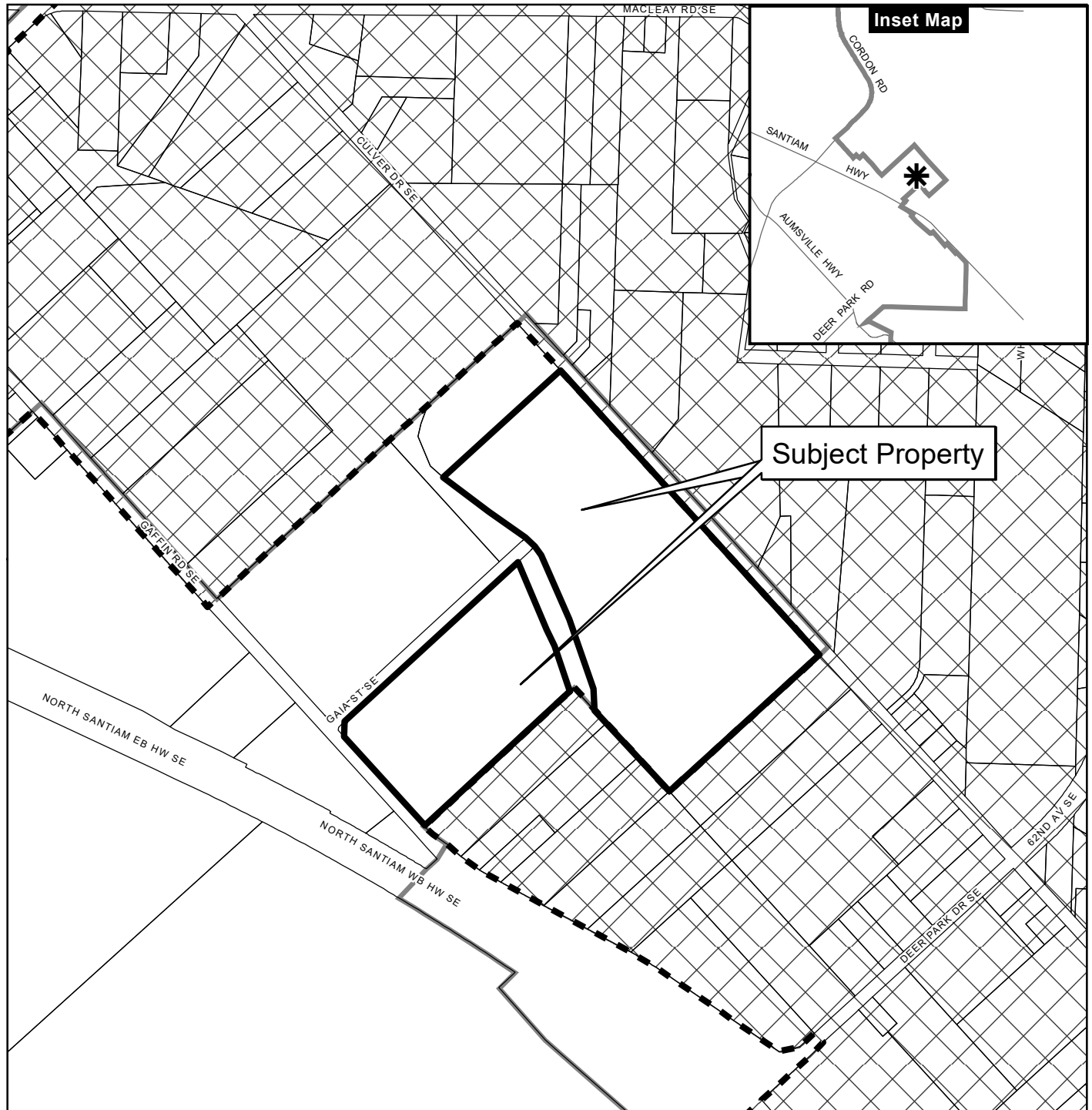
Application Deemed Complete Date: December 31, 2020  
State Mandated Decision Date: April 30, 2021

Attachments: A. Vicinity Map  
B. Zoning Map  
C. Applicant's Written Findings  
D. Public Works Memo

