

Attention Property Owner: A land use proposal has been submitted for property near where you live or near property you own elsewhere. State law requires that the county notify property owners within a certain distance from this property. The proposal and address of the property is described in the "Application" section below. The decision in this case does not directly affect the zoning or use of your property. If you object to the decision, refer to the "Appeal" section. If you have questions, contact the staff person listed at the end of this report.

**NOTICE OF DECISION  
PROPERTY LINE ADJUSTMENT CASE NO. 25-003**

**APPLICATION:** Application of Auburn Road Associates LLC and Lancaster Center East LLC for a property line adjustment to adjust the property lines on a 1.22-acre parcel and a 7.58-acre parcel to create a 7.46-acre parcel and a 1.34-acre parcel in a CR (Commercial Retail) zone located at 520 and 510 Lancasater Dr NE, Salem (T7S; R2W; Section 30BD, Tax lot 1301; & Section 30BA, Tax lot 1700).

**DECISION:** The Planning Director for Marion County has **APPROVED** the above-listed Property Line Adjustment application subject to certain conditions.

**EXPIRATION DATE:** Title transfer instruments accomplishing the property adjustments shall be recorded by the applicants with the Marion County Clerk by **March 5<sup>th</sup>, 2027** (two years). The effective period may be extended for an additional year subject to approval of an extension (form available from the Planning Division). **Additional extensions may not be granted if the regulations under which this decision was granted have changed since the original approval.**

**WARNING:** A decision approving the proposal is for land use purposes only. Due to septic, well and drain field replacement areas, this parcel may not be able to support the proposal. To be sure the subject property can accommodate the proposed use the applicant should contact the Building Inspection Division, (503) 588-5147.

**This decision does not include approval of a building permit.**

**CONDITIONS:** The following conditions must be met before a building permit can be obtained or the approved use established:

1. Per the Marion County Surveyor's Office: A re-plat (in the form of a partition plat) is required, due to the adjustment or elimination of a partition plat parcel line or subdivision lot line. The subject properties must be surveyed and platted per ORS 92.050, and the plat submitted for review. Checking and recording fees are required and a current or updated title report must be submitted at the time of review.
2. The applicants shall obtain any building permits required by Marion County Building.
3. The resulting parcels shall significantly conform to the site plan submitted with the proposal. Minor variations are permitted upon review and approval by the Planning Director.

**ADDITIONAL CONDITIONS:** Once the approved use is established the following conditions must be continually satisfied:

4. After the property line adjustment has been completed, no alteration of property lines shall be permitted without first obtaining approval from the Planning Director.

**OTHER PERMITS, FEES, AND RESTRICTIONS:** This approval does not remove or affect covenants or restrictions imposed on the subject property by deed or other instrument. The proposed use may require permits and/or fees from other local, State or Federal agencies. This decision does not take the place of, or relieve the responsibility for, obtaining other permits or satisfying restrictions or conditions. It is recommended that agencies mentioned in Finding #5 below be contacted to identify restrictions or necessary permits.

5. Prior to recording the deeds all taxes due must be paid to the Marion County Assessor's Office Tax Section (contact them at (503) 588-5215 for verification of payments).
6. The applicants should contact the Marion County No. 1 Fire District to obtain a copy of the District's Recommended Building Access and Premise Identification regulations and the Marion County Fire Code Applications Guide. Fire District access standards may be more restrictive than County standards.

**APPEAL PROCEDURE:** The Marion County Zone Code provides that certain applications be considered first by the County Planning Director. If there is any doubt that the application conforms with adopted land use policies and regulations the Director must condition or deny the application. Anyone who disagrees with the Director's decision may request that the application be considered by a Marion County hearings officer after a public hearing. The applicant may also request reconsideration (one time only and a fee of \$200) on the basis of new information subject to signing an extension of the 150 day time limit for review of zoning applications.

