



**Marion County**  
OREGON

**ZONE CHANGE/COMPREHENSIVE  
PLAN CHANGE APPLICATION**

**RECEIVED**

**Do not double-side or spiral bind any documents being submitted**

JAN 02 2026

**Marion County  
Planning**

**Fee: Please check the appropriate box:**

- Zone Change - \$2500+\$40/acre
- Comprehensive Plan Change - \$3755+\$70/acre
- Zone Change/Comprehensive Plan Change - \$4510+\$70/acre
- Zone Change/Comprehensive Plan Change - with goal exception \$6010+\$70/acre
- Mineral Aggregate Site - \$6360 base fee +
  - \$30/acre - 0-100 acres
  - \$90/acre - 101-200 acres
  - \$120/acre - 201-399 acres
  - \$180/acre - 400+ acres

PROPERTY OWNER(S):  TIBA INC	ADDRESS, CITY, STATE, AND ZIP:  ██████████, ██████████, ██████████
PROPERTY OWNER(S) (if more than one):  Applicant - Eric Keunzi	ADDRESS, CITY, STATE, AND ZIP:  ██████████
APPLICANT REPRESENTATIVE:  Lindsey King, CFM - PNW Planning	ADDRESS, CITY, STATE, ZIP:  ██████████
DAYTIME PHONE (if staff has questions about this application):  503-710-8881	E-MAIL:  ██████████
ADDRESS OF SUBJECT PROPERTY:  5355 GAFFIN RD SE	SIZE OF SUBJECT PROPERTY:  24.88 acres
The property owners request to change the zone from (current) SA to (proposed) Commercial and/or change the Comprehensive Plan designation from SA to Commercial. Provide detailed information on the attached "Applicant Statement" page.	
Will a railroad highway crossing provide the only access to the subject property? ( ) Yes (x) No If yes, which railroad:	

FOR OFFICE USE ONLY:			
Township 8S	Range 2W	Section 5A	Application elements submitted:
Tax lot number(s) 100			<input checked="" type="checkbox"/> Title transfer instrument
Zone: SA Comp Plan: Special Agriculture			<input checked="" type="checkbox"/> 2 Site plans showing existing/proposed zoning
Zone map number: 50 <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural			<input checked="" type="checkbox"/> Applicant statement
<input checked="" type="checkbox"/> TPA/header			<input type="checkbox"/> GeoHazard Peer Review (if applicable) N/A
Case Number: ZC/CP26-001			<input checked="" type="checkbox"/> Filing fee
Signs given (min. agg. only):			Application accepted by: JSS Set up by: JSS
Date determined complete:			Date: 1-6-2026

**THE APPLICANT(S) SHALL CERTIFY THAT:**

- A. If the application is granted the applicant(s) will exercise the rights granted in accordance with the terms and subject to all the conditions and limitations of the approval.
- B. I/We hereby declare under penalties of false swearing (ORS 162.075 and 162.085) that all the above information and statements and the statements in the plot plan, attachments and exhibits transmitted herewith are true; and the applicants so acknowledge that any permit issued on the basis of this application may be revoked if it is found that any such statements are false.
- C. I/We hereby grant permission for and consent to Marion County, its officers, agents, and employees coming upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application.
- D. The applicants have read the entire contents of the application, including the policies and criteria, and understand the requirements for approving or denying the application.

**PRINTED NAME AND SIGNATURE** of each owner of the subject property.

Signed by:

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Print Name Signature

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Print Name Signature

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Print Name Signature

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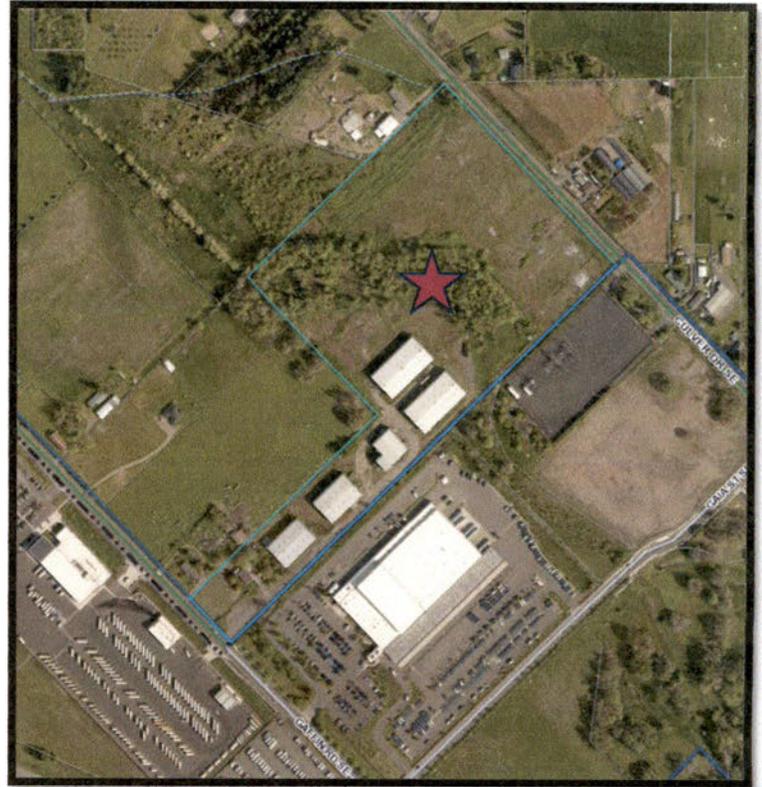
Print Name Signature

**DATED** this 9.00 day of December, 20 25.00

Request for a Comprehensive Plan  
Amendment - from Special  
Agriculture to Commercial

Goal Exception – Statewide  
Planning Goal 3

Zone Change – from Special  
Agriculture to Commercial



Applicant –

**Eric Keunzi (Buyer)**

Applicant Representative –

**Pacific Northwest Planning, LLC - Lindsey King, CFM**

Contents -

**Application**

**Narrative**

**Site plan**

**Deed**

**Supporting Documents**

## Property Details –

The subject site is addressed as 5355 Gaffin Rd SE, Salem (Map and Tax Lot 082W05A000100) The site property consists of one parcel totaling approximately 24.88 acres. The site is located within the Special Agriculture (SA) Zone between Gaffin Rd. SE and Culver Dr. SE on the north and south property lines approximately ½ mile west of the State Hwy 22 and Gaffin Rd. SE intersection. The property is located on the boarder of the Salem Urban Growth Boundary (UGB) on the east and south side. There are currently five large agricultural commercial buildings and one manufactured home on site. The parcel has been permanently disqualified from farm/forest tax deferral by the county assessor's office due to non-farm use. According to the Marion County Assessor's office the disqualification was instated more than 20 years ago but do not have any additional information due to file retention limits. The previous land use cases, CU92-018 and CU20-038, consider this a legally created parcel as it pertains to land use.

Records indicate that the current dwelling (Manufactured Home) has been present on the parcel since at least 2001 (Building Permit 555-01-05423). The conditional use permit (CU92-18) was for a commercial hay storage and compression business. This permit was approved by the Hearings officer on June 19, 1992, and then appealed on June 29, 1992. The case then went to the Board of County Commissioners who affirmed the Hearings Officers decision thus approving the conditional use. Most of the structures on site were constructed in relation to this use. It is believed that this action resulted in the removal of the farm/forest tax deferral, as the property became a commercial use at that time.

The Marion County Fire District No. 1 and the Marion County Sheriff's Office provide emergency services. Salem-Keizer School District is the provider for school. Electrical is provided by PGE. The parcel is served by individual septic (see Septic Permit 99-00409) and water can or is provided by City of Salem.

This area of Marion County and the City of Salem is rapidly growing and expanding. Within ½ mile of the subject property there are multiple industrial and commercial uses. These uses include Salem Keizer School District Transportation Center, Amazon warehouse and delivery center, multiple RV sales and storage lots, Oregon State Correctional Facility, and a public safety training facility.

## Agricultural Impacts –

The applicant reviewed all adjacent farms within a 1-mile mile radius of the subject site having a parcel size of 10 acres or more. This size was chosen due to the viability of "Farm Use" based on Marion County Comprehensive Plan.