Exhibits: A. Development Standards

Prepared by Aaron Panko, Planner III

# Vicinity Map 5730 Culver Drive SE



Subject Property

## Legend

Taxlots

Urban Growth Boundary

City Limits

Outside Salem City Limits

Historic District

Schools

Parks

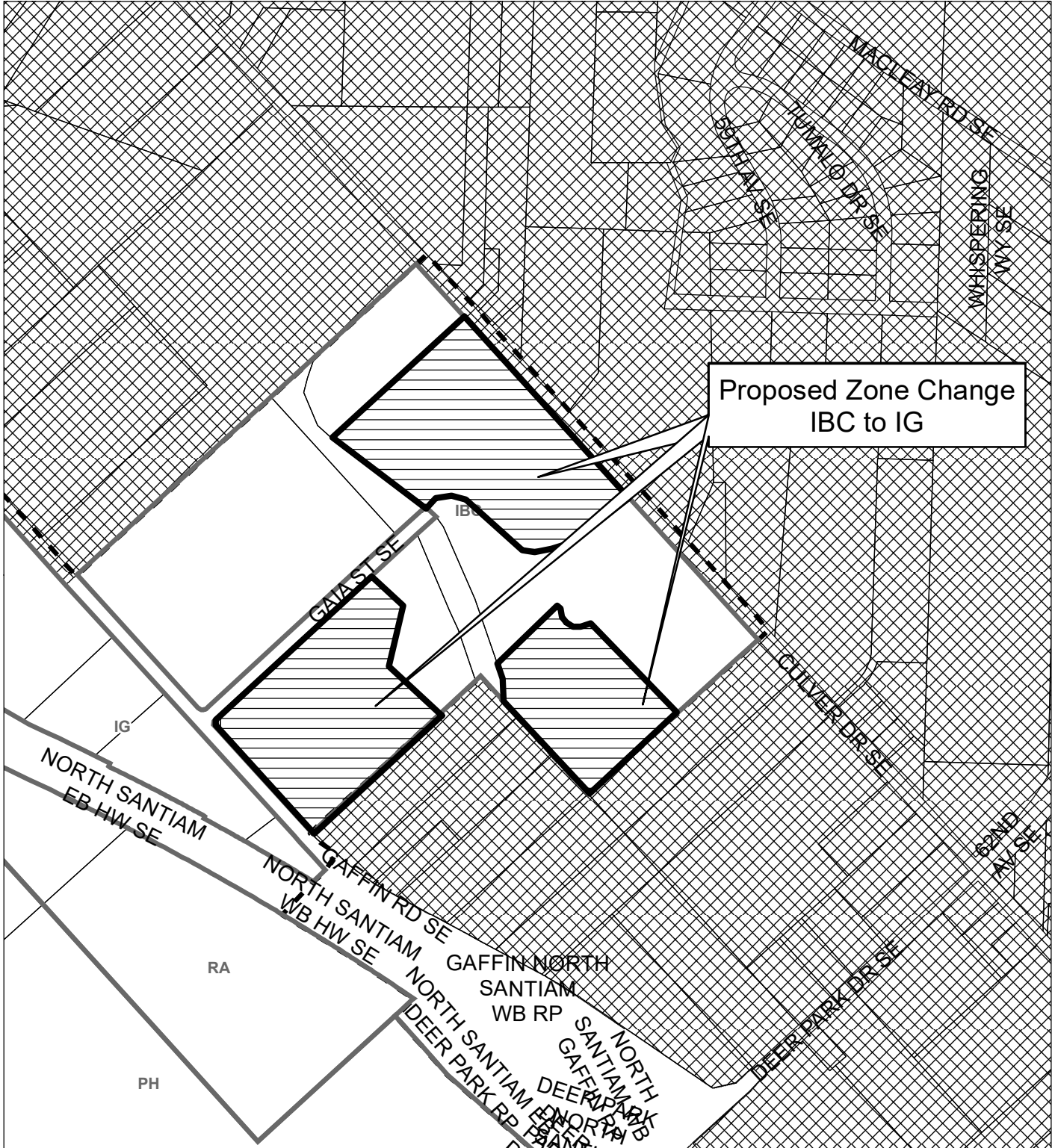
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Community Development Dept.

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




# Vicinity Zoning - 5730 Culver Drive SE



Proposed Zone Change  
IBC to IG

**Legend**

- |   |   |
|---|---|
|  <b>RS</b> Base Zoning     |  Taxlots |
|  Urban Growth Boundary     |  Parks   |
|  Outside Salem City Limits |  Schools |

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CITY OF *Salem*  
AT YOUR SERVICE  
Community Development Dept.

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## **EXHIBITS**

1. Land Use Application Form
2. Deeds/Title
3. Pre-Application Waiver
4. Owner's Association (City Owned Property and Majority Holder)
5. TIA and TIA Update
6. Transportation Planning Rule Analysis (NA, no change to Comp Plan)
7. Existing Conditions Plan



## **I. PROJECT SUMMARY**

**Owner:** City of Salem  
555 Liberty Street SE  
Salem, OR 97301

**Applicant:** City of Salem  
555 Liberty Street SE  
Salem, OR 97301

**Site Address:** 5730 Culver Rd SE

**Site Acreage:** 29.54 acres

**Zoning:** Industrial Business Campus (IBC)

**Zoning Overlay(s):** None

**Comprehensive Plan:** Industrial (I)

**Neighborhood Association:** Southeast Mill Creek Association (SEMCA)

**Adjacent Zoning:** Lots 1, 2, 3 tax lot: 082W04B01800 and lots 5, 6, 8 tax lot: 082W04B01600 Industrial Business Campus (IBC) to the North and East General Industrial (IG) to the West Marion County Special Agricultural (SA) to the South

**Existing Structures:** None

**Request:** Zone change request to convert 29.54 acres from Industrial Business Campus to General Industrial.

**Project Contact:** Tory Banford  
City of Salem – Urban Development Dept  
350 Commercial St. NE  
Salem, OR 97301  
503-540-2445  
tbanford@cityofsalem.net

## **II. INTRODUCTION**

The Salem Business Campus, formerly the Salem Renewable Energy and Technology Center, was created in 2006, at the direction of the Salem City Council, to prepare land for traded sector companies to locate and benefit the community through a variety of new jobs and wages. There were developments in 2008 and 2009, but interest in the area waned post-recession.

As development interest returned, City Council and community members were concerned about construction impacting the existing groves of significant trees in the area. As a result, the subdivision for the Salem Business Campus has changed to balance industrial development while protecting oak groves through the delineation of conservation areas and development lots.

Motivated by regional and local market factors, the applicant is proposing to rezone three parcels near the intersection of Gaffin Rd SE and Gaia St SE from Industrial Business Campus to General Industrial. The proposed change maintains the Industrial comprehensive plan designation, but analysis and interest in the site have shown that the General Industrial uses are better suited to meet market demand. The General Industrial designation is consistent with surrounding zoning in area and complies with the City's Comprehensive Plan and statewide planning goals adopted by the Department of Land Conservation and Development.

The City of Salem has invested in public infrastructure to prepare for industrial development on these lots and they remain vacant for the last 11 years. There have been several inquiries recently and the market interest uses are more aligned with the General Industrial zone designation. The proposal to change the zoning to General Industrial will promote development of the site, provide employment opportunities, and efficiently use land within the City of Salem.

### **Site Description**

The site consists of five lots located on Gaia Street SE in the Salem Business Campus.

- Lot 1 – 3.00 acres
- Lot 2 – 2.03 acres
- Lot 3 – 6.00 acres
- Lot 5 – 8.23 acres
- Lot 6 – 4.9 acres
- Lot 8 – 5.38 acres

The site is flat, without structures, and little vegetation. There is a vegetated conservation area located north of lot 3. Adjacent properties to lots 1, 2 and 3 are zoned the following. Industrial Business Campus (IBC) to the North and East. General Industrial (IG) to the West and Marion County Special Agricultural (SA) to the South. Surrounding uses include a single family residential to the south and an RV and boat storage across Gaffin Road SE to the West. Lots to the North and East are vacant. The zoning to the north and west of lots 5, 6, and 8 is Marion County Special Agriculture, and Industrial Business Campus to the east and south.