A public hearing is held on appeals subject to the appellant paying a \$250.00 fee. Requests for reconsideration, or consideration by a hearings officer, must be in writing (form available from the Planning Division) and received in the Marion County Planning Division, 5155 Silverton Road NE, Salem, by 5:00 p.m. on **March 5<sup>th</sup>, 2025**. If you have questions about this decision contact the Planning Division at (503) 588-5038 or at the office. This decision is effective **March 6<sup>th</sup>, 2025**, unless further consideration is requested.

**FINDINGS AND CONCLUSIONS:** Findings and conclusions on which the decision was based are noted below.

1. The subject properties are designated Mixed Use in the City of Salem Comprehensive Plan and correspondingly zoned CR (Commercial Retail) under the jurisdiction of Marion County. The primary intent of both this designation and zone is to provide areas for commercial development such as retail, offices, and eating and drinking places.
2. The properties are located on the northeast side of the intersection of Auburn Rd NE and Lancaster Dr NE. Both properties are developed with commercial structures (one which spans both parcels) and a large parking area. The larger of the two subject parcels contains two separate tax accounts, which are the listed tax lot 1700 in section 30BA and tax lot 1400 of section 30BD. The smaller parcel is the entirety of tax lot 1301 in section BD. Both parcels were the subject of previous land use cases for adjustments to sign sizes (cases ADJ93-017 and ADJ93-023 & ADJ93-011) and have not changed their configuration since. Therefore, both parcels are legal for land use purposes.
3. Adjacent properties consist of a mixture of commercial and residentially zoned properties. The parcels adjacent to the east are zoned RS (single-family residential) and are developed as single-family residences. To the west, there is a strip of CR zoned parcels bordering Lancaster Dr NE with a mixture of RS and RM (multi-family residential) zoned parcels beyond this initial commercial area. Finally, to the northwest is a section of parcels annexed into the City of Salem.
4. The applicants are proposing to adjust the property lines between a 7.587-acre parcel and a 1.223-acre parcel to create a 7.463-acre parcel and a 1.347-acre parcel. The purpose is to align the property lines with a wall separating two commercial spaces in a connected commercial building that spans across both properties.
5. Various agencies were contacted about the proposal and given an opportunity to comment.

Marion County Building Inspection Division commented: "No Building Inspection concerns as it appears a fire separation wall between buildings exists along the proposed new property line."

Marion County Surveyor's Office commented:

1. A re-plat (in the form of a partition plat) is required, due to the adjustment or elimination of a partition plat parcel line or subdivision lot line.
2. Must be surveyed and platted per ORS 92.050, and the plat submitted for review.

3. Checking fee and recording fees required.
4. A current or updated title report must be submitted at the time of review.

All other commenting agencies stated no objection to the proposal or failed to provide comments.