**Surrounding Parcels Comprehensive Plan Designation –**

**North:** Special Agriculture

**South:** Industrial – Within Salem city limits

**East:** Industrial - Within Salem city limits

**West:** Special Agriculture

**Surrounding Parcels Zoning Designation & Use -**

**North:** Special Agriculture (SA) – Developed with dwellings

**South:** General Industrial (IG) – Salem – SKSD Transportation Center

**East:** Industrial Business Campus – Salem – Amazon warehouse & PGE Substation

**West:** Special Agriculture (SA) – Developed with dwellings

**Environmental Hazards –**

Floodplain: There is no mapped floodplain on the parcel.

Landslide: There are no geological hazards on the parcel.

Wetlands: There are some mapped wetlands on the parcel.

**Proposal –**

The applicant is proposing to change the Marion County Comprehensive Plan and zone designations from SA Special Agricultural to Commercial (Rural Code). This also requires a Statewide Goal 3 (Agriculture) Exception. The applicant is requesting this plan amendment and zone change, with the Goal 3 Exception through a quasi-judicial review, per MCC 17.110.464.

**Applicable Criteria -**

**Zone Change**

Concurrent with the County Comprehensive Plan Change application is a request to change the zoning from Special Agriculture (SA); MCC 17.137 to (rural zoning code) Commercial (C); MCC 17.145.

The Marion County Zoning Ordinance, Section 17.123.060 contains the following zone change criteria:

- A. *The proposed zone is appropriate for the Comprehensive Plan land use designation on the property and is consistent with the goals and policies of the Comprehensive Plan and description and policies for the applicable land use classification in the Comprehensive Plan, and*

**Response: The proposed commercial zone is consistent with the Comprehensive Plan designation of Commercial as proposed. Assuming the goals and policies of the Plan relating to the concurrent and companion Comprehensive Plan change application are approved as proposed in this application, then the C zone is appropriate to implement the Commercial Plan designation, and this policy is met.**

- B. *The proposed change is appropriate considering the surrounding land uses and the density and pattern of development in the area; and*

**Response: The surrounding land uses, densities and pattern of development make this C zone appropriate for this site. These 24.88 acres will operate along with the existing commercial and industrial area as a natural extension of the existing commercial and industrial uses. This is also the location of a collector and an urban arterial roadway and a major state highway. It is adjacent to a large-scale industrial area of Salem but is also located within 0.75 of a mile east of Deer Park Drive, as well as the State Highway 22 interchange. To the west of the property, approximately 0.45 miles, is Cordon Road, which is classified as an Urban Arterial per Marion County Rural Roadway Inventory. There is a large amount of AR zoning in the hills of this area. It is well buffered from any potential negative impacts to the small adjacent SA bordering land by the existing developments and adjacent topography. All other borders are the large swath of land across Gaffin Road owned by the State for the highway interchange and the correctional facility further to the south, existing commercial land to the south, and industrially zoned land now owned by the City's development authority on the north and east. This criterion is met.**

- C. *Adequate public facilities, services, and transportation networks are in place, or are planned to be provided concurrently with the development of the property and,*

**Response: City water is already available via a main in Gaffin Road. No other utilities are required or requested. The restricted size of future development allowed by the (rural code) C zone and the relatively large parcel sizes are appropriate for on-site sewage disposal systems. There is an existing septic system onsite that serves the dwelling and the existing buildings. The Marion County Fire District No. 1 and the Marion County Sheriff's Office provide emergency services. Salem-Keizer School**

**District is the provider for school. Electrical is provided by PGE. The transportation network is and will be adequate, according to existing traffic impact analysis. This criterion is met.**

*D. The other lands in the county already designated for the proposed use are either unavailable or not as well suited for the anticipated use due to location, size, or other factors; and*

**Response: The applicant found no other available lands with the close proximity to Hwy 22 interchange and two adequate County rural roads (Deer Park Drive and Gaffin Road). This site has existing commercial infrastructure and has been used as a commercial property for many years. As noted, many of the neighboring sites already has commercial-type services. No other vicinity properties have these attributes or are available. This criterion is met.**

*E. If the proposed zone allows uses more intensive than uses in other zones appropriate for the land use designation, the new zone will not allow uses that would significantly adversely affect allowed uses on the adjacent properties zoned for less intensive uses.*

**Response The Commercial zone is the only zone that implements the rural Commercial designation in the Marion County Comprehensive Plan (MCCP). The MCCP policies that address designating property as Commercial were addressed earlier, and the proposal complies based on the evidence presented in the goal exception section of this report. The proposal is consistent with surrounding uses that comprise of commercial, industrial, residential, and quasi- public use on surrounding lands. Based on the information submitted, the criteria for a zone change are satisfied by the proposal.**

## Summary -

This proposal meets the zone change approval criteria of the Marion County Code. Therefore, in conjunction with the approval of the Comprehensive Plan Amendment and Goal 3 Exception.