## An aerial photograph of a property. The property is outlined in yellow and contains several areas outlined in purple. The property is situated near a road labeled 'BROADWAY' and 'SANDY'. The property includes a large white building, a parking lot, and several smaller structures. The surrounding area includes residential lots and green fields.

[illegible]

## 3

## Land Use District Classifications

Current zoning Industrial Business Campus:

Industrial Business Campus (IBC): The IBC zone allows a mixture of light industrial, employment, and office uses, together with some small-scale commercial uses. The development standards within the zone require well-landscaped, attractive, and cohesive developments.

Proposed zoning General Industrial:

General Industrial (IG): The IG zone generally allows a wide range of manufacturing, distribution, and storage uses, and prohibits uses that are incompatible with industrial development.

Approval of the zone change from Industrial Business Campus to General Industrial will allow for market-supported development of the subject site, providing for efficient use of land within the City of Salem.

### III. APPROVAL CRITERIA

#### Salem Revised Code

***Sec. 265.005. - Quasi-judicial zone changes.***

*(a) Applicability. This section applies to any quasi-judicial zone change, other than a zone change by operation of law under SRC 265.015.*

**Response:** This application is for a property owner-initiated zone change, this section applies.

*(b) Standing to initiate quasi-judicial zone change. A quasi-judicial zone change may be initiated only by the Council, the Planning Commission, or the owner of the property subject to the proposed zone change, or that owner's agent.*

**Response:** The City of Salem is the owner of the property and the applicant initiating the zone change. The City has standing. This standard is met.

*(c) Procedure type. A quasi-judicial zone change is processed as a Type III procedure under SRC chapter 300.*

**Response:** The applicant acknowledges that a zone change is processed as Type III procedure and has met the applicable requirements and standards under SRC Chapter 300.

*(d) Submittal requirements. In addition to the submittal requirements for a Type III application under SRC chapter 300, an application for a quasi-judicial zone change shall include the following:*

*(1) An existing condition plan of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:*

*(A) The total site area, dimensions, and orientation relative to north;*

*(B) The location of existing structures and other improvements on the site, including accessory structures, fences, walls, and driveways, noting their distance from property lines; and*

*(C) The location of drainage patterns and drainage courses, if applicable;*

**Response:** An existing condition plan containing necessary information has been submitted as Exhibit 7.

*(2) A traffic impact analysis, if required, in the format specified, and based on thresholds specified in standards established, by the Director.*

**Response:** A traffic impact analysis was completed in 2009 and updated in 2019 and used to frame the transportation improvements that are the conditions for plat approval noted in subdivision 09-2/SUB-ADJ09-02MOD2. The conditions for phase 1 have been met and the City of Salem will satisfy the conditions of approval for phase 2 when development on lots 1,2, 3, and 5 is likely; namely, the design of Gaia St SE and the construction of the cul-de-sac for Gaia St SE. This standard is met.

*(e) Criteria.*

*(1) A quasi-judicial zone change shall be granted if all of the following criteria are met:*

*(A) The zone change is justified based on the existence of one or more of the following:*

*(i) A mistake in the application of a land use designation to the property;*

**Response:** A mistake in application was not made for this site. This standard does not apply.

*(ii) A demonstration that there has been a change in the economic, demographic, or physical character of the vicinity such that the proposed zone would be compatible with the vicinity's development pattern; or*

**Response:** The proposal is to change the zone from Industrial Business Campus to General Industrial. Both designations are for industrial uses. The proposed change is compatible with the vicinity's development pattern. This standard is met. The market demand has been from smaller, flex users, across a variety of industries, including manufacturing. Allowing manufacturing uses in the IBC zone has been challenging from the beginning. We have had to turn away projects because of the limitations of the IBC zone. We're not seeing interest from office uses or other commercial uses allowed in the IBC. We believe this trend will continue following COVID-19, particularly with the shortage of shovel ready land for general industrial and manufacturing uses in Portland and along the I-5 corridor. The demand for IG uses is due to market forces, not necessarily the economic or physical character of the area. We're similar market demand from general industrial and manufacturing uses at the Mill Creek Corporate Center.

*(iii) A demonstration that the proposed zone is equally or better suited for the property than the existing zone. A proposed zone is equally or better suited for the property than an existing zone if the physical characteristics of the property are appropriate for the proposed zone and the uses allowed by the proposed zone are logical with the surrounding land uses.*

**Response:** The current zone of Industrial Business Campus and the proposed General Industrial are very similar zones and are at the least equally suited for this site. Market trends and uses in the vicinity show that the General Industrial zone is better suited for the proposed development at the site. This standard is met. The market demand at the Salem Business Campus continues to be from general industrial and manufacturing uses, as well as warehouse and distribution. The uses surrounding the Salem Business

Campus include bus parking, trailer storage, agriculture, and auto repair. These uses are more compatible with the IG zone than with IBC zone.

*(B) If the zone change is City-initiated, and the change is for other than City-owned property, the zone change is in the public interest and would be of general benefit.*

**Response:** The zone change is City-initiated for City-owned property that will be purchased for development. The proposed zone change will catalyze the development of the site in alignment with the comprehensive plan and statewide goals for economic development and employment land readiness. The additional tax revenue and employment opportunities are a benefit to the public interest. This standard is met.

*(C) The zone change complies with the applicable provisions of the Salem Area Comprehensive Plan.*

**Response:** The applicant has shown that the zone change complies with the applicable provisions of the Salem Comprehensive Plans see Section III. Approval Criteria – Comprehensive Plan in this report. This standard is met.

*(D) The zone change complies with applicable statewide planning goals and applicable administrative rules adopted by the Department of Land Conservation and Development.*

**Response:** The applicant has shown that the zone change complies with applicable statewide planning goals and applicable administrative rules adopted by the Department of Land Conservation and Development. See Section III. Approval Criteria – Statewide Planning Goals. This standard is met.