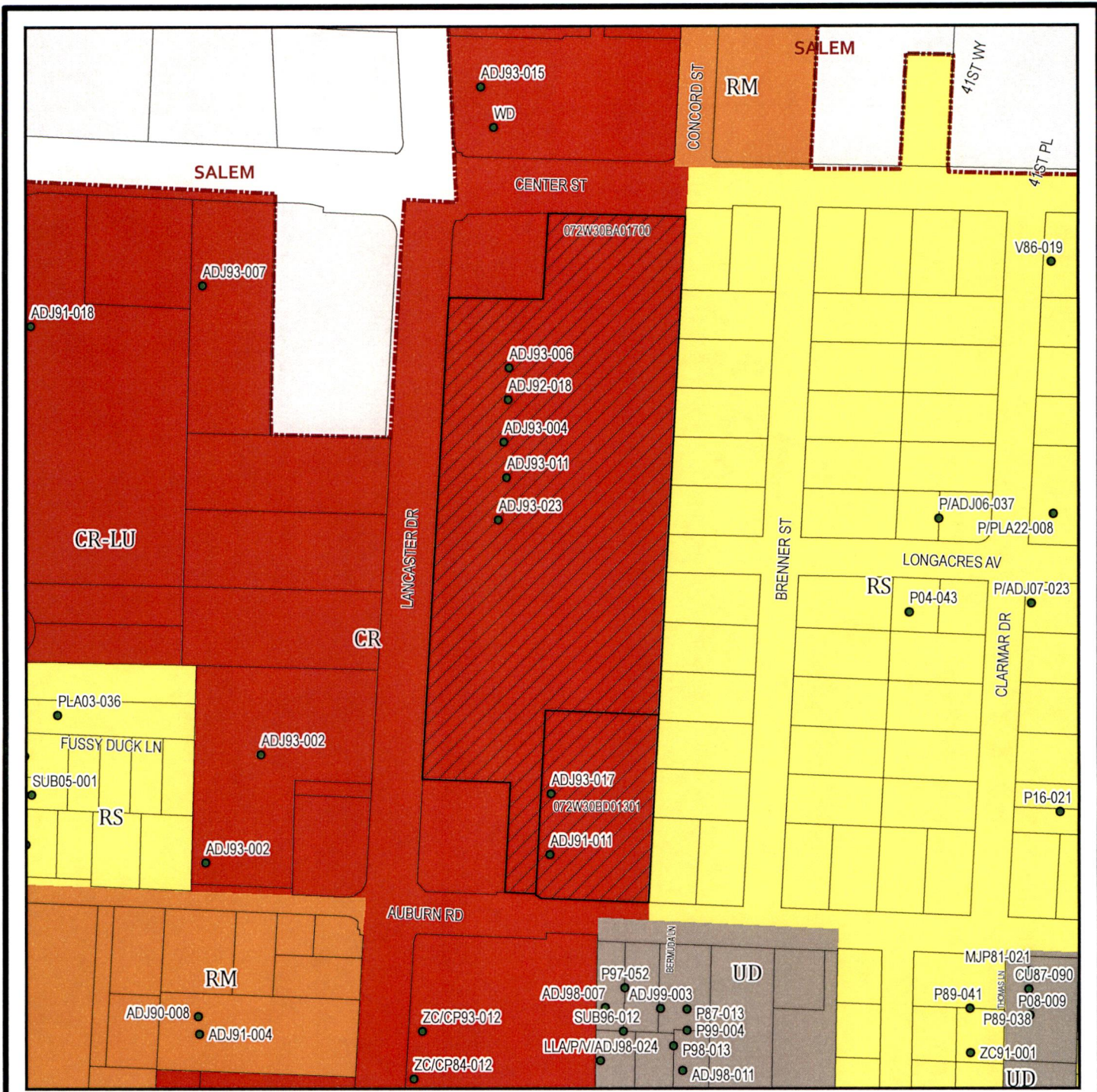
6. There are no specific criteria for property line adjustments in the Commercial Retail zone, as there are no lot area or dimension requirements. Additionally, the proposal does not involve new development on the parcel but is simply to align the property line with an internal wall that separates commercial spaces within the commercial structure that spans both parcels. All current development on the subject parcels appears to meet the requirements of the zone.
7. Based on the above findings, the proposal meets the applicable criteria and is, therefore, **APPROVED**.

Brandon Reich  
Planning Director

Date: February 18<sup>th</sup>, 2025

If you have any questions regarding this decision contact Alexander Seifer at (503) 588-5038

Notice to Mortgagee, Lienholder, Vendor or Seller: ORS Chapter 215 requires that if you receive this Notice, it must promptly be forwarded to the purchaser.



# ZONING MAP

**Input Taxlot(s):** 072W30BA01700, 072W30BD01301

**Owner Name:** LANCASTER CENTER EAST LLC

**Situs Address:** 510 LANCASTER DR NE  
**City/State/Zip:** SALEM, OR, 97301  
**Land Use Zone:** CR  
**School District:** SALEM-KEIZER  
**Fire District:** MARION COUNTY NO.1

**Legend**

Input Taxlots

Highways

Lakes & Rivers

Cities

N  
  
scale: 1 in = 223 ft

DISCLAIMER: This map was produced from Marion County Assessor's geographic database. This database is maintained for assessment purposes only. The data provided hereon may be inaccurate or out of date and any person or entity who relies on this information for any purpose whatsoever does so solely at his or her own risk. In no way does Marion County warrant the accuracy, reliability, scale or timeliness of any data provided on this map.