## Statewide Goal 3 (Agricultural Lands) Exception -

This request also requires an exception to statewide Goal 3, since we are requesting removal of SA, Special Agriculture zoning. Statewide Goal Exceptions are described in ORS:

*ORS 197.732 -Goal Exceptions*

1. *As used in this section:*
  - a. *"Compatible" is not intended as an absolute term meaning no inference or adverse impacts of any type with adjacent uses.*
  - b. *"Exception" means a comprehensive plan provision, including an amendment to an acknowledge comprehensive plan, that:*
    - i. *Is applicable to specific properties or situations and does not establish a planning or zoning policy of general applicability.*
    - ii. *Does not comply with some or all goal requirements applicable to the subject properties or situations, and*
    - iii. *Complies with standards under subsection (2) of this section.*
2. *A local government may adopt an exception to a goal if:*
  - a. *The land subject to the exception is physically developed to the extent that it is no longer available for uses allowed by the applicable goal.*
  - b. *The land subject to the exception is irrevocably committed as described by Land Conservation and Development Commission rule to uses not allowed by the applicable goal because existing adjacent uses and other relevant factors make uses allowed by the applicable goal impracticable; or*
  - c. *The following standards are met:*
    - (A) *Reasons justify why the state policy embodied in the applicable goals should not apply;*
    - (B) *Areas that do not require a new exception cannot reasonably accommodate the use;*
    - (C) *The long term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site; and*
    - (D) *The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts.*

**Statewide Goal exceptions are described in ORS 197.732, which allows local government to adopt an exception if the land is physically developed to the extent, it is no longer available for uses allowed by the applicable goal, or if the land is irrevocably committed to uses not allowed by the goal due to existing development and adjacent land uses. Exceptions may also be adopted if the reasons justify why the state policy should not apply, areas that do not require a new exception cannot reasonably accommodate the use, the long-term environmental, economic, social, and energy consequences are not significantly more adverse than if located in areas that require a goal exception, and the proposed uses are compatible with adjacent uses or can be made compatible through mitigation measures. Although ORS and State administrative rules describe the irrevocably committed and reasons exceptions separately, the applicant's response addresses both standards together.**

**Please refer to Exhibit 1, which includes a soils map of the subject property and surrounding agricultural study area. Exhibit 2 provides a table showing the soil mapping units and capability class/unit for soils on the subject property and within the one-mile study area. These exhibits demonstrate that portions of the site contain poorly drained soils and mapped wetlands, further limiting agricultural productivity. The subject property is not located within an unincorporated community and is not in industrial use. Marion County has adopted a Rural Commercial (C) zone that is acknowledged as complying with Goal 14, and therefore no exception is requested for that Goal. The C zone ensures that rural commercial uses do not exceed rural density limitations and do not require urban-level public facilities, although City water could be made available. Uses allowed under the Commercial zone can be supported with rural services, including septic systems, and are like the types of uses found immediately east of the subject property, which is also zoned Commercial. While some parcels north and west of the site remain zoned SA, the immediate vicinity is predominantly residential, and commercial and is not currently being commercially farmed. The subject parcel cannot be farmed in conjunction with other parcels in the area due to reasons discussed below.**

**The subject parcel was the focus of a 1992 conditional use permit (CU92-18) for a commercial hay storage and compression business, which required large storage buildings for compression equipment and processing, approximately 80,000 square feet, and sufficient travel ways for trucks hauling materials in and out. Aerial images are provided as Exhibit 3. More than 17 of the 24.88 acres were dedicated to commercial use, with the remaining acreage consisting of mapped wetlands and poorly drained soils (Exhibit 4). This includes accessways, buildings, material storage areas, finished product storage, and composting piles. Based on this decades-long**

commercial use, the applicant concludes that the parcel is irrevocably committed to commercial use. Although the origin of this commercial use was facilitated under the SA zone, the parcel is now non-farmable due to existing development.