*(E) If the zone change requires a comprehensive plan change from an industrial designation to a non-industrial designation, or a comprehensive plan change from a commercial or employment designation to any other designation, a demonstration that the proposed zone change is consistent with the most recent economic opportunities analysis and the parts of the comprehensive plan which address the provision of land for economic development and employment growth; or be accompanied by an amendment to the comprehensive plan to address the proposed zone change; or include both the demonstration and an amendment to the comprehensive plan.*

**Response:** The proposed zone change is from Industrial Business Campus to General Industrial. Both zones are Industrial in the comprehensive plan. This proposal does not require a comprehensive plan change. The standard is met.

*(F) The zone change does not significantly affect a transportation facility, or, if the zone change would significantly affect a transportation facility, the significant effects can be adequately addressed through the measures associated with, or conditions imposed on, the zone change.*

**Response:** A traffic impact study was completed based on industrial uses and vehicular trips. The proposed zone is not anticipated to change transportation impacts or have or have significant effect on transportation facilities. This standard is met.

*(G) The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed zone.*

**Response:** The site is currently served by public facilities. This standard is met.

*(2) The greater the impact of the proposed zone change on the area, the greater the burden on the applicant to demonstrate that the criteria are satisfied.*

**Response:** The change of IBC to IG zoning is not anticipated to have any noticeable impacts to public facilities, transportation, utility needs or on off-site users. In addition, the zone change is in alignment with zoning in the vicinity. This standard is met. Modifying the zone will allow us capture current market conditions. The City has limited acreage of shovel ready industrial land. The developable land at the Salem Business Campus is limited due to the creation of conservation areas. The zone change will allow for maximizing the remaining development land within the Salem Business Campus. The landscaping and setback requirements in the IBC zone further limit the developable area available within the remaining approximately 30 acres. The CC&Rs will remain in place to provide additional screening, signage, and landscaping requirements. If approved, the only parcel within the IBC zone at the Salem Business Campus will be the approximately 19 acre parcel that Amazon is located on. The remaining development lots, which will be separated from the Amazon site by Gaia Street and the conservation areas in the center of the property will contain the same zone.

## **Salem Comprehensive Plan**

### ***Economy and Employment***

*GOAL: Strengthen the economic base of the Salem area to sustain the economic growth necessary to provide adequate employment opportunities and maintain community livability.*

**Response:** The proposed zone change will promote development and economic growth. This goal is met. The zone change will allow the City to capture current market activity from existing traded sector companies interested in expanding, as well as new businesses to the market. This includes manufacturing uses which while they appear to be allowed in the IBC zone, have not always been approved by Planning in the past. Recent examples include: JSR Micro, a company involved in the microchip business as well as Tina's Touchups, a specialized auto detailing business that oversee vehicle fleet painting and embellishments. This is a local company that would like to expand at the Salem Business Campus and works directly with companies such as Amazon. While we believe that the industrial market activity will remain strong into 2021 and beyond, this is uncertain. Completing the zone change now allows us to capture economic activity now. The requirement in the CC&Rs for traded sector businesses will remain in place.

*GOAL: Grow and attract traded-sector businesses, especially businesses with above average wages.*

**Response:** The proposed zone change better aligns with the uses being proposed at the site by traded-sector businesses. This goal is met.

1. Diversify the basic economic sector of the Salem urban area through:

a. Expansion of existing industrial enterprises and location of new, clean industries.

b. Expansion of the light manufacturing.

c. Expansion of businesses with an existing presence in Salem or businesses that provide goods and services to existing businesses in Salem.

d. Expansion of businesses who want to locate in Salem because of Salem's competitive advantages and characteristics.

**Response:** The proposed zone change will encourage development and economic growth. This goal is met.

### ***Industrial Development***

*GOAL: To encourage and promote industrial development which strengthens the economic base of the community by increasing traded-sector employment, especially in sectors that pay higher- than-average wages and minimizes air and water pollution.*

**Response:** The intent of the zone change is to promote industrial development at this site. The proposed zone change will encourage development and economic growth. This goal is met.

## **Statewide Planning Goals**

### ***Goal 1: Citizen Involvement***

**Response:** The City has developed a citizen involvement program that follows this goal and the applicant has met those standards. Standards include, providing notice to surrounding property owners, placing public notices around the site and attending a Neighborhood Association meeting. The applicant attended that meeting on November 10<sup>th</sup> - Southeast Mill Creek Neighborhood Association meeting. Future development of the site will also go through an approval process that will require public noticing and the opportunity for public comment. This standard will continue to be met.

### **Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces**

**Response:** The City of Salem has adopted code and programs that protect significant resources that will have to be followed during future development. No development is proposed in this application and the proposed rezoning from IBC to IG will not affect significant resource designations and protective regulations. The area does include a roughly 18-acre habitat conservation lots that were created to protect a significant amount of large white oak clusters and other important habitat.

### **Goal 6 Air, Water and Land Resources Quality**

**Response:** Goal 6 instructs local governments to consider air, water and land resources from pollution and pollutants when developing their comprehensive plans. The proposed zone change will not affect the considerations the City has taken regarding these resources and future development will have to comply with all application environmental regulations. This goal does not apply.

### ***Goal 9: Economic Development***

**Response:** This goal requires that the City of Salem inventory industrial lands and project future needs and demand to meet those needs. The proposed zoned change from IBC to IG are both industrial zones and have many overlapping uses. Since the zone change is between two industrial designations there will be no change to the city's total industrial land acreage and therefore the zone change will not affect the City's ability to meet Goal 9.



#### **Goal 10 Housing**

**Response:** This proposal is to change the zoning designation from Industrial Business Campus to General Industrial. Both designations are within the Industrial zone of the comprehensive plan and the employment mix associated with the zone change will be minimal. The change will not impact housing supply or demand. This goal does not apply.

#### **Goal 11: Public Facilities and Services**

**Response:** Goal 11 requires that public services such as sewer, water, fire protection be planned in accordance with the community's needs and capacities rather than responding to development as it occurs. The City has identified this area as the Salem Business Campus, to encourage development here the Urban Development Department has worked with service providers to install adequate sewer, water, and other utilities and public services. This goal is met.

