



May 24, 2024

CSA Planning, LTD.  
Alycia Cash  
4497 Brownridge, Suite 101  
Medford, OR 97504

RE: Similar Use Determination – 381W16AD TL 3100 & 3200

Dear Ms. Cash,

Thanks for your request for a similar use determination for the properties located at 306 S. C Street (381W16AD TL 3100 and 3200). Below is the requested determination and some additional information on previous uses.

As noted in your memo, the subject properties are within the Phoenix city limits. These properties are subject to the regulations outlined in the Phoenix Land Development Code, Chapter 2.5 – General Industrial and uses listed in Table 2.2.5(A).

On April 17, 2024 staff received an inquiry regarding use of the properties for chainsaw repair and heavy equipment maintenance and storage for a forestry land management business on the subject properties. The proposed use now also includes additional accessory uses such as office space. The General Industrial zone, unlike other zones including the Light Industrial zone, *accommodates a range of light and heavy industrial land uses. It is intended to segregate incompatible developments from other districts, while providing a high-quality environment for businesses and employees.*

Unlike other zoning designations, the General Industrial zone does not specifically identify truck or equipment repair or machining as an allowed use and specifically disallows storage as shown below:

***Warehousing and distribution (this does not include Mini-Warehouse Storage facilities)***

Warehousing and distribution are typically defined as the process of storing physical inventory for sale or distribution. Warehouses are used by all types of businesses that need to temporarily store products in bulk before either shipping them to other locations or individually to end consumers.

In addition to staff's interpretation of warehousing and distribution above, staff further believes that the emphasis on not allowing mini-warehouse storage facilities was intended to ensure that the few parcels that allow heavy industrial uses are preserved for that purpose. Considering the interpretation above, storage of vehicles is not a warehousing or distribution use and therefore cannot be allowed on the subject properties.

The Phoenix Land Development Code acknowledges that not all uses are listed in the code and that uses similar to the ones listed can be approved. The code is silent on uses that are listed in one zone and not the other. However, it can be interpreted that if a use is not listed in one



zone, in this case General Industrial, but listed as allowed in other zones such as Light Industrial, that the zone without the use listed does not support the unlisted use.

In the case of this request, the Light Industrial zone specifically allows for the following use:

***Light fabrication and repair shops such as blacksmith, cabinet, electric motor, heating, machine, sheet metal, stone monuments, upholstery, welding, auto body, and auto and truck repair.***

As noted above, the General Industrial zone doesn't allow storage that is not related to warehousing or distribution nor does it allow for the repair of equipment onsite.

This determination may be appealed to the Planning Commission within 14 days after the interpretation was mailed or delivered to the applicant. The Planning Commission shall hear all appeals of a Planning Director interpretation as a Type III action pursuant to Chapter 4.1.5 – Type III Procedure (Quasi-Judicial), except that written notice of the hearing shall be provided to the applicant, any other party who has filed a notice of appeal, and any other person who requested notice.

If you have any questions about this interpretation or the appeal process, please contact me directly by email at [zac.moody@phoenixoregon.gov](mailto:zac.moody@phoenixoregon.gov) or at 541-535-2050.

Respectfully,

Zac Moody  
Community Development Manager

CC: Agent, Property Files