The subject parcel is effectively isolated from surrounding commercial farm operations due to physical barriers, jurisdictional boundaries, and existing non-farm development. Two sides of the site abut the City of Salem Urban Growth Boundary and city limits. To the south, the parcel is separated by Gaffin Road, an ODOT-controlled roadway associated with the Highway 22 interchange. Beyond Gaffin Road and Highway 22 is the Oregon State Correctional Institution. Adjacent land uses further limit any functional agricultural relationship. To the southwest, the site abuts the Marion-Keizer School District transportation center and a recreational vehicle and boat storage facility. To the east, the parcel abuts an Amazon Locker facility and several City of Salem owned parcels that are neither developed nor farmed. These features create a clear break between the subject parcel and surrounding agricultural lands, preventing it from functioning as part of a larger agricultural unit.

Agricultural uses within a one-mile radius were evaluated, focusing on SA and EFU-zoned parcels approximately 10 acres or larger. Nineteen parcels within the study area met this criterion. The nearest SA-zoned parcel abutting the subject site, Tax Lot 082W05A000200 (9.71 acres), is specially assessed but it is unclear if it is currently in active farm use. Farther east, Tax Lot 082W04C000500 (10.40 acres) contains a single-family dwelling and equine uses. Three parcels north of Culver Drive (Tax Lots 072W33C002000, 082W04B000700, and 082W04B000200) range from 9.61 to 11.9 acres and include single-family dwellings with grass crops, berry crops, and a large perennial creek bisecting one parcel. While these parcels are in active farm use, they do not constitute significant agricultural operations, which are generally reserved for larger tracts of 80 acres or more. Although smaller tracts may be viable for some agricultural uses, the type and scale of crops on these parcels do not rise to that level. The next closest parcels in farm use are north of Macleay Road SE and 62nd Avenue SE, consisting of approximately seven parcels predominately in grasses and other row crops, with the largest parcel at the corner of 62nd Avenue and Macleay Road totaling 91.10 acres. These parcels are separated from the subject site by heavily traveled roads and intervening industrial and commercial lands. Other SA-zoned parcels within the study area that meet the 10-acre threshold are either not in active farm use or are vacant and may have special assessment but no known farm operations.

The subject parcel has limited remaining land that is practically farmable. Portions of the site have been altered by material storage and other non-farm activities, and the

northern access was permanently closed under the 1992 conditional use permit, leaving a single access from Gaffin Road. This limits maneuverability for farm equipment and further reduces the feasibility of continued agricultural use. While conditional uses under SA zoning cannot alone establish irrevocable commitment, the cumulative effect of site alterations, access constraints, and surrounding development demonstrates that the property is no longer reasonably suited for agricultural production. Given the site's isolation from significant agricultural uses, lack of practical farmability, and surrounding non-farm development pattern, uses allowed under the proposed Rural Commercial (C) zoning designation would not adversely affect existing or future farm practices. There are no nearby agricultural operations that would be subject to conflicts related to traffic, access, noise, or operational constraints. Traffic analyses prepared for other developments in the area indicate the proposed zone change would not adversely impact the surrounding roadway system.

Based on the physical and functional isolation of the subject site, the absence of significant agricultural operations in the immediate vicinity, the limited suitability of the parcel for continued farm use, and the existing pattern of commercial and institutional development along Gaffin Road, the proposed zone change is consistent with Statewide Planning Goal 3 exception standards and ORS 197.732. The proposal does not adversely affect the long-term viability of agricultural lands and reflects the context of established land use of the area.

## Statewide Planning Goals

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

**Response:** The notice to property owners, agencies and special interest groups, and hearings process before the hearings officer and Board of Commissioners provides the opportunity for citizen involvement. Goal 1 is met.