#### **Goal 12: Transportation**

**Response:** This goal requires the City to adopt a local Transportation System Plan (TSP). The proposed zone change will not impact what is in the plan. In addition, a Transportation Impact Analysis was completed for the Salem Business Impact Since the zone change is from one industrial zone to another, total trips are not anticipated to change.

#### **Goal 13 Energy Conservation**

**Response:** Goal 13 requires cities to consider the effects of its comprehensive planning decision on energy consumption. The project site's location is in an industrially zoned part of the city and close to major access routes including the North Santiam Highway (HWY -22). The job creating industrial development on the site will provide more employment opportunities for residents and other nearby communities, with capacity to reduce vehicle miles traveled for future employees.

The site is also part of the Salem Business Campus an area which has been designated for industrial development. The city and utility providers have invested in infrastructure to serve this area for a high density of industrial development, thereby reducing the overall footprint of industrial development.

#### **Goal 14 Urbanization**

**Response:** This goal is to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The site is in the UGB and city limits. The site is located within an area that has been designated for industrial development and is served by or can be served by necessary infrastructure.

#### **IV. SUMMARY**

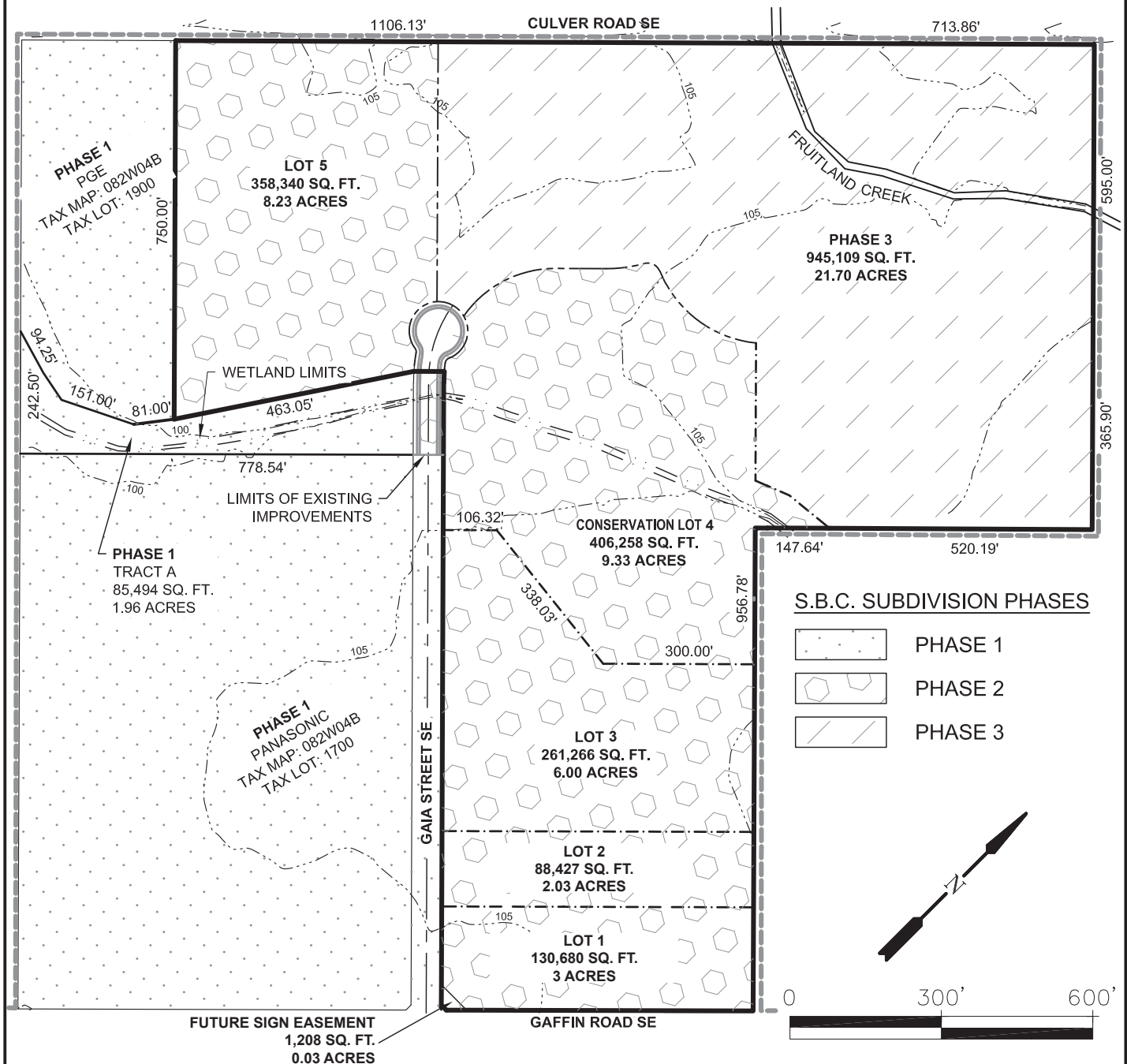
The findings presented above have summarized the proposal to change about 25.94 acres of land in the Salem Business Campus from Industrial Business Campus zoning to General Industrial zoning, as well as

demonstrate the alignment with City and regional goals. Rezoning the subject site to General Industrial will encourage development of these vacant and underdeveloped parcels, carrying out long-range planning goals for this area, and providing employment opportunities for Salem Residents. Development patterns of future users will be consistent with the existing and future industrial development in the area and will be appropriate for the site's location in the region.

In summary, the applicant has demonstrated how the proposed zone change is consistent with relevant decision criteria and requests approval.

# TENTATIVE SUBDIVISION PLAN - SUBDIVISION MODIFICATION OF THE SALEM BUSINESS CAMPUS

A PORTION OF THE REPLAT RECORDED UNDER VOL. H47, PG. 18, MARION COUNTY B.O.T.P.  
TOWNSHIP 8 SOUTH, RANGE 2 WEST, SECTION 4



## S.B.C. SUBDIVISION PHASES

- PHASE 1
- PHASE 2
- PHASE 3

### OWNER INFORMATION

CITY OF SALEM  
555 LIBERTY ST SE  
SALEM, OR 97301

- CITY OF SALEM/ UGB LIMITS
- GAIA ST CENTERLINE
- PROPOSED RIGHT-OF-WAY
- PROPOSED INTERIOR LOT LINES

### NOTE:

THIS EXHIBIT IS FOR CONCEPTUAL PURPOSES ONLY AND IS NOT BASED OFF OF ORIGINAL SURVEY DATA.

**CITY OF Salem**  
AT YOUR SERVICE  
PUBLIC WORKS DEPARTMENT

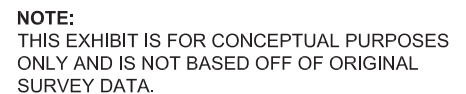
ENGINEERING DIVISION  
555 Liberty Street SE, Room 325  
Salem, OR 97301-3513  
Phone 503-588-6211  
www.cityofsalem.net

**SALEM BUSINESS  
CAMPUS CONCEPTUAL  
DRAWING**

**PN 649210**

09-24-20


A PORTION OF THE REPLAT RECORDED UNDER VOL. H47, PG. 18, MARION COUNTY B.O.T.P.  
TOWNSHIP 8 SOUTH, RANGE 2 WEST, SECTION 4





# MEMO

**TO:** Aaron Panko, Planner III  
Community Development Department

**FROM:** Glenn J. Davis, PE, CFM, Chief Development Engineer   
Public Works Department

**DATE:** January 12, 2021

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS  
ZC20-02 (20-118775)  
5730 CULVER DRIVE SE  
ZONE CHANGE FROM IBC TO IG**

## **PROPOSAL**

A Zone Change from IBC (Industrial Business Campus) to IG (General Industrial) for Lots 1, 2, and 3 of Phase 2, and Lots 5, 6, and 8 of Phase 3 for the Salem Business Campus Subdivision (SUB-ADJ09-02MOD2), for property approximately 29.5 acres in size, and located at 5730 Culver Drive SE - 97317 (Marion County Assessors Map and Tax Lot numbers: 082W04B / 01600 and 01800).

## **SUMMARY OF FINDINGS**

The proposed development meets applicable criteria related to Public Works infrastructure.

## **FACTS**

### **Streets**

1. Culver Drive SE
  - a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
  - b. Existing Conditions—This street has an approximate 20-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

2. Gaia Street SE

- a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 34-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

3. Gaffin Road SE

- a. Standard—This street is designated as a Minor Arterial street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 36-foot improvement within a 64-foot-wide right-of-way abutting the subject property.

**Storm Drainage**

1. Existing Conditions

- a. A 12-inch storm main is located in Gaia Street SE.
- b. Davidson Creek flows bisects the eastern portion of the property.
- c. An unnamed creek bisects the property near the existing terminus of Gaia Street SE.

**Water**

1. Existing Conditions

- a. The subject property is located in the S-1 water service level.
- b. A 16-inch water main is located in Gaia Street SE.
- c. A 12-inch water main is located on the subject property.

**Sanitary Sewer**

1. Existing Conditions

- a. A 12-inch sewer main is located in Gaia Street SE.

### **CRITERIA AND FINDINGS**

**Criteria: SRC 265.005(e)(1)(F) The zone change does not significantly affect a transportation facility, or, if the zone change would significantly affect a transportation facility, the significant effects can be adequately addressed through the measures associated with, or conditions imposed on, the zone change.**

**Finding:** The proposed zone change is from Industrial Business Campus to General Industrial. Both zones are classified as Industrial in the Comprehensive Plan. The zone change is consistent with the existing Comprehensive Plan map designation and does not change the Comprehensive Plan map. Also, the proposed zone change is consistent with the Salem TSP and all land within the Urban Growth Boundary is accounted for and planned for in the Salem TSP. Pursuant to OAR 660-012-0060(9), the local government finds that the proposed amendment to the zoning map does not significantly affect an existing or planned transportation facility.

**Criteria: SRC 265.005(e)(1)(G) The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed zone.**

**Finding:** The water, sewer, and storm infrastructure are available within surrounding streets/areas and appear adequate to serve the future development. Site-specific infrastructure requirements will be addressed in the Site Plan Review process in SRC Chapter 220.

Prepared by: Jennifer Scott, Program Manager  
cc: File

## **Exhibit A – Development Standards**

Where used in this exhibit, The “District” means the property re-zoned to IG as part of Case No. ZC20-02. “Internal Street” means a street which is not an arterial or collector street, which has no or only one actual or proposed connection to an existing or proposed street at the boundaries of the District, or which is a loop street entirely within the District.

**(a) Land Division.** In addition to any other applicable subdivision approval criteria set forth in the Salem Revised Code, the District shall not be divided unless the following criteria are met:

- (1) The configuration of the lots does not require the creation of other smaller lots as the only way to develop the remainder of the District;
- (2) The lot is complementary and compatible to other uses within the District; and
- (3) The lot does not preclude expansion of existing industries.

**(b) Lot Standards.** Lots shall conform to the standards set forth in Table 1.

<b>Table 1: Lot Standards</b>		
<b>Requirement</b>	<b>Standard</b>	<b>Limitations &amp; Qualifications</b>
<b>Lot Area</b>		
All Uses	None	
<b>Lot Width</b>		
All Uses	None	
<b>Lot Depth</b>		
All Uses	None	
<b>Street Frontage</b>		
All Uses	Min. 16 ft.	