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

**Response:** This proposal involves a site-specific Comprehensive Plan amendment. In accordance with Goal 2, Marion County will coordinate with all affected governmental units—including local, state, and federal agencies, as well as special districts with jurisdiction or interest within the area—and will notify the Department of Land Conservation and Development (DLCD) of the

**proposed amendment. Through the County's established review and coordination process, Goal 2 requirements will be met.**

**Goal 3: Agricultural Lands.** *To preserve and maintain agricultural lands.*

**Response: The applicant is proposing an exception to this goal. If approved this goal does not apply.**

**Goal 4: Forest Lands.** *To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest species as the leading use on forest land consistent with sound management of soil, air, water, fish, and wildlife resources and for recreational opportunities and agriculture.*

**Response: The subject site is not in a forest zone and has no known forestland capability. This goal is not applicable.**

**Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources.** *To conserve open space and protect natural and scenic resources.*

**Response: No goal 5 resources are mapped or otherwise identified on or near the subject site. This goal is not applicable.**

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

**Response: Normal commercial and public use of this property will not generate significant disturbance to the quality of the air, water and land resources. Since the land is already commercially developed this has been shown by the many years of practice. This goal is met.**

**Goal 7: Area Subject to Natural Disaster and Hazard.** *To protect life and property from natural disaster and hazards.*

**Response: The subject site is not in an identified floodplain or a geologically hazardous area. Goal 7 is not applicable.**

**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.*

**Response: No goal 8 resources are identified on the subject site or impacted by this application. This goal is not applicable.**

**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.*

**Response:** Under OAR 660-009-0010(1), OAR Chapter 660, Division 9 applies only to **Comprehensive Plans for areas within urban growth boundaries.** **Additional planning for commercial development outside urban growth boundaries is not required or restricted by this rule. The subject property is not inside an urban growth boundary. Goal 9 is not applicable.**

**Goal 10: Housing:** *To provide for the housing needs of citizens of this state.*

**Response:** **The subject site is not within a UGB and goal 10 does not apply.**

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

**Response:** **The applicants have not proposed nor need extension of any existing public facilities or services. Public water service already exists in the Gaffin Road right-of-way. Since development of the site will require no extension of any new services, Goal 11 is met.**

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

**Under OAR 660-012-0060(1), amendments to acknowledged comprehensive plans and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:**

- a. *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan),*
- b. *Change standards implementing a functional classification system,* or
- c. *As measured at the end of the planning period identifies in the adopted transportation system plan:*
  - i. *Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*

- ii. *Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan: or*
- iii. *Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*

**Response:** Please refer to a traffic impact analysis which was done by DKS for the adjacent parcel located at 5475 Gaffin Rd, also known as the Amazon facility (exhibit 6). Their conclusion was that a zone change can be made without causing the any of their study highway to carry traffic volumes above its capacity. Full "build-out" of their study area was considered when analyzing capacity of the study area intersections. Defining the study area intersections for traffic studies involved agreements by The City of Salem, Marion County and ODOT. Additionally, a traffic impact study was done for parcels to the east at 5711 Gaffin Rd in 2019 by Lancaster Engineering. This also concluded that a zone change will not impact or alter the functional classification of any planed facility and would not change any functional classification standards. Sections of these reports have been included for reference. Each point of Statewide Goal 12 was addressed in the traffic impact analysis. This application satisfies Goal 12.

*Goal 13: Energy Conservation. To conserve energy.*

**Response:** The proposed amendment is not anticipated to result in a significant increase in overall energy consumption. The site's location at the intersection of two major rural roads and in proximity to a state highway interchange represents an efficient use of existing transportation infrastructure and may reduce vehicle miles traveled for commercial and service needs in the surrounding area. The proposal is therefore consistent with Goal 13.

*Goal 14: Urbanization. To provide for an orderly and efficient transition from rural to urban land use.*

**Response:** This goal does not pertain, as it is outside the UGB and no urban land uses are proposed, but only (rural code) Commercial.

Goals 15 (Willamette River Greenway), 16 (Estuarine Resources), 17 (Coastal Shorelands), 18 (Beaches and Dunes), and 19 (Ocean Resources) are not applicable. The subject property is not located within the Willamette River Greenway, nor is it in proximity to any ocean, estuarine, or coastal resource areas

Conclusion:

***Given the information provided and the supporting documents, the applicant is requesting approval of the Comprehensive Plan Amendment and zone change for the parcel located at 5355 Gaffin Rd. SE. The applicant believes that all standards and criteria have been met and that this change would be a natural extension of the existing commercial and industrial lands.***