**(c) Setbacks.** Setbacks within the District shall be provided as set forth in Tables 2 and 3.

<b>Table 2: Setbacks</b>		
<b>Requirement</b>	<b>Standard</b>	<b>Limitations &amp; Qualifications</b>
<b>ABUTTING STREET</b>		
<b><i>Buildings</i></b>		
All Uses	Min. 20 ft.	Applicable where abutting an Internal Street.
	Min. 40 ft.	Applicable where abutting a street, other than an Internal Street.
<b><i>Accessory Structures</i></b>		
Accessory to All Uses	Min. 20 ft.	Applicable where abutting an Internal Street.
	Min. 40 ft.	Applicable where abutting a street, other than an Internal Street.
	None	Applicable to transit stop shelters.
<b><i>Vehicle Use Areas</i></b>		
All Uses	Min. 20 ft.	
<b>INTERIOR FRONT</b>		
<b><i>Buildings and Accessory Structures</i></b>		
All Uses	Zone-to-Zone Setback (Table 3)	
<b><i>Vehicle Use Areas</i></b>		
All Uses	Zone-to-Zone Setback (Table 3)	
<b>INTERIOR SIDE</b>		



Table 2: Setbacks		
Requirement	Standard	Limitations & Qualifications
<b><i>Buildings and Accessory Structures</i></b>		
All Uses	Zone-to-Zone Setback (Table 3)	
<b><i>Vehicle Use Areas</i></b>		
All Uses	Zone-to-Zone Setback (Table 3)	
<b>INTERIOR REAR</b>		
<b><i>Buildings and Accessory Structures</i></b>		
All Uses	Zone-to-Zone Setback (Table 3)	
<b><i>Vehicle Use Areas</i></b>		
All Uses	Zone-to-Zone Setback (Table 3)	

Table 3: Zone-to-Zone Setbacks				
Abutting Zone	Type of Improvement	Setback	Landscaping & Screening	Limitations & Qualifications
EFU	Buildings and Accessory Structures	Min. 40 ft.	Type C	
	Vehicle Use Areas	Min. 20 ft.	Type C	
Residential Zone	Buildings and Accessory Structures	Min. 40 ft.	Type C	
	Vehicle Use Areas	Min. 20 ft.	Type C	
Mixed-Use Zone	Buildings and Accessory Structures	Min. 40 ft.	Type C	
	Vehicle Use Areas	Min. 20 ft.	Type C	
Commercial Zone	Buildings and Accessory Structures	Min. 40 ft.	Type C	
	Vehicle Use Areas	Min. 20 ft.	Type C	
Public Zone	Buildings and Accessory Structures	Min. 40 ft.	Type C	
	Vehicle Use Areas	Min. 20 ft.	Type C	
Industrial and Employment Zone: IBC and Property within the District	Buildings and Accessory Structures	None.	N/A	
	Vehicle Use Areas	Min. 10 ft.	Type A	
Industrial and Employment Zone: EC, IC, IG, IP and II	Buildings and Accessory Structures	Min. 20 ft.	Type C	
	Vehicle use areas			

**(d) Lot Coverage; Height.** Buildings and accessory structures within the District shall conform to the lot coverage and height standards set forth in Table 4.

Table 4: Lot Coverage; Height		
Requirement	Standard	Limitations & Qualifications
<b>LOT COVERAGE</b>		
<b>Buildings and Accessory Structures</b>		
All Uses	No Max.	
<b>HEIGHT</b>		
<b>Buildings</b>		
All Uses	Max. 70 ft.	
<b>Accessory Structures</b>		
Accessory to All Uses	Max. 70 ft.	

**(e) Off-Street Parking and Loading.** Within the District off-street parking and loading shall meet the Off-Street Parking standards of the Salem Revised Code, together with the additional requirements of this section:

**(1) Off-Street Parking.** Not more than 10 percent of the required off-street parking spaces may be located in a required setback abutting a street. For purposes of this subsection, required setback means the setback required for a building abutting a street.

**(2) Loading.**

**(A)** All loading spaces shall be screened from adjacent property by a minimum 6-foot-tall sight-obscuring fence, wall, or hedge; or a berm at least 4 feet in height.

**(B)** Loading docks and loading doors shall be screened from the street by landscaping and shall be offset from driveway openings.

**(f) Landscaping.** Landscaping within the District shall be provided as set forth in this subsection.

**(1) Setbacks.** Unless otherwise provided in the Salem Revised Code, required setbacks shall be landscaped. Landscaping shall meet the Type A standard.

**(2) Vehicle Use Areas.** Vehicle use areas shall be landscaped as provided in the Salem Landscaping Code.

**(3) Development Site.** A minimum of 20 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard. Other required landscaping, such as required landscaping for setbacks or vehicle use areas, may count towards meeting this requirement.

**(4) Landscaping Types.** Required landscaping shall be provided according to one of the landscaping types set forth in Table 5. Where landscaping is required without a reference to a specific landscaping type, the required landscaping shall meet the Type A standard.

Table 5: Landscaping and Screening		
Landscaping Type	Required Plant Units (PU)	Required Screening
A	Min. 1 PU per 20 sq. ft. of landscaped area	None
C	Min. 1 PU per 20 sq. ft. of landscaped area	Min. 6-foot-tall fence or wall

**(g) Outdoor Storage.** Within the District, outdoor storage shall conform to the following standards:

**(1)** Storage areas shall not be located within required setbacks;

**(2)** Storage areas shall be enclosed by a minimum six-foot-high sight-obscuring fence, wall, or hedge; or a berm;

**(3)** Materials and equipment stored shall not exceed a maximum height of fourteen feet above grade, provided however, that materials and equipment more than six feet in

height above grade shall be screened by sight-obscuring landscaping located within a minimum five-foot-wide landscape strip planted at one plant unit per 20 square feet of landscaped area.

## **Exhibit A – Development Standards**

Where used in this exhibit, The “District” means the property re-zoned to IG as part of Case No. ZC20-02. “Internal Street” means a street which is not an arterial or collector street, which has no or only one actual or proposed connection to an existing or proposed street at the boundaries of the District, or which is a loop street entirely within the District.

**(a) Land Division.** In addition to any other applicable subdivision approval criteria set forth in the Salem Revised Code, the District shall not be divided unless the following criteria are met:

- (1) The configuration of the lots does not require the creation of other smaller lots as the only way to develop the remainder of the District;
- (2) The lot is complementary and compatible to other uses within the District; and
- (3) The lot does not preclude expansion of existing industries.

**(b) Lot Standards.** Lots shall conform to the standards set forth in Table 1.

<b>Table 1: Lot Standards</b>		
<b>Requirement</b>	<b>Standard</b>	<b>Limitations &amp; Qualifications</b>
<b>Lot Area</b>		
All Uses	None	
<b>Lot Width</b>		
All Uses	None	
<b>Lot Depth</b>		
All Uses	None	
<b>Street Frontage</b>		
All Uses	Min. 16 ft.	

**(c) Setbacks.** Setbacks within the District shall be provided as set forth in Tables 2 and 3.

<b>Table 2: Setbacks</b>		
<b>Requirement</b>	<b>Standard</b>	<b>Limitations &amp; Qualifications</b>
<b>ABUTTING STREET</b>		
<b><i>Buildings</i></b>		
All Uses	Min. 20 ft.	Applicable where abutting an Internal Street.
	Min. 40 ft.	Applicable where abutting a street, other than an Internal Street.
<b><i>Accessory Structures</i></b>		
Accessory to All Uses	Min. 20 ft.	Applicable where abutting an Internal Street.
	Min. 40 ft.	Applicable where abutting a street, other than an Internal Street.
	None	Applicable to transit stop shelters.
<b><i>Vehicle Use Areas</i></b>		
All Uses	Min. 20 ft.	
<b>INTERIOR FRONT</b>		
<b><i>Buildings and Accessory Structures</i></b>		
All Uses	Zone-to-Zone Setback (Table 3)	
<b><i>Vehicle Use Areas</i></b>		
All Uses	Zone-to-Zone Setback (Table 3)	
<b>INTERIOR SIDE</b>		

Table 2: Setbacks		
Requirement	Standard	Limitations & Qualifications
<b><i>Buildings and Accessory Structures</i></b>		
All Uses	Zone-to-Zone Setback (Table 3)	
<b><i>Vehicle Use Areas</i></b>		
All Uses	Zone-to-Zone Setback (Table 3)	
<b>INTERIOR REAR</b>		
<b><i>Buildings and Accessory Structures</i></b>		
All Uses	Zone-to-Zone Setback (Table 3)	
<b><i>Vehicle Use Areas</i></b>		
All Uses	Zone-to-Zone Setback (Table 3)	

Table 3: Zone-to-Zone Setbacks				
Abutting Zone	Type of Improvement	Setback	Landscaping & Screening	Limitations & Qualifications
EFU	Buildings and Accessory Structures	Min. 40 ft.	Type C	
	Vehicle Use Areas	Min. 20 ft.	Type C	
Residential Zone	Buildings and Accessory Structures	Min. 40 ft.	Type C	
	Vehicle Use Areas	Min. 20 ft.	Type C	
Mixed-Use Zone	Buildings and Accessory Structures	Min. 40 ft.	Type C	
	Vehicle Use Areas	Min. 20 ft.	Type C	
Commercial Zone	Buildings and Accessory Structures	Min. 40 ft.	Type C	
	Vehicle Use Areas	Min. 20 ft.	Type C	
Public Zone	Buildings and Accessory Structures	Min. 40 ft.	Type C	
	Vehicle Use Areas	Min. 20 ft.	Type C	
Industrial and Employment Zone: IBC and Property within the District	Buildings and Accessory Structures	None.	N/A	
	Vehicle Use Areas	Min. 10 ft.	Type A	
Industrial and Employment Zone: EC, IC, IG, IP and II	Buildings and Accessory Structures	Min. 20 ft.	Type C	
	Vehicle use areas			

**(d) Lot Coverage; Height.** Buildings and accessory structures within the District shall conform to the lot coverage and height standards set forth in Table 4.

Table 4: Lot Coverage; Height		
Requirement	Standard	Limitations & Qualifications
<b>LOT COVERAGE</b>		
<b>Buildings and Accessory Structures</b>		
All Uses	No Max.	
<b>HEIGHT</b>		
<b>Buildings</b>		
All Uses	Max. 70 ft.	
<b>Accessory Structures</b>		
Accessory to All Uses	Max. 70 ft.	

**(e) Off-Street Parking and Loading.** Within the District off-street parking and loading shall meet the Off-Street Parking standards of the Salem Revised Code, together with the additional requirements of this section:

**(1) Off-Street Parking.** Not more than 10 percent of the required off-street parking spaces may be located in a required setback abutting a street. For purposes of this subsection, required setback means the setback required for a building abutting a street.

**(2) Loading.**

**(A)** All loading spaces shall be screened from adjacent property by a minimum 6-foot-tall sight-obscuring fence, wall, or hedge; or a berm at least 4 feet in height.

**(B)** Loading docks and loading doors shall be screened from the street by landscaping and shall be offset from driveway openings.

**(f) Landscaping.** Landscaping within the District shall be provided as set forth in this subsection.

**(1) Setbacks.** Unless otherwise provided in the Salem Revised Code, required setbacks shall be landscaped. Landscaping shall meet the Type A standard.

**(2) Vehicle Use Areas.** Vehicle use areas shall be landscaped as provided in the Salem Landscaping Code.

**(3) Development Site.** A minimum of 20 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard. Other required landscaping, such as required landscaping for setbacks or vehicle use areas, may count towards meeting this requirement.

**(4) Landscaping Types.** Required landscaping shall be provided according to one of the landscaping types set forth in Table 5. Where landscaping is required without a reference to a specific landscaping type, the required landscaping shall meet the Type A standard.

Table 5: Landscaping and Screening		
Landscaping Type	Required Plant Units (PU)	Required Screening
A	Min. 1 PU per 20 sq. ft. of landscaped area	None
C	Min. 1 PU per 20 sq. ft. of landscaped area	Min. 6-foot-tall fence or wall

**(g) Outdoor Storage.** Within the District, outdoor storage shall conform to the following standards:

**(1)** Storage areas shall not be located within required setbacks;

**(2)** Storage areas shall be enclosed by a minimum six-foot-high sight-obscuring fence, wall, or hedge; or a berm;

**(3)** Materials and equipment stored shall not exceed a maximum height of fourteen feet above grade, provided however, that materials and equipment more than six feet in

height above grade shall be screened by sight-obscuring landscaping located within a minimum five-foot-wide landscape strip planted at one plant unit per 20 square feet of landscaped area.